City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: B 52-15

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff Council Meeting Date: 3/2/2015

Re: Kochtanek PUD - rezoning & plan amendment (15-49)

Documents Included With This Agenda Item

Council memo, Resolution/Ordinance, Exhibits to Resolution/Ordinance **Supporting documentation includes:** Summary of Board/Commission Reports (including maps, revised PUD development plan, revised statement of intent, original PUD plan, original PUD rezoning ordinance & statement of intent), Excerpts from Minutes

Executive Summary

Approval of this request will allow for one additional dwelling unit on the subject site.

Discussion

The applicant is proposing to allow one additional dwelling unit, to be contained within a structure that is currently designated as an office/maintenance building (Building 15) on the originally approved PUD development plan. The request would not result in any change to building footprints or floor areas, and there is ample parking on the site.

The proposed plan amendment, although minor in nature, is dependent on approval of the concurrently requested rezoning, which will increase the site's existing PUD zoning density from 7 to 7.2, and increase the permitted maximum number of dwelling units on the site from 28 to 29.

At its February 19, 2015 meeting, the Planning and Zoning Commission voted unanimously (8-0) to approve both the rezoning and development plan amendment. There was no discussion by Commissioners, and no members of the public spoke on this request.

A copy of the Planning and Zoning Commission report (including maps, revised PUD development plan, revised statement of intent, original PUD plan, original rezoning ordinance & statement of intent), and excerpts from the meeting's minutes are attached.

Fiscal Impact

Short-Term Impact: No new capital spending is expected within the upcoming 2 years as a result of this proposal.

Long-Term Impact: Development of this site will increase demands on the adjacent streets, sanitary

City of Columbia

701 East Broadway, Columbia, Missouri 65201



sewers, storm sewers, water and electric supply lines. The costs associated with meeting these demands may or may not be offset by increased property and/or sales tax revenues and user fees.

Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Development

Strategic Plan Impact: Growth Management

Comprehensive Plan Impact: Land Use & Growth Management

Suggested Council Action

Approve the rezoning and development plan

Legislative History

May 17, 2004: Council Ordinance 018082 approved the Kochtanek PUD development plan.

Department Approved

City Manager Approved

Introduced by			
First Reading	Second Reading		_
Ordinance No.	Council Bill No.	B 52-15	

AN ORDINANCE

rezoning property located east of the intersection of Scott Boulevard and Southview Drive from District PUD-7 to District PUD-7.2; approving a revised statement of intent; repealing all conflicting ordinances or parts of ordinances; approving a revision to the planned unit development plan for Kochtanek PUD; and fixing the time when this ordinance shall become effective.

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

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

A TRACT OF LAND LOCATED IN THE WEST ½ OF SECTION 28, TOWNSHIP 48 NORTH, RANGE 13 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, AND BEING ALL OF LOT 1 OF TOM AND JEFF'S MOST EXCELLENT ADVENTURE PLAT 1 AS RECORDED IN PLAT BOOK 38 AT PAGE 95 OF THE RECORDS OF BOONE COUNTY, MISSOURI.

will be rezoned and become a part of District PUD-7.2 (Planned Unit Development) with a development density not exceeding 7.2 dwelling units per acre and taken away from District PUD-7 (Planned Unit Development). Hereafter the property may be used for the permitted uses set forth in the statement of intent.

SECTION 2. The City Council hereby approves the terms and conditions contained in the statement of intent dated January 13, 2015, attached hereto in substantially the same form as "Exhibit A" and made a part of this ordinance. This statement of intent replaces the statement of intent attached to Ordinance No. 017933 passed on December 15, 2003. The revised statement of intent shall be binding on the owners until such time as the Council shall release such limitations and conditions on the use of the property.

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

SECTION 4. The City Council hereby approves a revision to the planned unit development site plan for Kochtanek PUD, as certified and signed by the surveyor on January 13, 2015, for the property referenced in Section 1 above. The revision allows for the construction of one additional dwelling unit contained within a structure on the subject site. Except as modified herein, all other provisions of Ordinance No. 018082 approved by the City Council on May 17, 2004 shall remain in full force and effect.

SECTION 5. This ordinance shall be in full force and effect from and after its passage.

PASSED this _	day of	, 2015.
ATTEST:		
City Clerk		Mayor and Presiding Officer
APPROVED AS TO F	ORM:	
City Counselor		



October 27, 2003 REVISED NOVEMBER 20,2003 REVISED MARCH 5,2004 REVISED JANUARY 13, 2015

Statement of Intent

P.U.D - 7.2

a) The types of dwelling units proposed and any accessory buildings proposed.

Duplex structures or two family attached town homes and single family dwelling units are proposed and all accessory uses allowed in R-2 zoning shall be allowed

All Duplex structures shall have a minimum of a two-car garage for each unit or in other words, two 2-car garages for each building.

b) The maximum number of dwelling units proposed and the development density.

There are 4.46 acres of land in this tract. Of these 4.46 acres, 0.39 acres is a street easement for Scott Blvd. leaving 4.07 acres for the development. 29 units are proposed (14 Duplex Buildings and one single family dwelling unit) and the "PUD defined" density is 7.13 units per acre. The density as commonly defined would be 6.50 units per acre.



c) The maximum building height proposed

The maximum building height is 38 feet

d) The total number of parking spaces proposed and the parking ratio

The parking spaces proposed will follow the city's requirements for single and two family dwellings. Each two family unit will have a two-car garage as stated above.

e) The minimum percentage of the entire site to be maintained in open space, such as landscaping or natural vegetation.

The minimum percentage of open space will be 25%

f) Any amenities proposed, such as swimming pools, golf courses, and tennis courts, hiking trails or clubhouses.

Any such amenities will be itemized upon the submittal of a detailed PUD plan

g) A general description of the plan including minimum lot sizes, if applicable, minimum building setbacks from streets and minimum setbacks between buildings.

An 18-foot front, 18-foot rear and 5-foot side yards will be the minimum setbacks allowed except where the perimeter setback requires 25 feet.



- h) The 120 foot by 140 foot portion of the property that extends into the Katy Lake Estates subdivision and which fronts on Weston Drive will remain R-1 and be placed under the covenants of the Katy Lake Homeowners Association for the purpose of building a home on at a later date.
- i) No public or private street shall connect from Scott Boulevard to Weston Drive through the subject tract.
- j) A 10-foot wide public sidewalk easement shall connect the subject tract to Weston Drive
- k) Access to this property will be by a private driveway from Scott Boulevard.

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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, revised PUD development plan, revised statement of intent, original PUD plan, original PUD rezoning ordinance & statement of intent), Excerpts from Minutes

AGENDA REPORT PLANNING AND ZONING COMMISSION MEETING February 19, 2015

SUMMARY

A request by Thomas Kochtanek (owner) to rezone land from PUD-7 (a Planned Unit Development allowing up to 7 dwelling units per acre) to PUD-7.2, and for approval of an amendment to the associated Kochtanek PUD (Planned Unit Development) development plan. The 4.46-acre subject site is located east of the intersection of Scott Boulevard and W Southview Drive. (Case #15-49)

DISCUSSION

The applicant is proposing to allow one additional dwelling unit, to be contained within a structure that is currently designated as an office/maintenance building (Building 15) on the originally approved PUD development plan. There is ample off-street parking available on the site to accommodate the additional parking demand generated by addition of one dwelling unit. The request would not result in any change to building footprints or floor areas. The proposed dwelling unit would be contained within Building 15, which is located at the southwest corner of the site, nearest to Scott Boulevard. Building 15 is slated to serve as a leasing office for the development, and will provide an indoor storage facility for equipment used to maintain the site's buildings and landscaped areas.

The proposed plan amendment, although minor in nature, is dependent on approval of the concurrently requested rezoning, which increases the site's existing PUD zoning density from 7 to 7.2, and increases the permitted maximum number of dwelling units on the site from 28 to 29. Staff is not opposed to the proposed plan and rezoning since its impacts on surrounding properties are considered negligible.

RECOMMENDATION

Approval of the requested rezoning from PUD-7 to PUD-7.2 Approval of the proposed amendment to the Kochtanek PUD development plan

ATTACHMENTS

- Locator maps
- Revised PUD development plan
- Revised statement of intent
- Original PUD plan
- Original PUD rezoning ordinance & statement of intent

SITE HISTORY

Annexation Date	1993
Existing Zoning District(s)	PUD-7
Land Use Plan Designation	Neighborhood District
Subdivision/Legal Lot Status	Lot 1 of Tom and Jeff's Most Excellent Adventure Plat 1

SITE CHARACTERISTICS

Area (acres)	4.46 acres
Topography	Moderately slopes downward from north to south/southwest
Vegetation/Landscaping	Grass and trees
Watershed/Drainage	Hinkson Creek drainage basin
Existing structures	24 units in 12 structures

SURROUNDING LAND USES

Orientation from site	Zoning	Land Use
North	R-1 (One-Family Dwelling)	Single-family homes
South	R-3 (Medium Density Multiple Family Dwelling District) & Boone County R-M (Multi-family)	Two-family and multi-family residential
East	R-1	Single-family homes
West	Boone County R-S (Single-family) and R-M	Single-family and Two-family residential

UTILITIES & SERVICES

Sanitary Sewer	City Public Works	
Water	City Water & Light	
Electric	Boone Electric Cooperative	
Fire Protection	Columbia Fire Department	

ACCESS

Scott Boulevard	West side of site	
Major Roadway Plan	City-maintained major arterial street (improved)	
CIP Projects	No capital improvements are planned	
Sidewalk	In place	

PARKS & RECREATION

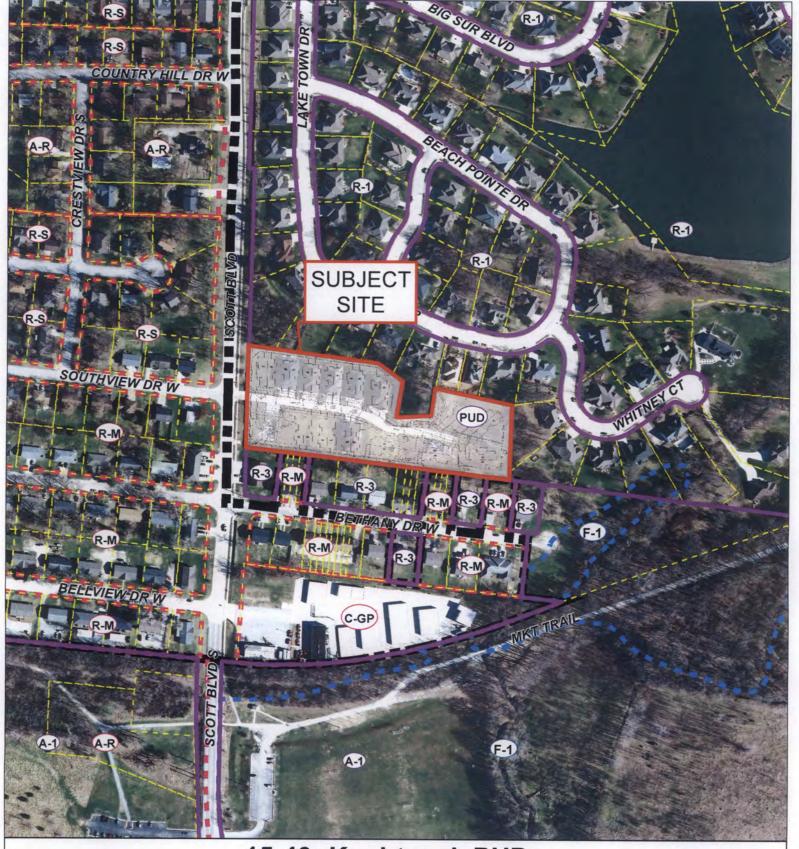
Neighborhood Parks	MKT Trail - Scott Boulevard Access, and Jay Dix Station are 800 ft south of site	
Trails Plan	No existing or proposed trails adjacent to site	
Bicycle/Pedestrian Plan	No existing or proposed bike/ped facilities adjacent to site	

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 January 27, 2015.

Public Information Meeting Recap	Number of attendees: Applicant & adjacent property owner Comments/concerns: General questions about project
Neighborhood Association(s)	Katy Lake Estates
Correspondence Received	None as of this writing

Report prepared by Steve MacIntyre; approved by Patrick Zenner





15-49: Kochtanek PUD **Rezoning & Minor Amendment**





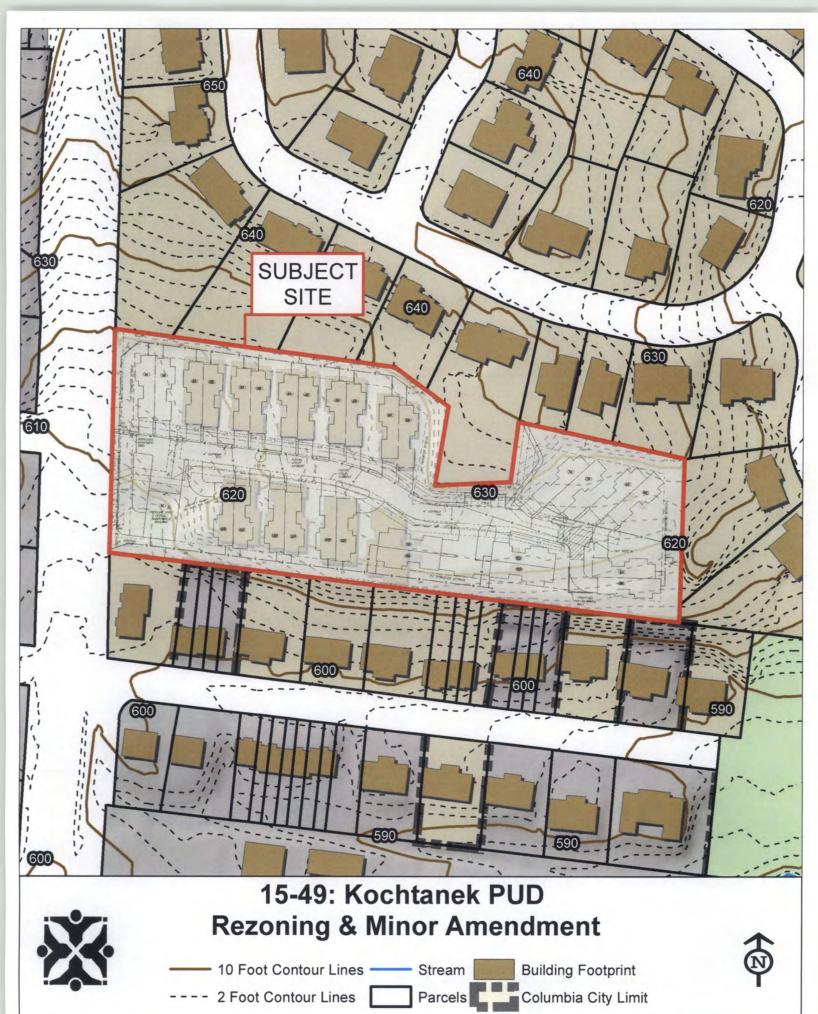




Hillshade Data: Boone County GIS Office

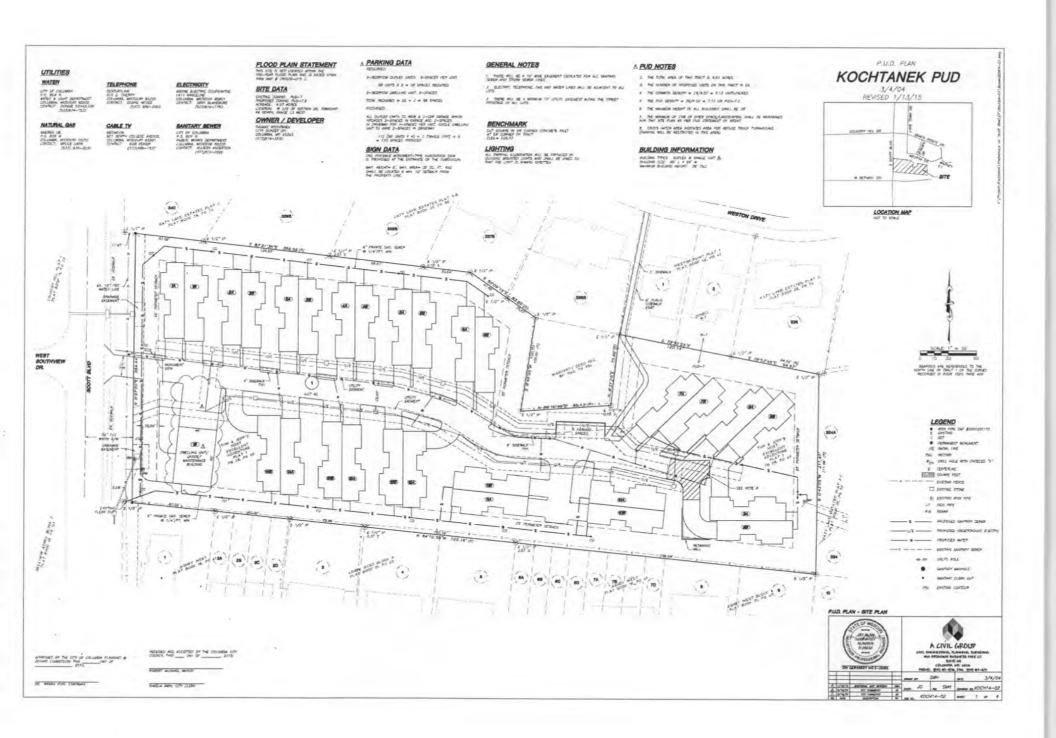
Imagery: Boone County Assessor's Office, Sanborn Map Company Parcel Data Source: Boone County Assessor Created by The City of Columbia - Community Development Department

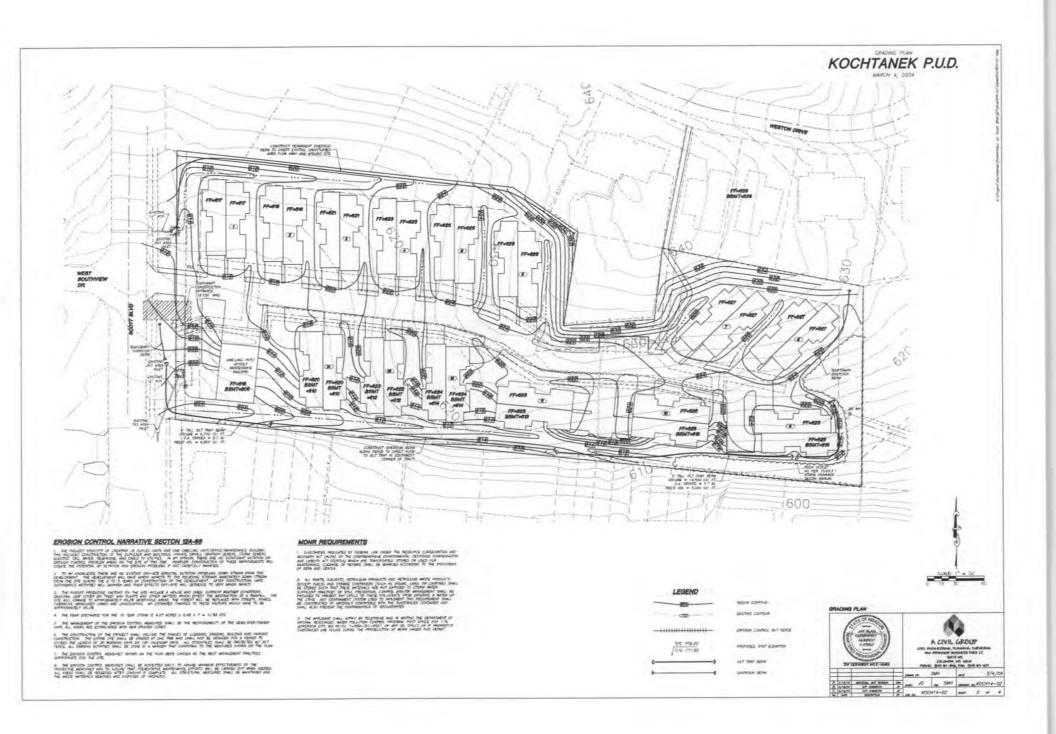
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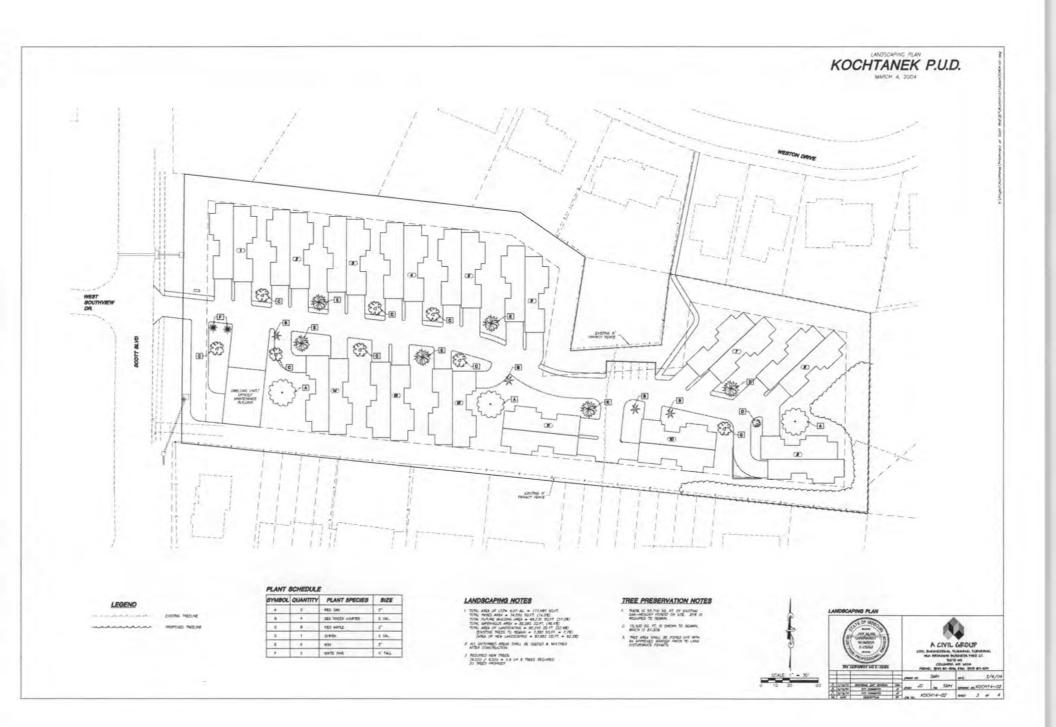


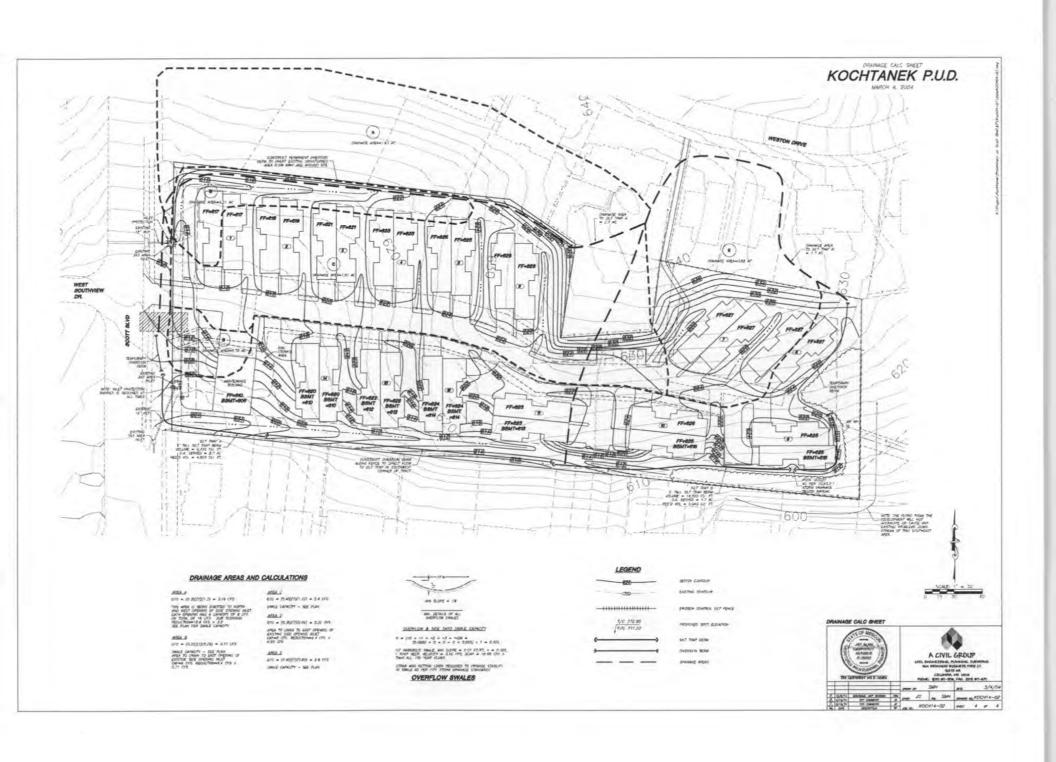
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Parcel Data Source: Boone County Assessor Created by The City of Columbia - Community Development Department

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October 27, 2003 REVISED NOVEMBER 20,2003 REVISED MARCH 5,2004 REVISED JANUARY 13, 2015

Statement of Intent

P.U.D - 7.2

a) The types of dwelling units proposed and any accessory buildings proposed.

Duplex structures or two family attached town homes and single family dwelling units are proposed and all accessory uses allowed in R-2 zoning shall be allowed

All Duplex structures shall have a minimum of a two-car garage for each unit or in other words, two 2-car garages for each building.

b) The maximum number of dwelling units proposed and the development density.

There are 4.46 acres of land in this tract. Of these 4.46 acres, 0.39 acres is a street easement for Scott Blvd. leaving 4.07 acres for the development. 29 units are proposed (14 Duplex Buildings and one single family dwelling unit) and the "PUD defined" density is 7.13 units per acre. The density as commonly defined would be 6.50 units per acre.



c) The maximum building height proposed

The maximum building height is 38 feet

d) The total number of parking spaces proposed and the parking ratio

The parking spaces proposed will follow the city's requirements for single and two family dwellings. Each two family unit will have a two-car garage as stated above.

e) The minimum percentage of the entire site to be maintained in open space, such as landscaping or natural vegetation.

The minimum percentage of open space will be 25%

f) Any amenities proposed, such as swimming pools, golf courses, and tennis courts, hiking trails or clubhouses.

Any such amenities will be itemized upon the submittal of a detailed PUD plan

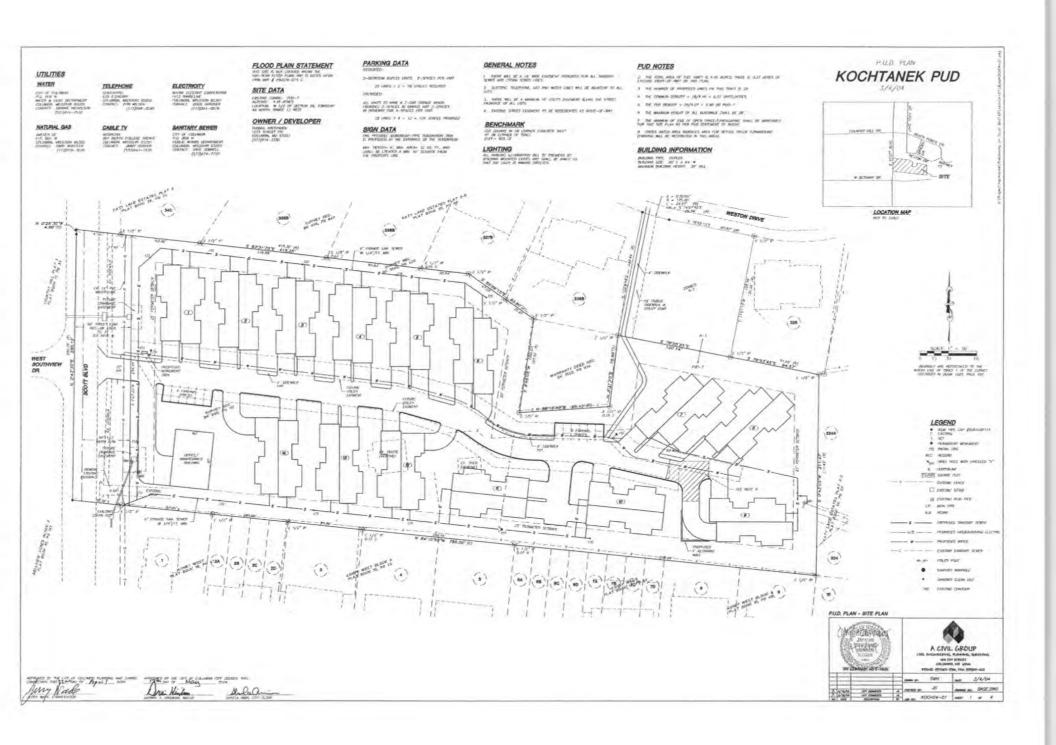
g) A general description of the plan including minimum lot sizes, if applicable, minimum building setbacks from streets and minimum setbacks between buildings.

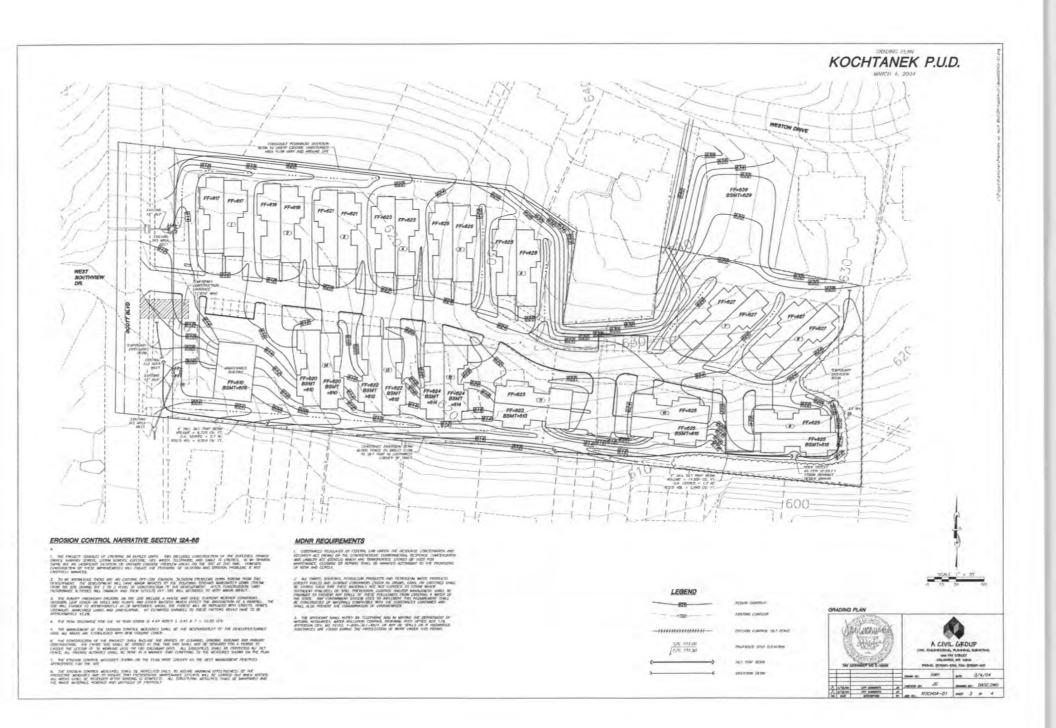
An 18-foot front, 18-foot rear and 5-foot side yards will be the minimum setbacks allowed except where the perimeter setback requires 25 feet.

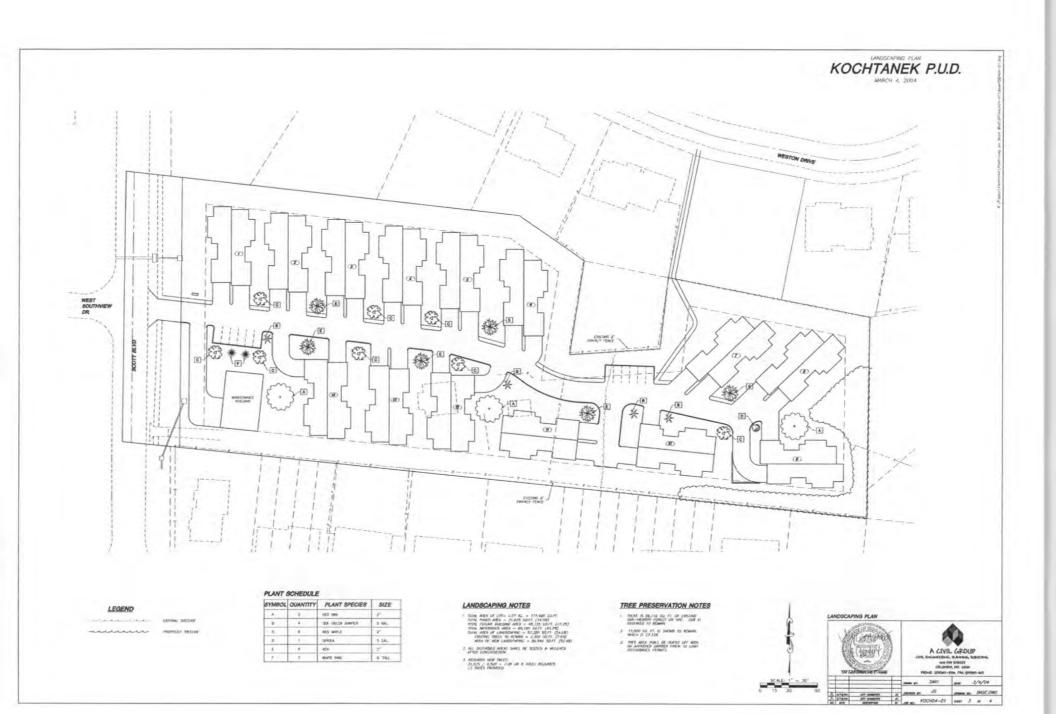


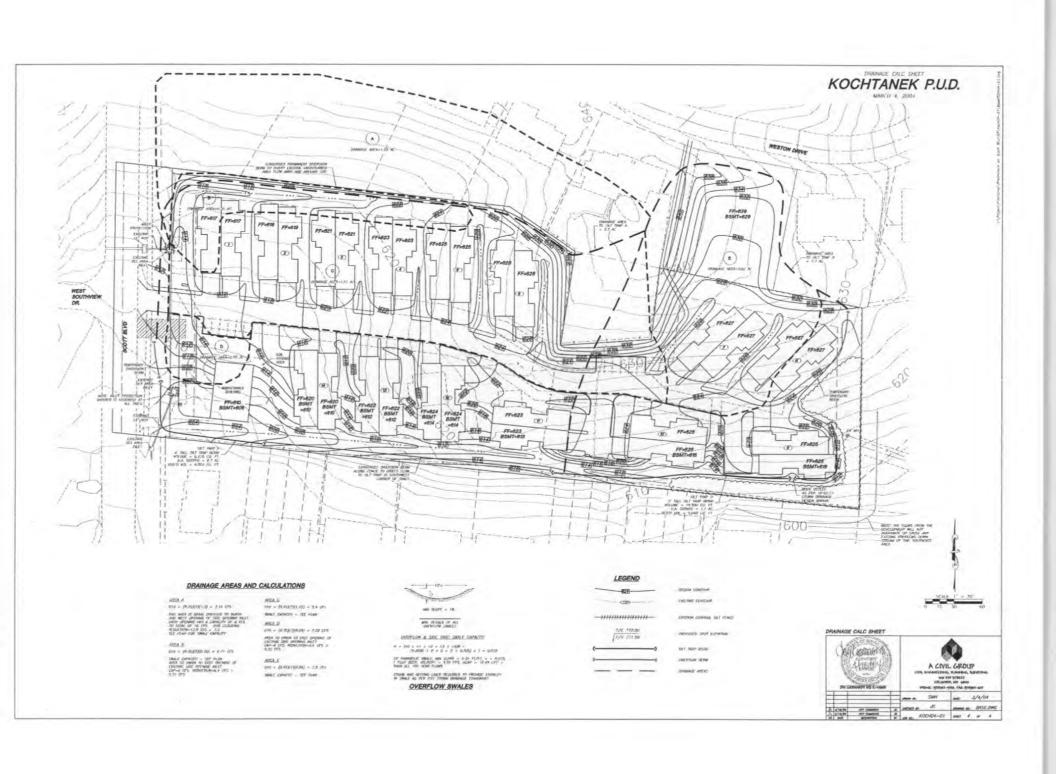
- h) The 120 foot by 140 foot portion of the property that extends into the Katy Lake Estates subdivision and which fronts on Weston Drive will remain R-1 and be placed under the covenants of the Katy Lake Homeowners Association for the purpose of building a home on at a later date.
- i) No public or private street shall connect from Scott Boulevard to Weston Drive through the subject tract.
- j) A 10-foot wide public sidewalk easement shall connect the subject tract to Weston Drive
- k) Access to this property will be by a private driveway from Scott Boulevard.

2/16/17









City Counselor

	Introduced by Hir	dman		Ç
First Reading	12/01/03	Second Reading	12/15/03	<u>-</u> - (
Ordinance No.	017933	Council Bill No.	В 393-03 А	Č.

AN ORDINANCE

rezoning property located on the east side of Scott Boulevard, approximately 140 feet north of Bethany Drive from Districts R-1 and R-2 to District PUD-7: 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 Zoning District Map established and adopted by Section 29-4 of the Code of Ordinances of the City of Columbia, Missouri, is amended so that the following property:

A TRACT OF LAND LOCATED IN THE WEST 1/2 OF SECTION 28, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, AND BEING PART OF TRACT 1 OF THE SURVEY RECORDED IN BOOK 1025 AT PAGE 420 OF THE RECORDS OF BOONE COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH EAST CORNER OF TRACT 1 OF THE SURVEY RECORDED IN BOOK 1025 AT PAGE 420; THENCE ALONG THE SOUTH LINE OF TRACT 1, N84°11'00"W. 785.00 FEET TO THE SOUTH WEST CORNER OF SAID TRACT 1; THENCE ALONG THE WEST LINE OF TRACT 1, NO°43'30"E, 280.06 FEET; THENCE NO°26'30"W, 4.88 FEET TO THE NORTHWEST CORNER OF TRACT 1; THENCE ALONG THE NORTH LINE OF TRACT 1, S83°31'35"E, 415.30 FEET; THENCE S55°12'15"E, 83.50 FEET; THENCE LEAVING THE NORTH LINE OF TRACT 1. S8°42'00"W, 100.00 FEET; THENCE N86°10'20"E, 95.13 FEET; THENCE N6°28'05"E. 75.69 FEET: THENCE S78°55'10"E,120.01 FEET; THENCE S78°55'15"E. 94.59 FEET TO THE EAST LINE OF TRACT 1; THENCE ALONG THE EAST LINE OF TRACT 1, S0°43'30"W, 211.49 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.47 ACRES.

will be rezoned and become a part of District PUD (Planned Unit Development) with a development density not exceeding seven dwelling units per acre and taken away from Districts R-1 (One-Family Dwelling District) and R-2 (Two-Family Dwelling District). The zoning district map shall designate the property PUD-7. Hereafter the property may be used for all the permitted uses in District R-2 (Two-Family Dwelling District). The Statement of Intent, marked "Exhibit A" is attached to and made a part of this ordinance.

SECTION 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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

PASSED this day of	December, 2003.
ATTEST:	
Mada Qui	Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor



A CIVIL GROUP

CIVIL ENGINEERING . PLANNING . SURVEYING

October 27, 2003 REVISED NOVEMBER 20,2003 Revised December 14 2003

Statement of Intent

P.U.D -9 7

a) The types of dwelling units proposed and any accessory buildings proposed.

Duplex structures or two family attached townhomes are proposed and all accessory uses allowed in R-2 zoning shall be allowed

All Duplex structures shall have a minimum of a two-car garage for each unit or in other words, two 2-car garages for each building.

b) The maximum number of dwelling units proposed and the development density.

There are 4.46 acres of land in this tract. Of this 4.46 acres, 0.39 acres is a street easement for Scott Blvd. leaving 4.07 acres for the development. If the development is required to have a public street, there could be approximately .9 acres required for public street right-of-way, leaving 3.17 acres for development. 28 units are proposed (14 Buildings) and the "PUD defined" density is 8.83 units per acre. The density as commonly defined would be 6.88 units per acre.

1010 FAY STREET

COLLIMBIA MISSOURI 65201

PLIONE: (573) 817-5750 FAX: (573) 817-1677

E-MAIL: acg@tranquility.net



A CIVIL GROUP CIVIL ENGINEERING . PLANNING . SURVEYING

c) The maximum building height proposed

The maximum building height is 38 feet

d) The total number of parking spaces proposed and the parking ratio

The parking spaces proposed will follow the city's requirements for two family dwellings. And each unit will have a two car garage as stated above.

e) The minimum percentage of the entire site to be maintained in open space, such as landscaping or natural vegetation.

The minimum percentage of open space will be 25%

f) Any amenities proposed, such as swimming pools, golf courses, and tennis courts, hiking trails or clubhouses.

Any such amenities will be itemized upon the submittal of a detailed PUD plan

g) A general description of the plan including minimum lot sizes, if applicable, minimum building setbacks from streets and minimum setbacks between buildings.

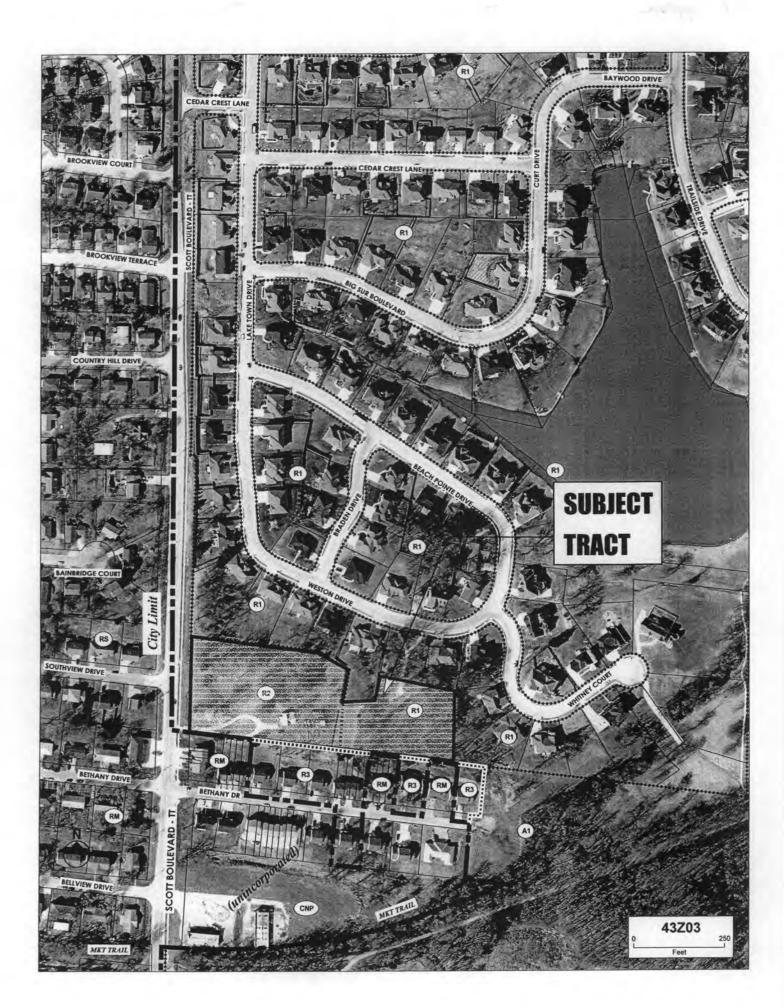
A 18-foot front, 18-foot rear and 5-foot side yards will be the minimum setbacks allowed except where the perimeter setback requires 25 feet.



ACIVIL GROUP

CIVIL ENGINEERING . PLANNING . SURVEYING

- h) The 120 foot by 140 foot portion of the property that extends into the Katy Lake Estates subdivision and which fronts on Weston Drive will remain R-1 and be placed under the covenants of the Katy Lake Homeowners Association for the purpose of building a home on at a later date.
- I) NO PUBLIC OR PRIVATE STREET SHALL
 CONNECT FROM SCOTT BUD TO
 WESTON DRIVE THRU THE SUBJECT
 TRACT
- J) A 10-FOOT WIDE PUBLIC SIDEWALK EASEMENT SHAW CONNECT THE SUBJECT TRACT TO THE WESTON DRIVE
- K) ACCESS TO THIS PROPERTY WIND
 BE BY A PRIVATE DRIVEWBY
 FROM SCOTT BWD.



EXCERPTS

PLANNING AND ZONING COMMISSION MEETING

FEBRUARY 19, 2015

IV) PUBLIC HEARING

Case No. 15-44

A request by Thomas Kochtanek (owner) to rezone land from PUD-7 (a Planned Unit Development allowing up to 7 dwelling units per acre) to PUD-7.2, and for approval of an amendment to the associated Kochtanek PUD (Planned Unit Development) development plan. The 4.46-acre subject site is located east of the intersection of Scott Boulevard and W. Southview Drive.

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

Staff report was given by Mr. Steve MacIntyre of the Planning and Development Department.

Staff recommends:

- 1. Approval of the requested rezoning from PUD-7 to PUD-7.2; and
- 2. Approval of the proposed amendment to the Kochtanek PUD development plan.

DR. PURI: Commissioners, any questions of the staff? Seeing none.

OPEN PUBLIC HEARING

MR. GEBHARDT: Good evening. My name is Jay Gebhardt. I'm a civil engineer with a company called A Civil Group at 3401 Broadway Business Park Court. I really don't have anything to add. I'm here to answer questions. One thing I would like to say is this additional unit is being proposed because of the banking change since 2003, when this was really originally done. The banks don't want to lend money on this building if it doesn't have any income to produce -- producing part to it, so that is the reason for the change. It is not that we changed our mind and decided to put in a unit in, it's the bankers decided that we needed a unit in this building. So if you have any questions, I would be glad to answer them.

DR PURI: Commissioners, any questions of the speaker?

MR. TILLOTSON: I'm still not quite clear --

DR. PURI: Mr. Tillotson?

MR. TILLOTSON: -- on what is going on. So you have a building there that is an office?

MR. GEBHARDT: It was an office and a maintenance building --

MR. TILLOTSON: It was or is?

MR. GEBHARDT: -- on the plan. On the original plan it was a building with -- for maintenance and a leasing office --

MR. TILLOTSON: And those --

MR. GEBHARDT: -- and storage.

MR. TILLOTSON: -- buildings are there now?

MR. GEBHARDT: In the --

MR. TILLOTSON: Those buildings are there?

MR. GEBHARDT: There is a foundation for that building there now, but that is it. And we are trying to complete that building and get the loan for it, and the bankers are saying they would like to have an income producing portion of this building rather than it just being a debt.

MR. TILLOTSON: The upper story would be a rental?

MR. GEBHARDT: It would be an apartment --

MR. TILLOTSON: Okay.

MR. GEBHARDT: -- basically in the building.

MR. TILLOTSON: That's where I was getting confused.

MR. GEBHARDT: Yeah.

MR. TILLOTSON: Okay.

DR. PURI: Any other questions, Commissioners? Thank you, sir.

MR. GEBHARDT: You're welcome.

DR. PURI: Anybody else wishing to speak on this? Seeing no one.

PUBLIC HEARING CLOSED

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

MR. REICHLIN: I would like to say that over the course of time this development has proceeded nicely. It's well constructed and a plus to the area. And the minor change in density doesn't put me in any level of discomfort; and therefore, I would intend to support this.

DR. PURI: Ms. Loe?

MS. LOE: This seems like a straightforward request. I propose we go ahead and make a motion to approve.

DR. PURI: Is that a motion?

MS. LOE: I am making a motion to approve Case 15-49 [sic], a request by Thomas Kochtanek to rezone land from PUD-7 to PUD 7.2 and approval for an amendment to the associated Kochtanek PUD (Planned Unit Development) plan.

MR. LEE: Second.

MR. STANTON: Second.

DR. PURI: Mr. Lee seconded it already, Mr. Stanton. All right. May we have roll call, please.

MR STRODTMAN: Yes, Mr. Chair.

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

MR. STRODTMAN: A motion -- a recommendation for approval will be forwarded to City Council.