

Source: Community Development - Planning *TK*

Agenda Item No: Supplemental
Information B38-13

To: City Council

From: City Manager and Staff *MM*

Council Meeting Date: Jun 3, 2013

Re: Southside Trail Estates, Parkside Estates preliminary plat/PUD plan request **(Case #12-185)**
supplementary memo

EXECUTIVE SUMMARY:

A request by Crockett Engineering, on behalf of Southside Trail Estates, for annexation, permanent City R-1 and PUD 5.5 zoning, a PUD plan, and preliminary plat. The 35.8-acre site is located on South Route K, approximately 2,000 feet south of the intersection of Providence, Route K, and Old Plank Road. **(Case # 12-185)**

DISCUSSION:

The applicant requests withdrawal of this application. Please see the attached letter.

Staff cannot make a commitment to accept a new application without knowing the development data associated with the request.

FISCAL IMPACT:

None.

VISION IMPACT:

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

None.

SUGGESTED COUNCIL ACTIONS:

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/Epands 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



2608 North Stadium Boulevard
Columbia, Missouri 65202
(573) 447-0292

May 24, 2013

Matthew Lepke
Community Development
PO Box 6015
Columbia, MO 65205

Matthew:

On behalf of Southside Trails, LLC I would like to take this opportunity to request that the annexation, zoning, and preliminary plat request for the Parkside Estates development be withdrawn at this time. After extensive discussions with the Missouri State Parks, the developer has decided to withdraw this request and follow up with a revised request.

The revised request will be similar in intent but with several major changes. The largest change will include the elimination of the open zoning and replace it with a request entirely of a planned zoning district. Other major changes will include concessions and agreements made between the developer and State Parks that will be included in the Statement of Intent.

It is our understanding and belief that by making this withdrawal then following up with the resubmittal it would be viewed as a major revision to the plan and therefore would not need to wait the predetermined 12 month waiting period. If this is inaccurate, please advise immediately,

Sincerely,

Crockett Engineering Consultants, LLC

A handwritten signature in black ink, appearing to read "Tim Crockett", written over a light blue horizontal line.

Tim Crockett, PE

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 38-13

AN ORDINANCE

extending the corporate limits of the City of Columbia, Missouri, by annexing property located on the south side of Route K, approximately 2,000 feet south of the intersection of Providence Road, Route K and Old Plank Road; directing the City Clerk to give notice of the annexation; placing the property annexed in Districts R-1 and PUD-5.5; approving the Preliminary Plat & PUD Plan of Parkside Estates; allowing a reduction in the required perimeter setback; 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 finds that a verified petition was filed with the City on October 30, 2012, requesting the annexation of land which is contiguous and compact to the existing corporate limits of the City and which is described in Section 4 of this ordinance. This petition was signed by Robert Hill, a member of Southside Trail Estates, LLC, the owner of the fee interest of record in the land proposed to be annexed. A public hearing was held concerning this matter on December 17, 2012. Notice of this hearing was published more than seven days prior to the hearing in a newspaper of general circulation qualified to publish legal matters. At the public hearing all interested persons, corporations and political subdivisions were permitted to present evidence regarding the proposed annexation.

SECTION 2. The Council determines that the annexation is reasonable and necessary to the proper development of the City and that the City has the ability to furnish normal municipal services to the area to be annexed within a reasonable time.

SECTION 3. The Council determines that no written objection to the proposed annexation has been filed within fourteen days after the public hearing.

SECTION 4. The City Council hereby extends the city limits by annexing the land described in Section 1-11.13 of the Code of Ordinances of the City of Columbia, Missouri, which is hereby added to Chapter 1 of the City Code and which reads as follows:

Section 1-11.13. February, 2013 Extension of Corporate Limits.

The corporate limits of the City of Columbia shall include the following land:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 47 NORTH, RANGE 13 WEST, BOONE COUNTY, MISSOURI AND BEING ALL OF THE LAND SHOWN IN THE SURVEYS RECORDED IN BOOK 2920, PAGE 90, AND BOOK 3080, PAGE 187 AND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 4045, PAGE 119 AND CONTAINING 35.84 ACRES.

SECTION 5. The City Clerk is hereby authorized and directed to cause three certified copies of this ordinance to be filed with the Clerk of Boone County, Missouri and three certified copies with the Assessor of Boone County, Missouri. The City Clerk is further authorized and directed to forward to the Missouri Department of Revenue, by registered or certified mail, a certified copy of this ordinance and a map of the City clearly showing the area annexed to the City.

SECTION 6. The property described in Section 4 is in the Fifth Ward.

SECTION 7. The Zoning District Map established and adopted by Section 29-4 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended so that the following described property:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 47 NORTH, RANGE 13 WEST, BOONE COUNTY, MISSOURI AND BEING ALL OF THE LAND SHOWN IN THE SURVEYS RECORDED IN BOOK 2920, PAGE 90, AND BOOK 3080, PAGE 187 AND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 4045, PAGE 119 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SURVEY ON THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROUTE K; THENCE FROM THE POINT OF BEGINNING AND WITH THE LINES OF SAID SURVEY, S 53°30'55"E, 1170.85 FEET; THENCE S 0°52'35"W, 664.98 FEET TO THE CENTER OF SAID SECTION 1; THENCE CONTINUING WITH THE LINES OF SAID SURVEY, N 87°36'55"W, 1313.27 FEET; THENCE N 88°09'05"W, 224.74 FEET; THENCE LEAVING THE SOUTH LINE OF SAID SURVEY, N 2°33'55"E, 123.44 FEET; THENCE 59.22 FEET ALONG A 100.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD N 19°31'50"E, 58.36 FEET; THENCE N 36°29'45"E, 639.26 FEET; THENCE 102.65 FEET ALONG A 100.00- FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD N 65°54'05"E, 98.20 FEET; THENCE N 5°18'30"E, 198.05 FEET; THENCE N 53°30'55"W, 145.66 FEET TO THE WEST LINE OF SAID SURVEY; THENCE WITH SAID WEST LINE,

N 36°29'45"E, 352.15 FEET TO THE POINT OF BEGINNING AND CONTAINING 30.22 ACRES.

will be zoned and become a part of District R-1 (One Family Dwelling District).

SECTION 8. The Zoning District Map established and adopted by Section 29-4 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended so that the following described property:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 47 NORTH, RANGE 13 WEST, BOONE COUNTY, MISSOURI AND BEING ALL OF THE LAND SHOWN IN THE SURVEYS RECORDED IN BOOK 2920, PAGE 90, AND BOOK 3080, PAGE 187 AND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 4045, PAGE 119 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SURVEY ON THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROUTE K; THENCE WITH SAID RIGHT-OF-WAY LINE N 36°29'45"E, 1250.03 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, S 53°30'55"E, 145.66 FEET; THENCE S 5°18'30"W, 198.05 FEET; THENCE 102.65 FEET ALONG A 100.00- FOOT RADIUS, NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CHORD S 65°54'05"W, 98.20 FEET; THENCE S 36°29'45"W, 639.26 FEET; THENCE 59.22 FEET ALONG A 100.00- FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD S 19°31'50"W, 58.36 FEET; THENCE S 2°33'55"W, 123.44 FEET TO THE SOUTH LINE OF SAID SURVEY; THENCE WITH THE SOUTH LINE OF SAID SURVEY, N 88°09'05"W, 347.56 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.62 ACRES.

will be zoned and become a part of PUD-5.5 (Planned Unit Development) with a development density not exceeding 5.5 dwelling units per acre. Hereafter the property may be used for all permitted uses in District R-2. The statement of intent submitted by applicant, marked "Exhibit A" is attached to and made a part of this ordinance.

SECTION 9. The City Council hereby approves the Preliminary Plat & PUD Plan of Parkside Estates, dated January 2013, a major subdivision containing approximately 35.84 acres, and hereby confers upon the subdivider the following rights for a period of seven years from the date of this approval:

- A. The terms and conditions under which the Preliminary Plat was given will not be changed.
- B. The subdivider may submit on or before the expiration date the whole or any part of the subdivision for final approval.

- C. The time for filing the final plat may be extended by the Council for a specified period on such terms and conditions as the Council may approve.

SECTION 10. Prior to approval of the Final Plat of this Subdivision, the subdivider shall have completed the improvements required by the Subdivision Regulations, or in lieu of completion of the work and installations referred to, present security to the City Council with surety and conditions satisfactory and acceptable to the City Council, providing for and securing the actual construction and installation of the improvements and utilities; or put the City Council in an assured position to do the work, obligating the developer to install the improvements indicated on the plat, provided that no occupancy permit will be issued to any person for occupancy of any structure on any street that is not completed in front of the property involved, or the utilities have not been installed to the satisfaction of the City.

SECTION 11. The City Council approves less stringent yard requirements than those set forth in Section 29-10(d)(7) to allow setbacks of six feet along the south property line of Lot 1 and the northeast property line of Lot 11 rather than the required ten feet.

SECTION 12. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2013.

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

Statement of Intent Worksheet

For office use:

Case #: <i>12-185</i>	Submission Date: <i>10-29-12</i>	Planner Assigned:
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Please provide the following information, which shall serve as the statement of intent for the proposed planned district zoning:

1. The uses proposed.

All permitted uses in DISTRICT R-2.

2. The maximum gross square feet of building floor area proposed. If PUD zoning is requested, indicate type(s) of dwelling units & accessory buildings, and maximum number of dwelling units & development density.

All building types shall be single family or two-family dwellings. Maximum number of units shall be 22 with a maximum density of 5.5 units per acre.

3. The maximum building height proposed.

35 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.

landscaping: 40%

existing vegetation: 0%

The following items only apply to PUD zoning requests:

5. The total number of parking spaces proposed and the parking ratio per dwelling unit.

The total parking spaces shall be between 2 to 4 spaces per unit. Half of all spaces shall be enclosed in garages.

6. Any amenities proposed, such as swimming pools, golf courses, tennis courts, hiking trails or club houses.

None.

7. A general description of the plan including minimum lot sizes, if applicable, minimum building setbacks from perimeter and interior streets, other property lines and minimum setbacks between buildings.

The development will include 11 two-family dwellings that are to be developed as "villa" style units. Each building shall be placed on its own platted lot. Each lot shall have 6-foot sideyard setbacks, a 25 foot rear yard setback, and a 20-foot front yard setback.

Note: At the discretion of the applicant, the statement of intent may include other aspects of the proposed development.

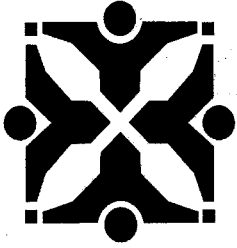
Robert Hill

Signature of Applicant or Agent

10/29/12

Date

a 20-foot front yard setback.



Source: Community Development - Planning

Agenda Item No:

To: **City Council**

From: **City Manager and Staff**

Council Meeting Date: Feb 4, 2013

Re: Southside Trail Estates, Parkside Estates preliminary plat/PUD plan request (**Case #12-185**)

EXECUTIVE SUMMARY:

A request by Crockett Engineering, on behalf of Southside Trail Estates, for annexation, permanent City R-1 and PUD 5.5 zoning, a PUD plan, and preliminary plat. The 35.8-acre site is located on South Route K, approximately 2,000 feet south of the intersection of Providence, Route K, and Old Plank Road. (**Case # 12-185**)

DISCUSSION:

The applicant requests approval of a 64-lot (and two common lots) preliminary plat and PUD plan (for 11 of the 64 lots) to be known as "Parkside Estates." The subject site consists of 35.8 acres, and is unimproved. The request for permanent zoning is associated with a concurrent annexation request before City Council that would permit the subject property to connect to the City sewer system.

The site is currently zoned County R-S and A-1. The site is surrounded by single-family zoning and land uses to the north, east and west. To the south is Rock Bridge Memorial State Park which abuts the subject tract for approximately three-quarters of the southern property line's length.

The requested permanent zoning is R-1 and PUD 5.5. The R-1 designation is consistent with that of current county zoning for much of the site. The PUD-5.5 designation would allow villa-style structures, which are single-family attached dwellings that must meet specific design criteria specified in Section 29-10 of the Zoning Ordinance. All R-2 uses are proposed for the PUD area. A total of 22 units on 11 lots are proposed. A setback variance is requested for lots 1 and 11 as part of the PUD request.

The Planning and Zoning Commission, at its January 24, 2013 meeting, voted 8-0 to deny the preliminary plat and PUD plan requests. Discussion focused on stormwater runoff, density of the development, impacts on park wildlife and users, and traffic on Route K. Numerous members of the public spoke either in favor of or in opposition to the proposal.

Locator maps, a staff report, citizen correspondence for and against the proposal, meeting excerpts, and a reduced size copy of the plat/plan are attached.

FISCAL IMPACT:

None.

VISION IMPACT:

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

None.

SUGGESTED COUNCIL ACTIONS:

The Planning and Zoning Commission recommends denial of the preliminary plat, PUD plan (and variance) requests.

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/Epands 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
JANUARY 24, 2013**

SUMMARY

A request by Crockett Engineering, on behalf of Southside Trail Estates, for annexation, permanent City R-1 and PUD 5.5 zoning, a PUD plan, and preliminary plat. The 35.8-acre site is located on South Route K, approximately 2,000 feet south of the intersection of Providence, Route K, and Old Plank Road. **(Case # 12-185)**

DISCUSSION

Changes from the original proposal

The revised plat/plan consists of 64 lots and two common lots. The original submission featured 76 lots, with three common lots. The PUD area remains unchanged. The row of lots north of Truscott Court has been revised to remove one lot, and a lot was similarly added along the south side of Truscott. A buffer area was added between lots 54-55 at the site's southern boundary shared with Rock Bridge Memorial State Park.

The lots originally labeled as 35-47 and the third common area lot have now shown as a single, 12.22-acre parcel. A developer imposed restriction indicates that, "Lot 64 shall not be allowed to be subdivided into more than one single family residential lot with the exception that the developer reserves the right to request the rezoning of said lot 64 to a PUD designation. Maximum number of single family units allowed within the PUD would be five."

Other changes shown on the revised plan include the addition of multiple notes on the plat. One regards the width of entrances to Route K, stating that they will be designed to accommodate a standard length school bus. Another indicates that a berm, three feet tall, will be accompanied by vegetative landscaping along the rear of lots 27-33. And finally, no detached buildings are to be allowed on any private lot in the development.

Permanent zoning

The subject site consists of 35.8 acres, and is unimproved. The request for permanent zoning is associated with a concurrent annexation request, before City Council, that would permit the subject property to connect to the City sewer system. The site is currently zoned County R-S and A-1. The site is surrounded by single-family zoning and land uses to the north, east and west. To the south is Rock Bridge Memorial State Park which abuts the subject tract for approximately three-quarters of the southern property line's length. The annexation request has been introduced before Council and is pending a final vote at the February 4 meeting.

The requested permanent zoning is R-1 and PUD 5.5. The R-1 designation is consistent with that of current county zoning for much of the site. The area proposed for R-1 zoning would be restricted to single-family detached dwellings on lots no less than 7,000 square feet, per the Zoning Ordinance standard. The smallest lot within the proposed development is 9,100 square feet. All standard R-1 setbacks and height restrictions would be required within the section of the site proposed for R-1 zoning.

The PUD-5.5 designation would allow villa-style structures, which are single-family attached dwellings that must meet specific design criteria specified in Section 29-10 of the Zoning Ordinance. All R-2 uses are proposed for the PUD area. The buildings will each be located on a separate, platted lot. The villa lots feature 20-foot front yard setbacks, six-foot side setbacks (zero between paired villa units), and 25-foot rear setbacks. A total of 22 units on 11 lots are proposed.

The proposed PUD zoning would comply with a City Council policy resolution from 1999 stating a "strong preference for planned development" within the Little Bonne Femme watershed above (north of) Rock Bridge Memorial State Park. Staff recognizes that the R-1 zoning does not follow this preference; however, it does not contravene City Code, and nothing precludes development in an R-1 district from implementing the watershed plan's aims.

PUD plan

Concurrently submitted with this permanent zoning request is a PUD plan for the proposed PUD 5.5 zoning area. The plan contains 11 lots, which are proposed for villa-style structures as outlined in Section 29-10 of the Zoning Ordinance. A PUD plan constitutes a preliminary plat for a planned district. For this project the PUD plan and preliminary plat for the entire subdivision are shown on the same layout.

A variance is sought for lots 1 and 11, to reduce the setbacks on the south line of lot 1 and the northeast line of lot 11 from 10 feet (standard for a PUD perimeter side yard) to 6 feet. The applicant owns the adjacent lot to the south of lot 1 and believes the setback between lots 11 and 12 will be sufficient to provide separation from the future construction. Section 29-10(d)(7) allows an applicant to propose modification to the setback requirement and for the Commission to make a recommendation to the Council on that request.

Preliminary Plat

The preliminary plat proposes 64 residential lots (11 of which are in the PUD plan area) and two common lots. R-1 (one-family dwelling) zoning is being sought. The site is surrounded by single-family/agricultural zoning and land uses. The plat has been reviewed by City departments and external agencies and found to be compliant with the Subdivision Regulations, with the exception of the setback variance in the PUD portion. Neither MoDOT nor City traffic engineers have recommended changes to Route K. The entrances to the development have been studied for their location and suitability and found sufficient. As noted earlier, lot 64, the 12.22-acre parcel proposed for the eastern portion of the site, is subject to a developer imposed restriction on future development potential. The parcel could seek to be rezoned to a PUD with a maximum of five single-family units being proposed. Such action would be subject to the standard public hearing process through the Commission and City Council.

Bonne Femme Watershed Plan

A factor in decision making for this proposal is the 2007 Bonne Femme Watershed Plan. This plan has several aims, and is among the documents, such as the Comprehensive Plan, that the Commission may use in cases such as this one. One of the watershed plan's goals was to "ensure that changes in land use do not increase downstream flooding or channel instability, or decrease water quality." This is due, in part, to the fact that the City did not have a stormwater ordinance at that time. One of the main objectives of Chapter 12A, the City's since-enacted stormwater ordinance, is to prevent water quantity/quality issues downstream from a given site.

The Bonne Femme Plan also promotes several methods and strategies to protect, enhance, and otherwise ensure the long-term viability of the watershed. The proposed development must comply with current City stormwater regulations. While the site is not specifically designed to implement low impact development (LID), it does set aside areas for the water quality detention feature as well as a stream buffer area, fulfilling a recommendation of Chapter Six of the Bonne Femme plan. Staff is aware of the County's recommendation, echoing the Plan, calling for a specifically-designed low-impact development layout, and finds the City's stormwater ordinance sufficient to address runoff from the proposed development.

STAFF RECOMMENDATION

Staff recommends approval of the requested permanent R-1 and PUD-5.5 zoning.
Staff recommends approval of the requested PUD plan/preliminary plat.
Staff recommends approval of the requested variance to Section 29-10(d)(7).

SUPPORTING DOCUMENTATION

Locator/Aerial maps
PUD Statement of Intent
PUD Plan/Preliminary Plat
December 6 and January 10 Commission Minutes

PUD PARAMETERS—APPLY ONLY TO PUD-ZONED AREA

a. Proposed uses	All R-2 uses
b. Types of dwelling units, & accessory buildings	Single family attached dwelling
c. Maximum number of dwelling units	22 (11 villa-style structures)
d. Maximum building height	35 feet
e. Parking	Total parking spaces: 2-4 per unit; half in garages Parking ratio (spaces/dwelling unit): 2-4/unit
f. Minimum maintained open space	% of total site in open space: 40% minimum
g. Amenities	None
h. General project description	Minimum lot size: 0.29 acres Minimum setbacks from lot lines: 20' front; 6' sides; 25' rear; Zero setback between paired villa units

SITE CHARACTERISTICS

Area (acres)	35.8
Topography	Varied with draws, generally sloping to the south
Vegetation	Wooded on south, east portions of site, grassy elsewhere
Watershed	Little Bonne Femme
Existing structures	None
Existing zoning	County A-2, R-S

BACKGROUND

Annexation date/ward	N/A
Initial zoning	County A-1
Previous rezoning(s)	None
Metro 2020 Plan	Neighborhoods

SURROUNDING LAND USES

Orientation from site	Zoning District	Land use
North	County R-S	Residential dwellings
South	County R-S, A-1	Residential dwelling, open space
East	County A-2	Residential dwellings, open space
West	City R-1, County R-S	Residential dwellings

UTILITIES & SERVICES

Sanitary Sewer	None currently, City upon annexation
Water	Consolidated Water District #1
Electric	Boone Electric
Fire Protection	Boone County Fire Protection District (City upon annexation)

ACCESS

Route K	West of site
Major Roadway Plan classification	Minor arterial
Capital Improvement Program projects	None
Right-of-way needed	50' half width; provided on plat

PARKS & RECREATION

Neighborhood Parks Plan	None; in secondary parks acquisition area
Trails Plan	None
Trail easement(s)	None

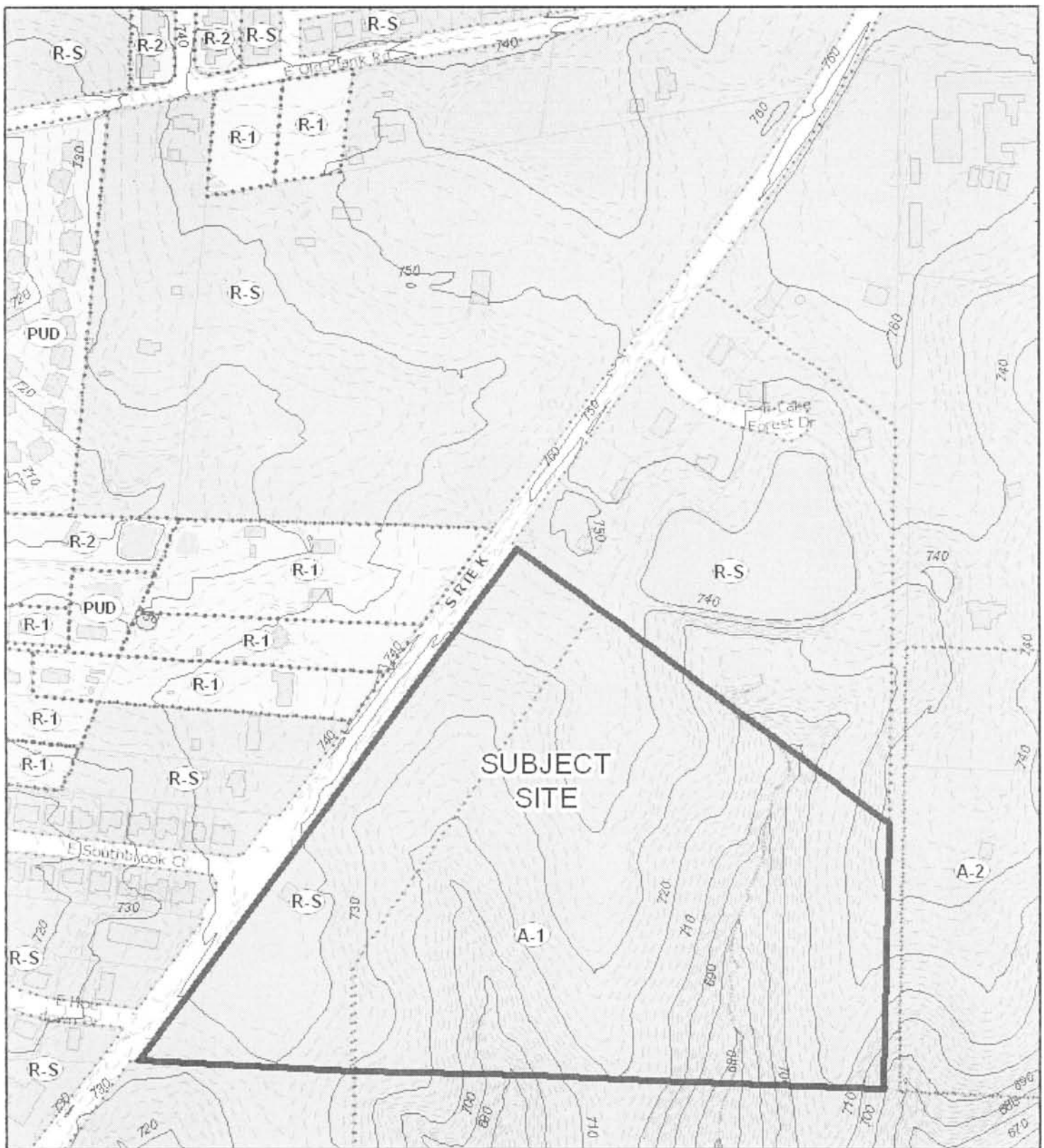
PUBLIC NOTIFICATION

All property owners within 185 feet and City-recognized neighborhood associations within 1,000 feet of the boundaries of the subject property were notified by postcard of a public information meeting, which was held on November 13, 2012.

Public information meeting recap	Number of attendees: 6 Comments/concerns: General inquiries on project
Neighborhood Association(s) notified	N/A
Correspondence received	Numerous inquiries on matters surrounding the project, written correspondence attached

Report prepared by ML

Approved by PRZ

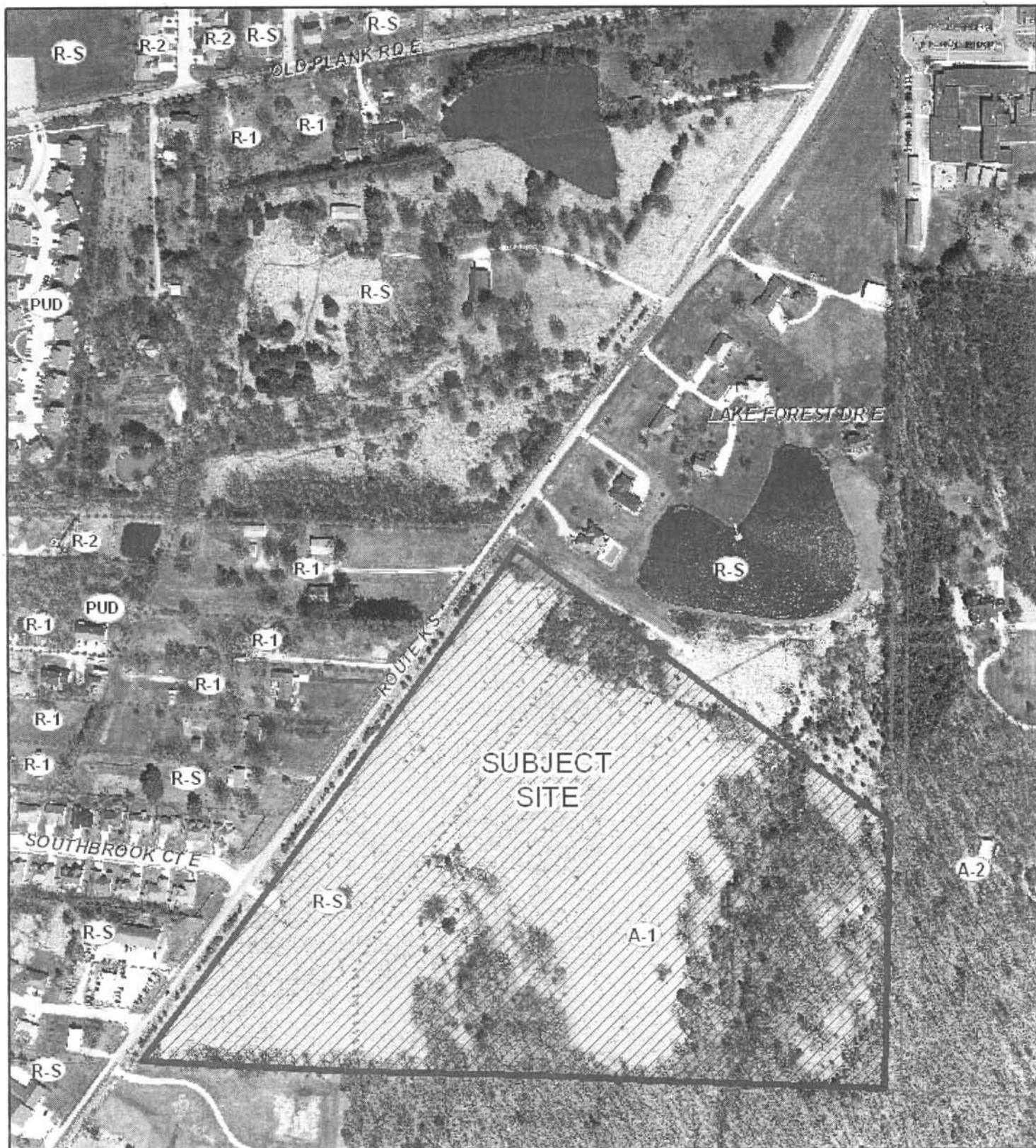


Case 12-185: Annexation Southside Trail Estates

0 125 250 500
Feet

1 inch = 325 feet





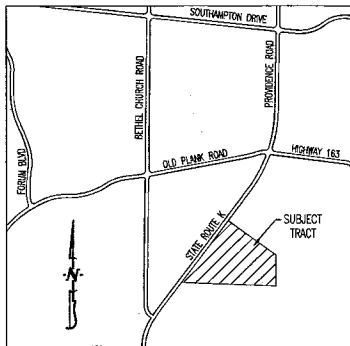
2011 Orthophoto
Source: Boone County Assessor

Case 12-185: Annexation Southside Trail Estates

0 125 250 500
Feet

1 inch = 325 feet





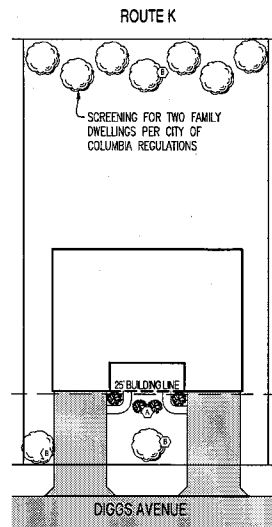
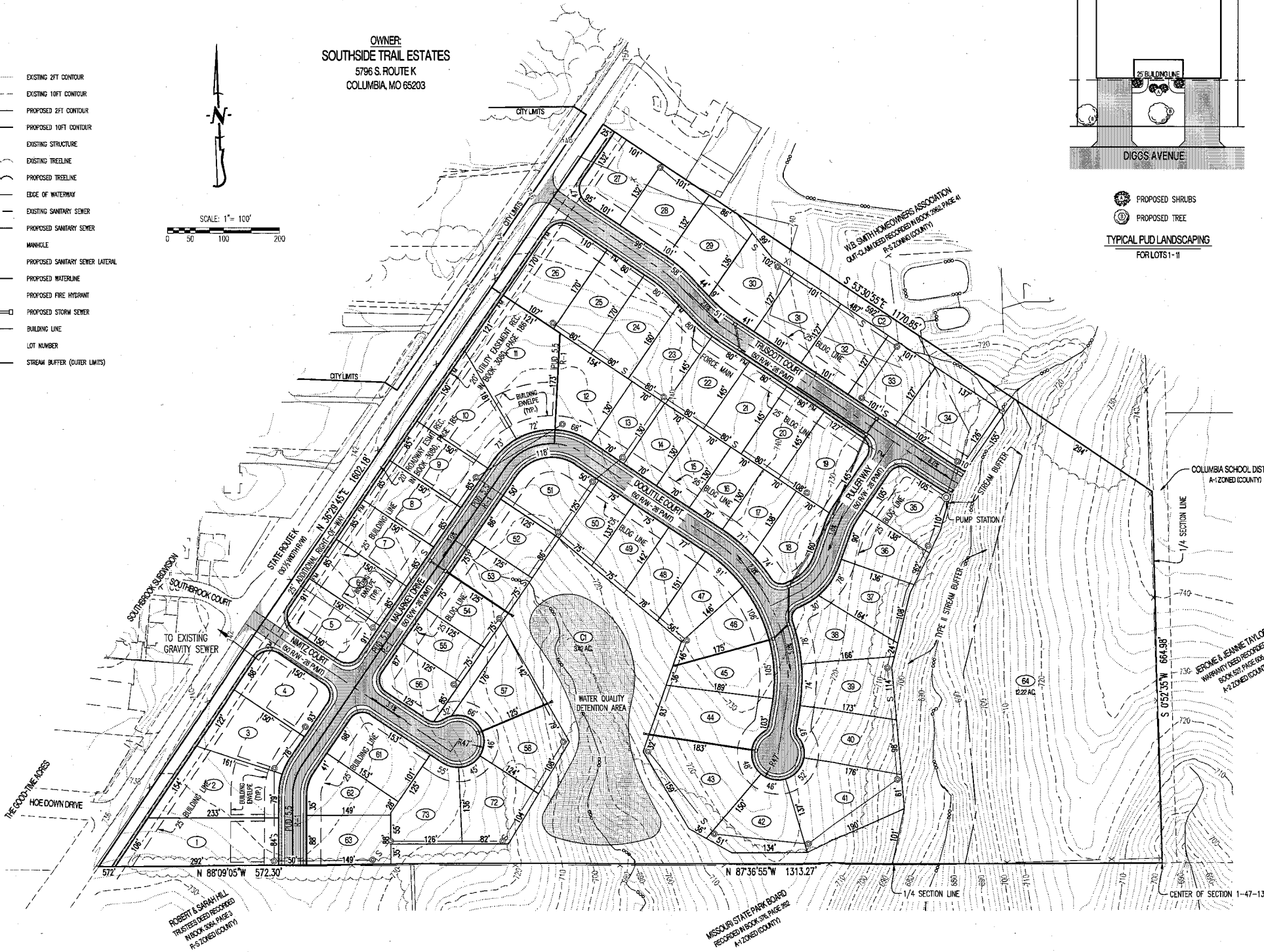
LOCATION MAP
NOT TO SCALE

PRELIMINARY PLAT & PUD PLAN
PARKSIDE ESTATES
A MAJOR SUBDIVISION LOCATED IN SECTION 1,
TOWNSHIP 47 NORTH, RANGE 13 WEST
COLUMBIA, BOONE COUNTY, MISSOURI
JANUARY 2013

OWNER:
SOUTHSIDE TRAIL ESTATES
5796 S. ROUTE K
COLUMBIA, MO 65203

- LEGEND:
- EXISTING 2FT CONTOUR
 - EXISTING 10FT CONTOUR
 - PROPOSED 2FT CONTOUR
 - PROPOSED 10FT CONTOUR
 - EXISTING STRUCTURE
 - EXISTING TREELINE
 - PROPOSED TREELINE
 - EDGE OF WATERWAY
 - EXISTING SANITARY SEWER
 - PROPOSED SANITARY SEWER
 - MANHOLE
 - PROPOSED SANITARY SEWER LATERAL
 - PROPOSED WATERLINE
 - PROPOSED FIRE HYDRANT
 - PROPOSED STORM SEWER
 - BUILDING LINE
 - LOT NUMBER
 - STREAM BUFFER (OUTER LIMITS)

SCALE: 1" = 100'
0 50 100 200



- PROPOSED SHRUBS
PROPOSED TREE
TYPICAL PUD LANDSCAPING
FOR LOTS 1-11

NOTES:

WATER DISTRIBUTION TO BE DESIGNED BY THE CITY WATER AND LIGHT DEPARTMENT.

ALL PUBLIC SANITARY SEWER EXTENSIONS SHALL BE MINIMUM OF 8" DIAMETER. SEWERS NOT CONSTRUCTED ALONG FRONTS OF LOTS TO BE LOCATED WITHIN 16 FOOT WIDE EASEMENTS OR EASEMENTS EQUAL TO THE DEPTH OF THE SEWER IF SEWER IS GREATER THAN 16 FEET. NO SEWER TAPS WILL BE GREATER THAN 20 FEET.

NO PART OF THIS TRACT LIES WITHIN THE 100 YEAR FLOODPLAIN AS ADOPTED BY THE CITY OF COLUMBIA AS SHOWN BY FIRM PANELS 29019C 0280D DATED MARCH 17, 2011.

THE STREET R/W SHALL BE 50 FOOT WIDE, UNLESS OTHERWISE NOTED.

THERE SHALL BE A 10 FOOT UTILITY EASEMENT ALONG THE SIDE OF EACH LOT ADJACENT TO STREET RIGHT-OF-WAY.

NATURAL GAS DISTRIBUTION TO BE DESIGNED BY AMEREN U.E.

LOT NUMBERS SHOWN ARE FOR INVENTORY PURPOSES ONLY.

THE EXISTING ZONING OF THIS TRACT IS COUNTY A-1 AND R-S (PENDING REZONING TO CITY R-1 AND PUD 5.5).

THIS PLAT CONTAINS 35.84 ACRES.

A 5' SIDEWALK SHALL BE CONSTRUCTED ALONG ALL STREETS.

ELECTRIC DISTRIBUTION TO BE DESIGNED BY THE CITY OF COLUMBIA WATER & LIGHT DEPARTMENT.

A REGULATED STREAM BUFFER AS IDENTIFIED BY ARTICLE X, CHAPTER 12A OF THE CITY CODE OF ORDINANCES, IS LOCATED ON THIS TRACT AND IS AS SHOWN ON THE ADJACENT DRAWING.

NO DIRECT ACCESS SHALL BE ALLOWED FROM LOTS 1-11 AND 28-27 ONTO STATE ROUTE K.

LOTS C1 AND C2 ARE NOT FOR RESIDENTIAL DEVELOPMENT, BUT MAY CONTAIN NEIGHBORHOOD AMENITIES SUCH AS SWIMMING POOL, RESTROOM FACILITIES, RECREATIONAL FACILITIES, SHELTERS, STORM WATER FEATURES, ECT.

ALL LOTS SHALL HAVE A MINIMUM WIDTH OF 60' AT THE BUILDING LINE.

A MINIMUM OF 25% OF THE TREES CLASSIFIED AS CLIMAX FOREST AND LOCATED ON THIS TRACT SHALL BE PRESERVED. A TREE PRESERVATION PLAN SHALL BE SUBMITTED AND APPROVED BY THE CITY ARBORIST PRIOR TO LAND DISTURBANCE.

DWELLINGS LOCATED IN THE PUD PORTION OF THIS DEVELOPMENT SHALL BE SINGLE FAMILY OR TWO FAMILY UNITS. ALL TWO FAMILY DWELLINGS SHALL MEET THE STANDARDS FOR VILLA STYLE UNITS AS DEFINED BY THE CITY OF COLUMBIA.

THE MAXIMUM RELEASE RATE FROM THIS DEVELOPMENT SHALL BE CONTROLLED BY LIMITING THE POST-DEVELOPMENT STORM WATER RELEASE RATES TO THE PREDEVELOPMENT RATES FOR THE 1, 2, 10 AND 100 YEAR STORMS.

THE TWO ENTRANCES ONTO ROUTE K SHALL BE DESIGNED TO ACCOMMODATE A STANDARD LENGTH SCHOOL BUS. TURNING RADIUS AND PATH MODELS SHALL BE SUBMITTED WITH FINAL DESIGN PLANS TO ILLUSTRATE PROPOSED IMPROVEMENTS WILL BE ADEQUATE.

A THREE FOOT BERM ALONG WITH VEGETATIVE LANDSCAPING SHALL BE INSTALLED ALONG THE REAR OF LOTS 27-33.

NO DETACHED BUILDINGS SHALL BE ALLOWED ON ANY PRIVATE LOT WITHIN THIS DEVELOPMENT.

LOT 64 SHALL NOT BE ALLOWED TO BE SUBDIVIDED INTO MORE THAN ONE SINGLE FAMILY RESIDENTIAL LOT WITH THE EXCEPTION THAT THE DEVELOPER RESERVES THE RIGHT TO REQUEST THE REZONING OF SAID LOT 64 TO A PUD DESIGNATION. MAXIMUM NUMBER OF SINGLE FAMILY UNITS ALLOWED WITHIN THE PUD WOULD BE FIVE.

LEGAL DESCRIPTION:

THREE (3) TRACTS OF LAND LOCATED IN SECTION 1, TOWNSHIP 47 NORTH, RANGE 13 WEST AND BEING ALL OF TRACTS 1, 2 AND 3 OF THE SURVEY RECORDED IN BOOK 3080, PAGE 187, ALSO BEING ALL OF A TRACT OF LAND SHOWN BY THE SURVEY RECORDED IN BOOK 2920, PAGE 90, COLUMBIA, BOONE COUNTY, MISSOURI AND CONTAINING, 35.84 ACRES.

PREPARED BY:

CROCKETT

ENGINEERING CONSULTANTS
2608 North Stadium Boulevard
Columbia, Missouri 65202
(314) 487-0892

www.crockettengineering.com

Crockett Engineering Consultants, LLC
Missouri Certificate of Authority
#0000151048

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

DOUG WHEELER, CHAIRPERSON

TIMOTHY D. CROCKETT - PE-2004000775



HAND DELIVERED

January 24, 2013

Mr. Doug Wheeler
Chairman
Planning & Zoning Commission
City of Columbia

RE: Parkside Estates, Case No. 12-185

Dear Chairman Wheeler:

On behalf of the Missouri Department of Natural Resources, Division of State Parks, I have attached brief technical comments to the above proposal.

The planned subdivision is not in the best interest of Rock Bridge Memorial State Park. Since its inception in 1967, the park has been visited by millions and helped foster a way of life in the surrounding area. Today, the park is an invaluable landmark that draws people to the area and the great outdoors for recreation, education, reflection, and family fun. The planned subdivision will change the experiences that people enjoy when they visit the park, and that will be a loss to the park, its visitors, and this community.

On a purely economic level, the state has spent more than \$5.5 million operating and improving the park since 1985. This is a significant investment in your community and in the lives of countless everyday Missourians. Consequently, we appreciate deeply the overwhelming support that the community has given the park throughout this process.

Please accept our comments and help us protect Rock Bridge State Park for future generations.

Sincerely,

MISSOURI STATE PARKS

William J. Bryan
Director

Hwy K

Proposed
Parkside Estates

Hwy
163

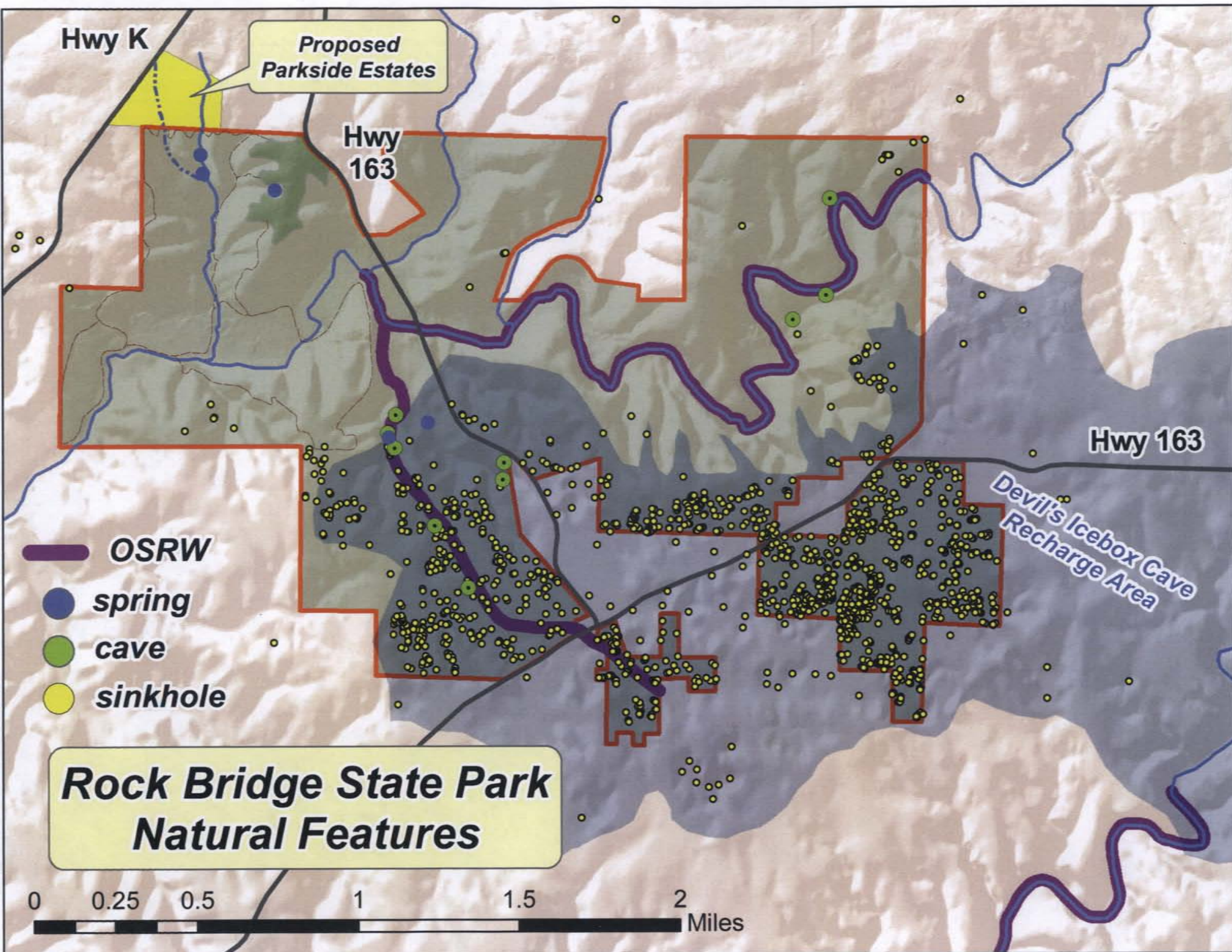
Hwy 163

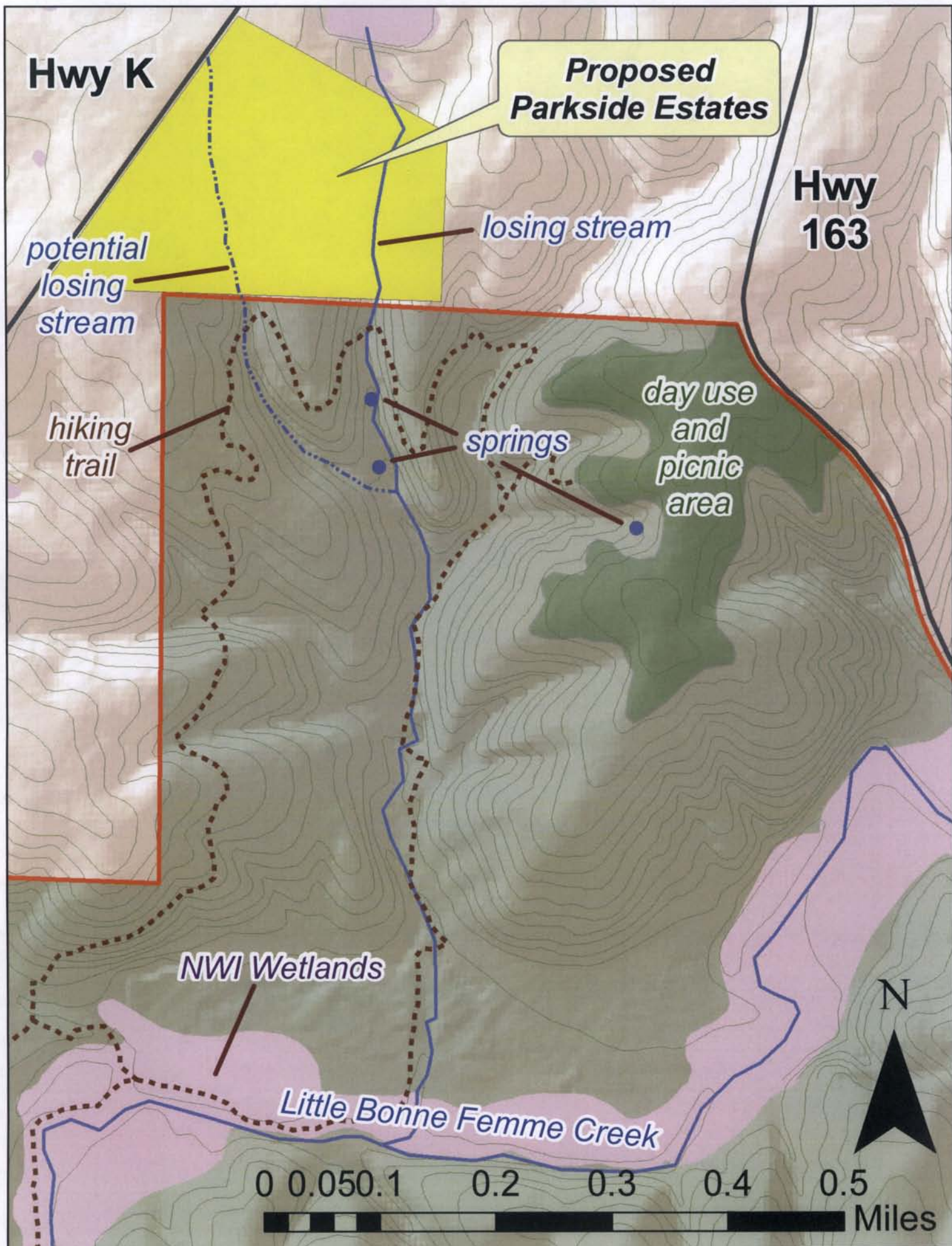
Devil's Icebox Cave
Recharge Area

- OSRW
- spring
- cave
- sinkhole

Rock Bridge State Park Natural Features

0 0.25 0.5 1 1.5 2 Miles





Challenge of the '90s Our Threatened State Parks



Missouri Department of Natural Resources

ness; more than 90 percent of Missouri's native plant species; 340 populations or recorded occurrences of rare, endangered, or watchlisted species; numerous plant species that are relicts deposited in Missouri and surviving from the last ice age; 118 endemic plants and animals whose worldwide distribution is the Ozarks; and several species whose only location in the world is in one of Missouri's state parks. They also include cultural properties representing Missouri's significant themes in prehistory and history, including the territorial period, the Civil War, black history, art, literature, and Missouri's ethnic heritage.

Very few lands around state parks remotely resemble the wild settings of their original boundaries. And many of us have watched the scenic, natural, historic, and recreational value diminish within them. The link between the changing boundaries and diminishing values is compounded by visitor numbers that grow every year. Unfortunately, depreciation can only increase with time because development and change will undeniably become more complete around park borders. Park values will continue to be pushed, often subtly and unheralded, toward thresholds of irretrievable loss. Who knows how many thresholds have already been crossed?

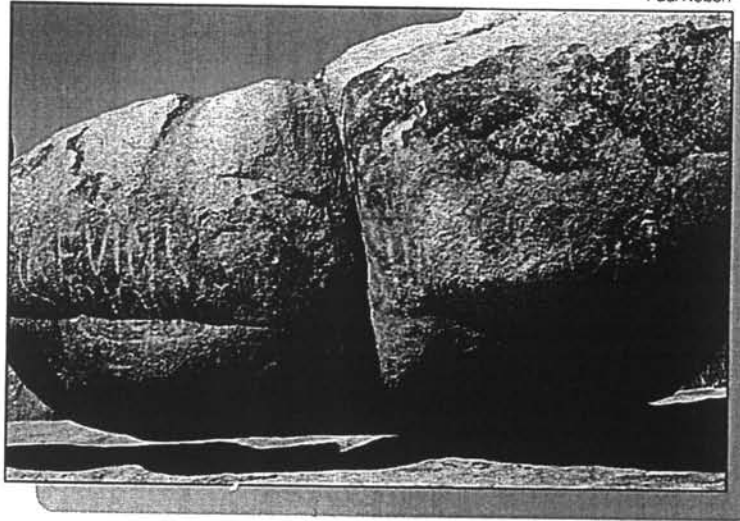
The positive side to this is that Missouri is very fortunate and almost unique among America's park systems to have a dedicated source of funds for their care. Since the parks-and-soils sales tax was passed in 1984, the Department of Natural Resources has been able to resolve a serious backlog of critical operating problems. Roads have been repaired, buildings rebuilt and replaced, and campgrounds renovated. Many improvements have been made, with new cabins, amphitheaters, visitor centers, picnic shelters, swimming beaches, modern shower houses, and scenic boardwalks ready to use. Money has been spent landscaping park facilities and hiring people to keep the grass mowed and buildings in good repair. Essentially, the park system has been rebuilt. It has even made progress in providing new amenities and visitor services.

But while all this was happening, sewage leaked from a municipal treatment plant into underground conduits leading to Ha Ha Tonka Spring—a scenic wonder that attracts more than one quarter million people each year. Lost to the plow is an irreplaceable tallgrass prairie near Prairie State Park, which should have been added to the park. Hundreds of leaky lead-acid batteries were dumped beside a sinkhole directly over Rock Bridge Memorial State Park's delicate Devil's Icebox cave system. An estimated \$10,000 worth of yellow coneflowers, a species whose worldwide range is limited to the Ozarks, was systematically stolen from glades throughout Ha Ha Tonka State Park. An entire lake at Knob Noster State Park was rendered unfishable because of chlordane contamination from improper spraying upstream, and an entire stream at Rock Bridge Memorial State Park was sterilized by an accidental upstream ammonia nitrate discharge. An amusement park opened opposite St. Francois State Park's entrance, and blasts the nearby campground with music loud enough to be heard in its wilderness backcountry camps two miles away. Burfordville Covered Bridge shifted on its abutments due to development-induced river flooding. The point made here is that natural environments and cultural resources are startlingly fragile, and constantly at risk.

Also while this was happening, science was changing from studying isolated species and habitats to understanding communities and ecosystems. In terms of managing state parks as natural preserves, Missouri's park system often led the way. And within a matter of years, it passed successively through a series of phases from inventory, preservation by designation, and experimentation to demonstration. It now stands at the threshold of implementing large-scale, comprehensive restoration and preservation programs.

Therefore, in focusing heavily on visitor facilities and amenities, the park system has only partly resolved the problems that the sales tax was intended to solve. But, how safe are the other assets of Missouri's state parks? The next important phase must attack the very complex array of threats and

Paul Nelson



The "elephants" at Elephant Rocks State Park are one of Missouri's geologic wonders, and are a well known scenic and photographic landmark. Vandalism like this, and its many other variants, exact heavy tolls in terms of both park operations and visitor experiences.

Nick Decker



Few parks are large enough to control their own scenery or watersheds, so urban encroachment, such as this subdivision that is expanding around Rock Bridge Memorial State Park, becomes very significant. A majority of the threats reported in all eight categories can be traced to development near park borders.

ROCK BRIDGE MEMORIAL STATE PARK

Rock Bridge Memorial State Park, received as a gift in 1967, now includes nearly 2,300 acres of rolling land in Boone County, southeast of the growing city of Columbia. The primary attraction for park visitors is Devil's Icebox Cave and a natural rock arch known locally as Rock Bridge. In addition, the park contains the 700-acre Gans Creek Wild Area.

For more than two decades, geologists, naturalists, and park officials have recognized the urgency of threats from suburban development on land adjacent to the park. The Devil's Icebox and the Rock Bridge formed in an extensive sinkhole plain, which provides direct portals to the ground water, make this landscape particularly vulnerable to pollution from human waste and effluents that seep through the ground into a complex network of underground streams and small springs. As pressure for commercial and housing development in this beautiful area conveniently close to Columbia mounts, the danger to the ecosystem intensifies.

The Department of Natural Resources has taken numerous actions to ensure preservation of the underground formations and the wild and scenic areas at Rock Bridge. A large-scale trail reclamation project has improved access to Devil's Icebox and the Rock Bridge, while controlling the damage caused by visitors to fragile plant colonies, soil, and rock surfaces. Since 1974, several tracts adjacent to park boundaries have been

purchased to protect the park's natural features. While officials are aware of the desirability of acquiring all the land underlain by the underground water system that feeds into Devil's Icebox Cave, this has not been economically feasible. Attempts to persuade Boone County officials to restrict development in the area have met with limited success.

In 1985, a major ammonia nitrate spill occurred at Williams Pipeline Company just outside of the park, causing a major fish kill in Gans Creek. Other aquatic life was affected. A \$25,000 award was used to initiate a study of the damage to aquatic organisms. Unfortunately, lack of background quantitative research documenting the aquatic organisms originally occurring here meant that there was some conjecture and speculation regarding actual loss of species and aquatic ecosystem disruption. The threat of future spills remains.

Other threats to park resources include power, water, road, and pipeline corridors and rights-of-way, which run through and adjacent to the park disrupting the setting and fragmenting the landscape. Liquid and chemical spills along the highway, which then enter the park's watershed, have been serious problems in the past. Private property boundaries protrude into the park and create management problems. The park horizon is brightened each night with the lights of the city of Columbia.

Historically the park's landscape was at least partly tallgrass prairie and this has been eliminated from the park and from the region for over fifty years. Bottomland forests were also common but natural regeneration is prohibited by non-native fescue, which was planted in its place. At least 50 percent of the park's landscape is undergoing undesirable regeneration of vegetation, which is further exacerbated by poor, histori-

cally eroded soils and exotic species. Many hundreds of acres of old fields dominated by exotic grasses will not regenerate to native vegetation naturally. Prolonged fire suppression has also changed the pattern of succession and caused a loss of species diversity from the remnant forests.

Poor land use upstream promotes erosion in the park. Park trails are eroding, particularly from unauthorized horse use in Gans Creek Wild Area. With so many access areas, visitor abuse is hard to control. One persistent problem is campfire scars throughout the park. Off-road vehicles and all-terrain vehicles have been seen in the park—these vehicles are not authorized to leave park roads. This area is also an attraction for visitors who collect and remove "interesting rocks" from park streams.

Rock Bridge Memorial State Park is in an urban setting and receives very heavy use for a park its size. The resulting management problems are compounded by numerous external threats and together require constant vigilance to protect this natural system along with its plants and animals.

Visitor impact must be controlled and boundaries of the park should be expanded to protect the natural system that, over thousands of years, has created a unique landscape.

31 Threats - Rock Bridge Memorial State Park

67

AESTHETIC DEGRADATION

Mineral Survey/Dev./Extraction	
Timbering	
Grazing or Agriculture	
Forest Disease/Pest Infest.	
Land Development	H
Utility Corridors	M
Roads or Railroads	H
Inholdings	H
Urban Encroachment	H
Overcrowding/Vandalism	M
Lighting Interference	M

AIR POLLUTION

Industrial/Commercial Emission	
-Smoke	
-Dust	
-Chemicals	
-Visibility	
Area Emissions	
-Residential	
-Wind blown dust	
-Odors	
-Aerial spraying	
Transportation Emissions	
Indoor Air Pollution	
-Radon gas	L
-Asbestos	
Acid Rain	

ECOSYSTEM DEGRADATION

Changing Land Use In Area	H
Disruption of Natural Processes	
Exotic Encroachment	M
Undesirable Succession	H-H
Animal Overpopulation	L
Inadequate Size	H
Loss of Natural Diversity	

PARK OPERATION

Road/Utility Corridors	
Trails	M
Facilities	
Research	
Fire Protection	
Misuse of Chemicals	
Lack of Employee Knowledge	
Political Pressure	
Alteration of Historic Bldgs.	

EXOTIC ENCROACHMENT

Animals	
Plants	
Unnatural Fires	
Unnatural Weather	
Noise	
-Motor Vehicle	
-Aircraft	
-Industrial	
-Visitor	
Blasting/Sonic Boom	
People (Squatters/Solicitors)	

PHYSICAL LOSS OF RESOURCES

Logging	
Mineral Extraction	
Hunting/Poaching	L
Fishing	
Commercial Plant Collection	M
Grazing	
Berry, Fruit, or Nut Collecting	
Specimen Collecting	M
Soil Erosion	H
Salvage After Natural Disaster	
Archaeological Collecting	L
Deterioration of Historic Fabric	H

VISITOR PHYSICAL IMPACT

Campfires	L
Trampling	
Erosion	M
Wildlife Harassment	L
Habitat Destruction	
Mountain Bikes/Trail Bikes	
Horses	M
ORV/ATV Use	L
Subtle Influences	

WATER QUALITY CHANGES

Chemical	H
Sewage	H
Sediment	L
Thermal	
Unnatural Flooding	
Flow Decrease	M
Spills	H
Radioactivity	
Acid Mine Drainage	

Parkside Estates Development Rock Bridge State Park Concerns

Groundwater

- The eastern tributary through the property is a losing stream
 - Concern: Surface runoff, including contaminants, could enter the groundwater and impair subsurface water quality immediately downstream in the park.
 - Concern: Two springs are located along this losing stream below Parkside Estates. Water quality at these springs could be at risk if surface contaminants enter the groundwater on the property.
 - Concern: Water flow through these springs could be at risk if surface water is held or diverted into a different waterway.
- The western tributary through Parkside Estates is likely a losing stream, as it contains the same geologic setting and shares proximity with the eastern tributary.
 - Concern: Any threat to surface water or groundwater quality and quantity associated with the eastern tributary, likely exists for the western tributary as well.

Surface Water

All surface runoff from Parkside Estates will drain downhill immediately into the park. We recommend stormwater management decisions be made in the design phase and that the permittee consider environmentally friendly design techniques.

- Concern: Many hikers enjoy the trail that traverses the west side of the park, alternately following or crossing the two tributaries that enter the State Park from Parkside Estates. Any significant change in surface water quality and quantity, including sediment during construction, would affect park users and the value of this trail. If erosion increases, trails along the two tributaries are likely to need increased maintenance.
- Concern: If storm water runoff should increase, stream bank erosion and loss of trees and aquatic habitat would become a concern in the park.
- Concern: The park protects wetland and aquatic natural resources downstream of Parkside Estates, and changes in water quantity and quality would impact plant or animal life associated with them. Six tenths of a mile of Little Bonne Femme Creek, currently with good ratings on water chemistry and macro-invertebrates, could be at risk
- Concern: If the Bonne Femme Watershed Plan, adopted by the City of Columbia, is to continue to be a guide for governments and developers and be effective at protecting sensitive watershed resources, then it should definitely be reviewed and its recommendations followed in this case.
- Concern: Stream bank erosion is particularly harmful for buried archaeological sites. The park has a number of previously-recorded archaeological sites that are located along the Little Bonne Femme, and it is likely that there are additional undiscovered

archaeological sites there, any of which could be affected by erosion if storm water discharge changes.

Drainage Characteristics of Soils and Bedrock on Parkside Estates

The Mississippian-aged bedrock in this vicinity has a high permeability and would be hard to seal and prevent water from moving into the groundwater system. Typically the bedrock is covered by only 15 to 35 inches of clay, which is not sufficient to excavate a large dam and core for a detention pond, and would be easily breached during excavation to expose the permeable bedrock to runoff from Parkside Estates. We do not recommend an in-channel detention pond, and if planned note that it will require compensatory stream mitigation.

- Concern: The Pre-Design Plans' detention pond seems to overlie soils of the Bayless-Reuter complex, which are easily drained soils that are not well suited for water retention.
- Concern: We expect that the areas designated for turfgrass swales, bioretention structures or native preservation also overlie moderately to easily drained soils that are not well suited for water retention. The BMP guidance document that was cited in the letter indicates that each bioretention structure should have a drainage area no more than 4 acres. The drainage area for the shown detention basin is about four times the recommended maximum. So it is unclear how or where the bioretention structures would be used, or that they would be sufficient to prevent contaminated discharge into the park's surface and groundwater.

Park Operations and Visitor Use

The housing development immediately borders the state park, and could become the densest urban development to share a boundary with a Missouri State Park.

- Concern: The Park's main day use area, with picnic grounds, shelters and playgrounds, begins less than one-quarter mile away. Sights and sounds from Parkside Estates will impinge on this day use area and its many visitors.
- Concern: The Deer Run Trail system which originates from this day use area and with a spur from Rock Bridge Elementary School, is very popular with hikers, bikers and joggers. It follows the entire south edge of the proposed development, and features the two streams which drain from Parkside Estates. Sounds, and wind- and waterborne trash, especially down through the two creeks into the park, would become a significant problem for park managers and trail users. With the development as planned, we expect that the Deer Run Trail will no longer be a quiet path through a forest. Lights at night will disrupt normal wildlife behavior.
- Concern: Invasive exotic ornamental plants are a serious and expensive concern for the state park. Many common landscape plants are problems in natural environments, and with such dense housing this will become an ecological and financial liability for the state park.
- Concern: This part of Columbia and the state park has suffered from overpopulations of deer, and continued urban growth into this area will favor high deer numbers. The ability of the state park to help manage these deer numbers will diminish when housing

developments are placed on the park border, because safety concerns will preclude adjacent sections of the park from being included in managed hunts.

- **Concern:** Rock Bridge State Park provides Columbia residents with a scenic and popular outdoor recreation destination. Its main value and distinction is its natural forests and streams which are enjoyed in many ways by many people, year around. High density urban development on its very borders will significantly impact those values and uses.

My name is Laura Hillman. I am here on behalf of the membership of Columbia Audubon Society.

Columbia Audubon Society promotes the preservation of the natural world, its ecosystems, biological diversity and habitat. These interests compel Columbia Audubon Society to speak-up in regards to the proposed Parkside Estates development.

The location of the proposed development, and the geology and topography of the property all cause serious concerns that must be addressed if Rock Bridge Memorial State Park is to be protected.

- 1) Surface water flows directly from the proposed Parkside Estates development into the park. Changing the property from natural cover to impervious surface will create stormwater runoff issues for the park's portion of the Little Bonne Femme Creek and the tributary leading to it. Bank erosion and water quality problems are to be expected.
- 2) The park streams that carry the runoff from Parkside Estate are listed by the state as "Losing Streams." Thus surface runoff into and through these streams also enters the groundwater system. Any water quality concerns associated with this development will affect both surface water and groundwater.
- 3) Wetlands and at least one spring exist in the Bonne Femme floodplain and are also downstream from the development. These ecosystems contribute to and support the park's biodiversity.
- 4) Depending on the location of this development's housing and its density, the lights and noise could easily be within 1/10th mile (528 feet) and in direct line of sight of the park's main facilities as well as a popular park trail.
- 5) Urban landscaping invariably brings invasive exotic species problems to natural parklands. These are expensive to contain and damaging to native flora and wildlife.
- 6) Housing immediately adjacent to the park will create an impediment to the park's ability to manage deer over population. Over population is devastating to habitat and ecosystems necessary for wildlife diversity.
- 7) Housing immediately adjacent to the park also impairs the park's ability to conduct prescribed fires which are essential to maintain quality woodlands and wildlife habitat.

It is left to you to establish the level of development that will be permitted. The membership of Columbia Audubon Society asks you to approve a development strategy that protects our precious resources like Rock Bridge Memorial State Park.

DISTRIBUTED AT
PEC HEARING
1/24/13

Jan. 18, 2013

Boone County Planning and Zoning Commission
C/O Boone County Resource Management
801 E. Walnut Room 315
Columbia, MO. 65201

Dear Commissioner Members,

Please add my name to those going on record opposing the planned development known as Parkside Estates, which is proposed for the area near Rock Bridge Memorial State Park.

I recognize that the developers of this project have recently reworked and re-filed it, indicating fewer units will be constructed. Please be aware that this was likely their original intent. This "new" position is merely a carefully arranged tactic to give the commission the impression that local concerns are being addressed.

My principal reason for opposition to this project is the impact that it will have on the Bonne Femme Creek Watershed. As you deliberate, please keep in mind that "low density" is the watchword for this area. Any new construction of houses will lead to greater runoff to the creek leading to soil erosion as rushing water from downspouts creates raging brown water in the creek.

I'm also concerned about the impact on the park. By way of background, I do not live in the neighborhood of the proposed development. However, I frequently use the Rock Bridge Memorial Park for hiking. I am very worried about the impact on the wildlife that will take place there should this development go forward.

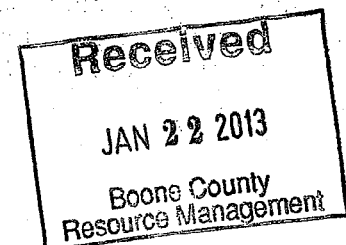
I am also very concerned about the heavy use that will be made of Route K should additional residents decide to live in this area. We've already had too much of sprawl in Boone County as it is, at the expense of the scenic beauty of the county.

People talk about "progress" and "growth" as if they are one and the same. But growth that does not take into account the value of our precious natural resources is not progress at all.

Thank you for considering my position on this matter, and thank you for devoting your time to the work of the commission. It is a valuable public service.

Regards

Terry Ganey
Terry Ganey
1515 Inverness Ct.
Columbia, MO. 65203



JAN 22 2013



Matthew Lepke <mjllepke@gocolumbiamo.com>

Parkside Estates Development 12-185

1 message

Teresa And Terry <teresaandterry@centurytel.net>

Thu, Jan 17, 2013 at 7:36 AM

To: mjllepke@gocolumbiamo.com, SKAMIN@gocolumbiamo.com

Dear Sir and Madam,

As a family that loves the unspoiled, quiet wilderness of Rockbridge State park, we are very concerned about the plans for Parkside Estates Development 12-185.

Having reviewed the planned home sites and given the number of houses proposed, the probability of trash, pollution and runoff from so many houses/cars into the park and the very likely incursion of unofficial entry trails and noise into the park makes this an untenable idea.

We feel strongly that a much greater analysis of the environmental impact of that number of units MUST be undertaken before permission to build can be granted.

Please keep us informed/included in P&Z commission information about Parkside Estates Development 12-185.

Thank you,

Terry Rolan and Teresa Tice

2012 Shale Ridge Court

Columbia, MO 65203



Matthew Lepke <mjllepke@gocolumbiamo.com>

Parkside Estates Development 12-185

1 message

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Thank you,

Terry Rolan and Teresa Tice

2012 Shale Ridge Court

Columbia, MO 65203.



Matthew Lepke <mjlepke@gocolumbiamo.com>

Fwd: [Webmaster]: Citizen Feedback Form : 1-16-2013 07:26:25 pm

2 messages

Kathryn Bryant <kbbryant@gocolumbiamo.com>
To: Matthew Lepke <mjlepke@gocolumbiamo.com>

Thu, Jan 17, 2013 at 10:14 AM

Good morning, Matthew!

Marion said the parkside estates case belongs to you. I received this email in our general webmaster account... can you handle it or suggest who might be able to handle it?

Thanks Matthew :)

Kate Bryant

Public Communications
Administrative Support Assistant II
City of Columbia, Missouri

Call: (573) 441-5493
Email: KBBryant@GoColumbiaMO.com

Follow the City of Columbia on Facebook and Twitter!

----- Forwarded message -----

From: **annkorsch@aol.com** <annkorsch@aol.com>
Date: Wed, Jan 16, 2013 at 7:26 PM
Subject: [Webmaster]: Citizen Feedback Form : 1-16-2013 07:26:25 pm
To: webmaster@gocolumbiamo.com

The following form submission was received on the City of Columbia website. The sender has been notified of the successful receipt of this request. Recipients should respond to this request within a reasonable time frame, normally within 1 to 3 business days. For more information regarding origin of this message or to report spam contact the Webmaster at webmaster@gocolumbiamo.com.

Below are the results of a Web form submitted on: January 16th, 2013 at 07:26PM (CST).

Name: Ann Korschgen
Email Address: annkorsch@aol.com
Comments: I was dismayed to read today that there are 64 lots planned in the Parkside Estates! We live near the Little Bonne Femme Creek and know that run-off from a development that dense will destroy the creek.

Why are you allowing this type development near the park? Why does the monetary gain of one developer pre-empt the concerns of many regarding the park, the creek, and the environment?? This is very upsetting.

Please allow only few lots on this special location. Please protect our creek, our park and our environment. Please think LONG-TERM!!!!

Parkside Estates Will Negatively Affect Rock Bridge Memorial State Park

Earlier this year, Southside Trail Estates requested annexation and rezoning of about 36 acres of land on the southern edge of Columbia for the development of Parkside Estates. Parkside Estates includes a planned unit development (PUD) of 22 villa-style structures on 11 lots and 65 non-PUD single family lots. The development is significant because it borders Rock Bridge Memorial State Park, one of our community's most valuable natural assets and because of its density. We, the board of Friends of Rock Bridge Memorial State Park, believe the proposed development will negatively affect the water quality of the Bonne Femme watershed, the ecological integrity of the nearby portions of the park, and the use and enjoyment of the park by park visitors.

The proposed development is bordered by Route K on the west and by low density residential and agricultural land except on the south east boundary, where it borders 0.2 of a mile of the north edge of the park. The land is gently rolling pasture with two wooded intermittent streams draining to the south into the park. The 22 villas would be located along Route K. The 65 lots would loop around both stream drainages and extend to the edges of the property on nearly all sides. The western stream drainage is slated to become a water quality detention basin and the eastern stream drainage has a buffer area along its length.

The Little Bonne Femme is fed by the intermittent streams draining the development. Right now it supports sensitive macro-invertebrates, which means it has good to excellent water quality. But even low levels of impervious surface affect streams and the life in them by increasing the amount of runoff, flash flooding, erosion, and pollutants, by reducing average flow, and by obliterating the pool and riffle structure needed by healthy streams. The retention basin on the western half of the property will slow down flow and retain pollutants from the roads, sidewalks, driveways and roofs in the development, but basins don't work when the soil is already saturated and the basin is full, and they require continual life-long maintenance to be effective. Plus, the basin will not help at all with flow off the eastern half of the property, which has 21 lots and their associated roads, sidewalks, driveways and roofs. Clearly the development as designed will have serious long-term effects on the water quality of the Little Bonne Femme.

The ecological integrity of the park will also be affected. Many natural communities of the park benefit from prescribed fires to remove invasive species, and fire is currently being considered for the forest next to the proposed development. The park also benefits from managed deer hunts to reduce browsing pressure on plants. Both of these management strategies are problematic next door to a high-density residential development. In their absence the plant community could change significantly. In addition, suburban homes will introduce non-native and invasive landscape plants and dogs and cats. Cats in particular are devastating to birds that nest on the ground or in low shrubs and on rabbits and other small mammals.

Missourians have voted in favor of a state sales tax to support state parks and soils by a two to one margin four times since 1984. Those tax dollars have flowed to Rock Bridge Memorial State Park and over 80 other state parks and historic sites in the expectation that the parks would serve as a place for visitors to enjoy recreation in nature. Last year about 290,000 visitors used the park; many seeking a nature experience on the Deer Run trail which lies next to the boundary of the proposed development. The Parkside Estates development's 65 house lots, on this size parcel, exceeds the building density of any other area bordering the park by an order of magnitude. Obviously, this is going to negatively affect visitors' sense of solitude and peace and their opportunities to experience wildlife in a natural setting.

In the past, both the county and city have taken steps to protect the park's watershed and streams, its ecological integrity and recreational opportunities. It is important to the future of the park that the community continues its commitment to and investment in the park by ensuring that this and future developments just outside the park boundary are in line with current land use patterns, whether agricultural or low density residential. It is important that the community work to conserve and preserve one of its most valuable natural assets. There are places in the community appropriate for a development with Parkside's density, but not next to a park like Rock Bridge Memorial State Park.

Signed

Board of the Friends of Rock Bridge Memorial State Park

Contact: Kevin Roberson, Board President - kwrcdr@aol.com



Letter/email for P&Z Commision Parkside Estates 12-185

sandy mccann <mccannsandy@yahoo.com>

Wed, Jan 16, 2013 at 3:16 PM

Reply-To: sandy mccann <mccannsandy@yahoo.com>

To: "skamin@gocolumbiamo.com" <skamin@gocolumbiamo.com>, "mjlepke@gocolumbiamo.com" <mjlepke@gocolumbiamo.com>

I am very concerned about the present plan for the proposed Parkside Estates development.

1. Boone County's report to the city said the county would only approve the proposal if it were changed to make Parkside Estates a low-impact planned unit development, not a regular PUD. This request has not been followed.
2. The developer has not adequately addressed neighbors' concerns about housing density. According to the revised plat, the proposed density is still urban. Some areas have 4.7 houses per acre, and 21 lots are smaller than 0.29 acres.
3. Rob Hill and Bill Crockett have not properly considered traffic issues along Route K, especially the concerns of homeowners on Southbrook Court, directly across Route K from the proposed development.
4. The proposed multi-family housing along Route K does not fit the residential character of the area, which is entirely single-family.
5. Bonne Femme Watershed Plan recommendations that the city and county agreed to are not being followed. There are "losing" streams on this property in a karst area with caves and sinkholes.
6. I don't agree that this development in its present form is a good land use next to Rock Bridge State Park. Storm water runoff from the proposed high-density development could harm endangered species in the park.

Thank you.

Sandy McCann
500 E. Lake Forest Dr.
Columbia, MO 65203

November 29, 2012

City of Columbia Planning and Zoning Commission
701 East Broadway
Columbia, MO 65201

RECEIVED
DEC 04 2012
PLANNING DEPT.

Dear Commissioners:

I am writing with regard to Case #12-185, a request for annexation and zoning of property on South Route K for the purpose of constructing a residential subdivision. I am the co-owner of a single-family residential property within 185 feet of the proposed subdivision.

I have concerns about whether it would be appropriate to approve the subdivision as currently proposed. My concerns are as follows:

Potential Conflict with City Council Resolution 160-06A

Approval of the proposed subdivision potentially would conflict with the spirit and intent of City Council Resolution 160-06A (Endorsing the U.S. Mayors Climate Protection Agreement). Adopted on July 17, 2006, Resolution 160-06A calls for the city to "adopt and enforce land-use policies that reduce sprawl, preserve open space, and create compact, walkable urban communities."

The commission should carefully review the proposed subdivision in light of this resolution. Important factors to consider are the size of the proposed subdivision, its tremendous number of individual lots, and, most critically, the site's location beyond existing residential development of similar density and in an area not served by public transit.

Failure to Comply with the PUD Ordinance

Under Section 29-10 of the city zoning ordinance, a major objective of planned unit developments is to "provide for more usable and suitably-located common open space and amenities than would otherwise be provided under conventional land development standards." Moreover, the ordinance states that for all PUD developments "[o]pen space or common land *shall* be an essential and major element of the plan." (Emphasis added)

The PUD portion of this proposed development is unusually small, comprising only 11 lots, and includes no amenities, open space, or common land. As such, the proposed PUD does not conform to the requirements of Section 29-10 and should not be approved.

Thank you for consideration of these concerns.

Sincerely,



Wayne Savage

301 West Route K
Columbia, Missouri 65203
Telephone 573 442-7369
November 28, 2012

TO: Whom it may concern

Rob Hill has asked me to write in support of his planned development of a tract of land on South Route K and I have agreed to do so.

Admittedly, I would be happy to see the area remain the farmland that I grew up with but that has not happened and will not happen. The property will be developed at some point and as a nearby resident I want to see development done in a responsible manner. I have seen the proposed plans and feel this would be a quality neighborhood. The Hills are planning to live next to it for many years and will be especially interested in how the project is carried out.

Sincerely,


Phyllis Ward

I am in favor of the Hills subdivision project. I think it would make a great addition to the neighborhood. It is a lot better than student housing. I think it will increase the value of our land and houses.

Teresa Brubaker

5390 S.RT.K Columbia Mo

EXCERPTS
PLANNING AND ZONING COMMISSION
JANUARY 24, 2013

IV.) PREVIOUSLY TABLED ITEMS

Case No. 12-185

A request by Crocket Engineering on behalf of Southside Trail Estates for:

A. Annexation and permanent City R-1 and PUD 5.5 zoning

B. PUD plan, and a preliminary plat approval

The subject property contains 35.8-acres and is located on South Route K, approximately 2,000 feet south of the intersection of Providence, Route K, and Old Plank Road. (This case was tabled at the January 10, 2013 meeting.)

MR. WHEELER: And when Staff is ready, you can begin.

Staff report was given by Mr. Matthew Lepke of the Planning and Development Department.

Staff recommends approval of the requested permanent R-1 and PUD-5.5 zoning. Staff recommends approval of the requested PUD plan/preliminary plat. Staff recommends approval of the requested variance to Section 29-10(d)(7).

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

MR. SKALA: Yeah. I just had one question. Earlier here, you mentioned something about five lots and -- or five dwellings -- density of five dwellings in the Lot 64.

MR. LEPKE: Yes.

MR. SKALA: And is that -- that is, essentially, an offer that the developer has made that is not in the statement of intent; is that -- is that correct?

MR. LEPKE: Correct. It's essentially a note on the plat, and the developer is making that offer. And I'll let Mr. Crockett explain that further in a moment.

MR. SKALA: Okay.

MR. ZENNER: Mr. Chairman, for the purposes of just the Commission's knowledge, as well as the general public's, this item was classified as a routine, not a complex issue. So in the hearing process, we would follow our routine procedures. Mr. Skala, the issue associated with the offering of the developer is a plat restriction which is capable of being placed on the document at the discretion of the developer. It cannot be undone with Council action, should they approve the plat; so therefore, it is binding, very similar to a statement of intent condition.

MR. SKALA: It follows with the rezoning?

MR. ZENNER: That is cor-- it would follow with the rezoning and annexation and would be binding on the property in perpetuity, unless the Council were to actually release the restriction.

MR. SKALA: Thank you for that clarification.

MR. LEPKE: And again, quickly, for that to happen in the future, because of the way it is written and because it's being restricted -- self-restricted to PUD, it would have to go through a full public hearing process at this body, as well as City Council.

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

MR. VANDER TUIG: Is it true that the plan -- or the water quality manual and ordinance was in the process of being completed at the time of the writing of the Bonne Femme Watershed Plan? And the reason I ask is it actually specifically states in there with respect to the level of service requirements for water quality that it actually should exceed the level of service by one or two points as a -- as a goal, a strategy. So it's actually referring to the ordinance and the project manual. Now, whether it was adopted at that time, I don't know, but that's the question, I guess.

MR. TEDDY: Yeah. If that's the -- if that's the case, that will have to be in the final engineering for the project. The stormwater design will have to follow a binding policy, if that's the case, but the stormwater ordinance, you might say, is one of the things that can impact some of the watershed plan recommendations.

MR. VANDER TUIG: Okay. Well, I was just curious because --

MR. TEDDY: This being a preliminary plat, we don't have that kind of data. It's not required at this point.

MR. VANDER TUIG: Right.

MR. TEDDY: The kind of data that we would need to say what the level of service is --

MR. VANDER TUIG: Sure. No. I understand. Thanks.

MR. WHEELER: Mr. Skala?

MR. SKALA: Well, just to follow-up, the Bonne Femme Watershed Plan was just kind of a -- it was a guide of recommendation, was it not? I mean, the water -- the water -- the Stormwater Act which followed it -- or the law that followed it was more binding. But in this case, I think you're suggesting that the most restrictive policy would be in effect here? Is that what you're suggesting?

MR. LEPKE: Yeah. As a general rule, the more restrictive policy always would take effect pretty much for anything we do, but, certainly, there is that dichotomy between a guide -- I mean, the Bonne Femme Watershed --

MR. SKALA: Yeah. One was a guide and the other is a law.

MR. LEPKE: -- Plan -- Comprehensive Plan, it's a guiding document --

MR. SKALA: Right.

MR. LEPKE: -- versus codified -- you know, the Stormwater Plan being --

MR. SKALA: Right. Thanks.

MR. LEPKE: -- or Code being codified, I should say.

MR. ZENNER: I think if there is confusion or if there is concern within the Commission as it relates to the dichotomy, as Mr. Lepke points out, as part of your action associated with this project, you are capable of augmenting the recommendations of Staff. And if it is your desire as a

Commission to ensure that the more restrictive or the higher standard is adhered to through the final design, that is an opportunity for you when you make a recommendation to be forwarded to Council to be incorporated.

MR. WHEELER: Mr. Reichlin?

MR. REICHLIN: I'm curious whether or not the Stormwater Ordinance, as it is today, is a guarantee of a lack of chemical leakage into the -- into the Devil's Icebox water supply or is it just the -- it's just dealing with stormwater? What happens with the residuals that end up in any containment basin and does the Stormwater Ordinance account for that?

MR. ZENNER: That is a question that is beyond -- beyond our expertise as professional planners. We aren't stormwater engineers by any means, so I would be remiss to answer that question affirmatively or not. Again, I think as Mr. Teddy pointed out, this is a preliminary plat at this particular juncture, the design of the stormwater features and their compliance with the regulatory standards still has to be determined and evaluated. Again, that is potentially, if you are as a -- as a side note or a concern or issue to be captured within the Council report that gets forwarded, if that is an issue that you would like us to include, please make that as a statement of a request within the recommendation, and it will be forwarded at that point. I apologize that I can't answer that question. I'm not that intimately familiar with the stormwater regulations, themselves.

MR. WHEELER: Mr. Skala?

MR. SKALA: I don't know about intimacy, but I'm somewhat familiar with the ordinance, and it addressed stormwater volume, but it did not address stormwater quality.

MR. WHEELER: Are there any other questions of Staff? Seeing none, we'll open up our public hearing -- but before we do, let me explain our rules of engagement, as I like to call them. The first speaker will get six minutes; all subsequent speakers will get three minutes. Any organized opposition will be given the same opportunity, six minutes for the primary speaker, and three minutes for every speaker after that. With that --

PUBLIC HEARING OPENED

MR. CROCKETT: Chairman and members of the Commission, my name is Tim Crockett, with Crockett Engineering Consultants, with offices at 2608 North Stadium. Given the high amount of information I would like to present tonight and the short amount of time, I'm going to go through this relatively quickly. But before I start, I would like to say, Mr. Skala and Mr. Reichlin, I do have some answers for some of your questions that you posed. I would like to go over that at the -- towards the end of the presentation. With me tonight are Rob and Sarah Hill. They are two representatives of Southside Trail Estates, and, again, I apologize as I'm going through this relatively quickly, but I have a fair amount of material to propose. There is a location map of the site. I think we're familiar where it's -- where it's located off of Route K in south Columbia. This is a zoning map. We've kind of morphed both the City and the County zoning maps together, and really what this illustrates is that between the R-S zoning that's already out there and the R-1 zonings that are already out there, this

piece of property is basically -- it's consistent with the zonings in the area and it's compatible with the area. So I think that's important because we're not an island of R-1s out there, there is already a significant amount of R-1 in the area. Again, the preliminary plat, I believe you folks have looked at this in detail. Matthew did a great job of presenting the proposal to you with the -- with the -- excuse me -- PUD up along Route K, and then the R-1 in the back. One item I would like to state that was not mentioned, briefly, about the PUD is that there will be substantial screening per requirement of the City for duplexes -- or two-family dwellings. When I say that -- and they are villa style that back up to Route K, so there will be some significant screening in that location. Some highlights of our preliminary plat, our overall density of this development is just slightly over two units per acres. We don't consider that as a high density development. It's simply -- it's just barely over two units. We've also coordinated our preliminary plat so that Rock Bridge State Park is completely buffered by the development. We think that's very important. There is no -- other than the large private lot in the back, there is no private lots, no private ownership of land in the development that abuts Rock Bridge State Park. We are buffering the park from the residential development itself. And, of course, we talked about the eastern portion of the development being platted as a single lot with conditions. The intent there is it is a self-imposed restriction by the developer to take that lot and plat it as one lot that can have one house on it right now. What we don't want is to give the impression that we may come back later -- once we get R-1 zoning, let's file another preliminary plat that adds 12 or 14 lots back there, and then there's nothing that can be done because it fits the requirements. We're not allowing that to happen. We're doing a self-imposed restriction so that that lot cannot be developed, other than just one-single family lot, unless it comes back through the PUD process, and then at that time, it can only have a maximum of five units. That was the reason for that back piece. Of course, then we talk about all stormwater water leaving the site will be treated. There will be no increase in peak discharges from the site. Now, we'll get into the stormwater here a little bit more here as we go. And then, of course, we have -- we will provide screening to our neighbors. We've been in discussions with several neighbors who have asked for additional screening to the north, in particular, and we have added that requirement to the plat. Public involvement -- and we're going to go through here pretty quickly. This project started back in -- late last summer. We had our public information meeting in the fall on November 13, and since that time, this Commission is very much aware that this process has been tabled several times. It's not because we don't have our preliminary plat or didn't have everything in line, but we've been having negotiations and discussions with numerous neighbors and other entities as well. We met with Rock Bridge State Park representatives on a couple of occasions as well. This is one instance I would like to point out also that the developer went door-to-door to discuss this with the neighbors with the project out there. We feel that is very important because I've never had a developer that, himself, went door-to-door and discussed it with the neighbors. Some issues that have been brought up with our discussions with the neighbors is traffic, buffering, density, stormwater entering Rock Bridge State Park, which is an important issue

here, as well as how to enforce our restrictions. Now, I want to go through a few of these here real quickly, so we can get to the stormwater. The traffic, we've discussed this with both MoDOT, as well as the City of Columbia traffic engineers. They don't have any issues with regard to the volume of traffic or the site distance coming to or entering the site. Buffering, the plat has been revised to add a statement that we will buffer the property to the north. We want to go in there and we'll put in landscaping berms, additional vegetative material to landscape that area as well. We've also mentioned that no individual lot owner will own property immediately adjacent to the park. We think that's important as well. Let's protect that area both, environmentally, as well as visually. Density, we've talked about that briefly. We're just slightly over two units per acre. The Metro 2020 Plan calls for a maximum density of a single-family development at 5.5. So you can see that we're considerably less than what the 2020 calls for a single-family development. Something else that we've done with regard to our density, we've decreased our density significantly throughout this process. We're down about 17 percent right now, and we think that's a significant concession given the relatively small size of the site. Now let's talk about stormwater. We have met with the State Director of Parks to Lead Naturalists for the State and the local Park Superintendent on a couple of occasions. And we talk about this -- we say we will treat all stormwater. Now, you know, that might say, well, you have to treat all stormwater, don't you? Well, actually, we don't. We have to meet a level of service. And in obtaining that level of service, you don't necessarily have to treat all of it. You can treat some of it really, really well, and let the rest of it go. Well, in that case -- in this case, it doesn't really serve the greatest purpose of the park downstream to let some of it go untreated and really treat some of it really well. In this case, we're going to treat all of it. We're going to treat it -- you know, to remove those contaminants. Now, we talked before the question about -- Mr. Reichlin, I think you had is do we have to do water quality? Yes, we do have to do water quality. The stormwater manual is a two-part manual. First of all, it addresses stormwater quantity, which is our detention, as well as our water quality, and that's where our level of service comes in. We do have to cleanse the water. We do have to remove the impurities. And part of that also in removing the impurities is the fact that we have to have a set of covenants, a separate document, with the City of Columbia that states that we're going to always maintain that in a certain fashion, and we're going to address it in a certain fashion, and we're going to monitor and make sure that it is still functioning properly. And that's a commitment that the developer makes, the Homeowner's Association makes, and the City has the right to go out there and inspect and enforce. It's not a situation that the homeowners have to take care of it with themselves; it's a situation that the City can enforce the Homeowner's Association or the developer to maintain that at all times. That's very, very important here because it's as a -- and, Mr. Skala, you kind of talked, and, Mr. Reichlin, you talked -- over time those features might fill up. Those features may become, you know -- you know, have different items flow into them that needs to be addressed. That document states that the City can go in here and enforce it, and they have to take care of it. So that's very, very important. Secondly, we've completed a preliminary detention

and water qualities calculations to illustrate this. We have given that information to the State, to the Park Department, for their review. A lot of times we come in here and say, yeah, we can hit that -- and, Mr. Vander Tuig, I think you've -- you've asked several questions of that on past projects about, Have you looked at this? How in-depth have you looked at that? In this case here, even though it's a preliminary plat, we have looked at it in very, very in-depth detail to make sure that we can acquire -- or make sure that we can meet the level of standard needed to exceed the City of Columbia requirements. Now, we're going to exceed the City of Columbia requirements, no doubt about that, and in a very special way by treating all of the water. Another comment that was brought up -- and meeting with the park was a great -- was a great, you know, couple of meetings I think. One thing that we had talked about was there is a possible losing stream on one of the properties -- on one of the drainage ways, and we were going to divert that water to the area that wasn't quite as critical, take it over there and treat it and detain it on the other side. Well, the park brought to our attention, you know, when you do that, that's great, but you're dewatering a potential losing stream, and we can't have that. And so what we've gone back and we were able to look at and say, Okay, depending on what -- how much water you want in that losing stream, we can put that much water back into it. So we can maintain those levels at all times while cleansing it and detaining it appropriately. So we can meet all those levels, and we think that's very important because we want to work with the park. This is -- isn't an approval. We haven't met with the park and said this is what we're going to do, now we're going to Planning & Zoning and then to Council, this is a situation where we are committed to work with the park the entire way through this entire process. It does us no good to go out here and do prob-- have problems with the park. We think it's a great -- a great entity, and we want to make sure that we protect it at all costs.

MR. WHEELER: Are you about wrapped up?

MR. CROCKETT: Pardon me?

MR. WHEELER: I said are you about wrapped up?

MR. CROCKETT: I can be real quick. We made some concessions. I mean, let me briefly go through some concessions. We've reduced our overall development density. We've added a protection and density cap to the eastern portion. We've increased our lot widths, and then some screening. We've done additional concessions to the neighbors here, as you can see. Again, let me briefly talk about Mr. Hill going door-to-door. We've gone out and we sought neighborhood support. What's in green are neighbors that have signed a petition that have basically said we are either supportive or not opposed to this development. And I think there's several other properties out there as well that are not opposed, but they would rather not go -- be listed. Lastly, Mr. -- Mr. Wheeler -- I apologize -- we would like to add two additional conditions to the approval of the preliminary plat, and these are items that came about here recently -- very recently due to meetings -- additional meetings with neighbors. And we did not want to come back to this Commission with a preliminary plat that did not meet -- conform to the regulations, so we would ask for conditions to be put on the preliminary

plat. One, is to remove an additional lot. It's the narrowest part of the lot -- the narrowest section of lots. We would like to remove one and make it wider. And then, also, we would also ask that we will have restricted covenants in order before it goes to final -- goes to Council. I won't go through my conclusions, and I'll stop there with my -- for questions.

MR. WHEELER: Are there any question for this speaker? Mr. Skala?

MR. SKALA: You've kind of corrected the situation, and I may be mistaken, but it was my understanding that there weren't specific requirements for water quality.

MR. CROCKETT: No, sir, that is not correct. We have specific requirements for median level of service with regard to water quality.

MR. SKALA: You do?

MR. CROCKETT: Yeah. Absolutely. Yes, sir.

MR. SKALA: And so you're at least meeting those and exceeding those?

MR. CROCKETT: Exceeding those. Yes, sir. Yeah. Absolutely. I mean, we would not get approval through City -- through the Public Works Department without a minimum of meeting those requirements.

MR. SKALA: All right. Great. I stand corrected.

MR. CROCKETT: And that's just -- and keep in mind that's also -- we have detention on top of that as well, which is multiple storms.

MR. WHEELER: Mr. Vander Tuig?

MR. VANDER TUIG: Well, without going in to too much detail, you had mentioned the idea that you can get your level of service credits by sending water one way, and I'm well aware of that. Can you get into a little more detail, especially on the back side of the -- the east side of the property with regard to how you're going to meet the levels of service for water quality?

MR. CROCKETT: Absolutely, Mr. Vander Tuig. And -- I apologize -- I like this chamber very well, but I like the old chambers better when it was off to the side. And, I apologize, I'm going behind your backs on some of you folks. Mr. Vander Tuig, what we are looking at doing is we're taking this water -- some of this area in here (indicating), and we're able to divert it back around this way and put it into this area down in the common space down here. And by doing that, we can treat all of this water through here. Now, what we're able to do in these backyards through here -- of course, we have stream buffer back here, but we're also going to treat this water through here in very much -- in smaller -- smaller basins and smaller BMPs to allow that water to discharge straight back into this waterway in this area.

MR. VANDER TUIG: Which is --

MR. CROCKETT: We're also able to do that with these backyards. In the area in here, we're able to treat it before it gets to that -- to that stream. Similarly, with these in here as well.

MR. VANDER TUIG: And in the --

MR. CROCKETT: I'm sorry?

MR. VANDER TUIG: In the back corner is the losing stream you mentioned?

MR. CROCKETT: Yes. In the back is what I think is a -- it's a possible losing -- man, I'm shaky there. The possible losing stream is, I believe, south of our property. And so our initial instinct, our initial thought was let's divert all that water to the western watershed --

MR. VANDER TUIG: Right.

MR. CROCKETT: -- so that we can eliminate that and take that away from the losing stream. But then when the Parks Department brought to our attention that, Hey, we don't want to dewater that -- you know, we can do just as much damage by not putting any water there than putting the wrong type of water there. Then we went back and looked at it and said, Hey, we can take that water there and still maintain the level of water that they want -- that they think they need that's appropriate, but we can still also treat that very well also.

MR. VANDER TUIG: Okay. Last question with regards to stormwater. The dry detention typically does not give you the level of --

MR. CROCKETT: Absolutely. That typically does not get you what you need. And so we're looking at doing, the dry detention actually gets you a little bit better than wet detention, but that is not enough. We're looking at bioretention, we're looking at various -- you know, we're going to have a whole assortment. We're pulling out -- we're pulling all the stops on this one. You know, we're opening up the manual and using all the BMPs possible. We have a bioretention, we've got turf swales, native preservation, dry detention -- it's going to be a combination of everything on this one. And that's typically -- really, if you look at the manual -- now, the real and true intent of the stormwater manual, that's really what public works is really looking for is a combination of multiple BMPs to address that.

MR. VANDER TUIG: Thanks a lot.

MR. WHEELER: Mr. Skala?

MR. SKALA: Just one follow-up. And is the maintenance of those BMPs specified and stipulated in the -- is it in the statement of intent or is it --

MR. CROCKETT: No, sir. Actually, there's a separate document. It's a legal document. When the developer submits his plans for approval to the City of Columbia, he has to submit a maintenance covenant and agreement with the City of Columbia basically stating that he or his assigns are or will maintain all of these BMPs, meaning they have to -- the City has a separate legal document that the City of Columbia can --

MR. SKALA: Subject to penalty, this is by --

MR. CROCKETT: Absolutely. Absolutely.

MR. SKALA: All right.

MR. CROCKETT: And it's enforceable by the City of Columbia, which is a very important. It's not a civil issue with the homeowner association; it is enforceable by the City of Columbia to the developer and the homeowner association itself.

MR. WHEELER: Mr. Reichlin?

MR. REICHLIN: I'll ask you the question I asked Staff.

MR. CROCKETT: Yes, sir.

MR. REICHLIN: I understand that you're going to great lengths to meet all potential requirements that are set in place right now, but is that an assurance of no infiltration of residues from lawn fertilizers in general?

MR. CROCKETT: But when you say is there -- is it absolutely -- is it an assurance that nothing will ever take place? I don't think any -- any development can assure that, but the level of service and the amount of information that's in that manual -- the amount of research that has gone in to develop these levels of services for these BMPs takes all that into consideration. So, yes, when we say that we're going to meet -- the City requires us to meet a level of service six or seven -- that level of service is just not a number that's pulled out of thin air. That level of service has been researched to know what it takes to hit that level of service and what contaminants are being pulled out of it, you know. So, yes, I think that there's a lot of -- a lot of research, a lot of documentation, a lot of information that has been put in place just for that specific reason, Mr. Reichlin.

MR. WHEELER: Mr. Lee?

MR. LEE: Mr. Crockett, typically, in a rain storm, what direction does the water flow?

MR. CROCKETT: Direction typically -- well, it would be --

MR. LEE: North, south, east, west?

MR. CROCKETT: In this development?

MR. LEE: Uh-huh.

MR. CROCKETT: In this development it's rather -- rather unique, Mr. Lee. Our ridge kind of runs right through this area right through here, but when we grade our site a little bit, we are able -- given the fall on this side, we are able to collect this water and easily transfer it up and over that ridge just slightly and bring it back this way. So if you're talking about post-development or pre-development -- if you're looking at pre-development as it sits right now, this is our ridge top, and this area over here comes down this direction, and everything else in this whole area filters down into this area. So how does it travel on this site? It's kind of lateral east and west, and then once it gets to our property line, just north and south.

MR. LEE: Thank you.

MR. WHEELER: Are there other questions of this speaker? Mr. Crockett, you spoke pretty fast tonight.

MR. CROCKETT: I apologize.

MR. WHEELER: Will you please show us where you're talking about taking this lot out up there?

MR. CROCKETT: Yes. And, I apologize. It's this bank of lots right -- and I'm -- that far away -- it's this bank of lots right in here. They are noted as 70 feet wide on the preliminary plat.

We're going to lose one lot in there and increase the width of those lots. The -- we had some concerns from some neighbors that, you know, the smallest lot may dictate the size of the house and everything else along those -- that goes along with that. And so what they are concerned with is on a slab lot, let's make those lots a little wider so that we can be assured that we're going to have a little -- you know, a little larger house there. We've also committed to minimum house sizes, finishes, roof pitches. You know, the big concern there is I think that the neighbors don't want a rental community, and -- in the residential portion. And that's what we're really after is not to create -- not allow that situation. And one thing they really wanted was a definition of a family, you know. What's defined as a family? We want a family in here and not four unrelated individuals that can rent the house. That's not our intent, and we certainly obliged and certainly conceded that because that's not our intent.

MR. WHEELER: And the C & Rs will be complete before the --

MR. CROCKETT: That's what we -- we will have them complete before it goes to Council for final approval, should it go that route.

MR. WHEELER: Thank you. Any other questions of this speaker? Mr. Strodtman?

MR. STRODTMAN: Just some clarification. So you have the definition of the family worked out?

MR. CROCKETT: We will have a definition of family that goes in the Covenants & Restrictions. Absolutely.

MR. STRODTMAN: Before that point --

MR. CROCKETT: Yeah. And, actually, I think that there is a definition that the -- the neighbors that we talked to, I think there's an actual definition that they are -- that they like, and, you know, we're fine with. We'll have to work that out and make sure it all is agreeable, but I -- we've got that in mind. Yes.

MR. WHEELER: Any other questions? Thank you.

MR. CROCKETT: Thank you.

MR. WHEELER: Next speaker, please. Next speaker, please. Is there organized opposition? It doesn't matter what order we come, folks, so --

MR. ROBERSON: Thank you. I've never spoken before the Planning & Zoning Commission, so I don't know what order to go in.

MR. WHEELER: Let me tell you what we need then. You need to give your name and address, please, and then we'll -- and then --

MR. ROBERSON: I'm Kevin Roberson, 7355 South Bennett Drive in Columbia. I'm President of the Board of the Friends of Rock Bridge State Park, and I've come to speak in opposition to this as platted currently.

MR. WHEELER: And just so I know, are you our organized opposition or are you just a three-minute speaker?

MR. ROBERSON: I'm a three-minute speaker.

MR. WHEELER: All right. Thank you, sir.

MR. ROBERSON: I would like to say that there are several reasons why we and our members are opposed. I'm speaking for the Board and for the members of the Friends of Rock Bridge. And density is one of the reasons, even though I know there have been some concessions. This would be the densest development up against a State Park anywhere in this state. I believe, and you had probably looked at aerial maps of the area, and there is no other development that even approaches this density around the outside of the park. The density would take away from the park experience for the visitors. We have over 300,000 visitors a year to the park, and this would take away from their experience in that there are paths and hiking paths that go near this development. We expect there will be development up against the park, but we would rather it not be of this density. The water quality, some of the things that were said tonight about the Level 6, Level 7 of service, I'm not familiar with those terms. I don't know exactly what that means. It wasn't in the literature with this plat, and I guess it is something that will be developed and will be promised at a later date. Exactly what that means, I'm not sure, but we do have severe concerns about the water quality coming out of this development because of the impervious nature of development. We have macro environmental studies down in the Little Bonne Femme that show that water quality is rated as good, and you all know enough about the City that having water quality rated as good near the city is something that is pretty special around here with the Hinkson -- the troubles we have been having with that lately. I would also like to say that I was fairly surprised reading all the information I could about this, that nowhere did I ever read the best engineering practices in a karst area, that anybody had considered that or thought of that in this development. And I am just surprised that this would be something that when we are trying to protect a karst environment -- which our park and the ecosystem there is a karst environment -- and there are rock outcroppings in this development of the -- that would take you -- suck it right on down into the rest of the karst area -- that it just surprised me that no one has even thought to look up or at least they haven't spoken of it or written of best engineering practices of karst. It doesn't take very long on the Internet to find what other people have done in these types of areas. So I'm -- I'm probably getting close to the end of my three minutes, but I would like to say that this would be precedent setting, also, which no one else talked about. To have this type of density -- we can see it going all the way down Route K, and we don't think that's appropriate. There are places in Columbia where it is appropriate, but this isn't it. Thank you for your time.

MR. WHEELER: Thank you. Are there questions of this speaker? Thank you. Next speaker? I forgot to say that I will give you a little warning when -- with the red light when your time is getting short.

MR. MIDKIFF: And I don't know if I'm organized or disorganized, but I am speaking on behalf of the Sierra Club, which is an organized organization. So, I guess, six minutes. Ken Midkiff --

MR. WHEELER: If you take six, nobody else gets six. It's -- it's -- whatever.

MR. MIDKIFF: Ken Midkiff, M-i-d-k-i-f-f, at 1005 Belleview Court, Columbia, Missouri 65203. And I am speaking on behalf of the Osage Group of the Sierra Club, and I am the Conservation Chair. There are several things wrong with the Parkside Estate's Plan that cause the Osage Group Sierra Club to oppose this on environmental grounds. And I'm going to address only environmental concerns; I'm not going to talk about traffic or anything like that. And we've heard about how this is too dense, and that's our first concern. And the value of Rock Bridge State Park is that it provides an oasis for an otherwise urban/suburban area, which Boone County, like it or not, is. There would be more development closer to the State Park -- actually adjacent to the State Park than any other State Park, including those in the Kansas City and St. Louis areas, which are the two major metropolitan areas in this state. Our second concern is the presence very nearby of sinkholes and caves. Rock Bridge State Park, obviously, is known -- well-known for the sinkholes and caves area. In addition, there is a large sinkhole just across Route K, just south of the Boone County Fire Station -- a large sinkhole, probably 100 feet across and maybe 15 feet deep, and a very old sinkhole. It's been there for probably a millennium or two. And we've heard about the losing stream. The losing stream runs right through the middle of this development. To be classified -- in case those of you who are not familiar -- as a losing stream, 30 percent of the flow must go -- it must be lost, and it must go underground, not just quickly or briefly, but forever. A gaining stream, on the other hand, is a stream that gains flow as it goes downstream as tributaries come in. The fact that this is a losing stream strongly indicates that there is an opening, maybe a cave, under this site. The Department of Natural Resources determined it was a losing stream when the neighbors to the north applied to construct a wastewater lagoon, and the Department of Natural Resources did a study and told them that they could not build a wastewater lagoon on that site because of the presence of a losing stream where the sewage would go underground. And this is quite important when you talk about retention basins. And there are several -- and I'm not sure of the exact number or types, but there are several endangered species in the nearby Rock Bridge State Park. Among these are the gray and Indiana bats. The gray bat lives in the Devil's Icebox cave; the Indiana bat likes Shagbark Hickory trees and the pink planarian, which is a little tiny worm -- which is found nowhere else in the world -- is only in Rock Bridge State Park, and only in the Devil's Icebox cave. And the proposal contradicts the Bonne Femme Watershed Plan, which has been discussed considerably. The current plan which is up here before you has all sorts of impervious surfaces -- streets, sidewalks, driveways, and roofs -- and there has been, I guess, some concern about removal of various toxins -- lawn fertilizers, antifreeze, oil, gas, grease, that sort of thing -- but there is much more than those things I've mentioned that this contradicts. And this is where we get into guidance versus law. Now, according to the Missouri Department of Conservation Website, there are five strategies to achieve or maintain the goal of ecological health in the Bonne Femme Karst Conservation area. There are five strategies. And this area, by the way, that has been designated by the Missouri Department of Conservation -- or MDC -- does include the Little Bonne Femme Creek and the acreage in question -- the very plat. The goals

or strategies are: One, to establish or improve forest and stream banks. As far as I know -- and I used to live right across from this site -- there are no forests there. They've all been cut down long ago. Two, reduce water pollution and water flow changes; three, control and eradicate invasive and exotic species -- and as a side note, Bradford Pear trees, Zoysia grass, and Wisteria are not native species, but are typical for most developments in this area, and I've seen this one also. And number four, restore and improve the condition of the existing forested and natural communities. And the natural community's part is very important here. And reduce tall fescue, which is probably currently on the site, and other nonnative cool season pasture coverage in favor of native grasslands, forest, and woodlands, which, obviously, this does not consider doing. It can be observed by even the most obtuse -- not that you are, of course -- that this plan flies in the face of just about everything that the State Park System, the City of Columbia, and the County of Boone are seeking to protect or restore in the Bonne Femme Watershed. It's a good thing I asked for six minutes. Annexation is a problem because the tract drains to Little Bonne Femme Creek, and that creek is and will remain in the jurisdiction of the County, so you have a City/County conflict. To reiterate, our major concerns -- and I'm about done -- is too dense, the presence nearby of sinkholes and caves, the presence nearby of endangered species, the actual presence of a losing stream, and the ground water flow. And as I talked about it, the retention basin is proposed to be built on the site of the losing stream, which means that much of the stormwater would go underground. For these reasons and the goals of MDC, the Osage Group of the Sierra Club urges rejection of this plan and would ask you to please vote accordingly. Thank you.

MR. WHEELER: Thank you. Are there questions of this speaker? Mr. Reichlin?

MR. REICHLIN: I have one. Yes. Do you have any knowledge of measurables regarding the pollutant levels in the Devil's Icebox, itself, at this point in time?

MR. MIDKIFF: I do know that the County of Boone has proposed for the recharge area for the Devil's Icebox cave no development because they were concerned about the pink planarian and other ecosystems in -- or, I'm sorry -- other species in that watershed. So I'm not familiar with that. At one point I think they -- the cave was highly polluted, but Boone County has taken steps to prevent that. In fact, one place is called Hog Slaughter Pit, which probably indicates what was done there.

MR. REICHLIN: I have one more question. You've made mention of other municipalities where there are State Parks and they don't have this level of density. Any knowledge regarding was that locally initiated or just hasn't happened?

MR. MIDKIFF: It just hasn't happened. And, again, I looked at Castlewood and -- well, and probably -- Mr. Bryan is here, the State's Park Director, and he can speak to that more. But as far as I know, there was no actual restriction or prohibition, but it just didn't happen.

MR. WHEELER: Mr. Skala?

MR. SKALA: Just one question, and, Mr. Midkiff, I don't know if you can answer this. It might be part of the Staff -- perhaps the Staff can, but I know that one of the County requirements -- or one

of the County recommendations -- or objections was the low impact development idea -- that this was not low impact development. Do you know what the nature -- I mean, what the nature of low impact development means to the County, and why is it that they object on that basis?

MR. MIDKIFF: They called for I think the County -- the planning department of the County, Bill Florea, said that they wanted to plan new development because there was much more control that the County could exercise over PUD rather than just open development --

MR. SKALA: Rather than the R-1. Thank you.

MR. WHEELER: Additional questions? Mr. Lee?

MR. LEE: This is kind of silly, Mr. Midkiff, what is a pink planarian?

MR. MIDKIFF: It's -- it's a flat worm. A little tiny thing, but it's about a quarter of an inch long. And it -- it's a -- there are a lot of planarian, but it's listed as an endangered species because it only occurs in the Devil's Icebox cave. But it's a little tiny thing.

MR. LEE: Thank you.

MR. WHEELER: Thank you.

MR. MIDKIFF: They are probably smaller than a snail booger.

MR. WHEELER: Any other questions of this speaker? Thank you.

MR. MIDKIFF: Thank you.

MR. WHEELER: Next speaker, please? Come on down, there's seat on the front row, and you can just get ready.

MS. HILLMAN: My name is Laura Hillman. I live at 7900 Cave Creek Road.

MR. SKALA: Pull the microphone down just a little bit. There you go.

MS. HILLMAN: I'm speaking for an organization, so I don't know if that makes me organized or not, but I can do it --

MR. WHEELER: Well, I'm sorry, Mr. Midkiff --

MS. HILLMAN: -- in three minutes.

MR. WHEELER: -- took your six, so you're stuck with three.

MS. HILLMAN: My name is Laura Hillman. I am here on behalf of the membership of the Columbia Audubon Society. Columbia Audubon Society promotes the preservation of the natural world, its ecosystems, biological diversity, and habitat. These interests compel Columbia Audubon Society to speak up in regards to the proposed Parkside Estate Development. The location of the proposed development and the geology and topography of the property all cause serious concerns that must be addressed if Rock Bridge Memorial State Park is to be protected. Number one, surface water flows directly from the proposed estates development into the park, changing the property from natural cover to imperious -- impervious surface. It will create strong stormwater runoff issues for the park's portion of the Little Bonne Femme Creek and the tributaries leading to it. Bank erosion and water quality problems are to be expected. Number two, the park's streams that carry the runoff from Parkside Estates are listed by the State as losing streams. The surface runoff into and through these

streams also enters the ground water system. Any water quality concerns associated with this development will affect both surface water and ground water. Three, wetlands and at least one spring exists in the Bonne Femme Floodplain, and are also downstream from this development. These ecosystems contribute to and support the park's biodiversity. Four, depending on the location of this development's housing and its density, the lights and noise could easily be within a tenth of a mile and in direct line of sight of the park's main facilities, as well as a popular park trail that I walk on all the time. And I can see the new house already. Urban landscaping invariably brings in exotic species problems to natural park plants. These are expensive to contain and damaging to native flora and wildlife. Number six, housing immediately adjacent to the park will create an impediment to the park's ability to manage deer overpopulation. Overpopulation is devastating to habitat and ecosystems necessary for wildlife diversity. Seven, housing immediately adjacent to the park also impairs the park's ability to conduct prescribed fire, which are essential to maintain quality woodlands and wildlife habitat. It is left to you to establish the level of development that will be permitted. The membership of Audubon -- Columbia Audubon Society asks that you provide a development strategy that protects our precious resources like Rock Bridge Memorial State Park.

MR. WHEELER: Thank you. Are there questions of this speaker? Thank you, ma'am.

MR. BRYAN: Well, first of all, let me just say thank you for what you do. My name is Bill Bryan, and I'm the Director of State Parks for the State of Missouri. I live at 11863 County Road 393 in Holts Summit, Missouri. I know you don't -- people don't tell you thanks very often for what you do, but I appreciate it. I've been in public service for more than two decades, so thanks for your time this evening. We've provided some technical information. The park superintendent, Jim Gast, and our park naturalist, Roxie Campbell, are here with me tonight. But I wanted to talk with you a little bit about the importance of the park. And the technical things kind of speak for themselves, and those kind of things can be sorted out, but a park is democracy at its best. The people decide to set aside a place just because it's important to them. Missourians have been protecting special places as State Parks for more than 95 years, reflecting our strong belief that our heritage and landscapes are worth protecting and valuable. As director of State Parks, it is my responsibility and privilege to protect these special places, and including Rock Bridge Memorial State Park. And I'm humbled to stand with our friends and neighbors today in defense of a unique and majestic landmark. This park was created for the people -- excuse me -- this park was created by the people for the people. Young Carol Stoerker was tragically killed by a car, and an initial \$10 donation from her young friends started the movement that led to the beautiful park we enjoy today. Kids sold brownies; school kids held a Donate a Nickel Fundraising Drive. More than 800 local citizens contributed to the park fund, and thanks to a grant from the National Park Service, all Americans ultimately contributed to building Rock Bridge State Park. Last year, we recorded more than 315,000 visits to the park. Missourians, and especially Boone Countians, clearly love Rock Bridge Memorial State Park. We protect parks because they are valuable to us as a people. Every Missourian, no matter what their circumstances

are can visit and enjoy Rock Bridge Memorial State Park. They can go to the park for exercise, nature study, reflection, or solitude. It's a place for weddings, family outings, for friends to gather. It's a place to find adventure and a place for peace to find you. These intangible values are important park resources, just like the streams, the caves, the bats, the pink planarian, and the Chinquapin oak trees. No matter how carefully planned, intense development adjacent to the park will threaten all of these park resources and the experiences the visitors seek. It will change the park forever. In 1992, we completed a comprehensive State Park Threat Survey, which excerpts are included in what I've provided you this evening -- and by the way, I did provide a copy to Mr. Crockett, as well. The most serious threats to our State Parks were related to suburban development. Indeed, in a prescient moment, the poster child in the 1992 survey for the threat of suburban development was Rock Bridge Memorial State Park. You'll see the photo that I shared with you is of the property we are here talking about tonight. Today, 21 years later, this subdivision will become the most intense land use adjacent to any of our State Parks. It's as though in 1992, we had an oracle telling us what the future was. Developments are always going to be a threat to the values that we support -- I'll wrap it up -- and that's why we have to give very careful consideration of these values on behalf of all 5 million Missourians who love their State Park System. We would ask that you consider that this will change the park forever, and those experiences that people go to this area to enjoy and to make memories that last a lifetime. While some may profit from development, the public is poor from the inevitable impacts of development. Nonetheless, I do want to thank Rob Hill and Crockett Engineering for making a very real effort to address our concerns. I'm not convinced that the proposed development can proceed without threatening our park, but I did want to thank them and let all of you know that whatever happens, we look forward to working with them. So I thank you.

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

MR. BRYAN: I probably should mention though that the pink planarian is not an endangered species. The only place you can find it is the Devil's Icebox, but it is not an endangered species, so --

MR. WHEELER: I appreciate that.

MR. STRODTMAN: I just have a question.

MR. WHEELER: Mr. Strodtman?

MR. STRODTMAN: You mentioned at the end that you are willing to work with the applicant regardless of what happens going forward. And, obviously, you guys understand that there's going to be development around, you know, abutting or adjoining to the State Park. What level of development is acceptable, or -- you know, I mean, obviously, some areas -- based on some of your maps, there's certain areas that are more critical than others, but, I mean, what level of development is acceptable so that, you know, we kind of understand?

MR. BRYAN: Well, the challenge for us is that we don't know. This is -- unfortunately, as I mentioned to Mr. Hill and Mr. Crockett, that this is the -- this is the first time we've confronted this. We have parks in more urban areas that have been -- have subdivisions near them for many, many

years. That gives us some idea of what the expectations are, but we really don't know. And if I could put a number on it, that would be real simple, but I don't know what it is because the impacts are pretty unpredictable --

MR. STRODTMAN: Right.

MR. BRYAN: -- from a park perspective.

MR. STRODTMAN: So how do we get to that -- how do you get to that level? How do you know --

MR. BRYAN: I don't know that we'll get to a level where I can tell you this is going to satisfy the park, but what we look forward to is doing as much as we can to be as protective of the park as possible to the fullest possible extent. But we don't know what that is because we've never seen it before. We're judging our -- where we are at today, based on a fairly limited amount of information that's in your packet -- and it's hard to say what the water quality impacts are going to be. It's hard to say how many dogs barking will affect people that are trying to enjoy the park, or -- you know, those things, we don't know. And I wish I could -- it would be real simple, but I don't have that answer.

MR. STRODTMAN: Thank you.

MR. WHEELER: Mr. Reichlin?

MR. REICHLIN: There has been a level -- I've got two questions. One of them is mine, but the first one there has been a level of development in and around the park at this point in time. Has it -- is there a measurable negative effect to the extent the development -- the homes on acreages and such like that that has had -- is there anything you can share with us about that?

MR. BRYAN: Well, one of the -- well, what we have heard about a little bit today are invasive species. We do have invasive species in the park, and I think you attribute that to development over time that -- homesteads in the park have contributed to invasive species that are still there today. I think that's probably true of people that live around the park now that they're not -- it's not all native vegetation. The seeds are carried by birds and the wind, so we have things in the park that if we're doing our job, they're not there. And encroachment makes that harder to maintain. Our mission is to preserve the best example of our natural and cultural resources. That's what we're -- that's what the citizens who vote for the sales tax want us to do; that's what State law and the constitution says we're supposed to do. And encroachment makes that harder. And that's our message is that for us to provide a place for people to recreate, a place for solitude and reflection, to preserve those natural values. It's harder as the park is crowded, and we are very concerned about that.

MR. REICHLIN: I just have a brief one. You've got this enclosure. Where is Devil's Icebox on this -- on this particular picture?

MR. BRYAN: I can show -- well, it may not be as important exactly where it's at, but what I can tell you -- I need to clear something up there too.

MR. REICHLIN: Uh-huh.

MR. BRYAN: The -- as far as we know, the subdivision that is planned is not in the recharge area for the Devil's Icebox, but -- we don't have 100 percent knowledge of that. But as far as we know, it isn't. I think that may have been what you were getting at.

MR. REICHLIN: Yeah. I was curious about that.

MR. BRYAN: Based on the work that has been done, we don't know that it is, so --

MR. WHEELER: Mr. Skala?

MR. SKALA: Yeah. Looking at the maps that you supplied, and then the ones that I've looked at in conjunction with this proposal, it looks like there is a losing stream, and, perhaps, a potential losing stream. And the water tends in this town to flow from the north to the south or the northeast to the southwest, if you will, which makes this kind of unique in terms of this development. I guess that the question that I'm asking is have you or has anyone else -- or you, in particular -- have you looked at the uniqueness of karst topography in terms of suburban development or encroachment upon the park system in general? This is relatively unique, as I understand it.

MR. BRYAN: It is relatively unique. There is a lot of karst topography throughout the state and throughout the park system. But this is certainly the only park that immediately comes to mind that has development as close to it with karst topography.

MR. SKALA: Can be --

MR. BRYAN: Meramec State Park is similar, but it doesn't have -- Sullivan and the surrounding communities aren't as close. So I don't know that we have anything exactly to look at. There may be examples throughout the world that you can look at to get a better idea. Southwest Missouri -- not State Parks, but local parks and local communities have issues that they've dealt with for many years. I'm not personally aware of that.

MR. SKALA: Thank you.

MR. WHEELER: Any other questions of this speaker? Thank you, sir.

MR. BRYAN: All right. Thank you for your time.

MR. JONES: Hi. My name is John Jones; address is 3035 McGill Pointe, Rochepoint. I'm here on behalf to speak for Rob Hill and Sarah Hill. They are good community people. They would not want to do anything that would impact or do any damage to the park. I think they have met with most all the homeowners out there. I'm not -- I've been in the building business for most all my life, and haven't seen any developer go door-to-door like Rob did. And he tried to see everybody. He's tried to make concessions with everybody. I think he wants to do what's right. I think that would be something good. Thank you.

MR. WHEELER: Are there questions of this speaker?

MR. REICHLIN: I have a question.

MR. WHEELER: Mr. Jones --

MR. JONES: Yes?

MR. REICHLIN: If, in fact, you might somehow be involved, can you speak to the price range of homes that are planned for the area?

MR. JONES: I have worked with Rob on this. Due to the increase of what it costs to build houses nowadays, you would probably say -- on the low end of slab homes in there, you probably wouldn't be much less than 200,000. Walk-outs being nice -- as being back to the park, you probably see \$400,000 to \$500,000 houses very easily. It don't take much anymore to get a house over \$300,000. So you can see -- and back on the estate lots back there, you could probably see three-quarter to one million dollar houses back there, so that could be very easily up there.

MR. WHEELER: Any other questions of this speaker? Thank you.

MS. MCCANN: Hi. I'm Sandy McCann, 500 East Lake Forest Drive. I've got a slide presentation to show you all about the State Park. This is the Paxton Passage. This is looking north on the west stream, and where the water retention area will be. You can see the yellow circle where the State Park is and the losing stream. This is looking north at the losing stream. This is an area of five acres of oak trees that will be destroyed with the development; also, oak trees destroyed. These are the single-family homes that are around this development. These are the people on Southbrook; the Hills' house. This is the Savage's; the Snell's; the Samuel's; the Cox's; mine; McAllister's; the Brubaker's; a house along Route K. This is a lake bordering and next to the State Park; animals; that tree line from the yellow all the way over will be destroyed. These are the Bonne Femme regulations that were agreed to by the City and the County. This is a quote from the County about the watershed and the unique nature of the topography and the karst nature where it is exactly in this area. These are the agreements that the City and the County has agreed to. The arrow points to the fact. The next one is the light development, the low impact, that it is a right that we have this because of the karst topography. This is the traffic on Wednesday at 7:38 in the morning. It is bumper to bumper. The only way you get on is if somebody lets you there, and we want to have this? I don't think so. I'm done.

MR. WHEELER: Oh, okay. Questions of this speaker? Thank you, ma'am.

MS. MCCANN: Thank you.

MS. WEAVER: Hello. My name is Jan Weaver; I live at 412 1/2 West Walnut, so I'm not a park neighbor. I am a member of Friends of Rock Bridge though. I would like to come at this from a different angle. I've been involved with the visioning process since 2006, and one of the things I've been working on is how do you measure whether or not we're taking steps towards accomplishing the vision. And I just wanted to read two of the goals from the development vision. One is for land preservation. Land will be prepared through Columbia and Boone County to protect farmland, scenic views, natural topography, rural atmosphere, watershed, healthy streams, natural areas, native species, and unique environmentally sensitive areas, thereby enhancing the quality of life. And the second one is about neighborhoods. Columbians will live in well-maintained, environmentally-sound neighborhoods that include a range of housing options and prices that are within walking distance of

amenities such as schools, places of worship, shopping, and recreation facilities, and that are supported by Citywide bicycle, pedestrian, and transit systems. And I don't think that this development is a step towards those goals. That's my personal opinion, but I would ask you to consider the vision and the comprehensive plan when you're thinking of approval of this development. Is it a step towards what the community said they wanted to accomplish in terms of its vision and planning and growth management, or is it a step away? And, if approved, will it continue to have us stepping away from the vision of the community? Thanks very much.

MR. WHEELER: Thank you. Are there any questions of this speaker? Thank you, ma'am. Next speaker, please?

MS. FLADER: Hello. I'm Susan Flader, 917 Edgewood Avenue, Columbia. I am speaking on behalf of the Missouri Parks Association, a group of more than 3,000 Missouri citizens dedicated to the protection, enhancement, and interpretation of State Parks and historic sites. Rock Bridge is a very special place representative of the northern Ozark border with all the features you've been hearing about tonight -- the karst topography, the caves, the sinkholes, the springs, and the very diverse wildlife species. When I moved to Columbia 40 years ago, one of the first things I heard about was the problem that Rock Bridge was having with houses in the vicinity of these sinkholes that were causing pollution within the park. It's been a constant struggle. It was a park that was originally established with the contributions of hundreds of Columbia residents who -- who wanted that place to be protected. And they have enlisted the help of other Columbians and Boone Countians to try to restore that area, not to acquiesce in the degradation of it. The Bonne Femme Watershed Plan process is an excellent example of citizens coming together -- stakeholders coming together over a period of years to develop the recommendations in that plan. The City set a very good example in its development of a new park on the eastern boundary of Rock Bridge State Park. And most of that area along that boundary has been -- is being developed in a natural way as a buffer for Rock Bridge Park. And I would urge you, as the Planning & Zoning Commission, and the City to have the same kind of consideration on the western boundary where this new subdivision is being planned. It cannot help but -- but degrade -- further degrade the quality of that park, and we should be in the business of restoring it, not allowing degradation. Thank you.

MR. WHEELER: Are there any questions of this speaker? Thank you, ma'am. Next speaker?

MR. MAGGARD: My name is Bryan Maggard; I live on 81 East High Pointe Lane. I'll be certainly less than a three-minute speaker for you. I just have two quick points, and they deal with proximity of the development, and the quality of the development, in my opinion. I am a park user, primarily in the form of a cyclist riding on the trails. And I certainly, as an individual who uses the park, would very much appreciate an opportunity for development that was in this proximity to the park. I absolutely appreciate all the concerns that have been shared here tonight, but certainly believe that Mr. Crockett and the Hills have and will take every necessary precaution to ensure as much minimal impact to this area as possible. From a proximity standpoint also, I'm the father of

three kids and two young daughters who are about to start driving, and, certainly -- having a subdivision in this proximity of the community of Columbia, certainly, I think, is a positive aspect for many people, other than something, say, the distance south is as the Cascades or Arrowhead. And then from a quality perspective, again, I do know Rob and Sarah Hill. And after hearing the presentation by Mr. Crockett, and, again, knowing the Hills, I have every bit of confidence that they are going to take the necessary means to protect the integrity of Rock Bridge State Park to the best of their ability. But, again, I appreciate the concerns that have been shared tonight on that behalf. So thank you very much.

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

MR. LINNEMAN: Good evening. My name is Dean Linneman, 7900 South Country Aire Lane. I'm here to speak on behalf of this project. I know the Hills personally. I've known them for over 25 years. I know the plans they have in mind for this subdivision -- or this development. I don't believe it will jeopardize the park any more than any of the existing homes that are around this area now. The buffers, the concessions that they've already agreed to shows their intent to protect the park, and the users, and the animals -- the wildlife, the nature that resides in the park. So I'm just here to offer my support for this development. Its proximity -- I'm not aware of any road in Columbia that's not busy at 7:38 in the morning. I don't believe this would add any congestion to that, and the location to the schools, the location to the park is a desirable location for many young, starting out families in Columbia. Thank you.

MR. WHEELER: Any questions of this speaker? Thank you.

MR. SMITH: I'm Marty Smith, and I live at 5500 South Route K. I do live two doors down from the subdivision -- or actually, I'm on the north side, and the traffic is bad. They are also talking about a school right down Route K. I don't have any problems with the development as far as it is just too dense, and as far as -- I'm more worried about the traffic problem. They go by my house at 55, 60 miles an hour, and the speed limit has been changed to 45, but it doesn't happen. Go out there -- I live there. They did build some buffers on the road and they're nice. I wouldn't ride a bike out there. I wouldn't walk out there. I go get the mail, I wait for the cars to go by. It's -- it's just to -- you know, trafficwise. But that's all I have to say.

MR. WHEELER: Are there questions of this speaker? I have one, sir, if you don't mind. You say it's too dense. What in your mind is appropriate for this?

MR. SMITH: I would rather see, like, a house per acre. I'm just -- just slowing it down to just where it's just real dense. I think most of the houses north of this are -- a house about every -- I think it's seven-tenths of an acre, eight-tenths of an acre, thereabouts.

MR. WHEELER: Okay.

MR. SMITH: If you look north of it, that's kind of what's there.

MR. WHEELER: Okay. Mr. Reichlin?

MR. REICHLIN: What size lot is your residence on?

MR. SMITH: It's about 75 -- .75 an acre, whatever. It is not an acre -- or whatever the Hill's live on. That would do real well too.

MR. WHEELER: Thank you. Additional speakers?

MS. BRUBAKER: My name is Teresa Brubaker; I live at 5390 South Route K, which is down the street from the Hills. I am here to support this. I've known Rob and Sarah for many years. Sarah and I walk that trail. She would never -- and neither would Rob -- do anything to hurt it. I know there is a lot of opposition, but I'm for it. I think we need a good neighborhood with housing prices in that range. It will increase our value of our houses, and I'm just for it.

MR. WHEELER: Are there questions of this speaker? Thank you, ma'am. Next speaker?

MR. BAY: I'm Don Bay, and I live at 7601 Chimney Ridge Road, which is in Hill Creek Acres, and is more of a typical division in the county. We live on two acres, and all of the people in our area live on two-acre lots. I have a couple of concerns. I have one concern on jurisdiction. It seems like this land now is part of the county, and the County Zoning has not approved this plan. In fact, they have raised objections to this. So are we moving it into the city, so that the County doesn't have a say? Most the citizens out there live in the county, not the city. So the effect is going to be on the county people. But we don't seem to have any representation because we don't vote for people in the city, we're in the county. That just seems like a way to get around jurisdiction. They also have a very nice fire department right across the road from where this division will be. Now, you know that the City and the County cooperates on emergencies, but who is going to be the first one to go in to protect those homes? It's going to be the County, but they will not pay any taxes to support the County Fire Department. That's one of the problems the fire department and the County has is that we have a lot more broad, spread out people to protect, but the tax payers out there will not be supporting the station that's right across the road. Thank you.

MR. WHEELER: Are there questions of this speaker?

MR. TILLOTSON: Yes. I have a question. Tell me again just where your development is in proportion to this.

MR. BAY: We're out Hill -- we're out -- we're one mile south of Rockbridge Elementary. And this subdivision would be just about a quarter mile south of -- you go out Route K and you turn left on Hill Creek Road, and we're Hill Creek Acres. It's on the same side of the --

MR. TILLOTSON: So your development, is it all on septic systems or how is the --

MR. BAY: No. We have a new septic tank system. We all paid \$22,000 a household to put in a new system for all 90 homes.

MR. TILLOTSON: That handles all those houses?

MR. BAY: Pardon?

MR. TILLOTSON: That one system handles all the houses in that development?

MR. BAY: In our development. Yes. It's a County -- it's a County system.

MR. TILLOTSON: All right.

MR. WHEELER: Thank you. Any questions -- other questions? I'm sorry. Thank you.

Additional speakers?

MS. DABSON: Good evening. I'm Karen Dabson at 1001 Covered Bridge Road, also in Hill Creek Subdivision. Let me take you for a walk down Deer Run up in the State Park. It's right near us. We use it all the time. We hike our dog there. One beautiful clear crisp fall day we're walking there -- I don't know if it was fall or not -- my dog starts dragging me towards a lot. And here we could hear men hammering, and he wanted to get to those men and go see. And they were building a giant house on the edge of the Memorial Park. So, first of all, we had the noise pollution, and we had this big house that was going to create light and pour into the forest. One of the things we haven't addressed is that there are noise and light pollution issues that are going to affect wildlife in the forest, as well as the propagation of species that don't belong there in terms of plant life. It's not about if people are nice or if we like them or if I'm nice or if you like me, it's about the fact that we're going to impact the State Park. We can't help it. Even in our own neighborhood where people have two-plus acres that their houses sit on, you have to turn off the lights at night so that you don't affect the wildlife that live in that neighborhood. We respect the State Park; it's adjacent to our neighborhood. We need to preserve it. Thank you.

MR. WHEELER: Any questions of this speaker? Thank you.

MS. DABSON: Thank you so much.

MR. WHEELER: Any other speakers?

MR. ALVIS: My name is Tim Alvis; I live at 1520 South Louisville Drive. I am in support of Rob and Sarah Hill, mainly because for one, I want to move there. My family, we grew up on South Sinclair Road. When I grew up out there, there was no lake; there was no Cascades. You know, we knew everyone who drove up and down the road. Now, my parents took me to the park, and I now get to take my children to the park. I get to walk the trails with my children and take them to Devil's Icebox. I want to be closer to that. I want to get as far out south of town as possible. And I know that Rob and Sarah will do anything to help preserve that. I completely understand the opposition, but they're good people, and I don't think that they're here to do anything wrong to the State Park. I know for myself and my kids, I just want to get them out there so we can be closer to -- you know, Rock Bridge School is where I went to, and walked the trails that I did as a kid. And I really don't think that this is going to be a development that is going to hurt anything that, you know, is currently there with Rock Bridge State Park. That's it. I'll stay here for questions.

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

Additional speakers? Come on down, folks. Going once, as they say. All right. Seeing none, we'll close the public hearing.

PUBLIC HEARING CLOSED

MR. WHEELER: Commissioners? Who want to weigh in first? Don't be shy tonight.

MR. SKALA: Okay.

MR. WHEELER: Okay. Mr. Skala?

MR. SKALA: Let me try and take a crack at this. There are a lot of issues here. I certainly appreciated the efforts made by the Hills in terms of trying to accommodate some of the neighborhoods. We've come a long way in this City. With that kind of accommodation, I really appreciate the door-to-door, since I'm currently involved in door-to door, and I can appreciate that kind of thing. But I am very concerned about -- the questions that really come before this body, and that primary question has to do with density. That's what we're here for to -- and we're also here to take a look at the plan, but first and foremost, we're here to think about the rezoning issues and the density issues. And although I'm certainly a proponent -- a Smart Growth proponent and want to try and minimize urban sprawl and all of the rest of that that goes along with it, I'm also really cognizant of the sensitivities of a place like, you know, Rock Bridge State Park, particularly since this has not only a losing stream, but another potential losing stream flowing through this property into the park itself. I guess -- you know, I wouldn't want to be put on the spot either to say what the density of a development like this should be. But I do know that I think my -- my thought is relatively consistent with the County, and that is probably not a density that would exceed 4. The R-1 densities that we're talking about and the recommendations in terms of the County for low impact development, which is not really in place here; but nonetheless, is consistent with the idea that it should be a PUD in terms of the City, and that PUD probably should not have a designation much higher than 4 rather than the 5.5 that we're talking about. I'm also a little bit concerned about the idea of a duplex by any other name. I was on the Council and the Planning & Zoning for a long time, and we had lots of issues regarding duplexes. And I -- assurances aside with regard to what the development is intended to be, I know in my own neighborhood, for example, it was also supposed to be owner occupied and so on, and over time, that has increasingly become more rental property. And the kind of attached housing that has a density of 5.5 is very amenable to that kind of change. And I would see that as a potential problem in the future should this not work out according to plan. That's kind of hard to plan for. I'm -- I'm really, really reassured by the assurances -- the engineering assurances with water quality and so on and so forth. I think they can handle the stormwater and the stormwater flow and the quality. I'm convinced of that. But the more you can minimize this density consistent with not only what is around it, but what I think is reasonable for some -- a piece of property that is contiguous with the State Park, I think a density of 4 would be more appropriate. And, frankly, there is -- well, not to men-- and it was just brought up too. I mean, obviously, there is some light issues and pollutions issues and all the rest of it. That's going to be -- that's going to come around with density. I mean, we are -- we cannot have the kind of situation where you do not develop this property just because it's contiguous with a park. But I do think you could ease the pressures on the park by giving -- giving a reasonable density -- something 4 or less than 4. So for all of those reasons, I intend to oppose this rezoning.

MR. WHEELER: Who is going next?

MR. STRODTMAN: I'll jump in.

MR. WHEELER: Mr. Strodtman.

MR. STRODTMAN: Yeah. Coming in tonight, my whole decision -- or not all my whole decision, but a lot of my decision was really to -- I was interested to hear from the State Parks. And I really appreciate Director Bryan for coming in this evening. But I -- really, that's been my biggest concern with this development was the impact on the State Parks. And after listening to the director and others, I guess my decision here was kind of swayed a little bit this evening. And walking in, I had originally intended on supporting this project based on the City Staff's recommendation. After hearing about the -- you know, the County concern and then hearing from the State Park, which I have a -- I think has a lot of decision making -- or should have a lot of decision making in this part of our City and County, I plan on opposing it until I feel that the State Parks feels confident or is as confident as they can be under the circumstances that whatever development that is put into this area around the State Parks, to the best of our ability, is not going to be a detriment to it. And I just don't want to have my name associated with the -- something later in life that has something to do with the -- with this part of the park.

MR. WHEELER: Mr. Tillotson?

MR. TILLOTSON: I think most people that has followed me in Planning & Zoning know that developments like this I think are good for our community. It's good in our Smart Growth process. I like it. I like what they've -- the Hills have done and Crockett has put together as far as trying to work with the community. I would not support it just on account of the duplexes. If they hadn't done that there, I'd probably be thinking a lot differently. So with that said and with the density issues -- and I'm going to be real brief -- I can't support it at this time.

MR. WHEELER: Mr. Reichlin?

MR. REICHLIN: I think it would be safely said that I -- I'm a friend of business and development. My record has shown that in the past. I look at this development and then I look at the -- just the area between K and 163. A lot could be said -- well, okay, these homes are there and they're having an impact, but, to me, this level of density is egregious and inappropriate for the -- for the park area. And it's hard for me to give any consideration to supporting.

MR. WHEELER: Mr. Vander Tuig?

MR. VANDER TUIG: Well, I'll add to this a little bit by speaking as to the stormwater. I think while Mr. Crockett would make every effort, and then some, to meet the ordinance and requirements of the City of Columbia's Stormwater Ordinance, I think it is kind of a one size fits all ordinance, and the level of service does not really account for some of the questions that were posed tonight with regard to runoff of fertilizer, for instance. And I know for a fact that the City Staff does not allow for any bioretention that doesn't have a drain plant in the bottom because just -- because that's the standard detail. And in situations like this where you have runoff with fertilizer and high nitrogen counts, you actually want to have an anaerobic condition where it's ponded in order to treat that. And

so those sorts of considerations would have to be included, you know, in something this dense in order for me to feel comfortable with it. And so for that matter, I cannot support it.

MR. WHEELER: Mr. Lee?

MR. LEE: I'm really torn by my decision here. I am pretty much pro-development in most ways, but I am concerned that the location, as it relates to the park and the water flow that will come off of this project onto -- into the park. With this map provided by the Director of Parks showing the multiple sinkholes, caves, springs, I just have to believe that there is propensity for some serious pollution, despite the admirable efforts of Mr. Crockett to try to alleviate that. You know, there's going to be some development somewhere down the line, but I don't know that this is the proper place for it. So I don't -- I can't support it at this time.

MR. WHEELER: Dr. Puri?

DR. PURI: I would like to echo the same sentiments of the rest of the Commissioners. I think the density is a problem here. I think that if it was a little bit less dense and the type of housing going in was a little bit more minimal to the surrounding housing, I think one could find a case to support it. I would like to applaud Mr. Crockett for his efforts in trying to work in the stormwater, but I agree with Mr. Vander Tuig. It's one, you know, ordinance, effects all. And this is -- the many challenges here, as pointed out by the Missouri Parks Director that presented earlier. So under the circumstances, I will not be supporting this.

MR. WHEELER: All right. Well, I think counting votes that -- I'm just going to bring up a couple of points here. And I really appreciate the Director of State Parks coming in. We rarely get this kind of information. But -- so I just want to point out some things that the community is going to need to discuss, and that is that -- although he's here, he hasn't given us any number. We don't know what the appropriate density is next to a park. According to them, or for that matter, very few people seem to be willing to weigh in on that to my knowledge, at least in my time -- and that's eight years. I'm the oldest guy here. Mr. Skala was here before me, and -- but I don't remember us being involved in the Bonne Femme Watershed. That's a County instrument. We didn't -- did we discuss it? Did you guys weigh in on it?

MR. TEDDY: Yeah. There was a hearing on it.

MR. WHEELER: A hearing?

MR. TEDDY: There was a hearing on it. They had a separate stakeholder process, but the Council actually adopted the plan.

MR. WHEELER: Okay.

MR. TEDDY: After hearing it, so --

MR. WHEELER: I didn't see it as a P & Z Commissioner. Let's put it that way. I have seen it. I was provided with it by a County P & Z Commissioner -- neither here nor there. I mean, the fact of the matter is that the overall density here is under two units an acre. And I'm not going to argue for it because I -- I mean, anybody can see the votes are counted on this. I just want to just lay some stuff

out because I think the community -- and especially as we go through our comprehensive plan -- needs to discuss this because the City is, indeed, encroaching on the park. We're there. We're knocking on the door of the park, and we're going to have to decide what we're going to do adjacent to the park. So the question then becomes what is going to be appropriate density within any watershed that's contributing to the park. There's other properties to the north of here that contributed to that as well, so it's going to be something that we're going to need to decide quickly. As far as the overall density here, it is just over two units per acre, so this is well under what is normal for R-1 or any reasonable PUD, in my mind. I don't -- you know, there's been some discussion of low impact and design, but there's not a number that is given with that. So, in my mind, low impact means that we're using the best management practices -- BMPs -- to offset the effects. Now, there are effects that -- that do come into play, like pollution. Mr. Skala and I worked on this for some time, and the City wanted to be exempt. The primary light contributor here would be street lighting because we are unwilling to use full cut fixtures with the City department. And the reason is -- and I'm going to say this -- is because they did not want to do away with a million dollars' worth of inventory. That was the exact explanation that was given to us when we were working on a lighting ordinance. And that's wrong. Now, we can phase it in over time, but we have to make a decision that if we're going to be low im-- low light impact, that we're going to do it as a City as well. So just a little pet peeve of mine, if you can't tell. So the attached housing -- we did come up with a definition that is very different from -- from duplexes. A villa-style unit has very -- very distinct design criteria. The idea that there's going to be single-family homes along K is a little -- but I think naive, frankly. So I do agree that any villa type along Route K could eventually end up being rental property. I would absolutely agree with that -- that statement. I don't see any way that you can control that otherwise. So it could happen. I live in a -- you know, middle-income neighborhood, and the houses are, you know, anywhere from \$130,000 to \$300,000. And I've got a lot of rentals around me. So it happens all over Columbia from Thornbrook to, you know, wherever. So I'm kind of rambling on here, but I think we are going to need to decide what appropriate density is going to be. Obviously, this is not quite what we think is -- what's appropriate. So -- but I do want to commend the Hills, and, Mr. Crockett, I think you've done an outstanding job of reaching out to the neighbors in trying to work out and resolve some issues. So with that, if somebody wants to try to frame a motion? Mr. Skala?

MR. SKALA: Yeah. I would like to frame a motion to deny the request by Crockett Engineering, on behalf of Southside Trail Estates, for annexation, permanent City R-1, and PUD 5.5 zoning, a PUD plan, and preliminary plat. The 35.8-acre site is located on South Route K, approximately 2,000 feet south of the intersection of Providence, Route K, and Old Plank Road, Case No. 12-185.

MR. WHEELER: Who want to second that?

MR. REICHLIN: Second.

MR. WHEELER: Mr. Reichlin. A motion has made and seconded. Discussion on the motion?
Mr. Skala?

MR. SKALA: Just, again, you reminded me of a couple things that one of which was the light issue that we visited a long time ago. And you're absolutely right. Part of that was the inventory thing -- inventory piece of it. The other piece was that no one wanted to tackle street light issues because of safety issues. That was a different category with regard to lighting in general. So we never really did approach that, and that was part of the excuse for not dealing with the inventory that we had. And one other thing, I was remiss when I was talking about how I look at this. I think it was very valuable to hear from Jan Weaver. We never hear enough about the visioning process. We left it many years ago, and yet there was a great deal of public input into the visioning process. And now we are inheriting that through the comprehensive plan that we're going to have to deal with, which is kind of another visioning process. And the remarkable thing about the comprehensive plan and the earlier visioning process is the consistency of the public's attitudes towards how this has progressed, even through this growth period that we have experienced. So I think it is real important for us to consider, not only in the comprehensive plan that we're about to tackle, the kinds of issues that are unique to this particular development contiguous with the park system and the unique topography and so on and so forth.

MR. WHEELER: Any other discussion on the motion? A motion has been made and seconded. We'll have a roll call, please.

MR. VANDER TUIG: We've got a motion and a second for denial of Case 12-185, A request by Crockett Engineering, on behalf of Southside Trail Estates, for annexation, permanent City R-1, and PUD 5.5 zoning, a PUD plan, and preliminary plat.

Roll Call Vote (Voting "yes" is to deny approval.) Voting Yes: Dr. Puri, Mr. Reichlin, Mr. Tillotson, Mr. Vander Tuig, Mr. Wheeler, Mr. Skala, Mr. Strodtman, Mr. Lee. Motion carries 8-0.

MR. WHEELER: A recommendation for denial will be forwarded to City Council.

VAN MATRE, HARRISON, HOLLIS, TAYLOR, AND BACON, P.C.

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* ADMITTED IN MISSOURI AND ILLINOIS

April 10, 2013

Mayor McDavid and
Members of the City Council
c/o Sheela Amin, City Clerk
701 E. Broadway
Columbia, MO 65201
Via E-mail: skamin@GoColumbiaMo.com

Re: Southside Trail Estates / Annexation and Rezoning (Council Bill No. B38-13)

Dear Ms. Amin,

The aforementioned annexation and rezoning matter was tabled by City Council on February 18, 2013 until the April 15, 2013 meeting. However, circumstances have arisen which require further delay with respect to this matter. As such, as legal counsel to the applicant, please consider this letter as a request by the applicant for Council Bill B38-13 to be tabled until the May 20, 2013 City Council meeting. We expect for the matter to be considered by the Planning and Zoning Commission on May 9, 2013.

Please let me know if you need anything more from the applicant in this regard. Thank you for your prompt attention to this matter.

Very truly yours,

Van Matre, Harrison, Hollis, Taylor, and Bacon, P.C.

By:


Robert N. Hollis

RNH/jae

CC: Tim Teddy (Via E-mail: ttteddy@GoColumbiaMo.com)
Matthew Lepke (Via E-mail: milepke@gocolumbiamo.com)