

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 179-13

AN ORDINANCE

rezoning property located on the west side of Forum Boulevard and at the terminus of Chapel Plaza Court (2301 Chapel Plaza Court) from District O-P to District C-P; 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 LOCATED IN SECTION 28, TOWNSHIP 48 NORTH RANGE 13 WEST CITY OF COLUMBIA BOONE COUNTY MISSOURI BEING LOT 6 FORUM CHAPEL PLAZA AS SHOWN IN PLAT BOOK 31 PAGE 90 OF THE BOONE COUNTY RECORDS AND CONTAINING 1.76 ACRES.

will be rezoned and become a part of District C-P (Planned Business District) and taken away from District O-P (Planned Office District). Hereafter the property may be used for office space, retail for home furnishing and an art gallery in conformance with the statement of intent, marked "Exhibit A," which is attached to and made a part of this ordinance.

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 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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

PASSED this _____ day of _____, 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

Statement of Intent Worksheet

For office use:

Case # <i>13-86</i>	Submission Date:	Planner Assigned:
------------------------	------------------	-------------------

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

- The uses proposed.
Office Space : Retail for Home Furnishing : Art Gallery
- 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.
*10,000 sq ft - entire building
 5,000 sq ft - unit I am purchasing*
- The maximum building height proposed.
Bldg already exist
- 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.
**See Attached Plan*

The following items only apply to PUD zoning requests:

- The total number of parking spaces proposed and the parking ratio per dwelling unit.
- Any amenities proposed, such as swimming pools, golf courses, tennis courts, hiking trails or club houses.
None
- 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.

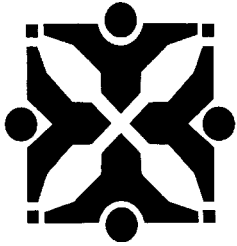
Note: At the discretion of the applicant, the statement of intent may include other aspects of the proposed development.

Kristi Karsen

 Signature of Applicant or Agent

5-10-13

 Date



Source: Community Development - Planning 

Agenda Item No:

To: City Council

From: City Manager and Staff 

Council Meeting Date: Jul 1, 2013

Re: Waterwood Building, LLC rezoning from O-P to C-P (**Case #13-86**)

EXECUTIVE SUMMARY:

A request by Kristin Kaiser (contract purchaser), on behalf of Darren Wittenberger and Waterwood Building, LLC (owner), for rezoning from O-P (planned office) to C-P (planned business). The 1.8-acre site is located at 2301 Chapel Plaza Court. (Case #13-86)

DISCUSSION:

The applicants request rezoning from O-P (planned office) to C-P (planned business) in order to add a retail space for home furnishings and an art gallery in one floor of the existing building.

The only use currently permitted for the site is professional office. The change in zoning designation from O-P to C-P is necessary to accommodate the retail component. Ample parking exists on site. The request has been reviewed by pertinent City and external agencies and departments.

As the adjacent R-1 PUD areas are currently open space, and a significant buffer area exists between the subject site and the homes to the west across the lake, staff finds this request compatible with the surrounding area (sites to the north and east are currently zoned O-P or CP) and Forum Boulevard borders the site to the east.

The Planning and Zoning Commission, at its June 20, 2013 meeting, voted 7-0 in favor of the rezoning to C-P. No one from the public spoke.

The staff report, meeting excerpts, locator maps, previously approved development plan and information, and letter from a nearby resident are attached.

FISCAL IMPACT:

None.

VISION IMPACT:

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

None.

SUGGESTED COUNCIL ACTIONS:

The Planning and Zoning Commission recommends approval of the rezoning request.

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/Epands 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
JUNE 20, 2013**

SUMMARY

A request by Kristin Kaiser (contract purchaser), on behalf of Darren Wittenberger and Waterwood Building, LLC (owner), for rezoning from O-P (planned office) to C-P (planned business). The 1.8-acre site is located at 2301 Chapel Plaza Court. **(Case #13-86)**

REQUESTED ZONING

C-P (Planned Business District), with the following development restrictions identified in the applicant's Statement of Intent:

a. Proposed uses	Professional office, retail for home furnishings and art gallery
b. Maximum gross building floor area	10,000 (5,000 for proposed use)
c. Maximum building height	25'
d. Minimum maintained open space (% of total site)	61 percent

DISCUSSION

The applicants request rezoning from O-P (planned office) to C-P (planned business) in order to add a retail space for home furnishings and an art gallery in the existing building. The combined office/retail/gallery area would occupy 5,000 sq. ft., or one floor of the two-story, 10,000 sq. ft. building.

The only use currently permitted for the site is professional office; an orthodontist's office is currently operating in part of the building. The change in zoning designation from O-P to C-P is necessary to accommodate the retail component. Ample parking exists on site and no alterations to the site, other than those interior to the building, would be made. The request has been reviewed by pertinent City and external agencies and departments.

As the adjacent R-1 PUD areas are currently open space, and a significant buffer area exists between the subject site and the homes to the west across the lake, staff finds this request compatible with the surrounding area (sites to the north and east are currently zoned O-P or C-P) and Forum Boulevard borders the site to the east.

STAFF RECOMMENDATION

Staff recommends approval of the rezoning from O-P to C-P.

SITE CHARACTERISTICS

Area (acres)	1.8
Address	2301 Chapel Plaza Court
Topography	Sloping toward the south and west
Vegetation	Trees, grass on site periphery
Watershed	Hinkson

SITE HISTORY

Annexation date	1964
Initial zoning designation	A-1
Previous rezoning requests	O-P, 1997
Land Use Plan designation	Neighborhoods
Existing use(s)	Office building
Existing zoning	O-P (professional office only permitted use)

SURROUNDING LAND USES

Orientation from site	Zoning District	Land use
North	O-P & C-P	Office/retail
South	R-1 PUD	Open space
East	C-P	Office/retail
West	R-1 PUD	Open space

UTILITIES & SERVICES

Sanitary Sewer	All City of Columbia services
Water	
Electric	
Fire Protection	

ACCESS

Chapel Plaza Court	North of site
Major Roadway Plan classification	Local, non-residential
Capital Improvement Program projects	Description: None

PARKS & RECREATION

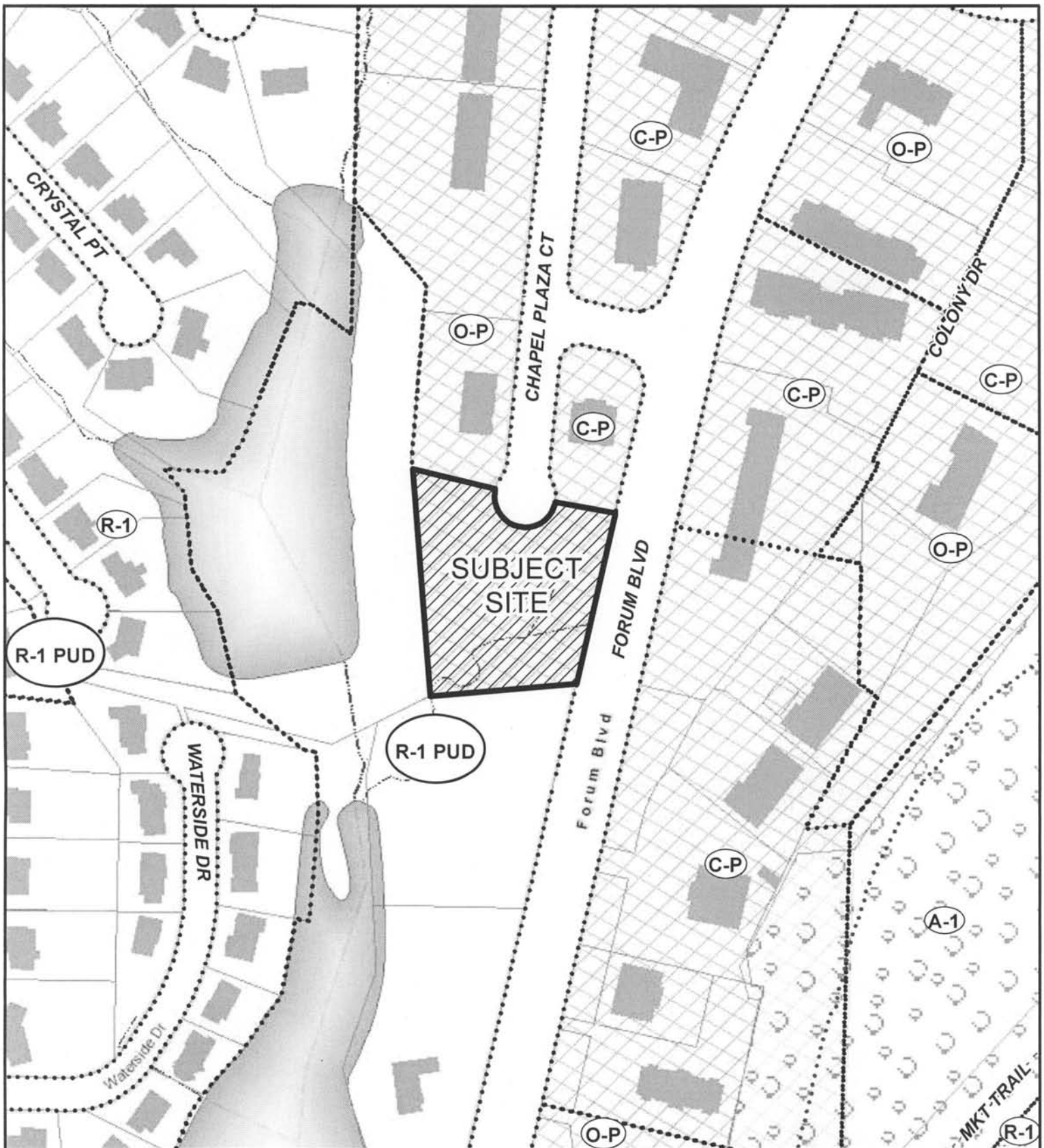
2008 Neighborhood Parks Plan	None
2007 Trails Plan	None; MKT nearby to east
Bicycle/Pedestrian Network Plan	Forum is urban trail/pedway

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 May 28, 2013.

Public information meeting recap	Number of attendees: None
Neighborhood Association(s) notified	Chapel Hill Lake, Limerick Lake
Correspondence received	One letter (attached)

Report prepared by ML Approved by PRZ



Case 13-86: O-P to C-P Rezoning Waterwood Building

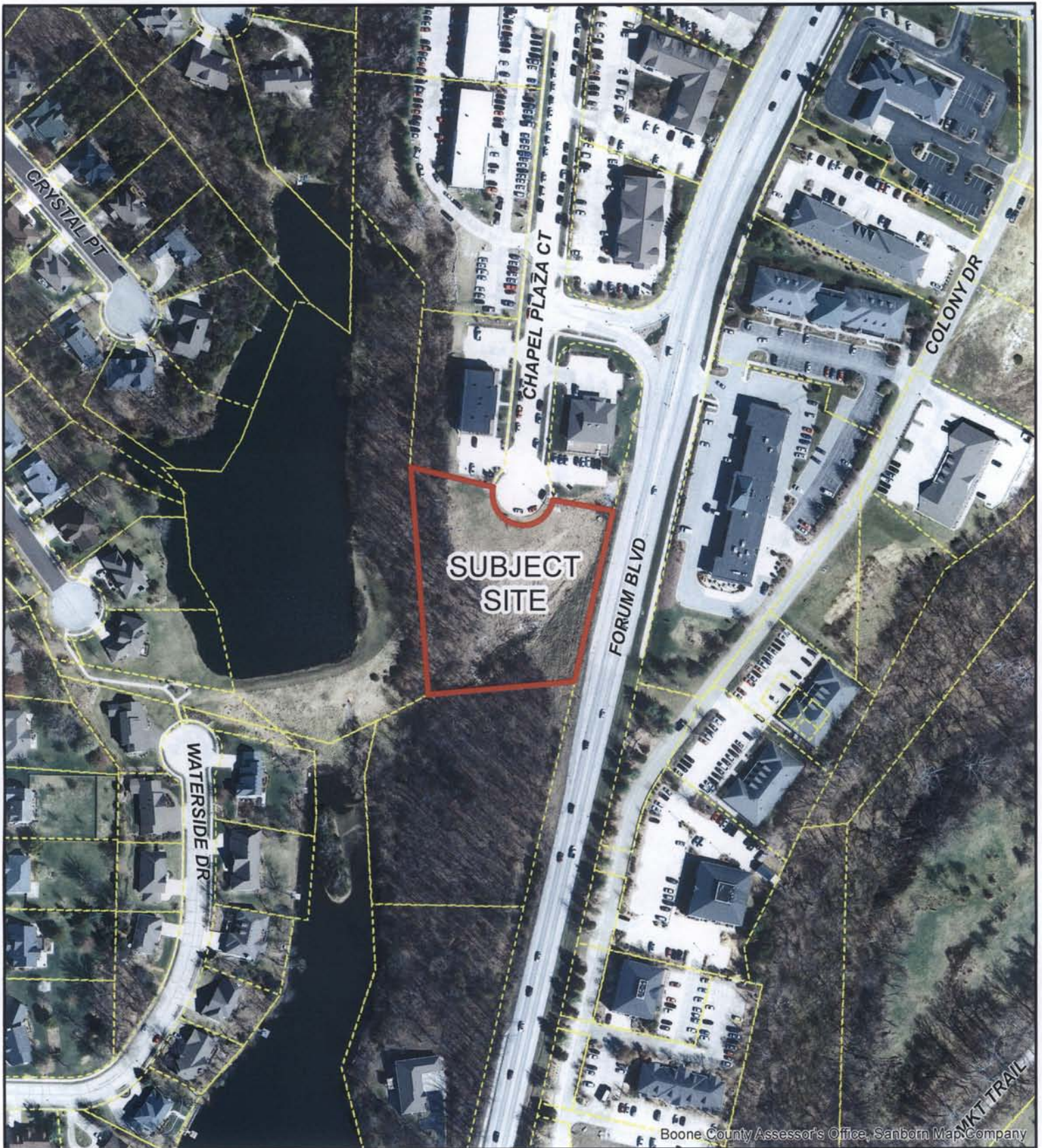


Parcel Data
Source: Boone County Assessor



1 inch = 200 feet





Case 13-86: O-P to C-P Rezoning Waterwood Building



Parcel Data and Aerial Photo
Source: Boone County Assessor



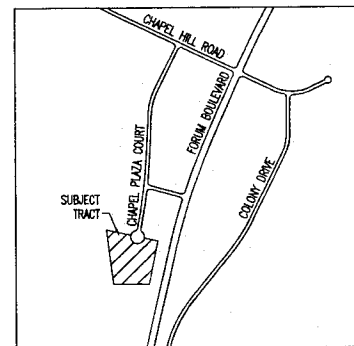
1 inch = 200 feet



O-P DEVELOPMENT PLAN MINOR REVISION #4 TO LOT 6 FORUM CHAPEL PLAZA

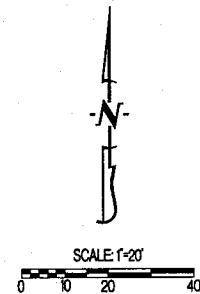
LOCATED IN SECTION 22, TOWNSHIP 48N, RANGE 13W
COLUMBIA, BOONE COUNTY, MISSOURI
AUGUST 2012

OWNER
WATERWOOD BUILDING, LLC
3710 S. OLD RIDGE COURT
COLUMBIA, MO 65203



LOCATION MAP

NOT TO SCALE



LEGEND:

- 818 --- EXISTING 2FT CONTOUR
- 820 --- EXISTING 10FT CONTOUR
- CURB
- EXISTING SANITARY SEWER MANHOLE
- S --- EXISTING 8" SANITARY SEWER
- S --- EXISTING STORM SEWER
- 8" --- EXISTING 8" WATERLINE
- 4" --- EXISTING FIRE HYDRANT
- BUILDING LINE
- EASEMENT LINE
- 35 LOT NUMBER
- 20' UP LIGHT POLE
- EXISTING TREELINE
- DIRECTION OF SURFACE DRAINAGE
- PROPOSED BICYCLE SPACES
- PROPOSED LIGHT POLE

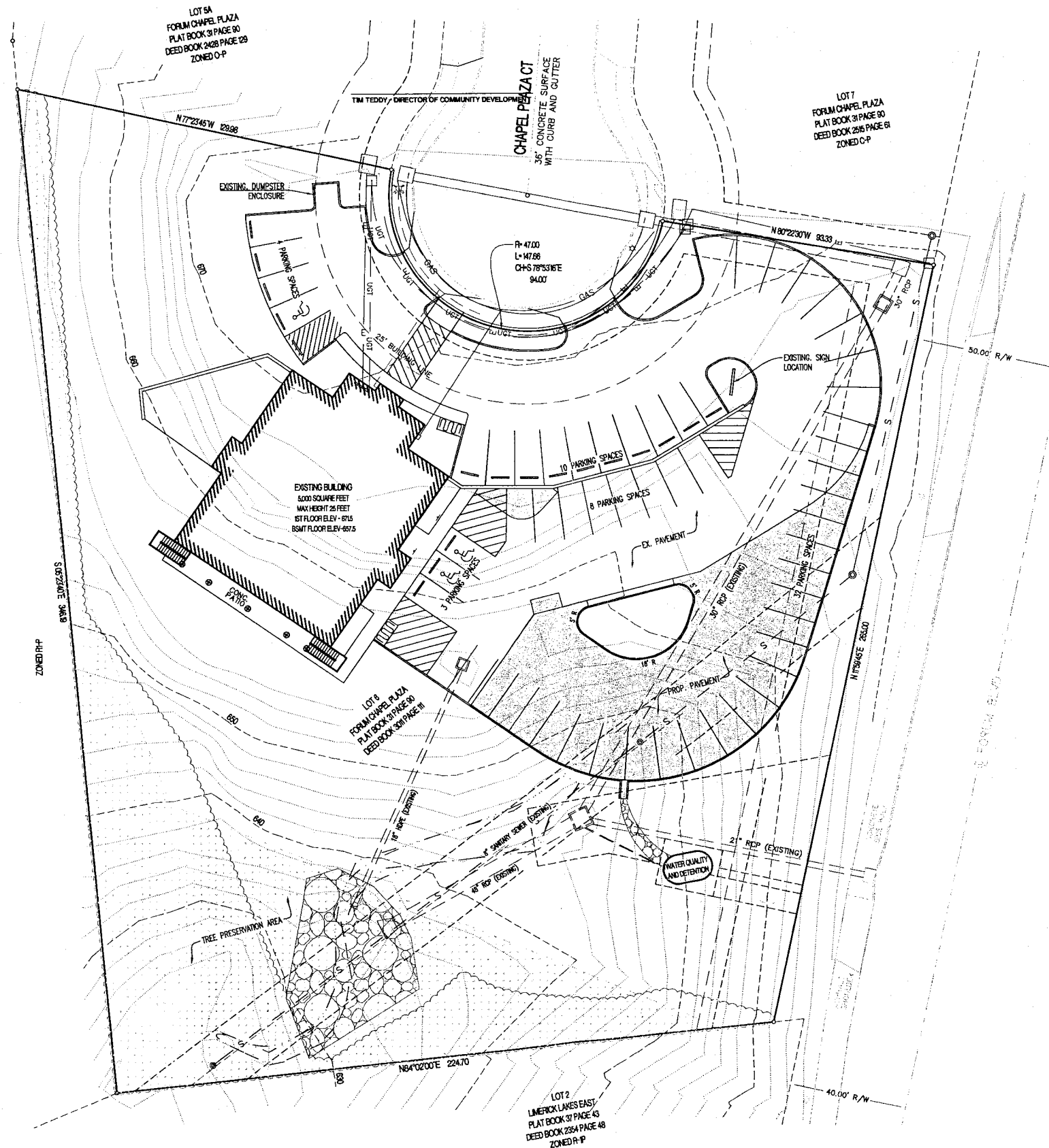
PERVIOUS AREA:

TOTAL LOT AREA	76,865 SF.
EXISTING IMPERVIOUS AREA	23,082 SF.
PROPOSED IMPERVIOUS AREA	6,107 SF.
TOTAL IMPERVIOUS AREA	30,089 SF. (39%)
TOTAL PERVIOUS AREA (OPEN SPACE)	46,776 SF. (61%)

PARKING:

ONE SPACE PER 300 SQFT x 10,000 SQFT.	34 SPACES
TOTAL REQUIRED SPACES:	34 SPACES
TOTAL SPACES EXISTING:	36 SPACES
TOTAL SPACES PROVIDED:	67 SPACES
HC SPACES REQUIRED:	3 SPACES
HC SPACES EXISTING:	2 SPACES
HC SPACES PROVIDED:	3 SPACES
TOTAL REQUIRED BICYCLE PARKING	8 SPACES
TOTAL PROVIDED BICYCLE PARKING	8 SPACES

TIM TEDDY - DIRECTOR OF COMMUNITY DEVELOPMENT



NOTES:

- THIS TRACT CONTAINS 1.76 ACRES.
- THIS TRACT IS CURRENTLY ZONED O-P.
- THIS TRACT IS NOT LOCATED IN THE 100-YEAR FLOOD PLAN AS SHOWN BY FEMA FIRM, PANEL NUMBER 28019C 0290D, DATED MARCH 17, 2011.
- TRACT DESCRIPTION:
A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING ALL OF LOT 6 OF FORUM CHAPEL PLAZA AS RECORDED IN PLAT BOOK 31 AT PAGE 80.
- THE MAXIMUM HEIGHT OF THE EXISTING BUILDING IS 25'. THE HEIGHT SHALL BE DETERMINED USING THE CURRENT ZONING REGULATIONS.
- THE MINIMUM DISTANCE FROM ANY BUILDING TO ANY RIGHT-OF-WAY SHALL BE 55 FEET, THE MINIMUM DISTANCE FROM ANY BUILDING TO ANY INTERNAL PROPERTY LINE SHALL BE 32 FEET.
- THE MINIMUM DISTANCE BETWEEN EDGE OF PARKING/DRIVEWAY STREET RIGHT-OF-WAY LINE SHALL BE 6 FEET. THERE SHALL BE NO SETBACK FROM PROPERTY LINE INTERIOR TO THE DEVELOPMENT.
- EXISTING SIGN IS TO HAVE A MAX HEIGHT OF 8'-0" ABOVE ADJACENT GRADE. MAX SIGN AREA TO BE 64 SQUARE FEET (PER SIDE). MONUMENT SIGNS TO BE WOOD AND BRICK. MONUMENT SIGNS TO BE SET BACK A MINIMUM OF 10 FEET FROM THE RIGHT OF WAY OF CHAPEL PLAZA COURT. SIGN ILLUMINATION TO BE EXTERNAL OR INTERNAL WALL SIGNS AND SHALL CONFORM WITH THE 1996, C-1 SIGN REGULATIONS.
- SCREENING TO BE ON THREE SIDES OF THE DUMPSTER PAD. SCREEN TO BE A MINIMUM OF 8' HIGH. SCREEN MATERIAL TO MATCH BUILDING SURFACE MATERIAL.
- THE STREAM BUFFER ORDNANCE DOES NOT APPLY TO THIS TRACT AS IT WAS INCLUDED ON A FINAL PLAT APPROVED ON DECEMBER 6, 1996.
- THERE IS A REGULATED CLIMAX FOREST LOCATED ON THIS TRACT. THE TREE PRESERVATION AREA AS DEFINED BY THE PREVIOUS C-P PLAN IS AS SHOWN ON THE DRAWING.
- ALL OUTDOOR LIGHTING SHALL BE SHOWN ON A LIGHTING PLAN THAT WILL COMPLY WITH CHAPTER 29-30.1 OF THE CITY OF COLUMBIA CODE OF ORDINANCE.
- 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 BIOTENTION AREAS WILL BE SIZED AT THE TIME OF FINAL DESIGN.

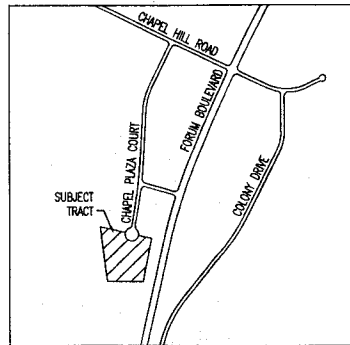
MINOR REVISION APPROVED ON THIS 21ST DAY OF SEPTEMBER, 2012

[Signature]
TIM TEDDY - DIRECTOR OF COMMUNITY DEVELOPMENT

PREPARED BY:
CROCKETT
ENGINEERING CONSULTANTS
2508 North Stadium Boulevard
Columbia, Missouri 65202
(573) 447-0292
www.crockettengineering.com

THIS SHEET HAS BEEN QUALITY CHECKED AND
DATED ELECTRONICALLY

TIMOTHY D. CROCKETT, 200400075
DATE
08/21/2012



LOCATION MAP

NOT TO SCALE

LEGEND:

	CURB
	RIP RAP
	EXISTING STRUCTURE
	EXISTING TREELINE
	PROPOSED TREELINE
	COE REGULATED WATERWAY
	EDGE OF WATERWAY
	EXISTING WATERLINE
	PROPOSED WATERLINE
	EXISTING GAS LINE
	PROPOSED GAS LINE
	EXISTING SANITARY SEWER
	PROPOSED SANITARY SEWER
	MANHOLE
	PROPOSED SANITARY SEWER LATERAL
	PROPOSED FIRE HYDRANT
	EXISTING STORM SEWER
	PROPOSED STORM SEWER
	BUILDING LINE
	EASEMENT
	LOT NUMBER
	EXISTING LOT NUMBER

NOTES:

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

THE LANDSCAPING SHOWN ON THIS PLAN IS CONCEPTUAL IN NATURE. THE DETAILS OF PLANT MATERIALS AND LOCATIONS WILL BE DETERMINED WITH THE SITE DEVELOPMENT PLANS.

LANDSCAPING SHALL COMPLY WITH SECTIONS 12A-49 (a) AND (f), 29-13.1 (a) (b), AND 29-25 (a) (3) AND (4) OF THE CITY OF COLUMBIA CODE OF ORDINANCES.

LANDSCAPER IS REQUIRED TO CONTACT THE CITY OF COLUMBIA ARBORIST UPON COMPLETION OF PLANTING FOR COMPLIANCE INSPECTIONS.

THE TREES, SHRUBS AND OTHER LANDSCAPING MATERIALS DEPICTED ON APPROVED PLANS SHALL BE CONSIDERED AS ELEMENTS OF THE PROJECT IN THE SAME MANNER AS PARKING, BUILDING MATERIALS AND OTHER ELEMENTS. THE DEVELOPER, HIS SUCCESSOR AND SUBSEQUENT OWNERS AND THEIR AGENTS WHO ARE AUTHORIZED TO MAINTAIN THE PROPERTY, SHALL BE RESPONSIBLE FOR THE CONTINUED MAINTENANCE. PLANT MATERIALS WITH DISEASE OR DAMAGE SHALL BE APPROPRIATELY TREATED AND/OR REMOVED AND REPLACED DURING THE NEXT GROWING SEASON.

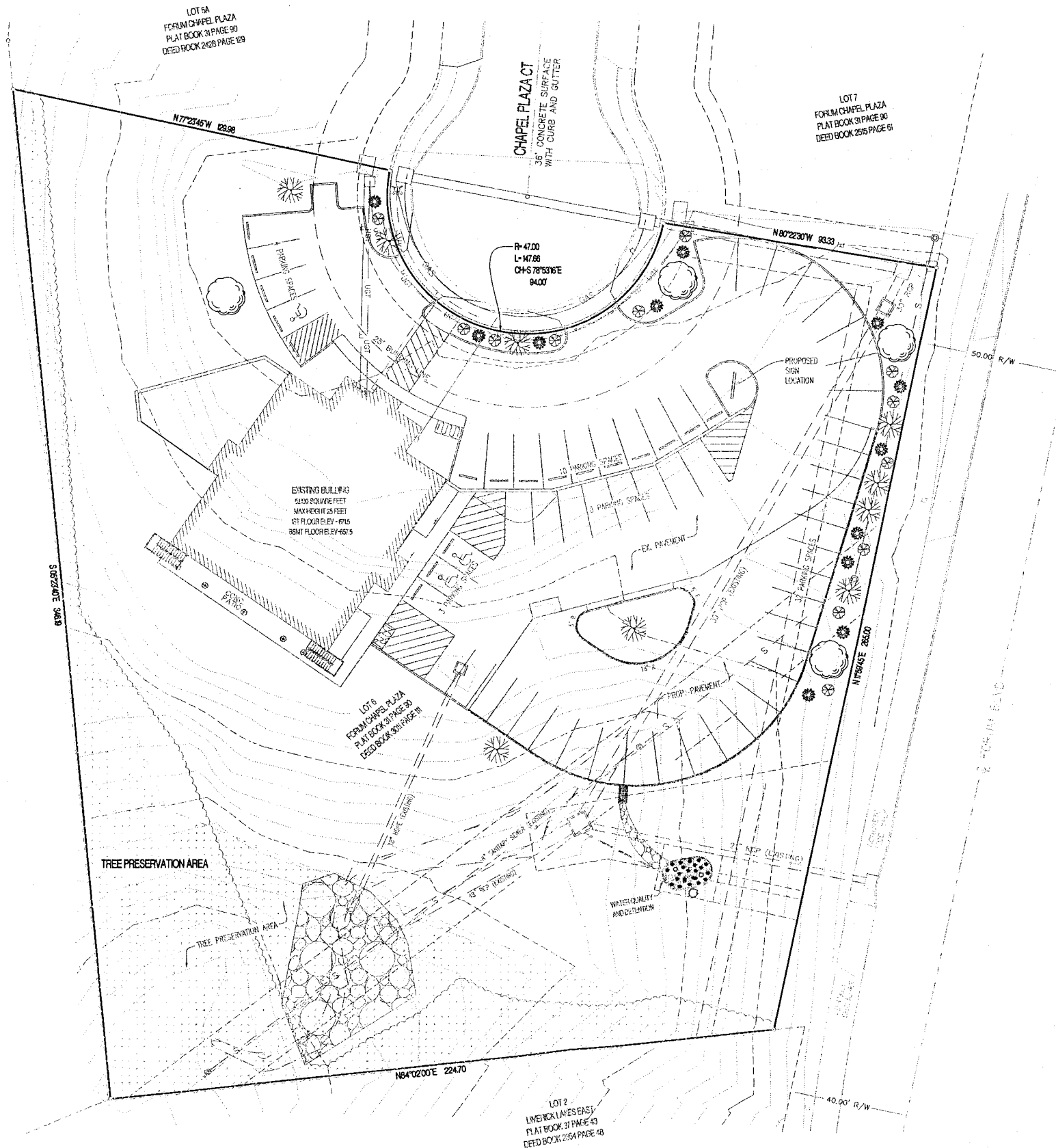
ALL PARKING AREAS CONTAINING MORE THAN FIVE (5) SPACES WITHIN TWENTY (20) FEET OF A STREET RIGHT OF WAY SHALL HAVE A SIX (6) FEET WIDE STREET YARD LANDSCAPING STRIP WITHIN PRIVATE YARDS SEPARATING PARKING AREAS FROM ADJUTING STREET RIGHTS OF WAY CONTAINING NO LESS THAN (4) OF THE CATEGORIES OF PLANTING MATERIAL LISTED IN PARAGRAPH (F) OF SECTION 29-25. THE STREET YARD LANDSCAPING STRIP SHALL CONTAIN ONE TREE PER FIFTY (50) FEET OF STREET FRONTAGE. SUCH TREES SHALL BE PLANTED AT INTERVALS OF FORTY (40) TO SIXTY (60) FEET ON CENTER IN THE LANDSCAPING STRIP. THE STREET YARD LANDSCAPING STRIP MAY CONTAIN DRIVEWAYS.

THE TREE PRESERVATION AREA AS DEFINED BY THE PREVIOUS CP PLAN IS AS SHOWN ON THE DRAWING.

O-P DEVELOPMENT PLAN MINOR REVISION #4 TO LOT 6 FORUM CHAPEL PLAZA

LOCATED IN SECTION 22, TOWNSHIP 48N, RANGE 13W
COLUMBIA, BOONE COUNTY, MISSOURI
AUGUST 2012

OWNER
WATERWOOD BUILDING, LLC
3710 S. OLD RIDGE COURT
COLUMBIA, MO 65203



PERVIOUS AREA:	
TOTAL LOT AREA	76,885 SF.
EXISTING IMPERVIOUS AREA	23,882 SF.
PROPOSED IMPERVIOUS AREA	6,037 SF.
TOTAL IMPERVIOUS AREA	30,000 SF. (39%)
TOTAL PERVIOUS AREA (OPEN SPACES)	46,785 SF. (61%)

PLANTING NOTES:

SHADE TREES:	
QUANTITY (SIZE)	PLANT SPECIES
4 (2" CALIPER)	OCTOBER GLORY MAPLE - ACER RUBRUM (OR APPROVED EQUAL)
ORNAMENTAL TREES:	
8 (4")	REDBUD (CERCIS CANADENSIS) (OR APPROVED EQUAL)
SHRUBS:	
12	BARBERRY (BERBERIS THUNBERGII 'ROSE GLOW') (PLANTED IN MULCHED MOUND ALONG STREET FRONTAGES)
12	RED SPIREA (SPIREA X BOMALDA 'ANTHONY WATERER' (PLANTED IN MULCHED MOUND ALONG STREET FRONTAGES)

LANDSCAPE COMPLIANCE:

TOTAL PARKING LOT AND DRIVE AREA:	23,653 SQ. FT.
TREES REQUIRED @ 1 TREE PER 4,500 S.F.:	6 TREES
LENGTH OF PROPOSED PARKING WITHIN 20' OF R/W:	274 L.F.
TREES REQUIRED @ 1 PER 50 L.F.:	6 TREES
TOTAL TREES REQUIRED:	12 TREES
MEDIUM TO LARGE TREES REQUIRED (30%):	4 TREES
TOTAL TREES PROPOSED:	12 TREES
MEDIUM TO LARGE TREES PROPOSED:	4 TREES
ADDITIONAL LENGTH OF DEVELOPMENT ADJACENT TO RESIDENTIAL ZONE:	0 L.F.

BIORETENTION PLANT DENSITY TABLE

PLANT TYPES	PLANT SPACING	TO BE PLANTED IN AREAS GREATER THAN	PLANTINGS REQUIRED
GRASSES/FLOWERS	1.5 FEET	7 SQ. FT.	20
SMALL SHRUBS (<10 FEET TALL)	6 FEET	75 SQ. FT.	2
LARGE SHRUBS / SMALL TREES (10 TO 25 FEET TALL)	8 FEET	135 SQ. FT.	1
LARGE TREES*	16 FEET	540 SQ. FT.	0

*LARGE TREES MUST BE INSTALLED 3-5 FEET BEYOND THE EDGE OF THE RAIN GARDEN.

PLANTING PLAN AND PLANT LIST FOR BIORETENTION FACILITIES WILL BE PROVIDED TO CITY OF COLUMBIA PUBLIC WORKS BEFORE PLANTING TAKES PLACE. ANY CHANGES TO PLANT LIST SHALL BE APPROVED BY THE CITY ARBORIST 674-6357.

MINOR REVISION APPROVED ON THIS 21ST DAY OF SEPTEMBER 2012.

TIM TEDDY - DIRECTOR OF COMMUNITY DEVELOPMENT

SITE/CIVIL ENGINEER

CROCKETT

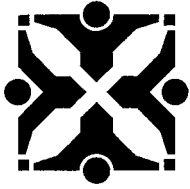
ENGINEERING CONSULTANTS
3608 North Lincoln Boulevard
Columbia, Missouri 65202
(573) 447-0978
www.crockettingeering.com
Crockett Engineering Consultants, LLC
Missouri Certificate of Authority
#0000181804

THIS SHEET HAS BEEN REVIEWED AND
DATE: 09/21/2012



TIMOTHY D. CROCKETT, 000000078

09/21/2012
DATE



CITY OF COLUMBIA, MISSOURI

COMMUNITY DEVELOPMENT

DEPARTMENT OF PLANNING AND DEVELOPMENT
(573) 874-7239

BUILDING AND SITE DEVELOPMENT
(573) 874-7474

OFFICE OF NEIGHBORHOOD SERVICES
(573) 817-5050

March 27, 2012

Jody Miller
Simon & Associates, Inc.
13 South Sixth Street
Columbia, MO 65201

Dear Ms. Miller:

By means of this letter I am approving your request for a minor amendment to the O-P development plan known as "Lot 6 of Forum Chapel Plaza C-P/O-P Development Plan – Minor Revision #3". Approved changes are itemized below:

- **Changed freestanding sign type from "monument" to "pole-mounted".**
- **Moved freestanding sign from Chapel Plaza Court frontage to an interior parking lot island.**

Permits may now be issued by applicable City departments, provided that such improvements are consistent with the revised plan.

If you have any questions, please feel free to call me at (573) 874-7239.

Sincerely,

Tim Teddy
Director, Community Development
ttteddy@gocolumbiamo.com

TTT/sjm



CITY OF COLUMBIA, MISSOURI

DEPARTMENT OF PLANNING AND DEVELOPMENT

July 7, 2011

Dan Brush
Brush and Associates
506 Nichols Street, Suite A
Columbia, MO 65201

Dear Mr. Brush:

By means of this letter I am approving your request for a minor amendment to the development plan known as "Forum Chapel Plaza O-P Development Plan Minor Revision #2 to Lot 6". Approved change(s) are itemized below:

- **Changed the use from a daycare to professional office building**
- **Changed the parking lot configuration and associated landscaping**

Permits may now be issued by applicable City departments, provided that such improvements are consistent with the revised plan.

If you have any questions, please feel free to call me at (573) 874-7239.

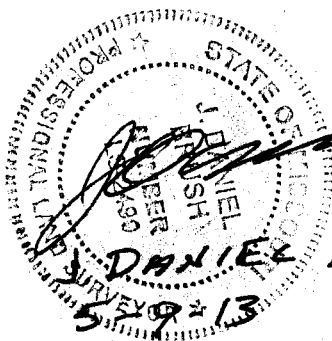
Sincerely,

Pat Zenner
Development Services Manager, Department of Planning & Development
przenner@gocolumbiamo.com

PRZ/sjm

CC: Jim Paneck, Protective Inspection

A TRACT LOCATED IN SECTION 28, TOWNSHIP 48 NORTH RANGE 13 WEST
CITY OF COLUMBIA BOONE COUNTY MISSOURI BEING LOT 6 FORUM
CHAPEL PLAZA AS SHOWN IN PLAT BOOK 31 PAGE 90 OF THE BOONE
COUNTY RECORDS AND CONTAINING 1.76 ACRES.



BRUSH LS 2499



Matthew Lepke <mjlepke@gocolumbiamo.com>

Fwd: [Planning]: Rezoning request from OP to C-P for the Waterwood Building at 2301 Chapel Plaza Court

1 message

Denise Clark <dlclark@gocolumbiamo.com>

Mon, Jun 10, 2013 at 2:17 PM

To: "Zenner, Patrick" <przenner@gocolumbiamo.com>, "Lepke, Matthew" <mjlepke@gocolumbiamo.com>, Steve MacIntyre <sjmacint@gocolumbiamo.com>

----- Forwarded message -----

From: **Paul Kanago** <cpp97270@centurytel.net>

Date: Mon, Jun 10, 2013 at 2:08 PM

Subject: [Planning]: Rezoning request from OP to C-P for the Waterwood Building at 2301 Chapel Plaza Court

To: planning@gocolumbiamo.com

P&Z Board members –

I just wanted to put my 2 cents in on the upcoming P&Z request to ask for a special use permit on behalf of Darren Wittenberger for a rezoning request from OP to C-P for the Waterwood Building at 2301 Chapel Plaza Court. I talked to Mathew Lepke and he told me that this request would be a special use request to be able to put in an art gallery under the classification of a furniture store and any use outside of this request would not be in compliance unless it was approved by city council under a new and separate request that would have to go back through P&Z and City council for approval. My property abuts the property in question and within the narrow confines stated above I am not in opposition to the above request. My main concern is that if this business fails and someone else comes in and wants to put in a Bar or Restaurant that they will not be able to do so without having to go back through City Council and P&Z. So as long as I have stated the premise correctly as Mr. Lepke communicated to me I am not in opposition of the Furniture Store/Art Gallery special use permit.... I am not sure if it would be appropriate or needed but it might be nice to limit normal retail business hours to 9:00 pm.

Thanks for your service,

Sincerely.

Paul L. Kanago

1701 Katy Lane

Columbia, MO 65203

pkanago@centurytel.net

EXCERPTS
PLANNING AND ZONING COMMISSION
JUNE 20, 2013

Case No. 13-86

A request by Kristin Kaiser (contract purchaser), on behalf of Darren Wittenberger and Waterwood Building, LLC (owner), for rezoning from O-P (planned office) to C-P (planned business). The 1.8 acre-site is located at 2301 Chapel Plaza Court.

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

Staff report was given by Mr. Matthew Lepke of the Planning and Development Department. Staff recommends approval of the rezoning from O-P to C-P.

MR. WHEELER: Are there any questions of Staff? Seeing none, open public hearing.

PUBLIC HEARING OPENED

MR. WHEELER: Anyone want to discuss this with us this evening?

PUBLIC HEARING CLOSED

MR. WHEELER: Commissioners? Ms. Peters?

MS. PETERS: Now I have a question for Staff since there's nobody here from the applicant. Do you know where the loading dock is positioned? I'm assuming there will be a loading dock since they're going to be a furniture --

MR. LEPKE: And I think honestly, Ms. Peters, the home furnishing side of it, I don't actually anticipate that it's going to be couches and beds and things. I think the home-furnishing aspect of it came more from the parking calculation end of it. The applicant represent an art gallery. So, essentially, I think art gallery will be the main use. Home furnishing sort of bled in there because when staff was reviewing, okay, to what do we compare this for parking purposes, a home-furnishing store was the closest thing, and I think that's how that term got in there. But from every correspondence I have had -- and it certainly would be a permitted use to do so -- from what I can tell, you see sort of -- you see the drive come around here to the lower end, and then I think there's -- similarly, there's one on this side. So I don't know in terms of receiving semis and things exactly how that would work, mostly because I don't think the building right now, as best I understand, is constructed to do that. You make a good point. The proposed use would allow that kind of thing, but my understanding is they're doing an art gallery. It would be part of their office for, you know, the agency and then gallery space where they could shows works as well as perhaps have gatherings and things.

MS. PETERS: Thank you.

MR. LEPKE: Uh-huh.

MR. WHEELER: Commissioners? Ms. Peters?

MS. PETERS: This seems like a compatible use and an appropriate change, and I would be happy to support it and move for approval if there's no other discussion.

MR. STANTON: Second.

MR. WHEELER: Motion has been made and seconded. Is there any discussion on the motion? When you're ready, sir.

MR. VANDER TUIG: We have a motion and a second for approval of Case 13-86 for rezoning from O-P to C-P. The 1.8 acre site is located at 2301 Chapel Plaza Court.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Reichlin, Mr. Vander Tuig, Mr. Wheeler, Mr. Stanton, Mr. Lee, Ms. Peters, Dr. Puri. Motion carries 7-0.

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