

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 38-09

AN ORDINANCE

approving the PUD development plan of A. Perry Philips Park, Phase I and an amendment to the statement of intent; granting a variance from the Subdivision Regulations relating to construction of an alternative sidewalk; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Council hereby approves the PUD development plan of A. Perry Philips Park, Phase I, dated January 29, 2009, located off Bristol Lake Parkway, east of Billingsly Drive. The Director of Planning and Development shall use the design parameters set forth in "Exhibit A" which is attached to and made a part of this ordinance as guidance when considering any future revisions to the PUD development plan. The statement of intent for this property, which is part of Ordinance No. 018043, is amended as shown on "Exhibit B," which is attached to and made a part of this ordinance.

SECTION 2. Subdivider is granted a variance from the requirements of Section 25-48.1(c) of the Subdivision Regulations so that an alternative sidewalk/pedestrian trail may be constructed to meander outside the right-of-way along Gans Road and Bristol Lake Parkway street frontages.

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

PASSED this _____ day of _____, 2009.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

Design Parameters for A. Perry Philips Park PUD, Phase 1 City of Columbia Parks and Recreation Department

a. *The uses proposed.*

Phase One of the A. Perry Philips Park development consists of a fishing/boating facilities, a perimeter lake trail, a park shelter and landscaping. The fishing/boating facilities, partially funded by a grant from the Missouri Department of Conservation, will be a fishing dock, courtesy boat dock, boat ramp, two fixture flush restroom, concrete parking lot and a security light.

The perimeter trail will initially be a gravel MKT style trail. A hard surface crossing of the drainage on the north side of Philips Lake is expected. As funding permits and need dictates, all or portions of the trail may eventually be hard surfaced.

The park shelter will be a typical park shelter, up to a maximum roof area of 78 feet by 44 feet. Depending on available funding this shelter may include electric service.

Landscaping of the site will include several components. Five trees are required to be planted by ordinance within the proposed parking lot. It is expected the number of trees will exceed this requirement as the project progresses. Areas to remain turf, especially areas that are thin, may receive treatments such as overseeding, fertilizing and general turf improvement. Shade and ornamental trees, shrubs and grasses will be planted to provide aesthetic enhancement and habitat. These plantings will include new plantings areas and improvement to existing vegetation. The use of native, low maintenance and/or low water plant materials will be emphasized.

Some areas along the edge of Philips Lake will be planted with aquatic, emergent and shoreline plants. These plantings will be used to provide aesthetic enhancement, improve water quality, provide aquatic habitat and deter excessive geese population.

b. *The type(s) of dwelling units proposed and any accessory buildings proposed.*

N/A

c. *The maximum number of dwelling units proposed and the development density.*

N/A

d. *The maximum building height proposed.*

The park shelter has an approximate height of 25 feet.

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

The parking area for the fishing/boating facility includes 14 car spaces (1 ADA compliant) and 10 trailer spaces (1 ADA compliant). The ordinance required parking ratio is 1 space per 5,000 sq.ft. of parkland.

f. *The minimum percentage of the entire site to be maintained in open space, shown by the percent in landscaping and the percent left in existing vegetation.*

Phase One development consists of two principal parts, the fishing/boating facility and the lake trail. The fishing/boating facility is concentrated on approximately two acres. Of this two acres, 0.60 acres (30% of the facility project area) will be concrete parking lot and walks, small restroom and a boat ramp. The remaining 1.40 acres (70%) will be existing trees and vegetation, newly planted trees and vegetation and two rain gardens for stormwater control and improvement.

The lake trail will be a 10 foot wide, 7,500 foot long, mostly gravel trail. This will take up most if not all of the approximate allocated 1.7 acres. However trees, shrubs and other vegetation will be planted along side the trail at various sites along the trail. These sites and plant material will be determined by the Natural Resources Division of the Parks and Recreation Department as the project progresses.

Per the Tree Preservation Plan for Bristol Lake dated 3/11/2005, there is no preserved timber area on the current City owned parcels. At that time part approximately 3.5 acres of regulated timber area stood on the

Design Parameters for A. Perry Philips Park PUD, Phase 1 City of Columbia Parks and Recreation Department

current park property. Approximately 2.2 acres of that stand was removed by the previous owner to make improvements to the dam, install sewer and build Bristol Lake Parkway. Approximately 1.3 acres remains. It is estimated that 1.0 acres will be preserved. Much of the area to be removed will be converted to a detention basin/rain garden for stormwater control of the parking lot runoff. It is anticipated that a portion of the area removed will be re-planted with appropriate trees.

The Option One draft plan for Philips Park has a hardscape/impervious area no greater than 18%. The Option Two draft plan has a hardscape/impervious area no greater than 25%.

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

See items listed under Item A.

h. 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.

N/A

Text that is ***bold, italic, and underlined*** is to be added. Text that is ~~crossed-out~~ is to be removed.

Exhibit C

TRACT 3 OF PHILIPS TRACT **[PUD 4]**

Re: Requested zoning, Requested Permitted Uses, and Development Criteria for tract 3 of Philips tract

Size of Tract: 129.94 acres

Requested Zoning of Tract: PUD 4

Requested Allowable Uses of Tract: City park and ***associated non-habitable structures and buildings***, if the City chooses to acquire this parcel, and, alternatively: 1) schools and churches; 2) Detached, detached cluster, or detached zero lot line single family residences; 3) Attached zero lot line single family residences (town homes); and 4) Apartments/apartment buildings.

Legal Description of Tract: See **Exhibit 5** to the Zoning Application

Standards and Criteria/Design Characteristics and Statement of Intention for the Tract:

Intended Density: Tract 3 will contain up 519 dwelling units and/or schools and churches.

Standards and Criteria:

A. **Design Criteria.**

a. (1) Single family residences [which are detached, detached clustered, or detached zero lot line single family residences and/or attached zero lot line single family residences (town homes)], (2) apartments, or (3) schools and/or churches.

b. A full, post-construction, Stormwater Plan (Water Quality Protection Plan) for this Tract must be submitted and approved ***on an individual phase or entire plan basis***, as part of the PUD Site Plan ***approval process*** for this Tract, as per Section 29-10(d)(4), and ***Exhibits 24 and 25. Compliance with the Water Quality Protection Plan's intended outcomes, as stated in Exhibits 24 and 25, shall be verified prior to the issuance of building permits. Compliance shall be determined by either meeting those improvement and design requirements stated in the Water Quality Protection Plan, as shown in Exhibits 24 and 25, or through provision of improvements and designs consistent with the most current City of Columbia Stormwater Regulations, whichever is most restrictive. A combination of the two standards may be utilized to meet the intended water quality protection measures.***

c. All common stormwater detention facilities/water quality management protection facilities, which will serve this Tract, must be completed prior to the issuance of any certificates of occupancy for any dwellings on this Tract. Individual water quality management protection requirements, that are applicable to each Lot, must be completed and complied with before the issuance of a certificate of occupancy for any dwelling on such Lot.

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d. Upto 350 Units to be placed within Tracts 1, 2, and 3 (in combination) may be planned and platted without offsite road improvements. Planning or platting for more than such total of 350 Units on Tracts 1, 2, and 3, shall require the submission of Traffic Impact Study, to be presented with the PUD Plan, or PUD Plan Amendment, or the Development Plan or Development Plan Amendment, which provides for the planning or platting of a greater number of Units, and such Traffic Impact Study must demonstrate that internal and external streets and traffic infrastructure will support the greater number of dwelling units.

e. A Declaration of Restrictive Covenants, applicable to this Tract, must be prepared and recorded prior to the conveyance of the first lot or dwelling within this Tract to a lot owner other than the initial developer of this Tract. Such Declaration of Restrictive Covenants shall, among other things, impose restrictions on the use of fertilizers and pesticides, as described in **Exhibit 25** hereto, and make provisions for maintenance of all Common Elements, included Water Quality Protection Systems.

B. Open Space or Common Land.

a. Stormwater retention/detention facilities, and Best Management Practices, and Water Quality Protection devices and facilities, as per **Exhibits 24 and 25**, must be placed either on common land or within publicly dedicated or private easements, and to the extent not publicly owned or publicly maintained, shall be maintained by a homeowners association established by way of the Declaration of Restrictive Covenants.

b. Each subdevelopment within this Tract may include additional common land and open space, as needed to meet the stormwater requirements/Water Quality Protection requirements of the area.

C. Water Quality Management Plan/Water Quality Protection Plan. A full, post-construction, Water Quality Management Plan and Water Quality Protection Plan/stormwater plan for this Tract must be completed and approved as part of the PUD Site Plan(s) for this Tract, as required by Section 29-10(d)(4) of the City's Ordinances, and must be fully implemented prior to the issuance of occupancy permits for this Tract, which such Plan to conform with **Exhibits 24 and 25**.

D. Density of Development. 519 Units maximum – PUD-4

E. Vision Clearance. Per City Code.

F. Access. Per City Code

G. Parking. Per City Code.

H. Homeowners Association. A homeowners association shall be formed to maintain common areas.

Statement of Intent:

A. Types of Buildings: ***Non-habitable park-related structures or buildings***
None, if the City acquires this land for a park, and otherwise: schools and churches; detached,

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detached clustered or detached zero lot line single-family residences; attached zero lot line single family residences (town homes – 2 -12 units located in one to three story buildings); apartment buildings (containing between 4 and 50 apartments, with a height of two to six stories).

B. Maximum Number of Dwelling Units: None, if the City acquires this Tract as a park. Otherwise, the total maximum shall be 519 Units. The exact mix of Unit types remains to be determined.

C. Maximum Building Height Proposed:

- Buildings containing single family dwellings units, of all types – 52’
- Schools and churches, except for spires – 75’
- Apartment buildings – 75’ on the westerly 200’ of the Philips Tract, but apartments may be 90’ in height elsewhere on Tract 3

D. Total Parking Spaces Proposed and Parking Ratio:

a. Detached, Detached Clustered and Detached Zero Lot Line Single Family Residences and Attached Zero Lot Line Single Family Residences (Town Homes) - Minimum of two spaces per dwelling unit.

b. Apartments. Per City Code

c. Other Parking. Per City Code

E. Minimum Percentage of Entire Site Maintained in Open Space/Impervious Surface Areas.*

a. Open Space – 84%, without the park, and 93% with the park

b. Impervious Surface Areas. Impervious surface areas will be limited to 16%, without the Park, and 7% with the Park. **Such impervious limitations, however, shall not apply to this Tract if acquired by the City and developed for park purposes. If park development is begun and the City decides to develop any portion of the Tract with uses other than a park or subsequently sells any portion of the Tract for private development, the maximum impervious surface areas within such development areas shall not exceed 7%.** Use of pervious materials for the construction of some driveways, walkways, patios and parking areas will be encouraged, in order to reduce runoff, yet remain within impervious surface limitations, if alternative surface paving materials are approved by the Department of Public Works of the City.

F. Amenities/Lake. If a public entity (the City, or any other public entity) acquires the Lake, or the Lake and surrounding ground, for a park/nature area, or regional stormwater detention facility, then the Lake will be a public amenity and regional stormwater detention facility. It will otherwise be privately owned and will be a private amenity of the development and a private stormwater detention facility to be maintained by an association of property owners. No other amenities are planned for common use except for stormwater retention/detention facilities, Water Quality Protection facilities, and Best Management Practices

* “Open space” and “pervious space” are, for the purposes of this Application, considered to be equivalent.

Text that is ***bold, italic, and underlined*** is to be added. Text that is ~~crossed-out~~ is to be removed.

("BMPs"), as per **Exhibits 24 and 25**, which will be located in Common Areas or on public or private easements, as required for maintenance. Maintenance will be by the homeowners association for any of these facilities which is not publicly owned.

G. General Description of the PUD Plan.

a. Minimum Lot Sizes. Lot sizes for residential buildings may vary, but will not be less than 5,000 square feet for buildings containing detached dwelling units and 4,000 square feet per dwelling unit for buildings containing attached dwelling units; provided, however, that common areas immediately surrounding or adjacent to a building containing (a) dwelling unit(s) may be included in the minimum lot sizes. Lot sizes for schools, churches and apartment buildings shall not be less than 20,000 square feet; provided that common areas immediately adjacent to or surrounding an apartment building may be included in the lot size for such building.

b. Minimum Building Setbacks.

- Minimum of 25' from perimeter property lines
- Minimum of 25' from perimeter roads
- Minimum of 20' from interior streets
- Minimum of 20' for rear yards
- Minimum of 6' for side yards of single family dwellings,

except that there shall be no setback for units attached to each other; minimum of 10' for other buildings

In addition to the above minimums, all buildings shall be setback an additional 1' from all property lines for each additional 1' in height above 45'; provided, however, there shall be no minimum setback required from common areas as long as the applicable common area is at least as wide as the above minimum front, rear and side yard setbacks.


c. Minimum Setback Between Buildings. No closer than 12' between residential buildings and 10' between other types of buildings.

d. Minimum Setback from Creeks and Lake. Buildings shall be setback not less than 100' from Clear Creek or the lake; ***provided, however, that park-related uses and non-habitable structures or buildings which are directly dependent upon the creek or lake for their functionality shall be permitted within such buffer and further provided that the area of such encroachment into this buffer is off-set by an increase in buffer elsewhere along the creek or lake as is permitted by the City Stormwater Regulations.***

H. Description of Street Plan. Roadways will service the Development off of Gans Road and Ponderosa. Such roads will cross the property and be stubbed to the north and/or the west. A minimum of those internal streets, as required to meet safety and traffic circulation needs, will be provided.

I. Reservation of Land for Possible Acquisition by City. This Tract and Tract 9 will, for a period of six months, be reserved for acquisition by the City for a park.

Source: Tim Teddy 

TO: City Council
FROM: City Manager and Staff 
DATE: February 6, 2009
RE: A. Perry Philips Park, Phase 1 (Case # 08-105)

FISCAL NOTES:

City Fiscal Impact Enter all that apply:	
\$407,000	City's current net FY cost.
\$407,500	Amount of Funds Already appropriated
\$0	Amount of budget amendment needed
\$0	Estimated 2 yr net costs:
\$19,690	One-time
	Operating / On-going
Program Impact:	
N	New program/ agency (Y/N)
N	Duplicates/expands an existing program (Y/N)
N	Fiscal impact on any local political subdivision (Y/N)
Resources Required:	
N	Requires add'l FTE personnel? (Y/N)
N	Requires additional facilities? (Y/N)
N	Requires additional capital equipment? (Y/N)
Mandates:	
N	Federal or state mandated? (Y/N)

EXECUTIVE SUMMARY:

The City of Columbia Parks and Recreation Department requests approval of a PUD development plan known as "A. Perry Philips Park, Phase 1" and a variance from Section 25-48.1 of the Subdivision Regulations to allow for the construction of an alternative sidewalk system along Gans Road and Bristol Lake Parkway. The subject site contains approximately 3.8 acres of land located off Bristol Lake Parkway, east of Billingsly Drive.

DISCUSSION:

The proposed development is part of the City's southern regional recreation complex that incorporates approximately 140 acres of the former Philips Farm and all of the former Crane Tract that abuts Rock Bridge State Park and includes 320 acres. The proposed improvements within this first phase (to be constructed on the 140 acres) will focus around Philips Lake and include fishing and boating facilities, a perimeter lake trail, a park shelter, and general landscaping improvements.

The Parks and Recreation Department has successfully secured a grant from the Missouri Department of Conservation to supplement the construction costs for the fishing and boating facilities. Costs in excess of the secured grant are to be covered by the Parks 1/8 cent Sales Tax.

A variance is requested to Section 25-48.1 of the Subdivision Regulations to allow for an alternative sidewalk to be constructed along the frontages of Gans Road and Bristol Lake Parkway. The regulations require that sidewalks be constructed within the road right-of-way, parallel to the street. The sidewalk proposed would meander in and out of the right-of-way and would be similar to that used at Stephens Park. Approval of the variance would permit the sidewalk to conform to the natural features of the landscape and create a more enhanced park experience. Evaluation of the requested variance by City departments yielded one comment that indicated connection to the intersection of Gans Road and Bristol Lake Parkway should be maintained to ensure adjacent property connectivity to the Park and the Gans Recreation Area to the south.

As part of its review, staff identified several use and location inconsistencies between the proposed development plan and the requirements/restrictions specified in the approved Statement of Intent. The inconsistencies included restrictions on the placement of buildings on the site, encroachment into a specified lake buffer with improvements (buildings or trails) and the establishment of a maximum impervious site coverage ratio. These inconsistencies were presented to the Planning and Zoning Commission at its February 5 meeting with a staff recommendation that the Statement of Intent be amended. Staff's recommendation was supported by the City Counselor.

The Planning and Zoning Commission on February 5, 2009, voted unanimously (7-0) to recommend approval of the PUD development plan and the requested variances to the type of

sidewalk to be installed. The Commission also directed staff to amend the existing Statement of Intent to permit park-related construction within the subject phase as well as on the remaining acreage of the A. Perry Philips Park tract and forward the amended Statement of Intent to Council for approval.

A staff report, locator map, reduced copies of the plan, pertinent correspondence and excerpts from the minutes of the Planning and Zoning Commission meeting are attached.

FISCAL IMPACT:

The Philips Phase I project is included in the City's FY-07 capital improvement budget with a total project cost of \$407,000 including funding in the amount of \$250,000 from the 2005 1/8-cent Park Sales Tax and \$157,500 in grant funds from the Missouri Department of Conservation.

It is recommended that the department's FY-2010 annual operating budget may need to be increased by a total of \$9,845 with \$7,715 in salaries, \$1,500 in utilities and \$630 in materials and supplies. At this time, the department is not requesting any permanent employees based on the addition of this park, but as other parks are added or developed, the conversion of temporary salaries to permanent may be requested. If the department's budget is not increased, additional measures such as deferring maintenance or reducing the levels of care may need to be implemented.

It should be noted that the estimated 2 year net costs are solely for operational and maintenance expenditures only. The Parks and Recreation Department has indicated that it is likely as the proposed improvements are brought on-line there may be occasion for special events to occur at the facilities. Such activities or events may require that additional staff support or maintenance to be performed to accommodate such events (i.e. a fishing derby). It is believed that the additional service costs would be off-set by registration or user fees.

SUGGESTED COUNCIL ACTIONS:

Accept the Planning Commission's recommendation of approval on the PUD development plan and requested variance.

Additionally, as recommended by the Planning Commission, Council should consider approval of the revised Statement of Intent (attached) to ensure that proposed park-related development (structural or otherwise) is expressly permitted within the subject phase as well as the remaining A. Perry Philips Park property.

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Exhibit C

TRACT 3 OF PHILIPS TRACT

[PUD 4]

Re: Requested zoning, Requested Permitted Uses, and Development Criteria for tract 3 of Philips tract

Size of Tract: 129.94 acres

Requested Zoning of Tract: PUD 4

Requested Allowable Uses of Tract: City park and ***associated non-habitable structures and buildings***, if the City chooses to acquire this parcel, and, alternatively: 1) schools and churches; 2) Detached, detached cluster, or detached zero lot line single family residences; 3) Attached zero lot line single family residences (town homes); and 4) Apartments/apartment buildings.

Legal Description of Tract: See **Exhibit 5** to the Zoning Application

Standards and Criteria/Design Characteristics and Statement of Intention for the Tract:

Intended Density: Tract 3 will contain up to 519 dwelling units and/or schools and churches.

Standards and Criteria:

A. Design Criteria.

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b. A full, post-construction, Stormwater Plan (Water Quality Protection Plan) for this Tract must be submitted and approved ***on an individual phase or entire plan basis***, as part of the PUD Site Plan ***approval process*** for this Tract, as per Section 29-10(d)(4), and ***Exhibits 24 and 25. Compliance with the Water Quality Protection Plan's intended outcomes, as stated in Exhibits 24 and 25, shall be verified prior to the issuance of building permits. Compliance shall be determined by either meeting those improvement and design requirements stated in the Water Quality Protection Plan, as shown in Exhibits 24 and 25, or through provision of improvements and designs consistent with the most current City of Columbia Stormwater Regulations, whichever is most restrictive. A combination of the two standards may be utilized to meet the intended water quality protection measures.***

c. All common stormwater detention facilities/water quality management protection facilities, which will serve this Tract, must be completed prior to the issuance of any certificates of occupancy for any dwellings on this Tract. Individual water quality management protection requirements, that are applicable to each Lot, must be completed and complied with before the issuance of a certificate of occupancy for any dwelling on such Lot.

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d. Upto 350 Units to be placed within Tracts 1, 2, and 3 (in combination) may be planned and platted without offsite road improvements. Planning or platting for more than such total of 350 Units on Tracts 1, 2, and 3, shall require the submission of Traffic Impact Study, to be presented with the PUD Plan, or PUD Plan Amendment, or the Development Plan or Development Plan Amendment, which provides for the planning or platting of a greater number of Units, and such Traffic Impact Study must demonstrate that internal and external streets and traffic infrastructure will support the greater number of dwelling units.

e. A Declaration of Restrictive Covenants, applicable to this Tract, must be prepared and recorded prior to the conveyance of the first lot or dwelling within this Tract to a lot owner other than the initial developer of this Tract. Such Declaration of Restrictive Covenants shall, among other things, impose restrictions on the use of fertilizers and pesticides, as described in ***Exhibit 25*** hereto, and make provisions for maintenance of all Common Elements, included Water Quality Protection Systems.

B. Open Space or Common Land.

a. Stormwater retention/detention facilities, and Best Management Practices, and Water Quality Protection devices and facilities, as per ***Exhibits 24 and 25***, must be placed either on common land or within publicly dedicated or private easements, and to the extent not publicly owned or publicly maintained, shall be maintained by a homeowners association established by way of the Declaration of Restrictive Covenants.

b. Each subdevelopment within this Tract may include additional common land and open space, as needed to meet the stormwater requirements/Water Quality Protection requirements of the area.

C. Water Quality Management Plan/Water Quality Protection Plan. A full, post-construction, Water Quality Management Plan and Water Quality Protection Plan/stormwater plan for this Tract must be completed and approved as part of the PUD Site Plan(s) for this Tract, as required by Section 29-10(d)(4) of the City's Ordinances, and must be fully implemented prior to the issuance of occupancy permits for this Tract, which such Plan to conform with ***Exhibits 24 and 25.***

D. Density of Development. 519 Units maximum – PUD-4

E. Vision Clearance. Per City Code.

F. Access. Per City Code

G. Parking. Per City Code.

H. Homeowners Association. A homeowners association shall be formed to maintain common areas.

Statement of Intent:

A. Types of Buildings: ***Non-habitable park-related structures or buildings***
~~None~~, if the City acquires this land for a park, and otherwise: schools and churches; detached,

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detached clustered or detached zero lot line single-family residences; attached zero lot line single family residences (town homes – 2 -12 units located in one to three story buildings); apartment buildings (containing between 4 and 50 apartments, with a height of two to six stories).

B. Maximum Number of Dwelling Units: None, if the City acquires this Tract as a park. Otherwise, the total maximum shall be 519 Units. The exact mix of Unit types remains to be determined.

C. Maximum Building Height Proposed:

- Buildings containing single family dwellings units, of all types – 52’
- Schools and churches, except for spires – 75’
- Apartment buildings – 75’ on the westerly 200’ of the Philips Tract, but apartments may be 90’ in height elsewhere on Tract 3

D. Total Parking Spaces Proposed and Parking Ratio:

a. Detached, Detached Clustered and Detached Zero Lot Line Single Family Residences and Attached Zero Lot Line Single Family Residences (Town Homes) - Minimum of two spaces per dwelling unit.

b. Apartments. Per City Code

c. Other Parking. Per City Code

E. Minimum Percentage of Entire Site Maintained in Open Space/Impervious Surface Areas.*

a. Open Space – 84%, without the park, and 93% with the park

b. Impervious Surface Areas. Impervious surface areas will be limited to 16%, without the Park, and 7% with the Park. ***Such impervious limitations, however, shall not apply to this Tract if acquired by the City and developed for park purposes. If park development is begun and the City decides to develop any portion of the Tract with uses other than a park or subsequently sells any portion of the Tract for private development, the maximum impervious surface areas within such development areas shall not exceed 7%.*** Use of pervious materials for the construction of some driveways, walkways, patios and parking areas will be encouraged, in order to reduce runoff, yet remain within impervious surface limitations, if alternative surface paving materials are approved by the Department of Public Works of the City.

F. Amenities/Lake. If a public entity (the City, or any other public entity) acquires the Lake, or the Lake and surrounding ground, for a park/nature area, or regional stormwater detention facility, then the Lake will be a public amenity and regional stormwater detention facility. It will otherwise be privately owned and will be a private amenity of the development and a private stormwater detention facility to be maintained by an association of property owners. No other amenities are planned for common use except for stormwater retention/detention facilities, Water Quality Protection facilities, and Best Management Practices

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G. General Description of the PUD Plan.

a. Minimum Lot Sizes. Lot sizes for residential buildings may vary, but will not be less than 5,000 square feet for buildings containing detached dwelling units and 4,000 square feet per dwelling unit for buildings containing attached dwelling units; provided, however, that common areas immediately surrounding or adjacent to a building containing (a) dwelling unit(s) may be included in the minimum lot sizes. Lot sizes for schools, churches and apartment buildings shall not be less than 20,000 square feet; provided that common areas immediately adjacent to or surrounding an apartment building may be included in the lot size for such building.

b. Minimum Building Setbacks.

- Minimum of 25' from perimeter property lines
- Minimum of 25' from perimeter roads
- Minimum of 20' from interior streets
- Minimum of 20' for rear yards
- Minimum of 6' for side yards of single family dwellings,

except that there shall be no setback for units attached to each other; minimum of 10' for other buildings

In addition to the above minimums, all buildings shall be setback an additional 1' from all property lines for each additional 1' in height above 45'; provided, however, there shall be no minimum setback required from common areas as long as the applicable common area is at least as wide as the above minimum front, rear and side yard setbacks.

c. Minimum Setback Between Buildings. No closer than 12' between residential buildings and 10' between other types of buildings.

d. Minimum Setback from Creeks and Lake. Buildings shall be setback not less than 100' from Clear Creek or the lake; ***provided, however, that park-related uses and non-habitable structures or buildings which are directly dependent upon the creek or lake for their functionality shall be permitted within such buffer and further provided that the area of such encroachment into this buffer is off-set by an increase in buffer elsewhere along the creek or lake as is permitted by the City Stormwater Regulations.***

H. Description of Street Plan. Roadways will service the Development off of Gans Road and Ponderosa. Such roads will cross the property and be stubbed to the north and/or the west. A minimum of those internal streets, as required to meet safety and traffic circulation needs, will be provided.

I. Reservation of Land for Possible Acquisition by City. This Tract and Tract 9 will, for a period of six months, be reserved for acquisition by the City for a park.

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
February 5, 2009**

ITEM NO. 08-105

NAME OF DEVELOPMENT

A. Perry Philips Park, Phase 1 - PUD development plan

The proposed PUD development plan includes a request seeking the approval of a variance to the Section 25-48.1(c) of the Subdivision Regulations which would allow the applicant build an alternative sidewalk system within the proposed development along Gans Road and Bristol Lake Parkway.

GENERAL DESCRIPTION OF PROPOSED DEVELOPMENT

The proposed development is part of the City's southern regional recreation complex that incorporates approximately 140 acres of the former Philips Farm and all of the former Crane Tract that abuts Rock Bridge State Park and includes 320 acres. The proposed improvements within this first phase (to be constructed on the 140 acres) will focus around Philips Lake and include fishing and boating facilities, a perimeter lake trail, a park shelter, and general landscaping improvements.

The Parks and Recreation Department has successfully secured a grant from the Missouri Department of Conservation to supplement the construction costs for the fishing and boating facilities. Costs in excess of the secured grant are to be covered by the City.

Note: The Parks and Recreation Department has presented the proposed development plan as well as the remaining areas of the park property to the public in a series of informational meetings. These presentations are part of the Parks Department's standard protocol for obtaining citizen preferences on desired amenities. No negative response has been received regarding the proposed improvements within this phase. Presently the only large scale fishing area available within a public park is located at Stephens Park.

PROPERTY OWNER/DEVELOPER

The property is owned by the City of Columbia and will be developed by the same.

EXISTING ZONING

The subject development is approximately 3.8 acres of the 139 acre A. Perry Philips Park tract and is zoned PUD 4. The remaining portion of the Park tract is zoned a combination of PUD 4 an O-P (Planned Office District).

LOCATION

East of the intersection of Gans Road and Bristol Lake Parkway

PROPERTY SIZE

The total site of the proposed development plan is approximately 3.8 acres. Of this acreage, approximately 2.1 acres is devoted to the fishing and boating facilities. The remaining, 1.7 acres is devoted to the recreation trail surrounding Philips Lake.

EXISTING CONDITIONS

	<u>ZONING</u>	<u>LAND USE</u>
SITE	City PUD 4	Vacant fields, scattered forest, & 40 acre lake
NORTH	City C-P & County C-G & R-M	Undeveloped commercial and Blue Moon MHP
SOUTH	City PUD 4, O-P & R-1	Undeveloped land, existing lake, and Gans Creek Recreation Area
EAST	City C-P & O-P	Undeveloped
WEST	City PUD 3 & County A-1	Existing single-family homes (Bristol Lake) & undeveloped lands

ACCESS

Access to the development site will be provided via Bristol Lake Parkway, a neighborhood collector. Currently the roadway is constructed as a two lane residential street serving the Bristol Lakes subdivision. A plat has been submitted that provides the remaining half-width of Bristol Lake Parkway to ensure sufficient right-of-way exists for in complete construction.

The ultimate build-out of Bristol Lake Parkway will result in a north-south connector from Gans Road to Nifong Boulevard. This roadway has been shown as third tier priority road within the CATSO Plan with an estimated construction cost (in 2007 dollars) of \$ 3,800,000. Construction of the roadway is shown in the 2008 City CIP as occurring more than 10 years in the future.

The existing improvement of Bristol Lake Parkway will be sufficient to support the proposed construction within this phase of the Park. As additional park construction is presented for review accessibility and roadway capacity issues will be evaluated. An additional east-west neighborhood collector is proposed north of this phase and is shown on the CATSO and City Major Roadway Plans as Philips Farm Road. This roadway will traverse the park property north of Philips Lake and connect to Bristol Lake Parkway (extended), on the west, and Ponderosa Street on the east. Per the annexation and zoning entitlement of the Philips Farm tract, this roadway will be designed and funded 50% by the City and 50% by the developer of Tract 9 of Philips Farm.

Gans Road Upgrades

Gans Road is partially maintained by the City and County. Recently the roadway alignment was modified when it was connected to US Highway 63 to the east of the site. The new interchange and connecting roadway, named Discovery Parkway, was constructed as a means

A Perry Philips Park PUD - Phase 1

for providing access to the subject site and adjoining property within the former Philips Farm tract.

Improvement plans to upgrade Gans Road from its existing two lane section to a minor arterial from Hwy. 63 to Bearfield Road will likely to be a cooperative effort between the City and County. Currently design plans are 90% complete and no definitive date has been set for construction of the upgrade. The upgrade has been shown in the 2008 City CIP as a occurring more than 10 years in the future.

PEDESTRIAN CIRCULATION

Sidewalk construction will be required within this phase where the development has frontage along Bristol Lakes Parkway. The applicant is seeking a variance to this requirement that would permit the construction of a non-standard sidewalk, most likely a trail-type system similar to that at Stephens Park, which would be constructed at a future date as additional park development is proposed.

Internal to the development there is a proposed trail system that will surround the perimeter of Philips Lake. This trail is proposed to be a gravel MKT style improvement initially. Hard surfacing of the entire trail may occur based on need and funding. A hard surface crossing of the drainage canal on the north side of Philips is proposed.

IMPACT ON COLUMBIA PUBLIC SCHOOLS

This development is for City recreational purposes – no school impacts will be generated. No comments from the Public Schools have been received.

PARKING

24 parking spaces have been specifically identified on within the development. Of these, 14 are specifically designated for vehicles and 10 are for vehicles with trailers. The parking spaces for trailers however are proposed to be striped so that they can be used for vehicle parking when trailer space demand is limited. If all trailer spaces were considered as vehicle spaces the total available vehicle parking on-site would be 34.

The approved PUD 4 zoning and Statement of Intent for this property requires that parking be in conformance with the requirements of the Zoning Ordinance. For the proposed use the Zoning Ordinance requires that 33 spaces be provided.

PUBLIC UTILITIES

All City utilities are available to the site and are adequate for the proposed development.

FIRE PROTECTION SERVICES

The subject property will be served by the City of Columbia Fire Department.

SITE CHARACTERISTICS

The subject site is generally grassland that is gently sloping to the northwest toward and unnamed tributary of Clear Creek. The proposed trail system will surround the existing 40-acre Philips Lake which will serve as the properties central feature as well as a regional stormwater facility.

The site is located within the Clear Creek drainage basin.

LANDSCAPING/STORMWATER MANAGEMENT

The applicant has shown the conceptual location of minimum required tree plantings within the parking lot as required by the Zoning Ordinance. The Statement of Intent and the notes on the PUD plan indicate that additional landscaping will be installed as the site is developed. Much of the existing site vegetation which consists of turf and light scattering of trees will be preserved or enhanced once construction is completed.

A tree preservation plan was prepared in 2005 showing that the entire 140 acres allotted to park use contained 3.5 acres of climax forest. Since that survey 2.2 acres were removed by the prior property owner. The subject phase of the development does not include any of the remaining climax forested areas. Some existing treed areas along the northern boundary of the proposed construction area will be removed to accommodate required stormwater related improvements.

The original Statement of Intent submitted with the PUD 4 zoning of this property referenced an impervious surface limitation of 7% for this tract if it were to be used as a park. This limitation, however, was waived in Section 21 of Ordinance 18043 that granted final approval of the tract's zoning. Such waiver applied only if the property was used for a park.

While impervious coverage restrictions were waived, any PUD plan submitted for approval on this tract was subject to specific stormwater monitoring standards and requirements that were developed prior to the adoption of the current City stormwater regulations. The primary focus of these standards was to ensure that there was limited impact to the adjacent watersheds and other natural features. The standards also included monitoring requirements, now the responsibility of the City, for Philips Lake.

The PUD plan shows the conceptual location of stormwater facilities necessary to meet the current stormwater ordinance requirements. Such display is consistent with the PUD plan submission standards and will be finalized prior to issuance of building permits once sealed engineering drawings are submitted.

CITY-RECOGNIZED NEIGHBORHOOD ASSOCIATIONS AFFECTED

No neighborhood associations were within 185 feet of the subject site. The closest recognized association is Lenoir Woods – northeast of the site north of Highway 63.

CORRESPONDENCE RECEIVED

To date, no correspondence has been received pertaining to this proposal.

PARKLAND NEEDS/GREENBELT

The 2008 Parks Master Plan identifies this property for regional parkland purposes. The property was acquired in 2004 for construction of the City's southern regional park. Presently plans are being presented to the public for development of the site to meet these intended purposes. Two development options have been presented to the public for comments. Option one includes low intensity uses such as passive recreation trails and athletic fields. Option two proposes more intense uses such as enclosed athletic facilities in addition to the passive features of Option one.

DISCUSSION

The proposed development is the first phase of construction that will occur on the 140 acres of land known as A. Perry Philips Park. This property was acquired for park purposes as part of a 2004 voluntary annexation and permanent City zoning petition on the former 528 acre Philips Farm property. The annexation and zoning process was comprehensive in its scope and included provisions that addressed land use parameters for the tract acreage, stormwater monitoring requirements, and procedures for ensuring necessary transportation improvements were accounted for and implemented prior to development out-pacing available resources.

The subject PUD Plan proposes uses of approximately 3.8 acres of the 140 acre A. Perry Philip Park site which was identified as Tract 3 in the annexation and zoning petition for Philips Farm. The Statement of Intent provisions for Tract 3 are referenced as Exhibit C of the approved Council ordinance (Ord. #18043) that established Tract 3's PUD 4 zoning.

In general, the PUD plans submitted for development of the 3.8 acres are in compliance with the use provisions and other site specific standards established in the Statement of Intent. However, staff has identified several areas of inconsistency that must be disclosed and further explained. Below are those areas of inconsistency with a brief explanation.

Types of Buildings –

The Statement of Intent indicates “**None**, if the City acquires this land for a park”

The proposed PUD plan shows the construction of a boat dock and fishing facilities, picnic shelter, and bathroom facilities. It would appear from review of the ordinance approving the overall property annexation and permanent zoning that a park was a known potential improvement. It is unclear why this provision was not addressed prior to the final adoption of the ordinance to annex and establish permanent zoning. Construction of certain improvements on park property is a customary activity to serve end users. The proposed uses shown on the submitted plan while specific to the primary use of this phase are not atypical and are necessary to the success of the project.

A Perry Philips Park PUD - Phase 1

Addressing this issue is of significant importance as it relates to this PUD plan as well as future plan submittals. A possible solution would be to amend the existing Statement of Intent to match the now definitive use of the property as a regional park.

Impervious Surface Areas -

The Statement of Intent indicates that “impervious surface areas will be limited to 16% without the Park and 7% with the Park”.

Section 21 of Ordinance 18043 (which approved the annexation and zoning) states that “the impervious surface limitation in Exhibits C, D, and 21 shall not apply to property acquired by the City of Columbia”.

The PUD plan is for property that is described in Exhibit C and is owned by the City. As such, the impervious standards stipulated within the Statement of Intent are not applicable to the proposed development. While exempt from the impervious limitations the proposed plan does show the use of low impact development techniques to reduce development impacts on the surrounding environment.

Minimum Setback from Creeks and Lake –

The Statement of Intent indicates that “buildings shall be setback not less than 100’ from Clear Creek or the lake”.

The PUD plan shows proposed buildings (i.e. bathroom and picnic shelter) within this setback. The other proposed improvements (i.e. the boat dock/fishing facilities, parking lot, and lake trail) are considered structures since they do not include habitable space. The location of the buildings and structures in their present locations was an effort to reduce unnecessary land disturbance and keep the facilities within close proximity of each other and the ultimate end use location.

Requiring that all the improvements be moved outside of the setback area would result in the need to increase impervious surface areas (longer drives and walkways) and increase improvement costs. This phase of development is highly dependant on the lake. Requiring strict compliance to this standard would potentially have an unintended negative consequence.

It should be further noted that the Statement of Intent did not permit buildings as part of park development. Having omitted buildings as a permitted use on park property raises the question if the setback requirement would have been the same if park-related buildings or structures were allowed. The proposed improvements are part of an overall regional park plan that promotes interaction with nature and the assets of the tract – the lake being the primary element.

Addressing this issue is of significant importance as it relates to this PUD plan as well as future plan submittals. A possible solution would be to amend the existing Statement of Intent to match the now definitive use of the property as a regional park.

Variance Request –

The applicant has request a variance from Section 25-48.1(c) of the Subdivision Regulations as it relates to sidewalk construction along Bristol Lake Parkway. The variance seeks to gain approval of allow for the construction of a non-traditional sidewalk along this roadway. The applicant desires to construct a sidewalk/pedestrian trail similar to the one that is utilized at Stephens Park. The trail/sidewalk would meander outside the right-of-way. Granting the request would not eliminate any required system, but would permit construction of one that could take into account the natural feature of the site.

STAFF RECOMMENDATION

The proposed PUD plan was part of a comprehensive annexation and city zoning petition for 528 acres. The process of approval of these petitions was complex, lengthy, and involved significant applicant, Council, and community negotiations. The potential construction of a regional park on part of the tract acreage was contemplated when the petitions were first submitted. As the petitions migrated through the approval process the contemplation of a regional park became a reality.

Staff is of the opinion that the improvements indicated on the PUD plan are consistent with the intent, if not all of the details, of the ordinance eventually passed by Council. Staff further recommends that the ordinance approving the submitted PUD plan include provisions that will correct the original Statement of Intent to allow encroachment of a trail and other accessory uses to occur within the 100-foot lake buffer and allow customary accessory park structures to be built on the tract notwithstanding the prohibition stated in the original ordinance zoning the property.

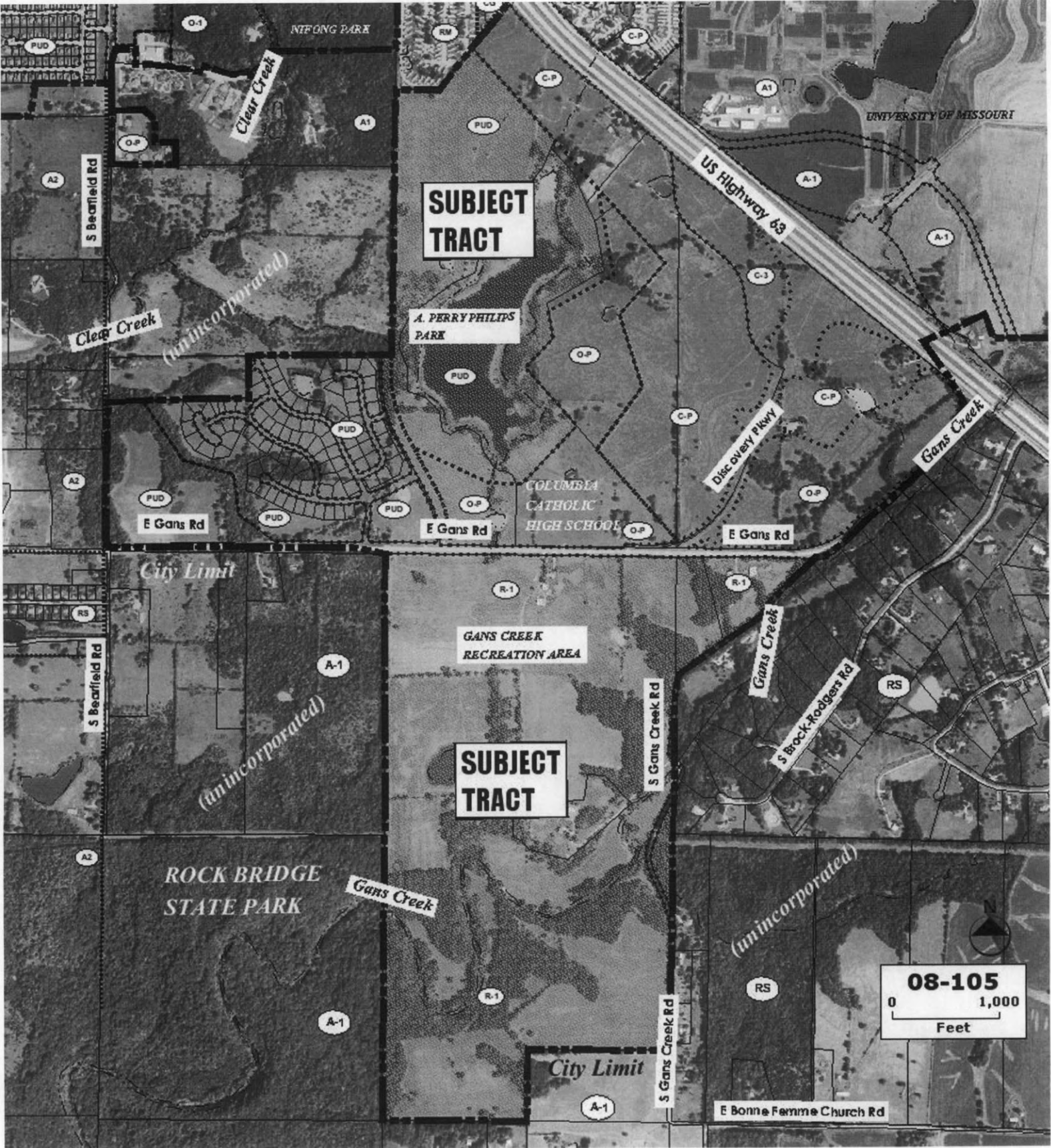
Finding that the submitted plans are consistent with the intent of the ordinance passed by Council for this property and an option exists to correct the identified inconsistencies within the Statement of Intent, staff recommends **approval** of the submitted PUD plan and requested variance to Section 25.48.1(c) of the Subdivision Regulations.

This recommendation is based on (in addition to the above findings):

1. Additional procedural requirements exist to ensure the proposed development will meet stormwater monitoring and environmental quality control issues.
2. A grant has been obtained from the Missouri Department of Conversation to augment construction costs. This grant has an expiration date. Delay in approval of the plan may adversely impact the ability use of the allocated funds.
3. The proposed improvements are consistent with the Council's desire to develop this site as a regional park amenity for the residents of the City.

Report prepared by PRZ

Approved by [Signature]



SUBJECT TRACT

A. PERRY PHILIPS PARK

SUBJECT TRACT

GANS CREEK RECREATION AREA

ROCK BRIDGE STATE PARK

UNIVERSITY OF MISSOURI

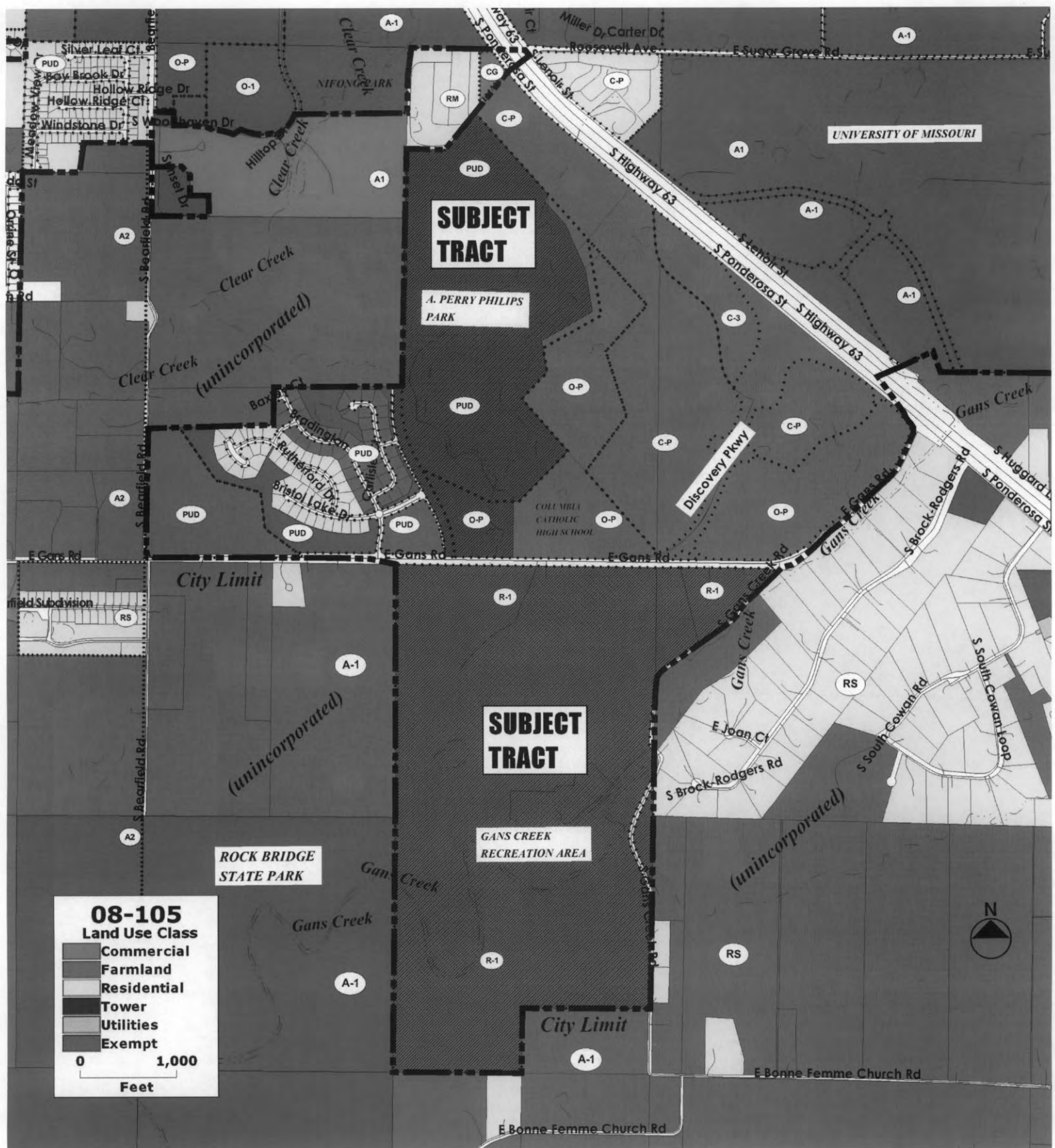
US Highway 63

City Limit

City Limit

08-105
0 1,000
Feet





SUBJECT TRACT

A. PERRY PHILIPS PARK

SUBJECT TRACT

GANS CREEK RECREATION AREA

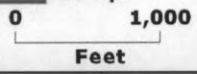
ROCK BRIDGE STATE PARK

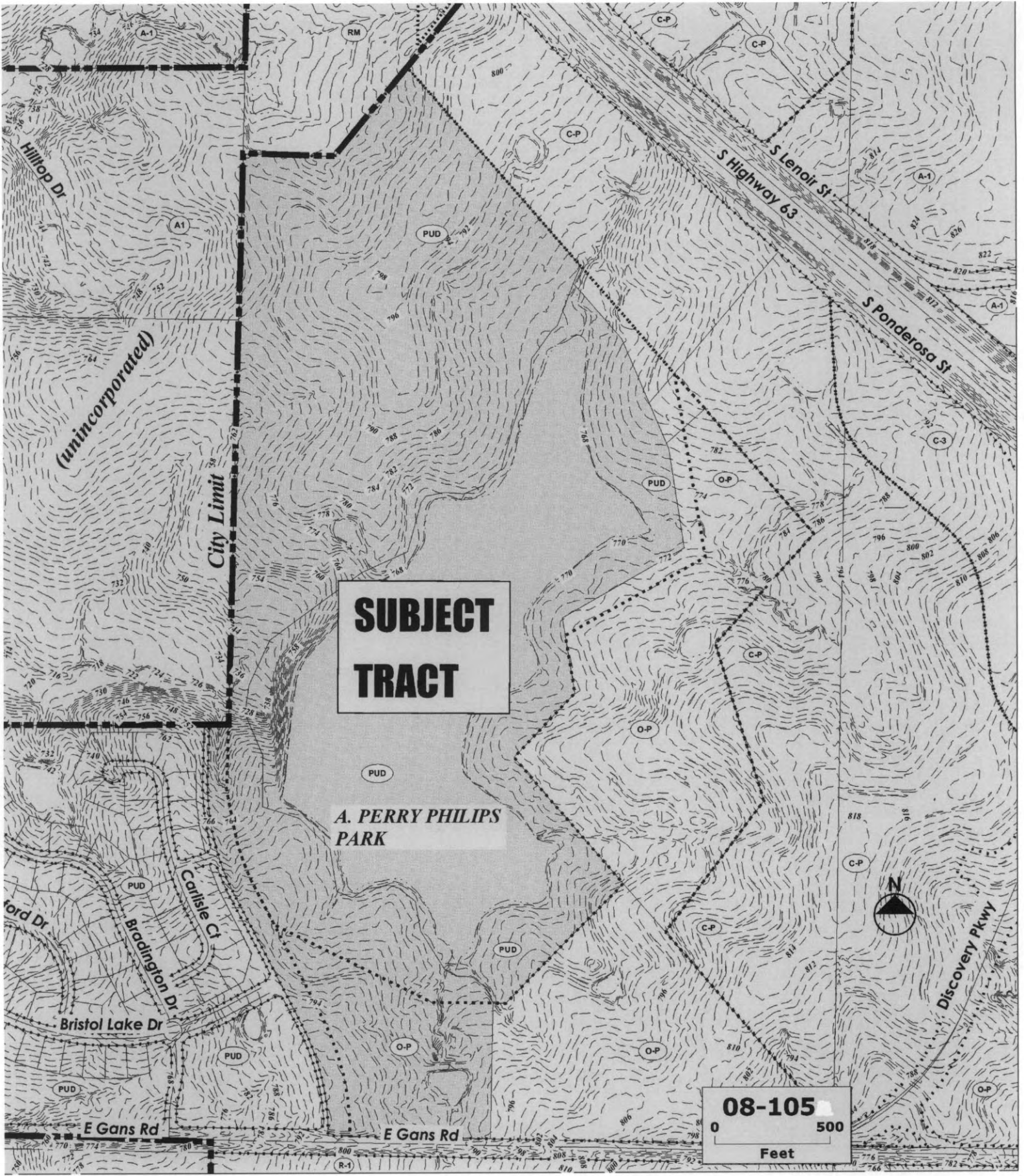
UNIVERSITY OF MISSOURI

COLUMBIA CATHOLIC HIGH SCHOOL

08-105
Land Use Class

- Commercial
- Farmland
- Residential
- Tower
- Utilities
- Exempt



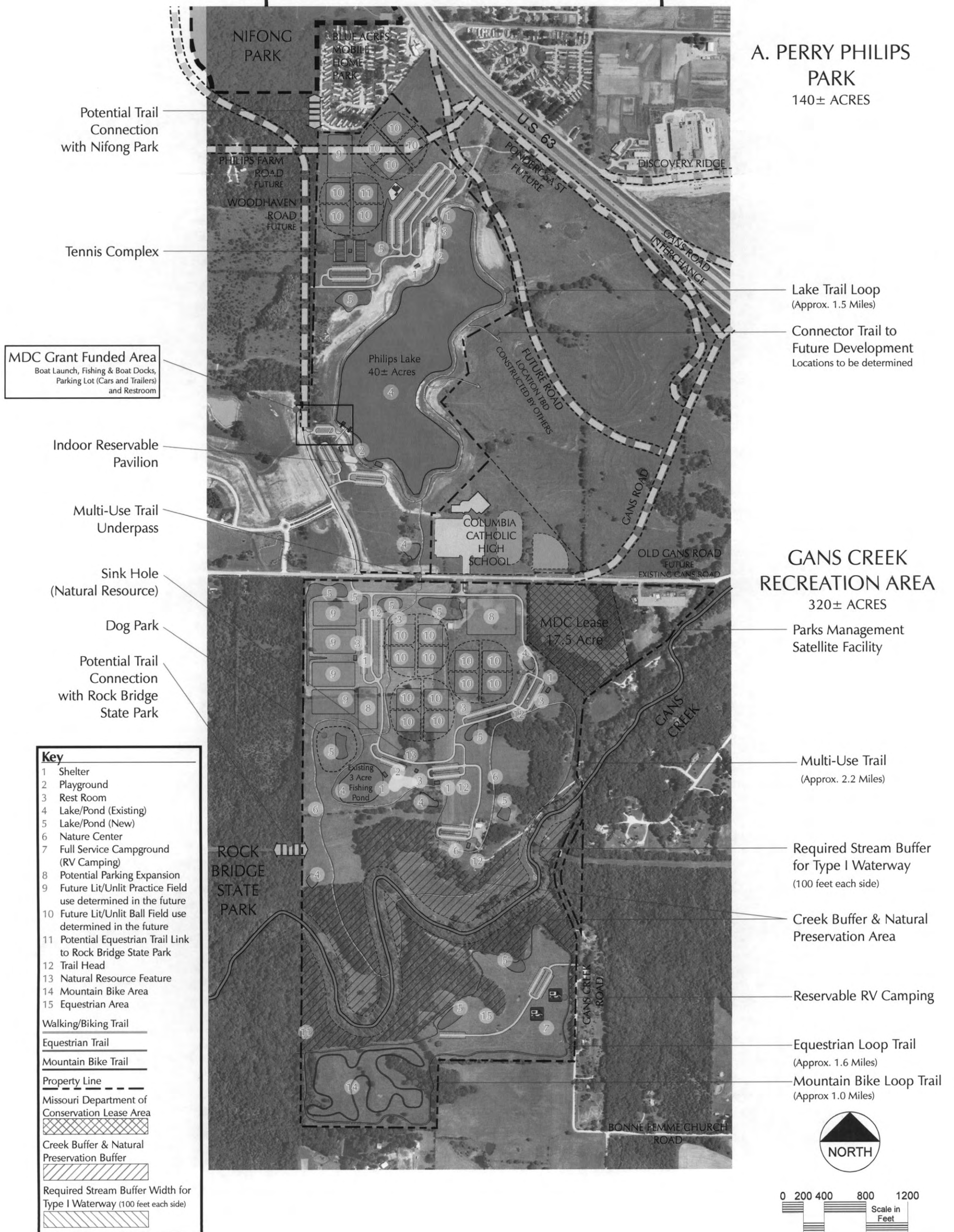


SUBJECT TRACT

A. PERRY PHILIPS PARK



A. Perry Philips Park & Gans Creek Recreation Area Proposed Master Plan - Option 1

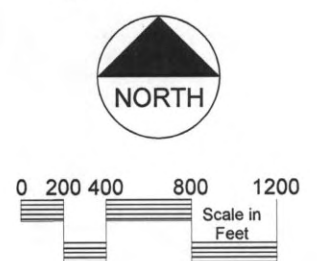


A. PERRY PHILIPS PARK
140± ACRES

GANS CREEK RECREATION AREA
320± ACRES

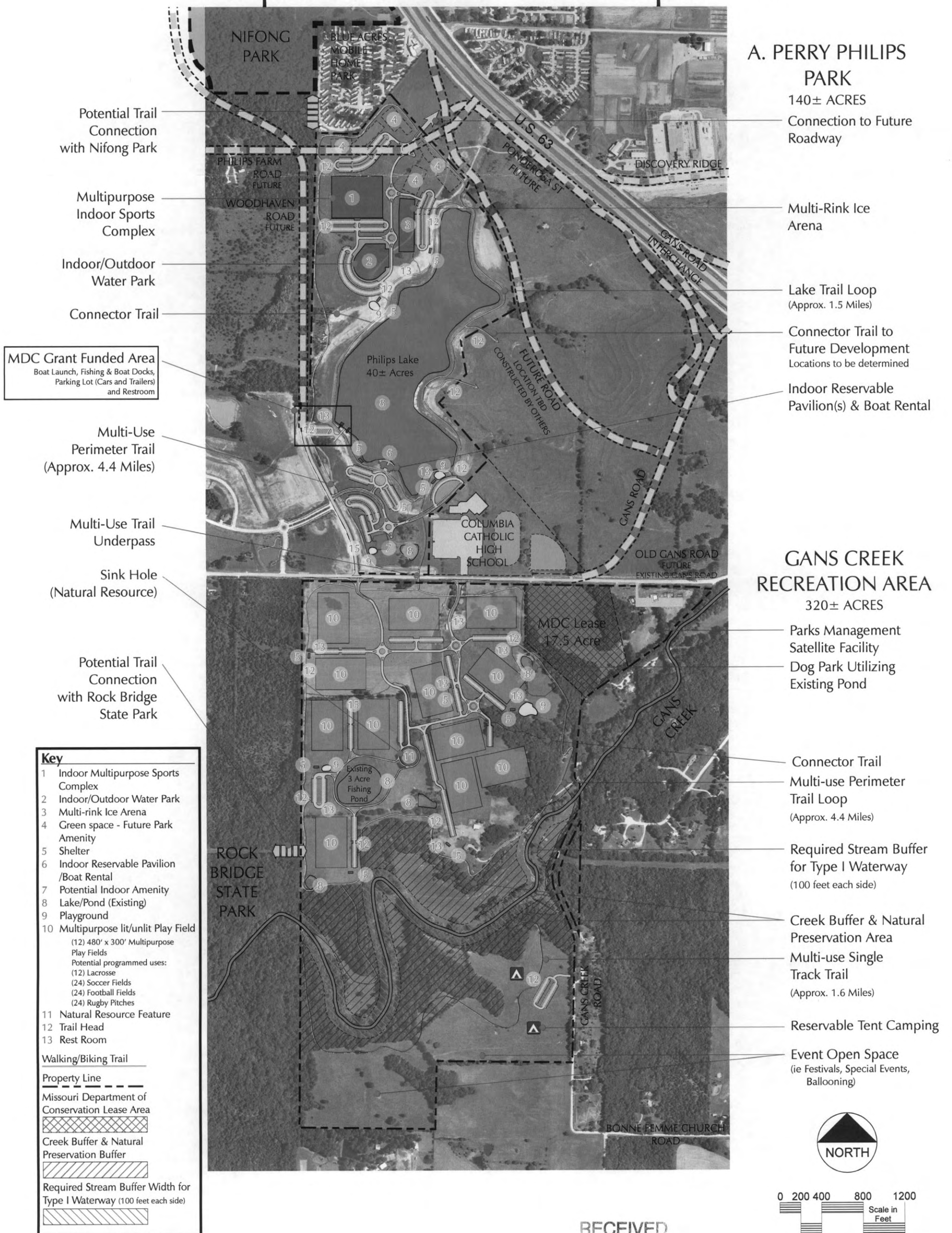
MDC Grant Funded Area
Boat Launch, Fishing & Boat Docks,
Parking Lot (Cars and Trailers)
and Restroom

- Key**
- 1 Shelter
 - 2 Playground
 - 3 Rest Room
 - 4 Lake/Pond (Existing)
 - 5 Lake/Pond (New)
 - 6 Nature Center
 - 7 Full Service Campground (RV Camping)
 - 8 Potential Parking Expansion
 - 9 Future Lit/Unlit Practice Field use determined in the future
 - 10 Future Lit/Unlit Ball Field use determined in the future
 - 11 Potential Equestrian Trail Link to Rock Bridge State Park
 - 12 Trail Head
 - 13 Natural Resource Feature
 - 14 Mountain Bike Area
 - 15 Equestrian Area
- Walking/Biking Trail
- Equestrian Trail
- Mountain Bike Trail
- Property Line
- Missouri Department of Conservation Lease Area
- Creek Buffer & Natural Preservation Buffer
- Required Stream Buffer Width for Type I Waterway (100 feet each side)



RECEIVED
JAN 30 2009
PLANNING DEPT.

A. Perry Philips Park & Gans Creek Recreation Area Proposed Master Plan - Option 2



OWNER OF PROPERTY
 PARCEL #17-704-00-00-006.00 01
 PARCEL #17-704-00-00-007.00 01

OWNER'S REPRESENTATIVE:
 CITY OF COLUMBIA
 PO BOX 8015
 ATTN: CITY MANAGER
 COLUMBIA, MO 65205-8015

EXISTING UTILITIES
 SURVEY: CITY OF COLUMBIA
 WATER: CITY OF COLUMBIA
 ELECTRICITY: CITY OF COLUMBIA

SITE DATA
 PARCEL #17-704-00-00-006.00 01
 ZONING: PUD-1, PUD-3, O-P
 AREA: 77.78 ACRES
 PARCEL #17-704-00-00-007.00 01
 ZONING: PUD-1
 AREA: 82.85 ACRES

PARKING CALCULATIONS
 REQUIRED:
 37 CAR SPACES BY CITY ORDINANCE AT A RATIO OF 1/6,000 S.F. OF LAND AREA = 184,833/6,000 = 30.80 (31) SPACES

PROVIDED:
 14 CAR SPACES INCLUDING 1 ADA SPACE WITH ASLE TO VEHICLE/TRAILER SPACES INCLUDING 1 ADA SPACE WITH ASLE = 20 CAR SPACES / 2 ADA SPACES
 TOTAL SPACES: 34 CAR & 3 ADA CAR SPACES OF 14 CAR INCLUDING 1 ADA & 10 VEHICLE/TRAILER W / 1 ADA SPACE

LIGHTING
 THE LIGHTING WILL CONFORM TO SECTION 29-30.1 OUTDOOR LIGHTING REGULATIONS

PROPERTY DESCRIPTION
 PARCEL #17-704-00-00-006.00 01
 SECTION/TOWNSHIP/RANGE: 32/4N/12
 LEGAL DESCRIPTION: WPT E 1/2 (TR 1 SUR 891-01)
 PARCEL #17-704-00-00-007.00 01
 SECTION/TOWNSHIP/RANGE: 32/4N/12
 LEGAL DESCRIPTION: PT E 1/2 (TR 2 SUR 891-01)

- UTILITIES:**
- EXISTING WATER LINE
 - EXISTING SANITARY SEWER LINE
 - EXISTING UNDERGROUND ELECTRIC LINE
 - EXISTING STORMWATER SEWER LINE
 - PROPOSED WATER LINE
 - PROPOSED SANITARY SEWER LINE
 - PROPOSED UNDERGROUND ELECTRIC LINE
 - PUD SETBACK
 - ROAD CENTERLINE
 - EXISTING GAS LINE
 - EASEMENT LINE
 - RIGHT-OF-WAY LINE
 - BILT FENCE

STORM WATER CALCULATIONS
 RAIN GARDEN 1 - MAX WATER LEVEL SIZE 8034 30 FT
 BOTTOM 2613 30 FT
 DEPTH 4 FEET
 VOLUME 16,898 CF
 RAIN GARDEN 2 - MAX WATER LEVEL SIZE 3048 30 FT
 BOTTOM 271 30 FT
 DEPTH 3 FEET
 VOLUME 888 CF
 THE DRAINAGE AREA THAT INCLUDES THE PHASE ONE DEVELOPMENT IS 2.088 ACRES. POST DEVELOPMENT RUNOFF WILL RESULT IN 23,000 CF OF ADDITIONAL RUNOFF FOR A 100 YEAR 24 HR. STORM. TWO RAIN GARDENS (RAIN GARDEN 1 TOTAL DRAINAGE CAPABILITY OF APPROXIMATELY 24,178 CF WILL BE INSTALLED. THE OUTFLOW OF THE RAIN GARDENS WILL BE SIZED TO PRE-DEVELOPMENT RUNOFF FLOW.

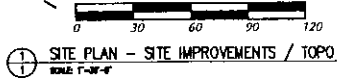
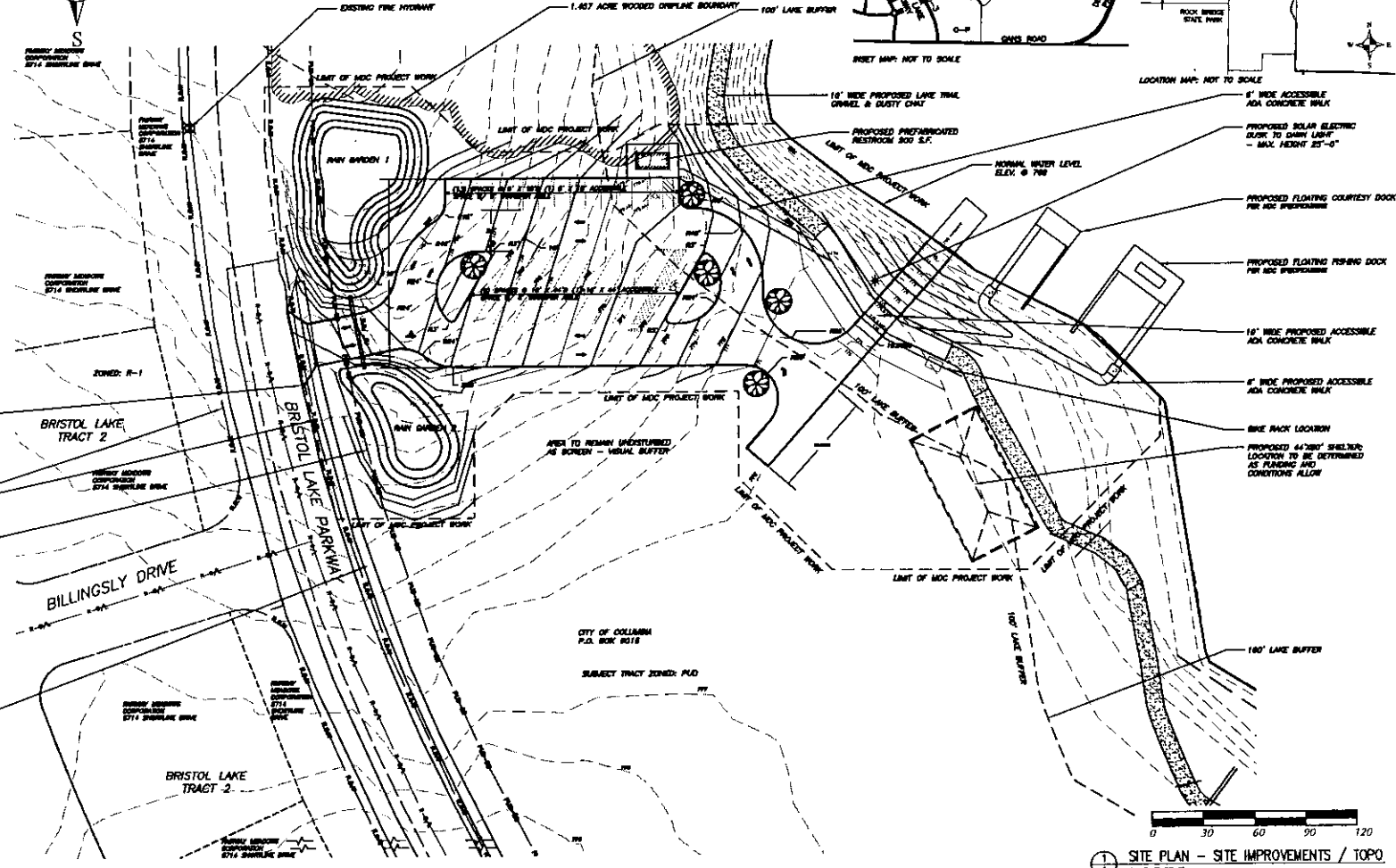
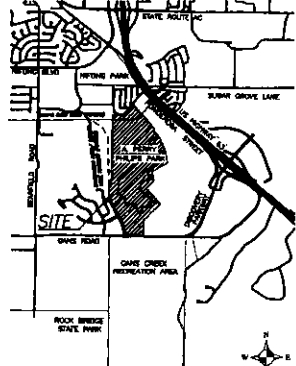
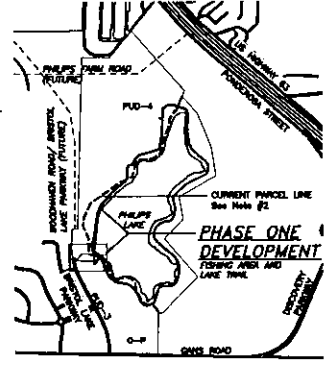
NOTES

1. OWNERSHIP INFORMATION WAS OBTAINED FROM THE BOONE COUNTY ASSESSOR'S ONLINE RECORDS ON JANUARY 1, 2020.
2. IT IS THE INTENT THE TWO CURRENT PARCELS SHALL BE COMBINED.
3. PARKING AREA WILL BE CONSTRUCTED OF REINFORCED CONCRETE PER MISSOURI DEPARTMENT OF CONSERVATION AGREEMENT.
4. THE MAXIMUM HEIGHT OF ALL STRUCTURES IS 25 FEET.
5. A NON-STANDARD SIDEWALK PROPOSED ALONG GANS ROAD.
6. SOME AREA TO BE DISTURBED IN PHASE I DEVELOPMENT OF: RAIN FACILITIES (RAIN 1: 6.7/2,088 ACRES LAKE TRAIL: 75,382 S.F. / 1.724 ACRES) GRAND TOTAL: 19,633 S.F. / 0.452 ACRES
7. NO CLEARING FOREST AS DETERMINED BY CITY ORDINANCE EXISTS WITHIN PHASE I. 1.407 ACRES TO REMAIN WOODED.
8. THE PLAN SHOWS THE MINIMUM NUMBER OF REQUIRED TREES TO BE INSTALLED DURING THIS FIRST PHASE. IF IS APPROVED THE NATURAL RESOURCES DIVISION OF THE PARKS AND RECREATION DEPARTMENT WILL INSTALL ADDITIONAL TREES, SHRUBS AND PLANTS TO IMPROVE THE EXISTING VEGETATION.

APPROVED BY THE CITY OF COLUMBIA PLANNING AND ZONING COMMISSION THIS ___ DAY OF ___, 2009

ZETZ BARRON, COMMISSIONER
 APPROVED BY THE COLUMBIA CITY COUNCIL THIS ___ DAY OF ___, 2009

BARBARA THOMPSON-SAYOR SHEILA HART-CLEVER



**CITY OF COLUMBIA
 PARKS AND RECREATION**

DRAWN BY: JEFFREY
 DATE: 1-1-2009
 SCALE: AS SHOWN

REVISIONS

NOTES

A. PERRY PHILIPS PARK, PHASE I
 COLUMBIA, MISSOURI

PAGE
 1
 3

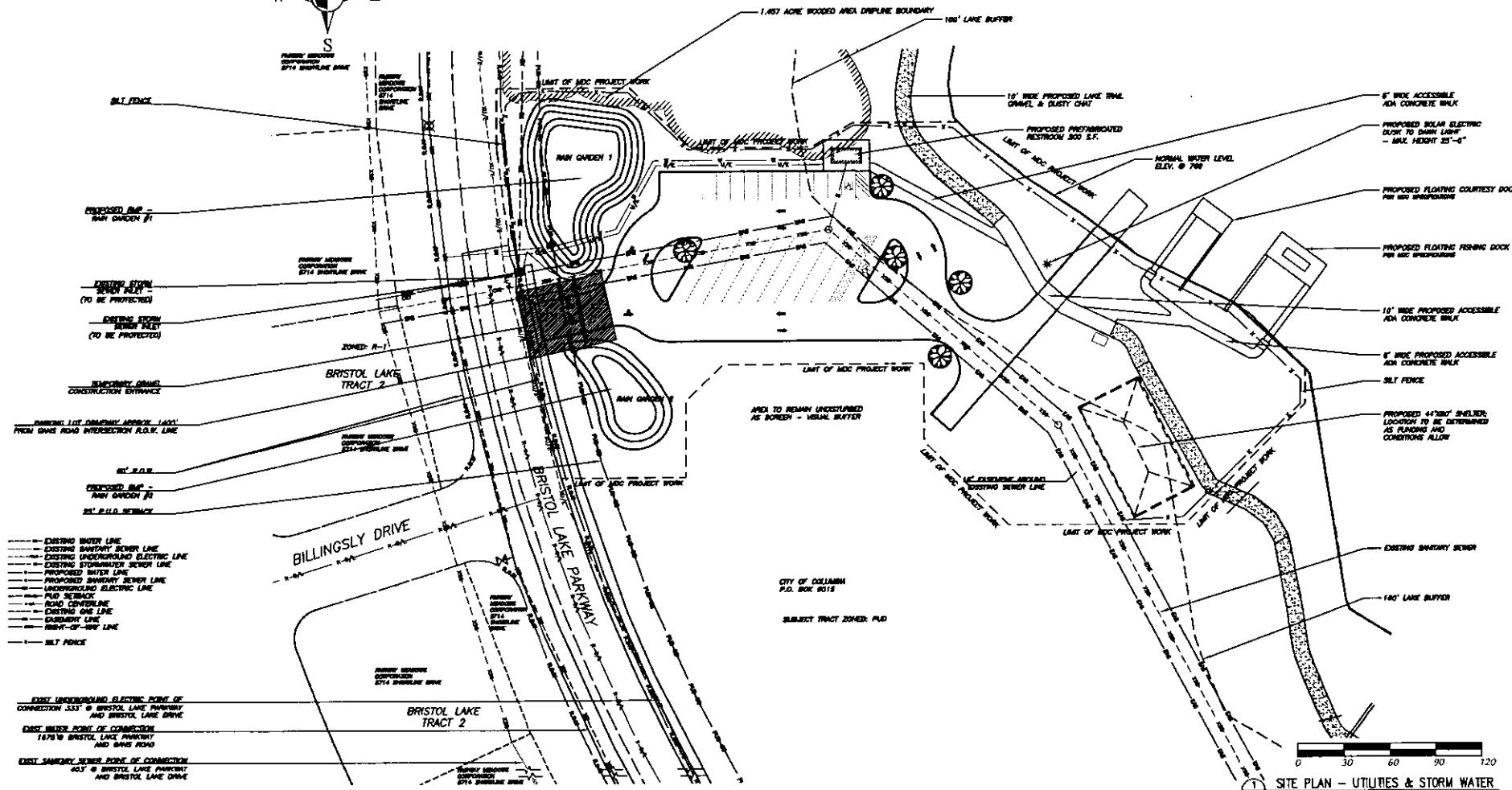
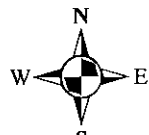


NOTES:

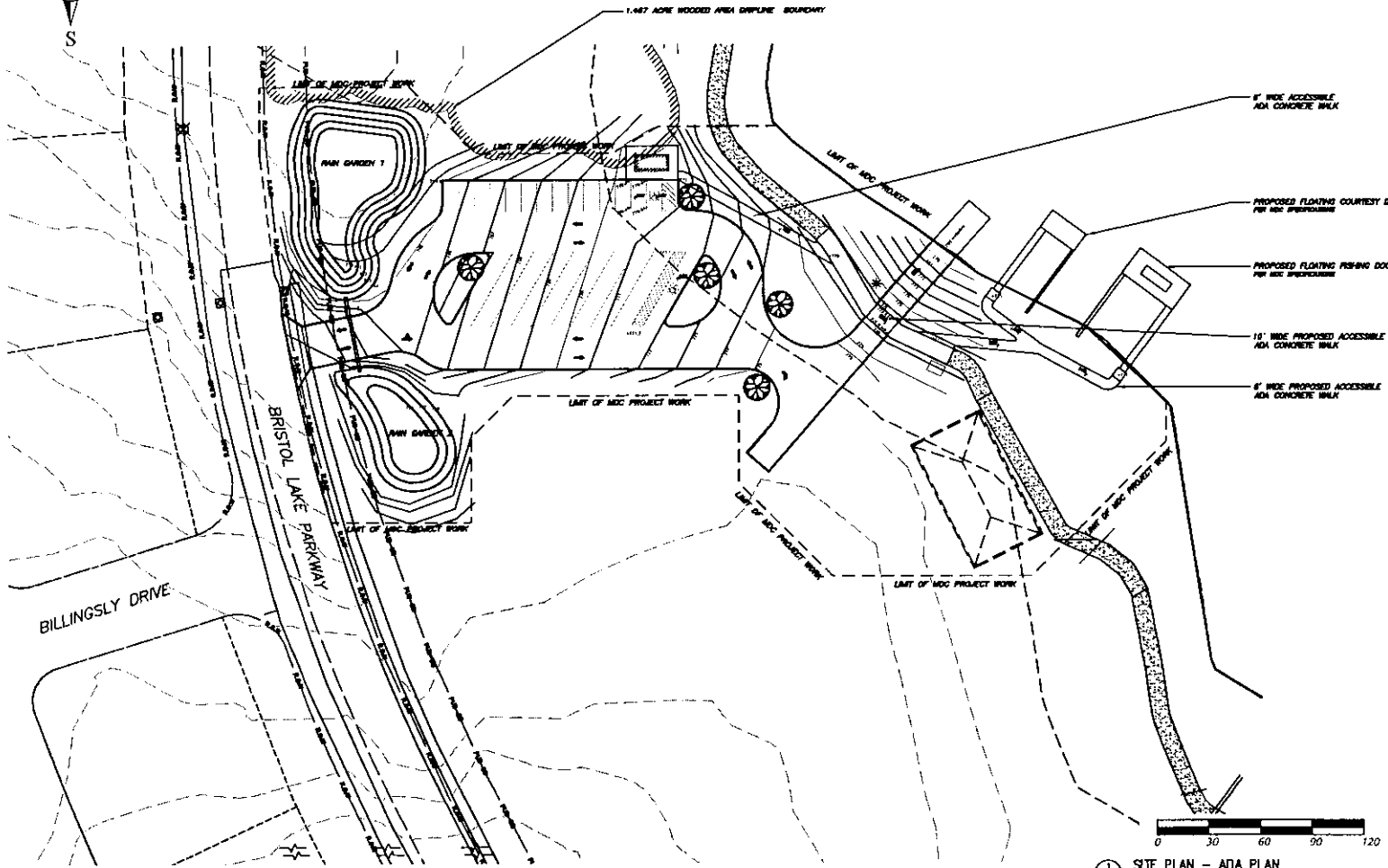
STORM WATER CALCULATIONS

RAIN GARDEN 1 - MAX WATER LEVEL SIZE 1834 SQ FT
BOTTOM 281.1 SQ FT
DEPTH 4 FEET
VOLUME 7326 CF
RAIN GARDEN 2 - MAX WATER LEVEL SIZE 3048 SQ FT
BOTTOM 271 SQ FT
DEPTH 2 FEET
VOLUME 6096 CF

THE DRAINAGE AREA THAT INCLUDES THE PHASE ONE DEVELOPMENT IS 2.088 ACRES. POST DEVELOPMENT RUNOFF WILL RESULT IN 63,850 CF OF ADDITIONAL RUNOFF FOR A 100 YEAR 24 HR. STORM. TWO RAIN GARDENS HAVING A TOTAL DETENTION CAPABILITY OF APPROXIMATELY 14,422 CF WILL BE INSTALLED. THE OUTFLOW OF THE RAIN GARDENS WILL BE SIZED TO PRE-DEVELOPMENT RUNOFF FLOW.



1 2
3 SITE PLAN - UTILITIES & STORM WATER
SCALE: 1" = 30'-0"



- EXISTING WATER LINE
- EXISTING SANITARY SEWER LINE
- EXISTING UNDERGROUND ELECTRIC LINE
- EXISTING STORMWATER SEWER LINE
- PROPOSED WATER LINE
- PROPOSED SANITARY SEWER LINE
- UNDERGROUND ELECTRIC LINE
- FLD SERVICE
- ROAD CENTERLINE
- EXISTING ASSESSMENT LINE
- EXISTING ASSESSMENT LINE
- SILT POND

1
3 SITE PLAN - ADA PLAN
SCALE: 1"=30'-0"



CITY OF COLUMBIA
PARKS AND RECREATION
PHONE: (573) 471-7261
FAC: (573) 471-3194
1827 FEDERAL LANE, WEST
COLUMBIA, MISSOURI 65202



DATE: 1-1-2008
SCALE: AS SHOWN

NOTES:

A. PERRY PHILLIPS PARK, PHASE I
COLUMBIA, MISSOURI
A. PERRY PHILLIPS PARK



OWNER OF PROPERTY

PARCEL #17-704-00-00-008.00 01
 PARCEL #17-704-00-00-007.00 01

CITY OF COLUMBIA
 PO BOX 8015
 ATTN: CITY MANAGER
 COLUMBIA, MO 65205-8015

CITY OF COLUMBIA
 PO BOX 8015
 ATTN: CITY MANAGER
 COLUMBIA, MO 65205-8015

EXISTING UTILITIES

SEWER: CITY OF COLUMBIA
 WATER: CITY OF COLUMBIA
 ELECTRICITY: CITY OF COLUMBIA

SITE DATA

PARCEL #17-704-00-00-008.00 01
 ZONING: PUD-4, PUD-3, O-P
 AREA: 77.76 ACRES

PARCEL #17-704-00-00-007.00 01
 ZONING: PUD-4
 AREA: 62.80 ACRES

PARKING CALCULATIONS

REQUIRED:
 31 CAR SPACES BY CITY ORDINANCE AT A RATE OF
 1/3,000 S.F. OF LAND AREA = 196,823/3,000 =
 65.61 SPACES

PROVIDED:
 14 CAR SPACES INCLUDING 1 ADA SPACE WITH ASLE
 10 VEHICLE/TRAILER SPACES INCLUDING 1 ADA SPACE
 WITH ASLE = 20 CAR SPACES W/ 2 ADA SPACES

TOTAL SPACES: 34 CAR & 3 ADA CAR SPACES

OR
 14 CAR INCLUDING 1 ADA & 10
 VEHICLE/TRAILER W/ 1 ADA SPACE

LIGHTING

THE LIGHTING WILL CONFORM TO SECTION 29-30.1
 OUTDOOR LIGHTING REGULATIONS

PROPERTY DESCRIPTION

PARCEL #17-704-00-00-008.00 01
 SECTION/TOWNSHIP RANGE: 32/48/12
 LEGAL DESCRIPTION: WPT E 1/2 (TR 1
 SUR 2091-91)

PARCEL #17-704-00-00-007.00 01
 SECTION/TOWNSHIP RANGE: 32/48/12
 LEGAL DESCRIPTION: PT E 1/2 (TR 2
 SUR 2091-91)

STORM WATER CALCULATIONS

RAIN GARDEN 1 - MAX WATER LEVEL SIZE 8034 SQ FT
 BOTTOM 2613 SQ FT
 DEPTH 4 FEET
 VOLUME 18,282 CF

RAIN GARDEN 2 - MAX WATER LEVEL SIZE 3048 SQ FT
 BOTTOM 871 SQ FT
 DEPTH 3 FEET
 VOLUME 2680 CF

THE DRAINAGE AREA THAT INCLUDES THE PHASE ONE
 DEVELOPMENT IS 2,088 ACRES. POST DEVELOPMENT RUNOFF
 WILL RESULT IN 23,000 CF OF ADDITIONAL RUNOFF FOR A
 100 YEAR 24 HR. STORM. TWO RAIN GARDENS WITH A
 TOTAL DETENTION CAPABILITY OF APPROXIMATELY 24,175 CF
 WILL BE INSTALLED. THE OUTFLOW OF THE RAIN GARDENS
 WILL BE SIZED TO PRE-DEVELOPMENT RUNOFF FLOW.

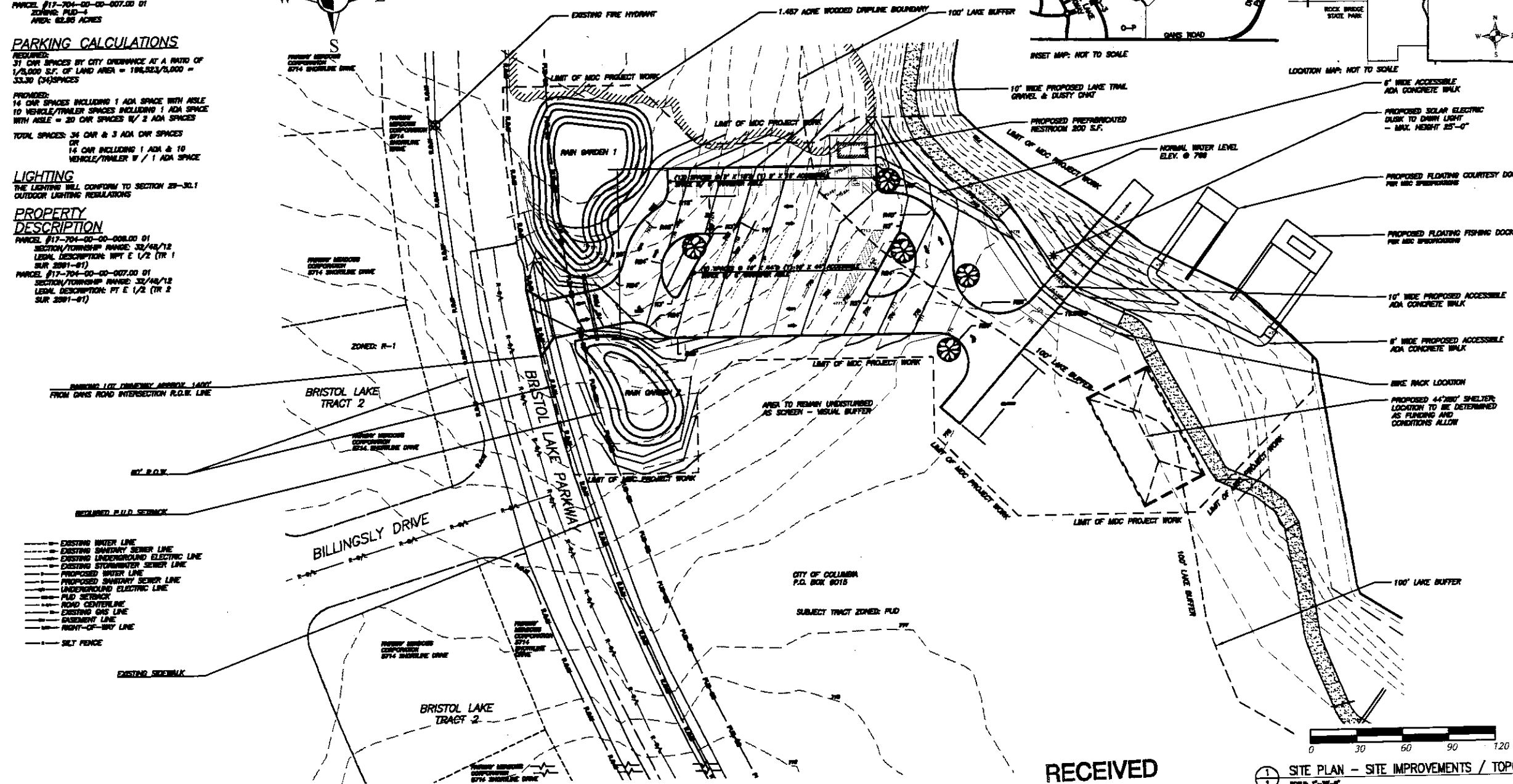
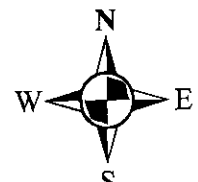
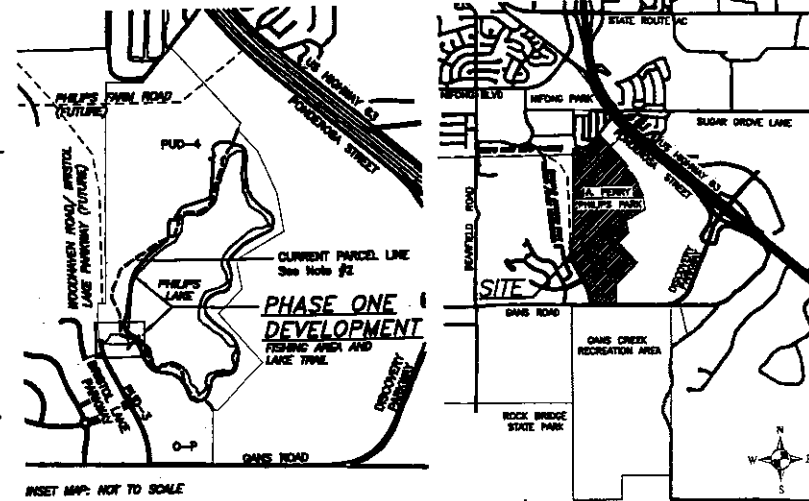
NOTES

1. OWNERSHIP INFORMATION WAS OBTAINED FROM THE BOONE COUNTY ASSESSOR'S ONLINE RECORDS ON JANUARY 1, 2008.
2. IT IS THE INTENT THE TWO CURRENT PARCELS SHALL BE COMBINED.
3. PARKING AREA WILL BE CONSTRUCTED OF REINFORCED CONCRETE PER MISSOURI DEPARTMENT OF CONSERVATION AGREEMENT.
4. THE MINIMUM HEIGHT OF ALL STRUCTURES IS 25 FEET.
5. A NON-STANDARD SIDEWALK PROPOSED ALONG OHS ROAD.
6. TOTAL AREA TO BE DISTURBED IN PHASE I DEVELOPMENT OF:
 BOAT FACILITIES: 80,001 S.F./2.08 ACRES
 LAKE TRAIL: 76,502 S.F./1.754 ACRES
 GRASS TOTAL: 119,833 S.F./ 2.732 ACRES
7. NO CLIMAX FOREST AS DEFINED BY CITY ORDINANCE EXISTS WITHIN PHASE I. 1,457 ACRES TO REMAIN WOODED.
8. THE PLAN SHOWS THE MINIMUM NUMBER OF REQUIRED TREES TO BE INSTALLED DURING THIS FIRST PHASE. IF IT IS ANTICIPATED THE NATURAL RESOURCES DIVISION OF THE PARKS AND RECREATION DEPARTMENT WILL INSTALL ADDITIONAL TREES, SHRUBS AND PLANTS TO IMPROVE THE EXISTING VEGETATION.

APPROVED BY THE CITY OF COLUMBIA PLANNING AND ZONING COMMISSION THIS _____ DAY OF _____ 2008

JEFF BIRKOFF, CHAIRPERSON
 APPROVED BY THE COLUMBIA CITY COUNCIL
 THIS _____ DAY OF _____ 2008

DARWIN HENDRICK-ARTON SHEILA ALLEN-OLSON



**CITY OF COLUMBIA
 PARKS AND RECREATION**
 PHONE: (314) 374-7281
 FAX: (314) 374-3159

1815 BARNES LOOP, 3RD FLOOR
 COLUMBIA, MISSOURI 65202

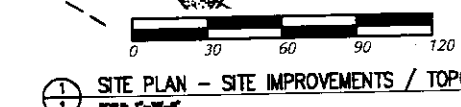
DRAWN BY: REP/PEL
 DATE: 1-5-2009
 SCALE: AS SHOWN

REVISIONS:

A. PERRY PHILIPS PARK, PHASE I
 COLUMBIA, MISSOURI
 A. PERRY PHILIPS PARK

1/3

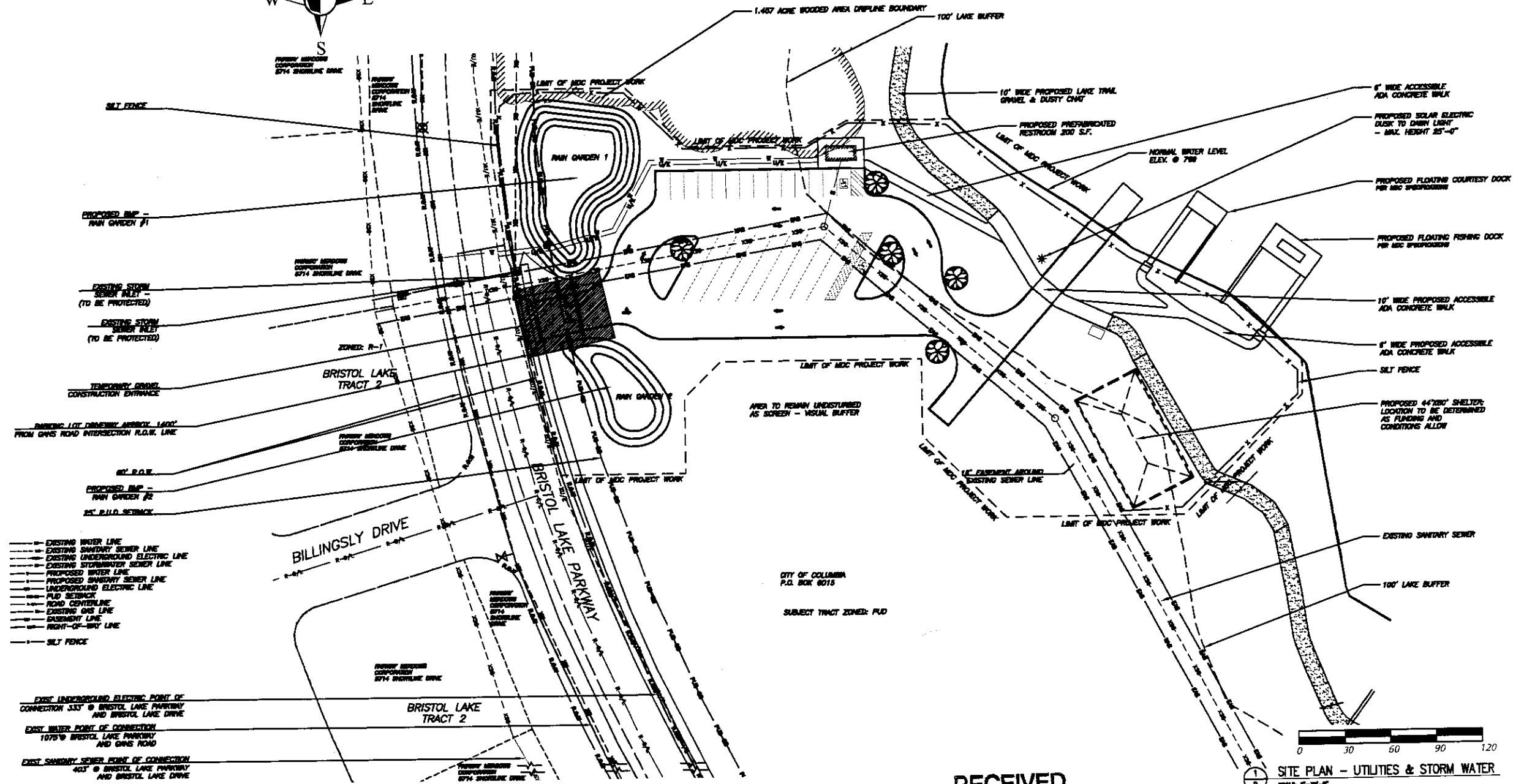
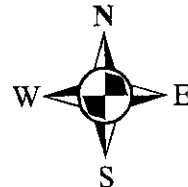
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 JAN - 5 2009
 PLANNING DEPT.



STORM WATER CALCULATIONS

RAIN GARDEN 1 - MAX WATER LEVEL SIZE 8034 SQ FT
 BOTTOM 8013 SQ FT
 DEPTH 4 FEET
 VOLUME 16,206 CF
 RAIN GARDEN 2 - MAX WATER LEVEL SIZE 3046 SQ FT
 BOTTOM 271 SF
 DEPTH 3 FEET
 VOLUME 888 CF

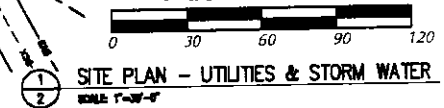
THE DRAINAGE AREA THAT INCLUDES THE PHASE ONE DEVELOPMENT IS 2.088 ACRES. POST DEVELOPMENT RUNOFF WILL RESULT IN 23,800 CF OF ADDITIONAL RUNOFF FOR A 100 YEAR 24 HR STORM. TWO RAIN GARDENS HAVING A TOTAL DETENTION CAPABILITY OF APPROXIMATELY 36,170 CF WILL BE INSTALLED. THE OUTFLOW OF THE RAIN GARDENS WILL BE USED TO PRE-DEVELOPMENT RUNOFF FLOWS.




RECEIVED

JAN - 5 2009

PLANNING DEPT.



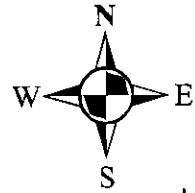


CITY OF COLUMBIA
PARKS AND RECREATION
PHONE: (573) 674-7261
 FAX: (573) 673-3158

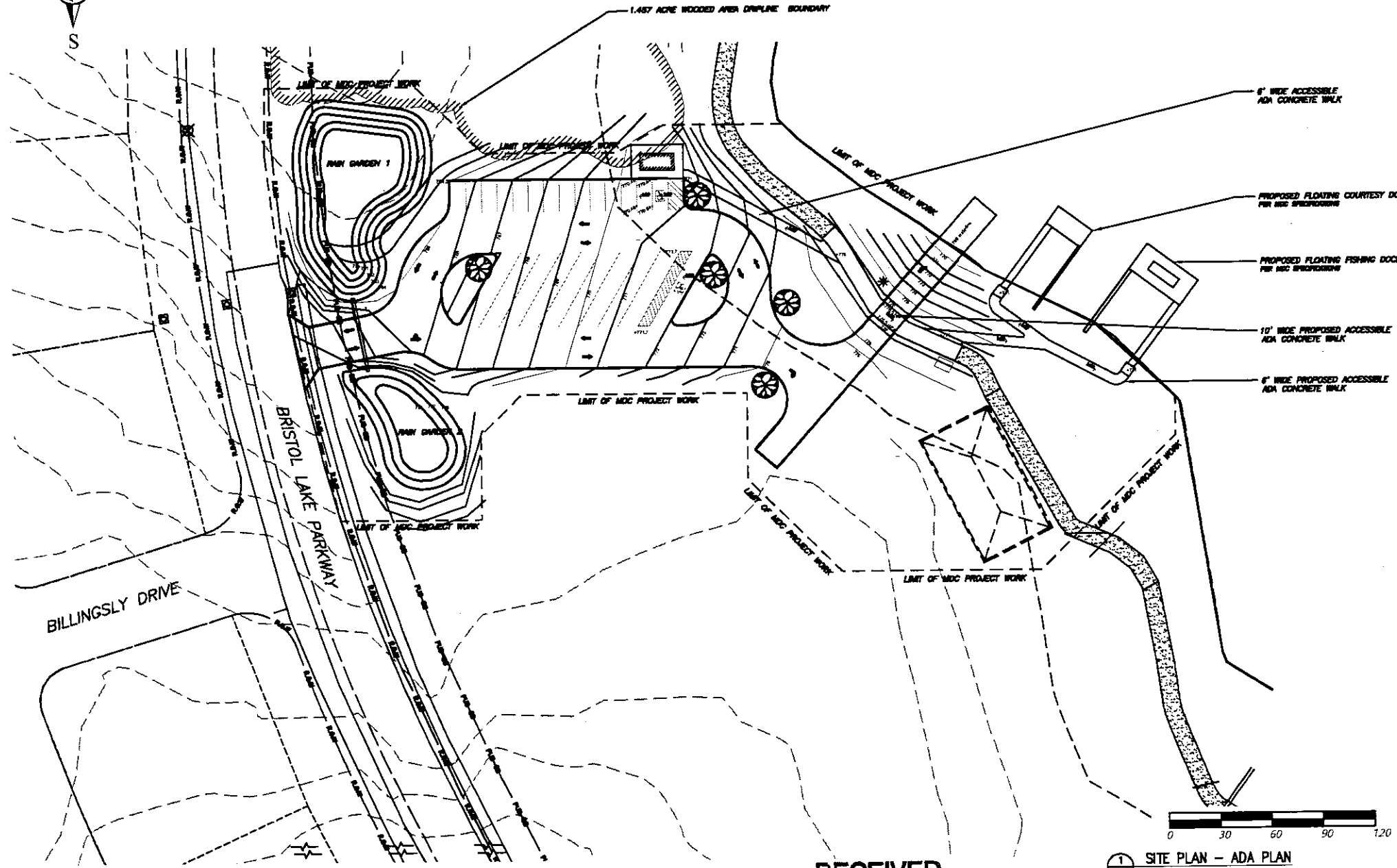
DRAWN BY: REP/VE
 DATE: 1-5-2008
 SCALE: AS SHOWN

A. PERRY PHILIPS PARK, PHASE I
 COLUMBIA, MISSOURI

2
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


- EXISTING WATER LINE
- EXISTING SANITARY SEWER LINE
- EXISTING UNDERGROUND ELECTRIC LINE
- EXISTING STORMWATER SEWER LINE
- PROPOSED WATER LINE
- PROPOSED SANITARY SEWER LINE
- UNDERGROUND ELECTRIC LINE
- OLD SETBACK
- ROAD CENTERLINE
- EXISTING GAS LINE
- EASEMENT LINE
- RIGHT-OF-WAY LINE
- SILT FENCE



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 PLANNING DEPT.

① SITE PLAN - ADA PLAN
 SCALE 1"=30'-0"

 CITY OF COLUMBIA PARKS AND RECREATION <small>PHONE: 672-8411 FAX: 672-873119</small> <small>1817 KURNESS LOOP WEST COLUMBIA, MISSOURI 65202</small>

<small>DRAWN BY: R/DP/ML</small> <small>DATE: 1-5-2009</small> <small>SCALE: AS SHOWN</small>
<small>NOTES:</small>
A. PERRY PHILIPS PARK, PHASE 1 <small>COLUMBIA, MISSOURI</small>


EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
February 5, 2009

08-105 A request by City of Columbia Parks and Recreation Department for approval of a PUD development plan to be known as "A. Perry Philips Park," located on the north side of Gans Road, and east side of Bristol Lake Parkway, containing approximately 139.07 acres.

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

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff is of the opinion that the improvements indicated on the PUD plan are consistent with the intent, if not all of the details, of the ordinance eventually passed by Council. Staff further recommends that the ordinance approving the submitted PUD plan include provisions that will correct the original Statement of Intent to allow encroachment of a trail and other accessory uses to occur within the 100-foot lake buffer and allow customary accessory park structures to be built on the tract notwithstanding the prohibition stated in the original ordinance zoning the property.

Finding that the submitted plans are consistent with the intent of the ordinance passed by Council for this property and an option exists to correct the identified inconsistencies within the Statement of Intent, staff recommends **approval** of the submitted PUD plan and requested variance to Section 25.48.1(c) of the Subdivision Regulations.

This recommendation is based on (in addition to the above findings):

1. Additional procedural requirements exist to ensure the proposed development will meet storm-water monitoring and environmental quality-control issues.
2. A grant has been obtained from the Missouri Department of Conservation to augment construction costs. This grant has an expiration date. Delay in approval of the plan may adversely impact the ability use of the allocated funds.
3. The proposed improvements are consistent with the Council's desire to develop this site as a regional park amenity for the residents of the City.

MR. BARROW: Thank you. Are there any questions? Mr. Rice?

MR. RICE: Yes. You said that we're going to see many plans as part of this park development.

MR. ZENNER: Yes.

MR. RICE: Could this not come under the -- our new -- well, which is not yet in place, but the --

MR. BARROW: Master plan.

MR. RICE: Yeah. That's it. Master plan -- the site master-plan idea that we're working on right now? I mean, is that -- or is that for commercial only?

MR. TEDDY: No. No. It could apply. We had discussed it as a C-P amendment, but it could apply to any number of the planned districts. In the event that between now and then we approve a zoning text amendment, then it would take immediate effect and could be a tool to get this entire property approved under a more general site plan than the current procedural requirements of PUD require, but we haven't done it yet, but it's something that could be done.

MR. BARROW: Ms. Anthony?

MS. ANTHONY: I have a question concerning the access because I can't quite figure out where the build-out of Bristol Lake Parkway will be, and I'm wondering if you can show that on some -- one of the maps you might have.

MR. ZENNER: All right. Let's see here. If you look at option -- look at either option -- and I apologize for the size of the maps. We wanted to show you the overall picture. Where the pointer is down here, that is Gans Road. That is actually Gans Road as it exists today, and then Discovery Parkway is where I'm going up here, which is the dashed road. That actually is in place now, as many of you are probably aware, and this is 63. Bristol Lake Parkway comes up off of Gans today and it ends just past the proposed access point into this particular facility. It will extend, if you notice the skip line up here, this is the extension of Bristol Lake Parkway up towards Nifong, which is a future neighborhood-collector street that would be built at a later date. But it is already on a map, so we don't have to worry about that today. We also have Philips Farm Road, which is this line here, which is shown going through a couple playing fields on Option #1, and then shown going through a parking lot and a potential playing field here on Option #2. That roadway -- actually, a portion of that roadway will be constructed by the developer of the Philips Farm tract. Fifty percent of it will be paid for by them, according to the agreements that were signed at the time that the property was brought in. The other 50 percent and the design of that roadway will be the City's expense. In talking with the Parks and Recreation Department, this particular roadway and its alignment as it goes through the playing fields or potentially buildings will, obviously, be adjusted as the plans get more defined. But that's how you will gain access to Ponderosa and then how you would gain access back to Bristol Lake.

MR. BARROW: Yes, Ms. Anthony?

MS. ANTHONY: Other than the road that is going to be the subject of the shared cost between the developer, when are the other roads going to be improved? It looks from the report that these roads aren't even going to be considered for another ten years, so I'm just wondering about the access to the property.

MR. ZENNER: The extension of Bristol Lake is identified in the CIP as a ten-plus-year project. It currently exists as a two-lane neighborhood local street to serve the Bristol Lake subdivision to the west. The subdivision plat that you approved earlier this evening for this particular part of the project does

provide the half-width necessary to bring it up to the actual neighborhood-collector standard. As traffic demands would warrant, at that point, we have the right-of-way through the subdivision action. Monies would be allocated through the City Council process to potentially build that road as the park demand would generate. The same goes for Gans Road; as we discussed with the Gans Recreation Facility and was noted in the A. Perry Philips subdivision plat, those roadway plans are ten-plus years out, also. However, design on Gans Road at this point is 90 percent complete and, unfortunately, based on the fact that there is a lack of funding, those plans will be shelved for right now until funding is identified to construct that roadway improvement to its ultimate section. The Gans Road improvements will likely be a combination of a City-County cost share to build that road back out to its designed potential of a minor arterial, and, at that point, it may happen sooner or it may happen later than the ten years, but, once again, it is in the CIP for a ten-plus-year project, too. A lot of it has to depend on what happens in this particular area and how fast the park development may occur and then what other development may occur around it.

MS. ANTHONY: Thank you.

MR. BARROW: Yes, Mr. Wheeler?

MR. WHEELER: Correct me if I'm wrong, but it looks like, to me, the northern extension of the Bristol Lake, whatever we're calling it, the roadway to the north, it actually lies to the west of the park property, does it not?

MR. ZENNER: That is correct.

MR. WHEELER: Yeah. So, we're really looking at something that would be a shared cost with the developer on the property to the west. It's not something the City is going to pay for entirely?

MR. RICE: That's actually in the county.

MR. WHEELER: Well, it won't be then.

MR. RICE: Well, you're right.

MR. WHEELER: Okay. Thank you.

MR. BARROW: Further questions? Thank you.

PUBLIC HEARING OPENED

MR. BARROW: Same rules as before, six minutes for the first speaker, three minutes subsequent speakers. State your name and address for the record. Thank you for your patience.

MR. GRIGGS: No problem. I'll be brief. I'm Mike Griggs, the Park Services Manager with the City of Columbia. Essentially, as staff has reported, right now, we currently have no funding for the development of these features except for what's been asked tonight about the fishing facilities. So, the next possible chance we'll have funding will probably be when our -- we -- our one-eighth sales tax expires in 2012, we'll be probably coming back sometime and ask for permission to extend that and then

possibly some funding could show up. Right now, in our park master plan, we identify about \$7 million is what we call our regional-park first-phase funding, so that could be used for A. Perry Philips Park, Gans Creek Recreation Area; it could be used for any number of those as determined by City Council at that time. Where we're at with our master plan, we just closed the public-comment period. We ended up with about 400 comments on-line for these two sites, so it's certainly been generating a lot of interest. We're gathering those comments, and when we get them all settled up and put into a package, we're meeting with the staff at the Rock Bridge State Park, which is located to our neighbors to the west there -- or to the east, I mean, along Gans Creek there, and so, we'll meet with them because we'll want to plan this in conjunction with their needs, as well, and then we'll try to come and narrow it down to a final proposed plan that we'll present to the public for another comment phase, so -- any other questions?

MR. BARROW: Ms. Anthony?

MS. ANTHONY: Just to add they're two fabulous plans, and I'm just wondering, based on your input so far, what's been the preference? Can you say?

MR. GRIGGS: It is almost down the middle. Out of 300, I think it's, like, 162 to one and -- they're almost right down the middle. We do have a -- what we like or we have in those comments where people say, "I love Option #1, but I wish you could move this feature from Option #2 to Option #1," and, "I love Option #1, but I don't want to see this," you know. So, we're getting a lot of those things, so I think it's going to be an interesting process and we like it when it's that kind of closeness, so I think we're getting there.

MR. BARROW: Mr. Rice?

MR. RICE: A couple of questions and one is just to satisfy my curiosity. Actually, they probably both are. And one is a follow-up to Ms. Anthony and what you just said. Is the -- will the final plan perhaps include elements of both, or are you going to pick one or the other?

MR. GRIGGS: No. The final plan will include elements of both and maybe something that's not even on there.

MR. RICE: Okay.

MR. GRIGGS: For example, we're hearing from the skate park community. You know, we don't have a skate park on either option, so --

MR. RICE: Yeah.

MR. GRIGGS: So, who knows how that'll work out. We're just kind of looking at all things, and so -

-

MR. RICE: Okay. The second question I had was concerning the PUD-4, and it seems like -- it sure seems like a lot of work to have to go through all these hearings. Why didn't you just rezone to, you know, some kind of open zoning before? Was there some rule or is there some --

MR. GRIGGS: I'll defer this to Mr. Teddy.

MR. TEDDY: That's another option. We, frankly, weren't sure how you'd respond to something like that. We didn't want to make it look like the City was claiming privilege because we're the City. I mean, the decision was made after a long process to zone this PUD-4, so we didn't want -- but that is an option.

MR. RICE: Okay. Thank you.

MR. BARROW: Further questions of this speaker? I think I have some questions, but you can stay here for a while? I might call you back when I hear some more testimony.

MR. GRIGGS: Sure. Thank you.

MR. BARROW: And assuming someone else is going to speak. Anyone else wishing to speak, please come forward. Okay. Mr. Griggs?

MR. GRIGGS: Yes, sir.

MR. BARROW: Well, I was involved -- I was on the City -- on the Planning and Zoning Commission way back in the previous century when this was being annexed.

MR. GRIGGS: Uh-huh.

MR. BARROW: I remember as part of the -- and I think this is maybe part of the sensitivity of the City because, a lot of times, developers will come in and promise this, and then when they get it, they come back and they -- it's like a bait and switch. And so, I don't think that -- I know I wouldn't look very good on a private developer if they came in, "I want to be annexed and I have PUD-4 and I have all these restrictions on it," and then two years later, "Oh, by the way, I want to have open zoning and do whatever the heck I want." So, it doesn't look -- I don't think it looks so good for the City to do that, either. And, besides, I like public hearings. They're a lot of fun and I learn a lot. But the question I have and maybe this -- maybe I should be talking to the Department of Conservation because they're building the fishing house, the boat thing?

MR. GRIGGS: Actually, we are.

MR. BARROW: We are?

MR. GRIGGS: We got the grant from them and we are putting some of the money we have for phase develop to match that grant.

MR. BARROW: Well, a lot of the anomalies in the statement of intent came because -- it's my recollection when it was a private developer, they were going to build it as sort of a high-end lakeside subdivision. And so, there was a lot of concern about protecting the watershed. And I think at that time, the City had a policy of requiring 30-percent impervious surface on developments in the Gans Creek watershed?

MR. GRIGGS: Yes.

MR. BARROW: That was before we had stream-buffer ordinances and that sort of thing.

MR. GRIGGS: Right.

MR. BARROW: So, a lot of this stuff is, like, you know, we inherited it from the past before we were kind of up to speed. But I do remember, and I'm concerned about this, is when the developer came and was promising the moon and the stars so he could get annexed and get the zoning that he wanted, there was -- he had some high-powered engineer from Denver come in and talk about the greatest storm-water regulations in the world, how they were going to break up, you know, they were going to keep the raindrops small where they landed on the ground, and they were going to go through a whole series of stuff before it ever even got to the lake, and it sounded so great. And then my recollection was, almost immediately, they were, like, "Well, we can't do that. That's too expensive," you know. "That was really just an idea so we could annexed and get the zoning, and now we're going to do what we want." That's my recollection of it. And so, I would really like the City to step up and honor that philosophy towards storm water and rain water and pollution and runoff and all that sort of stuff. So, I guess, my question is -- and I'm sorry for this long preface. My question is: Are we going to be -- is the City going to be going ahead and doing the extra step to have more impervious paving, to have, you know, filter strips, to have fancy, you know, storm-water drains that come off the roofs and get collected in -- you know, pools?

MR. GRIGGS: Absolutely. I think -- sorry to cut you off, but, yes. We -- in fact, in our public meetings when we're presenting the overall options to the public, we are starting off with some of the things that we want to become as the demonstration site for best management practices for storm water. We want to make sure that what we do is above and beyond what's required of everybody. For example, at the Gans Creek Recreation Area, the stream-buffer ordinance requires, roughly, about nine acres protection. Well, we're proposing 90 acres, a minimum -- almost ten times, if not over that, to protect that creek. The last thing we want to do is be known as someone who pollutes the creek. So, certainly, we're working well above and beyond that. We do have money to bring in one of these high-powered consultants, so as we start preparing, once we get our next plan finalized, once we take Option #1 and #2, create a third option to present, what we'll do is bring in a consultant to look at that and say, "Can we build all this without damaging the storm water?" And if he says, "No, I can't design protection for that," then we'll change our plan because what we wanted to make sure is what we take to the public, we can do and we can honor all those high-powered commitments that were promised earlier.

MR. BARROW: Thank you, Mr. Griggs.

MR. GRIGGS: Okay.

MR. BARROW: Any other questions? Thank you.

MR. GRIGGS: Thank you.

MR. BARROW: Anyone else wishing to speak, please come forward.

PUBLIC HEARING CLOSED

MR. BARROW: Discussion, Commissioners? Mr. Wheeler?

MR. WHEELER: I wanted to start off because I want to apologize to Mr. Griggs. I'm one of them that normally advocates PUD on these parks simply because I think that's something, a requirement we put on the development community and it just seems fair. But then you see something like this and the burden that it's put on the Parks Department, and you go, wow, well, maybe I'm wrong. And so, Mr. Teddy was probably talking about me when he said what our reaction would be. That said, there was one request, and I'm sure the Parks Department has always done this, but I do want to point this out. Like to see after this -- because I can't imagine this not passing. When we do see the rest of this park as it develops into the portions and, hopefully, Mr. Rice's recommendation, we can do something about that with the PUD on this master plan because that -- this is a great example of where that's a great idea, we get this component when, you know, we'd show it to us in relation to what you're bringing us next, would be my request. It helps us out a lot to see the overall plan. That said, you know, you guys are doing a wonderful job out here. I'm in full support of this. The recommendations of the changes to the statement of intent, which I think is problematic, and we've talked about that in the past, and so, I won't belabor it. But, you know, any time you start changing statements of intents, then you get people out there that think their little condo thing ought to get that, too. But I think, in this case, it's absolutely appropriate and should be part of the recommendation or motion when we make that, and the variances make absolute sense, as well. I can't imagine having a lake of this size and not having some public, you know, access or facility on the lake. And so, that seems to be an oversight when this was all going on. I, fortunately, was not on the commission when the Philips tract was brought in, and I'm glad I wasn't. That's it. I'm in full of support of this.

MR. BARROW: Ms. Curby?

MS. CURBY: I'd like to say that I also support it, too, and I'm usually the person who thinks that there are too many parking spaces, but, on this one, will 34 be enough, you know? Maybe after I heard about the roads being ten years out, maybe a lot of people will be walking in and not need to -- the parking spaces. But I hope it will be used well enough that we might need a little bit more parking.

MR. BARROW: Further discussion? Ms. Peters?

MS. PETERS: I just wanted to say my night has been made when I heard best management practices for storm water. I've been waiting to hear those words uttered from somebody for the longest time. Thank you. And thank you for doing -- following best management practices.

MR. BARROW: Further discussion? Mr. Rice?

MR. RICE: Well, unless someone else is going to jump in, I wanted to go ahead and make a motion that we move this along, recommend approval. Are we doing this subject to something?

MR. BARROW: Well, I think they've asked us to --

MR. RICE: The staff recommendation?

MR. BARROW: -- amend the statement of intent.

MR. RICE: Okay.

MR. BARROW: And there were some things like that.

MR. RICE: Yeah. Let's see.

MR. WHEELER: Variances.

MR. BARROW: And variances.

MR. RICE: The variances were regarding the lake buffer.

MS. CURBY: It's page 10.

MR. RICE: No, that's the statement of intent. Okay. Actually, I probably should not even make a motion because I'm actually not sure exactly what we need to be doing here.

MR. BARROW: Yeah. Okay. Well, maybe we should discuss what the motion should include.

MR. ZENNER: Mr. Chairman, would you like me to reclarify what the recommendation of staff was?

MR. BARROW: Thank you.

MR. ZENNER: It was to recommend approval of the PUD plan as submitted and approval of the requested sidewalk variance. That is the actual PUD component of the approval that you need to grant. What we're asking you also to consider and authorize staff to do is to amend the statement-of-intent, forward that to Council with the ordinance approving the PUD plan. You will not -- it wouldn't come back to you. We would forward it as amended to them with the ordinance.

MR. BARROW: Can you put that -- the statement-of-intent slide up on the view screen?

MR. ZENNER: The statement of intent inconsistencies included in three different areas. It was structural improvement, impervious site coverage, and then the Philips Lake buffer encroachment. We will propose in the revised statement of intent to allow park-related nonhabitable structures to be constructed on the site. We will clarify within the impervious-coverage component the exemption that the City has received through another section of the original ordinance. And then as it relates to the Philips Lake buffer, we will specifically indicate within the revised statement of intent that only lake-related future uses plus those that are proposed in this PUD plan should be allowed to encroach within the 100-foot buffer. We are not desiring to open up Pandora's box for any other structural improvement to be there other than what is definitely deemed lake related.

MR. BARROW: Mr. Wheeler?

MR. WHEELER: I was hoping that you would allow me to frame this motion.

MR. RICE: Oh, well. Okay. I had -- I've got it now, but go ahead.

MR. WHEELER: Okay.

MR. BARROW: Mr. Wheeler?

MR. WHEELER: Yeah. I would like to make a motion that we approve the PUD plan as submitted with the sidewalk variance, and the statement of intent changes as outlined by staff.

MR. RICE: Exactly.

MR. BARROW: Mr. Rice?

MR. RICE: Well, and -- yeah. Then I'll second that.

MR. BARROW: I'm sorry about that.

MR. RICE: That's okay. That's what I was going to say.

MR. BARROW: Very good. And I also want to say this, and I wanted to thank staff for helping us guide that through. So, I want to speak on the motion, and that is that, you know, this idea of encroaching on the buffer, I think it kind of fits in with our stream-buffer ordinance in which we allow people to average the buffer. So, if you're encroaching on one area, you have it wider in another. And just looking at the map, it looks like it pretty much does that anyway, so I just wanted to say that in terms of staying with the spirit of how the City's philosophy storm-water management seems to be progressing. But I'm happy to support this. Any other discussion? Kind of nice to have the Parks people stay up late like the Planning people, but let's go ahead and have a roll call so you can go home.

MR. WHEELER: A motion has been made and seconded to recommend approval of a PUD plan as submitted with a sidewalk variance and statement of intent changes as outlined by staff.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Reichlin, Mr. Rice, Mr. Wheeler, Ms. Anthony, Mr. Barrow, Ms. Curby, Ms. Peters. Motion carries 7-0.