

Introduced by Hindman

First Reading 10-5-98 Second Reading 10-19-98

Ordinance No. 015780 Council Bill No. B 311-98

AN ORDINANCE

re zoning property located at 202 Old 63 North from District R-1 to District O-P; amending the land use plan; 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 part of the South Half of the Northwest Quarter of the Southeast Quarter of Section Seven (7), Township Forty-Eight (48), Range Twelve (12) described as follows: Beginning at a point Fifteen (15) feet East of the intersection of the East line of Moss Street with the North line of a fifty foot road, off the South side of said tract; thence North parallel with the East line of Moss Street, one hundred and forty-five (145) feet, thence East parallel with the road on the South one hundred and fifty (150) feet, thence South one hundred and forty-five (145) feet, thence West along the North line of Road, one hundred and fifty (150) feet to the point of beginning, all in the City of Columbia, Missouri, less that portion previously conveyed to the State of Missouri for highway purposes, and less that portion conveyed to the City of Columbia for road purposes or any purpose. By this deed the grantors further intend to convey all of that land shown in a survey found in Book 275, Page 279, Deed Records of Boone County, Missouri; and in addition, grantors intend to convey any interest which they might have in any lands lying west of said tract of land and between said tract of land and the right-of-ways previously conveyed to the State of Missouri for highway purposes.

will be rezoned and become a part of District O-P (Planned Office District) and taken away from District R-1 (One-Family Dwelling District). Hereafter the property may be used for any of the following uses:

1. Single family dwelling.
2. A counseling center operated by a charitable or not-for-profit organization; excluding a halfway house or any use connected with penal or correctional institutions.
3. The office for the administrative functions of a business, profession, company, corporation; and social, philanthropic, eleemosynary or governmental organization or society.
4. Offices for professional and business use involving the sale or provision of services, but not the sale or rental of goods.
5. Customary accessory uses for the above subject to the provisions of Section 29-27 of the Code of Ordinances.

SECTION 2. The property described in Section 1 is designated "Planned Office" on the Land Use Plan.

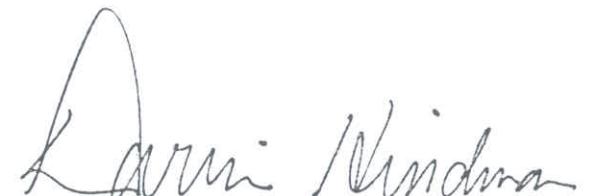
SECTION 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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

PASSED this 19th day of October, 1998.

ATTEST:

Denny Stevonne
City Clerk


Darni Windham
Mayor and Presiding Officer

APPROVED AS TO FORM:

Fred Bochum
City Counselor

REQUEST FOR COUNCIL BILL

Department requesting ordinance: PLANNING AND DEVELOPMENT

Description of ordinance (scratched up copy of another ordinance, rough draft, or memo describing all aspects of ordinance):

A REQUEST BY EDWIN MICHAEL AND JUDITH ANN KAISER TO REZONE FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO O-P (PLANNED OFFICE DISTRICT), PROPERTY LOCATED ON THE NORTHEAST CORNER OF OLD 63 AND EAST WALNUT STREET (202 OLD 63 NORTH), CONTAINING APPROXIMATELY 0.43 ACRE. JULIE: PLANNING AND ZONING COMMISSION RECOMMENDS APPROVAL SUBJECT TO THE PROPOSED USES LISTED IN DAVID ROGERS' LETTER (ATTACHED).

SECTION 2. The property described in Section 1 is designated "planned office"

on the Land Use Plan.

APPROPRIATION: Amount:

From the _____
Name of Account or Fund

Acct. # _____

To the _____
Name of Account or Fund

Acct. # _____

For: _____

APPROVAL OF APPROPRIATION: _____
Finance Director

Form of Certification (to be filled in by the Finance Director):

SIGNATURE OF DEPARTMENT HEAD

Date: 9/25/98



Source

J. Hancock



Fiscal Impact

YES



Other Info.

Agenda Item No. _____

TO: City Council
FROM: City Manager and Staff
DATE: September 28, 1998
RE: A REQUEST BY EDWIN MICHAEL AND JUDITH ANN KAISER TO REZONE FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO O-P (PLANNED OFFICE DISTRICT), PROPERTY LOCATED ON THE NORTHEAST CORNER OF OLD 63 AND EAST WALNUT STREET (202 OLD 63 NORTH), CONTAINING APPROXIMATELY 0.43 ACRE.

COUNCIL SUMMARY

At its meeting of September 24, 1998, the Planning and Zoning Commission voted unanimously (7-0) to recommend approval of the proposed rezoning, subject to the list of proposed uses submitted by the applicant's attorney. No one from the public spoke in opposition.

A staff report, locator map and excerpts from the minutes of the Planning and Zoning Commission meeting are attached.

SUGGESTED COUNCIL ACTION

The Planning and Zoning Commission recommends approval of the proposed rezoning, subject to the allowed uses being those listed on the attached letter from David Rogers, Attorney-at-Law, dated September 16, 1998.

RECEIVED

SEP 17 1998

PLANNING DEPT.

ROGERS LAW FIRM
ATTORNEYS AT LAW
SUITE B, VILLAGE SQUARE BUILDING
813 EAST WALNUT STREET
COLUMBIA, MISSOURI 65201-4862

DAVID B. ROGERS
MARY E. CARNAHAN
JOHN W. ROGERS

(573) 442-0131
FAX: (573) 442-9423
E-MAIL: lawoffice@sockets.net
JWR E-MAIL: jwr@sockets.net

September 16, 1998

Mr. Chuck Bondra
Senior Planner
Department of Planning
City of Columbia
P.O. Box N
Columbia, MO 65205

**RE: Kaiser Rezoning Request - OP Zoning Request
Designation of Proposed Uses**

Dear Mr. Bondra:

I am writing this letter to be included as part of the Kaiser rezoning request. Section 29-13.1 indicates that the commission should recommend and the council adopt designated uses for the property within the OP zone. The applicant requests the following uses be recommended and approved:

1. Continued use as a single family dwelling.
2. A counseling center operated by a charitable or not-for-profit organization.
3. The office for the administrative function of a business, profession, company, corporation and social philanthropic eleemosynary or governmental organization or society.
4. Offices for professional and business use involving the sale or provision of services, but not the sale or rental of goods.
5. Customary accessory uses for the above subject to the provisions of Section 29-27 of these ordinances.

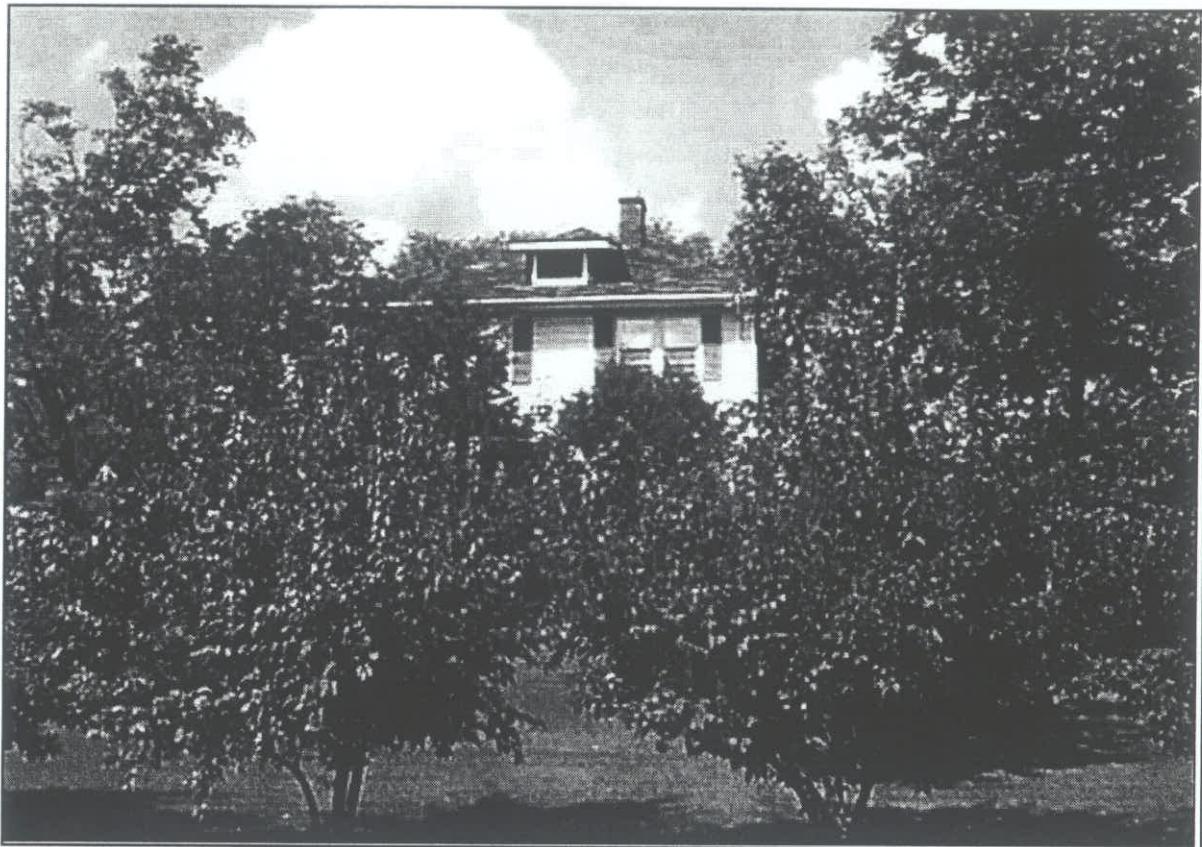
Thank you.

Yours very truly,

David B. Rogers

DBR/lmb

AGENDA REPORT
PLANNING & ZONING COMMISSION MEETING
SEPTEMBER 24, 1998



SUBJECT PROPERTY
(Looking in a northerly direction from East Walnut Street)

ITEM NO: 3 (b)

APPLICANT:

Edwin Michael and Judith Ann Kaiser.

LOCATION:

On the northeast corner of Old 63 and East Walnut Street (202 Old 63 North).

PROPERTY SIZE:

0.43 acre.

EXISTING ZONING:

R-1 (One-Family Dwelling District).

REQUESTED ZONING:

O-P (Planned Office District).

Note: A list of proposed O-P uses has not been offered as of this writing.

LAND USE PLAN DESIGNATION:

The subject property is shown as "low density residential" (0-6 dwelling units per acre) on the Land Use Plan. The proposed rezoning to O-P would not be in conformance with the plan.

ACCESS:

Access to the site is off East Walnut Street, an unimproved local residential street; and, off Old 63, an improved arterial street.

UTILITIES:

All City utilities are available to the site.

SITE CHARACTERISTICS:

The site is fully developed with an old single-family residence.

PARKLAND NEEDS/GREENBELT:

This part of the City has adequate neighborhood parkland according to the Parks Master Plan.

There is no designated greenbelt either on or adjacent to the site.

NEIGHBORHOOD ASSOCIATIONS AFFECTED:

East Walnut, Benton Stephens and Lions Stephens.

HISTORY:

The subject property was annexed into the City in 1906. The 1935 Zoning Map designated the property as "District A - First Dwelling". The revised 1957 zoning map designated the property as R-1. In 1965, a request was made to rezone a large tract which, at that time included the subject site, from R-1 to R-3. That request was denied, however. A subsequent request for R-3 zoning, filed in 1967 for property to the north and east of the subject site, was approved.

DISCUSSION:

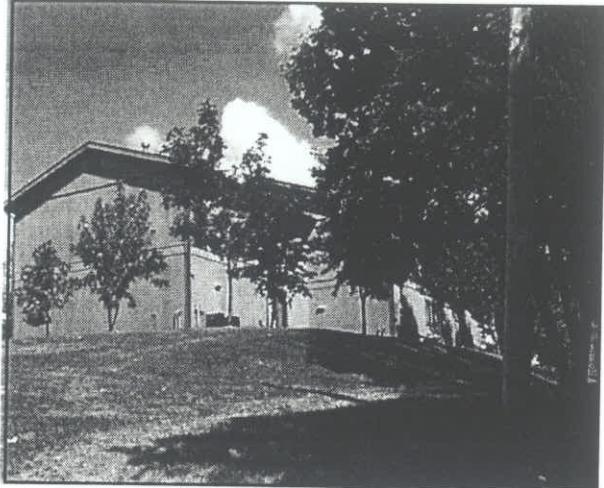
The proposal would allow for reuse of the subject site under the provisions of the O-P District. An O-P development plan will be required prior to any building permits being issued. Specific O-P uses have not been proposed as a part of the application. If the Commission recommends approval of the request, O-P uses need to be part of the recommendation.

The subject site lies at the intersection of a local residential and an arterial street, which is not an ideal setting for an office. Given the surrounding land use and R-3 zoning to the north and east, however, the request appears reasonable. The land to the east is a non-conforming office building which is also the subject of rezoning (to O-1) at the September 24th meeting.

STAFF RECOMMENDATION:

Approval of the rezoning. If the Commission recommends approval, allowed O-P uses need to be part of the recommendation.

EXISTING CONDITIONS:



North

Zoning: R-3

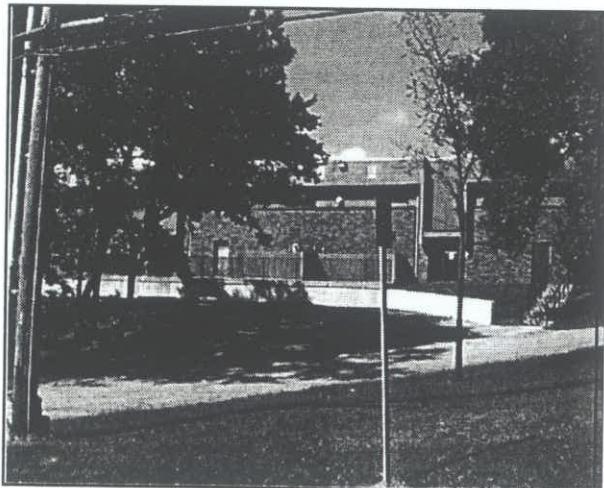
Land Use: Multi-family residential.



South

Zoning: R-1

Land Use: Stephens College Golf Course.



East

Zoning: R-3

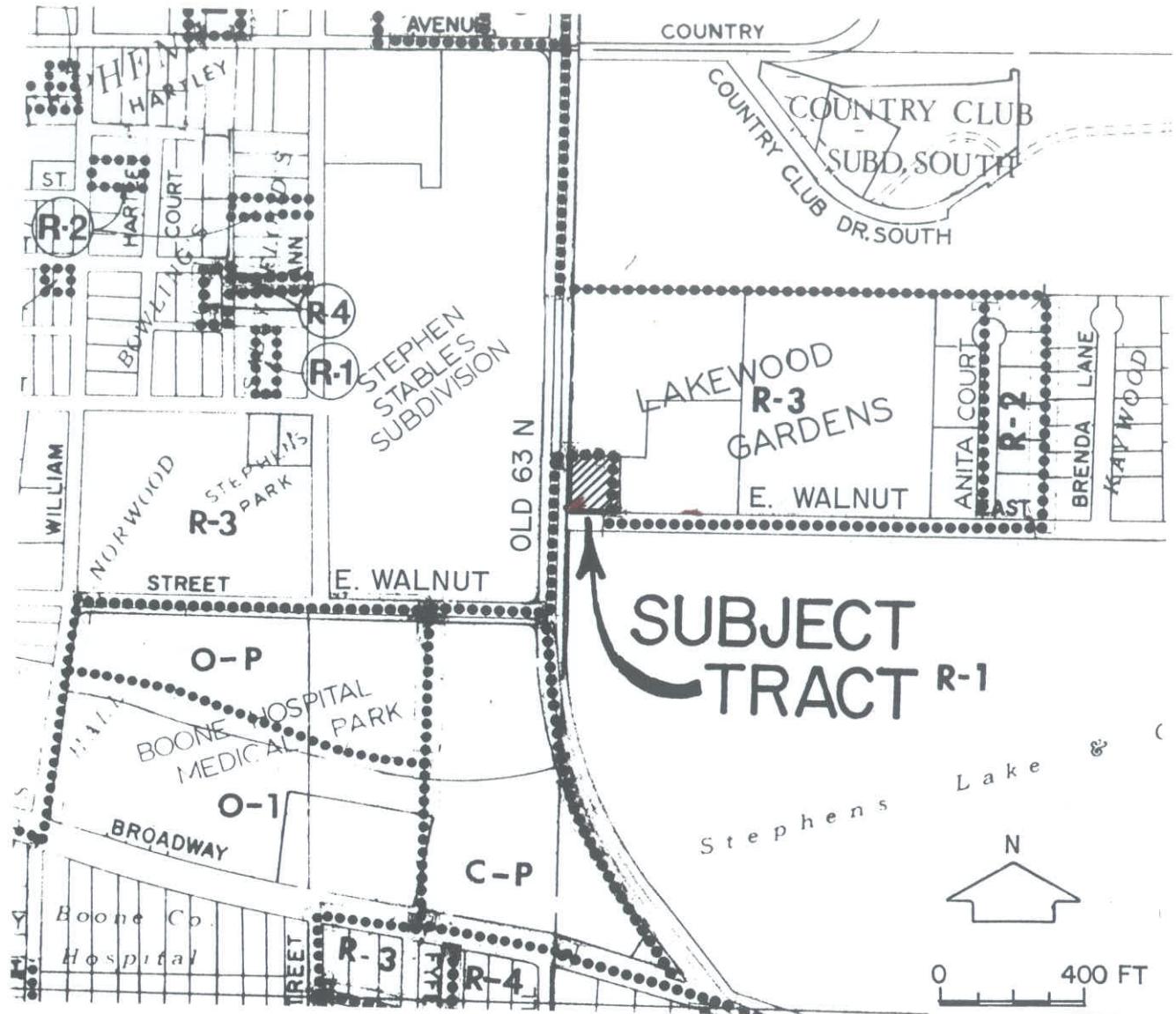
Land Use: Office (Nonconforming use)



West

Zoning: R-3

Land Use: Stephens College Stables.



for file

38
APPLICATION
FOR
REZONING OF PROPERTY
(REVISED March 28, 1996)

RECEIVED
SEP 01 1998
PLANNING DEPT.

General location of property (use street intersections if possible) The Northeast corner of the intersection of Old Highway 63 North and Walnut Street, Columbia, Boone County, Missouri.

Street address of property 202 Old 63 North, Columbia, Missouri

Size of tract (acreage or square feet)

18850 Square Feet

.43

Deed to property recorded in Book 443, Page 464

Present zone(s) R-1

Requested zone(s) OP

Present use(s) of property Single family dwelling

Columbia Land Use Plan designation Low Density Residential

Reason for Requesting zoning change Possible sale of property. All surrounding properties are either office or multi-family residential, therefore a planned office seems like a logical transition zone.

SEE ATTACHMENT FOR A DESCRIPTION OF ALL ITEMS WHICH MUST BE INCLUDED WITH THIS APPLICATION

OWNERS
of record:

Edwin Michael Kaiser
Judith Ann Kaiser

names

202 Old 63 North

address

Columbia, MO

City

State

Zip

phone

CONTRACT PURCHASER
(If applicable):

N/A

names

address

City

State

Zip

phone

AGENT
(if other than owner):
David B. Rogers
Attorney at Law

names

813 E. Walnut, Ste. B

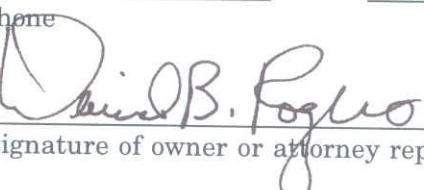
address

Columbia, MO 65201

City State Zip

(573) 442-0131

phone


(signature of owner or attorney representing owner)

September 1, 1998

(Date)

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
SEPTEMBER 24, 1998

ITEM 3 (b) A REQUEST BY EDWIN MICHAEL AND JUDITH ANN KAISER TO REZONE FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO O-P (PLANNED OFFICE DISTRICT), PROPERTY LOCATED ON THE NORTHEAST CORNER OF OLD 63 AND EAST WALNUT STREET (202 OLD 63 NORTH), CONTAINING APPROXIMATELY 0.43 ACRE. (32Z98)

Mr. John noted staff reports on Item 3 (b) (Kaiser) and 3 (c) (Hodges) would be presented together.

Staff report was given by Charles Bondra, Department of Planning and Development. Staff recommended approval. Mr. Bondra noted a letter had been received from David Rogers listing the proposed O-P uses. He noted the Commission needed to include a list of allowed uses if they recommended approval.

PUBLIC HEARING OPENED

David Rogers, Attorney-at-Law, 813 East Walnut Street, came forward. He said he was the attorney of the applicant in Items 3 (b) and 3 (c).

Mr. Rogers felt these items seemed like housekeeping matters, particularly as far as the O-1 request was concerned. He said this was a 16,000 square foot office building that had been developed and well landscaped. He said 3/4 of the building was presently under a long-term lease to the University of Missouri and they were looking for a compatible tenant for the other 1/4. He said it had adequate parking. He said both the parking and the building itself were pretty well landscaped from the surrounding R-3 and from the street. He thought there were 50 feet of grass, trees, etc. between Walnut and the front of the building. He noted there was a circle drive in front of the building for some parking, with the balance of parking to the side and rear. He felt this was a reasonable request and said it would help in several ways by making it conforming as opposed to non-conforming. He said you could improve your insurance rate situation to some extent and would not have to...they had had to go to the Board of Adjustment three or four times for very minor changes in the building because of the fact that it was a non-conforming use. He felt the zoning change should be done and should not be a major impact on the neighborhood one way or the other.

Mr. Rogers commented on the Kaiser property. He said Ed Kaiser was a former City Councilman. He said the reason they had decided to go with O-P on this one as opposed to O-1 was that as long as it continued to be used as the existing building either as an existing home or

home office, he did not think there would be much of a problem one way or the other. He said, however, if you got into modifying this...possibly building another structure on the premises, etc., you would have to address the question of ingress/egress...where you wanted that traffic to come out. He said this was the type of thing O-P zoning did the best. He said the applicant and his engineer could come in and present a plan for handling the traffic that would be entering and leaving from either Old 63 or Walnut Street. He felt this proposal for O-P was the appropriate one because you would need safeguards there that you did not need in the case of the existing building that had its existing building, parking, etc.

Mr. Rogers said Professor Kaiser was present and might wish to speak. He said Mr. Land was present who was a real estate professional for the Hodges Trust.

Mr. Barrow asked Mr. Rogers about customary accessory uses. He asked Mr. Rogers to educate him as to what customary uses there would be.

Mr. Rogers replied if you had a psychiatrist's office where he was, in fact, permitted to be a dispenser of medication...combining a certain pharmaceutical aspect to his psychiatry practice, that would require an accessory use in an office zone.

Mr. Hancock gave an example of a detached garage if there was a claims office there...a detached little structure to examine a car and do paperwork.

Mr. Barrow said he knew there had been another rezoning request like this in North Central and people had been concerned about some warehousing.

Mr. Rogers said it would not be an appropriate accessory use to an office zone, period.

Mr. Barrow said they had been talking about the office being used for landlords and they wanted a place to keep their spare toilets, pipes, etc.

Mr. Rogers said he remembered the hearing. He said most of the problem about warehousing had been coming from John Clark.

Ed Kaiser came forward. He said it had been 8-9 years since he had appeared before the Commission with a proposal for their property and the then dialysis clinic under a land use consideration which the Commission did every few years.

Mr. Kaiser said he thought there were several reasons why this made sense. He spoke about the former dialysis clinic. He said that office had been there for approximately 20 years. He said they were good neighbors and they were quiet. He said they had never had any problems with anyone in that building. He said it recently had been occupied by the University and because of that, they actually had extra police present when alarms went off, etc. He said when the building had been built, it was built appropriately under R-3 in the ordinance.

Mr. Kaiser said his argument for their own property was that they were R-1 and sort of a peninsula of R-1 surrounded by R-3. He said it was R-3 on the north and R-3 on the east and R-3 on the west. He said the golf course was to the south and that had remained R-1. He said the main argument was that it was a peninsula surrounded by heavy zoning. He said, at this point in time, there were two single-family homes on Old 63 north of Broadway. He said there was theirs and one quite a bit up the street. He stressed that everything else, at this point, on Old 63 north of Broadway was either apartments or offices.

Mr. Kaiser said the other argument in favor would be that if, in fact, the Commission did recommend O-1 zoning for the property east of them, it would make sense to have contiguous zoning from the eastern end of that property up to Old 63. He said he and his wife were thinking not so much for them right now...no one had approached them to buy the property and they were not actively seeking to sell it. He said he thought they were frankly looking to the future. He said the way Boone Hospital Center was growing, it would seem appropriate that this could well be a small office for a physician or dentist, etc.

Mr. Kaiser said he would be glad to answer questions.

Mr. Cady asked if either one of the properties shared any kind of amenity...parking, driveways, etc.

Mr. Kaiser replied no.

PUBLIC HEARING CLOSED

Mr. Daugherty felt this was a very appropriate rezoning of both properties. He said he intended to support both of the requests.

Mr. John said he had a concern about the O-1 on the dialysis clinic property. He said that road had been downgraded now and he saw no reason to avoid the fact that it was an office building. He said, however, he would be much more comfortable with it if it was O-P. He said 10-20 years from now, someone might want to do something else with it.

Mr. Lamb said he agreed. He said he would be more comfortable if the whole thing was O-P.

Mr. Barrow said he agreed. He said he was a little concerned that there was no neighborhood input. He said he guessed silence "approved" it. He said the Commission needed to think ahead...an O-P would give the City more say in traffic and off-site improvements.

Mr. Barrow moved to recommend O-P on Item 3(b) with the attached uses. Seconded by Mr. Daugherty.

Call the Question

Roll Call Vote: Yes is to recommend approval of O-P with the attached list of uses. Voting yes: Ms. Hazell, Mr. Barrow, Mr. Daugherty, Mr. Inshirah, Mr. John, Mr. Lamb, Mr. Cady. Voting no. No one. Motion carries 7-0.

Mr. John asked Mr. Rogers if he would like to comment on his thoughts about O-P.

Mr. Rogers said it appeared to him that the argument Mr. John was making would, basically, eliminate the O-1 zone. He said you could always choose for more control and the building might be torn down 20-30 years down the road. He said he did not think that had been the basis on which zoning decisions were made. He said they were trying to get out of the situation where they were having to go back to the Board of Adjustment every time they made any sort of minor change to the building. He said they had had to do that 3-4 times. He said now they might be in a position where they were having to do it even more expensively by coming back in with some sort of an O-P plan. He felt this was an unnecessary imposition of government regulations. He said you could always argue that more control is better from a planning point of view.

Mr. Inshirah noted there was another member of the audience who wished to speak. This was allowed.

Stephen Roberts, 217 Brenda Lane, came forward. He commented on the O-1 request. He said he had come to be in agreement with the Commission about making it O-P. He felt this was better. He felt O-1 would let something happen. He said he did not see it being 10-30 years down the road. He said with the way Columbia was growing, it might happen in a couple of years. He said they might tear the building down. He asked what O-1 would allow.

Mr. John replied, basically, just offices. He said the Commission was suggesting the O-1 uses which were, basically, office uses. He said by putting it in an O-P District, any major changes other than minor changes to the building would have to come back with a plan.

Mr. Roberts felt they should have to come back with a plan where people could have some input. He noted people in an office parked on the street in the winter. He noted everyone drove 35-40 m.p.h. He felt if the neighbors did not have any say about what could go in there, it would drive residential values down.

Mr. Daugherty said changing it to O-P would not change the traffic pattern in any way. He said it would not decrease the volume of traffic going down Walnut Street. He said he did not find anything wrong with the O-1.

Mr. Daugherty moved to recommend approval of the O-1 zoning. Seconded by Ms. Hazell.

Mr. John said he thought if this was coming in with no building there, the Commission would probably not recommend that any office be put in there at all. He said you could not tell what would happen in the future.

Mr. Barrow felt O-P on the land was appropriate. He said this would have the neighbors and community a chance to have a voice in what would happen.

Mr. Lamb agreed. He said this was an issue that might come back to haunt the Commission in the future.

Call the Question

Roll Call Vote: Yes is to recommend O-1 zoning. Voting yes: Ms. Hazell, Mr. Daugherty, Mr. Cady. Voting no: Mr. Barrow, Mr. Inshirah, Mr. John, Mr. Lamb. Motion fails 4-3.

NOTICE OF PUBLIC HEARING

Notice is hereby given of a public hearing before the Planning and Zoning Commission of the City of Columbia, Missouri, to be held in the City Council Chamber on the Fourth Floor of the Daniel Boone Building, 701 East Broadway, in said City on September 24, 1998, at 7:00 p.m. to give all citizens and interested parties an opportunity to be heard in relation to the following:

A REQUEST BY EDWIN MICHAEL AND JUDITH ANN KAISER TO REZONE PROPERTY FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO O-P (PLANNED OFFICE DISTRICT), LOCATED ON THE NORTHEAST CORNER OF OLD 63 AND EAST WALNUT STREET (202 OLD 63 NORTH), CONTAINING APPROXIMATELY 0.43 ACRE.

For additional information, call 874-7239.

PLANNING AND ZONING COMMISSION

John John
Chair

INSERTION DATE: September 9, 1998

NOTICE TO PAPER:

PLEASE SEND TWO COPIES OF THE AFFIDAVIT OF PUBLICATION IMMEDIATELY TO THE CITY OF COLUMBIA, DEPARTMENT OF PLANNING AND DEVELOPMENT, PO BOX N, COLUMBIA, MISSOURI 65205. (SECOND FLOOR, CITY BUILDING). OUR PURCHASE ORDER IS 980168.

PAPER: COLUMBIA DAILY TRIBUNE. DATE MAILED: SEPTEMBER 4, 1998



PROPOSED REZONING OF PROPERTY

TO: DIRECTOR OF PUBLIC WORKS
 DIRECTOR OF WATER & LIGHT
 DIRECTOR OF PARKS & RECREATION
 FIRE CHIEF
 POLICE CHIEF/JOINT COMMUNICATIONS
 GENERAL TELEPHONE
 UNION ELECTRIC
 OTHER

FROM: DIRECTOR OF PLANNING
AND DEVELOPMENT
DATE: 9/1/98
DATE DUE: 9/15/98

Kaiser Rezoning

An application for rezoning from R-1 to O-P on
property located at

See attached

(see attached map) has been submitted. The Planning and Development Department would appreciate receiving your comments or recommendation on this rezoning request.

COMMENTS

See attached comments.

M Hood

RECEIVED
SEP 21 1998
PLANNING DEPT.

Source
P & R
Commission

Agenda Item No. _____

TO: City Council
FROM: City Manager and Staff
DATE: September 18, 1998
RE: **Proposed Rezoning at 202 Old 63 North**
Proposed Rezoning at 1805 East Walnut Street

These proposed rezonings were before the Commission at their regularly scheduled meeting, September 17, because of the proximity to Lions-Stephens Park. On a motion from Hine, seconded by Kloeppel, the Commission voted unanimously to inform the Council they see no adverse affect on Lions-Stephens Park from these proposed rezonings.

Fiscal Impact

YES

NO

Other Info.



CITY OF COLUMBIA, MISSOURI

DEPARTMENT OF PLANNING AND DEVELOPMENT

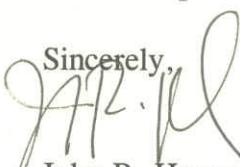
September 8, 1998

A public hearing will be conducted by the Planning and Zoning Commission regarding a request by Edwin Michael and Judith Ann Kaiser to rezone from R-1 (One-Family Dwelling District) to O-P (Planned Office District), property located on the northeast corner of Old 63 and East Walnut Street (202 Old 63 North), containing approximately 0.43 acre (see map on reverse).

The public hearing will be held in the City Council Chamber on the Fourth Floor of the Daniel Boone Building, 701 East Broadway, at 7:00 p.m. on Thursday, September 24, 1998.

After the public hearing, the Planning and Zoning Commission will forward a recommendation to the City Council. Please note that the Planning and Zoning Commission's action is a recommendation to the City Council. The Council will normally take action on the proposal approximately one month after the Planning and Zoning Commission meeting. Please contact the Department of Planning and Development at (573) 874-7239 for an exact date of the City Council meeting or any other information regarding this proposal.

This notice is being sent to property owners within 185 feet of the subject property and other interested parties.

Sincerely,

John R. Hancock
Director

JRH/nc





PROPOSED REZONING OF PROPERTY

TO: DIRECTOR OF PUBLIC WORKS
 DIRECTOR OF WATER & LIGHT
 DIRECTOR OF PARKS & RECREATION
 FIRE CHIEF
 POLICE CHIEF/JOINT COMMUNICATIONS
 GENERAL TELEPHONE
 UNION ELECTRIC
 OTHER

FROM: DIRECTOR OF PLANNING
AND DEVELOPMENT

DATE: 9/1/98

DATE DUE: 9/15/98

Kaiser Rezoning

An application for rezoning from R-1 to O-P on
property located at

See attached

(see attached map) has been submitted. The Planning and Development Department would appreciate receiving your comments or recommendation on this rezoning request.

COMMENTS

WATER - OKAY, Any relocation of existing
facilities will be at petitioners
expense. JWC

ELEC - OK ^{DHC}
See water comments 4BT

RECEIVED
SEP 11 1998
PLANNING DEPT.



PROPOSED REZONING OF PROPERTY

TO: DIRECTOR OF PUBLIC WORKS
 DIRECTOR OF WATER & LIGHT
 DIRECTOR OF PARKS & RECREATION
 FIRE CHIEF
 POLICE CHIEF/JOINT COMMUNICATIONS
 GENERAL TELEPHONE
 UNION ELECTRIC
 OTHER

FROM: DIRECTOR OF PLANNING
AND DEVELOPMENT

DATE: 9/1/98

DATE DUE: 9/15/98

Kaiser Rezoning

An application for rezoning from R-1 to O-P on
property located at
See attached

(see attached map) has been submitted. The Planning and Development Department would appreciate receiving your comments or recommendation on this rezoning request.

COMMENTS

NO COMMENTS

RECEIVED
SEP 09 1998
PLANNING DEPT.

Reviewed by Public Works Staff Approved by George Montgomery 9/8/98



PROPOSED REZONING OF PROPERTY

TO: DIRECTOR OF PUBLIC WORKS
 DIRECTOR OF WATER & LIGHT
 DIRECTOR OF PARKS & RECREATION
 FIRE CHIEF
 POLICE CHIEF/JOINT COMMUNICATIONS
 GENERAL TELEPHONE
 UNION ELECTRIC
 OTHER

FROM: DIRECTOR OF PLANNING
AND DEVELOPMENT
DATE: 9/1/98
DATE DUE: 9/15/98

Kaiser Rezoning

An application for rezoning from R-1 to O-P on
property located at

See attached

(see attached map) has been submitted. The Planning and Development Department would appreciate receiving your comments or recommendation on this rezoning request.

COMMENTS

No CONFLICT
AMEREN UE
Brutman
876-3030

RECEIVED
SEP 10 1998
PLANNING DEPT.



PROPOSED REZONING OF PROPERTY

TO: DIRECTOR OF PUBLIC WORKS
 DIRECTOR OF WATER & LIGHT
 DIRECTOR OF PARKS & RECREATION
 FIRE CHIEF
 POLICE CHIEF/JOINT COMMUNICATIONS
 GENERAL TELEPHONE
 UNION ELECTRIC
 OTHER

FROM: DIRECTOR OF PLANNING
AND DEVELOPMENT

DATE: 9/1/98

DATE DUE: 9/15/98

Kaiser Rezoning

An application for rezoning from R-1 to O-P on
property located at See attached

(see attached map) has been submitted. The Planning and Development
Department would appreciate receiving your comments or recommendation on
this rezoning request.

COMMENTS

ENGR	SUPVR	RECD
SEP - 4 1998		

GTE has no objections

Calin W. Steyn
9/9/98

George Keng M

mailed 9/9/99

Sam D. Hodges, III, Trustee
323 Union Street - Suite 400
Nashville, TN 37201

Stephens College
Attn: Business Office
1200 East Broadway
Columbia, MO 65201

Connie Yoder
East Walnut Neighborhood Association
207 Elliott Drive
Columbia, MO 65201

Bob Boxley
Lions Stephens Neighborhood Association
208 N. William
Columbia, MO 65201

Lakewood Associates
RJS Management
225 W. 34th Street - Suite 1216
New York, NY 10122-0049

Lakewood Gardens Apartment Company
1901 E. Walnut - Apt. 1
Columbia, MO 65201

Susan M. Lloyd
Benton Stephens Neighborhood Association
1516 Windsor St.
Columbia, MO 65201



PROPOSED REZONING OF PROPERTY

TO: DIRECTOR OF PUBLIC WORKS
 DIRECTOR OF WATER & LIGHT
 DIRECTOR OF PARKS & RECREATION
 FIRE CHIEF
 POLICE CHIEF/Joint COMMUNICATIONS
 GENERAL TELEPHONE
 UNION ELECTRIC
 OTHER

FROM: DIRECTOR OF PLANNING
AND DEVELOPMENT
DATE: 9/1/98
DATE DUE: 9/15/98

Kaiser Rezoning

An application for rezoning from R-1 to O-P on
property located at see attached

(see attached map) has been submitted. The Planning and Development
Department would appreciate receiving your comments or recommendation on
this rezoning request.

COMMENTS

NO NEW STREETS - REZONING

APPROVED AS SUBMITTED 9/3/98
Chuck Marshall

RECEIVED
SEP 08 1998
PLANNING DEPT.

**LIST OF PROPERTY OWNERS OWNING PROPERTY WITHIN
200 FEET OF THE SUBJECT PROPERTY**

Sam D. Hodges, III
Trustee
323 Union Street, Suite 400
Nashville, TN 37201

Lakewood Associates
c/o RJS Management
225 W. 34th Street, Suite 1216
New York, NY 10122-0049

Stephens College
Attn: Business Office
Columbia, MO 65201

Lakewood Gardens Apartment Company
1901 E. Walnut St., Apt. 1
Columbia, MO 65201



PROPOSED REZONING OF PROPERTY

TO: DIRECTOR OF PUBLIC WORKS
 DIRECTOR OF WATER & LIGHT
 DIRECTOR OF PARKS & RECREATION
 FIRE CHIEF
 POLICE CHIEF/JOINT COMMUNICATIONS
 GENERAL TELEPHONE
 UNION ELECTRIC
 OTHER

FROM: DIRECTOR OF PLANNING
AND DEVELOPMENT
DATE: 9/1/98
DATE DUE: 9/15/98

Kaiser Rezoning

An application for rezoning from R-1 to O-P on
property located at See attached

(see attached map) has been submitted. The Planning and Development Department would appreciate receiving your comments or recommendation on this rezoning request.

COMMENTS

OK
F. von Bahr
FIRE DEPT
9-3-98

LEGAL.OK

LEGAL DESCRIPTION VERIFICATION AND APPROVAL

TO: Engineering Department
Public Works Department

FROM: Director of
Planning and Development

DATE: 9/2/98

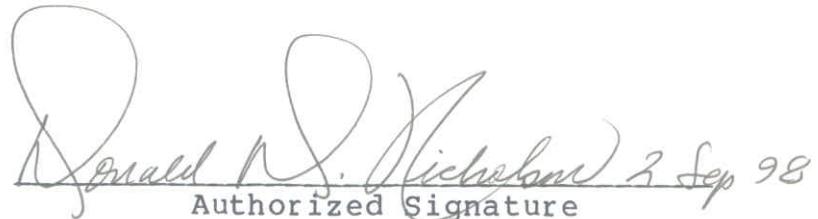
Please return by: 9/3/98

NAME OF APPLICATION: Kaiser Rezoning
LOCATION: See attached

The attached application has been received by the Planning and Development Department. We would appreciate your verifying the legal description. The ad must be to the newspaper by _____ and we would appreciate receiving your reply prior to that date if at all possible. Thank you for your time.

Approved as submitted ✓

Approved subject to the following:


Donald N. Nicholson 2 Sep 98
Authorized Signature

Warranty Deed

Filed for record on

June 13, 1977 at 2nd o'clock P.M. in Boone County, Mo.
Document No. 6702 recorded in Book 443 page 464.

BETTY SAUNDERS, Recorder of Deeds.

THIS DEED, Made and entered into this 13th day of June A.D. One Thousand Nine Hundred and

Seventy and between M. C. COOKE, JR. and MARY V. COOKE, husband and wife,

of Boone County, State of Missouri party or parties of the first part, and
EDWIN MICHAEL KAISER and JUDITH ANN KAISER, husband and wife,
(Grantee's mailing address is:) 3405 Sherwood
Columbia, Missouri 65201

of Boone County, State of Missouri party or parties of the second part:

WITNESSETH. That the said party or parties of the First Part, for and in consideration of the sum of ten dollars and other valuable considerations paid by the said party or parties of the Second Part, the receipt of which is hereby acknowledged, does or do by these presents Grant, Bargain and Sell, Convey and Confirm, unto the said party or parties of the Second Part, the following described real estate situated in the County of Boone, in the State of Missouri, to-wit:

A part of the South Half of the Northwest quarter of the Southeast Quarter of Section Seven (7), Township Forty-eight (48), Range Twelve (12) described as follows: Beginning at a point Fifteen (15) feet East of the intersection of the East line of Moss Street with the North line of a fifty foot road, off the South side of said tract, thence North parallel with the East line of Moss Street, one hundred and forty-five (145) feet, thence East parallel with the Road on the South one hundred and fifty (150) feet, thence South One Hundred and forty-five (145) feet, thence West along the North line of Road, one hundred and fifty (150) feet to the point of beginning, all in the City of Columbia, Missouri, less that portion previously conveyed to the State of Missouri for highway purposes, and less that portion conveyed to the City of Columbia for road purposes or any purpose. By this deed the grantors further intend to convey all of that land shown in a survey found in Book 275, Page 279, Deed Records of Boone County, Missouri; and in addition, grantors intend to convey any interest which they might have in any lands lying west of said tract of land and between said tract of land and the right-of-ways previously conveyed to the State of Missouri for highway purposes.

Subject to easements and restrictions of record.

TO HAVE AND TO HOLD the same together with all the rights, immunities, privileges and appurtenances to the same belonging unto the said party or parties of the Second Part, and to their heirs and assigns forever; the said party or parties of the first will warrant and defend the title to the premises unto the said party or parties of the Second Part, and to their heirs and assigns of such party or parties forever, against the lawful claims of all persons, whomever,

Except taxes for 1977 and thereafter.

IN WITNESS WHEREOF, the said party or parties of the First Part has or have hereunto set their hand or hands the day and year first above written.

WITNESS

M. C. COOKE, JR.

MARY V. COOKE

STATE OF MISSOURI

County of Boone

before me personally appeared

MARY V. COOKE, husband and wife,

and

to me known to be the person or persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at

my office in Columbia, Missouri

the day and year first above written.

My term expires

April 6, 1980

EVERETT P. JACOBS

Notary Public

STATE OF MISSOURI

County of Boone

I, Recorder of said County, do hereby certify that the within instrument of writing was, at 2 o'clock 20 min. P.M. on the 13th day of June A.D. 1977, duly filed for record in this office, and has been recorded in Book 443, Page 464.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Columbia, Missouri, on the day and year aforesaid.

ISALI

COUNTY RECORDER

IN THE RECORDER'S OFFICE

2 o'clock 20 min. P.M. on the 13th day of June A.D. 1977, duly filed for record

Betty Saunders
Recorder

Warranty Deed

Filed for record on June 12, 1977 at 2:20 o'clock P.M. in Boone County, Mo.
Document No. 6702 recorded in Book 443 page 464. BETTY SAUNDERS, Recorder of Deeds.

THIS DEED, Made and entered into this 13 day of June A.D. One Thousand Nine Hundred and

Seventy and between M. C. COOKE, JR. and MARY V. COOKE, husband and wife,

of Boone County, State of Missouri party or parties of the first part, and
(Grantee's mailing address is:) EDWIN MICHAEL KAISER and JUDITH ANN KAISER, husband and wife,
3405 Sherwood
Columbia, Missouri 65201

of Boone County, State of Missouri party or parties of the second part:

WITNESSETH, That the said party or parties of the First Part, for and in consideration of the sum of ten dollars and other valuable considerations paid by the said party or parties of the Second Part, the receipt of which is hereby acknowledged, does or do by these presents Grant, Bargain and Sell, Convey and Confirm, unto the said party or parties of the Second Part, the following described real estate situated in the County of Boone, in the State of Missouri, to-wit:

A part of the South Half of the Northwest quarter of the Southeast Quarter of Section Seven (7), Township Forty-eight (48), Range Twelve (12) described as follows: Beginning at a point Fifteen (15) feet East of the intersection of the East line of Moss Street with the North line of a fifty foot road, off the South side of said tract, thence North parallel with the East line of Moss Street, one hundred and forty-five (145) feet, thence East parallel with the Road on the South one hundred and fifty (150) feet, thence South One Hundred and forty-five (145) feet, thence West along the North line of Road, one hundred and fifty (150) feet to the point of beginning, all in the City of Columbia, Missouri, less that portion previously conveyed to the State of Missouri for highway purposes, and less that portion conveyed to the City of Columbia for road purposes or any purpose. By this deed the grantors further intend to convey all of that land shown in a survey found in Book 275, Page 279, Deed Records of Boone County, Missouri; and in addition, grantors intend to convey any interest which they might have in any lands lying west of said tract of land and between said tract of land and the right-of-ways previously conveyed to the State of Missouri for highway purposes.

Subject to easements and restrictions of record.

TO HAVE AND TO HOLD the same together with all the rights, immunities, privileges and appurtenances to the same belonging unto the said party or parties of the Second Part, and to their heirs and assigns forever; the said party or parties of the first will warrant and defend the title to the premises unto the said party or parties of the Second Part, and to their heirs and assigns of such party or parties forever, against the lawful claims of all persons whomever.

Except taxes for 1977 and thereafter.

IN WITNESS WHEREOF, the said party or parties of the First Part has or have hereunto set their hand or hands the day and year first above written.

WITNESS

M. C. COOKE, JR.
MARY V. COOKE

STATE OF MISSOURI

County of Boone

before me personally appeared

MARY V. COOKE, husband and wife,

and

to me known to be the person or persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in Columbia, Missouri the day and year first above written.

My term expires

EVERETT P. JACOBS
Notary Public

STATE OF MISSOURI

County of Boone

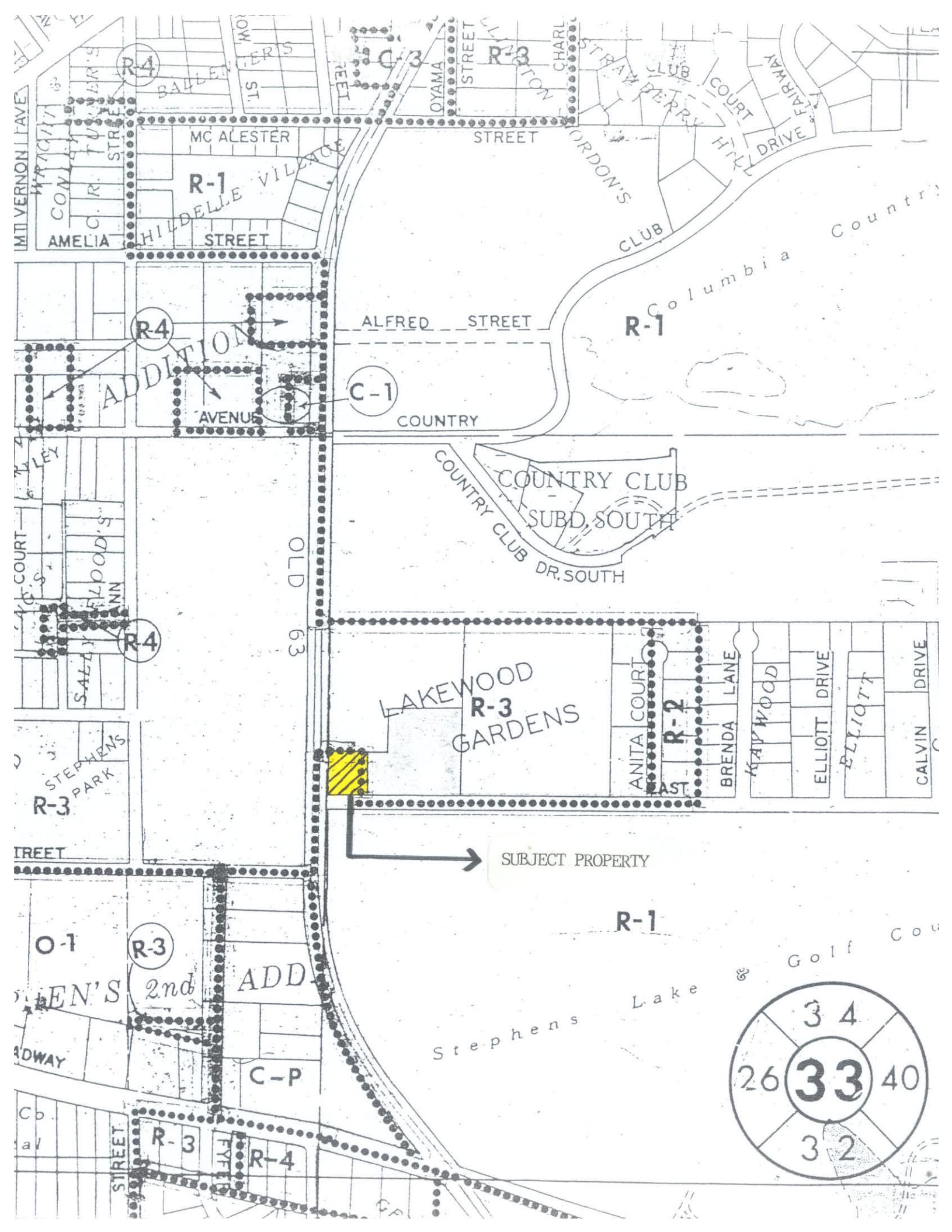
I, Recorder of said County, do hereby certify that the within instrument of writing was, at 2 o'clock 20 min. P.M. on the 13 day of June A.D. 1977, duly filed for record in this office, and has been recorded in Book 443, Page 464.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Columbia, Missouri, on the day and year aforesaid.

ISSEAL

BOONE COUNTY, MISSOURI

Betty Saunders
Recorder



Online: REAL ESTATE

Mode: DISPLAY

Parcel 17-118-00-00-011.00

Township COL City 01 Road CO School CI Library Fire
Property Location BUS RTE 63 00

Owner Name KAISER EDWIN MICHAEL & JUDITH ANN
and Address
202 OLD 63 N
City COLUMBIA State MO Zip 65201-6364

*

Subdivision Code Subdiv Plat Book/Page
Subdiv Block/Lots

Sect Twp Range 7 48 12

150X145FT SW COR S 1/2 NW

Legal Desc 2178 7-48-12
SE 7-48-12

Width Depth Irr Deeded Acreage Calculated Acreage
Lot Size 130.00 X 145.00

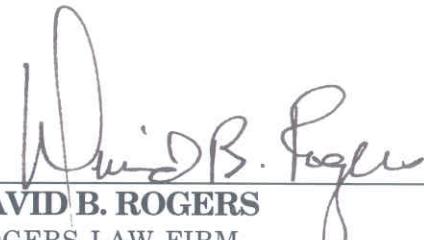
Deed Book/Page 0443 / 0464 0000 / 0000 0000 / 0000 0000 / 0000
Old Parcel Numbers 0237110000

Roll Up/Down ENTER - Next Screen F2 - Enter a new parcel F3 - Exit

(Subject Site)

ATTACHMENTS

1. Zoning Aid showing location of property.
2. List of surrounding property owners owning property within 200 feet of the subject property.


DAVID B. ROGERS #20361
ROGERS LAW FIRM
Suite B, Village Square Building
813 East Walnut Street
Columbia, Missouri 65201
Telephone: (573) 442-0131
Fax: (573) 442-9423
E-Mail: lawoffice@sockets.net

Attorney for Applicant

CITY OF COLUMBIA

*** CUSTOMER RECEIPT ***

BATCH ID: NGC 9/01/98 00 RECEIPT : 0410343

DESCRIPTION	QTY	AMOUNT	PAYMENT DESC	PT	SV
		\$158.16	PL PUBLISHING &	L2	CK

DAVID ROGERS
PUBLISHING & ADVERTISING 11040105324310

TOTAL CHECK PAYMENT	\$158.16
Tender Details	
CK CK#:	94
Amount Tendered	\$158.16

THANK YOU FOR YOUR PROMPT PAYMENT

Kaiser

ROGERS LAW FIRM

ATTORNEYS AT LAW
SUITE B, VILLAGE SQUARE BUILDING
813 EAST WALNUT STREET
COLUMBIA, MISSOURI 65201-4862

DAVID B. ROGERS
MARY E. CARNAHAN
JOHN W. ROGERS

(573) 442-0131
FAX: (573) 442-9423
E-MAIL: lawoffice@sockets.net
JWR E-MAIL: jwr@sockets.net

September 1, 1998

City Planning
Mezzanine Level
Daniel Boone City Building
Columbia, MO 65201
HAND DELIVERED

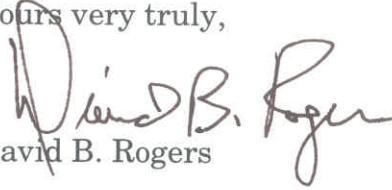
RECEIVED
SEP 01 1998
PLANNING DEPT.

RE: Rezoning at 202 Old 63 North

Dear Sir or Madam:

Enclosed herewith please find an Application to Rezone Property along with my office check in the amount of One Hundred Fifty-eight and 16/100 Dollars (\$158.16). Please proceed to process the same.

Yours very truly,


David B. Rogers

DBR/lmb

Enclosures

cc: Mr. Ed Kaiser