

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 4-14

AN ORDINANCE

rezoning property located east of the intersection of Old Hawthorne Drive West and Pergola Drive from District C-P to District PUD-6.6; approving the statement of intent; repealing all conflicting ordinances or parts of ordinances; approving the Preliminary Plat and PUD Plan for On The Ninth; approving less stringent setback requirements 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 Zoning District Map established and adopted by Section 29-4 of the Code of Ordinances of the City of Columbia, Missouri, is amended so that the following property:

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 3741, PAGE 60 AND PART OF TRACT 1 OF THE WELLNESS CENTER AT OLD HAWTHORNE, RECORDED IN PLAT BOOK 42, PAGE 10 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERNMOST POINT OF LOT 1 OF SAID WELLNESS CENTER AT OLD HAWTHORNE; THENCE FROM THE POINT OF BEGINNING AND WITH THE EAST LINE THEREOF, S28°22'25"E, 142.32 FEET; THENCE LEAVING SAID EAST LINE, N78°34'10"W, 120.16 FEET; THENCE LEAVING SAID SOUTH LINE, N26°18'35"E, 113.13 FEET TO THE POINT OF BEGINNING AND CONTAINING 6,568 SQUARE FEET.

will be rezoned and become a part of District PUD-6.6 (Planned Unit Development) with a development density not exceeding 6.6 dwelling units per acre and taken away from District C-P (Planned Business District). Hereafter the property may be used for the permitted uses set forth in the statement of intent.

SECTION 2. The City Council hereby approves the terms and conditions contained in the statement of intent dated December 2, 2013, attached hereto in substantially the same form as Exhibit A and made a part of this ordinance. The statement of intent shall be binding on the owners until such time as the Council shall release such limitations and conditions on the use of the property.

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 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. The City Council hereby approves the Preliminary Plat and PUD Plan for On The Ninth, as certified and sealed by the surveyor on December 10, 2013, for the property referenced in Section 1 above.

SECTION 5. The City Council approves less stringent yard requirements than those set forth in Section 29-10(d)(7) so that a perimeter setback of 15-feet, rather than the required 25-feet, shall be allowed along the eastern property line.

SECTION 6. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2014.

ATTEST:

City Clerk

Mayor and Presiding Officer

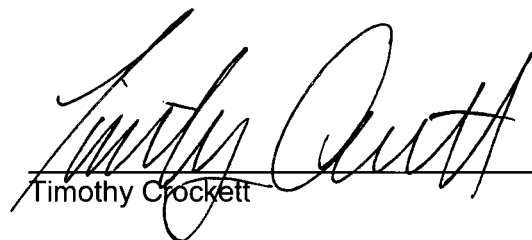
APPROVED AS TO FORM:

City Counselor

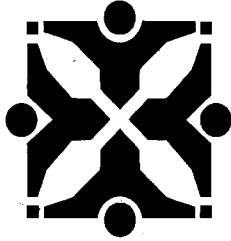
Statement of Intent
December 2, 2013

The following information is to be considered as the Statement of Intent for the additional portion of the tract being rezoned in conjunction with the On The Ninth PUD Plan.

- **Type of Dwelling Units:** The units proposed for this tract are to be single family detached, single family attached in duplex structure, single family attached in townhouse structure, single family dwelling units in a 12 unit, or less, apartment building, or any combination thereof.
- **Maximum Number of Units:** 1 residential unit/maximum density of 6.6 units per acre based on the net residential area after street right-of-way has been deducted.
- **Maximum Building Height:** The maximum building height shall not exceed 40 feet.
- **The Number of Parking Spaces:** The total number of parking spaces shall be a minimum two spaces per dwelling unit. Parking spaces may be located in a garage, exterior parking lot, or a combination of both.
- **Minimum Percentage of Open/Green Space:** Forty percent of the net area is to be preserved as open/green space. This percentage includes water features and impoundments.
- **Amenities:** There are amenities within the limits of the proposed PUD. The area will host a clubhouse and pool.
- **General Description of Plan:** The development plan for the entire area will present a mixed use of residential units. The minimum front yard set-back from a public street would be eighteen feet. The minimum distance between unattached units would be sixteen feet. The minimum rear yard set-back would be 10 feet. There is no minimum lot size within this PUD since "postage stamp" lots may be utilized. Some units may be condominiums.



Timothy Crockett



Source: Community Development - Planning

Agenda Item No:

To: City Council
From: City Manager and Staff

Council Meeting Date: Jan 6, 2014

Re: On the Ninth - PUD Plan & rezoning request (Case 12-236)

EXECUTIVE SUMMARY:

A request by Boone Development, Inc (owner) to rezone a portion of C-P (Planned Business District) zoned land to PUD (Planned Unit Development District), and for approval of a PUD development plan/preliminary plat to be known as "On the Ninth". The rezoning portion contains 6,568 square feet, and the PUD development plan/preliminary plat contains 5.68 acres, which includes the area to be rezoned. The subject site is located east of the intersection of Old Hawthorne Drive West and Pergola Drive. (Case # 13-236)

DISCUSSION:

The applicant is requesting approval of a development plan to construct 32 dwelling units on 5.68 acres of PUD-6.6 (Planned Unit Development allowing a maximum density of 6.6 dwelling units per acre) zoned land within Old Hawthorne. The proposed development density is 5.6 units per acre.

Since the site's eastern property line abuts a fairway of the Old Hawthorne golf course that acts as an open space buffer from nearby development, the applicant is requesting a 10-foot variance from the typically required 25-foot setback standard (Section 29-10(d)(7)) to allow buildings to be located a minimum of 15 feet from the eastern property boundary.

The application includes a request to rezone 6,568 square feet of land at the site's southeast corner from C-P (Planned Business District) to PUD-6.6 so that it may be incorporated into the current development plan request. The Statement of Intent for the proposed rezoning area is consistent with the 2006 rezoning ordinance's Statement of Intent which applies to the remainder of the subject PUD development plan area.

With the exception of the requested setback variance from Section 29-10(d)(7), the proposed development plan conforms to the applicable PUD-6.6 Statement of Intent and City Zoning Regulations.

At its meeting on December 19, 2013, the Planning and Zoning Commission voted unanimously, 7-0, to recommend approval of the proposed rezoning and development plan, including the requested setback variance along the eastern property line. The project engineer addressed the Commission and was available to answer any questions. The Commission asked no questions and had no discussion on the request. No one else from the public spoke regarding the request.

A copy of the excerpted meeting minutes, and staff report, including locator maps and copies of the proposed rezoning Statement of Intent and PUD development plan are attached.

FISCAL IMPACT:

None

VISION IMPACT:

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

None

SUGGESTED COUNCIL ACTIONS:

Approval of the proposed rezoning and PUD development plan

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

AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
December 19, 2013

SUMMARY

A request by Boone Development, Inc (owner) to rezone a portion of C-P (Planned Business District) zoned land to PUD (Planned Unit Development District), and for approval of a PUD development plan/preliminary plat to be known as "On the Ninth". The rezoning portion contains 6,568 square feet, and the PUD development plan/preliminary plat contains 5.68 acres, which includes the area to be rezoned. The subject site is located east of the intersection of Old Hawthorne Drive West and Pergola Drive. (Case # 13-236)

DISCUSSION

The applicant is requesting approval of a development plan to construct 32 dwelling units on 5.68 acres of PUD-6.6 (Planned Unit Development allowing a maximum density of 6.6 dwelling units per acre) zoned land within Old Hawthorne. The proposed development density is 5.6 units per acre. The dwellings are configured in four-unit townhouse style structures which may be sold individually pending condominium or subject to future replatting of the site in conformance with the City's Subdivision Regulations.

Since the site's eastern property line abuts a fairway of the Old Hawthorne golf course that acts as an open space buffer from nearby development, the applicant is requesting a 10-foot variance from the typically required 25-foot setback standard (Section 29-10(d)(7)) to allow buildings to be located a minimum of 15 feet from the eastern property boundary.

The application includes a request to rezone 6,568 square feet of land at the site's southeast corner from C-P (Planned Business District) to PUD-6.6 so that it may be incorporated into the current development plan request. The Statement of Intent for the proposed rezoning area is consistent with the 2006 rezoning ordinance's Statement of Intent which applies to the remainder of the subject PUD development plan area.

With the exception of the requested setback variance from Section 29-10(d)(7), the proposed development plan conforms to the applicable PUD-6.6 Statement of Intent and City Zoning Regulations.

RECOMMENDATION

- Approval of the proposed rezoning
- Approval of the PUD development plan, including approval of the requested variance from Section 29-10(d)(7) to reduce the perimeter setback along the eastern property line from 25 feet to 15 feet.

ATTACHMENTS

- Locator aerial and topographic maps
- Development Plan
- Rezoning Statement of Intent
- 2006 rezoning ordinance and Statement of Intent

SITE HISTORY

| | |
|-------------------------------------|--|
| Annexation Date | 2005 |
| Existing Zoning District(s) | PUD-6.6 & C-P |
| Land Use Plan Designation | Neighborhood District |
| Subdivision/Legal Lot Status | Legally platted as Lot 3-A of Old Hawthorne Plat 1-A |

SITE CHARACTERISTICS

| | |
|-------------------------------|---|
| Area (acres) | 5.68 acres (plan area); 6,568 sq. ft. (rezoning area) |
| Topography | Slopes gradually downward from south to north |
| Vegetation/Landscaping | Mostly grass-covered with a few trees |
| Watershed/Drainage | Grindstone Creek |
| Existing structures | None |

SURROUNDING LAND USES

| Orientation from site | Zoning | Land Use |
|------------------------------|------------------------------|--|
| North | R-1 (One-Family Dwelling) | None |
| South | C-P (Planned Business) & PUD | Wellness Center & developing residential |
| East | R-1 | Golf course |
| West | PUD | Single-family detached & attached homes |

UTILITIES & SERVICES

| | |
|------------------------|---------------------------------|
| Sanitary Sewer | City Public Works Dept. |
| Water | Public Water Supply District #9 |
| Electric | Boone Electric Cooperative |
| Fire Protection | Columbia Fire Dept. |

ACCESS

| | |
|---------------------------------|--|
| Old Hawthorne Drive West | West side of site |
| Major Roadway Plan | Local residential (Improved & City-maintained) |
| CIP Projects | None |
| Sidewalk | 5-ft wide sidewalk needed |

PARKS & RECREATION

| | |
|--------------------------------|------------------------------------|
| Neighborhood Parks | N/A |
| Trails Plan | No trails planned adjacent to site |
| Bicycle/Pedestrian Plan | N/A |

PUBLIC NOTIFICATION

All property owners within 200 feet and City-recognized neighborhood associations within 1,000 feet of the boundaries of the subject property were notified of a public information meeting, which was held on November 26, 2013.

| | |
|---|---|
| Public Information Meeting Recap | Number of attendees: 1 Comments/concerns: general questions about development plan and density |
| Neighborhood Association(s) Notified | None |
| Correspondence Received | None as of this writing |

Report prepared by Steve MacIntyre; approved by Patrick Zenner



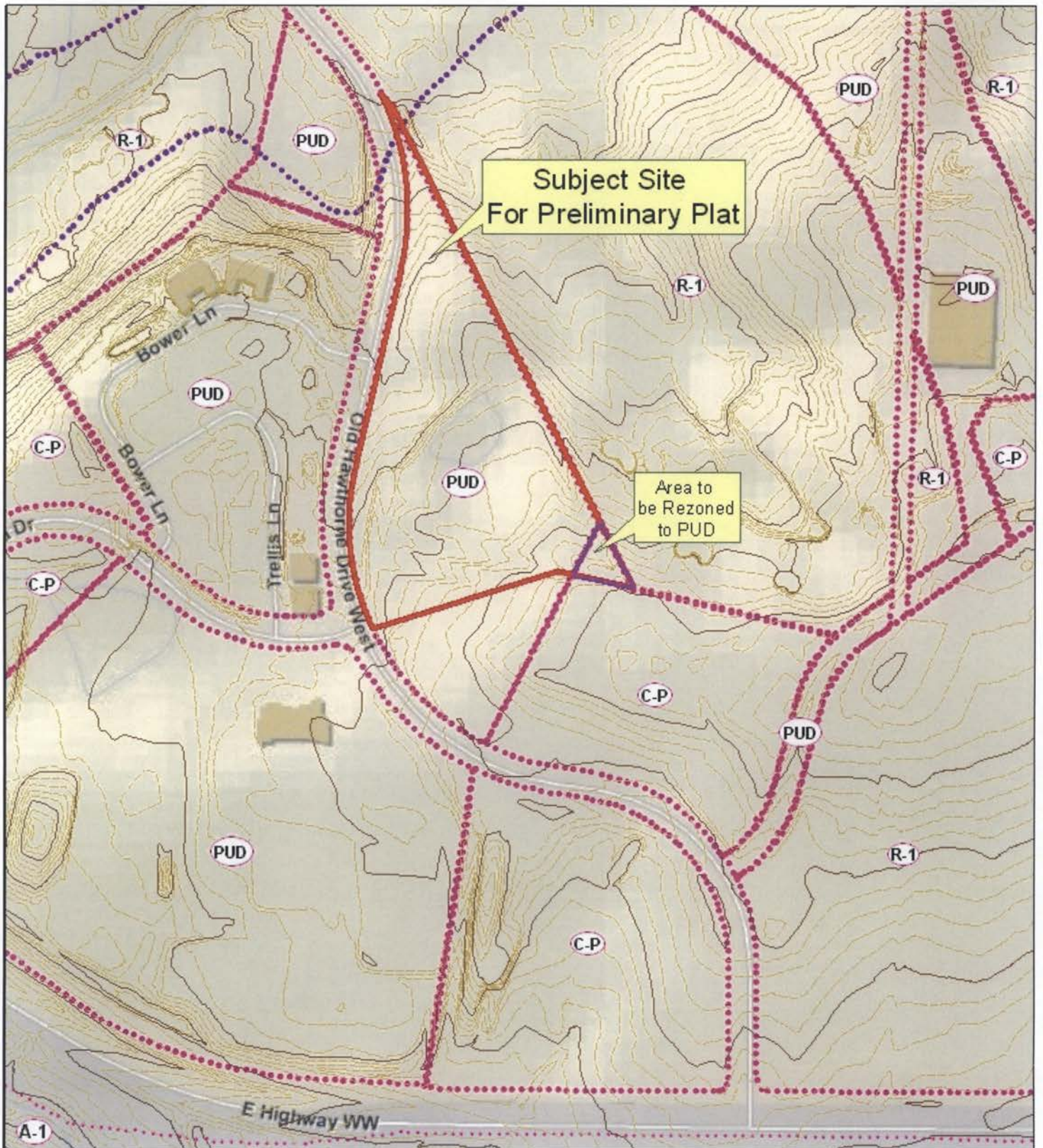
13-236: On the Ninth PUD Plan/ Preliminary Plat & Rezoning

0 140 280 560
Feet



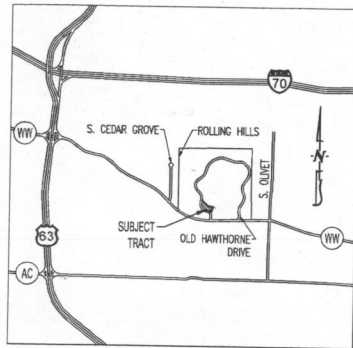
Parcel Data Source: Boone County Assessor

Created by The City of Columbia - Community Development Department

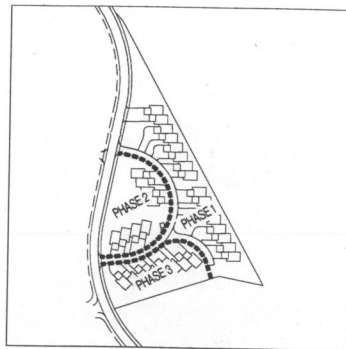


13-236: On the Ninth PUD Plan/ Preliminary Plat & Rezoning

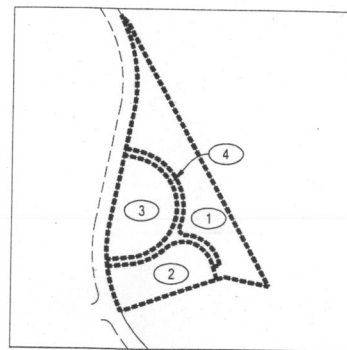




LOCATION MAP
NOT TO SCALE

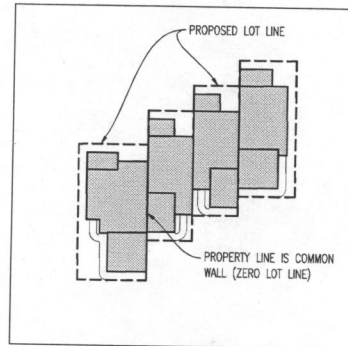


PHASING PLAN
NOT TO SCALE

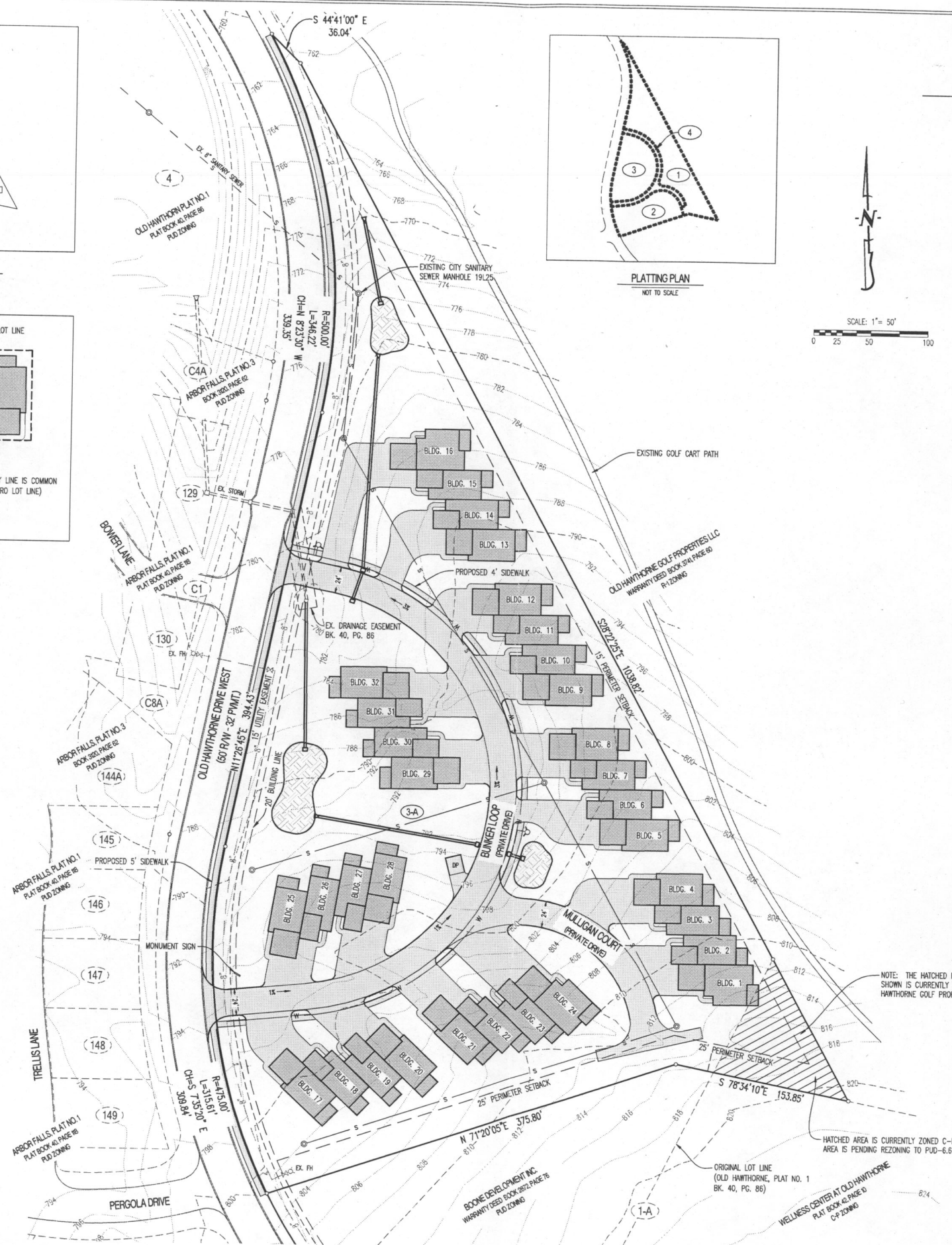


PLATTING PLAN
NOT TO SCALE

- 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
 - EXISTING WATERLINE
 - PROPOSED WATERLINE
 - EXISTING FIRE HYDRANT
 - PROPOSED FIRE HYDRANT
 - PROPOSED STORM SEWER
 - BUILDING LINE
 - LOT NUMBER
 - STREAM BUFFER (OUTER LIMITS)
 - PROPOSED PAVEMENT
 - PROPOSED DETENTION/BIORETENTION
 - DUMPSTER PAD



ZERO LOT LINE DETAIL
NOT TO SCALE



PRELIMINARY PLAT & PUD PLAN FOR ON THE NINTH

LOT 3-A OF OLD HAWTHORNE, PLAT NO. 1-A AS RECORDED IN
BOOK 4242, PAGE 92, LOCATED IN THE NORTHEAST QUARTER
OF SECTION 22, TOWNSHIP 48 NORTH, RANGE 12 WEST
COLUMBIA, BOONE COUNTY, MISSOURI
NOVEMBER 11, 2013
REVISED DECEMBER 10, 2013

NOTES:

- THE INTENT FOR THIS DEVELOPMENT IS TO BE DEVELOPED IN THREE PHASES. THE PHASES SHOWN MAY OR MAY NOT TAKE PLACE IN THE NUMERICAL ORDER LISTED.
- THE MAXIMUM HEIGHT OF ANY BUILDING WILL NOT EXCEED 40', MEASURED FROM THE GROUND FINISHED GRADE ON THE FRONT SIDE.
- ONE DEVELOPMENT SIGN SHALL BE ALLOWED AND SHALL BE A MONUMENT SIGN WITH A MAXIMUM AREA OF 16 SQ.FT. AND A MAXIMUM HEIGHT OF 4 FT. MEASURED FROM THE ADJACENT GRADE. IT SHALL BE PLACED A MINIMUM OF 10' FROM THE RIGHT-OF-WAY AS SHOWN.
- NO PART OF THIS TRACT LIES WITHIN THE 100 YEAR FLOODPLAIN AS ADOPTED BY THE CITY OF COLUMBIA AS SHOWN BY FIRM PANELS 29019C02950 & 29019C03250 DATED MARCH 17, 2011.
- ALL SANITARY SEWERS SHALL BE LOCATED WITHIN THE APPROPRIATE WIDTH EASEMENT. SAID EASEMENTS SHALL BE GRANTED AT THE TIME OF FINAL DESIGN.
- ALL PUBLIC SANITARY SEWER EXTENSIONS SHALL BE MINIMUM OF 8" DIAMETER. SEWERS SHALL 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.
- WATER DISTRIBUTION SHALL BE PROVIDED BY PWSD #9.
- ALL DRIVEWAYS AND ROADWAYS ARE SUBJECT TO FIRE DEPARTMENT APPROVAL AT THE TIME OF FINAL DESIGN.
- NATURAL GAS DISTRIBUTION TO BE DESIGNED BY AMEREN UE.
- BUILDING NUMBERS SHOWN ARE FOR INVENTORY PURPOSES ONLY.
- THE EXISTING ZONING OF THIS TRACT IS PUD-6.6 & C-P. THE C-P PORTION OF THIS TRACT IS PENDING REZONING TO PUD-6.6.
- A 5' SIDEWALK SHALL BE CONSTRUCTED ALONG THE WEST SIDE OF THIS DEVELOPMENT ADJACENT TO OLD HAWTHORNE DRIVE WEST.
- ELECTRIC DISTRIBUTION TO BE DESIGNED BY BOONE ELECTRIC COOPERATIVE.
- NO REGULATED STREAM BUFFER IS IDENTIFIED ON THIS TRACT BY ARTICLE X, CHAPTER 12A OF THE CITY CODE OF ORDINANCES AND AS SHOWN BY THE COLUMBIA & MILLERSBURG USGS QUADRANGLE.
- THERE IS NO CLIMAX FOREST, AS DEFINED BY THE CITY OF COLUMBIA, LOCATED WITHIN THE LIMITS OF THIS PLAT.
- 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.
- PROPOSED BIORETENTION AREAS WILL BE SIZED AT THE TIME OF FINAL DESIGN.
- THIS TRACT CONTAINS 5.68 ACRES.
- THIS DEVELOPMENT MAY BE PLATTED PER THE ABOVE PLATTING PLAN. FURTHER SUBDIVISION MAY BE REQUESTED TO SUBDIVIDE EACH UNIT ONTO ITS OWN ZERO LOT LINE, "POSTAGE STAMP" LOT (SEE DETAIL) FOR INDIVIDUAL SALE. SHOULD THIS TAKE PLACE THEN THE PRIVATE DRIVES AND COMMON LOTS SHALL BE IN COMMON OWNERSHIP.
- THE PROPOSED BUILDING CONFIGURATIONS MAY BE MODIFIED IN ANY FORMAT WITH THE NUMBER OF UNITS IN EACH BUILDING BEING BETWEEN 2 AND 8 UNITS.

LEGAL DESCRIPTION:

LOT 3-A OF OLD HAWTHORNE, PLAT NO. 1-A RECORDED IN BOOK 4242, PAGE 92.

OWNERS:
BOONE DEVELOPMENT INC.
6221 E. BROADWAY
COLUMBIA, MO 65201

OLD HAWTHORNE GOLF PROPERTIES, LLC.
2604 N. STADIUM BLVD.
COLUMBIA, MO 65202

CONTRACT PURCHASER:
BEN & NANCY GALLOWAY
802 SUNSTONE LANE
COLUMBIA, MO 65201

APPROVED BY THE CITY OF COLUMBIA PLANNING AND ZONING
COMMISSION THIS ____ DAY OF ____, 2013.

DR. RAMAN PURI, CHAIRPERSON

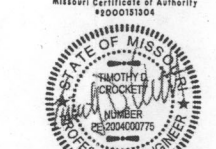
PREPARED BY:

CROCKETT
ENGINEERING CONSULTANTS

2504 North Stadium Boulevard
Columbia, Missouri 65202
(573) 447-0292

www.crockettengineering.com

Crockett Engineering Consultants, LLC
Missouri Certificate of Authority
#1000015104



TIMOTHY D. CROCKETT - PE-2004000775

ACCEPTED BY ORDINANCE OF THE CITY COUNCIL OF COLUMBIA, MISSOURI, THIS
____ DAY OF ____, 2013.

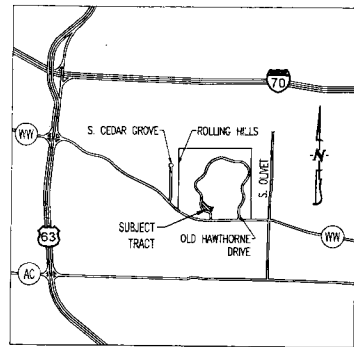
ROBERT MCDOWD, MAYOR

SHEELA AMIN, CITY CLERK

| PARKING CALCULATIONS: | |
|---|-------------------------------|
| PARKING REQUIRED: | |
| 28 UNITS - 2 BEDROOM UNITS | 2 SPACES / UNIT = 56 SPACES |
| 4 UNITS - 3 BEDROOM UNITS | 2.5 SPACES / UNIT = 10 SPACES |
| PLUS 1 SPACE / 5 UNITS: | = 7 SPACES |
| TOTAL SPACES REQUIRED: | = 73 SPACES |
| TOTAL SPACES PROPOSED: | = 96 SPACES |
| NOTE: PROPOSED SPACES ARE CALCULATED BY 1 SPACE IN EACH ONE-CAR GARAGE, 1 SPACE IN FRONT OF EACH ONE-CAR GARAGE, 2 SPACES IN EACH TWO-CAR GARAGE, AND 2 SPACES IN FRONT OF EACH TWO-CAR GARAGE. | |

| DENSITY CALCULATIONS: | |
|---------------------------|------------------|
| LOT AREA | 5.68 ACRES |
| PROPOSED NUMBER OF UNITS: | 32 |
| PROPOSED DENSITY: | 5.6 UNITS / ACRE |
| PROPOSED ZONING: | PUD-6.6 |

| CALCULATIONS: | |
|--|--------------------|
| AREA: | |
| TOTAL LOT AREA = | 5.68 ACRES |
| TOTAL PAVEMENT AREA = | 136,735 S.F. (55%) |
| LANDSCAPE COMPLIANCE: | |
| TOTAL PARKING LOT & DRIVE AREA = | 52,140 SQ. FT. |
| TREES REQUIRED @ 1 TREE/4500 SQ. FT. = | 12 TREES |
| TOTAL TREES REQUIRED = | 12 TREES |
| MEDIUM TO LARGE TREES REQUIRED (30%) = | 4 TREES |
| TOTAL TREES PROVIDED = | 18 TREES |



LOCATION MAP
NOT TO SCALE

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
- PROPOSED DETENTION/BIORETENTION

PLANTING NOTES:

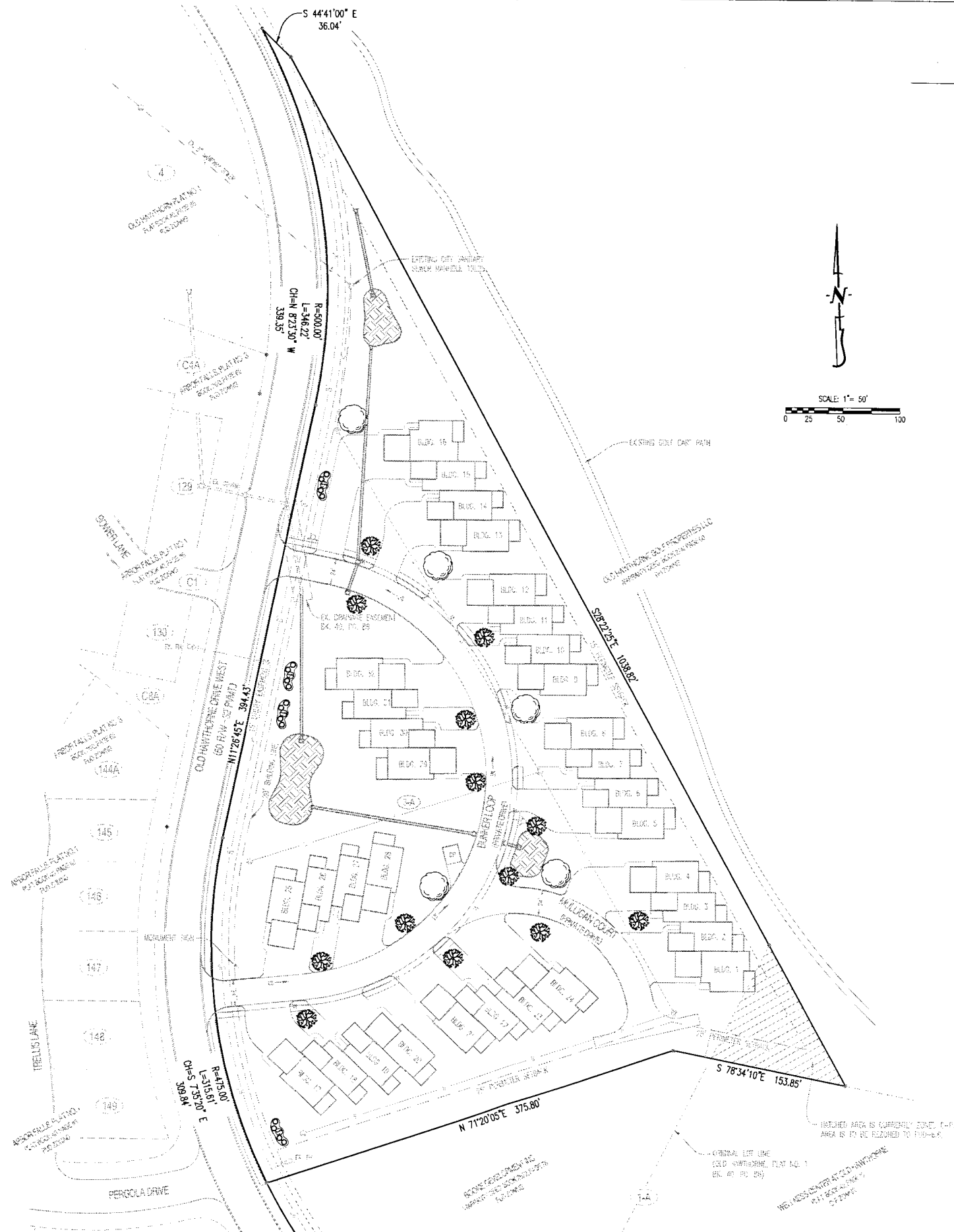
| QUANTITY | PLANT SPECIES |
|----------|--|
| 5 | PIN OAK - QUERCUS PALUSTRIS |
| 13 | SARGENT CRABAPPLE - MALUS SARGENTII |
| 1 | 1" TALL MULCH BERM WITH LANDSCAPED BED CONTAINING SMALL ORNAMENTAL TREES, DECORATIVE GRASSES, DECIDUOUS SHRUBS, EVERGREEN SHRUBS, AND ANY COMBINATION THEREOF. LANDSCAPE BEDS SHALL CONFORM TO SCREENING REQUIREMENTS FOR THE CITY OF COLUMBIA. SCREENING SHALL REACH 50% OPACITY IN THE SPACE BETWEEN 1' AND 5' ABOVE GRADE AT THE SCREEN LINE. |

CALCULATIONS:

| | |
|--|----------------|
| LANDSCAPE COMPLIANCE: | |
| TOTAL PARKING LOT & DRIVE AREA = | 52,140 SQ. FT. |
| TREES REQUIRED @ 1 TREE/4500 SQ. FT. = | 12 TREES |
| TOTAL TREES REQUIRED = | 12 TREES |
| MEDIUM TO LARGE TREES REQUIRED (30%) = | 4 TREES |
| TOTAL TREES PROVIDED = | 18 TREES |

CLIMAX FOREST:

THE IS NO CLIMAX FOREST, AS DEFINED BY THE CITY OF COLUMBIA, LOCATED WITHIN THE LIMITS OF THIS PLAT.



PRELIMINARY PLAT & PUD PLAN FOR ON THE NINTH

LOT 3-A OF OLD HAWTHORNE, PLAT NO. 1-A AS RECORDED IN
BOOK 4242, PAGE 92, LOCATED IN THE NORTHEAST QUARTER
OF SECTION 22, TOWNSHIP 48 NORTH, RANGE 12 WEST
COLUMBIA, BOONE COUNTY, MISSOURI

NOVEMBER 11, 2013

REVISED DECEMBER 10, 2013

NOTES:

THE INTENT FOR THIS DEVELOPMENT IS TO BE DEVELOPED IN THREE PHASES. THE PHASES SHOWN MAY OR MAY NOT TAKE PLACE IN THE NUMERICAL ORDER LISTED.

THE MAXIMUM HEIGHT OF ANY BUILDING WILL NOT EXCEED 40', MEASURED FROM THE GROUND FINISHED GRADE ON THE FRONT SIDE.

ONE DEVELOPMENT SIGN SHALL BE ALLOWED AND SHALL BE A MONUMENT SIGN WITH A MAXIMUM AREA OF 16 SQ.FT. AND A MAXIMUM HEIGHT OF 4 FT. MEASURED FROM THE ADJACENT GRADE. IT SHALL BE PLACED A MINIMUM OF 10' FROM THE RIGHT-OF-WAY AS SHOWN.

NO PART OF THIS TRACT LIES WITHIN THE 100 YEAR FLOODPLAIN AS ADOPTED BY THE CITY OF COLUMBIA AS SHOWN BY FIRM PANELS 29019002950 & 29019003250 DATED MARCH 17, 2011.

ALL SANITARY SEWERS SHALL BE LOCATED WITHIN THE APPROPRIATE WIDTH EASEMENT. SAID EASEMENTS SHALL BE GRANTED AT THE TIME OF FINAL DESIGN.

ALL PUBLIC SANITARY SEWER EXTENSIONS SHALL BE MINIMUM OF 8" DIAMETER. SEWERS SHALL 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.

WATER DISTRIBUTION SHALL BE PROVIDED BY PMSD #9.

ALL DRIVEWAYS AND ROADWAYS ARE SUBJECT TO FIRE DEPARTMENT APPROVAL AT THE TIME OF FINAL DESIGN.

NATURAL GAS DISTRIBUTION TO BE DESIGNED BY AMEREN UE.

BUILDING NUMBERS SHOWN ARE FOR INVENTORY PURPOSES ONLY.

THE EXISTING ZONING OF THIS TRACT IS PUD-6.6 & C-P. THE C-P PORTION OF THIS TRACT IS PENDING REZONING TO PUD-6.6.

A 5' SIDEWALK SHALL BE CONSTRUCTED ALONG THE WEST SIDE OF THIS DEVELOPMENT ADJACENT TO OLD HAWTHORNE DRIVE WEST.

ELECTRIC DISTRIBUTION TO BE DESIGNED BY BOONE ELECTRIC COOPERATIVE.

NO REGULATED STREAM BUFFER IS IDENTIFIED ON THIS TRACT BY ARTICLE X, CHAPTER 12A OF THE CITY CODE OF ORDINANCES AND AS SHOWN BY THE COLUMBIA & MILLERSBURG USGS QUADRANGLE.

THERE IS NO CLIMAX FOREST, AS DEFINED BY THE CITY OF COLUMBIA, LOCATED WITHIN THE LIMITS OF THIS PLAT.

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.

PROPOSED BIORETENTION AREAS WILL BE SIZED AT THE TIME OF FINAL DESIGN.

THIS TRACT CONTAINS 5.68 ACRES.

THIS DEVELOPMENT MAY BE PLATTED PER THE ABOVE PLATTING PLAN. FURTHER SUBDIVISION MAY BE REQUESTED TO SUBDIVIDE EACH UNIT ONTO ITS OWN ZERO LOT LINE. "POSTAGE STAMP" LOT (SEE DETAIL) FOR INDIVIDUAL SALE. SHOULD THIS TAKE PLACE THEN THE PRIVATE DRIVES AND COMMON LOTS SHALL BE IN COMMON OWNERSHIP.

THE PROPOSED BUILDING CONFIGURATIONS MAY BE MODIFIED IN ANY FORMAT WITH THE NUMBER OF UNITS IN EACH BUILDING BEING BETWEEN 2 AND 8 UNITS.

LEGAL DESCRIPTION:

LOT 3-A OF OLD HAWTHORNE, PLAT NO. 1-A RECORDED IN BK. 4242, PG. 92.

OWNERS:
BOONE DEVELOPMENT INC.
6221 E. BROADWAY
COLUMBIA, MO 65201

OLD HAWTHORNE GOLF PROPERTIES, LLC.
2604 N. STADIUM BLVD.
COLUMBIA, MO 65202

CONTRACT PURCHASER:
BEN & NANCY GALLOWAY
802 SUNSTONE LANE
COLUMBIA, MO 65201

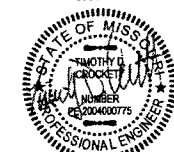
APPROVED BY THE CITY OF COLUMBIA PLANNING AND ZONING
COMMISSION THIS ____ DAY OF ____, 2013.

DR. RAMAN PURI, CHAIRPERSON

PREPARED BY:

CROCKETT
ENGINEERING CONSULTANTS
1000 North Stadium Boulevard
Columbia, Missouri 65201
(573) 447-0292

www.crockettengineering.com
Crockett Engineering Consultants, LLC
Missouri Certificate of Authority
#000018104



TIMOTHY D. CROCKETT - PE-2004000775

ACCEPTED BY ORDINANCE OF THE CITY COUNCIL OF COLUMBIA, MISSOURI, THIS
____ DAY OF ____, 2014.

ROBERT McDAVID, MAYOR

SHEELA AMIN, CITY CLERK

Introduced by Hindman
First Reading 7-3-06 Second Reading 7-17-06
Ordinance No. 019117 Council Bill No. B 266-06

AN ORDINANCE

rezoning property located north of State Route WW and east of Rolling Hills Road from District PUD-4 to District PUD-4.2 and from District PUD-6 to District PUD-6.6; repealing all conflicting ordinances or parts of ordinances; 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 Zoning District Map established and adopted by Section 29-4 of the Code of Ordinances of the City of Columbia, Missouri, is amended so that the following property:

TRACT 3-B

A tract of land located in the Southwest Quarter of Section 14, the Southeast Quarter of Section 15, the Northeast Quarter of Section 22, and the Northwest Quarter of Section 23, all in Township 48 North, Range 12 West in Boone County, Missouri, being part of the tract shown by survey recorded in Book 2591 at Page 24 of said county records and being further described as follows:

Starting at the center of said Section 15 as shown by said survey; thence with the Quarter Section line, N89°05'25"E, 2081.56 feet to the Point of Beginning; thence continuing with said Quarter Section line, N89°05'25"E, 558.12 feet; thence with the Quarter Section line of said Section 14, N89°50'05"E, 1553.77 feet; thence leaving said Quarter Section line and boundary of said survey, S0°10'00"E, 370.70 feet; thence S3°24'40"W, 639.59 feet; thence N79°46'50"W, 152.83 feet; thence N71°17'10"W, 867.22 feet; thence N14°19'00"E, 67.27 feet; thence N87°08'00"E, 649.02 feet; thence N71°28'10"E, 150.44 feet; thence N25°12'40"E, 128.96 feet; thence N5°09'30"W, 108.92 feet; thence N32°26'40"W, 103.80 feet; thence N80°06'00"W, 107.00 feet; thence S89°08'20"W, 1359.16 feet; thence S63°50'00"W, 59.10 feet; thence S0°24'10"E, 137.04 feet; thence S17°55'40"E, 169.39; thence S53°36'40"E, 130.88 feet; thence S71°32'40"E, 241.02 feet; thence S36°32'50"W, 117.66 feet; thence S54°41'00"E, 201.17

feet; thence S18°06'20"W, 605.97 feet; thence S5°15'50"W, 79.99 feet; thence S7°59'30"E, 207.20 feet; thence S16°25'40"E, 592.67 feet; thence S62°51'30"W, 81.83 feet; thence S41°18'20"W, 378.22 feet; thence N74°44'20"W, 681.59 feet; thence N83°47'20"W, 209.29 feet; thence S84°39'20"W, 90.03 feet; thence S67°00'10"W, 426.12 feet; thence N31°56'10"W, 72.85 feet; thence N11°54'40"E, 805.60 feet; thence S77°41'10"E, 123.99 feet; thence N25°01'00"E, 662.82 feet; thence N13°05'20"E, 200.08 feet; thence N50°28'40"E, 331.17 feet; thence N1°42'50"W, 817.31 feet to the Point of Beginning and containing 75.67 acres.

will be rezoned and become a part of District PUD-4.2 (Planned Unit Development) with a development density not exceeding 4.2 dwelling units per acre and taken away from District PUD-4. Hereafter the property may be used for single family attached units assembled in duplex structures, single family attached units in townhouse structures assembled in two to four units per structure, and single family detached units. The statement of intent submitted by applicant, marked "Exhibit A" is attached to and made a part of this ordinance.

SECTION 2. The Zoning District Map established and adopted by Section 29-4 of the Code of Ordinances of the City of Columbia, Missouri, is amended so that the following property:

Tract 3-D

A tract of land located in the Northeast Quarter of Section 22, Township 48 North, Range 12 West, in Boone County, Missouri, being part of the tract shown by survey recorded in Book 2591 at Page 24 of said county records and being further described as follows:

Starting at the North Quarter corner of said Section 22 as shown by said survey; thence with the Quarter Section line of said Section 22 and boundary of said survey, S00°09'10"E, 1753.90 feet to a point on the northerly right-of-way of Missouri Route WW; thence along said right-of-way, S56°41'35"E, 111.66 feet; thence S88°30'45"E, 64.58 feet; thence S73°03'45"E, 145.39 feet; thence S57°42'10"E, 200.83 feet; thence S56°52'15"E, 233.82 feet to the Point of Beginning; thence continuing S56°52'15"E, 266.72 feet; thence S61°04'25"E, 139.87 feet; thence S53°28'05"E, 193.06 feet; thence S62°14'10"E, 147.01 feet; thence along a curve to the left having a radius of 1060.92 feet for an arc length of 245.16 feet, the long chord bears S78°45'55"E, 244.61 feet; thence S87°06'40"E, 193.00 feet; thence S70°07'50"E, 47.92 feet; thence leaving said Route WW right-of-way and said boundary, N7°28'20"E, 644.71 feet; thence N26°18'40"E, 508.22 feet; thence N28°22'20"W, 896.50 feet; thence N44°41'00"W, 262.87 feet; thence S48°00'20"W, 30.63 feet; thence S11°28'00"W, 284.27 feet; thence

S41°58'30"W, 205.83 feet; thence S54°01'40"W, 353.27 feet; thence S34°24'40"E, 430.40 feet; thence S43°05'00"W, 801.39 feet to the Point of Beginning and containing 35.17 acres.


will be rezoned and become a part of District PUD-6.6 (Planned Unit Development) with a development density not exceeding 6.6 dwelling units per acre and taken away from District PUD-6. Hereafter the property may be used for single family detached, single family attached in duplex structure, single family attached in townhouse structure, and single family dwelling units in a 10-unit or less apartment building. The statement of intent submitted by applicant, marked "Exhibit B" is attached to and made a part of this ordinance.

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

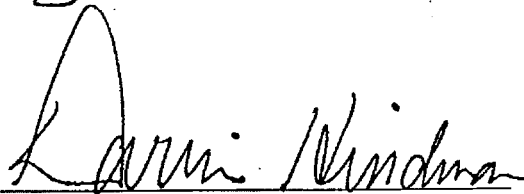
SECTION 4. This ordinance shall be in full force and effect from and after its passage.

PASSED this 17th day of July, 2006.

ATTEST:




City Clerk



Mayor and Presiding Officer

APPROVED AS TO FORM:



City Counselor

RECEIVED

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**TRACT 3-B
STATEMENT OF INTENT**

PLANNING DEPT.

The following information is to be considered as the Statement of Intent for Tract 3-B proposed for PUD zoning.

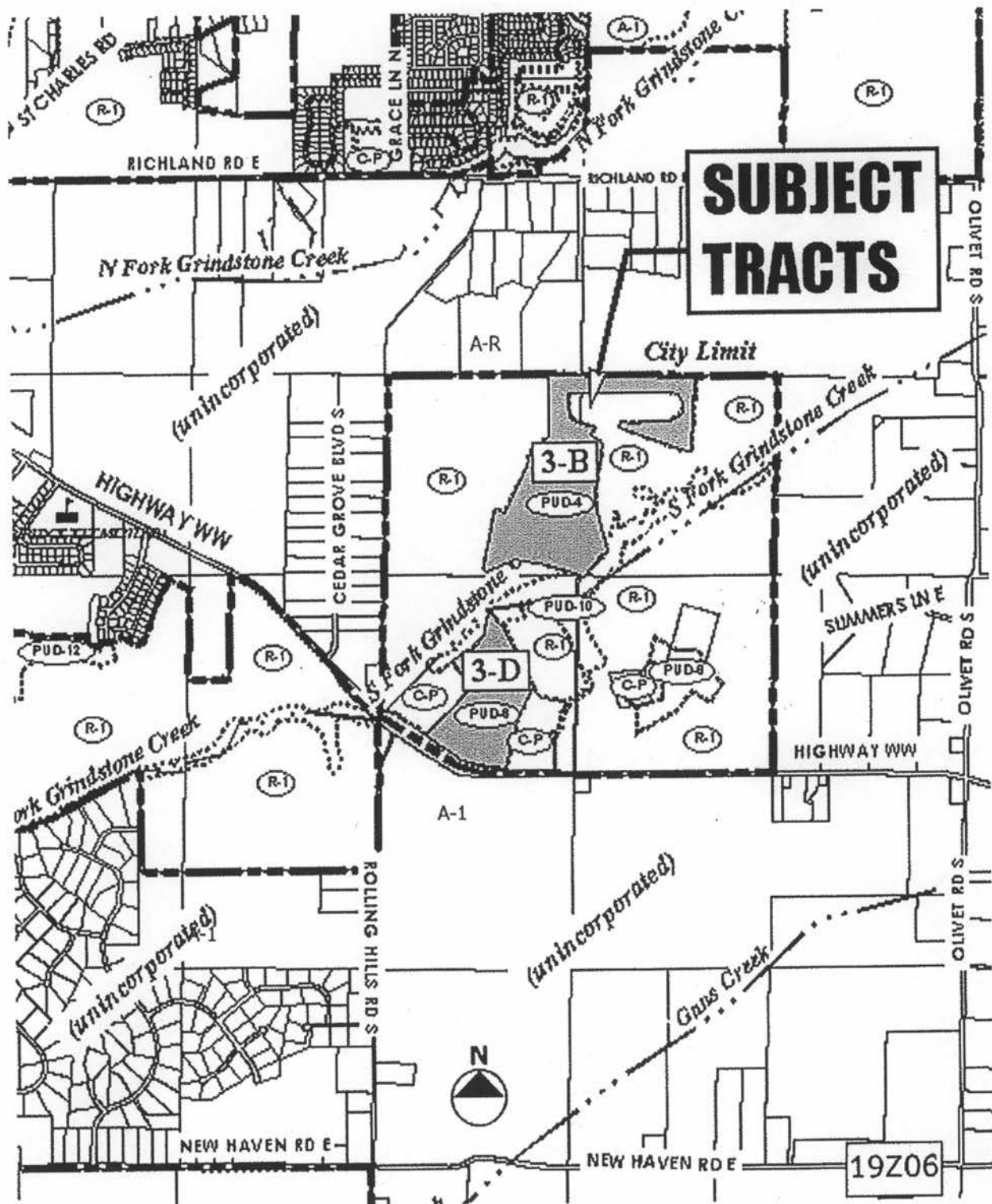
- **Type of Dwelling Units:** Single family attached units assembled in duplex structures; single family attached units in townhouse structures assembled in 2-4 units per structure; single family detached units; or a combination of the above.
- **Maximum Number of Units:** 317 residential units/maximum density of 4.2 units per acre.
- **Maximum Building Height:** The maximum building height shall not exceed 40 feet.
- **The Number of Parking Spaces:** The total number of parking spaces shall be a minimum two spaces per dwelling unit. Parking spaces may be located in a garage, exterior parking lot, or a combination of both.
- **Minimum Percentage of Open/Green Space:** Forty percent of the net area is to be preserved as open/green space. This percentage includes water features and impoundments.
- **Amenities:** There are no proposed amenities within the limits of the proposed PUD other than a small water impoundment. Additional amenities such as a pool, health club and golf course will be available in the subdivision.
- **General Description of Plan:** The development plan for the entire area will present a mixed use of residential units. The minimum front yard set-back from a public street would be eighteen feet. The minimum distance between unattached units would be twelve feet. The minimum rear yard set-back would be 10 feet. There is no minimum lot size within this PUD since "postage stamp" lots may be utilized. Some units may be condominiums.

TRACT 3-D STATEMENT OF INTENT

The following information is to be considered as the Statement of Intent for Tract 3-D proposed for PUD zoning.

- **Type of Dwelling Units:** The units proposed for this tract are to be single family detached, single family attached in duplex structure, single family attached in townhouse structure, single family dwelling units in a 10 unit, or less apartment building, or any combination thereof.
- **Maximum Number of Units:** 232 residential units/maximum density of 6.6 units per acre.
- **Maximum Building Height:** The maximum building height shall not exceed 40 feet.
- **The Number of Parking Spaces:** The total number of parking spaces shall be a minimum two spaces per dwelling unit. Parking spaces may be located in a garage, exterior parking lot, or a combination of both.
- **Minimum Percentage of Open/Green Space:** Forty percent of the net area is to be preserved as open/green space. This percentage includes water features and impoundments.
- **Amenities:** There are amenities within the limits of the proposed PUD. The area will host a clubhouse and pool.
- **General Description of Plan:** The development plan for the entire area will present a mixed use of residential units. The minimum front yard set-back from a public street would be eighteen feet. The minimum distance between unattached units would be twelve feet. There is no minimum lot size within this PUD since "postage stamp" lots may be utilized. Some units may be condominiums.

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PLANNING DEPT.



SUBJECT TRACTS

(unincorporated)

City Limit

3-B

R-1

PUD-4

R-1

R-1

R-1

S Fork Grindstone

S Fork Grindstone Creek

3-D

PUD-10

R-1

R-1

PUD-6

C-P

PUD-6

C-P

R-1

C-P

R-1

HIGHWAY WW E

CEDAR GROVE BLVD S

ROLLING HILLS RD



19Z06

EXCERPTS
PLANNING AND ZONING COMMISSION
DECEMBER 19, 2013

Case No. 13-236

A request by Boone Development, Inc. (owner) to rezone a portion of C-P (Planned Business District) zoned land to PUD (Planned Unit Development District), and for approval of a PUD development plan/preliminary plat known as “On the Ninth”. The rezoning portion contains 6.568 square feet, and the PUD development plan/preliminary plat contains 5.68 acres, which includes the area to be rezoned. The subject site is located east of the intersection of Old Hawthorne Drive West and Pergola Drive.

DR. PURI: Staff report, please.

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends:

- Approval of the proposed rezoning
- Approval of the PUD development plan, including approval of the requested variance from Section 29-10(d)(7) to reduce the perimeter setback along the eastern property line from 25 feet to 15 feet.

DR. PURI: Any questions of Mr. Zenner, Commissioners? Okay. Seeing none. Open the public hearing.

PUBLIC HEARING OPENED

MR. CROCKETT: Mr. Chairman, members of the Commission, my name is Tim Crockett with Crockett Engineering Consultants, 2608 North Stadium. I think Mr. Zenner did a pretty good job of wrapping up doing a staff report on this piece of property. I think it's fairly straightforward. It has been included in the master plan for Old Hawthorne since its inception. As Mr. Zenner indicated, the property had been rezoned back in 2007 as a larger rezoning for this entire area. I believe that the small piece we're asking to be rezoned tonight, while we do have the allowed uses under the C-P, basically what it's doing is cleaning up a lot line adjustment between our piece of property and the property to the east of us, which is the Wellness Center. With that, I would be happy to answer any questions that the Commission may have.

DR. PURI: Commissioners, any questions for the speaker? Seeing none. Thank you. Anybody else would like to speak for this case or against the case? Seeing no one. Close hearing.

PUBLIC HEARING CLOSED

DR. PURI: Discussion, Commissioners? Mr. Reichlin?

MR. REICHLIN: I think, save any other comments, this is pretty straightforward, and I would make a motion for the approval of Case No. 13-236, A request by Boone Development to rezone a portion of the C-P (Planned Business District), and for approval of PUD development plan/preliminary

plat to be known as "On the Ninth". The rezoning portion contains 6,568 square feet, and I would include the approval of the setback variance.

MR. STANTON: Second.

DR. PURI: Mr. Stanton, second. May we have a roll call, please.

MR. STRODTMAN: Yes Mr. Chair. Item No.13-236 for rezoning of C-P to PUD 6.6 [sic], also PUD development plan and statement of intent as well as the setback variance.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Reichlin, Mr. Tillotson, Mr. Wheeler, Mr. Stanton, Mr. Strodtman, Ms. Loe, Dr. Puri. Motion carries 7-0.

MR. STRODTMAN: The motion has passed.

DR. PURI: All right.