City of Columbia

701 East Broadway, Columbia, Missouri 65201

Agenda Item Number: B 187-14
Department Source: Community Development - Planning
To: City Council
From: City Manager & Staff
Council Meeting Date: July 7, 2014
Re: The Gates Plat 2 - Annexation, Permanent Zoning (Case #14-80)

Documents Included With This Agenda Item

Council Memo, Resolution/Ordiance, Exhibits to Ordinance
Supporting documentation includes: Summary of Board/Commission Reports (including maps, Statement of Intent, zoning exhibits, preliminary plat, variance request, plat of survey), Excerpts from Minutes

Executive Summary

A request by Tim Crockett, Crockett Engineering (agent) to annex 131.19 acres into the City of Columbia and apply R-1 (One-Family Dwelling District) and PUD-4 (Planned Unit Development) as permanent zoning. The subject site is located at the southeast corner of the intersection of Route K and Old Plank Road. (Case #14-80)

Discussion

The applicant is requesting the annexation of 131.19 acres into the City of Columbia and permanent zoning of R-1 (One-Family Dwelling District) and PUD-4 (Planned Unit Development) for portions of the property. The subject property is contiguous with the City's municipal boundary to north and west. A request seeking approval of the preliminary plat involving the subject site will be considered by the City Council at its July 21 meeting.

The site is currently unimproved and vacant, and the majority of the property is tree covered. The County zoning is A-2 (Agriculture) and is consistent with the zoning of other County property to the east and the south. The applicant is requesting to rezone the property upon to R-1 (One-Family Dwelling District) and PUD-4 (Planned Unit Development). The proposed residential zoning is consistent with existing City zoning to the north and west of the subject property.

The R-1 area would include the majority of the property (128.16 acres) and the PUD-4 would be located on approximately 3 acres at the property's northwest corner. The PUD-4 would permit up to 4 dwelling units per acre, which would allow a maximum of 12 dwelling units, and is proposed to allow all R-3 District uses. A PUD development plan that includes additional details must be submitted in the future prior to development.

Currently, the property receives water service from Consolidated Public Water Supply (CPWSD) District #1, electric service from Boone County Electric Cooperative, and fire protection from the Boone County Fire Protection District. Upon annexation the property would be served by the Columbia

Fire Department per the territorial agreement. Water and electric utility providers would remain unchanged.

The property is located outside of the urban service area (USA) as indicated in Columbia Imagined; however, the tract is between two properties that are currently within the USA. The subject property is within the Cascades pump station service area which was designed to accommodate sanitary flow from the subject site. Annexation of the subject property would be a natural and orderly addition to the area currently served by City services.

The forthcoming request for preliminary plat approval identifies and provides for dedication of additional right-of-way and easement along Route K, Old Plank Road, and High Point Lane needed to accommodate planned and future roadway construction in the area. The Capital Improvement Program (CIP) identifies the realignment of the intersection of Sinclair-Old Plank Road and Route K as one of the improvements for which the additional right of way is needed. The dedications will be by separate document submitted concurrently with the requested approval of the preliminary plat.

At its meeting on June 5, 2014, the Planning and Zoning Commission voted unanimously (8-0) to recommend approval of the proposed permanent zoning. The applicant's agent was present and gave an overview of the request. Commissioners discussed the use of the common lots and access to the development. Two individuals spoke during the public hearing, one with concerns regarding street lighting on High Point Lane, and the other had no concerns.

A copy of the staff report (including locator maps, Statement of Intent, zoning exhibits, preliminary plat, variance request, and plat of survey) is attached, as are the excerpts from the meeting's minutes.

Fiscal Impact

Short-Term Impact: None

Long-Term Impact: Anticipated long-term costs include public infrastructure maintenance (e.g roads and sewer) and demands for services (e.g. public safety). Once residential development begins, the City of Columbia will receive additional tax and fee revenues for maintenance of infrastructure and services provided.

The CIP identifies the intersection of Sinclair-Old Plank & Route K for improvement within 6-10 years. At this time, all roadways bordering the subject property are under the jurisdiction of other governmental bodies; however, the City may in the future be responsible for their construction/maintenance. In the event additional properties along Old Plank Road, Route K, and High Point Lane are considered for annexation, the costs of roadway construction/maintenance and possibly additional infrastructure investments may be weighed against the benefits of additional revenues. No additional requests for annexation in the area are under review at this time.

City of Columbia

701 East Broadway, Columbia, Missouri 65201

Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Development
Strategic Plan Impact: Not Applicable
Comprehensive Plan Impact: Land Use & Growth Management

Suggested Council Action

Approval of the proposed permanent zoning of R-1 and PUD-4 as recommended by Planning and Zoning Commission.

Legislative History

None.

Department Approved

City Manager Approved

Introduced by _____

First Reading _____ Second Reading _____

Ordinance No. _____ Council Bill No. _____B 187-14_____

AN ORDINANCE

extending the corporate limits of the City of Columbia, Missouri, by annexing property located on the southeast corner of Route K and Old Plank Road; directing the City Clerk to give notice of the annexation; placing the property annexed in District R-1 and District PUD-4; setting forth a condition for approval; approving the statement of intent; 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 finds that a verified petition was filed with the City on June 10, 2014, requesting the annexation of land which is contiguous and compact to the existing corporate limits of the City and which is described in Section 4 of this ordinance. The petition was signed by John and Susan Williamson, husband and wife, the sole owner(s) of the fee interest of record in the land proposed to be annexed. A public hearing was held concerning this matter on July 7, 2014. Notice of this hearing was published more than seven days prior to the hearing in a newspaper of general circulation qualified to publish legal matters. At the public hearing all interested persons, corporations and political subdivisions were permitted to present evidence regarding the proposed annexation.

SECTION 2. The Council determines that the annexation is reasonable and necessary to the proper development of the City and that the City has the ability to furnish normal municipal services to the area to be annexed within a reasonable time.

SECTION 3. The Council determines that no written objection to the proposed annexation has been filed within fourteen days after the public hearing.

SECTION 4. The City Council hereby extends the city limits by annexing the land described in Section 1-11.__ **[number to be assigned by the City Clerk]** of the Code of Ordinances of the City of Columbia, Missouri, which is hereby added to Chapter 1 of the City Code and which reads as follows:

Section 1-11.__ **[number to be assigned by the City Clerk]**. July, 2014 Extension of Corporate Limits.

The corporate limits of the City of Columbia shall include the following land:

A TRACT OF LAND LOCATED IN SECTION 10, TOWNSHIP 47 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING DESCRIBED BY THE QUIT-CLAIM DEED RECORDED IN BOOK 968, PAGE 34 AND BEING SHOWN BY THE SURVEY RECORDED IN BOOK 2404, PAGE 56 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF TRACT 2 OF THE SURVEY RECORDED IN BOOK 2404, PAGE 56 AND CONTAINING 131.19 ACRES.

SECTION 5. The City Clerk is hereby authorized and directed to cause three certified copies of this ordinance to be filed with the Clerk of Boone County, Missouri and three certified copies with the Assessor of Boone County, Missouri. The City Clerk is further authorized and directed to forward to the Missouri Department of Revenue, by registered or certified mail, a certified copy of this ordinance and a map of the City clearly showing the area annexed to the City.

SECTION 6. The property described in Section 4 is in the Fifth Ward.

SECTION 7. The Zoning District Map established and adopted by Section 29-4 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended so that approximately 128.16 acres of the property described in Section 4 will be zoned and become a part of District R-1 (One-Family Dwelling District) and approximately 3.0 acres located on the northwest corner of the tract will be zoned and become a part of District PUD-4 (Planned Unit Development) with a development density not exceeding four dwelling units per acre. Hereafter the property zoned PUD-4 may be used for all permitted uses in District R-3 (Medium Density Multiple-Family Dwelling District).

SECTION 8. The PUD-4 zoning established for the property referenced in Section 7 above, is subject to the condition that the sidewalk along the south side of Route K, east of the PUD zoned property to the shared boundary of Oak Park Plat 2, shall be constructed concurrently with the sidewalk on the PUD zoned property.

SECTION 9. The City Council hereby approves the terms and conditions contained in the statement of intent dated April 28, 2014, attached hereto in substantially the same form as “Exhibit A” and made a part of this ordinance. The statement of intent shall be binding on the owners until such time as the Council shall release such limitations and conditions on the use of the property.

SECTION 10. 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

Exhibit A

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

Statement of Intent Worksheet

For office use:

Case #:	Submission Date:	Planner Assigned:
14-80	4.28.78	Smith

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

1. The uses proposed.
   All allowed uses in District R-3
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.
   Dwellings shall be single-family detached, single-family attached, two-family, and multi-family. Maximum density
3. The maximum building height proposed.
   35'
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.
   5% existing vegetation
   15% landscaping Total: 20%

The following items only apply to PUD zoning requests:

5. The total number of parking spaces proposed and the parking ratio per dwelling unit.
   Parking shall conform to the City of Columbia Parking regulations.
6. Any amenities proposed, such as swimming pools, golf courses, tennis courts, hiking trails or club houses. Allowed amenities: Pool, clubhouse, shelter house.
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. Minimal building setbacks shall be 20' from right-of-way lines

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

Signature of Applicant or Agent — **Date** 4/28/14

City of Columbia
701 East Broadway, Columbia, Missouri 65201

SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

Summary of Board/Commission Reports (including maps, Statement of Intent, zoning exhibits, preliminary plat, variance request, plat of survey), Excerpts from Minutes

AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
June 5, 2014

SUMMARY

A request by Tim Crockett, Crockett Engineering (agent) to annex 130.76 acres into the City of Columbia and apply R-1 (One-Family Dwelling District) and PUD-4 (Planned Unit Development) as permanent zoning, to obtain approval of a 76-lot preliminary plat to be known as "The Gates Plat 2" and be granted a variance to Section 25-47 (Terminal Streets) regarding street length. The subject site is located at the southeast corner of the intersection of Route K and Old Plank Road. (Case #14-80)

DISCUSSION

The applicant is requesting permanent R-1 and PUD-4 zoning pending annexation of the subject property into the City of Columbia. The pending annexation will be considered by City Council at its July 7 meeting. In addition, the applicant is seeking approval of a preliminary plat that will include 66 buildable residential lots and 10 common lots as well as a variance to Section 25-47 of the subdivision regulations pertaining to the length of terminal streets. Discussion of each request is addressed below.

Annexation and Permanent Zoning
The site is currently unimproved and vacant, and the majority of the property is tree covered. The Little Bonne Femme Creek crosses through the southeast corner of the property and a tributary crosses the site from northwest to the southeast.

The current zoning is County A-2 (Agriculture), and the surrounding zoning is a mix of R-1 and County A-2 (Agriculture), which would be consistent with the requested zoning of R-1 for the majority of the property. Lot 300, located in the northwest corner of the property, would be rezoned to PUD-4, allowing up to four residential units per acre of land. This would permit no more than 12 dwelling units on the property. Per the preliminary plat, access to the PUD portion will be restricted to Old Plank Road and must be at least 200 feet from the intersection with Route K, which will allow for safe ingress and egress to the property given the proximity to the intersection of Route K and Old Plank Road.

The applicant has submitted a Statement of Intent (see attached) that will permit all uses in R-3 (Medium Density Multiple-family Dwelling District) on the PUD zoned property and includes a variety of dwelling options, ranging from single-family attached to multi-family. The proposed PUD site is encumbered with several development limitations and is considered a suitable candidate for the flexibility associated with a PUD. The 3-acre piece is removed from the larger R-1 development, separated by a stream that would require crossing to connect the two. In addition, a 66-foot gas easement runs through the center of the property, thus limiting the development of that area. The PUD will allow a more creative approach to the development of the property that will mitigate the challenges associated with the site.

Staff is recommending as a condition of approval for the PUD zoning, that the sidewalk shown on the plat to the east of the PUD be constructed concurrently with the sidewalk on the PUD property. This condition is recommended so no l gap in the sidewalk system is created between the PUD and the residential subdivision to the east, Oak Park Plat 2. The sidewalk gap property is part of a common lot (C1) of the preliminary plat that will not be required to install sidewalk until it is final platted. The applicant has agreed to the condition.

The entire site is located outside of the City's Urban Service Area (USA) as indicated in *Columbia Imagined*, which identifies areas that either already have access to, or will have access to the City's sanitary sewer system within the next five years, according to the Capital Improvement Program. However, the property is located directly adjacent to and in between two properties that are currently

within the USA, and the subject property would be a natural addition to the area served by City services.

The property is identified in Columbia Imagined as a "Neighborhood District", and the proposed land use is consistent with that designation. The proposed zoning is compatible with the surrounding City and County zoning and should not have a detrimental impact on adjacent properties.

Preliminary Plat, Variance

In addition to the annexation and permanent zoning request, the applicant is requesting a preliminary plat of subdivision for the approximately 131-acre subject property. The plat would include 66 buildable residential lots and 10 "common lots". The "common lots" will be the responsibility of the Home Owners Association at the time they take control of the properties, and several of the common lots will accommodate the subdivision's required stormwater management. Lot C1 is approximately 92 acres and includes a substantial amount of wooded property, flood plain, and the Little Bonne Femme Creek and its associated tributaries. As a note, the City and the property owner are currently in discussions regarding the acquisition of a portion of the property by the City for use as a park, which may be located generally along High Point Lane. At this time, because the issue is ongoing, the property is shown as a "common lot".

The subject property is contiguous with property currently within the City's municipal boundary to the north, where it is adjacent to the Oak Park Subdivision, and to the west, where it is adjacent to property preliminarily platted as The Gates Subdivision, through which it will obtain access by way of Old Plank Road. A portion of The Gates preliminary plat is under consideration for final approval; however, that portion would not connect to the subject property at this time. Additional portions of The Gates would have to be final platted to enable the development of the R-1 portion of the subject property, unless access is gained through the south connection.

The applicant is requesting approval of a variance to Section 25-47 of the Subdivision Regulations, which restricts a terminal street (i.e., cul-de-sac) to no more than 750 feet in length. The applicant has submitted that the topography of the property creates difficulties in the development of the property, and that the larger size of the lots, and thus fewer number of lots, would be appropriate in this situation. The subject property exhibits significant grade change, generally sloping severely downward to the east into the Little Bonne Femme river bottom. The two terminal streets that exceed the maximum length, Sella Court and Kirby Knowle Drive, are located along ridges that make their connection difficult. Although the streets could be shortened to comply with the requirement, in this situation the remaining property would not be able to be developed for residential purposes. Given the amount of "common" lot area being proposed, and the potential acquisition of part of the property for use as a public park, staff does not object to the requested variance, which would allow additional development on a portion of the property.

Staff is recommending as a condition of approval of the preliminary plat, that the applicant grant a 25-foot utility and access easement along the south side of Old Plank Road and Route K. It would be located in the same position as the existing 25-foot building line that is currently shown on the plat, and would be consistent with the same easement granted on The Gates preliminary plat. The easement would be utilized during future improvement of the roadway. The applicant has agreed to the condition.

It is worth noting that at the present time, between the proposed lots within The Gates preliminary plat, and the proposed Gates Plat 2 preliminary plat, there are more lots than could be final platted given there is only one access point into the subdivision, which is at Old Plank Road. Only 100 final platted lots are permitted with one access point to a City right of way, and in order to plat all lots within The Gates subdivision group, an additional access point is required to be constructed at some point in the future. This access has been granted on The Gates preliminary plat, and it will create a second entrance from Old Plank Road, further west than the primary access near the Route K intersection.

As part of the preliminary plat, additional right of way has been identified for dedication along Route K, Old Plank Road, and High Point Lane. Please reference the "Access" section at the end of this report for more information on roadway types and required right of way. In addition, per staff's recommendation, Common Lot D1 has been identified for dedication in the future if the City requires it for roadway expansion.

RECOMMENDATION

1. Approval of the proposed zoning to R-1 and PUD-4 upon annexation, subject to the condition that the sidewalk along the south side of Route K east of the PUD zoned property to the shared boundary of Oak Park Plat 2 be constructed concurrently with the sidewalk on the PUD zoned property.
2. Approval of the preliminary plat with associated variance to Section 25-47, subject to the condition that a 25-foot utility and access easement be granted along Route K and Old Plank Road.

SUPPORTING DOCUMENTS

Attachments

- Aerial and topographic maps
- Statement of Intent
- Zoning Exhibits
- Preliminary Plat
- Request for variance from applicant
- Plat of Survey

HISTORY

Annexation date	Annexation pending approval on June 21, 2014
Existing Zoning District	A-2 (Agricultural)
Land Use Plan designation	Neighborhood District
Previous Subdivision/Legal Lot Status	Not a legal lot; Land in limits

SITE CHARACTERISTICS

Area (acres)	130.76 acres
Topography	Higher elevations to the west, sloping generally to the east into floodway
Vegetation/Landscaping	Heavily wooded, some open area
Watershed/Drainage	Little Bonne Femme Creek
Existing structures	Sanitary sewer pump station

UTILITIES & SERVICES

Sanitary Sewer	City of Columbia
Water	Consolidated Public Water Supply District (CPWSD) #1
Fire Protection	Columbia Fire Department (upon annexation)
Electric	Boone Electric Cooperative

SURROUNDING ZONING/LAND USE

North	R-1 (One-Family Dwelling District)	Residential
South	County A-2 (Agriculture)	Vacant, Commercial
East	County A-2 (Agriculture)al)	Vacant
West	R-1 (One-Family Dwelling District)	Residential

ACCESS

Route K	
Location	North side of site
Major Roadway Plan	Minor Arterial requiring 100' ROW. Additional ROW being dedicated for 50' half width; 30' existing half-width ROW.
CIP projects	None

Old Plank Road	
Location	North side of site
Major Roadway Plan	Major Collector requiring 100' ROW for intersection improvements. Full 100' ROW being dedicated. Road currently maintained by Boone County.
CIP projects	None

High Point Lane	
Location	East side of site
Major Roadway Plan	Neighborhood Collector requiring 60' ROW. 30' of ROW being acquired for half width. Road currently maintained by Boone County.
CIP projects	None

PARKS & RECREATION

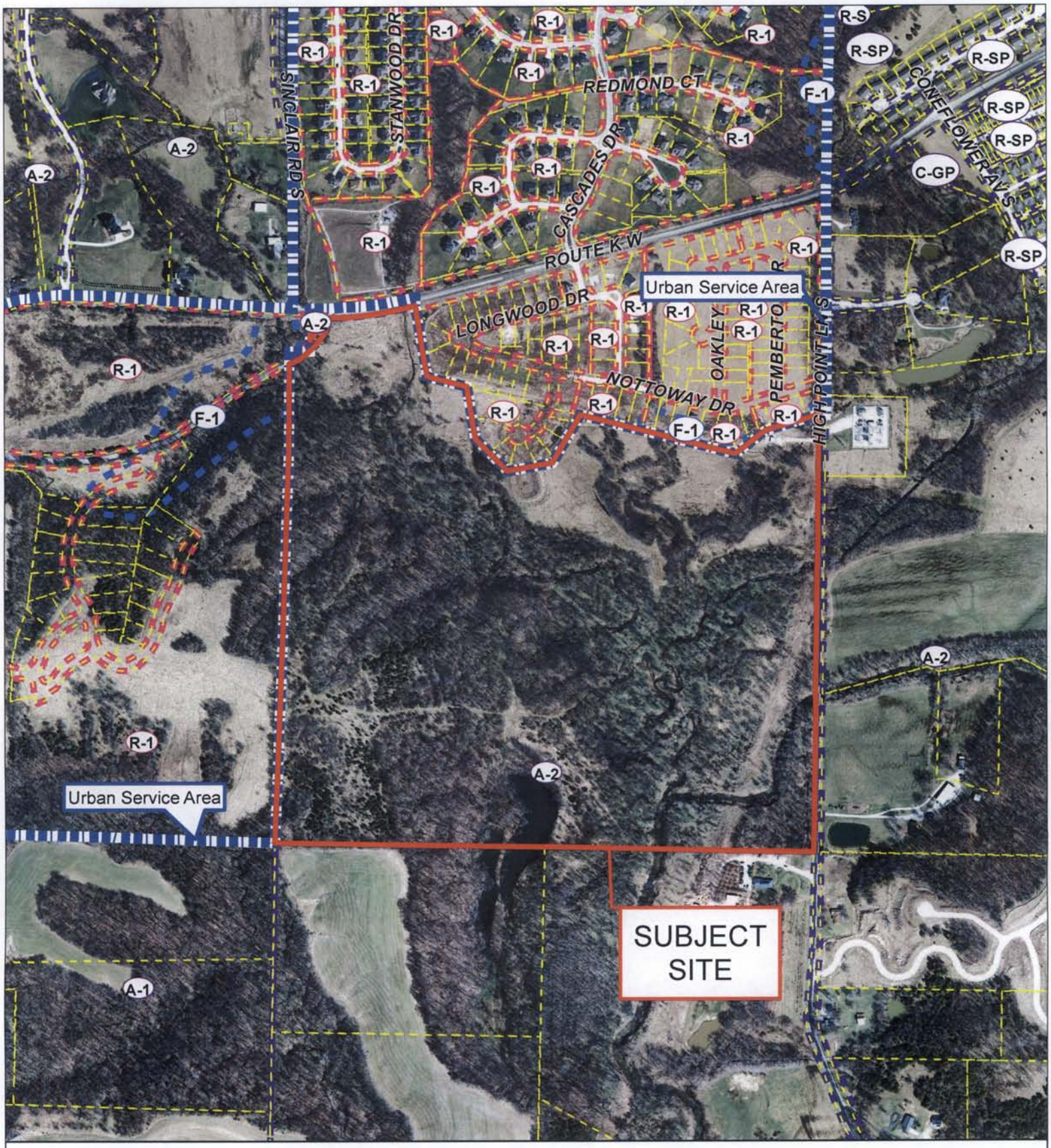
Neighborhood Parks	Within the Cascades Park service area.
Trails Plan	Proposed location of tertiary Little Bonne Femme Trail through southeast corner of property.
Bicycle/Pedestrian Plan	No facilities in the area.

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 May 13, 2014.

Public information meeting recap	Number of attendees: Three (including applicant and property owner) Comments/concerns: Questions regarding intersection improvements for Route K, Old Plank, and Sinclair
Neighborhood Association(s) notified	Cascades Homes Association; Cascades Neighborhood Association
Correspondence received	None

Report prepared by Clint Smith Approved by Patrick Zenner

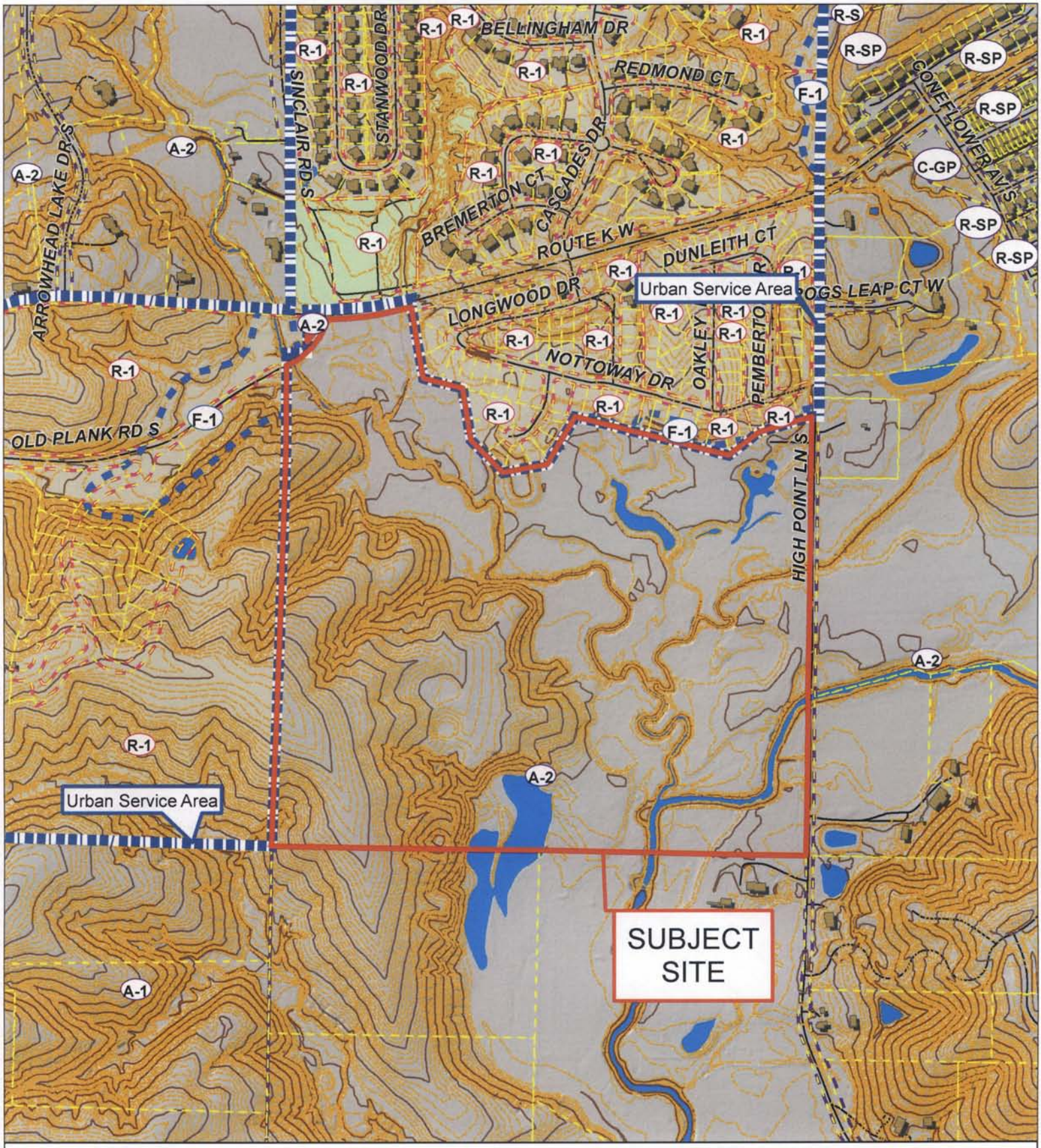


14-80: The Gates Plat 2
Annexation & Permanent Zoning

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

0 355 710 1,420
Feet

N



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Feet

N

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

Statement of Intent Worksheet

For office use:

Case #:	Submission Date:	Planner Assigned:
14-80	4.28.78	Smith

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

1. The uses proposed.
   All allowed uses in District R-3
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.
   Dwellings shall be single-family detached, single-family attached, two-family and multi-family. Maximum density
3. The maximum building height proposed.
   35'
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.
   5% existing vegetation
   15% landscaping Total: 20%

The following items only apply to PUD zoning requests:

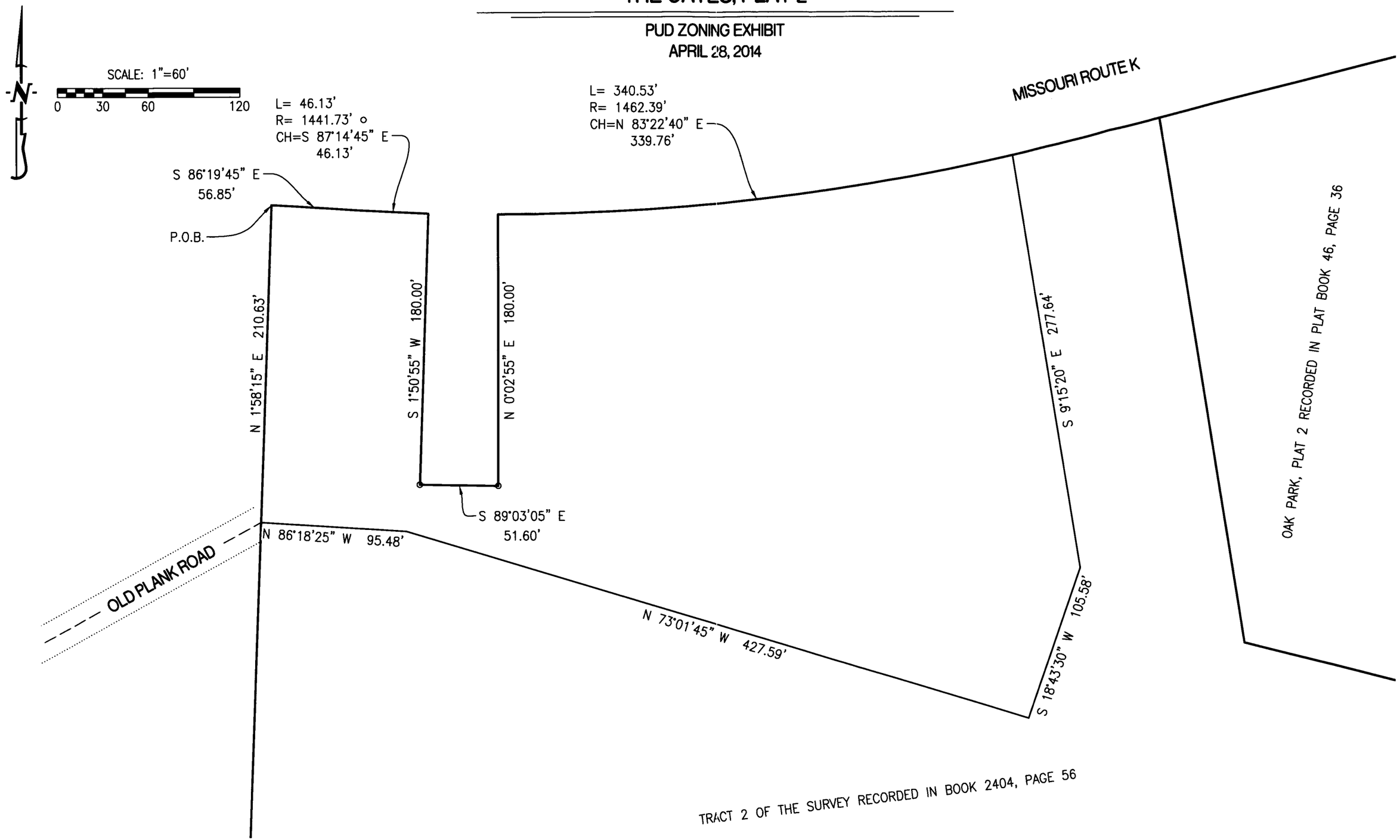
5. The total number of parking spaces proposed and the parking ratio per dwelling unit.
   Parking shall conform to the City of Columbia parking regulations.
6. Any amenities proposed, such as swimming pools, golf courses, tennis courts, hiking trails or club houses. Allowed amenities: Pool, clubhouse, shelter house.
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. Minimal building setbacks shall be 20' from right-of-way lines

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

Signature of Applicant or Agent — Date: 4/28/14

THE GATES, PLAT 2

PUD ZONING EXHIBIT
APRIL 28, 2014



THE GATES, PLAT 2

R-1 ZONING EXHIBIT
APRIL 28, 2014

SCALE: 1"=300'

0 150 300 600

N 75°28'30" E 69.33'
R=1462.39'
L=31.06'
CH= N 76°05'55" E
31.06'

N 9°15'20" W
277.64'

S 9°15'20" E 353.24'

S 75°49'05" E 200.00'

S 9°15'20" E 261.00'

N 18°43'30" E
105.58'

S 73°01'45" E
427.59'

S 86°18'25" E 95.48'

S 45°22'05" E 220.39'

N 80°02'10" E 222.86'

N 30°34'15" E 271.01'

N 73°58'05" E
296.05'

N 52°40'50" E
189.94'

S 75°49'05" E 780.00'

OAK PARK, SUBDIVISION

TRACT 2 OF THE SURVEY RECORDED IN BOOK 2404, PAGE 56

N 1°58'15"E 2379.83'

S 0°53'35"W 2162.50'

POINT OF BEGINNING

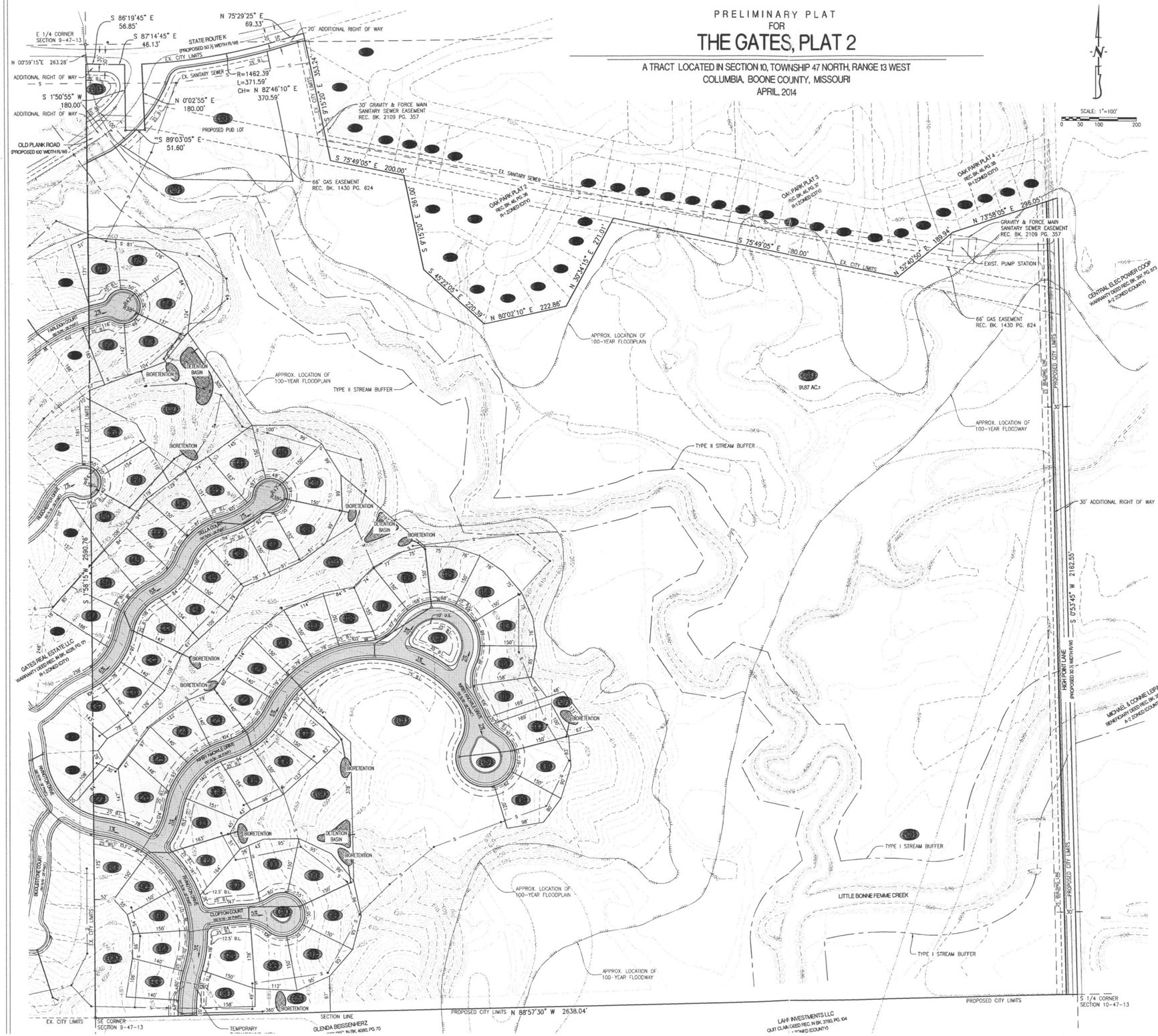
N 88°57'05"W 2638.04'

PRELIMINARY PLAT

FOR

THE GATES, PLAT 2

A TRACT LOCATED IN SECTION 10, TOWNSHIP 47 NORTH, RANGE 13 WEST
COLUMBIA, BOONE COUNTY, MISSOURI
APRIL, 2014



SCALE: 1"=100'
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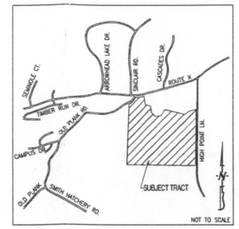

LOCATION MAP
NOT TO SCALE

LEGEND:

- EXISTING 2FT CONTOUR
- EXISTING 10FT CONTOUR
- CURB
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- MANHOLE/CLEANOUT
- PROPOSED WATERLINE
- PROPOSED LIGHT POLE
- PROPOSED FIRE HYDRANT
- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- BUILDING LINE
- EASEMENT
- XX LOT NUMBER
- PROPOSED PAVEMENT
- PROPOSED DETENTION/BIORETENTION
- EXISTING TREELINE

NOTES:

1. ALL PUBLIC SANITARY SEWER EXTENSIONS SHALL BE MINIMUM OF 8" DIAMETER. SEWERS NOT CONSTRUCTED ALONG FRONTS OF LOTS TO BE LOCATED WITHIN 16 FOOT WIDE EASEMENTS OR EASEMENTS EQUAL TO THE DEPTH OF THE SEWER IF SEWER IS GREATER THAN 16 FEET. NO SEWER TAPS WILL BE GREATER THAN 20 FEET.
2. PART OF THIS TRACT LIES WITHIN THE 100 YEAR FLOODPLAIN AS ADOPTED BY THE CITY OF COLUMBIA AS SHOWN BY FIRM PANELS 29019C 0225D & 29019C 0355D DATED MARCH 17, 2011.
3. THE STREET R/W SHALL BE 50 FOOT WIDE, UNLESS OTHERWISE NOTED.
4. THERE SHALL BE A 10 FOOT UTILITY EASEMENT ALONG THE SIDE OF EACH LOT ADJACENT TO STREET RIGHT-OF-WAY.
5. NATURAL GAS DISTRIBUTION TO BE DESIGNED BY AMEREN UE.
6. WATER DISTRIBUTION TO BE DESIGNED BY CONSOLIDATED PUBLIC WATER SUPPLY DISTRICT #1 OF BOONE COUNTY.
7. ELECTRIC DISTRIBUTION TO BE DESIGNED BY THE BOONE ELECTRIC COOPERATIVE.
8. LOT NUMBERS SHOWN ARE FOR INVENTORY PURPOSES ONLY.
9. THE EXISTING ZONING OF THIS TRACT IS A-2 (PENDING REZONING TO R-1 AND PUD 4).
10. THIS PLAT CONTAINS 130.76 ACRES.
11. A 5' SIDEWALK SHALL BE CONSTRUCTED ALONG BOTH SIDES OF ALL INTERNAL STREETS. A 5' SIDEWALK SHALL ALSO BE CONSTRUCTED ADJACENT TO STATE ROUTE K, OLD PLANK ROAD & HIGH POINT LANE AT THE TIME OF FINAL PLATTING OF THE ADJACENT PROPERTY.
12. THIS TRACT IS REGULATED BY THE STREAM BUFFER REQUIREMENTS IN SECTION 12A-230, ARTICLE X OF THE CITY OF COLUMBIA CODE OF ORDINANCES. AS SHOWN BY THE JAMESTOWN USGS QUADRANGLE MAP.
13. NO DIRECT DRIVEWAY ACCESS SHALL BE ALLOWED ONTO OLD PLANK ROAD FROM ANY LOT EXCEPT FOR LOT 300 & LOT D1. ACCESS TO LOT 300 & LOT D1 SHALL ONLY BE FROM OLD PLANK ROAD AND MUST BE A MINIMUM OF 200' FROM MO ROUTE K.
14. NO DIRECT DRIVEWAY ACCESS SHALL BE ALLOWED ONTO MO ROUTE K.
15. LOT D1 IS INTENDED TO BE GRANTED AS RIGHT-OF-WAY SHOULD THE CITY DESIRE THIS AREA. IF DESIRED, DEVELOPER SHALL GRANT TO CITY AT NO COST. IF THE AREA IS NOT DESIRED THEN THE DEVELOPER RESERVES THE RIGHT TO USE THIS LOT FOR FUTURE DEVELOPMENT.
16. LOTS C2 - C10 ARE NOT FOR RESIDENTIAL DEVELOPMENT, BUT MAY CONTAIN NEIGHBORHOOD AMENITIES SUCH AS SWIMMING POOL, RESTROOM FACILITIES, RECREATIONAL FACILITIES, SHELTERS, STORM WATER FEATURES, ETC. LOTS C2 - C10 SHALL BE DEEDED TO THE GATES HOME OWNERS ASSOCIATION.
17. ALL LOTS SHALL HAVE A MINIMUM WIDTH OF 60' AT THE BUILDING LINE.
18. A MINIMUM OF 25% OF THE TREES CLASSIFIED AS CLIMAX FOREST AND LOCATED ON THIS TRACT SHALL BE PRESERVED. A TREE PRESERVATION PLAN SHALL BE SUBMITTED AND APPROVED BY THE CITY ARBORIST PRIOR TO LAND DISTURBANCE.
19. NO MORE THAN 100 RESIDENTIAL LOTS SHALL BE PLATTED WITHIN THE GATES DEVELOPMENT BEFORE THE SECOND ENTRANCE (WENTWORTH DRIVE) SHALL BE CONSTRUCTED.
20. IT IS ANTICIPATED THAT THE FUTURE LITTLE BONNE FEMME CREEK TRAIL IS TO PASS THROUGH THIS PARCEL ON THE NORTH SIDE OF THE CREEK.

LEGAL DESCRIPTION:

A TRACT OF LAND BEING PART OF THE SURVEY RECORDED IN BOOK 240A, PAGE 56 AND BEING PART OF THE LAND DESCRIBED BY THE QUIT CLAIM DEED WARRANTY DEED RECORDED IN BOOK 968, PAGE 34 OF COLUMBIA, BOONE COUNTY, MISSOURI AND CONTAINING, 130.76 ACRES.

OWNER:
JOHN & SUSAN WILLIAMSON
4906 COATS LANE
COLUMBIA, MO 65203

PREPARED BY:

CROCKETT
ENGINEERING CONSULTANTS
3608 North Stadium Boulevard
Columbia, Missouri 65203
(573) 447-0292
www.crockettengineering.com
Crockett Engineering Consultants, LLC
Missouri Certificate of Authority
#2000151504

STATE OF MISSOURI
TIMOTHY D. CROCKETT
NUMBER PE-2004000775
PROFESSIONAL ENGINEER

TIMOTHY D. CROCKETT – PE-2004000775

APPROVED BY THE CITY OF COLUMBIA PLANNING AND ZONING COMMISSION THIS _____ DAY OF _____, 2014.

DR. RAMAN PURI

ACCEPTED BY ORDINANCE OF THE CITY COUNCIL OF COLUMBIA, MISSOURI, THIS _____ DAY OF _____, 2014.

ROBERT McDAVID, MAYOR

SHEELA AMIN, CITY CLERK

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

MAY 2 1 2014

May 21, 2014

Timothy Teddy
Director of Planning and Development
PO Box 6015
Columbia, MO 65205

Mr. Teddy:

On behalf of Tompkins Construction, contract purchaser of The Gates, Preliminary Plat 2, I would like to take this opportunity to request a variance to the City of Columbia Subdivision Regulations with respect to the maximum length of a terminal street. The variance being requested is from Section 25-47(a) of the said regulations and is for Kirby Knowle Drive and Stella Court as shown by the proposed preliminary plat for said development.

Due to the relatively large size of the lots and the existing terrain of the site, we believe that a variance for the lengths of these two streets is entirely appropriate. Each street has fewer lots fronting onto it then would be allowed on a 750-foot long street with minimal lots widths. We believe that these variances are viable and appropriate and respectfully request your favorable consideration.

Should you have questions or comments, please feel free to call me.

Sincerely,

Crockett Engineering Consultants, LLC

Tim Crockett, PE

FILED FOR RECORD, BOONE COUNTY, MISSOURI
BETTIE JOHNSON, RECORDER OF DEEDS

SURVEY FOR:

JOHN SAM WILLIAMSON

IN THE WEST HALF OF SECTION 10, TOWNSHIP 47 NORTH, RANGE 13 WEST
BOONE COUNTY, MISSOURI
DECEMBER, 2003

DESCRIPTION:

A TRACT OF LAND IN THE WEST HALF OF SECTION 10, TOWNSHIP 47 NORTH, RANGE 13 WEST IN BOONE COUNTY, MISSOURI, SAID TRACT BEING THAT PART OF SAID WEST HALF LYING SOUTH OF THE RIGHT-OF-WAY OF STATE ROUTE 'K'. TRACT IS FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 10 AS SHOWN BY SURVEYS IN BOOK 392, PAGE 341 AND IN BOOK 778, PAGE 344; THENCE ALONG THE SOUTH LINE OF SECTION 10, N 89°56'15"W, 2638.04 FEET TO A FOUND STONE, THE SOUTHWEST CORNER OF SECTION 10; THENCE ALONG THE WEST LINE OF SECTION 10, N 00°59'30"E, 2590.76 FEET TO THE SOUTH LINE OF STATE ROUTE 'K'; THENCE S 87°16'30"E, 56.85 FEET; THENCE ALONG A CURVE TO THE LEFT, 46.14 FEET, THE CHORD OF SAID CURVE BEING S 88°13'30"E, 46.13 FEET; THENCE S 00°32'10"W, 180.00 FEET; THENCE N 89°58'10"E, 51.60 FEET; THENCE N 00°55'00"W, 180.00 FEET; THENCE EASTERLY ALONG A CURVE TO THE LEFT, 371.59 FEET, THE CHORD OF SAID CURVE BEING N 81°47'25"E, 370.59 FEET; THENCE N 74°30'40"E, 1241.00 FEET; THENCE S 15°29'20"E, 5.00 FEET; THENCE N 74°30'40"E, 765.70 FEET; THENCE ALONG A CURVE TO THE LEFT, 146.30 FEET TO THE INTERSECTION WITH THE QUARTER SECTION LINE, THE CHORD OF SAID CURVE BEING N 70°16'40"E, 146.17 FEET; THENCE ALONG THE QUARTER SECTION LINE, S 00°05'02"E, 5222.55 FEET TO THE POINT OF BEGINNING AND CONTAINING 171.33 ACRES.

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

SCALE: 1"=200'
0 100 200 400

LEGEND
- ○ IRON PIPE OR RE-BAR
- E EXISTING
- S SET
- ▲ RIGHT-OF-WAY MRKR. (FOUND)
- ■ STONE (FOUND)
- • POWER POLE (EXISTING)

SINCLAIR ROAD

MISSOURI ROUTE "K"

WARRANTY DEED IN BOOK 1001, PAGE 376

THE EAST QUARTER CORNER OF SECTION 9-47-13 SHOWN BY PLATS OF ARROWHEAD LAKE ESTATES AND THE CASCADES PLAT #2

WARRANTY DEED IN BOOK 1940, PAGE 40

Δ = 14°33'30"
R = 1462.39'
L = 371.59'
CH = N 81°47'25"E 370.59'

Δ = 01°48'30"
R = 1462.39'
L = 46.14'
CH = S 88°13'30"E 46.13'

Δ = 08°26'05"
R = 994.93'
L = 146.30'
CH = N 70°16'40"E 146.17'

S 87°16'30"E 56.85'
S 00°59'30"W 52.92'
N 00°55'50"W 180.00'
S 00°32'10"W 180.00'
N 89°58'10"E 51.60'
N 74°30'40"E 1241.00'
N 74°30'40"E 765.70'
S 15°29'20"E 5.00'
N 74°30'40"E 1171.66'
69.32'
N 10°14'05"W 393.24'
N 76°47'50"W 200.00'
N 10°14'05"W 261.00'
N 46°20'50"W 220.59'
S 29°35'30"W 271.01'
S 79°05'25"W 222.86'
N 76°47'50"W 780.00'
S 51°42'05"W 189.94'
S 77°59'20"W 196.09'

30' R/W
25' R/W

NOTE:
WATERLINE ALONG THE SOUTH SIDE OF ROUTE 'K'. EASEMENT IN BOOK 1377, PAGE 498. (NOT LOCATED)

NOTE:
RIGHT-OF-WAY DEED IN BOOK 147, PAGE 574

NOTE:
AMEREN UE GASLINE ON THE WEST SIDE OF HIGH POINT LANE TO A POINT 700 FEET PLUS OR MINUS SOUTH OF ROUTE 'K'. (NOT LOCATED)

CENTERLINE OF OVERHEAD ELECTRIC LINE. BLANKET EASEMENT IN BOOK 218, PAGE 171

NOTE: CENTERLINE OF SEWER EASEMENT IS 5' WEST OF PROPERTY LINE

NOTE: CENTERLINE OF SEWER EASEMENT IS 5 FEET SOUTH OF THE GRAVITY SEWER.

TRACT 1
40.14 ACRES

WARRANTY DEED IN BOOK 968, PAGE 34

OLD PLANK ROAD

NOTE:
AMEREN UE GASLINE ALONG THE WEST SIDE OF OLD PLANK ROAD (NOT LOCATED)

CENTERLINE OF 66' GASLINE EASEMENT IN BOOK 1430, PAGE 624

NOTE:
CENTERLINE OF THE 66' GASLINE EASEMENT IS 33' EACH SIDE OF NATURAL GASLINE AS LOCATED BY MARKERS IN THE FIELD.

NOTE:
THERE IS A PETROLEUM TRANSMISSION LINE LYING SOUTH OF THE NATURAL GASLINE AND IS CONTAINED WITHIN THE 66' EASEMENT.

NOTE:
THERE ARE UNDERGROUND ELECTRIC LINES ALONG THE WEST SIDE OF HIGH POINT LANE. (NOT LOCATED)

TRACT 2
131.19 ACRES

NOTE:
WATERLINE ALONG THE WEST SIDE OF HIGH POINT LANE. 20' EASEMENT IN BOOK 954, PAGE 22. (NOT LOCATED)

CENTERLINE OF 100' ELECTRIC EASEMENT IN BOOK 396, PAGE 736

OLD PLANK VILLAGE PLAT BOOK 37, PAGE 74

SURVEY IN BOOK 817, PAGE 85

55.00' (REG. & MEAS.)

FROG'S LEAP SUBDIVISION PLAT BOOK 50, PAGE 72

1060.00'

LANE

25.00' (REG. & MEAS.)

15.04' (RECORD)
14.90' (MEASURED)

WARRANTY DEED IN BOOK 347, PAGE 873

OVERHEAD ELECTRIC LINES

ACCESS ROAD EASEMENT

14.87' (RECORD)
14.63' (MEASURED)

POINT

SURVEY IN BOOK 778, PAGE 344

HIGH

SURVEY IN BOOK 393, PAGE 541

QUARTER SECTION LINE AS PER SURVEY IN BOOK 778, PAGE 344

S 00°05'02"E 5222.55'
2162.55'

POINT OF BEGINNING

SOUTH QUARTER CORNER OF SECTION 10-47-13 REPRODUCED FROM SURVEY IN BOOK 778, PAGE 344

N 90°00'00"W 1300.24' (RECORD)
N 89°58'50"W 1299.92' (MEASURED)

FOUND STONE
0.43' S
0.76' W

WARRANTY DEED IN BOOK 541, PAGE 513

WARRANTY DEED IN BOOK 777, PAGE 916

WARRANTY DEED IN BOOK 1520, PAGE 234

FOUND STONE
THE SOUTHWEST CORNER OF SECTION 10-47-13
REF. BOONE COUNTY SURVEY #1762

SEC. 9 | SEC. 10
SEC. 16 | SEC. 15

N 89°56'15"W 2638.04'

WARRANTY DEED IN BOOK 334, PAGE 26

N 00°59'30"E 2590.76'

SECTION LINE

BASIS OF BEARING

THE WEST LINE OF A SURVEY RECORDED IN BOOK 778, PAGE 344 OF THE BOONE COUNTY RECORDS.

NOTES

1.) PROPERTY CLASSIFICATION: SUBURBAN
2.) PROPERTY DESCRIBED BY A GENERAL WARRANTY DEED IN BOOK 968, PAGE 32 OF THE BOONE COUNTY RECORDS.
3.) TOTAL TRACT CONTAINS 171.33 ACRES.

APPROVED FOR RECORDING. 12/5/03

STAN SHAWVER - DIRECTOR OF PLANNING
THARRELS YONKE

I HEREBY STATE THAT I MADE A SURVEY OF THE ABOVE DESCRIBED TRACT OF LAND AND THE RESULTS OF SAID SURVEY ARE AS SHOWN ON THE DRAWING. THE SURVEY WAS MADE IN ACCORDANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

JAMES V. PATCHETT, PLS 1417

STATE OF MISSOURI) ss
COUNTY OF BOONE)

SUBSCRIBED AND SWORN TO, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE ON THIS 5 DAY OF DECEMBER, 2003.

CHRISTOPHER M. SANDER - NOTARY PUBLIC
MY COMMISSION EXPIRES FEBRUARY 8, 2007

Recorded in Boone County, Missouri
Date and Time: 12/05/2003 at 02:10:58 PM
Instrument #: 2003048468 Book: 02404 Page: 0056
Grantor: PATCHETT, JAMES V
Grantee: WILLIAMSON, JOHN SAM
Instrument Type: SUR
Recording Fee: $20.00
No. of Pages: 1
Bettie Johnson, Recorder of Deeds

WILLIAMSON SURVEY IN SECTION 10-47-13

031114.GCD
DECEMBER 4, 2003

EXCERPTS

PLANNING AND ZONING COMMISSION MEETING

JUNE 5, 2014

Case No. 14-80

A request by Tim Crockett, Crockett Engineering (agent) to annex 130.76 acres into the City of Columbia and apply R-1 (One-Family Dwelling District) and PUD-4 (Planned Unit Development) as permanent zoning, to obtain approval of a 76-lot preliminary plat to be known as "The Gates Plat 2" and be granted a variance to Section 25-47 (Terminal Streets) regarding street length. The subject site is located at the southeast corner of the intersection of Route K and Old Plank Road.

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

Staff report was given by Mr. Clint Smith of the Planning and Development Department. Staff recommends:

- Approval of R-1 and PUD-4 rezoning.
- Approval of Preliminary Plat and variance from Section 25-47, subject to the condition that a 25-foot utility and access easement be granted along Route K and Old Plank Road.

MR. REICHLIN: Are there any questions of the staff? All right. Mr. Strodtman?

MR. STRODTMAN: I've got a couple. When you said common lots, the property to the east of the residential, is that just land that will not be developed?

MR. SMITH: Well, I can let the applicant speak to that, as well, but I can say that I believe the City has been in discussions with the property owner to possibly secure some of that property as a-- as a public park.

MR. STRODTMAN: Okay.

MR. SMITH: To my knowledge, at this time, that has not been concluded, but that would be a possibility.

MR. STRODTMAN: Okay.

MR. SMITH: The common lots, though, in general, yes, would be left open.

MR. STRODTMAN: Or the rest of the residential that's to the west --

MR. SMITH: Yeah. Typically, with common lots, they're dedicated to like a homeowners' association --

MR. STRODTMAN: Okay.

MR. SMITH: -- or something along those lines.

MR. STRODTMAN: Okay. And then was there any -- I assume a traffic -- something was done, some traffic on the Old Plank that all of this new residential will be handled through that one exit. Correct? Or is --

MR. SMITH: Through -- yes. The -- all the access, and you kind of bring up a good point with this

development. This pertains to something I mentioned in the staff report, but didn't touch on in the -- in the presentation. All the access will be at this one point on Old Plank. The traffic engineering team has reviewed it and part of that was the -- the request for the additional dedication of right-of-way along Old Plank for -- it would be 100-foot right-of-way to accommodate the future upgrading of that road potentially. Right now, Old Plank is, I believe, under the jurisdiction of Boone County, so that was something that would need to be addressed in the future. But according -- or in relation to that question, I can tell you that given the fact that this property right now in the final platting of the piece to the west, all that is going through one access point on Old Plank right now. They would not be permitted to plat more than 100 lots at that one access. At that point, they would need to construct a second access to further develop this property and any other property that uses the one access on Old Plank.

MR. STRODTMAN: So the new residential has no intentions on having a future access --

MR. SMITH: The piece we're discussing now --

MR. STRODTMAN: -- other -- other than what is shown?

MR. SMITH: They show -- as far as the preliminary plat, they showed two access related to this piece, and that would be through the piece to the -- to the west, and that piece does show two access points on Old Plank. If they -- again, if they exceed that 100-piece or 100-lot platting, that second access would need to be constructed.

MR. STRODTMAN: Okay.

MR. SMITH: And they are showing a connection for this piece to the property to the south, too, which is consistent with connecting and having a connected network of roadways for future development, so we could jump back to that. To the south here, you see the -- the road stubs to the property to the south at some point could be constructed and possibly another access point to a right-of-way.

MR. STRODTMAN: Thank you.

MR. REICHLIN: Are there any other questions of the staff? Seeing none, we'll open the public hearing. Just to briefly review, we would appreciate you coming to the podium and giving us your name and address. If there is an organized proponent and/or opposition, please state that. You will be allowed a six-minute time frame. All other people coming to the podium will be allowed a three-minute time frame.

PUBLIC HEARING OPENED

MR. CROCKETT: Mr. Reichlin, members of the Commission, my name is Tim Crockett with Crockett Engineering, 2608 North Stadium. And I think Mr. Smith did a pretty good job giving the overview. Again, staff report of this project is very thorough. I would like to talk about a couple points. Specifically, Mr. Strodtman, let's talk about the traffic issues here a little bit. Traffic engineers did look at this development. This would be in conjunction with the regulations for normal residential development for the City of Columbia. We do have two access points coming from the development that is to the west. The owner of that property and the developer of that property is the same -- the same as the applicant for this development, so they are being developed in conjunction with each other. There are limitations on this preliminary plat that would dictate the number of lots that we could maximize total before we need that second entrance point installed for -- for access purposes. Furthermore, we are -- we have talked to

traffic engineering and there are improvements on Old Plank Road that -- offsite improvements that we are -- that we are installing, basically, turn lanes and some additional work down in that area for those access points, so that is in conjunction with the development of this property. Mr. Strodtman, you also asked about the common land -- common ground to the east. We are in and have been in in-depth conversations with city officials to see if we can't work an agreement out so that can become a city park. It's the neighborhood of 90 to 100 acres in size. It's a sizable area. There's a great interest on the Parks to acquire that type of property in this area. There's a little pocket neighborhood park across from our proposed PUD-4 that's actually zoned commercial up adjacent to the Cascades development. What we want to do is we want to drop down -- and that's the stem that Mr. Smith kind of talked about that -- well, he wants to assure that there's some sort of sidewalk connection between the PUD and Oak Park. That little stem gives access from the neighborhood park in the Cascades to the potential park that -- that we're talking about here. Again, we're talking somewhere being between 90 to 100 acres. The area between our lots back -- that our lots back up -- back up to, those will be common lots that will be owned by the homeowners' association and maintain by the homeowners. We would -- you know, if the City so desired to have that portion as a city park, we would be happy to give it to them. However, they have indicated they would rather have that to be under HOA control as opposed to City control, which -- which we're fine with. Talk about the utilities a little bit. All the utilities are -- are adjacent to the side. I will add that the current landowner that is selling the property, he was a contributor to the sewer improvements for this area, specifically the Cascades pump station, the gravity line, and the forced main to serve this whole area. He was a contributor to that, and acquired capacity for this property about 12 years ago, so he made a substantial amount of contribution 12 years ago for development such as this. And since that time, the City has gone through and actually has increased capacity for future development in the area to help out -- take out some point discharges that the County had, so it was kind of a joint effort there and we think that was beneficial, as well. Talk about the variance a little bit, and we -- it is a variance for the length of cul-de-sac. However, this is very similar to other requests of similar nature on numerous developments all over town, so you have seen those before, and I don't think that's anything out of the -- out of the ordinary. With that, I would be happy to answer any questions the Commission may have.

MR. REICHLIN: Any questions of this speaker? Thank you, sir. Anybody else wishing to speak on this matter, either for or against? We have somebody coming from the back.

MR. LEOPARD: I'm Mike Leopard; I live on 7560 South High Point. And if they are talking -- the -- a street light would be nice on the turn there. It's a really bad turn coming off High Point. I don't know if it even affects, you know, totally a subdivision, but if they put a park there -- and they're talking about that, it's just real dark there, really quick, sharp turn on High Point off of K, so a street light with -- for the City just to put in their consideration, that's all. I live right down the road there and it would be nice. There's a lot of traffic on there with a really, really bad sharp turn, so that was all. Just a street light or maybe some street lights up and down there. That was all. Thanks.

MR. REICHLIN: Questions of this speaker? Seeing none. Thank you.

MR. ALBERT: Can I ask that High Point Lane be –

MR. REICHLIN: Would you -- would you-- would you care to come to the podium, please?

MR. ALBERT: Okay. On the -- I'm trying to understand the map.

MR. REICHLIN: Can we go through the --

MR. ALBERT: Kurt Albert, 400 High Point Lane. I'm trying to understand where is High Point on this map, and I don't -- I can't --

MR. SMITH: Look at the screen, and I can show it to you.

MR. ALBERT: All right.

MR. SMITH: It's basically right along this edge. It's the -- forms the -- kind of the western boundary of this property we're talking about.

MR. ALBERT: Okay. All right.

MR. SMITH: Sorry. Eastern boundary, yes.

MR. ALBERT: Thank you.

MR. REICHLIN: Anybody else wishing to speak on this matter? Seeing no one, I'll close the public hearing.

PUBLIC HEARING CLOSED

MR. REICHLIN: Comments of Commissioners, please?

MR. TILLOTSON: I just have a --

MR. REICHLIN: Ms. Burns?

MS. BURNS: I think the staff did a great job on presenting this and I appreciate Mr. Crockett's remarks. I'm excited that the property developer is considering a park or working with the City to develop a park there. I think that that would be a wonderful use and an addition to this development, so I like to hear that.

MR. TILLOTSON: I would we go about Mike's comment on the street light? Who -- could that be looked into or is it that -- a study done on that?

MR. SMITH: Yeah. We can bring that up to our traffic team, I think, or Water & Light. We'll bring it up to somebody at staff and see what the process would be to have that corner looked at.

MR. REICHLIN: Mr. Lee?

MR. LEE: Question for Staff. Mr. Smith?

MR. SMITH: I'm sorry.

MR. LEE: Who would -- who would be responsible for putting in that street light, the City or the developer?

MR. SMITH: That's what -- just what we were -- with the street light? At the intersection of Route K and High Point would actually be outside of this development, so I'm guessing at this point, it probably would be the City or perhaps the County, depending on who has control of the roadway at that location. So that's something we would have to get more information on, I think.

MR. LEE: Thank you.

MR. REICHLIN: Is there anybody else?

MR. SMITH: It could also be Boone Electric -- excuse me.

MR. REICHLIN: Is there anybody else? Now, what are we -- with this matter, we have to have two motions?

MR. SMITH: That is correct.

MR. REICHLIN: One for the annexation?

MR. SMITH: One would be for the rezoning to the R-1 and PUD-4 upon annexation, and the other would be the approval of the preliminary plat with the associated variances -- or sorry -- associated one variance. Both of those would have a condition, and I could -- I could, you know, rephrase those two if you would like. The condition for the zoning approval was for the installation of a sidewalk concurrently with the sidewalk installation on the PUD portion, and the condition on the preliminary plat was for the granting of additional easements.

MR. REICHLIN: Okay.

MR. STRODTMAN: I'll go ahead and make a stab at the first motion. And for Item 14-80, a rezoning to R-1 and PUD-4 with the condition that the sidewalk along the south side of Route K east of the PUD zoned property to the shared boundary of Oak Park Plat 2 be constructed concurrently with the sidewalk on the PUD -- PUD-zoned property.

MR. STANTON: Second.

MR. REICHLIN: Mr. Stanton seconds. Roll call, please?

MR. STRODTMAN: Yes. Mr. Vice Chair.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Burns, Mr. Lee, Ms. Loe, Mr. Reichlin, Mr. Stanton, Mr. Strodtman, Mr. Tillotson, Ms. Russell. Motion carries 8-0.

MR. STRODTMAN: The motion to -- for approval has been -- will be forwarded to City Council.

MR. REICHLIN: Now we need a motion on the preliminary plat and the variances. Correct?

MR. SMITH: Correct.

MR. REICHLIN: And anybody care to take a stab at that?

MR. TILLOTSON: I'll take a stab at it.

MR. REICHLIN: Okay. Thank you, Mr. Tillotson.

MR. TILLOTSON: I'll make a motion to approve under Case 14-80, a request by Crockett Engineering for permanent zoning of a 76-lot preliminary plat to be known as "Gates Plat 2," and be granted a variance to Section 25-47 with the recommendation that the preliminary plat associated with the variance 25-47 subject to the condition that the 25-foot utility and access easement be granted along Route K and Old Plank Road.

MR. LEE: Second.

MR. REICHLIN: Seconded by Mr. Lee. Take a roll call, please.

MR. STRODTMAN: Yes, sir. A vote for yes is for Item 14-80.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Burns, Mr. Lee, Ms. Loe, Mr. Reichlin, Mr. Stanton, Mr. Strodtman, Mr. Tillotson, Ms. Russell. Motion carries 8-0.

MR. STRODTMAN: Motion to City Council -- it will be moved to City Council.