City of Columbia

701 East Broadway, Columbia, Missouri 65201

Agenda Item Number: B 86-15
Department Source: Community Development - Planning
To: City Council
From: City Manager & Staff
Council Meeting Date: 4/20/2015
Re: Avenue at Columbia - Rezoning and PUD Development Plan

Documents Included With This Agenda Item

Council memo, Resolution/Ordinance, Exhibits to Resolution/Ordinance
Supporting documentation includes: Staff report (including maps, PUD plan, SOI w/development agreement, and Case 13-204 and 14-44 SOI's and PUD plans), Excerpts from Minutes, Correspondence from Public

Executive Summary

Approval of this request would rezone 32.50 acres from A-1 to PUD 11 and authorize development of the same with a 321-unit (849 bed) collegiate housing development subject to the standards contained within the PUD Statement of Intent and a proposed development agreement between the applicant and the City of Columbia.

Discussion

The applicant is requesting rezoning from A-1 to PUD 11 and PUD development plan approval on 32.50 acres of land located north of Stadium Boulevard and east of Cinnamon Hill Lane. The proposed rezoning and PUD development plan affords the opportunity to fulfill several environmental preservation, site placement and land use integration/diversity goals and objectives articulated in both Columbia Imagined and the East Area Plan. This application will be concurrently (on May 4) reviewed with Case 15-67 which proposes to divide the parent 42.98 acre tract into 3 lots.

In 2014, the applicant sought to rezone the subject site PUD-9 (Cases 13-204 & 14-44) but did not receive approval. The current proposal is substantially different from the prior requests in that it seeks to rezone 32.5 rather than the entire 42.98 acre tract; it reduces the numbers of proposed units and beds (321 vs 387 and 849 vs 899, respectively); the plan extends Timberhill Drive as a public street to serve as secondary access and extends Cinnamon Hill Lane through the tract for a future extension to the east; the agreement provides for an emergency use-only gate on Timberhill Road to close the road to public traffic; and the plan includes permanent dedication of 5.59 acres as a conservation easement within the PUD.

The 10.48 acres removed from the rezoning request is proposed as a "buffer" area between the PUD site and the adjacent Timberhill subdivision. Preservation of this acreage is viewed as critical in assuring that the proposed development appropriately fits into the land use context. Conveyance of approximately 9.94 acres (buffer area less Timberhill Road extension) is addressed in Paragraph 10 of the attached Statement of Intent (SOI).

The site is served by adequate public infrastructure and will include extension of public infrastructure (i.e. Cinnamon Hill Lane and Timberhill Road) at the applicant's expense. Additional off-site improvements on Stadium Boulevard at Audubon Drive are addressed within the attached SOI (Paragraph 9). Provisions relating to the purchase of transit passes and transit service for residents are included in the attached development agreement.

On March 19, 2015, the Planning and Zoning Commission held a public hearing on the request and recommended approval (5-3) subject to staff's recommended changes to the SOI. Those voting in favor of the proposal stated the proposed density and land use were appropriate given the context, the development provided housing for a significant segment of the Columbia population, and the 10 acre buffer was a significant concession. Those not supportive of the request indicated they believed the proposed development failed to provide housing diversity, mixed uses, and walkability, and may attract criminal activity.

The applicant and his agents presented information about the SOI and development agreement, the site design and PUD plan, project ownership, appearance, and housing statistics/demands, and the public engagement efforts undertaken. Several hearing participants spoke from written comments (attached). Public comments included concerns about the impacts the development would have on the community, students, and the economy; crime; the questionable need more for student housing; off-site improvement timing; use of the buffer area; and variances related to the concurrent 3-lot preliminary plat. Several members of the public thanked the applicant for engaging them.

A copy of the staff report (including maps, revised statement of intent (dated 3/20/15), PUD development plan, and prior SOI's and PUD plans from 13-204 & 14-44) , public correspondence, and meeting excerpts are attached.

Fiscal Impact

Short-Term Impact: Limited short-term impacts. The developer will be responsible for all infrastructure installation and extension costs. The site is located within the Urban Service Area.

Long-Term Impact: Long-term impacts will include maintenance of public infrastructure (roads, water and sewer) as well as public safety and trash collection services. Costs for these services will be off-set and potentially recaptured by user fees and increased tax collections. There are no known capacity issues affecting provision of services to the site.

Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Development, Parks, Recreation and Greenways, Transportation
Strategic Plan Impact: Growth Management, Infrastructure
Comprehensive Plan Impact: Land Use & Growth Management, Infrastructure, Mobility, Connectivity, and Accessibility, Livable & Sustainable Communities

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Suggested Council Action

Approval of the rezoning from A-1 to PUD 11 and PUD development plan to be known as "The Avenue at Columbia" as recommended by the Planning Commission.

Legislative History

Case 13-204 (Avenue at Columbia) - B 372-13 (2-3-14), Amended & Defeated
Case 14-44 (Avenue at Columbia) - REP 28-14 (4-7-14), Defeated

Department Approved

City Manager Approved

Introduced by _____

First Reading _____ Second Reading _____

Ordinance No. _____ Council Bill No. _____B 86-15_____

AN ORDINANCE

rezoning property located north of Stadium Boulevard and east of Cinnamon Hill Lane from District A-1 to District PUD-11; approving the statement of intent; authorizing a development agreement with Park7 Development Group, LLC; approving the PUD Plan of The Avenue at Columbia; 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 HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 516, PAGE 142 AND BEING SHOWN BY THE SURVEY RECORDED IN BOOK 569, PAGE 189 AND THE SURVEY RECORDED IN BOOK 4234, PAGE 167 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 17, AS SHOWN BY CROSSCREEK CENTER PLAT 1, RECORDED IN PLAT BOOK 42, PAGE 22, AND WITH THE NORTH LINE THEREOF, N 88°30'20"W, 1286.85 FEET TO THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 63; THENCE LEAVING THE NORTH LINE OF SAID CROSSCREEK CENTER PLAT 1 AND WITH THE LINES OF SAID EAST RIGHT-OF-WAY, N 30°10'15"W, 4.40 FEET; THENCE N 10°08'05"W, 356.34 FEET; THENCE N 7°20'05"E, 530.50 FEET; THENCE N 4°51'00"E, 70.00 FEET TO THE SOUTH LINE OF WATER TOWER PLACE SUBDIVISION PLAT 1, RECORDED IN PLAT BOOK 24, PAGE 4; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE AND WITH THE SOUTH LINE OF SAID WATER TOWER PLACE SUBDIVISION PLAT 1, N 88°29'25"E, 301.06 FEET TO THE SOUTHWEST CORNER OF WATER TOWER PLACE SUBDIVISION

PLAT 2, RECORDED IN PLAT BOOK 35, PAGE 8; THENCE LEAVING SAID WATER TOWER PLACE SUBDIVISION PLAT 1, AND WITH THE LINES OF SAID WATER TOWER PLACE SUBDIVISION PLAT 2, S 89°43'05"E, 250.00 FEET; THENCE LEAVING SAID WATER TOWER PLACE SUBDIVISION, PLAT 2, S 0°12'40"W, 53.00; THENCE ALONG A 197.00-FOOT RADIUS, NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CHORD N 58°36'50"E, 96.95' FEET; THENCE N 44°22'05"E, 221.47 FEET; THENCE ALONG A 263.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD N 68°00'10"E, 210.88 FEET; THENCE S 88°21'40"E, 205.24 FEET; THENCE ALONG A 197.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD N 73°47'00"E, 120.80 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 17; THENCE WITH SAID EAST LINE S 1°15'10"W, 1253.70 FEET TO THE POINT OF BEGINNING AND CONTAINING 32.50 ACRES.

will be rezoned and become a part of District PUD-11 (Planned Unit Development) with a development density not exceeding 11 dwelling units per acre and taken away from District A-1 (Agricultural). 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 March 20, 2015, attached hereto in substantially the same form as “Attachment A” and made a part of this ordinance. The statement of intent shall be binding on the owners until such time as the Council shall release such limitations and conditions on the use of the property.

SECTION 3. The City Council hereby approves and authorizes execution of a development agreement with Park7 Development Group, LLC in substantially the same form as attached to the Statement of Intent dated March 20, 2015.

SECTION 4. The City Council hereby approves the PUD Plan of The Avenue at Columbia, dated March 12, 2015, for the property referenced in Section 1 above, including installation of a wire fence along the north right-of-way line of Cinnamon Hill Lane as set forth in Note 26 on such plan, which fence shall be maintained by the property owner.

SECTION 5. Notwithstanding anything contained herein or in the Statement of Intent to the contrary, the maximum number of units authorized to be constructed on the property shall not exceed 321 units with a maximum of 849 bedrooms without express City Council authority approved in writing by subsequent ordinance enactment.

SECTION 6. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 7. 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 FORM:

_____

City Counselor

Attachment A

ORIGINAL

REVISED
3/20/15

BROWN WILLBRAND, P.C.

ATTORNEYS AT LAW

601 EAST BROADWAY, SUITE 203
P.O. BOX 1304
COLUMBIA, MISSOURI
65205-1304

TELEPHONE (573) 442-3181

FACSIMILE (573) 874-3796

ED. M. BROWN (1926-1980)
H. C. WILLBRAND
B. DANIEL SIMON
JAMES M. POWELL

MARJORIE M. LEWIS
KAREN E. HAJICEK
R. CALEB COLBERT
EMAIL: ccolbert@brownwillbrand.com

March 20, 2015

Timothy Teddy, Director
Department of Planning & Community Development
City of Columbia, Missouri
PO Box 6015
Columbia, MO 65205-6015

Patrick Zenner
Manager, Development Services
Department of Planning & Community Development
City of Columbia, Missouri
PO Box 6015
Columbia, MO 65205-6015

Re: Amended Statement of Intent/Application - Application for Permanent Rezoning and for Approval of Planned Unit Development Plan for The Avenue at Columbia ("the Development") of Park7 Development, LLC, a Delaware limited liability company (which sometimes does business as "Park7 Group"), and Charles G. Lamb and Rebecca L. Lamb, husband and wife ("the Applicants")

Case No. 15-12, titled "Avenue at Columbia - PUD Zoning/Development Plan"

Dear Mr. Teddy and Mr. Zenner:

I am authorized to submit this letter as an amended Statement of Intent, as required by Section 29-10(e)(2) of the City's Zoning Ordinances. This revised Statement of Intent is submitted in the lieu, place and stead of the previous Statements of Intent.

For purposes of providing this Statement to Intent, I am authorized to represent the Applicants.

The required Statement of Intent is as follows:

1. The uses proposed for the site include: multiple-family 1, 2, 3 and/or 4 bedroom dwellings; sales and leasing office; and, community center.

2. The types of dwelling units shall be: Multiple-family, including, without limiting the foregoing, 1, 2, 3, and/or 4 bedroom units.

3. The maximum number of dwelling units shall be 321 units and maximum density shall be 11 units per acre, meaning that the zoning classification which is sought by the Applicants' Application will be "PUD-11." This density is arrived at as follows:

- Total acreage of all property owned by Applicants, Charles and Rebecca Lamb - 42.98 acres;

- Less that portion of such land which is excluded from the Application for Rezoning, and which includes Lot 2 and Lot 3 of The Avenue at Columbia, as shown on **Exhibit 1** to this letter, and which will, if certain contingencies and agreements are fulfilled, be conveyed to Shepard Hills Improvement Association, Incorporated and that portion of Timberhill Road, as shown on Exhibit 1 to this letter, which will, if certain contingencies and agreements are fulfilled, be dedicated to the City - 10.48 acres;

- Leaving 32.50 acres.

Of this 32.50 acres, 2.79 acres will be within the right-of-way of Cinnamon Hill Lane. This leaves 29.71 net acres for the development. The planned project, the Development provided for by the PUD Development Plan which has been submitted to you, consists of 321 dwelling units, on the said 29.71 acres, which equates to a density of 10.8 units per acre, rounded up to an even 11 units per acre, PUD-11.

4. The maximum building height proposed for the Property is 46 feet measured from the lowest adjacent grade of each building.

5. The total number of vehicle parking spaces proposed for residents is 870. The proposed parking ration per dwelling unit is 2.7 (870/321), as shown on the approved PUD Plan. The upper limit on parking spaces shall be 880 and the lower limit on parking spaces shall be 855.

6. The minimum percentage of the site to be maintained in open space shall be a total of 50%. Of such total, 63% shall be in landscaping and 37% in existing vegetation.

7. Proposed amenities may be swimming pools, basketball courts, tennis courts and clubhouses.

8. The PUD Plan is generally described as a plan containing Multiple Family, 1, 2, 3 and 4 bedroom units and any combination of same. There shall be no minimum lot size. There shall be a minimum perimeter setback of 25 feet. There shall be no other minimum setbacks from perimeter or interior streets and setbacks between buildings shall comply with the current edition of the building code.

9. If MoDOT grants to the Applicant, Park7 Development, LLC, all necessary construction permits for either or both of the improvement projects listed below in subparts i and ii below, and such permits are granted no more than three (3) years after the date when the certificates of occupancy shall have been issued for all of the units proposed on the PUD Plan for the Development, then such Applicant shall cause such permitted improvements to be completed within six (6) months of being granted such permits, with such six month period to be extended by any cause beyond Applicant's reasonable control, including but not limited to adverse weather conditions:

i. Extend the eastbound left turn lane at the intersection of Audubon Drive and Stadium Boulevard by approximately 300'; and

ii. Modify the traffic signal at Audubon Drive and Stadium Boulevard to include a dedicated eastbound left turn signal from Stadium Boulevard onto Audubon Drive.

All duties and obligations of Applicant, Park7 Development, LLC, as provided for by this paragraph 9, are contingent and conditioned upon the approval by the City Council of the Ordinance granting the applied for rezoning and PUD Development Plan, the acquisition of the Property by Park7, and the issuance by the City of building permits for the construction of the buildings for the Development. The provisions set forth in this Paragraph 9 shall apply to Park7 Development, LLC and its successors or assigns.

10. The Applicant will be obligated under the terms of a separate agreement to convey approximately 9.94 acres, shown as Lot 2 and Lot 3 on **Exhibit 1** to Shepard Hills Improvement Association, Inc., or its assigns ("SHIA"). The conveyance of Lot 2 and Lot 3 shall be contingent upon the City Council adopting an Ordinance approving Applicants' requested PUD 11 zoning and Applicants' PUD Development Plan, Park7 Development, LLC's purchase of Lots 1, 2 and 3 and building permits for the construction of the buildings of the Development being ready for issuance by the City of Columbia.

In the event that the Applicant does not convey Lots 2 & 3 to SHIA, as shown on Exhibit A, such lots shall be shown as a "Greenspace Trail Easement" upon the final plat submitted as a prerequisite to obtaining building permits for the development of the Applicant's PUD-11 property.

11. Development Agreement. Applicant submits, with this Statement of Intent, that Development Agreement between Applicant, Park7 Development, LLC, and the City, a copy of which is annexed hereto as **Exhibit 2** and Applicant will enter into such Development

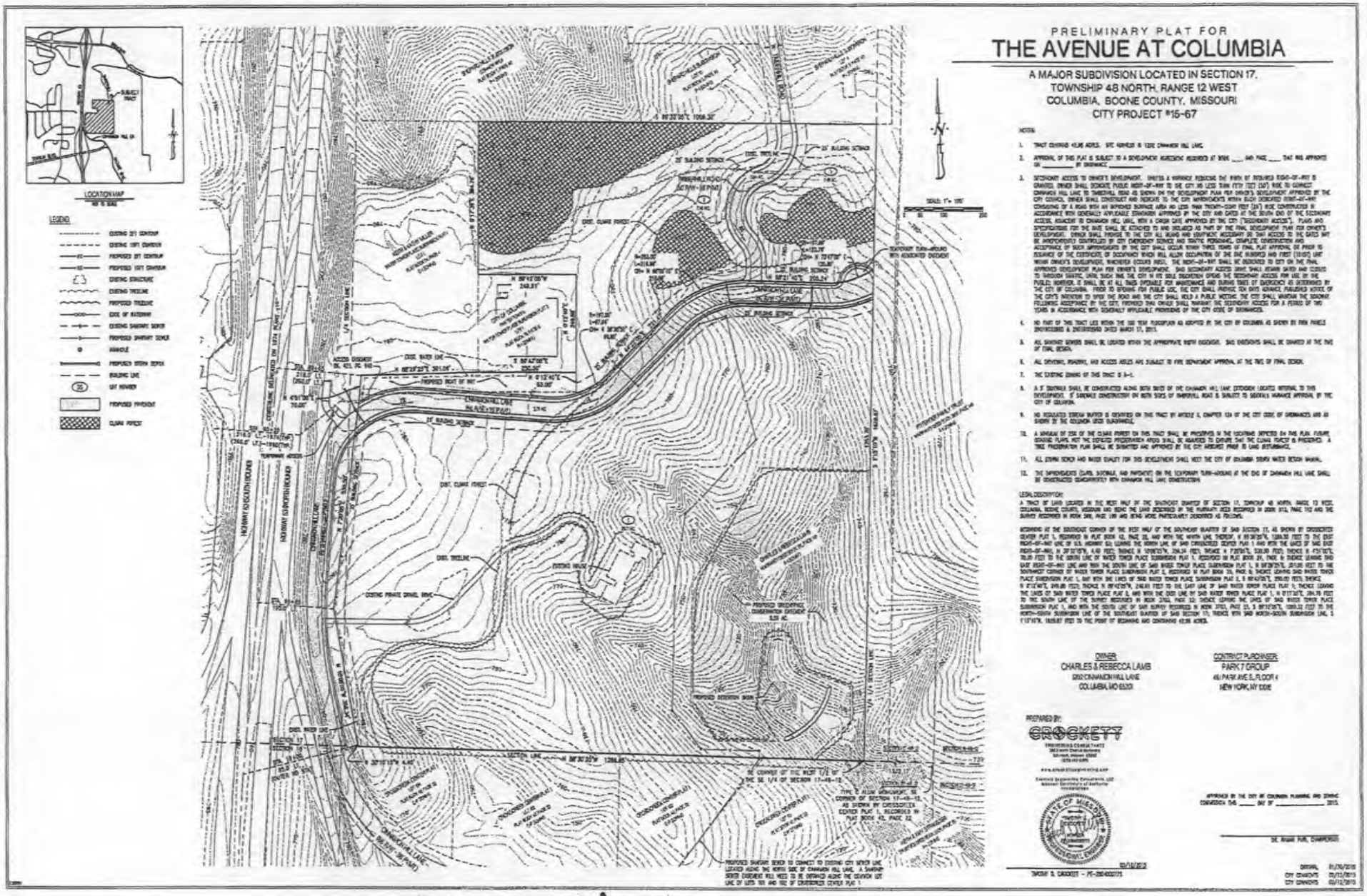
Agreement with the City upon the adoption of the Ordinance approving Applicants' requested rezoning to PUD-11, and approval of Applicant's PUD Development Plan for the Development.

Sincerely,
Park7 Development, LLC and Charles G. Lamb and Rebecca L. Lamb, husband and wife

By: _____

B. Daniel Simon, Mo. Bar No. 20248
R. Caleb Colbert, Mo. Bar No. 62806
BROWN WILLBRAND, PC
601 E. Broadway, Suite 203
P.O. Box 1304
Columbia, MO 65205-1304
Phone: (573) 442-3181 Fax: (573) 874-3796
e-mail: bdsimon@brownwillbrand.com
ccolbert@brownwillbrand.com
Attorney for Applicants for purposes of this Statement of Intent

Enclosures:
Exhibit 1 – Plat of land
Exhibit 2 - Development Agreement


PRELIMINARY PLAT FOR
THE AVENUE AT COLUMBIA
A MAJOR SUBDIVISION LOCATED IN SECTION 17,
TOWNSHIP 48 NORTH, RANGE 12 WEST
COLUMBIA, BOONE COUNTY, MISSOURI
CITY PROJECT #15-67
LOCATION MAP
LEGEND
NOTES:
1. TRACT CONTAINS 45.86 ACRES. SITE ADDRESS IS 1200 CINNAMON HILL LANE.
2. APPROVAL OF THIS PLAT IS SUBJECT TO A DEVELOPMENT AGREEMENT RECORDED AT BOOK ____ AND PAGE ____ THAT WAS APPROVED BY ORDINANCE ____.
3. SECONDARY ACCESS TO OWNER'S DEVELOPMENT. UNLESS A WAIVER REDUCING THE WIDTH OF REQUIRED RIGHT-OF-WAY IS GRANTED, OWNER SHALL DEDICATE PUBLIC RIGHT-OF-WAY TO THE CITY OF NOT LESS THAN FIFTY FEET (50') WIDE TO CONNECT CINNAMON HILL LANE TO TAMPERHILL ROAD AS SHOWN ON THE DEVELOPMENT PLAN FOR OWNER'S DEVELOPMENT APPROVED BY THE CITY COUNCIL. OWNER SHALL CONSTRUCT AND DEDICATE TO THE CITY IMPROVEMENTS WITHIN SUCH DEDICATED RIGHT-OF-WAY CONSISTING OF A ROAD WITH AN IMPROVED SURFACE AREA NO LESS THAN TWENTY-EIGHT FEET (28') WIDE CONSTRUCTED IN ACCORDANCE WITH GENERALLY APPLICABLE STANDARDS APPROVED BY THE CITY AND DATED AT THE SOUTH END OF THE SECONDARY ACCESS, ADJACENT TO CINNAMON HILL LANE, WITH A CURVE SAME APPROVED BY THE CITY ("SECONDARY ACCESS"). PLANS AND SPECIFICATIONS FOR THE SAME SHALL BE ATTACHED TO AND DISCLOSED AS PART OF THE FINAL DEVELOPMENT PLAN FOR OWNER'S DEVELOPMENT. OWNER SHALL PROVIDE TO THE CITY ALL ROAD AND EASEMENT NECESSARY TO ENSURE ACCESS TO THE GATES MAY BE APPROPRIATELY CONTROLLED BY CITY EMERGENCY SERVICES AND TRAFFIC PERSONNEL. COMPLETE CONSTRUCTION AND ACCEPTANCE OF SUCH IMPROVEMENTS BY THE CITY SHALL OCCUR WITHIN THREE YEARS OF FINAL PLAT APPROVAL OR PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY WHICH WILL ALLOW OCCUPATION OF THE ONE HUNDRED AND FIRST (101ST) UNIT WITHIN OWNER'S DEVELOPMENT, WHICHEVER OCCURS FIRST. THE RIGHT-OF-WAY SHALL BE DEDICATED TO CITY ON THE FINAL APPROVED DEVELOPMENT PLAN FOR OWNER'S DEVELOPMENT. SAID SECONDARY ACCESS DRIVE SHALL REMAIN GATED AND CLOSED TO THROUGH TRAFFIC UNTIL SUCH TIME THE CITY IN ITS SOLE DISCRETION OPENS THE SECONDARY ACCESS FOR USE BY THE PUBLIC; HOWEVER, IT SHALL BE AT ALL TIMES OPENABLE FOR MAINTENANCE AND DURING TIMES OF EMERGENCY AS DETERMINED BY THE CITY OF COLUMBIA. PRIOR TO OPENING FOR PUBLIC USE, THE CITY SHALL PROVIDE TEN DAYS ADVANCE, PUBLISHED NOTICE OF THE CITY'S INTENTION TO OPEN THE ROAD AND THE CITY SHALL HOLD A PUBLIC MEETING. THE CITY SHALL MAINTAIN THE SECONDARY FOLLOWING ACCEPTANCE BY THE CITY, PROVIDED THAT OWNER SHALL WARRANT THE SECONDARY ACCESS FOR A PERIOD OF TWO YEARS IN ACCORDANCE WITH GENERALLY APPLICABLE PROVISIONS OF THE CITY CODE OF ORDINANCES.
4. NO PART OF THIS TRACT LIES WITHIN THE 500 YEAR FLOODPLAIN AS ADOPTED BY THE CITY OF COLUMBIA AS SHOWN BY FIRM PANELS 29019C0280D & 29019C0290D DATED MARCH 17, 2011.
5. ALL SANITARY SEWERS SHALL BE LOCATED WITHIN THE APPROPRIATE WIDTH EASEMENT. SAID EASEMENTS SHALL BE GRANTED AT THE TIME OF FINAL DESIGN.
6. ALL DRIVEWAY, PARKING, AND ACCESS AISLES ARE SUBJECT TO FIRE DEPARTMENT APPROVAL AT THE TIME OF FINAL DESIGN.
7. THE EXISTING ZONING OF THIS TRACT IS R-1.
8. A 5' SIDEWALK SHALL BE CONSTRUCTED ALONG BOTH SIDES OF THE CINNAMON HILL LANE EXTENSION LOCATED INTERNAL TO THIS DEVELOPMENT. 5' SIDEWALK CONSTRUCTION ON BOTH SIDES OF TAMPERHILL ROAD IS SUBJECT TO SIDEWALK VARIANCE APPROVAL BY THE CITY OF COLUMBIA.
9. NO REGULATED STREAM BUFFER IS DESIGNATED ON THIS TRACT BY ARTICLE 5, CHAPTER 12A OF THE CITY CODE OF ORDINANCES AND AS SHOWN BY THE COLUMBIA AREA QUADRANGLE.
10. A MINIMUM OF 25% OF THE CLIMAX FOREST ON THIS TRACT SHALL BE PRESERVED IN THE LOCATIONS DEPICTED ON THIS PLAN. FUTURE GRADING PLANS MUST THE DEPICTED PRESERVATION AREAS SHALL BE ADJUSTED TO ENSURE THAT THE CLIMAX FOREST IS PRESERVED. A TREE PRESERVATION PLAN SHALL BE SUBMITTED AND APPROVED BY THE CITY ARBORIST PRIOR TO LAND DISTURBANCE.
11. ALL STORM SEWER AND WATER QUALITY FOR THIS DEVELOPMENT SHALL MEET THE CITY OF COLUMBIA STORM WATER DESIGN MANUAL.
12. THE IMPROVEMENTS (CURB, SIDEWALK, AND PAVEMENT) ON THE SECONDARY TURN-AROUNDS AT THE END OF CINNAMON HILL LANE SHALL BE CONSTRUCTED CONCURRENTLY WITH CINNAMON HILL LANE CONSTRUCTION.
LEGAL DESCRIPTION:
OWNER
CHARLES & REBECCA LAMB
2302 CINNAMON HILL LANE
COLUMBIA, MO 65203
CONTRACT PURCHASER
PARK 7 GROUP
450 PARK AVE S., FLOOR 4
NEW YORK, NY 10016
PREPARED BY:
CROCKETT
APPROVED BY THE CITY OF COLUMBIA PLANNING AND ZONING COMMISSION THIS ____ DAY OF _____, 2015.
DATE
ORIGINAL 11/26/2014
CITY COMMENTS 01/21/2015
CITY COMMENTS 02/12/2015

"EXHIBIT 1"

DEVELOPMENT AGREEMENT FOR THE AVENUE AT COLUMBIA

Grantor: Park7 Development Group, LLC, a Delaware limited liability company, sometimes doing business as "Park7 Group" [Address: Park7 Development, LLC, 461 Park Avenue South, 4th Floor, New York City, NY 10016]

Grantee: City of Columbia, Missouri [address: PO Box 1016, Columbia, MO 65205-1016]

Legal Description: The following described real estate situated in Boone County, Missouri, to wit:

See **Exhibit A** hereto

Date: _____, 201____

"EXHIBIT 2"

DEVELOPMENT AGREEMENT FOR THE AVENUE AT COLUMBIA

THIS DEVELOPMENT AGREEMENT ("this Agreement") is made and entered into this _____ day of _____, 201___, by and between **the City of Columbia, Missouri**, a municipal corporation of the State of Missouri ("City" or "the City") and **Park7 Development Group, LLC**, a Delaware limited liability company ("Owner" or "the Owner").

BACKGROUND RECITALS
["Recitals"]

This Agreement is made and entered into by the City and the Owner (who may hereinafter be collectively referred to as "the Parties" and individually as a "Party") in view of the following facts, matters and circumstances:

Owner is the owner of, or will acquire, a Tract of land, located in Boone County, Missouri, consisting of 32.50 acres, more or less, which is legally described on **Exhibit A**, which is annexed to this Agreement and is incorporated into this Agreement by reference the same as though fully set forth herein verbatim, and which will be shown and described as Lot 1 of The Avenue at Columbia on that plat, a copy of which is annexed to this Agreement as **Exhibit B** and is incorporated into this Agreement by reference. Such land may be referred to herein as "the Land" or "the Property." Owner is also the owner of, or will acquire, a Tract of land, located in Boone County, Missouri, consisting of 10.48 acres, more or less, which is legally described on **Exhibit C**, which is annexed to this Agreement and is incorporated into this Agreement by reference the same as though fully set forth herein verbatim. Such 10.48 acres may be referred to herein as "the North Tract". A portion of such 10.48 acres is shown as Lot 2 and Lot 3 of The Avenue at Columbia on that map or diagram, a copy of which is annexed to this Agreement as **Exhibit D** and is incorporated into this Agreement by reference. Lot 2 and Lot 3 are legally described as set forth on **Exhibits E and F**, respectively, and such exhibits are incorporated into this Agreement by reference the same as though fully set forth herein verbatim. Such land may be referred to herein as "Lot 2" and "Lot 3".

The Owner desires to use the Land to place thereon a multifamily residential development, known or to be known as "The Avenue at Columbia," which will contain approximately 321 apartment dwelling units, a clubhouse, and other amenities.

Owner, together with those individuals from whom Owner has acquired or will acquire the Land, Charles G. Lamb and Rebecca L. Lamb ("the Lambs"), have submitted to the City an Application for Rezoning of the Property to Zoning District PUD-11, and for approval of a Planned Unit Development Plan, a PUD Development Plan, which will permit Owner to go forward with the development of the Property for Owner's desired project, as described above ("Owner's Development").

Owner has, therefore, filed with the City Owner's Application for Rezoning of the Property and approval of Owner's PUD Development Plan (all referred to herein as "Owner's Application for Rezoning and Development Plan Approval").

The City executes this Agreement pursuant to authority granted by the City Council pursuant to and in accordance with applicable law.

AGREEMENTS

NOW, THEREFORE, in view of the foregoing Recitals and in consideration of the mutual promises, declarations, covenants and agreements of the City and Owner (collectively referred to herein as "the Parties" and individually as a "Party"), as hereinafter set forth, the Parties hereto do hereby mutually promise, declare, covenant, state and agree as follows:

1. Definitions. For purposes of this Agreement, the following terms shall have the followings meanings:

A. "This Agreement" means and refers to this Development Agreement.

B. "Building Permit" means a building permit, issued by the City, for the construction on the Land or any portion of the Land of a building or other improvement.

C. "City" means the City of Columbia, Missouri, the City hereinabove identified in this Development Agreement.

D. "Ordinance" or "the Ordinance" means and refers to the Ordinance described in the foregoing Recitals.

E. "Owner" or "the Owner" means and refers to the Owner identified herein, Park7 Development Group, LLC, which sometimes does business as "Park7 Group," and which is a Delaware limited liability company, and each of and all of its successors in ownership of the Land and Owner's Development, as this Agreement is intended to run with the Land and each and every part of the Land, and shall bind Owner and all of such successors.

2. Secondary Access to Owner's Development. Unless a variance reducing the width of required right-of-way is granted, Owner shall dedicate public right-of-way to the City no less than fifty feet (50') wide to connect Cinnamon Hill Lane to Timberhill Road as shown on the Development Plan for Owner's Development approved by the City Council. Owner shall construct and dedicate to the City improvements within such dedicated right-of-way consisting of a road with an improved surface area no less than twenty-eight feet (28') wide constructed in accordance with generally applicable standards approved by the City and gated at the south end of the Secondary Access, adjacent to Cinnamon Hill Lane, with a crash gate approved by the City ("Secondary Access"). Plans and specifications for the gate shall be attached to and included as part of the final development plan for Owner's Development. Owner shall provide to the City all means and equipment necessary so that access to the gates may be independently controlled by City emergency service and traffic personnel. Complete construction and acceptance of such improvements by the City shall occur within three years of final plat approval or prior to issuance of the certificate of occupancy which will allow occupation of the one hundred and first (101^{st}) unit

within Owner's Development, whichever occurs first. The right-of-way shall be dedicated to City on the final approved development plan for Owner's Development. Said Secondary Access drive shall remain gated and closed to through traffic, until such time the City in its sole discretion opens the secondary access for use by the public; however, it shall be at all times operable for maintenance and during times of emergency as determined by the City of Columbia. Prior to opening for public use, the City shall provide ten days advance published notice of the City's intention to open the road and the City shall hold a public meeting. The City shall maintain the roadway following acceptance by the City, provided that Owner shall warrant the secondary access for a period of two years in accordance with generally applicable provisions of the City Code of Ordinances.

3. COMO Connect Transit System Bus Passes. For each of the three years, following that date when the first certificate of occupancy shall have been issued by the City for dwelling units proposed by Owner's Planned Unit Development Plan for Owner's Development, Owner (or Owner's successors as Owners of the Land) shall purchase a minimum of three hundred twenty-one (321) COMO Connect Transit System bus passes, at the then in effect price per pass for such purchases for each fall and spring semester session of the University of Missouri - Columbia.

4. Transit System. Owner or Owner's successors in ownership of the Land shall provide or cause to be provided bus transit system services to the residents of the apartment dwelling units placed within the Owner's Project, including transportation to and from the University of Missouri - Columbia, with such transit system services to be provided during the fall and spring semesters of the University of Missouri - Columbia. Failure to provide a private transit system as provided herein shall cause Owner to be liable to purchase COMO Connect Transit System bus passes in an amount equal to the current number of beds within the Owner's Development for each fall and spring semester session of the University of Missouri-Columbia in which bus transit system services are not provided.

5. Statement of Intent. Owner shall be required to fulfill all requirements of the Statement of Intent filed with the City as a part of Owner's Application.

6. No Cigarette Smoking. Owner and Owner's successors, as owners of Owner's Project, and the managers and operators of such Project, shall not permit cigarette smoking within Owner's Development or the apartment dwelling units or other facilities located within Owner's Project.

7. References to Owner. All references in this Agreement to the "Owner" shall include the Owner and the Owners successors in ownership of each and every part of the Land, including each Building Permit Applicant. Each and every owner of each and every part of the Land, and each Building Permit Applicant, shall be bound by this Agreement and all of the provisions of this Agreement.

8. Recording. Owner shall cause this Development Agreement to be recorded in the Real Estate Records of Boone County, Missouri, at Owner's cost and expense.

9. Amendments. Any amendment to this Agreement must be in writing and must be executed by the City and the Owner, and any future owner of any part of the Land who would otherwise be obligated to perform any of the requirements imposed upon the Owner by this Agreement. Oral modifications or amendments of this Agreement shall be of no force or effect.

10. Contingency. Owner shall have no obligation under this Development Agreement until such time as: (1) Owner's Application for Rezoning and Development Plan Approval are granted by Ordinance of the City Council of the City ("the City Council"), (2) Owner acquires the Property and and the North Tract from the Lambs, and (3) Owner has taken all action necessary to be eligible for issuance of City building permits for the construction on the Property of one or more of the buildings and improvements of Owner's Development.

11. Remedies. The parties to this Agreement may, either in law or equity, by suit, action, mandamus or other proceedings in court, seek declaratory relief, enforce and compel specific performance of this Agreement, provided that in no event shall the City shall have any liability in damages, costs (including attorneys' fees) or any other monetary liability to Owner or any affiliate of Owner, any person claiming through Owner, or to their respective successors, assigns, heirs and personal representatives in respect of any suit, claim, or cause of action arising out of this Agreement or any of the actions or transactions contemplated herein.

12. Third Party Actions. Owner shall have the right, but not the obligation, to assume the costs of defense of any action or proceeding initiated by a third party challenging this Agreement, the zoning or re-zoning of the Subject Property, or any other actions or transactions contemplated by this Agreement (including, without limitation, to settle or compromise any claim or action for which Owner has assumed the defense) with counsel of Owner's choosing and the City and Owner agree that so long as no conflicts of interest exist between them, the same attorney or attorneys may simultaneously represent the City and Owner in any such proceeding. In no event shall the City have any liability to Owner for damages or otherwise in the event that all or any part of this Agreement, the ordinances approving the annexation of the Subject Property, or the approval of a zoning request shall be declared invalid or unconstitutional in whole or in part by a final (as to which all rights of appeal have been exhausted or expired) judgment of a court of competent jurisdiction, and, in the event Owner elects not to assume such defense and costs, the City shall have no obligation to defend or to assume the costs of defense of any such action.

13. Notices. All notices between the parties hereto shall be in writing and shall be sent by certified or registered mail, return receipt requested, by personal delivery against receipt or by overnight courier, shall be deemed to have been validly served, given or delivered immediately when delivered against receipt or Three (3) business days after deposit in the mail, postage prepaid, or One (1) business day after deposit with an overnight courier, and shall be addressed as follows:

If to the City:
City of Columbia
City Manager

701 E. Broadway
Columbia, MO 65205

If to Developer:
Park7 Group
Paul Levine
EVP Development
461 Park Ave S, Floor 4
New York, NY 10016

with a copy to:
Dan Simon
Brown Willbrand, P.C.
601 East Broadway, Ste 201
Columbia, MO 65201

Each party shall have the right to specify that notice is to be addressed to another address by giving to the other party ten (10) days written notice thereof.

14. Hold Harmless. Owner, at its sole cost and expense, hereby agrees to indemnify, protect, release, defend (with counsel acceptable to the City) and hold harmless the City, its municipal officials, elected officials, boards, commissions, officers, employees, attorneys, and agents from and against any and all causes of action, claims, demands, all contractual damages and losses, economic damages and losses, all other damages and losses, liabilities, fines, charges, penalties, administrative and judicial proceedings and orders, judgments, remedial actions of any kind, and all costs and expenses of any kind, including, without limitation, reasonable attorney's fees and costs of defense arising, out of either Owner's breach of this Agreement or any action or inaction of Owner, its agents, representatives, employees, contractors, subcontractors or any other person for whose acts Owner may be liable, occurring during the construction of public improvements related to Owner's Development which results in injury to any third party, except to the extent such injury arises from or is caused by the sole or gross negligence or willful misconduct of the City, its elected officials, officers, employees, agents or contractors. The indemnification, duty to defend and hold harmless obligations set forth in this Section shall survive for a period of five (5) years from the date of the later of City acceptance of public improvements or the last day of any warranty work relating to such public improvements. This indemnity provision shall not apply to any action or proceeding initiated by a third party challenging this Agreement or the zoning or re-zoning of the Subject Property. Such action shall be subject to the provisions of Paragraph 12, set forth above.

15. Insurance. Owner shall provide, at its sole expense, and maintain during construction of any public improvements related to Owner's Development commercial general liability insurance with a reputable, qualified, and financially sound company licensed to do business in the State of Missouri, and unless otherwise approved by the City, with a rating by Best of not less than "A," that shall protect the Owner, the City, and the City's officials, officers, and employees from claims which may arise from the foregoing construction operations, whether

such operations are by the Owner, its officers, directors, employees and agents, or any subcontractors of Owner. This liability insurance shall include, but shall not be limited to, protection against claims arising from bodily and personal injury and damage to property, resulting from all Owner operations, products, services or use of automobiles, or construction equipment. The amount of insurance for required herein shall be in no event less than the individual and combined sovereign immunity limits established by § 537.610 RSMo. for political subdivisions; provided that nothing herein shall be deemed to waive the City's sovereign immunity. An endorsement shall be provided which states that the City is named as an additional insured and stating that the policy shall not be cancelled or materially modified so as to be out of compliance with the requirements of this Section, or not renewed without 30 days advance written notice of such event being given to the City.

16. Conflict with Plan Documents. In case of conflict between any provision of this Development Agreement and the final approved Development Plan or Statement of Intent, the provisions of this Development Agreement shall prevail, unless a specific provision of the Development Agreement or Statement of Intent expressly and specifically provides otherwise.

17. Entire Agreement. This Agreement contains the entire and complete agreement between the City and the Owner with respect to the requirements imposed upon the Owner for the providing of certain rights-of-way, and the construction and installation of certain improvements, all as hereinabove described in the Recitals for this Agreement and the above numbered paragraphs of this Agreement. Parties agree that this Agreement constitutes a lawful contract between the Parties and Owner hereby acknowledges and agrees that this Agreement and the City's ordinances and regulations applicable to this Agreement constitute lawful exercises of the City's authority and police power.

IN WITNESS WHEREOF, the Parties have executed this Agreement on the day and year first above written.

CITY:
City of Columbia, Missouri

By: _____
Mike Matthes, City Manager

Approved as to form:

_____
Nancy Thompson, City Counselor

OWNER:
Park 7 Development Group, LLC

By: _____

Name Printed: _____

its _____

STATE OF MISSOURI)
) SS
COUNTY OF BOONE)

On this ..... day of ..... in the year ..... before me, ... (name of notary), a Notary Public in and for said state, personally appeared ..... (name of manager or member) of **Park 7 Development Group, LLC**, known to me to be the person who executed the within the above DEVELOPMENT AGREEMENT FOR THE AVENUE AT COLUMBIA on behalf of said limited liability company and acknowledged to me that he or she executed the same for the purposes therein stated.

IN TESTIMONY WHEREOF, I have hereunto affixed my hand and notarial seal at my office in the State and County aforesaid, on the day and year hereinabove first written.

_____
_____**, Notary Public**

My commission expires: _____.

Exhibit A - Legal description of Lot 1 – 32.50- acre Tract
Exhibit B - Plat
Exhibit C - Legal description of 10.48 acre Tract
Exhibit D – Plat
Exhibit E – Legal description of Lot 2
Exhibit F – Legal description of Lot 3

DESCRIPTION FOR LOT 1, THE AVENUE AT COLUMBIA
PARK 7 GROUP
JOB #130091

DECEMBER 5, 2014

A TRACT OF LAND LOCATED IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 516, PAGE 142 AND BEING SHOWN BY THE SURVEY RECORDED IN BOOK 569, PAGE 189 AND THE SURVEY RECORDED IN BOOK 4234, PAGE 167 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

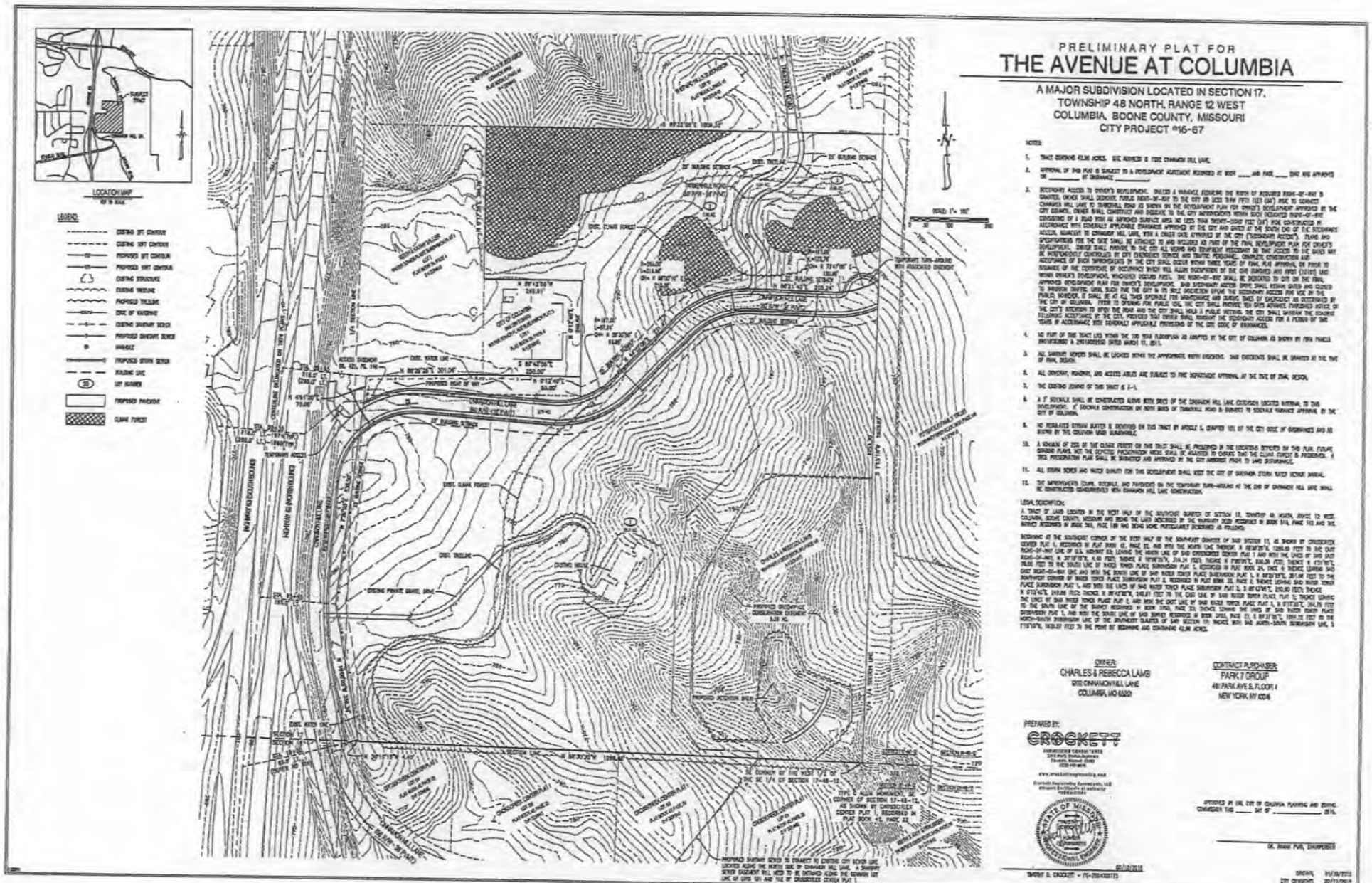
BEGINNING AT THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 17, AS SHOWN BY CROSSCREEK CENTER PLAT 1, RECORDED IN PLAT BOOK 42, PAGE 22, AND WITH THE NORTH LINE THEREOF, N 88°30'20"W, 1286.85 FEET TO THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 63; THENCE LEAVING THE NORTH LINE OF SAID CROSSCREEK CENTER PLAT 1 AND WITH THE LINES OF SAID EAST RIGHT-OF-WAY, N 30°10'15"W, 4.40 FEET; THENCE N 10°08'05"W, 356.34 FEET; THENCE N 7°20'05"E, 530.50 FEET; THENCE N 4°51'00"E, 70.00 FEET TO THE SOUTH LINE OF WATER TOWER PLACE SUBDIVISION PLAT 1, RECORDED IN PLAT BOOK 24, PAGE 4; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE AND WITH THE SOUTH LINE OF SAID WATER TOWER PLACE SUBDIVISION PLAT 1, N 88°29'25"E, 301.06 FEET TO THE SOUTHWEST CORNER OF WATER TOWER PLACE SUBDIVISION PLAT 2, RECORDED IN PLAT BOOK 35, PAGE 8; THENCE LEAVING SAID WATER TOWER PLACE SUBDIVISION PLAT 1, AND WITH THE LINES OF SAID WATER TOWER PLACE SUBDIVISION PLAT 2, S 89°43'05"E, 250.00 FEET; THENCE LEAVING SAID WATER TOWER PLACE SUBDIVISION, PLAT 2, S 0°12'40"W, 53.00; THENCE ALONG A 197.00-FOOT RADIUS, NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CHORD N 58°36'50"E, 96.95' FEET; THENCE N 44°22'05"E, 221.47 FEET; THENCE ALONG A 263.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD N 68°00'10"E, 210.88 FEET; THENCE S 88°21'40"E, 205.24 FEET; THENCE ALONG A 197.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD N 73°47'00"E, 120.80 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 17; THENCE WITH SAID EAST LINE S 1°15'10"W, 1253.70 FEET TO THE POINT OF BEGINNING AND CONTAINING 32.50 ACRES.

DAVID T. BUTCHER, PLS-2002014095

STATE OF MISSOURI
DAVID THOMAS BUTCHER
NUMBER PLS-2002014095
PROFESSIONAL LAND SURVEYOR

12/5/2014
DATE

"EXHIBIT A"


PRELIMINARY PLAT FOR
THE AVENUE AT COLUMBIA
A MAJOR SUBDIVISION LOCATED IN SECTION 17,
TOWNSHIP 48 NORTH, RANGE 12 WEST
COLUMBIA, BOONE COUNTY, MISSOURI
CITY PROJECT #16-67
LOCATION MAP
LEGEND
OWNER:
CHARLES & REBECCA LAMB
2700 CINNAMON HILL LANE
COLUMBIA, MO 65203
CONTRACT PURCHASER:
PARK 7 GROUP
420 PARK AVE S, FLOOR 4
NEW YORK, NY 10016
PREPARED BY:
CROCKETT
APPROVED BY THE CITY OF COLUMBIA PLANNING AND ZONING
COMMISSION THIS ____ DAY OF _____, 20__.
DR. MARK PAR, CHAIRPERSON

"EXHIBIT B"

DESCRIPTION FOR LOT 2, THE AVENUE AT COLUMBIA
PARK 7 GROUP
JOB #130091

DECEMBER 5, 2014

A TRACT OF LAND LOCATED IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 516, PAGE 142 AND SHOWN IN THE SURVEY RECORDED IN BOOK 569, PAGE 189 AND THE SURVEY RECORDED IN BOOK 4234, PAGE 167 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF WATERTOWER PLACE SUBDIVISION PLAT 2 AS SHOWN IN SAID SURVEY RECORDED IN BOOK 4234, PAGE 167 AND WITH THE LINES THEREOF, N 0°12'40"E, 249.88 FEET; THENCE N 89°42'05"W, 249.91 FEET TO THE EAST LINE OF SAID WATER TOWER PLACE PLAT 1; THENCE LEAVING THE LINES OF SAID WATER TOWER PLACE PLAT 2, AND WITH THE EAST LINE OF SAID WATER TOWER PLACE PLAT 1, N 0°17'35"E, 394.76 FEET TO THE SOUTH LINE OF THE SURVEY RECORDED IN BOOK 3703, PAGE 23; THENCE LEAVING THE LINES OF SAID WATER PLACE SUBDIVISION PLAT 1, AND WITH THE SOUTH LINE OF SAID SURVEY RECORDED IN BOOK 3703, PAGE 23, S 89°32'05"E, 1009.32 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 17; THENCE WITH SAID WEST LINE, S 1°15'10"W, 375.16 FEET; THENCE ALONG A 197.00-FOOT RADIUS, NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD S 73°47'00"W, 120.80 FEET; THENCE N 88°21'40"W, 205.24 FEET; THENCE ALONG A 263.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD S 68°00'10"W, 210.88 FEET; THENCE S 44°22'05"W, 221.47 FEET; THENCE ALONG A 197.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD S 58°36'50"W, 96.95 FEET; THENCE N 0°12'40"E, 53.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 10.48 ACRES.



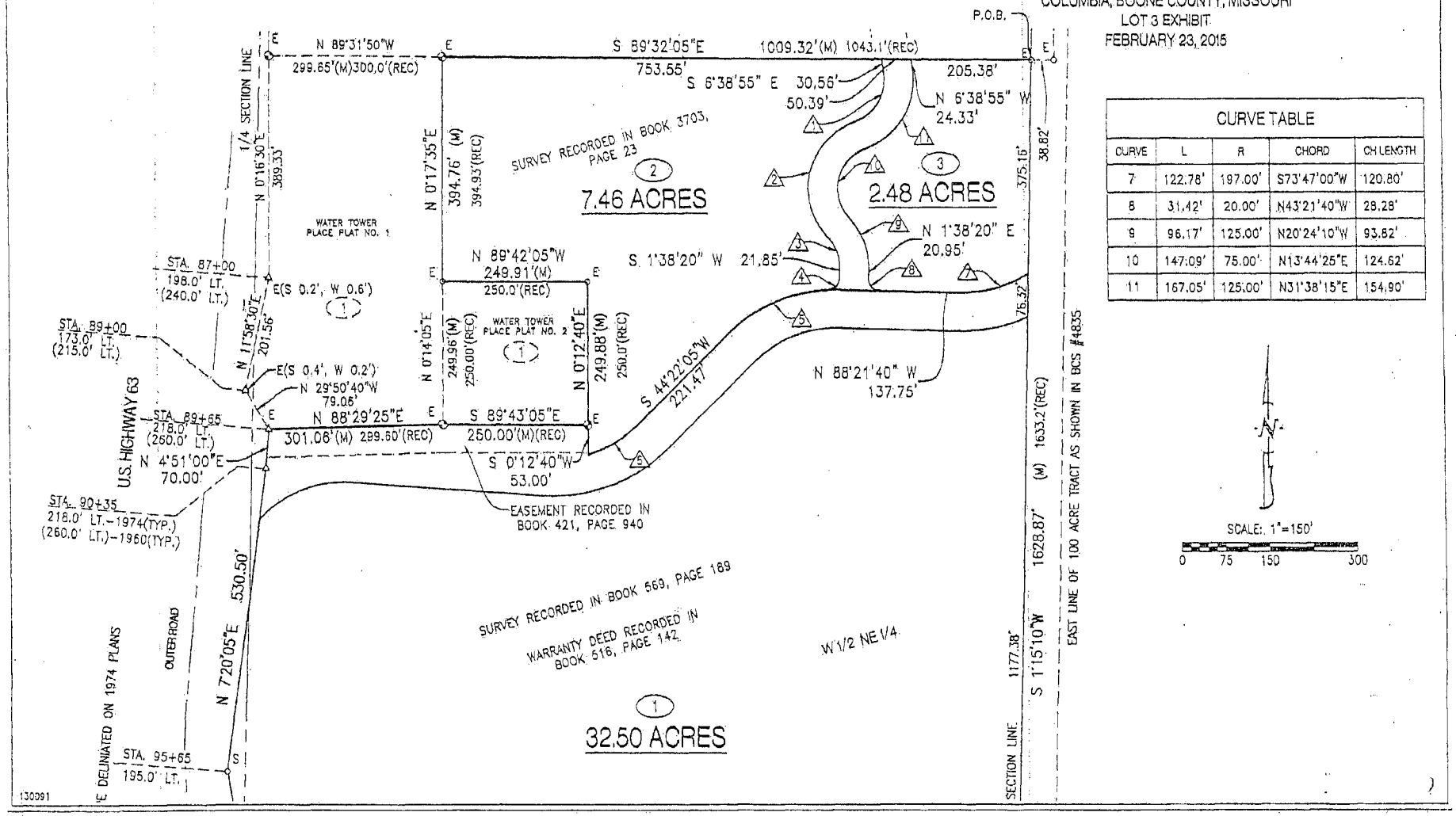
DAVID T. BUTCHER, PLS-2002014095

12/5/2014
DATE

"EXHIBIT C"

THE AVENUE AT COLUMBIA

A LOT LOCATED IN SECTION 17, TOWNSHIP 48 NORTH, RANGE 12 WEST
COLUMBIA, BOONE COUNTY, MISSOURI
LOT 3 EXHIBIT
FEBRUARY 23, 2015



CURVE TABLE				
CURVE	L	R	CHORD	CH LENGTH
7	122.78'	197.00'	S73°47'00"W	120.80'
8	31.42'	20.00'	N43°21'40"W	28.28'
9	96.17'	125.00'	N20°24'10"W	93.82'
10	147.09'	75.00'	N13°44'25"E	124.62'
11	167.05'	125.00'	N31°38'15"E	154.90'

"EXHIBIT D"

DESCRIPTION FOR LOT 2, THE AVENUE AT COLUMBIA
PARK 7 GROUP
JOB #130091

FEBRUARY 23, 2015

A TRACT OF LAND LOCATED IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 516, PAGE 142 AND SHOWN IN THE SURVEY RECORDED IN BOOK 569, PAGE 189 AND THE SURVEY RECORDED IN BOOK 4234, PAGE 167 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF WATERTOWER PLACE SUBDIVISION PLAT 2 AS SHOWN IN SAID SURVEY RECORDED IN BOOK 4234, PAGE 167 AND WITH THE LINES THEREOF, N 0°12'40"E, 249.88 FEET; THENCE N 89°42'05"W, 249.91 FEET TO THE EAST LINE OF WATER TOWER PLACE PLAT 1 RECORDED IN PLAT BOOK 24, PAGE 4; THENCE LEAVING THE LINES OF SAID WATER TOWER PLACE PLAT 2, AND WITH THE EAST LINE OF SAID WATER TOWER PLACE PLAT 1, N 0°17'35"E, 394.76 FEET TO THE SOUTH LINE OF THE SURVEY RECORDED IN BOOK 3703, PAGE 23; THENCE LEAVING THE LINES OF SAID WATER PLACE SUBDIVISION PLAT 1, AND WITH THE SOUTH LINE OF SAID SURVEY RECORDED IN BOOK 3703, PAGE 23, S 89°32'05"E, 753.55 FEET; THENCE LEAVING SAID SOUTH LINE OF SAID SURVEY RECORDED IN BOOK 3703, PAGE 23, S 6°38'55"E, 30.56 FEET; THENCE 100.23 FEET ALONG A 75.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD S 31°38'15"W, 92.94 FEET; THENCE 245.15 FEET ALONG A 125.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD S 13°44'25"W, 207.71 FEET; THENCE 57.70 FEET ALONG A 75.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD S 20°24'10"E, 56.29 FEET; THENCE S 1°38'20"W, 21.85 FEET; THENCE 29.82 FEET ALONG A 20.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD S 44°21'30"W, 27.14 FEET; THENCE 196.05 FEET ALONG A 263.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD S 65°43'20"W, 191.54 FEET; THENCE S 44°22'05"W, 221.47 FEET; THENCE 97.96 FEET ALONG A 197.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD S 58°36'50"W, 96.95 FEET; THENCE N 0°12'40"E, 53.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 7.46 ACRES.

DAVID T. BUTCHER, PLS-2002014095

2/24/2015
DATE

STATE OF MISSOURI
DAVID THOMAS BUTCHER
NUMBER
PLS-2002014095
PROFESSIONAL LAND SURVEYOR

"EXHIBIT E"

DESCRIPTION FOR LOT 3, THE AVENUE AT COLUMBIA
PARK 7 GROUP
JOB #130091

FEBRUARY 23, 2015

A TRACT OF LAND LOCATED IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 516, PAGE 142 AND SHOWN IN THE SURVEY RECORDED IN BOOK 569, PAGE 189 AND THE SURVEY RECORDED IN BOOK 4234, PAGE 167 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 17; THENCE WITH SAID WEST LINE, S 1°15'10"W, 375.16 FEET; THENCE 122.78 FEET ALONG A 197.00-FOOT RADIUS, NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD S 73°47'00"W, 120.80 FEET; THENCE N 88°21'40"W, 137.75 FEET; THENCE 31.42 FEET ALONG A 20.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD N 43°21'40"W, 28.28 FEET; THENCE N 1°38'20"E, 20.95 FEET; THENCE 96.17 FEET ALONG A 125.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD N 20°24'10"W, 93.82 FEET; THENCE 147.09 FEET ALONG A 75.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD N 13°44'25"E, 124.62 FEET; THENCE 167.05 FEET ALONG A 125.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD N 31°38'15"E, 154.90 FEET; THENCE N 6°38'55"W, 24.33 FEET TO THE SOUTH LINE OF SURVEY RECORDED IN BOOK 3703, PAGE 23, THENCE WITH SAID SOUTH LINE OF SAID SURVEY RECORDED IN BOOK 3703, PAGE 23, S 89°32'05"E, 205.38 FEET POINT OF BEGINNING AND CONTAINING 2.48 ACRES.

DAVID T. BUTCHER, PLS-2002014095

2/24/2015
DATE

STATE OF MISSOURI
DAVID THOMAS BUTCHER
NUMBER
PLS-2002014095
PROFESSIONAL LAND SURVEYOR

EXHIBIT F

City of Columbia
701 East Broadway, Columbia, Missouri 65201

SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

Staff report (including maps, PUD plan, SOI w/development agreement, and Case 13-204 and 14-44 SOI's and PUD plans), Excerpts from Minutes, Correspondence from Public

AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
March 19, 2015

SUMMARY

A request by the Park 7 Group (contract purchaser), on behalf Charles and Rebecca Lamb (owners), to rezone approximately 32.50 acres from A-1 (Agriculture) to PUD-11 (Planned Unit Development maximum 11 units/acre) and receive approval of a final PUD development plan to be known as "The Avenue at Columbia". The site is located approximately 1500 feet northeast of the Stadium Boulevard/ Cinnamon Hill Lane intersection and is addressed as 1202 Cinnamon Hill Lane. **(Case #15-12)**

DISCUSSION

Overview -

The applicant is requesting to rezone approximately 32.50 acres from A-1 (Agriculture District) to PUD-11 for the purpose of developing a 321 unit, 849 bed residential development for collegiate housing and approval of a PUD development plat to be known as "The Avenue at Columbia". Case #15-67 is being reviewed concurrently with this application which proposes that the overall site's 42.98 acres be divided into 3-lots – the PUD 11 site (32.50 acres) and two other tracts that will remain zoned A-1 (10.48 acres). The site is improved with a single-family home, and is surrounded by undeveloped commercial property, a City water tower, and two single-family homes on the north, C-P zoned land with a hotel and other commercial uses to the south, undeveloped A-1 land to the east, and Highway 63 on the west.

In 2013, the applicant sought to obtain PUD zoning and development plan approval for this site (Case #13-204) – this request was denied. A request for early reconsideration of that denial (Case #14-44) was sought in 2014; however, was also denied. The current request was submitted after the required 1 year waiting period and is substantially different from the previous submissions.

The current request varies from the former requests in the following ways:

1. The 10.48 acre parcel to the north of Cinnamon Hill Lane (less the public right of way) is proposed to be transferred (by separate document) to the adjoining neighborhood as a buffer and was removed from the requested rezoning;
2. The density of the project has been increased from PUD 9 to PUD 11 as a result of removing the 10.48 acres to the north; however, the total number of dwelling units has been reduced by approximately 66 – from 387 to 321;
3. Timberhill Road is proposed as a public street;
4. Cinnamon Hill Lane is proposed to be extended to the eastern property line of the site and terminated in a fully improved "off-set" cul-de-sac;
5. Clarification has been provided regarding "gating" of Timberhill Road to public through traffic;
6. Open space has been reduced from 60% to 50% on the developed portion of the site

Land Use/Zoning/Infrastructure Considerations -

The subject tract of land is located within a "neighborhood district" as recommendation by Columbia Imagined and the East Area Plan. The proposed development and associated 10.48 acre buffer provides a land use transition between the higher intensity commercial uses to the south and the lower density single-family to the north. As currently zoned, the site could be developed with detached single-family dwellings as well as be used for the cultivation of crops, the raising and care of livestock, and other commercial agriculture-related operations such as wholesale greenhouses and plant nurseries.

The proposed rezoning and PUD development plan affords the opportunity to fulfill several environmental preservation, site placement and land use integration/diversity goals and objectives articulated in both Columbia Imagined and the East Area Plan. The use of the PUD district and a development agreement to

achieve the desired development are further supported by the East Area Plan's land use recommendations.

The site is served by adequate public infrastructure to support the proposed land use and will include extension of public infrastructure (i.e. Cinnamon Hill Lane and Timberhill Road) at the applicant's expense. While the extension of Timberhill Road has been a significant concern for adjacent residents, it is proposed that this roadway will remain gated to through traffic and only opened for emergency purposes by the City. City traffic engineers and the fire department are in agreement with this proposed limitation of access. The City will control and maintain the roadway and reserves the right to have the roadway opened to public traffic following public notice and a hearing.

A traffic study was conducted as part of the 2013 application submission. The conclusion of this study was that adjustments to the signal timing at the several of the nearby intersections will be necessary if the development is approved. Such adjustments were identified as necessary to accommodate anticipated increases in traffic volumes. An associated issue discussed during the traffic study was the desire to enhance the intersection of Audubon Drive and Stadium Boulevard by adding a dedicated eastbound turn lane at the intersection. A condition that this improvement be installed within 3 years of issuing the final certificate of occupancy and successfully obtaining MoDOT permitting is included in the applicant's Statement of Intent.

The development agreement further addresses the issue of providing transportation services for the proposed development's residents in the immediate as well as long term. Per the terms of the development agreement the applicant will provide 321 COMO Connect bus passes for 3 years following the issuance of the first certificate of occupancy. Thereafter, the applicant or its successors are required to either provide their own transit service or COMO Connect bus passes equivalent to total number of beds within the development.

Statement of Intent/PUD Plan Specifics -

The applicant's submitted statement of intent (SOI) and proposed PUD plan includes the following controlling elements for the improvement of the 32.50 acre PUD-11 site:

1. A maximum of 321 multi-family dwellings (855 beds), consisting of 1, 2, 3, and 4 bedroom units, within 25 buildings will be built. Any change from the multi-family use would be considered a new rezoning request requiring Commission and Council review;
2. A maximum of 880 parking spaces may be built – the PUD plan shows 870;
3. Maximum building height is proposed at 46-feet– this height is 1-foot greater than that permitted "by-right" in the PUD district;
4. A minimum of 14.86 acres (50% of the site) will be retained as open space - landscaped area and existing vegetation. Of that acreage, 5.59 acres will be a permanent conservation easement containing no less than 25% of the site's climax forest.
5. Requires off-site improvements to Stadium Boulevard at Audubon Drive, subject to MoDOT approval, that will be completed within 3 years of issuing final certificate of occupancy;
6. Requires off-site improvements for the extension of Timberhill Road pursuant to the development agreement that will accompany the rezoning request for Council approval. The applicant is requesting a variance in the right of way width and the installation of sidewalks along this roadway extension – this request will be addressed with Case # 15-67:
7. Requires, at the adjacent homeowners association request, the applicant to install a fence (barbed-wire) along the north right of way line of Cinnamon Hill Lane prior to issuance of first certificate of occupancy;
8. Obligates the applicant to convey (by separate agreement) 9.94 acres north of Cinnamon Hill to the adjacent home owners association (SHIA) subject to rezoning and PUD plan are approval, applicant acquisition land, and once building permits for the project are ready to be issued;
9. Requires that applicant to abide by all conditions within the development agreement which include provisions for the secondary access (Timberhill Road), COMO Connect bus passes, transit system continuance, and on-site cigarette smoking ban.

The SOI and PUD plan are generally compliant with the requirements of zoning ordinance and subdivision regulations with the exception of the proposed building height modification. The Commission may recommend and Council can approve such variation if it is determined appropriate. Additionally, the PUD plan has been prepared with specific notations relating to the possible approval of the variances to the Timberhill Road extension. If approved, the required right of way width and sidewalk installation would be reduced and waived, respectively. The PUD plan would require a minor amendment to reflect the modified conditions. If the variances are not approved, the plan as prepared is compliant with code requirements.

The development plan has been reviewed by internal and external departments/agencies and found to comply with the code requirements except as noted above. Typically, the development plan serves as the preliminary plat for the site; however, in this instance Case #15-67 will serve that purpose. However, prior to issuance of building permits a final plat will be required to dedicate public right of way and easements (utility and conversation) as shown on the PUD plan.

The conditions contained within the SOI and/or shown on the development plan provide a means by which to appropriately integrate this land use into its surrounding context, reduce potential land use conflicts, and preserve environmentally sensitive areas. However, given the significant difference in development intensity between the existing single-family development and the PUD-11 site greater clarification is needed to ensure that the 9.94 acres proposed as a buffer area will serve its intended purpose without reliance on a separate agreement to which the City is not a party.

Paragraph 10 of the SOI includes language relating to the transfer of this acreage; however, in staff's opinion it is inadequate to ensure the buffer is established prior to building permitting. Staff believes the buffer area is the critical factor in ensuring this proposal meets the goals and objectives of Columbia Imagined and the East Area Plan and fulfills the representations made by the applicant throughout the review of this request. To provide a sufficient level clarity, staff recommends that Paragraph 10 have the follow language added to it:

> "In the event that the applicant does not convey Lots 2 & 3 to SHIA, as shown on Exhibit A, such lots shall be shown as a "Greenspace Trail Easement" upon the final plat submitted as a prerequisite to obtaining building permits for the development of the applicant's PUD-11 property."

Addition of this provision would ensure that the acreage would not be available for residential or other forms of development; however, could be improved with hiking or bicycle trails or paths with accessory facilities or accommodates (pavilions/shelters, parking areas, etc.) regardless of its ownership. If necessary, a limitation of use for this acreage could be placed on the final plat as a "developer-imposed" restriction which, if proposed and approved, could only be removed by City Council action.

RECOMMENDATION

Staff recommends:

- **Approval** of PUD-11 zoning and the corresponding statement of intent subject to:

  1. Paragraph 9 of the SOI being modified to include responsibility for completing the Audubon Drive/Stadium Boulevard improvements by either the applicant or its successors or assigns;
  2. Paragraph 10 of the SOI being modified by adding the following:

     "In the event that the applicant does not convey Lots 2 & 3 to SHIA, as shown on Exhibit A, such lots shall be shown as a "Greenspace Trail Easement" upon the final plat submitted as a prerequisite to obtaining building permits for the development of the applicant's PUD-11 property."

- **Approval** of the proposed PUD development plan

ATTACHMENTS

- Locator, aerial, and topographic maps
- Development plan
- Statement of intent
- Case #13-204 Development Plan and SOI (12/6/14)
- Case #14-44 Development Plan and SOI (3/17/14)

SITE HISTORY

Annexation Date	1963
Existing Zoning District(s)	A-1 (Agriculture District)
Land Use Plan Designation	Neighborhood District
Subdivision/Legal Lot Status	Land in Limits

SITE CHARACTERISTICS

Area (acres)	32.50 acres
Topography	Sloping to the southeast
Vegetation/Landscaping	Forested
Watershed/Drainage	Grindstone Creek
Existing structures	One single-family home

SURROUNDING LAND USES

Orientation from site	Zoning	Land Use
North	C-1/R-1/A-1	Vacant commercial, City water tower, single-family homes
South	C-P	Hotel and retail uses
East	A-1	Vacant agriculture
West	R-1	Single-family homes (across US 63)

UTILITIES & SERVICES

All essential utilities and services, including electricity, water, fire protection, and sanitary sewer, are available to the site, and provided by the City of Columbia.

ACCESS

Cinnamon Hill Lane	
Location	West side of site
Major Roadway Plan	Collector (Improved & City-maintained) to be extended through site
CIP Projects	None
Sidewalk	Will need to be installed along project frontage (both sides)

PARKS & RECREATION

Neighborhood Parks	Shepard Boulevard (approx. 1 mile west)
Trails Plan	North Fork of Grindstone (southeast of site)
Bicycle/Pedestrian Plan	No bike/ped infrastructure planned

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 February 24, 2015.

Public Information Meeting Recap	Number of attendees: 15 Comments/concerns: Timberhill extension/access, buffering, land use compatibility, project access
Neighborhood Association(s) Notified	Shepard Boulevard and Timberhill Neighborhood Associations
Correspondence Received	No correspondence received. Several telephone inquiries.

Report prepared by Patrick Zenner



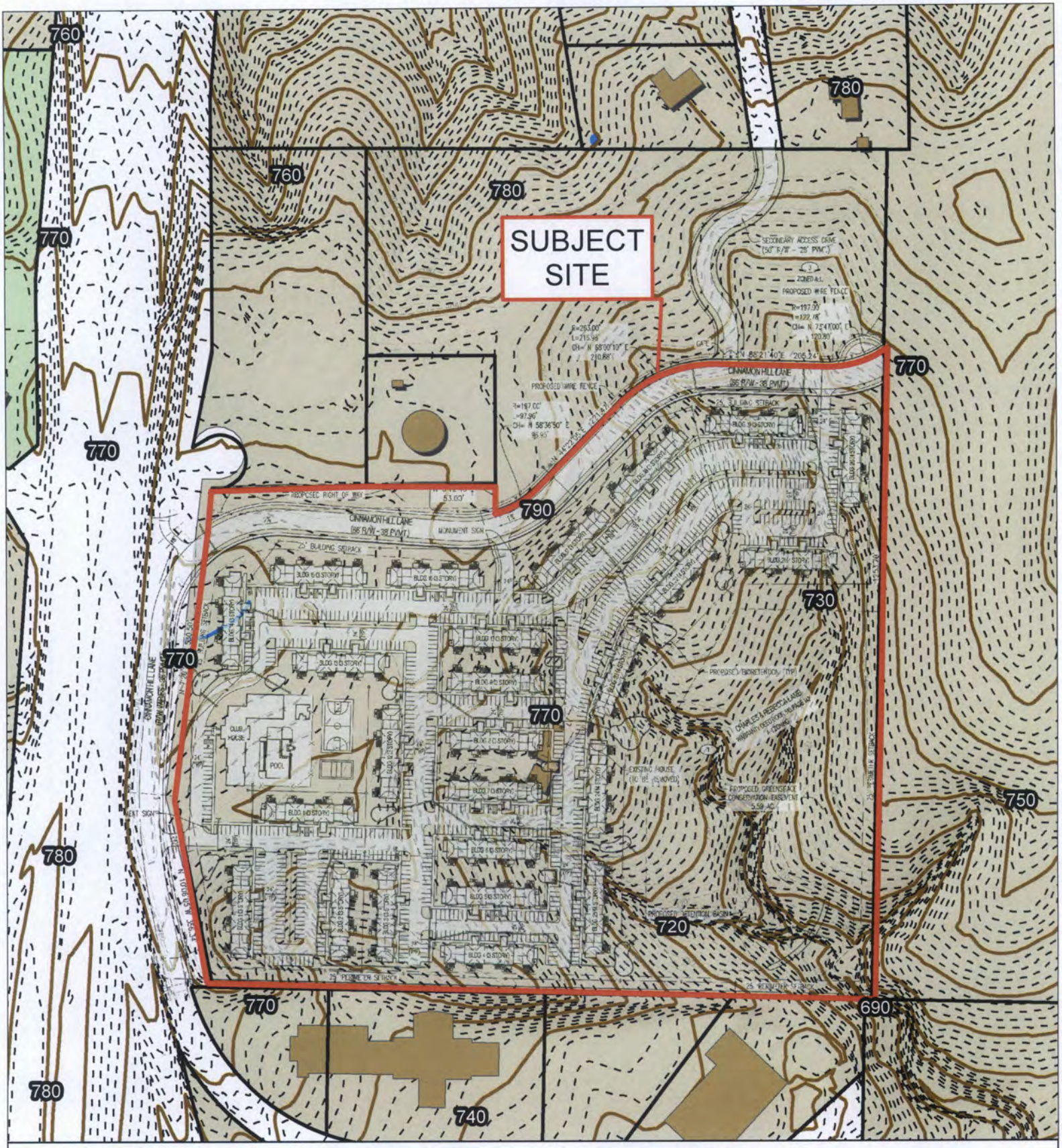
15-12: Avenue at Columbia Rezoning & PUD Plan

City of Columbia Zoning
Parcels
100-Year Flood Plain
Columbia City Limit

N

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

0 180 360 720 Feet



15-12: Avenue at Columbia
Rezoning & PUD Plan

10 Foot Contour Lines
2 Foot Contour Lines
Stream
Parcels
Building Footprint
Bodies of Water
Columbia City Limit

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

0 105 210 420 Feet



15-12: Avenue at Columbia Rezoning & PUD Plan

City Sanitary Structure
Private Sanitary Structure
City Sanitary Line
Private Sanitary Line
Building Footprint
Parcels

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

0 180 360 720 Feet

PUD PLAN

THE AVENUE AT COLUMBIA

A MAJOR SUBDIVISION LOCATED IN SECTION 17, TOWNSHIP 48 NORTH, RANGE 12 WEST COLUMBIA, BOONE COUNTY, MISSOURI

CITY PROJECT #15-12



LOCATION MAP
NOT TO SCALE

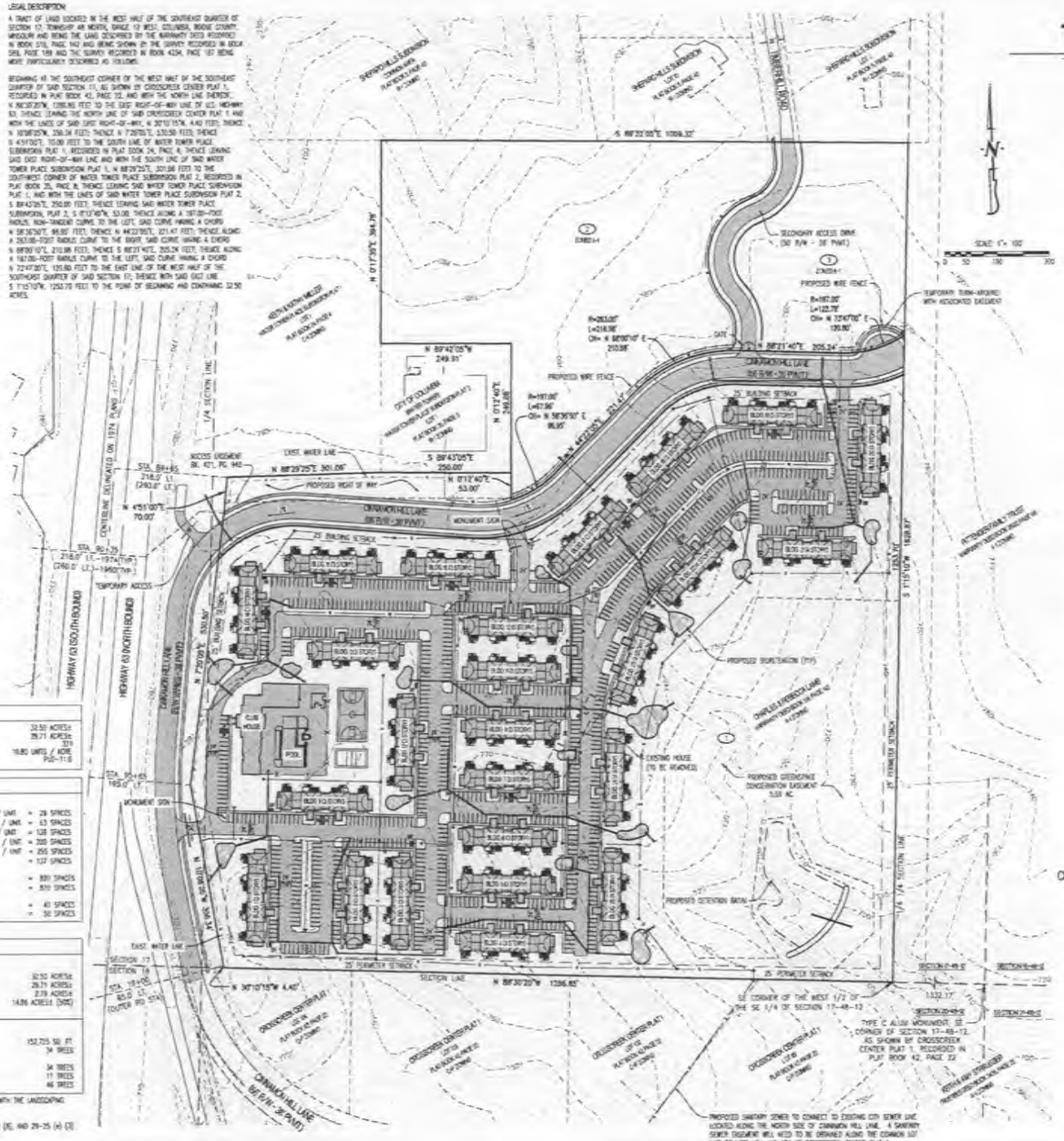
LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 578, PAGE 142 AND BEING SHOWN BY THE SURVEY RECORDED IN BOOK 584, PAGE 199 AND THE SURVEY RECORDED IN BOOK 4234, PAGE 187 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 17, AS SHOWN BY CROSSCREEK CENTER PLAT 1, RECORDED IN PLAT BOOK 42, PAGE 22, AND WITH THE NORTH LINE THEREOF, N 88°28'20"E, 1332.69 FEET TO THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 63; THENCE LEAVING THE NORTH LINE OF SAID CROSSCREEK CENTER PLAT 1 AND WITH THE LINES OF SAID EAST RIGHT-OF-WAY, N 30°10'15"W, 4.40 FEET; THENCE N 15°06'05"W, 256.34 FEET; THENCE N 7°20'15"E, 370.50 FEET; THENCE N 4°37'00"E, 70.00 FEET TO THE SOUTH LINE OF WATER TOWER PLACE SUBDIVISION PLAT 1, RECORDED IN PLAT BOOK 24, PAGE 8; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE AND WITH THE SOUTH LINE OF SAID WATER TOWER PLACE SUBDIVISION PLAT 1, N 88°29'25"E, 301.06 FEET TO THE SOUTHWEST CORNER OF WATER TOWER PLACE SUBDIVISION PLAT 2, RECORDED IN PLAT BOOK 25, PAGE 18; THENCE LEAVING SAID WATER TOWER PLACE SUBDIVISION PLAT 1 AND WITH THE LINES OF SAID WATER TOWER PLACE SUBDIVISION PLAT 2, S 89°42'05"E, 250.00 FEET; THENCE LEAVING SAID WATER TOWER PLACE SUBDIVISION, PLAT 2, S 0°17'40"W, 53.00; THENCE ALONG A 197.00-FOOT RADIUS, NON-TANGENT CURVE, TO THE LEFT, SAID CURVE HAVING A CHORD N 58°30'50"E, 96.95' FEET, THENCE N 44°23'00"E, 221.47 FEET; THENCE ALONG A 263.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD N 68°09'10"E, 210.08 FEET, THENCE S 89°27'40"E, 205.24 FEET; THENCE ALONG A 197.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD N 72°47'20"E, 125.80 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 17; THENCE WITH SAID EAST LINE S 1°15'10"W, 1250.70 FEET TO THE POINT OF BEGINNING AND CONTAINING 32.50 ACRES.

LEGEND:

- EXISTING 2FT CONTOUR
- EXISTING 10FT CONTOUR
- PROPOSED 2FT CONTOUR
- PROPOSED 10FT CONTOUR
- EXISTING STRUCTURE
- EXISTING TREELINE
- PROPOSED TREELINE
- EDGE OF WATERWAY
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- MANHOLE
- PROPOSED SANITARY SEWER LATERAL
- PROPOSED WATERLINE
- PROPOSED FIRE HYDRANT
- PROPOSED STORM SEWER
- BUILDING LINE
- LOT NUMBER
- STREAM BUFFER (OUTER LIMITS)
- PROPOSED PAVEMENT
- PROPOSED DETENTION/BIORETENTION
- TRASH COMPACTOR
- BICYCLE RACK



SCALE: 1" = 100'

NOTES:

1. SITE ADDRESS IS 1202 CINNAMON HILL LANE.
2. THE INTENT FOR THIS DEVELOPMENT IS TO BE DEVELOPED IN ONE PHASE. HOWEVER MULTIPLE PHASES WOULD BE ALLOWED.
3. PROPOSED BIKE RACKS SHALL HAVE A MINIMUM CAPACITY 5 BIKES PER RACK WITH THE TOTAL NUMBER OF BIKE SPACES NOT LESS THAN 50.
4. THE MAXIMUM HEIGHT OF ANY BUILDING WILL NOT EXCEED 45', MEASURED FROM THE LOWEST ADJACENT GRADE OF EACH BUILDING.
5. TWO DEVELOPMENT SIGNS SHALL BE ALLOWED AND SHALL BE MONUMENT SIGNS WITH A MAXIMUM AREA OF 16 SQ.FT. AND A MAXIMUM HEIGHT OF 4 FT, MEASURED FROM THE ADJACENT GRADE. THEY SHALL BE PLACED A MINIMUM OF 10' FROM THE RIGHT-OF-WAY AS SHOWN.
6. NO PART OF THIS TRACT LIES WITHIN THE 100 YEAR FLOODPLAIN AS ADOPTED BY THE CITY OF COLUMBIA AS SHOWN BY FEMA PANELS 29019C0065D & 29019C0067D DATED MARCH 17, 2011.
7. ALL SANITARY SEWERS SHALL BE LOCATED WITHIN THE APPROPRIATE WIDTH EASEMENT. SAID EASEMENTS SHALL BE GRANTED AT THE TIME OF FINAL DESIGN.
8. ALL PUBLIC SANITARY SEWER EXTENSIONS SHALL BE MINIMUM OF 8" DIAMETER. SEWERS SHALL BE LOCATED WITHIN 15 FEET WIDE EASEMENTS, OR EASEMENTS EQUAL TO THE DEPTH OF THE SEWER IF SEWER IS GREATER THAN 15 FEET. NO SEWER TAPS WILL BE GREATER THAN 20 FEET.
9. WATER DISTRIBUTION TO BE DESIGNED BY THE CITY OF COLUMBIA WATER AND LIGHT DEPARTMENT.
10. ALL SIDEWALK, ROADWAY, AND ACCESS AISLES ARE SUBJECT TO FIRE DEPARTMENT APPROVAL AT THE TIME OF FINAL DESIGN.
11. ALL ON-SITE LIGHTING WILL BE NO GREATER THAN 20-FEET IN HEIGHT AND SHALL COMPLY WITH THE REQUIREMENTS OF ORDINANCE 20,060(D), NO "WALL-PACK" LIGHTING WILL BE ALLOWED. ALL LIGHTING SHALL BE DIRECTED DOWNWARD & AWAY TOWARD THE PROJECT IMPROVEMENTS.
12. AMENITIES MAY INCLUDE BASKETBALL COURT(S), SAND VOLLEYBALL COURT(S), GAZEBOS, FIRE PITS, CLUBHOUSE, ETC.
13. NATURAL GAS DISTRIBUTION TO BE DESIGNED BY MISSOURI GAS ENERGY.
14. BUILDING NUMBERS SHOWN ARE FOR INVENTORY PURPOSES ONLY.
15. THE EXISTING ZONING OF THIS TRACT IS A-1 (ZONING REZONING TO PUD 11.0).
16. A 5' SIDEWALK SHALL BE CONSTRUCTED ALONG BOTH SIDES OF THE CINNAMON HILL LANE EXTENSION LOCATED INTERNAL TO THIS DEVELOPMENT. 5' SIDEWALK CONSTRUCTION ON BOTH SIDES OF THOROUGHFARE ROADS IS SUBJECT TO SIDEWALK WAIVER APPROVAL BY THE CITY OF COLUMBIA.
17. ELECTRIC DISTRIBUTION TO BE DESIGNED BY THE CITY OF COLUMBIA WATER & LIGHT DEPARTMENT.
18. NO REGULATED STREAM BUFFER IS IDENTIFIED ON THIS TRACT BY ARTICLE 4, CHAPTER 12A OF THE CITY CODE OF ORDINANCES AND AS SHOWN BY THE COLUMBIA 2005 ORTHOPHOTOS.
19. A MINIMUM OF 15% OF THE CLIMAX FOREST ON THIS TRACT SHALL BE PRESERVED IN THE LOCATIONS DEPICTED ON THIS PUD PLAN. FUTURE GRADING PLANS, WHEN THE DEPICTED PRESERVATION AREAS SHALL BE ADJUSTED TO ENSURE THAT THE CLIMAX FOREST IS PRESERVED. A TREE PRESERVATION PLAN SHALL BE SUBMITTED AND APPROVED BY THE CITY ARBORIST PRIOR TO LAND DISTURBANCE.
20. ALL STORM SEWER AND WATER QUALITY FOR THIS DEVELOPMENT SHALL MEET THE CITY OF COLUMBIA STORM WATER DESIGN MANUAL.
21. PROPOSED BIORETENTION AREAS WILL BE SIZED AT THE TIME OF FINAL DESIGN.
22. FARMING STALL DIMENSIONS SHALL BE A MINIMUM 10' LONG x 8.5' WIDE.
23. ADDITIONAL ADDRESS SIGNAGE MAY BE ADDED AT EACH DRIVE AT THE REQUEST OF THE CITY PRIOR TO ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY.
24. SHOULD CINNAMON HILL LANE BE EXTENDED AS SHOWN, THE WATERLINE ACCESS EASEMENT RECORDED IN BOOK 473, PAGE 940 WOULD BE VACATED OR MODIFIED IN ORDER TO PROVIDE A MORE DIRECT ROUTE FOR ACCESS TO THE WATER TOWER. SUCH ACTION AND SUBSEQUENT RE-ESTABLISHMENT OF THE ACCESS EASEMENT WILL BE AT THE COST OF THE DEVELOPER AND SUBJECT TO CITY APPROVAL. ALL EXISTING WATERLINES WOULD REMAIN WITHIN AN EASEMENT.
25. SECONDARY ACCESS, TO OWNER'S DEVELOPMENT. UNLESS A VARIANCE REDUCING THE WIDTH OF REQUIRED RIGHT-OF-WAY IS OBTAINED, OWNER SHALL DEDICATE PUBLIC RIGHT-OF-WAY TO THE CITY AND LETTER THAN FIFTY FEET (50') WIDE TO CONNECT CINNAMON HILL LANE TO THROWBELL ROAD AS SHOWN ON THE DEVELOPMENT PLAN FOR OWNER'S DEVELOPMENT APPROVED BY THE CITY COUNCIL. OWNER SHALL CONSTRUCT AND DEDICATE TO THE CITY IMPROVEMENTS WITHIN SUCH DESIGNATED RIGHT-OF-WAY CONSISTING OF A ROAD WITH AN IMPROVED SURFACE AREA NO LESS THAN TWENTY-EIGHT FEET (28') WIDE CONSTRUCTED IN ACCORDANCE WITH CURRENTLY APPLICABLE STANDARDS APPROVED BY THE CITY AND DATED AT THE CENTER LINE OF THE SECONDARY ACCESS ADJACENT TO CINNAMON HILL LANE, WITH A GRADE DATE APPROVED BY THE CITY ("SECONDARY ACCESS"). PLANS AND SPECIFICATIONS FOR THE SAME SHALL BE ATTACHED TO AND INCLUDED AS PART OF THE FINAL DEVELOPMENT PLAN FOR OWNER'S DEVELOPMENT. OWNER SHALL PROVIDE TO THE CITY ALL MEANS AND EASEMENT ACCESSWAY SO THAT ACCESS TO THE GATES MAY BE INDEPENDENTLY CONTROLLED BY CITY EMERGENCY SERVICE AND TRAFFIC PERSONNEL. COMPLETE CONSTRUCTION AND ACCEPTANCE OF SUCH IMPROVEMENTS BY THE CITY SHALL OCCUR WITHIN THREE YEARS OF FINAL PLAT APPROVAL OR PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY WHICH WILL ALLOW OCCUPATION OF THE ONE HUNDRED AND FIRST (101ST) UNIT WITHIN OWNER'S DEVELOPMENT, WHICHEVER OCCURS FIRST. THE RIGHT-OF-WAY SHALL BE DEDICATED TO CITY ON THE FINAL APPROVED DEVELOPMENT PLAN FOR OWNER'S DEVELOPMENT. SAID SECONDARY ACCESS DRIVE SHALL REMAIN GATED AND CLOSED TO THROUGH TRAFFIC, UNTIL SUCH TIME, THE CITY IN ITS SOLE DISCRETION SHALL THE SECONDARY ACCESS FOR USE BY THE PUBLIC. HOWEVER, IT SHALL BE AT ALL TIMES OPERABLE FOR MAINTENANCE AND DURING TIMES OF EMERGENCY AS DETERMINED BY THE CITY OF COLUMBIA. PRIOR TO OPENING FOR PUBLIC USE, THE CITY SHALL PROVIDE TEN DAYS ADVANCE PUBLISHED NOTICE OF THE CITY'S INTENTION TO OPEN THE ROAD AND THE CITY SHALL HOLD A PUBLIC MEETING. THE CITY SHALL MAINTAIN THE ROADWAY FOLLOWING ACCEPTANCE BY THE CITY, PROVIDED THAT OWNER SHALL WARRANT THE SECONDARY ACCESS FOR A PERIOD OF TWO YEARS IN ACCORDANCE WITH GENERALLY APPLICABLE PROVISIONS OF THE CITY CODE OF ORDINANCES.
26. A WIRE FENCE ALONG THE NORTH RIGHT OF WAY OF CINNAMON HILL LANE SHALL BE INSTALLED PRIOR TO ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.

DENSITY CALCULATIONS:

LOT PUD AREA (GROSS):	32.50 ACRES±
LOT PUD AREA (NET):	29.71 ACRES±
PROPOSED NUMBER OF UNITS:	320
PROPOSED DENSITY:	10.80 UNITS / GROSS ACRE
PROPOSED ZONING:	PUD-11.0

PARKING CALCULATIONS:

PARKING REQUIRED:		
28 UNITS – 1 BEDROOM EFFICIENCY UNITS	1 SPACES / UNIT	= 28 SPACES
42 UNITS – 1 BEDROOM UNITS	1.5 SPACES / UNIT	= 63 SPACES
48 UNITS – 2 BEDROOM UNITS	2 SPACES / UNIT	= 128 SPACES
85 UNITS – 2 BEDROOM UNITS	2.5 SPACES / UNIT	= 200 SPACES
101 UNITS – 4 BEDROOM UNITS	2.5 SPACES / UNIT	= 255 SPACES
PLUS 1 SPACE / 5 UNITS		+ 137 SPACES
TOTAL SPACES REQUIRED:		= 800 SPACES
TOTAL SPACES PROPOSED (1.31 SPACES/UNIT):		= 870 SPACES
BICYCLE SPACES REQUIRED:		= 40 SPACES
BICYCLE SPACES PROPOSED:		= 50 SPACES

CALCULATIONS:

AREA:	
TOTAL LOT AREA =	32.50 ACRES±
LOT 1	29.71 ACRES±
CINNAMON HILL RIGHT OF WAY =	2.79 ACRES±
TOTAL PERVIOUS AREA (LOT 1) =	14.86 ACRES± (50%)

LANDSCAPE COMPLIANCE:

TOTAL PARKING LOT & DRIVE AREA=	152,725 SQ. FT.
TREES REQUIRED @ 1 TREE/4000 SQ. FT. =	34 TREES
TOTAL TREES REQUIRED=	34 TREES
MEDIUM TO LARGE TREES REQUIRED (33%)=	11 TREES
TOTAL TREES PROVIDED=	46 TREES

ALL PLANT MATERIALS AND FINAL LANDSCAPE PLAN SHALL BE IN ACCORDANCE WITH THE LANDSCAPING GUIDELINES AND STANDARDS OF THE CITY OF COLUMBIA.

LANDSCAPING SHALL COMPLY WITH SECTIONS 12A-45 (a) AND (f), 29-13.1 (d) (6), AND 29-25 (e) (3) AND (4) OF THE CITY OF COLUMBIA CODE OF ORDINANCES.

OWNER:
CHARLES & REBECCA LAMB
1202 CINNAMON HILL LANE
COLUMBIA, MO 65201

CONTRACT PURCHASER:
PARK 7 GROUP
461 PARK AVE S, FLOOR 4
NEW YORK, NY 10016

APPROVED BY THE CITY OF COLUMBIA PLANNING AND ZONING COMMISSION THIS ____ DAY OF _____, 2015.

DR. ENAKA PURI, CHAIRPERSON

PREPARED BY
CROCKETT
ENGINEERING CONSULTANTS
3608 North Stadium Boulevard
Columbia, Missouri 65202
(573) 447-0292
www.crockettengineering.com
Crockett Engineering Consultants, LLC
Missouri Certificate of Authority
#2005031044

STATE OF MISSOURI
TIMOTHY D. CROCKETT
NUMBER 2005031375
PROFESSIONAL ENGINEER

10/12/2015
TIMOTHY D. CROCKETT – PE-2005031375

ACCEPTED BY ORDINANCE OF THE CITY COUNCIL OF COLUMBIA, MISSOURI, THIS ____ DAY OF _____, 2015.

ROBERT McDAVID, MAYOR

SHEELA AMIN, CITY CLERK

ORIGINAL 10/13/2014
CITY COMMENTS 03/12/2015

CONCEPTUAL LANDSCAPING FOR

THE AVENUE AT COLUMBIA

A MAJOR SUBDIVISION LOCATED IN SECTION 17,
TOWNSHIP 48 NORTH, RANGE 12 WEST
COLUMBIA, BOONE COUNTY, MISSOURI
CITY PROJECT #15-12

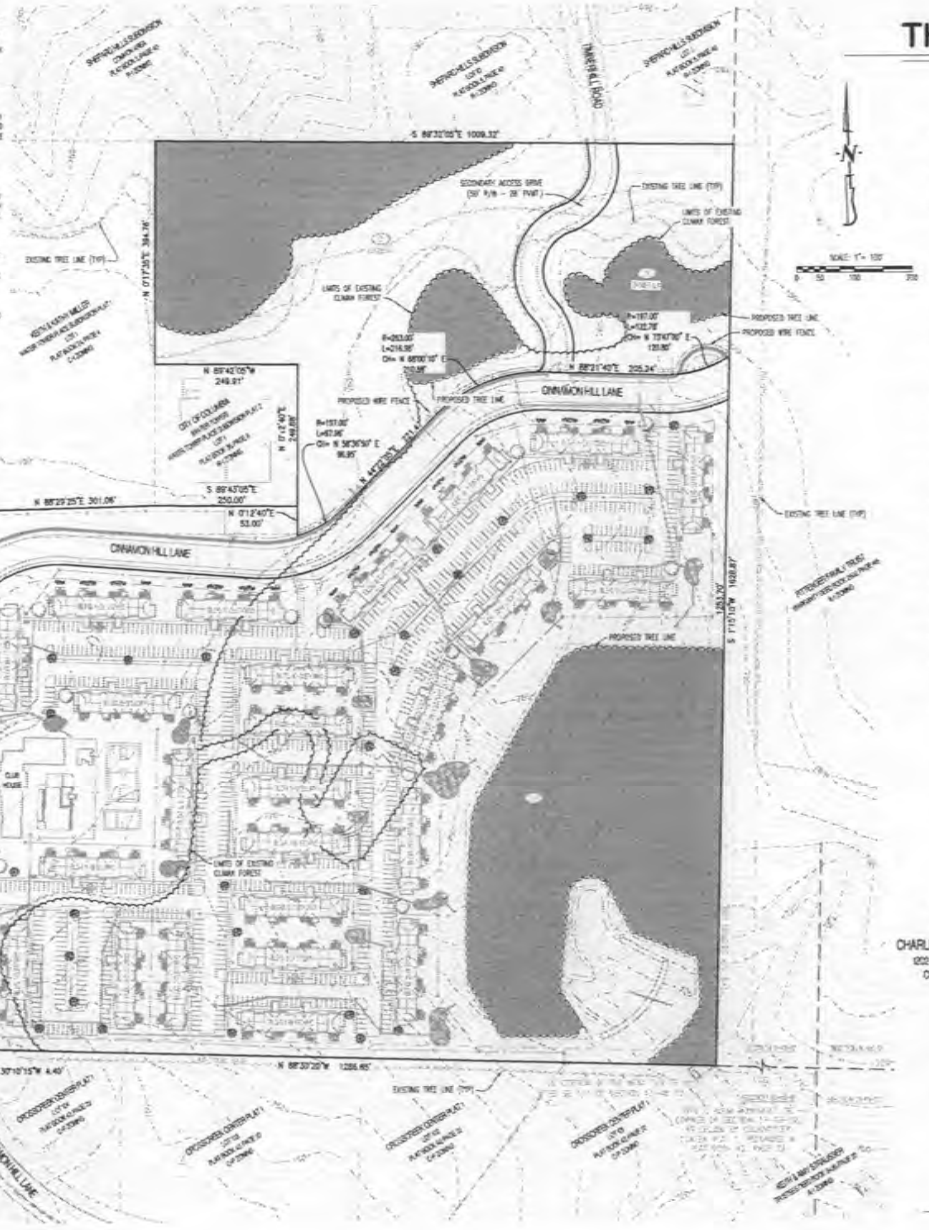


LOCATION MAP
NOT TO SCALE

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 3/4, PAGE 142 AND BEING SHOWN BY THE SURVEY RECORDED IN BOOK 548, PAGE 189 AND THE SURVEY RECORDED IN BOOK 453A, PAGE 167 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 17, AS SHOWN BY CROSSCREEK CENTER PLAT 1, RECORDED IN PLAT BOOK 42, PAGE 22, AND WITH THE NORTH LINE THEREOF, N 88°30'20"W, 1286.65 FEET TO THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 63; THENCE LEAVING THE NORTH LINE OF SAID CROSSCREEK CENTER PLAT 1 AND WITH THE LINES OF SAID EAST RIGHT-OF-WAY, N 30°10'15"W, 4.40 FEET; THENCE N 15°38'05"W, 356.74 FEET; THENCE N 7°20'05"E, 530.00 FEET; THENCE N 4°51'00"E, 70.00 FEET TO THE SOUTH LINE OF WATER TOWER PLACE SUBDIVISION PLAT 1, RECORDED IN PLAT BOOK 24, PAGE 41; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE AND WITH THE SOUTH LINE OF SAID WATER TOWER PLACE, SUBDIVISION PLAT 1, N 88°29'25"E, 301.06 FEET TO THE SOUTHWEST CORNER OF WATER TOWER PLACE, SUBDIVISION PLAT 2, RECORDED IN PLAT BOOK 26, PAGE 8; THENCE LEAVING SAID WATER TOWER PLACE SUBDIVISION PLAT 1, AND WITH THE LINES OF SAID WATER TOWER PLACE, SUBDIVISION PLAT 2, S 89°43'05"E, 250.00 FEET; THENCE LEAVING SAID WATER TOWER PLACE, SUBDIVISION, PLAT 2, S 0°17'40"W, 53.00; THENCE ALONG A 167.00-FOOT RADIUS, NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CHORD N 58°36'30"E, 96.85 FEET; THENCE N 44°23'05"E, 221.47 FEET; THENCE ALONG A 263.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD N 68°07'10"E, 216.86 FEET; THENCE S 88°09'45"E, 205.24 FEET; THENCE ALONG A 157.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD N 72°47'00"E, 120.80 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 17; THENCE WITH SAID EAST LINE, S 1°15'10"W, 1253.70 FEET TO THE POINT OF BEGINNING AND CONTAINING 33.50 ACRES.



LEGEND

- EXISTING 25' CONTOUR
- EXISTING 100' CONTOUR
- PROPOSED 25' CONTOUR
- PROPOSED 100' CONTOUR
- EXISTING STRUCTURE
- EXISTING TREELINE
- PROPOSED TREELINE
- EDGE OF WATERWAY
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- MANHOLE
- PROPOSED SANITARY SEWER LATERAL
- PROPOSED WATERLINE
- PROPOSED FIRE HYDRANT
- PROPOSED STORM SEWER
- BUILDING LINE
- LOT NUMBER
- EXISTING CLIMAX FOREST
- PRESERVED CLIMAX FOREST

NOTES

1. SITE ADDRESS IS 1202 CINNAMON HILL LANE.
2. THE INTENT FOR THIS DEVELOPMENT IS TO BE DEVELOPED IN ONE PHASE. HOWEVER MULTIPLE PHASES WOULD BE ALLOWED.
3. PROPOSED BIKE RACKS SHALL HAVE A MINIMUM CAPACITY 5 BIKES PER RACK WITH THE TOTAL NUMBER OF BIKE SPACES NOT LESS THAN 50.
4. THE MAXIMUM HEIGHT OF ANY BUILDING WILL NOT EXCEED 44', MEASURED FROM THE LOWEST ADJACENT GRADE OF EACH BUILDING.
5. TWO DEVELOPMENT SIGNS SHALL BE ALLOWED AND SHALL BE MONUMENT SIGNS WITH A MAXIMUM AREA OF 18 SQ.FT. AND A MAXIMUM HEIGHT OF 4 FT. MEASURED FROM THE ADJACENT GRADE. THEY SHALL BE PLACED A MINIMUM OF 15' FROM THE RIGHT-OF-WAY AS SHOWN.
6. NO PART OF THIS TRACT LIES WITHIN THE 100 YEAR FLOODPLAIN AS ADOPTED BY THE CITY OF COLUMBIA AS SHOWN BY FIRM PANELS 29019C0020D & 29019C0040D DATED MARCH 17, 2011.
7. ALL SANITARY SEWERS SHALL BE LOCATED WITHIN THE APPROPRIATE WIDTH EASEMENT. SAID EASEMENTS SHALL BE GRANTED AT THE TIME OF FINAL DESIGN.
8. ALL PUBLIC SANITARY SEWER EXTENSIONS SHALL BE MINIMUM OF 8" DIAMETER. SEWERS SHALL BE LOCATED WITHIN 15 FOOT WIDE EASEMENTS OR EASEMENTS EQUAL TO THE DEPTH OF THE SEWER IF SEWER IS GREATER THAN 15 FEET. NO SEWER TAPS WILL BE GREATER THAN 20 FEET.
9. WATER DISTRIBUTION TO BE DESIGNED BY THE CITY OF COLUMBIA WATER AND LIGHT DEPARTMENT.
10. ALL DRIVEWAY, ROADWAY, AND ACCESS AISLES ARE SUBJECT TO FIRE DEPARTMENT APPROVAL AT THE TIME OF FINAL DESIGN.
11. ALL ON-SITE LIGHTING WILL BE NO GREATER THAN 25-FEET IN HEIGHT AND SHALL COMPLY WITH THE REQUIREMENTS OF ORDINANCE #20913, NO "WALL-PACK" LIGHTING WILL BE ALLOWED. ALL LIGHTING SHALL BE DIRECTED DOWNWARD & AWAY FROM THE PROJECT IMPROVEMENTS.
12. AMENITIES MAY INCLUDE BASKETBALL COURT(S), SAND VOLLEYBALL COURT(S), GAZEBOS, FIRE PITS, CLUBHOUSE, ETC.
13. NATURAL GAS DISTRIBUTION TO BE DESIGNED BY AMEREN UE.
14. BUILDING NUMBERS SHOWN ARE FOR INVENTORY PURPOSES ONLY.
15. THE EXISTING ZONING OF THIS TRACT IS A-1 (PENDING REZONING TO PUD 113)
16. A 5' SIDEWALK SHALL BE CONSTRUCTED ALONG WEST SIDE OF THE CINNAMON HILL LANE EXTENSION LOCATED INTERNAL TO THIS DEVELOPMENT. 5' SIDEWALK CONSTRUCTION ON BOTH SIDES OF TIMBERHILL ROAD IS SUBJECT TO SIDEWALK VARIANCE APPROVAL BY THE CITY OF COLUMBIA.
17. ELECTRIC DISTRIBUTION TO BE DESIGNED BY THE CITY OF COLUMBIA WATER & LIGHT DEPARTMENT.
18. NO REGULATED STORM BUFFER IS IDENTIFIED ON THIS TRACT BY ARTICLE XI, CHAPTER 12A OF THE CITY CODE OF ORDINANCES AND AS SHOWN BY THE COLUMBIA USGS QUADRANGLE.
19. A MINIMUM OF 20% OF THE CLIMAX FOREST ON THIS TRACT SHALL BE PRESERVED IN THE LOCATIONS DEPICTED ON THIS PLAN. FUTURE GROWING PLANS, NOT THE EXPECTED PRESERVATION AREAS SHALL BE ADJUSTED TO ENSURE THAT THE CLIMAX FOREST IS PRESERVED. A TREE PRESERVATION PLAN SHALL BE SUBMITTED AND APPROVED BY THE CITY ARBORIST PRIOR TO LAND DISTURBANCE.
20. ALL STORM SEWER AND WATER QUALITY FOR THIS DEVELOPMENT SHALL MEET THE CITY OF COLUMBIA STORM WATER DESIGN MANUAL.
21. PROPOSED BIORETENTION AREAS WILL BE SIZED AT THE TIME OF FINAL DESIGN.
22. PARKING STALL DIMENSIONS SHALL BE A MINIMUM 18' LONG x 8.5' WIDE.
23. ADDITIONAL ADDRESS SIGNAGE MAY BE ADDED AT EACH DRIVE AT THE REQUEST OF THE CITY PRIOR TO ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY.
24. SHOULD CINNAMON HILL LANE BE EXTENDED AS SHOWN, THE WATERLINE ACCESS EASEMENT RECORDED IN BOOK 425, PAGE 2040 WOULD BE VACATED OR MODIFIED IN ORDER TO PROVIDE A MORE DIRECT ROUTE FOR ACCESS TO THE WATER TOWER. SUCH ACTION AND SUBSEQUENT RE-ESTABLISHMENT OF THE ACCESS EASEMENT WILL BE AT THE COST OF THE DEVELOPER AND SUBJECT TO CITY APPROVAL. ALL EXISTING WATERLINES WOULD REMAIN WITHIN AN EASEMENT.
25. SECONDARY ACCESS TO OWNER'S DEVELOPMENT. UNLESS A VARIANCE REDUCING THE WIDTH OF REQUIRED RIGHT-OF-WAY IS GRANTED, OWNER SHALL DEDICATE PUBLIC RIGHT-OF-WAY TO THE CITY NO LESS THAN FIFTY FEET (50') WIDE TO CONNECT CINNAMON HILL LANE TO TIMBERHILL ROAD AS SHOWN ON THE DEVELOPMENT PLAN FOR OWNER'S DEVELOPMENT APPROVED BY THE CITY COUNCIL. OWNER SHALL CONSTRUCT AND DEDICATE TO THE CITY IMPROVEMENTS WITHIN SUCH DEDICATED RIGHT-OF-WAY CONSISTING OF A ROAD WITH AN IMPROVED SURFACE AREA NO LESS THAN TWENTY-EIGHT FEET (28') WIDE CONSTRUCTED IN ACCORDANCE WITH GENERALLY APPLICABLE STANDARDS APPROVED BY THE CITY AND GATED AT THE SOUTH END OF THE SECONDARY ACCESS, ADJACENT TO CINNAMON HILL LANE, WITH A CRASH GATE APPROVED BY THE CITY ("SECONDARY ACCESS"). PLANS AND SPECIFICATIONS FOR THE GATE SHALL BE ATTACHED TO AND INCLUDED AS PART OF THE FINAL DEVELOPMENT PLAN FOR OWNER'S DEVELOPMENT. OWNER SHALL PROVIDE TO THE CITY ALL WORKS AND EQUIPMENT NECESSARY SO THAT ACCESS TO THE GATES MAY BE INDEPENDENTLY CONTROLLED BY CITY EMERGENCY SERVICE AND TRAFFIC PERSONNEL. COMPLETE CONSTRUCTION AND ACCEPTANCE OF SUCH IMPROVEMENTS BY THE CITY SHALL OCCUR WITHIN THREE YEARS OF FINAL PLAT APPROVAL OR PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY WHICH WILL ALLOW OCCUPATION OF THE ONE HUNDRED AND FIRST (101ST) UNIT WITHIN OWNER'S DEVELOPMENT, WHICHEVER OCCURS FIRST. THE RIGHT-OF-WAY SHALL BE DEDICATED TO CITY ON THE FINAL APPROVED DEVELOPMENT PLAN FOR OWNER'S DEVELOPMENT. SAID SECONDARY ACCESS DRIVE SHALL REMAIN GATED AND CLOSED TO THROUGH TRAFFIC UNTIL SUCH TIME THE CITY, IN ITS SOLE DISCRETION OPENS THE SECONDARY ACCESS FOR USE BY THE PUBLIC. HOWEVER, IT SHALL BE AT ALL TIMES OPERABLE FOR MAINTENANCE AND DURING TIMES OF EMERGENCY AS DETERMINED BY THE CITY OF COLUMBIA. PRIOR TO OPENING FOR PUBLIC USE, THE CITY SHALL PROVIDE TEN DAYS ADVANCE PUBLISHED NOTICE OF THE CITY'S INTENTION TO OPEN THE ROAD AND THE CITY SHALL HOLD A PUBLIC MEETING. THE CITY SHALL MAINTAIN THE ROADWAY FOLLOWING ACCEPTANCE BY THE CITY, PROVIDED THAT OWNER SHALL WARRANT THE SECONDARY ACCESS FOR A PERIOD OF TWO YEARS IN ACCORDANCE WITH GENERALLY APPLICABLE PROVISIONS OF THE CITY CODE OF ORDINANCES.
26. A WIRE FENCE ALONG THE NORTH RIGHT OF WAY OF CINNAMON HILL LANE SHALL BE INSTALLED PRIOR TO ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.

PLANTING NOTES:		
	QUANTITY	PLANT SPECIES
	15	PIN OAK - QUERCUS PALUSTRIS
	33	SARGENT CRABAPPLE - MALUS SARGENTII
		1' TALL MULCH BERM WITH LANDSCAPED BED CONTAINING SMALL ORNAMENTAL TREES, DECIDUOUS SHRUBS, EVERGREEN SHRUBS, AND ANY COMBINATION THEREOF. LANDSCAPE BEDS SHALL CONFORM TO SCREENING REQUIREMENTS FOR THE CITY OF COLUMBIA. SCREENING SHALL REACH SIZE CAPACITY IN THE SPACE BETWEEN 1' AND 5' ABOVE GRADE AT THE SCREEN LINE.

CALCULATIONS:	
LANDSCAPE COMPLIANCE:	
TOTAL PARKING LOT & DRIVE AREA =	152,725 SQ. FT.
TREES REQUIRED @ 1 TREE/4500 SQ FT =	34 TREES
TOTAL TREES REQUIRED =	34 TREES
MEDIUM TO LARGE TREES REQUIRED (33%) =	11 TREES
TOTAL TREES PROVIDED =	46 TREES
CLIMAX FOREST (LOT 6):	
EXISTING CLIMAX FOREST =	672,840 SQ. FT.
PRESERVED CLIMAX FOREST =	241,485 SQ. FT. (35%) MINIMUM TO BE PRESERVED SHALL BE 25%
CLIMAX FOREST (LOT 23):	
EXISTING CLIMAX FOREST =	147,053 SQ. FT.
PRESERVED CLIMAX FOREST =	136,330 SQ. FT. (93%) MINIMUM TO BE PRESERVED SHALL BE 25%
CLIMAX FOREST (LOT 39:	
EXISTING CLIMAX FOREST =	47,932 SQ. FT.
PRESERVED CLIMAX FOREST =	28,388 SQ. FT. (61%) MINIMUM TO BE PRESERVED SHALL BE 25%

ALL PLANT MATERIALS AND FINAL LANDSCAPE PLAN SHALL BE IN ACCORDANCE WITH THE LANDSCAPING GUIDELINES AND STANDARDS OF THE CITY OF COLUMBIA.

LANDSCAPING SHALL COMPLY WITH SECTIONS 12A-49 (a) AND (f), 29-13.1 (d) (6), AND 29-15 (e) (2) AND (4) OF THE CITY OF COLUMBIA CODE OF ORDINANCES.

OWNER
CHARLES & REBECCA LAMB
1202 CINNAMON HILL LANE
COLUMBIA, MO 65201

CONTRACT PURCHASER:
PARK 7 GROUP
461 PARK AVE S, FLOOR 4
NEW YORK, NY 10016

APPROVED BY THE CITY OF COLUMBIA PLANNING AND ZONING COMMISSION THIS _____ DAY OF _____, 2015.

DR. RAMA PUAL, CHAIRPERSON

PREPARED BY
CROCKETT
ENGINEERING CONSULTANTS
1649 Hurth Dodson Boulevard
Columbia, Missouri 65201
(573) 447-0292
www.crockettengineering.com
Crockett Engineering Consultants, LLC
Missouri Certificate of Authority
2006000169

STATE OF MISSOURI
TIMOTHY D. CROCKETT
NUMBER 2006000175
PROFESSIONAL ENGINEER

10/12/2015
TIMOTHY D. CROCKETT - PE-2006000175

ACCEPTED BY ORDINANCE OF THE CITY COUNCIL OF COLUMBIA, MISSOURI, THIS _____ DAY OF _____, 2015.

ROBERT MUSHRIL, MAYOR

SHEELA AMIN, CITY CLERK

ORIGINAL 10/13/2014
CITY COMMENTS 02/12/2015

2015

BROWN WILLBRAND, P.C.

ATTORNEYS AT LAW

601 EAST BROADWAY, SUITE 203
P.O. BOX 1304
COLUMBIA, MISSOURI
65205-1304

TELEPHONE (573) 442-3181

FACSIMILE (573) 874-3796

ED. M. BROWN (1926-1980)
H. C. WILLBRAND
B. DANIEL SIMON
JAMES M. POWELL

MARJORIE M. LEWIS
KAREN E. HAJICEK
R. CALEB COLBERT
EMAIL: ccolbert@brownwillbrand.com

March 12, 2015

Timothy Teddy, Director
Department of Planning & Community Development
City of Columbia, Missouri
PO Box 6015
Columbia, MO 65205-6015

Patrick Zenner
Manager, Development Services
Department of Planning & Community Development
City of Columbia, Missouri
PO Box 6015
Columbia, MO 65205-6015

Re: Amended Statement of Intent/Application - Application for Permanent Rezoning and for Approval of Planned Unit Development Plan for The Avenue at Columbia ("the Development") of Park7 Development, LLC, a Delaware limited liability company (which sometimes does business as "Park7 Group"), and Charles G. Lamb and Rebecca L. Lamb, husband and wife ("the Applicants")

Case No. 15-12, titled "Avenue at Columbia - PUD Zoning/Development Plan"

Dear Mr. Teddy and Mr. Zenner:

I am authorized to submit this letter as an amended Statement of Intent, as required by Section 29-10(e)(2) of the City's Zoning Ordinances. This revised Statement of Intent is submitted in the lieu, place and stead of the previous Statements of Intent.

For purposes of providing this Statement to Intent, I am authorized to represent the Applicants.

The required Statement of Intent is as follows:

1. The uses proposed for the site include: multiple-family 1, 2, 3 and/or 4 bedroom dwellings; sales and leasing office; and, community center.

2. The types of dwelling units shall be: Multiple-family, including, without limiting the foregoing, 1, 2, 3, and/or 4 bedroom units.

3. The maximum number of dwelling units shall be 321 units and maximum density shall be 11 units per acre, meaning that the zoning classification which is sought by the Applicants' Application will be "PUD-11." This density is arrived at as follows:

- Total acreage of all property owned by Applicants, Charles and Rebecca Lamb - 42.98 acres;

- Less that portion of such land which is excluded from the Application for Rezoning, and which includes Lot 2 and Lot 3 of The Avenue at Columbia, as shown on **Exhibit 1** to this letter, and which will, if certain contingencies and agreements are fulfilled, be conveyed to Shepard Hills Improvement Association, Incorporated and that portion of Timberhill Road, as shown on Exhibit 1 to this letter, which will, if certain contingencies and agreements are fulfilled, be dedicated to the City - 10.48 acres;

- Leaving 32.50 acres.

Of this 32.50 acres, 2.79 acres will be within the right-of-way of Cinnamon Hill Lane. This leaves 29.71 net acres for the development. The planned project, the Development provided for by the PUD Development Plan which has been submitted to you, consists of 321 dwelling units, on the said 29.71 acres, which equates to a density of 10.8 units per acre, rounded up to an even 11 units per acre, PUD-11.

4. The maximum building height proposed for the Property is 46 feet measured from the lowest adjacent grade of each building.

5. The total number of vehicle parking spaces proposed for residents is 870. The proposed parking ration per dwelling unit is 2.7 (870/321), as shown on the approved PUD Plan. The upper limit on parking spaces shall be 880 and the lower limit on parking spaces shall be 855.

6. The minimum percentage of the site to be maintained in open space shall be a total of 50%. Of such total, 63% shall be in landscaping and 37% in existing vegetation.

7. Proposed amenities may be swimming pools, basketball courts, tennis courts and clubhouses.

8. The PUD Plan is generally described as a plan containing Multiple Family, 1, 2, 3 and 4 bedroom units and any combination of same. There shall be no minimum lot size. There shall be a minimum perimeter setback of 25 feet. There shall be no other minimum setbacks from perimeter or interior streets and setbacks between buildings shall comply with the current edition of the building code.

9. If MoDOT grants to the Applicant, Park7 Development, LLC, all necessary construction permits for either or both of the improvement projects listed below in subparts i and ii below, and such permits are granted no more than three (3) years after the date when the certificates of occupancy shall have been issued for all of the units proposed on the PUD Plan for the Development, then such Applicant shall cause such permitted improvements to be completed within six (6) months of being granted such permits, with such six month period to be extended by any cause beyond Applicant's reasonable control, including but not limited to adverse weather conditions:

i. Extend the eastbound left turn lane at the intersection of Audubon Drive and Stadium Boulevard by approximately 300'; and

ii. Modify the traffic signal at Audubon Drive and Stadium Boulevard to include a dedicated eastbound left turn signal from Stadium Boulevard onto Audubon Drive.

All duties and obligations of Applicant, Park7 Development, LLC, as provided for by this paragraph 9, are contingent and conditioned upon the approval by the City Council of the Ordinance granting the applied for rezoning and PUD Development Plan, the acquisition of the Property by Park7, and the issuance by the City of building permits for the construction of the buildings for the Development.

10. The Applicant will be obligated under the terms of a separate agreement to convey approximately 9.94 acres, shown as Lot 2 and Lot 3 on **Exhibit 1** to Shepard Hills Improvement Association, Inc., or its assigns ("SHIA"). The conveyance of Lot 2 and Lot 3 shall be contingent upon the City Council adopting an Ordinance approving Applicants' requested PUD 11 zoning and Applicants' PUD Development Plan, Park7 Development, LLC's purchase of Lots 1, 2 and 3 and building permits for the construction of the buildings of the Development being ready for issuance by the City of Columbia.

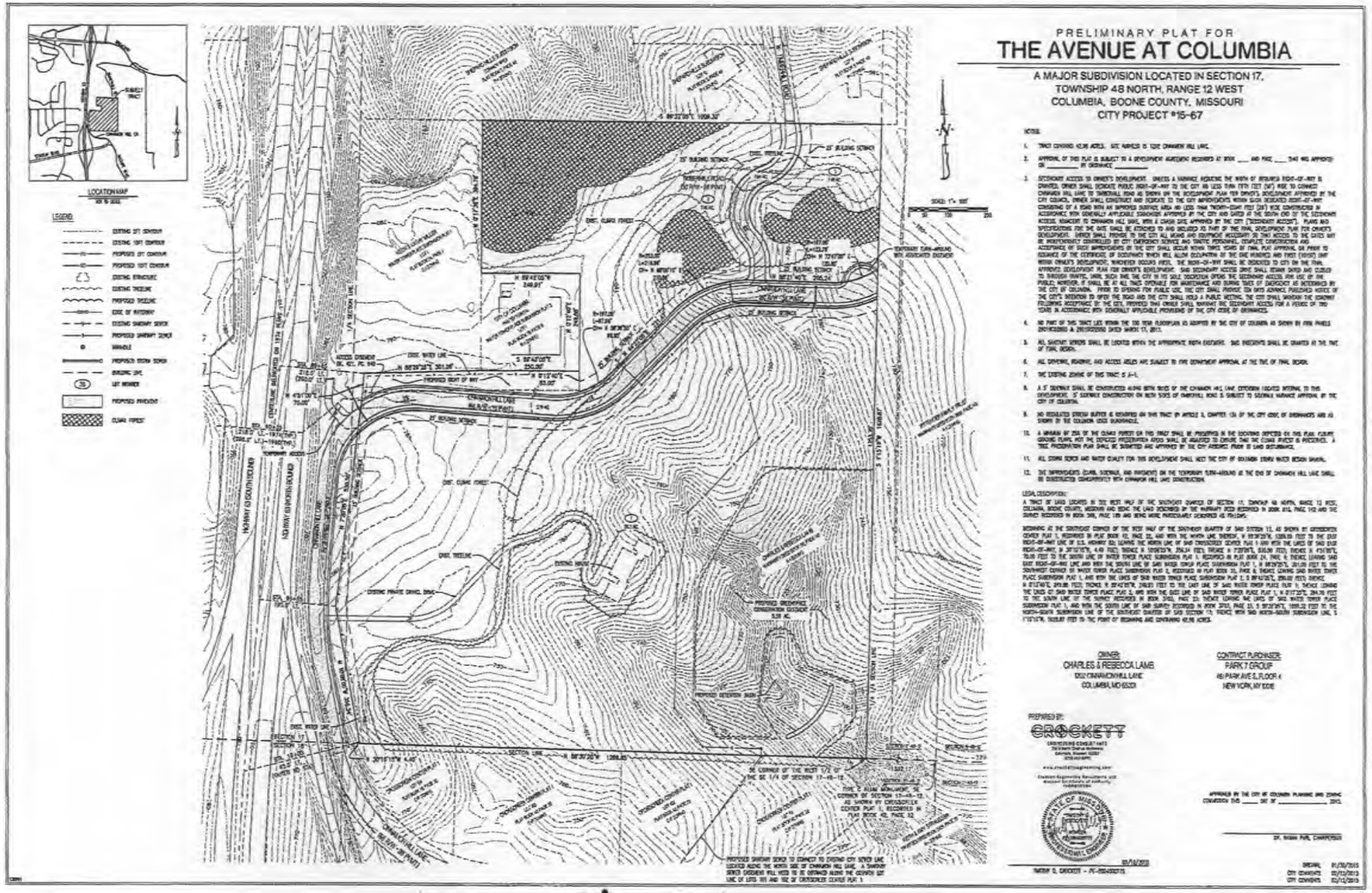
11. Development Agreement. Applicant submits, with this Statement of Intent, that Development Agreement between Applicant, Park7 Development, LLC, and the City, a copy of which is annexed hereto as **Exhibit 2** and Applicant will enter into such Development Agreement with the City upon the adoption of the Ordinance approving Applicants' requested rezoning to PUD-11, and approval of Applicant's PUD Development Plan for the Development.

Sincerely,
Park7 Development, LLC and Charles G. Lamb and Rebecca L. Lamb, husband and wife

By: _____

B. Daniel Simon, Mo. Bar No. 20248
R. Caleb Colbert, Mo. Bar No. 62806
BROWN WILLBRAND, PC
601 E. Broadway, Suite 203
P.O. Box 1304
Columbia, MO 65205-1304
Phone: (573) 442-3181 Fax: (573) 874-3796
e-mail: bdsimon@brownwillbrand.com
ccolbert@brownwillbrand.com
Attorney for Applicants for purposes of this Statement of Intent

Enclosures:
Exhibit 1 – Plat of land
Exhibit 2 - Development Agreement


PRELIMINARY PLAT FOR
THE AVENUE AT COLUMBIA
A MAJOR SUBDIVISION LOCATED IN SECTION 17,
TOWNSHIP 48 NORTH, RANGE 12 WEST
COLUMBIA, BOONE COUNTY, MISSOURI
CITY PROJECT #15-67
LOCATION MAP
LEGEND
NOTES:
1. TRACT CONTAINS 42.06 ACRES. SITE ADDRESS IS 1202 CINNAMON HILL LANE.
2. APPROVAL OF THIS PLAT IS SUBJECT TO A DEVELOPMENT AGREEMENT RECORDED AT BOOK ____ AND PAGE ____ [AS] WAS APPROVED ON _____ BY ORDINANCE _____.
3. SECONDARY ACCESS TO OWNER'S DEVELOPMENT. UNLESS A VARIANCE REDUCING THE WIDTH OF REQUIRED RIGHT-OF-WAY IS GRANTED, OWNER SHALL DEDICATE PUBLIC RIGHT-OF-WAY TO THE CITY 60 LESS THAN FIFTY FEET (50') WIDE TO CONNECT CINNAMON HILL LANE TO TURNBULL ROAD AS SHOWN ON THE DEVELOPMENT PLAN FOR OWNER'S DEVELOPMENT APPROVED BY THE CITY COUNCIL. OWNER SHALL CONSTRUCT AND DEDICATE TO THE CITY IMPROVEMENTS WITHIN SUCH DEDICATED RIGHT-OF-WAY CONSISTING OF A ROAD WITH AN IMPROVED SURFACE AREA AS LESS THAN TWENTY-EIGHT FEET (28') WIDE CONSTRUCTED IN ACCORDANCE WITH GENERALLY APPLICABLE STANDARDS APPROVED BY THE CITY AND DATED AT THE SOUTH END OF THE SECONDARY ACCESS. MONUMENT TO CINNAMON HILL SHALL WITH A CHAIR GATE APPROVED BY THE CITY [SECONDARY ACCESS"]. PLANS AND SPECIFICATIONS FOR THE GATE SHALL BE ATTACHED TO AND INCLUDED AS PART OF THE FINAL DEVELOPMENT PLAN FOR OWNER'S DEVELOPMENT. OWNER SHALL PROVIDE TO THE CITY ALL KEYS AND EQUIPMENT NECESSARY TO THAT ACCESS TO THE GATES MAY BE INDEPENDENTLY CONTROLLED BY CITY EMERGENCY SERVICE AND TRAFFIC PERSONNEL. COMPLETE CONSTRUCTION AND ACCEPTANCE OF SUCH IMPROVEMENTS BY THE CITY SHALL OCCUR WITHIN THREE YEARS OF FINAL PLAT APPROVAL OR PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY WHICH WILL ALLOW OCCUPATION OF THE ONE HUNDRED AND FIRST (101ST) UNIT WITHIN OWNER'S DEVELOPMENT, WHICHEVER OCCURS FIRST. THE RIGHT-OF-WAY SHALL BE DEDICATED TO CITY ON THE FINAL APPROVED DEVELOPMENT PLAN FOR OWNER'S DEVELOPMENT. SAID SECONDARY ACCESS DRIVE SHALL REMAIN GATED AND CLOSED TO THROUGH TRAFFIC, UNTIL SUCH TIME THE CITY IN ITS SOLE DISCRETION OPENS THE SECONDARY ACCESS FOR USE BY THE PUBLIC. HOWEVER, IT SHALL BE AT ALL TIMES OPENABLE FOR MAINTENANCE AND DURING TIMES OF EMERGENCY AS DETERMINED BY THE CITY OF COLUMBIA. PRIOR TO OPENING FOR PUBLIC USE, THE CITY SHALL PROVIDE TEN DAYS ADVANCE PUBLISHED NOTICE OF THE CITY'S INTENTION TO OPEN. THE ROAD AND THE CITY SHALL HOLD A PUBLIC MEETING. THE CITY SHALL MAINTAIN THE SECONDARY FOLLOWING ACCEPTANCE BY THE CITY, PROVIDED THAT OWNER SHALL MAINTAIN THE SECONDARY ACCESS FOR A PERIOD OF TWO YEARS IN ACCORDANCE WITH GENERALLY APPLICABLE PROVISIONS OF THE CITY CODE OF ORDINANCES.
4. NO PART OF THIS TRACT LIES WITHIN THE 500 YEAR FLOODPLAIN AS ADOPTED BY THE CITY OF COLUMBIA AS SHOWN BY FIRM PANELS 29019C0020D & 29019C0030D DATED MARCH 17, 2011.
5. ALL SANITARY SEWERS SHALL BE LOCATED WITHIN THE APPROPRIATE WIDTH EASEMENT. SAID EASEMENTS SHALL BE GRANTED AT THE TIME OF FINAL DESIGN.
6. ALL DRIVEWAYS, ROADWAYS, AND ACCESS AISLES ARE SUBJECT TO FIRE DEPARTMENT APPROVAL AT THE TIME OF FINAL DESIGN.
7. THE EXISTING ZONING OF THIS TRACT IS A-1.
8. A 5' SIDEWALK SHALL BE CONSTRUCTED ALONG BOTH SIDES OF THE CINNAMON HILL LANE EXTENSION LOCATED INTERNAL TO THIS DEVELOPMENT. 5' SIDEWALK CONSTRUCTION ON BOTH SIDES OF TURNBULL ROAD IS SUBJECT TO SIDEWALK VARIANCE APPROVAL BY THE CITY OF COLUMBIA.
9. NO REGULATED STREAM BUFFER IS ASSIGNED ON THIS TRACT BY ARTICLE 5, CHAPTER 12A OF THE CITY CODE OF ORDINANCES AND AS SHOWN BY THE COLUMBIA GIS WATERSHED.
10. A MINIMUM OF 25% OF THE OLIVE FOREST ON THIS TRACT SHALL BE PRESERVED IN THE LOCATIONS REFLECTED ON THIS PLAN. FUTURE GRADING PLANS MAY THE REFLECTED PRESERVATION AREAS SHALL BE ADJUSTED TO ENSURE THAT THE OLIVE FOREST IS PRESERVED. A TREE PRESERVATION PLAN SHALL BE SUBMITTED AND APPROVED BY THE CITY ARBORIST PRIOR TO SAID DISTURBANCE.
11. ALL STORM SEWER AND WATER QUALITY FOR THIS DEVELOPMENT SHALL MEET THE CITY OF COLUMBIA STORM WATER DESIGN MANUAL.
12. THE IMPROVEMENTS (CURB, SIDEWALK, AND PAVEMENT) ON THE TEMPORARY TURN-AROUND AT THE END OF CINNAMON HILL LANE SHALL BE CONSTRUCTED CONCURRENTLY WITH CINNAMON HILL LANE CONSTRUCTION.
LEGAL DESCRIPTION:
OWNER
CHARLES & REBECCA LAMB
1202 CINNAMON HILL LANE
COLUMBIA, MO 65203
CONTRACT PURCHASER
PARK 7 GROUP
45 PARK AVE S, FLOOR 4
NEW YORK, NY 10016
PREPARED BY:
CROCKETT
APPROVED BY THE CITY OF COLUMBIA PLANNING AND ZONING COMMISSION THIS ____ DAY OF _____, 2015.
DR. MARK PUR, CHAIRPERSON
08/04/2015
THOMAS D. CROCKETT - PE-2004007275
DATE
REVISIONS
01/05/2015
CITY COMMENTS
02/03/2015
CITY COMMENTS
03/11/2015

"EXHIBIT 1"

DEVELOPMENT AGREEMENT FOR THE AVENUE AT COLUMBIA

Grantor: Park7 Development Group, LLC, a Delaware limited liability company, sometimes doing business as "Park7 Group" [Address: Park7 Development, LLC, 461 Park Avenue South, 4th Floor, New York City, NY 10016]

Grantee: City of Columbia, Missouri [address: PO Box 1016, Columbia, MO 65205-1016]

Legal Description: The following described real estate situated in Boone County, Missouri, to wit:

See **Exhibit A** hereto

Date: _____, 201____

"EXHIBIT 2"

DEVELOPMENT AGREEMENT FOR THE AVENUE AT COLUMBIA

THIS DEVELOPMENT AGREEMENT ("this Agreement") is made and entered into this _____ day of _____, 201___, by and between **the City of Columbia, Missouri**, a municipal corporation of the State of Missouri ("City" or "the City") and **Park7 Development Group, LLC**, a Delaware limited liability company ("Owner" or "the Owner").

BACKGROUND RECITALS
["Recitals"]

This Agreement is made and entered into by the City and the Owner (who may hereinafter be collectively referred to as "the Parties" and individually as a "Party") in view of the following facts, matters and circumstances:

Owner is the owner of, or will acquire, a Tract of land, located in Boone County, Missouri, consisting of 32.50 acres, more or less, which is legally described on **Exhibit A**, which is annexed to this Agreement and is incorporated into this Agreement by reference the same as though fully set forth herein verbatim, and which will be shown and described as Lot 1 of The Avenue at Columbia on that plat, a copy of which is annexed to this Agreement as **Exhibit B** and is incorporated into this Agreement by reference. Such land may be referred to herein as "the Land" or "the Property." Owner is also the owner of, or will acquire, a Tract of land, located in Boone County, Missouri, consisting of 10.48 acres, more or less, which is legally described on **Exhibit C**, which is annexed to this Agreement and is incorporated into this Agreement by reference the same as though fully set forth herein verbatim. Such 10.48 acres may be referred to herein as "the North Tract". A portion of such 10.48 acres is shown as Lot 2 and Lot 3 of The Avenue at Columbia on that map or diagram, a copy of which is annexed to this Agreement as **Exhibit D** and is incorporated into this Agreement by reference. Lot 2 and Lot 3 are legally described as set forth on **Exhibits E and F**, respectively, and such exhibits are incorporated into this Agreement by reference the same as though fully set forth herein verbatim. Such land may be referred to herein as "Lot 2" and "Lot 3".

The Owner desires to use the Land to place thereon a multifamily residential development, known or to be known as "The Avenue at Columbia," which will contain approximately 321 apartment dwelling units, a clubhouse, and other amenities.

Owner, together with those individuals from whom Owner has acquired or will acquire the Land, Charles G. Lamb and Rebecca L. Lamb ("the Lambs"), have submitted to the City an Application for Rezoning of the Property to Zoning District PUD-11, and for approval of a Planned Unit Development Plan, a PUD Development Plan, which will permit Owner to go forward with the development of the Property for Owner's desired project, as described above ("Owner's Development").

Owner has, therefore, filed with the City Owner's Application for Rezoning of the Property and approval of Owner's PUD Development Plan (all referred to herein as "Owner's Application for Rezoning and Development Plan Approval").

The City executes this Agreement pursuant to authority granted by the City Council pursuant to and in accordance with applicable law.

AGREEMENTS

NOW, THEREFORE, in view of the foregoing Recitals and in consideration of the mutual promises, declarations, covenants and agreements of the City and Owner (collectively referred to herein as "the Parties" and individually as a "Party"), as hereinafter set forth, the Parties hereto do hereby mutually promise, declare, covenant, state and agree as follows:

1. Definitions. For purposes of this Agreement, the following terms shall have the followings meanings:

A. "This Agreement" means and refers to this Development Agreement.

B. "Building Permit" means a building permit, issued by the City, for the construction on the Land or any portion of the Land of a building or other improvement.

C. "City" means the City of Columbia, Missouri, the City hereinabove identified in this Development Agreement.

D. "Ordinance" or "the Ordinance" means and refers to the Ordinance described in the foregoing Recitals.

E. "Owner" or "the Owner" means and refers to the Owner identified herein, Park7 Development Group, LLC, which sometimes does business as "Park7 Group," and which is a Delaware limited liability company, and each of and all of its successors in ownership of the Land and Owner's Development, as this Agreement is intended to run with the Land and each and every part of the Land, and shall bind Owner and all of such successors.

2. Secondary Access to Owner's Development. Unless a variance reducing the width of required right-of-way is granted, Owner shall dedicate public right-of-way to the City no less than fifty feet (50') wide to connect Cinnamon Hill Lane to Timberhill Road as shown on the Development Plan for Owner's Development approved by the City Council. Owner shall construct and dedicate to the City improvements within such dedicated right-of-way consisting of a road with an improved surface area no less than twenty-eight feet (28') wide constructed in accordance with generally applicable standards approved by the City and gated at the south end of the Secondary Access, adjacent to Cinnamon Hill Lane, with a crash gate approved by the City ("Secondary Access"). Plans and specifications for the gate shall be attached to and included as part of the final development plan for Owner's Development. Owner shall provide to the City all means and equipment necessary so that access to the gates may be independently controlled by City emergency service and traffic personnel. Complete construction and acceptance of such improvements by the City shall occur within three years of final plat approval or prior to issuance of the certificate of occupancy which will allow occupation of the one hundred and first (101^{st}) unit

within Owner's Development, whichever occurs first. The right-of-way shall be dedicated to City on the final approved development plan for Owner's Development. Said Secondary Access drive shall remain gated and closed to through traffic, until such time the City in its sole discretion opens the secondary access for use by the public; however, it shall be at all times operable for maintenance and during times of emergency as determined by the City of Columbia. Prior to opening for public use, the City shall provide ten days advance published notice of the City's intention to open the road and the City shall hold a public meeting. The City shall maintain the roadway following acceptance by the City, provided that Owner shall warrant the secondary access for a period of two years in accordance with generally applicable provisions of the City Code of Ordinances.

3. COMO Connect Transit System Bus Passes. For each of the three years, following that date when the first certificate of occupancy shall have been issued by the City for dwelling units proposed by Owner's Planned Unit Development Plan for Owner's Development, Owner (or Owner's successors as Owners of the Land) shall purchase a minimum of three hundred twenty-one (321) COMO Connect Transit System bus passes, at the then in effect price per pass for such purchases for each fall and spring semester session of the University of Missouri - Columbia.

4. Transit System. Owner or Owner's successors in ownership of the Land shall provide or cause to be provided bus transit system services to the residents of the apartment dwelling units placed within the Owner's Project, including transportation to and from the University of Missouri - Columbia, with such transit system services to be provided during the fall and spring semesters of the University of Missouri - Columbia. Failure to provide a private transit system as provided herein shall cause Owner to be liable to purchase COMO Connect Transit System bus passes in an amount equal to the current number of beds within the Owner's Development for each fall and spring semester session of the University of Missouri-Columbia in which bus transit system services are not provided.

5. Statement of Intent. Owner shall be required to fulfill all requirements of the Statement of Intent filed with the City as a part of Owner's Application.

6. No Cigarette Smoking. Owner and Owner's successors, as owners of Owner's Project, and the managers and operators of such Project, shall not permit cigarette smoking within Owner's Development or the apartment dwelling units or other facilities located within Owner's Project.

7. References to Owner. All references in this Agreement to the "Owner" shall include the Owner and the Owners successors in ownership of each and every part of the Land, including each Building Permit Applicant. Each and every owner of each and every part of the Land, and each Building Permit Applicant, shall be bound by this Agreement and all of the provisions of this Agreement.

8. Recording. Owner shall cause this Development Agreement to be recorded in the Real Estate Records of Boone County, Missouri, at Owner's cost and expense.

9. Amendments. Any amendment to this Agreement must be in writing and must be executed by the City and the Owner, and any future owner of any part of the Land who would otherwise be obligated to perform any of the requirements imposed upon the Owner by this Agreement. Oral modifications or amendments of this Agreement shall be of no force or effect.

10. Contingency. Owner shall have no obligation under this Development Agreement until such time as: (1) Owner's Application for Rezoning and Development Plan Approval are granted by Ordinance of the City Council of the City ("the City Council"), (2) Owner acquires the Property and and the North Tract from the Lambs, and (3) Owner has taken all action necessary to be eligible for issuance of City building permits for the construction on the Property of one or more of the buildings and improvements of Owner's Development.

11. Remedies. The parties to this Agreement may, either in law or equity, by suit, action, mandamus or other proceedings in court, seek declaratory relief, enforce and compel specific performance of this Agreement, provided that in no event shall the City shall have any liability in damages, costs (including attorneys' fees) or any other monetary liability to Owner or any affiliate of Owner, any person claiming through Owner, or to their respective successors, assigns, heirs and personal representatives in respect of any suit, claim, or cause of action arising out of this Agreement or any of the actions or transactions contemplated herein.

12. Third Party Actions. Owner shall have the right, but not the obligation, to assume the costs of defense of any action or proceeding initiated by a third party challenging this Agreement, the zoning or re-zoning of the Subject Property, or any other actions or transactions contemplated by this Agreement (including, without limitation, to settle or compromise any claim or action for which Owner has assumed the defense) with counsel of Owner's choosing and the City and Owner agree that so long as no conflicts of interest exist between them, the same attorney or attorneys may simultaneously represent the City and Owner in any such proceeding. In no event shall the City have any liability to Owner for damages or otherwise in the event that all or any part of this Agreement, the ordinances approving the annexation of the Subject Property, or the approval of a zoning request shall be declared invalid or unconstitutional in whole or in part by a final (as to which all rights of appeal have been exhausted or expired) judgment of a court of competent jurisdiction, and, in the event Owner elects not to assume such defense and costs, the City shall have no obligation to defend or to assume the costs of defense of any such action.

13. Notices. All notices between the parties hereto shall be in writing and shall be sent by certified or registered mail, return receipt requested, by personal delivery against receipt or by overnight courier, shall be deemed to have been validly served, given or delivered immediately when delivered against receipt or Three (3) business days after deposit in the mail, postage prepaid, or One (1) business day after deposit with an overnight courier, and shall be addressed as follows:

If to the City:
City of Columbia
City Manager

701 E. Broadway
Columbia, MO 65205

If to Developer:
Park7 Group
Paul Levine
EVP Development
461 Park Ave S, Floor 4
New York, NY 10016

with a copy to:
Dan Simon
Brown Willbrand, P.C.
601 East Broadway, Ste 201
Columbia, MO 65201

Each party shall have the right to specify that notice is to be addressed to another address by giving to the other party ten (10) days written notice thereof.

14. Hold Harmless. Owner, at its sole cost and expense, hereby agrees to indemnify, protect, release, defend (with counsel acceptable to the City) and hold harmless the City, its municipal officials, elected officials, boards, commissions, officers, employees, attorneys, and agents from and against any and all causes of action, claims, demands, all contractual damages and losses, economic damages and losses, all other damages and losses, liabilities, fines, charges, penalties, administrative and judicial proceedings and orders, judgments, remedial actions of any kind, and all costs and expenses of any kind, including, without limitation, reasonable attorney's fees and costs of defense arising, out of either Owner's breach of this Agreement or any action or inaction of Owner, its agents, representatives, employees, contractors, subcontractors or any other person for whose acts Owner may be liable, occurring during the construction of public improvements related to Owner's Development which results in injury to any third party, except to the extent such injury arises from or is caused by the sole or gross negligence or willful misconduct of the City, its elected officials, officers, employees, agents or contractors. The indemnification, duty to defend and hold harmless obligations set forth in this Section shall survive for a period of five (5) years from the date of the later of City acceptance of public improvements or the last day of any warranty work relating to such public improvements. This indemnity provision shall not apply to any action or proceeding initiated by a third party challenging this Agreement or the zoning or re-zoning of the Subject Property. Such action shall be subject to the provisions of Paragraph 12, set forth above.

15. Insurance. Owner shall provide, at its sole expense, and maintain during construction of any public improvements related to Owner's Development commercial general liability insurance with a reputable, qualified, and financially sound company licensed to do business in the State of Missouri, and unless otherwise approved by the City, with a rating by Best of not less than "A," that shall protect the Owner, the City, and the City's officials, officers, and employees from claims which may arise from the foregoing construction operations, whether

such operations are by the Owner, its officers, directors, employees and agents, or any subcontractors of Owner. This liability insurance shall include, but shall not be limited to, protection against claims arising from bodily and personal injury and damage to property, resulting from all Owner operations, products, services or use of automobiles, or construction equipment. The amount of insurance for required herein shall be in no event less than the individual and combined sovereign immunity limits established by § 537.610 RSMo. for political subdivisions; provided that nothing herein shall be deemed to waive the City's sovereign immunity. An endorsement shall be provided which states that the City is named as an additional insured and stating that the policy shall not be cancelled or materially modified so as to be out of compliance with the requirements of this Section, or not renewed without 30 days advance written notice of such event being given to the City.

16. Conflict with Plan Documents. In case of conflict between any provision of this Development Agreement and the final approved Development Plan or Statement of Intent, the provisions of this Development Agreement shall prevail, unless a specific provision of the Development Agreement or Statement of Intent expressly and specifically provides otherwise.

17. Entire Agreement. This Agreement contains the entire and complete agreement between the City and the Owner with respect to the requirements imposed upon the Owner for the providing of certain rights-of-way, and the construction and installation of certain improvements, all as hereinabove described in the Recitals for this Agreement and the above numbered paragraphs of this Agreement. Parties agree that this Agreement constitutes a lawful contract between the Parties and Owner hereby acknowledges and agrees that this Agreement and the City's ordinances and regulations applicable to this Agreement constitute lawful exercises of the City's authority and police power.

IN WITNESS WHEREOF, the Parties have executed this Agreement on the day and year first above written.

CITY:
City of Columbia, Missouri

By: _____
Mike Matthes, City Manager

Approved as to form:

_____
Nancy Thompson, City Counselor

OWNER:
Park 7 Development Group, LLC

By: _____

Name Printed: _____

its _____

STATE OF MISSOURI)
) SS
COUNTY OF BOONE)

On this ..... day of ..... in the year ..... before me, ... (name of notary), a Notary Public in and for said state, personally appeared ..... (name of manager or member) of **Park 7 Development Group, LLC**, known to me to be the person who executed the within the above DEVELOPMENT AGREEMENT FOR THE AVENUE AT COLUMBIA on behalf of said limited liability company and acknowledged to me that he or she executed the same for the purposes therein stated.

IN TESTIMONY WHEREOF, I have hereunto affixed my hand and notarial seal at my office in the State and County aforesaid, on the day and year hereinabove first written.

_____
_____**, Notary Public**

My commission expires: _____.

Exhibit A - Legal description of Lot 1 – 32.50- acre Tract
Exhibit B - Plat
Exhibit C - Legal description of 10.48 acre Tract
Exhibit D – Plat
Exhibit E – Legal description of Lot 2
Exhibit F – Legal description of Lot 3

DESCRIPTION FOR LOT 1, THE AVENUE AT COLUMBIA
PARK 7 GROUP
JOB #130091

DECEMBER 5, 2014

A TRACT OF LAND LOCATED IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 516, PAGE 142 AND BEING SHOWN BY THE SURVEY RECORDED IN BOOK 569, PAGE 189 AND THE SURVEY RECORDED IN BOOK 4234, PAGE 167 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

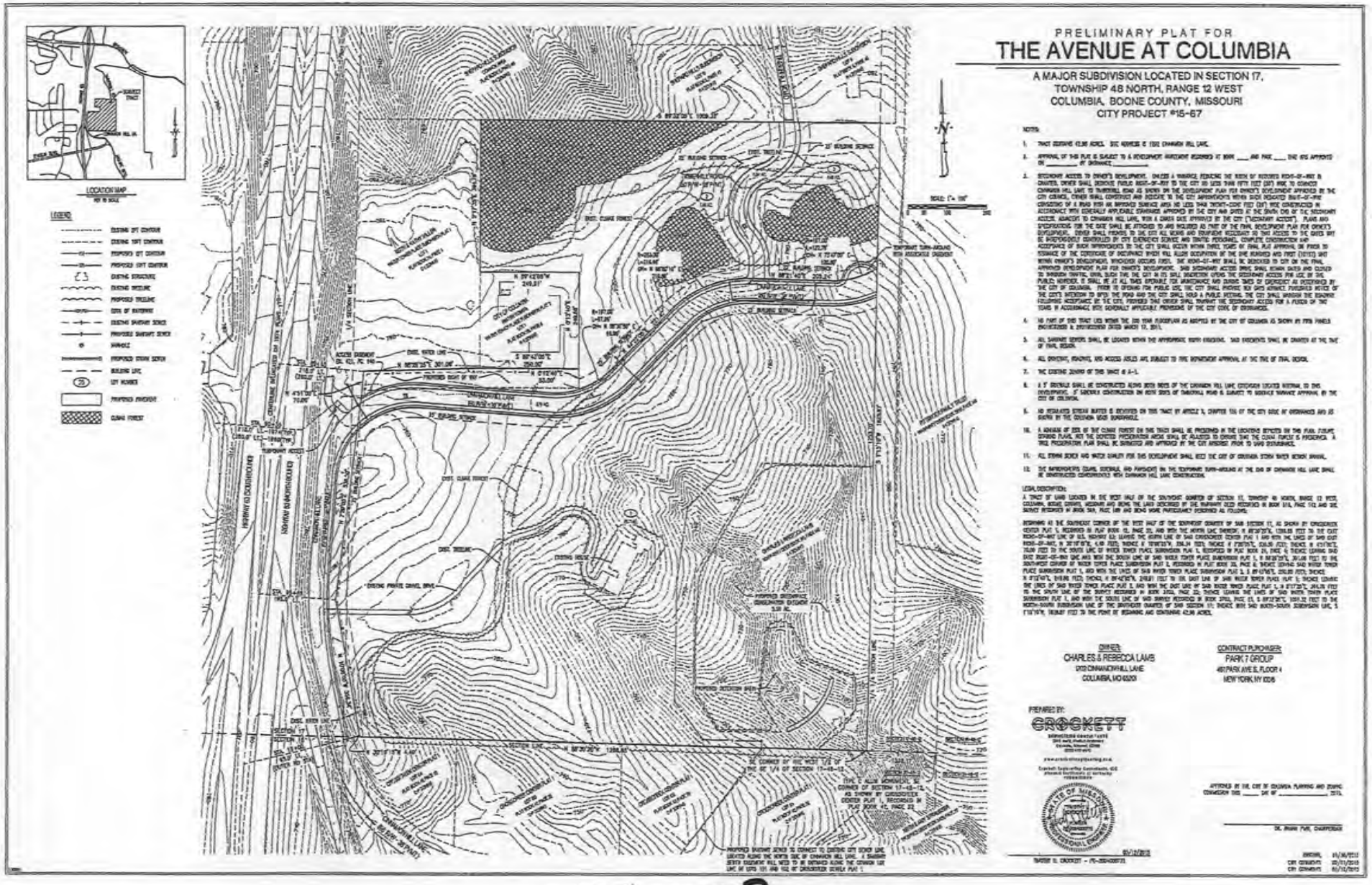
BEGINNING AT THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 17, AS SHOWN BY CROSSCREEK CENTER PLAT 1, RECORDED IN PLAT BOOK 42, PAGE 22, AND WITH THE NORTH LINE THEREOF, N 88°30'20"W, 1286.85 FEET TO THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 63; THENCE LEAVING THE NORTH LINE OF SAID CROSSCREEK CENTER PLAT 1 AND WITH THE LINES OF SAID EAST RIGHT-OF-WAY, N 30°10'15"W, 4.40 FEET; THENCE N 10°08'05"W, 356.34 FEET; THENCE N 7°20'05"E, 530.50 FEET; THENCE N 4°51'00"E, 70.00 FEET TO THE SOUTH LINE OF WATER TOWER PLACE SUBDIVISION PLAT 1, RECORDED IN PLAT BOOK 24, PAGE 4; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE AND WITH THE SOUTH LINE OF SAID WATER TOWER PLACE SUBDIVISION PLAT 1, N 88°29'25"E, 301.06 FEET TO THE SOUTHWEST CORNER OF WATER TOWER PLACE SUBDIVISION PLAT 2, RECORDED IN PLAT BOOK 35, PAGE 8; THENCE LEAVING SAID WATER TOWER PLACE SUBDIVISION PLAT 1, AND WITH THE LINES OF SAID WATER TOWER PLACE SUBDIVISION PLAT 2, S 89°43'05"E, 250.00 FEET; THENCE LEAVING SAID WATER TOWER PLACE SUBDIVISION, PLAT 2, S 0°12'40"W, 53.00; THENCE ALONG A 197.00-FOOT RADIUS, NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CHORD N 58°36'50"E, 96.95' FEET; THENCE N 44°22'05"E, 221.47 FEET; THENCE ALONG A 263.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD N 68°00'10"E, 210.88 FEET; THENCE S 88°21'40"E, 205.24 FEET; THENCE ALONG A 197.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD N 73°47'00"E, 120.80 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 17; THENCE WITH SAID EAST LINE S 1°15'10"W, 1253.70 FEET TO THE POINT OF BEGINNING AND CONTAINING 32.50 ACRES.

DAVID T. BUTCHER, PLS-20020014095

STATE OF MISSOURI
DAVID THOMAS BUTCHER
NUMBER PLS-2002014095
PROFESSIONAL LAND SURVEYOR

12/5/2014
DATE

"EXHIBIT A."


PRELIMINARY PLAT FOR
THE AVENUE AT COLUMBIA
A MAJOR SUBDIVISION LOCATED IN SECTION 17,
TOWNSHIP 48 NORTH, RANGE 12 WEST
COLUMBIA, BOONE COUNTY, MISSOURI
CITY PROJECT #15-67
LOCATION MAP
LEGEND
OWNER:
CHARLES & REBECCA LAWS
9720 CINNAMON HILL LANE
COLUMBIA, MO 65203
CONTRACT PURCHASER:
PARK 7 GROUP
461 PARK AVE S, FLOOR 4
NEW YORK, NY 10016
PREPARED BY:
CROCKETT

"EXHIBIT B"

DESCRIPTION FOR LOT 2, THE AVENUE AT COLUMBIA
PARK 7 GROUP
JOB #130091

DECEMBER 5, 2014

A TRACT OF LAND LOCATED IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 516, PAGE 142 AND SHOWN IN THE SURVEY RECORDED IN BOOK 569, PAGE 189 AND THE SURVEY RECORDED IN BOOK 4234, PAGE 167 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF WATERTOWER PLACE SUBDIVISION PLAT 2 AS SHOWN IN SAID SURVEY RECORDED IN BOOK 4234, PAGE 167 AND WITH THE LINES THEREOF, N 0°12'40"E, 249.88 FEET; THENCE N 89°42'05"W, 249.91 FEET TO THE EAST LINE OF SAID WATER TOWER PLACE PLAT 1; THENCE LEAVING THE LINES OF SAID WATER TOWER PLACE PLAT 2, AND WITH THE EAST LINE OF SAID WATER TOWER PLACE PLAT 1, N 0°17'35"E, 394.76 FEET TO THE SOUTH LINE OF THE SURVEY RECORDED IN BOOK 3703, PAGE 23; THENCE LEAVING THE LINES OF SAID WATER PLACE SUBDIVISION PLAT 1, AND WITH THE SOUTH LINE OF SAID SURVEY RECORDED IN BOOK 3703, PAGE 23, S 89°32'05"E, 1009.32 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 17; THENCE WITH SAID WEST LINE, S 1°15'10"W, 375.16 FEET; THENCE ALONG A 197.00-FOOT RADIUS, NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD S 73°47'00"W, 120.80 FEET; THENCE N 88°21'40"W, 205.24 FEET; THENCE ALONG A 263.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD S 68°00'10"W, 210.88 FEET; THENCE S 44°22'05"W, 221.47 FEET; THENCE ALONG A 197.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD S 58°36'50"W, 96.95 FEET; THENCE N 0°12'40"E, 53.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 10.48 ACRES.



DAVID T. BUTCHER, PLS-2002014095

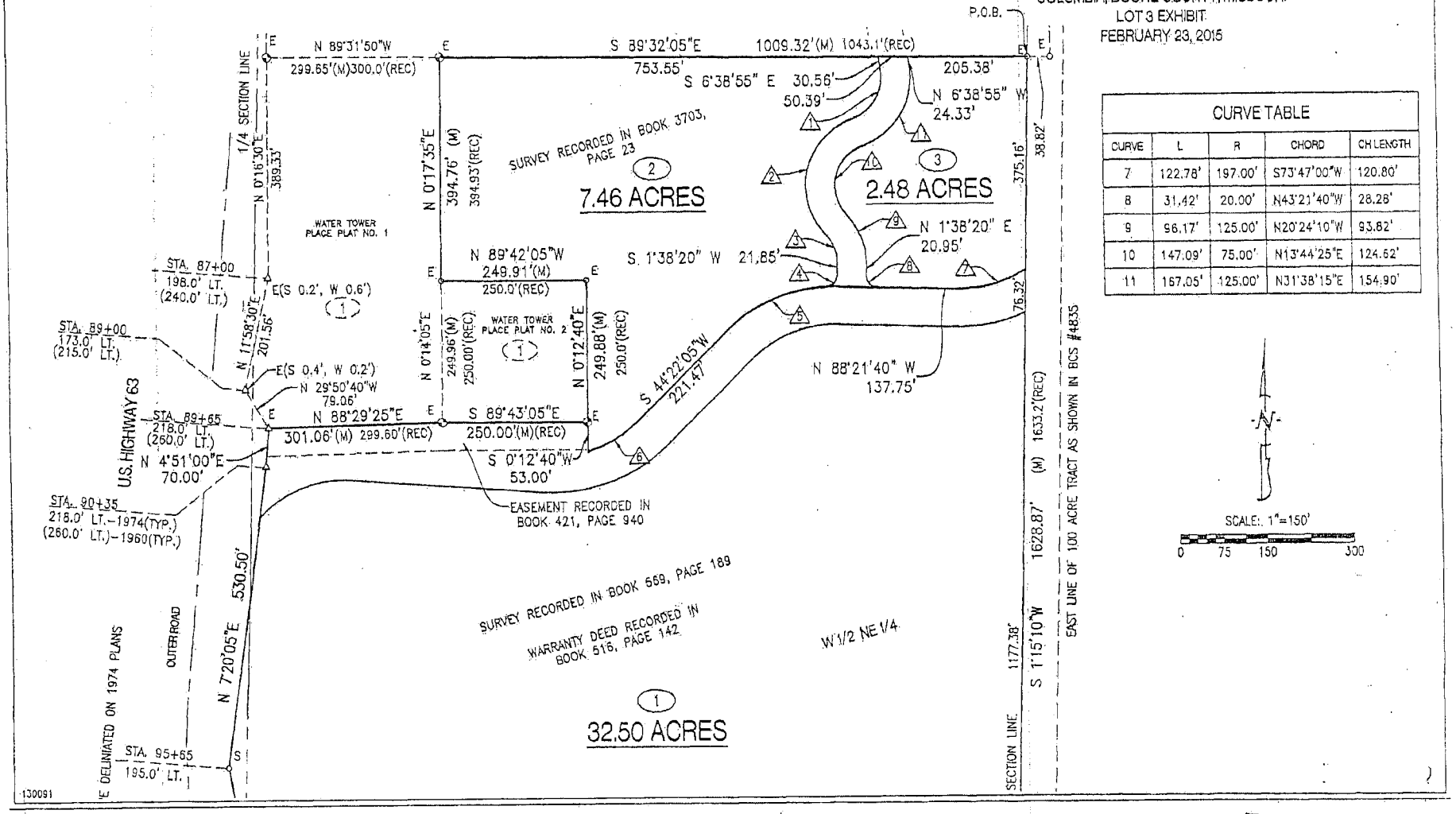
12/5/2014
DATE

"EXHIBIT C"

Y:\2013\130091 – PARK 7 Survey-Plat-PUD Documents\Descriptions\DESC FOR LOT 1.docx

THE AVENUE AT COLUMBIA

A LOT LOCATED IN SECTION 17, TOWNSHIP 48 NORTH, RANGE 12 WEST
COLUMBIA, BOONE COUNTY, MISSOURI
LOT 3 EXHIBIT
FEBRUARY 23, 2015



CURVE TABLE				
CURVE	L	R	CHORD	CH LENGTH
7	122.78'	197.00'	S73°47'00"W	120.80'
8	31.42'	20.00'	N43°21'40"W	28.28'
9	96.17'	125.00'	N20°24'10"W	93.82'
10	147.09'	75.00'	N13°44'25"E	124.62'
11	167.05'	125.00'	N31°38'15"E	154.90'

"EXHIBIT D"

DESCRIPTION FOR LOT 2, THE AVENUE AT COLUMBIA
PARK 7 GROUP
JOB #130091.

FEBRUARY 23, 2015

A TRACT OF LAND LOCATED IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 516, PAGE 142 AND SHOWN IN THE SURVEY RECORDED IN BOOK 569, PAGE 189 AND THE SURVEY RECORDED IN BOOK 4234, PAGE 167 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF WATERTOWER PLACE SUBDIVISION PLAT 2 AS SHOWN IN SAID SURVEY RECORDED IN BOOK 4234, PAGE 167 AND WITH THE LINES THEREOF, N 0°12'40"E, 249.88 FEET; THENCE N 89°42'05"W, 249.91 FEET TO THE EAST LINE OF WATER TOWER PLACE PLAT 1 RECORDED IN PLAT BOOK 24, PAGE 4; THENCE LEAVING THE LINES OF SAID WATER TOWER PLACE PLAT 2, AND WITH THE EAST LINE OF SAID WATER TOWER PLACE PLAT 1, N 0°17'35"E, 394.76 FEET TO THE SOUTH LINE OF THE SURVEY RECORDED IN BOOK 3703, PAGE 23; THENCE LEAVING THE LINES OF SAID WATER PLACE SUBDIVISION PLAT 1, AND WITH THE SOUTH LINE OF SAID SURVEY RECORDED IN BOOK 3703, PAGE 23, S 89°32'05"E, 753.55 FEET; THENCE LEAVING SAID SOUTH LINE OF SAID SURVEY RECORDED IN BOOK 3703, PAGE 23, S 6°38'55"E, 30.56 FEET; THENCE 100.23 FEET ALONG A 75.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD S 31°38'15"W, 92.94 FEET; THENCE 245.15 FEET ALONG A 125.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD S 13°44'25"W, 207.71 FEET; THENCE 57.70 FEET ALONG A 75.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD S 20°24'10"E, 56.29 FEET; THENCE S 1°38'20"W, 21.85 FEET; THENCE 29.82 FEET ALONG A 20.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD S 44°21'30"W, 27.14 FEET; THENCE 196.05 FEET ALONG A 263.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD S 65°43'20"W, 191.54 FEET; THENCE S 44°22'05"W, 221.47 FEET; THENCE 97.96 FEET ALONG A 197.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD S 58°36'50"W, 96.95 FEET; THENCE N 0°12'40"E, 53.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 7.46 ACRES.

DAVID T. BUTCHER, PLS-2002014095

2/24/2015
DATE

STATE OF MISSOURI
DAVID THOMAS BUTCHER
NUMBER PLS-2002014095
PROFESSIONAL LAND SURVEYOR

EXHIBIT E

DESCRIPTION FOR LOT 3, THE AVENUE AT COLUMBIA
PARK 7 GROUP
JOB #130091

FEBRUARY 23, 2015

A TRACT OF LAND LOCATED IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 516, PAGE 142 AND SHOWN IN THE SURVEY RECORDED IN BOOK 569, PAGE 189 AND THE SURVEY RECORDED IN BOOK 4234, PAGE 167 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 17; THENCE WITH SAID WEST LINE, S 1°15'10"W, 375.16 FEET; THENCE 122.78 FEET ALONG A 197.00-FOOT RADIUS, NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD S 73°47'00"W, 120.80 FEET; THENCE N 88°21'40"W, 137.75 FEET; THENCE 31.42 FEET ALONG A 20.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD N 43°21'40"W, 28.28 FEET; THENCE N 1°38'20"E, 20.95 FEET; THENCE 96.17 FEET ALONG A 125.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD N 20°24'10"W, 93.82 FEET; THENCE 147.09 FEET ALONG A 75.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD N 13°44'25"E, 124.62 FEET; THENCE 167.05 FEET ALONG A 125.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD N 31°38'15"E, 154.90 FEET; THENCE N 6°38'55"W, 24.33 FEET TO THE SOUTH LINE OF SURVEY RECORDED IN BOOK 3703, PAGE 23, THENCE WITH SAID SOUTH LINE OF SAID SURVEY RECORDED IN BOOK 3703, PAGE 23, S 89°32'05"E, 205.38 FEET POINT OF BEGINNING AND CONTAINING 2.48 ACRES.

DAVID T. BUTCHER, PLS-2002014095

2/24/2015
DATE

STATE OF MISSOURI
DAVID THOMAS BUTCHER
NUMBER PLS-2002014095
PROFESSIONAL LAND SURVEYOR

EXHIBIT F

PRELIMINARY PLAT & PUD PLAN

THE AVENUE AT COLUMBIA

A MAJOR SUBDIVISION LOCATED IN SECTION 17, TOWNSHIP 48 NORTH, RANGE 12 WEST COLUMBIA, BOONE COUNTY, MISSOURI

SEPTEMBER 2013

REVISED DECEMBER 6, 2013



LOCATION MAP
NOT TO SCALE

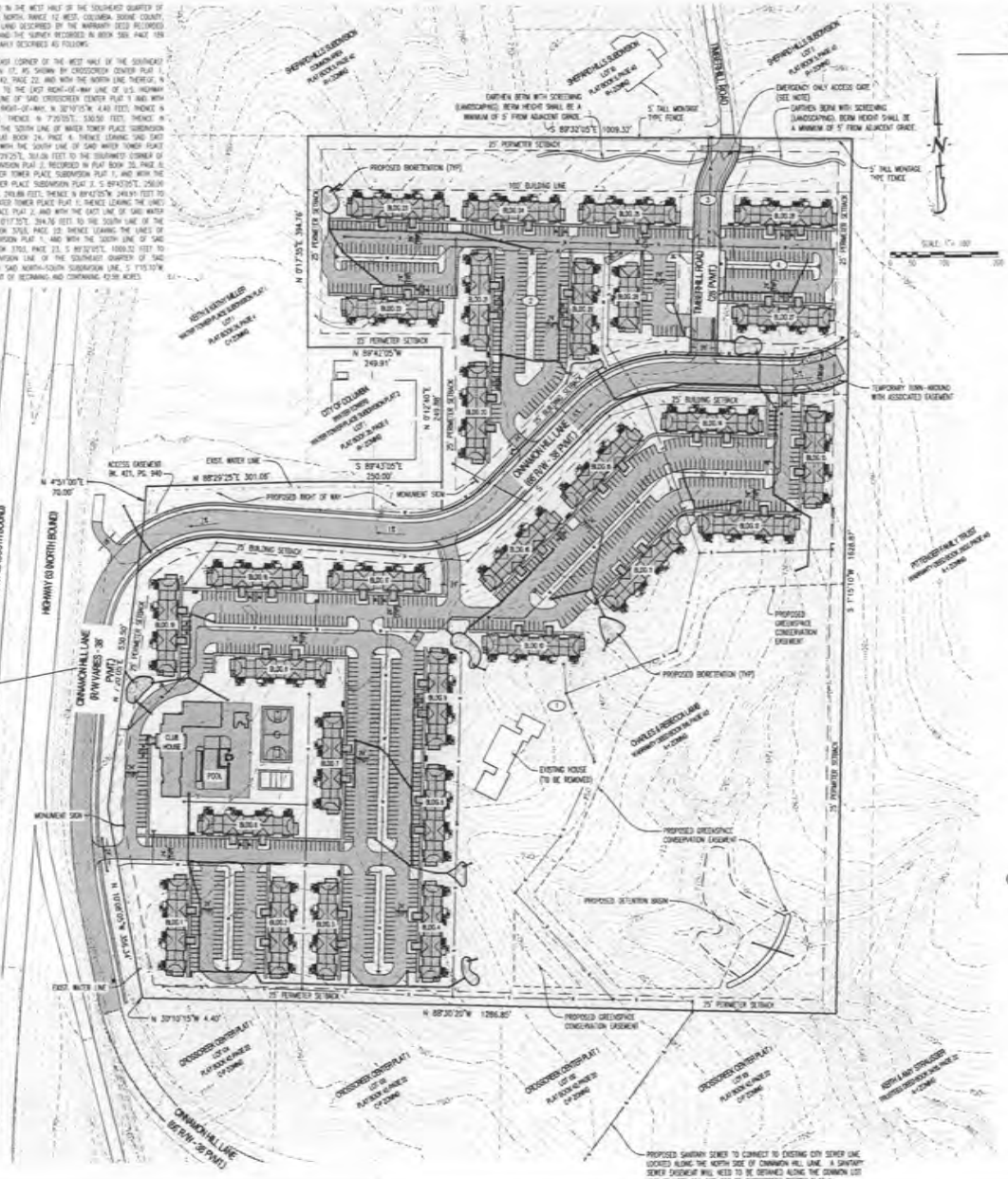
LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 3143, PAGE 142 AND THE SURVEY RECORDED IN BOOK 3884, PAGE 159 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 17, AS SHOWN BY CROSSCREEK CENTER PLAT 1, RECORDED IN PLAT BOOK 42, PAGE 22, AND WITH THE NORTH LINE THEREOF, N 88°32'05"W, 1286.85 FEET TO THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 63, LEAVING THE NORTH LINE OF SAID CROSSCREEK CENTER PLAT 1 AND WITH THE LINES OF SAID EAST RIGHT-OF-WAY, N 32°15'57"W, 4.40 FEET; THENCE N 12°06'05"W, 334.34 FEET; THENCE N 7°35'05"E, 530.50 FEET; THENCE N 4°51'05"E, 152.69 FEET TO THE SOUTH LINE OF WATER TOWER PLACE SUBDIVISION PLAT 1, RECORDED IN PLAT BOOK 24, PAGE 4; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE AND WITH THE SOUTH LINE OF SAID WATER TOWER PLACE SUBDIVISION PLAT 1, N 89°29'25"E, 301.06 FEET TO THE SOUTHWEST CORNER OF WATER TOWER PLACE SUBDIVISION PLAT 2, RECORDED IN PLAT BOOK 33, PAGE 6; THENCE LEAVING SAID WATER TOWER PLACE SUBDIVISION PLAT 1, AND WITH THE LINES OF SAID WATER TOWER PLACE SUBDIVISION PLAT 2, S 89°43'05"E, 250.00 FEET; THENCE N 0°17'40"E, 290.86 FEET; THENCE N 89°42'55"W, 249.91 FEET TO THE EAST LINE OF SAID WATER TOWER PLACE PLAT 1; THENCE LEAVING THE LINES OF SAID WATER TOWER PLACE, PLAT 2, AND WITH THE EAST LINE OF SAID WATER TOWER PLACE PLAT 1, N 0°17'35"E, 394.76 FEET TO THE SOUTH LINE OF THE SURVEY RECORDED IN BOOK 3703, PAGE 123; THENCE LEAVING THE LINES OF SAID WATER PLACE, SUBDIVISION PLAT 1, AND WITH THE SOUTH LINE OF SAID SURVEY RECORDED IN BOOK 3703, PAGE 123, S 89°32'05"E, 1009.32 FEET TO THE NORTH-SOUTH SUBDIVISION LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 17; THENCE WITH SAID NORTH-SOUTH SUBDIVISION LINE, S 1°15'10"W, 1514.87 FEET TO THE POINT OF BEGINNING, AND CONTAINING 42.98 ACRES.

LEGEND:

- EXISTING 10FT CONTOUR
- EXISTING 1FT CONTOUR
- PROPOSED 10FT CONTOUR
- PROPOSED 1FT CONTOUR
- EXISTING STRUCTURE
- EXISTING TREELINE
- PROPOSED TREELINE
- EDGE OF WATERWAY
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- MANHOLE
- PROPOSED SANITARY SEWER LATERAL
- PROPOSED WATERLINE
- PROPOSED FIRE HYDRANT
- PROPOSED STORM SEWER
- BUILDING LINE
- (35) LOT NUMBER
- STREAM BUFFER (OUTER LIMIT)
- PROPOSED PAVEMENT
- PROPOSED DETENTION/BIORETENTION
- TRAFFIC CONFLICTION
- BICYCLE RACK



DENSITY CALCULATIONS:

SITE AREA:	42.98 ACRES±
PROPOSED NUMBER OF UNITS:	358
PROPOSED DENSITY:	8.3 UNITS / ACRE
PROPOSED ZONING:	PUD-9

PARKING CALCULATIONS:

PARKING REQUIRED:		
47 UNITS - 1 BEDROOM EFFICIENCY UNITS	1 SPACES / UNIT	= 47 SPACES
55 UNITS - 1 BEDROOM UNITS	1.5 SPACES / UNIT	= 77 SPACES
75 UNITS - 2 BEDROOM UNITS	2 SPACES / UNIT	= 150 SPACES
88 UNITS - 2 BEDROOM UNITS	2.5 SPACES / UNIT	= 221 SPACES
96 UNITS - 3 BEDROOM UNITS	2.5 SPACES / UNIT	= 240 SPACES
POOL: 1 SPACE / 5 UNITS		= 72 SPACES
TOTAL SPACES REQUIRED:		= 809 SPACES
TOTAL SPACES PROPOSED:		= 987 SPACES
BICYCLE SPACES REQUIRED:		= 51 SPACES
BICYCLE SPACES PROVIDED:		= 60 SPACES

CALCULATIONS:

AREA:	
TOTAL LOT AREA (LOTS 1, 2, 3, & 4) =	40.82 ACRES±
CINNAMON HILL RIGHT OF WAY =	2.16 ACRES±
TOTAL PERIMETER AREA =	1,129,630± S.F. (26ACRES±)

LANDSCAPE COMPLIANCE:	
TOTAL PARKING LOT & DRIVE AREA=	343,591± SQ. FT.
TREES REQUIRED @ 1 TREE/4500 SQ. FT. =	77 TREES
TOTAL TREES REQUIRED=	77 TREES
MEDIUM TO LARGE TREES REQUIRED (33%)=	25 TREES
TOTAL TREES PROVIDED=	99 TREES

NOTES:

SITE ADDRESS IS 1202 CINNAMON HILL LANE.

THE INTENT FOR THIS DEVELOPMENT IS TO BE DEVELOPED IN ONE PHASE. HOWEVER MULTIPLE PHASES WOULD BE ALLOWED.

PROPOSED BIKE RACKS SHALL HAVE A MINIMUM CAPACITY 5 BIKES PER RACK WITH THE TOTAL NUMBER OF BIKE SPACES NOT LESS THAN 60.

THE MAXIMUM HEIGHT OF ANY BUILDING WILL NOT EXCEED 35', MEASURED FROM THE LOWEST ADJACENT GRADE OF EACH BUILDING.

TWO DEVELOPMENT SIGNS SHALL BE ALLOWED AND SHALL BE MONUMENT SIGNS WITH A MAXIMUM AREA OF 75 SQ.FT. AND A MAXIMUM HEIGHT OF 6 FT. MEASURED FROM THE ADJACENT GRADE. THEY SHALL BE PLACED A MINIMUM OF 10' FROM THE RIGHT-OF-WAY AS SHOWN.

NO PART OF THIS TRACT LIES WITHIN THE 100 YEAR FLOODPLAIN AS ADOPTED BY THE CITY OF COLUMBIA AS SHOWN BY FIRM PANELS 29019C0295D & 29019C0295D DATED MARCH 17, 2011.

ALL SANITARY SEWERS SHALL BE LOCATED WITHIN THE APPROPRIATE WIDTH EASEMENT. SAID EASEMENTS SHALL BE DRAWED AT THE TIME OF FINAL DESIGN.

ALL PUBLIC SANITARY SEWER EXTENSIONS SHALL BE MINIMUM OF 8" DIAMETER. SEWERS SHALL BE LOCATED WITHIN 15 FOOT WIDE EASEMENTS. OR EASEMENTS EQUAL TO THE DEPTH OF THE SEWER IF SEWER IS GREATER THAN 15 FEET. AND SEWER TAPS WILL BE GREATER THAN 20 FEET.

WATER DISTRIBUTION TO BE DESIGNED BY THE CITY OF COLUMBIA WATER AND LIGHT DEPARTMENT.

ALL DRIVEWAY, ROADWAY, AND ACCESS AISLES ARE SUBJECT TO FIRE DEPARTMENT APPROVAL AT THE TIME OF FINAL DESIGN.

ALL ON-SITE LIGHTING WILL BE NO GREATER THAN 20-FEET IN HEIGHT AND SHALL COMPLY WITH THE REQUIREMENTS OF ORDINANCE #20013. NO "WALL-PACK" LIGHTING WILL BE ALLOWED. ALL LIGHTING SHALL BE DIRECTED DOWNWARD & AWAYS TOWARD THE PROJECT IMPROVEMENTS.

AMENITIES MAY INCLUDE BASKETBALL COURT(S), SAND VOLLEYBALL COURT(S), GAZEBOS, FIRE PITS, CLUBHOUSE, ETC...

NATURAL GAS DISTRIBUTION TO BE DESIGNED BY ANEREN UE.

BUILDING NUMBERS SHOWN ARE FOR INVENTORY PURPOSES ONLY.

THE EXISTING ZONING OF THIS TRACT IS A-1 (PENDING REZONING TO PUD 9).

A 5' SIDEWALK SHALL BE CONSTRUCTED ALONG BOTH SIDES OF THE CINNAMON HILL LANE EXTENSION LOCATED WITHIN TO THIS DEVELOPMENT.

ELECTRIC DISTRIBUTION TO BE DESIGNED BY THE CITY OF COLUMBIA WATER & LIGHT DEPARTMENT.

NO REGULATED STREAM BUFFER IS IDENTIFIED ON THIS TRACT BY ARTICLE X, CHAPTER 12A OF THE CITY CODE OF ORDINANCES AND AS SHOWN BY THE COLUMBIA USGS QUADRANGLE.

A MINIMUM OF 25% OF THE CLIMAX FOREST ON THIS TRACT SHALL BE PRESERVED IN THE LOCATIONS DEPICTED ON THIS PLAN. FUTURE GRADING PLANS MAY THE DEPICTED PRESERVATION AREAS SHALL BE ADJUSTED TO ENSURE THAT THE CLIMAX FOREST IS PRESERVED. A TREE PRESERVATION PLAN SHALL BE SUBMITTED AND APPROVED BY THE CITY ARBORIST PRIOR TO LAND DISTURBANCE.

THE MAXIMUM RELEASE RATE FROM THIS DEVELOPMENT SHALL BE CONTROLLED BY LIMITING THE POST-DEVELOPMENT STORM WATER RELEASE RATES TO THE PREDEVELOPMENT RATES FOR THE 1, 2, 10 AND 100 YEAR STORMS.

PROPOSED BIORETENTION AREAS WILL BE SIZED AT THE TIME OF FINAL DESIGN.

PARKING STALL DIMENSIONS SHALL BE A MINIMUM 18' LONG x 8.5' WIDE.

THE PRIVATE ROADWAY (TIMBERMILL ROAD) SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY'S DESIGN STANDARDS FOR LOCAL RESIDENTIAL STREETS, INCLUDING REQUIRED SIDEWALKS, WITHIN THREE YEARS OF FINAL PLAT APPROVAL OR PRIOR TO ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY WITHIN THE DEVELOPMENT WHICHEVER OCCURS FIRST. SUCH ROADWAY WILL BE PLATTED AS A PRIVATELY-OWNED PARCEL, EXHIBIT AS LOT 10 AND THE ROADWAY WILL REMAIN PRIVATELY OWNED & GATED UNTIL SUCH TIME AS CINNAMON HILL LANE IS EXTENDED TO CONNECT WITH ROUTE WW. PRIOR TO DEDICATION FOR PUBLIC USE, THE ROADWAY SHALL REMAIN CLOSED TO THROUGH TRAFFIC; HOWEVER, SHALL BE OPERABLE DURING TIMES OF EMERGENCY, AS DETERMINED BY THE CITY OF COLUMBIA. PRIOR TO ACCEPTANCE FOR PUBLIC USE, THE CITY SHALL CONDUCT AN INSPECTION AND THE OWNER SHALL PERFORM ANY REPAIRS NECESSARY TO BRING THE ROADWAY INTO COMPLIANCE WITH CITY STANDARDS.

ADDITIONAL ADDRESS SIGNAGE MAY BE ADDED AT EACH DRIVE AT THE REQUEST OF THE CITY PRIOR TO ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY.

SHOULD CINNAMON HILL LANE BE EXTENDED AS SHOWN, THE WATERLINE ACCESS EASEMENT RECORDED IN BOOK 421, PAGE 940 WOULD BE VACATED OR MODIFIED AS NEEDED TO PROVIDE A MORE DIRECT ROUTE FOR ACCESS TO THE WATER TOWER. ALL EXISTING MAINTENANCE WOULD REMAIN WITHIN AN EASEMENT.

FOR THE STATEMENT OF INTENT, THE DEVELOPER WILL BE REQUIRED TO MAINTAIN AND REPLACE TREES AND VEGETATION PRESERVED ALONG THE NORTHERN PROPERTY LINE.

OWNER:
CHARLES & REBECCA LAMB
1202 CINNAMON HILL LANE
COLUMBIA, MO 65201

CONTRACT PURCHASER:
PARK 7 GROUP
461 PARK AVE S, FLOOR 4
NEW YORK, NY 10016

APPROVED BY THE CITY OF COLUMBIA PLANNING AND ZONING COMMISSION THIS _____ DAY OF _____, 2013.

STEPHEN ROCHEUIL, VICE CHAIRPERSON

PREPARED BY:
CROCKETT
ENGINEERING CONSULTANTS
3608 North Stadium Boulevard
Columbia, Missouri 65202
(573) 447-0292
www.crockettengineering.com
Crockett Engineering Consultants, LLC
Missouri Certificate of Authority
2006002334



TIMOTHY D. CROCKETT – PE-2004000775

ACCEPTED BY ORDINANCE OF THE CITY COUNCIL OF COLUMBIA, MISSOURI, THIS _____ DAY OF _____, 2013.

ROBERT MCDAVID, MAYOR

SHEELA AMIN, CITY CLERK

CONCEPTUAL LANDSCAPING FOR

THE AVENUE AT COLUMBIA

A MAJOR SUBDIVISION LOCATED IN SECTION 17, TOWNSHIP 48 NORTH, RANGE 12 WEST COLUMBIA, BOONE COUNTY, MISSOURI

SEPTEMBER 2013

REVISED DECEMBER 6, 2013



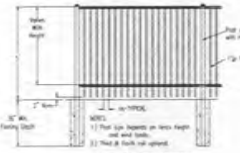
LOCATION MAP

NOT TO SCALE



SCALE: 1" = 100'

0 50 100 200



NOTES:
1) Post size depends on fence height and wind loads.
2) Posts & rails not upturned.

MONTAGE FENCE DETAIL

NOT TO SCALE

LEGEND:

- EXISTING 10FT CONTOUR
- EXISTING 10FT CONTOUR
- PROPOSED 2FT CONTOUR
- PROPOSED 10FT CONTOUR
- EXISTING STRUCTURE
- EXISTING TREELINE
- PROPOSED TREELINE
- EDGE OF WATERWAY
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- MANHOLE
- PROPOSED SANITARY SEWER LATERAL
- PROPOSED WATERLINE
- PROPOSED FIRE HYDRANT
- PROPOSED STORM SEWER
- BUILDING LINE
- LOT NUMBER
- EXISTING CLIMAX FOREST
- PRESERVED CLIMAX FOREST

PLANTING NOTES:

	QUANTITY	PLANT SPECIES
	25	PIN OAK – QUERCUS PALUSTRIS
	65	SARGENT CRABAPPLE – MALUS SARGENTII
		1' TALL MULCH BERM WITH LANDSCAPED SOD CONTAINING SMALL ORNAMENTAL TREES, DECORATIVE GRASSES, DECIDUOUS SHRUBS, EVERGREEN SHRUBS, AND ANY COMBINATION THEREOF. LANDSCAPE BEDS SHALL CONFORM TO SCREENING REQUIREMENTS FOR THE CITY OF COLUMBIA. SCREENING SHALL REACH 50% OPACITY IN THE SPACE BETWEEN 1' AND 5' ABOVE GRADE AT THE SCREEN LINE.

CALCULATIONS:

LANDSCAPE COMPLIANCE:

TOTAL PARKING LOT & DRIVE AREA =	343,594 SQ. FT.
TREES REQUIRED @ 1 TREE/4,500 SQ. FT. =	77 TREES
TOTAL TREES REQUIRED =	77 TREES
MEDIUM TO LARGE TREES REQUIRED (30%) =	23 TREES
TOTAL TREES PROVIDED =	90 TREES

CLIMAX FOREST:

EXISTING CLIMAX FOREST =	1,253,771 SQ. FT.
PRESERVED CLIMAX FOREST =	313,500 SQ. FT. (25%) MINIMUM TO BE PRESERVED SHALL BE 25%

LEGAL DESCRIPTION:

A TRACT OF LAND LOCATED IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 516, PAGE 142 AND THE SURVEY RECORDED IN BOOK 559, PAGE 189 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 17, AS SHOWN BY CROSSCREEK CENTER PLAT 1, RECORDED IN PLAT BOOK 42, PAGE 22, AND WITH THE NORTH LINE THEREOF, N 88°30'20"W, 1286.85 FEET TO THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 63, LEAVING THE NORTH LINE OF SAID CROSSCREEK CENTER PLAT 1 AND WITH THE LINES OF SAID EAST RIGHT-OF-WAY, N 30°10'15"W, 4.40 FEET; THENCE N 15°08'20"W, 358.34 FEET; THENCE N 17°20'05"E, 530.50 FEET; THENCE N 4°51'00"E, 70.00 FEET TO THE SOUTH LINE OF WATER TOWER PLACE SUBDIVISION PLAT 1, RECORDED IN PLAT BOOK 24, PAGE 41; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE AND WITH THE SOUTH LINE OF SAID WATER TOWER PLACE SUBDIVISION PLAT 1, N 88°29'25"E, 301.08 FEET TO THE SOUTHWEST CORNER OF WATER TOWER PLACE SUBDIVISION PLAT 2, RECORDED IN PLAT BOOK 25, PAGE 8; THENCE LEAVING SAID WATER TOWER PLACE SUBDIVISION PLAT 1, AND WITH THE LINES OF SAID WATER TOWER PLACE SUBDIVISION PLAT 2, S 89°43'05"E, 250.00 FEET; THENCE N 0°17'40"E, 249.88 FEET; THENCE N 89°42'05"W, 249.91 FEET TO THE EAST LINE OF SAID WATER TOWER PLACE PLAT 1; THENCE LEAVING THE LINES OF SAID WATER TOWER PLACE PLAT 2, AND WITH THE EAST LINE OF SAID WATER TOWER PLACE PLAT 1, N 0°17'35"E, 394.76 FEET TO THE SOUTH LINE OF THE SURVEY RECORDED IN BOOK 3703, PAGE 23; THENCE LEAVING THE LINES OF SAID WATER PLACE SUBDIVISION PLAT 1, AND WITH THE SOUTH LINE OF SAID SURVEY RECORDED IN BOOK 3703, PAGE 23, S 89°32'05"E, 1009.32 FEET TO THE NORTH-SOUTH SUBDIVISION LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 17; THENCE WITH SAID NORTH-SOUTH SUBDIVISION LINE, S 1°15'10"E, 1628.67 FEET TO THE POINT OF BEGINNING AND CONTAINING 42.96 ACRES.

NOTES:

SITE ADDRESS IS 1202 CINNAMON HILL LANE.

THE INTENT FOR THIS DEVELOPMENT IS TO BE DEVELOPED IN ONE PHASE. HOWEVER MULTIPLE PHASES WOULD BE ALLOWED.

PROPOSED BIKE RACKS SHALL HAVE A MINIMUM CAPACITY 5 BIKES PER RACK WITH THE TOTAL NUMBER OF BIKE SPACES NOT LESS THAN 30.

THE MAXIMUM HEIGHT OF ANY BUILDING WILL NOT EXCEED 35', MEASURED FROM THE LOWEST ADJACENT GRADE OF EACH BUILDING.

TWO DEVELOPMENT SIGNS SHALL BE ALLOWED AND SHALL BE MONUMENT SIGNS WITH A MAXIMUM AREA OF 16 SQ.FT. AND A MAXIMUM HEIGHT OF 6 (6') MEASURED FROM THE ADJACENT GRADE. THEY SHALL BE PLACED A MINIMUM OF 10' FROM THE RIGHT-OF-WAY AS SHOWN.

NO PART OF THIS TRACT LIES WITHIN THE 100 YEAR FLOODPLAIN AS ADOPTED BY THE CITY OF COLUMBIA AS SHOWN BY FIRM PANELS 29019C0035D & 29019C0037D DATED MARCH 17, 2011.

ALL SANITARY SEWERS SHALL BE LOCATED WITHIN THE APPROPRIATE WIDTH EASEMENT. SAID EASEMENTS SHALL BE DEFINED AT THE TIME OF FINAL DESIGN.

ALL PUBLIC SANITARY SEWER EXTENSIONS SHALL BE MINIMUM OF 8" DIAMETER. SEWERS SHALL BE LOCATED WITHIN 10 FOOT WIDE EASEMENTS OR EASEMENTS EQUAL TO THE DEPTH OF THE SEWER IF SEWER IS GREATER THAN 16 FEET. NO SEWER MAYS WILL BE GREATER THAN 20 FEET.

WATER DISTRIBUTION TO BE DESIGNED BY THE CITY OF COLUMBIA WATER AND LIGHT DEPARTMENT.

ALL DRIVEWAY, ROADWAY AND ACCESS AISLES ARE SUBJECT TO FIRE DEPARTMENT APPROVAL AT THE TIME OF FINAL DESIGN.

ALL ON-SITE LIGHTING WILL BE NO GREATER THAN 20-FEET IN HEIGHT AND SHALL COMPLY WITH THE REQUIREMENTS OF ORDINANCE #20013, NO "WALL-PACK" LIGHTING WILL BE ALLOWED. ALL LIGHTING SHALL BE DIRECTED DOWNWARD & INWARDS TOWARD THE PROJECT IMPROVEMENTS.

AMENITIES MAY INCLUDE BASKETBALL COURT(S), SAND VOLLEYBALL COURT(S), GAZEBO(S), FIRE PIT(S), CLUBHOUSE, ETC...

NATURAL GAS DISTRIBUTION TO BE DESIGNED BY AMEREN UE.

BUILDING NUMBERS SHOWN ARE FOR ANCHORY PURPOSES ONLY.

THE EXISTING ZONING OF THIS TRACT IS A-1 (PENDING REZONING TO PUD 5).

A 5' SIDEWALK SHALL BE CONSTRUCTED ALONG BOTH SIDES OF THE CINNAMON HILL LANE EXTENSION LOCATED INTERNAL TO THIS DEVELOPMENT.

ELECTRIC DISTRIBUTION TO BE DESIGNED BY THE CITY OF COLUMBIA WATER & LIGHT DEPARTMENT.

NO REGULATED STREAM BUFFER IS IDENTIFIED ON THIS TRACT BY ARTICLE 4, CHAPTER 12A OF THE CITY CODE OF ORDINANCES AND AS SHOWN BY THE COLUMBIA MSD GUIDANCE.

A MINIMUM OF 25% OF THE CLIMAX FOREST ON THIS TRACT SHALL BE PRESERVED IN THE LOCATIONS DEPICTED ON THIS PLAN. FUTURE GRADING PLANS MAY THE DEPICTED PRESERVATION AREAS SHALL BE ADJUSTED TO ENSURE THAT THE CLIMAX FOREST IS PRESERVED. A TREE PRESERVATION PLAN SHALL BE SUBMITTED AND APPROVED BY THE CITY ARBORIST PRIOR TO LAND DISTURBANCE.

THE MAXIMUM RELEASE RATE FROM THIS DEVELOPMENT SHALL BE CONTROLLED BY LIMITING THE POST-DEVELOPMENT STORM WATER RELEASE RATES TO THE PREDEVELOPMENT RATES FOR THE 1, 2, 10 AND 100 YEAR STORMS.

PROPOSED INFILTRATION AREAS WILL BE SIZED AT THE TIME OF FINAL DESIGN.

PARKING STALL DIMENSIONS SHALL BE A MINIMUM 18' LONG x 9.5' WIDE.

THE PRIVATE ROADWAY (TIMBERHILL ROAD) SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY'S DESIGN STANDARDS FOR LOCAL RESIDENTIAL STREETS, INCLUDING REQUIRED SIDEWALKS, WITHIN THREE YEARS OF FINAL PLAT APPROVAL OR PRIOR TO ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY WITHIN THE DEVELOPMENT WHICHEVER OCCURS FIRST. SUCH ROADWAY WILL BE PLATTED AS A PRIVATELY-OWNED PARCEL (SHOWN AS LOT 5) AND THE ROADWAY WILL REMAIN PRIVATELY OWNED & GATED UNTIL SUCH TIME AS CINNAMON HILL LANE IS EXTENDED TO CONNECT WITH ROUTE WW. PRIOR TO DEDICATION FOR PUBLIC USE, THE ROADWAY SHALL REMAIN CLOSED TO THROUGH TRAFFIC; HOWEVER, SHALL BE OPERABLE DURING TIMES OF EMERGENCY AS DETERMINED BY THE CITY OF COLUMBIA. PRIOR TO ACCEPTANCE FOR PUBLIC USE, THE CITY SHALL CONDUCT AN INSPECTION AND THE OWNER SHALL PERFORM ANY REPAIRS NECESSARY TO BRING THE ROADWAY INTO COMPLIANCE WITH CITY STANDARDS.

ADDITIONAL ADDRESS SIGNAGE MAY BE ADDED AT EACH DRIVE AT THE REQUEST OF THE CITY PRIOR TO ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY.

SHOULD CINNAMON HILL LANE BE EXTENDED AS SHOWN, THE WATERLINE ACCESS EASEMENT RECORDED IN BOOK 421, PAGE 990 WOULD BE VACATED OR MODIFIED IN ORDER TO PROVIDE A MORE DIRECT ROUTE FOR ACCESS TO THE WATER TOWER. ALL EXISTING WATERLINES WOULD REMAIN WITHIN AN EASEMENT.

PER THE STATEMENT OF INTENT, THE DEVELOPER WILL BE REQUIRED TO MAINTAIN AND REPLACE TREES AND VEGETATION PRESERVED ALONG THE NORTHERN PROPERTY LINE.

OWNER:
CHARLES & REBECCA LAMB
1202 CINNAMON HILL LANE
COLUMBIA, MO 65201

CONTRACT PURCHASER:
PARK 7 GROUP
461 PARK AVE S., FLOOR 4
NEW YORK, NY 10016

APPROVED BY THE CITY OF COLUMBIA PLANNING AND ZONING COMMISSION THIS _____ DAY OF _____, 2013.

STEPHEN REICHLIN, VICE CHAIRPERSON

ACCEPTED BY ORDINANCE OF THE CITY COUNCIL OF COLUMBIA, MISSOURI, THIS _____ DAY OF _____, 2013.

ROBERT MCDAVID, MAYOR

SHEELA AMIN, CITY CLERK

PREPARED BY:

CROCKETT
ENGINEERING CONSULTANTS
3608 North Stadium Boulevard
Columbia, Missouri 65202
(573) 447-0990
www.crockettengineering.com
Crockett Engineering Consultants, LLC
Missouri Certificate of Authority
#2006001044

STATE OF MISSOURI
TIMOTHY D. CROCKETT
NUMBER PE-2004006775
PROFESSIONAL ENGINEER

TIMOTHY D. CROCKETT – PE-2004006775

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

A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS AT LAW
1103 EAST BROADWAY
POST OFFICE BOX 1017
COLUMBIA, MISSOURI 65201

CRAIG A. VAN MATRE
THOMAS M. HARRISON
ROBERT N. HOLLIS
GARRETT S. TAYLOR
BRYAN C. BACON*
CASEY E. ELLIOTT

(573) 874-7777
TELECOPIER (573) 875-0017
E-MAIL robert@vanmatre.com

EVERETT S. VAN MATRE
(1922-1998)
*ADMITTED IN MISSOURI AND ILLINOIS

December 6, 2013

Tim Teddy, Director
Department of Planning & Development
City of Columbia
701 E Broadway
Columbia, MO 65201

Pat Zenner
Department of Planning & Development
City of Columbia
701 E Broadway
Columbia, MO 65201

RE: Statement of Intent / Application for Permanent Rezoning and Planned Unit Development Plan / The Avenue at Columbia / Park7 Group (the "Applicant")

Dear Mssrs. Teddy and Zenner,

The following is intended to satisfy the requirements of Section 29-10(e)(2) of the City's Zoning Ordinances:

a. The uses proposed for the site are all uses permitted in Section 29-8 District R-3 of the City's zoning ordinances.

b. The types of dwelling units shall be: Multiple-Family, including, without limiting the foregoing, 1, 2, 3, and/or 4 bedroom units.

c. The maximum number of dwelling units shall be 387 units and maximum density shall be 9 units per acre.

d. The maximum building height proposed for the Property is 37 feet measured from the lowest adjacent grade of each building.

e. The total number of vehicle parking spaces proposed is 1068 and the proposed parking ratio per dwelling unit is 2.76 (1068/387), which is based on the maximum number of units permitted under a PUD-9 zoning designation. The PUD Plan contains 358 units and 987 parking spaces, which is a parking ratio of 2.76. Should the number of units change which results in a different number of bedrooms per unit or should the type of units change under the current number of units such that there are more or less bedrooms, the need for parking would likely change. In such case, the parking ratio might vary slightly based on the actual number of

bedrooms (e.g., if more units but lower ratio of bedrooms per unit, a parking ratio of 2.5 might be more appropriate or if less units but higher ratio of bedrooms per unit, a parking ratio of 3.0 might be more appropriate). The upper limit on parking spaces shall be product of 1.25 multiplied by the actual number of bedrooms.

f. The minimum percentage of the site to be maintained in open space shall be a total of 60%. Of such total, 35% shall be in landscaping and 15% shall be in existing vegetation. The 15% of the total site preserved in existing vegetation shall contain a minimum of 25% of the existing climax forest on the property.

g. Proposed amenities may be swimming pools, basketball courts, tennis courts, and club houses.

h. The PUD Plan is generally described as a plan containing Multiple-Family 1, 2, 3, and 4 bedroom units and any combination of same. There shall be no minimum lot size. Units may be contained on a single zero lot line lot, a single family lot, or on a large lot containing several units. There shall be a minimum yard setback of twenty-five feet. There shall be no other minimum setbacks from perimeter or interior streets or between buildings.

i. Should MoDOT approve either or both of the following prior to the earlier of two years from the effective date of this Statement of Intent or the date upon which the Applicant shall have submitted final design plans for any phase of development under the PUD Plan, the Applicant shall cause such approved matter to be completed before it shall obtain occupancy permits for the improvements constructed under the PUD Plan:

1. extend the east bound left turn lane at the intersection of Audubon Drive and Stadium Boulevard by approximately 300 feet;

2. modify the traffic signal at Audubon Drive and Stadium Boulevard to include a dedicated east bound left turn signal from Stadium Boulevard onto Audubon Drive.

j. The developer shall be required to record covenants and restrictions applicable to the real estate within the development prior to final plat approval, which shall describe the following obligations of the Applicant, and its successors and assigns, and shall name the Timberhill Road Neighborhood Association, the Shepard Hills lmprovement Association, and the Shepard Boulevard Neighborhood Association (the "Associations") as the beneficiaries of said covenants and restrictions: the potential obligations of the Applicant with regard to the intersection of Audubon Drive and Stadium Boulevard described in item i. of this Statement of Intent; the installation and maintenance of landscaping improvements and a berm along a portion of the north boundary of the Property as shown on the PUD Plan, including the replacement of dead landscaping; the installation of a fence along a portion of the north boundary of the Property adjacent the property to which the Shepard Hills Improvement Association and Timberhill Road Neighborhood Association apply, as shown on the PUD Plan; facilitate

connection of fiber optic service to the property to which the Shepard Hills Improvement Association and Timberhill Road Neighborhood Association apply (i.e., install to subdivision boundary through the Property or cause a provider of optic service to deliver to subdivision by another route); and, the restrictions and obligations as to Timberhill Road as shown and described on the PUD Plan.

Sincerely,

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

By: _____
Robert N. Hollis

PRELIMINARY PLAT & PUD PLAN

THE AVENUE AT COLUMBIA

A MAJOR SUBDIVISION LOCATED IN SECTION 17, TOWNSHIP 48 NORTH, RANGE 12 WEST COLUMBIA, BOONE COUNTY, MISSOURI
SEPTEMBER 2013
REVISED DECEMBER 6, 2013



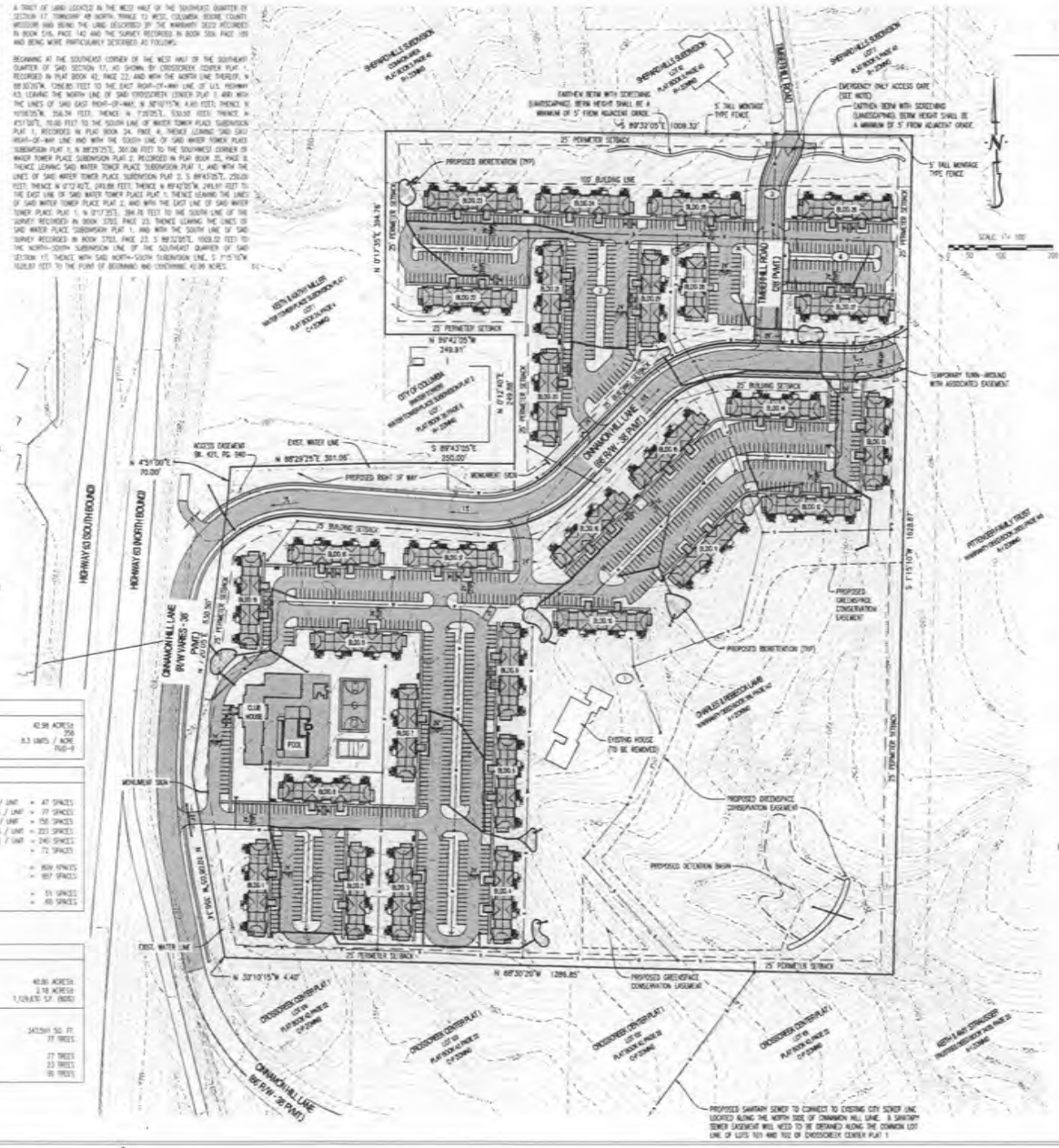
LEGAL DESCRIPTION:

A TRACT OF LAND LOCATED IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 516, PAGE 140 AND THE SURVEY RECORDED IN BOOK 559, PAGE 189 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 17, AS SHOWN BY CROSSCREEK CENTER PLAT 1, RECORDED IN PLAT BOOK 42, PAGE 22, AND WITH THE NORTH LINE THEREOF, N 88°30'29"W, 1286.85 FEET TO THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 63, LEAVING THE NORTH LINE OF SAID CROSSCREEK CENTER PLAT 1, AND WITH THE LINES OF SAID EAST RIGHT-OF-WAY, N 00°10'15"W, 4.40 FEET; THENCE N 10°05'35"W, 356.74 FEET; THENCE N 7°20'05"E, 530.50 FEET; THENCE N 45°13'07"E, 70.00 FEET TO THE SOUTH LINE OF WATER TOWER PLACE SUBDIVISION PLAT 1, RECORDED IN PLAT BOOK 24, PAGE 4; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE AND WITH THE SOUTH LINE OF SAID WATER TOWER PLACE SUBDIVISION PLAT 1, N 88°29'25"E, 301.06 FEET TO THE SOUTHWEST CORNER OF WATER TOWER PLACE SUBDIVISION PLAT 2, RECORDED IN PLAT BOOK 35, PAGE 8; THENCE LEAVING SAID WATER TOWER PLACE SUBDIVISION PLAT 1, AND WITH THE LINES OF SAID WATER TOWER PLACE SUBDIVISION PLAT 2, S 89°43'25"E, 250.00 FEET; THENCE N 0°17'40"E, 249.88 FEET; THENCE N 89°42'05"W, 249.91 FEET TO THE EAST LINE OF SAID WATER TOWER PLACE PLAT 1; THENCE LEAVING THE LINES OF SAID WATER TOWER PLACE PLAT 2, AND WITH THE EAST LINE OF SAID WATER TOWER PLACE PLAT 1, N 0°17'35"E, 394.76 FEET TO THE SOUTH LINE OF THE SURVEY RECORDED IN BOOK 3703, PAGE 23; THENCE LEAVING THE LINES OF SAID WATER PLACE SUBDIVISION PLAT 1, AND WITH THE SOUTH LINE OF SAID SURVEY RECORDED IN BOOK 3703, PAGE 23, S 88°32'05"E, 1009.32 FEET TO THE NORTH-SOUTH SUBDIVISION LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 17; THENCE WITH SAID NORTH-SOUTH SUBDIVISION LINE, S 1°15'10"W, 1028.87 FEET TO THE POINT OF BEGINNING AND CONTAINING 42.98 ACRES.

LEGEND:

- EXISTING 5FT CONTOUR
- EXISTING 1FT CONTOUR
- PROPOSED 5FT CONTOUR
- PROPOSED 1FT CONTOUR
- EXISTING STRUCTURE
- EXISTING TREELINE
- PROPOSED TREELINE
- EDGE OF WATERWAY
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- MANHOLE
- PROPOSED SANITARY SEWER LATERAL
- PROPOSED WATERLINE
- PROPOSED FIRE HYDRANT
- PROPOSED STORM SEWER
- BUILDING LINE
- LOT NUMBER
- STORM BUFFER (OUTLOT LIMITS)
- PROPOSED PAVEMENT
- PROPOSED DETENTION/BIORETENTION
- TRASH COMPACTOR
- BICYCLE RACK



DENSITY CALCULATIONS:

LOT AREA	42.98 ACRES±
PROPOSED NUMBER OF UNITS	356
PROPOSED DENSITY	8.3 UNITS / ACRE
PROPOSED ZONING	PUD-9

PARKING CALCULATIONS:

PARKING REQUIRED:

47 UNITS - 1 BEDROOM EFFICIENCY UNITS	1 SPACES / UNIT	= 47 SPACES
51 UNITS - 1 BEDROOM UNITS	1.5 SPACES / UNIT	= 77 SPACES
75 UNITS - 2 BEDROOM UNITS	2 SPACES / UNIT	= 150 SPACES
99 UNITS - 3 BEDROOM UNITS	2.5 SPACES / UNIT	= 223 SPACES
84 UNITS - 4 BEDROOM UNITS	2.5 SPACES / UNIT	= 240 SPACES
PLUS 1 SPACE / 5 UNITS		= 72 SPACES
TOTAL SPACES REQUIRED:		= 809 SPACES
TOTAL SPACES PROPOSED:		= 857 SPACES
BICYCLE SPACES REQUIRED:		= 51 SPACES
BICYCLE SPACES PROPOSED:		= 60 SPACES

CALCULATIONS:

AREA:

TOTAL LOT AREA (LOTS 1, 2, 3, & 4) =	40.80 ACRES±
CINNAMON HILL RIGHT OF WAY =	2.18 ACRES±
TOTAL PERIMETER AREA =	1,129,670 S.F. (EST.)

LANDSCAPE COMPLIANCE:

TOTAL PARKING LOT & DRIVE AREA=	343,591 SQ. FT.
TREES REQUIRED @ 1 TREE/9,000 SQ. FT. =	77 TREES
TOTAL TREES REQUIRED=	77 TREES
MEDIUM TO LARGE TREES REQUIRED (30%)=	23 TREES
TOTAL TREES PROVIDED=	95 TREES

NOTES:

SITE ADDRESS IS 1202 CINNAMON HILL LANE.

THE INTENT FOR THIS DEVELOPMENT IS TO BE DEVELOPED IN ONE PHASE, HOWEVER MULTIPLE PHASES WOULD BE ALLOWED.

PROPOSED BIKE RACKS SHALL HAVE A MINIMUM CAPACITY 5 BIKES PER RACK WITH THE TOTAL NUMBER OF BIKE SPACES NOT LESS THAN 60.

THE MAXIMUM HEIGHT OF ANY BUILDING WILL NOT EXCEED 57', MEASURED FROM THE LOWEST ADJACENT GRADE OF EACH BUILDING.

TWO DEVELOPMENT SIGNS SHALL BE ALLOWED AND SHALL BE MONUMENT SIGNS WITH A MAXIMUM AREA OF 16 SQ.FT. AND A MAXIMUM HEIGHT OF 6 FT. MEASURED FROM THE ADJACENT GRADE. THEY SHALL BE PLACED A MINIMUM OF 10 FROM THE RIGHT-OF-WAY AS SHOWN.

NO PART OF THIS TRACT LIES WITHIN THE 100- YEAR FLOODPLAIN AS ADOPTED BY THE CITY OF COLUMBIA AS SHOWN BY FIRM PANELS 29019C0045D & 29019C0025D DATED MARCH 17, 2011

ALL SANITARY SEWERS SHALL BE LOCATED WITHIN THE APPROPRIATE WIDTH EASEMENT. SAID EASEMENTS SHALL BE GRANTED AT THE TIME OF FINAL DESIGN.

ALL PUBLIC SANITARY SEWER EXTENSIONS SHALL BE MINIMUM 24" DIAMETER. SEWERS SHALL 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 ALLOWED LESS THAN 20 FEET.

WATER DISTRIBUTION TO BE DESIGNED BY THE CITY OF COLUMBIA WATER AND LIGHT DEPARTMENT.

ALL DRIVEWAY, ROADWAY AND ACCESS AISLES ARE SUBJECT TO FIRE DEPARTMENT APPROVAL AT THE TIME OF FINAL DESIGN.

ALL ON-SITE LIGHTING WILL BE NO GREATER THAN 20-FEET IN HEIGHT AND SHALL COMPLY WITH THE REQUIREMENTS OF ORDINANCE #20013, NO "WALL-PACK" LIGHTING WILL BE ALLOWED. ALL LIGHTING SHALL BE DIRECTED DOWNWARD & SHIELDED TOWARD THE PROJECT IMPROVEMENTS.

AMENITIES MAY INCLUDE BEHAVIORAL COURTYARD, SAND VOLLEYBALL COURT(S), GAZEBOS, FIRE PITS, CLUBHOUSE, ETC.

NATURAL GAS DISTRIBUTION TO BE DESIGNED BY ANCHOR LP.

BUILDING NUMBERS SHOWN ARE FOR INVENTORY PURPOSES ONLY.

THE EXISTING ZONING OF THIS TRACT IS A-1 (PENDING REZONING TO PUD-9).

A 5' SIDEWALK SHALL BE CONSTRUCTED ALONG BOTH SIDES OF THE CINNAMON HILL LANE EXTENSION LOCATED ADJACENT TO THIS DEVELOPMENT.

ELECTRIC DISTRIBUTION TO BE DESIGNED BY THE CITY OF COLUMBIA WATER & LIGHT DEPARTMENT.

NO REGULATED STREAM BUFFER IS IDENTIFIED ON THIS TRACT BY ARTICLE V, CHAPTER 12A OF THE CITY CODE OF ORDINANCES AND AS SHOWN BY THE COLUMBIA ASSET QUADRANGLE.

A MINIMUM OF 25% OF THE CLIMAX FOREST ON THIS TRACT SHALL BE PRESERVED IN THE LOCATIONS DEPICTED ON THIS PLAN. FUTURE GRADING PLANS MAY THE DEPICTED PRESERVATION AREAS SHALL BE ADJUSTED TO ENSURE THAT THE CLIMAX FOREST IS PRESERVED. A TREE PRESERVATION PLAN SHALL BE SUBMITTED AND APPROVED BY THE CITY ARBORIST PRIOR TO LAND DISTURBANCE.

THE MAXIMUM RELEASE RATE FROM THIS DEVELOPMENT SHALL BE CONTROLLED BY LIMITING THE POST-DEVELOPMENT STORM WATER RELEASE RATES TO THE PRE-DEVELOPMENT RATES FOR THE 1, 2, 10 AND 100 YEAR STORMS.

PROPOSED BIORETENTION AREAS WILL BE SIZED AT THE TIME OF FINAL DESIGN.

PARKING STALL DIMENSIONS SHALL BE A MINIMUM 19' LONG x 8.5' WIDE.

THE PRIVATE ROADWAY (TIMBERHILL ROAD) SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY'S DESIGN STANDARDS FOR LOCAL RESIDENTIAL STREETS, INCLUDING REQUIRED SIDEWALKS, WITHIN THREE YEARS OF FINAL PLAT APPROVAL OR PRIOR TO ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY WITHIN THE DEVELOPMENT WHICHEVER OCCURS FIRST. SUCH ROADWAY WILL BE PLATTED AS A PRIVATELY-OWNED PARCEL (SHOWN AS LOT 5) AND THE ROADWAY WILL REMAIN PRIVATELY OWNED & GATED UNTIL SUCH TIME AS CINNAMON HILL LANE IS EXTENDED TO CONNECT WITH ROUTE WW. PRIOR TO DEDICATION FOR PUBLIC USE, THE ROADWAY SHALL REMAIN GATED TO PROVIDE TRAFFIC HOMEBER SHALL BE OPERABLE DURING TIMES OF EMERGENCY AS DETERMINED BY THE CITY OF COLUMBIA. PRIOR TO ACCEPTANCE FOR PUBLIC USE, THE CITY SHALL CONDUCT AN INSPECTION AND THE OWNER SHALL PERFORM ANY REPAIRS NECESSARY TO BRING THE ROADWAY INTO COMPLIANCE WITH CITY STANDARDS.

ADDITIONAL KEYNOTES SIGNAGE MAY BE ADDED AT EACH DRIVE AS THE REQUEST OF THE CITY PRIOR TO ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY.

SHOULD CINNAMON HILL LANE BE EXTENDED AS SHOWN, THE WATERLINE ACCESS EASEMENT RECORDED IN BOOK 421, PAGE 940 WOULD BE VACATED OR MODIFIED IN ORDER TO PROVIDE A MORE DIRECT ROUTE FOR ACCESS TO THE WATER TOWER. ALL EXISTING WATERLINES WOULD REMAIN WITHIN AN EASEMENT.

PER THE STATEMENT OF INTENT, THE DEVELOPER WILL BE REQUIRED TO MAINTAIN AND REPLACE TREES AND VEGETATION PRESERVED ALONG THE NORTHERN PROPERTY LINE.

OWNER:
CHARLES & REBECCA LAMB
1202 CINNAMON HILL LANE
COLUMBIA, MO 65201

CONTRACT PURCHASER:
PARK 7 GROUP
40 PARK AVE S, FLOOR 4
NEW YORK, NY 10016

APPROVED BY THE CITY OF COLUMBIA PLANNING AND ZONING COMMISSION THIS _____ DAY OF _____, 2013

_____
STEPHEN REICHLIN, VICE CHAIRPERSON

PREPARED BY:
CROCKETT ENGINEERING CONSULTANTS
1608 North Stadium Boulevard
Columbia, Missouri 65202
(573) 447-0292
www.crockettengineering.com
Crockett Engineering Consultants, LLC
Missouri Certificate of Authority
#2006019284



TIMOTHY D. CROCKETT - PE-2006019284

ACCEPTED BY ORDINANCE OF THE CITY COUNCIL OF COLUMBIA, MISSOURI, THIS _____ DAY OF _____, 2013.

_____
ROBERT MCDAVID, MAYOR

_____
SHEELA AMIN, CITY CLERK

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

A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS AT LAW
1103 EAST BROADWAY
POST OFFICE BOX 1017
COLUMBIA, MISSOURI 65201

(573) 874-7777
TELECOPIER (573) 875-0017
E-MAIL robert@vanmatre.com

CRAIG A. VAN MATRE
THOMAS M. HARRISON
ROBERT N. HOLLIS
GARRETT S. TAYLOR
BRYAN C. BACON*
CASEY E. ELLIOTT

EVERETT S. VAN MATRE
(1922-1998)

*ADMITTED IN MISSOURI AND ILLINOIS

March 17, 2014

Tim Teddy, Director
Department of Planning & Development
City of Columbia
701 E Broadway
Columbia, MO 65201

Pat Zenner
Department of Planning & Development
City of Columbia
701 E Broadway
Columbia, MO 65201

RE: Statement of Intent / Application for Permanent Rezoning and Planned Unit Development Plan / The Avenue at Columbia (the "Development") / Park7 Group (the "Applicant")

Dear Mssrs. Teddy and Zenner,

The following is intended to satisfy the requirements of Section 29-10(e)(2) of the City's Zoning Ordinances:

a. The uses proposed for the site are all uses permitted in Section 29-10 of the City's Zoning Ordinances, which specifically includes, without limiting the foregoing: dwelling, multiple-family; sales and leasing office; and, community center.

b. The types of dwelling units shall be: Multiple-Family, including, without limiting the foregoing, 1, 2, 3, and/or 4 bedroom units.

c. The maximum number of dwelling units shall be 321 units and maximum density shall be 7.5 units per acre.

d. The maximum building height proposed for the Property is 46 feet measured from the lowest adjacent grade of each building.

e. The total number of vehicle parking spaces proposed for residents is 870. The proposed parking ratio per dwelling unit is 2.7 (870/321) as shown on the approved PUD Plan. The upper limit on parking spaces shall be 880 and the lower limit on parking spaces shall be 855.

f. The minimum percentage of the site to be maintained in open space shall be a total of 65%. Of such total, 50% shall be in landscaping and 50% shall be in existing vegetation.

g. Proposed amenities may be swimming pools, basketball courts, tennis courts, and club houses.

h. The PUD Plan is generally described as a plan containing Multiple-Family 1, 2, 3, and 4 bedroom units and any combination of same. There shall be no minimum lot size. Units may be contained on a single zero lot line lot, a single family lot, or on a large lot containing several units. There shall be a minimum yard setback of twenty-five feet. There shall be no other minimum setbacks from perimeter or interior streets or between buildings.

i. Until the date which is two (2) years after the first certificate of occupancy is issued for the Development, if MoDOT shall approve and grant the necessary permits to the Applicant for either or both of the improvements listed below in subparagraphs i(1) and i(2), the Applicant shall make such improvements within six (6) months of being granted such permits:

1. extend the east bound left turn lane at the intersection of Audubon Drive and Stadium Boulevard by approximately 300 feet; and,

2. modify the traffic signal at Audubon Drive and Stadium Boulevard to include a dedicated east bound left turn signal from Stadium Boulevard onto Audubon Drive.

j. For each of the three years following the completion of construction of the project and residents occupying the Development, the Applicant shall purchase a minimum of 200 CoMo Connect transit system bus passes, at a price of $62.50 per pass (or the then in effect price per pass for such bulk purchases), for each fall and spring semester session of the University of Missouri.

k. The Applicant shall provide bus transit system services to its residents, including transportation to and from the University of Missouri, during the fall and spring semesters of the University unless the Applicant replaces such private transit services with the CoMo Connect transit system or such other transit system as may be available and utilized by the Applicant.

PRELIMINARY PLAT & PUD PLAN

THE AVENUE AT COLUMBIA

A MAJOR SUBDIVISION LOCATED IN SECTION 17,
TOWNSHIP 48 NORTH, RANGE 12 WEST
COLUMBIA, BOONE COUNTY, MISSOURI
MARCH 2014



LOCATION MAP
NOT TO SCALE

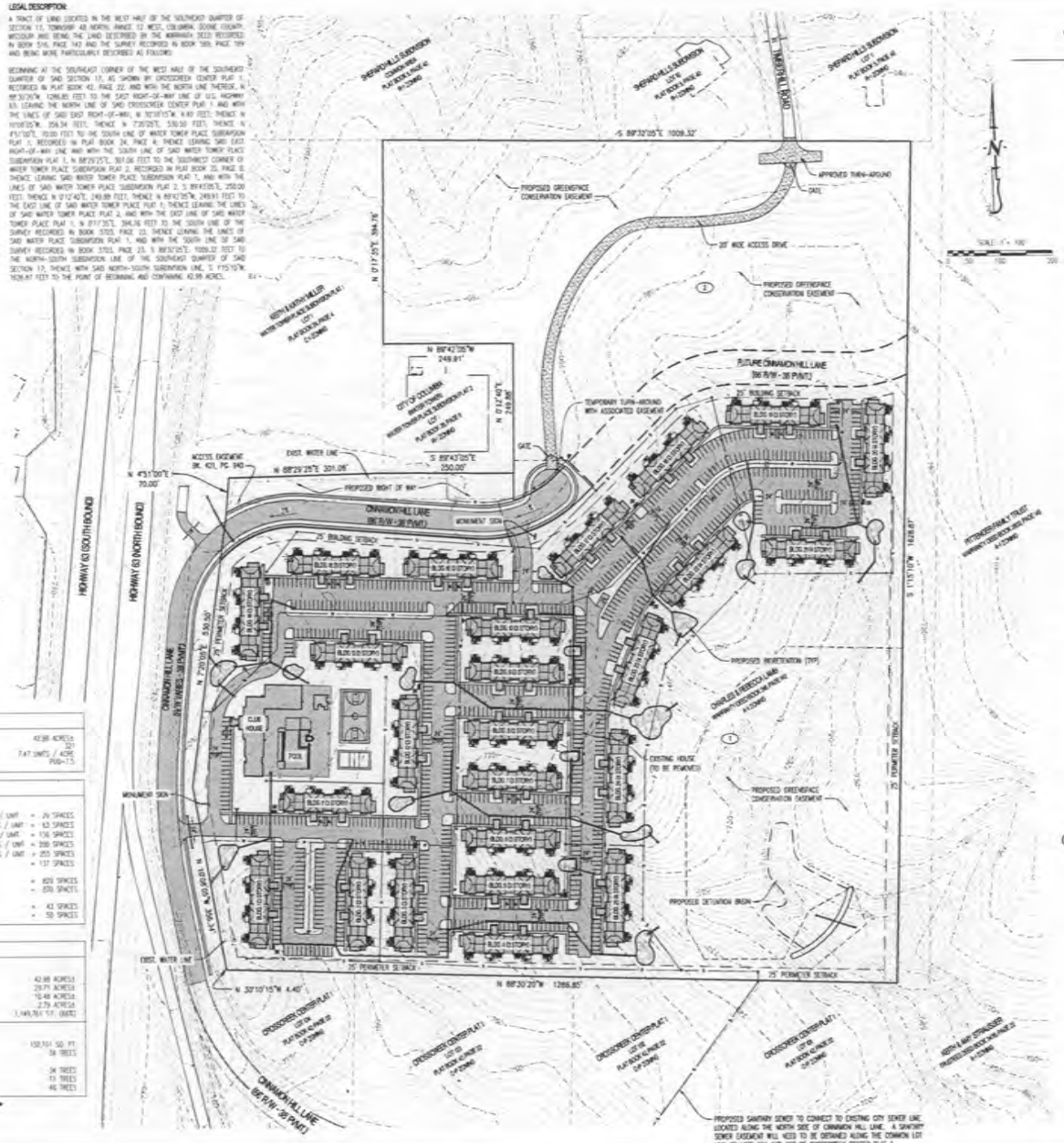
LEGAL DESCRIPTION:

A TRACT OF LAND LOCATED IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING THE LAND DESCRIBED IN THE WARRANTY DEED RECORDED IN BOOK 516, PAGE 142 AND THE SURVEY RECORDED IN BOOK 589, PAGE 189 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 17, AS SHOWN BY CROSSCREEK CENTER PLAT 1, RECORDED IN PLAT BOOK 42, PAGE 22, AND WITH THE NORTH LINE THEREOF, N 88°30'20"W 1266.85 FEET TO THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 63; LEAVING THE NORTH LINE OF SAID CROSSCREEK CENTER PLAT 1 AND WITH THE LINES OF SAID EAST RIGHT-OF-WAY, N 30°10'15"W 4.40 FEET; THENCE N 10°08'05"W, 356.54 FEET; THENCE N 7°20'05"E, 530.50 FEET; THENCE N 4°51'20"E, 70.00 FEET TO THE SOUTH LINE OF WATER TOWER PLACE SUBDIVISION PLAT 1, RECORDED IN PLAT BOOK 34, PAGE 4; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE AND WITH THE SOUTH LINE OF SAID WATER TOWER PLACE SUBDIVISION PLAT 1, N 88°29'25"E, 331.06 FEET TO THE SOUTHWEST CORNER OF WATER TOWER PLACE SUBDIVISION PLAT 2, RECORDED IN PLAT BOOK 35, PAGE 8; THENCE LEAVING SAID WATER TOWER PLACE SUBDIVISION PLAT 1, AND WITH THE LINES OF SAID WATER TOWER PLACE SUBDIVISION PLAT 2, S 89°43'05"E, 250.00 FEET; THENCE N 01°17'40"E, 249.89 FEET; THENCE N 89°42'05"W, 248.91 FEET TO THE EAST LINE OF SAID WATER TOWER PLACE PLAT 1; THENCE LEAVING THE LINES OF SAID WATER TOWER PLACE PLAT 2, AND WITH THE EAST LINE OF SAID WATER TOWER PLACE PLAT 1, N 01°17'35"E, 394.76 FEET TO THE SOUTH LINE OF THE SURVEY RECORDED IN BOOK 3703, PAGE 22; THENCE LEAVING THE LINES OF SAID WATER PLACE SUBDIVISION PLAT 1, AND WITH THE SOUTH LINE OF SAID SURVEY RECORDED IN BOOK 3703, PAGE 23, S 89°32'05"E, 1009.32 FEET TO THE NORTH-SOUTH SUBDIVISION LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 17; THENCE WITH SAID NORTH-SOUTH SUBDIVISION LINE, S 1°15'10"W, 1628.87 FEET TO THE POINT OF BEGINNING AND CONTAINING 42.98 ACRES.

LEGEND:

- EXISTING 1FT CONTOUR
- EXISTING 10FT CONTOUR
- PROPOSED 1FT CONTOUR
- PROPOSED 10FT CONTOUR
- EXISTING STRUCTURE
- EXISTING TREELINE
- PROPOSED TREELINE
- EDGE OF WATERWAY
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- MANHOLE
- PROPOSED SANITARY SEWER LATERAL
- PROPOSED WATERLINE
- PROPOSED FIRE HYDRANT
- PROPOSED STORM SEWER
- BUILDING LINE
- LOT NUMBER
- SCREEN BUFFER (OUTER LIMITS)
- PROPOSED PAVEMENT
- PROPOSED DETENTION/BIORETENTION
- TRASH COMPACTOR
- BICYCLE RACK



NOTES:

SITE ADDRESS IS 1202 CINNAMON HILL LANE.

THE INTENT FOR THIS DEVELOPMENT IS TO BE DEVELOPED IN ONE PHASE, HOWEVER MULTIPLE PHASES WOULD BE ALLOWED.

PROPOSED BIKE RACKS SHALL HAVE A MINIMUM CAPACITY 5 BIKES PER RACK WITH THE TOTAL NUMBER OF BIKE SPACES NOT LESS THAN 50.

THE MAXIMUM HEIGHT OF ANY BUILDING WILL NOT EXCEED 45', MEASURED FROM THE LOWEST ADJACENT GRADE OF EACH BUILDING.

TWO DEVELOPMENT SIGNS SHALL BE ALLOWED AND SHALL BE MONUMENT SIGNS WITH A MAXIMUM AREA OF 75 SQ.FT. AND A MAXIMUM HEIGHT OF 4.5', MEASURED FROM THE ADJACENT GRADE. THEY SHALL BE PLACED A MINIMUM OF 15' FROM THE ROAD-OF-WAY AS SHOWN.

NO PART OF THIS TRACT LIES WITHIN THE 100 YEAR FLOODPLAIN AS ADOPTED BY THE CITY OF COLUMBIA AS SHOWN BY FIRM PANELS 29019C0035D & 29019C0037D DATED MARCH 17, 2011.

ALL SANITARY SEWERS SHALL BE LOCATED WITHIN THE APPROPRIATE WIDTH EASEMENT. SAID EASEMENTS SHALL BE GRANTED AT THE TIME OF FINAL DESIGN.

ALL PUBLIC SANITARY SEWER EXTENSIONS SHALL BE MINIMUM OF 8" DIAMETER. SEWERS SHALL 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.

WATER DISTRIBUTION TO BE DESIGNED BY THE CITY OF COLUMBIA WATER AND LIGHT DEPARTMENT.

ALL DRIVEWAY, ROADWAY, AND ACCESS AISLES ARE SUBJECT TO FIRE DEPARTMENT APPROVAL AT THE TIME OF FINAL DESIGN.

ALL ON-SITE LIGHTING WILL BE NO GREATER THAN 20-FEET IN HEIGHT AND SHALL COMPLY WITH THE REQUIREMENTS OF ORDINANCE #20013, NO "WALL-PACK" LIGHTING WILL BE ALLOWED. ALL LIGHTING SHALL BE DIRECTED DOWNWARD & SHIELD TOWARDS THE PROJECT IMPROVEMENTS.

AMENITIES MAY INCLUDE BASKETBALL COURT(S), SAND VOLLEYBALL COURT(S), GAZEBO'S, PARK PATS, CLUBHOUSE, ETC...

NATURAL GAS DISTRIBUTION TO BE DESIGNED BY ANEREN UE.

BUILDING NUMBERS SHOWN ARE FOR INVENTORY PURPOSES ONLY.

THE EXISTING ZONING OF THIS TRACT IS A-1 (PENDING REZONING TO PUD-17.1)

A 5' SIDEWALK SHALL BE CONSTRUCTED ALONG BOTH SIDES OF THE CINNAMON HILL LANE EXTENSION (COPIED) INTERNAL TO THIS DEVELOPMENT.

ELECTRIC DISTRIBUTION TO BE DESIGNED BY THE CITY OF COLUMBIA WATER & LIGHT DEPARTMENT.

NO REGULATED STREAM BUFFER IS IDENTIFIED ON THIS TRACT BY ARTICLE 9, CHAPTER 12A OF THE CITY CODE OF ORDINANCES AND AS SHOWN BY THE COLUMBIA VISTA QUADRANGLE.

A MINIMUM OF 25% OF THE CLIMAX FOREST ON THIS TRACT SHALL BE PRESERVED IN THE LOCATIONS DEPICTED ON THIS PLAN. FUTURE GRADING PLANS, NOT THE DEPICTED PRESERVATION AREAS SHALL BE ADJUSTED TO ENSURE THAT THE CLIMAX FOREST IS PRESERVED. A TREE PRESERVATION PLAN SHALL BE SUBMITTED AND APPROVED BY THE CITY ARBORIST PRIOR TO LAND DISTURBANCE.

THE MAXIMUM RELEASE RATE FROM THIS DEVELOPMENT SHALL BE CONTROLLED BY LIMITING THE POST-DEVELOPMENT STORM WATER RELEASE RATES TO THE PREDEVELOPMENT RATES FOR THE 1, 2, 10 AND 100 YEAR STORMS.

PROPOSED BIORETENTION AREAS WILL BE SIZED AT THE TIME OF FINAL DESIGN.

PARKING STALL DIMENSIONS SHALL BE A MINIMUM 18' LONG x 9.5' WIDE.

ADDITIONAL ADDRESS SIGNAGE MAY BE ADDED AT EACH DRIVE AT THE REQUEST OF THE CITY PRIOR TO ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY.

SHOULD CINNAMON HILL LANE BE EXTENDED AS SHOWN, THE WATERLINE ACCESS EASEMENT RECORDED IN BOOK 423, PAGE 940 WOULD BE VACATED OR MODIFIED IN ORDER TO PROVIDE A MORE DIRECT ROUTE FOR ACCESS TO THE WATER TOWER. ALL EXISTING WATERLINES WOULD REMAIN WITHIN AN EASEMENT.

LOT 2, WITH THE EXCEPTION OF THE ACCESS DRIVE, SHALL BE DEDICATED AS A GREENSPACE CONSERVATION EASEMENT. CINNAMON HILL LANE WILL BE DESIGNED SO AS TO DETERMINE THE LIMITS OF GRADING FOR THE FUTURE EXTENSION PRIOR TO SAID EASEMENT.

AN EMERGENCY ACCESS DRIVE SHALL EXTEND FROM CINNAMON HILL LANE TO TIMBERHILL ROAD AS SHOWN. AN APPROVED TURN-AROUND SHALL BE CONSTRUCTED AT THE TERMINUS OF TIMBERHILL ROAD. GATES FOR EMERGENCY ACCESS ONLY SHALL BE INSTALLED AT BOTH ENDS OF THE ACCESS DRIVE.

DENSITY CALCULATIONS:

LOT AREA:	42.98 ACRES±
PROPOSED NUMBER OF UNITS:	321
PROPOSED DENSITY:	7.47 UNITS / ACRE
PROPOSED ZONING:	PUD-17.1

PARKING CALCULATIONS:

PARKING REQUIRED:

26 UNITS = 1 BEDROOM EFFICIENCY UNITS	1 SPACES / UNIT	= 26 SPACES
42 UNITS = 1 BEDROOM UNITS	1.5 SPACES / UNIT	= 63 SPACES
68 UNITS = 2 BEDROOM UNITS	2 SPACES / UNIT	= 136 SPACES
80 UNITS = 3 BEDROOM UNITS	2.5 SPACES / UNIT	= 200 SPACES
102 UNITS = 4 BEDROOM UNITS	2.5 SPACES / UNIT	= 255 SPACES
PLUS 1 SPACE / 5 UNITS		= 137 SPACES
TOTAL SPACES REQUIRED:		= 829 SPACES
TOTAL SPACES PROPOSED:		= 870 SPACES
BICYCLE SPACES REQUIRED:		= 43 SPACES
BICYCLE SPACES PROPOSED:		= 50 SPACES

CALCULATIONS:

AREA:

TOTAL LOT AREA =	42.98 ACRES±
LOT 1	39.71 ACRES±
LOT 2	1.48 ACRES±
CINNAMON HILL RIGHT-OF-WAY =	2.79 ACRES±
TOTAL PERVIOUS AREA =	1,149,761 S.F. (MIN)

LANDSCAPE COMPLIANCE:

TOTAL PARKING LOT & DRIVE AREA=	132,101 SQ. FT.
TREES REQUIRED @ 1 TREE/4500 SQ.FT. =	30 TREES
TOTAL TREES REQUIRED=	30 TREES
MEDIUM TO LARGE TREES REQUIRED (30%)=	11 TREES
TOTAL TREES PROVIDED=	46 TREES

OWNER:
CHARLES & REBECCA LAMB
1202 CINNAMON HILL LANE
COLUMBIA, MO 65201

CONTRACT PURCHASER:
PARK 7 GROUP
461 PARK AVE S, FLOOR 4
NEW YORK, NY 10016

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

_____
DR. TOMMY PEARL, CHAIRPERSON

PREPARED BY:
CROCKETT
ENGINEERING CONSULTANTS
3608 North Grades Boulevard
Columbia, Missouri 65202
(573) 447-0292
www.crockettengineering.com
Crockett Engineering Consultants, LLC
Missouri Certificate of Authority
#2006018324

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

MARCH 17, 2014
TIMOTHY D. CROCKETT - PE-2004000775

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

_____
ROBERT MCDAVID, MAYOR

_____
SHEELA AMIN, CITY CLERK

EXCERPTS

PLANNING AND ZONING COMMISSION MEETING

MARCH 19, 2015

V. PUBLIC HEARINGS & SUBDIVISIONS

Case No. 15-12

A request by the Park 7 Group (contract purchaser), on behalf of Charles and Rebecca Lamb (owners), to rezone approximately 32.50 acres from A-1 (Agricultural) to PUD-11 (Planned Unit Development maximum 11 units/acre) and receive approval of a final PUD development plan to be known as "The Avenue at Columbia". The site is located approximately 1,500 feet northeast of the Stadium Boulevard/Cinnamon Hill Lane intersection and is addressed as 1202 Cinnamon Hill Lane.

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

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

Staff recommends:

1. Approval of the requested zoning and statement of intent subject to:
   - Paragraph 9 of the SOI being modified to include responsibility for completing the Audubon Drive/Stadium Boulevard improvements by either the applicant or its successors or assigns:;
   - Paragraph 10 of the SOI being modified by adding the following:
     "In the event that the applicant does not convey Lots 2 & 3 to SHIA, as shown on Exhibit A, such lots shall be shown as a "Greenspace Trail Easement" upon the final plat submitted as a prerequisite to obtaining building permits for the development of the applicant's PUD-11 property".
2. Approval of the proposed PUD plan.

PUBLIC HEARING OPENED

DR. PURI: Approach the podium. You have six minutes to speak for the project and then opposition organized will have six minutes as well. Each other person will have three minutes. Please stick to the time. If you are running over, you will see this red light that is on the podium.

MR. COLBERT: Good evening, Caleb Colbert. I'm an attorney with Brown, Willbrand; we have offices at 601 East Broadway. And I'm one of the attorneys representing the applicant. As usual, Mr. Zenner did an excellent job describing the project in detail, so I'm going to jump straight into the legislative history and how we got to where we are today. As Mr. Zenner indicated, we brought forth a similar project back in 2013. At that time the City Staff recommended approval, Planning and Zoning recommended approval, and we were defeated at City Council by a four to three vote. We listened to the concerns that were expressed both here and at City Council, and those concerns were how do we make

this project a win-win for everybody and how do we better protect the neighbors to the north. So we put together a proposal that we believe addresses both of those concerns. As Mr. Zenner indicated, our intention is to convey the north 10 acres, Lots 2 and 3, to the neighbors if we are able to reach an agreement with them. If we are unable to reach an agreement with them, we are agreeable to the Greenspace Trail Easement with some modifications to that language. But we are going to honor our promise that that will be a buffer for the neighbors to the north. In addition, we are working with the neighbors to install some other items that they have requested, including a fire hydrant, internet service, a fence along the south perimeter of Lots 2 and 3, the road improvements at Audubon and Stadium, and, in addition, we have obviously submitted these variance requests for the sidewalks and the right-of-way on behalf of the neighbors. We feel that those variance requests are critical to the neighbors, and so we have submitted them for your consideration. I do want to highlight just side-by-side how the projects have changed over time. You will see that it originally was 43 acres and is now 32 acres. The PUD obviously increased as a result of taking some of the acreage out. The buffer increased. We've got fewer buildings and fewer units and fewer parking spaces, exactly some of the comments that had been made about our previous project. So if you compare the two proposals, essentially, as we have discussed, everything north of Cinnamon Hill has come out. It has either been reduced or relocated to the southern portion of the property. Again, the buffer, Lots 2 and 3. This is what the current zoning map will look like -- or does look like. As Mr. Zenner indicated, there is commercial to the south of us -- hotels, restaurants, bars, existing student housing. There is a piece to the northwest of our project that is also currently zoned commercial, so we believe that ultimately development of this tract is inevitable. It is going to happen. The infrastructure is there today, and given the surrounding uses, it is a prime candidate for development. That is what it will look like from an aerial view. Again, obviously, it is a heavily forested area, which enhances the buffer. Just sort of a bullet-point list of some of the things we've discussed, again, the fence, the crash gate on the south end. Here is the language that we would be willing to agree to with respect to Lots 2 and 3. Again, it tracks the Greenspace Trail Easement language from the City Code. Again, it would run in favor of the City with the one modification being that this would not be a public access trail easement. In other words, it would be limited to residents of the Park 7 property. And the reason for that is we don't believe the neighbors to the north would want a public park in the buffer area. We believe that defeats the purpose of having the buffer. So, again, we believe that this is an appropriate project. We listened to concerns in the last go-around and we came forward with a project that addresses those concerns. If you go back and look at that buffer, that is two football fields between the house on the south end of Timberhill and the closest building. That is two football fields worth of buffer that will go to the neighbors, if we can reach an agreement with them, they will control the development of those two football fields in perpetuity. That is a significant concession in our view. I can't think of very many developments in Columbia where the developer gave up 25 percent of his developable acreage to protect neighbors. We believe that is an unusual situation. With that, I'm more than happy to answer any questions or I can turn it over. We do have several members here to speak tonight. I can take questions now or later, however you would prefer. Yes, sir?

DR. PURI: Mr. Stanton?

MR. STANTON: Your word “if” --

MR. COLBERT: Uh-huh.

MR. STANTON: -- the agreement is met, what if it is not? What happens?

MR. COLBERT: The buffer will be retained and it will be owned by Park 7, but it will be platted as a Greenspace Trail Easement. In other words, there will be no development rights on the buffer.

MR. STANTON: Okay.

MR. COLBERT: And I can -- yeah.

MR. STANTON: Thank you.

MR. COLBERT: It’s there on the screen. And I believe the neighbors -- the president of the neighborhood association will present a letter that will discuss kind of where they are on considering our agreement with them. It is our intention to convey Lots 2 and 3 to the neighbors.

DR. PURI: Anybody else --

MR. COLBERT: Do you have a question?

DR. PURI: -- have questions of this speaker?

MR. LEE: Yeah. I have one.

DR. PURI: Mr. Lee?

MR. LEE: I’m curious. You have asked for variances and Staff has said no, they don’t recommend. Why do you want the variances?

MR. COLBERT: We believe that these are critical for the neighbors. They have indicated that they want to limit traffic between our project and their property. They believe that sidewalks would encourage traffic between our project and their property. And, honestly, we are trying to be responsive to their concerns, so we are submitting them on their behalf. And the same goes for the reducing of the right-of-way. They’ve indicated they believe that is important to them as to what they see from their houses. They -- again, we are listening to their requests and passing those on to you.

MR. LEE: Thank you.

MR. COLBERT: Thank you.

DR. PURI: Anybody else wishing to speak on this matter? You have three minutes.

MR. LEVINE: Good evening. My name is Paul Levine; I’m a principal at Park 7 Group. Offices at 461 Park Avenue South, New York. I’m also the executive vice president of development. And just a brief background on Park 7, we are a national multi-family developer that specializes in student housing. We have developed over 7,000 units over the last 15 years, and we do incorporate a build and hold philosophy, which is evident in our quality construction and our management style. Here is a slide which shows -- this is a project we have in Texas, which has a highly humanitized clubhouse area -- a swimming pool, a fitness center, a game room, a computer lab, that kind of thing for students to use. The residential areas, we’re going to have a mix of studio three- or four-bedroom units. The building materials here are typical of what you would see in, you know, single-family residential, where we’ve got Hardi siding with stone veneers. The clubhouse will be made of stone veneer and stucco. Here is a slide as far as the

demand in the market, with the exception of 2013, where enrollment took a pause. It is back as over 700 students were added last year and it's through discussion with the University as well as what has been in print. We're confident that the enrollment target of 38,000 is going to be met within the next five years. This slide just gives a snapshot of what the off campus demand is. There is about 7,000 beds that are currently available on campus, including the units that will be brought on this fall. And if you subtract that out, there is an estimated over 28,000 students that need to find a space off campus. Here is a chart that shows cumulative enrollment growth since 2001, as well as cumulative addition of student housing beds. And this chart assumes the target growth of the University, as well as the projects that are coming online in 2015, both Opus Collegiate Partners and in 2016 with the ATC Project that was approved last year. And it also has, if we are approved, our beds in this count as well. I just wanted to point out that the bed count that Mr. Zenner pointed out is actually 849, not 899, so there is about 50 less beds than that is in the report. This slide shows occupancy in the market right now. Our market comp report, which we --

DR. PURI: Your three minutes are up, sir.

MR. LEVINE: Okay.

DR. PURI: My question to you is that with this introduction of these student houses, there is a lot of crime that has been introduced into these, you know, developments. We have shootings, we have, you know, different types of crime happening in these student developments. What makes your company different and what parameters do you have in place to prevent such crime in your development?

MR. LEVINE: The ways we handle those types of issues, it starts from, you know, the lease and day one when they move in, what the expectations are of living in our development, which is key. They are designed in a way where you don't have a lot of common areas, you know. There is no common areas in the residential areas where that kind of behavior can take place. We have cameras in all the common spaces and the clubhouse as well as locations around the development. We have -- either police officers that would live on site. In exchange for their services, we give them, you know, free rent or a significant break on rent. If not, we hire third-party security, which depending -- you know, it's a -- we analyze the situation as we go along, but typically, it is at least Wednesday, Thursday, Friday, Saturday. And if needs to be additional, then we do that.

DR. PURI: Will you have security on this property, like third party or the -- you must have seen the recent crime surge in these areas --

MR. LEVINE: Yes. Right.

DR. PURI: -- is in student housing.

MR. LEVINE: Yeah.

DR. PURI: Every night there is something on the news that somebody got shot somewhere --

MR. LEVINE: Right.

DR. PURI: -- on Friday and Saturday night. I mean, it's -- it never used to happen before, but it is quite evident now.

MR. LEVINE: Right. Right. Yeah. That is not something we want to see either, so it is very important for us to make sure that it is a safe environment that people want to live in, so absolutely.

DR. PURI: Commissioners, any other questions? Ms. Burns?

MS. BURNS: Could you elaborate on who you spoke with at the University and a little more specifics --

MR. LEVINE: Yeah. Sure.

MS. BURNS: -- about their enrollment?

MR. LEVINE: Yeah. I had a conversation with Gary Ward. And those are those projections that they see, you know, in the next five years. And, you know, if you look at how the enrollment has grown, the numbers that they are proposing aren't significantly higher than what we have seen. And that is with, you know, forecasting that has shown, you know, one percent growth. And they are just consistently beating that. We feel that certainly the 38,000 mark is not difficult for them to hit.

MS. BURNS: So Mr. Ward felt 38,000 dollars -- or 38,000 students was a target that would be -- did he give a date when he thought that might be achieved?

MR. LEVINE: Within the next five years. So -- but I'll put it on the screen here. It was 2019.

MS. BURNS: Thank you.

MR. LEVINE: Yeah. You're welcome. It's also been in print in several publications in the Columbia Tribune as far as the --

MS. BURNS: Thank you.

DR. PURI: Anybody else?

MS. LOE: I have --

DR. PURI: Ms. Loe?

MS. LOE: -- two questions.

MR. LEVINE: Yeah.

MS. LOE: The first was were you aware of the Brookside report that came out last fall?

MR. LEVINE: Brook -- are you talking about the Odle sponsored --

MS. LOE: Yes.

MR. LEVINE: -- self-study?

MS. LOE: On student housing.

MR. LEVINE: Yeah. Yeah. I've read it.

MS. LOE: And did -- do you not agree with that?

MR. LEVINE: No, I don't.

MS. LOE: Okay.

MR. LEVINE: Yeah.

MS. LOE: Because they identified a surplus of 900 units for the last year, and your graph obviously did not show that --

MR. LEVINE: No. There's --

MS. LOE: Okay. My other question was --

MR. LEVINE: Yeah. There's several things wrong with that.

MS. LOE: -- do you do any other types of housing --

MR. LEVINE: We --

MS. LOE: -- besides student?

MR. LEVINE: We primarily -- well, we focus on student housing. We also do some commercial related to student housing.

MS. LOE: Okay. Because I thought one of the best recommendations that came out of last year's meeting was Mr. Stanton's recommendation to actually introduce some mixed-use and introduce some different types of housing into the mix. So I have to admit, I'm a little surprised that you came back with a complete package of student housing.

MR. LEVINE: Yeah. And --

MS. LOE: Was there a --

MR. LEVINE: -- I recall the comment --

MS. LOE: -- reason -- I guess my question would be is there a reason behind that? Or what was the strategy?

MR. LEVINE: We just don't do nonstudent housing, and in listening to that comment and going back to the landowners and renegotiating and working with the neighbors, we were able to pull all of the development onto the south side of Cinnamon Hill Lane. I know that was something that you had mentioned last time we were here, so --

DR. PURI: Mr. Stanton? Speak in the mic, please.

MR. STANTON: Looking at other student housing developments that is going on, what is your use of local contractors and local job creation?

MR. LEVINE: Yeah. Yeah. We will use as much local as is available. Given the timeline of student housing and when you have to deliver, it is whether or not we can find that many framers and plumbers to meet the timeline because --

MR. STANTON: You don't bring your own crews from --

MR. LEVINE: It is a case-by-case based on what is available locally. And -- because we find that, you know, one, yes, it is good for the local economy. Two, it also has a benefit to us in that it tends to be more economical. The people doing the work don't have to be in hotels and, you know --

MR. STANTON: On this project, do you plan --

MR. LEVINE: -- cost effective.

MR. STANTON: -- do you plan to use local contractors?

MR. LEVINE: Yes, we do. As certainly as much as is available.

DR. PURI: Ms. Russell?

MS. RUSSELL: Did you look at any State statistics on the projection of high school graduates that were ready to go into college and the reduced amount?

MR. LEVINE: Yeah. There's many factors that go into what actually impacts enrollment growth at universities. I mean, there is -- you know, nationally, you're going to still see graduation -- graduates -- the number of graduating seniors rise for the next couple of years, and then it falls off, and then it rises again several years down the line. But what we are seeing now is, you know, higher percentages of those

graduates going to college. You're seeing a great deal of foreign students coming into the market, which, you know, here alone last year was a 10 percent increase in foreign students.

MS. RUSSELL: Some of the statistics that I have seen on the Missouri population are dramatically reduced for high school graduates coming -- going to college. So that foreign population is going to need to increase to meet this 38,000.

MR. LEVINE: Are you talking about high school aged?

MS. RUSSELL: I'm talking high school graduates coming out --

MR. LEVINE: Actual high school graduates or --

MS. RUSSELL: Actual --

MR. LEVINE: -- eighteen year olds in the state of Missouri. I mean, there is --

MS. RUSSELL: Eighteen year olds that will attend the University.

MR. LEVINE: Right. But, you know, the percentage of students that do graduate that do go to college is increasing as well as in the state -- in the case here in Columbia, the amount that is coming from out of state is increasing as well as the international students. And it's -- it is a very, you know, compelling school to come to and that is why we are seeing that.

DR. PURI: Anyone else have any questions of this speaker? Seeing no one. Thank you, sir.

MR. LEVINE: Okay.

MR. CROCKETT: Mr. Chairman, members of the Commission, Tim Crockett, Crockett Engineering Consultants, 2608 North Stadium. Again, here is the PUD plan that you have seen several times tonight, so I'll skip over that. We will talk about the buffer area. We have talked a lot about it and we've talked a lot about the size. But really what I want to illustrate here that it is not just an open field. It is a heavily wooded piece of property, and if you look at the preliminary plat, there is a substantial amount of climax forest on the property, so it is heavily wooded and it provides a great screen between this development, Cinnamon Hill Lane, and then the neighbors to the north. We want to do a line of sight, and I'll apologize if this doesn't show up very well, but we are going to look and see to make sure that the neighbors to the north, even though there is a large group of trees in the way between the two developments, as Caleb indicated, nearly two football fields in length, what were they going to see? Could they see -- could they still see the buildings to the south over those trees? And if you could see the location of the trees, you can also see the line of sight. What we have there -- the one on the top is one of the neighbors to the north, and then across the street is the other neighbor as well. So you can see that even if -- even with the buffer, they can't see the development, even with the three- and four-story structures that we are proposing in our development. So we think that is very important. We wanted to make sure that that was the case. We also performed a traffic study, as indicated by Mr. Zenner. This traffic study was performed back in 2013, and then with the modified PUD development that was submitted recently, that traffic study was modified accordingly. The scope was relatively pretty broad. It covered a lot of items. It took in account the proposed traffic, both the existing and proposed, for all of Cross Creek. It looked at intersections from Lemone. It looked at all the off ramps and also looked at Audubon. All the intersections, as they sit right now, function properly. They operate at a level of service

C, which is an appropriate level of service for intersections of that type. With this development being added, those intersections will continue to operate at a level of service C. They didn't -- the traffic studies did not find any improvements needed with any of the intersections. No offsite improvements were required. Both the City of Columbia and MoDOT both reviewed that traffic study and concur with the findings of that traffic study. However, with the neighborhood association to the west, the developer has agreed to do some improvements on Audubon -- Audubon and Stadium. There is some concern there with a left-hand turn. Right now, it is a flashing yellow arrow. They would like to have a dedicated left-turn lane going into that subdivision, given the amount of traffic that is on Stadium. This is pretty much what they want us to do. We're going to extend the turn lane to account for additional storage, as well as rework some signalization at that location. We have talked to MoDOT and they've given us indication that they will permit improvements at this intersection. We think that is important. Total improvement costs are somewhere around $162,000, so it is not just a small little piece, it is a -- substantial improvements that would be done here. Keep in mind both of those -- all of those improvements were not identified as needed improvements by the City of Columbia or MoDOT. I would like to talk about some other items really quick. Site grading, I know, Ms. Loe, you had a question or some concern about site grading the last time this project came up. Absolutely. We understand. I think Mr. Zenner did a great job explaining the existing conditions on the site. That is the unique part about a PUD is that we can work with different parts of the site and work around the natural features. We think we have done that and we have worked really hard to try and preserve that southeast corner as much as possible. It's a little bit more than the last proposal that we had, but that is because we are all still working around other features as well, mainly, the ten-acre preservation to the north. And so with that, you know, I think we can grade this site and I think we can work with it in a unique way not to get into that area. We won't be allowed to get into that area, and we can make the site grading work. Tree preservation is important. We're going to provide 25 percent of the climax forest on our property and then provide a substantial amount of preservation of climax forest for the property to the north. So when you look at the property in general and in whole, it is a substantial amount of tree preservation. Of course, storm water detention and storm water quality, those are standards that we will have to abide by, by the City of Columbia, which are extremely stringent. And so with that, I would be happy to answer any questions that the Commission may have.

DR. PURI: Commission, any questions of this speaker? I have a question, Mr. Crockett. You have looked at everything, you know, to the north, but you have pushed everything to the south. There is a significant grade difference between, you know, the Holiday Inn, as well as the --

MR. CROCKETT: Absolutely.

DR. PURI: -- site. There is a 20-foot retainer wall there. On --

MR. CROCKETT: Absolutely, Dr. Puri.

DR. PURI: -- both sides there is a ravine that runs down the middle. You have surveyed that site in the past and there is a significant drop within 100 feet of that wall, you know, and I see on the plan that everything is shown on your plan as flat parking lot plus a building right on the edge of that wall. Did you contemplate what you are going to do there?

MR. CROCKETT: Yes. Absolutely, Dr. Puri. We have looked at that. We have looked -- we have several grading options that we can do on our site. We are certainly not going to surcharge the walls on the property to the south. We're not going to impact that. We're not going to -- you know, we can't surcharge it or put additional loading on it that will cause that to fail, so there is several things that we have looked at as far as grades. We actually looked at it today with our lead design engineer on that. Additional walls, pushing back the grading, there is several things that we can do in there to account for that, but we are not going to impact the existing retaining walls. We certainly know that they are there. We've worked with them before, and we certainly think that we can accommodate this development with the existing conditions that are there.

DR. PURI: All right. Thank you.

MR. CROCKETT: Thank you. Any other questions?

DR. PURI: I see no one. Thank you.

MR. CROCKETT: Thank you.

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

MR. FARNEN: Sir, my name is Mark Farnen, 103 East Brandon. I'm with Strategist Communications here in Columbia, Missouri. What I wanted to do was talk a little bit about our outreach and how we have tried to work with the neighbors and how we have tried to work within the constraints of plans and work with the City Staff in bringing this plan back to you. Mr. Zenner did a very good job talking about the fact that we in general do meet the intent and the spirit and the letter of the plans, but there are always are some conflicts between them. This illustrates to some extent those places where we do meet the plan and it -- this little inset of that map from the Columbia Imagined indicates that the area where we are located -- and you can see it right at the intersection, there is the small commercial district. And some people have said, well, you're not really a neighborhood. If you are building student housing, you're not really a neighborhood, but if you look at what they call it, we don't have -- we only have three choices. We can either call it a neighborhood, we can call it commercial, or we can call it employment, where it's a City center. Really, what the intent there is is this is residential. This is residential that is at a higher use than single-family housing, but it is appropriate because of the buffers between the two, which is also called out as a necessary part of our planning. You can further -- and we abut some other more heavy commercial districts, which is also talked about in terms of transition and moving, those sorts of services and facilities closer to major roadway intersections. On there, we infringe on no existing open space or green belt, but create one. There were -- are not located in any of the hatched line sensitive areas. We are within the City limits. We are within the urban service area, and we do comply with those elements of the CATSO Metro Plan that asks for long-term planning, and our traffic bears that out. One of the most interesting documents that using -- creating the East Columbia Area Plan was this one, and it showed typical layouts for a subdivision when it might be built. And then a little bit more innovative one, that is the second box on this slide, and what it shows is instead of using the entire parcel of property to build your buildings, that you move it down to the side and that you create a buffer above it and try to use that land the best you can. That is exactly what we did in this. It is almost the exact picture of what it appears in the East

Columbia Area Plan. We did create the buffer to the north. We did retain the more sensitive area of this and we did limit the number of beds. We reduced the number of beds, the number of units, and the number of parking to be able to do that. Those are the two side-by-side. This has already been shown, but all of the buildings that we had planned in 2013 and '14, all of those buildings are gone now and that becomes a buffer. We do hope to transfer that to the neighbors. This final map that I wanted to show is from Columbia Imagined and it talks about priority growth areas. The very dark blue are the most important growth areas, and that is Tier 1, and that is what we are in is the Tier 1, prioritize the infill with existing City limits. It is the reason that when you do infill projects, you put the declining uses as they go, and that is what we have done from commercial to multi-family to buffer to single-family housings. And it is exactly what it was contemplated. In this whole section of that report, it talks about the prioritization of infill. We do strongly support the variances and we have done those at the request -- and support those not only at the request of the neighbors, but because some of them to us do make good sense regardless of the existing restrictions and regardless of our multiple conversations with the Planning Department here. We do want those to occur. The sidewalk variance, we understand that it is not -- it would not be typical, but as Pat said, something always leads to somewhere, but this one on the north end leads to nowhere in terms of connectivity. And it probably never will occur because of the nature of the road and the neighborhood that exists to the north right now. We would like to minimize that street to make it as small as possible, but still provide the public safety. And we asked for that -- and strongly on behalf of the neighbors. We have conducted numerous meetings with them. There are people here -- the people who are here from the neighborhood, we have met in their houses three times. We know every one of them by first name -- the people that are kind of for it and the people that are kind of against it at this point. We have met with their liaison committee. We are on the phone with them, on email, we text each other, and we did it as recently as last night. We are continuing this discussion in good faith. There are 14 homes there, and we have met with them, with the Shepard Hills neighborhood to improve our --

DR. PURI: Sir, your three minutes --

MR. FARNEN: -- making Audubon improvements.

DR. PURI: -- are up. Can we finish up?

MR. FARNEN: And I am done.

DR. PURI: Thank you.

MR. FARNEN: Thank you very much for your time.

DR. PURI: Is there any questions of this speaker?

MR. FARNEN: Oh, yeah. Sorry.

DR. PURI: I see no one. Thank you. Anybody else wishing to speak on this matter? Please approach the podium and state your name and address and address the Commission.

MR. JOHNSON: Ladies and gentlemen, my name is Harold Johnson. I have been asked to read this letter from the Shepard Hills Improvement Association. I am the president of the Shepard Hills Improvement Association, the subdivision immediately north of the proposed development. We have on numerous occasions met with Park 7 and Lamb Group, the representatives, who did fine and worked

through the issues. Although the association is not yet ready to vote on the proposed rezoning, Park 7 has addressed numerous concerns of the association. Park 7 and its local agent, Mr. Mark Farnen, Mr. Caleb Colbert, Mr. Tim Crockett, have been extremely professional and courteous in their interactions with all of our neighbors. Please note that the association fully supports the variance request that Mr. Zenner presented earlier concerning the sidewalks and the street extension of the Timber Hill Road. Thank you.

DR. PURI: Thank you, sir. Any questions of this speaker?

MR. JOHNSON: Questions?

DR. PURI: Seeing none. Thank you, sir.

MR. JOHNSON: Thank you.

DR. PURI: Anyone else wishing to speak on this?

MR. SUHLER: Ladies and gentlemen of the Commission, my name is Gregg Suhler, 902 Timberhill Road. And I am one of the two development liaisons from Shepard Hills with respect to all matters of -- regarding developments. I would like to make a few observations. It is a complex development. There are complex issues. There is East Columbia, there is Columbia Imagined that helped provide framework and context for this. And there are a number of things that are involved in my thinking as I take a look at this starting with the matter of a 10-acre buffer concession. That is, I think, quite unusual in the context of development in the Columbia region, and realize that it is a significant -- it is represented as a significant change and I think improvement of the design of the proposed project. The ability to control an element of the future of a transition between commercial development and ours, which is a low-density residential neighborhood is an unusual opportunity and it is a significant factor in my thinking. The second thing I would mention is that the infrastructure in these transition zones on the periphery of between denser and considerably less dense parts of the City is significant and the developers have been quite accommodating in that regard. We had put in one fire hydrant at the bottom of the hill fully at our cost within the last year and a half and are now able to get -- if this goes through -- another one at the far south end of our association. Three, and this is my last comment, from what I have been able to look into it, I think Park 7 is quite capable of and I'm impressed with what I've seen with the designs and materials as -- from what I have looked into it and from the experience I have had, they will do what they say they will do, and that's important as well. Thank you.

DR. PURI: Thank you. Questions of the speaker? Thank you, sir.

MR. SUHLER: Thank you.

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

MR. SHARP: My name is Leroy Sharp; I live on -- at 3103 Timberhill Trail. And just a few little remarks about our being there. We moved there in 1977, and each of my family, we loved the home and neighborhood. I lost my dear wife in 2012 due to a rare illness and we miss her. But the unit is still there. My -- our two children stayed with us until they graduated from MU, and then they both live in Columbia with their family. Our daughter calls me two or three times a week just to check on me. My son calls my once a month, maybe, if he thinks about it. They tell me that is kind of typical. I'm just saying this as to tell you who I am. Shepard Hills Improvement Association has, as you know, a ten-acre park, which we

own jointly. And it is a wonderful buffer area. We loved it. I had a couple of German Shorthaired Pointers that ran through that park and loved it. So we are well suited there. In my mind, another ten-acre buffer zoned to our south would be a wonderful division. And I'm sorry that some of our members have questions that are unanswered yet about this whole project. For myself -- well, I just hope that we can resolve all of those questions. I have few reservations when I say that I support Park 7 with their declared good aims in their development of the Lamb's property. And I thank you for your attention.

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

MR. SHARP: Thank you.

DR. PURI: Anyone else? If anybody else wants to speak after this speaker, please come up on the front row and take a seat. That way, we can get done here and carry on.

MS. MINOR: Hi. My name is Ann Minor, and I live at 919 Timberhill Road. We have submitted two letters to be distributed to the Commission, and if you have not yet received them, I do have copies with me. The East Area Plan and Columbia Imagined clearly articulate the goals and the desires of the community and I do not believe this project fits well within those stated goals. While there are elements of the project that can be tied to either document in the larger context, this does not promote many of the goals crafted by the community. The Avenue would be the second largest student housing complex in Columbia, second only to Aspen Heights. As for transportation, even with shuttle service and limited City bus passes, there is no doubt this is a car century complex. To walk to Ellis Library, according to Google Maps, takes 59 minutes, not terribly convenient for students. This is a single-purpose built housing development. What happens to such a complex when the style or location falls out of favor with students in five to ten years, it cannot be easily retrofitted to serve another audience. Columbia residents, University students and local developers alike are questioning the need, the capacity, and the desirability of these complexes. Many are asking how many or too much. The current zoning does not currently allow for this type of development, so the Commission and the Council have discretion in approving this request. In evaluating this change, it provides an opportunity to question whether making such a major change to this 33 acreage is the best and highest use of this land for all of Columbia residents, both long-term residents, as well as our short-term college population. And as an adjacent resident, I have some additional concerns. A key element of this proposal as compared to last year's application is the 10-acre tract of land to be considered as a buffer. We are appreciative of the buffer tract as offered by Park 7, and we are very happy that the City Staff planners feel that such a buffer is critical in order to allow this highly dense PUD-11 development just south of Timberhill Road. We agree that if the PUD-11 is approved by Council, a buffer between the two areas is of paramount importance. We still have concerns regarding how the new section of Timberhill Road will meet up with the existing Timberhill Road with the width of 20 feet. Could the extension of Timberhill be tapered at that connection for congruity and aesthetics and to reduce clearing of trees and shrubs? SHIA has yet to take a position on this proposal, as well as a separate agreement with Park 7 and the Lambs, it is not certain that Park 7 will transfer ownership to the neighborhood. In that case we ask that the original intent of the buffer between The Avenue and the existing Shepard Hills neighborhood be preserved and ask that the following concerns be

addressed, including clarification and potential restriction of locations within Park Lots 2 and 3 for accessory facilities or accommodations and trails as allowed by the Greenspace Trail Easement definition. For example, if parking and a lighted pavilion or bathrooms were to be built, there would be designated areas within Lots 2 and 3 that would be defined as part of the ordinance, so as to maintain the original intent and integrity of the buffer. We are also concerned about the placement of the emergency gate at the end of the existing Timberhill Road or at the southern end of the Timberhill extension. We are also concerned about lighting and noise and allowed amenities. So we ask you, what is the best mechanism to ensure concerns of this type if the PUD is approved and in the event Lots 2 and 3 are not conveyed to SHIA. Thank you. Did you receive these? Would you like copies of the letters?

DR. PURI: We have received your letters.

MS. MINOR: Oh, you have? Okay. Great. Thank you.

DR. PURI: Commissioners, any questions of this -- Staff?

MR. ZENNER: I have not. Ms. Minor, if I may have a copy for the record, please.

MS. MINOR: Oh, sure.

MR. ZENNER: I have not.

DR. PURI: Commissioners, any questions of this speaker? Seeing none. Next person, approach the podium.

MS. SUHLER: Good evening. I also have copies of my statement. I didn't email them, but I would be very happy --

DR. PURI: Please state your name and address for the transcriber, and then you can begin.

MS. SUHLER: Sure. My name is Diane Suhler. My husband and I live at 902 Timberhill Road. I am a member of SHIA. I am also here speaking as a member of the Columbia community. I'm an Associate Professor of Finance and Economics, and my statement is going to focus on three primary areas. First, the broader implications of this project for the Columbia community; secondly, the impact this housing development will have on students who attend college in our community; and third, some economic and financial questions that need to be considered before this development is approved. First, I would like to address the implications for the Columbia community. In 2010, residents and staff of the City spends hundreds of hours designing a master East Area Plan and Columbia Imagined outlining and describing what we wanted our City to look like. The consensus from this process was, first, residents valued land preservation, wanted to protect farmland, scenic views, natural topographies, the rural atmosphere, watersheds, and healthy streams. Secondly, our residents valued neighborhoods. Neighborhoods that include a range of housing options and prices that are within walking distance to schools, places of worship, shopping, and recreation facilities, and areas that are supported by City-wide bicycle, pedestrian, and transit systems. And, finally, residents valued growth that is planned and managed; growth that protects the environment and the City character and is beneficial and equitable to all. Before this development is approved, we need to be absolutely certain that these interests of the tax payers and residents of Columbia are respected and preserved. The second area I would like to address is the implications for the student population. And I spend every working day with students in the

classroom and outside of the classroom, so this is a population I feel really close to. Student population is the silent constituency that is party to this transaction. Unfortunately, their voice is not heard nor is their input solicited. Before we build luxury housing that is three-plus miles from campus, we should ask, can students afford this kind of housing? Will they have to take out student loans to pay their monthly rent and utilities? Do they want this kind of housing or is this just what the market is giving them? How do students feel about commuting by bus or car to campus every day? This development may be in existence for the next 20-plus years. Before we okay this development, we need to consider the costs in time and money to the 18,000-plus students who will live in these units over that 20-year time period. Finally, I would like to address some economic and financial concerns. The Avenue will increase the number of student housing units in Columbia by 899 -- 840. In addition, other student housing complexes are being built that will increase the total amount of student housing in Columbia. How does this compare with other facts? Enrollment at the University increased by 783 students from 2013 to 2014; Columbia College enrollment was flat, as was Stephens College. Will there be students to fill all of these units? Over 3,200 of the 35,425 students at the University of Missouri are full-time students in the MU online program. That is 9 percent of the student body. These students don't live in Columbia. They will not be renting apartments. And this trend towards our online education will continue and will accelerate in the future. Before we approve the building of this complex, there are questions to be considered. Will this be sustainable? That is, will demand continue for this housing into the distant future? Second, will these luxury units just replace existing units in other parts of the City and make them no longer viable economically? And third, does this project offer flexibility? Can these units be readily converted into professional, family, and other types of residences if the student populations fail to grow at the rate anticipated by the developers? I ask P and Z to consider the consequences of their decision for all stakeholders, landowners, developer, tax payers, residents of Columbia, students. The interests of all need to be balanced. Thank you.

DR. PURI: Thank you. Commissioners, any questions of this speaker? Seeing none. Thank you.

MS. KANE: My name is Katie Kane, and my husband, Mike, live at 909 Timberhill Road in a house that his parents built in 1962. It is a two-acre lot and the plight that we are discussing tonight is of the highest -- if not the highest point in Columbia overlooking the City. Excavation of the hill's limestone bedrock will be required probably to build such a large development there as it was for Cross Creek, which lies below. The sheer drop off where the hotel is now was once sloping land which allowed runoff to gradually reach Grindstone Creek. Before Cross Creek was built, the land was carved down to the bedrock, which was then broken up. Anyone who has seen the satellite image of the tract in question will see there is a lot of -- there will be a lot of tree excavation, runoff not contained by the development's retention system. Even if the City's stormwater ordinances are strictly followed, during rains -- and the last few years, we have had quite a bit of heavy rain -- will run south downhill directly to the Grindstone by the Cross Creek business and The Domain, another large development. Grindstone Creek is also on the impaired water's list due to bacteria and other suspended sediments. The plan for this development has changed many times, and after many meetings between developers and their representatives with our

neighborhood. If we support the project, a generous 10-acre forested buffer is to be left in place between our mid-century neighborhood and The Avenue. The plan originally included an emergency access road for fire trucks, police and snow removal with gates at Cinnamon Hill and Timberhill. The access road has now grown to a 50-foot wide street required by the City and a variance for a smaller road and reduced attachment where the old Timberhill and the new Timberhill come together has been requested. Timberhill Road is an unimproved blacktop road that was never intended for more traffic than 14 homes would generate. Thank you.

DR. PURI: Commissioners, any questions of this speaker? Seeing none. Thank you.

MR. PRENGER: My name is John Prenger, and I'm the president of the Shepard Boulevard Neighborhood Association. And I thought it best for me to address you too. First of all, I want to thank Park 7 and all of that have been working with us because, as others have said, they have been wonderfully cooperative. And I have wrote a letter, and I don't know if it got forwarded to you. Basically, there is nothing that stands in the way of going ahead with this. They have answered our issues. Our main issues have to do with the traffic. There is no -- just to call it to everybody's attention, there is no way this traffic will go anyway towards the campuses, except down and around and right through our area. And the neighborhood -- I don't know why MoDOT said that there wasn't an issue because there is always an issue of parking -- parking, I'm sorry -- the turn into our neighborhood. We have people cutting through our neighborhood now, and that will likely be an issue. What they have addressed for us, and we are happy about, is that MoDOT will do what they said they've done. This is all I am asking the Commission to do. In the name of my association, make sure that that is in place before any permits are given, even if the buildings are totally built. And I think that needs -- I'll say it to the City Council also. Because if it is not in place, the City is making real problems for itself as to traffic. And if you have any questions, I would be glad to answer.

DR. PURI: Commissioners?

MR. PRENGER: But nothing stands in the way from our association.

DR. PURI: I see none. Thank you.

MR. PRENGER: Thank you.

DR. PURI: Anyone else wishing to speak on this matter? Seeing none.

PUBLIC HEARING CLOSED

DR. PURI: Discussion, Commissioners? Ms. Loe?

MS. LOE: Well, I agree that the plan has changed quite a bit, and I appreciate all the efforts that have been taken to address the concerns that have been made. I've given this a lot of thought, and I've read the East Area Plan and I've gone back over Columbia Imagined, and I do agree that the regulations do not control development on the steep slopes any more than is being done, so I'm not going to question Mr. Zenner on that. But I'm afraid that -- the one thing that jumped out at me from the East Area Plan is that the first goal under land use -- and I just want to preface this by saying that I do believe that when you buy property and it is zoned, you have every right to do what you want to with that property, but when you are asking for a rezoning, you are asking for a privilege, and that privilege does need to consider the

greater good of the community. And the East Area Plan does identify that the first consideration should be given to the capacity of the systems that the development would rely on for service and access. And second, and potentially equally important, evaluating any rezoning or development requests and how light -- in light of how well it is integrated into the site and its surroundings. So I have to admit I'm a little bit concerned to hear about the neighborhood that doesn't want to be connected to the proposed neighborhood. It also -- one of the other things that encourages this interconnectivity between subdivisions and neighborhoods using non-motorized transportation networks such as sidewalks. So I was in favor of not waiving the sidewalks. But again, I come back to being worried that we have old neighbors not wanting to be connected to new neighbors. And that gets me to my point that the first goal under land use in the East Area Plan, and I know you have gone through this based on your presentation, is promoting an appropriate mix of development that compliments and enhances each other, including integrating varied housing types within residential development and including promoting diversity of housing choices throughout the area has been identified. This is the second largest and based on the numbers I've seen, that would be about accurate. I came up with 855 units, based on the number that was on the drawings, so maybe that's --

MR. LEE: Beds.

MS. LOE: Oh, sorry. Beds. Thank you. Three hundred and twenty-one units. But when you combine that with The Domain, we now have a student community of over 1,500 students, and that really gives me pause, especially when I consider the point Dr. Puri brought up about crime. And when I pulled up the crime map, we definitely do see that trend coming up. So that with the East Area Plan, the Columbia Imagined, the first policy under livable and sustainable communities, the first goal is to support diverse and inclusive housing options. I feel this project is promoting an inclusive -- or exclusive housing community for students; and therefore, I don't feel I can support it.

DR. PURI: Ms. Russell?

MS. RUSSELL: I think I am in support of this given that some of the neighborhood associations approve of it, and the buffer works well. I do not like the idea of requiring them to put sidewalks in to make sure that people can walk to Timber Lane, but I will support this.

DR. PURI: Mr. Lee?

MR. LEE: I supported this project last time, and I think that Park 7 has made considerable concessions to the neighborhood and to the community, frankly. This is a -- I think a good project, and I am in agreement with Ms. Russell about the sidewalks. The neighborhood association doesn't want to encourage walking, and I'm in agreement with that. So I'm going to support the project, including the variances.

DR. PURI: Mr. Strodtman?

MR. STRODTMAN: Let's keep the line going on down, so, you know, I think that this is a project that is in a -- is in the right area. You know, we are on a highway; we are next to a high density commercial development. I think this is a good transition. It is residential. One of our key residents in Columbia is the student population, and I know some do not want that population in their neighborhood,

but, you know, it is a very large element of our community. And so I think we have to obviously address that and provide housing for that resident. And so I'm going to be in favor of this. I think the buffer is relevant, protecting that sensitive area in the southeast corner is very critical, and I'll trust the -- Mr. Crockett and his group can design this and build it in a fashion that we don't have a lot of stormwater runoff issues on the commercial development on the south side. But I tend to support it.

DR. PURI: Mr. Reichlin?

MR. REICHLIN: Thank you. I was surprised that it didn't pass last year. I was a little concerned about some of the things I heard about the way the process went about. I applaud Park 7's persistence. It always pays. And I think it will be a -- I felt strongly that an approval of it last year -- or 2013. And I intend to support it this evening.

DR. PURI: Mr. Stanton?

MR. STANTON: I would like to applaud Park 7 as well. It is trying to create a win-win situation. I am kind of concerned that you didn't listen about the mixed use. Mixed use acts as a self-policing mechanism in neighborhoods, and you can create units that are for young professionals and people that work on campus as well. And it acts as a policing buffer as well. And given the 10 acres up north, I think it was a great idea, but I think another additional social buffer would be some mixed use in those outlying units up there by the -- at the top of Cinnamon Hill Lane there. Saying that, I tend to support this, and I do not support the variances though. I think, you know, Staff has a good point. We have to think ahead and we have to think of the future. And we need to support what the ordinance is saying, and as often as possible. There will be times when we have to make variances, but this being a new development, I can't support the variances.

DR. PURI: Ms. Burns?

MS. BURNS: I appreciate all the thought and effort and dialog that has gone into this project. I do have trouble supporting it. I see the lack of diversity in the housing, and that area is very disturbing. With 1,500 student beds there, you are really creating a large population. And as we have seen, with those combined, it will be the largest population. And I am concerned about criminal elements and other things going on that we have seen going on in our larger student housing developments. You can read a different story every day about student trends, about whether the University is going to be able to sustain its growth. I do agree with Dr. Suhler that online trends are going to continue to take away actual students who are living here in Columbia. And, again, I hear different numbers all of the time as far as where the University wants to be and where it will actually end up. I think that is all I have. I don't plan to support this.

DR. PURI: All right. It is -- for me, it is a very difficult project looking at it, and, you know, the first time it was here, I was unfortunately absent. This time I'm present. I was involved in the East Area Columbia Plan we developed at -- when we instrumented that, and I tend to agree with Ms. Loe that this project does not affect that East Columbia mold that was conceived. I feel that we have too much student housing that is present in Columbia, and I think that this is a bubble that is going to burst in a big way and it is going to leave empty structures all around town as you see on Stadium in front of the mall with the

older complexes that are there. I find them to be cesspools of crime, which I have seen recently insurge. Aspen Heights and various other communities, we see in the news all the time that somebody is shot, somebody hurt, and nobody knows where the criminal is and no arrests are made. At this point, I cannot support this project because it doesn't fit the East Area Columbia Plan. We helped conceive that, and I think that mixed use, like Mr. Stanton was saying, is probably better. It is a development that can self-police. I think they are speaking already of the fact that the existing neighborhood doesn't want any connectivity to this piece at all and want a gate between them speaks for itself. If it was that great of a fit, then why not connect it? And that's my fundamental question that I ask to all of the people that want a gate right there between the community. We don't want any flow this way, but if you give us the 10-acre piece, we are happy. I don't buy that. I think there needs to be interconnectivity and I think it needs to be mixed use. I feel that this is a -- this town has become a student housing rush, like the gold rush, but the problem is is that as these things are developed and left in the future, people that have grown up in this community, like myself -- I have lived here over 30-plus years, don't like to see empty structures or increase in crime. And I also feel that student housing further from campus does not serve the walkability that we were talking about with such housing; therefore, I cannot support this project. So with that said, anybody would like to make a motion?

MR. LEE: Mr. Zenner?

MR. ZENNER: Yes, sir?

MR. LEE: Can we vote on both at the same time?

MR. ZENNER: No. Based on the fact that these are two totally separate items, one being a subdivision action and one being a zoning and a development plan, it would be best if you vote independently. The zoning and development plan can be combined as a single recommendation. The subdivision should be handled independently as well as it relates to the variances. And I would suggest that the subdivision plat should come second in whatever motion is made based on the fact that its viability is obviously predicated on the rezoning action.

MR. REICHLIN: I'll tackle it. I'll make a motion that we approve -- for approval of 15-12. Is that the correct one? And that it is for the 32-and-a-half acres of A-1 to PUD-11, known as The Avenue of Columbia. And I guess at this time we don't have to include the variances, do we?

MR. ZENNER: Are you recommending with the conditions that are stated within the Staff report relating to Paragraph 9 of the SOI being modified to include responsibility of the improvements to Audubon and Stadium to include the clause successor and assigns?

MR. REICHLIN: Duly noted.

MR. ZENNER: Okay. And are you looking at the development plan inclusive in that recommendation?

MR. REICHLIN: (No audible response.)

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

MR. STRODTMAN: Yes.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Reichlin,

Mr. Stanton, Mr. Strodtman, Ms. Russell, Mr. Lee. Voting No: Dr. Puri, Ms. Burns, Ms. Loe. Motion carries 5-3.

MR. STRODTMAN: A motion will -- a motion has been approved and will be forwarded to City Council for approval.

Patrick Zenner <przenner@gocolumbiamo.com>

Fwd: Addition to exhibits for P&Z Case # 15-67 and 15-12 Avenue @Columbia

Sheela Amin <skamin@gocolumbiamo.com> Mon, Mar 16, 2015 at 11:18 PM
To: "Teddy, Timothy" <ttteddy@gocolumbiamo.com>, "Zenner, Patrick" <przenner@gocolumbiamo.com>

Pat/Tim,

This appears to be Planning and Zoning Commission related. Would you mind responding as to how it will be handled?

Thanks,
Sheela
--------- Forwarded message ---------
From: **Mark Farnen** <mfarnen@mchsi.com>
Date: Mon, Mar 16, 2015 at 11:07 PM
Subject: Addition to exhibits for P&Z Case # 15-67 and 15-12 Avenue @Columbia
To: Sheela Amin <skamin@gocolumbiamo.com>

To The City Clerk,

I have received the following email communication from the leadership of the Shepard Boulevard Neighborhood Association relating to P&Z cases 15-12 and 15-67, otherwise known as the Avenue@Columbia. After email exchanges, the authors of this letter have indicated that I should forward this to you for consideration. We would ask that it be included in the record and in the materials distributed to the Commissioners prior to consideration of these cases on March 19. The Applicants in this case may have other materials related to this document and we will supply same if required or requested.Communications from the Shepard Boulevard Neighborhood Association are highlighted in blue below.

Thank you for your attention to this submission.

On 3/16/15 11:06 AM, "John Prenger" <prengerclan@gmail.com <http://prengerclan@gmail.com> > wrote:

March 16, 2015
Shepard Boulevard Neighborhood Association
John Prenger, chair
2611 Mallard Court
Columbia, Missouri 65201

To the Planning and Zoning Commission and City Council,

Our Association has these concerns in regard to the proposed sale and rezoning of the Lamb property to Park 7 developers.

We ask that all the proposed changes agreed to by MoDot to Stadium Boulevard

at Audubon St.(and Eastpointe) and at the intersection with Old 63 (promised to be paid for by Park 7 developers) be actually accomplished before certification and occupancy be granted by the city to Park 7 even if the buildings would be completed.

We look for Park 7 to either provide busing or cooperate with the Columbia city bus system in order to cut into the forthcoming larger amount of automobile traffic that would emanate from the Park 7 complex.

As we write this NIHIL OBSTAT letter, we want the City Council and the Planning and Zoning Commission to know that some in our association do not want any more of these high density developments without clear reference to the City's overall development plan. In other words, this letter is by no way unanimous consent, though we recognize Park 7's good faith effort to communicate with our association and to take into account our concerns, which they have done.

Sincerely submitted, in consultation with all of our officers.

John Prenger, chair

Shepard Boulevard Neighborhood Association

-- Mark Farnen
Strategists, LLC
103 East Brandon
Columbia, MO 65203

mfarnen@mchsi.com
(573)443-4231

--
Sheela Amin
City Clerk

City Hall
701 E. Broadway
2nd Floor
Columbia, MO 65201

573.874.7207
skamin@gocolumbiamo.com

March 19, 2015

Columbia Planning and Zoning Commission

RE: Park7 Rezoning Request

Ladies and Gentlemen:

I am the President of Shepard Hills Improvement Association, the subdivision immediately north of the proposed development.

We have on numerous occasions met with Park7/Lamb representatives to define and work through issues. While the Association is not yet ready to vote on the proposed rezoning, Park7 has addressed numerous concerns of the Association. Park7 and its local agents--Mr. Mark Farnen, Mr. Caleb Colbert, and Mr. Tim Crockett-- have been professional and courteous in their interactions with the neighbors.

Please note that the Association fully supports the variance requests concerning the sidewalks and street extension of Timberhill Road.

Very truly yours,

Harold Johnson
President of Shepard Hills Improvement

Statement to P&Z—March 19, 2015

My name is Diane Suhler. My husband and I live at 902 Timberhill Road. I am an Associate Professor of Finance and Economics. My statement will focus on three areas: the broader implications of this project for the Columbia community, the impact this housing development will have on students who attend college in our community, and on some economic and financial questions that need to be considered before this development is approved.

First: Implications for the Columbia Community

1. **In 2010, residents and staff of the city spent hundreds of hours designing a master East Area plan and a Vision of Columbia outlining and describing what we wanted our city to look like. The consensus from this process was that:**
   a) **Residents Valued Land Preservation: protect farmland, scenic views, natural topographies, rural atmosphere, watersheds, healthy streams.**
   b) **Residents Valued Neighborhoods: neighborhoods that include a range of housing options and prices; that are within walking distance of amenities such as schools, places of worship, shopping and recreation facilities; and that are supported by citywide bicycle, pedestrian, and transit systems.**
   c) **Residents Valued Growth that is Planned and Managed: Growth that protects the environment and the city character, and that is beneficial and equitable to all.**

2. **Before this development is approved, we need to be absolutely certain that these interests of the taxpayers and residents of Columbia are respected and preserved.**

<u>Second: Implications for the Student Population:</u>

1. **The Student population is the 'silent' constituency that is party to this transaction. Unfortunately, their voice is not heard nor is their input solicited. Before we build luxury housing that is 3 miles from campus, we should ask:**
   a) **Can students afford this kind of housing? Will they have to take out student loans to pay their monthly rent and utilities?**
   b) **Do they want this kind of housing?**
   c) **How do students feel about commuting by bus or car to campus every day?**
2. **This development may be in existence for the next 20+ years. Before we OK this development, we need to consider the cost in time and money to the 18,000+ students who will live in these units over that 20-year time period.**

Third: Some Economic and Financial Concerns

1. **'The Avenue' will increase the number of student housing units in Columbia by 899. In addition, other student housing complexes are being built that will increase the total amount of student housing in Columbia. How does this compare with other facts?**
   a) **Enrollment at the University increased by 783 students from 2013 to 2014. Columbia College's campus enrollment was flat. Will there be students to fill all of these new units?**
   b) **Over 3200 of the 35,425 students at MU are full-time students in the MU Online Program. That is 9% of the total student body. These students don't live in Columbia—they will not be renting apartments. This trend will continue and accelerate.**

2. **Before we approve the building of this new complex, there are questions to consider:**
   a) **Will this Sustainable—i.e., will demand continue for this housing?**
   b) **Will these 'luxury' units just replace existing units in other parts of the city and make them no longer viable economically?**
   c) **Does this project offer flexibility? Can these units be readily converted into professional, family, or other types of residents if the student population fails to grow at the rate anticipated by the developers?**

I ask P&Z to consider the consequences of their decision for all stakeholders: landowner, developer, taxpayers/residents of Columbia, students.

Thank you.

Message for Planning and Zoning Commission, March 19, 2015

My name is Katie Kane and I and my husband Mike live at 909 Timberhill Road, a home that his parents built in 1962, on almost two acres. We are concerned about negative impact on the environment surrounding "The Avenue at Columbia," a student housing development proposed by Park 7 Group of New York City.

This site is on the highest point in Columbia, overlooking our city. Excavation (likely via blasting) of the hill's limestone bedrock will be required to build such a large development there, as it was for Cross Creek which lies below. That sheer dropoff where the hotel is now was once sloping land, which allowed runoff to gradually reach Grindstone Creek. Before Cross Creek was built the land was carved down to the bedrock, which was then broken up.

Anyone who has seen the satellite image of the tract in question will see that there will be a very large amount of tree excavation.

Runoff not contained by "The Avenue's" retention system (even if city storm water ordinances are strictly followed) during heavy rains—and in the last few years we have had amazing heavy rains—will run south, downhill, directly to the Grindstone via the Cross Creek businesses and The Domain, another large student development.

Grindstone Creek is already on the impaired waters list due to bacteria and other suspended sediments.

The plan for this development has changed many times, after many meetings between developers and their representatives with our neighborhood. If we support the project, a generous 10 acre natural

forested buffer is to be left in place between our Midcentury neighborhood and "The Avenue." The plan originally included an emergency access road for firetrucks, police and snow removal equipment with gates at Cinnamon Hill Lane and Timberhill Road.

That access road has grown into a 50' wide street required by the city, leading from Cinnamon Hill Lane directly to our 28' wide Timberhill Road, carving a substantial chunk out of two homes' driveways. No gate at the joining of the new street and the old street. A variance for smaller road width and reduced tree excavation to build it has been requested by both developers and our neighborhood.

Timberhill Road is an unimproved blacktop road that was never intended for any more traffic than that which 14 homes would generate.

March 19, 2015

Re: Case # 15-12
Request to rezone approximately 32.50 acres from A-1 to PUD-11 and to receive approval of a final PUD development plan to be known as "The Avenue at Columbia.

Dear Planning & Zoning Commissioners:

We are writing to express opposition to this rezoning request and to the PUD development plan, "The Avenue at Columbia". We ask that after consideration, you vote "NO" to this request for the following reasons:

As Columbia residents we are concerned about the following issues:

- The proposed plan does not fit with the overarching goals of either the East Area Plan or Columbia Imagined (see Note 1 for details)

- Size and density of the project - with 840 residents, this student-housing complex would be second in size just after Aspen Heights

- Project is destructive of the existing natural environment and topography

- Traffic. With parking for 870 cars, this development is designed for residents to bring their cars. The purchase of a very limited number of city bus passes and limited shuttle services means that students will need and want their own transportation. According to Google Maps, to walk from 1202 Cinnamon Hill Lane to the Mizzou Ellis Library takes 59 minutes - that's a long walk for students to get to classes and back. We note that only one section of traffic on Stadium is addressed by applicant - increases in this area will increase traffic heading to west to the University as well. The increase in car traffic will also impact parking demand downtown and close to the University.

- Increased crime and increased demand on Columbia police - (Aspen Heights and the Domain are prime examples). Is this the type of environment the city should promote to young, first-time renters?

- Long-term implications for a single "purpose-built housing" development - when this style/location falls out of favor with students in five-ten years, what will happen to this large-scale development?

- The Editorial board of the Maneater, the Mizzou student newspaper, has come out against continued student housing expansion (see October 15, 2014 headline - "Student Housing expansion must stop; Affordability and proximity to campus is what students care about.")

- Analysis by local developers shows that there is already an over-capacity of this type of development. Since this proposal came before P&Z last year, an additional 1,000 beds came online for fall 2014, plus an additional 600 beds will be available downtown in fall 2015.

- Residents across Columbia are asking, "how much is too much of these student-housing complexes?"

- To date, there has been little conversation or planning between the city, residents, the university, and private developers about the issue of growth in the University and student housing needs. We hope that this important conversation and partnership could be established to create more thoughtful development for the students. We hope this would occur prior to any rezoning and destruction of the natural environment such as at the proposed site. (See Columbia Missourian article by George Kennedy on March 12, 2015: "Mayor makes plea for consensus on Columbia's growth".)

As adjacent residents to this proposed complex we are also concerned about the required secondary access to this potential development. Timberhill Road, in its current design, is adequate for the existing fourteen houses and can serve as emergency access to the Avenue, but it would be woefully inadequate to serve as a true secondary access for The Avenue.

If the project is approved, however, we are in agreement with the variances in street width and sidewalks of the new section of Timberhill, as requested by Park7. The City Planning staff is not recommending approval of those variance requests, and we are thus concerned with future planning for the existing Timberhill Road and the possibility it will be opened up for more than emergency use. Street improvements would certainly be required to handle any volume change and such street improvements would be costly - given the current width, pitch (the elevation difference from top to bottom is 120'), and swales along both sides of the road. Any required improvements to the existing road, which would clearly be for the benefit of the Avenue residents, would not be borne by the applicant.

The decision to approve a rezoning request is a discretionary decision by the city, and not one of right for either the owner or purchaser of land. That an applicant is able to fulfill the requirements of zoning ordinances and city regulations should be the starting point in the evaluation process, and not the sole determinant in approving such a rezoning request. The Commission and Council must evaluate the request as it adheres to the needs, goals, and objectives of the community as a whole.

For all of the above considerations, we ask that you deny this request to rezone 32.50 acres located at 1202 Cinnamon Hill Lane from A-1 to PUD-11, and deny approval of the development plan, The Avenue at Columbia.

Sincerely,

Madge Minor
Anne Minor
Mike & Katie Kane

Note 1:

Goals and Objectives from the East Area Plan and Columbia Imagined

- Preserve and protect the resources of the natural environment within the study area.
- Avoid unnecessary alteration by utilizing existing topography in development proposals.
- Encourage consolidation of infrastructure within corridors to enhance efficiency and maintain the scenic and rural qualities of the planning area.
- Retain the expressway designation of 740 to avoid another Clark Lane development and the attending traffic congestion.
- Provide opportunities to integrate varied housing types within residential development.
- Support the development of walkable communities with mixed land use.
- Develop the eastern and southern boundaries of the study area in such a way that they become identifiable "gateways" to the City of Columbia
- Provide a dispersed and adequate supply of affordable, energy efficient, and accessible housing.

- Acknowledge, respect, and preserve the natural environment in and around Columbia so that its aesthetic and ecological value is retained for future generations
- Encourage density in the central city
- Preserve the personality and character of neighborhoods
- Give funding priority to maintenance of existing public infrastructure and services
- Promote community safety
- Support diverse and inclusive housing options
- Accommodate non-motorized transportation