

# City of Columbia

701 East Broadway, Columbia, Missouri 65201



**Agenda Item Number:** R 128-14

**Department Source:** Community Development - Planning

**To:** City Council

**From:** City Manager & Staff

**Council Meeting Date:** July 21, 2014

**Re:** The Gates Plat 2 - Preliminary Plat, Variance (Case #14-80)

## Documents Included With This Agenda Item

Council Memo, Resolution/Ordinance

**Supporting documentation includes:** Summary of Board/Commission Reports (including maps, Statement of Intent, zoning exhibits, preliminary plat, variance request, plat of survey), and Excerpts from Minutes

## Executive Summary

A request by Tim Crockett, Crockett Engineering (agent) for approval of a 76-lot preliminary plat, to be known as "The Gates, Plat 2", and an associated variance to Section 25-47 (Terminal Streets). The 131.9-acre subject site is located at the southeast corner of the intersection of Route K and Old Plank Road.

## Discussion

The applicant is seeking approval of a preliminary plat that will include 66 buildable residential lots and 10 common lots, and approval of a variance to Section 25-47 of the subdivision regulations allowing the terminal streets Sella Court and Kirby Knowle Drive to exceed 750 feet in length. This request was considered in conjunction with a request for annexation and permanent zoning for the same property. The attached Planning and Zoning Commission report includes discussion on both requests.

Staff reviewed the preliminary plat and determined it meets all technical requirements of the Zoning Ordinance and Subdivision Regulations. In addition, staff supports the requested variance to terminal street length given the unique topography of the land that does not enable roadways along the ridges to connect to other streets within the proposed street network, making much of the ridge undevelopable if not for the variance.

As the property does not provide access to an existing City right of way, it will be dependent on the development of the property preliminarily platted as The Gates Subdivision to the west, through which it will obtain access to 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 access to the development of the R-1 portion of the subject property, unless access is gained through the proposed southern connection.

# City of Columbia

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As a note, the City and the property owner are currently in discussions regarding the acquisition of a portion of the property for use as a City-owned 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 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 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 preliminary plat. The applicant’s agent Tim Crockett, Crockett Engineering, was present and gave an overview of the request. Commissioners discussed the use of the common lots and access to the development. Two individuals addressed the Commission - 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.

## **Vision, Strategic & Comprehensive Plan Impact**

Vision Impact: Development

Strategic Plan Impact: Not Applicable

Comprehensive Plan Impact: Land Use & Growth Management

## **Suggested Council Action**

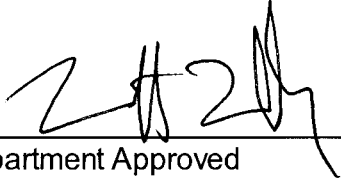
Approval of the preliminary plat with associated variance to Section 25-47 for “The Gates Plat 2”.

## **Legislative History**

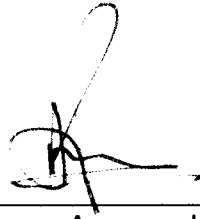
None.

# City of Columbia

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A handwritten signature in black ink, appearing to be 'Z. H. 2017', written over a horizontal line.

Department Approved

A handwritten signature in black ink, appearing to be 'K. 2017', written over a horizontal line.

City Manager Approved

## **A RESOLUTION**

approving the Preliminary Plat of The Gates, Plat 2; granting variances from the Subdivision Regulations regarding cul-de-sac length; setting forth a condition for approval.

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

SECTION 1. The City Council hereby approves the Preliminary Plat of The Gates, Plat 2, as certified and signed by the surveyor on June 5, 2014, a subdivision located on the southeast corner of Route K and Old Plank Road, containing approximately 130.76 acres, and hereby confers upon the subdivider the following rights for a period of seven years from the date of this approval:

- A. The terms and conditions under which the Preliminary Plat was given will not be changed.
- B. The subdivider may submit on or before the expiration date the whole or any part of the subdivision for final approval.
- C. The time for filing the final plat may be extended by the Council for a specified period on such terms and conditions as the Council may approve.

SECTION 2. Prior to approval of the Final Plat of this Subdivision, the subdivider shall have completed the improvements required by the Subdivision Regulations, or in lieu of completion of the work and installations referred to, present security to the City Council with surety and conditions satisfactory and acceptable to the City Council, providing for and securing the actual construction and installation of the improvements and utilities; or put the City Council in an assured position to do the work, obligating the developer to install the improvements indicated on the plat, provided that no occupancy permit will be issued to any person for occupancy of any structure on any street that is not completed in front of the property involved, or the utilities have not been installed to the satisfaction of the City.

SECTION 3. Subdivider is granted variances from the requirements of Section 25-47(a) of the Subdivision Regulations so that Kirby Knowle Drive and Sella Court can be constructed with a maximum cul-de-sac length longer than 750 feet.

SECTION 4. The approval of the preliminary plat is subject to the condition that a 25-foot utility and access easement be granted along the south side of Old Plank Road and Route K.

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

ATTEST:

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City Clerk

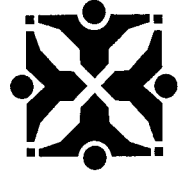
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Mayor and Presiding Officer

APPROVED AS TO FORM:

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City Counselor



## 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 R-M (Moderate Density Residential), 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 12-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**

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

### **SITE CHARACTERISTICS**

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

### **UTILITIES & SERVICES**

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

**SURROUNDING ZONING/LAND USE**

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

**ACCESS**

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

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

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

**PARKS & RECREATION**

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

**PUBLIC NOTIFICATION**

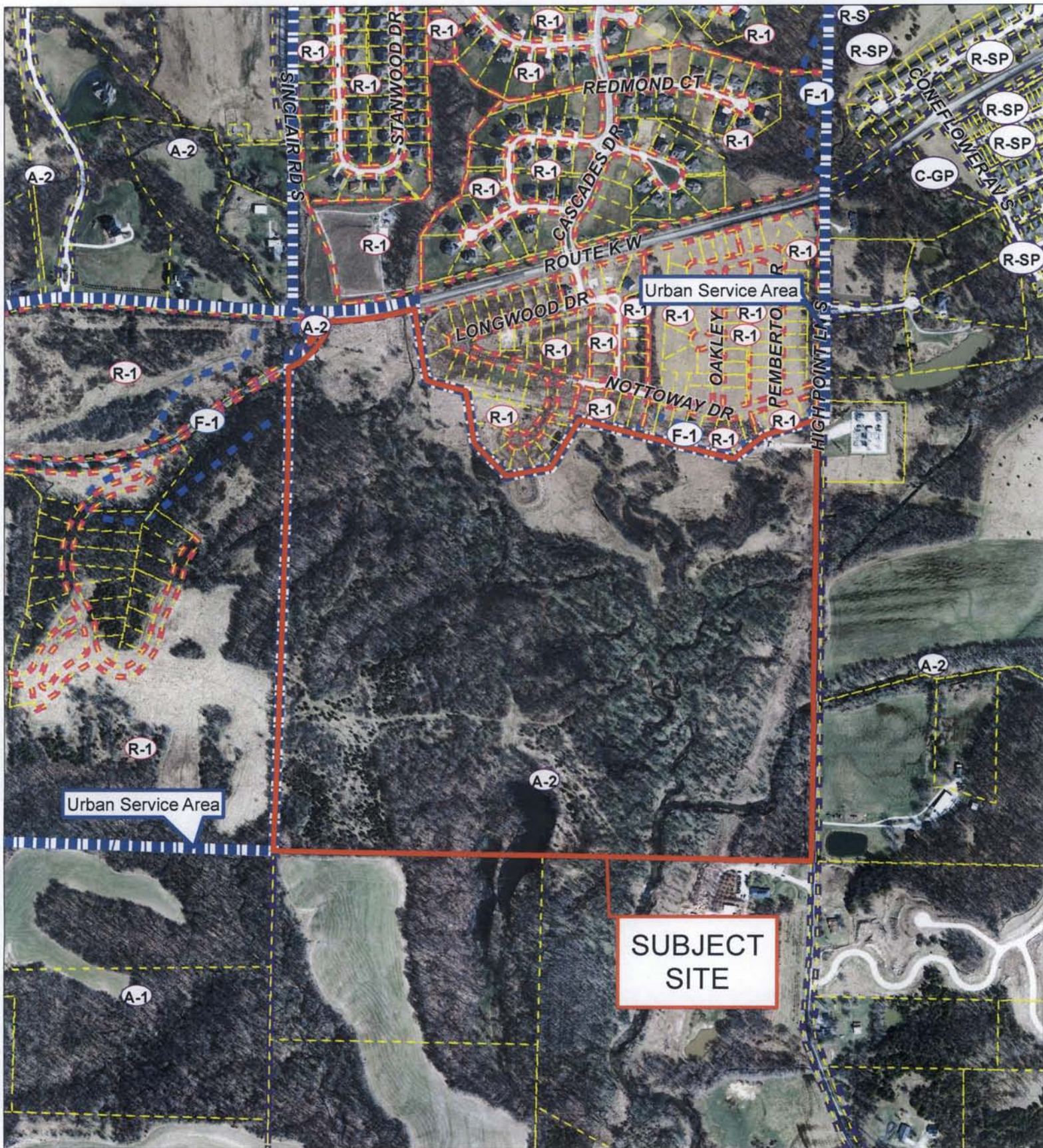
All property owners within 200 feet and City-recognized neighborhood associations within 1,000 feet of the boundaries of the subject property were notified of a public information meeting, which was held on May 13, 2014.

<b>Public information meeting recap</b>	Number of attendees: Three (including applicant and property owner) Comments/concerns: Questions regarding intersection improvements for Route K, Old Plank, and Sinclair
<b>Neighborhood Association(s) notified</b>	Cascades Homes Association; Cascades Neighborhood Association
<b>Correspondence received</b>	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





## 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





**City of Columbia  
Planning Department**

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

**Statement of Intent Worksheet**

For office use:

Case #: <i>14-80</i>	Submission Date: <i>4-28-78</i>	Planner Assigned: <i>Smith</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.

*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]*  
Signature of Applicant or Agent

*4/28/14*

Date

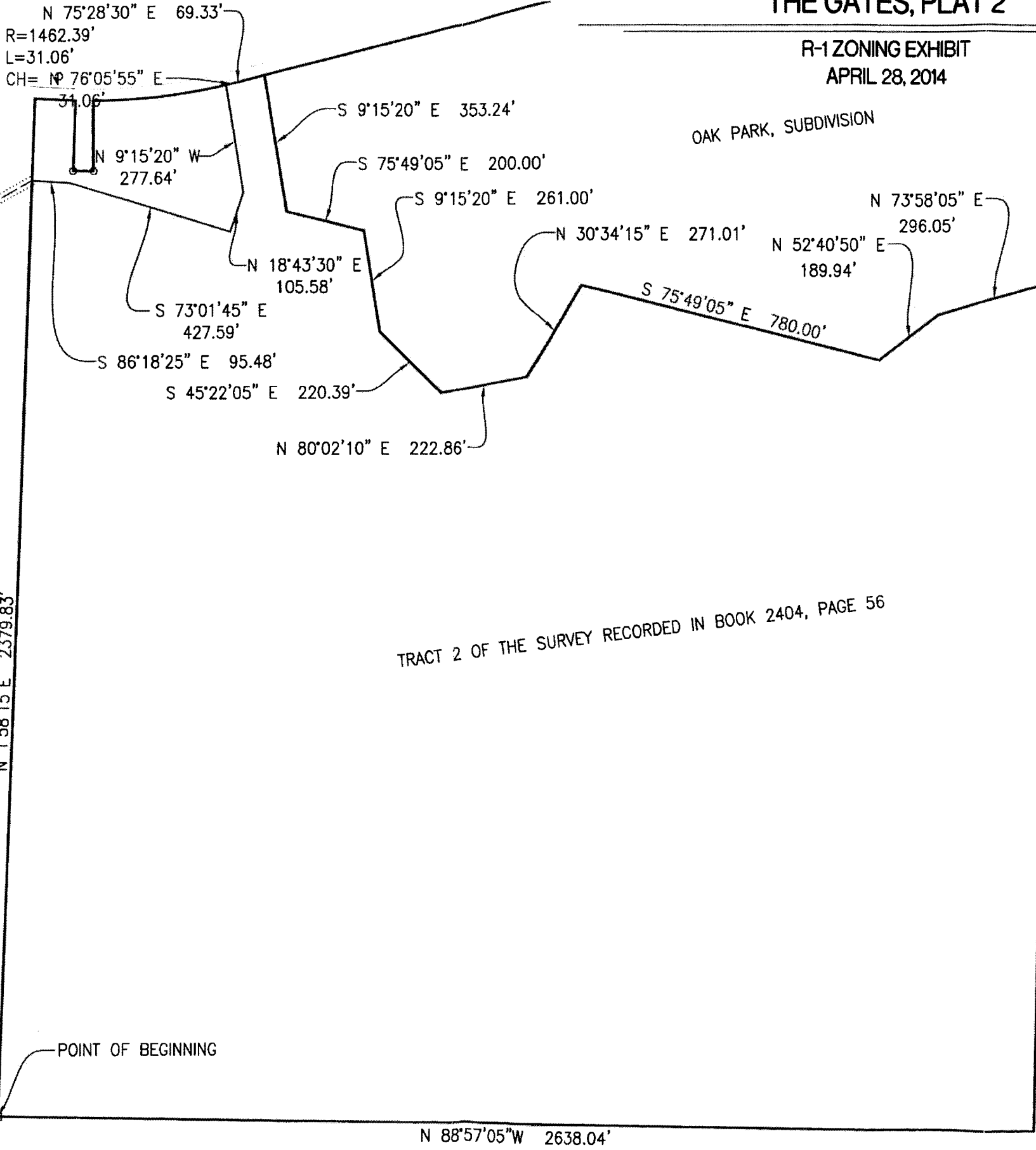
THE GATES, PLAT 2

R-1 ZONING EXHIBIT

APRIL 28, 2014

OAK PARK, SUBDIVISION

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



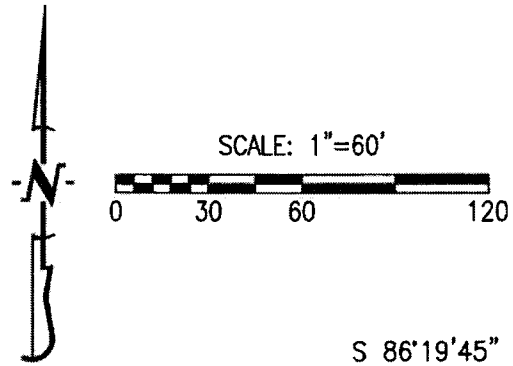
POINT OF BEGINNING

SCALE: 1"=300'

0 150 300 600

# THE GATES, PLAT 2

PUD ZONING EXHIBIT  
APRIL 28, 2014



L= 46.13'  
R= 1441.73' o  
CH=S 87°14'45" E  
46.13'

S 86°19'45" E  
56.85'

P.O.B.

L= 340.53'  
R= 1462.39'  
CH=N 83°22'40" E  
339.76'

MISSOURI ROUTE K

OAK PARK, PLAT 2 RECORDED IN PLAT BOOK 46, PAGE 36

OLD PLANK ROAD

N 1°58'15" E 210.63'

S 1°50'55" W 180.00'

N 0°02'55" E 180.00'

S 89°03'05" E  
51.60'

N 86°18'25" W 95.48'

N 73°01'45" W 427.59'

S 9°15'20" E 277.64'

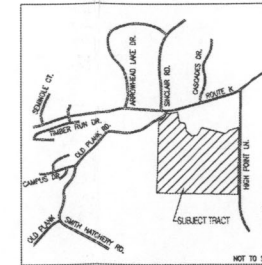
S 18°43'30" W 105.58'

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

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'



- LEGEND:
- EXISTING 30' CORNER
  - EXISTING LOT CORNER
  - CLUB
  - EXISTING SANITARY SEWER
  - PROPOSED SANITARY SEWER
  - WATER/CLUBHOUSE
  - PROPOSED WATERLINE
  - PROPOSED LIGHT POLE
  - PROPOSED FIRE HYDRANT
  - EXISTING STORM SEWER
  - PROPOSED STORM SEWER
  - BUILDING LINE
  - EXISTENT
  - LOT NUMBER
  - PROPOSED FLOODPLAIN
  - PROPOSED DETENTION/RETENTION
  - EXISTING TREELINE

- NOTES:
- ALL PUBLIC SANITARY SEWER EXTENSIONS SHALL BE MINIMUM OF 6" 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.
  - PART OF THIS TRACT LIES WITHIN THE 100-YEAR FLOODPLAIN AS ADOPTED BY THE CITY OF COLUMBIA AS SHOWN BY FIRM PANELS 23014C DECEMBER 2010 & 23014D DATED MARCH 17, 2011.
  - THE STREET R/W SHALL BE 50 FOOT WIDE, UNLESS OTHERWISE NOTED.
  - THERE SHALL BE A 10 FOOT UTILITY EASEMENT ALONG THE SIDE OF EACH LOT ADJACENT TO STREET RIGHT-OF-WAY.
  - NATURAL GAS DISTRIBUTION TO BE DESIGNED BY AMEREN UE.
  - WATER DISTRIBUTION TO BE DESIGNED BY CONSOLIDATED PUBLIC WATER SUPPLY DISTRICT #1 OF BOONE COUNTY.
  - ELECTRIC DISTRIBUTION TO BE DESIGNED BY THE BOONE ELECTRIC COOPERATIVE.
  - LOT NUMBERS SHOWN ARE FOR INVENTORY PURPOSES ONLY.
  - THE EXISTING ZONING OF THIS TRACT IS A-2 (PENDING REZONING TO R-1 AND PUD 4).
  - THIS PLAT CONTAINS 130.76 ACRES.
  - 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.
  - 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 JAMESSTOWN USGS QUADRANGLE MAP.
  - 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 OLD ROUTE K.
  - NO DIRECT DRIVEWAY ACCESS SHALL BE ALLOWED ONTO OLD ROUTE K.
  - 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.
  - 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 DEED TO THE GATES HOME OWNERS ASSOCIATION.
  - ALL LOTS SHALL HAVE A MINIMUM WIDTH OF 60' AT THE BUILDING LINE.
  - 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.
  - NO MORE THAN 100 RESIDENTIAL LOTS SHALL BE PLATTED WITHIN THE GATES DEVELOPMENT BEFORE THE SECOND ENTRANCE (WENTWORTH DRIVE) SHALL BE CONSTRUCTED.
  - IT IS ANTICIPATED THAT THE FUTURE LITTLE BOONE FEMALE CREEK TRAIL IS TO PASS THROUGH THIS PARCEL ON THE NORTH SIDE OF THE CREEK.
  - SIDEWALK ALONG LOT C1 ADJACENT TO ROUTE K SHALL BE CONSTRUCTED CONCURRENTLY WITH THE SIDEWALK ON THE PUD TRACT TO THE WEST (LOT 300) WHEN SAID LOT 300 IS PLATTED. SHOULD LOT C1 BE EITHER UNDER CONTRACT OR SOLD TO THE CITY OF COLUMBIA THEN THIS SIDEWALK WILL BE THE RESPONSIBILITY OF THE CITY.

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 OUT CLAIM DEED WARRANTY DEED RECORDED IN BOOK 388, 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  
2020 North Lincoln Boulevard  
Columbia, Missouri 65203  
CITY OF COLUMBIA

www.crockettengineering.com  
Crockett Engineering Consultants, LLC  
Missouri Certificate of Authority  
#000000000000



TIMOTHY D. CROCKETT - PE-2004000775  
06/05/2014  
DATE

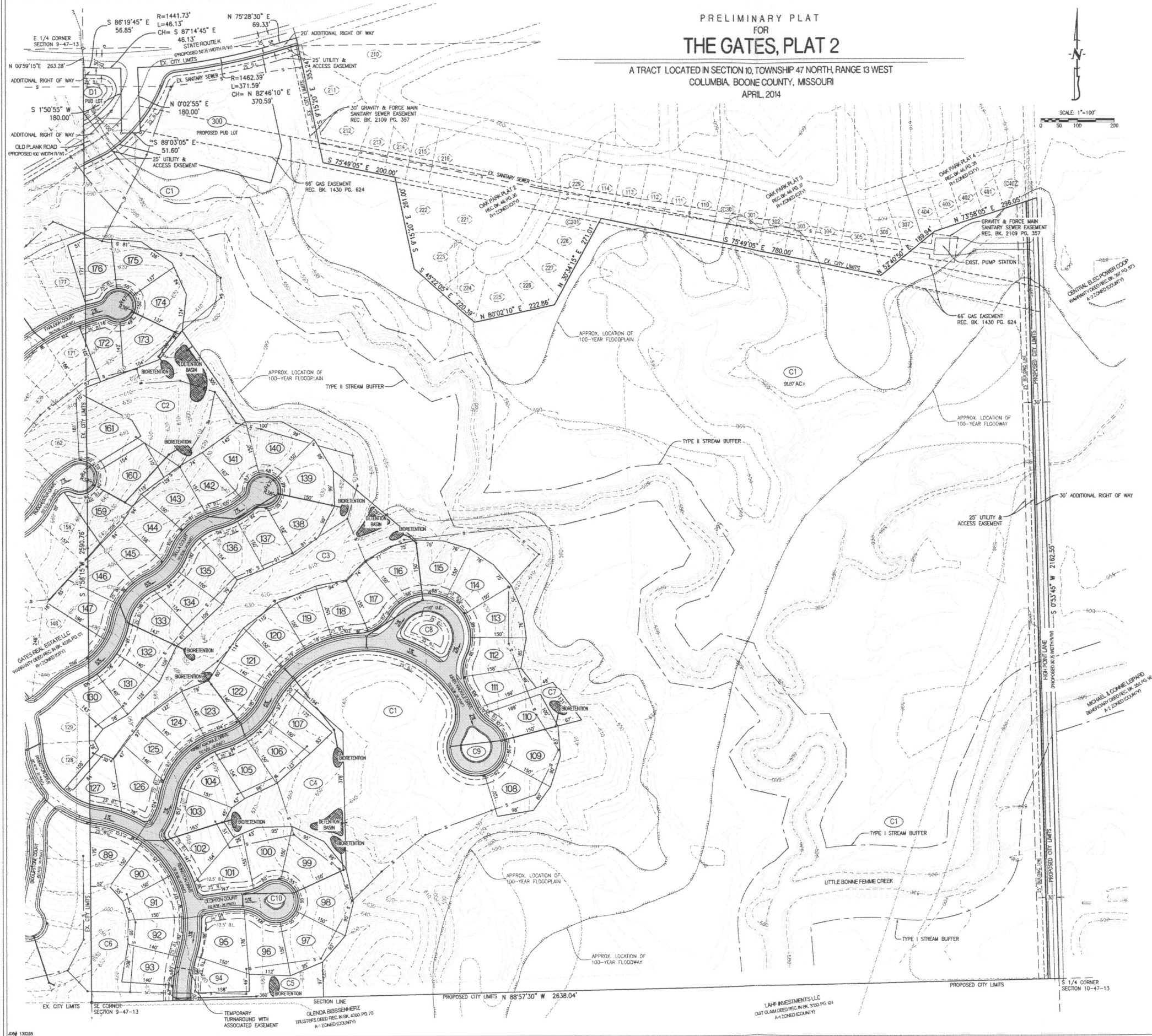
APPROVED BY THE CITY OF COLUMBIA PLANNING AND ZONING COMMISSION THIS DAY OF 2014.

DR. BRYAN FARR

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

ROBERT McDAVID, MAYOR

SHEELA AMIN, CITY CLERK







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

MAY 21 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 than 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

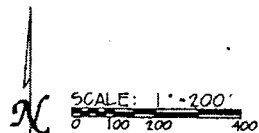
A handwritten signature in black ink, appearing to read "Tim Crockett". The signature is stylized with a large, looped "T" and a cursive "Crockett".

Tim Crockett, PE

SURVEY FOR:

**JOHN SAM WILLIAMSON**

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



**LEGEND**

- IRON PIPE OR RE-BAR EXISTING
- SET
- RIGHT-OF-WAY MKR. (FOUND)
- STONE (FOUND)
- POWER POLE (EXISTING)

**BASIS OF BEARING**  
THE WEST LINE OF A SURVEY RECORDED IN BOOK 770, PAGE 344 OF THE BOONE COUNTY RECORDS.

**NOTES**

- 1.) PROPERTY CLASSIFICATION: SUBURBAN
- 2.) PROPERTY DESCRIBED BY A GENERAL WARRANTY DEED IN BOOK 468, PAGE 32 OF THE BOONE COUNTY RECORDS.
- 3.) TOTAL TRACT CONTAINS 171.33 ACRES.

APPROVED FOR RECORDING: 12/5/03

*Stan Shawver*  
STAN SHAWVER - DIRECTOR OF PLANNING  
*Thaddeus Yonke*

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

WARRANTY DEED IN  
BOOK 1520, PAGE 234

WARRANTY DEED IN BOOK 1940, PAGE 40

WARRANTY DEED IN  
BOOK 1001, PAGE 376

THE EAST QUARTER CORNER OF  
SECTION 10-47-13 SHOWN BY  
PLATS OF ARROWHEAD LAKE  
ESTATES AND THE CASCADES  
PLAT #2

WARRANTY DEED IN  
BOOK 960, PAGE 34

OLD PLANK ROAD

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

WARRANTY DEED IN BOOK 554, PAGE 20

SECTION LINE

MISSOURI ROUTE "K"

**TRACT 1**  
40.14 ACRES

**TRACT 2**  
131.19 ACRES

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

WARRANTY DEED IN  
BOOK 777, PAGE 916

Δ - 08°28'09"  
R - 489.45'  
L - 146.30'  
CH - N 70°16'40"E  
146.17'

NOTE:  
WATERLINE ALONG THE  
SOUTH SIDE OF ROUTE "K".  
EASEMENT IN BOOK 1377,  
PAGE 418.  
(NOT LOCATED)

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

NOTE:  
RIGHT-OF-WAY DEED IN  
BOOK 197, PAGE 374

NOTE:  
CENTERLINE OF SEWER EASEMENT 15  
FEET SOUTH OF THE GRAVITY SEWER.

NOTE:  
CENTERLINE OF THE 66" GASLINE EASEMENT  
15 FEET SOUTH OF THE 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)

NOTE:  
WATERLINE ALONG THE WEST SIDE  
OF HIGH POINT LANE, 20' EASEMENT  
IN BOOK 494, PAGE 22.  
(NOT LOCATED)

OLD PLANK VILLAGE  
PLAT BOOK 37, PAGE 74

SURVEY IN  
BOOK 817, PAGE 09

PROG'S LEAF SUBDIVISION  
PLAT BOOK 30, PAGE 71

LANE

POINT

HIGH

SURVEY IN  
BOOK 770, PAGE 344

QUARTER SECTION LINE AS  
PER SURVEY IN BOOK 770, PAGE 344

SURVEY IN  
BOOK 393, PAGE 541

SOUTH QUARTER CORNER OF  
SECTION 10-47-13 REPRODUCED  
FROM SURVEY IN BOOK 770, PAGE 334

WARRANTY DEED IN  
BOOK 391, PAGE 313

**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 541 AND IN BOOK 770, PAGE 344; THENCE ALONG THE SOUTH LINE OF SECTION 10, N 89°56'13"W, 2630.04 FEET TO A FOUND STONE; THENCE ALONG THE WEST LINE OF SECTION 10, N 00°59'30"E, 1390.76 FEET TO THE SOUTH LINE OF STATE ROUTE "K"; THENCE S 07°10'30"E, 96.05 FEET; THENCE ALONG A CURVE TO THE LEFT, 46.14 FEET, THE CHORD OF SAID CURVE BEING S 08°13'30"E, 46.13 FEET; THENCE S 00°52'10"W, 180.00 FEET; THENCE N 89°56'10"E, 31.60 FEET; THENCE N 00°55'00"W, 180.00 FEET; THENCE EASTERLY ALONG A CURVE TO THE LEFT, 371.94 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°24'20"E, 9.00 FEET; THENCE N 74°30'40"E, 769.70 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°03'02"E, 3222.33 FEET TO THE POINT OF BEGINNING AND CONTAINING 171.33 ACRES.

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

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 at Boone County, Missouri  
Date and Time: 12/05/2003 at 02:10:58 PM  
Instrument #: 2003048458 Book:02404 Page:0058  
GIVEN: PATCHETT, JAMES V  
GIVEN: WILLIAMSON, JOHN SAM  
Instrument Type: B/L  
Recording Fee: \$24.00  
No. of Pages: 1

**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.