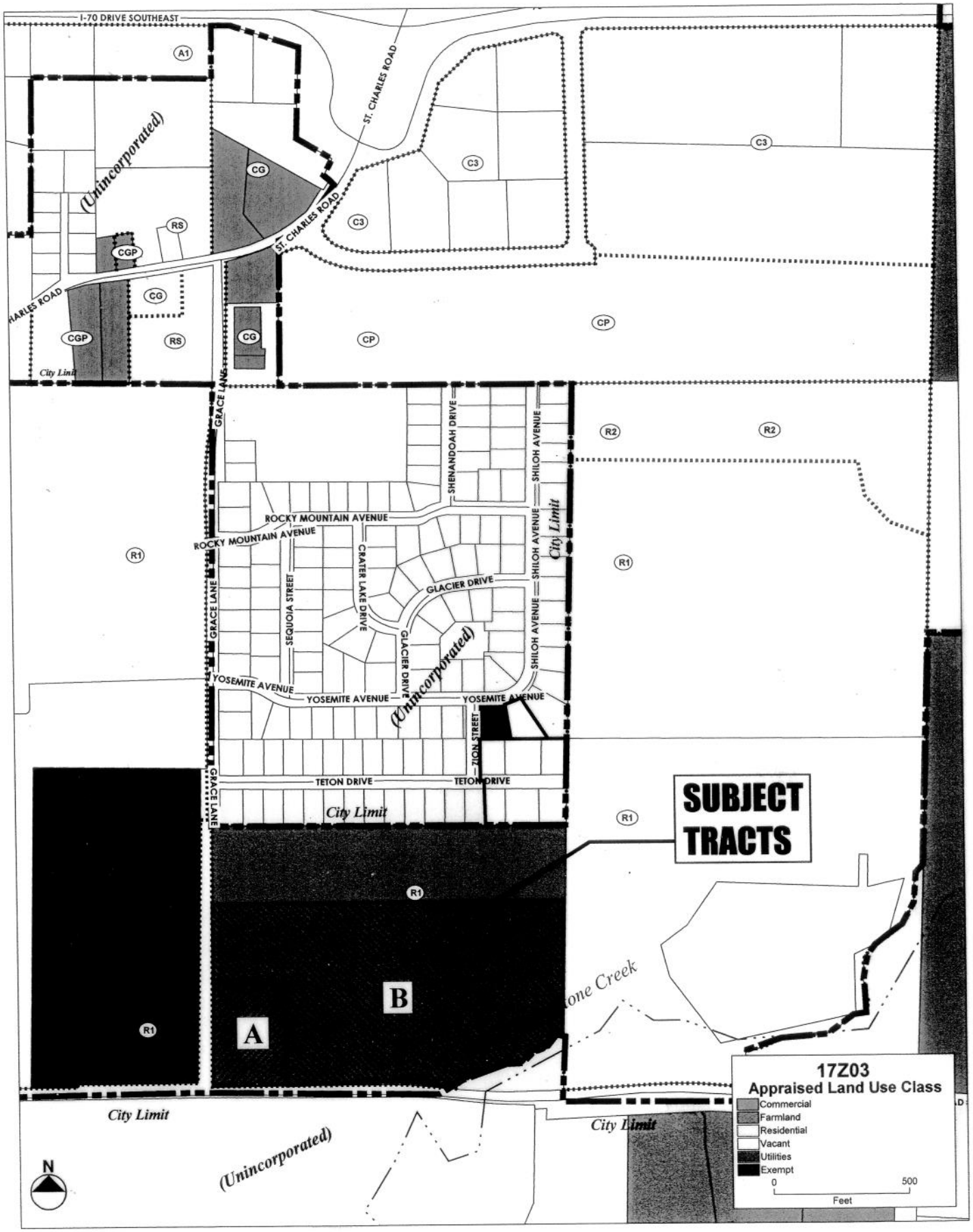
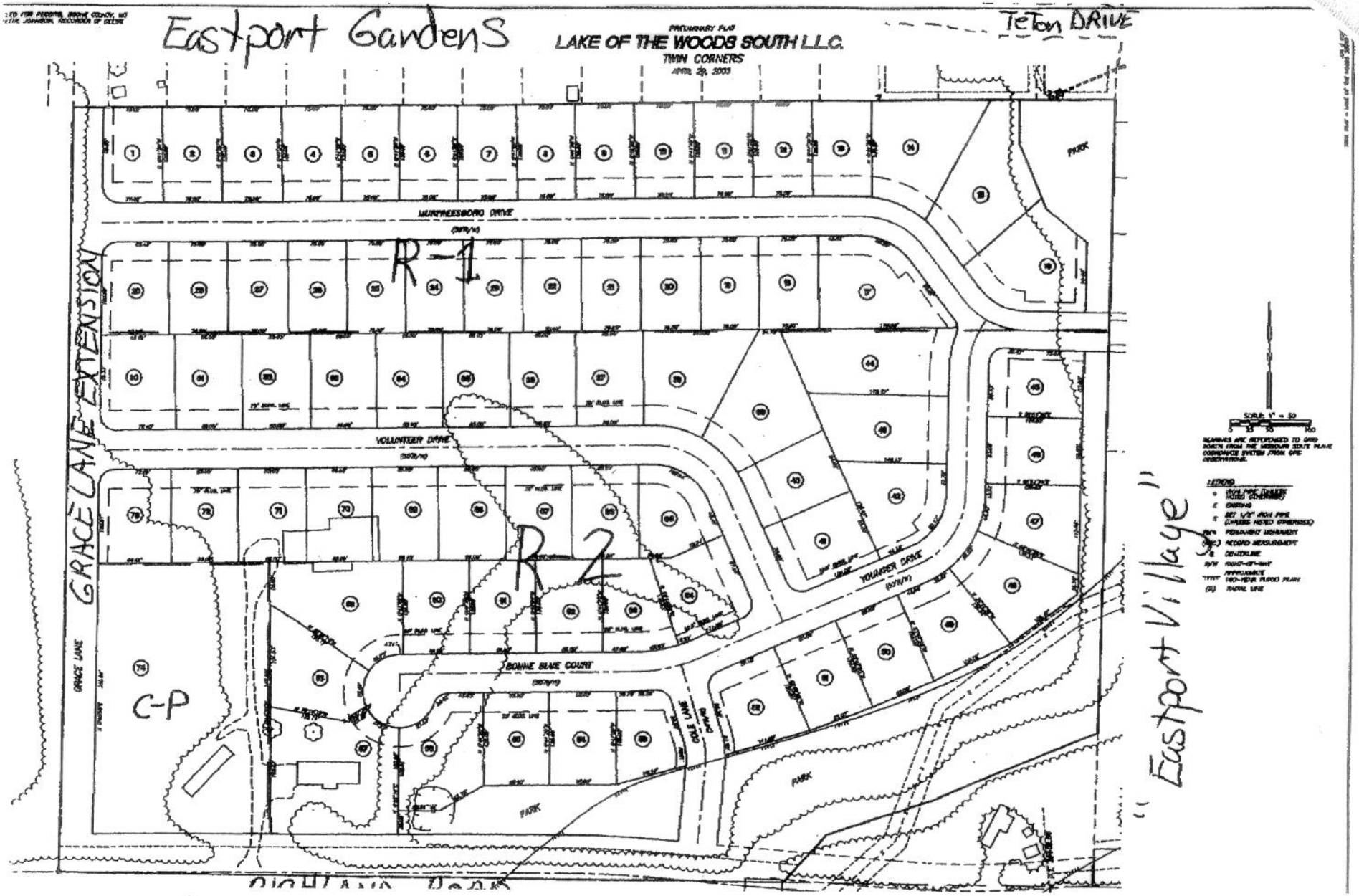

I-70 DRIVE SOUTHEAST
A1
ST. CHARLES ROAD
(Unincorporated)
CG
C3
RS
CGP
CP
City Limit
GRACE LANE
SHENANDOAH DRIVE
SHILOH AVENUE
R2
ROCKY MOUNTAIN AVENUE
R1
SEQUOIA STREET
CRATER LAKE DRIVE
GLACIER DRIVE
YOSEMITE AVENUE
ZION STREET
TETON DRIVE
SUBJECT TRACTS
A
B
one Creek
17Z03
Appraised Land Use Class
Commercial
Farmland
Residential
Vacant
Utilities
Exempt
0
500
Feet
N


Eastport Gardens
PRELIMINARY PLAT
LAKE OF THE WOODS SOUTH L.L.C.
TWIN CORNERS
APRIL 25, 2003
Teton DRIVE
GRACE LANE EXTENSION
MURFREESBORO DRIVE
VOLUNTEER DRIVE
YOUNGER DRIVE
BONNIE BLAKE COURT
GRACE LANE
GOLF LANE
R-1
R-2
C-P
PARK
Eastport Village

allstate consultants
Engineering Planning Surveying

May 21, 2003

Mr. Chuck Bondra
PO Box N
701 E. Broadway
Columbia, MO 65205

RECEIVED
MAY 21 2003
PLANNING DEPT.

Re: East Port Gardens List of C-P Uses

Dear Chuck,

Please include the following list of uses in the C-P Zoning Request for Eastport Gardens at the intersection of Grace Lane (Extended) and Richland Road.

- All uses allowed in District C-1
- Bicycle Repair Shop
- Bakery
- Car Wash
- Convenience Stores (including fuel pumps)
- Any similar commercial uses that are not noxious or offensive because of vibration, noise, odor, dust, smoke or gas.

Thank you for your attention to this matter.

Sincerely,

Allstate Consultants, P.C.

Chad Sayre, P.E.

Ron Shy
3312 LeMone Industrial Blvd.
Columbia, MO 65201
573/875-8799
Fax: 573/875-8850

017723

Permanent Record
Filed in Clerk's Office

Introduced by Hindman

First Reading 6-2-03 Second Reading 6-16-03

Ordinance No. 017723 Council Bill No. B 180-03

AN ORDINANCE

rezoning property located on the northeast corner of Richland Road and Grace Lane from District R-1 to Districts C-P and R-2; repealing all conflicting ordinances or parts of ordinances; and fixing the time when this ordinance shall become effective.

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

SECTION 1. The Zoning District Map established and adopted by Section 29-4 of the Code of Ordinances of the City of Columbia, Missouri, is amended so that the following property:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF THE TRACT DESCRIBED BY THE QUIT-CLAIM DEED RECORDED IN BOOK 1584, PAGE 821 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 10-48-12; THENCE WITH THE QUARTER SECTION LINE, N0°40'50"E, 396.00 FEET; THENCE LEAVING SAID QUARTER SECTION LINE AND PARALLEL WITH THE SOUTH LINE OF LAKE OF THE WOODS-PLAT NO. 3, RECORDED IN PLAT BOOK 14, PAGE 29, N89°53'00"E, 266.03 FEET; THENCE S0°40'50"W, 399.50 FEET TO THE SOUTH LINE OF SAID SECTION 10-48-12; THENCE WITH SAID SECTION LINE, N89°21'40"W, 266.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.43 ACRES.

will be rezoned and become a part of District C-P (Planned Business District) and taken away from District R-1 (One-Family Dwelling District). Hereafter the property may be used for all the permitted uses listed in "Exhibit A," which is attached to and made a part of this ordinance.

SECTION 2. The Zoning District Map established and adopted by Section 29-4 of the Code of Ordinances of the City of Columbia, Missouri, is amended so that the following property:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF THE TRACT DESCRIBED BY THE QUIT-CLAIM DEED RECORDED IN BOOK 1584, PAGE 821 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 10-48-12; THENCE WITH THE QUARTER SECTION LINE, N0°40'50"E, 396.00 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, CONTINUING N0°40'50"E, 300.70 FEET TO A POINT BEING 290.00 FEET FROM THE SOUTHWEST CORNER OF LAKE OF THE WOODS-PLAT NO. 3, RECORDED IN PLAT BOOK 14, PAGE 29; THENCE LEAVING SAID QUARTER SECTION LINE AND PARALLEL WITH THE SOUTH LINE OF SAID LAKE OF THE WOODS-PLAT NO. 3, N89°53'00"E, 1319.85 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10-48-12; THENCE WITH SAID EAST LINE, S1°08'40"W, 516.60 FEET TO THE NORTHEAST CORNER OF THE TRACT DESCRIBED BY THE SURVEY RECORDED IN BOOK 414, PAGE 38; THENCE LEAVING SAID EAST LINE AND WITH THE NORTH LINE OF SAID SURVEY, S67°23'20"W, 227.00 FEET; THENCE S71°47'20"W, 140.28 FEET; THENCE S41°10'20"W, 82.29 FEET TO THE SOUTH LINE OF SAID SECTION 10-48-12; THENCE WITH SAID SECTION LINE, N89°21'40"W, 654.87 FEET; THENCE N0°40'50"E, 399.50 FEET; THENCE S89°53'00"W, 266.03 FEET TO THE POINT OF BEGINNING AND CONTAINING 17.87 ACRES.

will be rezoned and become a part of District R-2 (Two-Family Dwelling District) and taken away from District R-1 (One-Family Dwelling District). Hereafter the property may be used for all the permitted uses in District R-2.

SECTION 3. This rezoning is subject to the condition that prior to approval of a C-P Plan on Tract A, the street improvements stated in "Exhibit B," a May 21, 2003 letter from Chad Sayer of Allstate Consultants, which is attached to and made a part of this ordinance, shall be completed.

SECTION 4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. This ordinance shall be in full force and effect from and after its passage.

PASSED this 16th day of June, 2003.

ATTEST:

City Clerk

Mayor ~~and Presiding Officer~~ Pro-Tem

APPROVED AS TO FORM:

City Counselor

Exhibit A

- All uses allowed in District C-1 except fast food restaurants with drive-through facilities.
- Bicycle Repair Shop
- Bakery
- Car Wash, single-bay unit attached to convenience store
- Convenience Stores (including fuel pumps)

EXHIBIT B

allstate consultants

Engineering Planning Surveying

May 21, 2003

RECEIVED
MAY 21 2003
PLANNING DEPT.

Mr. Roy Dudark, Director
Columbia Planning and Development
PO Box N
701 E. Broadway
Columbia, MO 65205

Re: Eastport Gardens Staff Report Amendment Request

Dear Roy,

We have reviewed the staff report for the Eastport Gardens C-P and R-2 zoning request. As per our discussions with city staff, the developer has agreed to construct Grace Lane to collector standards from Richland Road to the existing terminus and construct a 100' long left turn lane with the appropriate pavement tapers for eastbound traffic on Richland road to turn north onto Grace Lane. We understand that the staff report recommendation for denial was based on staff concerns about control over requiring a left turn lane on Richland Road. The developer has agreed to construct the left turn improvement if an agreement can be reached to maintain our current zoning application and we are not required to complete a traffic study. These left turn improvements and the extension of Grace Lane are proposed to be completed as part of Eastport Gardens to alleviate concerns regarding the requirement of traffic improvements for the proposed zoning and development. Therefore, we request that the zoning request remain as originally requested.

Thank you for your attention to this matter.

Sincerely,

Allstate Consultants, P.C.

Chad Sayre, P.E.

Ron Shy
3312 LeMone Industrial Blvd.
Columbia, MO 65201
573/875-8799
Fax: 573/875-8850

allstate consultants

Engineering Planning Surveying

May 21, 2003

RECEIVED
MAY 21 2003
PLANNING DEPT.

Mr. Chuck Bondra
PO Box N
701 E. Broadway
Columbia, MO 65205

Re: East Port Gardens List of C-P Uses

Dear Chuck,

Please include the following list of uses in the C-P Zoning Request for Eastport Gardens at the intersection of Grace Lane (Extended) and Richland Road.

- All uses allowed in District C-1
- Bicycle Repair Shop
- Bakery
- Car Wash
- Convenience Stores (including fuel pumps)
- Any similar commercial uses that are not noxious or offensive because of vibration, noise, odor, dust, smoke or gas.

Thank you for your attention to this matter.

Sincerely,

Allstate Consultants, P.C.

Chad Sayre, P.E.

Ron Shy
3312 LeMone Industrial Blvd.
Columbia, MO 65201
573/875-8799
Fax: 573/875-8850

Exhibit A

allstate consultants

Engineering Planning Surveying

May 21, 2003

RECEIVED
MAY 21 2003
PLANNING DEPT.

Mr. Roy Dudark, Director
Columbia Planning and Development
PO Box N
701 E. Broadway
Columbia, MO 65205

Re: Eastport Gardens Staff Report Amendment Request

Dear Roy,

We have reviewed the staff report for the Eastport Gardens C-P and R-2 zoning request. As per our discussions with city staff, the developer has agreed to construct Grace Lane to collector standards from Richland Road to the existing terminus and construct a 100' long left turn lane with the appropriate pavement tapers for eastbound traffic on Richland road to turn north onto Grace Lane. We understand that the staff report recommendation for denial was based on staff concerns about control over requiring a left turn lane on Richland Road. The developer has agreed to construct the left turn improvement if an agreement can be reached to maintain our current zoning application and we are not required to complete a traffic study. These left turn improvements and the extension of Grace Lane are proposed to be completed as part of Eastport Gardens to alleviate concerns regarding the requirement of traffic improvements for the proposed zoning and development. Therefore, we request that the zoning request remain as originally requested.

Thank you for your attention to this matter.

Sincerely,

Allstate Consultants, P.C.

Chad Sayre, P.E.

Ron Shy
3312 LeMone Industrial Blvd.
Columbia, MO 65201
573/875-8799
Fax: 573/875-8850

5/21/2003

To: Tom Mendenhall

From: Redeemer Presbyterian Church
7201 E. Hwy WW
Columbia, MO 65201

Re: Grace Lane and Eastport Gardens

RECEIVED
MAY 2 1 2003
PLANNING DEPT.

Dear Tom,

Thank you for meeting with representatives of Redeemer Presbyterian Church regarding your development plans for Eastport Gardens. Redeemer Presbyterian Church supports the opening of Grace Lane to Richland Road and the proposed zoning of the new plat known as Eastport Gardens.

Thanks again for meeting with us.

James L. Waye
Deacon
Redeemer Presbyterian Church

Keith Schnarre, Presiding Commissioner
Karen M. Miller, District I Commissioner
Skip Elkin, District II Commissioner

Roger B. Wilson
Boone County Government Center
801 East Walnut Room 245
Columbia, MO 65201-7732
573-886-4305 • FAX 573-886-4311

Boone County Commission

May 21, 2003

Tom Mendenhall
P.O. Box 69
Columbia, MO 65205

RE: Support of extension and through connection of Grace Lane

Dear Mr. Mendenhall:

The Boone County Commission is writing this letter in support of the extension and through connection of Grace Lane between St. Charles Road and Richland Road.

This connection has been identified and is included in the CATSO 2025 plan. In addition, Boone County had previously identified this extension as a future road project subject to funding availabilities and weighted against other road priorities.

It is our understanding that the Grace Lane extension would allow inner-street connectivity with the proposed East-Port Garden Subdivision. This proposal would help mitigate through street traffic on Teton Drive and allow additional points of access in Lake of the Woods Subdivision. This will enhance access for emergency responders, Public Works personnel, and utility companies. We also applaud your willingness to work with the neighbors in buffering the proposed multi-family dwelling and from the existing single family homes in Lake of the Woods Subdivision.

Respectfully submitted,

Keith Schnarre
Presiding Commissioner

Karen M. Miller
District I Commissioner

Skip Elkin
District II Commissioner

Cc: Columbia Planning and Zoning Commission

To: Jerry Wade, Chairman
Planning and Zoning Commission

From: Arnold Fagan
6700 E. Richland Road
Columbia, MO 65201
Work: 875-7912
Home: 442-4460

Dear Mr. Wade and the Planning and Zoning Commission,

I am writing you this letter regarding application 17-Z-03, which your commission is scheduled to review tonight. I own property and reside in Boone County, exactly one mile east of the proposed rezoning.

I have looked at the most recent staff report, which was faxed to me by Chuck Bondra on May 22, 2003. I would have liked to attend your meeting in person tonight, but will be out of town at the time. Please accept this letter in my stead.

I have talked with Tom Mendenhall and have seen the drawings he has submitted to your board. I think that overall, the residential zoning aspect represents a good use for his property. But as I have expressed to Tom, I am very concerned about the request for 2.43 acres of C-P zoning. Currently, there are no commercial enterprises for more than a mile north or south and for several miles east or west. I feel that this spot of commercial zoning could through the years adversely change the character of the surrounding neighborhood and set a precedent for some less desirable commercial uses in an entirely residential area.

In particular, a convenience store with or without fuel pumps would need substantial lighting for security and this lighting would adversely affect any residents in the area even with the proposed

buffer zone. These types of businesses can also bring crime to this low-crime area as they have proven to be targets for hold-ups.

Tom has assured me that he has no plans for a gas station or convenience store at the location. I believe Tom, but the list of uses submitted by Allstate Consultants does allow for these uses.

In summation, I think any commercial use of this purely residential area could be a detriment to the area and the neighbors, which would include my property. More specifically, allowing a convenience store with or without gas pumps would definitely in my opinion be of detriment to this area in which I have lived for the past dozen years. At minimum, I would like to see the convenience store use with gas pumps excluded from the list of this C-P zoning.

Thank you for your consideration.

Sincerely,

Arnold Fagan

EXCERPTS

PLANNING AND ZONING COMMISSION MEETING

MAY 22, 2003

Case 17-Z-03

A request by Robert and Mary Wood Trust to rezone property located north of Richland Road, and on the east side of Grace Lane, extended, as follows:

Tract A from R-1 (One-Family Dwelling District) to C-P (Planned Business District), containing approximately 2.43 acres

Tract B from R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District), containing approximately 17.87 acres.

Staff report was given by Charles Bondra, Planning and Development. Staff recommended approval of the C-P request, subject to the a modified list of C-1 uses as recommended by staff, and approval of Tract B to R-2.

Mr. Wade asked if the unincorporated area across Richland was zoned R-1.

Mr. Bondra stated that it was county zoning A-R and R-S to the south.

Mr. Daugherty asked if C-1 uses allowed the consumption of alcohol.

Mr. Bondra clarified that it did allow alcohol consumption as part of a restaurant, like G & D in the Crossroads Shopping Center, which is zoned C-1.

PUBLIC HEARING OPENED

Tom Mendenhall, 2909 Falling Leaf Lane, gave a little history on the project. He said he had been before the Commission several times in the last two years. He said that in the last month, they have had quite a few meetings. They had a meeting at the fire station with the Lake of the Woods South neighborhood association to show them the plans for the area. One of the association's main concerns was to get Grace Lane open. Initially, this tract had not been available for purchase, and much concern had been expressed about the additional traffic on Teton. One of the first things Mr. Mendenhall wants to do is open Grace Lane so there will be more access out of this area, and he indicated that they have applied for a land disturbance permit. He had a meeting with Redeemer Church who owns property to the west. The church would also like to see Grace Lane open. He showed them what they were trying to accomplish, and the church liked the plan. He stated the commissioners should have a letter of support from this church in their packet. Mr. Mendenhall stated they also met with the owner of property across the street, which is zoned R-S. He explained that in the county, a developer can build either single-family residences or duplexes in R-S. This property owner also liked their plan. He stated another tract was going before the council for approval. He also mentioned another 11-acre tract that they had already signed necessary

paperwork in order to donate this tract to the City. He stated Mike Hood has already looked at the tract and liked it. The property has a bluff and trail heads have been put in. Mr. Mendenhall said that he has met with Ped-Net to show them what they were doing, and Ped-Net suggested they do that. On Richland, according to Mr. Mendenhall, the land is sloping and almost golf course green, with trees and other things surrounding it. This provides a 400-500 foot buffer off Richland that will meet up with the park. He added that people will be able to drive in and go to the park. He showed the commissioners on the plan how far the park extended because of the trail head buffers. He informed the commission that he had also met with the Boone County commissioners individually and as a group, and a letter from the Boone County Commission was included in the packets provided to commissioners. He stated the Boone County Commission was also interested in opening up Grace Lane and they had expressed concerns about Mr. Mendenhall's previous development. Mr. Mendenhall stated he had originally started this process in the county and then voluntarily annexed all the tracts into the City. He explained that the current proposal shows more ways out and allows Grace Lane to be open. He said he learned it was best to meet with neighborhood residents and be up front and tell them what was being proposed. He thought this might be the first time that all entities (City government, County government, neighborhood residents, etc.) were in agreement with what Mr. Mendenhall was proposing. He felt this was a good joint effort.

Chad Sayer, Allstate Consultants, 7401 Fall Creek Drive. Mr. Sayer briefly addressed infrastructure. He explained that the proposed Grace Lane extension is 38 feet in width, to a collector standard; the left turn was taken from an A.S.H.T.O. standard. He added that this is a basic proposal that may have to be tweaked a little. He corrected a statement made by Mr. Mendenhall. Mr. Mendenhall had stated that county zoning R-S would allow duplexes; however, this was incorrect. Mr. Sayer stated R-S zoning would allow church use and single family residences. He showed the commissioners the main point of access from the neighborhood association onto Richland and stated it was Mr. Mendenhall's intention to develop this in one phase. This would also allow the Grace Lane traffic to come down to Richland Road. He said the sewer for this area would be available in July 2004. Their main emphasis will be the Grace Lane extension and this is the first set of plans that will be submitted.

Mr. Skala said he heard staff had changed their earlier recommendation for a PUD to R-2 in exchange for off-site improvements, essentially for the improvement of the road to collector standards. He asked if his understanding was correct and if there had been a compromise.

Mr. Sayer said that he hesitated to use the word "exchange." He added that the staff report was very complete and mentioned the reasons for the PUD recommendation. When Allstate staff approaches sites like this, they look at the cost and benefits to the developer and the surrounding properties. In this situation, they noted that the layout and density would not necessarily change with a PUD. They tried to dedicate an appropriate amount of green space, approximately 10% of raw green space in the flood plain and other green space, and they also tried to dedicate a 50-foot half-width of right-of-way to get that indication out there. The concerns of and the reasons for requiring a PUD are off-site improvements. With

the layout not changing, the amount of green space not changing, and the stormwater management plan not changing, they addressed specific off-site improvements mentioned in the staff report. They asked if the PUD recommendation was based upon the need for a left turn lane off Richland Road onto Grace, and the answer was yes. Allstate staff talked with Mr. Mendenhall and told him he could pay to have a traffic study done, he could pay to go through the process, and staff could spend more time reviewing a PUD when everyone is intending on R-2 uses, in which the layout wouldn't change. From a practical standpoint, if the developer proposed to erect the left turn lane onto Grace Lane, would the recommendation change or would it be sufficient then as long as the layout didn't change with the surety of a preliminary plat proposal, would this not serve the same purpose and save a lot of review time and a lot of analysis on traffic distribution on a new connector. This is why he didn't want to use the words "in exchange for," because it was stated in the staff report that the reason for the recommendation for PUD was not layout, it was not green space, it specifically talked about the traffic issue. Allstate staff requested that Mr. Mendenhall address this issue, and they feel that he has.

Mr. Mendenhall reiterated that this was addressed after they got the first report which was negative regarding the issue of traffic. He said he was up front with the neighborhood association and told them that his first priority was to get Grace Lane open. He believed staff's primary concern was the left turn lane, so he said okay. He said they already had the green space, park area and everything else in place When he initially started this process two years ago, the neighbors wanted a berm, so Mr. Mendenhall built a berm. He wants to move forward, and when the plans come through, he would prefer to proceed favorably. He has been working with the neighbors, and he would like to have a positive impact.

Mr. Skala stated there was a letter from Mr. Fagan in the commission's packet, in which Mr. Fagan indicated that he had discussed with Mr. Mendenhall his concern regarding construction of a convenience store on this site, and the lighting associated with convenience stores. According to his letter, Mr. Mendenhall had apparently assured Mr. Fagan that he did not intend to build a convenience store at this location. Mr. Skala indicated that the lighting issue was also a concern of his. He asked Mr. Mendenhall if he would stipulate that this would not be one of the uses for this property.

Mr. Mendenhall stated that at this time they have no plans to build a convenience store on this site, and there are no plans to light up the area. He admitted talking with Mr. Fagan who lives a mile or two from the area. However, he said that he could not guarantee that 25 to 30 years down the road, this would never happen. He said they already own the convenience stores at the Lake of the Woods exit. He stated that he has observed that people like to have a little commercial where they can have offices. He stated his office is located in Bluff Creek where there are $500,000 homes. He added that people like to come to the little stores and shops. Mr. Mendenhall stated they were not talking about a substantial commercial development, that this was a sustainable community thing that people say they want to see. They left the little area buffered.

Mr. Holden said he had understood that the sewer would not be available until July 2004. He asked if he was correct in his understanding that Grace Lane and the turn lane would be constructed in the summer of 2003.

Mr. Mendenhall said he would like to see this completed as soon as possible. They are submitting plans and they have already submitted the land disturbance application. This is one thing the neighborhood residents always ask, "When is Grace Lane going to open?" When they talked to the county commissioners, this was the first question that was asked. Nobody else was going to pay for it. Mr. Mendenhall clarified that all the infrastructure, everything that they were asking for, they were paying for. To make it work, this is what they are doing. The infrastructure will be there. He showed commissioners where they planned to run a 12" water line to serve the site without crossing the creek. He stated that when he went before the Council for a final, they asked about access out of there. He told them then that he would love to do it, but he did not own the property. When the owner was ready to sell, they did purchase the property. He understands that the neighborhood is wanting to see some action. He added that they have met with Boone Electric and the water district in an attempt to get everything worked out. They want to get the road open.

Jack Donlan, 578 North Grace Lane, indicated he was president of the Lake of the Woods homeowners' association. He stated he wanted to commend Mr. Mendenhall who has worked closely with the subdivision for over a year and a half. Mr. Donlan stated that Mr. Mendenhall came to the neighborhood with his proposal and asked for the neighbors' input. He constructed a berm like he said he would, and when he then came along with this development, Mr. Mendenhall was the only one who had the foresight to say that people needed another way to get in and out of the subdivision. Mr. Donlan said the City's solution was Teton Drive, and no one could seem to come up with any other solution, other than to put all that traffic from the subdivision onto Teton and onto Grace Lane. Reference had been made that Grace Lane was a minor arterial street. He stated that everyone in the subdivision – over 200 residents – have to use Grace Lane, and he believes Grace Lane is a major thoroughfare for their subdivision because there is no other way in or out. Members of the association met with Mr. Mendenhall and his people at the fire station on St. Charles. Members expressed their concerns about more development in the area to Mr. Mendenhall and going along with the plan of Teton being the main exit in and out of there. He does not believe that this street was built to handle that much additional traffic and they also addressed safety concerns. Mr. Donlan said Mr. Mendenhall told the association how he intended to extend Grace Lane. Mr. Donlan said that although this will help, it will not be the entire solution because there will still be a lot of traffic out onto one county street that is not built to handle that kind of traffic. Other alternatives will have to be considered before a major development goes in. He said that the homeowners' association indicated they would back Mr. Mendenhall on his development because he is attempting to solve some of the problems. Mr. Donlan shared that this was his primary concern about the extension of the Ming property, that there was no way in and out of this property other than Grace Lane. With Mr. Mendenhall's proposal, there would be at least one other street out to Richland, and hopefully there would be others a year or two

down the road. He commended Mr. Mendenhall for addressing the neighborhood association's concerns and stated that this is the reason for backing Mr. Mendenhall's development.

Mr. Wade asked if Mr. Donlan was stating the neighborhood association's position.

Mr. Donlan said the neighborhood association is in favor of Mr. Mendenhall's plan primarily because it solves a problem that nobody else seems to want to address.

Mr. Skala asked if Mr. Donlan had any thoughts on the PUD development versus a regular R-2 development.

Mr. Donlan said that Mr. Mendenhall explained this at the homeowners association meeting. He said the duplexes would be located at the very back of the R-2 development, and the rest would be single family dwellings. What he is proposing along one side of Richland will be buffered on Teton. It was Mr. Donlan's understanding that the other side of Teton coming toward Richland would be single family dwellings. Mr. Donlan stated that beyond that there may be duplexes, which will be fine because they are still backing single family residences up to residential homes on Teton. This was another concern that the association addressed, and Mr. Mendenhall understood the homeowners' concerns. He stated that Mr. Mendenhall is also looking at property values. He stated that most owners had been out there since the area was developed in 1976, and they want to see their property values increase, not decrease.

PUBLIC HEARING CLOSED

Mr. Wade stated that he wanted to highlight the letter from Mr. Fagan who resides at 6700 E. Richland Road, approximately one mile from the subject property. Mr. Fagan contacted Mr. Wade to inform him that he had an unexpected family commitment and would be unable to attend. He asked Mr. Wade to make his comments a part of the record. Mr. Wade stated that Mr. Fagan had included three concerns in his letter: (1) He considers the 2.43-acre commercial development as inappropriate in the middle of a residential development, (2) he is particularly concerned about the possibility of a convenience store and fuel pumps on this site, and (3) He is concerned about the amount of lighting associated with a convenience store and how that kind of facility tends to attract potential crime into a residential area.

Mr. Daugherty stated he would like to commend Mr. Mendenhall for working so closely with the neighborhood. He felt this was a fine example of cooperation amongst interested parties, and he felt the commission ought to do everything possible to accommodate the residents and the developer. He felt that the small commercial tract would fit in quite well with the 2020 Plan as far as neighborhood development is concerned. While residents may not want a convenience store, he did not feel that this necessarily is a bad thing for a community with several hundred homes adjacent to it. He indicated that he planned to support this request although he was not enamored with the R-2 zoning. He realized that if the development came back in as a C-P with the same configuration, the commission would not be able to reject it.

Mr. Wade stated he agreed with Mr. Daugherty on the commercial development. He felt that re-establishing small commercial pieces is very positive. It's small enough that he could not envision a small commercial enterprise going in there that would need to make a regional draw. He felt it would have to be

very carefully done and for businesses to be successful they would have to serve the neighborhood and immediate area. He did not have a problem with the possibility of a convenience store. If this does occur, he would be extremely conservative about the nature of the lighting and the spillover lighting. He feels the technology exists to have appropriate lighting with practically no spillover into the residential areas, and this should be done for this area so it would not be intrusive. He was swayed by the support from the surrounding areas, but at the same time, he was concerned with the R-2 zoning in the center of an R-1 development. He said he was struggling with the appropriateness of this. He did not feel this was congenial with the surrounding zoning and land uses. He wanted the other commissioners to address this.

Mr. Skala said he had some of the same reservations. He said he has gone on record numerous times in the northeast area of town, saying there was a glut of R-2 in this area. He said that they actually have additional R-2 zoning, although it is going to be developed as R-1. Mr. Skala also wanted to address another issue raised by Mr. Fagan, i.e., the safety of convenience stores. Mr. Skala stated that he lived on this side of town. Within two miles of the I-70/Lake of the Woods exit, there already exists about five convenience stores and a carwash. There is already a glut of convenience stores on this side of town. He said he was not trying to preclude Mr. Mendenhall 20 years from now building a convenience store if it becomes necessary, and he agrees with the Chair that maybe by that time there will be a lighting ordinance in the city. However, Mr. Skala said something else bothered him a little more, i.e., Mr. Mendenhall owns a gas station/convenience store at the Lake of the Woods exit which has a very good record in terms of crime. Mr. Mendenhall has touted that the low crime rate is because of the adequate lighting, but less than two blocks away on St. Charles Road, there is another convenience store that has one of the worst records in town, and it is well-lighted as well. He believed it had less to do with lighting than with location. He worried that this piece of property, which is sufficiently far away from I-70, just as the other convenience store, is the kind of magnet that the criminal would like to target. He stated his skepticism of convenience stores. He understands that this is a commercial piece of property, and this may have to be addressed at a later date. He stated that it was the R-2 development in the middle of an R-1 development which bothers him. He stated that right off of Ballenger Lane, it's hard to tell if it's predominantly R-1 or R-2. It is inter-mixed, and there have been all kinds of problems with R-2. It's the worst of all worlds. He said it might even be better to have increased density and clustering some of the units than having the R-2. He said he was really reluctant to support an R-2 request. However, he said he was open to hearing comments from other commissioners.

Mr. Cady stated that he agreed with the proposal that was before the commission, especially with the revised staff recommendations on allowed uses. When you compare the PUD to a regular R-2 development, there are pluses and minuses on both sides. What swayed Mr. Cady to agree is that overwhelmingly the surrounding subdivisions have accepted it. To him, this spoke volumes. It's just the opposite when a developer wants to come in and do 8-10 lots of R-2, and they come out of the woodwork in opposition. He said he was leaning toward supporting the R-2 request just as it is without the PUD.

Mr. Cady moved to recommend approval of the requested zoning of C-P for Tract A, subject to staff recommendations of adjustments to the allowed C-P uses, and approval of the requested zoning of R-2 for Tract B

Mr. Daugherty seconded the motion.

Mr. Holden wanted to make sure that everyone understood that the allowed uses on the C-P tract will be all allowed uses in C-1 with the exception of fast food restaurants with drive-in facilities. Allowed are uses such as a bicycle repair shop, bakery, carwash as long as it is a single bay unit attached to a convenience store, and convenience stores, including fuel pumps, but specifically not similar commercial uses that are noxious or offensive.

Mr. Skala stated he was really torn on this issue. He appreciated Mr. Mendenhall's cooperation with the homeowners and the support that this community has for what he intends to do, and he appreciates the fact that Mr. Mendenhall intends to solve the access problem for this area. He has difficulty, however, supporting the R-2 zoning. From a developer's point of view, it is attractive; however, from a traffic and land use perspective, he has a real hard time with this request.

Mr. Wade said he was impressed with the level of cooperation and quality communication between Mr. Mendenhall and the homeowners regarding this request. He said he hoped the small piece of C-P zoning would be effectively used for neighborhood convenience small businesses; however, he, too, struggled with the R-2 zoning request.

Roll Call Vote: Motion was made and seconded to recommend approval of the request by Robert and Mary Wood Trust to rezone property located north of Richland Road and on the east side of Grace Line, extended as follows: Tract A from R-1 to C-P and Tract B from R-1 to R-2, subject to staff recommendations contained in the staff report. Voting yes: Mr. Cady, Mr. Daugherty, Mr. Holden, Mr. Lamb, and Mr. Perkins. Voting No: Mr. Skala and Mr. Wade. Motion passed 5-2.

CITY OF COLUMBIA, MISSOURI P.O. BOX 6015 COLUMBIA, MO 65205 (573) 874-7239

RECEIVED
JUN 05 2003
PLANNING DEPT.

PROPOSED REZONING OF PROPERTY

TO: ___DIRECTOR OF PUBLIC WORKS
___DIRECTOR OF WATER & LIGHT
___DIRECTOR OF PARKS & RECREATION
✓ FIRE CHIEF
___POLICE CHIEF
___CENTURYTEL
___AMEREN UE
___OTHER_____

FROM: DIRECTOR OF PLANNING AND DEVELOPMENT

DATE: April 30, 2003

DATE DUE: May 13 , 2003

A REQUEST BY ROBERT & MARY WOOD TRUST TO REZONE TRACT A FROM R-1 TO CP; AND, TRACT B FROM R-1 TO R-2

The above request has been submitted to the Department of Planning and Development. We would appreciate receiving your comments and/or recommendations by the above date.

COMMENTS

Will comment further when site plans for each tract are submitted.

Reviewed by _____ Approved by _____
Department Director

PK

CITY OF COLUMBIA, MISSOURI P.O. BOX 6015 COLUMBIA, MO 65205 (573) 874-7239

PROPOSED REZONING OF PROPERTY

TO: X DIRECTOR OF PUBLIC WORKS
__DIRECTOR OF WATER & LIGHT
__DIRECTOR OF PARKS & RECREATION
__FIRE CHIEF
__POLICE CHIEF
__CENTURYTEL
__AMEREN UE
__OTHER_____

FROM: DIRECTOR OF PLANNING AND DEVELOPMENT

DATE: April 30, 2003

DATE DUE: May 13, 2003

A REQUEST BY ROBERT & MARY WOOD TRUST TO REZONE TRACT A FROM R-1 TO CP; AND, TRACT B FROM R-1 TO R-2

The above request has been submitted to the Department of Planning and Development. We would appreciate receiving your comments and/or recommendations by the above date.

COMMENTS

The intersection of Richland Road and Grace Lane is identified as a future signalized intersection in the 2025 Transportation Plan. Driveway access for the CP portion of the tract needs to be restricted to prevent interfering with the operation of the future signal.

RECEIVED
MAY 12 2002
PLANNING DEPT.

Reviewed by Public Works Staff
May 12, 2003

Approved by _____
Department Director

CITY OF COLUMBIA, MISSOURI P.O. BOX 6015 COLUMBIA, MO 65205 (573) 874-7239

PROPOSED REZONING OF PROPERTY

TO: ___DIRECTOR OF PUBLIC WORKS
___DIRECTOR OF WATER & LIGHT
___DIRECTOR OF PARKS & RECREATION
___FIRE CHIEF
___POLICE CHIEF
__CENTURYTEL
___AMEREN UE
___OTHER_____

FROM: DIRECTOR OF PLANNING AND DEVELOPMENT

DATE: April 30, 2003

DATE DUE: May 13 , 2003

A REQUEST BY ROBERT & MARY WOOD TRUST TO REZONE TRACT A FROM R-1 TO CP; AND, TRACT B FROM R-1 TO R-2

The above request has been submitted to the Department of Planning and Development. We would appreciate receiving your comments and/or recommendations by the above date.

OK

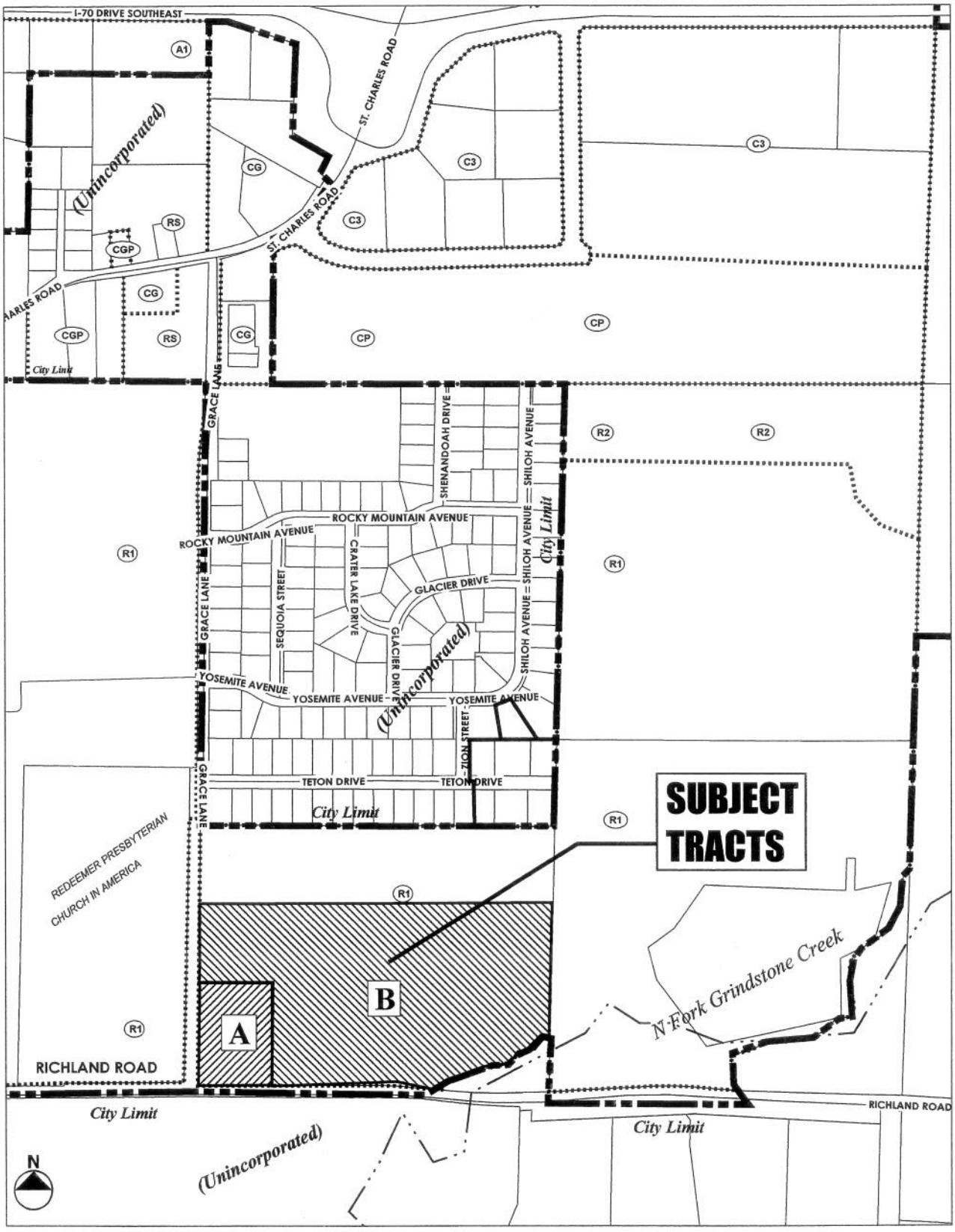
COMMENTS

ENGR SUPVR RECD
MAY 1 2003

RECEIVED
MAY 0 8 2003
PLANNING DEPT.

Reviewed by _____ Approved by _____
Department Director 5-7-03

PK


I-70 DRIVE SOUTHEAST
A1
(Unincorporated)
ST. CHARLES ROAD
CG
C3
RS
CGP
CP
City Limit
GRACE LANE
SHENANDOAH DRIVE
SHILOH AVENUE
R2
ROCKY MOUNTAIN AVENUE
R1
CRATER LAKE DRIVE
SEQUOIA STREET
GLACIER DRIVE
YOSEMITE AVENUE
ZION STREET
TETON DRIVE
SUBJECT TRACTS
REDEEMER PRESBYTERIAN CHURCH IN AMERICA
A
B
N Fork Grindstone Creek
RICHLAND ROAD
N
17Z03
0
500
Feet

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 May 22, 2003, 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 Robert and Mary Wood Trust to rezone property located north of Richland Road, and on the east side of Grace Lane, extended, as follows:

Tract A from R-1 (One-Family Dwelling District) to C-P (Planned Business District), containing approximately 2.43 acres.

Tract B from R-1 (One-Family Dwelling District) to R-2 (Two-family Dwelling District), containing approximately 17.87 acres.

Staff reports for Planning and Zoning Commission items can be found, four days prior to the public hearing date, on the Planning Department's web page: www.ci.columbia.mo.us/dept/plan/

For additional information, call 874-7239.

PLANNING AND ZONING COMMISSION

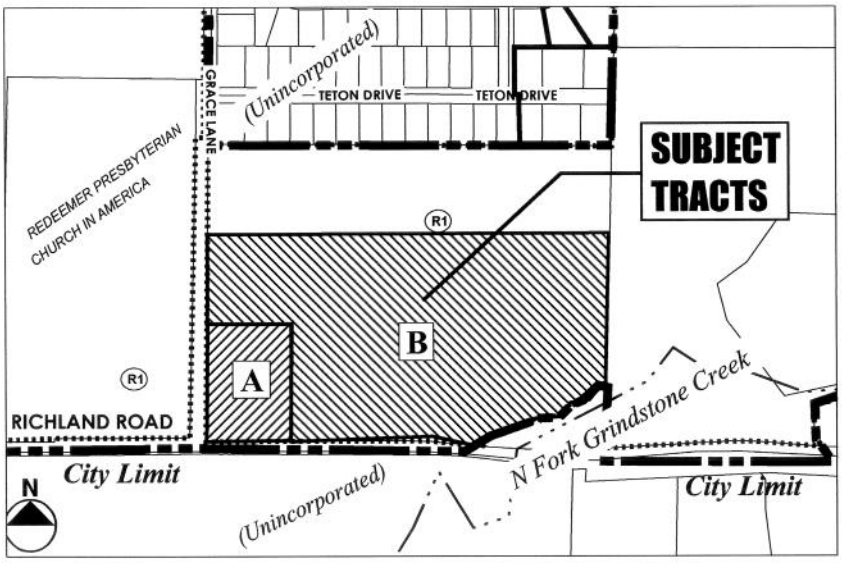
Jerry L. Wade,
Chair

INSERTION DATE: May 6, 2003

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 030522.

PAPER: COLUMBIA DAILY TRIBUNE. DATE MAILED: May 2, 2003



17Z03

0 500

Feet

CITY OF COLUMBIA, MISSOURI P.O. BOX 6015 COLUMBIA, MO 65205 (573) 874-7239

RECEIVED
MAY 0 2 2003
PLANNING DEPT.

PROPOSED REZONING OF PROPERTY

TO: ___DIRECTOR OF PUBLIC WORKS
___DIRECTOR OF WATER & LIGHT
___DIRECTOR OF PARKS & RECREATION
___FIRE CHIEF
↘ POLICE CHIEF
___CENTURYTEL
___AMEREN UE
___OTHER_____

FROM: DIRECTOR OF PLANNING AND DEVELOPMENT

DATE: April 30, 2003

DATE DUE: May 13 , 2003

A REQUEST BY ROBERT & MARY WOOD TRUST TO REZONE TRACT A FROM R-1 TO CP; AND, TRACT B FROM R-1 TO R-2

The above request has been submitted to the Department of Planning and Development. We would appreciate receiving your comments and/or recommendations by the above date.

COMMENTS

No Problem

Reviewed by _____ Approved by _____
Department Director

PK

CITY OF COLUMBIA, MISSOURI P.O. BOX 6015 COLUMBIA, MO 65205 (573) 874-7239

RECEIVED
MAY 07 2003
PLANNING DEPT.

PROPOSED REZONING OF PROPERTY

TO: ___DIRECTOR OF PUBLIC WORKS
___DIRECTOR OF WATER & LIGHT
__DIRECTOR OF PARKS & RECREATION
___FIRE CHIEF
___POLICE CHIEF
___CENTURYTEL
___AMEREN UE
___OTHER_____

FROM: DIRECTOR OF PLANNING AND DEVELOPMENT

DATE: April 30, 2003

DATE DUE: May 13 , 2003

A REQUEST BY ROBERT & MARY WOOD TRUST TO REZONE TRACT A FROM R-1 TO CP; AND, TRACT B FROM R-1 TO R-2

The above request has been submitted to the Department of Planning and Development. We would appreciate receiving your comments and/or recommendations by the above date.

COMMENTS

NO Comment

Reviewed by _____ Approved by _____
Department Director

PK

CITY OF COLUMBIA, MISSOURI P.O. BOX 6015 COLUMBIA, MO 65205 (573) 874-7239

RECEIVED
MAY 06 2003
PLANNING DEPT.

PROPOSED REZONING OF PROPERTY

TO: ___DIRECTOR OF PUBLIC WORKS
✓ DIRECTOR OF WATER & LIGHT
___DIRECTOR OF PARKS & RECREATION
___FIRE CHIEF
___POLICE CHIEF
___CENTURYTEL
___AMEREN UE
___OTHER_____

FROM: DIRECTOR OF PLANNING AND DEVELOPMENT

DATE: April 30, 2003

DATE DUE: May 13 , 2003

A REQUEST BY ROBERT & MARY WOOD TRUST TO REZONE TRACT A FROM R-1 TO CP; AND, TRACT B FROM R-1 TO R-2

The above request has been submitted to the Department of Planning and Development. We would appreciate receiving your comments and/or recommendations by the above date.

COMMENTS

Water - PWSD #9
ELEC - Boone Electric service territory.

Approved subject to comments above.

Reviewed by DHK

Approved by MJ Sturt 5/5/03
Department Director

PK

LEGAL DESCRIPTION FOR TWIN CORNERS TRACT A CP ZONING

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF THE TRACT DESCRIBED BY THE QUIT-CLAIM DEED RECORDED IN BOOK 1584, PAGE 821 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

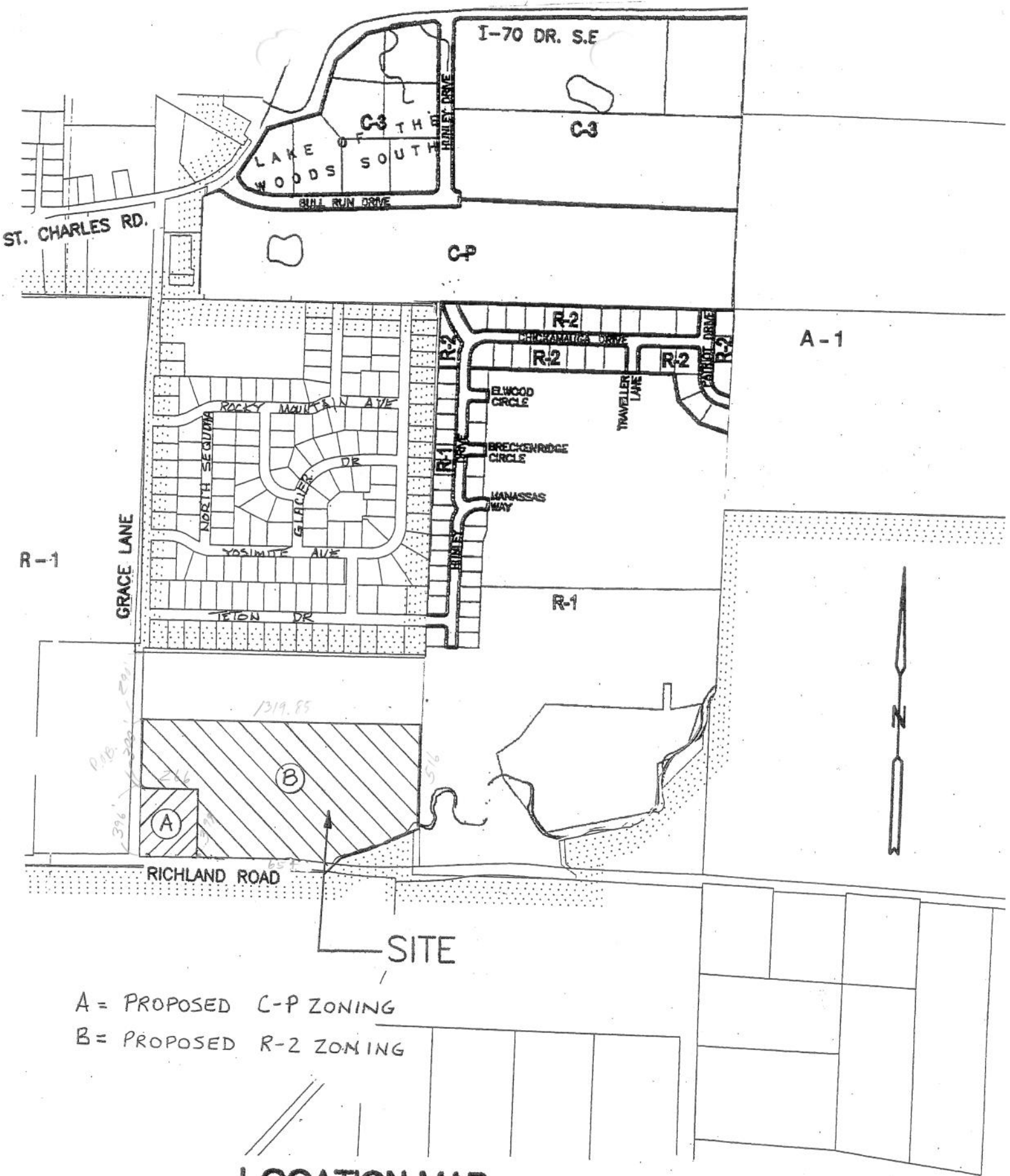
BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 10-48-12; THENCE WITH THE QUARTER SECTION LINE, N0°40'50"E, 396.00 FEET; THENCE LEAVING SAID QUARTER SECTION LINE AND PARALLEL WITH THE SOUTH LINE OF LAKE OF THE WOODS-PLAT NO. 3, RECORDED IN PLAT BOOK 14, PAGE 29, N89°53'00"E, 266.03 FEET; THENCE S0°40'50"W, 399.50 FEET TO THE SOUTH LINE OF SAID SECTION 10-48-12; THENCE WITH SAID SECTION LINE, N89°21'40"W, 266.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.43 ACRES.

LEGAL DESCRIPTION FOR TWIN CORNERS TRACT B R-2 ZONING

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF THE TRACT DESCRIBED BY THE QUIT-CLAIM DEED RECORDED IN BOOK 1584, PAGE 821 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 10-48-12; THENCE WITH THE QUARTER SECTION LINE, N0°40'50"E, 396.00 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, CONTINUING N0°40'50"E, 300.70 FEET TO A POINT BEING 290.00 FEET FROM THE SOUTHWEST CORNER OF LAKE OF THE WOODS-PLAT NO. 3, RECORDED IN PLAT BOOK 14, PAGE 29; THENCE LEAVING SAID QUARTER SECTION LINE AND PARALLEL WITH THE SOUTH LINE OF SAID LAKE OF THE WOODS-PLAT NO. 3, N89°53'00"E, 1319.85 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10-48-12; THENCE WITH SAID EAST LINE, S1°08'40"W, 516.60 FEET TO THE NORTHEAST CORNER OF THE TRACT DESCRIBED BY THE SURVEY RECORDED IN BOOK 414, PAGE 38; THENCE LEAVING SAID EAST LINE AND WITH THE NORTH LINE OF SAID SURVEY, S67°23'20"W, 227.00 FEET; THENCE S71°47'20"W, 140.28 FEET; THENCE S41°10'20"W, 82.29 FEET TO THE SOUTH LINE OF SAID SECTION 10-48-12; THENCE WITH SAID SECTION LINE, N89°21'40"W, 654.87 FEET; THENCE N0°40'50"E, 399.50 FEET; THENCE S89°53'00"W, 266.03 FEET TO THE POINT OF BEGINNING AND CONTAINING 17.87 ACRES.



A = PROPOSED C-P ZONING

B = PROPOSED R-2 ZONING

LOCATION MAP

(NOT TO SCALE)

CITY OF COLUMBIA, MISSOURI

DEPARTMENT OF PLANNING AND DEVELOPMENT

May 2, 2003

RE: Application 17-Z-03
(Robert and Mary Wood Trust)

Dear Property Owner:

Application 17-Z-03, filed by Robert and Mary Wood Trust, is a request for rezoning 2 tracts of land. The request, which has been set for a public hearing before the Columbia Planning and Zoning Commission is as follows:

Tract A from R-1 (One-Family Dwelling District) to C-P (Planned Business District), containing approximately 2.43 acres.

Tract B from R-1 (One-Family Dwelling District) to R-2 (Two-family Dwelling District), containing approximately 17.87 acres.

The above properties are located north of Richland Road, and on the east side of Grace lane, extended:.

The public hearing is scheduled for **Thursday, May 22, 2003** at 7:00 p.m. in the City Council Chambers, City Building, 701 East Broadway, Columbia, Missouri. You are invited to attend and may submit any information in favor of or in opposition to the request on or before the public hearing. After the public hearing, the Commission will forward its recommendation to the City Council. The City Council will then have a public hearing, usually 25 days after the Commission's public hearing, and will take final action on the application.

You may present your support or opposition to this application to the Council regardless of any action that the Planning and Zoning Commission takes. In addition, you may file a written protest petition with the City Clerk no later than 5:00 p.m. on the Wednesday preceding the City Council public hearing. Protest petition forms are available in the City Clerk's office, which is located on the fourth floor of the City Building, 701 East Broadway.

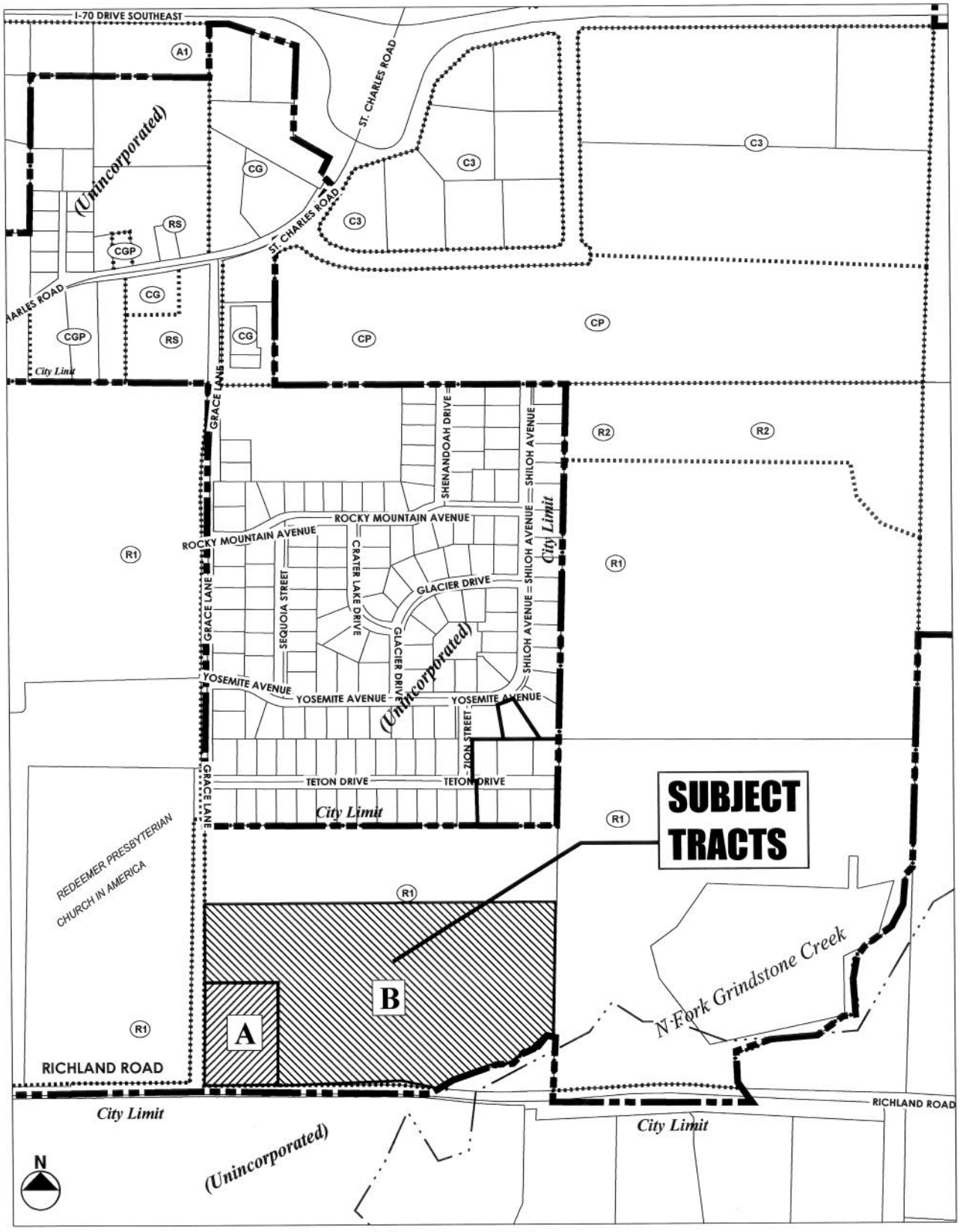
This notice is being mailed to all owners of property within 185 feet of the subject property in the City of Columbia limits, and within 1000' feet of the subject property in Boone County. A map of the request areas and vicinity is on the back of this letter. You are welcome at the City Planning and Development office, which is located on the second floor of the City Building, to review the file on this application or you may call Pam Kelrick, Planner, at (573)874-7437 for additional information.

Sincerely,

Roy Dudark
Director of Planning and Development

WRD/pek

701 E. BROADWAY • P.O. BOX N • COLUMBIA, MISSOURI 65205
(573) 874-7239 • FAX (573) 874-7546 • TTY (573) 874-6364


I-70 DRIVE SOUTHEAST
A1
(Unincorporated)
ST. CHARLES ROAD
CG
C3
RS
CGP
CP
City Limit
GRACE LANE
SHENANDOAH DRIVE
SHILOH AVENUE
R2
ROCKY MOUNTAIN AVENUE
R1
SEQUOIA STREET
CRATER LAKE DRIVE
GLACIER DRIVE
YOSEMITE AVENUE
TETON DRIVE
ZION STREET
SUBJECT TRACTS
REDEEMER PRESBYTERIAN CHURCH IN AMERICA
B
A
N Fork Grindstone Creek
RICHLAND ROAD
N
17Z03
0
500
Feet

RECEIVED
MAY 0 2 2003
PLANNING DEPT.

APPLICATION FOR REZONING OF PROPERTY
(May 22, 2002)

General location of property (use street intersection if possible) PROPERTY IS LOCATED ON RICHLAND ROAD ON THE EAST SIDE OF GRACE LANE EXTENDED.

Street address of property (note N/A if site is vacant) 5471 RICHLAND ROAD

Size of tract (expressed in acres) TRACT A: 2.43 ACRES TRACT B: 17.87 ACRES

Deed to property recorded in Book 1584 , Page 821

Present zone(s) R-1

Requested zone(s) TRACT A: CP TRACT B: R-2

Present use(s) of property UNDEVELOPED

Columbia Land Use Plan designation NEIGHBORHOODS

Reason for requesting zoning change TO DEVELOP THE PROPERTY WITH MIXED USES

****

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

OWNERS Of Record:	CONTRACTOR PURCHASER (if applicable):	AGENT (if other than owner):
Robert & Mary Wood Trust	Twin Corners, LLC	Tom Mendenhall
Names	Name	Name
1409 Cedar Grove Blvd.	C/O Tom Mendenhall, REMM, LTD. 2909 Falling Leaf Lane, Suite K	2909 Falling Leaf Ln., Ste.K
Address	Address	Address
Columbia, Mo 65201	Columbia, MO 65201	Columbia, MO 65201
City, State, Zip	City, State, Zip	City, State, Zip
(573) 449-8585	(573) 449-1619	(573) 449-1619
Phone	Phone	Phone

Robert & Mary Wood Trust — 5-2-2003
(Signature of owner or attorney representing owner) Date

Tom Mendenhall — 4-29-03
TOM MENDENHALL, AGENT DATE

I:\2003\03181.01\leg & esm\rezoning app.doc

REQUEST FOR COUNCIL BILL

DEPARTMENT REQUESTING COUNCIL BILL: PLANNING AND DEVELOPMENT

DESCRIPTION OF ORDINANCE (SCRATCHED UP COPY OF ANOTHER ORDINANCE, ROUGH DRAFT, OR MEMO DESCRIBING ALL ASPECTS OF ORDINANCE:

A request by the Robert and Mary Wood Trust to rezone property located on the northeast corner of Richland Road and Grace Lane as follows:

Tract A from R-1 (One-Family Dwelling District) to C-P (Planned Business District), containing approximately 2.43 acres.

Tract B from R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District), containing approximately 17.87 acres.

Note To Law: Allowed uses (Exhibit "A" plus staff recommended changes) needs to be in ordinance.

APPROPRIATION AMOUNT - $ _____

FROM THE: _____
(Name of Account or Fund/Account #)

TO THE: _____
(Name of Account or Fund/Account #)

APPROVAL OF APPROPRIATION: _____
FINANCE DIRECTOR

FORM OF CERTIFICATION (TO BE FILLED IN BY THE FINANCE DIRECTOR):

_____

_____

_____

SIGNATURE OF DEPARTMENT HEAD
REQUESTING COUNCIL BILL

DATE: 5/25/03 _____

ALL REQUESTS FOR COUNCIL BILLS MUST BE ACCOMPANIED BY THIS COMPLETED FORM.

Source

Roy Dudark

Fiscal Impact

YES

NO ✓

Other Info.

Agenda Item No._____

TO: City Council

FROM: City Manager and Staff

DATE: May 23, 2003

RE: A request by the Robert and Mary Wood Trust to rezone property located on the northeast corner of Richland Road and Grace Lane as follows:

Tract A from R-1 (One-Family Dwelling District) to C-P (Planned Business District), containing approximately 2.43 acres

Tract B from R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District), containing approximately 17.87 acres

EXECUTIVE SUMMARY

At its meeting of May 22, 2003, the Planning and Zoning Commission voted 5-2 to recommend approval of the proposed rezoning. No one from the public spoke in opposition.

The Commission's recommendation included approval of the requested C-P uses for Tract A (labeled Exhibit A) subject to the following modifications:

1. After "All uses allowed in District C-1" add "except fast-food restaurants with drive-through facilities"

2. After "car wash" add "single-bay unit attached to convenience store"

3. Delete the last item (Any similar commercial uses.....)

The applicants' consulting engineer has told staff that the applicants are in agreement with the above three changes to the allowed C-P uses.

The Commission's recommendation also included the following condition:

That prior to approval of a C-P plan on Tract A, the street improvements stated in the May 21, 2003 letter from Chad Sayer of Allstate Consultants, shall be completed.

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, the allowed C-P uses as amended and the condition regarding street improvements being completed prior to approval of a C-P development plan on Tract A.

AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
MAY 22, 2003

ITEM

Robert and Mary Wood Trust request for rezoning property from R-1 to R-2 and C-P, located at the northeast corner of Grace Lane, extended and Richland Road - **Supplementary Information**

DISCUSSION

Since the staff report was sent to the Commission, some new developments have taken place in regard to the above request.

The applicants have provided a list of proposed allowed uses for the C-P portion of the request, a copy of which is attached. Staff recommends the following revisions to the list:

1. After "All uses allowed in District C-1" add "except fast-food restaurants with drive-through facilities"

2. After "car wash" add "(single-bay unit attached to convenience store)"

3. Delete the last item (Any similar commercial uses.....)

The contract purchaser has offered to construct Grace Lane (an arterial street) to collector street standards from Richland Road to the existing terminus of Grace Lane, which is approximately 1,050 feet north of Richland Road. In addition, a 100-foot long left turn lane would be installed on Richland Road. This would be for eastbound Richland Road traffic, wanting to turn north on Grace Lane. Both of these improvements, which are not required under current City regulations, would be done by the developer in exchange for receiving R-2 zoning on Tract B, rather than the PUD zoning recommended by staff. A copy of a letter, describing the proposed street improvements is attached.

Staff is of the opinion that the suggested street improvements, if completed by the developer, would negate the need for a PUD in this case. While not binding on the residential portions of the development, the offered improvements could be made a condition of any C-P plan approval for Tract A. The City Traffic Engineer is in the process of reviewing the proposal and will forward any comments to the Planning Department prior to the May 22 meeting of the Planning and Zoning Commission.

STAFF RECOMMENDATION

Staff has now amended its recommendation as follows:

Approval of C-P zoning on Tract A, subject to the allowed C-P uses being those requested by the applicants, with the staff's suggested revisions and completion of the proposed street improvements prior to the approval of a C-P development plan on Tract A.

Approval of R-2 zoning on Tract B

AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
MAY 22, 2003

ITEM NO.

17-Z-03

APPLICANT

Robert and Mary Wood Trust

LOCATION

On the northeast corner of Richland Road and Grace Lane, extended

PROPERTY SIZE

Tract A: Approximately 2.43 acres.
Tract B: Approximately 17.87 acres.

EXISTING ZONING

R-1 (One-Family Dwelling District).

REQUESTED ZONING

Tract A: C-P (Planned Business District)
Tract B: R-2 (Two-Family Dwelling District)

HISTORY

The subject property was annexed into the City in 2001 and was zoned R-1. There have been no prior requests to change zoning on the property.

EXISTING CONDITIONS

	ZONING	LAND USE
SITE	R-1	Tri-plex, mobile home & boarding stable
NORTH	R-1	Undeveloped
SOUTH	Boone County A-R & R-S	Undeveloped
EAST	R-1	Undeveloped

WEST	R-1	Undeveloped

LAND USE PLAN DESIGNATION

The subject property is shown as a "neighborhood district" on the Metro 2020 Land Use Plan. The proposed rezoning of Tract A to C-P could be in conformance with the "neighborhood marketplace" concept, described in the Plan, if the "compatibility guidelines" can be met. The proposed rezoning of Tract B to R-2 would be in conformance with the Plan.

ACCESS

Access to the site is off Richland Road, an unimproved major arterial street; and, off Grace Lane, extended, an unimproved minor arterial street. Staff recommends that if the rezoning is approved for Tract A, access should be limited so as not to impede future traffic flow along both arterial streets. Tract A has limited frontage on Richland Road, which if allowed could result in a driveway located too close to the intersection.

It should be noted that the contract purchaser of the subject property is preparing a preliminary plat which would include a street system that will allow traffic from Lake-of-the-Woods South Subdivision access onto both Grace Lane and Richland Road. This could potentially relieve the present situation, whereby all traffic generated by Lake-of-the-Wood South Subdivision must utilize Teton Drive for access.

PUBLIC UTILITIES

There are presently no City utilities available to the site. The site is within Public Water Supply District No. Nine's service territory and within Boone Electric Cooperative's service territory. Water District No. Nine has a 12-inch water main along Richland Road, adjacent to the subject property. City sanitary sewer line is proposed to be extended along the North Fork of Grindstone Creek, immediately to the southeast of the subject site. That project is expected to be completed by July 2004.

SITE CHARACTERISTICS

The property is largely undeveloped but contains a tri-plex, a mobile home and a boarding stable facility. The topography is moderately sloping and there are some stands of tree cover on the site. There are intermittent streams in the southwest and southeast corners of the site. The North Fork of Grindstone Creek runs along the southeast side of the site. The site is within the Grindstone Creek drainage basin.

CITY-RECOGNIZED NEIGHBORHOOD ASSOCIATIONS AFFECTED

None

PARKLAND NEEDS/GREENBELT

This part of the City is in need of additional neighborhood parkland, according to the 2002 Parks Master Plan. The City may acquire some land adjacent to the North Fork of Grindstone Creek, just east of the subject site. Since that property is primarily flood-prone land, however, it may not be very suitable for a neighborhood park.

The North Fork of Grindstone Creek, which lies southeast of and is adjacent to the subject site, is a designated greenbelt.

DISCUSSION

Tract A

The request is for 2.43 acres of C-P zoning at the intersection of two arterial streets. Staff finds this proposal problematic. The tract is very small for a commercial development which would front on two arterial streets. Because of the narrow frontage on Richland Road, a major arterial street, no access to that road should be allowed. Access onto Grace Lane, a minor arterial street, should be closely scrutinized for proper access management. A larger C-P site would allow for better access management at this intersection; however, it is hard to justify a large amount of commercial zoning here, given the amount already in place further to the north on St. Charles Road.

Tract B

The request is for 17.87 acres of R-2 zoning. Staff does not object to duplex development at this location; however, there are some traffic issues which may entail construction of some needed off-site roadway improvements to accommodate the proposed development. An example is the potential need for some turn storage area on Richland Road. Use of a PUD district, rather than R-2 zoning would allow the City to require the developer to construct off-site improvements in conjunction with the duplex development. In addition, recent Commission and Council actions have indicated a preference for PUD zoning in lieu of conventional R-2 zoning.

STAFF RECOMMENDATION

Approval of the request for C-P zoning on Tract A, subject to the following conditions:

1. That allowed C-P uses be limited to neighborhood convenience uses (a list of uses should be submitted by the applicant)

2. That driveway access be prohibited off Richland Road and appropriately limited on other street frontages, in accordance with good access management principles

Denial of the request for R-2 zoning on Tract B. Staff would support a request for PUD zoning, at a density which would allow for duplex housing (not more than two dwelling units per lot) on Tract B. If the applicants concur with this recommendation, they can amend their request and submit a statement of intent for the PUD. This would not delay the processing of the rezoning request; however, it would add the extra step of a public hearing on a PUD site plan at some point prior to development of the site.

WEINMAN-SCHULTZ G MARIAN TRUSTEE
2051 STATE RD M
KINGDOM CITY, MO 65262-

WEINMAN-SCHULTZ G MARIAN TRUSTEE
2051 STATE RD M
KINGDOM CITY, MO 65262-

ALGIERE THOMAS A
602 WESTSIDE DR
KNOB NOSTER, MO 65336-

POWELL WILLIAM D & NEVA C
1150 CEDAR GROVE BLVD
COLUMBIA, MO 65201-

POWELL LAUREL JEANNE & ERMINE DALE
5000 E RICHLAND RD
COLUMBIA, MO 65201-9606

HETZLER DAVID F & JANET S CHANCE-HETZLER
3611 SINCLAIR STREET
COLUMBIA, MO 65203-

LAKE OF THE WOODS SOUTH LLC
P O BOX 69
COLUMBIA, MO 65205-

WATSON DOROTHY L
5421 E TETON DR
COLUMBIA, MO 65201-6866

SPILLER WILLARD FREDERICK III & CHERYL E
5434 E YOSEMITE AVE
COLUMBIA, MO 65201-6828

ROMANO NICHOLAS J
18351 N ADAMS RD
CENTRALIA, MO 65240-

WOOD ROBERT & JOANN LIVING TRUST
1409 S CEDAR GROVE BLVD
COLUMBIA, MO 65201-8708

SCOTT GREGORY J
5981 E RICHLAND RD
COLUMBIA, MO 65201-8747

NICKERSON DARREN D & SUNDAY CLARIDGE NICKERSON
4585 HIGHWAY 240
ROCHEPORT, MO 65279-

FISHER SCOTT WAYNE & JULIE G LABELLA
4500 FALL RIVER DRIVE
COLUMBIA, MO 65203-

REDEEMER PRESBYTERIAN CHURCH IN AMERICA
7201 E RTE WW
COLUMBIA, MO 65201-

WESTPORT PLACE LTD
PO BOX 428
DEXTER, MO 63841-

KEELER MATTHEW R & RACHEL E
5420 E TETON DR
COLUMBIA, MO 65201-6865

WILLIAMS DONALD L & BARBARA D
378 N GRACE LN
COLUMBIA, MO 65201-6806

STAGER SCOTT P
5440 E TETON DR
COLUMBIA, MO 65201-6865

GINSBURG DON & SHARON
3605 HOLLY HILLS CT
COLUMBIA, MO 65203-

KIRKPATRICK CLARICE S
5500 E TETON DR
COLUMBIA, MO 65201-6867

AUDSLEY SAM R & BARBARA
271 SPUR 87 HWY
GLASGOW, MO 65254-

GRAVES ROBERT E & CAROLYN S
21511 US HIGHWAY 63 N
STURGEON, MO 65284-9769

MARSH BRADLEY S & ROBIN R MARTIN
5501 E TETON DR
COLUMBIA, MO 65201-6868

HAYNAM JASON R & ANGINENE M HAYNAM
5494 E YOSEMITE AVE
COLUMBIA, MO 65201-6828

RYAN KEVIN P & DONNA L
5540 E TETON DR
COLUMBIA, MO 65201-6867

JONES WILLIAM D JR & GAYLE L
5580 E TETON DR
COLUMBIA, MO 65201-6867

LEWIS WILLIAM D
5541 E TETON DR
COLUMBIA, MO 65201-6868

BANK OF AMERICA MORTGAGE
101 E MAIN STREET STE 400
LOUISVILLE, KY 40202-5311

TWEHOUS NOLAN D & JANEL L
5581 E TETON DR
COLUMBIA, MO 65201-6868

WHITE GENTRY A & TANYA E K
5441 E TETON DR
COLUMBIA, MO 65201-6866

PERRY KATHLEEN M
5454 E YOSEMITE AVE
COLUMBIA, MO 65201-6828

ROSENSTENGEL CHADWICK N & DENISE L
5481 E TETON DR
COLUMBIA, MO 65201-6866

BOMAR JOHN C & MARILEE G
376 N SEQUOIA ST
COLUMBIA, MO 65201-6816

KIPPLEY KRISTINE D
5520 E TETON DR
COLUMBIA, MO 65201-6867

PHILLIPS MICHAEL D & ELLEN M
5560 E TETON DR
COLUMBIA, MO 65201-6867

MARTIN SYLVIA A
5521 E TETON DR
COLUMBIA, MO 65201-6868

WILLIAMS TAMARA S & RANDY
5514 YOSEMITE AVE
COLUMBIA, MO 65201-

NICHOLS ANNA L
5561 E TETON DR
COLUMBIA, MO 65201-6868

MUSKOPF MERRIBETH A
5554 E YOSEMITE AVE
COLUMBIA, MO 65201-6830

CASEY PATRICIA LYNN
5574 E YOSEMITE AVE
COLUMBIA, MO 65201-6830

BRYSON ALICIA L
5620 E TETON DR
COLUMBIA, MO 65201-6869

TETON DEVELOPMENT LLC
2417 BEACHVIEW DR
COLUMBIA, MO 65203-1408

NEVILLE CHARLES L & ERYCA
5621 E TETON DR
COLUMBIA, MO 65201-6870

KELLY JANICE C & WILLIAM
5614 E YOSEMITE AVE
COLUMBIA, MO 65201-6856

BULGIN FAMILY LIVING TRUST
301 VIEUX CARRE CT
COLUMBIA, MO 65203-59

TETON DEVELOPMENT LLC
2417 BEACHVIEW DR
COLUMBIA, MO 65203-1408

TETON DEVELOPMENT LLC
2417 BEACHVIEW DR
COLUMBIA, MO 65203-1408

TETON DEVELOPMENT LLC
2417 BEACHVIEW DR
COLUMBIA, MO 65203-1408

JUENGERMANN LEE
1223 S ROSETA AVE
COLUMBIA, MO 65201-

LETOURNEAU SUSAN R & ERIC C SAPPINGTON
5600 TETON DRIVE
COLUMBIA, MO 65201-6869

DILLER DEBRA LYNN
5640 E TETON DR
COLUMBIA, MO 65201-6869

MCLEAN ROBERT COCHRANE & LAURIE KOCH MCLEAN
5601 E TETON DR
COLUMBIA, MO 65201-6870

ANTHONY CARL D & KATHLEEN K
5594 E YOSEMITE AVE
COLUMBIA, MO 65201-6830

TETON DEVELOPMENT LLC
2417 BEACHVIEW DR
COLUMBIA, MO 65203-1408

BOONE COUNTY REGIONAL SEWER DIST
1314 N 7TH ST
COLUMBIA, MO 65201-3902

TETON DEVELOPMENT LLC
2417 BEACHVIEW DR
COLUMBIA, MO 65203-1408

TETON DEVELOPMENT LLC
2417 BEACHVIEW DR
COLUMBIA, MO 65203-1408

LONG TERESA J
5696 E YOSEMITE AVE
COLUMBIA, MO 65201-6878

BENNETT MARLA J
406 N GRACE LN
COLUMBIA, MO 65201-6808

MCMEANS KARL L & CARL & BARBARA MCMEANS
432 N GRACE LN
COLUMBIA, MO 65201-6808

CHANEY MARTHA THOMPSON
456 N GRACE LN
COLUMBIA, MO 65201-6808

JACKSON CAROLINE M
478 N GRACE LN
COLUMBIA, MO 65201-6808

BARRIER RANI A
502 N GRACE LN
COLUMBIA, MO 65201-6810

FRIEDRICHS PAUL W
526 N GRACE LANE
COLUMBIA, MO 65201-

HOOD GAROLD D & DAFFANY J
407 N SEQUOIA ST
COLUMBIA, MO 65201-6817

JOHNSON WILLIAM REMINGTON JR AND HENRIETTA SUE
433 N SEQUOIA ST
COLUMBIA, MO 65201-6817

HUGHES SUZANNE B
457 N SEQUOIA ST
COLUMBIA, MO 65201-6817

BULGIN DIANE
477 N SEQUOIA ST
COLUMBIA, MO 65201-6817

TIMMS CHARLES & KERRY
400 N SEQUOIA ST
COLUMBIA, MO 65201-6818

HARTMAN DAVID WILLIAM AND JANET K
434 N SEQUOIA ST
COLUMBIA, MO 65201-6818

MOUNTJOY FAMILY REVOC LIVING TRUST
5513 E YOSEMITE AVE
COLUMBIA, MO 65201-6829

HILEY MARY BETH
456 N SEQUOIA ST
COLUMBIA, MO 65201-6818

WILLIAMS EDWARD D & JULIE A
476 N SEQUOIA ST
COLUMBIA, MO 65201-6818

MURRAY MARCUS W
459 N CRATER LAKE DR
COLUMBIA, MO 65201-6801

NAVARRO EDUARDO & KATHLEEN
479 N CRATER LAKE DR
COLUMBIA, MO 65201-6801

GAULER BRIAN
501 SEQUOIA
COLUMBIA, MO 65201-

CARLYLE JASON R & ALICJA J
500 N SEQUOIA ST
COLUMBIA, MO 65201-6854

QUICK ROBERT DAVID & CHERYL L CURRIE
524 N SEQUOIA ST
COLUMBIA, MO 65201-6854

SIMON SHELLEY S
499 N CRATER LAKE DR
COLUMBIA, MO 65201-6801

HEFLIN BRENDA KAY
519 N CRATER LAKE DR
COLUMBIA, MO 65201-6872

BLACK ANTHONY G & JAMETTE M THOMPSON
5533 E YOSEMITE AVE
COLUMBIA, MO 65201-6829

MITCHELL CHARLES B & NORMA L
429 N CRATER LAKE DR
COLUMBIA, MO 65201-6801

DOWDY FAMILY REVOCABLE TRUST
500 N CRATER LAKE DR
COLUMBIA, MO 65201-6871

THOMPSON JOHN R & CATHY A
7340 HWY BB
UNION, MO 63084-

THOMPSON JANICE
409 N CRATER LAKE DR
COLUMBIA, MO 65201-6801

TIMBROOK TIMOTHY J
480 N CRATER LAKE DR
COLUMBIA, MO 65201-6802

MCCOY BRUCE A & SHARON E
461 N GLACIER DR
COLUMBIA, MO 65201-6803

THIEME BRIAN K & SARAH R
520 N CRATER LAKE DR
COLUMBIA, MO 65201-6871

BUNCH ROY E & BETTY E
481 N GLACIER DR
COLUMBIA, MO 65201-6803

UNION PLANTERS BANK NA
1900 CHARLES BRYAN AX2
CORDOVA, TN 38016-

PHELPS RICHARD A & JO ANN
414 N GLACIER DR
COLUMBIA, MO 65201-6804

STORM GWENDOLYN D
442 N GLACIER DR
COLUMBIA, MO 65201-6804

MCENROE JOHN E
1634 N MOHAWK ST
CHICAGO, IL 60614-5624

KLATT IRENE
462 N GLACIER DR
COLUMBIA, MO 65201-6804

LEWIS RICHARD E & CARROL A
12780 S CLINKSCALES RD
ASHLAND, MO 65010-

BULGIN FAMILY LIVING TRUST
301 VIEUX CARRE CT
COLUMBIA, MO 65203-59

CHOUINARD THOMAS E
5653 YOSEMITE
COLUMBIA, MO 65201-

SQUIRES DENA G
502 N GLACIER DR
COLUMBIA, MO 65201-6852

LAYMAN MICHELLE J
522 N GLACIER DR
COLUMBIA, MO 65201-6852

WEST FRED W & ALICE E LEWIS
501 N GLACIER DR
COLUMBIA, MO 65201-6853

PATTERSON ROBERT WILSON JR & DEBORAH JEAN
521 N GLACIER DR
COLUMBIA, MO 65201-6853

GEORGES ROBERT M & DONNA M
P O BOX 10047
COLUMBIA, MO 65205-4001

HARDY JUDITH MARIE
399 N SHILOH AVE
COLUMBIA, MO 65201-6874

MCENROE JOHN E
1634 N MOHAWK ST
CHICAGO, IL 60614-5624

MCENROE JOHN E
1634 N MOHAWK ST
CHICAGO, IL 60614-5624

PETERMAN LANA J
542 GLACIER DRIVE
COLUMBIA, MO 65201-

PELOUSKY HELEN A TRUSTEE
6220 E MOUNT ZION CHURCH R
HALLSVILLE, MO 65255-9644

PELOUSKY HELEN A TRUSTEE
6220 E MOUNT ZION CHURCH R
HALLSVILLE, MO 65255-9644

PELOUSKY HELEN A TRUSTEE
6220 E MOUNT ZION CHURCH R
HALLSVILLE, MO 65255-9644

GRAVES ROBERT E & CAROLYN S
21511 US HIGHWAY 63 N
STURGEON, MO 65284-9769

MILES MARVA DIANE (STRID)
561 N GLACIER DR
COLUMBIA, MO 65201-6853

IRISH CAROL S
1402 S CEDAR GROVE BLVD
COLUMBIA, MO 65201-

MANDLE JAMES S ETAL
356 GRACE LN
COLUMBIA, MO 65201-

SHINDELAR RONALD D & ROSEANN
5401 E TETON DR
COLUMBIA, MO 65201-6866

BEARY BRADLEY D & REBECCA A
5400 E TETON DR
COLUMBIA, MO 65201-6865

CRUM DAMON T & SHERMICA L
525 N SEQUOIA ST
COLUMBIA, MO 65201-6855

ROWLAND KATHY LORENE
5570 E ROCKY MOUNTAIN AVE
COLUMBIA, MO 65201-6814

ROBERTS KAREN L
5590 E ROCKY MOUNTAIN AVE
COLUMBIA, MO 65201-6814

ANSELM RICHARD L
5610 E ROCKY MOUNTAIN AVE
COLUMBIA, MO 65201-6864

GERKE RITA WESSELMANN
5630 E ROCKY MOUNTAIN AVE
COLUMBIA, MO 65201-6864

FRENCH WAYNE L & KRISTY R
5650 E ROCKY MOUNTAIN AVE
COLUMBIA, MO 65201-6864

WILSON CHARLES JR & PHYLLIS ANN
5670 E ROCKY MOUNTAIN AVE
COLUMBIA, MO 65201-6864

ASCHI MOEZ & RACHEL
540 N CRATER LAKE DR
COLUMBIA, MO 65201-6871

RADATZ CARYL A & REGINALD LEROY BENNETT
539 N CRATER LAKE DR
COLUMBIA, MO 65201-6872

BENTLEY CHARLES M & SHARON R
542 N SEQUOIA ST
COLUMBIA, MO 65201-6854

GRUENEFELD RONALD & MARIE E
520 N SHILOH AVE
COLUMBIA, MO 65201-6824

, -

, -

, -

, -

, -

, -

, -

, -

, -

, -

, -

, -

RECEIVED
MAY 0 2 2003
PLANNING DEPT.

LEGAL DESCRIPTION VERIFICATION AND APPROVAL

TO: Engineering Department
Public Works Department

FROM: Director of
Planning and Development

DATE: April 30, 2003

Please return by: May 13, 2003

NAME OF APPLICANT: ROBERT & MARY WOOD TRUST

LOCATION: **RICHLAND ROAD ON THE EAST SIDE OF GRACE LANE EXTENDED**

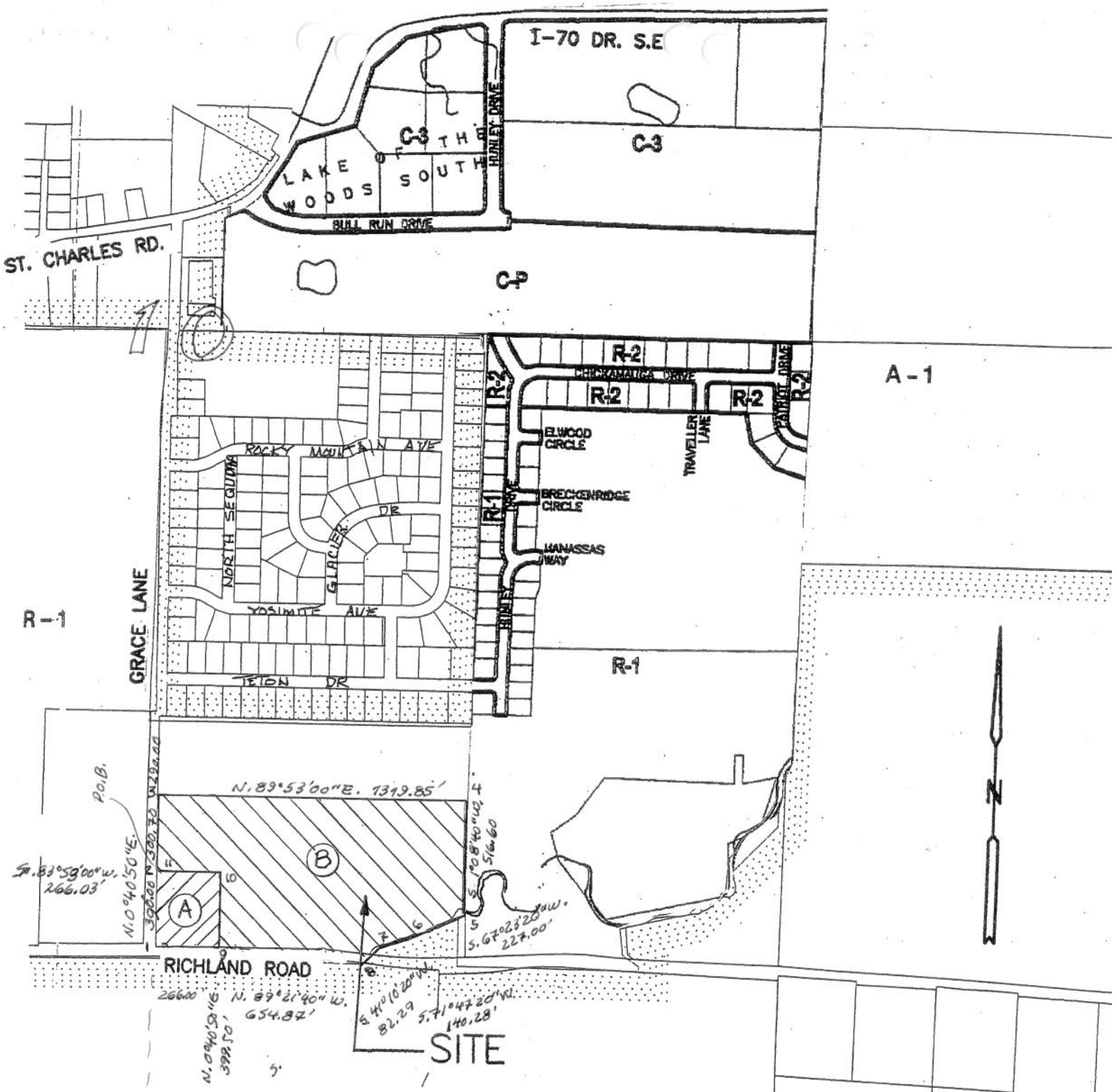
The attached application has been received by the Planning and Development Department. We would appreciate your verifying the legal description. The ad must be to the newspaper by _____ and we would appreciate receiving your reply prior to that date if at all possible. Thank you for your time.

Approved as submitted ✓

Approved subject to the following:

Donald W. Nicholson
Authorized Signature 2 May 2003

PC



A = PROPOSED C-P ZONING

B = PROPOSED R-2 ZONING

LOCATION MAP

(NOT TO SCALE)

LEGAL DESCRIPTION FOR TRACT A (PROPOSED CP ZONING)
FOR TWIN CORNERS, LLC
JOB #03181.01

APRIL 29, 2003

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF THE TRACT DESCRIBED BY THE QUIT-CLAIM DEED RECORDED IN BOOK 1584, PAGE 821 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SECTION 10-48-12; THENCE WITH THE QUARTER SECTION LINE, N0°40'50"E, 396.00 FEET; THENCE LEAVING SAID QUARTER SECTION LINE AND PARALLEL WITH THE SOUTH LINE OF LAKE OF THE WOODS-PLAT NO. 3, RECORDED IN PLAT BOOK 14, PAGE 29, N89°53'00"E, 266.03 FEET; THENCE S0°40'50"W, 399.50 FEET TO THE SOUTH LINE OF SAID SECTION 10-48-12; THENCE WITH SAID SECTION LINE, N89°21'40"W, 266.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.43 ACRES.

ALLSTATE CONSULTANTS, P.C.

STATE OF MISSOURI
LS-2500
JAMES R. JEFFRIES
REGISTERED LAND SURVEYOR
APRIL 29, 2003

JAMES R. JEFFRIES, L.S. 2500

LEGAL DESCRIPTION FOR TRACT B (PROPOSED R-2 ZONING)
FOR TWIN CORNERS, LLC
JOB #03181.01

APRIL 29, 2003

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF THE TRACT DESCRIBED BY THE QUIT-CLAIM DEED RECORDED IN BOOK 1584, PAGE 821 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 10-48-12; THENCE WITH THE QUARTER SECTION LINE, N0°40'50"E, 396.00 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, CONTINUING N0°40'50"E, 300.70 FEET TO A POINT BEING 290.00 FEET FROM THE SOUTHWEST CORNER OF LAKE OF THE WOODS-PLAT NO. 3, RECORDED IN PLAT BOOK 14, PAGE 29; THENCE LEAVING SAID QUARTER SECTION LINE AND PARALLEL WITH THE SOUTH LINE OF SAID LAKE OF THE WOODS-PLAT NO. 3, N89°53'00"E, 1319.85 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10-48-12; THENCE WITH SAID EAST LINE, S1°08'40"W, 516.60 FEET TO THE NORTHEAST CORNER OF THE TRACT DESCRIBED BY THE SURVEY RECORDED IN BOOK 414, PAGE 38; THENCE LEAVING SAID EAST LINE AND WITH THE NORTH LINE OF SAID SURVEY, S67°23'20"W, 227.00 FEET; THENCE S71°47'20"W, 140.28 FEET; THENCE S41°10'20"W, 82.29 FEET TO THE SOUTH LINE OF SAID SECTION 10-48-12; THENCE WITH SAID SECTION LINE, N89°21'40"W, 654.87 FEET; THENCE N0°40'50"E, 399.50 FEET; THENCE S89°53'00"W, 266.03 FEET TO THE POINT OF BEGINNING AND CONTAINING 17.87 ACRES.

ALLSTATE CONSULTANTS, P.C.

STATE OF MISSOURI
LS-2500
JAMES R. JEFFRIES
APRIL 29, 2003
REGISTERED LAND SURVEYOR

JAMES R. JEFFRIES, L.S. 2500

Filed for record on Dec. 10, 1999 at 3:50:45 o'clock P.M. in Boone County, MO
Document No. 30153 recorded in Book 1584 Page 821, BETTIE JOHNSON, Recorder of Deeds.

QUIT CLAIM DEED

THIS INDENTURE, Made on the 10th day of December, One Thousand Nine Hundred and Ninety-Nine (1999), by and between ROBERT W. WOOD and M. JOANN WOOD, husband and wife, of Boone County, State of Missouri, Parties of the First Part, and

ROBERT WAYNE WOOD and MARY JOANN WOOD,
as Co-Trustees ROBERT AND JOANN WOOD LIVING
TRUST U/T/A 12/10/99

(Grantee's mailing address is:) 1409 Cedar Grove Blvd.
Columbia, MO 65201

of Boone County, State of Missouri, Parties of the Second Part;

WITNESSETH, That the said Parties of the First Part in consideration of the sum of ten dollars and other valuable considerations paid by the said Parties of the Second Part, the receipt of which is hereby acknowledged, does by these presents Remise, Release and forever Quit Claim, unto the said Parties of the Second Part, the following-described real estate situated in the County of Boone, in the State of Missouri, to-wit:

TRACT I

The Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of Section 10, Township 48 North, Range 12 West, except that part conveyed by Warranty Deed recorded in Book 468, Page 774, Records of Boone County, Missouri.

AND

TRACT II

Lot 1 of Cedar Grove Subdivision according to the Plat thereof recorded in Book 374, Page 112 of the Boone County Records.

Subject to Building Restrictions filed in Book 374, Page 113 except paragraph No. 2 thereof is modivied to permit the front building line of any residence hereafter erected on said Lot One (1) to be a minimum of Eighty feet (80') from the front lot line which adjoins and abutts Cedar Grove Boulevard.

Subject to easements and restrictions of record.

Grantors hereby confirm that they are husband and wife and that they are the same persons as ROBERT WAYNE WOOD and MARY JOANN WOOD.

TO HAVE AND TO HOLD the same together with all the rights, immunities, privileges and appurtenances thereto belonging unto the said Parties of the Second Parties, and to their heirs and assigns forever; so that neither the said Parties of the First Part, nor their heirs, nor any other person or persons for them or in their names -- or behalf, shall or will hereafter claim or demand any right or title to the aforesaid premises or any part thereof but they and every one of them shall, by these presents, be excluded and forever barred.

IN WITNESS WHEREOF, the said Parties of the First Part have hereunto set their hands on the day and year first above-written.

Robert W. Wood
ROBERT W. WOOD

M. Joann Wood
M. JOANN WOOD

BOOK 1584, PAGE 821

City of Columbia
*** CUSTOMER RECEIPT ***

Batch ID: ARC 4/30/03 00 Receipt no: 302449

Tp	Sv	Description	Qty	Amount
GM		MISCELLANEOUS GMBA PMT	1.00	$200.00
WOODS REZONING				
L2		PL PUBLISHING & ADVRTSNG	1.00	$206.70
WOODS REZONING				

Tender detail

CK Ref#:	26377	$406.70
Total tendered:		$406.70
Total payment:		$406.70

Trans date: 4/30/03 Time: 11:18:55

THANK YOU FOR YOUR PROMPT PAYMENT