

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

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

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

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

Council Bill No. B 3-14

### **AN ORDINANCE**

rezoning property located on the west side of Woodard Drive and south of Mexico Gravel Road from District R-1 to District O-P; approving the statement of intent; approving the OHM Professional Offices Development Plan; repealing all conflicting ordinances or parts of ordinances; granting a variance from the Subdivision Regulations relating to sidewalk construction; and fixing the time when this ordinance shall become effective.

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

SECTION 1. The Zoning District Map established and adopted by Section 29-4 of the Code of Ordinances of the City of Columbia, Missouri, is amended so that the following property:

A TRACT LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 49 NORTH, RANGE 12 WEST, AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 49 NORTH, RANGE 12 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF THE TRACT DESCRIBED BY THE DEED IN BOOK 3012 PAGE 50 AND ALSO BEING THE TRACT SHOWN AS LAGOON AREA BY HENLEY SUBDIVISION PLAT 1 IN PLAT BOOK 6 PAGE 17, BOTH OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

STARTING AT THE SOUTHEAST CORNER OF SECTION 32, TOWNSHIP 49 NORTH, RANGE 12 WEST, CITY OF COLUMBIA, BOONE COUNTY MISSOURI; THENCE WITH THE SOUTH LINE OF SAID SECTION 32, ALSO BEING THE TOWNSHIP LINE S 89°10'45" W, 253.80 FEET TO THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING N 00°49'15" W, 25.00 FEET; THENCE N 52°10'15" W, 178.35 FEET; THENCE N 26°06'00" E, 165.20 FEET; THENCE S 78°38'00" E, 152.20 FEET; THENCE N 00°26'00" E,

50.00 FEET; THENCE S 89°34'00" E, 199.95 FEET; THENCE S 00°26'15" W, 4.55 FEET; THENCE WITH A CURVE TO THE RIGHT 326.05 FEET, CURVE RADIUS 427.00 FEET, CHORD S 22°18'45" W, 318.20 FEET; THENCE S 89°10'45" W, 160.20 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.13 ACRES.

will be rezoned and become a part of District O-P (Planned Office District) and taken away from District R-1 (One-Family Dwelling District). Hereafter the property may be used for the permitted uses set forth in the statement of intent.

SECTION 2. The City Council hereby approves the terms and conditions contained in the statement of intent dated December 3, 2013, attached hereto in substantially the same form as Exhibit A and made a part of this ordinance. The statement of intent shall be binding on the owners until such time as the Council shall release such limitations and conditions on the use of the property.

SECTION 3. The City Council hereby approves the OHM Professional Offices Development Plan, as certified and sealed by the surveyor on December 3, 2013, for the property referenced in Section 1 above. The Director of Planning and Development shall use the design parameters set forth substantially in the same form as Exhibit B, which is attached to and made a part of this ordinance, as guidance when considering any future revisions to the Development Plan.

SECTION 4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. The City Council grants a variance from the requirements of 25-48.1 of the Subdivision Regulations so that sidewalks shall not be required along the property's Henley Drive frontage.

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

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

ATTEST:

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

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

APPROVED AS TO FORM:

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



**City of Columbia  
Planning Department**

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

## Statement of Intent Worksheet

For office use:

Case #: <i>13-232</i>	Submission Date: <i>12/3/13</i>	Planner Assigned: <i>SM</i>
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**Please provide the following information, which shall serve as the statement of intent for the proposed planned district zoning:**

1. The uses proposed. Business hours of operation to be between 7am and 7pm.  
Offices for the administrative functions of businesses, professions, companies, corporations; and social philanthropic, eleemosynary, or governmental organizations or societies. (excluding medical and dental offices)
2. The maximum gross square feet of building floor area proposed. If PUD zoning is requested, indicate type(s) of dwelling units & accessory buildings, and maximum number of dwelling units & development density.  
12,000 square feet
3. The maximum building height proposed.  
22'-0"
4. The minimum percentage of the site to be maintained in open space, shown by the percent in landscaping and the percent left in existing vegetation.  
60% site maintained in open space (47% planned landscaping and 13% left in existing vegetation)

**The following items only apply to PUD zoning requests:** Not Applicable

5. The total number of parking spaces proposed and the parking ratio per dwelling unit.
6. Any amenities proposed, such as swimming pools, golf courses, tennis courts, hiking trails or club houses.
7. A general description of the plan including minimum lot sizes, if applicable, minimum building setbacks from perimeter and interior streets, other property lines and minimum setbacks between buildings.

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

*[Signature]*  
Signature of Applicant or Agent

*12.3.13*  
Date



**City of Columbia  
Planning Department**

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

## Design Parameters Worksheet

For office use:

Case #: <i>13-232</i>	Submission Date: <i>11-11-13</i>	Planner Assigned: <i>SM</i>
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**Please provide the following information:**

1. The minimum distance between any building and any adjacent property line or street right-of-way.

28'-0"

2. The minimum distance between the edge of any driveway, parking area, loading area, trash storage area and any adjacent property line or street right-of-way.

6'-0"

3. The maximum number of freestanding signs on the site, the maximum square footage of sign surface area and maximum height of each.

Not Applicable

4. The minimum percentage of the site to be maintained in open space shown by the percent in landscaping and the percent left in existing vegetation. (not applicable to **M-R** districts)

60% (47% planned landscaping and 13% left in existing vegetation)

5. The maximum height and number of light poles and type of fixtures.

Three (3) LED light poles at 25'-0" tall above grade.



November 11, 2013

Tim Teddy  
Community Development Director  
701 E. Broadway  
Columbia, MO 65201

**Re: Request for Rezoning, O-P Plan, and Sidewalk Variance  
Centerstate Plat 12 Lot 1**

Dear Mr. Teddy, City Staff and Members of the Zoning & Planning Commission:

The purpose of this letter is to:

1. Request Rezoning of the referenced property from R-1 to O-P
2. Proposed the O-P plan
3. Request for a Sidewalk Variance for the required sidewalk along Henley Drive



Architecture  
Interior Design  
Planning  
Sustainability

**Columbia**  
700 Cherry Street  
Columbia, MO 65201  
573.443.1407

**St. Louis**  
4814 Washington Blvd  
St. Louis, MO 63108  
314.367.4762

[www.soa-inc.com](http://www.soa-inc.com)

## **INTENT TO REZONE:**

OHM Holdings LLC (owned by Bill Oswald and Jennifer Hedrick of SOA and Kirk Mescher of CM Engineering) is under contract for purchase of this property (refer to map above) with the intention of building a 12,000 sq. ft. office building to house SOA (Simon Oswald Architecture) and CM Engineering. Purchase of the property is contingent on the City's approval of both rezoning from R-1 to O-P and of the proposed O-P plan.

Adjacent properties on each side of the site are zoned and used as R-1 residential property. However, the location, position and configuration of this piece of property lends itself for use as a Planned Office development. The largest portion of the lot has street frontage and exposure to Woodard Drive as opposed to the limited exposure the property has along East or West Henley Drive. All adjacent properties along Woodard Drive are already zoned O-P or C-P.

On October 15, 2013, OHM Properties representatives Jennifer Hedrick and Bill Oswald met with the Mexico Gravel Neighborhood Association to present the general concepts of this proposed development plan. They unanimously agreed to support both the rezoning and the proposed O-P Plan. Steve MacIntyre is in receipt of the meeting minutes from that meeting.

## **O-P PLAN BUILDING & SITE DESIGN SUMMARY:**

- a) 12,000 sq. ft. single story professional office building to house offices for the administrative functions of businesses, professions, companies, corporations etc.
- b) Maximum building height 22'-0"
- c) Main building entrance toward Woodard Dr.
- d) All parking and vehicular access is proposed along Woodard Dr. (no parking or vehicular access from East Henley Dr. or West Henley Dr. residential neighborhood).
- e) Two vehicular access points from Woodard Dr. into parking lot for easy traffic flow.
- a) Total parking provided: 45 spaces (required: 1/300 sq. ft. = 40 spaces)
- f) Public sidewalk along Woodard Dr. (per City design requirements)
- g) Bike rack
- h) Anticipating curbside rolling cart garbage pick-up but including Concrete dumpster pad and compliant screening for potential straight forward dumpster access although (if dumpster is required by City Solid Waste).
- i) Exterior fenced-in patio for tenant use on north west side
- j) Landscape screening to separate R-1 from O-P (offers a soft buffer between neighboring house and allows more breathing room for the neighbor's side yard).
- k) Proposed bioswale running continuously along stream buffer line to collect and treat majority of storm water prior to discharging into the stream. (Although site work will initially disturb land within the buffer, this design presents the greatest potential to meet the intentions of the current storm water treatment and management requirements, treating and control nearly all storm water from the site before it enters the stream). Proposed Stream Buffer modification to be a forthcoming Administrative plat.
- l) Gray water reuse to flush toilets and urinals and to provide limited irrigation.



Architecture

Interior Design

Planning

Sustainability

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## **SIDEWALK VARIANCE EXPLANATION:**

OHM Holdings LLC requests a variance be granted to give relief of the requirement found in Section 29-13.1 to place a sidewalk along a lot on East Henley Drive. The proposed building orientation will front onto Woodard Drive. Per section 29-13.1(8), OHM will place a sidewalk that extends the entire length of the property along Woodard Drive. Under current zoning R-1, the front of the property faces East Henley Drive.

The reasons for this variance request are as follows:

- a) As stated above, OHM will conform to zoning requirements by placing a sidewalk along the front of the planned development.
- b) East Henley Drive is a non-conforming city street. If the City does convert it to be conforming, the sidewalk may have to be demolished and reconstructed.
- c) Henley Drive has an extremely low pedestrian count because it is a loop through the neighborhood and does not provide connection to other streets.
- d) Per an informal meeting with the Mexico Gravel Neighborhood Association, those in attendance were not in favor of a sidewalk being placed along East Henley Drive. They felt it would serve no purpose and add impervious paving where natural grass plantings are more appropriate and aesthetically pleasing.

Thank you for your consideration of our proposed Rezoning, O-P Plan, and Sidewalk Variance. We look forward to working with City Staff to identify design solutions that meet our needs while supporting the City's community development vision. If you have any questions or comments, please feel free to contact us by phone at (573) 443-1407 or email at [Hedrick@soa-inc.com](mailto:Hedrick@soa-inc.com).

Respectfully Submitted,



Jennifer Hedrick AIA  
Architect / SOA Principal  
OHM Owner



Bill Oswald AIA  
Architect / SOA Principal  
OHM Owner



Architecture  
Interior Design  
Planning  
Sustainability

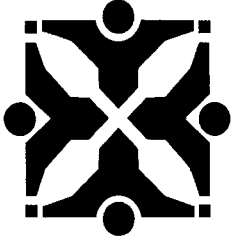
Encl.

City of Columbia Planning Department – Development Review Application  
Original surveyor sealed legal description of the property  
Editable digital copy of legal description (emailed separately to Steve MacIntyre)  
Statement of Intent Worksheet  
12 full-sized copies of development plan (24x36 drawings)  
Development Plan Checklist  
Design Parameters Worksheet  
Exhibit A1-A2 Exterior Elevations  
Exhibit B1 and B2 Renderings

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Source: Community Development - Planning

Agenda Item No:

To: **City Council**  
From: **City Manager and Staff**

Council Meeting Date: Jan 6, 2014

Re: OHM Professional Offices - O-P Plan & rezoning request (Case 12-232)

#### **EXECUTIVE SUMMARY:**

A request by United Bass Ore, LLC (owner) to rezone 2.13 acres of land from R-1 (One-Family Dwelling) to O-P (Planned Office), and for approval of a development plan to be known as OHM Professional Offices. The application includes a requested variance from Section 25-48.1 so that no sidewalk shall be required to be constructed along the site's Henley Drive frontage. The subject site is located on the west side of Woodard Drive, approximately 800 feet south of Mexico Gravel Road. (Case #13-232)

#### **DISCUSSION:**

The subject site is currently zoned R-1 (One-Family Dwelling District), and is abutted by residential lots to the north and west. The site has remained undeveloped since its annexation in 1964. Since that time the area to the east and south has been developed with office and commercial businesses and Woodard Drive was installed as part of the Centerstate Development.

The proposed O-P (Planned Office) zoning is considered an appropriate land use transition between the less intense uses to the north and west and the more intense to the east and south. The proposed O-P Statement of Intent (SOI) limits the site to administrative business offices, with hours of operation limited to between 7am and 7pm. Typically office zoning would allow for a much broader spectrum of uses; however, based on adjacent land uses and public comments the applicant has chosen to limit the uses and hours of operation.

As part of the application a site specific development plan has been submitted. The site plan shows site improvements consisting of a 12,000 square foot single-story office building with a 44-space parking lot oriented toward Woodard Drive with no direct access to Henley Drive - a residential street. Furthermore, evergreen trees are shown on the plan to screen the office development from residential neighbors. The orientation of the building and placement of the proposed landscaping are such that the impacts of the new construction will be minimized upon existing residential homes and consistent with other office/commercial uses to the east.

Additionally, as part of the site plan approval, the applicant is seeking a variance from Section 25-48.1 of the City Code which requires the installation of a sidewalk along the site's Henley Drive frontage. The request for variance is to address concerns about bringing additional traffic into the neighborhood from Woodard Drive raised by adjacent property owners as well as the belief that such an improvement is not necessary since sidewalks along Henley Drive do not exist.

With the exception of the requested sidewalk variance from Section 25-48.1, the proposed C-P statement of intent, development plan, and design parameters conform to applicable City Zoning Regulations standards.

At its meeting on December 19, 2013, the Planning and Zoning Commission voted (4-3) to recommend approval of the proposed rezoning and development plan, including the requested sidewalk variance along Henley Lane. In arriving at its decision the Commission discussed potential options for an alternative sidewalk location between Henley and Woodard Drives. Those supportive of the connection believed it could be installed south of the northern buffer and connect to the proposed parking lot. Those not supportive of the connection commented on liability and maintenance issues and the fact that the connection was not desired by the adjacent residents.

The applicant provided a presentation to the Commission regarding the project's specifics and gave justification for the requested variance. The president of the Mexico Gravel Neighborhood Association spoke

in favor of the project and the requested variance. A letter (attached) requesting denial of the sidewalk variance was distributed to the Commission prior to the hearing for their consideration.

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

**FISCAL IMPACT:**

None

**VISION IMPACT:**

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

None

**SUGGESTED COUNCIL ACTIONS:**

Approval of the proposed rezoning, O-P development plan, and requested variance to Section 25-48.1 as recommended by the Planning and Zoning Commission.

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

**AGENDA REPORT**  
**PLANNING AND ZONING COMMISSION MEETING**  
**December 19, 2013**

**SUMMARY**

A request by United Bass Ore, LLC (owner) to rezone 2.13 acres of land from R-1 (One-Family Dwelling) to O-P (Planned Office), and for approval of a development plan to be known as OHM Professional Offices. The application includes a requested variance from Section 25-48.1 so that no sidewalk shall be required to be constructed along the site's Henley Drive frontage. The subject site is located on the west side of Woodard Drive, approximately 800 feet south of Mexico Gravel Road. (Case #13-232)

**DISCUSSION**

The request is to construct a 12,000 square foot single-story office building on a 2.13-acre lot situated between Henley Drive and Woodard Drive. The building and parking lot would be oriented toward Woodard Drive, and have no direct access to Henley Drive, which is a residential street. Furthermore, evergreen trees are shown on the plan to screen the office development from residential neighbors.

The subject site is currently zoned R-1 (One-Family Dwelling District), and is abutted by residential lots to the north and west. The proposed O-P (Planned Office District) rezoning statement of intent limits the site to administrative business offices, with hours of operation limited to between 7am and 7pm.

The applicant is also requesting a variance from Section 25-48.1 of the City Code, which requires the installation of a sidewalk along the site's Henley Drive frontage. Henley Drive is an unimproved street, and as such, Council Policy Resolution PR 48-06A provides the following criteria for consideration:

1. The cost of constructing the sidewalk relative to the cost of the proposed development

*The cost of constructing the sidewalk is estimated to be approximately 0.01% of the total development cost.*

2. Whether the terrain is such that sidewalks or walkways are physically feasible

*The terrain does not present a challenge to sidewalk installation.*

3. Whether the sidewalk would be located in a developed area, on a low traffic volume local street without sidewalks

*Henley Drive is a developed single-family residential street with low traffic volumes and no other existing sidewalks.*

4. Current or future parks, schools, or other pedestrian generators near the development for which a sidewalk or walkway would provide access

*There are no pedestrian generators near the development that would be served by a sidewalk along Henley Drive. However, an alternative sidewalk alignment through the subject site, from Henley Drive to Woodard Drive, would provide residents of Henley Drive with a direct connection to the nearby Centerstate commercial district.*

The Policy Resolution further states that sidewalks variances shall only be granted without conditions if it is determined that the sidewalk is not needed, or that the impact of the proposed development does not justify the requirement that the sidewalk be constructed. In all other instances, either a payment in lieu of construction shall be made, or an alternative walkway shall be constructed.

Staff believes that extending an alternative sidewalk through the subject site to provide a pedestrian connection from Henley to Woodard Drive would provide a useful connection between the neighborhood and nearby Centerstate commercial district. The applicant and neighbors have expressed opposition to any sidewalk being constructed along Henley Drive or to connect Henley to Woodard Drive.

With the exception of the requested sidewalk variance from Section 25-48.1, the proposed C-P statement of intent, development plan, and design parameters conform to applicable City Zoning Regulations standards.

## **RECOMMENDATION**

- Approval of the proposed rezoning and O-P development plan
- Denial of the proposed sidewalk variance from Section 25-48.1

## **ATTACHMENTS**

- Locator aerial and topographic maps
- Application & sidewalk variance request
- Building elevations & renderings
- Statement of Intent
- Development Plan & Design Parameters

## SITE HISTORY

<b>Annexation Date</b>	1964
<b>Existing Zoning District(s)</b>	R-1 (One-Family Dwelling District)
<b>Land Use Plan Designation</b>	Neighborhood District
<b>Subdivision/Legal Lot Status</b>	Legally platted as Lot 1 of Centerstate Plat 12

## SITE CHARACTERISTICS

<b>Area (acres)</b>	2.13 acres
<b>Topography</b>	Slopes gradually downward from northwest to southeast
<b>Vegetation/Landscaping</b>	Mix of trees and grass
<b>Watershed/Drainage</b>	Hinkson 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-1 (One-Family Dwelling)	Single-family home
<b>South</b>	C-P (Planned Business)	Undeveloped
<b>East</b>	O-P (Planned Office)	Offices
<b>West</b>	R-1/R-2	Single-family & duplex homes

## UTILITIES & SERVICES

<b>Sanitary Sewer</b>	City Public Works Dept.
<b>Water</b>	City Water & Light Dept.
<b>Fire Protection</b>	Columbia Fire Dept.
<b>Electric</b>	City Water & Light Dept.



## ACCESS

<b>Woodard Drive</b>	East side of site
<b>Major Roadway Plan</b>	Local Non-residential (Improved & City-maintained)
<b>CIP Projects</b>	None
<b>Sidewalk</b>	5-ft wide sidewalk needed

<b>Henley Drive</b>	North side of site
<b>Major Roadway Plan</b>	Local Residential (Unimproved & City-maintained)
<b>CIP Projects</b>	None
<b>Sidewalk</b>	5-ft wide sidewalk needed

## PARKS & RECREATION

<b>Neighborhood Parks</b>	N/A
<b>Trails Plan</b>	No trails planned adjacent to site
<b>Bicycle/Pedestrian Plan</b>	N/A

## PUBLIC NOTIFICATION

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

<b>Public Information Meeting Recap</b>	Number of attendees: 2 Comments/concerns: sidewalk connection
<b>Neighborhood Association(s) Notified</b>	Mexico Gravel
<b>Correspondence Received</b>	None as of this writing

Report prepared by Steve MacIntyre; Approved by Pat Z  nner



**City of Columbia**  
**Planning Department**  
701 E. Broadway, Columbia, MO  
(573) 874-7239 [planning@gocolumbiamo.com](mailto:planning@gocolumbiamo.com)

## **Sidewalk Variance Worksheet** **(for sidewalks along unimproved streets)**

For office use:

Case #: <b>18-232</b>	Submission Date:	Planner Assigned:
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**Please answer the following questions<sup>1</sup>:**

1. What is the cost of constructing the sidewalk, relative to the cost of the proposed development?  
\$1,740 / \$1,500,000
2. Is the terrain such that sidewalks or walkways are physically feasible?  
Yes
3. Would the sidewalk be located in a developed area, on a low traffic volume local street without sidewalks?  
Yes
4. Are there any current or future parks, schools or other pedestrian generators near the development for which a sidewalk or walkway would provide access?  
No

**If an alternative walkway is being proposed, please describe how the alternative would deviate from standard sidewalk requirements.**

N/A

**If applicable, please attach a map showing the proposed alternative walkway alignment.**

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<sup>1</sup> Based on factors for determining sidewalk need, identified in Council Policy Resolution PR 48-06A

## **Policy Statements from Council Policy Resolution PR 48-06A:**

The City Council shall review each request for a sidewalk variance along an unimproved street in the context that there must be a reasonable relationship between the proposed activity of a landowner and the requirement that the landowner construct a sidewalk and in the context that the public safety and welfare make it desirable to encourage pedestrian movement by providing safe walkways and sidewalks away from traffic lanes of streets.

The City Council shall grant the requested variance without conditions only if it determines that the sidewalk is not needed or that the impact of the proposed development does not justify the requirement that the sidewalk be constructed.

If the City Council finds that the proposed use of the land would justify the requirement that a sidewalk be constructed and that in the interest of public safety and welfare there is an immediate or near future need for a sidewalk or walkway at the location of the variance request, the City Council will approve the variance request only if an alternative walkway is provided or if the property owner pays the City for future construction of the sidewalk, or if some other equitable arrangement for construction of a sidewalk or other pedestrian infrastructure improvement is made.

Alternative walkways are defined as all-weather pedestrian facilities constructed in accordance with plans and specifications approved by the Public Works Department. Alternative walkways may deviate in vertical and horizontal separation from the roadway in order to take advantage of natural contours and minimize the disturbance to trees and natural areas but must meet all requirements for handicap accessibility. Alternative walkways must be located on public easements but a walkway easement may be conditioned that if walkways are no longer needed for a public purpose, the walkway easements will be vacated.

When alternative walkways are permitted, plans, specifications and easements must be submitted prior to approval of the final plat abutting the unimproved street and construction must occur prior to the first certificate of occupancy within the platted area.

If the City Council determines that the public safety and welfare would not be jeopardized, the Council may allow the property owner, in lieu of constructing an alternative walkway, to pay the City the equivalent cost of construction of a conventional sidewalk. The equivalent cost of construction of a conventional sidewalk shall be defined as the City's average cost of constructing Portland cement concrete sidewalks by public bid during the two (2) calendar years prior to the year in which the variance request is submitted. Payment of the equivalent cost of a conventional sidewalk shall occur:

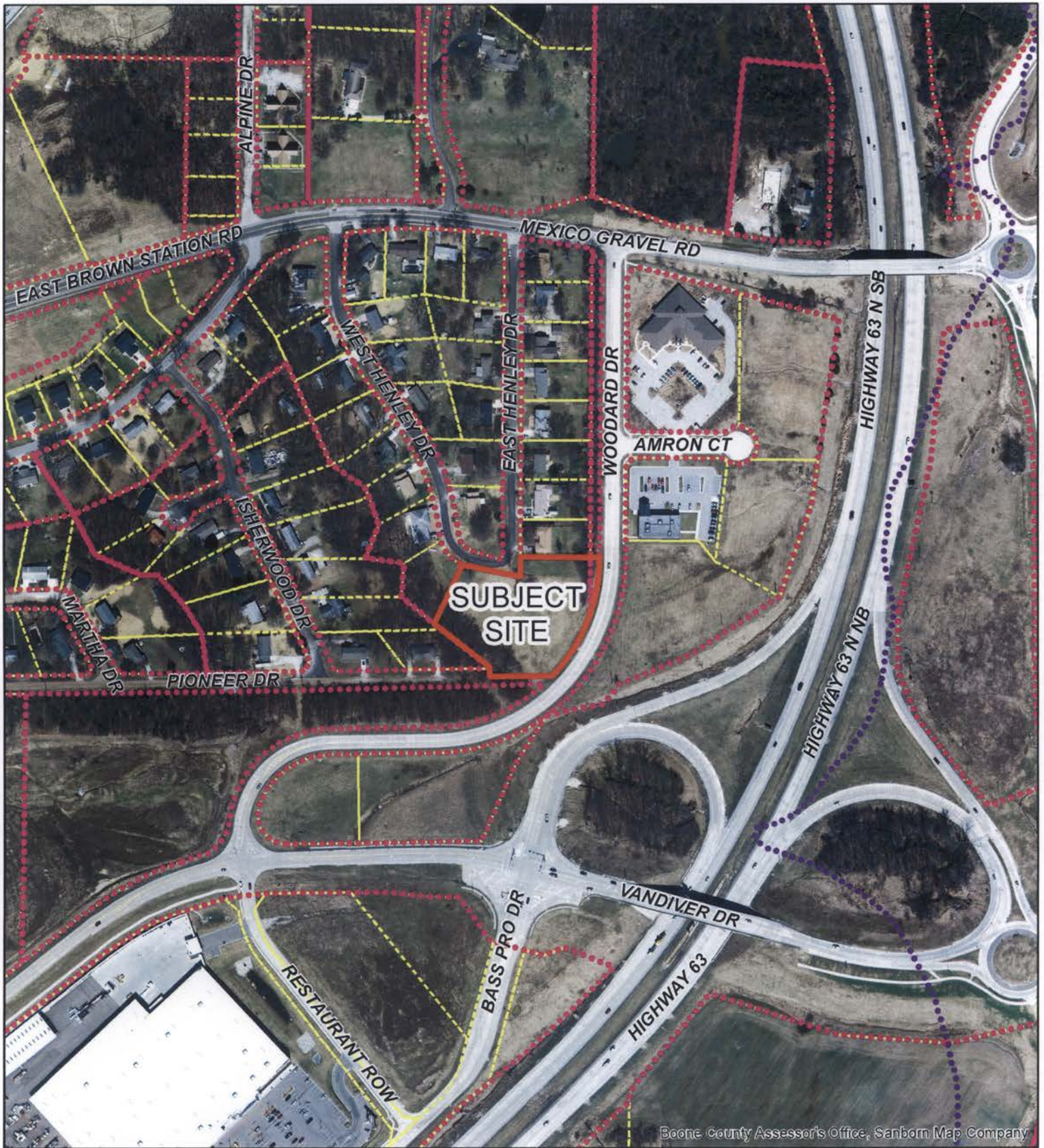
- a. Prior to approval of the first final plat when the variance is approved in connection with a preliminary plat
- b. Prior to issuance of the first building permit when approved with a final plat or planned development where no variance request has been made with the preliminary plat; or
- c. Prior to issuance of the certificate of occupancy when variance requests are approved on individual lots where final plats have been approved without variance request.

Each payment made under this section shall be used to construct a sidewalk along the unimproved street adjacent to the property for which the payment was made. The sidewalk shall be constructed when the street is constructed to City standards.

In all cases, when alternative walkways or payments are approved as fulfilling the subdivision requirements for construction of sidewalks, the action of Council shall be noted on a final plat of the properties affected. In cases where final plats have been previously approved, replatting may be required.

The grant of a variance to the subdivision regulations requirement for construction of a sidewalk shall not affect the power of the City Council to later install a sidewalk adjacent to the property and levy a special assessment against the property for construction of the sidewalk.





Boone County Assessor's Office, Sanborn Map Company



## 13-232: OHM Professional Offices O-P Plan, Rezoning, & Sidewalk Variance

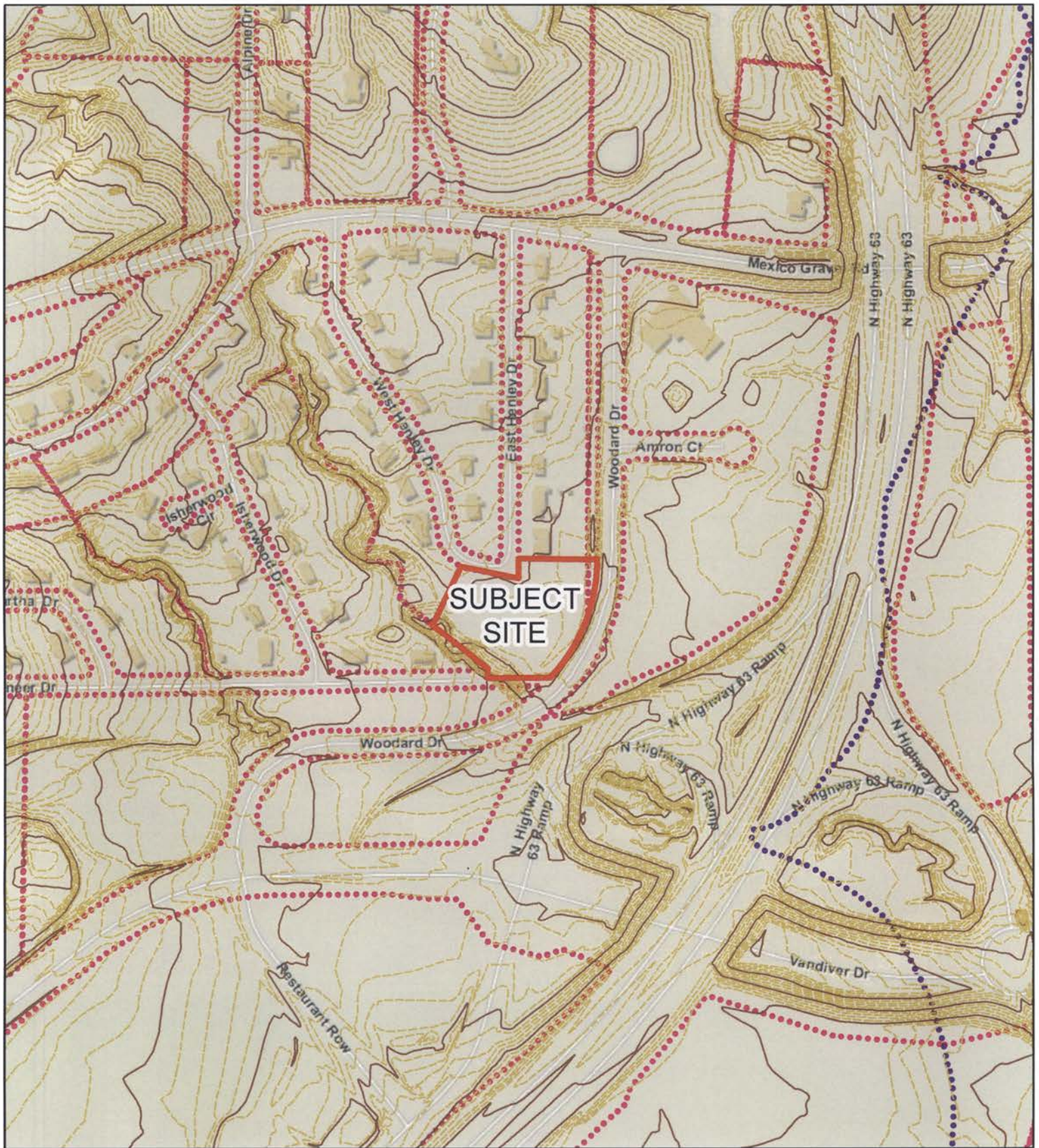
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Parcel Data Source: Boone County Assessor

Created by The City of Columbia - Community Development Department





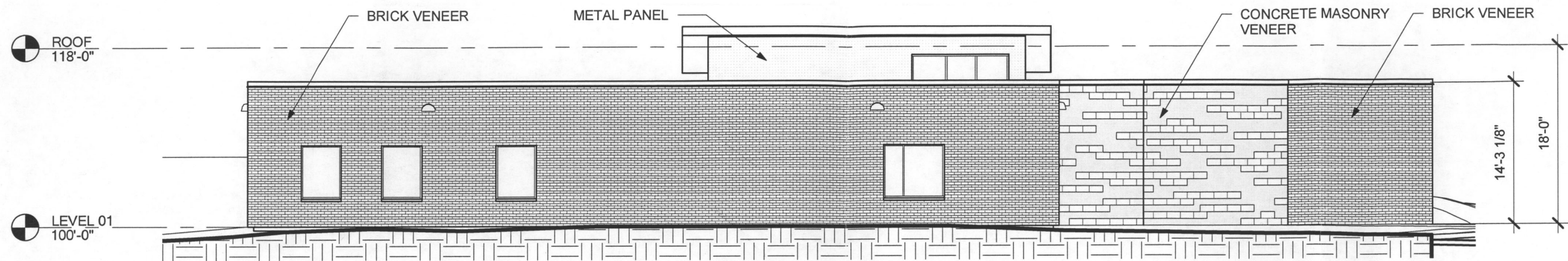
## 13-232: OHM Professional Offices O-P Plan, Rezoning, & Sidewalk Variance



Parcel Data Source: Boone County Assessor

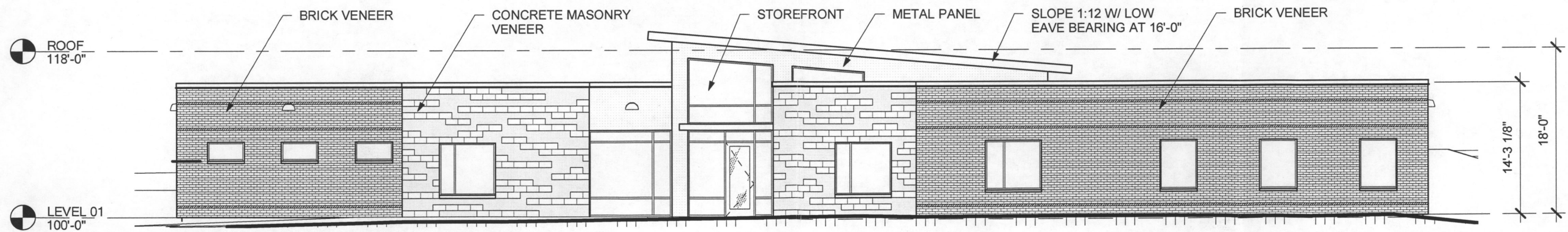
Created by The City of Columbia - Community Development Department





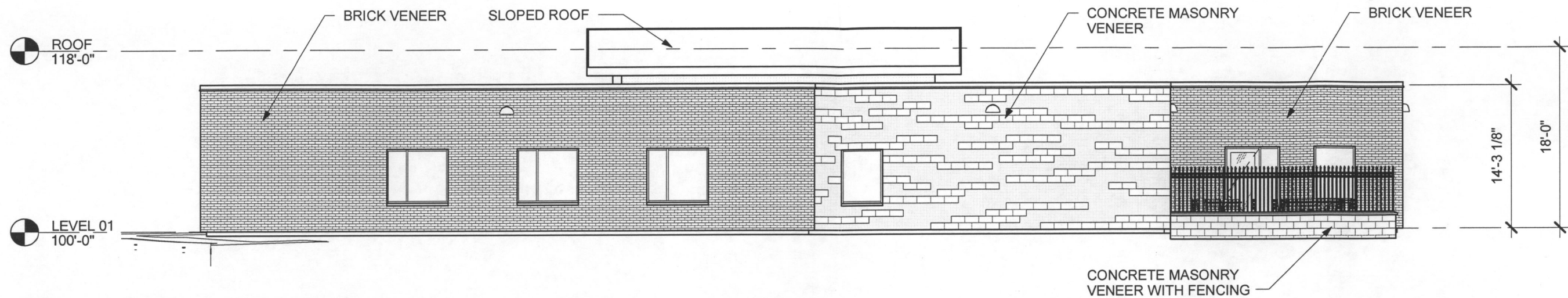
## 02 SOUTH ELEVATION

A201 A01 3/32" = 1'-0"



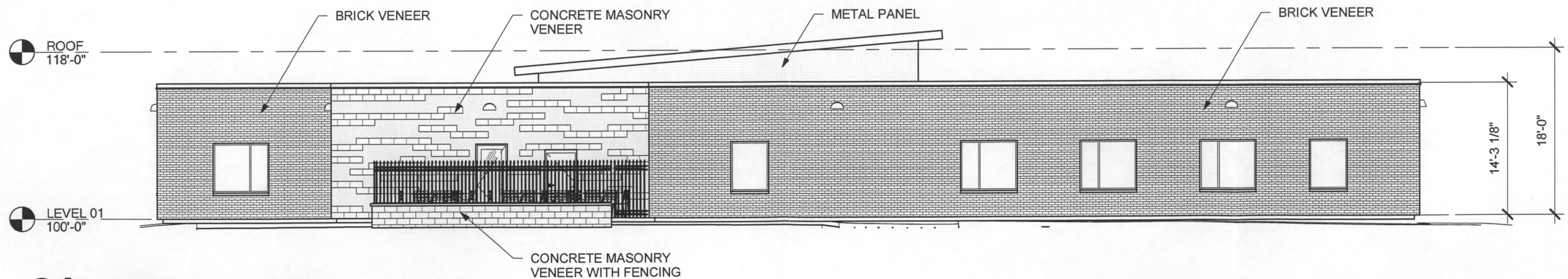
## 01 EAST ELEVATION

A201 A01 3/32" = 1'-0"



## 02 NORTH ELEVATION

A201 | A02 3/32" = 1'-0"



## 01 WEST ELEVATION

A201 | A02 3/32" = 1'-0"





OHM Holding LLC  
OHM Professional Offices

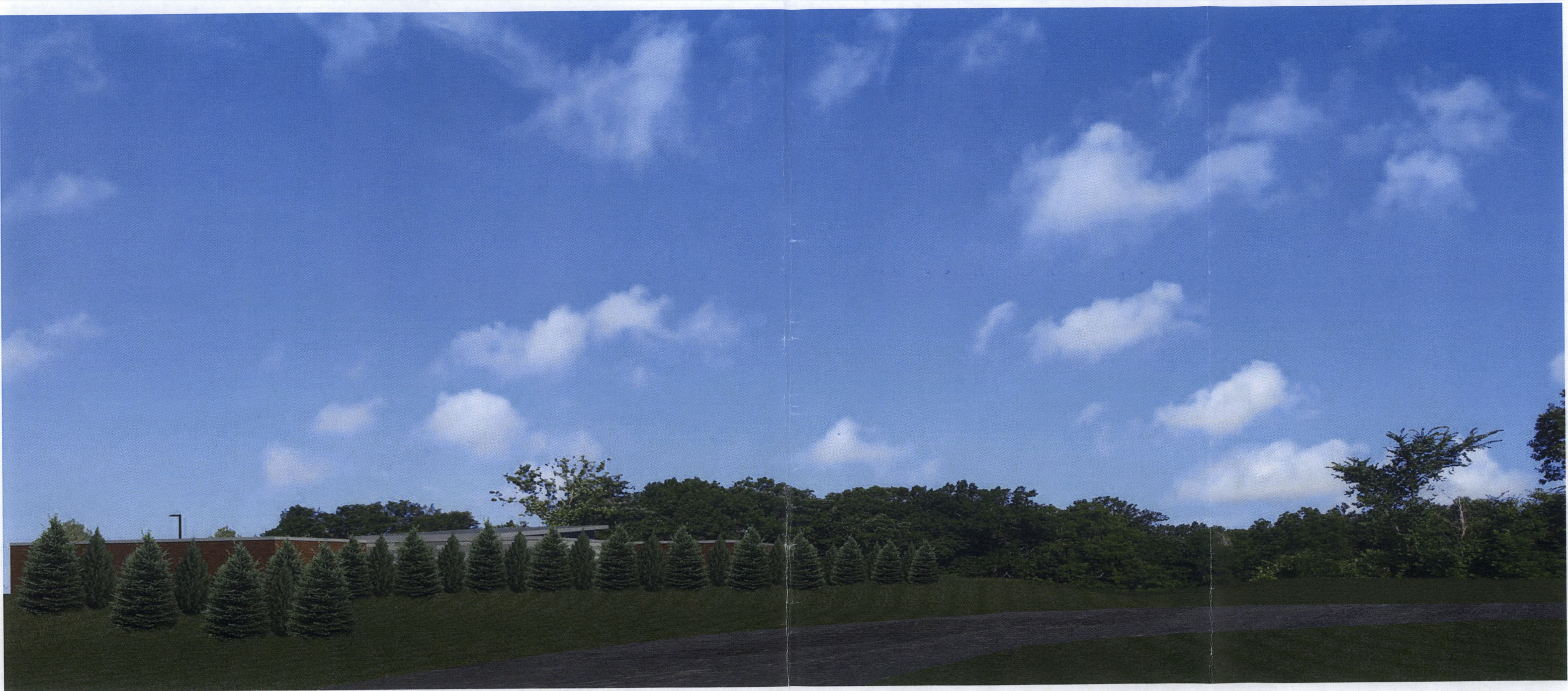
**EXHIBIT A3 - FRONT RENDERING**

Schematic Design  
11/11/2013

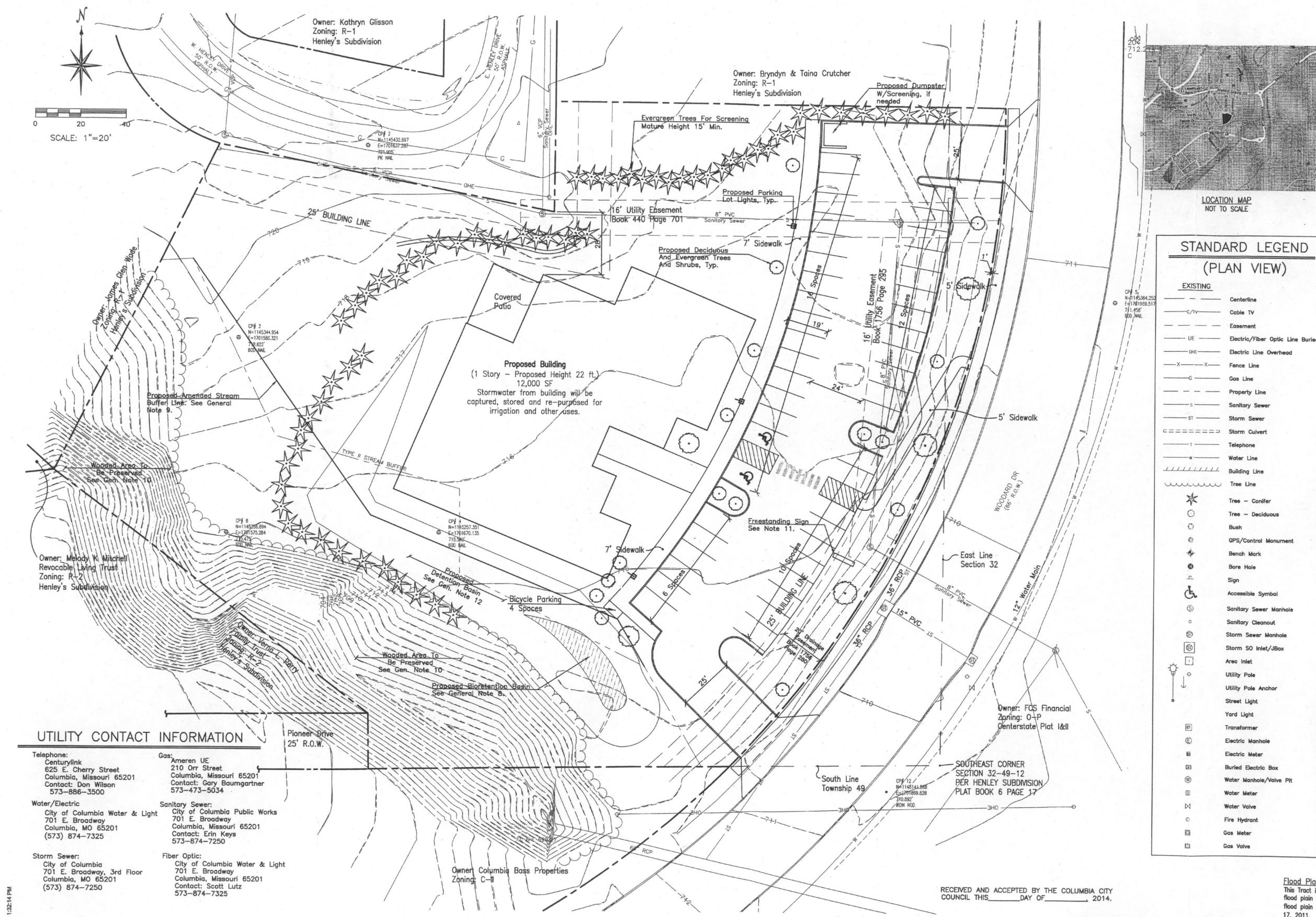
Scale:

**soa**  
Simon Oswald Architecture









### UTILITY CONTACT INFORMATION

**Telephone:**  
Centurylink  
625 E. Cherry Street  
Columbia, Missouri 65201  
Contact: Don Wilson  
573-886-3500

**Water/Electric:**  
City of Columbia Water & Light  
701 E. Broadway  
Columbia, MO 65201  
(573) 874-7325

**Storm Sewer:**  
City of Columbia  
701 E. Broadway, 3rd Floor  
Columbia, MO 65201  
(573) 874-7250

**Gas:**  
Ameren UE  
210 Orr Street  
Columbia, Missouri 65201  
Contact: Gary Baumgartner  
573-473-5034

**Sanitary Sewer:**  
City of Columbia Public Works  
701 E. Broadway  
Columbia, Missouri 65201  
Contact: Erin Keys  
573-874-7250

**Fiber Optic:**  
City of Columbia Water & Light  
701 E. Broadway  
Columbia, Missouri 65201  
Contact: Scott Lutz  
573-874-7325

### STANDARD LEGEND (PLAN VIEW)

EXISTING	
Centerline	—
Cable TV	—C/TV—
Easement	—UE—
Electric/Fiber Optic Line Buried	—DHE—
Electric Line Overhead	—X—X—X—
Fence Line	—G—
Gas Line	—S—
Property Line	—ST—
Sanitary Sewer	—
Storm Sewer	—
Storm Culvert	—
Telephone	—
Water Line	—
Building Line	—
Tree Line	—
Tree - Conifer	★
Tree - Deciduous	○
Bush	⊙
GPS/Control Monument	⊕
Bench Mark	⊕
Bore Hole	⊕
Sign	⊕
Accessible Symbol	♿
Sanitary Sewer Manhole	⊕
Sanitary Cleanout	⊕
Storm Sewer Manhole	⊕
Storm SO Inlet/JBox	⊕
Area Inlet	⊕
Utility Pole	⊕
Utility Pole Anchor	⊕
Street Light	⊕
Yard Light	⊕
Transformer	⊕
Electric Manhole	⊕
Electric Meter	⊕
Buried Electric Box	⊕
Water Manhole/Valve Pit	⊕
Water Meter	⊕
Water Valve	⊕
Fire Hydrant	⊕
Gas Meter	⊕
Gas Valve	⊕

**SITE DATA**  
Zoning: Current: R-1  
Proposed: O-P  
Acreage: 2.13 acres  
Location: Located in the Southeast quarter of the Southeast quarter of section 32, township 49 North, Range 12 West, And the Southwest quarter of the Southwest quarter of section 33, Township 49 North, Range 12 West City of Columbia, Boone County Missouri.

**OWNER**  
United Bass ORE LLC  
PO Box 311  
Marysville, KS 66508

**LEGAL DESCRIPTION**  
Lot 1 Centerstate Plat 12 Recorded in Plat Book 43, Page 2, City of Columbia, Boone County, Missouri.

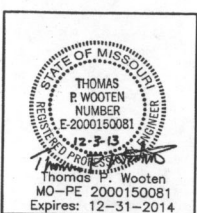
**GENERAL NOTES**  
1. Contractor shall verify existing condition and location of all utilities prior to construction. Contact Engineer with any discrepancies.  
2. Building size and dimensions are approximate. See Architect's plans for accurate dimensions. Maximum height shall be no greater than 22 feet.  
3. Tract is zoned R-1.  
4. All dimensions are from back of curb unless shown.  
5. Driveway approach and H.C. Ramps are to be constructed as per city of Columbia Standards.  
6. All slopes greater than 3:1 shall be stabilized as soon as general grading operations are complete. If vegetative cover can not be established prior to the onset of winter, an alternative method of stabilization shall be used until vegetative cover is established.  
7. Stormwater Plan and Landscape Plan as shown are Conceptual. Final Landscape Plan and Stormwater Management Plan will comply with all City Requirements.  
8. Proposed bioretention basin will have a bottom area of approximately 500 SF. Final sizing will include treatment of all impervious surface. Final landscape plan will contain plantings in bioretention basin complying with chapter 12-A and the City of Columbia stormwater design manual.  
9. An amendment to the existing type II stream buffer is proposed as shown on this plan. A replat of Lot 1 is being prepared concurrent with this plan to amend the stream buffer line.  
10. A Tree Preservation Plan exists for this site as prepared for the overall Centerstate development.  
11. Proposed sign will have a maximum square footage of 48 SF and a maximum height of 10 FL.  
12. Final Detention Basin design will comply with Chapter 12A and the City of Columbia Stormwater Management and Water Quality Manual. Design Storm: 100 Year.

**BENCHMARK DATA**  
Boone County Monument B0-04  
Elev. = 821.70

**PARKING DATA**  
Required:  
Office (1 space per 300SF)  
12,000 SF Proposed Building  
12,000 SF/300 Spaces per SF = 40 Vehicle Spaces Required;  
Bicycle space requirements:  
Req'd vehicle spaces = >10, <50  
Per Chapter 29-30(m)(1):  
4 bicycle spaces required  
Provided:  
42 Standard Vehicle spaces  
2 ADA Accessible Vehicle Spaces  
4 Bicycle Spaces  
Proposed Parking Ratio:  
12,000 SF/48 Spaces =  
1 Space per 250 SF

**Stream Buffer Statement**  
This Tract is not located within the 100-Year flood plain as shown by the city of Columbia flood plain map #29019C02850 Dated March 17, 2011.

**Stream Buffer Statement**  
There shall be no clearing, grading, construction or disturbance of vegetation except as specifically approved by the city.



Architecture  
Interior Design  
Planning  
Sustainability

**Columbia**  
700 Cherry Street  
Columbia, MO 65201  
573.443.1407

**St. Louis**  
4814 Washington Blvd  
St. Louis, MO 63108  
314.367.4762

www.soa-inc.com

Missouri Certificate of  
Authority Number: 000826



1901 Pennsylvania Dr.  
Columbia, MO 65202  
Phone (573) 814-1588  
Fax (573) 814-1128

MO Engr. Corp. No. 001454  
Exp. 12-31-2014  
MO Survey Corp. No. 2001020438  
Exp. 12-31-2013

## OHM Holding LLC OHM Professional Offices

Woodard Drive  
Columbia Missouri, 65202

ISSUE FOR Development  
November 11, 2013

REVISION	DATE
1	12-3-13

OP PLAN

# C101

SOA PROJECT 1317.1

If you must print this drawing, please re-scale.

RECEIVED AND ACCEPTED BY THE COLUMBIA CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

ROBERT McDAVID, MAYOR

SHEELA AMIN, CITY CLERK

APPROVED BY THE CITY OF COLUMBIA PLANNING & ZONING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

DR. RAMAN PURI, CHAIRMAN



Patrick Zenner <przenner@gocolumbiamo.com>

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**[Planning]: Objection to Sidewalk Variance**

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**Darwin Hindman** <dhindman@centurytel.net>  
To: Planning@gocolumbiamo.com

Wed, Dec 18, 2013 at 4:52 PM

**Darwin Hindman**  
**1223 Frances Drive**  
**Columbia, MO 65203-2317**

(573) 449-5227

dhindman@centurytel.net

December 18, 2013

Planning and Zoning Commission

Community Development Department

Via email: Planning@Gocolumbiamo.gov

Re: Case: 13-2323 – Objection to Sidewalk Variance

Dear Commissioners:

A conflict prevents me attending Thursday's meeting so I submit my thoughts by this letter.

As a nearby property owner (on Isherwood) and as a generally interested citizen, I request that you deny the requested sidewalk variance on Henley.

The requested rezoning will result in a major character changing intrusion on an established residential area that lacks sidewalks and pedestrian access. The lot's large frontage on Woodard Drive with O-P zoning on Woodard's East side may well justify the intrusion. The requested rezoning will, however, establish O-P zoning on both sides of Woodard making future rezoning requests along the West side of Woodard likely as the comparative values of lots with O-P zoning on Woodard to their values with the current R-1 zoning on Henley diverge. Any further O-P zoning on the East side of Woodard will necessarily back up to Henley.

Additional O-P on the East Side of Woodard extending to Henley may, in the long run, be beneficial to the community, but it will increase the need for sidewalks along Henley.

Assuming that the Commission grants the rezoning request, the residents on Henley will have an office building backing up to near Henley and the building and its parking lot will take up most of the buildable portion of the lot. The office building will fit in well with the developments already on Woodard and others that likely will be developed, but the residents on Henley will not have pedestrian access to them.

The idea of a walkway from Henley to Woodard is a good one, but as I look at the drawings they appear to show little space for it. The building comes very close to the north line of the property and the terrain drops off in a steep gradient to the South of the building.

The city should require sidewalks with all new development, particularly office and commercial where at all possible. The argument that the sidewalk goes nowhere is a self fulfilling prophesy, because if there is no sidewalk built on Henley with this project, the developer of the next project (assuming there will be one) will point that out to justify a variance.

I urge you to accept the staff recommendation and deny the requested sidewalk variance.

Sincerely,

Darwin Hindman

**EXCERPTS**  
**PLANNING AND ZONING COMMISSION**  
**DECEMBER 19, 2013**

**Case No. 13-232**

A request by United Bass Ore, LLC (owner) to rezone 2.13 acres of land from R-1 (One-Family Dwelling) to O-P (Planned Office), and for approval of a development plan to be known as OHM Professional Offices. The application includes a requested variance from Section 25-48.1 so that no sidewalk shall be required to be constructed along the site's Henley Drive frontage. The subject site is located on the west side of Woodard Drive, approximately 800 feet south of Mexico Gravel Road.

DR. PURI: May we have a staff report, please.

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

- Approval of the proposed rezoning and O-P development plan
- Denial of the proposed sidewalk variance from Section 25-48.1

DR. PURI: Commissioners, any questions of Mr. Zenner? I see no one. We'll open the public hearing on this item.

**PUBLIC HEARING OPENED**

DR. PURI: Please come up to the podium and state your name and address.

MS. HEDRICK: My name is Jennifer Hedrick. My residential address is 2006 Surrey Court, Columbia. I am representing OHM Holdings LLC, myself, my partner Bill Oswald -- Harpos, owners of the Limited Liability Company as well as SOA -- Simon Oswald Architecture firm, which will be tenant and resident of said proposed office building. So my purpose here tonight is to obviously answer any questions or concerns with regards specifically to the rezoning and the plan itself. And then probably more specifically, the latter part of the information with regard to the denial of the variance for sidewalk -- or proposed denial. With that I am going to go ahead and just pull up a couple of PowerPoints here. Bear with me. I just want to explain a little about how we arrived at the plan that we arrived at. When we started considering this property for development, we understood that there had been a couple of other proposed developments for this property that the neighborhood association was not in favor of it and not in support of. We recognize therefore that we really need to address any of their concerns. We went directly to them, met with them, had a very productive meeting with them and based our site development and designs very specifically on a collaborative effort that we had with them to make sure that we were developing this piece of property in such a manner that maintained the aspects of their neighborhood that they appreciated and that they felt were of the best use of their neighborhood. And in ways -- and also developing the property in ways that actually gave back to them so that again we had a win-win situation and very collaborative and

thoughtful approach to the whole process. There were four key elements basically that we discussed with them with regard to their concerns. The first one is that during the Center State Development, they felt like they were exposed to the commercial traffic noise -- everything associated with Center State -- so they were anxious to have some type of buffer put back in this property. So again, we've proposed a development that basically makes sure that we've given them the appropriate landscape screenings so that again they have that buffer back. The other component -- I want to move to another slide here -- this illustrates pretty accurately -- this is the Crutchers to the north and this is their property line. This is kind of where that proposed sidewalk would be. When we met with the Crutchers, you can see that they have for years mowed this side yard here. It's their side yard. It's like their backyard. They play there -- they have children, and that sort of thing. They were concerned about us encroaching on their kind of side yard area. And then the Wades to the west here have done the same thing. You can see where they mow. So our thoughts on all of this was if we could find a way that we could develop this site, still maintain some of that open green space, but for the space allow the Crutchers use of the side, so that basically we're having the least amount of impact as possible, that it could be a win-win situation. So based on all of those discussions with the neighborhood -- and the other strong concern that they had was making sure that there was no increased traffic to their neighborhood. So our interpretation of that of course is vehicular traffic, as well as pedestrian traffic, that would cut through that area. So based on all of those concerns, we listened to them, we worked with them, we worked through some options, and this is the site that we came up with again to make sure that it was win-win. And you can see what happens when we introduce that sidewalk along the north boundary line there. It basically takes away from the Crutchers. It exposes their property right now, and basically it potentially increases level of traffic -- pedestrian traffic through the neighborhood that the neighborhood was opposed to. So on behalf of the neighborhood as well -- because we would be a part of that neighborhood, we felt strongly that we need to be as committed to our efforts as we were when we met with them and make good on the commitments that we made to them.

DR. PURI: Commissioners, any questions of the speaker? Mr. Wheeler?

MR. WHEELER: Are there any grading issues here on where they're asking for the sidewalk?

MS. HEDRICK: No.

MR. WHEELER: Okay.

MS. HEDRICK: I don't believe there are any grading issues.

MR. WHEELER: Is there any reason that the parking lot couldn't be shifted? But -- I'm looking at this map. Is there any reason that parking lot couldn't be shifted to the left just a little bit?

MS. HEDRICK: Let me go to one more slide.

MR. WHEELER: So the grading would get --

MS. HEDRICK: We have a little pinch point down there at the bottom where the driveway comes out near the south corner -- southeast corner there. Basically, we have 44 parking spaces, and that's the -- roughly the required number. We probably have a couple of additional, but --

MR. WHEELER: Okay. Thank you.

DR. PURI: Ms. Loe?

MS. LOE: Is there any reason the sidewalk couldn't follow the line of the proposed buffer?

MS. HEDRICK: I think just basically that it's a pretty long route to go that direction, and it kind of cuts through the -- again, the other property owner there -- the Wade's to the west side. Here -- right now, they're -- it's hard to see on all of these, but basically, there's a -- where they mow there. And again, we were just trying to keep it green, keep it open, have as little impact as possible so the minute that we put that sidewalk in there we're just introducing additional obstruction there.

MS. LOE: But it could be moved a little bit further south to go along the buffer so we're not encroaching on the Crutchfields [sic]. Is that --

MS. HEDRICK: I think that we would just have to have clarification from the City on exactly on what is allowed within the stream buffer. And that particular area of site development is where we --

MS. LOE: I didn't mean stream, I meant the buffer you're creating with the trees.

MS. HEDRICK: Oh.

MS. LOE: I'm sorry. If you go back to the slide -- well, go back to the sidewalk one. There. And you see the trees that you've drawn in just south of the sidewalk. Is there any reason we can't loop the sidewalk south. Correct?

MS. HEDRICK: Back through here?

MS. LOE: Right.

MS. HEDRICK: Okay.

MS. LOE: And give the Crutchers back their side yard.

MS. HEDRICK: I think grading wise that there wouldn't be any challenges with that. No.

DR. PURI: I have a question for you. Why is there no sidewalk on the front side on Woodard Drive?

MS. HEDRICK: There is a sidewalk. It's kind of hard -- this particular drawing doesn't show it very well. It is along there. Right here.

MR. STANTON: Five foot --

MS. HEDRICK: It's right on the other side of the red property line. And then here's the connection from Woodard sidewalk --

DR. PURI: And it goes the full length of your front property?

MS. HEDRICK: Uh-huh. Yes. We would have no concerns with the sidewalk along Woodard.

DR. PURI: Any other questions, Commissioners? All right. I see none. Thank you. Next speaker, please. Please state your name and address.

MR. KEMBLE: My name is Nile Kemble. I live at 3000 East Henley. I am the President of the Mexico Gravel Neighborhood Association. I'm here tonight to give my support for both the rezoning of the property, as well as the sidewalk variance. My reason -- or our reason, we met with OHM and as has been discussed, they were very willing to work with us. And along with the sidewalk variance, my reason is that if you put the sidewalk on East Henley as was mentioned, there are no other sidewalks on either East Henley or West Henley. So we would have a sidewalk to nowhere. We've got one of those already along Mexico Gravel just north of the Methodist Church. And again, if we put the sidewalk on the -- along the buffer to Woodard Drive, at this point in time there are no sidewalks on the west side of Woodard Drive, so that sidewalk would require them to cross Woodard Drive to get to the rest of the sidewalk. There will never be, as far as I can tell -- unless somebody buys all the property along East Henley and changes that around -- sidewalks on the west side of West -- or East -- West Woodard. Sorry. Or, for that matter, once you've gone past their frontage, due to the creek and the spacing, I doubt there will ever be development there that will require a sidewalk to be built past their property going west. So we are also in support of the sidewalk variance.

DR. PURI: Commissioners, any questions of the speaker? Seeing none. Thank you, sir. Anybody else wishing to speak for or against? Seeing no one. Close public hearing.

#### **PUBLIC HEARING CLOSED**

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

MR. WHEELER: Mr. Zenner?

MR. ZENNER: Yes, sir?

MR. WHEELER: If you could pull up that map -- or if you have something to show this sidewalk. Is there any reason why that sidewalk couldn't connect to their parking lot?

MR. ZENNER: You're talking about the sidewalk that is here?

MR. WHEELER: Here. Yeah. That's a good picture -- as good as any.

MR. ZENNER: This one here?

MR. WHEELER: No. This one in the back that the City is proposing.

MR. ZENNER: This back here?

MR. WHEELER: Yes.

MR. ZENNER: There is no reason that it can't -- to what we have assessed based on the project. I believe what Ms. Loe has suggested of following the existing buffer to preserve what the adjacent property to the North has enjoyed is an alternative that Mr. MacIntyre probably would have been looking at as an option. Obviously, you don't want the sidewalk if -- there's two things that need to be said here. The request would be to allow for an alternative sidewalk. That doesn't necessarily mean that we would expect to have sidewalks placed all along what would be the Henley Street frontage. We would want connection, obviously, that would come to connect back with the road, so we're not looking for a sidewalk along this full area. I think what we would be more or less interested



in is making sure that you have the ability to go from the travel way of Henley back out to the travel way of Woodard. What is shown on this plan actually -- and it may be just a mistake in the way of drafting -- the sidewalk requirements would be along the entire Woodard frontage, which is here. So what you're seeing here -- and then this is a sidewalk that comes -- obviously, it looks like its following grade back over here to their crosswalk area. There's nothing to say though that the sidewalk could not come from here as an alternative, connect to the sidewalk at the front of the curb line, and come down instead of having to cross over the parking lot to get back out to the public road right-of-way. That however takes public pedestrian traffic internal to a private development site, which may obviously create other issues. However, as an alternative, that would better meet having a sidewalk than not having one at all. Obviously, that's, you know, Simon Oswald's choice if they were wanting that or they could take it all the way out to the Woodard frontage.

MR. WHEELER: So no regulatory reason that it couldn't just connect to the parking lot instead of going all the way to the street?

MR. ZENNER: No.

MR. WHEELER: The sidewalk --

MR. ZENNER: None that I -- none that I'm aware of. I think -- and that's again within the purview of how the Commission would like to look at the waiver.

MR. WHEELER: Okay. Thank you.

DR. PURI: Any other discussion, Commissioners? Mr. Reichlin?

MR. REICHLIN: I would suggest that Staff wants to have the opportunity to hash this out a little further with the applicant and perhaps our granting of the variance at this point in time might keep that from happening. And one way or the other, this matter is going to be presented to Council, and the same waiver can be considered at that time. So from that point of view, I would support opposing the variance. Wait, let me see if I said that right. I would not support the variance in order that Staff could maintain that opportunity to continue that discussion.

DR. PURI: Mr. Wheeler?

MR. WHEELER: Yeah. I just want to throw this, because I'm not -- I don't disagree with Mr. Reichlin's take on this. You know, City Council is going to take this up anyway, so -- but just as an alternative, I was thinking -- where I was going with my questioning of Mr. Zenner would be a sidewalk coming along the north side of the proposed vegetative screen buffering, and then there be a little tighter bend in that -- instead of it gently going north, it would have a little tighter bend in it. Just simply cut through that vegetative buffer, and connect up to the parking lot. It's about half the length of what the City is proposing. I generally do support these, but I do see why the City would be looking for a connection. I would not support sidewalks along Henley. If that was what we were debating, I would definitely support the variance. But this connection makes sense if we can figure out something that works for the City and works for the applicant. I think that's a pretty reasonable alternative.

DR. PURI: Well, I'll chime in here, if I could. I think that dictating sidewalks, you know, on the areas that, you know, normally would not get sidewalks between two adjacent owner properties is not a great idea. And I think that the neighborhood association already wants to protect their neighborhood. You guys are trying to propose a sidewalk that connects a main sidewalk -- a main one on Woodard -- back into a private area -- like housing area, which is a safety issue in its own as far as connecting the main road traffic back to the Henley Street traffic. I think a sidewalk along Woodard Lane is fine because across the street you have another development. They have sidewalks along Woodard Lane that could be eventually some, you know, pedestrian traffic in front of the office building. But telling people to put a sidewalk next to their buffer zone and so its next to their trees, I mean, it is a big liability risk where people walk on sidewalks during this time of year. When you have snow and ice, you have to clean those sidewalks so people can walk on them and then it's not a liability. The City does not clean them. The other issue is that whenever you do a sidewalk in such an area, there has to be an easement that you have to have on top of the property so people can -- you can have that sidewalk. There are many practical issues that are here. It is very easy to draw a sidewalk on the map and say connecting from point A to point B because this is in lieu of the sidewalk on the backside. I think that Henley does not have any existing sidewalks back there. The neighborhood association didn't support of -- not having a sidewalk along this development, just so we can make a point that we should support a sidewalk because in the future some developer might come in. Even the letter that we received today in support of, you know, not granting this variance, doesn't take into account the fact that we're proposing a sidewalk which is an alternative sidewalk that is between two property owner's properties. It's not along a roadway. And sometimes this is done and in certain areas to interconnect one side of a pedestrian way to the other side of the pedestrian way, but I do not think that this is an appropriate use of this, you know, connecting sidewalk. I would support this with a sidewalk variance. I would support it with sidewalk only on Woodard Lane and maintain the stream buffer between the houses and keep the natural, you know, effect of the neighborhood. And the neighborhood has agreed to that. The association is supportive of that. So I would support as that. Those are my two cents. Anybody else? Seeing no one. Any form of motion?

MR. WHEELER: I would recommend approval as requested with the variance and the site development -- or the development plan. Sorry. I am stumbling here. Approval of Development Plan and R-1 to O-P zoning with the requested variance to Section 25-48.1.

DR. PURI: I would second that. Roll call, please.

MR. STRODTMAN: Let me catch up here. Just a second.

DR. PURI: Take your time, Mr. Secretary.

MR. TILLOTSON: Prior to the roll call, can we give just a clarification?

DR. PURI: Yes you can. Uh-huh.

MR. TILLOTSON: So you're amending that -- you're wanting to approve this with the variance?

MR. WHEELER: Yes.

MR. STRODTMAN: A motion has been made and seconded for Item No. 13-232, A request by United Bass Ore, LLC to rezone 2.13 acres of R-1 to O-P to be known as OHM Professional Offices, west side of Woodard Drive south of Mexico Gravel Road. A Motion has been made for approval of the development plan and approval of the rezoning with the variance of the sidewalk. Is that correct?

**Roll Call Vote (Voting “yes” is to recommend approval.) Voting Yes: Mr. Reichlin, Mr. Wheeler, Mr. Stanton, Dr. Puri. Voting No: Mr. Tillotson, Mr. Strodtman, Ms. Loe. Motion carries 4-3.**

MR. STANTON: Four to three in favor of the motion.

DR. PURI: All right. Motion carries.