Introduced by _____

First Reading _____ Second Reading _____

Ordinance No. _____ Council Bill No. _____B 36-13_____

AN ORDINANCE

approving the Final Plat of Lake George Plat 2, a minor subdivision; accepting the dedication of rights-of-way and easements; authorizing a performance contract; and fixing the time when this ordinance shall become effective.

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

SECTION 1. The City Council hereby approves the Final Plat of Lake George Plat 2, dated December 12, 2012, a minor subdivision located on the south side of Richland Road, approximately 700 feet west of Bay Hills Drive (5000 East Richland Road), containing approximately 5.00 acres in the City of Columbia, Boone County, Missouri, and hereby authorizes and directs the Mayor and City Clerk to sign the plat evidencing such approval.

SECTION 2. The City Council hereby accepts the dedication of all rights-of-way and easements as dedicated upon the plat.

SECTION 3. The City Manager is hereby authorized to execute a performance contract with the Dale-Jeanne Powell Trust in connection with the approval of the Final Plat of Lake George Plat 2. The form and content of the contract shall be substantially as set forth in "Exhibit A" attached hereto and made a part hereof as fully as if set forth herein verbatim.

SECTION 4. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2013.

ATTEST:

_____ _____

City Clerk Mayor and Presiding Officer

APPROVED AS TO FORM:

_____
City Counselor

PERFORMANCE CONTRACT

This contract is entered into on this _____ day of _____, 20____ between the City of Columbia, MO ("City") and The Dale-Jeanne Powell Trust ("Subdivider").

City and Subdivider agree as follows:

1. Subdivider shall construct, erect and install all improvements and utilities required in connection with the final plat of Lake George Plat 2, including sidewalks and all improvements and utilities shown on the plat and related construction plans, within 36 months after the City Council approves the plat.

2. If street, utility or other construction of public improvements should occur on or adjacent to land in the subdivision at the initiative of the City Council, as benefit assessment projects, Subdivider agrees to bear Subdivider's equitable and proportionate share of construction costs, as determined by such assessments.

3. No utility service connections or occupancy permits shall be issued to the Subdivider or to any other person for any structure on land in the subdivision unless and until all utilities and improvements have been constructed, erected and installed in the structure and upon the lot or lots on which the structure is situated in accordance with all applicable ordinances, rules and regulations of the City.

4. No occupancy permit shall be issued to Subdivider or any other person for any structure constructed on land in the subdivision unless the street and sidewalk adjacent to the structure have been completed in compliance with the City's Standard Street Specifications.

5. City may construct, erect or install any improvement or utility not constructed, erected or installed by Subdivider as required by this contract. City may perform such work using City employees or City may contract for performance of the work. Subdivider shall reimburse City for all costs an expenses incurred by City in connection with the construction, erection or installation of improvements in utilities under this paragraph. Subdivider agrees to pay City all expenses and costs, including reasonable attorneys' fees, incurred by City in collecting amounts owed by Subdivider under this paragraph.

6. City shall not require a bond or other surety to secure the construction of the improvements and utilities required in connection with the final plat.

7. The obligations of Subdivider under this contract shall not be assigned without the express consent of the City Council.

8. The remedies set forth in this contract are not exclusive. City does not waive any other remedies available to enforce Subdivider's obligations under this contract or to recover damages resulting from Subdivider's failure to perform its obligations under this contract.

9. This contract is not intended to confer any rights or remedies on any person other than the parties.

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

CITY OF COLUMBIA, MISSOURI

BY: _____
Mike Matthes, City Manager

ATTEST:

_____
Sheela Amin, City Clerk

APPROVED AS TO FORM:

_____
Fred Boeckmann, City Counselor

Dale-Jeanne Powell Trust,
Subdivider

BY: _____, Trustee
John Dutemple, Trustee

Source: Community Development - Planning Agenda Item No:

To: City Council
From: City Manager and Staff

Council Meeting Date: Feb 4, 2013

Re: Lake George Plat 2 - final minor subdivision (Case # 12-218)

EXECUTIVE SUMMARY:
A request by Dale-Jeanne Powell Trust (owner) for approval of a one-lot final minor plat, to be known as Lake George Plat 2. The 5-acre subject site is located on the south side of Richland Road, approximately 700 feet west of Bay Hills Drive, and is addressed 5000 E. Richland Road. (Case #12-218)

DISCUSSION:
The applicant is requesting a one-lot subdivision to create a legal lot for development of a group home and independent living units for the elderly. A concurrent request for voluntary annexation of the subject site and PUD-4 (a Planned Unit Development allowing up to four dwelling units per acre) zoning is pending approval by Council on February 18, 2013.

The plat has been reviewed by applicable internal and external departments, and meets all applicable subdivision requirements.

At its January 24, 2013 meeting, the Planning and Zoning Commission voted unanimously (8-0) to recommend approval of the proposed subdivision. No one from the public spoke either for or against this request.

A copy of the staff report, including locator maps and a copy of the plat are attached, along with excerpts from the Planning and Zoning Commission meeting minutes.

FISCAL IMPACT:

None.

VISION IMPACT:
http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php

None.

SUGGESTED COUNCIL ACTIONS:

Approval of the final minor plat.

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		**Program Impact**		**Mandates**	
City's current net FY cost	$0.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	$0.00	Duplicates/Expands an existing program?	No	**Vision Implementation impact**	
Amount of budget amendment needed	$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		**Resources Required**		Vision Impact?	No
One Time	$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	N/A
Operating/ Ongoing	$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	N/A
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	N/A

AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
January 24, 2013

SUMMARY

A request by Dale-Jeanne Powell Trust (owner) for approval of a one-lot final minor plat, to be known as "Lake George Plat 2". The 5-acre subject site is located on the south side of Richland Road, approximately 700 feet west of Bay Hills Drive, and is addressed 5000 E. Richland Road. (Case #12-218)

DISCUSSION

The applicant is requesting a one-lot subdivision to create a legal lot for development of independent living units for the elderly. A concurrent request for voluntary annexation of the subject site and PUD-4 (a Planned Unit Development allowing up to four dwelling units per acre) zoning is pending approval by Council on February 18, 2013.

The plat has been reviewed by applicable internal and external departments, and meets all applicable subdivision requirements.

RECOMMENDATION

Approval of the final minor subdivision plat.

ATTACHMENTS

- Aerial and natural features maps
- Subdivision plat

SITE CHARACTERISTICS

Area (acres)	5.0
Topography	Falls approx. 30 feet from west to east toward pond
Vegetation/Landscaping	Grass & trees
Watershed/Drainage	Grindstone drainage basin
Existing structures	Single-family home and accessory structure

SITE HISTORY

Annexation Date	Pending annexation on February 18, 2013
Zoning District	County R-S (Single-Family Residential)
Land Use Plan Designation	Neighborhood District
Subdivision/Legal Lot Status	Plat approval is required prior to development permits being issued.

UTILITIES & SERVICES

Sanitary Sewer	City of Columbia
Water	PWSD # 9
Fire Protection	Boone County (upon annexation City of Columbia)
Electric	Boone Electric

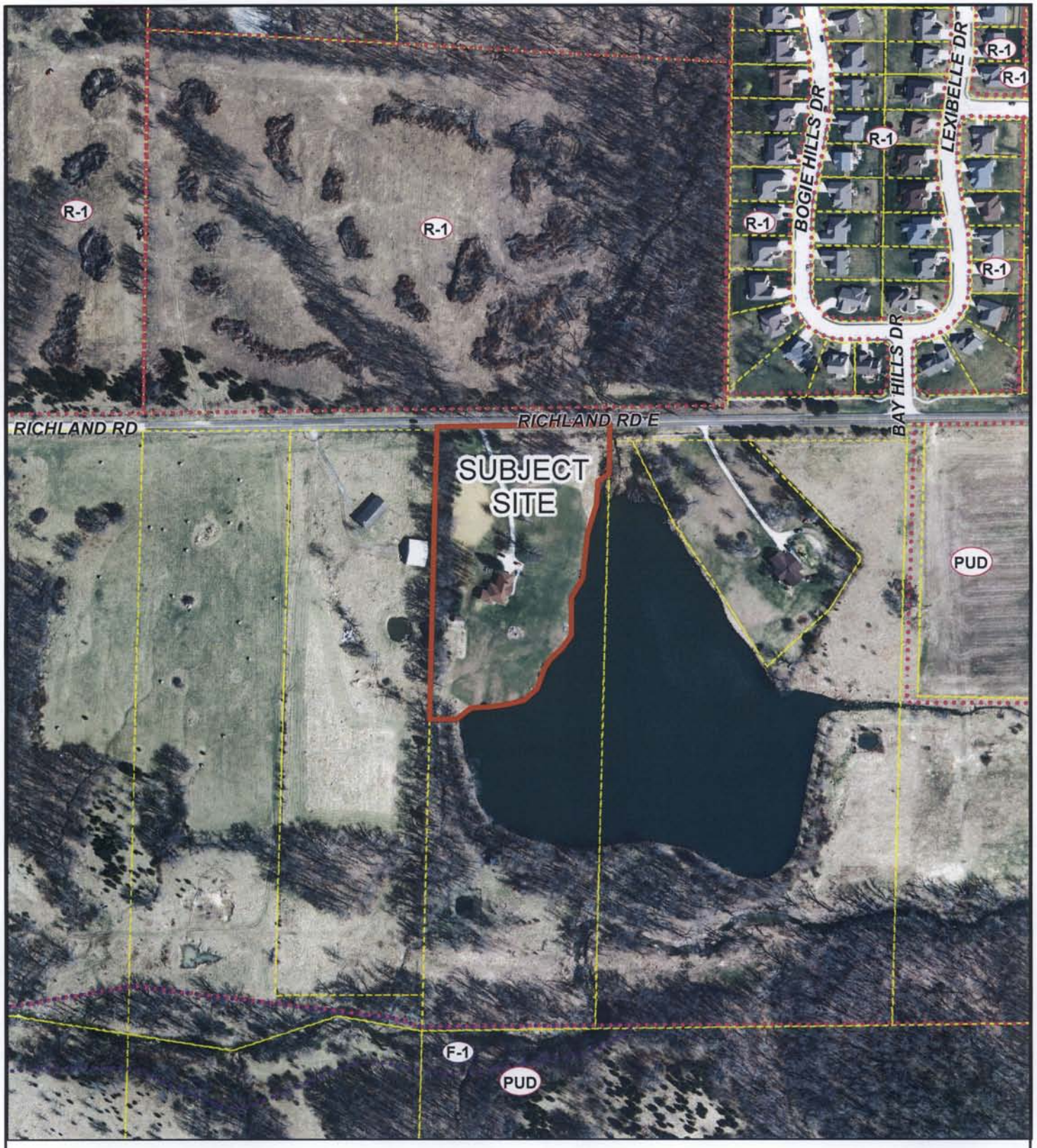
ACCESS

Richland Road	
Location	North side of site
Major Roadway Plan	Major Arterial (unimproved), requiring 106-110 ft of right-of-way. ½ width dedication of 50-feet is shown on the proposed plat.
CIP projects	None
Sidewalk	5-foot wide sidewalk needed. To be constructed within 3 years per performance contract.

PARKS & RECREATION

Neighborhood Parks Plan	Site is served by East Port Park, approximately ½ mile to the east.
Trails Plan	Proposed North Fork of Grindstone Trail at southern edge of property (secondary trail)
Bicycle/Pedestrian Plan	Richland Road is an "Urban Pedway" routes. No improvements are in place. 8-foot wide pedway may be required – location to be determined.

Report prepared by Steve MacIntyre; approved by Pat Zenner.



Case 12-218: Final Minor Subdivision
Lake George, Plat 2

0 150 300 600 Feet

1 inch = 300 feet

2011 Orthophoto
Souce: Boone County Assessor



Case 12-218: Final Minor Subdivision
Lake George, Plat 2

0 100 200 400 Feet

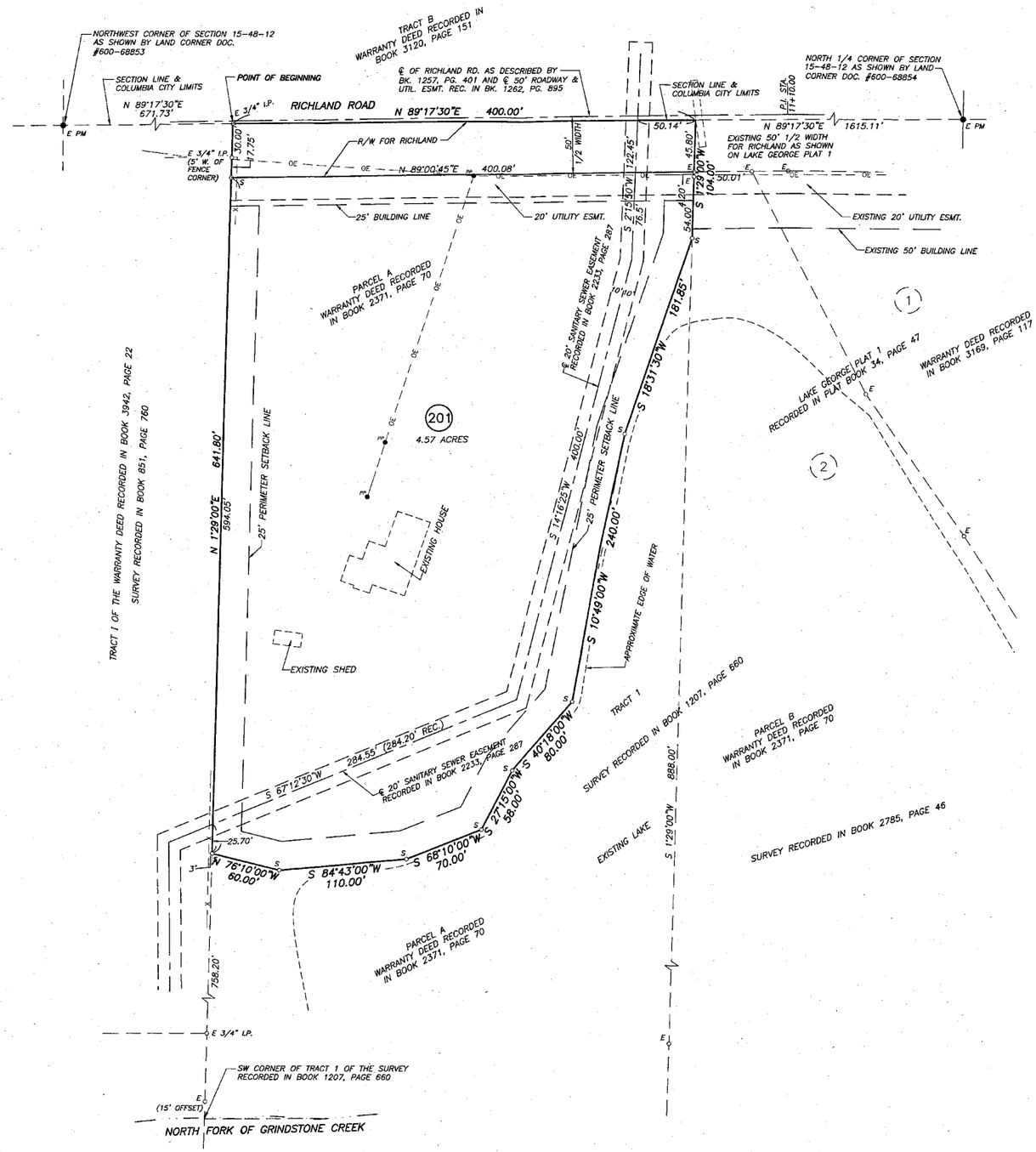
1 inch = 200 feet

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

FINAL PLAT

LAKE GEORGE PLAT 2

OCTOBER 1, 2012
REVISED: DECEMBER 12, 2012



SCALE: 1" = 50'
0 25 50 100

BEARINGS ARE REFERENCED TO GRID NORTH FROM THE MISSOURI STATE PLANE COORDINATE SYSTEM (CENTRAL ZONE) FROM GPS OBSERVATIONS.

LEGEND

- ○ IRON PIPE (UNLESS NOTED OTHERWISE)
- E EXISTING 1/2" IRON PIPE (UNLESS OTHERWISE NOTED)
- S SET 1/2" IRON PIPE (UNLESS OTHERWISE NOTED)
- ● PERMANENT MONUMENT (5/8" REBAR W/ALUM. CAP)
- I.P. IRON PIPE
- PM PERMANENT MONUMENT
- (REC.) RECORD MEASUREMENT
- ℄ CENTERLINE
- –x– – – – FENCE
- OE —— OE —— EXISTING OVERHEAD ELECTRIC LINE

NOTES

1. THIS PLAT CONFORMS TO THE ACCURACY STANDARDS FOR URBAN PROPERTY AS DEFINED BY MISSOURI BOARD RULE 20 CSR 2030-16.040(2)(A).
2. RECORD TITLE INFORMATION FOR THIS PLAT WAS PROVIDED BY BOONE-CENTRAL TITLE COMPANY, COMMITMENT NO. 0513851, DATED JULY 6, 2005.
3. THESE TRACTS MAY BE SUBJECT TO THE FOLLOWING EASEMENTS: GAS LINE EASEMENTS IN BOOK 184, PAGES 621 & 637; ELECTRIC EASEMENTS IN BOOK 218, PAGES 148 & 149 AND BOOK 437, PAGE 758; 10' WATERLINE EASEMENT IN BOOK 356, PAGE 661; WATERLINE EASEMENT IN BOOK 358, PAGE 26; 20' WATERLINE EASEMENTS IN BOOK 369, PAGE 679, BOOK 841, PAGE 476 AND BOOK 1459, PAGE 879. THE EASEMENTS ARE EITHER BLANKET OR "AS INSTALLED" EASEMENTS AND COULD NOT BE LOCATED.

STREAM BUFFER STATEMENT

THIS PLAT IS NOT REGULATED BY THE CITY OF COLUMBIA STREAM BUFFER REQUIREMENTS OF ARTICLE X ACCORDING TO CHAPTER 12A-232 OF THE CITY OF COLUMBIA'S CODE OF ORDINANCES.

FLOOD PLAIN STATEMENT

THIS TRACT IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA (SFHA) AS SHOWN BY THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 29019C0285D, DATED MARCH 17, 2011.

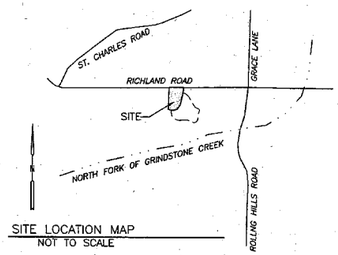
APPROVED BY THE CITY OF COLUMBIA PLANNING AND ZONING THIS ___ DAY OF _____, 2013.

_____
DOUG WHEELER, CHAIRPERSON

APPROVED BY THE COLUMBIA CITY COUNCIL THIS ___ DAY OF _____, 2013.

_____
ROBERT McDAVID, MAYOR

_____
SHEELA AMIN, CITY CLERK



SITE LOCATION MAP
NOT TO SCALE

JOB #12164.01
FINAL PLAT-LAKE GEORGE PLAT 2

KNOW ALL MEN BY THESE PRESENTS

THE DALE-JEANNE POWELL TRUST, BEING SOLE OWNER OF THE BELOW DESCRIBED TRACT, HAS CAUSED THE SAME TO BE SUBDIVIDED AS SHOWN ON THIS PLAT.

IN WITNESS WHEREOF, JOHN DUTEMPLE, TRUSTEE OF THE DALE-JEANNE POWELL TRUST HAS CAUSED THESE PRESENTS TO BE SIGNED.

EASEMENTS, OF THE TYPES AND AT THE LOCATIONS AS SHOWN, ARE HEREBY DEDICATED TO THE CITY OF COLUMBIA FOR PUBLIC USE FOREVER.

RIGHT-OF-WAY FOR RICHLAND ROAD IS HEREBY DEDICATED TO THE CITY OF COLUMBIA FOR PUBLIC USE FOREVER.

DALE-JEANNE POWELL TRUST

_____
JOHN DUTEMPLE, TRUSTEE

STATE OF MISSOURI } SS
COUNTY OF BOONE }

ON THIS ____ DAY OF _____, IN THE YEAR 2013, BEFORE ME, _____, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED JOHN DUTEMPLE, TRUSTEE OF THE DALE-JEANNE POWELL TRUST, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE WITHIN FINAL PLAT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES THEREIN STATED.

_____, NOTARY PUBLIC
MY COMMISSION # _____
EXPIRES _____

CERTIFICATION

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 48 NORTH, RANGE 12 WEST, BOONE COUNTY, MISSOURI, BEING THE NORTH PART OF TRACT 1 OF THE SURVEY RECORDED IN BOOK 1207, PAGE 660 AND BEING PART OF PARCEL A OF THE WARRANTY DEED RECORDED IN BOOK 2371, PAGE 70 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 15-48-12; THENCE WITH THE NORTH SECTION LINE, N89°17'30"E, 671.73 FEET TO THE NORTHWEST CORNER OF SAID TRACT 1 AND THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, CONTINUING N89°17'30"E, 400.00 FEET TO THE NORTHEAST CORNER OF SAID TRACT 1; THENCE LEAVING SAID SECTION LINE AND WITH THE EAST LINE OF TRACT 1, S1°29'00"W, 104.00 FEET; THENCE LEAVING SAID EAST LINE, S16°31'30"W, 181.85 FEET; THENCE S10°49'00"W, 240.00 FEET; THENCE S40°18'00"W, 80.00 FEET; THENCE S27°15'00"W, 58.00 FEET; THENCE S68°10'00"W, 70.00 FEET; THENCE S84°43'00"W, 110.00 FEET; THENCE N76°10'00"W, 60.00 FEET TO THE WEST LINE OF SAID TRACT 1; THENCE WITH SAID WEST LINE, N1°29'00"E, 641.80 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.00 ACRES.

I HEREBY CERTIFY THAT I SURVEYED THE DESCRIBED PROPERTY AND SUBDIVIDED IT AS SHOWN ON THIS PLAT IN ACCORDANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

SURVEY AND PLAT BY
ALLSTATE CONSULTANTS

STATE OF MISSOURI
JAMES R. JEFFRIES
NUMBER LS-2500
REGISTERED LAND SURVEYOR

James R. Jeffries
JAMES R. JEFFRIES, PLS-2500

JAN. 10, 2013
DATE

STATE OF MISSOURI } SS
COUNTY OF BOONE }

SUBSCRIBED AND AFFIRMED BEFORE ME THIS 10th DAY OF January, 2013.

Marla E. Oglesby
MARLA E. OGLESBY

NOTARY PUBLIC
MY COMMISSION #12490598
EXPIRES FEBRUARY 28, 2016

MARLA E. OGLESBY
Notary Public - Notary Seal
State of Missouri
County of Boone
My Commission Expires February 28, 2016
Commission # 12490598

EXCERPTS
PLANNING AND ZONING COMMISSION
JANUARY 24, 2013

VI.) PUBLIC HEARING AND SUBDIVISION

Case Nos. 12-219 and 12-218

A request by Dale-Jeanne Powell Trust (owners) for the following:

A. Case No. 12-219 Annexation and permanent PUD-4 (a Planned Unit Development allowing up to four dwelling units per acre) zoning

B. Case No. 12-218 Approval of a one-lot final minor plat, to be known as "Lake George Plat 2"

The subject property contains 5-acres and is located on the south side of Richland Road, approximately 700 feet west of Bay Hills Drive, and is addressed 5000 E. Richland Road.

MR. WHEELER: May we have a Staff report, please?

Staff report was given by Mr. Steve MacIntyre of the Planning and Development Department. Staff recommends the following: Approval of PUD-4 zoning and accompanying statement of intent. Approval of the final minor subdivision plat.

MR. WHEELER: Are there any questions of Staff?

MR. ZENNER: Two votes.

MR. WHEELER: Yeah. Two votes. I got you. Thank you, Mr. Zenner, for reminding me. But we have not seen a plan, I'm assuming?

MR. MacINTYRE: That's correct. Yes. The PUD plan would need to be approved at a separate date and would come through this Commission and go through the regular public hearing process.

MR. WHEELER: Would you happen to have the -- the larger aerial for this area?

MR. SKALA: Can I ask a procedural question? Are we going to take these up in two separate votes; is that --

MR. WHEELER: Absolutely.

MR. SKALA: Okay.

MR. WHEELER: Uh-huh. Can you point to that big controversial piece and how that -- how that ties into this, please?

MR. MacINTYRE: It's actually been split up from the site, so it's not contiguous. But it's down here -- a portion of the PUD, if you're referring to original rezoning from a few years' back.

MR. WHEELER: Was that a few years ago because it seems like yesterday?

MR. MacINTYRE: It sure does sometimes. Whenever it comes up, it feels that way. Yeah. I believe it is PUD down here to the south.

MR. WHEELER: Okay. All right. Thank you.

MR. MacINTYRE: And Pat -- Mr. Zenner is telling me that it's PUD-4 in this portion to the south.

MR. WHEELER: Okay. Are there any other questions of Staff? Seeing none, we'll open the public hearing.

PUBLIC HEARING OPENED

MR. WHEELER: Does anyone want to speak on this issue? This is a routine, so if you're the primary -- or the applicant, you can have up to six minutes, if you would like.

MR. JEFFRIES: I won't take six minutes. Hopefully, this is not controversial, like our neighbors have been. My name is James Jeffries, with Allstate Consultants, offices at 3312 LeMone Industrial Boulevard. We've been working with the Powell's since 1995 or so, about 17 or 18 years, so we've known them -- Mr. and Mrs. Powell. They have grown older in age. They are not able to live at the house at the moment, and so I have with me Alan Lynch. He's the contract purchaser, and his wife, Ann. And they, together, have a vision to do these cottages. With both Mr. Powell and Mrs. Powell in a residential care facility, Ann has actually been part of taking care of her. And in their course of conversation of, Well, we're going to have to sell the place -- and so Ann and Alan have been out there. And if you've been out there driving on Richland Road, the lake is beautiful. It's about a seven-acre lake. These cottages would overlook that area. There is sewer on the site. It goes up through the site. There is water for fire protection. We probably will have to extend a fire line into the site, but the specifics of the plan have not been worked out. We've been working with them to get the final plat to a point where it meets Staff approval with the subdivision regulations. And the next step is to do the PUD plan. And if you have any questions, I'd be glad to see if we can answer them.

MR. WHEELER: Mr. Skala?

MR. SKALA: Just a question with regard to that. Will this be -- will you have to augment the water supply system in order to accommodate the fire protection aspect of this? Is that what you were referring to when you said that you might have to bring more water into the --

MR. JEFFRIES: There's a 12-inch line on the north side of Richland Road, Water District 9, and in order to have fire protection and a fire hydrant close enough to -- in proximity to the residences, it's foreseeable that we would do a six-inch line coming --

MR. SKALA: Uh-huh.

MR. JEFFRIES: It would be a private line to the property.

MR. SKALA: So -- so just to deal with the number of units and so and so forth, that kind of thing, is that -- yeah. Okay.

MR. WHEELER: Are there any other questions of this speaker? Thank you, sir. Are there any additional speakers? Seeing none, we will close the public hearing.

PUBLIC HEARING CLOSED

MR. WHEELER: Commissioners, we want to take this up as two separate items. The first one would be -- I'm assuming -- which do you want us to -- 18?

MR. ZENNER: 19.

MR. WHEELER: 19.

MR. ZENNER: Zoning.

MR. WHEELER: Yeah. That's what I thought, but you should put them in the right order. Okay. So we're going to look at 12-218 -- 19 -- 2019 -- I'm sorry -- the zoning on the issue. So, Commissioners, discussion on the motion -- or on the item. Wow. I need to get out of here. Mr. Vander Tuig?

MR. VANDER TUIG: I'll start. It seems kind of unique. It doesn't fit, necessarily, the regular residential, but it's kind of a -- it's good in the sense that it will have a variety of housing options as Columbia starts moving east, and so I'm in complete support of this.

MR. TILLOTSON: I just -- I'm in support of it. That's all I've got to say.

MR. SKALA: Frame a motion?

MR. WHEELER: Please.

MR. SKALA: Let me frame a motion to approve a request by Dale-Jeanne Powell Trust to PUD-4(a Planned Unit Development allowing up to four dwelling acres per acre) zoning on land pending voluntary annexation in the City. The five-acre subject site is located on the south side of Richland Road, approximately 700 feet west of Bay Hills Drive, Case No. 12-118 [sic] for rezoning.

MR. STRODMAN: Second.

MR. WHEELER: Second, Mr. Strodtman. A motion has been made and seconded. Is there a discussion on the motion? When you're ready.

MR. VANDER TUIG: We have a motion on second for approval of Case 12-219, a request by Dale-Jeanne Powell Trust for the following: Annexation and permanent PUD-4 zoning on subject property address of 500 East Richland Road.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Dr. Puri, Mr. Reichlin, Mr. Tillotson, Mr. Vander Tuig, Mr. Wheeler, Mr. Skala, Mr. Strodtman, Mr. Lee. Motion carries 8-0.

MR. WHEELER: A recommendation for approval will be forwarded to City Council. Case No. 12-218. We should probably approve a plat if we have -- and we have zoning now, so maybe we should look at the plat. Any discussion on the item? Mr. Skala?

MR. SKALA: We'll do that. I'll make the motion to approve a request by Dale-Jeanne Powell Trust for approval of one-lot final minor plat, to be known as Lake George Plat 2. The subject property is located on the south side of Richland Road, approximately 700 feet west of Bay Hills Drive, Case No. 12-218.

MR. WHEELER: Second?

MR. STRODTMAN: Second.

MR. VANDER TUIG: Motion -- or comments?

MR. WHEELER: Any discussion on the motion?

MR. VANDER TUIG: I just have a quick question, and this is -- I wouldn't -- you know, I would support, rather, a sidewalk variance at this location. But I'm just curious why sidewalks in this case are not being discussed. Is it because it's a County Road or -- I'm just curious for my own --

MR. MacINTYRE: Well, that's a good question. There hasn't been, as you pointed out, a request for variance for the sidewalk requirements. It is a County maintained road at this point, and I'm not really sure how that might play into it with -- on future development. Sidewalks and connectivity will be addressed though with the future PUD plan on this site.

MR. VANDER TUIG: All right. Usually, it's a subdivision issue though. Correct? Aren't variances normally subdivision --

MR. MacINTYRE: Usually it would be requested at the subdivision -- with the subdivision if it were going to be requested. However, in this case, since it is a planned district, it can be dealt with --

MR. VANDER TUIG: Okay. Well, I was curious about it on the County road or not. I would support it regardless. Just for future reference.

MR. ZENNER: And to add to Mr. MacIntyre's response, when this project was originally presented, I was the individual that did some intake on it, and did discuss matters with Mr. Lynch through the concept review. It was our advice at that point that based on the length of time that may be associated with the actual development of the parcel, the fee in lieu, which would have been the only generally supportive option was something that was discussed. That was not necessarily received amenably, and what will likely happen, based on the time frame associated with the actual need to develop anything, the existing house can be used as it is today if it is zoned. You have a performance contract that will be submitted with the plat, which has a three-year time window on it. So if the individual cottages would not be being sought to be developed, which would be what would necessitate the improvements, you will most likely see at a later date, a request for a sidewalk variance. And it may come in at that time with the plan as we've discussed. I mean, it was -- it was a little bit of a function of not having to pay the fee in lieu of before, and then, basically, you have three years in which to be able to construct that improvement. And, at that point, we would likely end up determining what would happen with Richland Road. The right-of-way upgrade is being provided on the plat, which is a necessity, so we are getting right-of-way out of this dedication and the platting of the property.

MR. VANDER TUIG: Okay. Great. Thanks.

MR. WHEELER: All right. The motion has been made and seconded. Any further discussion on the motion? When you're ready.

MR. VANDER TUIG: I'm sorry. Who was the second?

MR. WHEELER: Mr. Strodtman.

MR. STRODTMAN: I did.

MR. VANDER TUIG: We have a motion and a second for approval of Case No. 12-218 for approval of one-lot final plot -- plat, to be known as Lake George Plat 2.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Dr. Puri, Mr. Reichlin, Mr. Tillotson, Mr. Vander Tuig, Mr. Wheeler, Mr. Skala, Mr. Strodtman, Mr. Lee. Motion carries 8-0.

MR. WHEELER: All right. A recommendation for approval will be forwarded to City Council.