

Introduced by \_\_\_\_\_

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Council Bill No. B 203-13

### **AN ORDINANCE**

changing the uses allowed on PUD-30 zoned property located on the northeast corner of Garth Avenue and Sexton Road; approving a revised statement of intent; approving the PUD Site Plan for Kinney Point; allowing a reduction in the required perimeter setback; setting forth a condition for approval; 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 permitted uses on property in PUD-30 located on the northeast corner of Garth Avenue and Sexton Road and further described as follows:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 4076, PAGE 124, AND BEING ALL OF LOT 1-A OF GRACE COVENANT CHURCH SUBDIVISION, PLAT 1-A, RECORDED IN PLAT BOOK 46, PAGE 12 CONTAINING 1.96 ACRES.

are amended to include the following permitted uses:

Permitted uses in District R-3 as follows:

Adult day care home

Apartment houses

Boardinghouses or lodging houses

Family day care homes, day care centers, pre-school centers, nursery school, child play care centers, child education centers, child experiment stations or child development institutions

Permitted use in District R-2 as follows:

Two-family dwellings

Permitted uses in District R-1 as follows:

One-family dwellings

Churches, mosques, and synagogues

SECTION 2. The City Council hereby approves the terms and conditions contained in the revised statement of intent dated July 10, 2013, marked "Exhibit A," which is attached to and made a part of this ordinance, which replaces (for the property referenced in Section 1) the statement of intent attached to Ordinance No. 016924 passed on June 4, 2001, and it 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. The City Council hereby approves the PUD Site Plan for Kinney Point, dated July, 2013, for the property referenced in Section 1.

SECTION 4. The City Council approves less stringent yard requirements than those set forth in Section 29-10(d)(7) to allow setbacks of ten feet along the north and east property lines rather than the required twenty-five feet, subject to the condition that a six-foot high fence and landscaping shall be installed and maintained along the north property line to provide enhanced screening and privacy to neighboring residents.

SECTION 5. This ordinance shall be in full force and effect from and after its passage.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor and Presiding Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
City Counselor

## Statement of Intent

Kinney Point

July 10, 2013

The following information is being presented as the Statement of Intent for the subject property.

1. The allowed uses for this property shall include:

Permitted uses in District R-3

Adult day care home

Apartment houses.

Boardinghouses or lodging houses.

Family day care homes, day care centers, pre-school centers, nursery school, child play care centers, child education centers, child experiment stations or child development institutions.

Permitted uses in District R-2

Two-family dwellings

Permitted uses in District R-1


One-family dwellings

Churches, mosques, and synagogues

2. The maximum square footage of any and all buildings located on the subject site shall not exceed 40,000 square feet. Said building may contain 1, 2, 3, and/or 4 bedroom units. The maximum number of units on said tract shall not exceed 58 total units with a maximum density of 30 units per acre. Accessory buildings, such as gazebos, shelter houses, and maintenance buildings shall be allowed within the development.
3. The maximum building height shall not exceed 45 feet.
4. The minimum percentage of the site to be maintained in open space shall be 40%. This amount shall be further delineated as 0% existing vegetation and 40% landscaping.
5. The total number of parking spaces proposed for this site shall not exceed the minimum parking requirement of the City of Columbia by more than 10 spaces.
6. Additional amenities may include a gazebo, walking trail, shelter houses, and picnic areas.
7. This project is a multi-family residential development containing a single building. Said building shall be constructed with a minimum building setback of 25 feet

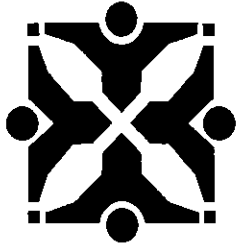
from any exterior street right-of-way. Parking and lighting for the development shall be in accordance with the current regulations for the City of Columbia.

8. The owner agrees to allow the City to convert the Garth Avenue entrance into a right-in/right-out when and if the Garth Ave/Sexton Road intersection is improved.
9. The owner agrees to work with the City to in order to grant, where feasible, appropriate right-of-way(s) for the improvement of the Garth Avenue/Sexton Road intersection when the City decides to design/construct said intersection. Owner agrees to grant said right-of-way(s) at no cost to the City.
10. The owner will not construct any building within 5 feet of the existing 25-foot building lines (as shown by the PUD Plan) along Sexton Road or Garth Avenue, within 75 feet of the existing intersection, in order to allow for future improvements of the Garth Avenue/Sexton road intersection.



Rick Hess

Columbia Housing Authority



Source: Community Development - Planning 

Agenda Item No:

To: **City Council**

From: **City Manager and Staff** 

Council Meeting Date: Aug 5, 2013

**Re:** Kinney Point PUD - zoning amendment & development plan approval (**Case #13-99**)

**EXECUTIVE SUMMARY:**

A request by Columbia Housing Authority (owner) to amend the PUD (Planned Unit Development) zoning, and to approve a PUD development plan to be known as Kinney Point PUD. The 1.96-acre subject site is located on the northeast corner of Garth Avenue and Sexton Road. (Case # 13-99)

**DISCUSSION:**

The applicant is requesting approval of a development plan to allow for the construction of a two-story, 40-unit apartment building to provide low income housing. The existing PUD-30 zoning allows a maximum density of 30 dwelling units per acre, and the proposed project density is 20.4 units per acre.

A public hearing was scheduled before the Planning and Zoning Commission for July 18. Due to the inability to obtain a quorum of Commissioners, this item has been moved to August 8 Commission agenda. Based on the unforeseen quorum issue, it is requested that Council introduce this item, then await the results of the Commission's public hearing prior to making a final decision on the request. The staff report provided to the Planning and Zoning Commission and supplemental materials are attached. A copy of the August 8 public hearing minutes will be attached to a supplemental report for the Council's review.

The staff report and locator maps are attached for reference.

**FISCAL IMPACT:**

None.

**VISION IMPACT:**

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

None.

**SUGGESTED COUNCIL ACTIONS:**

Introduce an ordinance to rezone (an amendment to the PUD Statement of Intent) and approve a development plan in advance of the required public hearing by the Planning and Zoning Commission scheduled to occur on August 8.

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

**AGENDA REPORT**  
**PLANNING AND ZONING COMMISSION MEETING**  
**July 18, 2013**

**SUMMARY**

A request by Columbia Housing Authority (owner) to amend the PUD (Planned Unit Development) zoning, and to approve a PUD development plan to be known as Kinney Point PUD. The 1.96-acre subject site is located on the northeast corner of Garth Avenue and Sexton Road. **(Case # 13-99)**

**DISCUSSION**

The applicant is requesting approval of a development plan to allow for the construction of a two-story, 40-unit apartment building to provide low income housing. The proposed project density is 20.4 units per acre, which is well under the site's existing PUD-30 maximum zoning density allowance.

A letter from the applicant requests variance from Section 29-10(d)(7), which requires a 25-foot perimeter setback along the entire PUD development. The proposed plan shows parking spaces located ten feet from the site's north and east perimeter property lines - an encroachment of 15 feet into the typically required perimeter setback. In exchange for this setback infringement, the plan proposes a six-foot high fence and landscaping along the northern property line to provide enhanced screening and privacy to neighboring residents. No screening is shown or considered necessary along the eastern property line, which abuts Grace Covenant Church.

The applicant's statement of intent is intended to replace the existing statement of intent, which accompanied the 2001 rezoning ordinance that designated the site PUD-30. The revised statement of intent reflects the proposed change of use from a private park and church complex to an apartment building. It includes provisions to accommodate additional right-of-way needs to support future improvements to the intersection of Garth Avenue and Sexton Road.

The plan meets all PUD development standards, with the exception of the requested perimeter setback variance.

**RECOMMENDATION**

Staff recommends:

- Approval of the proposed PUD development plan, including the requested variance from Section 29-10(d)(7) to allow parking within the 25-foot perimeter setback along the site's north and east sides.
- Approval of a modified statement of intent, which provides clearer guidance with regard to the currently proposed use of the property

#### ATTACHMENTS

- Locator aerial and topographic maps
- Development plan
- Conceptual project rendering
- Statement of intent
- Letter requesting variance from Section 29-10(d)(7)
- 2001 rezoning ordinance

#### SITE HISTORY

<b>Annexation Date</b>	1906
<b>Existing Zoning District(s)</b>	PUD-30
<b>Land Use Plan Designation</b>	Neighborhood District
<b>Subdivision/Legal Lot Status</b>	Lot 1-A, Grace Covenant Church Subdivision Plat 1-A

#### SITE CHARACTERISTICS

<b>Area (acres)</b>	1.96 acres
<b>Topography</b>	Flat
<b>Vegetation/Landscaping</b>	Grass and trees
<b>Watershed/Drainage</b>	Flat Branch Creek
<b>Existing structures</b>	None

#### SURROUNDING LAND USES

<b>Orientation from site</b>	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	R-2 (Two-Family Dwelling)	Single-family homes
<b>South</b>	R-3 (Medium Density Multiple-Family Dwelling)	Multi-family apartment building (Oak Towers)
<b>East</b>	PUD-30	Church (Grace Covenant)
<b>West</b>	R-2	Single-family homes

#### UTILITIES & SERVICES

All essential utilities and services, including electricity, water, fire protection, and sanitary sewer, are available to the site, and provided by the City of Columbia.



#### ACCESS

<b>Garth Avenue</b>	
<b>Location</b>	West side of site
<b>Major Roadway Plan</b>	Major Collector (Improved & City-maintained)
<b>CIP Projects</b>	None
<b>Sidewalk</b>	In place

<b>Sexton Road</b>	
<b>Location</b>	South side of site
<b>Major Roadway Plan</b>	Local Residential (Improved & City-maintained)
<b>CIP Projects</b>	None
<b>Sidewalk</b>	In place

#### PARKS & RECREATION

<b>Neighborhood Parks</b>	Douglass Park is 1,200 feet to southeast
<b>Trails Plan</b>	No trails planned
<b>Bicycle/Pedestrian Plan</b>	No bike/ped infrastructure planned

#### 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 25, 2013.

<b>Public Information Meeting Recap</b>	Number of attendees: 4 Comments/concerns: Neighborhood notification, impacts on adjacent residents, loss of "park" and open space
<b>Neighborhood Association(s) Notified</b>	Douglass Park; Ridgeway
<b>Correspondence Received</b>	None as of this writing

Report prepared by Steve MacIntyre; approved by Patrick Zenner

016924

Permanent Record  
Filed in Clerk's Office

Introduced by Hindman  
First Reading 5-21-01 Second Reading 6-4-01  
Ordinance No. 016924 Council Bill No. B 186-01 A

AN ORDINANCE

rezoning property located on the northeast corner of North Garth Avenue and Sexton Road from Districts R-2 and R-3 to District PUD-30; 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:

Lots 2,3,4,5,6,7,8 and 9 of Odon Guitar's Subdivision of the City of Columbia, Missouri, as recorded in Book 1, Page 16, of the Records of Boone County, Missouri.

will be rezoned and become a part of District PUD (Planned Unit Development) with a development density not exceeding thirty dwelling units per acre and taken away from Districts R-2 (Two-Family Dwelling District) and R-3 (Medium Density Multiple-Family Dwelling District). The zoning district map shall designate the property PUD-30. Hereafter the property may be used for all permitted uses in District R-3. The statement of intent submitted by applicant, marked "Exhibit A" is attached to and made a part of this ordinance.

SECTION 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its passage.

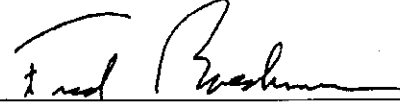
PASSED this 4th day of June, 2001.

ATTEST:

Deany Starnane  
City Clerk

Larni Hindman  
Mayor and Presiding Officer

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Counselor

**Grace Covenant Church of Central Missouri**  
*Continuing the ministry of Jesus....*

2723 Pine Drive  
 Columbia, MO 65202  
 April 13, 2001

City of Columbia  
 Dept. of Planning and Development  
 701 E. Broadway  
 Columbia, MO 65205

RECEIVED

APR 19 2001

Letter of Intention

PLANNING DEPT.

This letter is in accompaniment to our application for the the rezoning of the 3.24 acres of land located on the NE corner of the intersection of Garth and Sexton Streets here in Columbia. We are requesting a PUD-30 status for this property and Grace Covenant Church, as the buyers, making this statement of intent for our use of the land.

The requirements ask us to state our intent in regards to the following questions:

- a) Type of dwelling units proposed. None. N/A
- b) Maximum number of dwelling units proposed. None. N/A
- c) Maximum building height proposed - 30 ft.
- d) Total number of parking spaces - 40 (may increase in accordance with city code requirements.)

Parking ratio - 1 parking space per every 5 seats in sanctuary.

- e) Minimum percentage of entire site to be maintained in open space - 55%: We plan to maintain as many of the existing trees and bushes as possible. We intend to make the property as inviting as possible to the elderly and the young in the neighborhood as a place to meet and enjoy the outdoors.
- f) Amenities - Walking trail around perimeter of property wide enough (8 ft.) for walkers and wheelchairs with occasional benches and flower beds. Outdoor basketball court and outdoor grass volleyball court.

- g) General description of plan - Initial construction - Family Activity Center up to 3600 sq.ft.  
 - Sanctuary building up to 4800 sq.ft.

Later construction may include a gymnasium for the Family Activity Center and an expansion of the sanctuary for offices or fellowship area.

An alternate use of this property, which would require a new letter of intention, could include owner-occupied housing up to the density permitted by the zoning department.

It is our intention, as the buyers, to use this property to serve the residents of the neighborhood as well as the needs of our members. Please consider the request to rezone the property with this in mind.

*Dana Battison*

Dana Battison, Treasurer  
 Grace Covenant Church

*Thomas McNabb*  
 Thomas McNabb  
 Owner







Parcel Data and Aerial Photo  
Source: Boone County Assessor

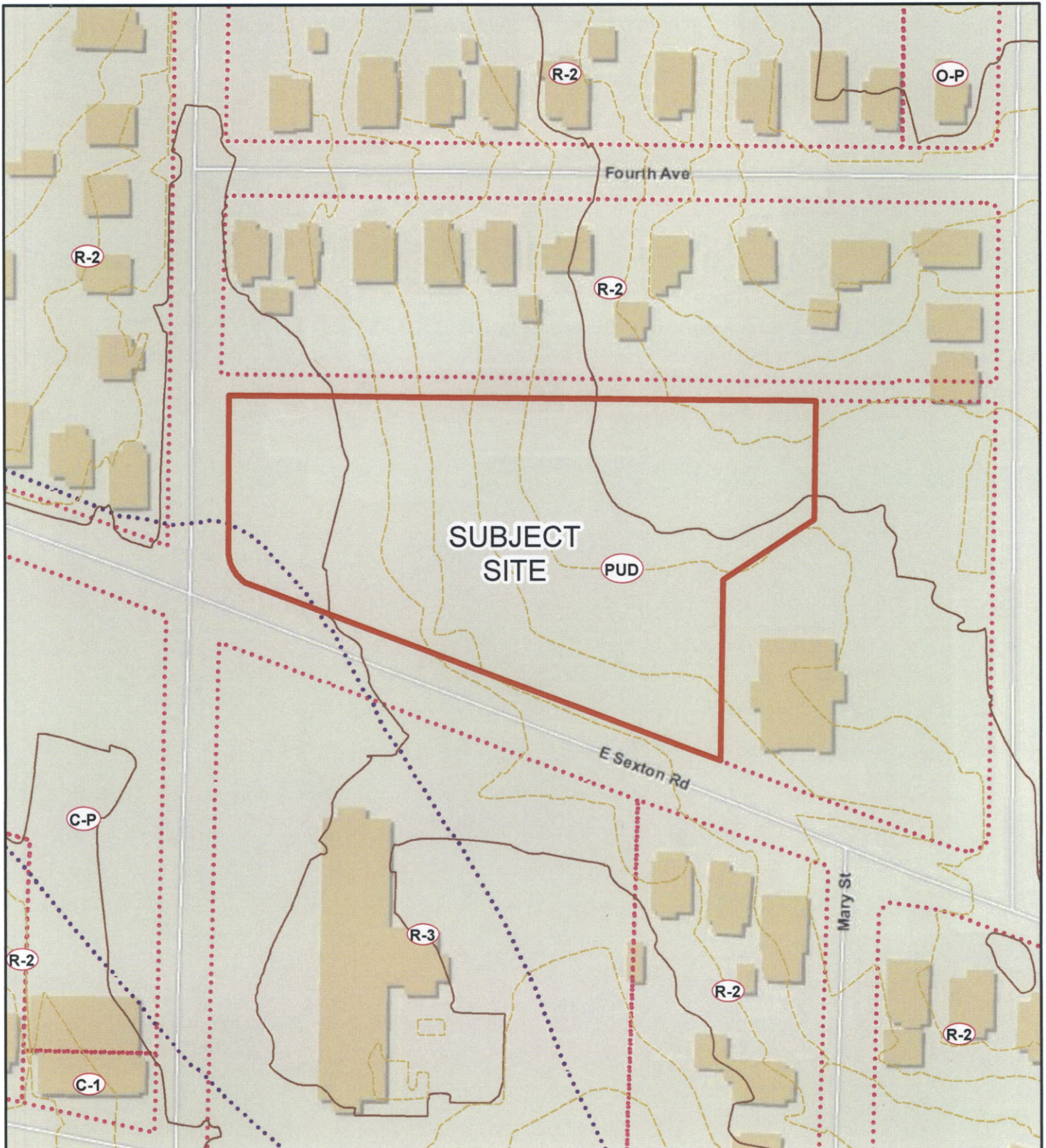
## Case 13-99: Plan & Zoning Amendment Kinney Point PUD

0 50 100 200  
Feet

1 inch = 100 feet







**Case 13-99: Plan & Zoning Amendment  
Kinney Point PUD**



0 50 100 200  
Feet

1 inch = 100 feet







# PUD SITE PLAN FOR KINNEY POINT

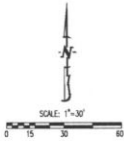
LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 48 NORTH, RANGE 13 WEST  
COLUMBIA, BOONE COUNTY, MISSOURI  
JULY, 2013



LOCATION MAP  
NOT TO SCALE

## LEGEND:

- EXISTING LOT CONTOUR
- EXISTING ST CONTOUR
- CURB
- EXISTING TIE LINE
- PROPOSED TIE LINE
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- UNPAVED/PAVED
- PROPOSED INTERLINE
- PROPOSED FIRE HYDRANT
- PROPOSED LIGHT POLE
- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- BUILDING LINE
- EXISTING
- LOT NUMBER
- PROPOSED PAVEMENT
- EXISTING BUILDING
- PROPOSED DETENTION/RETENTION



## NOTES:

- THIS TRACT CONTAINS 1.98 ACRES.
- THIS TRACT IS CURRENTLY ZONED PUD-30.
- THE MAXIMUM HEIGHT OF ANY BUILDING WILL NOT EXCEED 30'.
- THE INTENT FOR THIS DEVELOPMENT IS TO HAVE THE SITE DEVELOPED IN ONE PHASE.
- PART OF THIS TRACT IS WITHIN THE FLOOD PLAIN AS ADOPTED BY THE CITY OF COLUMBIA AS SHOWN ON PANEL NUMBER 29019C 02800 DATED: MARCH 17, 2011.
- THERE IS NO STREAM BUFFER LOCATED ON THIS TRACT AS DESCRIBED BY THE REQUIREMENTS OF CHAPTER 26 OF THE ZONING REGULATIONS OF BOONE COUNTY, MISSOURI.
- ALL LIGHTING SHALL HAVE A MAXIMUM HEIGHT OF 20 FEET. ALL FIXTURES SHALL BE FULL CUT-OFF AND CONFORMING TO THE LOCATION OF THE LIGHT POLES (AS SHOWN ABOVE) MAY CHANGE. CHANGES SHALL BE ALLOWED AS LONG AS THEY CONFORM TO THE CITY OF COLUMBIA LIGHTING REGULATIONS.
- THE MINIMUM RELEASE RATE FROM THIS DEVELOPMENT SHALL BE CONTROLLED BY LIMITING THE POST-DEVELOPMENT STORM WATER RELEASE RATES TO THE PRE-DEVELOPMENT RATES FOR THE 1, 2, 10 AND 100 YEAR RAINFALL EVENTS.
- THE EXISTING STORMWATER DETENTION BASIN LOCATED IN THE SOUTHWEST CORNER OF THE SITE SHALL REMAIN IN PLACE OR BE RECONFIGURED/REPLACED BY ONE OF ADEQUATE CAPACITY.
- IT IS THE INTENT OF THIS DEVELOPMENT TO COMPLY WITH SECTION 29-254(1)-(2) OF THE COLUMBIA CODE OF ORDINANCES.

## CALCULATIONS:

<b>AREA:</b>	
TOTAL LOT AREA (NET) =	1.98 ACRES
BUILDING AREA =	0.40 ACRES
OTHER IMPERVIOUS AREA =	0.67 ACRES
TOTAL IMPERVIOUS AREA =	1.07 ACRES (54%)
TOTAL PERVIOUS AREA & LANDSCAPING =	0.89 ACRES (45%)
<b>LANDSCAPE COMPLIANCE:</b>	
TOTAL PARKING LOT & DRIVE AREA =	25,955 SQ. FT.
TREES REQUIRED @ 1 TREE/4000 SQ. FT. =	6 TREES
TOTAL TREES REQUIRED =	6 TREES
MEDIUM TO LARGE TREES REQUIRED (20%) =	2 TREES
TOTAL TREES PROVIDED =	6 TREES

## LANDSCAPING NOTES:

QUANTITY	PLANT SPECIES	
2	PIN OAK - QUERCUS PALUSTRIS (OR APPROVED EQUAL)	(A)
4	SHAWNEE MAPLE - ACER TRUNCATUM (OR APPROVED EQUAL)	(B)
5	MAPLE GREEN COLUMN - ACER NEGUNDO (OR APPROVED EQUAL)	(C)
	6-FOOT TALL PRIVACY FENCE CONFORMING TO CITY OF COLUMBIA STANDARDS FOR SCREENING PURPOSES	(D)

ACCEPTED BY THE PLANNING AND ZONING COMMISSION,  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

DOUG WHEELER - CHAIRPERSON

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

ROBERT MCNEAL - MAYOR

SHEILA ABIN - CITY CLERK

SITE/CIVIL ENGINEER  
**CROCKETT**  
ENGINEERING CONSULTANTS  
2000 Main Street, Suite 100  
Columbia, Missouri 65201  
(572) 467-0000  
www.crockettingeering.com  
Crockett Engineering Consultants, LLC  
Missouri Certificate of Authority  
#00001004



40 Unit Building - Aerial View