

Introduced by \_\_\_\_\_

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Council Bill No. B 35-13

**AN ORDINANCE**

extending the corporate limits of the City of Columbia, Missouri, by annexing property located on the south side of Richland Road, approximately 700 feet west of Bay Hills Drive (5000 East Richland Road); directing the City Clerk to give notice of the annexation; placing the property annexed in District PUD-4; 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 finds that a verified petition was filed with the City on January 12, 2013, requesting the annexation of land which is contiguous and compact to the existing corporate limits of the City and which is described in Section 4 of this ordinance. This petition was signed by John Dutemple, Trustee of the Dale-Jeanne Powell Trust, the owner of the fee interest of record in the land proposed to be annexed. A public hearing was held concerning this matter on February 4, 2013. Notice of this hearing was published more than seven days prior to the hearing in a newspaper of general circulation qualified to publish legal matters. At the public hearing all interested persons, corporations and political subdivisions were permitted to present evidence regarding the proposed annexation.

SECTION 2. The Council determines that the annexation is reasonable and necessary to the proper development of the City and that the City has the ability to furnish normal municipal services to the area to be annexed within a reasonable time.

SECTION 3. The Council determines that no written objection to the proposed annexation has been filed within fourteen days after the public hearing.

SECTION 4. The City Council hereby extends the city limits by annexing the land described in Section 1-11.11 of the Code of Ordinances of the City of Columbia, Missouri, which is hereby added to Chapter 1 of the City Code and which reads as follows:

Section 1-11.11. February, 2013 Extension of Corporate Limits.

The corporate limits of the City of Columbia shall include the following land:

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, S18°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.

SECTION 5. The City Clerk is hereby authorized and directed to cause three certified copies of this ordinance to be filed with the Clerk of Boone County, Missouri and three certified copies with the Assessor of Boone County, Missouri. The City Clerk is further authorized and directed to forward to the Missouri Department of Revenue, by registered or certified mail, a certified copy of this ordinance and a map of the City clearly showing the area annexed to the City.

SECTION 6. The property described in Section 4 is in the Sixth Ward.

SECTION 7. The Zoning District Map established and adopted by Section 29-4 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended so that the property described in Section 4 will be zoned and become a part of District PUD-4 (Planned Unit Development) with a development density of not more than four dwelling units per acre. Hereafter the property may be used for the following permitted uses:

A hobby may be pursued as an accessory use by the occupant of the premises purely for personal enjoyment, amusement or recreation, provided that the articles produced or constructed are not sold in the ordinary course of business either on or off the premises, and provided such use will not be obnoxious or offensive by reason of vibration, noise, odor, dust, smoke, gas, or otherwise

Adult day care home

Apartment houses

Boarding houses or lodging houses

Dwellings, One-Family

Dwellings, Two-Family

Group homes for foster care

Group homes for mentally or physically handicapped subject to the restrictions set forth in Sec. 29-6(b) of the City Code

Home occupations which are compatible with the residential character of the neighborhood subject to the restrictions set forth in Sec. 29-6(b) of the City Code

The statement of intent submitted by applicant, marked "Exhibit A," is attached to and made a part of this ordinance.

SECTION 8. 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



**City of Columbia**  
**Planning Department**  
 701 E. Broadway, Columbia, MO  
 (573) 874-7239 [planning@gocolumbiamo.com](mailto:planning@gocolumbiamo.com)

**Statement of Intent Worksheet**

For office use:

|                          |                                     |                                |
|--------------------------|-------------------------------------|--------------------------------|
| Case #:<br><i>12-163</i> | Submission Date:<br><i>10/23/12</i> | Planner Assigned:<br><i>SM</i> |
|--------------------------|-------------------------------------|--------------------------------|

**Please provide the following information, which shall serve as the statement of intent for the proposed planned district zoning:**

1. The uses proposed. See Attached
2. The maximum gross square feet of building floor area proposed. If PUD zoning is requested, indicate type(s) of dwelling units & accessory buildings, and maximum number of dwelling units & development density. 20,000 sf max. building floor area. Existing home will be remodeled for group home use with a maximum of 6 units. Five 2 and 3 unit detached buildings may be built. PUD-4 is being proposed for a maximum of 19 units. Existing shed will be used for storage of property maintenance items.
3. The maximum building height proposed.  
30 feet maximum.
4. The minimum percentage of the site to be maintained in open space, shown by the percent in landscaping and the percent left in existing vegetation.  
30% minimum open space with 15% landscaping and 15% left in existing vegetation.

**The following items only apply to PUD zoning requests:**

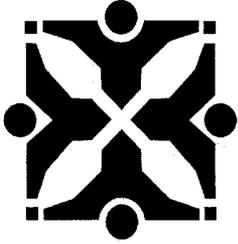
5. The total number of parking spaces proposed and the parking ratio per dwelling unit.  
20 parking spaces total with one parking space per unit will be provided.
6. Any amenities proposed, such as swimming pools, golf courses, tennis courts, hiking trails or club houses.  
None proposed
7. A general description of the plan including minimum lot sizes, if applicable, minimum building setbacks from perimeter and interior streets, other property lines and minimum setbacks between buildings. Existing home will remain and five additional cottage style buildings may be built around around the existing home with views of the existing lake. A 25' perimeter setback line will be provided and there will be a minimum of 12' between proposed buildings.

**Note: At the discretion of the applicant, the statement of intent may include other aspects of the proposed development.**

*Alan Lynch*  
 \_\_\_\_\_  
**Signature of Applicant or Agent**  
 Alan Lynch

*10-23-2012*  
 \_\_\_\_\_  
**Date**

|  |
|--|
| PUD  |
| A hobby may be pursued as an accessory use by the occupant of the premises purely for personal enjoyment, amusement or recreation, provided that the articles produced or constructed are not sold in the ordinary course of business either on or off the premises, and provided such use will not be obnoxious or offensive by reason of vibration, noise, odor, dust, smoke, gas, or otherwise.                         |
| Adult day care home.   |
| <del>Agriculture, nurseries and truck gardens, each of which shall be limited to the propagation and cultivation of plants, provided no retail or wholesale business shall be conducted upon the premises, and no obnoxious fertilizer is stored upon the premises, and no obnoxious soil or fertilizer renovation is conducted thereon.</del>   |
| Apartment houses.  |
| Bed and breakfast establishment, subject to the following criteria: (see PUD District regulations)   |
| Boarding houses or lodging houses.   |
| Churches, mosques and synagogues.  |
| <del>Continuing care retirement community (CCRC) (see R-3 District for restrictions)</del>   |
| Dwellings, One-Family.   |
| Dwellings, Two-Family.   |
| <del>Family day care homes, day care centers, pre-school centers, nursery school, child play care centers, child education centers, child experiment stations or child development institutions under the following regulations: (see Zoning Regulations for restrictions)</del>   |
| <del>Family day care homes, day care centers, pre-school centers, nursery school, child play care centers, child education centers, child experiment stations or child development institutions.</del>   |
| Fraternity or sorority houses and dormitories.   |
| <del>Garage sales, under the following restrictions: (see Zoning Regulations for restrictions)</del>   |
| <del>Golf courses and golf clubhouses appurtenant thereto, (except miniature golf courses, driving ranges, and other activities operated as a business).</del>   |
| Group Homes for Foster Care.   |
| Group Homes for mentally or physically handicapped, under the following restrictions: see Zoning Regulations for restrictions)   |
| Home occupations which are compatible with the residential character of the neighborhood will be permitted, however, in order to promote peace, quiet and freedom from excessive noise, excessive traffic, nuisance, fire hazard, and other possible effects of commercial uses being conducted in residential areas, all home occupations must meet the following restrictions: (see Zoning Regulations for restrictions) |
| <del>Private golf courses and country clubs. Facilities permitted under this use would be permitted to provided those types of services generally associated with such clubs to their members, including those otherwise permitted only in commercial districts.</del>   |
| <del>Private lakes.</del>  |
| <del>Private outdoor swim and tennis clubs.</del>  |
| <del>Private stables.</del>  |
| <del>Public administrative buildings.</del>  |
| <del>Public libraries.</del>   |
| <del>Public museums.</del>   |
| <del>Public parks and playgrounds, including public recreation or service buildings within such parks.</del>   |
| <del>Public police and fire stations.</del>  |
| <del>Public schools, elementary and secondary, private schools with curriculum equivalent to that of a public elementary or high school, and institutions of higher learning including gymnasiums, stadiums, and dormitories if located on campus. (see Zoning Regulations for additional requirements)</del>  |
| <del>Publicly owned and operated community buildings.</del>  |
| <del>Temporary real estate sales office, located on property being sold and limited to a period of sale, but not exceeding two (2) years without special permit from the Board.</del>  |
| <del>Temporary shelter, subject to the following: (see PUD District regulations)</del>   |



Source: Community Development - Planning

Agenda Item No:

To: **City Council**  
From: **City Manager and Staff**

Council Meeting Date: Feb 4, 2013

Re: Dale-Jeanne Powell Trust - Permanent Zoning request (Case # 12-219)

**EXECUTIVE SUMMARY:**

A request by Dale-Jeanne Powell Trust (owner) for PUD-4 (a Planned Unit Development allowing up to four dwelling units per acre) zoning on land pending annexation into the City of Columbia. The 5-acre subject site is located on the south side of Richland Road, and is addressed 5000 E. Richland Road. (Case #12-219)

**DISCUSSION:**

The applicant is requesting annexation for the purpose of connecting to City sewer and adding five two or three unit residences to the site for use as an elderly group home and independent living complex. The site is currently zoned County R-S (Single-family Residential), and the applicant is requesting City PUD-4 (a Planned Unit Development District allowing up to four units per acre) zoning to accommodate the proposed land use.

At its January 24, 2013 meeting, the Planning and Zoning Commission voted unanimously (8-0) to recommend approval of the proposed zoning. Commissioners were generally supportive of the proposed use. No members of the public spoke either for or against the request.

A staff report, locator maps, statement of intent, and excerpts from the Planning and Zoning Commission meeting are attached.

**FISCAL IMPACT:**

None.

**VISION IMPACT:**

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

None.

**SUGGESTED COUNCIL ACTIONS:**

Approval of the proposed rezoning.

| <b>FISCAL and VISION NOTES:</b>                   |        |   |    |   |     |
|---|--------|---|----|---|-----|
| <b>City Fiscal Impact</b><br>Enter all that apply |        | <b>Program Impact</b>                             |    | <b>Mandates</b>                               |     |
| 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 | <b>Vision Implementation impact</b>           |     |
| Amount of budget amendment needed                 | \$0.00 | Fiscal Impact on any local political subdivision? | No | Enter all that apply:<br>Refer to Web site    |     |
| Estimated 2 year net costs:                       |        | <b>Resources Required</b>                         |    | 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 PUD-4 (a Planned Unit Development allowing up to four dwelling units per acre) zoning on land pending voluntary annexation into the city. 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 #12-219)

**DISCUSSION**

The applicant has applied for voluntary annexation of the subject site to allow for a connection to be made to the City's sewer system. PUD-4 zoning is requested to accommodate use of the existing house as a group home for fewer than eight physically handicapped individuals, and development of independent living units for the elderly, with a maximum of 19 dwelling units.

The site is currently zoned Boone County R-S (Single-Family Residential), which is equivalent to the City's R-1 (One-Family Dwelling District). Maximum development density in PUD-4 would be similar to the R-1 zoning district. Proposed uses are compatible with adjacent residential zoning and development in the area. A separate public hearing will be required prior to Council approval of a future PUD development plan on the site.

The request has been reviewed by applicable internal and external departments, none of whom object to the requested zoning designation.

**RECOMMENDATION**

Approval of PUD-4 zoning and accompanying Statement of Intent

**ATTACHMENTS**

- Aerial/Zoning and natural features maps
- Statement of Intent

**SURROUNDING ZONING & LAND USE**

| <b>Orientation from subject site</b> | <b>Zoning</b> | <b>Land Use</b>                         |
|--------------------------------------|---------------|---|
| North                                | City R-1      | Undeveloped                             |
| South                                | County R-S    | Undeveloped                             |
| East                                 | County R-S    | Lake & single-family home on 3-acre lot |
| West                                 | County R-S    | Single-family home on 10-acre tract     |

**SITE CHARACTERISTICS**

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

**SITE HISTORY**

|                                     |   |
|-------------------------------------|---|
| <b>Annexation Date</b>              | Pending annexation on December 3, 2012  |
| <b>Zoning District</b>              | County R-S (Single-Family Residential)  |
| <b>Land Use Plan Designation</b>    | Neighborhood District   |
| <b>Subdivision/Legal Lot Status</b> | A concurrent subdivision request is pending. Plat approval is required prior to development permits being issued. |

**UTILITIES & SERVICES**

|                        |   |
|------------------------|---|
| <b>Sanitary Sewer</b>  | City of Columbia                                |
| <b>Water</b>           | PWSD # 9  |
| <b>Fire Protection</b> | Boone County (upon annexation City of Columbia) |
| <b>Electric</b>        | Boone Electric                                  |

**ACCESS**

| <b>Richland Road</b>      |   |
|---------------------------|---|
| <b>Location</b>           | North side of site  |
| <b>Major Roadway Plan</b> | Major Arterial (unimproved), requiring 106-110 ft of right-of-way. ½ width dedication will be required at the time of platting lot to be annexed into City. |
| <b>CIP projects</b>       | None  |
| <b>Sidewalk</b>           | 5-foot wide sidewalk needed.  |

**PARKS & RECREATION**

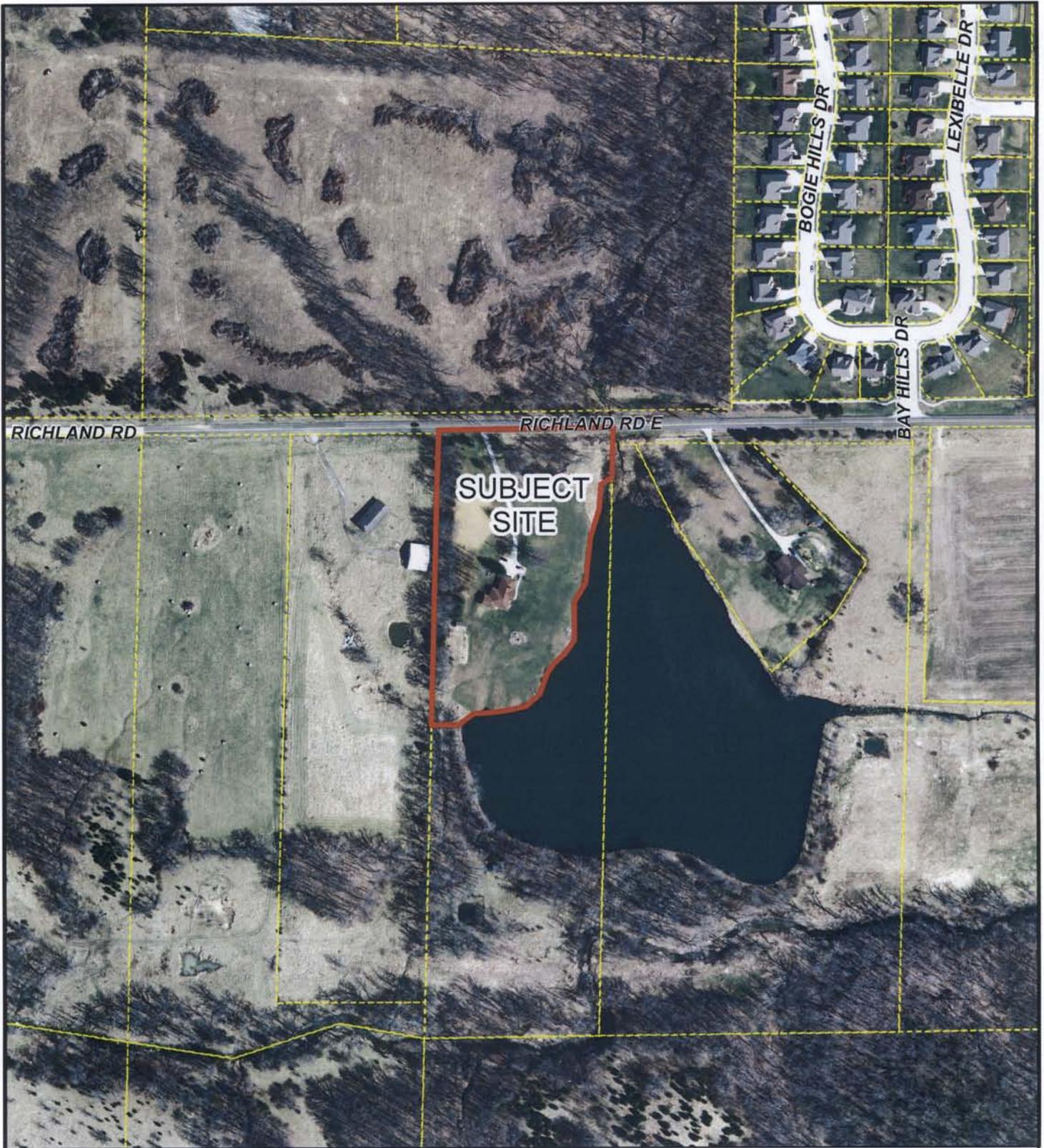
|                                |  |
|--------------------------------|--|
| <b>Neighborhood Parks Plan</b> | Site is served by East Port Park, approximately ½ mile to the east.  |
| <b>Trails Plan</b>             | Proposed North Fork of Grindstone Trail at southern edge of property (secondary trail)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

**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 by postcard of a public information meeting, which was held on January 2, 2013.

|   |  |
|---|--|
| <b>Public information meeting recap</b>     | Number of attendees: No attendees<br>Comments/concerns: None |
| <b>Neighborhood Association(s) notified</b> | Bay Hills  |
| <b>Correspondence received</b>              | None as of this writing                                      |

Report prepared by Steve MacIntyre; approved by Pat Zenner.



**SUBJECT  
SITE**

RICHLAND RD

RICHLAND RD E

BOGIE HILLS DR

LEXIBELLE DR

BAY HILLS DR

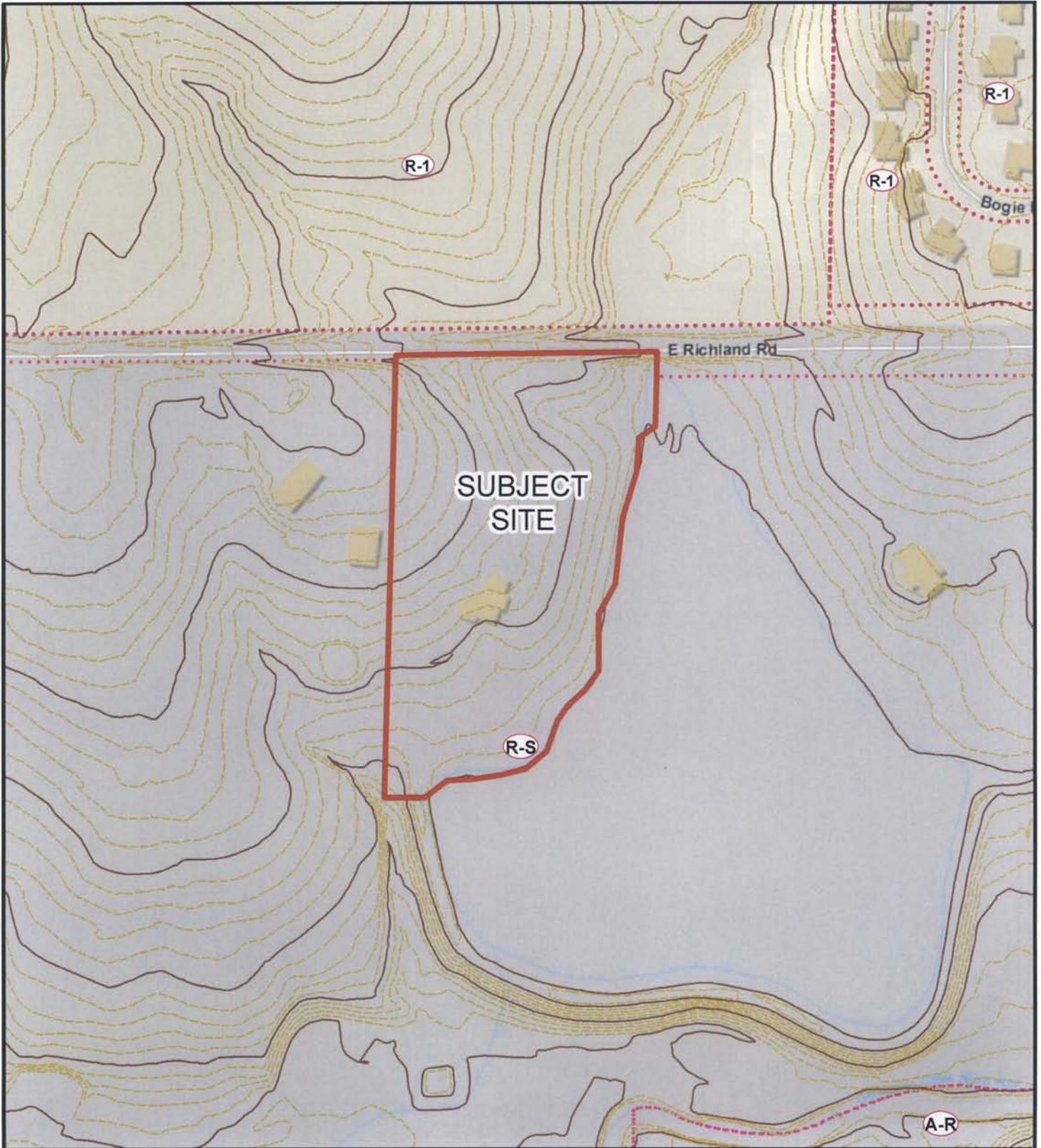


**Case 12-219: Annexation/Zoning  
Dale-Jeanne Powell**



1 inch = 300 feet

2011 Orthophoto  
Source: Boone County Assessor

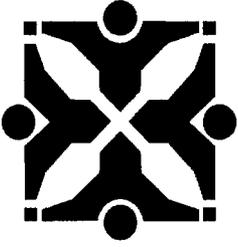


**Case 12-219: Annexation/Zoning  
Dale-Jeanne Powell**



1 inch = 200 feet





Source: Parks and Recreation *MH*

Agenda Item No:

To: City Council  
From: City Manager and Staff

Council Meeting Date: November 19, 2012

Re: Parks and Recreation Commission Recommendation: Dale-Jeanne Powell Trust Request

**EXECUTIVE SUMMARY:**

At their October 25 meeting, the Parks and Recreation Commission took action on a rezoning request from the Dale-Jeanne Powell Trust. The affected property is near Eastport Park.

**DISCUSSION:**

Following a brief staff presentation, the Commission on a motion by Kloepfel, seconded by Donaldson, agreed to inform Council that they do not foresee any adverse impact to Eastport Park from the proposed rezoning.

Voting in favor of the motion: Blevins, Davis, Kloepfel, Devine and Donaldson

Voting against the motion: No one

Motion passed 5-0.

**FISCAL IMPACT:**

None.

**VISION IMPACT:**

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

None

**SUGGESTED COUNCIL ACTIONS:**

Accept this report of the Parks and Recreation Commission.

**FISCAL and VISION NOTES:**

| <b>City Fiscal Impact</b><br>Enter all that apply |   | <b>Program Impact</b>                             |    | <b>Mandates</b>                               |    |
|---|---|---|----|---|----|
| City's current net FY cost                        | 0 | New Program/Agency?                               | No | Federal or State mandated?                    | No |
| Amount of funds already appropriated              | 0 | Duplicates/Expands an existing program?           | No | <b>Vision Implementation impact</b>           |    |
| Amount of budget amendment needed                 | 0 | Fiscal Impact on any local political subdivision? | No | Enter all that apply:<br>Refer to Web site    |    |
| Estimated 2 year net costs:                       |   | <b>Resources Required</b>                         |    | Vision Impact?                                | No |
| One Time  | 0 | Requires add'l FTE Personnel?                     | No | Primary Vision, Strategy and/or Goal Item #   |    |
| Operating/Ongoing                                 | 0 | Requires add'l facilities?                        | No | Secondary Vision, Strategy and/or Goal Item # |    |
|   |   | Requires add'l capital equipment?                 | No | Fiscal year implementation Task #             |    |

**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. Strodman, Mr. Lee. Motion carries 8-0.**

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