

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 181-12

AN ORDINANCE

approving the C-P Plan of Red Oak of Columbia; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Council hereby approves the C-P Plan of Red Oak of Columbia, dated June 2012, located south of the Grindstone Parkway and Grindstone Plaza Drive intersection. The Director of Community Development shall use the design parameters set forth in "Exhibit A" which is attached to and made a part of this ordinance as guidance when considering any future revisions to the C-P Development Plan.

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2012.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor



**City of Columbia
Planning Department**

701 E. Broadway, Columbia, MO
(573) 874-7239 planning@gocolumbiamo.com

Design Parameters Worksheet

For office use:

Case #: 12-87	Submission Date: 7/5/12	Planner Assigned: SM
---------------	-------------------------	----------------------

Please provide the following information:

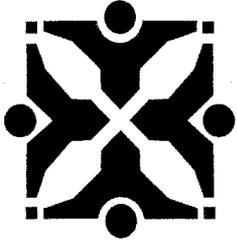
1. The minimum distance between any building and any adjacent property line or street right-of-way. **25 feet**

2. The minimum distance between the edge of any driveway, parking area, loading area, trash storage area and any adjacent property line or street right-of-way. **6 feet**

3. The maximum number of freestanding signs on the site, the maximum square footage of sign surface area and maximum height of each. **1 Monument type sign. Maximum surface area (per side) 64 square feet. Maximum height of sign at 12 feet.**

4. The minimum percentage of the site to be maintained in open space shown by the percent in landscaping and the percent left in existing vegetation. (not applicable to **M-R** districts)
Existing Vegetation – 0%
Landscaping – 25%

5. The maximum height and number of light poles and type of fixtures.
Maximum number of light poles – 25
Maximum pole height (including base) – 25 feet



Source: Community Development - Planning ^{TT}

Agenda Item No:

To: City Council
From: City Manager and Staff

Council Meeting Date: Aug 6, 2012

Re: Red Oak of Columbia - C-P development plan (Case 12-87)

EXECUTIVE SUMMARY:

A request by Red Oak Investment Company (owner) for approval of a C-P development plan to be known as Red Oak of Columbia. The 9.6-acre subject site is located on the south side of Grindstone Parkway, across from Grindstone Plaza Drive. (Case 12-87)

DISCUSSION:

The proposed C-P (Planned Business District) development plan would allow for the construction of a 158-unit/552-bedroom student apartment complex. The subject site comprises the southeast portion of a 25-acre tract, which is concurrently being platted into nine lots for a mixture of commercial and multi-family residential development. The plat includes an extension of Grindstone Plaza Drive to provide access to the subject site.

Staff had initially recommended denial of the request due to unresolved tree preservation and traffic study questions which have since been addressed. The development plan meets all of the requirements of the Zoning Regulations and complies with the approved C-P zoning ordinance and Statement of Intent.

At its meeting on July 19, the Planning and Zoning Commission voted unanimously (9-0) to recommend approval of the request. Commissioners discussed traffic impacts and issues associated with the recent student apartment boom before reaching a consensus view that the proposed project is well planned. There were no public comments on this request.

A staff report, locator maps, a copy of the development plan and design parameters, and excerpts from the Planning and Zoning Commission public hearing are attached for reference.

FISCAL IMPACT:

None

VISION IMPACT:

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

None

SUGGESTED COUNCIL ACTIONS:

Approval of the proposed C-P development plan

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$0.00	Duplicates/Expands an existing program?	No	Vision Implementation impact	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	No
One Time	\$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	N/A
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	N/A
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	N/A

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
JULY 19, 2012**

SUMMARY

A request by Red Oak Investment Company (owner) for approval of a C-P development plan to be known as Red Oak of Columbia. The 9.6-acre subject site is located on the south side of Grindstone Parkway, across from Grindstone Plaza Drive. (Case 12-87)

DISCUSSION

The proposed C-P (Planned Business District) development plan would allow for the construction of a 158-unit/552-bedroom student apartment complex. The subject site comprises the southeast portion of a 25-acre tract, which is concurrently being platted into nine lots for a mixture of commercial and multi-family residential development. The plat includes an extension of Grindstone Plaza Drive to provide access to the subject site.

The development plan meets the requirements of the Zoning Regulations, and complies with the approved C-P zoning ordinance and Statement of Intent, with the following exceptions:

1. A tree preservation plan has not been approved by the City Arborist.

A preliminary assessment of the site by the City Arborist revealed no existing climax forest on the subject site. The applicant's engineer has submitted a tree preservation plan for the entire 25-acre parent tract, which shows existing climax forest and the minimum 25% tree preservation area. As of this writing, the tree preservation plan is under review by the City Arborist. Comments are expected early next week.

2. An updated traffic impact study, which accounts for the proposed use, has not been approved by the City Traffic Engineer.

The proposed traffic assessment suggests that the proposed multi-family residential use will generate lower PM peak hour traffic volumes than commercial development. Furthermore, the study anticipates that the proposed northern driveway entrance will not interfere with vehicular stacking at the intersection of Grindstone Plaza Drive (extended) and Grindstone Parkway during peak hours. As of this writing, the assessment is under review by the City Traffic Engineer. Comments are expected early next week.

Staff cannot support the request until the above-mentioned items have been evaluated.

RECOMMENDATION

Denial of the proposed C-P development plan

ATTACHMENTS

- Aerial & topographic locator maps
- Development plan & building elevations
- Design parameters
- CBB trip generation assessment
- C-P rezoning ordinance, Statement of Intent, and Commission/Council minutes

SITE HISTORY

Annexation Date	1969
Zoning History	1969: A-1 2010: Rezoned to C-P
Land Use Plan Designation	Neighborhood District
Subdivision/Legal Lot Status	Land in limits. Preliminary & final plat requests are pending.

SITE CHARACTERISTICS

Area (acres)	9.66 acres
Topography/Vegetation	Flat with grass & trees
Watershed/Drainage	Hinkson Creek
Existing structures	None

UTILITIES & SERVICES

All City services are available to the site.

ACCESS

Grindstone Parkway	
Location	North side of site
Major Roadway Plan	Major Arterial (improved & MoDOT-maintained)
CIP projects	None
Sidewalk	5-foot wide sidewalk needed.

Grindstone Plaza Drive	
Location	North & west side of site
Major Roadway Plan	City Major Collector street, to be extended to the subject site
CIP projects	None. Street will be built by developer
Sidewalk	5-foot wide sidewalk needed.

PARKS & RECREATION

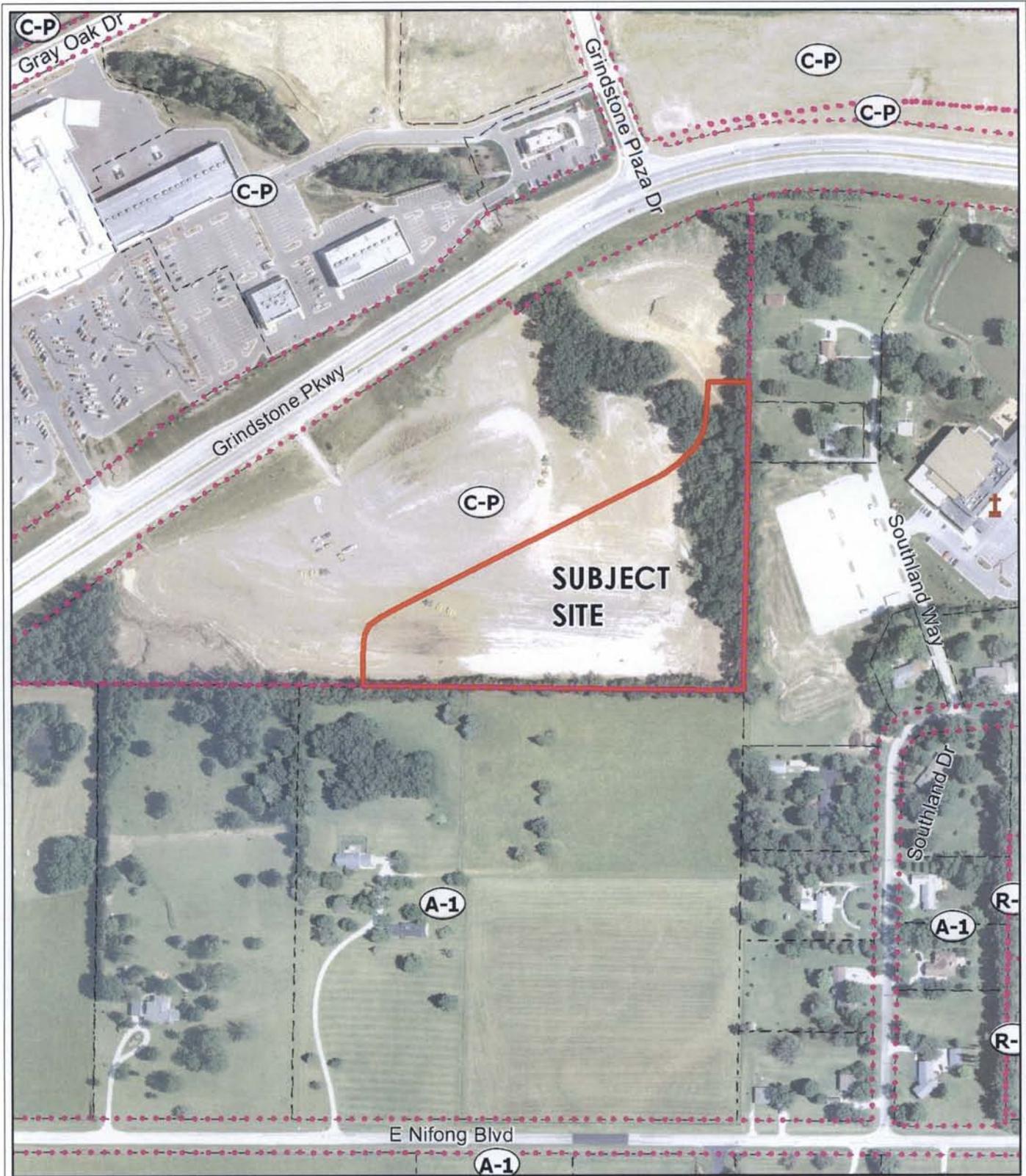
Neighborhood Parks Plan	Site is served by Rock Quarry Park, ½ mile east of site
Trails Plan	No trails planned adjacent to site.
Bicycle/Pedestrian Plan	N/A

PUBLIC NOTIFICATION

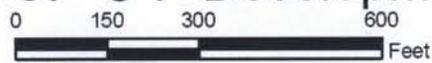
All property owners within 200 feet and City-recognized neighborhood associations within 1,000 feet of the boundaries of the subject property were notified of a public information meeting, which was held on June 26, 2012.

Public information meeting recap	Number of attendees: None
Neighborhood Association(s) notified	Grindstone/Rock Quarry
Correspondence received	None as of this writing

Report prepared by Steve MacIntyre Approved by Patrick Zenner



Red Oak Investment Co.
 Case 12-87 C-P Development Plan

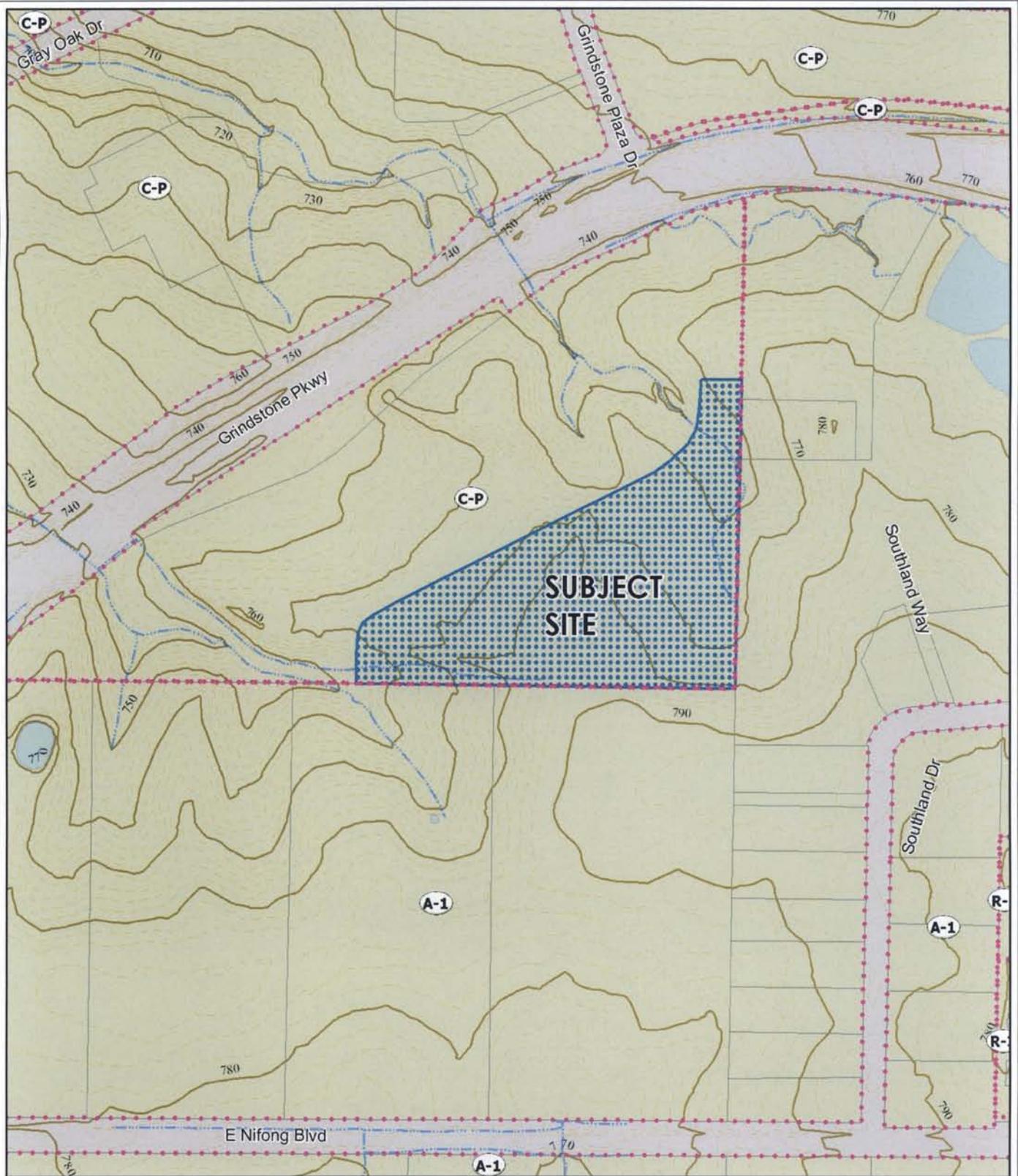


1 inch represents 300 feet

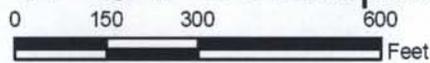


Aerial Image 2007





Red Oak Investment Co.
 Case 12-87 C-P Development Plan



1 inch represents 300 feet
 Contour Interval: 2 feet



C-P PLAN
RED OAK OF COLUMBIA
 SECTION 30, TOWNSHIP 48 NORTH, RANGE 12 WEST
 COLUMBIA, BOONE COUNTY, MISSOURI
 JUNE 2012

OWNER:
 RED OAK INVESTMENT CO.
 5 DANFORTH CIRCLE
 COLUMBIA, MO 65201

DEVELOPER:
 OPTIMUS
 1001 BOARDWALK SPRINGS PLACE,
 SUITE 240
 OFALLON, MO 63368



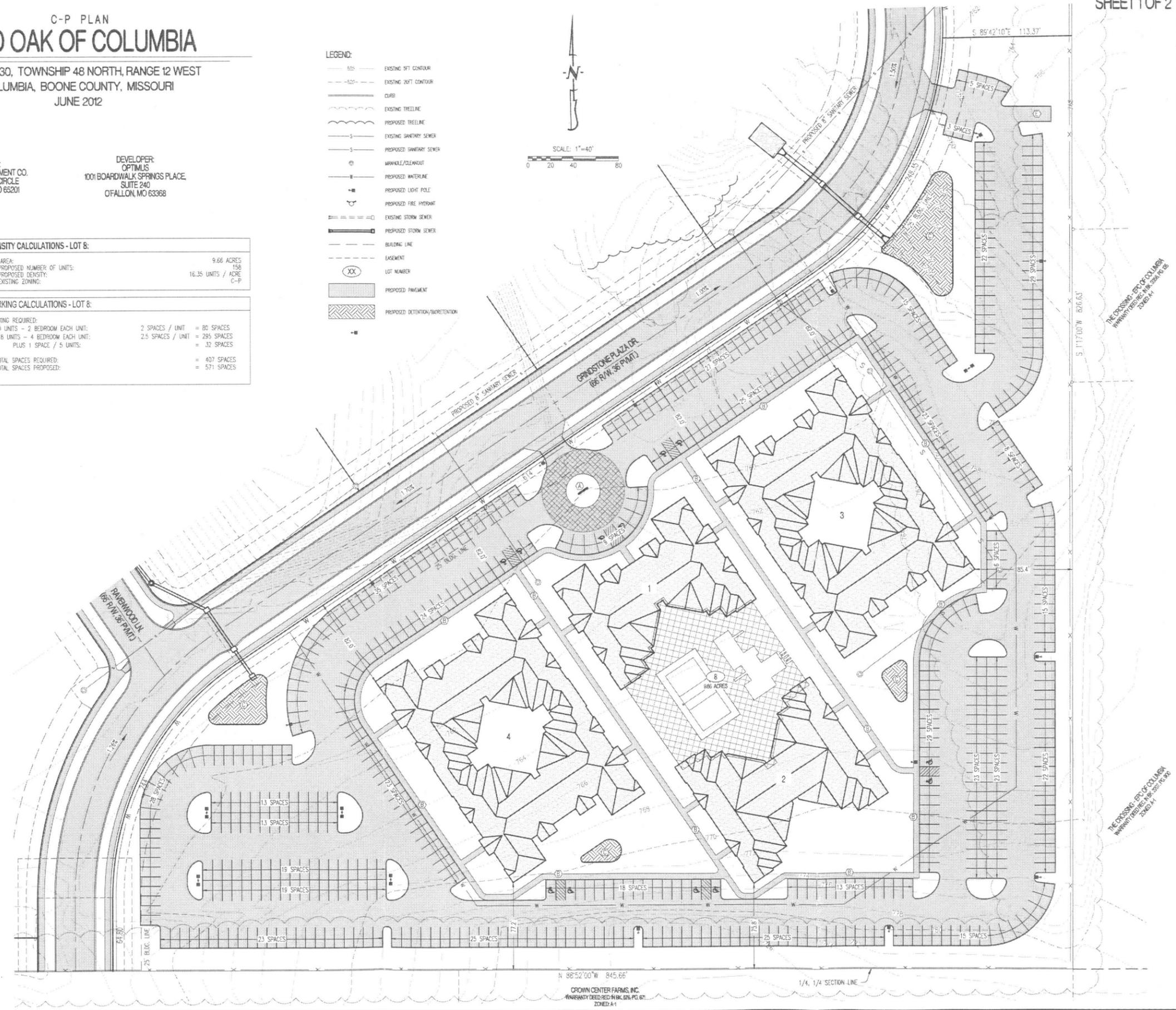
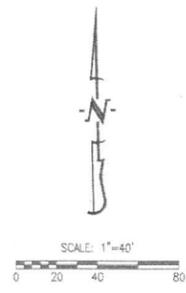
LOCATION MAP
 NOT TO SCALE

- NOTES:**
 THIS TRACT CONTAINS 9.66 ACRES.
 THIS TRACT IS CURRENTLY ZONED C-P.
 THE MAXIMUM HEIGHT OF ANY BUILDING WILL NOT EXCEED 60', MEASURED FROM THE GROUND FINISHED GRADE ON THE FRONT SIDE.
 THE INTENT FOR THIS DEVELOPMENT IS TO BE DEVELOPED IN ONE PHASE.
 THE DEVELOPMENT SIGNS FOR THIS DEVELOPMENT SHALL CONFORM TO THE CURRENT CITY OF COLUMBIA SIGN REGULATIONS.
 NO PART OF THIS TRACT IS WITHIN THE FLOOD PLAIN AS ADOPTED BY THE CITY OF COLUMBIA AS SHOWN ON PANEL NUMBER 23019C 02300 DATED: MARCH 17, 2011.
 ALL SANITARY SEWERS SHALL BE LOCATED WITHIN THE APPROPRIATE WIDTH EASEMENT. SAID EASEMENTS SHALL BE GRANTED AT THE TIME OF FINAL DESIGN.
 ALL DRAINWAY, ROADWAY AND ACCESS AISLES ARE SUBJECT TO FIRE DEPARTMENT APPROVAL AT THE TIME OF FINAL DESIGN.
 ALL ON-SITE LIGHTING WILL BE NO GREATER THAN 25-FEET IN HEIGHT AND SHALL COMPLY WITH THE REQUIREMENTS OF ORDINANCE #020607.
 THE 1, 2, 10 AND 100 YEAR DESIGN STORMS SHALL BE USED WHEN DESIGNING THE FINAL STORM WATER DETENTION FACILITIES.
 MINIMUM DISTANCE BETWEEN ANY BUILDING AND PROPERTY LINE SHALL BE 6 FEET.
 STORM WATER QUALITY STANDARDS FOR LOT 8 SHALL BE MET BY UTILIZING THE CLIMAX FOREST ON LOT 1 AS NATIVE VEGETATION, BY USING BIO-RETENTION CELLS, ISOLATOR ROWS AND/OR PERVIOUS PAVEMENT.
 STORM WATER DETENTION WILL NOT BE REQUIRED FOR THIS DEVELOPMENT AS DETENTION IS ALREADY HANDLED IN AN EXISTING DETENTION BASIN LOCATED DOWNSTREAM.
 THIS PLAN SHALL BE IN ACCORDANCE WITH THE RED OAK SOUTH TREE PRESERVATION MASTER PLAN AS APPROVED BY THE CITY ARBORIST.
SIGNAGE:
 LOT 8 SHALL HAVE ONE FREE STANDING MONUMENT SIGN HAVING A MAXIMUM AREA OF 64 SQ. FT. (PER SIDE) AND A MAXIMUM HEIGHT OF 12 FEET. REVISIONS TO SIGN LOCATION MAY BE APPROVED AS A MINOR REVISION.

DENSITY CALCULATIONS - LOT 8:	
LOT AREA:	9.66 ACRES
PROPOSED NUMBER OF UNITS:	158
PROPOSED DENSITY:	16.35 UNITS / ACRE
EXISTING ZONING:	C-P

PARKING CALCULATIONS - LOT 8:	
PARKING REQUIRED:	
40 UNITS - 2 BEDROOM EACH UNIT:	2 SPACES / UNIT = 80 SPACES
118 UNITS - 4 BEDROOM EACH UNIT:	2.5 SPACES / UNIT = 295 SPACES
PLUS 1 SPACE / 5 UNITS:	= 32 SPACES
TOTAL SPACES REQUIRED:	= 407 SPACES
TOTAL SPACES PROPOSED:	= 571 SPACES

- LEGEND:**
- 5'-0" --- EXISTING 5FT CONTOUR
 - 10'-0" --- EXISTING 10FT CONTOUR
 - ==== CURB
 - ~~~~ EXISTING TREELINE
 - ~~~~ PROPOSED TREELINE
 - S --- EXISTING SANITARY SEWER
 - S --- PROPOSED SANITARY SEWER
 - ⊙ MANHOLE/CLEANOUT
 - W --- PROPOSED WATERLINE
 - ⊕ PROPOSED LIGHT POLE
 - ⊕ PROPOSED FIRE HYDRANT
 - S --- EXISTING STORM SEWER
 - S --- PROPOSED STORM SEWER
 - B --- BUILDING LINE
 - E --- EASEMENT
 - XX LOT NUMBER
 - ▨ PROPOSED PAVEMENT
 - ▨ PROPOSED DETENTION/BIORETENTION



APPROVED BY THE PLANNING AND ZONING COMMISSION THIS _____ DAY OF _____, 2012. ACCEPTED BY ORDINANCE OF THE CITY COUNCIL OF COLUMBIA, MISSOURI, THIS _____ DAY OF _____, 2012.

DOUG WHEELER - CHAIRMAN
 ROBERT MCDAVID - MAYOR
 SHEELA AMIN, CITY CLERK



SITE/CIVIL ENGINEER:
CROCKETT
 ENGINEERING CONSULTANTS
 2004 North Stadium Boulevard
 Columbia, Missouri 65202
 (314) 447-0292
 www.crockettengineering.com
 Crockett Engineering Consultants, LLC
 Missouri Certificate of Authority
 #00019104

- LEGEND OF LABELS:**
- (A) PROPOSED SIGN. SEE SIGNAGE NOTE FOR SIZE.
 - (B) PROPOSED 5' SIDEWALK.
 - (C) PROPOSED BIORETENTION.
 - (D) PROPOSED BICYCLE RACK.
 - (E) PROPOSED COMPACTOR LOCATION.

N 88°52'00"W 845.66'
 CROWN CENTER FARMS, INC.
 WARRANTY DEED: REC- IN BK. 576, PG. 67.
 ZONED: A-1
 1/4, 1/4 SECTION LINE

THE CROSSING EPC OF COLUMBIA
 WARRANTY DEED: REC- IN BK. 588, PG. 88
 ZONED: H-1

THE CROSSING EPC OF COLUMBIA
 WARRANTY DEED: REC- IN BK. 588, PG. 88
 ZONED: H-1

CONCEPTUAL LANDSCAPING PLAN RED OAK OF COLUMBIA

SECTION 30, TOWNSHIP 48 NORTH, RANGE 12 WEST
COLUMBIA, BOONE COUNTY, MISSOURI
JUNE 2012

OWNER:
RED OAK INVESTMENT CO.
5 DANFORTH CIRCLE
COLUMBIA, MO 65201

DEVELOPER:
OPTIMUS
1001 BOARDWALK SPRINGS PLACE,
SUITE 240
OFALLON, MO 63368

NOTES:
THIS TRACT CONTAINS 9.66 ACRES.
THIS TRACT IS CURRENTLY ZONED C-P.
THE MAXIMUM HEIGHT OF ANY BUILDING WILL NOT EXCEED 60', MEASURED FROM THE GROUND FINISHED GRADE ON THE FRONT SIDE.
THE INTENT FOR THIS DEVELOPMENT IS TO BE DEVELOPED IN ONE PHASE.
THE DEVELOPMENT SIGNS FOR THIS DEVELOPMENT SHALL CONFORM TO THE CURRENT CITY OF COLUMBIA SIGN REGULATIONS.
NO PART OF THIS TRACT IS WITHIN THE FLOOD PLAN AS ADOPTED BY THE CITY OF COLUMBIA AS SHOWN ON PANEL NUMBER 29019C Q290D DATED: MARCH 17, 2011.
ALL SANITARY SEWERS SHALL BE LOCATED WITHIN THE APPROPRIATE WIDTH EASEMENT. SAID EASEMENTS SHALL BE GRANTED AT THE TIME OF FINAL DESIGN.
ALL DRIVEWAY, ROADWAY AND ACCESS ANGLES ARE SUBJECT TO FIRE DEPARTMENT APPROVAL AT THE TIME OF FINAL DESIGN.
ALL ON-SITE LIGHTING WILL BE NO GREATER THAN 25-FEET IN HEIGHT AND SHALL COMPLY WITH THE REQUIREMENTS OF ORDINANCE #020507.
THE 1, 2, 10 AND 100 YEAR DESIGN STORMS SHALL BE USED WHEN DESIGNING THE FINAL STORM WATER DETENTION FACILITIES.
MINIMUM DISTANCE BETWEEN ANY BUILDING AND PROPERTY LINE SHALL BE 6 FEET.
STORM WATER QUALITY STANDARDS FOR LOT 8 SHALL BE MET BY UTILIZING THE CLIMAX FOREST ON LOT 1 AS NATIVE VEGETATION, BY USING BIO-RETENTION CELLS, ISOLATOR ROWS AND/OR PERVIOUS PAVEMENT.
STORM WATER DETENTION WILL NOT BE REQUIRED FOR THIS DEVELOPMENT AS DETENTION IS ALREADY HANDLED IN AN EXISTING DETENTION BASIN LOCATED DOWNSTREAM.

CALCULATIONS:

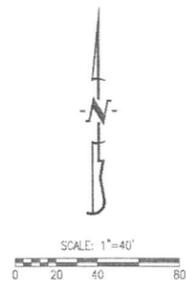
PARKING LOT LANDSCAPE COMPLIANCE:	
TOTAL PARKING LOT & DRIVE AREA =	171,730 SQ. FT.
TREES REQUIRED @ 1 TREE/4500 SQ. FT. =	39 TREES
TOTAL TREES REQUIRED =	39 TREES
MEDIUM TO LARGE TREES REQUIRED (30%) =	12 TREES
TOTAL TREES PROVIDED =	39 TREES

SIX FOOT BUFFER STRIP COMPLIANCE:	
LENGTH OF PARKING LOT WITHIN 20' OF RIGHT-OF-WAY =	1,170 L.F.
LENGTH OF REQUIRED SCREENING (50%) =	585 L.F.
LENGTH OF PROPOSED SCREENING =	585 L.F.
TREES REQUIRED IN BUFFER STRIP @ 1/50' =	12 TREES
MEDIUM TO LARGE TREES REQUIRED (30%) =	4 TREES
TREES PROVIDED FOR BUFFER STRIP =	12 TREES

AREAS:	
TOTAL LOT AREA =	9.66 ACRES
TOTAL IMPERVIOUS AREA =	6.57 ACRES (68%)
TOTAL PERVIOUS AREA (GREEN SPACE) =	3.09 ACRES (32%)

NOTE:
OF THE 3.09 ACRES OF GREEN SPACE FOR THIS TRACT, 0.3 ACRES SHALL BE CONSIDERED AS PART OF THE 15% GREEN SPACE FOR THE TOTAL TRACT AS DEFINED IN THE ORIGINAL STATEMENT OF INTENT. THE REMAINING 2.79 ACRES (29%) SHALL BE CONSIDERED THE NET GREEN SPACE FOR THIS TRACT.

- LEGEND:**
- 2' FT. --- EXISTING 2 FT. CONTOUR
 - 10' FT. --- EXISTING 10 FT. CONTOUR
 - --- CURB
 - --- EXISTING TREELINE
 - --- PROPOSED TREELINE
 - --- EXISTING SANITARY SEWER
 - --- PROPOSED SANITARY SEWER
 - --- MANHOLE/CLEANOUT
 - --- PROPOSED WATERLINE
 - --- PROPOSED FIRE HYDRANT
 - --- EXISTING STORM SEWER
 - --- PROPOSED STORM SEWER
 - --- BUILDING LINE
 - --- EASEMENT
 - (X) --- LOT NUMBER
 - --- EXISTING CLIMAX FOREST
 - --- PRESERVED CLIMAX FOREST



PLANTING NOTES:

QUANTITY	PLANT SPECIES
16	SHADE TREE
35	EVERGREEN DECIDUOUS SHRUB
4	JUNIPER
165	LARGE DECIDUOUS SHRUB
70	ORNAMENTAL GRASS

APPROVED BY THE PLANNING AND ZONING COMMISSION THIS _____ DAY OF _____, 2012.

_____ DOUG WHEELER - CHAIRMAN

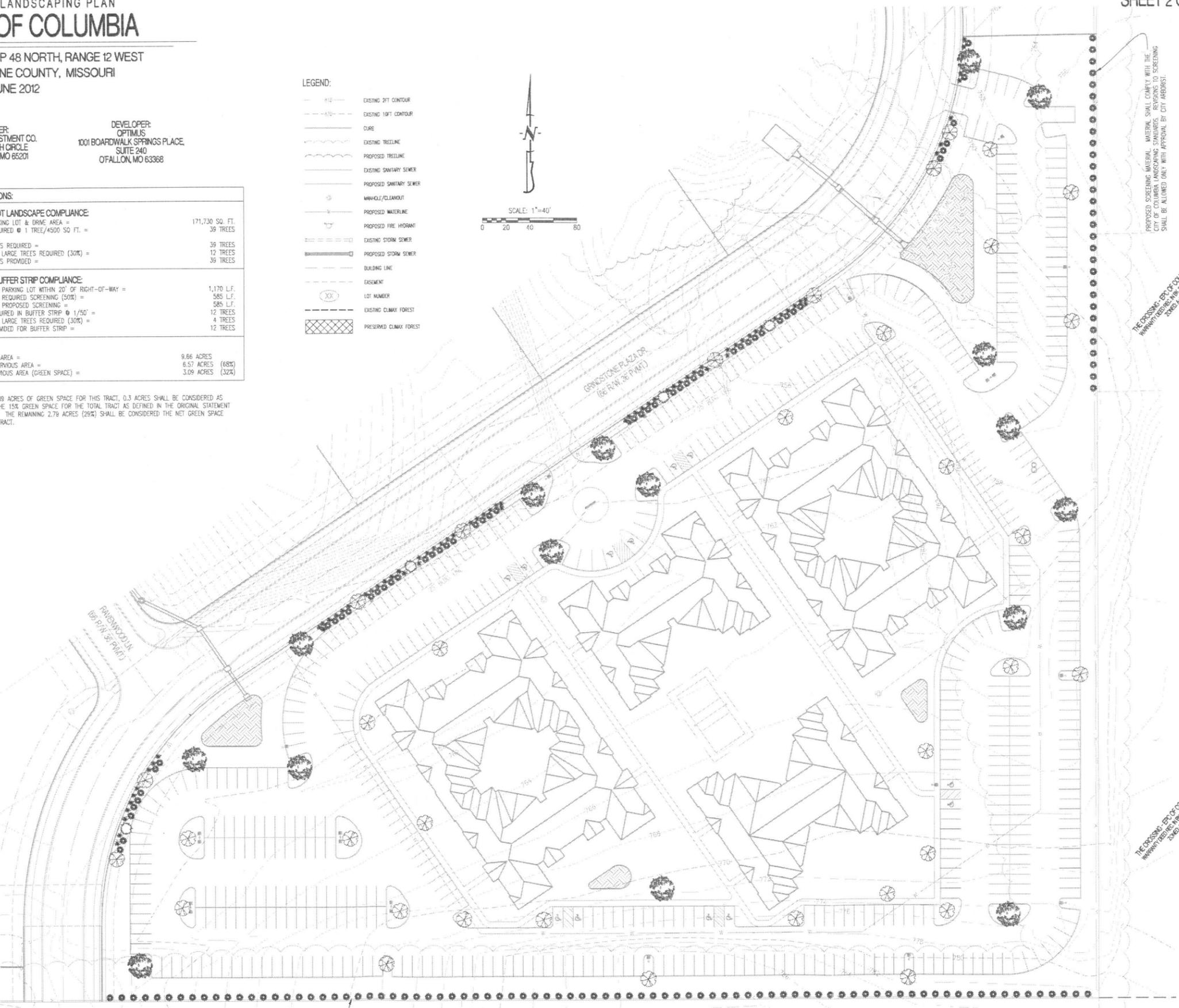
ACCEPTED BY ORDINANCE OF THE CITY COUNCIL OF COLUMBIA, MISSOURI, THIS _____ DAY OF _____, 2012.

_____ ROBERT McDAVID - MAYOR

_____ SHEELA AMIN, CITY CLERK



SITE/CIVIL ENGINEER:
CROCKETT
ENGINEERING CONSULTANTS
3608 North Stadium Boulevard
Columbia, Missouri 65204
(314) 441-0293
www.crockettengineering.com
Crockett Engineering Consultants, LLC
Missouri Certificate of Authority
#00001804



PROPOSED SCREENING MATERIAL SHALL COMPLY WITH THE CITY OF COLUMBIA LANDSCAPING STANDARDS. REVISIONS TO SCREENING SHALL BE ALLOWED ONLY WITH APPROVAL BY CITY ARBORIST.

CROWN CENTER FARMS, INC.
WARRENDALE, MO. 64786
ZONES A-1

THE OFFICIAL CITY OF COLUMBIA
WWW.CITYOFMO.COM
2012.06.14

THE OFFICIAL CITY OF COLUMBIA
WWW.CITYOFMO.COM
2012.06.14



FRONT ELEVATION



LEFT ELEVATION

BLDG TYPE I ELEVATIONS

A414

SCALE: 1/8" = 1'-0" (24"x36" SHEET)

RED OAK
OPTIMUS, LLC
COLUMBIA, MO

2012.07.04

HPA#12152



HUMPHREYS & PARTNERS ARCHITECTS L.P.
5339 Alpha Road, Suite 301, Dallas, TX 75240 (972) 701-9638 (972) 701-9639
www.humphreys.com t.p.harding@humphreys.com
DALLAS IRVINE NEW ORLEANS ORLANDO SCOTTSDALE SEATTLE SAN RAMON DUBAI CHENNAI

© 2012 by HUMPHREYS & PARTNERS ARCHITECTS L.P.
The preparation, use and reuse of this drawing is the sole responsibility of Humphreys & Partners Architects, L.P. and may not be reproduced in any form without written permission.
PARTNERS ARCHITECTS L.P.
Architectural services of 20% shall be for feasibility studies only. Fees for any other services shall be further negotiated upon the initiation of a separate contract. Changes to drawings shall be made as a change order only. Refer to business and cost drawings for accurate dimensions and measurements.



FRONT ELEVATION



RIGHT ELEVATION

BLDG TYPE II ELEVATIONS

A424

SCALE: 1/8" = 1'-0" (24"x36" SHEET)

RED OAK
OPTIMUS, LLC
COLUMBIA, MO

2012.07.05

HPA#12152



HUMPHREYS & PARTNERS ARCHITECTS L.P.
 5319 Alpha Road, Suite 300, Dallas, TX 75240 (472) 701-9636 (972) 701-9632
 www.humphreys.com marketing@humphreys.com
 DALLAS IRVINE NEW ORLEANS ORLANDO SCOTTSDALE SEATTLE SAN RAMON DUBAI CHENNAI

© 2012 by HUMPHREYS & PARTNERS ARCHITECTS L.P.
 The arrangements, drawings, text, and other information contained herein are the sole property of Humphreys & Partners Architects, L.P. and may not be reproduced in any form without its written permission.
 Humphreys & Partners Architects, L.P. is a limited liability partnership. Humphreys & Partners Architects, L.P. is not responsible for the accuracy or completeness of the information provided herein. Humphreys & Partners Architects, L.P. is not responsible for the accuracy or completeness of the information provided herein. Humphreys & Partners Architects, L.P. is not responsible for the accuracy or completeness of the information provided herein.



FRONT & REAR ELEVATION



LEFT & RIGHT ELEVATION

BLDG TYPE III ELEVATIONS

A434

RED OAK
OPTIMUS, LLC
COLUMBIA, MO

HPA#12152



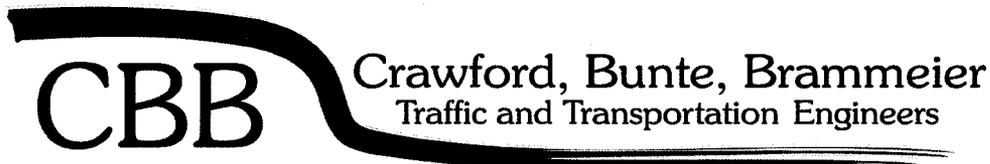
HUMPHREYS & PARTNERS ARCHITECTS L.P.

3119 Ash & Rhoad, Suite 300, Dallas, TX 75241 (972) 704-9633 (972) 704-9639
www.humphreys.com frank@hump@humpreys.com
DALLAS IRVINE NEW ORLEANS ORLANDO SCOTTSDALE SEATTLE SAN RAMON DUBAI CHENNAI

2012.07.05

© 2012 by HUMPHREYS & PARTNERS ARCHITECTS L.P.
All rights reserved. No part of this drawing may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without written permission from Humphreys & Partners Architects L.P.
Architectural symbols of this sheet are for usability outside only. Please refer to the drawing for further information.
Revisions: 1.0 - Initial design. 2.0 - Final design. 3.0 - Construction documents. 4.0 - Final construction documents.

SCALE: 1/8" = 1'-0" (24"x36" SHEET)



Since 1973

June 14, 2012

Mr. Rob Lochner
Optimus Development
1001 Boardwalk Springs Place, Suite 240
O'Fallon, MO 63368

RE: Trip Generation Assessment
Proposed Residential Development – Grindstone Parkway and Grindstone Plaza Drive
Columbia, Missouri
CBB Job No. 52-12

Dear Mr. Lochner:

As requested, Crawford, Bunte, Brammeier (CBB) has prepared a Trip Generation Assessment related to the proposed residential development, known as Red Oak South, in Columbia, Missouri. The site is located in the southwest quadrant of the intersection of Grindstone Parkway and Grindstone Plaza Drive, opposite the existing Walmart shopping center. The location of the Red Oak South student housing development is depicted in **Exhibit 1**. It is our understanding that the anticipated land uses for the proposed site have changed since the original Grindstone Commercial Traffic Study completed in February 2010 by CBB. The City of Columbia and the Missouri Department of Transportation (MoDOT) requested a comparison of the previously forecasted trip generation estimates to the currently proposed trip generation estimates to ensure that the recommendations in the prior study, specifically at the intersection of Grindstone Parkway and Grindstone Plaza Drive, remain valid.

The revised development plan maintains the same access as studied before with primary access provided via a new fourth leg of the existing traffic signal at Grindstone Parkway and Grindstone Plaza Drive and via a new right-in/right-out driveway onto Grindstone Parkway west of Grindstone Plaza Drive. The Grindstone Commercial Traffic Study recommended the following roadway improvements:

- Eastbound right-turn lane (200 feet of storage plus taper) at the RIRO drive;
- Eastbound right-turn lane (200 feet of storage plus taper) at the signalized access;
- Westbound left-turn lane (200 feet of storage plus taper – to be cut out of the existing median) at the signalized access;
- Modify existing southbound approach to provide an exclusive left-turn lane and shared through/right-turn lane; and
- Construct the new northbound approach to provide an exclusive left-turn lane and shared through/right-turn lane.

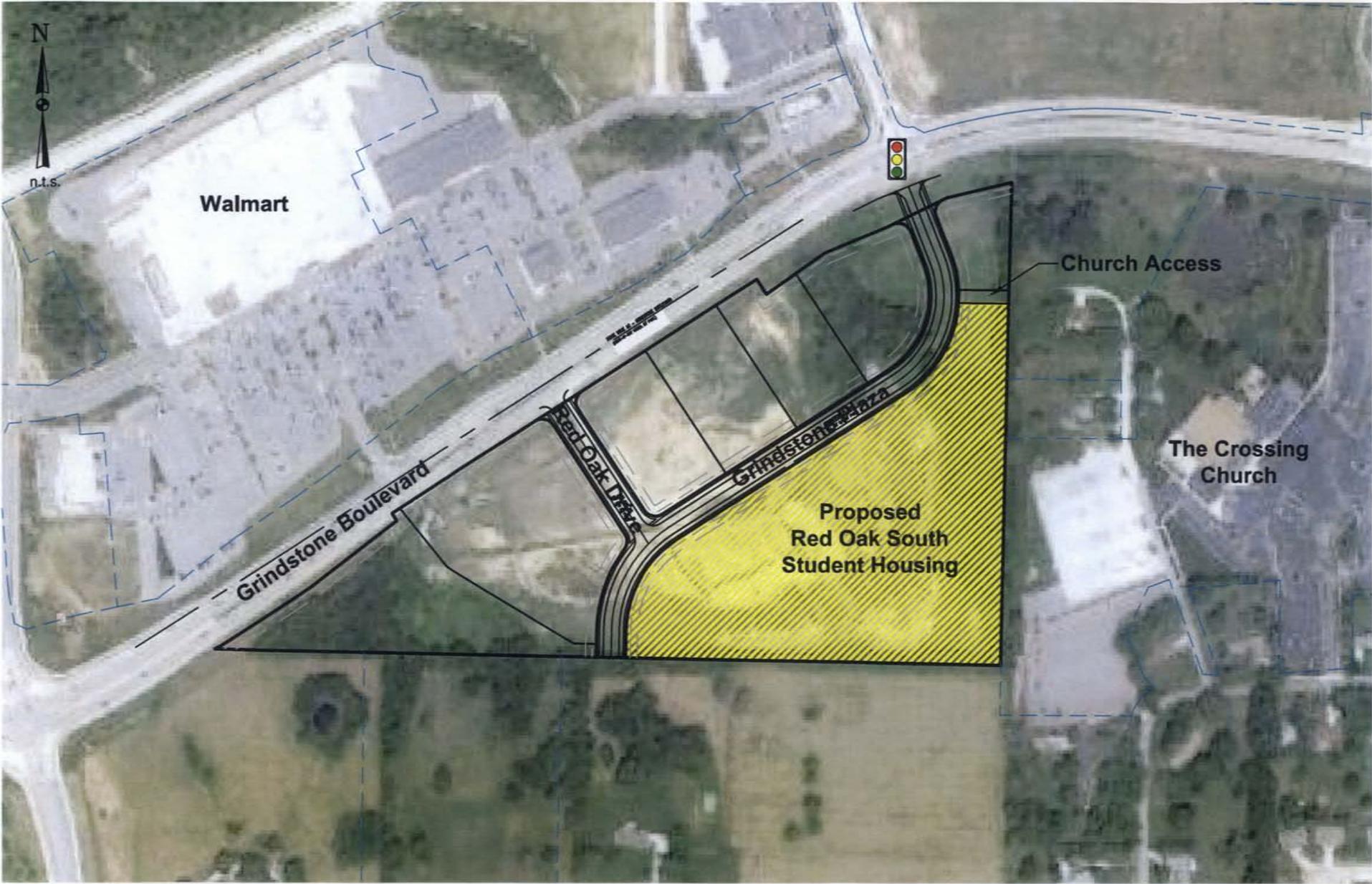


Exhibit 1: Proposed Red Oak South Student Housing Location

Job# 052-12
06/13/12



The sole purpose of this assessment was to determine the number of trips that would be generated by the current development plan and compare those trips to the trips estimated in the Grindstone Commercial Traffic Study. It should be noted that no additional traffic data collection or analyses were completed for this assessment, and this does not represent a detailed traffic impact study.

Trip Generation Comparison

The February 2010 Grindstone Commercial Traffic Study assumed the 25 acre parcel would develop entirely as retail. The Grindstone Commercial Traffic Study focused on the weekday p.m. and Saturday midday peak hours since these time periods represent the greatest impact for retail uses. However, this assessment focuses on the weekday a.m. and p.m. peak hours for the student housing development. As such, the trip generation for the previous retail site was estimated for the weekday a.m. and p.m. peak hours as shown in **Table 1**.

**Table 1: Grindstone Commercial – February 2010 TIS
 Trip Generation Estimate**

Land Use	Units	Weekday AM Peak Hour			Weekday PM Peak Hour		
		In	Out	Total	In	Out	Total
General Retail 25 acres	200,000 SF	120	80	200	365	380	745
<i>Breakdown by Acreage</i>							
General Retail 15.3 acres	122,400 SF	75	50	125	225	230	455
General Retail 9.7 acres	77,600 SF	45	30	75	140	150	290

The revised development plan includes the following uses for the same development area:

- Approximately 15.3 acres (122,400 square feet) of general retail space; and
- Approximately 9.7 acres to consist of a 158 unit student housing development with 552 beds.

The proposed student housing development is unique, in that, all of the residents would be students at the area universities. As such, their trips would consist primarily of going to and from school. In addition, it is anticipated that public transportation would be provided from the housing development to the area schools which would impact the number of trips to and from the development. Given the unique characteristics of the proposed student housing development, traffic count data was collected for The Cottages student housing development located near Nifong Boulevard and Bearfield Road to assist in determining the projected trip generation for the proposed Red Oak South student housing development.

The trip rates provided in the *Trip Generation Manual*, 8th Edition, published by the Institute of Transportation Engineers (ITE) were also evaluated to provide a basis of comparison. The following

is a summary of the data collected for The Cottages student housing development and the land use rates from the *Trip Generation Manual* used for determining the trip generation characteristics of the proposed student housing development:

- Student Housing
 - The data collected for The Cottages student housing development consisted of driveway counts during the weekday a.m. and p.m. peak periods. The Cottages student housing development consists of 525 beds. Based on the empirical data the average rates are as follows:
 - AM Peak Hour – 0.30 trips per bed (40% enter / 60% exit)
 - PM Peak Hour – 0.32 trips per bed (50% enter / 50% exit)
 - Land Use Code 220 – *Apartment* was used for comparison

Using the traffic count data collected for The Cottages student housing development and the rates provided in ITE for apartments, the number of trips that would be generated by the proposed Red Oak South student housing development were estimated, as shown in **Table 2**.

Table 2: Red Oak South Trip Generation Estimate

Land Use	Units	Weekday AM Peak Hour			Weekday PM Peak Hour		
		In	Out	Total	In	Out	Total
<i>Forecasted Trips Using Local Trip Rate for Como Cottages</i>							
Student Housing	525 beds	65	100	165	85	90	175
Total New Trips (Based on Local Data)		65	100	165	85	90	175
<i>Forecasted Trips Using ITE Rates</i>							
Apartment	158 units	15	65	80	70	35	105
Total New Trips (Based on ITE Data)		15	65	80	70	35	105

As shown in the table, the local trip data collected for The Cottages student housing development resulted in an estimated trip generation approximately 70 to 100 percent higher than the estimates derived from the *ITE Trip Generation Manual* for an apartment.

Based on our engineering judgment, the local trip data collected for The Cottages development is more reliable than the data provided by ITE, thus the local trip data was used to determine the site-generated trips for the proposed Red Oak South student housing development. The proposed student housing development is estimated to generate a total of 165 trips during the a.m. peak hour and 175 trips during the p.m. peak hour.



The number of trips estimated for the 25 acre parcel, referred to as the Grindstone Commercial area, based on the revised development plan is shown in **Table 3**.

**Table 3: Grindstone Commercial – Revised 2012 Development Plan
Trip Generation Estimate**

<i>Land Use</i>	<i>Units</i>	<i>Weekday AM Peak Hour</i>			<i>Weekday PM Peak Hour</i>		
		<i>In</i>	<i>Out</i>	<i>Total</i>	<i>In</i>	<i>Out</i>	<i>Total</i>
General Retail 15.3 acres	122,400 SF	75	50	125	225	230	455
Student Housing	552 beds	65	100	165	85	90	175
Total Trips (Revised Development Plan)		140	150	290	310	320	630

The revised development plan, including the student housing development, is expected to generate approximately 290 trips during the a.m. peak hour as compared to the 200 trips estimated for the prior plan, resulting in a net increase of approximately 90 trips during the a.m. peak hour. During the p.m. peak hour, the revised development plan including the student housing development is expected to generate approximately 630 trips as compared to the prior plan which was anticipated to generate approximately 745 trips during, resulting in a net decrease of approximately 115 trips during the p.m. peak hour.

Review of Prior Roadway Recommendations

Based on a prior traffic count at Grindstone Parkway and Rock Quarry Road in the Spring of 2012, the two-way traffic volume on Grindstone Parkway during the weekday a.m. peak hour was 2,650 vehicles per hour (vph) and the weekday p.m. peak hour was 3,290 vph. Although the proposed student housing development is expected to generate approximately 90 trips more than the prior assumed retail development during the weekday a.m. peak hour, the weekday p.m. peak hour would still drive any recommended roadway improvements since the weekday p.m. peak hour volumes for the intersection overall would be significantly higher (approximately 20 percent) than those estimated for the weekday a.m. peak hour.

Although no specific traffic assignments or operational capacity evaluations were performed for the study intersections using the revised trip estimates, it can be reasoned that operating conditions would have similar or better results as reported in the February 2010 Grindstone Commercial Study since the current site plan is expected to generate less trips during the peak traffic times during the weekday p.m. peak hour. As such, the prior recommendations as part of the Grindstone Commercial Study would remain valid.



Cross Access to The Crossing Church

In order to provide improved connectivity for The Crossing church east of the development area, cross access from the south extension of Grindstone Plaza to the church property is proposed approximately 260 feet south of Grindstone Parkway (measured from the edge of pavement on Grindstone Parkway to the centerline of the access easement). As such, approximately 260 feet of northbound storage is available for vehicles to queue before potentially backing through the cross access drive.

Based on the SYNCHRO analysis in the original Grindstone Commercial Traffic Study, which was all retail, the estimated 95th percentile queue for the northbound left-turn was 155 feet during the weekday p.m. peak hour with an average queue of only 90 feet. The 20-year estimated 95th percentile queue for the northbound left-turn was 200 feet during the weekday p.m. peak hour with an average queue of only 135 feet. As such, the northbound queues on Grindstone Plaza Drive from the traffic signal on Grindstone Parkway are not expected to block the access for the church.

Furthermore, the peak activity times for the church would be on Sunday mornings when the traffic volumes at the intersection of Grindstone Parkway and Grindstone Plaza Drive would be much lower than the weekday p.m. peak hour. Based on a prior traffic count at Grindstone Parkway and Rock Quarry Road in the Spring of 2012, the two-way traffic volume on Grindstone Parkway during the Sunday morning peak hour was approximately 1,635 vph which represents less than half of the weekday p.m. peak hour which had a two-way traffic volume of 3,290 vph.

We trust that this trip generation assessment adequately addresses the trip generation differences associated with the revised development plan. Please contact me should there be any questions regarding this letter.

Sincerely,

A handwritten signature in black ink that reads "Shawn Lerai White". The signature is written in a cursive, flowing style.

Shawn Lerai White, P.E., PTOE
Senior Traffic Engineer

SAID SOUTHERLY RIGHT OF WAY LINE, N63°26'20"E, 14.66 FEET; THENCE N56°15'35"E, 245.96 FEET; THENCE N52°27'00"E, 246.85 FEET TO THE SOUTHWEST CORNER OF THE TRACT DESCRIBED BY THE QUIT CLAIM DEED RECORDED IN BOOK 2927, PAGE 145; THENCE WITH THE LINES OF SAID DEED, N32°58'30"W, 19.68 FEET; THENCE N57°01'30"E, 984.20 FEET; THENCE S32°58'30"E, 40.92 FEET; THENCE LEAVING THE LINES OF SAID QUIT CLAIM DEED AND CONTINUING WITH SAID SOUTHERLY RIGHT OF WAY LINE, N54°07'55"E, 160.99 FEET; THENCE N67°00'15"E, 154.48 FEET; THENCE N63°39'25"E, 150.93 FEET; THENCE N76°24'50"E, 149.35 FEET TO THE WEST LINE OF SAID BOONE COUNTY SURVEY NUMBER 7796; THENCE LEAVING SAID RIGHT OF WAY LINE AND WITH SAID WEST LINE, S1°17'40"W, 584.28 FEET TO THE POINT OF BEGINNING AND CONTAINING 25.29 ACRES.

will be rezoned and become a part of District C-P (Planned Business District) and taken away from District A-1 (Agriculture District). Hereafter the property may be used for all permitted uses in District C-3 with the exception of the following uses:

- Armories
- Automobile repair facilities, provided that all repair shall take place within an enclosed building
- Boardinghouses or lodging houses
- Bus stations
- Car washes, coin-operated or attendant-operated
- Car washes
- Commercial parking for automobiles and light trucks
- Dwellings, one-family
- Dwellings, two-family
- Farm machinery sales and service, provided no repair facilities shall be maintained or used outside the building
- Fraternity or sorority houses and dormitories
- Golf courses and golf clubhouses appurtenant thereto (except miniature golf courses, driving ranges, and other activities operated as a business)
- Sanitariums
- Kennels for the boarding of animals
- Laundries, commercial
- Mortuaries, which may include a crematory
- Motor vehicle or trailer sales and service, provided no dismantling or storage of parts or inoperable vehicles occurs outside
- Multi-level, underground or covered commercial parking for automobiles and light trucks
- Newspaper publishing plants
- Tree trimming and removal services

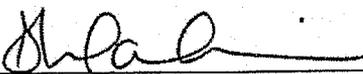
The statement of intent, marked "Attachment A," is attached to and made a part of this ordinance.

SECTION 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

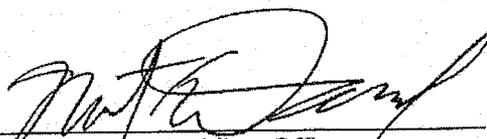
SECTION 4. This ordinance shall be in full force and effect from and after its passage.

PASSED this 3rd day of May, 2010.

ATTEST:

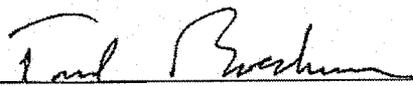


City Clerk



Mayor and Presiding Officer

APPROVED AS TO FORM:



City Counselor

**AMENDMENT TO DEVELOPMENT AGREEMENT
(Grindstone Plaza)**

On this _____ day of _____, 2010, the City of Columbia, Missouri, a municipal corporation ("City") and THF Grindstone Plaza Development, L.L.C., a Missouri limited liability company ("Developer"), amend their agreement of January 30, 2006 as follows:

1. The following section 10.a. is substituted for section 10.a. of the original agreement:
 - a. That access to the Shopping Center from Grindstone Parkway at the intersection of Grindstone Plaza Drive shall be signalized by means of an electronic traffic signal meeting the requirements and of a design satisfactory to the Missouri Department of Highways and Transportation and be a Full Access intersection;
2. All other provisions of the January 30, 2006 agreement, as previously amended on March 30, 2007, shall remain in effect.

IN WITNESS WHEREOF, the parties have executed this amendment and addendum on the day and year first above written.

CITY OF COLUMBIA, MISSOURI

By: _____
H. William Watkins, City Manager

ATTEST:

Sheela Amin, City Clerk

APPROVED AS TO FORM:

Fred Boeckmann, City Counselor

THF GRINDSTONE PLAZA DEVELOPMENT, L.L.C.

By: _____
Michael Staenberg, Manager

RED OAK INVESTMENT COMPANY
200 Business Highway 63 South
Columbia, Missouri 65203

February 23, 2010

RECEIVED

FEB 24 2010

PLANNING DEPT.

City of Columbia -- Planning and Development
Attn: Tim Teddy
701 E. Broadway
Columbia, Mo 65201

Re: Statement of Intent for Red Oak Investment Company (the "Red Oak") for unplatted land located on the South Side of Grindstone Parkway across from Walmart

Statement of Intent:

The above-referenced property, being approximately 25.29 acres of unplatted land described as follows:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING DESCRIBED BY THE QUIT CLAIM DEEDS RECORDED IN BOOK 2833, PAGE 2 AND BOOK 2927, PAGE 145 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF TRACT 1 OF BOONE COUNTY SURVEY NUMBER 7796; THENCE FROM THE POINT OF BEGINNING AND WITH THE WEST LINE OF SAID BOONE COUNTY SURVEY, S1°16'20"W, 519.41 FEET; THENCE LEAVING SAID WEST LINE, N88°52'00"W, 1779.28 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROUTE AC, a.k.a. GRINDSTONE AVENUE, AT METRIC CENTERLINE STATION 0+970.56, 30.50 METERS RIGHT; THENCE WITH SAID SOUTHERLY RIGHT OF WAY LINE, N63°26'20"E, 14.66 FEET; THENCE N56°15'35"E, 245.96 FEET; THENCE N52°27'00"E, 246.85 FEET TO THE SOUTHWEST CORNER OF THE TRACT DESCRIBED BY THE QUIT CLAIM DEED RECORDED IN BOOK 2927, PAGE 145; THENCE WITH THE LINES OF SAID DEED, N32°58'30"W, 19.68 FEET; THENCE N57°01'30"E, 984.20 FEET; THENCE S32°58'30"E, 40.92 FEET; THENCE LEAVING THE LINES OF SAID QUIT CLAIM DEED AND CONTINUING WITH SAID SOUTHERLY RIGHT OF WAY LINE, N54°07'55"E, 160.99 FEET; THENCE N67°00'15"E, 154.48 FEET; THENCE N63°39'25"E, 150.93 FEET; THENCE N76°24'50"E, 149.35 FEET TO THE WEST LINE OF SAID BOONE COUNTY SURVEY NUMBER 7796; THENCE LEAVING SAID RIGHT OF WAY LINE AND WITH SAID WEST LINE, S1°17'40"W, 584.28 FEET TO THE POINT OF BEGINNING AND CONTAINING 25.29 ACRES.

which unplatted land shall hereafter be referenced as the "Red Oak Development."

The land in the Red Oak Development is zoned A-1 under the Columbia Zoning Ordinance. This Statement of Intent is submitted with Owner's Application to rezone the Red Oak Development to the C-P Zoning District (Planned Commercial District).

The intended uses permitted for Red Oak Development shall be medical testing laboratories and all uses listed on Exhibit A. Red Oak Development further agrees that it will not seek approval of a conditional use permit for any of the following:

- Pornography shops, head shops, or other shops selling drug paraphernalia
- Massage parlors (not including licensed massage therapists)
- Tattoo parlors
- Travel trailer or mobile home parks
- Cemeteries
- Reservoirs, wells, water towers, filter beds, water supply plants, or water pumping stations
- Research and development laboratories

It is acknowledged that in C-P Districts the following uses are not permitted:

- Halfway houses
- Gun ranges
- Drive-in theaters
- Live adult entertainment
- Labor camps
- Manufacturing of explosives or flammable liquids
- Freight terminals
- Junk yards
- Stock yards
- Landfills, garbage dumps, or trash incinerators
- Packing houses or slaughter houses
- Any use producing dust or fly ash in excessive quantities
- Manufacture, compounding, or processing of hazardous materials
- Outside repair of vehicles
- Cement, asphalt, or concrete plants
- Temporary shelters
- Stables
- Machine shops

Maximum Gross Square Footage of Building Floor Area on the entire Red Oak Development shall be 200,000 square feet in aggregate and the maximum building height is 60 feet subject to satisfaction of applicable C-P Zoning building set back requirements.

Minimum Percentage of Red Oak Development to be maintained in Open Space shall consist of preserving the climax forest on the west part of Red Oak Development, and, except as necessary for a street crossing, the small Army Corps of Engineers regulated waterway crossing Red Oak

Development, which will, by themselves, satisfy the 15% Open Space requirement and this will be in addition to the landscaping areas within Red Oak Development to be shown on C-P Plans.

The following additional provisions shall apply:

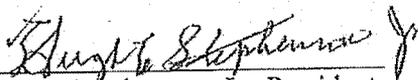
- All C-P Development Plans shall substantially conform to the Commercial District Compatibility Guidelines in the City's Metro 2020 plan.
- All C-P Development Plans light poles that comply with applicable City lighting standards. All such lights will be shielded to direct illumination away from residences, neighboring properties, public streets, and other public areas, and wall packs will not be used. Light pole height shall be limited to 25 feet.
- Landscaping shall be installed as required by the C-P zoning ordinances, provided that the east and south boundaries shall be screened from the neighboring property according to C-P Zoning District landscaping requirements along boundaries with residentially zoned land.
- All rooftop HVAC units shall be designed with sound baffling devices built into the units or added to the units and all such units shall be screened from view from all sides.
- Common public elements throughout the development will include the same bicycle racks, light poles and lighting standards, same paving detailing and consistent landscaping qualities will be employed in all areas and all C-P Development Plans submitted shall include catalogue cut sheets or shop drawings of these elements are consistent for all areas.
- All C-P Development Plans will be accompanied by architectural elevations which include labeling of all exterior building surface materials All buildings shall be constructed with four-sided architecture, and exterior walls that are made of the following materials, or materials having a similar appearance, or some combination thereof:
 - LEED metal panels or other LEED materials or products
 - Stone
 - Cast stone
 - Colored block
 - Split faced block
 - Brick
 - Exposed architectural structural steel
 - Glass
 - Aluminum Storefront
 - Hardi-Plank siding and accent trims and accents
 - EIFS (provided that EIFS shall constitute not more than 50% of the façade, all of which EIFS shall be no lower than 5 feet above ground).

Streets, drives and entrances.

- The two existing entrances from Grindstone will provide access to the development. No other direct access entrances to Grindstone will be permitted.
- The west entrance will be right-in right-out only.

- A four-way signalized intersection for the easternmost of the two entrances opposite Grindstone Plaza Drive will be installed at no cost to the City or State of Missouri, with costs to be shared under an existing agreement between the Red Oak Development and Grindstone Plaza.
- The intersection will be installed in accordance with plans approved by the Missouri Department of Transportation and the City Public Works Department in order to achieve Level of Service C at peak hour on build out of the project and Level of Service D at peak hour in 2030.
- The street entering Red Oak Development at that intersection will be a dedicated Major Collector street with 6-foot wide bike lanes in a 66-foot wide right of way, which will be extended to the south boundary line of Red Oak Development (ending with a temporary cul de sac until such time as adjoining property is developed, if ever).
- The public street will permit access to the property of the Crossings Church on the east via a side street or drive, at the church's cost, and at an access point acceptable to Red Oak provided agreement is reached by the time a plat of Red Oak Development dedicating the street right of way is submitted to the City for approval. Any such side street or access drive shall be engineered to discourage through traffic.
- The C-P Development Plans will provide for internal connectivity of interior drives between the west entrance and the intersection at the east entrance, and shall allow for shared use between all lot owners within the development. Development plans for the subject site will follow MoDOT access management guidelines.
- Upon future subdivision of the Red Oak Development, additional right of way shall be dedicated to accommodate public amenities necessary to support public transit.
- C-P Development Plans shall, if determined necessary by the City public transit authorities, include a bus shelter location, and shall provide for an internal sidewalk network to afford pedestrian access between interior streets, public transit stops, if any, and shops within the development.
- An updated traffic impact study shall be provided by the developer concurrent with any future development plan submittal. Based on the findings of the updated traffic impact study, the total square footage and mix of land uses on the subject site may be adjusted or reduced from the initial development proposal to maintain the following minimum Levels of Service:
 - Level of Service C at peak hour at adjacent intersections upon project buildout
 - Level of Service D at peak hour at adjacent intersections in 20 years (i.e., 2030)

Red Oak Investment Company

By 
Hugh E. Stephenson, Jr., President

C-P
*Accessory uses, including drive-up facilities, customarily incidental to any of the above uses.
*Any retail business or use of a similar character to those listed above, provided that such use is not noxious or offensive by reason of vibration, noise, odor, dust, smoke, gas, or otherwise.
*Customary accessory uses including drive-up facilities, subject to the provisions of Section 29-27.
*Customary accessory uses subject to the provisions of Section 29-27, Accessory Uses.
*Customary accessory uses, including drive-up facilities, subject to the provisions of Section 29-23.
*Customary accessory uses, including drive-up facilities, subject to the provisions of Section 29-27 of this chapter.
*Dwelling units shall be subject to Section 29-8(d), (R-3 height & area regs)
A hobby may be pursued as an accessory use by the occupant of the premises purely for personal enjoyment, amusement or recreation, provided that the articles produced or constructed are not sold in the ordinary course of business either on or off the premises, and provided such use will not be obnoxious or offensive by reason of vibration, noise, odor, dust, smoke, gas, or otherwise.
Adult day care home.
Agriculture, nurseries and truck gardens, each of which shall be limited to the propagation and cultivation of plants, provided no retail or wholesale business shall be conducted upon the premises, and no obnoxious fertilizer is stored upon the premises; and no obnoxious soil or fertilizer renovation is conducted thereon.
Alcoholic beverage sales by the package or as an accessory use to a restaurant.
Alcoholic beverage sales in the original package or by the drink on licensed premises shall be permitted in restaurants or similar places where substantial quantities of food are served, all in compliance with the alcoholic beverage regulations of Chapter 4 of this Code.
Any retail or wholesale business or use of a similar character to those listed above, provided that such use is not noxious or offensive by reason of vibration, noise, odor, dust, smoke, gas, or otherwise.
Apartment houses.
Amusees
Assembly and lodge halls.
Automobile repair facilities, provided that all repair shall take place within an enclosed building.
Bakeries.
Banks, other financial institutions, and travel agencies.
Barber and beauty shops.
Bars, cocktail lounges and night clubs.
Bicycle repair shops.
Billiard halls and game arcades.
Boarding houses or lodging houses.
Bowling alleys.
Buildings and premises for public utility services or public service corporations.
Bus stations.
Car washes, coin-operated or attendant-operated.
Car washes.
Churches, mosques and synagogues.
Cleaning, pressing and dyeing establishments, provided that no explosive cleaning fluids shall be used.
Commercial greenhouses and plant nurseries.
Commercial painting for automobiles and light trucks only if covered.
Commercial swimming pools.
Counseling centers operated by charitable or not-for-profit organizations; excluding any use connected with penal or correctional institutions.
Dwelling, One-Family.
Dwelling, Two-Family.
Electrical repair shop.
Family day care homes, day care centers, pre-school centers, nursery school, child play care centers, child education centers, child experiment stations or child development institutions under the following regulations: (see Zoning Regulations for restrictions)
Family day care homes; day care centers, pre-school centers, nursery school, child play care centers, child education centers, child experiment stations or child development institutions.
Farm machinery sales and services, provided no repair facilities shall be maintained or used outside the building.
Fraternity or sorority houses and dormitories.
Garage sales, under the following restrictions: (see Zoning Regulations for restrictions)
Garment storage facilities.

Golf courses and golf clubhouses appurtenant thereto, (except miniature golf courses, driving ranges, and other activities operated as a business).
Government buildings and facilities.
Group care homes for mentally retarded children.
Group Homes for Foster Care.
Group Homes for mentally or physically handicapped, under the following restrictions: see Zoning Regulations for restrictions)
Home occupations which are compatible with the residential character of the neighborhood will be permitted, however, in order to promote peace, quiet and freedom from excessive noise, excessive traffic, nuisance, fire hazard, and other possible effects of commercial uses being conducted in residential areas, all home occupations must meet the following restrictions (see Zoning Regulations for restrictions)
Hospitals for human beings, medical or dental clinics, sanitariums and medical laboratories.
Hospitals for small animals, if within an enclosed building.
Hospitals, medical or dental clinics, sanitariums, and medical laboratories.
Hotels.
Kennels for the boarding of animals, subject to the following conditions: (see C-3 District regulations)
Laundries, coin operated.
Laundries, commercial.
Lumberyards, but only in connection with a home improvement store such as Home Depot or Menard's
Miniature golf courses or driving ranges.
Motorcycles, which may include a motorcycle.
Motels.
Motor vehicle or trailer sales and service, provided no dismantling or storage of parts of inoperable vehicles occurs outside.
Multi-level, underground or covered commercial parking for automobiles and light trucks.
Newspaper Publishing Plants.
Office buildings used for the administrative functions of businesses, professions, companies, corporations; and social, philanthropic, eleemosynary, or governmental organizations or societies.
Offices for professional and business use involving the sale or provision of services, but not the sale or rental of goods, including, but not limited to:
(1) Artists, sculptors, photographers.
(2) Authors, writers, composers.
(3) Lawyers, engineers, planners, architects, realtors, accountants, insurance agents, brokers, and other consultants in similar professions.
(4) Ministers, rabbis, priests, or other clergy members.
(5) Physicicians, dentists, chiropractors, or other licensed medical practitioners.
(6) Seamstresses, tailors.
(7) Teachers or private lessons in art, music, or dance.
Pet stores and grooming shops, for small animals.
Photographic service shops and studios.
Physical fitness centers, private gymnasiums and reducing salons.
Printing shops, provided the total mechanical power used in the operation of such printing plant shall not exceed five (5) horsepower.
Printing Shops.
Public administrative buildings.
Public libraries.
Public museums.
Public parks and playgrounds, including public recreation or service buildings within such parks.
Public police and fire stations.
Public schools, elementary and secondary, private schools with curriculum equivalent to that of a public elementary or high school, and institutions of higher learning, including gymnasiums, stadiums, and dormitories if located on campus. (see Zoning Regulations for additional requirements)
Publicly owned and operated community buildings.
Radio and television sales and services.
Rental services.
Repair of household appliances.
Residential care facilities.
Restaurants, cafes and cafeterias.

Restaurants, cafes or cafeterias which provide live or recorded music, provided that such music is played indoors only and further provided that the music from any such restaurant, cafe or cafeteria shall not be plainly audible at the property line of the property on which the building housing such restaurant, cafe or cafeteria is located.
Restaurants, cafes or cafeterias, which provide no form of entertainment.
Schools operated as a business within an enclosed building, except trade schools and schools which offer retail goods or services to the public.
Schools operated as a business, except trade schools.
Self-service storage facilities, subject to the following conditions: (see C-3 District regulations)
Service stations, provided all fuel storage tanks are located underground, except a fuel station in conjunction with a store permitted.
Shoe repair shops.
Shops for custom work, or the manufacture of articles to be sold at retail only on the premises, provided that in such manufacture the total mechanical power shall not exceed five (5) horsepower for the operation of any one shop, and provided that the space occupied by the manufacturing use permitted herein shall not exceed fifty (50) percent of the total floor area of the entire building or the equivalent of the ground thereof, and provided further that such manufacturing use is not noxious or offensive by reason of vibration, noise, odor, dust, smoke, gas, or otherwise.
Sign painting shops.
Stores, shops and markets for retail trades, provided merchandise is not displayed, stored or offered for sale on the premises outside a building in the required front yard or in any side or rear yard adjacent to a residential zoning district.
Temporary real estate sales offices, located on property being sold and limited to a period of sale, but not exceeding two (2) years without special permit from the Board.
Theaters, not including drive-in theaters.
Trade schools.
Tree-trimming and removal services.
Wholesale sales offices and sample rooms.

Jan Weaver, 412 ½ W. Walnut, stated she was speaking on behalf of Friends of Rock Bridge Memorial State Park and noted they strongly endorsed this Plan. They appreciated the expansion of the buffer on Gans Creek to protect the stream and endorsed the removal of the horse area due to the potential impact to the water quality of the stream.

Susan Flader, 917 Edgewood Avenue, stated she was speaking on behalf of the Missouri Parks Association and commented that they were pleased with the Plan. She urged approval of the Plan with the buffer.

David Bedan stated he was speaking on behalf of the Columbia Audubon Society and noted they supported the proposed Plan, which included the removal of the equestrian area and the addition of the buffer along the creek. He believed horse riding was a legitimate use of public land and provided wholesome family recreation, but pointed out horses had the potential of tremendously impacting the environment and the Columbia Audubon Society was concerned about its impact on the Gans Creek Wild Area.

Ken Midkiff, 1005 Belleview Court, stated he was speaking on behalf of the Osage Group of the Sierra Club and noted they supported this Plan.

There being no further comment, Mayor McDavid closed the public hearing.

Ms. Hoppe thanked staff for their work on this project as there had been a lot of public input and interest. The one controversial issue involved whether horses should be allowed. She believed a survey would determine if there was a need for that use in the community, but it was clear this was not an appropriate location for it.

Mayor McDavid thought this would be a wonderful asset to the community.

Mr. Thornhill stated this showed how great the Parks and Recreation Department staff was and how good a design could be when the public was involved and provided input.

Ms. Hoppe commented that having areas like this allowed people to enjoy living in the City as opposed to wanting their own acreage.

B86-10 was given third reading with the vote recorded as follows: VOTING YES: THORNHILL, KESPOHL, DUDLEY, NAUSER, HOPPE, MCDAVID. VOTING NO: NO ONE. ABSENT: STURTZ. Bill declared enacted, reading as follows:

OLD BUSINESS

B270-09 Rezoning property located east of Bowling Street, south of I-70 and north of Business Loop 70 (1619 and 1717 Mores Boulevard) from R-1 to M-1.

The bill was read by the Clerk.

Mr. Watkins and Mr. Teddy provided a staff report.

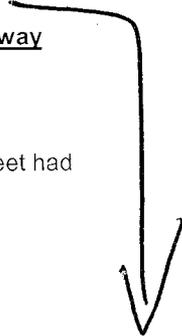
Ms. Hoppe made a motion to table B270-09 to the May 17, 2010 Council Meeting.

The motion was seconded by Mr. Kesphl approved unanimously by voice vote.

B58-10 Rezoning property located on the south side of the Grindstone Parkway and Grindstone Plaza Drive intersection from A-1 to C-P.

The bill was given third reading by the Clerk.

Mr. Watkins and Mr. Teddy provided a staff report and noted an amendment sheet had been prepared, which would authorize an amendment to the development agreement between the City and THF Grindstone Plaza Development, LLC to allow a full access



signalized intersection at Grindstone Parkway and Grindstone Plaza Drive instead of a right-in, right-out and left-in only access. MoDOT and City traffic engineers had given tentative approval to the traffic study justifying the traffic signal. Although the concept of the traffic signal had been approved, the specifics of the design had not been approved by MoDOT. Two conceptual layouts, which were not binding, had been submitted by the applicant to illustrate how a roadway might work through the site and the four-way intersection.

Ms. Hoppe wondered if it might be appropriate to hold off on the amendment until after public comment had been received in this situation. Mayor McDavid understood they could approve the amendment, and if the issue failed, the amendment would fail as well. He thought it would be cleaner if they debated the rezoning after approving the amendment since the rezoning request was for a full access stop light.

Mr. Kespohl made a motion to amend B58-10 per the amendment sheet. The motion was seconded by Ms. Nauser and approved unanimously by voice vote.

Bruce Beckett, 111 S. Ninth Street, stated he was the attorney for Red Oak Investment and they were seeking a rezoning from A-1 to C-P. The proposed statement of intent resulted from a long process of discussions and communications with neighbors, neighborhood associations and City staff, and included the four-way fully signalized intersection at the east entrance into this property. He noted no neighbor or interested party had spoken in opposition to this at the public hearings or public information meetings. He understood the reason the Planning and Zoning Commission had voted to deny this was due to the existing development agreement and an objection to adding another signalized intersection on Grindstone Parkway, which would slow traffic. There was misinformation in that Red Oak Investment had signed the development agreement involving the three-quarter intersection and that was not true. It was signed by THF Grindstone Plaza Development. With regard to Grindstone Parkway, he noted it was a MoDOT road and MoDOT had approved the signalized intersection. He did not feel it was appropriate to use the zoning process to block the signalized intersection.

Dustin Reikman, 1830 Craig Park Court, St. Louis, Missouri, stated he was a traffic engineer with Crawford, Bunte, Brammeier and noted the traffic study had been approved by MoDOT and City engineering staff. The proposed signal would work well for a service level of B upon full build-out of the 200,000 square feet of retail and for 20 years given the growth rate provided by City staff. He noted 65 percent of the population was on the west side of this site, so there would clearly be a demand by shoppers to go west. Left turns were currently restricted off of Grindstone Plaza Drive, but people were still doing it routinely by going around the island and making unexpected movements. A signal would accommodate that safety concern.

David Brodsky, 903 West Ash, provided a handout and stated he was speaking as an individual and not on behalf of the Planning and Zoning Commission. He understood the traffic impact study showed a light was necessary at this site, but he did not believe that was true. While the study showed how the signal would function in the future, it did not justify the signal. He understood MoDOT had approved the signal, but noted they were also requiring a public roadway on the south end, and in order for the public roadway to be constructed, the Planning and Zoning Commission and City Council would have to accept it. He commented

that he did not believe the Planning and Zoning Commission was opposed to the zoning. He thought they were opposed to the traffic signal and alignment of the proposed roadway. The approximate length of the roadway from Providence to Old 63 was 12,600 feet and there would be ten signals along that roadway with this signal. MoDOT recommended a half-mile to a mile and allowed a quarter-mile to a half-mile, but this was slightly under a quarter-mile. He noted Grindstone from Providence to Rock Quarry had an average of 1,000 feet of spacing between signals. He provided Stadium near the Columbia Mall as a comparison and noted they were in the process of spending millions of dollars to fix the roadway due to its signal spacing. He commented that as the east side of town developed, the population to the west would have to travel east, and clogging any of these roadways was harmful to long-term viability of the community. The Planning and Zoning Commission recommended having the roadway to the west versus the east and to allow for a two phase development. He noted good long range planning and traffic problems were of great concern to the citizens.

Ms. Hoppe understood Mr. Brodsky was proposing the development be allowed, but that it be phased in until the road was extended further south. She asked if that was fair to this developer to be at the mercy of the landowner to the south. Mr. Brodsky replied this applicant has had an interest in this property for over 40 years, and its value today was in large part due to the multi-million dollar investment the public had made in the roadway. He wondered if it was fair for this applicant to extract that value by degrading the traffic way or if they should wait until they could extract that value without degrading the public's investment.

Mr. Thornhill asked Mr. Brodsky for his thoughts on the volume of traffic that would be introduced on Nifong and how the traffic might evacuate given his scenario. Mr. Brodsky replied people coming out of the development would travel south to Old Nifong where he would like to see a signal, and if they needed to travel west on the Parkway, they could circle around to the existing signalized intersection at Green Meadows.

Vicky Riback Wilson, 3201 Blackberry Lane, commented that she was not speaking on behalf of the neighborhood association, but noted she had attended all of the meetings. The development agreement with the development on the north side of this property indicated there would be right-in and right-out turns and that the traffic flow on Grindstone would be protected. She felt there was an obligation to ensure development agreements were monitored and enforced, particularly if the neighborhood was engaged. She understood situations could change over time, but in this case, they were being asked to change a development agreement before the original development was even completed and on speculation about what might happen in the future. The development on the south side was contemplated from the beginning per testimony before the Planning and Zoning Commission, and the right-out only lanes were agreed to because of traffic flow. At some point, they needed to determine what was merited and whether they were changing a development agreement on speculation on what might happen or if the land could be developed while honoring the agreements until such time as the traffic situation for the other development merited a change. She asked the Council to consider the changing of the development agreement separately from the land use.

Mayor McDavid understood the configuration of the right-out would only allow traffic to go east while two-thirds of the people lived to the west and asked if it was logical for that

many cars to be directed to an area where there was no turn-around. Ms. Wilson replied that was a troubling issue, but traffic was already backing up on Grindstone at certain times of day with the existing lights. She urged them to move slowly in changing the development agreement.

Craig Van Matre, 1103 East Broadway, stated he was the attorney representing the property owners to the north, THF Grindstone Plaza and THF Red Oak. Another entity with Red Oak in its name owned the Kohl's Department Store and he believed that caused confusion at the Planning and Zoning Commission meeting. He explained he had requested a change to the development agreement in order to reflect the change in circumstances with the development on the south side and the fact that it was dangerous for people who wanted to go east to turn left out of his client's development. He noted the land to the south had infrastructure and was ready to be developed. If the Council denied the stop light, it would likely be minimally developed if it was developed at all. In addition, development would likely be driven further out of town. He pointed out they had evidence before them indicating there was no reason to not have a stop light at this intersection. They only had anecdotal comments of not wanting traffic to slow down on the Parkway. He noted the road was not intended to be a highway. It was intended to be a major arterial that carried a lot of traffic. He commented that changes in circumstances dictated changes to agreements, which was why the change was being requested.

Ms. Hoppe stated she thought the real issue was whether the traffic signal should be allowed. She was not on the Council when the development to the north was approved and when the AC plan was completed, but she had reviewed the minutes. In that review, she believed there had been a planning process, which should not be changed without a lot of consideration, to keep traffic moving on AC. She referred to portions of the 2003 minutes and noted Council Member Loveless had understood the roadway was designed to move high volumes of traffic at a rapid speed between the south part of Columbia and U.S. Highway 63 and was concerned about this road being used to serve local commercial traffic. Ms. Hoppe pointed out the main entrance for the development to the north was deliberately planned to not be on AC. It was planned for Green Meadows. She referred to other Council Meeting minutes that included similar comments. Due to this information, she did not believe a traffic light should be allowed for the development to the south. In addition, she did not think they should rely on MoDOT to push the City's long-range planning. She believed the phased development was consistent with the long-range plan.

Mayor McDavid commented that he wished Grindstone had been a limited access road with exchanges, but that was not how it was designed. He noted the best use for this land was commercial and that was not being disputed. Access to the property was the issue being disputed. The options were whether to allow a full access stop light at Grindstone Plaza or force access west through the Edwards property to Nifong Boulevard. He believed there would be some unintended consequences if this was rejected because they would be encouraging development toward Nifong. They would force traffic to the south onto Nifong and then west to the stop light where there would be 2-3 lanes of traffic, since two-thirds of the people would be going west. He wondered if that was any better than a full access stop light at Grindstone Plaza and noted they had evidence from a traffic study and a traffic

engineer with MoDOT and the City indicating the best option was a full access stop light at Grindstone Plaza.

Mr. Glascock commented that traffic needed to be viewed as a system. People would be going south, but people would also want to cross Grindstone to get to Wal-Mart and would have to make a right and then a left on to Gray Oak causing weaving movements on Grindstone and slowing traffic even more. He noted he was on the design team with MoDOT and a full access signal was always intended to go somewhere in the area.

Mr. Dudley noted that he was initially against the signal as he did not want to restrict the traffic flow on AC, but after reading the reports, he was in support of the signal because it would make it easier for people to get around. In addition, two entrances/exits would be needed on the property at some point, and he felt that could be considered when the plan was finalized.

Ms. Hoppe asked if MoDOT analyzed alternative ways to serve this traffic or if they were just asked if a stop light could be placed there. Mr. Glascock replied it was known access breaks would be taken into account when the road was designed. The reason they did not use Old Nifong was because it was near a residential area. This was an unbuilt area and was the path of least resistance. He noted the traffic projected over the next 20 years was there the day it was opened and the problem was not in the middle. The problem was at the two ends at Highway 63 and Providence, and the ability for traffic to get on those roads.

Ms. Hoppe referred to the 2003 Planning and Zoning Commission minutes and noted a traffic engineer had testified that the then Planning and Development Director, Roy Dudark, had indicated MoDOT was not enthralled with the idea of a signal and had decided that Grindstone Parkway would not be built with the intention of installing an additional signal because they preferred signals on secondary streets, and that this made good planning sense. She believed MoDOT did not want signals on AC in 2003.

Mr. Thornhill asked if that was a result of the traffic count being at the 20 year projection the day it was opened. He thought a stop light at a side street might have worked then. Mr. Glascock explained there were no side streets for stop lights at this time. He noted he recently spoke with Matt Myers, the traffic engineer for MoDOT, and he was in agreement of the signal being planned and needing to be there.

Ms. Nauser commented that they were considering the zoning at this time, and this issue would be discussed when the plan came forward for approval. She noted it could be 5-10 years before the property was developed and the traffic flow could change by then.

Ms. Hoppe stated she did not believe they should change the development agreement because it could be premature since the plan had not been brought forward. Ms. Nauser understood it would stay a three-quarters intersection until a traffic study was done with consideration of the new site. Mr. Brodsky commented that the reason the traffic issue needed to be discussed tonight was because the last page of the statement of intent dealt solely with the traffic signal. If that language was not in the statement of intent, this discussion would not be necessary.

Mr. Thornhill understood many of the concessions were based on the traffic signal. Mr. Beckett stated they had agreed to put a major collector street through the property, and that could not be done without the intersection. He listed some of the buffer and building

concessions and stated those could not be done without good access. Ms. Hoppe commented that she was at most of those meetings and noted she did not recall any quid pro quo discussion with the neighbors about that. She stated Mr. Beckett proposed a good development, and while some things were fine tuned, she did not recall discussion about not providing the other items if the traffic light was not approved. Mr. Beckett noted the signalized intersection had been a part of the statement of intent since day one.

The vote on B58-10, as amended, was recorded as follows: VOTING YES: THORNHILL, KESPOHL, DUDLEY, NAUSER, MCDAVID. VOTING NO: HOPPE. ABSENT: STURTZ. Bill declared enacted, reading as follows:

R73-10 Accepting the donation of automatic license plate recognition equipment from the Boone County Sheriff's Department through a COPS Technology Grant to be used by the Police Department in two patrol cars.

The resolution was read by the Clerk.

Mr. Watkins and Chief Burton provided a staff report.

Ms. Nauser asked where the information went, how long was it kept and who was in charge of it. Lieutenant Richenberger replied the Boone County Sheriff's Department would be the repository. The City would have access to the information scanned for 30 days.

Ms. Nauser understood that policy could be changed at any time. Chief Burton stated he would come back to the Council if substantive changes were made to the policy or how they used the equipment.

Ms. Hoppe asked if that policy was already established with the County. Chief Burton replied they had discussed Council concerns with the Boone County Sheriff's Department and were all in agreement. Lieutenant Richenberger pointed out the County's policy was 60 days, but the City's would be 30 days. Mr. Kespohl understood the City data would be purged after 30 days, but the County data would not be purged until after 60 days. Chief Burton stated that was correct.

Ms. Nauser asked who would have access to that data. She wondered if other law enforcement agencies would have access. Chief Burton replied they would share it with another law enforcement agency if they needed it for a valid law enforcement purpose.

Ms. Hoppe commented that the policy, to include the 30 days, was not a part of the resolution and asked where it was written and how it could be changed. Chief Burton replied the final policy would include definitions, the responsible party for purging the information, how long the data was kept, etc. They thought it would be premature to finalize the policy if they did not receive the equipment, but would have the appropriate policy in place before using the equipment, if approved by Council.

Mr. Dudley asked how long the data was kept if an officer called in a license plate number. Chief Burton replied he was not sure. If it involved a special investigation, it could be indefinitely. He thought it would depend on the context in which the information was gathered.

Ms. Hoppe asked how many license plates would be read per day. Lieutenant Richenberger replied they collected approximately 1,000 per vehicle per eight hour shift. Ms. Nauser asked if that was with a beat officer. Lieutenant Richenberger replied it was with the Street Crimes Unit and they were not assigned to a beat.

**MINUTES
PLANNING AND ZONING COMMISSION MEETING
MARCH 4, 2010**

COMMISSIONERS PRESENT

Ms. Helen Anthony
Mr. Jeff Barrow
Mr. David Brodsky
Ms. Ann K. Peters
Dr. Ray Puri
Mr. Steve Reichlin
Mr. Glenn Rice
Mr. Matt Vander Tuig
Mr. Doug Wheeler

2) APPROVAL OF MINUTES

MR. BARROW: Very well. You've all received copies of the minutes from our previous meeting. Are there any corrections? Mr. Brodsky?

MR. BRODSKY: On page 9, and I don't have it in front of me, there was a sentence that said -- I wish I had it in front of me. It said that I -- the property was zoned for something. It actually should have been owned.

MR. BARROW: Is that it? Is that the correct --

MR. BRODSKY: That's all.

MR. BARROW: Are those the correct minutes?

MR. BRODSKY: Yeah.

MR. WHEELER: Under Mr. Brodsky's comments.

MR. BARROW: While they're working on that, are there any other corrections? Have you got that?

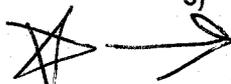
MR. WHEELER: Yes, I do.

MR. BARROW: Would someone like to make a motion to approve?

Ms. Anthony moved for approval of the amended minutes from the February 18, 2010, meeting; seconded by Mr. Reichlin. Unanimous voice vote for approval.

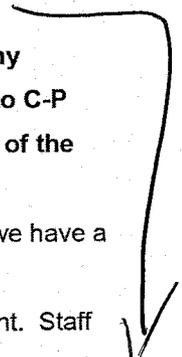
MR. BARROW: Very well. Are there any commissioners who will want to ask to abstain from votes tonight? Seeing none.

3) PUBLIC HEARINGS

 **09-139 A request by Bruce Beckett (agent), on behalf of Red Oak Investment Company (owner), to rezone approximately 25.29 acres of land from A-1 (Agricultural District) to C-P (Planned Business District), located on the south side of Grindstone Parkway, south of the intersection of Grindstone Parkway and Grindstone Plaza Drive.**

MR. BARROW: This item was tabled at our previous Planning and Zoning meeting. May we have a staff report, please?

Staff report was given by Mr. Steve MacIntyre of the Planning and Development Department. Staff



recommends approval of the requested rezoning and associated SOI.

MR. BARROW: Thank you. Are there any questions of staff? Yes, Mr. Rice?

MR. RICE: I'm pretty sure I know the answer to this. The other entrance proposed here would just be a right-in/right-out?

MR. MacINTYRE: The entrance toward the center of the site?

MR. RICE: Right. That's pointing right to it, but you can't see where I'm pointing.

MR. MacINTYRE: Sorry. Yes.

MR. RICE: Not the one that connects to Grindstone Plaza. The other one is that a right-in/right-out? Can you go back to the two proposed -- yeah -- conceptual street layouts. Has staff evaluated both of these and does staff have a preference for one or the other of the two conceptual street layouts that were offered?

MR. MacINTYRE: The conceptual layouts are -- would really be up to the applicant to, you know, determine what's most suitable to potential tenants or a buyer, I suppose.

MR. RICE: Okay. Well, I'm sorry to interrupt, but I'm actually asking what staff thinks about them from a planning perspective and/or connectivity or that kind of thing?

MR. MacINTYRE: At this point, we haven't really considered the two options, because they are conceptual; however, our primary focus and concern has been the impacts on Grindstone Parkway, and we believe that either of these options could be acceptable and would be acceptable from a traffic-impact standpoint onto Grindstone Parkway. And, certainly, there are other conditions written into the statement of intent which would address internal connectivity --

MR. RICE: Uh-huh.

MR. MacINTYRE: -- including both vehicles and nonmotorized transportation, as well as transit. So, I believe that based on the statement of intent that's being put forward and these options before you -- which, I might add, the applicant is not agreeing to adhere to these strictly, but as provided for review purposes only at this point -- but we believe that all of the internal connectivity issues could be addressed quite adequately.

MR. RICE: Okay. The stream that's indicated here, it is subject to the buffer requirement, so it's a level two or --

MR. MacINTYRE: A Type II, yes.

MR. RICE: Type II. Sorry. It looks like conceptual street layout two, would that require two crossings here or am I -- well, actually, it looks like part of the stream branch just sort of ends right there. What about The Crossing Church and their street? Would that go onto the subject property or would it connect to this future street along the southern edge, or is there any sort of idea there about where that could possibly go? And would that play into either of these conceptual street layouts? Perhaps I should ask this question to the applicant, actually, but I'm asking you right now.

MR. MacINTYRE: Sure. Fair enough. I can try to answer that. I think that The Crossing has a road

through their -- internal to their site, and I may be able to -- I don't know if you can really see it here. But Southland Way -- and I'm not sure if you can see this on the slide.

MR. RICE: I can.

MR. MacINTYRE: It appears to dead-end -- well, it does dead-end right -- just to the east of the subject site, and that would be --

MR. RICE: Okay.

MR. MacINTYRE: If they desire to use that, I believe that that would be the most obvious location for them to attempt to --

MR. RICE: Okay.

MR. MacINTYRE: And they would have to accommodate some sort of, you know, off-site attachment point for The Crossing, so it would be on the applicant's site. It would likely link into the north of the stream buffer there, and the statement of intent accommodates and suggests that at the point of future platting of the subject site, they would accommodate that and negotiate with The Crossing to provide them an opportunity to make that connection. So, I would expect some sort of either private or public drive or street attachment there -- the extension of Southland Way, perhaps -- to the proposed new public street.

MR. RICE: And one other question, and that is: Next to The Crossing, there is another building that's marked A-1. Is that part of the church, as well, or is it just a separate building? See, there's the one that's got the circle that says A-1 right on it. Is that part of the church, too?

MR. MacINTYRE: Oh. Is that to the south of the pond? That -- if it's --

MR. RICE: That is the church?

MR. MacINTYRE: Yes. That is the church.

MR. RICE: What's the rectangle over here then? Is that the lot -- parking lot, perhaps?

MR. MacINTYRE: Oh, yes. That would be the parking lot.

MR. RICE: Okay. Okay.

MR. MacINTYRE: Yeah. They have several parking lots.

MR. RICE: It's hard to tell on this drawing or photo. Okay. Thank you. That's all.

MR. BARROW: Yes, Ms. Anthony?

MS. ANTHONY: I have several questions. The first question is: Does The Crossing have access onto Grindstone Parkway now?

MR. MacINTYRE: Yes.

MS. ANTHONY: And where is that?

MR. MacINTYRE: It's just outside of this aerial to the east of the pond.

MS. ANTHONY: Is that a right-in/right-out?

MR. MacINTYRE: A right-in/right-out; correct.

MR. ZENNER: Approximately 200 feet --

MS. ANTHONY: Two hundred feet from the intersection, the light at Rock Quarry?

UNIDENTIFIED: It's greater than that --

MS. ANTHONY: Okay. And then the second question I have is: What is MoDOT's involvement with the proposed plan in terms of the access onto Grindstone Parkway?

MR. MacINTYRE: Their involvement at this point has been to comment on the proposal, and we've had numerous contacts with them. And, again, at this point, they agree in concept. They've reviewed and believe that the applicant's traffic-impact study addresses the issues at hand. And I'm not saying they wouldn't have another shot at reviewing a future development plan and making more specific recommendations or, you know, expressing more explicit specific concerns associated with whatever development plan comes forward. But, at this point, they agree in concept and they believe that it's a reasonable request to ask for a signal and -- with the condition that the through public street be added as a -- to the site and with the potential for that to connect down to Nifong Boulevard.

MS. ANTHONY: And is it correct to say that they need to actually approve this plan?

MR. MacINTYRE: That --

MS. ANTHONY: MoDOT?

MR. MacINTYRE: -- MoDOT would need to? They would be in on the review of any future plan for the site.

MS. ANTHONY: Thank you.

MR. BARROW: Thank you. Mr. Brodsky?

MR. BRODSKY: I have a question about development agreements. Are those actually put into the ordinance on any rezoning, or is that strictly a contract between the City and the landowners?

MR. MacINTYRE: Usually, a stand-alone contract between the City and the developer or landowner.

MR. BRODSKY: But it's still legally enforceable in the courts and so on and so forth?

MR. MacINTYRE: Correct.

MR. BRODSKY: Okay. And at one point, staff had mentioned to me that the applicant had reserved R-3 uses, and I didn't see that in the statement of intent. I was wondering if you might be able to direct me to where that is. Is it in their attachment? It was just -- it was kind of hard to read the attachment because it's a -- it looks like a photocopied list.

MR. MacINTYRE: Oh. Yeah. I apologize for the resolution of that. I think it's a photocopy of a photocopy that's been modified throughout. But the -- and correct me if I'm wrong. I think that what you're referring to is the ability to build out or to use multifamily construction.

MR. BRODSKY: Uh-huh.

MR. MacINTYRE: Yeah. They have eliminated single family and two family as potential uses by striking them through, but have left in the option for multifamily.

MR. BRODSKY: Okay. Also, on the statement of intent, I notice that it did mention a light-pole height. Now, is that -- you know, now that we have a lighting ordinance, is that typically included in the statement of intent? What would govern it? Would the statement of intent govern it? Would the lighting

ordinance govern it?

MR. MacINTYRE: Well, in this case, the statement of intent would govern because it's more restrictive.

MR. BRODSKY: Okay.

MR. MacINTYRE: I believe 28 feet would be the typical maximum height, but you could go higher if you had, I think, a full cutoff, and Tim will probably be able to fill you in on all the details. But they are volunteering a shorter height, and I think that it may be comparable -- the 25 feet may be comparable to the Grindstone Plaza and some other developments.

MR. BRODSKY: Okay.

MR. MacINTYRE: So, it's an aesthetic situation.

MR. BRODSKY: I just wasn't sure. I hadn't seen that since we had the lighting ordinance. And then I know you've done some research, Mr. MacIntyre, on the spacing of signal-lights intersections on this type of road. What is typically recommended for this type of road in terms of signalization spacing?

MR. MacINTYRE: Usually, a half mile to a mile. I think that's what I found in MoDOT's guidelines. However, in this case, we've got, I think, a half mile to the west of Grindstone Plaza Drive, between Grindstone Plaza Drive and Green Meadows, and then to the east of Green Meadows -- or, pardon me -- to the east of Grindstone Plaza Drive, there is about a third of a mile between that and Rock Quarry Road.

MR. BRODSKY: But by my measurements, from Grindstone to Green Meadows is 2,345 feet, which is .45 miles, and it's 1,500 feet to Rock Quarry, which is .3 miles. So, a half and a third is rounding up a little bit. So, considering that those -- neither of those marks are within the prescribed guidelines, and the distance between Green Meadows and Rock Quarry is .75, which was very much so within the guidelines, why is staff recommending that we deviate from standard practice?

MR. MacINTYRE: Well, I think that -- and, I mean, I'm not a traffic engineer. I'll preface my comment with that. But these are guidelines and there are certain situations in which -- and combinations of elements which may warrant deviation from these guidelines.

MR. BRODSKY: Well, maybe I'll rephrase my question. What about this specific case has so -- or have you so been convinced that this signalization is necessary and desired?

MR. MacINTYRE: I can say that in working with our -- with the applicant and the City engineer, and also MoDOT professionals, the ability to have a traffic-impact study provided up front, scrutinized, revised, and scrutinized again, and I guess I put a lot of faith in professionals that deal with these things and make the decisions as to whether or not adequate access can be maintained, and really a lot of, you know, my decision is dependent upon those professionals' recommendations.

MR. BRODSKY: That's all I have.

MR. ZENNER: If I may further answer that question for you, Mr. Brodsky. In discussing matters today with MoDOT myself in regards to some history, for the reason and rationale as to why there wasn't a signal placed here to begin with, which was contemplated, there was discussion of that during the original

Grindstone rezoning for this easternmost access. The desire for not placing a signal there was because they did not want a nonfunctional signal very similar to what we may end up having for an extended period of time off of Route WW at the Elks Lodge. There were no warrants associated with a signal installation at that point, though the three-quarter access that exists there today was permanent. You have a third of the Grindstone development is yet to be built, and you have an access already cut in the median. So, you have left-hand uncontrolled turning movements coming across the opposing westbound traffic. There is a safety-related matter at this point that now, with the increased development of Grindstone likely to come on line and a more complete understanding of what will happen to the south of this project understood, that the justifications for varying what the general requirements are for signal spacing makes more sense to MoDOT. That is their general response that they have provided to us, further justified by the traffic studies that have been updated since 2008 when the signalization of this particular location was first conceived and presented to MoDOT.

MR. BRODSKY: I also have one of the pages from the development agreement for the Grindstone development across the way. And on item #6, page 5 of the this document, it has Grindstone Parkway vehicular access and it outlines the three access points to Grindstone Parkway. And, mind you, this is a development agreement that not only this particular applicant, but also the ultimate owners across the street both signed and agreed to, including the City. And Item #A, the access to the shopping center from Grindstone at the intersection of Hindman Drive, which is now Grindstone Plaza, shall be three-quarters access. Not should be or could be, but shall be. So, I mean, we've got all this other evidence that tells us that this road -- or that this signalization probably or might not be in the best of our interests, and we've got a development agreement that the City and these applicants have both agreed to and signed, and it's legally enforceable, so are we just throwing that out the window?

MR. ZENNER: At the time, as I had stated, you did not have a full understanding of what the development picture was.

MR. BRODSKY: Well, I hear you. Then why didn't that say that here in the development agreement?

MR. ZENNER: I can't answer that question. None of us were here at that point.

MR. BRODSKY: Okay. That's all I had.

MR. BARROW: Further questions of staff? Open the public hearing. Before I do --

MS. PETERS: Wait.

MR. BARROW: Oh, I'm sorry. Ms. Peters? Thank you.

MS. PETERS: Is this roadway currently on CATSO's plan?

MR. MacINTYRE: The proposed roadway?

MS. PETERS: Yeah.

MR. MacINTYRE: No. There's a concurrent request to add the roadway to CATSO and the City Major Roadway Plan and that's being processed again currently. We should have a recommendation, I

believe, by August, or maybe that's a final decision, but it's quite a lengthy process.

MS. PETERS: And the property to the south of this, is that currently owned by the applicant -- the Crown Center Farms?

MR. MacINTYRE: No. No, it is not.

MS. PETERS: Okay. Thank you.

MR. BARROW: Who is requesting CATSO add this to its plan?

MR. MacINTYRE: The applicant is.

MR. BARROW: So, the request isn't coming just from out of nowhere?

MR. MacINTYRE: Sorry. I missed that.

MR. BARROW: I'm sorry. I mean, the way I heard you, you said a request is being made to CATSO, and so, I was just trying to find out if the request was coming from God or, you know, from --

MR. MacINTYRE: Right. Right. No, not from God; I mean, from the applicant.

MR. BARROW: Okay. Any more questions or comments? Very well. We'll open the public hearing. Before I do, I'll state the -- our rules, and I understand you know our rules, but anyone wishing to speak, please come forward and speak into the microphone at the lectern. State your name and address. The first speaker in support of a proposal will get six minutes, subsequent speakers will get three minutes. And then I'll ask people to speak in opposition to come forward. The first speaker will get six minutes, subsequent speakers will get three minutes.

PUBLIC HEARING OPENED

MR. BARROW: Anyone in support of this, please come forward.

MR. BECKETT: My name is Bruce Beckett; I'm an attorney here in town at 111 South Ninth Street. I'm here representing the applicant for this rezoning, Red Oak Investment Company. With me tonight are Ted Stephenson, who is a representative of the company; Tim Crockett, who has served as our project engineer so far; and Dustin Riechmann from Crawford, Bunte, and Brammeier Traffic Engineers that has assisted us in preparing the various traffic studies that have been performed at the request of staff in connection with this application. As the staff indicated, this is a 25.29-acre tract of land right across from the Wal-Mart Shopping Center on Grindstone Parkway. We're requesting it be changed from A-1 zoning to C-P zoning. The reason we're asking for this at this point in time is so that this property can be marketed to a purchaser who could be assured that a commercial use could be made of this property, knowing, of course, that they would have to bring in development plans and satisfy the conditions of the statement of intent, assuming our statement of intent or some iteration of it developed later is complied with. The statement of intent, which we have submitted to you, is actually the tenth or eleventh draft of it. We think we've done a diligent job talking with our neighbors and City staff almost to the point of exhaustion, and writing and rewriting this, and we hope we have addressed all of their concerns. We weren't able to meet each and every one of them, but we were able to address a lot of the concerns expressed by the neighbors. The statement of intent now is structured so that we attach a list of what is permitted. Rather

than saying all R-3 uses except the following, we're now told we need to list the permitted uses. Apartment buildings are specifically mentioned in that list, by the way. And that list is an alphabetical list provided by the staff to the applicants when you go through this process. It's very helpful. But in addition to those use limitations, the statement of intent also self-imposes several other conditions on development of this property. The voluntary ones are, of course, in addition to all of the other impositions that you're required to comply with under storm-water regulations, lighting standards, all of that. If the statement of intent is more restrictive than the applicable ordinance, then the statement of intent trumps; if the reverse is true, then the ordinance would govern the issue. I want to just briefly give you a sample of some of the voluntary conditions that we have agreed to. First of all, we have agreed that all buildings on this will have four-sided architecture. In other words, no matter what angle you look at it from or from what position you look at it, it will all be -- have the same architectural siding on it. We've agreed to a fairly restrictive list of what we think are high-quality exterior building materials which have to be incorporated into the improvements on this property, once again, on all four sides. The staff mentioned we agreed to limit sign-pole height to 25 feet and that's more limited than the lighting ordinance would allow. We have agreed that there will be internal consistency throughout this project of common elements, such as light-pole standards, bicycle racks, paving details, an architectural theme to be followed throughout this entire property when it's developed. We've also agreed that there would be interconnectivity between the two entrances that we propose, the westernmost entrance being right-in and right-out only, the easternmost entrance being the intersection that's been the subject of so much discussion this evening. And we've also agreed that when development plans and subdivision plats are submitted, that we will provide a dedication of whatever things are needed in order to accommodate any public-transit needs of the City, and that was specifically identified by staff. There may be a bus stop needed or something like that, and we have agreed to accommodate the City in that respect. We've also agreed that the street that would proceed through Red Oak from our proposed intersection of the south boundary would have six-foot-wide bike lanes on it, and we've also agreed; and there was some discussion of the buffering. We were actually requested by the church to put some buffering in, and we accommodated them, but we decided since we have neighbors to the south presently using their property as residential, that we would put that buffering all the way across the southern boundary of the property. The buffering that we're talking about is the buffering specified in the ordinance that has to be placed between the residentially zoned properties and commercial properties, so we will follow those guidelines in buffering this project. The statement of intent also addresses several access assurances that we're giving to the City. First of all, the construction of the signalized intersection at the east entrance to serve both this property and Grindstone Plaza to the north would be constructed at absolutely no cost to the City or the Missouri Department of Transportation. That, by the way, is a subject which is frequently you find in a development agreement, but we have agreed to put that in the statement of intent. The intersection would be constructed in accordance with plans approved by both the City and, of course, it has to be approved by the Missouri Department of Transportation. A tentative intersection plan

has been prepared and designed. It has not yet been submitted for approval, but it has the usual typical bells and whistles with turn lanes and signals that we think are necessary to serve this intersection, but that would all have to be reviewed by both City traffic engineers and staff and the State before it would be installed. And that will be leading to a major-collector street -- a north-south collector street with six-foot-wide bike lanes on it on a 66-foot right-of-way that --

MR. BARROW: Mr. Beckett?

MR. BECKETT: Yes, sir.

MR. BARROW: Excuse me. You've been speaking for six minutes.

MR. BECKETT: I would request leave for some additional time. It doesn't appear that we have a lot of speakers. If you would indulge me, I would very much appreciate it.

MR. BARROW: How much time do you need?

MR. BECKETT: I have about maybe three, four more minutes of comments.

MR. BARROW: I'm going to ask you to wrap this up and then I'll invite you to speak -- to come back.

MR. BECKETT: All right. Then I will wrap it up now and rest, and if you would like me to come back and finish my comments, I'll be happy to do so.

MR. BARROW: Thank you. Are there any questions of this speaker? Mr. Brodsky?

MR. BRODSKY: I -- staff has been very complimentary of your work with them, and I appreciate you -- the back and forth, and I'm sure it's been a lengthy process for you guys. The buffer that you just mentioned to the south, now, assuming, hopefully, at some point in the future, the parcels to the south will also be commercially developed, can that buffer be taken out at some point? And I'm asking this because I would like it to be taken out at some point.

MR. BECKETT: Well, as I understand it, if it's in a statement of intent, that carries the force of law with it. So, in order to remove the buffer, the subject would have to be revisited by City -- City Council and approved by them before it could be removed. I suppose it could, but that would take further proceedings before this body and the City Council, I would think.

MR. BRODSKY: Well, I think that might something to consider for us, maybe a different way of buffering it. Do you know how long your client has owned this property or maybe Mr. Stephenson can answer that question?

MR. BECKETT: It's been a long time.

MR. BRODSKY: A long time. Okay.

MR. BECKETT: And they are all old local folks: Bob Smith, who was my law partner many years ago, retired in 1991, he was a shareholder; Loren Rodgers, I believe; and Ted's father, Dr. Hugh Stephenson. These are all fairly local people that have owned this as far back as I can remember.

MR. BRODSKY: That suffices. On your statement of intent, the list of allowed materials, exterior materials, I was very comfortable with all of them. The one that I had never seen and I was curious about was aluminum storefront. Maybe staff can elaborate on that. Oh, okay. Is that all that that refers to?

MR. TEDDY: Yeah. Like a storefront system like you might see on this.

MR. BRODSKY: Okay. The development agreement that I had mentioned earlier that stipulates that that intersection shall be three quarters, can you comment on that?

MR. BECKETT: I think we've covered most of what might be covered in the development agreement in the statement of intent.

MR. BRODSKY: Well, the development agreement from 2003, the Grindstone across the street, the development agreement expressly states that this intersection that you are proposing be signalized, it expressly states that it remain a three-quarter access.

MR. BECKETT: Well, I've got to be frank with you that you surprised me on that. I was not party to that; I'm a newcomer to the representation.

MR. BRODSKY: But your client was.

MR. BECKETT: I understand. And the answer to that is if this intersection is approved, I think that development agreement will have to be amended to provide for this intersection.

MR. BRODSKY: Would it maybe make sense to change the development agreement before we okay this?

MR. BECKETT: Well, I haven't quite considered the resolution to that because, frankly, you surprised me with it this evening and I haven't seen it. And perhaps I didn't do all my homework that I should have, but I think an amendment to a development agreement could go right alongside this zoning request to the City Council, who ultimately has to approve those.

MR. BRODSKY: In 2003, there was quite a bit of deliberation about the development across the street, and in one of the minutes from September 15th of 2003, the applicant, your client, and others, brought in a Ms. Nolfo, who was a traffic engineer. And there are several quotes that I'm just going to -- I'm going to paraphrase a little bit, but Ms. Nolfo displayed the intersection of Grindstone Parkway and the proposed intersection here. She said they looked at three means of access at this intersection; signalized, full access, unsignalized, and three-quarters access, which we have now. After analysis of the three options, she, they, being a professional traffic engineer, recommended three-quarter access. And then a little bit further down, she notes that this is a local road that will serve adjacent development areas, funneling to major arterials. She indicated that the spacing for a signal at this spot satisfied MoDOT's access guidelines, but they were not willing to entertain it because they wanted to protect this road for the same purpose that Council does. Ms. Nolfo said that after the development goes in, it'll be maintained -- it'll follow that same level of service for 20 years. She related that this was something that both the City and MoDOT were both adamant about. Can you respond to that?

MR. BECKETT: Well, first of all, I think MoDOT has changed its position. It wasn't, essentially -- this idea of a signalized intersection didn't initiate with us. It's actually initiated by the developer across the street, who has worked with MoDOT on the possibility of signalizing that intersection and have met with approval there. I will also tell you that although I wasn't a participant then, there were no plans for this

property at all at the time. It was zoned A-1 and simply development of this property wasn't considered in determining that a three-quarters intersection would be good at that particular point for the Wal-Mart development across the street. So, I don't think that is a prohibition on there ever being any signalized intersection at that point, but taking into consideration the C-P plan that was being considered at that time, that that three-quarters intersection was going to be sufficient to serve it.

MR. BRODSKY: So, you're suggesting that as more development comes along this roadway, that MoDOT no longer wants to protect the traffic-volume capability of this roadway?

MR. BECKETT: Well, I'm not MoDOT. All I can tell you is MoDOT has now approved the concept of putting a full-signalized intersection at that location. So, whoever makes those decisions down there has shifted their thinking if they, in fact, believe that a three-quarters was all that would ever be there.

MR. BRODSKY: Okay.

MR. BECKETT: Until today.

MR. BRODSKY: That's all. Thank you.

MR. BARROW: Are there further questions of this speaker? Yes, Ms. Anthony?

MS. ANTHONY: Mr. Beckett, I'm just trying to understand because I'm a relative newcomer, and I wasn't here, I don't believe, when the Grindstone -- certainly was not a commissioner when the Grindstone Plaza was constructed. At the time the Grindstone Plaza was constructed, are you saying that the development of the subject tract that we're addressing today was not contemplated or --

MR. BECKETT: It wasn't contemplated by that plan and it wasn't contemplated by the Rock Quarry Area Plan that was adopted. There wasn't anything talked about or decided about what might happen on the south side of Grindstone. That's my understanding. Now, we have with us this evening Dustin Riechmann from -- the traffic engineer that worked with Julie Nolfo on those traffic studies, and I'll -- well, I want him to come up here and help answer some of your questions here. I will tell you that we think there's a number of great benefits to this intersection and the street that proceeds through this property. First of all, connecting a major arterial -- excuse me -- a major-collector street through this property to an intersection and allowing access over to The Crossings, we think, has clear benefits to the neighborhood around The Crossings Church. There's 1,800 people a weekend go to church there, 850 parking spaces. That particular use dumps out on Southland Drive, which is immediately along the southern boundary of the church, and accesses it along Rock Quarry Road, which is a very narrow asphalt road, and we all know and understand that, and the residents of the Rock Quarry Road area are very interested in protecting that corridor and the kind of tranquil atmosphere that surrounds it. We think this will take traffic off of those two streets and make The Crossings Church substantially more accessible through other routes that are better. We also think that extending this major collector through here from a signalized intersection will provide what ultimately will be a much needed north-south major-collector street down to Gans Road. I would point out to you that on the current Major Roadway Plan, the major-collector street between Grindstone Parkway and Gans Road is Rock Quarry Road. Nobody I know of really wants that to happen. Now, there will be a

major collector between those two streets, and this seems like it's a good opportunity to use one that we're proposing to build at no cost to the City to our south boundary as the beginning point of that north-south major-collector street. So, we think there are a lot of positive things about this, and so, while you see some negatives and some people thought of some negative things about a full intersection at that point back when this plan was first being considered across the street, we think there are other considerations when you start looking to the south that dictate that this is a good idea for this property.

MR. BARROW: Ms. Anthony?

MS. ANTHONY: I am just trying to get a little bit of history on this project only because I am concerned about the preexisting agreements between the developers of Grindstone Plaza and the City. So, I just have another question because it's been -- what is that soil pile or dirt pile that's been sitting on the subject tract?

MR. BECKETT: I think that's left over from building Grindstone, if I'm not mistaken, and it's just dirt for sale. It's fill dirt. It's good fill material, which is much needed, at least when you have an active construction activity in a city. That's been somewhat diminished lately, but it's good fill materials and it's saleable and usable, and a lot of it has been sold.

MS. ANTHONY: Okay. I was just trying to figure out --

MR. BECKETT: It's a place to put it until it can be used elsewhere.

MS. ANTHONY: So, that property wasn't cleared at that point. That is simply the dirt from across the street?

MR. BECKETT: I believe it was.

MS. ANTHONY: The property has been cleared?

MR. BECKETT: Yes.

MS. ANTHONY: It was cleared at that time, so there must have been some sort of understanding that the subject tract would have been developed at the time that this --

MR. BECKETT: I believe there had to be a land-use permit or --

MR. BARROW: We can't -- please go to the microphone if you're going to speak.

MR. BECKETT: -- a borrow pit for the construction of Grindstone Parkway, principally, but there was grading done on this site, as well.

MS. ANTHONY: Thank you.

MR. BARROW: Further questions of this speaker? Yes, Ms. Peters?

MS. PETERS: The property to the south, my understanding is you don't own it, the one that you would like the road to go through; is that correct?

MR. BECKETT: We don't own the property to the south of the property involved in this zoning application. That's owned by Chester Edwards, who owns kind of the central tract there, and he's flanked on either side by Crown Center Farms, which is owned by Bill and Nancy Laurie.

MS. PETERS: Have you approached him about purchasing his land?

MR. BECKETT: No.

MS. PETERS: Are you hoping that eminent domain might be used on it to extend your road?

MR. BECKETT: No.

MS. PETERS: So, the intent of running it up to his back door is --

MR. BECKETT: Something that I hope the City would be able to voluntarily work out with the property owners if the City decides that they need to extend that collector street further south at such time as that becomes necessary.

MS. PETERS: And if they can't work it out, eminent domain would be your preference?

MR. BECKETT: That's always an option to a city. There's certainly no authority having that power likes to exercise it unless it's absolutely necessary.

MR. BARROW: Further questions of this speaker? Mr. Vander Tuig?

MR. VANDER TUIG: I don't know where I read this, if it was in the statement of intent or where, but it seems like I read that if, at the time of platting, there was no agreement with The Crossing Church, that you would go ahead and plat without their access road; is that correct?

MR. BECKETT: That's correct. I mean, that's an ideal time for them to determine what they need and for us to provide for that. Whether it's actually a platted side street or a private drive hasn't been determined. We've talked with The Crossings about this extensively. The only comments we had from anybody about it was a gentleman that lived in those neighborhoods sort of southeast of this property and due south of The Crossings Church who said, well, you want to make sure that their cross access over into The Crossings from your major-collector street don't generate a lot of through traffic that comes through The Crossings parking spaces -- or lots and into our neighborhood. And so, in response to that, we had indicated that that connection over to The Crossings Church would be engineered in a fashion that discourages that kind of through traffic and is intended to serve the church. If you wind your way around in those Crossings parking lots, you can eventually get out to the neighborhood on Southland, but this would be engineered with some curvilinear type of design or something like that. It would be engineered. And I'm told that you can engineer something to discourage through traffic, but that's the only negative we saw, and we're certainly happy to accommodate The Crossings Church, and they're on board with this. Does that answer your question or --

MR. VANDER TUIG: Well, most likely, it'll be a private road and won't be platted; is that what the --

MR. BECKETT: That's probably the greatest possibility, it would be a private drive.

MR. VANDER TUIG: Based on discussions that you've had so far with them?

MR. BECKETT: We haven't really pinned that down. We've told them that we will allow them access to it at their cost. It has to be an engineered route into their property to discourage through traffic, and that's really been the extent of our agreements, but we're committed to them and they're supporting us and it's in our statement of intent that we have to allow it, so we have to allow it.

MR. VANDER TUIG: Okay. Thanks a lot.

MR. BECKETT: Yes, sir.

MR. BARROW: Further questions of this speaker? Do you have a question?

MR. WHEELER: Yes, please.

MR. BARROW: Excuse me. Mr. Zenner, do you have a comment to make? More information or --

MR. ZENNER: Just like to ask Mr. Beckett to explain the neighborhood engagement that they have had to the Commission as it relates to the extension of the roadway to the south. I think that will add to some of the response that he gave to Ms. Peters in regards to Crown Farms being surprised that they'll have a road back there.

MR. BARROW: Can you discuss that, Mr. Beckett?

MR. BECKETT: Well, actually, I've got a letter somewhere in my file from Dick Thomas, who represents Crown Center Farms, that says he's in favor of this. I haven't filed that yet, but -- and the reason I haven't is since Mr. Thomas wrote me that letter, I've tweaked the statement of intent a few times. He got it, asked me a question about it, but I haven't talked to him directly. That was e-mails. Specifically, we allowed automobile repairs under certain circumstances in our original statements of intent. They requested that we take all automobile repairs out of it, which we did. The original draft that had that was one of those all R-3 uses except, now we've changed to a specific list of permitted uses, and automobile repairs were on it, and it's lined out. And so, I had to assure Mr. Thomas that that was the case. But they're in favor of this, as well.

MR. BARROW: Mr. Wheeler?

MR. WHEELER: Yes. I just have one question in case we've wore you out and you don't make it back. This multifamily thing, I mean, I think my history here will speak to my concern about multifamily. By my calculations, and this would be light instead of long, if it were to go completely R-3, it would allow 425 units. I wouldn't like that. Do you think your client would be amendable to a mixed use and/or -- and probably and -- a limitation on the amount of multifamily units that we would see on this site?

MR. BECKETT: I haven't discussed that with him. It hasn't been proposed to us. Mixed use is certainly a possibility for this, but we have building square-footage limitations in here that would limit -- I mean, that would be -- if there are 427 apartments, they would have to be about 500 square foot an apartment, and -- you know. So, we're proposing 200,000 square feet, which is consistent with the square-footage density across the street and in other developments of this nature. We also have agreed in this statement of intent -- and I don't know that I have the exact language, but we have agreed that each time a development plan is submitted, we give them a new traffic study. And if we have to adjust type of uses or the square footage permitted on this site to insure that the required levels of service at these intersections are maintained, then we have to do that. In other words, we have to say -- we have to show them that whatever our development plans call for, we'll continue to maintain those levels of service that are required. If we've got to go down on the square footage, if we have to change the uses in order to do that, then we do. And I don't think you can -- I don't think we could do that with 427 apartments. I don't think our square-

footage limitation will allow that much.

MR. WHEELER: I don't, either. Thanks for pointing it out.

MR. BECKETT: Does that answer your question?

MR. WHEELER: Yes.

MR. BARROW: Ms. Anthony, were you raising your hand?

MS. ANTHONY: No.

MR. BARROW: Further questions of this speaker? Mr. Rice?

MR. RICE: Sorry. Would a signalized intersection at Grindstone Plaza Drive and Grindstone Parkway -- in other words, adding a leg -- a southern leg to that, would that require additional construction on Grindstone Parkway itself; for instance, a left-turn lane for southbound --

MR. BECKETT: Yes. It's going to -- it will require right-turn lanes going in, at least to our property.

MR. RICE: Right.

MR. BECKETT: It will require medians to be cut back further than they are now.

MR. RICE: Okay. Is there -- there's space already there, the medians just need to be carved out, essentially, in order to make room for a left lane?

MR. BECKETT: That's correct.

MR. RICE: Okay.

MR. BRODSKY: Is there space for left-hand turn lanes? There is? Okay.

MR. RICE: It's hard to tell from that aerial photo, but I don't think there is.

MR. BECKETT: I'll tell you what. Let me defer to -- I've got two engineers with me.

MR. RICE: Okay.

MR. BECKETT: And I didn't lawyer the intersection, that's been engineered, so I'll -- maybe I should turn it over to them.

MR. BARROW: Well, there are still other questions. I'm sure that these questions will be raised, so I'm not -- maybe I shouldn't be sure. Did you have further questions, Ms. Peters?

MS. PETERS: Can you explain it to me one more time the Crown Farms and the Chester -- or the Edwards Chester --

MR. BARROW: Edwards?

MS. PETERS: Yeah. I didn't quite understand. You said that you had a letter from who?

MR. BECKETT: Dick Thomas, who is a former Columbia lawyer, he has represented Bill and Nancy Laurie for many years, and they own Crown Center Farms --

MS. PETERS: Okay.

MR. BECKETT: -- who own most -- which owns most of the property on our southern boundary. In between the two tracts they own is Mr. Edwards and his wife, and they've indicated to Mr. Smith, who was the secretary of Red Oak Investment Company, that they support this application, as well. We don't have any deals with them to buy their property, if that's what you're looking for.

MS. PETERS: Well, actually, I'm looking for a couple things -- clarification. So, you've talked to the two people on the Crown Farms on either side and you have a letter from them that says they're okay with this?

MR. BECKETT: I have a letter from their lawyer that says they're okay with it.

MS. PETERS: Okay. But it looked like the road was going through Edwards' property, and do you have an agreement from them?

MR. BECKETT: Oh, okay. Let me back up a little bit here. We were requested to submit these two drawings that you saw -- they're in the package -- winding this major collector through our property. We're always reluctant to do that because the exact route that will take is going to be determined by further studies of this site, and perhaps consideration south of this site. Those are not meant to be the only two options, those were merely conceptual and they were submitted not intending that they bind us to one of those two options, but as a drawing to show what potentially could be done and how those -- that road might potentially be routed, and also to show the building envelopes in those yellow dashes that go around the two drawings that you should have in your packet. We have not decided on an exact route of that major-collector street. It will be a major-collector street; we've committed to that -- expensive street. But exactly the route it takes, we don't know. I mean, if I were Chester Edwards and Crown Center Farms, I'd say why don't you put it right down our common boundary line, you know, but I'm not them. They don't have any plans of changing what they're doing with their property, as far as I know. One is Crown Center, you know, had horses there for years. The Chesters lived out there forever and a day, and he's still -- you know, he's still young like me, so he's going to be there a while, I think. It's -- you know, it's an urban farm - a little farm. Yes, sir.

MR. BARROW: I'm sorry. I'm chairman.

MR. BECKETT: Yes, sir.

MR. BARROW: And these are the commissioners who are asking for the floor so they can ask questions of you. Actually, I might jump in here.

MR. BECKETT: I didn't read that in your procedures, and I apologize. I didn't mean to --

MR. BARROW: Well, also, I had to cut you off. I'm sorry about doing that, but you know that we give you six minutes, and I expect a professional public speaker to be able to give me a presentation in an allotted amount of time.

MR. BECKETT: Well, I did end my comments after my allotted time.

MR. BARROW: Well, and we've been going on and on, and I've been maybe thinking that if I had allowed you to speak, maybe some of the questions would have been answered in your speech, so -- but I didn't make up your speech; that was up to you to do. What I want to say, first of all, is, in my experience, the City and CATSO has certain standards for connectivity with streets. A lot of times, property owners don't like to have streets; they want to be protected from traffic and noise. And so, to advance the commonwealth good, the City has standards to have certain streets of certain standards within certain

distances to allow for connectivity. And there's very oftentimes where a street will stub onto a property that -- what's happening here, if this is approved. And so, that in the future, as things -- as land uses are being proposed, it's already stubbed out, there's already a line or a ribbon drawn, and, that way, future commissioners can say, oh, well, it looks like there should be a street here, so then we can accommodate for that. So, I just wanted to say in terms of that's my understanding of a lot of these streets is they just go to some -- to allow for future options on that. And I have a specific question, and I know there are some other commissioners have questions, too, but I'm going to jump in here and ask my question. I heard you say that your client was volunteering to construct the signalized intersection and all of the arrangements that would need to be made at the eastern entrance?

MR. BECKETT: Well, what I said was that it would be constructed at no cost to the City or the State. We have an agreement with the owner across the --

MR. BARROW: Okay. So, the no cost to the City or the State; okay. That's what I heard you say. Thank you. But, I guess, what my follow-up question is then, what about the maintenance and repair and replacement of that signalized intersection? In other words, this would be a one-time step-up --

MR. BECKETT: That's correct.

MR. BARROW: -- and then after that, it would be --

MR. BECKETT: Once it's dedicated, it becomes the City or State's responsibility depending on --

MR. BARROW: Okay. Very good. That's my question. Thank you. Mr. Rice?

MR. RICE: Oh. I didn't have a question, I just wanted to say, essentially, the same thing you did. We have cases all the time where we have applications that build roads right to the property line and then dead -- you know, stop there without any intention or expectation that the neighboring property owner is going to say, hey, I want a road there, too. Let's just hook them up, you know. It's for future planning, it's not for, you know, trying to imminent domain somebody or, you know, grab some land and push the road through. I don't feel that this is -- to me, that's not really a sticking point here, so just wanted to kind of hash that a little bit. That's all.

MR. BARROW: Thank you. Mr. Reichlin?

MR. REICHLIN: I just was wanting to inquire, just for clarification. I'm understanding that Mr. and Mrs. Laurie are in favor of the possible placement of a collector through that parcel adjacent to your property; is that what Mr. --

MR. BECKETT: I don't know whether they want that or not. I mean, they do not oppose our zoning request. They've got a copy of our statement of intent --

MR. REICHLIN: (Inaudible.)

MR. BECKETT: -- and all the accompanying attachments.

MR. REICHLIN: Okay.

MR. BARROW: Further questions of this speaker? Yes, Mr. Vander Tuig?

MR. VANDER TUIG: In regards to the connectivity, was there any discussion with either the City or

with The Crossing to hook up to -- and can you go back to the aerial? I'm not sure what the public road is there. Oh, Southland Drive. Where it has the 90-degree bend. Was there any discussion to connect there?

MR. BECKETT: No, there wasn't, and, in fact, we probably wouldn't have ever proposed that for fear of disrupting that neighborhood with a major collector.

MR. VANDER TUIG: Okay.

MR. BECKETT: The major collector was something that the City asked us to designate on this property as this through street.

MR. VANDER TUIG: Right. I'm just thinking if it is a dead-end for a while, it could at least serve that purpose, and we wouldn't have to worry about the -- you know, making the other entrance engineered in such a way that it looks like a private drive. Just a thought.

MR. BARROW: Mr. Rice?

MR. RICE: Yeah. I mean, I don't think we need to sit here and sort of plan how Crossing Church is going to get access to this. My question would be, though, to Mr. Beckett: Other than the agreement, I guess, with Crossing Church that they would be able to tie into that road at some point, was there any discussion about possibly where they might do that? Is the idea to tie in at the northern side, or is there just -- is that sort of just up in the air?

MR. BECKETT: Frankly, I think it's going to -- it was -- the route that this major collector would take through this property may play some part in where that connection is made, and that has not yet been determined. So, I think there's a number of possibilities --

MR. RICE: Okay.

MR. BECKETT: -- but it's not been pinned down.

MR. RICE: Okay. Just curious if you had sort of narrowed that down at all. It's -- at this point, as the way I understand it, is that it's an agreement that The Crossing will get access via that road if it's put in?

MR. BECKETT: That's correct. And it is part of our statement of intent that that will be permitted.

MR. RICE: Okay. Thank you.

MR. BARROW: Further questions of this speaker? Mr. Zenner, I thought you were raising your hand earlier to perhaps make a comment. Okay. Thank you, Mr. Beckett.

MR. BECKETT: Thank you. I would ask our traffic engineer to come up and tell you a little bit about the history of this and what his participation is.

MR. BARROW: Please. Yeah. Anyone else wishing to speak in support of this, please come forward, and I hope you will talk about the traffic implications.

MR. RIECHMANN: I certainly will. My name is Dustin Riechmann; I'm a professional engineer with Crawford, Bunte, Brammeier, offices at 1830 Craig Park Court in St. Louis, Missouri. I'll try to be very brief and hit the three-minute mark if I can. I feel like there may be a common denominator here, our firm, and myself personally, I'm a colleague of Julie Nolfo, so I was involved back in 2003 and even before that

with the Grindstone Plaza development. I need to give a little perspective. At that point, Grindstone Parkway was fairly newly constructed, Green Meadows extension to the north hadn't occurred, and there was a lot of -- necessarily, a lot of forecasting and speculation about how things would look in 2010, and now, we're here. So, it's true that we looked at three options. One option that was kind of ruled out immediately was full access unsignalized. It was deemed unsafe. And then there was really the option of signals or three-quarter access, and we analyzed both and both worked just fine for that development. And so, the statement from MoDOT was, essentially, we want -- at that point in time, we want the least-restrictive control on Grindstone Parkway that will adequately serve the demands of that development. So, fast-forward to 2008, we were involved to update that previous effort for the Grindstone Plaza, irregardless of this site. And with the conditions on the ground in 2008, that owner petitioned MoDOT to consider a signal there because of the conditions of the site and conditions along Green Meadows Drive. So -- and at that point, basically, it got to a point that it was conceptually approved for simply just to have a north leg that was signalized. It stopped at that point and no construction drawings were ever created, and it sort of laid dormant until the current petitioner picked it up, and now it has a south leg included. And so, we've analyzed this on numerous occasions, obviously, a lot of detail. We've looked at full build out of Grindstone Plaza with the full diversion of the traffic that would use this signal who now have to use Green Meadows, and then, obviously, with the 200,000 square feet on the subject tract, everything works fine. It's been extensively analyzed by us and reviewed by both City staff and the MoDOT engineers, and MoDOT, I think, maybe to get back to an original question, has the jurisdiction of Grindstone Parkway. It's a state route, so they, obviously, want to work with the City and with whoever would access that with a City street. So, I think another condition that's important to point out that didn't exist in the original time when that development agreement was created is, essentially, that -- you know, Grindstone Plaza Drive is a public street and it connects to Gray Oak, which is also a public street, but that was the extent of the public-street system that was proposed. So, at the current time, now, we have a southern leg that would also be a public street and ultimately connect to Nifong. So, I think one reason that we're looking at a quarter-mile spacing or maybe a third-of-a-mile spacing as acceptable is now it connects to a continuous public-street system, whereas before it was deemed more as a private access to that single development. And, I guess, to clarify the MoDOT access-management guidelines, the half-mile to one-mile spacing on urban arterial is a preferred spacing. There is a satisfactory spacing, though, that is a quarter mile, and that's why Ms. Nolfo's comments and the current MoDOT opinion says that this is satisfactory. So, it meets the minimum requirements, to put it another way. And so, I think, hopefully, that clarifies the issue with the spacing. I'm not sure I had anything else to add. I expect that there are some questions, and I'm probably approaching three minutes, so I'll --

MR. BARROW: Well, yeah. Yeah, you are approaching three minutes.

MR. RIECHMANN: Well, I'll stop and I'll welcome questions.

MR. BARROW: Actually, I have a question. I think other people have questions, too.

MR. RIECHMANN: Okay.

MR. BARROW: And that is: I believe I heard you say that this proposed collector street that would be going through this tract would then connect up with Nifong?

MR. RIECHMANN: Yeah. Ultimately, that's the plan.

MR. BARROW: And then you said currently it would be connected. I don't understand how it currently -- where it would be --

MR. RIECHMANN: Currently, it won't be connected. I guess, what I meant to say was the subject tract had never been discussed. There was never a discussion of a future public street that could connect Grindstone to Nifong and, essentially, parallel Rock Quarry and act as a parallel collector that could be a reliever to Rock Quarry and Green Meadows. Now, this is the first piece. This is about half of that. Obviously, in the future, you would have to have the other half that we have discussed several times that would have to go through the Crown Center property or the adjacent property to get to Nifong. But the intent here to stub it to the property line is to provide for that in the future.

MR. BARROW: But, really, I mean, you could build the whole thing if there was Jersey barrier that would prevent the connectivity from occurring. Get a Jersey barrier across the middle of the street.

MR. RIECHMANN: I'm not sure I follow you.

MR. BARROW: You have a four-lane collector and there's a Jersey barrier preventing you to get onto Nifong, and that would prevent that from being the connectivity to Nifong -- I'm sorry -- Nifong.

MR. RIECHMANN: But a Jersey barrier anywhere, I'm not sure I'm following your line of reasoning.

MR. BARROW: Well, all I'm saying is that the road is not connected to Nifong and it -- we don't know when that would ever happen. And, as a matter of fact, CATSO has never even approved this on their plan at all, so it's not even a public -- it hasn't been part of the public will at this point that this happen.

MR. RIECHMANN: No. You're right. My statement is simply that the reason one of the conditions for this site is that it goes up to the property line is to provide for future connectivity.

MR. BARROW: I mean, if MoDOT --

MR. RIECHMANN: Whether that occurs, whether CATSO approves it is a separate issue.

MR. BARROW: Precisely.

MR. RIECHMANN: But that is -- I'm trying to give reasoning, I guess -- I'm not MoDOT, but I'm trying to give some background and some reasoning why conditions have changed that they are now -- they have already approved, in concept, a signal here, whereas in 2003, they did not. In 2003, they said let's keep it three-quarter access.

MR. BARROW: Okay. And the other question that I have -- and I know other people have questions, too. The Gray Oak Drive that runs parallel to Grindstone Parkway --

MR. RIECHMANN: Uh-huh.

MR. BARROW: When Julie -- I'm sorry; I don't -- Nolfo was doing her traffic study for the Wal-Mart group, was that supposed to connect all the way? Was her study including that connecting all the way east to --

MR. RIECHMANN: Yeah. We looked at it both ways.

MR. BARROW: Okay.

MR. RIECHMANN: Yeah. The ultimate plan, and I suppose the ultimate plan remains, that Gray Oak would ultimately intersect Rock Quarry Road.

MR. BARROW: Thank you.

MR. RIECHMANN: I think the residents there have strongly stated they don't want that, so I can't speak for if or when that will happen, but that's certainly the -- was the intent of the original plan that --

MR. BARROW: And it looks like Grindstone Plaza Drive might continue north, too, the way that's --

MR. RIECHMANN: I'm not sure that was ever contemplated. The Gray Oak extension to the east was certainly contemplated. The Grindstone Plaza to the north has not been considered as far as I know.

MR. BARROW: And, lastly -- I'm sorry. This is -- I think this will be my last question for a while. And I'm a little frustrated that we're just looking at a very tight map of this area. But since Mr. Beckett brought up the connectivity, ultimately, that would go down to Gans Road, which is way south of here.

MR. RIECHMANN: Yes.

MR. BARROW: I understand that Boone County has spent a lot of money in terms of looking at how Gans Road would be improved to a four-lane.

MR. RIECHMANN: I was actually involved in that study, as well.

MR. BARROW: Oh, you were? Very good.

MR. RIECHMANN: Yeah. You're lucky here, I guess.

MR. BARROW: Well, it -- my recollection of that study is it showed lots of connections or several connections that also included traffic circles?

MR. RIECHMANN: Yeah. That was -- that's a very conceptual plan, obviously, but the concept plan there is for roundabouts at all the major intersections.

MR. BARROW: And maybe we're going to find it here? It looks like we're looking for it.

MR. RIECHMANN: Maybe so.

MR. BARROW: It would be great to look at it because all -- we're talking about all this connectivity and it would be nice to see how they line up.

MR. RIECHMANN: Yeah. I mean, the general idea there is you now have the Gans Road interchange. You have Providence. Let's connect them and how should we do that. And through a great process that started, really, as a five-lane arterial similar to Grindstone and it became a two-lane arterial with roundabouts.

MR. BARROW: Well, there's a traffic circle down by State Farm Insurance where --

MR. REICHMAN: A roundabout, actually?

MR. BARROW: Yeah. Roundabout, and, eventually, they're going to have a leg going down to another roundabout down at Gans. I mean, that's the conceptual plan.

MR. RIECHMANN: Yeah. Yeah.

MR. BARROW: Okay. Those are my questions. Mr. Vander Tuig?

MR. VANDER TUIG: Well, while we're looking for this, could you speak to levels of service and what that means from a delay standpoint?

MR. RIECHMANN: Yeah. Basically, it's a gradation and it's all based on delay. It's A through F, just like in school; A is excellent, F is failure. The standard is for new construction at the time of full build-out of these sites. It would have to be at least a level of service C for a signalized intersection, and then 20 years out, it would have to maintain a level of service D, as in dog. At this intersection, we have a B, as in boy, at construction, and with the 20-year projections, we're at C, as in cat, so we're, basically, a level above what's satisfactory.

MR. VANDER TUIG: And as far as delay --

MR. RIECHMANN: Those correlate with the delay. I mean, those are based on seconds of delay.

MR. VANDER TUIG: Well, I mean, it's a certain amount of seconds, though; right?

MR. RIECHMANN: Yeah. Yeah. I can -- do you want me to look it up?

MR. VANDER TUIG: Well, I don't know. Is anyone interested in that? I mean, if we're taking -- you know, right now, it's A; is that correct?

MR. RIECHMANN: Well, right now, there is no level of service because there's no intersection --

MR. VANDER TUIG: Right.

MR. RIECHMANN: -- but, yeah. Yeah. Effectively, it's an A. Effectively, now, there is no delay for through traffic.

MR. VANDER TUIG: Right.

UNIDENTIFIED: A-plus.

MR. VANDER TUIG: A-plus.

MR. RIECHMANN: Yeah. There you go. Let's see here. So, at full build-out at this site and full build-out of Grindstone Plaza with a signal at this location, like I said, level of service B. Basically, that means that the average vehicle during a peak hour would experience, roughly, 20 seconds of delay. And that includes -- that's an average of the side streets and the people on Grindstone Parkway, so along Grindstone Parkway, it's really around -- it's around 15 to 20 seconds. So, obviously, some people have no delay because they'll hit it on green, and some people will have more delay, and the average ends up being 20 seconds.

MR. VANDER TUIG: And then the level C, what's that? That was 25?

MR. RIECHMANN: Just a little -- it's around 25.

MR. VANDER TUIG: Twenty-five?

MR. RIECHMANN: Twenty-five to 30 seconds. Yeah, there's a range there, but, in this case, it's

around 25 to 30 seconds.

MR. VANDER TUIG: Okay. Thanks a lot.

MR. BARROW: Further questions? Mr. Brodsky?

MR. BRODSKY: In regards to the 2003, the intent that you've stated, I've seen all of those letters that MoDOT sent to the City commenting. I actually have copies of two of them here. And in none of those letters have I seen anything that even comes close to resembling what you've suggested was the intent. I mean, was that just communicated verbally? Did you telepathically communicate? I mean, is there any evidence of that?

MR. RIECHMANN: What, specifically?

MR. BRODSKY: That, at some point in the future, if there was more development, that this could be signalized instead of being three-quarters?

MR. RIECHMANN: I never said that. I said at 2003, the focus of the efforts of what should that intersection look like, the south leg was not contemplated, so it was really all about Grindstone Plaza is fully built out, we have this public street of Gray Oak to Hindman, but it is now Grindstone Plaza, what should this intersection look like? And we looked at several options and three-quarter access worked for that site.

MR. BRODSKY: Okay. Okay.

MR. RIECHMANN: And so, that's -- and when we got to 2008, even for just that site, it was the owner of that site's opinion, at least, that they were having issues internally and with the access to Green Meadows, and that's when the issue came up with MoDOT for just that site. And then -- and I should add that in 2008 whenever that came up, they required that owner to communicate to the property to the south because it was -- unlike in 2003, they were forward-thinking and thinking, well, if we ever have -- if we do approve the signal, it's got to have access to the south, ultimately. And the City added on to that that it ultimately should have provisions that would allow it to access Nifong.

MR. BRODSKY: So, in 2003, it wasn't necessarily stated that at some point, this could be signalized?

MR. RIECHMANN: No. No.

MR. BRODSKY: Okay. Sorry. I didn't mean to put words in your mouth.

MR. RIECHMANN: If I said that, I'm sorry; I misspoke.

MR. BARROW: Further questions? Mr. Wheeler?

MR. WHEELER: Yeah. I've got a couple of questions. The first question is along this lines of MoDOT and from your understanding of what MoDOT has decided at this point. Conceptually, you said --

MR. RIECHMANN: Where it stands?

MR. WHEELER: Yeah. Conceptually, you're saying they've approved conceptually the lighted intersection?

MR. RIECHMANN: Yes. Yes. And so, they've approved our traffic study. Our traffic study went through those warrants and the traffic analysis that showed that a signal was warranted here and could

operate satisfactorily. So, basically, what they issue is their agreement in concept with the traffic study. And then the next step would be or will be, if this moves forward, actually submitting some plans that show what the road geometrics look like, where the signal arms go, and that sort of thing. But they have approved in concept, which is -- basically means they're okay with the signal here. They have to still see the details of how it would be laid out and constructed. That has not been approved, because that has not been submitted at this time.

MR. WHEELER: Okay. And my next one is along the lines -- and maybe we'll have to talk to Mr. Crockett about this -- but the stacking distance on these right-turn and left-turn lanes --

MR. RIECHMANN: Uh-huh.

MR. WHEELER: -- proposed lanes, do you know the distance and how many cars we're talking about?

MR. RIECHMANN: It's typically -- the standard is 200 feet, and I believe that's what's there even now for the unsignalized for the three-quarter. We only do more than 200 if the projections look like it would exceed that, if there's enough traffic demand, you know. For instance, Green Meadows has dual lefts and they're longer than 200 eastbound because the traffic analysis showed that was needed. In this case, I think it will be 200. I think it will be the minimum. And so, I guess, to clarify a point earlier, the median out there right now is plenty wide enough to accommodate a left-turn lane, and so, a portion of the median would be removed for 200 feet plus the taper into that to construct a westbound and a southbound left-turn lane as part of its development.

MR. WHEELER: Okay. I don't want to sound like I'm picking on you, but my experience with these, and I think we've got a couple of great examples in town of what were considered to be appropriate, but, unfortunately, end up on minimal ends. They don't seem to be adequate, so -- and I guess I'm making a statement while you're here. And that's really kind of the reason I asked the question. I was curious as to how the traffic engineers -- study engineers came up with what they felt was appropriate. Would you agree with the --

MR. RIECHMANN: Yeah. Obviously, I can't answer to the other locations. I can tell you here, the standard practice, basically, we do these capacity analyses to see how much capacity does this thing have given a certain amount of liens, how much traffic do we expect to be here in 20 years, and that's where the rub comes in because sometimes we get it wrong. Things change on -- you know, conditions change. But we look at that, and we try to have a good margin of error there, because the last thing that we want is left-turners trying to stack that spill out into the through traffic going 50 miles an hour, because they're stopped and they're going 50, so, obviously, we don't want that. So, we certainly error on the side of conservative, so -- and it's based on populations of capacity versus volume, and then you see how many people stack up in a given signal cycle, and that's really what it comes down to.

MR. WHEELER: Thank you.

MR. RIECHMANN: Sure.

MR. BARROW: Mr. Rice?

MR. RICE: What do you mean when you say a three-quarter intersection?

MR. RIECHMANN: That's what's there today. That just means there's an island that prohibits you from turning left out.

MR. RICE: So, it's right-in/right-out, left-in, but no left-out?

MR. RIECHMANN: That's it. So, three out of the four movements are okay, so that's where the three-quarters comes in.

MR. RICE: Okay. What would you call an intersection -- I don't know if you're familiar with -- there's a -- on the west side of town, and there's another Wal-Mart, actually, so -- and there's a Hy-Vee across the street. There's two drives coming into it and they're both individually three-quarters facing each other.

MR. RIECHMANN: Yeah. Yeah.

MR. RICE: So, you can left-in from both directions, but you can't left-out from either direction.

MR. RIECHMANN: Yeah. That's also a three-quarter.

MR. RICE: That's considered also a three-quarter?

MR. RIECHMANN: Technically, it's like five-eighths or something because you don't have through movements, but, yeah, it's the same thing. They overlap the medians so that you can't go through or turn left.

MR. RICE: Right. Nor you can turn -- you can't turn left out of either of the access drives.

MR. RIECHMANN: You can't turn left out and you can't go through north-south at that location, but you can turn left in and right in and out from all -- from both driveways, yeah.

MR. RICE: Right.

MR. RIECHMANN: Yeah. It's the same thing. It's just because they're on both sides of the road, they have to have those overlapping medians, which requires another four feet of median space because you have to have that extra piece in between. It's the same way out on the east side maybe on Broadway.

MR. RICE: Okay. But it's not -- but it doesn't have to be signalized, and I guess the tradeoff is that you can't go left when you leave.

MR. RIECHMANN: Right.

MR. RICE: And you can't go across.

MR. RIECHMANN: Correct.

MR. RICE: Now, if this proposed someday to be a major-collector street doesn't connect to anything, you know, on the south end, is it really necessary to be able to go right across right there? And I'm not really sure -- this is not -- maybe not your question, because you're a traffic guy and you have --

MR. RIECHMANN: I was going to say, I'm not the property owner or developer --

MR. RICE: Right.

MR. RIECHMANN: -- so I can't tell you what's acceptable for a given land use, but I think the main

issue is you couldn't turn left out, so you would have no ability to get back to the west if you didn't have a full access.

MR. RICE: Because the other one is also a right-in/right-out?

MR. RIECHMANN: And because there is no other connectivity to any other public streets.

MR. RICE: Okay. I'm just -- you know, I'm not trying to put you on the spot.

MR. RIECHMANN: Oh, no. No. I understand.

MR. RICE: I'm just sort of trying to explore some other possibilities here and it helps to talk to an engineer or a traffic person about these things.

MR. RIECHMANN: Sure.

MR. RICE: That's all I have. Just curious.

MR. BARROW: Dr. Puri?

DR. PURI: I heard you talk about signalization on this intersection, and every time you come back to the point that, you know, one day this road will be connected to Nifong and that has to be taken into account for signalization. I would like your viewpoint on the fact that just looking at the 200,000 square feet of development going on this parcel, right now, that's what we're discussing.

MR. RIECHMANN: Uh-huh.

DR. PURI: Also, the road that you're trying to connect -- by the way, both of those proposed roads go to Crown Center Farms, and they don't go behind Chester Edwards' land because, according to the slide that you showed, both of them end up behind Crown Farms. But without taking that connector into consideration from Nifong to Grindstone, just taking this development into consideration, this parcel, do you think that a signalization intersection would be better, or do you think a three-quarter turn -- or three-quarter intersection would be better?

MR. RIECHMANN: I think for -- and, again --

DR. PURI: Or would they all be equal?

MR. RIECHMANN: Again, I can't really speak as a developer for what makes it feasible to serve 200,000 square feet of development. I don't know. But for the traffic that's generated --

DR. PURI: Well, that's what they're paying you for, to, you know, give them a decision.

MR. RIECHMANN: Well, what I was getting at, for the -- I can certainly tell you that to serve 200,000 square feet of traffic, if you will, you certainly would need a signal. If you want to have any ability to go west out of this site, you would have to have a signal. And I think the case has been made on the north side for the Grindstone Plaza that they feel, as developers, that their current access isn't going to be adequate to serve the full build-out of their site, which is why they went and pursued a signal before the current site was on the map. So, I mean, I guess, to answer it bluntly, could this be served by a three-quarter access? No. I mean, not -- I don't think it would be feasible to serve 200,000 square feet of commercial use by a three-quarter access, but I'm not --

DR. PURI: That's because you can't go west; that's your main reason?

MR. RIECHMANN: Yeah. You can't go west. Yeah. That's a pretty big deal. And, yeah, that's - in essence, that's what you get with the signal. I mean, also, with safety concerns, it's obviously safer to turn in, making that left-in, that's also safer to do at a signal. Another issue that we have observed out there right now, there's such a demand to go east from the site that's currently developed at Grindstone Plaza, there's a significant amount of people who go way out of their way to turn around in the island that's there, and they turn left out anyway, which is a big safety hazard because they're not coming in at a very good angle and people certainly aren't expecting someone to turn left out of that driveway. So, I think that's just an example of, you know, when there's a demand for a movement, people will make the movement is somehow. It was designed appropriately. It's -- you know, it's as best as it can be, but you can still, if you have a small enough car, you can go the wrong way down a one -- down the -- on the other side of the median and cut over, which is what people do.

DR. PURI: Well, I drive through there every day at 4:00 p.m. It's not a fun site when State Farm lets out.

MR. RIECHMANN: Yeah.

DR. PURI: And to have another signal there between Rock Quarry and Nifong is a disaster.

MR. RIECHMANN: Yeah. Yeah. I think something to keep in mind, also -- and I'll really get some darts thrown at me, probably, at this point -- but, you know, this will be interconnected, and I know you guys probably hear this often, that these signals, if they're maintained appropriately, and that's always the key, they can be timed to where the platoons of traffic, so the bulk of the traffic, the people traveling on Grindstone Parkway, should hit this signal on green the majority of the time. They should be timed where the side streets are served in such a way that, you know, they get in and they hit these platoons and they travel through unimpeded the vast majority of the time. Now, again, I don't control those -- the maintenance of those timings and they need to be adjusted over time as traffic conditions change, but that's always the intent. And the infrastructure will be here. Essentially, this signal would be tied in with fiber-optic cables to Green Meadows and Rock Quarry to provide for that. So, I certainly understand your frustration. I'm not in Columbia, but I experience that on a daily basis, as well, and it's particularly frustrating to someone who knows it could be better, so -- because there are certainly corridors that operates much better than that, so --

MR. BARROW: Mr. Vander Tuig?

MR. VANDER TUIG: Actually, you kind of answered my question. I was asking about why the adjacent intersections weren't taken into account and whether you could speak to, like you say, the platoons of traffic, but --

MR. RIECHMANN: Yeah. Effectively, those intersections were in our analysis. We have a big model of all of Grindstone Parkway. They weren't -- MoDOT, you know, sets the scope of the study, so MoDOT tells you what time periods and what intersections to study. They didn't feel it was necessary to look at those again. They've been looked at plenty. The key was that we could show that a signal at this

location could be accommodated -- I don't want to get too technical, but could be accommodated in that progression band so that it could fit here based on the spacing, so that's where the spacing becomes critical. You want enough spacing to where you can get the progression through those green lights. And so, that's one of the things that we have to demonstrate through the analysis is that this would fit between those two signals adequately, and we -- it did. So, they were analyzed, but they're not analyzed to the point of running traffic through them and getting a level of service because, in the scheme of things, the traffic from here that goes through each of those isn't that big a deal. It's really at this intersection, what happens and does it fit with the other signals along the corridor, so --

MR. BARROW: Mr. Reichlin?

MR. REICHLIN: I had a question that goes to perspective. You said that the Grindstone shopping-center owners had requested MoDOT's approval for a full signaled interchange, and MoDOT has gone along with it. So, if we took this parcel out of the picture, what's the potential chance that that intersection is going to occur?

MR. RIECHMANN: I think it's -- well, I think, from MoDOT's perspective, it's -- they've already conceptually approved it without this parcel. I think the issue is funding. I mean, who pays for the signal is probably ultimately what drives it.

MR. REICHLIN: So, then, basically, that intersection is going to occur? In some way, shape, or form, it's been agreed to?

MR. RIECHMANN: Yes. If the funding was available today, it would already be signaled.

MR. REICHLIN: Right. So, it doesn't really matter if there's a connector down -- (inaudible) -- but the intersection, because it's MoDOT's purview, it's been approved and it could happen at some point in the future regardless of what happens --

MR. REICHMAN: That is true. It's been approved in concept, and the -- but with the caveat or with the stipulation, though, that there would be a -- I guess you could call it a stub. I mean, the south stub would be there. It would be established as a four-way intersection, even though there wasn't anything to connect it to.

MR. REICHLIN: Right.

MR. RIECHMANN: But, yeah, that was approved in concept. And, again, just to clarify, that's not -- there's no permit. It wasn't -- we never -- no one ever did construction drawings on it, but it was approved in concept in a letter, so, you know, if we came back today on -- you know, if the owners on the north side came back today with construction plans, it's my understanding that they would get a permit for a signal at this location regardless of this development. Yeah, that's true.

MR. REICHLIN: I just want to just --

MR. BARROW: I want to follow up then. Was that approved in '03, '08?

MR. RIECHMANN: '08.

MR. BARROW: Okay. Thank you. Mr. Brodsky?

MR. BRODSKY: I totally disagree with the last statement you just made. What I've seen in documentation is that MoDOT has conceptually agreed to this signalization as long as it connects to a north-south collector street. Without this road to the south and just the road to the north, MoDOT will not approve the signalization.

MR. RIECHMANN: I think it was actually the potential. So, that's what I was saying -- I was at the table. I mean, basically, they said you have to construct a stub there and we have to coordinate with the City to agree that in the future we could. So, right now, we have this dash line through Crown Center. There was just a dash line through both properties.

MR. BRODSKY: Let me -- one more question. So, if this proposed connector that's supposed to go through this property and extend to the south to Nifong, if that extension was moved west and did not align with Grindstone Drive, MoDOT would no longer agree to this signalization?

MR. RIECHMANN: Probably true.

MR. BRODSKY: Probably true?

MR. RIECHMANN: Yeah. I don't know for sure. It hasn't been looked at, but --

MR. BRODSKY: Thank you.

MR. RIECHMANN: Yeah. I think if they were going to have a signal -- if -- I can tell you. If they're going to have a signal between Green Meadows and Rock Quarry, it's going to serve both sides of the road at one point, yeah. That was stated by MoDOT.

MR. BRODSKY: Thank you.

MR. BARROW: Mr. Rice?

MR. RICE: A quick request of staff. Can you scroll or pan this image down so we can see what's -- I'd like to see what's north of Gray Oak Drive.

MR. BRODSKY: That road cannot be extended north.

MR. RICE: That's kind of what I thought. I'd just like to -- you know. Yeah.

MR. RIECHMANN: Yeah. That's Hinkson Creek, that blue line that's appearing now.

MR. RICE: So, really -- well, I'll stop there. I just wanted to see this.

MR. RIECHMANN: Thank you.

MR. BARROW: Further questions? I'm sorry. Thank you.

MR. RIECHMANN: Thank you.

MR. BARROW: Anyone else wishing to speak in support of this, please come forward. I'm sorry. Okay. Mr. Beckett, can you come forward and finish your statement at my request?

MR. BECKETT: Yes, sir. I'm sorry, I didn't hear you.

MR. BARROW: Can you finish your statement?

MR. BECKETT: Finish my statement?

MR. BARROW: Well, at my request, you know, I cut you off at six minutes, because I was just trying to make a point about that we have certain rules and --

MR. BECKETT: Well --

MR. BARROW: -- and there's usually a reason for the rules.

MR. BECKETT: I brought all sorts of stuff with me and -- including pictures of Southland, and I ended up with a picture of myself because I was the one -- (inaudible.) I thought I'd hand that out to you in case you wanted to frame it, but, really, I think the only one I want to offer is back in 1991 when Grindstone was under -- in the planning stages, Red Oak's representative at the time, Bob Smith, inquired of the City about whether there could be a signal at this location. This is known as station one plus 550, and he made a specific inquiry of the Director of Public Works, Lowell Patterson, who, at the time, wrote him back that indicated that that particular position was selected for an intersection taking into consideration sight distances and spacing in the case signalization was -- became an eventuality. This is a letter -- I don't know how relevant it is, but it does show that potential signalization at this point was discussed even back -- as far back as 2001 with the owners and the City.

MR. BRODSKY: Is that a letter dated April 13th?

MR. BECKETT: Yes, it is. Do you already have that?

MR. BRODSKY: I do have that.

MR. BECKETT: That's really all I have to add. Thank you much.

MR. BARROW: That was it? Any questions of this speaker?

Yes, Mr. Brodsky?

MR. BRODSKY: This letter that you just brought up, it says a future median break may be permitted at station one plus 550. What is that? I mean, is that this spot, because what I see in this letter is one plus 550. It doesn't say Grindstone Drive.

MR. BECKETT: That's section -- if you'll look on the attachment to that letter, it's page 7 out of the construction plans for Grindstone to which Mr. Lowell Patterson refers in that letter. Station one plus 550 is exactly where this intersection is proposed to be placed by your applicant this evening. And it says that it was selected at that location, taking into consideration spacing and sight distancing in case signalization eventually came out. So, there -- my point being there was discussion of this signalization back then.

MR. BRODSKY: No. And what it states in the letter is that MoDOT has said that it could be a possibility, not that it should be what happens.

MR. BECKETT: No. I mean, we're a pile of dirt at that time.

MR. BRODSKY: Yeah.

MR. BECKETT: Yeah.

MR. BARROW: Further questions of this speaker? Yes?

MS. PETERS: Just a quick. Did I understand you correctly that Grindstone Plaza, the Wal-Mart folks, were going to pay for the signal; is that correct?

MR. BECKETT: We have agreed to a cost-sharing arrangement between the two that assures the

City and State won't have to pay anything to build the intersection.

MS. PETERS: And they're a TDD, are they?

MR. BECKETT: They've got a TDD, and we don't. If they ever sell enough stuff at Wal-Mart to pay their money back through the TDD, they'll recoup their cost, we won't.

MR. BARROW: Further questions?

MS. PETERS: No. Thank you.

MR. BARROW: I guess my final question is: You're familiar that the Planning and Zoning Commission has created two forms of public hearings; one is what we call our simple, which is what we have tonight, and the other one is called complex for a more complex -- you're familiar with the two --

MR. BECKETT: Vaguely familiar with it.

MR. BARROW: Okay. Thank you.

MR. BECKETT: I've never had one that needed complex.

MR. BARROW: Well, after tonight, that's debatable. Is there anyone else wishing to speak in support of this, please come forward? Anyone wishing to speak in opposition to it? Seeing no one.

PUBLIC HEARING CLOSED

MR. BARROW: Does anyone want to say something real quick, because I was just going to talk about complex public hearings. They're giving a situation where there's a lot of information that needs to be processed, and what happens is the applicant gets, I believe, something like ten minutes to explain what the project is, and then they get -- and then the staff makes a report and then they get another 15 minutes to explain why the project is so good that we should vote for it. And then the opposition gets, I think, 15 minutes to say why it's not so good, and then anyone can talk. And then at the end, there's not really a rebuttal, but a chance to answer questions. And the idea being that if there's a complex thing that's involving some big changes, it allows a presentation to be made that can really give us all the information that's necessary. And I'm thinking in retrospect, that probably is what should have happened tonight, you know, because you needed to make -- get a lot of presentation of material to us, and I think we got it via, you know, 30 minutes of questioning or whatever. So -- and I guess I'm saying it for the TV audience, so if, you know, we ever get a proposal like this, that we go ahead and go for the complex hearing so we can get the full presentation and we can make an informed decision or recommendation. All right. That's my little sales job on the complex public hearing. We voted for it to be simple because no one had asked for it to be complex, and we thought, well, it looks pretty simple.

MR. RICE: Well, it did look -- if I may?

MR. BARROW: Mr. Rice?

MR. RICE: It did look pretty simple and it's a rezoning request. There's no plan attached or anything like that. So, in retrospect, it seemed like an okay decision. I am not -- I guess I'm sort of taking Mr. Beckett's side on this and saying, you know, we thought it was going to be simple, too.

MR. BARROW: Uh-huh.

MR. RICE: And there is no opposition, so, you know, who could have known.

MR. BARROW: Well, I'm not blaming Mr. Beckett. I'm just sort of putting it out there that there's -

MR. RICE: Yeah.

MR. BARROW: Anyway, I think we have enough information to have a discussion and actually a recommendation that we can vote on. Does anyone want to start the discussion? Mr. Brodsky?

MR. BRODSKY: Staff, could -- those slides that I asked you to have available. Yeah. That one is good. Perfect. You know, I think MoDOT has, obviously, given the okay for this for one reason or another, but the City holds the key to actually make this happen, and it takes two to say yes to this, and MoDOT said yes, the City staff seems to be going along with it for one reason or another, but the rubber meets the road here and at City Council. Three of the seven Council members -- Mr. Wade, who was chairman of Planning and Zoning when the 2003 application came across Mr. Skala was a member of Planning and Zoning then; and then we still have the mayor, who was, obviously, the mayor at that point in time. And all three of those folks expressed concern about maintaining the traffic volume-carrying capability of this roadway. So, I guess I'm kind of saying this to the applicant that you've got your work cut out for you. This is -- what you see here is the results or part of the results from a citywide survey that the City conducts every two years, '03, '05, and '07. They did not do one in '09, I imagine because of budget constraints. There are about 1,000 or so folks that they send these out to, and my understanding is it's fairly scientific and that it's supposed to be representative of the community. And you see this is how satisfied residents are with certain aspects of the city. And you notice that how well the City is planning for growth is at the very bottom. That next slide. Again, same thing here. These are folks that think that these issues are important. Good long-range planning, which is what we do, and traffic problems. So, there's, obviously, a concern about traffic. And the next one, too, Mr. Zenner. And this is just the same slide, but broken out into -- if it was their first choice, second choice, or third choice. So, obviously, the citizens of Columbia don't think we're doing such a great job doing good long-range planning and they don't think we're doing such a good job with traffic, in particular, as it relates to that long-range planning. And tonight we heard the traffic engineer tell us that this quarter-mile distance was the minimum or satisfactory. And I, for one, as a member of this community and a member of this community that expresses concern about the traffic issues, don't think that minimum or satisfactory is what the community is looking for. I'm not trying to be hard on the developer, by any means. I really think that this land should be zoned in a planned commercial manner, and I really think that it should be developed as much as it possibly can be. But the one thing that I don't want to see happen is that signalization there. What I really think should happen is that roadway should be moved to the west. Could you bring up the map from the 1998 interim plan, please. You can kind of see this, but the road is aligned further to the west. And the reason that that road is aligned further to the west is because it better serves the entire area. Now, they've proposed putting the road where it is so it lines up with Grindstone Drive and they can get their signalization. You know, I think

where staff is coming from on this, and I think where the applicant is coming from on this, is that they want to have access so that they can do their development. But what we have to consider is the whole picture. And if this road goes all the way through, they can have their signalization down on Nifong, and they can get access to the west from there, and people can go west out of the development from there. And these options weren't discussed in their traffic-impact study. So, that's my only concern with this development. I'm totally comfortable having it zoned commercial. I appreciate that they left the R-3 in there so there's an opportunity for mixed, you know. The public has invested millions of dollars in this roadway to carry traffic. And because of that investment, the owner of this property should see great gains in their investment on this land, and I don't think that they should also gain by having this intersection which detracts and deteriorates the initial investment by the community. So, in summation, I think the City holds the key; MoDOT can say okay, but it's up to us. The community is, obviously, expressing widespread discontent. The development agreement, I mean, expressly states -- and that is an agreement between this applicant -- the current owners to the north, and the City -- the road should be aligned a little bit further to the west and it should be right-in/right-out. That's all I have to say.

MR. BARROW: Mr. Rice?

MR. RICE: Yeah. I have a few thoughts and then I might stop and come back later. First of all, I want to pretty much agree with everything Mr. Brodsky just said. That was an excellent presentation and, you know, I like the supporting materials. I'm in total agreement with that. If there was a possibility that that would be a through connector street in the future at some point, then I might feel a little differently, but it's clear that it will never connect through to the north. And to the south then, it doesn't really matter whether it's located in that particular spot or over to the west as this map that we're looking at right now suggests. Now, this is from 1998, which is 12 years ago. This is an interim land-use guidelines map, so, you know, I'm sure it was never intended to be a long-range document. But, nevertheless, I think it can give us some sort of guidance as to -- as well as the minutes from City Council and our own Planning and Zoning recommendation from '03, I guess, what was intended all along and what the will of the people that were planning and developing this from the beginning. I would also like to point out, and I'm not sure whether this is a pro or a con, but if you look at the Range Line improvements lately, there -- that street is, I think -- I don't know what -- does staff know what the distance on the signals up there is? Is it -- does it approach a quarter mile even? I know that driving -- I drive up there quite a bit, and it seems like it's a lot slower than it should be, and I think it's because you have to stop at all these intersections, and I don't want to see that happen here. Again, I agree with Mr. Brodsky that the Grindstone Parkway -- well, for one thing, it's named Parkway. I mean, something there should tell you that it's not intended to be a stop-start commercial strip like we have over on the west side on Stadium. It's an expressway. Well, it's not an expressway technically, but it's meant to move traffic. It's not meant to serve a lot of commercial development right up against it. It's -- I'll probably just stop here and let other people talk, but I think I've made my point, but I may have other points to add in a little bit. Thank you.

MR. BARROW: Thank you, Mr. Rice. Ms. Anthony?

MS. ANTHONY: I also concur with Mr. Brodsky and appreciate the time that he's put into preparing for tonight's meeting. The -- as a commissioner that was not sitting on this Commission at the time that the Grindstone Plaza went in, I really do appreciate some of the background on this. In addition to the -- Mr. Brodsky's concern, I particularly am troubled by the fact that this would be directly contrary to a development agreement. We need to honor our development agreements. I think there's ample evidence that this property either was cleared or was -- it was probably very obvious back when the development agreement was drawn that this property was going to be developed at some point, and that agreement specifically prevents the signalization of this particular intersection, and I just -- we have to honor our development agreements as a City, and so, I'm very troubled by that. And I also am troubled with The Crossing issue, not because -- you know, I just don't want to see The Crossing used as a reason that this needs to be done. The Crossing has purposely added an access onto Grindstone Parkway themselves to alleviate their traffic congestion, so I think to use them as a reason why this should occur is not right.

MR. BARROW: Mr. Reichlin?

MR. REICHLIN: I just would like to briefly state that if you take -- well, I would have to say that I'm not in agreement with Mr. Brodsky's position. But -- because, in part, if you look at this map and say, well, this is what we wanted in '98, Grindstone Plaza wouldn't have happened because there's, obviously, supposed to have been an intent to have a road right through the middle of it. So, that signaled interchange would probably be too close to what is now the Green Meadows interchange. And so, I think you're kind caught in cross purposes, and as far as what a development agreement requires, to me -- and this may be my opinion and not a legal opinion -- it's a living document and it's subject to the agreement and what can be decided upon as we go forward as a community, and I think that's what's occurred here. And going -- and now that we have this set of circumstances, it seems appropriate to me that, along with MoDOT, that there might be potential for it to be where it's being suggested. Now, as far as The Crossing goes, it's -- you know, it's more of an aside and I don't consider it something that's really a reason to or not to, you know, approve of this development.

MR. BRODSKY: May I make one quick comment just to address Mr. Reichlin's comments?

MR. BARROW: Yes.

MR. BRODSKY: The roadway plan here that's shown, the north -- you're right. Grindstone wouldn't have happened. I really just focus that road, the only reason I want to move it to the west, one, to avoid the signalization issue, but it better serves those properties to the south, particularly the one that's furthest west. If that doesn't have a roadway access that's, you know -- I mean, that roadway access, if it was put to the east as being proposed, would be almost a half mile away. How is that property owner going to commercially develop their thing? So, that's my only reason, it's not the north.

MR. REICHLIN: That's fine.

MR. BARROW: Further discussion? Mr. Vander Tuig?

MR. VANDERTUIG: Well, I'll agree with Mr. Reichlin, actually. I think that, you know, there still is a chance to put the south portion of that roadway exactly where it's shown even with the plan that's been put forward, and I think that's our task when the development plan comes forward. I think that the traffic engineer hit the nail on the head when he said if you have a situation where there's a demand to make a movement, people will do that. It's like putting stop signs where they don't belong; after a while, people run them, you know. If you put a four-way stop just for the convenience of other people, that's a great example where people end up running that stop sign. And this is another example where if someone wants to make that left, it's going to happen. It's going to be a high-accident location, and I think it's a dangerous situation as it is now. Now, that's not the only reason, but I think if you're in support of commercial development, it can't happen without the intersection. And I think that, you know, this is, unfortunately, how roads get built, you know. For a while, there is a stub, and so, there's -- you know, eventually, there's some connectivity.

MR. BARROW: Further discussion? I'll see if someone else wants to say anything?

MR. RICE: Okay.

MR. BARROW: Dr. Puri?

DR. PURI: I disagree with that. I think I agree with Mr. Brodsky. I mean, I think that, yeah, roads get built, but there has to be some thought and planning put into it. It doesn't make sense to put a signalization at that point with having, you know, such two close large signals already, and when you can easily evacuate that whole area from the back, you know, road connecting to Nifong back onto, you know, State Farm Parkway and back to Grindstone. As far as the traffic study, he himself said that he doesn't know much, whatever the developer wants to move out of there, that's what he's backing, you know. That was his exact words. So, I mean, I think we're obligated to the citizens of Columbia to look at this intersection. And I think commercialization is okay, but signalization is not. It's just too close together with the two intersections that exist. And as far as taking left turns, you can block those by just completing the median. You won't have to take a left turn. Take all rights, go to Rock Quarry Road, take a U-turn, and go back. A lot of these, you know, intersections are like that. And you can take right-in/right-out, like Hy-Vee example that we had, you know. So, I mean, I don't think that, you know, to do -- to make this commercial, that you have to have that signalization, so I beg to differ on that. So, I would be supporting, you know, Mr. Brodsky's view.

MR. BARROW: Ms. Peters?

MS. PETERS: I'll jump in here. I read through the minutes of the City Council stuff from 2003, I believe, and all through it, there's great discussion about this is a traffic mover. And even from the name of the road, it's a parkway. The intent is to move high volumes of traffic quickly. As of -- as an old, old Columbia resident, what they're proposing here or what has the potential of happening is what's happened on Stadium Boulevard that was originally built as a loop to move traffic. And time and again, lights are put in and it fouls up the whole traffic flow and its original intent is lost. Some of -- I would also

like to point out that CATSO hasn't looked at this and signed off on it, so this is merely -- I forget the exact terminology, was conceptual or something to that point from MoDOT. Some of what I found in the minutes were from Mr. Lovelace; he was a Council member at the time, voiced concerns about the traffic, having been a member of the AC Committee, and I'm not sure what the AC Committee is, and when I printed these minutes off, I don't have a page number. However, his understanding was the roadway was designed to move high volumes of traffic at a rapid speed between the south part of Columbia and Highway 63. He did not recall the vision of the roadway being to funnel traffic to commercial developments along the corridor. He was concerned about this new road being used to serve local commercial traffic. Mr. Lovelace pointed out that was the reason for the design of the road in the first place. He asked Ms. Nolfo if she thought the concern was unfounded. She replied that it was evident in the early discussions between MoDOT and the City that this road was built to carry traffic, not to become a means for access to development. She pointed out four points of access to the site, one off of -- I'll stop there and -- close enough.

MR. BARROW: Let me just say that the AC Committee was a citizens committee that was looking at -- Grindstone Parkway is called AC.

MS. PETERS: Okay.

MR. BARROW: And so, they were trying to come up with recommendations on -- from the citizens' point of view about bike lanes and, you know, grassy medians, and whatever other recommendations they came up with, so --

MS. PETERS: Okay. Okay. I'm not sure where we're going with this, but I don't support a signal there. It's just lining this road up for failure. And I'm also concerned about running a road into property that isn't either currently owned by the applicant. To me, that seems to be setting up the neighbor for, you know, a conflict of, well, we've got a road there and we need your property. Just a sidebar. I'm done.

MR. BARROW: Mr. Reichlin, do you have something specifically about what she was saying?

MR. REICHLIN: No. It was related, but it was actually a question of staff, if you would allow me.

MR. BARROW: Sure. Please. Mr. Reichlin?

MR. REICHLIN: Would it be an appropriate position if the Grindstone TDD chose to fund the intersection? Is that something that the TDD has the right to take upon themselves to do?

MR. ZENNER: A TDD can build whatever they would like to build, so then --

MR. REICHLIN: And I'm asking the question for a perspective on this discussion that there seems to try and hinge the nature of this development and the placement of the signalized interchange, whereas I think, in a manner of speaking, the decision has been made already. And if MoDOT has approved it and the TDD wants to construct it, I'm asking what can the City do if they're in opposition?

MR. BRODSKY: May I, Mr. Zenner? I can answer this.

MR. REICHLIN: Well, I asked staff.

MR. BRODSKY: Okay. That's fine.

MR. REICHLIN: And then if you have a comment, I'm fine with that.

MR. ZENNER: Tim, would you like to answer? I mean, the TDD, if they want to build it and not get paid, I believe they would have the right, like any other developer, to permit and ask to have a permit issued and go pay for it. If they want to be reimbursed for it, it would have to have been one of the identified projects in the establishment of the TDD.

MR. REICHLIN: Okay. So, then you're saying that the TDD possibly could not do that legally?

MR. ZENNER: No. They couldn't -- if it's not one of the stated TDD improvements, they could not be reimbursed for it out of the TDD collection.

MR. REICHLIN: Okay.

MR. ZENNER: Because that is a court decree that specifies the project improvements.

MR. REICHLIN: And do we know what that is?

MR. ZENNER: I do not. We have a copy of the TDD document, but I have not reviewed it to determine what the full scope of the improvements were.

MR. BARROW: Mr. Brodsky?

MR. BRODSKY: I think what you're trying to get at, Mr. Reichlin, is regardless of this development, rezoning, or whatever, that the TDD could put the signal in anyway. And the answer is, if that road to the south is not there, MoDOT will not approve that signalization.

MR. REICHLIN: That's in contradiction --

MR. BRODSKY: No, that's exactly what he said. Did you not say that that was probably correct?

MR. BARROW: Just state your name real quick for the record.

MR. RIECHMANN: Dustin Riechmann, Crawford, Bunte, Brammeier. I don't want to get into any legalities because I sure don't know the final answer on this. I just know, being a witness of the discussions, that, as a condition of the signal to be put in there, which was approved in concept, that a stub would be put in on MoDOT's right-of-way opposite Grindstone Plaza Drive, and the -- I think -- and staff probably knows this better than I do, but I believe then the City, maybe at the staff level, would have to endorse the idea of a future road connection to the south.

MR. BRODSKY: If that road --

MR. RIECHMANN: I'm not sure if that's -- I mean, I didn't mean to cut you off. I'm not sure if that's a -- procedurally, I don't know if that goes through this body and Council. I don't think it does, but I'm not sure. I think it's a permit issue.

MR. BRODSKY: If, through our zoning process and our planning process, that road is moved to the west and no longer aligns with Grindstone Drive, will MoDOT approve a signalization at that location?

MR. RIECHMANN: I can't say for sure. If it was a certainty that you could not have a road --

MR. BRODSKY: Earlier, you said probably not.

MR. RIECHMANN: No, I was getting at that. I'm saying that if it's a certainty -- because I'm not sure what power a recommendation you make about the location of that road bears on MoDOT's ability to

permit access to their road because I don't know, I'm not a lawyer. But let me just -- I'll finish my thought to say if, for sure, the City somehow had the power to prohibit there would never be an access opposite Grindstone Plaza Drive, it's my understanding that MoDOT would not approve a signal at that location. That's as far as I can, obviously, go with that.

MR. BRODSKY: That is my understanding, too, from the documents that I have seen.

MR. RIECHMANN: But I don't know the powers that you possess versus they possess, to be honest, so --

MR. BRODSKY: Well, they can approve it, but they've expressly stated that they won't approve it with a major collector going north-south. They can, but they said that they won't.

MR. BARROW: Mr. Zenner, can you give us some information on this, TDDs and whatnot?

MR. ZENNER: Mr. Brodsky is correct. I mean, our conversations with MoDOT have indicated a strong desire to insure that the connection further to the south exists prior to closing out the permitting-related matter. The other issue is, as many of you may or may not be aware, Grindstone Parkway is a controlled-access roadway. Rights-of-way were purchased by MoDOT as part of -- their access restrictions were purchased. The property in question has two granted access points, be it the one for signalization that's proposed and the other one, which I believe may be slightly different from what we have on Stadium, where there, as we've evolved transportationwise, more effort has been given to making sure that the funneling of traffic as a carrier exists. I will not debate or dispute the fact that a signal may reduce efficiency of operation, but I think it's been stated here this evening there are methods by which to assure that that may be able to be maintained. The other issue, I guess I would just like to point out for clarification for the commission, is the Grindstone project's plan, the proposal for a signal is -- and the development agreement, completely separate issues from the project at hand. Just -- we, it appears through the conversation here, to some extent, at least from my perspective, coupling the two of them together. We do have two totally separate issues here; the issue of the Grindstone project and any amendments may very well need to be handled separately, through separate action, because of the development agreement may need to be amended, and that will have to happen through a separate process.

MR. BRODSKY: The reason I brought it up, Mr. Zenner, is that this applicant is party to that development agreement.

MR. ZENNER: But the parcel in question that it's tied to is not related to this. That's the point I'm trying to make. Just so we can draw that distinction that the development agreement applied only to the Grindstone property and its zoning. And that -- now, the other issues, from a CATSO perspective, Major Roadway Plan amendment, if I am correct, will need to come back through this body, as well as will need to go through Council. So, at that point, there is another opportunity for you all to review an alignment at that point. And after CATSO's last meeting, it has been directed to their Technical Committee to address, so I don't know if that got included in the staff report, but it is being processed through that channel.

MR. BARROW: Ms. Peters?

MS. PETERS: I believe that the discussion was about the TDD and whether or not Grindstone would pay for the signal. If that's the case that Grindstone is going to -- the TDD is going to pay for the signal, then that would make it a party to the agreement; am I correct in that, Mr. Brodsky?

MR. BRODSKY: Yeah. But it's kind of a nonissue and we don't really need to discuss it further.

MS. PETERS: And I would also like to point out that if I'm correct, there are five members to CATSO; is that correct?

MR. TEDDY: Do you mean organizations?

MS. PETERS: Yeah. CATSO hasn't approved this, and there are five members to it and only one of them is MoDOT, or is it three?

MR. TEDDY: Right. Boone County, MoDOT, City of Columbia.

MS. PETERS: Okay. So --

MR. TEDDY: And then there's ex officio members; the University is ex officio.

MS. PETERS: Okay.

MR. TEDDY: And Federal Highways provides regulatory oversight along with FTA.

MS. PETERS: All right. The point being CATSO has not approved this and only one of the four members is tentatively going along with the idea of putting another signal in this road. Since the discussion for TDDs has been opened, I'd like to point out that there has been several commitments through TDD projects that have not been completed. And if the "Tribune" article dated February 25th is accurate, that I believe there's about \$11 million that's been collected and it looks like about half of that's gone to attorney fees, so I wouldn't bet the farm on getting a signal put in here.

MR. BARROW: Well, I'm sure that's money well spent. I'm going to jump in here, give my five cents worth. You know, I'm a crusty Planning and Zoning commissioner. I go back to the 20th century, and I took part in the special area plan. And my recollection of that was -- and Mr. Stephenson, you were at some of those meetings. And my recollection of the -- and it was a lot of stakeholders were involved, took us months to get to -- you know, come up with this plan and a map. And the idea was that Green Meadows and Grindstone would have a -- there would be commercial and then office and residential mixed use kind of thing, and it was basically envisioned to be about the size of the Wal-Mart that's across the street now. And I know I personally was -- and I'm bringing it up because I find it ironic that the staff mentions special area plan as sort of a model to go by because the very first Wal-Mart development that came before the City Council, they were saying, yeah, look, that's mixed use. That's exactly what the special area plan wanted. But, to me, it was, like, the special area plan envisioned a kitten that you would have on your lap and they brought a tiger, and they go, yeah, see, it's the same thing; it's got fur, a tail, it purrs, it's got claws. And so, my -- one of -- and I think the special area plan wanted to keep that Grindstone Parkway as a way to keep traffic moving because Nifong, most of that traffic was going on

Nifong, which is a two-lane road, kind of a -- it was kind of a hideous traffic nightmare, and the idea was, we're going to make this into a trafficway and we'll have little pockets of mixed-use development that's appropriately scaled. Well, right off the bat, in my opinion, we have this huge thing across the street, and now it's creating these problems where they can't even service their own area. Julie Nolfo was telling us how great this was going to be, and now, all of a sudden, it's not twenty years, it's seven years; right? My math -- six and a half. Oh, all of a sudden, it's not even working for the other side, and that's become an argument now to create a signalized intersection so that we can have access and have commercial property on the south side. Okay. The other thing is this development agreement. You know, when you put that development agreement up and the people are being promised, oh, this is not going to be a signalized intersection, all of a sudden, that becomes an argument for allowing this tiger to move into our house across the street, you know. And, now, seven years later, oh, this development agreement, it's a living document. It's not a bait and switch. It's not we're conning you on this, you know. Look up here because in seven years we're going to come out here and we're going to have that signalized intersection and there are going to be hundreds and thousands of motorists who are going to be frustrated, aggravated enough that they're going to be going around the wrong direction, and eventually we might have to put Jersey barriers across and make that a safe intersection. So, that development agreement, you know, it's like we do -- and I agree with you, Ms. Anthony, that we do need to honor those development agreements; otherwise, we're just basically telling the citizens, hey, don't trust us, you know. This is all written down, we all agreed to it, we're going to live with this for 20 years. Well, no, we're not. We're just going to throw it out as soon as we get another development plan that's also going to jam up Grindstone Parkway so it's no longer a parkway, it's more like a parking place. Lastly, I know I appreciate the concept that, you know, we have to respect professional opinions and I know that traffic engineers are a profession and it's a science, but I look around me in Columbia, and I see Clark Lane and Stadium between Broadway and I-70, and I see the U.S. 63 and I-70 interchange, and that was all planned and designed and maybe even proposed by professionals, and it just doesn't work, and I don't really have trust in it. And I trust you're working for your client, and so, you're going to -- and I trusted Julie Nolfo back in '03 was working for her client. And I voted against that as many times as I could, and I'm going to vote against this. I actually believe that this land probably should be planned commercial, and I like the way you've worked with the City staff and the neighbors to come up with uses that they can live with. But I am going to vote against it if it means that there's going to be a signalized intersection where you're proposing it to be. And I also, lastly, I don't want to get down in the weeds, but Mr. Vander Tuig, you were talking about the concept of having that -- the church go down through that Southland Drive as a way to maybe make that interconnection until the other thing could be made. And, man, those people who have been living there for 20 or 30 years on a little two-lane road with road ditches, I don't think they want to see that turn into a major collector until the real collector can be built. And I think that's really asking for a lot of problems to suggest that we make that a cut-through between Grindstone and -- so I just want to point that out that that

was a -- man, I've seen neighbors really go up in arms when they start seeing their residential -- especially if they've been residential for 20 years and now we're going to -- but, anyway, my point, basically, is that the special area plan was violated right off the bat, and the development agreement needs to be honored. And the Grindstone Parkway needs to be maintained as a trafficway. Those are my points, and so, I'm agin it. So, everyone has spoken except Mr. Wheeler. I would invite you to speak, Mr. Wheeler.

MR. WHEELER: Thank you. You know, passions seem to be running high. I do have a question for you, Mr. Beckett, if you don't mind. And maybe Mr. Stephenson can answer this, but I'm pretty sure that Red Oak actually -- or also owns the little farm just to the north of the property across the street; is that not correct? There's a strip -- the one with the white fence in front of it on Rock Quarry? It's not Red Oak? Is it the same parties, or are you all subject to that? Never mind. It doesn't matter.

UNIDENTIFIED: (Inaudible.)

MR. WHEELER: Okay. All right. All right. Okay. All right. That's cool. I just -- actually, I just asked that because it's going to lead to my conversation here. I've thought a lot about this, as, obviously, everyone has, and I really wanted to get behind this and I -- let me first say that I absolutely support C-P zoning here. Well, let me start by saying I really appreciate the way you guys have worked with everybody, with City staff. I really appreciate you asking to have it tabled and actually getting back here when you said you would be. And I want to point that out because it doesn't happen very often. And so, I really appreciate that. I have struggled with this and it really -- what I'm hinging on here is this travesty that has happened in southwest Columbia and over to 63, it could be argued, with our traffic flow. And AC is one of those roads where, you know, frankly, I mean, it's the best section of road we have down there. And I'm really struggling with this intersection thing. I -- you know, from a spot-zoning perspective, I absolutely support this. I'd even support the intersection from a spot-zoning perspective, but my real issue is that, in my mind, the TDD should be required to connect that road over to Rock Quarry, and I don't care if the neighbors do want it, and I don't care if they bring that back on me. That's the way that the traffic should flow, and that would alleviate and we would be able to cut off the three-quarter access at this point and just make it a right-in/right-out, which, in my mind, it should be, and that would allow us to take some of that traffic that wants to go the other direction over to Rock Quarry. You know, I've been to this Wal-Mart. I tried to get out to 63. Green Meadows is a pain in the rear, you know, if you're one of those people stacking up in that left-turn lane -- in the two left-turn lanes, and it's still a pain, especially at various times of the day. But if you're one of the people that enters southwest Columbia or exits southwest Columbia on a daily basis, to restrict traffic in any manner -- and I appreciate the traffic engineer coming in and telling us that we can connect all these intersections, and I agree, we can. But -- well, two issues. The first thing is that stacking distance is never adequate; it's always minimal, in my opinion. And it's only minimal, not because you all don't design them properly or Mr. Crockett doesn't design them properly, it's because people don't merge into them when they should. And, thus, traffic, even if it doesn't stop, it slows down.

And there we've gotten back to that traffic-flow issue. This, to me, should be -- it's one of those deals where it really needs to be developed in conjunction with the properties to the south, and I know you don't own them, which is unfortunate, you know, because I think that would be a different creature if we were looking at it that way. So, let me get back to my little list here. The first thing is that I'm afraid that MoDOT is going to make us swallow an intersection because of the influence, maybe not of the member that's here, of the development across the road, but of other members of that partnership, that we may get an intersection. And, frankly, I think, from the applicant's perspective and Mr. Beckett's perspective, you know, he probably would have been better off coming back after they did it and, you know, then we'd have something that we didn't like, but we would be facing anyway. It needs to be C-P. I'd hate to see it go 100-percent multifamily. I guess that's something -- that's a little pet peeve of mine, and I don't think everybody else agrees with me on that. I can't support it, as much as I'd like to. I absolutely do -- I like your statement of intent, and I appreciate what you've said about, basically, we'd be looking at, you know, 200 units or, by my calculations, maybe 240, at most, if we were looking at multifamily, and they were, you know, restricted because of the square-footage restriction. You know, it just comes down to the intersection for me. I like the idea of access to the south. I don't think it'll ever connect at Gans Creek. Any of these alignments are going to go awfully close to Bill Laurie's house, and that's not going to happen, you know, maybe when I'm dead and dried up, but -- you know. So, the traffic -- I just want to stop and I'll make this the end of my comments because I think we're -- you know, we're there. But we stub streets out into other properties all the time, and I think we need to stub streets out into other properties all the time. That's part of planning and it's part of connectivity, and to hold -- you hold this back because of that, I don't think would be appropriate. I could see this getting connected up to Nifong, but I don't see it going any further south for quite some time. Unfortunately, I don't think I'm going to be able to support it simply because of the intersection. I disagree with Mr. Brodsky on one point, and that is I think -- and this is just my opinion, but I think the reason you want the alignment to be to the west is just simply to keep that from being a collector road. I think this place needs two access points. I want the stacking distance longer -- much longer -- but it needs two access points, not one. And so, I agree that there should be two access points here. I'd love to see it developed with the property to the south so that the west traffic could be handled by Nifong and over to Green Meadows. I think that's much more appropriate from a planning perspective, and my ultimate decision on this is not on anything but what I think is in the best interest of Columbia in the future, and, to me, that is to have this -- these two -- or this property developed in conjunction with the property to the south all the way to Nifong and, frankly, all the way over to Green Meadows, and that may not happen, but, anyway -- my place.

MR. BARROW: Dr. Puri?

DR. PURI: Question for you, Chairman. Can we vote on this with this signalization not being part of the SOI, or change that to a three-quarters, or remove it from the SOI so that we're just voting on the zoning?

MR. BARROW: Well, I'm pretty sure we need to vote on -- make a vote on what's been put before us, and then we can make -- we can have resolutions or we can add our own two thoughts. Mr. Brodsky?

MR. BRODSKY: The motion can be made to approve the zoning with changes, and that's probably how -- maybe that's not totally correct, and maybe staff can give us guidance on this. But I think what would be ideal would be we approve it with the changes that we think are necessary to come up with a --

MR. BARROW: Ms. Anthony?

MS. ANTHONY: I would recommend that before we do that, we ask Mr. Beckett whether that would be at all amenable to his client. I mean, because if it isn't, and Mr. Beckett would prefer it to be considered as a whole, then I would want to honor his request.

MR. BARROW: I would want to know what his opinion was, too. Can staff weigh in on this or --

MR. ZENNER: The appropriate action would be to make a motion with amendment, as Mr. Brodsky has pointed out. The applicant would have to acknowledge acceptance of the alternative motion made by the Planning Commission in its recommendation that was forwarded to Council. I would tend to agree with Ms. Anthony's position that prior to making that countermotion, you may desire to have Mr. Beckett's point or condition of acceptance, and that's reflected in the minutes then that goes to Council with this action.

MR. BARROW: Thank you. Clear as mud. Yes, Mr. Vander Tuig?

MR. VANDER TUIG: Well, I would just add, if we do vote on C-P, it'll probably warrant the signal; you know, it will come in the future.

MR. BRODSKY: Mr. Chairman?

MR. BARROW: Yes, Mr. Brodsky?

MR. BRODSKY: I just have a couple more comments. I want to apologize to the applicant to a certain degree. I know I've been a little bit passionate about this, and I think maybe it's a little bit misdirected and probably should be directed more towards your neighbors to the north who are actually requesting this signalization. You know, I've got a document here from the citizen's advisory group in 2007 which details a report from MoDOT outlining exactly where all signalized locations will go. And then I've got a letter from Van Matre here in 2003 during the process of rezoning where he says we're going to try and get a light here. We don't think MoDOT is going to give it to us. Letters from MoDOT saying they won't give it to them. And, you know, here they are again asking for it. You know, how many times do we have to say no before they'll stop asking, so that's where my frustration is coming from and my passion with this. I'm totally fine with two access points on Grindstone, as long as they're right-in/right-out. I think that's totally legitimate. If we signalize this intersection here just to serve this one site, to me, that's very short-term planning. When we look at this entire peninsula, if you will, and you look at it in this light and that road is to the west, it better serves the entire area, you don't need signalization and you have access to the south for folks to go everywhere -- anywhere they want, that's good long-range planning. And, you know, right now, those properties to the south aren't going to be developed, but, at some point, they will be, and we need to consider that when we talk about long-range planning. So, that's my only comment.

MR. BARROW: Well, I just want to weigh in. This particular map in '98 that we're looking at up here, the alignment of that has basically been precluded because of where the Grindstone Plaza -- I mean, now that intersection would be right where the entrance is to Wal-Mart, which would look like you're building an intersection to service -- you know, to give access to the -- so, anyway. Go ahead, Mr. Brodsky.

MR. BRODSKY: Well, I don't think you need an intersection there, either. I think you've got a right-in/right-out on both sides, and --

MR. BARROW: Right. I mean, I will also say that I think that if we did have the connectivity to Nifong in the south, and if that Gray Fox or Gray Oak was to continue all the way to Rock Quarry, then that would alleviate a lot of these little bottlenecks you have. People could go on those back roads and get to a signalized intersection that would take them in the direction they want to go. Right now, they're kind of swimming upstream to go downstream, but that's -- those roads haven't been built and aren't on this particular plan that we're voting on. Mr. Rice?

MR. RICE: Yeah. I would point out, also, that Range Line allows U-turns, and I don't know if that's a practical possibility here, but, you know, as a way of getting west on Grindstone without allowing left turns. In other words, allowing three-quarter intersections, you could still go west by doing a U-turn. I mean, if you're on Boone Industrial, for instance, and you want to go south on Range Line, you can take a right turn and then go do a U-turn right up there at Brown Station. The point is, I guess, that a signal is not the only answer to getting traffic from one direction to another, and you don't have to drive over a median to do it. My feeling is that, as was just pointed out, why should the public good be compromised, really, for the sake of a single development's -- commercial development's advantage. And I don't -- I'm not, you know, ditching on commercial developments, per se. I agree with the other commenters who have said that that's a good spot for commercial, but, you know, again, I'm just going to say that the signalization there is just, for me, it makes it a no deal.

MR. BARROW: Further discussion? We need to make a motion and do something. I mean, I kind of think -- believe -- I agree with Mr. Vander Tuig in terms of the -- if we approve the planned commercial, eventually, they'll have to come back with an actual plan in which all these alignments would become real or the suggestions would be real. But I think Mr. Vander Tuig's point is -- where I'm coming from is if we approve planned commercial, then that's going to basically give the green light to the green light -- yellows, red light. So, we need to make a decision. Mr. Brodsky?

MR. BRODSKY: Before I take a stab at a motion, I want to throw this out there. In order for this property to be commercially viable, it needs some type of full access to the west. I mean, basically, it really needs that road to continue south. It needs that if we're not going to allow an intersection here. So, what I would like to see is any motion that is made put some type of a limit on what they can do now. Maybe they can do 100,000 square feet of development and then they can do the other 100,000 once the road is extended south so that we don't end up with a huge conundrum here with a 200,000-square-foot

commercial development with two right-in/right-outs, so that would be something that I would propose in a motion.

MS. PETERS: Question. Your intent is with right-in/right-out only?

MR. BRODSKY: Yes.

MS. PETERS: Okay.

MR. BRODSKY: Well, I would be open to three-quarters, as well.

MR. BARROW: Mr. Vander Tuig?

MR. VANDER TUIG: Well, I was wondering if the traffic engineer can speak to how much traffic you can get through a right-in/right-out, because I think that you're correct, that it's going to be a mess. I don't think it's viable.

MR. RIECHMANN: There is no hard-and-fast number, you know, because it, obviously, depends on the volume and I'd have to go analyze it to see what you could do acceptably with the volume that's on Grindstone. So, I can't really give you a specific number of vehicles. So, I think you're left with whether you need access to the west, and I think to speak to the U-turn idea, I forgot who -- I think Mr. Rice brought it up. It's my understanding that U-turns are illegal on Grindstone Parkway, and it wasn't designed with an adequate median width to have a turning radius that would safely accommodate U-turns, so I don't think U-turns are an option here. As a contrast, we talked about Gans Road earlier. The reason that is a series of roundabouts, those roundabouts are perfect for U-turns, so it's essentially a continuous median with a bunch of -- with not a bunch, but four or five roundabouts, so you can have access anywhere and still effectively have full access. We don't have those conditions on Grindstone as a given.

MR. BARROW: Thank you.

MR. VANDER TUIG: Thanks.

MR. BARROW: Mr. Reichlin?

MR. REICHLIN: I wondered if it would be appropriate to ask Mr. Beckett what his position is regarding the questions we've --

MR. BARROW: Yes, that would be good.

MR. REICHLIN: Mr. Beckett?

MR. BARROW: Mr. Reichlin wants to ask you your question.

MR. BECKETT: Well, there's been a lot discussed. I'm not exactly sure what you're talking about.

MR. BARROW: Well, he's about to make a motion.

MR. REICHLIN: Well, there's been some balloons floated regarding --

MR. BECKETT: I'm not in a position to agree to anything but what we've submitted. I've been through a lot of meetings where what I've proposed has been approved subject to conditions that we analyze between now and the time we go to the City Council to see if we can agree to them or not. So, I can tell you're not going to vote for it, so if there's conditions under which you think it could be approved

that you would recommend to the City Council, I'll -- we can just take a look at them and, hopefully, by the time we got to Council, we'd try and analyze those and see if they were acceptable or not. I'm certainly not in a position to say, yeah, we would really warm up to the idea of no signalized intersection right now.

MR. BARROW: Mr. Rice?

MR. RICE: Frankly, I don't really feel comfortable rewriting the proposal in order to make it something that we can vote yes on, you know. I -- with due respect to the idea of moving things forward, you know, and -- you know, your suggestion, I think, is a good one, Mr. Brodsky, about, you know, graduated development, whereas, you know, you can't develop more than a certain amount until you have full access and that kind of thing. It sounds good, but I don't feel like I have the expertise or the, you know, ability to decide what that number should be. That's really -- that's not our job here, I feel like, and I feel like what we really need to do is, you know, go up or down. I mean, this is not quite as easy as some of the other ones where we can just do a little give-and-take with the applicant and say would you be acceptable to limiting your hours of business by an extra hour or something like that. That's not quite the same thing as what we're talking about here. This is a much bigger and more substantial and qualitatively different type of change we're taking about, and, frankly, I don't -- from my perspective, I don't feel comfortable with rewriting the proposal in order to create something that we can all be happy with because I don't think that's going to happen.

MR. BARROW: I'm sorry. Mr. Wheeler?

MR. WHEELER: Well, two things. Thank you, Mr. Rice, because I was not looking forward to writing that down, either. But, Mr. Beckett, you made a comment earlier that this application was really -- I'm going to say -- and I'm going to paraphrase here, so this is not exactly what you said. But the application or the idea behind the application was to see if there could be an end user out there and know -- have some idea of what you could do if you could find an end user; was that generally an acceptable statement?

MR. BECKETT: That's true. That's true.

MR. WHEELER: And so, can you tell us, is there an imminent end user out there in mind? I mean, I guess what I'm really saying is, I think everyone here has expressed that we think that C-P might be appropriate here, but you understand, I hope, our point and the access issues. And so, the question is, you know: Is it really that pressing, I guess, is I'll just summarize that?

MR. BECKETT: Well, I think it is because it's time for them to move on this property. I mean, we've got a major thoroughfare in front of it, we've got an intersection planned there by the owners on the other side of the street, we have, frankly, shareholders who are getting along in years, and it's time for them to back out of this property, and they want to be able to assure an end user who buys it that they can make some commercial use of this and the terms under which they can do so.

MR. WHEELER: Thank you.

MR. BARROW: Mr. Brodsky, your hand was up?

MR. BRODSKY: I guess I'll address what Mr. Wheeler just asked and then I have another point. In

2005, there was a little switcheroo with this property. There was a quitclaim deed that went to THF, and then a quitclaim deed, like, five days later right back to Red Oak.

MR. BECKETT: I'm not aware of that. I am aware that right-of-way was conveyed, and then a small strip of the right-of-way was re -- was sold back by MoDOT to us; is that what you're --

MR. BRODSKY: Well, no. There is one for MoDOT. I saw that, as well. But then there's one between THF and Grindstone -- or and Red Oak, rather.

MR. BECKETT: Sorry. I'm not familiar with that and I don't know.

MR. BRODSKY: You're not familiar with that? Okay. That's fine. My other point I wanted to talk about was what we might do with this. Would you prefer us to just vote this down? It looks like it's going to be five to two in disapproval, or would you prefer us to work this a little bit so we can get it to an acceptable level and send it on to Council?

MR. BECKETT: Frankly, I'd rather you take it up like it is.

MR. BRODSKY: So, you would rather us just shoot it down. Okay. And that is his preference, and I know we might not want to go through the statement of intent. And I agree with you, Mr. Rice, it is fairly complex and we probably would want to table it and give us an opportunity to look at it. But the problem with just sending it to the City Council with a no is they have to read all of our minutes verbatim to get this entire discussion. If we send it to them with a recommendation of yes showing them what we want, it's much easier for them to garner what we're actually talking about and for them to -- quite frankly, for our recommendation to have an effect on them, which is why we're here. So, while it might not be easy and it might be difficult, I think it's necessary.

MR. RICE: I don't want to vote yes.

MR. BRODSKY: Well, but that's another issue. I do want to vote yes on this.

MR. BARROW: Ms. Anthony?

MS. ANTHONY: I disagree with Mr. Brodsky on this. I think that as we have all spent -- thank you, Mr. Beckett. As we have all spent considerable time deliberating and thinking about this in preparation for this meeting, I think it's going to be of concern to Council, and I think they're going to want to know what -- I think they'll read the minutes. I mean, that's what we're all about. I don't see -- I agree. I don't -- I do not think we should tinker with this. I think what made it more complicated or beyond where I'm -- my comfort level is, if it's just the access in and out, that's one thing. But you're right. Just a right-in/right-out will not support the kind of development they're looking for, and I do not feel comfortable fiddling with that as commissioners. I don't think that's appropriate for us, and I think Council will, hopefully, take the time and read our very thorough deliberations on this matter.

MR. BARROW: I want to say something on that. I'm kind of intrigued by your idea of having this staged based on the -- as infrastructure becomes real, but I also don't want to have this as a special project for us to look into, you know. We've got a lot of other stuff on our plate that we need to attend to. And I hear from the applicant that he doesn't want us to table it and look into these sort of back ways

around the barn. And so, I mean, I'm stuck with -- I think that commercial -- planned commercial is appropriate zoning on this property, but I'm going to -- I think I'm stuck with voting no because of the intersection. Further discussion?

MR. BRODSKY: I was going to make a motion unless there are other?

MR. BARROW: Okay. Well, Ms. Anthony?

MS. ANTHONY: Go ahead.

MR. BARROW: Mr. Brodsky?

MR. BRODSKY: I was just going to make a motion for disapproval or denial.

MR. BARROW: Ms. Peters?

MS. PETERS: I'd second.

MR. BARROW: It's been moved and seconded that we recommend denial. Is there discussion on the motion? Mr. Wheeler?

MR. WHEELER: Well, I'm just going to say this: I think that at some point, we're going to get an intersection rammed down our throats. I hope I'm wrong, but I think we're going to see this again.

MR. BARROW: Ms. Peters?

MS. PETERS: Would Mr. Brodsky like to maybe summarize what our issues are so that if Council only reads the bottom part, or do we just want to say Council should read all of our minutes, they're very important?

UNIDENTIFIED: They should.

MS. PETERS: Well, they should, but not all of them do.

MR. BRODSKY: I can try.

MR. BARROW: Wait. Mr. Wheeler?

MR. WHEELER: Well, I just want to say that to ask Mr. Brodsky to do that would be to ask him to summarize all of our views, and I don't think he can really do that. You know, they're very differing, and so --

MS. PETERS: Fair enough. I'll just leave it at City Council should read all of our notes.

MR. BARROW: Further discussion on the motion? Well, I want to say publicly and personally, I'm sorry, Mr. Beckett. I think that I was feeling some passion about some other issues that you really -- and this proposal have nothing to do with other attorneys and other what I felt that the Commission -- our Commission has been kind of juked and jibed a little bit, and so I apologize because I let -- I'm afraid that I was venting on you, and you had nothing to do with that. You've been nothing but professional with us and very accommodating, and I really want to say I appreciate you and your work as an attorney. Further discussion on the motion? That really had nothing to do with the motion, but I wanted to say that. Ready, Mr. Wheeler?

MR. WHEELER: Yes.

MR. BARROW: Roll call.

MR. WHEELER: A motion has been made and seconded to deny a request by Bruce Beckett on behalf of Red Oak Investment Company to rezone approximately 25.29 acres of land from A-1 to C-P, located on the south side of Grindstone Parkway, south of the intersection of Grindstone Parkway and Grindstone Plaza Drive. And I'll remind commissioners that a yes vote is for denial.

Roll Call Vote (Voting "yes" is to recommend denial.) Voting Yes: Mr. Wheeler, Ms. Anthony, Mr. Barrow, Mr. Brodsky, Ms. Peters, Dr. Puri, Mr. Rice. Voting No: Mr. Vander Tuig, Mr. Reichlin.
Motion carries 7-2.

MR. BARROW: Thank you, Mr. Wheeler.

4) COMMENTS OF VISITORS

There were no comments from visitors.

5) COMMENTS OF STAFF

MR. ZENNER: The next meeting will be March 18th. We've got a couple of meetings in between now and then. We've got a Planning Commission work session on the 11th. The contents were discussed today at our work session. The majority of that meeting will probably be focused on the ECAP plan. We then have two meetings on the 18th, a work session and a regular Planning Commission meeting. Here is your 18th agenda, tentatively. Replat and a variance for the Northern Addition Plat. This is up by Columbia College. We have a minor subdivision for Broadway Townhomes; this is off of -- it's on the east side of town. And then a replat and a variance for Hilton Plat 6, which is up by the Ewers Tire facility across from the Columbia Mall on Fairview. The last two items are tentative in nature. We do have issues associated with both of them, which may preclude them from being able to make the 18th agenda. And a reminder that these are subdivisions, not public hearings; therefore, hopefully, things will proceed a little bit faster. We have no public hearing scheduled for the 18th agenda. After tonight's meeting, people may not want to come and see us. So, that is all we have to offer. We appreciate your patience this evening.

MR. BARROW: Thank you.

6) COMMENTS OF COMMISSIONERS

MR. BARROWS: Yes, Ms. Peters?

MS. PETERS: I probably should have asked this before we voted, but would it be possible to -- it's late -- send minutes to the City Council from the previous Council referencing Grindstone Parkway, whatever the attachments were that were sent to us, which I believe were add-ons. I'm not sure if Mr. Brodsky or some other commissioner asked --

MR. ZENNER: It's standard practice.

MS. PETERS: Okay.

MR. ZENNER: All of what you had in your packet this evening goes with Council's report. Council's report, as we have stated in the past, will also summarize the discussion this evening of the commissioners and the commissioners' issues.

MS. PETERS: Okay.

EXCERPTS
PLANNING AND ZONING COMMISSION
JULY 19, 2012

IV.) PUBLIC HEARINGS

12-087 A request by Red Oak Investment Company (owner) for approval of a C-P development plan to be known as Red Oak of Columbia. The 9.6-acre subject site is located on the south side of Grindstone Parkway, across from Grindstone Plaza Drive.

MR. WHEELER: May we have a Staff report, please?

Staff report was given by Mr. Steven MacIntyre of the Planning and Development Department. Staff recommends approval of the proposed C-P development plan.

MR. WHEELER: Are there any questions of Staff? Mr. Strodtman?

MR. STRODTMAN: The landscaping plan on -- it would be the south side of the project, are those new trees or are those existing trees that we can see there in your overview picture, your aerial?

MR. MACINTYRE: Those would be new trees. I'll believe they're evergreens for screening, so it should be, in a four-year growing period, I believe, eight feet tall, and needs to be maintained to screen the development from the southern residential area.

MR. STRODTMAN: Thank you.

MR. WHEELER: Are there any other questions of Staff? Mr. Skala?

MR. SKALA: I take it that the parking requirements are satisfied here according to the density of the project itself, in terms of the number of bedrooms or units. Or how is that calculated?

MR. MACINTYRE: The parking is based on the number of units and the number of beds within each unit. We've got different ratios or requirements based on number of bedrooms per unit.

MR. SKALA: And then, this is --

MR. MACINTYRE: Satisfactory. It actually exceeds the requirement slightly.

MR. WHEELER: Mr. Strodtman?

MR. STRODTMAN: I've got another one. In the center of the project, can you describe what that is where it says, 9.65 acres, No. 8, maybe? Is that a swimming pool or some amenity?

MR. MACINTYRE: Yeah. You know, I'm not actually sure if it's -- I think it may have been listed -- described as an amenity. I don't recall if it's a swimming pool or a court of some form.

MR. STRODTMAN: Yeah. I'll hold it until later. I'm good.

MR. WHEELER: Any other questions of Staff? Seeing none, we'll open the public hearing.

PUBLIC HEARING OPENED

MR. CROCKETT: Chairman, members of the Commission, my name is Tim Crockett, Crockett Engineering Consultants, 2608 North Stadium. With me tonight is Rob Lochner and Mike Apt; they are with the development company for this project. I'd like to go over a couple of questions again.

Mr. Strodman, you asked a couple questions regarding the landscaping along the south line. Yes. By city requirement we are required to screen the neighboring residential uses. Regardless of what the zoning is, it basically goes off the use. And since there is a large acreage tract of land with a single house on it, we're required to screen that. There is an existing tree line out there right now, however that may not meet the opacity requirement for the screen requirement, so we're going to add additional trees in that tree line to make sure that we meet or exceed the screen requirement. So what we're proposing is brand new trees in and amongst existing trees that are already there, or next to existing trees to help with the screening process. Also, the amenity area, that will include a swimming pool, volleyball courts, some congregational areas, fire pits, outdoor kitchens, different -- the like. Now, it's both in the main concept area, right between the main buildings -- I believe it's two and four -- and there's also two other smaller inner courtyards of the two buildings on the wings that will have similar type amenities. Obviously, not a swimming pool, but congregational areas, and they'll all be connected together with a common walkway that goes through the building. You know, we're calling it, quote, the Cave, because it gives this an internal walkway that's very attractive, very appealing, that goes through the entire development so that you can access the entire development via walking from space to space. And we think that that really opens up the area a little bit. The green space requirement, again, we talked about that on the preliminary plat, needing to preserve 15 percent of the entire piece of property. That doesn't alleviate this property from any of their requirements. This piece of property, I believe, is somewhere around 30 percent green space area, on top of what would be there for the 15 percent required for the overall development. So you can see we're exceeding the green space requirement by a fair amount. Again, it meets all the city requirements. We -- the traffic study, they revised the traffic study according to the uses: The morning and evening peak hours generated from this development, which is going to come in less than the commercial development. So we believe that everything is in accordance with that. Everything else is squared away and we believe that, again, it's a straightforward, justified request. And if you have any questions, I'll be happy to answer them.

MR. WHEELER: Are there any questions of this speaker? Mr. Skala?

MR. SKALA: Yeah, just a couple things. One is just a comment. I was glad to see the trip generation model used here. I'm glad that language is -- people are becoming accustomed to it, and I appreciate the comparisons that were made. We all know that Grindstone is a limited-access roadway, and it's been slowly losing some of its limitations, I guess you might say, because of the way it has developed. And I understand that you've accommodated some of that in the signalization and having to work with MoDOT, and so on and so forth, but how does this compare -- in terms of this -- you've compared the commercial activity in comparison to the residential activity. How does this compare in terms of a similar sized residential? Do you anticipate any more trip generation here because of its location, with respect to the University, rather than some that may be closer in?

MR. CROCKETT: Actually, Mr. Skala, no, we do not. And the simple reason for that is, is in the ITE manual, or basically the rulebook for traffic that traffic engineers use for their study for their trip generation, it classifies apartment uses, but it doesn't classify student housing. And so we've worked with CBB, and I think the City worked CBB before -- they're our traffic engineer on this project -- and what they have done on previous projects is they've gone back and they've modeled an acceptable use for student housing developments, because it's not -- it doesn't give a true, accurate number compared to a traditional apartment complex. And so they've worked with MoDOT and have also worked with city traffic engineers to come up with a factor or a constant for student housing development. Now, what they found on that is, is, yes, it is comparable to a similar type regular housing development; however, it's at off-peak hours. So while it may have a substantial number of cars -- vehicles coming and going at different times, it's not hitting the traditional peak morning and evening peak hours that we normally see. So what it does is, actually, it helps the situation because we're designing the intersections as a worst-case scenario for the morning and evening peak hours on a commercial development, and then we're going to throw in -- we're going to change it to a residential, which is a little bit less than that, but then we're also changing it because we're sliding off of the peak hours. And so we're seeing that it is significantly lower than what we normally see from both a residential as well as a commercial development.

MR. SKALA: And just one other issue -- I appreciate that. My one other issue had to do with the tree preservation. I guess I was on the Planning and Zoning Commission 2004 or '05, somewhere in that range, when the rest of Red Oak -- that whole Red Oak development, including the Walmart -- the Grindstone Walmart, and so on. I remember Mr. Van Matre promising me that we wouldn't see the Walmart from the street because they were going to preserve the trees. Of course, that didn't happen. But at that time there was a revision of the entire tree ordinance because of the foresting that was going on in lots of the property. Even forced some of the developers to purchase additional land to make sure they met the requirement. I don't recall exactly -- my memory fails me a little bit on what this property was like. Was it entirely forested before all of this?

MR. CROCKETT: No. It was --

MR. SKALA: Or it was kind of like open sp-- grassland, much of it? Is that --

MR. CROCKETT: It was a combination of all three. It had some open, vacant ground, which is basically former pasture ground. It had some underbrush, which was mostly, you know, some locust and some hickories -- or excuse me -- locust and some cedars, and then it had a substantial amount of, you know, what we're going to call climax forest. Now, in talking with the city arborist, we're not looking at the climax forest that's there today. We were looking at the climax forest that was before this entire development, before anything out here took place. He's very diligent, going back and looking at old photos. He actually supplied me with what he classified as climax forest before anything was done out here. When I say "anything" --

MR. SKALA: Yeah. Right. That's kind of what I was getting at --

MR. CROCKETT: Right. Yes.

MR. SKALA: -- because I don't recall --

MR. CROCKETT: Yeah. The City is very diligent in checking what the climax forest truly was on this site. We can't go out there and say, Well, today this is what the climax forest is; we're going to preserve 25 percent. No. They look at it and say, Before you did the grade work on this piece of property two years ago, before anything was done, what was the climax forest at that time? And that's what we need to preserve 25 percent on, and that's what we've agreed to preserve 25 percent of.

MR. SKALA: That's great.

MR. CROCKETT: So if you look at what we're preserving today, it's much greater than 25 percent. It's probably 50 percent or more, due to the fact that trees have already been removed and those had to be calculated as removed trees and not just --

MR. SKALA: Very good.

MR. CROCKETT: -- you know, forgotten.

MR. SKALA: I appreciate that.

MR. WHEELER: Are there any other questions of this speaker? Mr. Lee?

MR. LEE: Mr. Crockett, in the far northeast corner here, there's a triangular thing. Is that a retention pond?

MR. CROCKETT: That is our bioretention cell, which we can get both water quality and detention aspect from. We have four of those located on our property. We have a smaller one located on the southwest corner, and we also have two real small ones located behind the two -- basically, what I'm going to call the wing buildings. But, yeah. That's our stormwater facilities.

MR. LEE: Okay. Thank you.

MR. WHEELER: Are there any other questions of this -- Mr. Vander Tuig?

MR. VANDER TUIG: I noticed -- I don't think it was the landscaping plan, but I noticed on the first sheet -- or I guess the second sheet of the C-P plan, it said in the general notes that the detention was being met by offsite -- an offsite facility?

MR. CROCKETT: We were using some offsite native vegetation originally, but that's not the case at this point. We're doing everything -- I think we can reserve the right that if we want to. If we acquire the climax forest, the City will allow us to use that in our calculation. But at this point in time, we're doing it all onsite.

MR. VANDER TUIG: Well, no, not for water quality. I mean for detention. I --

MR. CROCKETT: Oh, yes. I'm sorry. Yes. The detention for this piece of property is addressed in a regional detention facility that's built north of this property -- It was built several years ago -- that serves, you know, the Walmart Supercenter, this property, several other outlying parcels. So it's a regional facility for the entire area.

MR. VANDER TUIG: Thanks.

MR. WHEELER: Are there any other questions of this speaker? Thank you.

MR. CROCKETT: Thank you.

MR. WHEELER: Are there any additional speakers? All right. Seeing none, we'll close the public hearing.

PUBLIC HEARING CLOSED

MR. WHEELER: Commissioners? Quiet group tonight. Who wants to go first? Ms. Peters?

MS. PETERS: To me, this seems very straightforward, and I don't see any reason to not approve it.

MR. WHEELER: Okay. Mr. Skala?

MR. SKALA: Well, at this point, since I'm a rookie again, I guess -- when some of these decisions were made, in terms of the modeling and essentially making Grindstone less restrictive, I was a little skeptical. But this has all the bells and whistles and all the approvals. It certainly has some restrictive turning, the right-ins and right-outs, and so on. It does have that full-access intersection -- signalized intersection, but it's been coordinated with MoDOT and so on. In the past, I guess, just reminiscing a little bit, we were always remiss to talk about -- or not talk about marketing since it was none of our business, really. This all had to do with land use. On the other hand, there have been some marketing decisions that were less than desirable for the community at large. This is another student housing project, and that begs the question, Is it necessary? And, obviously, the marketers seem to think so, as the University is growing. So I'll take their advice that that is the case. Although, we're also trying to consolidate and move downtown a little bit with rapid transit, and so on, and this is another one of those outliers. But on the whole, it looks like the water -- stormwater runoff is dealt with here. The -- the tree preservation plan is dealt with here. Traffic is dealt with here. And it's a pretty nice, compact unit with the usual commercial in front, buffered from commercial [sic]. So I think I can see my way fit to support this plan. Looks like a pretty good plan to me.

MR. WHEELER: Ms. Peters?

MS. PETERS: I did have one question that I forgot to ask earlier. Will there be any city buses attached to this building?

MR. CROCKETT: Ms. Peters, to answer that question, we'd like to have city buses. I'm sorry. Tim Crockett, Crockett Engineering, 2608 North Stadium. Ms. Peters, we'd love to have the city transit in this area. Now, one of the restrictions on -- or the conditions of the original rezoning was that the developer, at the necessary time, would provide access for a city bus stop somewhere on the property. We're still going to adhere to that requirement, should the City decide to put public transit out here. We would love to have public transit out here. We're going to discuss it. I think we've made some contact with public transit. If we cannot come to terms with public transit, I think we're going to do the best we can to provide alternate transit ourselves from this development to campus.

MS. PETERS: Do you know if that's in line with the -- what is it -- 62 or something a semester per student?

MR. CROCKETT: I'm not -- we don't know the details of it at this time. I think they're still a little sketchy. But we're desperately trying, because, obviously, transit from this development to campus is a great asset --

MS. PETERS: Right.

MR. CROCKETT: -- whether it's private or public.

MS. PETERS: And I'm pretty certain Council's going to ask you about it.

MR. CROCKETT: Absolutely. And, you know, we would love to, you know, come to terms on an agreement, absolutely.

MS. PETERS: Thank you.

MR. WHEELER: Mr. Skala?

MR. SKALA: I suspect you also may get some questions from Council about any additional traffic on Rock Quarry Road, and that's another considera-- but I assume that the trip generation model determined that that's not an --

MR. CROCKETT: Right. Right.

MR. SKALA: -- overwhelming amount of --

MR. CROCKETT: Yeah. The trip generation model took a look at that, and knowing where our ultimate outcome, our destinations are, and given the full signalized intersection that gives us an opportunity to make a left-hand movement out of this development -- a safe left-hand movement out of this development, it allows us to get over to Providence Road and go north, as opposed to utilizing Rock Quarry, which is unapproved, obviously.

MR. WHEELER: All right. Appreciate it.

MR. CROCKETT: Thank you.

MR. WHEELER: Commissioners, additional conversation? Mr. Strodman?

MR. STRODTMAN: I think it's pretty straightforward, and I plan on supporting it.

MR. WHEELER: Mr. Reichlin?

MR. REICHLIN: I'm happy to see that this -- the dirt pile's going to disappear and that the property is going to go to development, and I intend to support it.

MR. WHEELER: Mr. Lee? I'm just going to call on you guys now.

MR. LEE: It's a very good project, and merits support.

MR. TILLOTSON: I echo all the comments made. I'm going to support it.

MR. WHEELER: Dr. Puri?

DR. PURI: I was going to second this motion.

MR. WHEELER: All right.

MR. SKALA: Who made the motion?

MS. PETERS: And the first?

DR. PURI: I think you made a motion, didn't you?

MR. SKALA: I'll make the motion.

MR. WHEELER: Mr. Skala?

MR. SKALA: I make the motion to approve the request by Red Oak Investment Company for approval of a C-P development plan to be known as Red Oak of Columbia.

MR. WHEELER: Dr. Puri?

DR. PURI: I'll second it.

MR. WHEELER: Motion's been made and seconded. Is there any discussion on the motion?
All right. When you're ready, roll call.

MR. VANDER TUIG: Motion's been made and seconded for Case No. 12-087 for approval of a C-P development plan to be known as Red Oak of Columbia.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Lee, Ms. Peters, Dr. Puri, Mr. Reichlin, Mr. Skala, Mr. Strodman, Mr. Tillotson, Mr. Vander Tuig, Mr. Wheeler. Motion carries 9-0.

MR. WHEELER: Recommendation for approval will be forwarded to City Council.