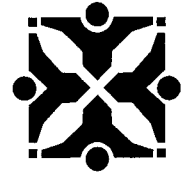


City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: B 210-14

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: July 21, 2014

Re: GED Investments, LLC - rezoning request (Case #14-109)

Documents Included With This Agenda Item

Council memo, Resolution/ordinance, exhibits to ordinance or resolution

Supporting documentation includes: Commission report (including locator maps, Statement of Intent, and a copy of the 2012 PUD rezoning ordinance and SOI), and meeting excerpts

Executive Summary

A request by GED Investments, LLC (owner) to rezone 15.7 acres of land from PUD (Planned Unit Development District) to O-P (Planned Office District). The subject site is located on the east side of Sinclair Road, approximately 150 feet north of Muirfield Drive, and extends eastward to the western terminus of Southampton Drive. (Case #14-109)

Discussion

The applicant is requesting to rezone the subject site from PUD to O-P in order to accommodate a residential care facility. While this use is by definition residential in character, it is not eligible within the PUD zoning district. The "residential care facility" use is the only addition to the Statement of Intent (SOI) from the current PUD designation, which was approved by Council in 2012. The proposed SOI maintains the existing right to use the site for all R-3 (Medium Density Multiple-Family District) uses with a total maximum number of 146 residential units.

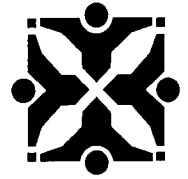
A concurrent request to approve an O-P development plan for a residential care facility on a portion of the subject site has been submitted on behalf of Americare. Residential care facilities appear to be similar to multi-family apartment complexes; however, they typically generate fewer vehicle trips than multi-family apartment buildings since many of the residents tend not to drive. The proposed residential care facility use is not anticipated to cause any traffic problems. Southampton Drive, a neighborhood collector street, will be extended through the subject site upon development to ensure adequate and appropriate access is provided to serve the proposed use.

At its July 10, 2014 meeting, the Planning and Zoning Commission voted unanimously (6-0) to recommend approval of the requested O-P rezoning. There was little discussion among Commissioners, and no members of the public spoke on this request.

A copy of the Planning and Zoning Commission report, including locator maps, the Statement of Intent, and meeting excerpts are attached.

City of Columbia

701 East Broadway, Columbia, Missouri 65201



Fiscal Impact

Short-Term Impact: No new capital spending is expected within the upcoming 2 years as a result of this proposal.

Long-Term Impact: The development/redevelopment of this site may increase demands upon the adjacent streets, sanitary sewers, storm sewers, water and electric supply lines. The costs associated with meeting these demands will be offset by increased property and/or sales tax revenues and user fees.

Vision, Strategic & Comprehensive Plan Impact

Vision Impact: N/A

Strategic Plan Impact: N/A

Comprehensive Plan Impact: N/A

Suggested Council Action

Approval of the O-P rezoning request

Legislative History

10/17/12 - Rezoning to R-1 & PUD 10.5 (Ord # 21520)


Department Approved


City Manager Approved

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 210-14

AN ORDINANCE

rezoning property located on the east side of Sinclair Road, approximately 150 feet north Muirfield Drive and extending eastward to the western terminus of Southampton Drive from District PUD-10.5 to District O-P; approving the statement of intent; 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:

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 3117, PAGE 174 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SAID SECTION 34 AS SHOWN AT THE SOUTHWEST CORNER OF THE SURVEY RECORDED IN BOOK 1408, PAGE 376, AND WITH THE SOUTH LINE OF SAID SURVEY, S 83°42'05"E, 1582.84 FEET TO THE WEST LINE OF HERITAGE MEADOWS PLAT NO. 5, RECORDED IN PLAT BOOK 32, PAGE 66; THENCE LEAVING THE SOUTH LINE OF SAID SURVEY AND WITH THE LINES OF SAID HERITAGE MEADOWS PLAT NO. 5, 43.65 FEET ALONG A 493.00 FOOT-RADIUS, NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, S 72°38'15"W, 43.64 FEET; THENCE S 70°06'05"W, 199.72 FEET; THENCE 44.90 FEET ALONG A 427.00 FOOT-RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, S 73°06'50"W, 44.90 FEET; THENCE S 1°22'45"W, 3.20 FEET; THENCE LEAVING THE LINES OF SAID HERITAGE MEADOWS PLAT NO. 5, S 77°09'30"W, 89.45 FEET; THENCE 119.63 FEET ALONG A 430.00 FOOT-

RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD S 85°07'40"W, 119.25 FEET; THENCE S 3°05'55"W, 60.00 FEET; THENCE S 42°07'15"W, 393.78 FEET; THENCE; S 44°55'35"W, 108.89 FEET; THENCE N 88°36'25"W, 205.88 FEET; THENCE; N 73°06'30"W, 297.71 FEET; THENCE N 88°30'50"W, 276.24 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34; THENCE WITH THE WEST LINE OF SAID SOUTHEAST QUARTER, N 1°28'45"E, 631.54 FEET TO THE POINT OF BEGINNING, AND CONTAINING 15.74 ACRES.

will be rezoned and become a part of District O-P (Planned Office District) and taken away from District PUD-10.5 (Planned Unit Development). Hereafter the property may be used for all permitted uses listed in the Statement of Intent, attached hereto as "Exhibit A."

SECTION 2. The City Council hereby approves the terms and conditions contained in the statement of intent dated June 23, 2014, 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. 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



**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>14-109</i>	Submission Date: <i>6/23/14</i>	Planner Assigned:
--------------------------	------------------------------------	-------------------

Please provide the following information, which shall serve as the statement of intent for the proposed planned district zoning:

1. The uses proposed.

All uses in District R-3

The following uses in District O-1:

-Residential Care Facilities.

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.

The proposed type of dwellings can be single-family detached, single family attached, two-family attached multi-family and/or residential care facility. The maximum number of units in the O-P shall not exceed 146 units. The total number of units (146) shall be dispersed in any configuration, meaning that any specific future lot within the O-P may exceed the designated zoning density as long as the total O-P does not exceed the allowed density of 146 units.

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: 35%

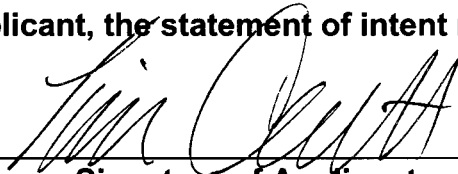
Existing Vegetation: 5%

The following items only apply to PUD zoning requests:

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

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

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



Signature of Applicant or Agent

6-23-14

Date



SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

Commission report (including locator maps, Statement of Intent, and a copy of the 2012 PUD rezoning ordinance and SOI), and meeting excerpts

AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
July 10, 2014

SUMMARY

A request by GED Investments, LLC (owner) to rezone 15.7 acres of land from PUD (Planned Unit Development District) to O-P (Planned Office District). The subject site is located on the east side of Sinclair Road, approximately 150 feet north of Muirfield Drive, and extends eastward to the western terminus of Southampton Drive. (Case #14-109)

DISCUSSION

The applicant is requesting to rezone the subject site from PUD to O-P in order to accommodate a residential care facility. While this use is by definition residential in character, it is not eligible within the PUD zoning district. The “residential care facility” use is the only addition to the Statement of Intent (SOI) from the current PUD designation, which was approved by Council in 2012. The proposed SOI maintains the existing right to use the site for all R-3 (Medium Density Multiple-Family District) uses with a total maximum number of 146 residential units.

A concurrent request to approve an O-P development plan for a residential care facility on a portion of the subject site has been submitted on behalf of Americare. Residential care facilities appear to be similar to multi-family apartment complexes; however, they typically generate fewer vehicle trips than multi-family apartment buildings since many of the residents tend not to drive. The proposed residential care facility use is not anticipated to cause any traffic problems. Southampton Drive, a neighborhood collector street, will be extended through the subject site upon development to ensure adequate and appropriate access is provided to serve the proposed use.

Staff believes that the proposed zoning and land uses are appropriate at this location.

RECOMMENDATION

Approval of the proposed rezoning from PUD to O-P, including the associated Statement of Intent

ATTACHMENTS

- Locator aerial and topographic maps
- Statement of Intent
- 2012 PUD rezoning ordinance and SOI

SITE HISTORY

Annexation Date	1999
Existing Zoning District(s)	PUD (Planned Unit Development District)
Land Use Plan Designation	Neighborhood District
Subdivision/Legal Lot Status	Part of Preliminary Plat of Heritage Village, Plat 1

SITE CHARACTERISTICS

Area (acres)	15.74 acres
Topography	Flat to gently sloping
Vegetation/Landscaping	Grassed open space
Watershed/Drainage	Mill Creek
Existing structures	None

SURROUNDING LAND USES

Orientation from site	Zoning	Land Use
North	A-1 (Agricultural)	Undeveloped
South	R-1 (One-Family Dwelling)	Developing single-family
East	R-1	Developing single-family
West	A-1	Sinclair Road/Undeveloped

UTILITIES & SERVICES

Sanitary Sewer	City Public Works
Water	City Water & Light
Fire Protection	Columbia Fire Department
Electric	Boone Electric

ACCESS

Southampton Drive	Will extend westward, bisecting the subject site
Major Roadway Plan	Neighborhood Collector (to be built to City standards upon development) City-maintained roadway
CIP Projects	Southampton extension to Sinclair is listed as a 10+ year project. However, developer will dedicate ROW upon platting, and construct the roadway at his expense concurrent with development.

Sinclair Road	West side of site
Major Roadway Plan	Major Collector (unimproved & City-maintained)
CIP Projects	None

PARKS & RECREATION

Neighborhood Parks	Site is south of a primary park acquisition area. Closest park is Cosmo-Bethel (approx. 1.2 miles to east).
Trails Plan	No trails planned adjacent to site
Bicycle/Pedestrian Plan	N/A

PUBLIC NOTIFICATION

All property owners within 200 feet and City-recognized neighborhood associations within 1,000 feet of the boundaries of the subject property were notified of a public information meeting, which was held on June 17, 2014.

Public Information Meeting Recap	Number of attendees: 10 Comments/concerns: Building height limits, Southampton Drive extension, traffic calming, storm water, landscaping, size of homes being built adjacent to site.
Neighborhood Association(s) Notified	Heritage Estates
Correspondence Received	None

Report prepared by Steve MacIntyre; approved by Patrick Zenner



14-109: GED Investments, LLC Rezoning



Hillshade Data: Boone County GIS Office
 Parcel Data Source: Boone County Assessor
 Imagery: Boone County Assessor's Office, Sanborn Map Company
 Created by The City of Columbia - Community Development Department

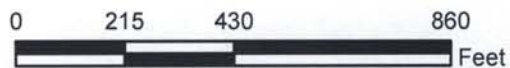
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14-109: GED Investments, LLC Rezoning



Hillshade Data: Boone County GIS Office
 Parcel Data Source: Boone County Assessor
 Imagery: Boone County Assessor's Office, Sanborn Map Company
 Created by The City of Columbia - Community Development Department





**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>14-109</i>	Submission Date: <i>6/23/14</i>	Planner Assigned:
--------------------------	------------------------------------	-------------------

Please provide the following information, which shall serve as the statement of intent for the proposed planned district zoning:

1. The uses proposed.

All uses in District R-3

The following uses in District O-1:

-Residential Care Facilities.

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.

The proposed type of dwellings can be single-family detached, single family attached, two-family attached multi-family and/or residential care facility. The maximum number of units in the O-P shall not exceed 146 units. The total number of units (146) shall be dispersed in any configuration, meaning that any specific future lot within the O-P may exceed the designated zoning density as long as the total O-P does not exceed the allowed density of 146 units.

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: 35%

Existing Vegetation: 5%

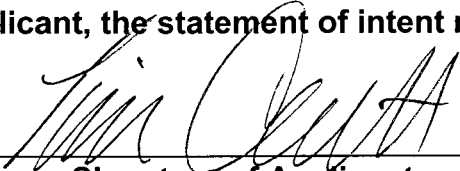
The following items only apply to PUD zoning requests:

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

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

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.

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



Signature of Applicant or Agent

6-23-14

Date

021434

Permanently Recorded
Filed in County Office

Introduced by McDavid

First Reading 9-4-12

Second Reading 9-17-12

Ordinance No. 021434

Council Bill No. B 231-12

AN ORDINANCE

rezoning property located at the western terminus of Southampton Drive, east of Sinclair Road and north of Muirfield Drive, from District R-1 and District PUD-8 to District R-1 and District PUD-10.5; 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 1

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 3117, PAGE 174 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 34 AS SHOWN AT THE SOUTHWEST CORNER OF THE SURVEY RECORDED IN BOOK 1408, PAGE 376, THENCE WITH THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34; THENCE, S 1°28'45"W, 631.54 FEET TO THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING AND LEAVING THE WEST LINE OF SAID SOUTHEAST QUARTER OF SAID SECTION 34, S 88°30'50"E, 276.24 FEET; THENCE S 73°06'30"E, 297.71 FEET; THENCE S 88°36'25"E, 205.88 FEET; THENCE N 44°55'35"E, 108.89 FEET; THENCE N 42°07'15"E, 393.78 FEET; THENCE N 3°05'55"E, 60.00 FEET; THENCE 119.63 FEET ALONG A 430.00 FOOT-RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD N 85°07'40"E, 119.25 FEET; THENCE N 77°09'30"E, 89.45 FEET TO THE WEST LINE OF HERITAGE MEADOWS PLAT NO. 5, RECORDED IN PLAT BOOK 32, PAGE 66;

THENCE WITH THE LINES OF SAID HERITAGE MEADOWS PLAT NO. 5, S 1°22'45"W, 232.23 FEET; THENCE N 88°41'50"W, 69.11 FEET; THENCE S 1°16'05"W, 292.06 FEET TO THE NORTH LINE OF HERITAGE MEADOWS PLAT NO. 6, RECORDED IN PLAT BOOK 33, PAGE 34; THENCE LEAVING THE LINES OF SAID PLAT 5 AND WITH THE LINES OF SAID HERITAGE MEADOWS PLAT NO. 6, N 88°41'40"W, 105.45 FEET; THENCE S 34°32'35"W, 119.70 FEET; THENCE 115.52 FEET ALONG A 200.00 FOOT-RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, N 72°03'35"W, 113.92 FEET; THENCE N 88°36'25"W, 385.37 FEET; THENCE 54.10 FEET ALONG A 200.00 FOOT-RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD N 80°51'30"W, 53.94 FEET; THENCE N 73°06'30"W, 237.34 FEET; THENCE 66.82 FEET ALONG A 250.00 FOOT-RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD N 80°53'40"W, 66.62 FEET; THENCE N 88°30'50"W, 178.68 FEET TO THE SOUTHEAST CORNER OF THE TRACT OF LAND DESCRIBED BY THE QUIT-CLAIM DEED RECORDED IN BOOK 1715, PAGE 16; THENCE WITH THE LINES OF SAID QUIT-CLAIM DEED, N 0°44'40"E, 30.00 FEET; THENCE N 88°26'40"W, 47.00 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34; THENCE LEAVING THE LINES OF SAID QUIT-CLAIM DEED AND WITH THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34, N 1°28'45"E, 89.94 FEET TO THE POINT OF BEGINNING AND CONTAINING 6.42 ACRES.

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

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 2

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 3117, PAGE 174 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SAID SECTION 34 AS SHOWN AT THE SOUTHWEST CORNER OF THE SURVEY RECORDED IN BOOK 1408, PAGE 376, AND WITH THE SOUTH LINE OF SAID SURVEY, S 83°42'05"E, 1582.84 FEET TO THE WEST LINE OF HERITAGE MEADOWS PLAT NO. 5, RECORDED IN PLAT BOOK 32, PAGE 66; THENCE LEAVING THE SOUTH LINE OF SAID SURVEY AND WITH THE LINES OF SAID HERITAGE MEADOWS PLAT NO. 5, 43.65 FEET ALONG A 493.00 FOOT-RADIUS, NON-TANGENT CURVE TO THE LEFT, SAID

CURVE HAVING A CHORD, S 72°38'15"W, 43.64 FEET; THENCE S 70°06'05"W, 199.72 FEET; THENCE 44.90 FEET ALONG A 427.00 FOOT-RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, S 73°06'50"W, 44.90 FEET; THENCE S 1°22'45"W, 3.20 FEET; THENCE LEAVING THE LINES OF SAID HERITAGE MEADOWS PLAT NO. 5, S 77°09'30"W, 89.45 FEET; THENCE 119.63 FEET ALONG A 430.00 FOOT-RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD S 85°07'40"W, 119.25 FEET; THENCE S 3°05'55"W, 60.00 FEET; THENCE S 42°07'15"W, 393.78 FEET; THENCE; S 44°55'35"W, 108.89 FEET; THENCE N 88°36'25"W, 205.88 FEET; THENCE; N 73°06'30"W, 297.71 FEET; THENCE N 88°30'50"W, 276.24 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34; THENCE WITH THE WEST LINE OF SAID SOUTHEAST QUARTER, N 1°28'45"E, 631.54 FEET TO THE POINT OF BEGINNING, AND CONTAINING 15.74 ACRES.

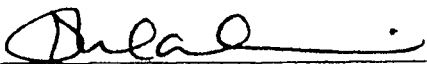
will be rezoned and become a part of District PUD-10.5 (Planned Unit Development) with a development density not exceeding 10.5 dwelling units per acre (less the right-of-way of extended Southampton Drive). Hereafter the property may be used for all permitted uses in District R-3 (Medium Density Multiple-Family Dwelling District). The statement of intent submitted by applicant, marked "Exhibit A" is attached to and made a part of this ordinance.

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

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

PASSED this 17th day of September, 2012.

ATTEST:




City Clerk



Mayor and Presiding Officer

APPROVED AS TO FORM:



City Counselor



**City of Columbia
Planning Department**

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

Statement of Intent Worksheet

For office use:

Case #:	Submission Date:	Planner Assigned:
12-121	8-10-12	Zimmer

Please provide the following information, which shall serve as the statement of intent for the proposed planned district zoning:

- The uses proposed.
All uses in District R-3
- 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.
The proposed type of dwellings can be single-family detached, single-family attached, two-family attached and/or multi-family. The maximum number of units in the PUD shall not exceed 146 units. The total number of units (146) shall be dispersed in any configuration, meaning that any specific future lot within the PUD may exceed the designated zoning density as long as the total PUD does not exceed the allowed density and/or the 146 unit limit. The above mentioned limit of 146 units is based off of the adjacent 20 single-family residential lots, as shown by the approved Preliminary Plat for Heritage Village, Plat 1. Should the number of single-family residential units increase then the total number of units in the PUD shall be decreased by that number.
- The maximum building height proposed.
35 feet
- 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: 35%
Existing Vegetation: 5%

The following items only apply to PUD zoning request:

- The total number of parking spaces proposed and the parking ratio per dwelling unit.
The parking ratios will comply with the current City of Columbia regulations and will be confirmed at the time of the final PUD Development Plan.
- Any amenities proposed, such as swimming pools, golf courses, tennis courts, hiking trails or club houses.
Proposed amenities may include, but not be required or limited to, swimming pool(s), clubhouse, tennis court(s), walking trails, gazebos, etc.
- 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 minimum building setbacks shall be 25 feet from any exterior property line and/or right-of-way. The minimum building setback for interior lot lines shall be 0 feet. The minimum distance between buildings shall be 12 feet.
- Any future PUD Development Plan shall have no driveway or other vehicular access onto Muirfield Drive or Kenilworth Drive.

ORIGINAL

REVISED
8/10/12



**City of Columbia
Planning Department**

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

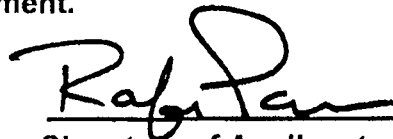
Statement of Intent Worksheet

For office use:

Case #:	Submission Date:	Planner Assigned:
12-121	8-10-12	Tanner

9. Construction of Southampton Drive shall extend from its current westerly terminus (regardless of location) to Sinclair Road. Should the portion of Southampton Drive located within the R-1 zoning district not be constructed at the time that any portion of the PUD zoned property is developed, that portion shall be included with, and required for, the development of the PUD tract(s).

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

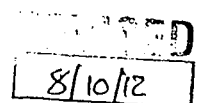


Signature of Applicant or Agent

8-10-12

Date

ORIGINAL



EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
JULY 10, 2014

Case No. 14-109 and 14-110

A request by GED Investments, LLC (Owner) to rezone 15.7 acres of land from PUD (Planned Unit Development District) to O-P (Planned Office District) and for approval of a 9.97-acre O-P (Planned Office District) development plan to be known as "Americare at Heritage Village." The subject site is located on the east side of Sinclair Road, approximately 150 feet north of Muirfield Drive, and extends eastward to the western terminus of Southampton Drive.

MR. REICHLIN: May we have a staff report, please?

Staff report was given by Mr. Steve MacIntyre of the Planning and Development Department. As to Zoning, Staff recommends approval of the proposed rezoning from PUD to O-P, including the associated Statement of Intent. As to the Development Plan, Staff recommends approval of the proposed O-P Development Plan and associated Design Parameters, subject to approval of the pending request for O-P Zoning.

MR. REICHLIN: Any questions of Staff?

MS. RUSSELL: I have one.

MR. REICHLIN: Yes, Ms. Russell.

MS. RUSSELL: When you are talking about the extension of Southampton when this -- is it going to connect to Sinclair?

MR. MACINTYRE: Yes. And that would be a part of this particular development.

MS. RUSSELL: Okay.

MR. MACINTYRE: So if the plan is approved, that comes along with it. The access -- I failed to mention, but the access -- sole access to the proposed development plan is off of -- would rely on the new extension of Southampton there.

MS. RUSSELL: Okay. Thank you.

MR. REICHLIN: Just for the sake of restating the -- what appears to be obvious to me, the parcel north of Southampton will remain PUD?

MR. MACINTYRE: No. Actually, that would be upgraded to the O-P designation; however, it would still be limited to only residential uses with the exception of the residential-care facility use.

MR. REICHLIN: The whole parcel is going O-P?

MR. MACINTYRE: That's correct. That's correct.

MR. REICHLIN: I wanted to clarify. Oh, I'm sorry. Ms. Burns? I apologize.

MS. BURNS: Thank you. Are there any improvements planned to Sinclair Road in conjunction with this?

MR. MACINTYRE: Not in conjunction with this request. However, there was a traffic impact study

that was submitted concurrently with this request, and city traffic engineers reviewed it, found it to be -- well, found that there aren't any associated improvements necessary at this time with the exception of just building the road through. However, in the future, at an undisclosed or uncertain time at some point down the road, there may need to be an upgrade at the intersection with Sinclair Road, perhaps in the form of a roundabout. The applicant has had some preliminary discussions and agreed to reserve some area there for future right-of-way to help accommodate that improvement. However, nothing in the CID at this time.

MS. BURNS: So no signalized intersection? It'll be a stop sign, I guess?

MR. MACINTYRE: At this time, yes. Yeah. Mr. Zenner was just pointing out that there may be some improvements up the road at Vawter School and Sinclair, which, you know, could certainly tie into this in terms of how traffic in the area overall flows.

MS. BURNS: Thank you.

MR. MACINTYRE: You're welcome.

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

PUBLIC HEARING OPENED

MR. CROCKETT: Commission, Tim Crockett, Crockett Engineer, 2608 North Stadium.

Mr. Reichlin, given that this is the last item on the agenda and it is a two part, I would like to request some additional time. There are some statements in here that I would like to make on behalf -- not on behalf of the neighbors, but I told the neighbors I would make statements for clarification purposes and I just want to make sure I get those included in my proposal.

MR. REICHLIN: I don't have a problem.

MR. CROCKETT: I'm here tonight with Neil Slattery; he's a PE with Americare. He's a representative -- a staff engineer for those folks, as well as Rafe Parsons, who is the seller of the property and he will retain ownership of the north piece, north of Southampton. This slide here shows the entire piece of property in question. Both green and the orange is what is being rezoned to O-P. The green is the only piece of property that's on -- that's going to be developed on the Americare project. Of course, we've talked about the location map a little bit, the zoning in the surrounding area. This is PUD piece of property. It was -- it was zoned PUD quite a few years ago. It was recently redone to PUD about two years ago when that portion that Mr. MacIntyre included to the south, we just basically flip-flopped some areas in -- in this area, if you recall. The current PUD allows for a maximum of 146 total residential units. That's what we're approved for right now -- 146 total units, no access from this development to Muirfield Drive, which is important, 40 percent minimum landscaping, and it requires the extension of Southampton. So when we develop any portion of this site, either side, we have to extend Southampton from its current terminus all the way out to Sinclair Road, so that will be required by the developer for this development. What are we proposing? We're asking for O-P zoning for the entire piece of property with the exact same uses with the exception of the residential care facility. We're not asking for office uses, we're not asking for a bank, we're not asking for professional offices. The only allowed additional use that we're asking for is that of residential-care facility. Neighborhood associations involved in this area, we have four of them. We have Heritage Village, Heritage Meadows, Heritage Woods, and Heritage Estates. Well, we've had

meetings with those folks. We've had public meetings, we've had e-mails, we've had personal meetings. Some of the folks have actually gone out and toured one of the facilities, another Americare facility here in town. So again here is the O-P plan. It's broken into three basic components. We have independent-living units, we have assisted-living units, and we have a memory-care facility. All three of those units compiled on this site, but we do not have skilled nursing. This is not a nursing home; this is not skilled nursing. It's assisted living. These individuals still get up, they still carry on their day, they just need some additional assistance from time to time on various tasks. This is the landscaping plan that the City talked about. This is an extensive landscaping plan. Typically, you see landscape plans on planned districts that meet the City's requirement and not much more. This one far exceeds the City's requirement -- far exceeds, and you can see that from this drawing here. It's -- it's something that not only does Americare do on all their projects, but it's something that they told the neighbors that they would do. They would put in a large amount of landscaping buffer between this development and, of course, the development to the south. Now, keep in mind the development immediately to our south and immediately to the east is Heritage Village that's under construction. We have support from the owner of those lots. The other developments and the neighbors are even further away than that, but we wanted to -- we told the neighbors we would put additional landscaping in and we've done that. Highlights of this plan, again maximum of 66 total living units. Those are broke down into 30 assisted-living units, 16 memory-care units, and 20 independent-living units. We have adequate parking to accommodate the residents, the employees, and the visitors on this site. The development provides for the extension of Southampton Drive, which we've already talked about. It will go all the way to Sinclair Road. And then, of course, the O-P plan has an extensive landscape plan that we've talked about. Public involvement, again we've talked about that briefly. I won't -- I won't hit on that now. Some of the issues and concerns from the neighbors. First of all, they had concerns of traffic, and that was -- really stems two years ago on the rezoning. They asked us to look at this development. They were concerned with the PUD on traffic and the number of school children that may attend an overcrowded elementary school. The owner went out on this property and said what can we put on this property that doesn't -- doesn't generate traffic and doesn't have a lot of small children that go to elementary school. This Americare facility is it. The traffic impact on this site -- on the Americare site equates to about six and a half to seven single-family houses. That's pretty good given that we're eight-plus acres on this -- on this site. It's not very much traffic at all. It's very low impact. And, of course, it certainly doesn't have any school children on the site. Buffer and landscaping, we talked about that. And the building height, we want to talk about that a little bit. R-1, R-2, R-3, even the commercial districts, the maximum building height is 35 feet. The neighbors to the south, their maximum building height is 35 feet. They've asked us to look at this development. We've committed to building a single-story development on the Americare property and the 24-foot building height will go with the -- with the O-P development plan. It doesn't go with the zoning, it goes with the O-P development plan and it's included on the plan and in the design parameters. So this site -- the O-P -- excuse me -- the Americare site will limit themselves to single-story buildings with a maximum height of 24 feet, and we think that's very important. The neighbors have asked for that and we've -- we've accommodated that

request. We can talk about staffing if there's any concerns with the Commission about that, how many staff members we feel we're going to have on this site, their hours, and -- and all of that. Site lighting was another concern of the neighbors. Originally, we had, I believe it was 25-foot-tall poles. We've since reduced that down to 12-foot-tall poles with a maximum height with the fixture, the base, the pole, everything, at 15 feet. We have basically a working model on another property here in town. We showed the folks that this is the light standard -- the same exact light standard we're going to use and I believe they looked at that and said, hey, we like that, that's fine -- that's fine with us. We want to make that commitment that that's exactly what we're doing here. Twelve-foot-tall pole, same -- same fixtures that we had on the other property. Signage, we want to be very clear on our signage. It's always -- always questionable what -- what kind of sign, how big a sign. We put it on our plan. This is the exact same signage that we're going to put on our plan, verbatim on the plan. Neighborhood support, we talked about the four HOAs in the area. We have a letter from three of the HOAs showing support, and the fourth I have from their -- from their -- their management company stating that the board has voted to have no opposition to this development. So with that, I want to make -- one of the things I wanted to talk with -- wanted to make a statement on for the neighbors' behalf is that while we are rezoning the entire piece of property to O-P, the only allowed use on any of the property, the Americare site, as well as the undeveloped portion to the north, will -- allowed uses will be the PUD that we have today along with residential-care facilities. No additional uses. No banks, no professional office, nothing along those lines. Simply the addition of the residential-care facility. We want to make that very clear. The reason why we're rezoning the entire piece of property, it preserves the number of units that we are already approved on this piece of property. We talked to City Staff early on about that. That was critical for the two parties to come together to negotiate the deal for this piece of property. We must preserve that 146 total number of units. To do that, we need to rezone the whole piece of property. Staff -- we discussed it with them early on and we feel that this is the appropriate way to go, so that's the reason for that. We've talked about the landscaping. We've talked about the zoning being consistent. We talked about the extension of Southampton Drive. Here's a few pictures of some existing facilities that Americare has. I will tell you Americare has about 100 facilities throughout the Midwest, so there's certainly -- this is not their first rodeo. They build a quality development throughout so, like I say, some of the residents actually toured another one of their facilities, so there's just a few photos. And I would be happy to go back, slow down, discuss it further, but with that, I'd be happy to answer any questions.

MR. REICHLIN: Any questions of this speaker? Ms. Burns?

MS. BURNS: I had one question about the homeowners' association that was just to the east. I thought you said that was being developed, but there are currently residents?

MR. CROCKETT: No. There's no residents there, but the homeowners' association has been established. So there's no residents there, but the HOA has been set up and it's -- it's just for that portion through there. I mean, they're the ones that will enforce the covenants and restrictions for that -- for that area.

MS. BURNS: Okay. But there is no one currently living there that would be impacted?

MR. CROCKETT: No one currently, but it's under construction. That's correct.

MS. BURNS: Okay.

MR. CROCKETT: But we have been in contact with the builder who is building those units, who has to sell houses backing up to this development. You know, that's his concern is I'm going to build houses backing up to PUD. What am I going to do? Am I going to have three-story apartment buildings? Am I going to have, you know, college students? In this case here, now he knows I can sell houses. I feel comfortable building backing up to single-story, highly landscaped, residential-care facility.

MS. BURNS: Thank you.

MR. REICHLIN: Any other questions? Ms. Loe?

MS. LOE: On that side, it looks like they're actually higher -- a little bit higher. I was just -- the retaining wall, is it a short retaining wall or --

MR. CROCKETT: It is a short retaining wall.

MS. LOE: Okay.

MR. CROCKETT: But the retaining wall, the building sits down --

MS. LOE: Right.

MR. CROCKETT: -- and the -- and the retaining wall comes up, and the landscaping is on top of the retaining wall.

MS. LOE: Right. The houses are higher than Americare?

MR. CROCKETT: They are. That is correct. I mean, let me go back to that. Yes. Yes. The houses will be higher than Americare, so they're not going to look up at it, they'll basically look over it, and they will have architectural roofs, architectural shingles. It will all look very, you know, fine with a residential development.

MR. REICHLIN: Any other questions? I just wanted to, for the record, I'm getting what you haven't said that the 24-foot maximum height is not going to extend to the parcel north of --

MR. CROCKETT: That is correct. That is correct.

MR. REICHLIN: All right.

MR. CROCKETT: We don't know -- we don't have a plan for that piece of property at this time. We don't know. We would love for it to be 24-foot maximum height as a residential-care facility. We don't have a buyer for that piece of property at this time. We want to maintain the exact current uses that we have on that property right now, so that's what we're -- that's what we're asking for, to maintain those exact same uses.

MR. REICHLIN: Thank you. Are there any other questions? Seeing none --

MR. CROCKETT: Excuse me. With the exception of the residential-care facility.

MR. REICHLIN: All right. Anybody else wishing to speak on this matter? Thank you. Feel free.

MR. HERSHBARGER: I'm Robert Hershbarger, and I live at 1908 Muirfield Drive, which is right across the street from all this development, and they have four houses now under construction, so we'll soon have some new neighbors. Our association said that we have no objections to this development, and our initial objections were the height of the buildings, the height of the light poles. We didn't want the

lights shining out, and we wanted that berm between the assisted-living facilities and the residences along Muirfield Drive and so -- yeah. And I can never remember the name -- Kenilworth Drive. So the only thing that we wanted to be sure of, other than those four things -- and Mr. Parson and Mr. Crockett assured us that those would be taken care of by tonight, and they were. And from my understanding, I think the other main concern that Heritage Meadows had was what was going to happen to that section of land up above or north of the new Southampton Road. And we were concerned that it would be restricted to residential use, even though it had an apartment -- or had an office designation, that it should have office designation -- assisted living or office designation apartments. What we didn't want along that street, although we're somewhat removed, was real estate offices, the insurance offices, dental offices, or those types of things. We wanted it to maintain our residential environment. And my -- am I correct that this is what will only be allowed in there unless it is brought back for some rezoning which would be appropriate? Is this correct?

MR. MACINTYRE: Yes. That's correct.

MR. HIRSHBEIN: All right. That -- that puts us in good -- good position. We're happy with that. And we have one other little issue, which is -- doesn't really have anything to do with the discussion tonight, but it's appropriate for the discussion. I -- I don't know if you can see on the map where Kenilworth comes down, comes around, and comes into Muirfield. Can you show that? Okay. Now, people coming down that or that other little street -- could you put the arrow on up to Kia -- okay. People coming down from Southampton to Kenilworth, they come down to South -- come that -- come on down with the arrow down to Muirfield. There. Bang. If you look at that intersection, the curve part -- portion of that coming up to where the arrow is is coming uphill. And as soon as they get up the hill, they come right up on Kenilworth. I have a mental block against that name for some reason. Anyway, there's a very short site there, and we would appreciate if the City, to make it a safe environment around this whole new addition, would install a stop sign there because we've had -- I've had three mailboxes taken down and our house sets right just about next to the end of that. The people come up that on an icy day, come around the curve, lose control, and bang. They -- and in the winter, if there's a lot of traffic -- because the other subdivisions, if you remember, around that, all of the kids go to Mill Creek School, and they do drive up Northfield to get there. So with that comment, we no longer have any objections to -- to the development and we'd be pleased to have them as neighbors.

MR. REICHLIN: Thank you very much. Any questions of this speaker? Seeing none, thank you. Anybody else wishing to speak on this matter? Seeing no one, we'll close the public hearing.

PUBLIC HEARING CLOSED

MR. REICHLIN: Comments of Commissioners?

MS. RUSSELL: I think to be clear, we need to make this two separate motions, so we don't --

MR. REICHLIN: I think we're -- yeah. We'll try and catch that at the --

MS. RUSSELL: Okay.

MR. REICHLIN: -- end. Yeah. You're not doing --

MS. RUSSELL: I'll do it.

MR. REICHLIN: Okay. Well, are we ready to do -- is there anybody -- a need for discussion? Anybody have anything worthy -- any concerns?

MS. RUSSELL: Okay. Regarding Case 14-109, I move to approve the proposed rezoning of 15.7 acres of land from PUD to O-P.

MR. REICHLIN: Including the --

MS. RUSSELL: Including the associated Statement of Intent.

MR. STRODTMAN: I'll second it.

MR. REICHLIN: Second by Mr. Strodtman. Roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Mr. Reichlin, Mr. Stanton, Mr. Strodtman, Ms. Russell, Ms. Burns. Motion carries 6-0.

MR. STRODTMAN: Motion for approval will be forwarded to City Council.

MR. REICHLIN: Okay. So Ms. Russell, did you want to wrap us up?

MS. RUSSELL: Oh, sure. Regarding Case 14-110, I move to approve the proposed O-P Development Plan and associated Design Parameters subject to the -- no. Just the Design Parameters.

MR. REICHLIN: I'll second that one. Okay. Roll call, please?

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Mr. Reichlin, Mr. Stanton, Mr. Strodtman, Ms. Russell, Ms. Burns. Motion carries 6-0.

MR. STRODTMAN: Motion for approval will be forwarded to City Council.

MR. REICHLIN: Okay. That concludes our public hearings.