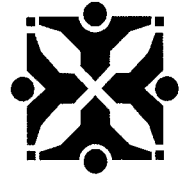


City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: B 263-14

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: August 18, 2014

Re: Johnson Medical Clinic O-P Plan - rezoning (#14-124)

Documents Included With This Agenda Item

Council memo, Resolution/Ordinance, Exhibits to Resolution/Ordinance

Supporting documentation includes: Summary of Board/Commission Reports (including maps, Statement of Intent, and previously approved O-P Plan), Excerpts from Minutes

Executive Summary

A request by Robert Hollis, Van Matre, Harrison, Hollis, and Taylor, P.C. (Applicant) on behalf of L & M Office, LLC (owner) to amend the Statement of Intent for property associated with the "Johnson Medical Clinic O-P Development Plan". The subject site is located at the southwest corner of Pratt Street and Ripley Street and addressed as 103 Ripley Street. (Case #14-124)

Discussion

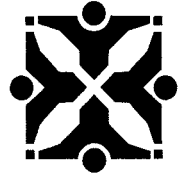
The applicant is requesting to amend the existing Statement of Intent, which is a rezoning action, associated with the O-P zoning on the subject property. The revision would allow administrative and professional offices in the existing structure. Originally the request included a residential use on the second floor, but that use has since been removed from the requested revision. The site is currently improved with a two-story, residential-style building with an accessory off-street parking facility.

The property was previously rezoned O-P in 2002 and the uses for the property were restricted to physician's offices only. The applicant is requesting that administrative and professional office uses be permitted along with the current approved use. Given the similarity of the existing and requested uses, staff finds that the proposed office uses would be compatible with the neighborhood and would not have a detrimental impact on surrounding properties. In addition, the proposed office uses have a lower parking requirement, and therefore a lower parking need than that typically experienced at a medical office. This may be beneficial in the future, as the neighborhood is currently being studied for a residential parking permit program which may (if adopted) result in limiting on-street parking to permit holders only. Expanding the allowed uses on the site to include general office uses could be an option to mitigate parking issues should they arise.

At its meeting on August 7, 2014, the Planning and Zoning Commission voted unanimously (7-0) to recommend approval of the rezoning request. A representative for the applicant, Robert Hollis, an attorney with Van Marter, Harrison, Hollis, and Taylor, P.C., was present and gave an overview of the request. Commissioners inquired about the status of the parking study for the neighborhood. The president of the local neighborhood association spoke during the public hearing and had no objection to

City of Columbia

701 East Broadway, Columbia, Missouri 65201



the request.

Fiscal Impact

Short-Term Impact: None.

Long-Term Impact: None.

Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Economic Development

Strategic Plan Impact: Economic Development

Comprehensive Plan Impact: Economic Development

Suggested Council Action

Approval of the rezoning to amend the Statement of Intent.

Legislative History

Ord. #17462 (10/7/02): Approved O-P Development Plan

Ord. #17248 (4/1/02): Rezoned to O-P


Department Approved


City Manager Approved

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 263-14

AN ORDINANCE

changing the uses allowed on O-P zoned property located on the southwest corner of Pratt Street and Ripley Street (103 Ripley Street); approving a revised statement of intent; repealing all conflicting ordinances or parts of ordinances; and fixing the time when this ordinance shall become effective.

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

SECTION 1. The permitted uses on property in District O-P located on the southwest corner of Pratt Street and Ripley Street (103 Ripley Street), and further described as follows:

A tract of land described in the warranty deed in Book 421 at page 502 being parts of Lots Eleven (11) and Twelve (12) of Stephen's Subdivision of Lots Six (6), Seven (7), Eight (8) and Nine (9) of the Subdivision of Lot Twenty-seven (27) in Stephen's Second Addition to the Town (now City) of Columbia as recorded in Book 68 at page 345, both of the Boone County Records; situate in the City of Columbia, Boone County, Missouri.

are amended to include the permitted uses set forth in the statement of intent.

SECTION 2. The City Council hereby approves the terms and conditions contained in the revised statement of intent dated August 11, 2014, marked "Exhibit A," which is attached to and made a part of this ordinance, which replaces the statement of intent attached to Ordinance No. 017248 passed on April 1, 2002, and it shall be binding on the owners until such time as the Council shall release such limitations and conditions on the use of the property.

SECTION 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. 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

VAN MATRE, HARRISON, HOLLIS, AND TAYLOR, P.C.

A PROFESSIONAL CORPORATION

ATTORNEYS AND COUNSELORS AT LAW

1103 EAST BROADWAY

POST OFFICE BOX 1017

COLUMBIA, MISSOURI 65201

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E-MAIL: robert@vanmatre.com

ROBERT N. HOLLIS
GARRETT S. TAYLOR
CASEY E. ELLIOTT
RICHARD B. HICKS

EVERETT S. VAN MATRE
(1922-1998)

August 11, 2014

Clint Smith, AICP
Community Development
City of Columbia
701 E Broadway
Columbia, MO 65201
Via Email Delivery cesmith@gocolumbiamo.com

RE: Statement of Intent / Application for Permanent Rezoning / 103 Ripley Street / True Properties, LLC (the "Applicant")

Dear Mr. Smith,

The following is intended to satisfy the requirements of Section 29-13.1(e)(2) of the City's Zoning Ordinances:

a. The uses proposed for the site from the list of uses permitted under Section 29-13.1 of the City's Zoning Ordinances, are as follows: office buildings used for the administrative functions of businesses, professions, companies, corporations; and social, philanthropic, eleemosynary, or governmental organizations or societies. Offices for professional and business use involving the sale or provision of services, but not the sale or rental of goods, including, but not limited to: (i) artists, sculptors, photographers; (ii) authors, writers, composers; (iii) lawyers, engineers, planners, architects, real estate agents, accountants, insurance agents, brokers, and consultants in similar professions; (iv) ministers, rabbis, priests, or other clergy members; (v) physicians, dentists, chiropractors, or other licensed medical practitioner; (vi) seamstresses, tailors; and (vii) teachers of private lessons in art, music, or dance. Customary accessory uses subject to the provisions of Section 29-27, accessory uses.

b. The maximum building height proposed for the Property is 40 feet measured from the lowest adjacent grade of the building.

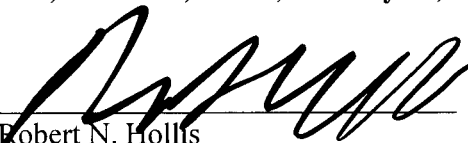
c. The maximum gross square feet of the building floor area proposed shall be 3,000 square feet.

d. The minimum percentage of the site to be maintained in open space shall be 40%.

Sincerely,

Van Matre, Harrison, Hollis, and Taylor, P.C.

By:


Robert N. Hollis



SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

Summary of Board/Commission Reports (including maps, Statement of Intent, and previously approved O-P Plan), Excerpts from Minutes

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
August 7, 2014**

SUMMARY

A request by Robert Hollis, Van Matre, Harrison, Hollis, and Taylor, P.C. (Applicant) on behalf of L & M Office, LLC (owner) to amend the Statement of Intent for property associated with the "Johnson Medical Clinic O-P Development Plan". The subject site is located at the southwest corner of Pratt Street and Ripley Street and addressed as 103 Ripley Street. (Case #14-124)

DISCUSSION

The applicant is requesting to amend the existing Statement of Intent, which is a rezoning action, associated with the O-P zoning on the subject property. The revision would allow administrative and professional offices in the existing structure. Originally, the request included a residential use on the second floor, but that use has since been removed from the requested revision. The site is currently improved with a two-story, residential-style building with an accessory off-street parking facility.

The property was rezoned to O-P in 2002 and the approved ordinance limited the uses on the property to physician's offices. Per the records of the request, the applicant at the time was a physician and the building was intended to house the applicant's own medical practice. A variance was also granted to reduce the number of required parking spaces from 15 to 11 (although there are 2 additional spaces on site that could be constructed if required by the City). Later in 2002, an O-P Development Plan was approved. The O-P plan is attached for reference; however, no revisions are requested to the plan.

The current request would allow (in addition to physician's offices) administrative offices for companies and businesses and professional offices for occupations such as architects and engineers. Typically, medical offices require more parking than general office due to the frequency of appointments that medical offices typically schedule, and this is reflected in the amount of parking required by the City. In terms of parking requirements, the requested uses require less parking (1 space per 300 ft²) than medical offices (1 space/200 ft²), and therefore the impact of parking on the site may be reduced when compared to the current parking demand. Additionally, as previously noted, the site currently provides less parking than is required by the Zoning Ordinance. If general office uses were approved on the subject property, any exchange of existing medical office for general office would render the site more compliant in terms of provided parking.

It is also worth noting that this area is currently being considered for a residential parking permit program that would restrict on-street parking. Staff is not aware of any parking issues on this site, but if a parking permit program was instituted, it could affect the ability of the subject property to accommodate overflow parking in the future. If the site could also accommodate general office uses, it could be an option in the future to mitigate parking issues should they arise.

Overall, staff finds that the expansion of uses to include administrative and professional offices would not have a negative impact on surrounding properties or the neighborhood as a whole. The demand for parking would likely be reduced from its current level, which may be beneficial if on-street parking is restricted in the future.

RECOMMENDATION

Approval of the requested rezoning to amend the Statement of Intent.

SUPPORTING DOCUMENTS

Attachments

- Aerial and topographic maps
- Statement of Intent
- Previously Approved “Johnston Medical Clinic” O-P Development Plan

HISTORY

Annexation date	1906
Zoning District	O-P (Planned Office District)
Land Use Plan designation	Employment District
Previous Subdivision/Legal Lot Status	Meets definition of a legal lot

SITE CHARACTERISTICS

Area (acres)	0.31 acres
Topography	Flat
Vegetation/Landscaping	Landscaping, turf
Watershed/Drainage	Flat Branch
Existing structures	Two-story, residential-style building

UTILITIES & SERVICES

Sanitary Sewer	All City services are available to the site.
Water	
Fire Protection	
Electric	

ACCESS

Pratt Street	
Location	North side of site
Major Roadway Plan	Local Residential (improved & City-maintained); 40-foot right of way
CIP projects	None

Ripley Street	
Location	East side of site
Major Roadway Plan	Local Residential (improved & City-maintained); 40-foot right of way
CIP projects	None

PARKS & RECREATION

Neighborhood Parks	Within ½ mile radius of Lions Stephens Park
Trails Plan	No trails planned adjacent to site.
Bicycle/Pedestrian Plan	No facilities adjacent to site.

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 July 15, 2014.

Public information meeting recap	Number of attendees: 5 (including 3 applicant representatives) Comments/concerns: Concerns with parking, types of uses permitted.
Neighborhood Association(s) notified	Benton-Stephens Neighborhood Association; North Central Neighborhood Association
Correspondence received	3 phone calls from neighboring property owners with general inquiries about request

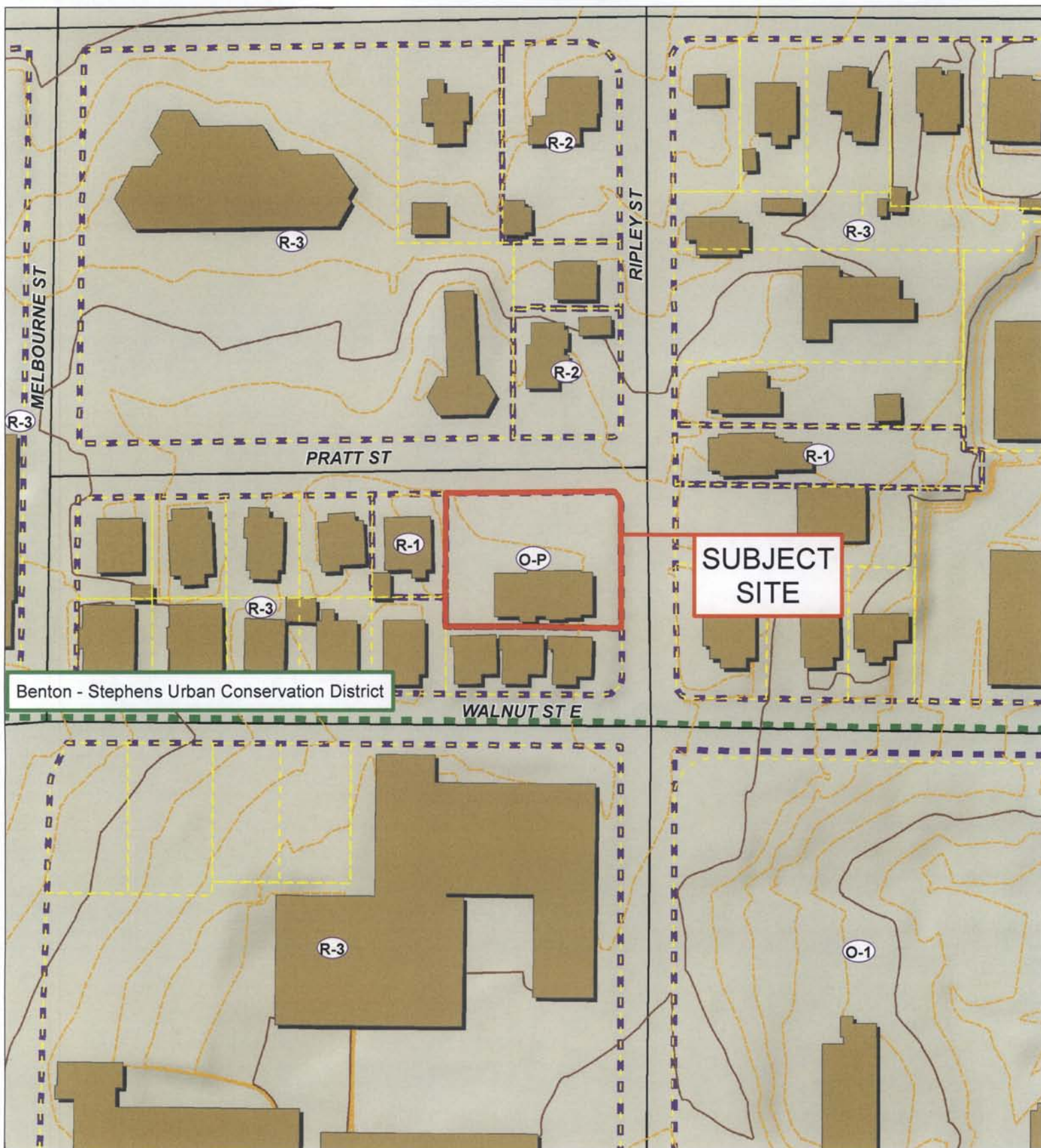
Report prepared by Clint Smith

Approved by Patrick Zenner



14-124: Johnson Medical Clinic O-P Plan Rezoning





Benton - Stephens Urban Conservation District

SUBJECT
SITE



14-124: Johnson Medical Clinic O-P Plan Rezoning



VAN MATRE, HARRISON, HOLLIS, AND TAYLOR, P.C.

A PROFESSIONAL CORPORATION

ATTORNEYS AND COUNSELORS AT LAW

**1103 EAST BROADWAY
POST OFFICE BOX 1017
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**EVERETT S. VAN MATRE
(1922-1998)**

August 11, 2014

Clint Smith, AICP
Community Development
City of Columbia
701 E Broadway
Columbia, MO 65201
Via Email Delivery cesmith@gocolumbiamo.com

RE: Statement of Intent / Application for Permanent Rezoning / 103 Ripley Street / True Properties, LLC (the "Applicant")

Dear Mr. Smith,

The following is intended to satisfy the requirements of Section 29-13.1(e)(2) of the City's Zoning Ordinances:

a. The uses proposed for the site from the list of uses permitted under Section 29-13.1 of the City's Zoning Ordinances, are as follows: office buildings used for the administrative functions of businesses, professions, companies, corporations; and social, philanthropic, eleemosynary, or governmental organizations or societies. Offices for professional and business use involving the sale or provision of services, but not the sale or rental of goods, including, but not limited to: (i) artists, sculptors, photographers; (ii) authors, writers, composers; (iii) lawyers, engineers, planners, architects, real estate agents, accountants, insurance agents, brokers, and consultants in similar professions; (iv) ministers, rabbis, priests, or other clergy members; (v) physicians, dentists, chiropractors, or other licensed medical practitioner; (vi) seamstresses, tailors; and (vii) teachers of private lessons in art, music, or dance. Customary accessory uses subject to the provisions of Section 29-27, accessory uses.

b. The maximum building height proposed for the Property is 40 feet measured from the lowest adjacent grade of the building.

c. The maximum gross square feet of the building floor area proposed shall be 3,000 square feet.

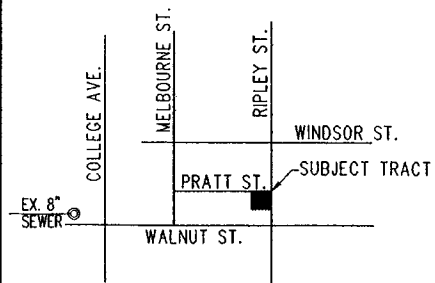
d. The minimum percentage of the site to be maintained in open space shall be 40%.

Sincerely,

Van Matre, Harrison, Hollis, and Taylor, P.C.

By:


Robert N. Hollis

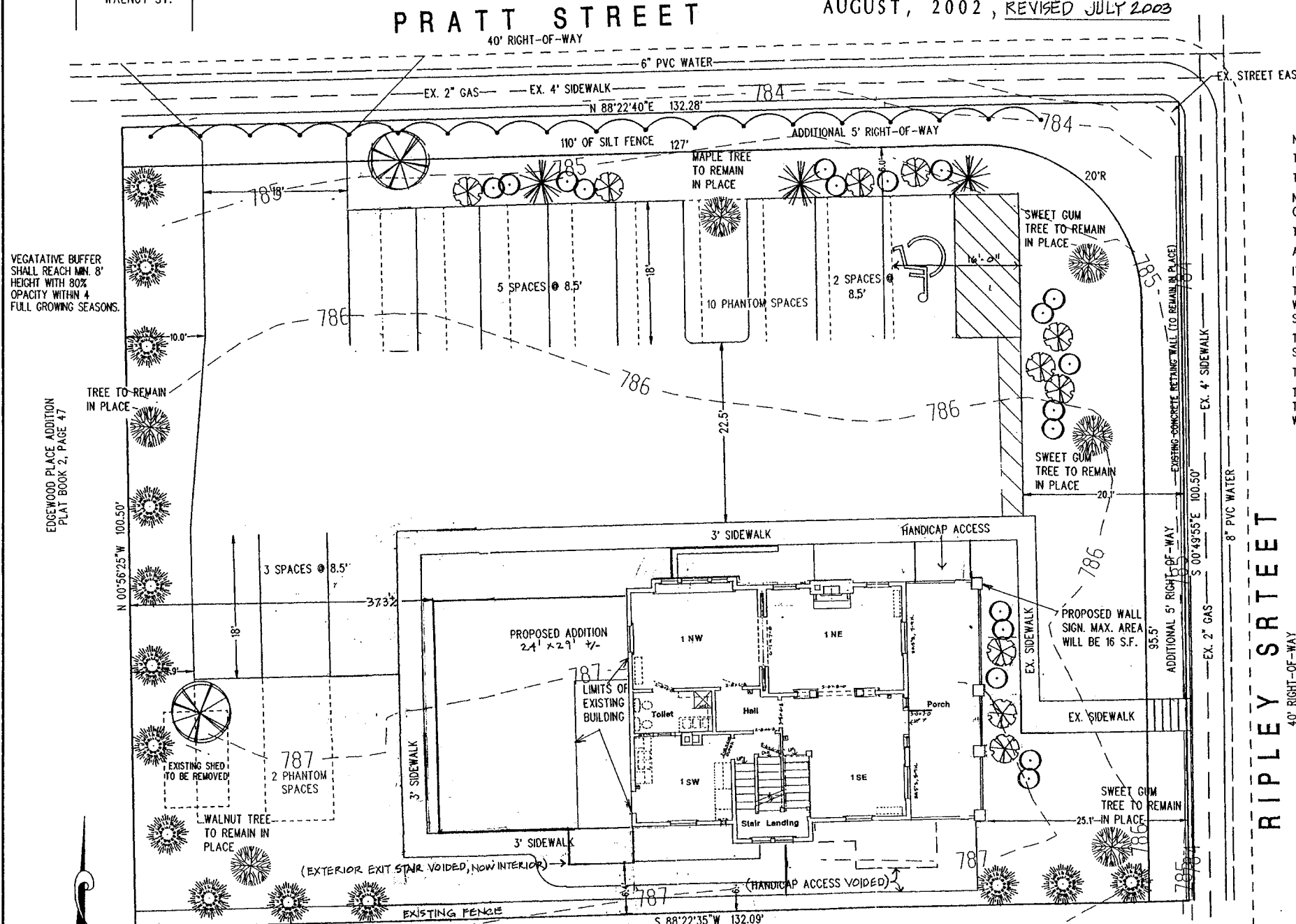


OWNER:
RIPLEY HOUSE, LLC
1605 E. BROADWAY
COLUMBIA, MO 65201

O-P PLAN JOHNSON MEDICAL CLINIC

COLUMBIA, BOONE COUNTY, MISSOURI

AUGUST, 2002, REVISED JULY 2003



VEGETATIVE BUFFER SHALL REACH MIN. 8' HEIGHT WITH 80% OPACITY WITHIN 4 FULL GROWING SEASONS.

EDGEWOOD PLACE ADDITION
PLAT BOOK 2, PAGE 47

SCALE 1" = 10'
0 5 10 20

STEPHENS SUB. OF LOTS 6,7,8, 89
SUR-68, PAGE 345

Approved by the Planning and Development Dept.

this 6th day of August, 2003.

Roy Duda
Roy Duda, Director

SYMBOL	QUANTITY	DESCRIPTION
	3	MEDIUM AND LARGE DECIDUOUS SHADE TREES: 2" CALIPER, AS MEASURED 6" ABOVE THE GROUND, AS SPECIFIED BY THE AMERICAN ASSOCIATION OF NURSERYMEN.
	3	CONIFERS 6' IN HEIGHT AND UPRIGHT EVERGREEN TREES: 4" IN HEIGHT AS SPECIFIED BY THE AMERICAN ASSOCIATION OF NURSERYMEN.
	13	DECIDUOUS SHRUBS, MIN. (2) GALLON SIZE.
	7	EVERGREEN SHRUBS, MIN. (2) GALLON SIZE.
	16	EVERGREEN TREE TO BE A HETZLI COLUMNAR. 6' TALL (MIN) AND PLANTED ON 8' CENTERS.



I, Brian J. Pape, AIA, do hereby certify that this Site Plan fully conforms with the O-P Zone Development Plan as approved by the City Council of Columbia on 7th of October, 2002.
Brian J. Pape
Signature and seal, Date 7-22-03

DESIGN PARAMETERS:

THE GROSS SQUARE FOOTAGE OF THE BUILDING SHALL BE 2901 SQUARE FEET (TOTAL UPPER AND LOWER LEVELS).

THE MINIMUM DISTANCE BETWEEN THE EXISTING BUILDING AND THE PROPERTY LINE IS 6.4 FEET AS SHOWN ON THE ADJACENT DRAWING.

THE MAXIMUM HEIGHT OF THE BUILDING SHALL NOT EXCEED 36 FEET.

WITH THE EXCEPTION OF THE ENTRANCE, THE MINIMUM DISTANCE FROM ANY PARKING AND/OR DRIVING AREA TO THE ADJACENT PROPERTY IS 7.9 FEET.

THE MINIMUM AREA OF THE SITE TO BE MAINTAINED AS OPEN SPACE IS 40%. OPEN SPACE BEING ANY LANDSCAPED AND/OR GRASSED AREA.

NO FREE STANDING OR MONUMENT SIGNS ARE PROPOSED ON THIS SITE.

THE MINIMUM AREA OF THE SITE TO BE MAINTAINED AS LANDSCAPING IS 40%. LANDSCAPING BEING ANY PLANTED AND/OR GRASSED AREA.

NOTES:

THIS TRACT CONTAINS 0.30 ACRES.

THIS TRACT IS ZONED O-P.

NO PART OF THIS TRACT IS WITHIN THE 100 YEAR FLOOD PLAIN AS ADOPTED BY THE CITY OF COLUMBIA.

THE INTENT OF THIS DEVELOPMENT IS TO HAVE THE SITE DEVELOPED IN ONE SINGLE PHASE.

ALL NECESSARY UTILITIES ARE PRESENTLY LOCATED ON OR ADJACENT TO THIS SITE.

IT IS THE INTENT OF THIS PLAN TO MAINTAIN A MINIMUM OF 40% OF THE AREA AS LANDSCAPING.

THERE ARE NO DRAINAGE IMPROVEMENTS PROPOSED WITH THIS O-P DEVELOPMENT. ALL STORM WATER IN THE PARKING LOT WILL EITHER LEAVE THE SITE THROUGH THE ENTRANCE OR BY SHEET FLOW OVER THE PARKING LOT TO THE GRASSED YARD TO THE STREET.

THE EXISTING AND PROPOSED BUILDING IS TO USE THE EXISTING SEWER LATERAL FOR SANITARY SEWER SERVICE.

THE MAXIMUM HEIGHT OF THE EXISTING BUILDING IS 36'.

THE PHANTOM SPACES AS SHOWN REPRESENT POSSIBLE FUTURE PARKING SPACES SHOULD THIS DEVELOPMENT CHANGE OWNERSHIP AND REQUIRE ADDITIONAL PARKING. THESE SPACES WERE ADDED TO THE PLAN PER THE REQUEST BY THE PLANNING AND ZONING COMMISSION.

LANDSCAPE INFORMATION:	(NO CHANGE)
DESCRIPTION:	AMOUNT:
TOTAL PARKING AREA	5000 S.F.
TREES REQUIRED (1 TREE / 4500 S.F.)	2 TREES
TOTAL TREES PROPOSED	3 TREES
LENGTH OF PARKING WITHIN 20' OF R/W	68 LF
SCREENING REQUIRED @ 50%	34 LF
TREES REQUIRED @ 1 PER 50 LF	1 TREES
PARKING WITHIN 50' OF R1 ZONE	68 LF
SCREENING REQUIRED: 80% OPACITY FROM 1 FOOT TO 8 FEET HEIGHT FOR ENTIRE LENGTH	
TOTAL TREES REQUIRED	3 TREES
TOTAL TREES PROVIDED	3 TREES
MEDIUM TO LARGE SHADE TREES RORD @ 30%	1 TREES
MEDIUM TO LARGE SHADE TREES PROPOSED @ 30%	1 TREES

IMPERVIOUS CALCULATIONS:

TOTAL BUILDING FOOTPRINT AREA:	1,800 S.F. 2070
TOTAL IMPERVIOUS AREA: INCL. BLDG.	7825 S.F. (UNCHANGED NET)
TOTAL LOT AREA:	13,284 S.F.
TOTAL PERVIOUS AREA:	5459 S.F. (41%) (UNCHANGED)

NOTE: A DETAILED LANDSCAPING PLAN SHALL BE PREPARED WITH THE FINAL SITE PLAN TO MEET THE MINIMUM PLANTINGS LISTED ABOVE.

PARKING CALCULATIONS: (NO CHANGE)

MEDICAL CLINIC - 1 SPACE PER 200 S.F.	2901/200 = 14.5
PARKING REQUIRED	15 SPACES
PARKING PROVIDED	11 SPACES
HANDICAP PARKING REQUIRED	1
HANDICAP PARKING PROVIDED	1

(The original O-P Plan was developed by Crockett Engineering, Columbia MO.
BILL R. CROCKETT)

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
AUGUST 7, 2014

IV) PUBLIC HEARINGS

Case No. #14-124

A request by Robert Hollis, Van Matre, Harrison, Hollis and Taylor, P.C. (Applicant) on behalf of L & M Office, LLC (owner) to amend the Statement of Intent for property associated with the "Johnson Medical Clinic O-P Development Plan." The subject site is located at the southwest corner of Pratt Street and Ripley Street and addressed as 103 Ripley Street.

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

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

DR. PURI: Any questions of the staff, Commissioners? Mr. Strodtman?

MR. STRODTMAN: Can you -- can you explain the parking permit plan a little bit more. I guess I wasn't very clear on what that meant.

MR. SMITH: I know our Engineering Department is involved with a study right now, I think a pilot parking program out there, and the results of that currently are not known. They're in the middle in that, so possibly some of the recommendations of that study could be to limit on-street parking to permit parking only. So that's about all the information I have on that. We could get some more information, but that's generally where the status of that is right now.

MR. STRODTMAN: And that plan is citywide, and not just in this particular area?

MR. SMITH: No. I think it's just for this specific neighborhood. I think there are different plans -- or different programs going on right now. I think north of downtown is also involved in one. I don't know if that's a separate one or if it's the same one. It's separate, so --

MR. STRODTMAN: Thank you.

DR. PURI: Commissioners, any other questions of the staff? I see none. It's a public hearing item.

OPEN PUBLIC HEARING

DR. PURI: Please approach the podium and address the Commission.

MR. HOLLIS: Good evening. Robert Hollis, with offices at 1103 East Broadway here on behalf of True Properties, which is a contract purchaser for this property. Jack Miller -- you may have heard of True Media. That's the applicant. He intends to purchase the property and utilize the place as internet marketing office space. You might note in the application that there's a reference to potential residential uses on the second floor. That was an idea for a temporary residence for staff -- for his staff, which he no longer intends to do. Technically, it's a rezoning. It's only a rezoning because we're attempting to change

the uses via the Statement of Intent and the O-P ordinances actually state that that shall be treated as a rezoning. Here to -- happy to answer any questions if you have any.

DR. PURI: Commissioners, any questions for Mr. Hollis? Mr. Strodtman?

MR. STRODTMAN: What's the intent of the second floor now?

MR. HOLLIS: Potentially, office space.

MR. STRODTMAN: Thank you.

DR. PURI: Any other questions? Seeing none. Thank you, Mr. Hollis.

MR. HOLLIS: Thank you.

DR. PURI: Anybody else wishing to speak on this matter?

MR. RENAUD: Brandon Renaud, President, Benton-Stephens Neighborhood Association. I'm here to speak on behalf of the neighborhood association. We looked over this --

DR. PURI: Can you state your address, please, for the transcript?

MR. RENAUD: 1425 Hickory Street.

DR. PURI: Thank you.

MR. RENAUD: We feel it's a fair -- fair and reasonable proposal. Don't see any problems with it. Don't see -- we have no push back from the neighborhood and think they'd be a -- a good neighbor, so that's it.

DR. PURI: Commissioners, any questions of this speaker? Thank you. Anybody else?

PUBLIC HEARING CLOSED

DR. PURI: Commissioners, discussion?

MR. TILLOTSON: I don't really have much discussion. It seems like it's pretty cut and dried. The neighborhood association is in favor of it. I like it, and I think it's a good proposal. So without any further ado, unless there's any other comments, I'm going to recommend approval of Case 14-124 with the staff's recommendations for the approval of the request to rezoning to amend the Statement of Intent.

DR. PURI: Mr. Tillotson has introduced a motion to the floor. Mr. Lee?

MR. LEE: Second.

DR. PURI: Mr. Lee seconds. May we have a roll call, please.

MR. STRODTMAN: Yes, sir.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Stanton, Mr. Strodtman, Mr. Tillotson, Ms. Burns, Mr. Lee, Ms. Loe, Dr. Puri. Motion carries 7-0.

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