

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
JUNE 20, 2013**

SUMMARY

A request by Kristin Kaiser (contract purchaser), on behalf of Darren Wittenberger and Waterwood Building, LLC (owner), for rezoning from O-P (planned office) to C-P (planned business). The 1.8-acre site is located at 2301 Chapel Plaza Court. **(Case #13-86)**

REQUESTED ZONING

C-P (Planned Business District), with the following development restrictions identified in the applicant's Statement of Intent:

a. Proposed uses	Professional office, retail for home furnishings and art gallery
b. Maximum gross building floor area	10,000 (5,000 for proposed use)
c. Maximum building height	25'
d. Minimum maintained open space (% of total site)	61 percent

DISCUSSION

The applicants request rezoning from O-P (planned office) to C-P (planned business) in order to add a retail space for home furnishings and an art gallery in the existing building. The combined office/retail/gallery area would occupy 5,000 sq. ft., or one floor of the two-story, 10,000 sq. ft. building.

The only use currently permitted for the site is professional office; an orthodontist's office is currently operating in part of the building. The change in zoning designation from O-P to C-P is necessary to accommodate the retail component. Ample parking exists on site and no alterations to the site, other than those interior to the building, would be made. The request has been reviewed by pertinent City and external agencies and departments.

As the adjacent R-1 PUD areas are currently open space, and a significant buffer area exists between the subject site and the homes to the west across the lake, staff finds this request compatible with the surrounding area (sites to the north and east are currently zoned O-P or C-P) and Forum Boulevard borders the site to the east.

STAFF RECOMMENDATION

Staff recommends approval of the rezoning from O-P to C-P.

SITE CHARACTERISTICS

Area (acres)	1.8
Address	2301 Chapel Plaza Court
Topography	Sloping toward the south and west
Vegetation	Trees, grass on site periphery
Watershed	Hinkson

SITE HISTORY

Annexation date	1964
Initial zoning designation	A-1
Previous rezoning requests	O-P, 1997
Land Use Plan designation	Neighborhoods
Existing use(s)	Office building
Existing zoning	O-P (professional office only permitted use)

SURROUNDING LAND USES

Orientation from site	Zoning District	Land use
North	O-P & C-P	Office/retail
South	R-1 PUD	Open space
East	C-P	Office/retail
West	R-1 PUD	Open space

UTILITIES & SERVICES

Sanitary Sewer	All City of Columbia services
Water	
Electric	
Fire Protection	

ACCESS

Chapel Plaza Court	North of site
Major Roadway Plan classification	Local, non-residential
Capital Improvement Program projects	Description: None

PARKS & RECREATION

2008 Neighborhood Parks Plan	None
2007 Trails Plan	None; MKT nearby to east
Bicycle/Pedestrian Network Plan	Forum is urban trail/pedway

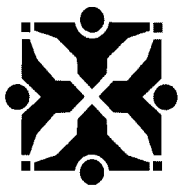
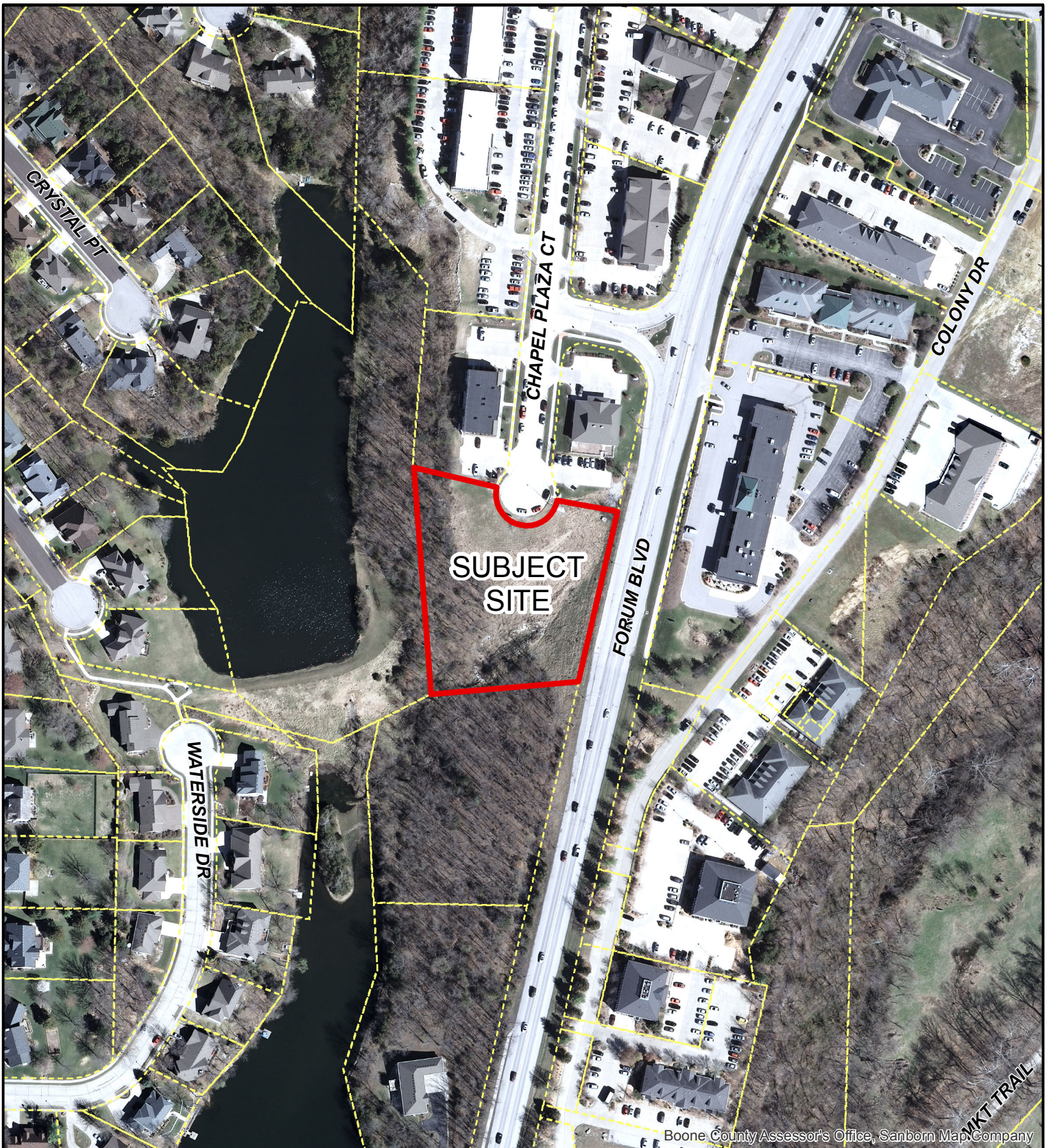
PUBLIC NOTIFICATION

All property owners within 200 feet and City-recognized neighborhood associations within 1,000 feet of the boundaries of the subject property were notified by postcard of a public information meeting, which was held on May 28, 2013.

Public information meeting recap	Number of attendees: None
Neighborhood Association(s) notified	Chapel Hill Lake, Limerick Lake
Correspondence received	One letter (attached)

Report prepared by ML

Approved by PRZ



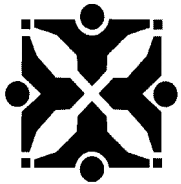
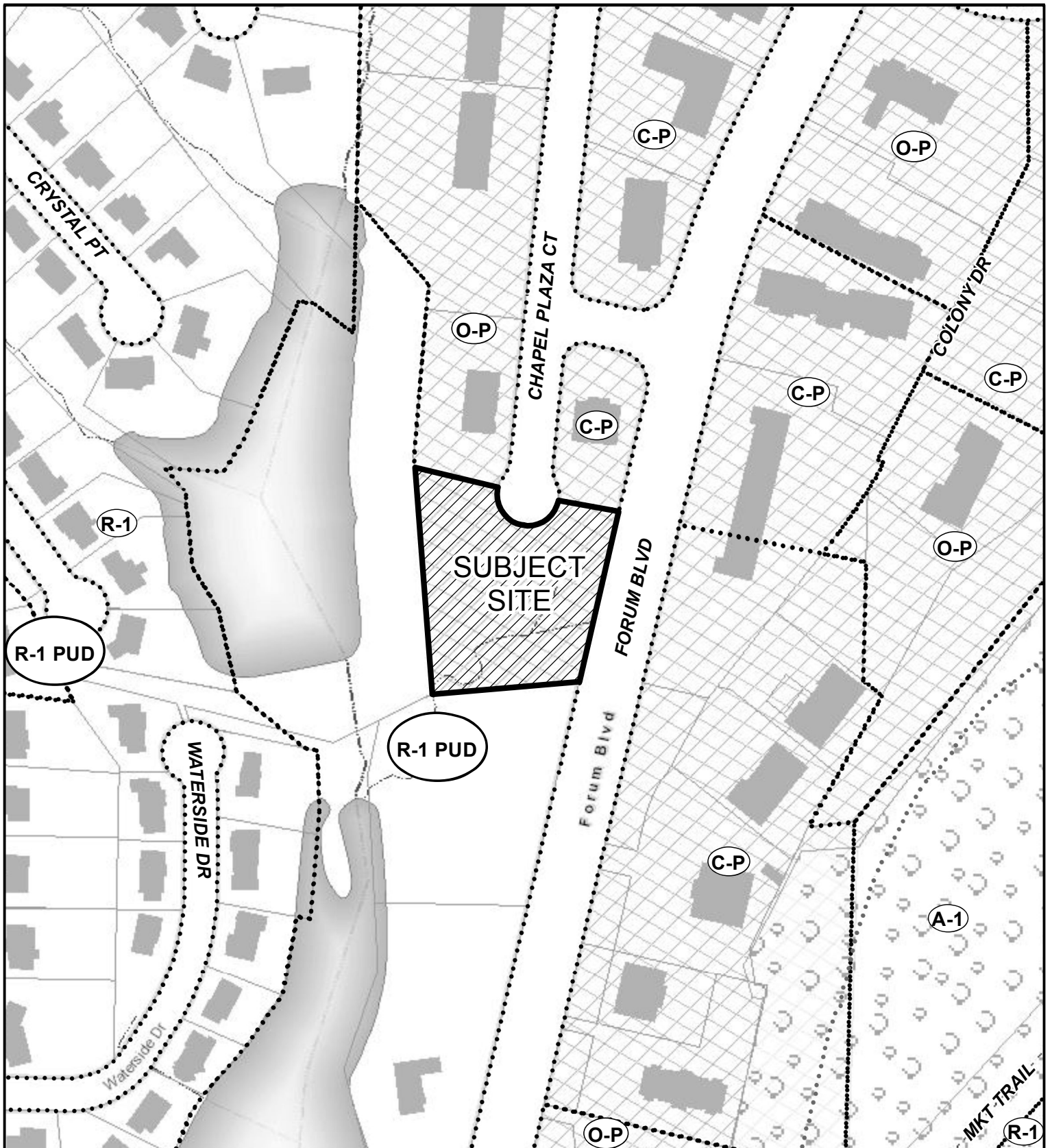
Parcel Data and Aerial Photo
Source: Boone County Assessor

Case 13-86: O-P to C-P Rezoning Waterwood Building

0 100 200 400
Feet

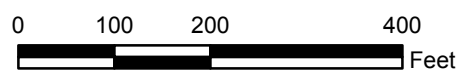
1 inch = 200 feet





Parcel Data
Source: Boone County Assessor

Case 13-86: O-P to C-P Rezoning Waterwood Building



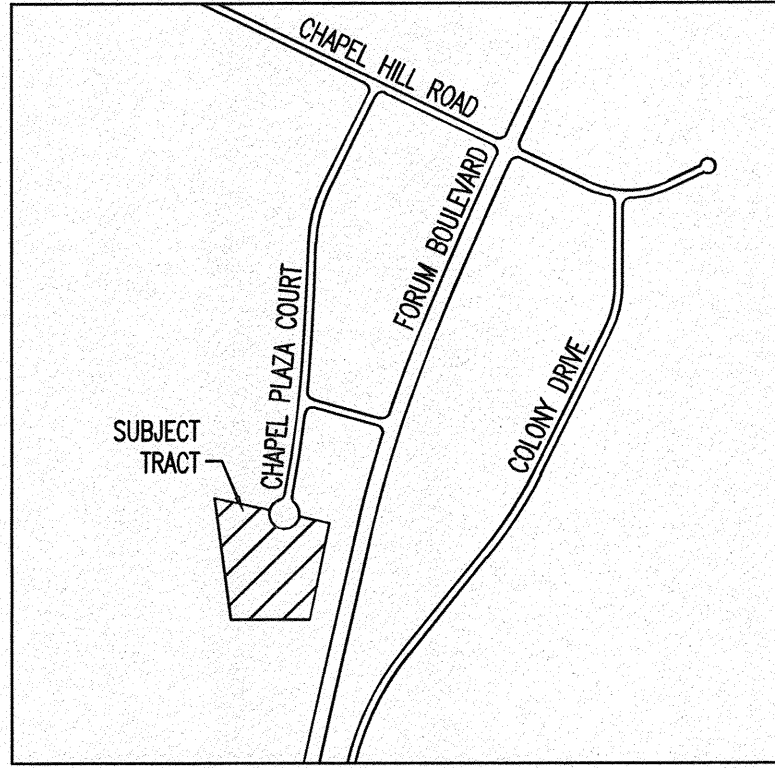
1 inch = 200 feet



O-P DEVELOPMENT PLAN
MINOR REVISION #4 TO LOT 6
FORUM CHAPEL PLAZA

LOCATED IN SECTION 22, TOWNSHIP 48N, RANGE 13W
COLUMBIA, BOONE COUNTY, MISSOURI
AUGUST 2012

OWNER
WATERWOOD BUILDING, LLC
3710 S. OLD RIDGE COURT
COLUMBIA, MO 65203



LOCATION MAP
NOT TO SCALE



SCALE: 1"=20'
0 10 20 40

LEGEND:

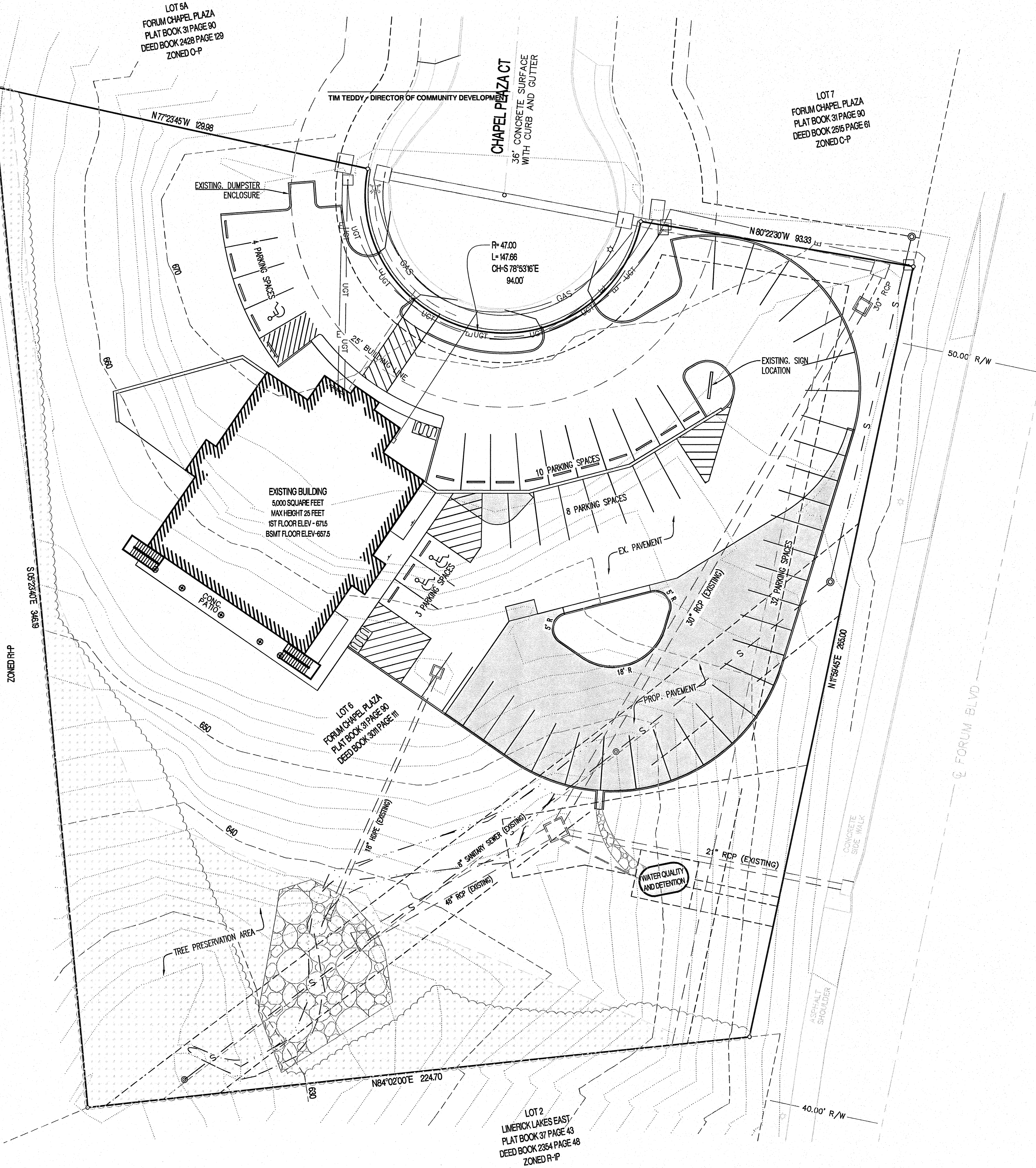
- 818 ----- EXISTING 2FT CONTOUR
- 820 ----- EXISTING 10FT CONTOUR
- CURB
- ⊙ EXISTING SANITARY SEWER MANHOLE
- S --- EXISTING 8" SANITARY SEWER
- S --- EXISTING 8" STORM SEWER
- S --- EXISTING 8" WATERLINE
- HC EXISTING FIRE HYDRANT
- BUILDING LINE
- EASEMENT LINE
- 35 LOT NUMBER
- ⊙ LP LIGHT POLE
- EXISTING TREELINE
- > DIRECTION OF SURFACE DRAINAGE
- ~~~~~ PROPOSED BICYCLE SPACES
- PROPOSED LIGHT POLE

PERVIOUS AREA:

TOTAL LOT AREA	76,866 SF.
EXISTING IMPERVIOUS AREA	23,982 SF.
PROPOSED IMPERVIOUS AREA	6,107 SF.
TOTAL IMPERVIOUS AREA	30,089 SF. (39%)
TOTAL PERVIOUS AREA (OPEN SPACE)	46,776 SF. (61%)

PARKING:

ONE SPACE PER 300 SQFT x 100,000 SQFT:	34 SPACES
TOTAL REQUIRED SPACES:	34 SPACES
TOTAL SPACES EXISTING:	35 SPACES
TOTAL SPACES PROPOSED:	57 SPACES
HC SPACES REQUIRED:	3 SPACES
HC SPACES EXISTING:	2 SPACES
HC SPACES PROVIDED:	3 SPACES
TOTAL REQUIRED BICYCLE PARKING:	8 SPACES
TOTAL PROVIDED BICYCLE PARKING:	8 SPACES



NOTES:

1. THIS TRACT CONTAINS 1.76 ACRES.
2. THIS TRACT IS CURRENTLY ZONED O-P.
3. THIS TRACT IS NOT LOCATED IN THE 100-YEAR FLOOD PLAIN AS SHOWN BY FEMA FIRM, PANEL NUMBER 23019C 0290D, DATED MARCH 17, 2011.
4. TRACT DESCRIPTION:
A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING ALL OF LOT 6 OF FORUM CHAPEL PLAZA AS RECORDED IN PLAT BOOK 31 AT PAGE 90.
5. THE MAXIMUM HEIGHT OF THE EXISTING BUILDING IS 25'. THE HEIGHT SHALL BE DETERMINED USING THE CURRENT ZONING REGULATIONS.
6. THE MINIMUM DISTANCE FROM ANY BUILDING TO ANY RIGHT-OF-WAY SHALL BE 55 FEET, THE MINIMUM DISTANCE FROM ANY BUILDING TO ANY INTERNAL PROPERTY LINE SHALL BE 32 FEET.
7. THE MINIMUM DISTANCE BETWEEN EDGE OF PARKING/DRIVEWAY STREET RIGHT-OF-WAY LINE SHALL BE 6 FEET. THERE SHALL BE NO SETBACK FROM PROPERTY LINE INTERIOR TO THE DEVELOPMENT.
8. EXISTING SIGN IS TO HAVE A MAX HEIGHT OF 8'-0" ABOVE ADJACENT GRADE. MAX SIGN AREA TO BE 64 SQUARE FEET (PER SIDE). MONUMENT SIGNS TO BE WOOD AND BRICK. MONUMENT SIGNS TO BE SET BACK A MINIMUM OF 10 FEET FROM THE RIGHT OF WAY OF CHAPEL PLAZA COURT. SIGN ILLUMINATION TO BE EXTERNAL OR INTERNAL WALL SIGNS AND SHALL CONFORM WITH THE 1996, C-1 SIGN REGULATIONS.
9. SCREENING TO BE ON THREE SIDES OF THE DUMPSTER PAD. SCREEN TO BE A MINIMUM OF 8' HIGH. SCREEN MATERIAL TO MATCH BUILDING SURFACE MATERIAL.
10. THE STREAM BUFFER ORDINANCE DOES NOT APPLY TO THIS TRACT AS IT WAS INCLUDED ON A FINAL PLAT APPROVED ON DECEMBER 6, 1996.
11. THERE IS A REGULATED CLIMAX FOREST LOCATED ON THIS TRACT. THE TREE PRESERVATION AREA AS DEFINED BY THE PREVIOUS C-P PLAN IS AS SHOWN ON THE DRAWING.
12. ALL OUTDOOR LIGHTING SHALL BE SHOWN ON A LIGHTING PLAN THAT WILL COMPLY WITH CHAPTER 29-30.1 OF THE CITY OF COLUMBIA CODE OF ORDINANCE.
13. 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
14. PROPOSED BIOTENTION AREAS WILL BE SIZED AT THE TIME OF FINAL DESIGN.

MINOR REVISION APPROVED ON THIS 21ST DAY OF SEPTEMBER, 2012.

Timothy D. Crockett
TIM TEDDY - DIRECTOR OF COMMUNITY DEVELOPMENT

THIS SHEET HAS BEEN SIGNED, SEALED AND
DATED ELECTRONICALLY



PREPARED BY:

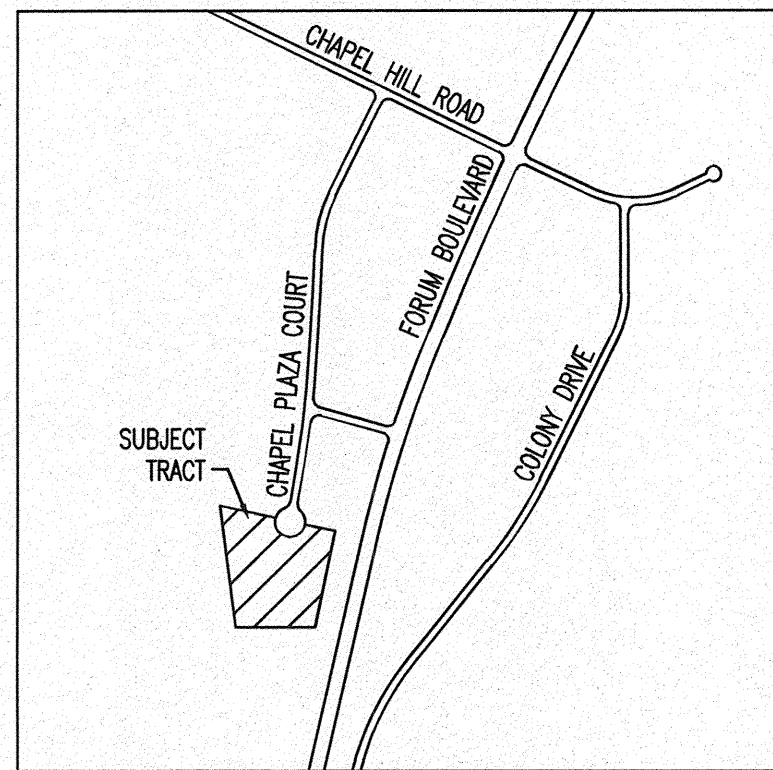
CROCKETT
ENGINEERING CONSULTANTS

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

www.crockettengineering.com

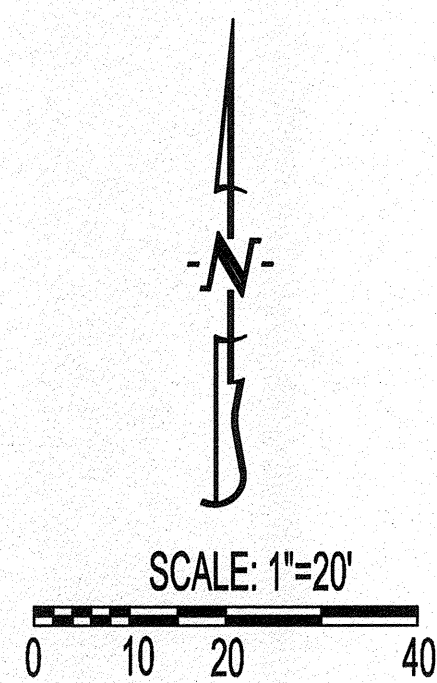
TIMOTHY D. CROCKETT, 200400075

08/21/2012
DATE



LOCATION MAP

NOT TO SCALE



LEGEND:

- CURB
- RIP RAP
- EXISTING STRUCTURE
- EXISTING TREELINE
- PROPOSED TREELINE
- COE REGULATED WATERWAY
- EDGE OF WATERWAY
- EXISTING WATERLINE
- PROPOSED WATERLINE
- EXISTING GAS LINE
- PROPOSED GAS LINE
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- MANHOLE
- PROPOSED SANITARY SEWER LATERAL
- PROPOSED FIRE HYDRANT
- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- BUILDING LINE
- EASEMENT
- LOT NUMBER
- EXISTING LOT NUMBER

NOTES:

ALL PLANT MATERIALS AND FINAL LANDSCAPE PLAN SHALL BE IN ACCORDANCE WITH THE LANDSCAPING GUIDELINES AND STANDARDS OF THE CITY OF COLUMBIA.

THE LANDSCAPING SHOWN ON THIS PLAN IS CONCEPTUAL IN NATURE. THE DETAILS OF PLANT MATERIALS AND LOCATIONS WILL BE DETERMINED WITH THE SITE DEVELOPMENT PLANS.

LANDSCAPING SHALL COMPLY WITH SECTIONS 12A-49 (e) AND (f), 29-13.1 (d) (6), AND 29-25 (e) (3) AND (4) OF THE CITY OF COLUMBIA CODE OF ORDINANCES.

LANDSCAPER IS REQUIRED TO CONTACT THE CITY OF COLUMBIA ARBORIST UPON COMPLETION OF PLANTING FOR COMPLIANCE INSPECTIONS.

THE TREES, SHRUBS AND OTHER LANDSCAPING MATERIALS DEPICTED ON APPROVED PLANS SHALL BE CONSIDERED AS ELEMENTS OF THE PROJECT IN THE SAME MANNER AS PARKING, BUILDING MATERIALS AND OTHER ELEMENTS. THE DEVELOPER, HIS SUCCESSOR AND SUBSEQUENT OWNERS AND THEIR AGENTS WHO ARE AUTHORIZED TO MAINTAIN THE PROPERTY, SHALL BE RESPONSIBLE FOR THE CONTINUED MAINTENANCE. PLANT MATERIALS WITH DISEASE OR DAMAGE SHALL BE APPROPRIATELY TREATED AND/OR REMOVED AND REPLACED DURING THE NEXT GROWING SEASON.

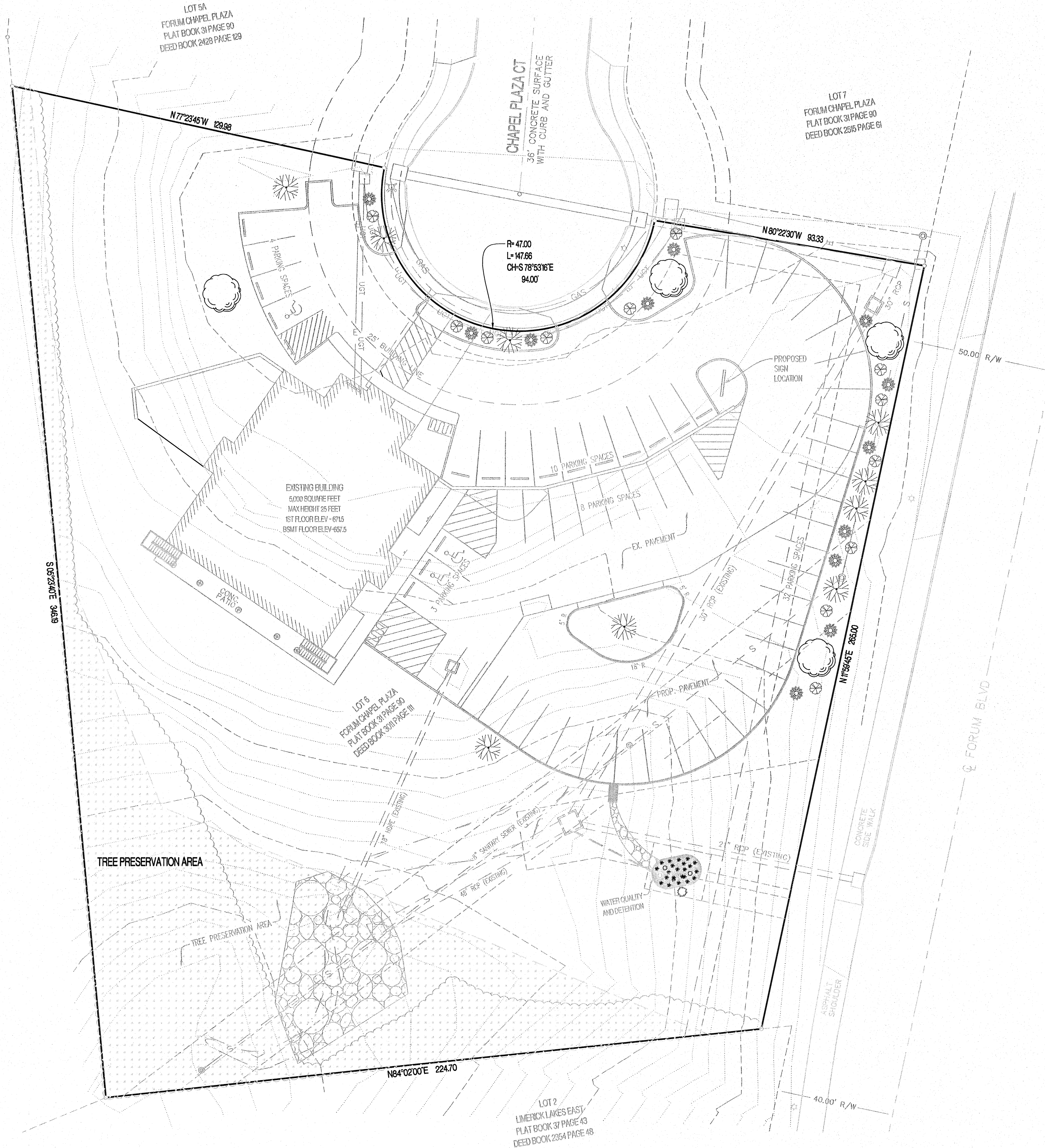
ALL PARKING AREAS CONTAINING MORE THAN FIVE (5) SPACES WITHIN TWENTY (20) FEET OF A STREET RIGHT OF WAY SHALL HAVE A SIX (6) FEET WIDE STREET YARD LANDSCAPING STRIP WITHIN PRIVATE YARDS SEPARATING PARKING AREAS FROM ABUTTING STREET RIGHTS OF WAY CONTAINING NO LESS THAN (4) OF THE CATEGORIES OF PLANTING MATERIAL LISTED IN PARAGRAPH (F) OF SECTION 29-25. THE STREET YARD LANDSCAPING STRIP SHALL CONTAIN ONE TREE PER FIFTY (50) FEET OF STREET FRONTAGE. SUCH TREES SHALL BE PLANTED AT INTERVALS OF FORTY (40) TO SIXTY (60) FEET ON CENTER IN THE LANDSCAPING STRIP. THE STREET YARD LANDSCAPING STRIP MAY CONTAIN DRIVEWAYS.

THE TREE PRESERVATION AREA AS DEFINED BY THE PREVIOUS OP PLAN IS AS SHOWN ON THE DRAWING.

O-P DEVELOPMENT PLAN MINOR REVISION #4 TO LOT 6 FORUM CHAPEL PLAZA

LOCATED IN SECTION 22, TOWNSHIP 48N, RANGE 13W
COLUMBIA, BOONE COUNTY, MISSOURI
AUGUST 2012

OWNER
WATERWOOD BUILDING, LLC
3710 S. OLD RIDGE COURT
COLUMBIA, MO 65203



PERVIOUS AREA:	
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PLANTING NOTES:

SHADE TREES:		QUANTITY (SIZE)	PLANT SPECIES
(A)	(B)	4 (2" CALIPER)	OCTOBER GLORY MAPLE - ACER RUBRUM (OR APPROVED EQUAL)
ORNAMENTAL TREES:		QUANTITY (SIZE)	PLANT SPECIES
(C)	(D)	8 (4")	REDBUD (CERCIS CANADENSIS) (OR APPROVED EQUAL)
SHRUBS:		QUANTITY (SIZE)	PLANT SPECIES
(E)	(F)	12	BARBERRY (BERBERIS THUNBERGII 'ROSE GLOW') (PLANTED IN MULCHED MOUND ALONG STREET FRONTAGES)
(G)	(H)	12	RED SPIREA (SPIREA X BUMALDA 'ANTHONY WATERER' (PLANTED IN MULCHED MOUND ALONG STREET FRONTAGES)

LANDSCAPE COMPLIANCE:

TOTAL PARKING LOT AND DRIVE AREA:	23653 SQ. FT.
TREES REQUIRED @ 1 TREE PER 4,500 S.F.:	6 TREES
LENGTH OF PROPOSED PARKING WITHIN 20' OF R/W:	274 L.F.
TREES REQUIRED @ 1 PER 50 L.F.:	6 TREES
TOTAL TREES REQUIRED:	12 TREES
MEDIUM TO LARGE TREES REQUIRED (30%):	4 TREES
TOTAL TREES PROPOSED:	12 TREES
MEDIUM TO LARGE TREES PROPOSED:	4 TREES
ADDITIONAL LENGTH OF DEVELOPMENT ADJACENT TO RESIDENTIAL ZONE:	0 L.F.

BIORETENTION PLANT DENSITY TABLE

PLANT TYPES	PLANT SPACING	TO BE PLANTED IN AREAS GREATER THAN	PLANTINGS REQUIRED
GRASSES/FLOWERS	1.5 FEET	7 SQ. FT.	20
SMALL SHRUBS (<10 FEET TALL)	6 FEET	75 SQ. FT.	2
LARGE SHRUBS / SMALL TREES (10 TO 25 FEET TALL)	8 FEET	135 SQ. FT.	1
LARGE TREES*	16 FEET	540 SQ. FT.	0

*LARGE TREES MUST BE INSTALLED 3-5 FEET BEYOND THE EDGE OF THE RAIN GARDEN.

PLANTING PLAN AND PLANT LIST FOR BIORETENTION FACILITIES WILL BE PROVIDED TO CITY OF COLUMBIA PUBLIC WORKS BEFORE PLANTING TAKES PLACE. ANY CHANGES TO PLANT LIST SHALL BE APPROVED BY THE CITY ARBORIST 874-6357.

MINOR REVISION APPROVED ON THIS 21ST DAY OF SEPTEMBER 2012.

TIM TEDDY - DIRECTOR OF COMMUNITY DEVELOPMENT

SITE/CIVIL ENGINEER:

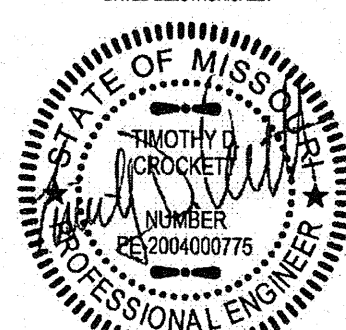
CROCKETT

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www.crockettengineering.com

Crockett Engineering Consultants, LLC
Missouri Certificate of Authority
#5000151804

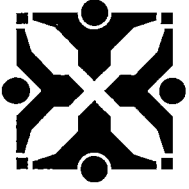
THIS SHEET HAS BEEN SIGNED, SEALED AND
DATED ELECTRONICALLY



TIMOTHY D. CROCKETT, 2004000775

08/21/2012

DATE



CITY OF COLUMBIA, MISSOURI

COMMUNITY DEVELOPMENT

DEPARTMENT OF PLANNING AND DEVELOPMENT

(573) 874-7239

BUILDING AND SITE DEVELOPMENT

(573) 874-7474

OFFICE OF NEIGHBORHOOD SERVICES

(573) 817-5050

March 27, 2012

Jody Miller
Simon & Associates, Inc.
13 South Sixth Street
Columbia, MO 65201

Dear Ms. Miller:

By means of this letter I am approving your request for a minor amendment to the O-P development plan known as "Lot 6 of Forum Chapel Plaza C-P/O-P Development Plan – Minor Revision #3". Approved changes are itemized below:

- **Changed freestanding sign type from "monument" to "pole-mounted".**
- **Moved freestanding sign from Chapel Plaza Court frontage to an interior parking lot island.**

Permits may now be issued by applicable City departments, provided that such improvements are consistent with the revised plan.

If you have any questions, please feel free to call me at (573) 874-7239.

Sincerely,

Tim Teddy
Director, Community Development
ttteddy@gocolumbiamo.com

TTT/sjm



CITY OF COLUMBIA, MISSOURI

DEPARTMENT OF PLANNING AND DEVELOPMENT

July 7, 2011

Dan Brush
Brush and Associates
506 Nichols Street, Suite A
Columbia, MO 65201

Dear Mr. Brush:

By means of this letter I am approving your request for a minor amendment to the development plan known as "Forum Chapel Plaza Q-P Development Plan Minor Revision #2 to Lot 6". Approved change(s) are itemized below:

- **Changed the use from a daycare to professional office building**
- **Changed the parking lot configuration and associated landscaping**

Permits may now be issued by applicable City departments, provided that such improvements are consistent with the revised plan.

If you have any questions, please feel free to call me at (573) 874-7239.

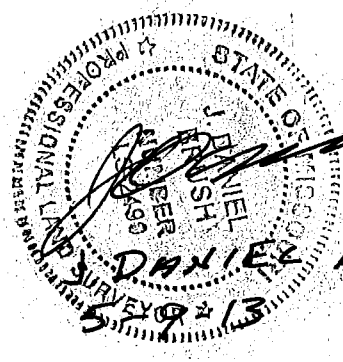
Sincerely,

Pat Zenner
Development Services Manager, Department of Planning & Development
przenner@gocolumbiamo.com

PRZ/sjm

CC: Jim Paneck, Protective Inspection

A TRACT LOCATED IN SECTION 28, TOWNSHIP 48 NORTH RANGE 13 WEST
CITY OF COLUMBIA BOONE COUNTY MISSOURI BEING LOT 6 FORUM
CHAPEL PLAZA AS SHOWN IN PLAT BOOK 31 PAGE 90 OF THE BOONE
COUNTY RECORDS AND CONTAINING 1.76 ACRES.



BRUSH LS 2499



**City of Columbia
Planning Department**

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

Statement of Intent Worksheet

For office use:

Case #:

13-86

Submission Date:

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.

Office Space : Retail for Home Furnishing : Art Gallery

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.

10,000 sq ft - entire building
5,000 sq ft - unit I am purchasing

3. The maximum building height proposed.

Bldg. already exist

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.

*See Attached Plan

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.

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.

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

Kristi Kansen

Signature of Applicant or Agent

5-10-13

Date



Matthew Lepke <mjlepke@gocolumbiamo.com>

Fwd: [Planning]: Rezoning request from OP to C-P for the Waterwood Building at 2301 Chapel Plaza Court

1 message

Denise Clark <dlclark@gocolumbiamo.com>

Mon, Jun 10, 2013 at 2:17 PM

To: "Zenner, Patrick" <przenner@gocolumbiamo.com>, "Lepke, Matthew" <mjlepke@gocolumbiamo.com>, Steve MacIntyre <sjmacint@gocolumbiamo.com>

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

From: **Paul Kanago** <cpp97270@centurytel.net>

Date: Mon, Jun 10, 2013 at 2:08 PM

Subject: [Planning]: Rezoning request from OP to C-P for the Waterwood Building at 2301 Chapel Plaza Court

To: planning@gocolumbiamo.com

P&Z Board members –

I just wanted to put my 2 cents in on the upcoming P&Z request to ask for a special use permit on behalf of Darren Wittenberger for a rezoning request from OP to C-P for the Waterwood Building at 2301 Chapel Plaza Court. I talked to Mathew Lepke and he told me that this request would be a special use request to be able to put in an art gallery under the classification of a furniture store and any use outside of this request would not be in compliance unless it was approved by city council under a new and separate request that would have to go back through P&Z and City council for approval. My property abuts the property in question and within the narrow confines stated above I am not in opposition to the above request. My main concern is that if this business fails and someone else comes in and wants to put in a Bar or Restaurant that they will not be able to do so without having to go back through City Council and P&Z. So as long as I have stated the premise correctly as Mr. Lepke communicated to me I am not in opposition of the Furniture Store/Art Gallery special use permit.... I am not sure if it would be appropriate or needed but it might be nice to limit normal retail business hours to 9:00 pm.

Thanks for your service,

Sincerely,

Paul L. Kanago

1701 Katy Lane

Columbia, MO 65203

pkanago@centurytel.net