

Source: Community Development - Planning

Agenda Item No: Supplemental  
Information  
B204-13

To: City Council  
From: City Manager and Staff

Council Meeting Date: Aug 19, 2013

Re: Rezoning 7 East Lathrop Road from R-3 District to R-1 District (Case 13-102) **(Supplemental Report)**

**EXECUTIVE SUMMARY:**

Bruce and Kathryn Gordon, on behalf of the Gordon Family Trust, property owner, requests a change in zoning for their property at 7 East Lathrop Road from R-3 Medium-density Multiple-family Dwelling District to R-1 One-family Dwelling District.

**DISCUSSION:**

This is a voluntary downzoning of an existing single-family detached dwelling on a 0.3 acre tract from R-3 District, which permits multi-family dwellings, to R-1 One-family Dwelling, which restricts use of the lot to single-family dwelling use.

The subject property is adjacent to three residential lots zoned R-1 District to the west; it is directly north of a large tract that was recently rezoned to R-1 District after its acquisition by a group of neighbors, and it is adjacent to the Sigma Alpha Epsilon house, zoned R-3 District, on the east and north sides of the tract. Lathrop Road terminates as a public street at this location. The City recently completed the "South Garth MKT connector" off the dead-end of Lathrop, establishing a connection to the MKT trail.

The Planning & Zoning Commission convened a public hearing on August 8, 2013. No one testified at the hearing. The Commission, by a vote of six in favor, none against, recommends approval of the requested rezoning to R-1 District.

**FISCAL IMPACT:**

None

**VISION IMPACT:**

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

2.1 Goal: Columbia will preserve its existing character and enhance the city's natural and man-made aesthetics.

**SUGGESTED COUNCIL ACTIONS:**

Approval of the rezoning petition.

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$0.00	Duplicates/Epands an existing program?	No	Vision Implementation impact	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	Yes
One Time	\$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	2.1
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	

**EXCERPTS**  
**PLANNING AND ZONING COMMISSION MEETING**  
**AUGUST 8, 2013**

**13-102 A request by Bruce and Kathryn Gordon, on behalf of the Gordon Family Trust (owner), for rezoning from R-3 (medium density multiple family dwelling district) to R-1 (one family dwelling district. The 0.3-acre site is located at 7 East Lathrop Road. (*This project has been carried forward from the July 18, 2012 meeting, due to a lack of a quorum.*)**

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

Staff report was given by Mr. Tim Teddy of the Planning and Development Department. Staff recommends approval of the rezoning request.

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

**PUBLIC HEARING OPENED**

**PUBLIC HEARING CLOSED**

MR. WHEELER: Commissioners? Dr. Puri?

DR. PURI: I think it's very straightforward. That other downzoning request came earlier last year, I think, so I intend to support this and would form a motion to approve this.

MR. WHEELER: Motion's been made.

MR. LEE: Second.

MR. WHEELER: Mr. Lee. Motion's been made and seconded. Any discussion on the motion?

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Lee, Dr. Puri, Mr. Stanton, Mr. Strodman, Mr. Tillotson, Mr. Wheeler. Motion carries 6-0.**

MR. WHEELER: Recommendation for approval will be forwarded to City Council.

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

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

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

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

Council Bill No. B 204-13

### **AN ORDINANCE**

rezoning property located on the north side of the terminus of East Lathrop Road (7 East Lathrop Road) from District R-3 to District R-1; 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 Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4) of Section Thirteen (13), Township Forty-eight (48) North, Range Thirteen (13) West in Columbia, Boone County, Missouri, particularly described as follows: Beginning at the Northeast corner of Lot Eight (8) of Welch's Addition to the City of Columbia, as recorded in Plat Book 3 at Page 6 of the Records of Boone County, Missouri; Thence Easterly on a prolongation of the North line of said Lot Eight (8), the distance of Eighty (80) feet; Thence Southerly parallel to the East lines of Lots Eight (8), Nine (9), and Ten (10) of said Welch's Addition to a point on the Easterly prolongation of the South line of said Lot (10), Eighty (80) feet East of the Southeast corner of said Lot Ten (10); Thence Westerly along said line to the Southeast corner of said Lot Ten (10); Thence Northerly along the East lines of said Lots Ten (10), Nine (9), and Eight (8) of said Welch's Addition to the point-of-beginning. Subject to easements and restrictions of record.

will be rezoned and become a part of District R-1 (One-Family Dwelling District) and taken away from District R-3 (Multiple-Family Dwelling District).

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

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

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

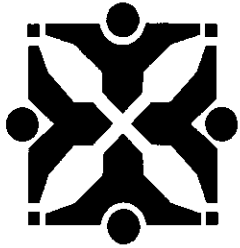
ATTEST:


\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor and Presiding Officer

APPROVED AS TO FORM:


\_\_\_\_\_  
City Counselor



Source: Community Development - Planning 

Agenda Item No:

To: City Council

From: City Manager and Staff 

Council Meeting Date: Aug 5, 2013

Re: Gordon Family Trust rezoning from R-3 to R-1 (**Case #13-102**)

**EXECUTIVE SUMMARY:**

A request by Bruce and Kathryn Gordon, on behalf of the Gordon Family Trust (owner), for rezoning from R-3 (multiple-family dwelling) to R-1 (one-family dwelling). The 0.3-acre site is located at 7 E. Lathrop Road. (**Case # 13-102**)

**DISCUSSION:**

The applicant requests a downzoning of the property from R-3 to R-1. This would match the adjacent zoning for single-family homes to the north along Garth, as well as the south and west of the subject site. The R-1 designation would better reflect the character of the neighborhood, the main reason for the request. The R-3 zoning (or its equivalent) had been in place since 1935, when zoning was first established for the City. A similar request to downzone from R-3 to R-1 was made in 2010 for the property across the street to the south.

A public hearing was scheduled before the Planning and Zoning Commission for July 18 on this matter. Due to the inability to obtain a quorum of Commissioners, this item was moved to the August 8 Commission agenda. Based on the unforeseen quorum issue, it is requested that Council introduce this item, then await the results of the Commission's public hearing prior to making a final decision on the request. The staff report provided to the Planning and Zoning Commission and supplemental materials are attached. A copy of the August 8 public hearing minutes will be attached to a supplemental report for the Council's review.

The staff report, meeting excerpts, and locator maps are attached.

**FISCAL IMPACT:**

None.

**VISION IMPACT:**

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

None.

**SUGGESTED COUNCIL ACTIONS:**

Introduce an ordinance to rezone the subject property from R-3 to R-1 in advance of the required public hearing by the Planning and Zoning Commission, scheduled to occur on August 8.

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

**AGENDA REPORT  
PLANNING AND ZONING COMMISSION MEETING  
JULY 18, 2013**

**SUMMARY**

A request by Bruce and Kathryn Gordon, on behalf of the Gordon Family Trust (owner), for rezoning from R-3 (multiple-family dwelling) to R-1 (one-family dwelling). The 0.3-acre site is located at 7 E. Lathrop Road. **(Case # 13-102)**

**REQUESTED ZONING**

R-1 (one-family dwelling).

**DISCUSSION**

The applicant requests a downzoning of the property from R-3 to R-1. This would match the adjacent zoning for single-family homes to the north along Garth, as well as the south and west of the subject site. The R-1 designation would better reflect the character of the neighborhood, the main reason for the request. The R-3 zoning (or its equivalent) had been in place since 1935, when zoning was first established for the City. A similar request to downzone from R-3 to R-1 was made in 2010 for the property across the street to the south.

**STAFF RECOMMENDATION**

Approval of the rezoning request.

**SITE CHARACTERISTICS**

<b>Area (acres)</b>	0.3
<b>Topography</b>	Slightly sloping southeast
<b>Vegetation</b>	Grass yard and trees
<b>Watershed</b>	Flat Branch
<b>Existing structures</b>	Home
<b>Existing zoning</b>	R-3

**SITE HISTORY**

<b>Annexation date</b>	1906
<b>Initial zoning</b>	District C/Apartment (1935); R-3 Multiple Family Dwelling (1957)
<b>Previous rezoning(s)</b>	District C/Apartment is equivalent to current R-3 designation
<b>Existing use(s)</b>	One-family dwelling
<b>Existing zoning</b>	R-3



### SURROUNDING LAND USES

Orientation from site	Zoning District	Land use
North	R-3	Fraternity house
South	R-1	One-family dwelling
East	R-3	Fraternity house
West	R-1	One-family dwellings

### UTILITIES & SERVICES

Sanitary Sewer	All services provided by the City of Columbia
Water	
Electric	
Fire Protection	

### ACCESS

Lathrop Road	South of subject site
Major Roadway Plan classification	Local residential
Capital Improvement Program projects	Description: None on Lathrop Cost: Timeline:
Right-of-way needed	None; 46' existing

### PARKS & RECREATION

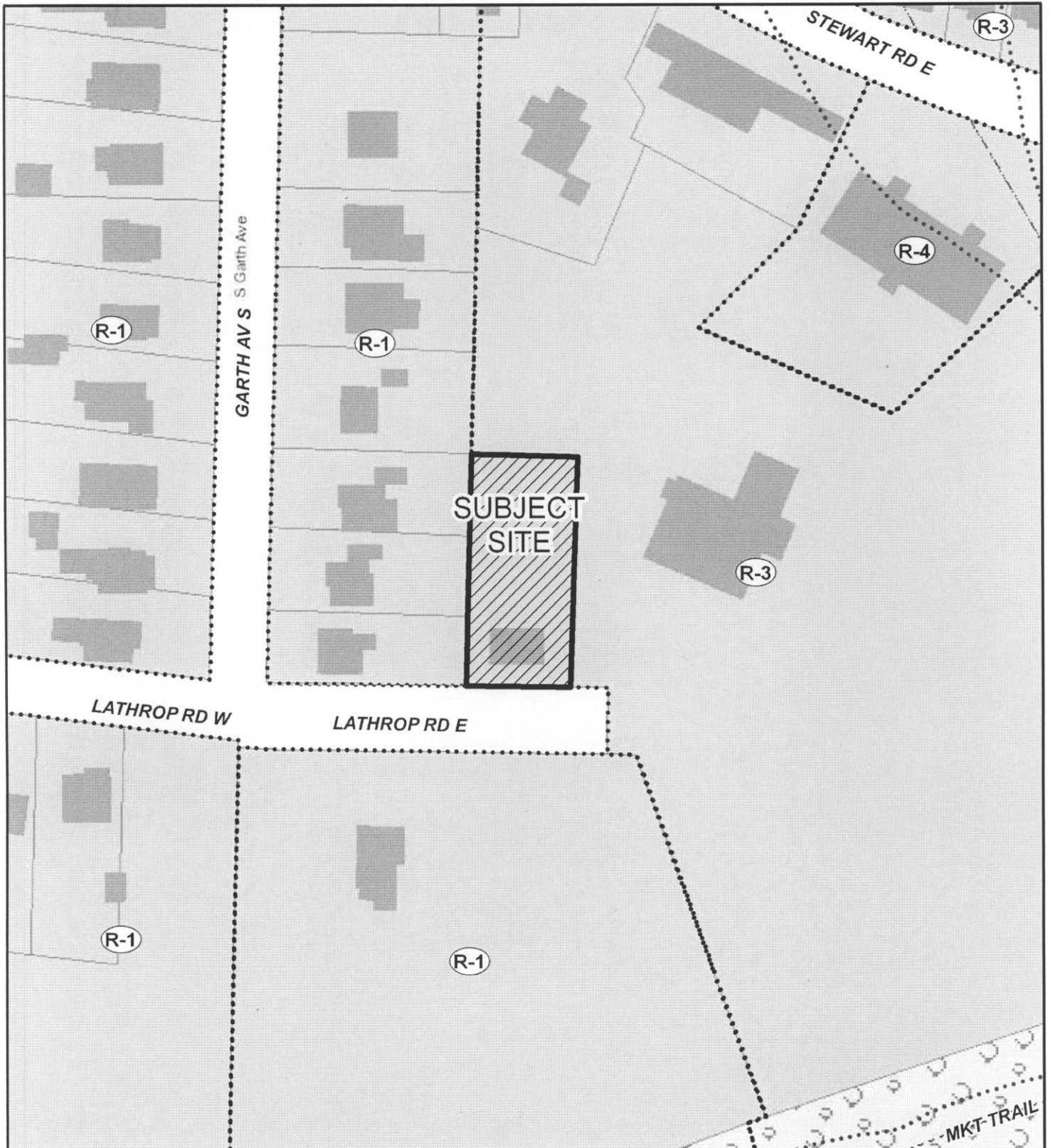
Neighborhood Parks Plan	Stewart Park nearby
Trails Plan	MKT Trail nearby to south
Trail easement(s)	None

### PUBLIC NOTIFICATION

All property owners within 200 feet and City-recognized neighborhood associations within 1,000 feet of the boundaries of the subject property were notified by postcard of a public information meeting, which was held on June 25, 2013.

Public information meeting recap	Number of attendees: 2 (including owner) Comments/concerns: None.
Neighborhood Association(s) notified	Historic Old Southwest, Westmont, Park Hill, Grasslands
Correspondence received	None.

Report prepared by ML Approved by PRZ



Parcel Data  
Source: Boone County Assessor

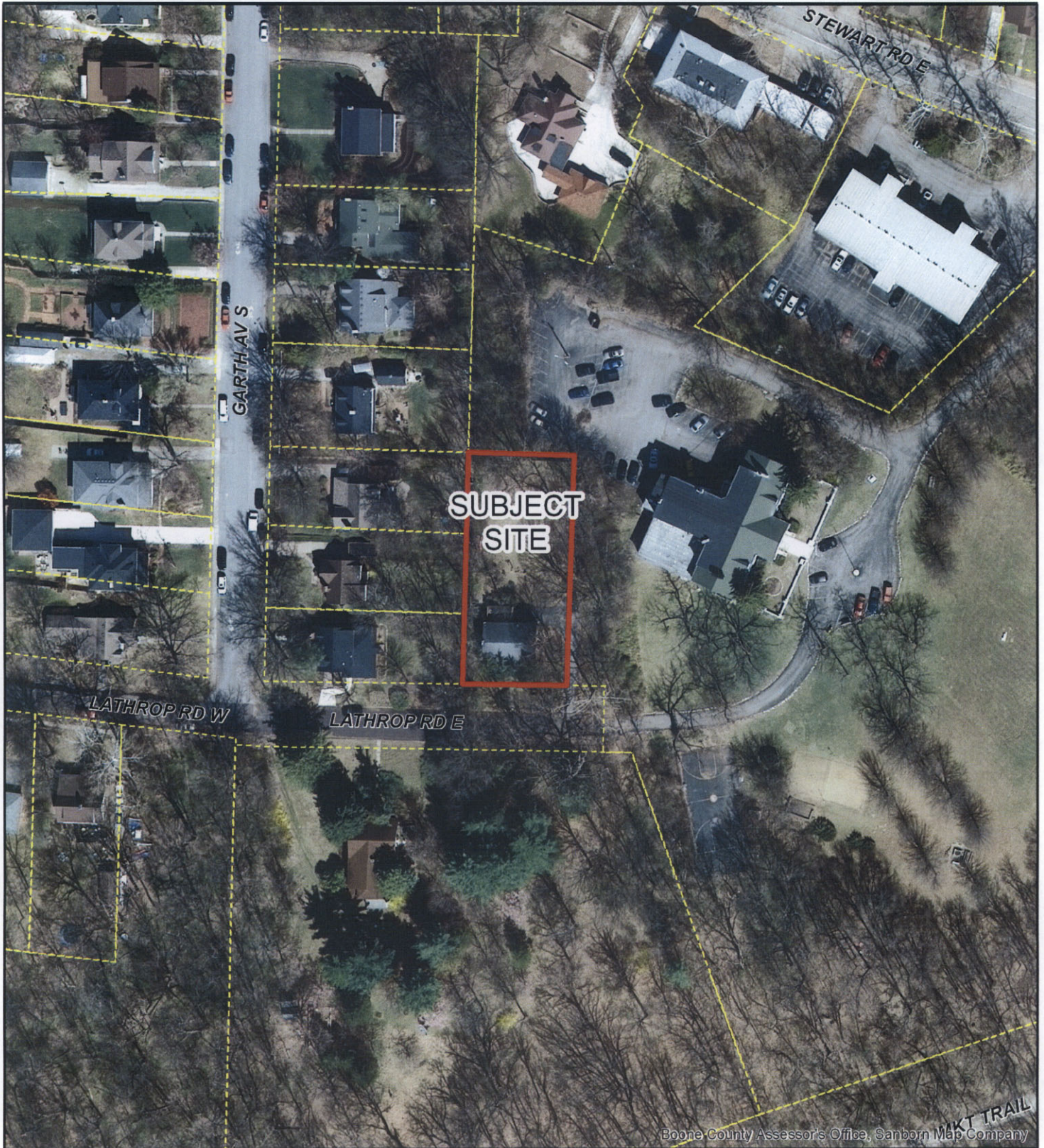
## Case 13-102: Rezoning Gordon Family Trust

0 50 100 200  
Feet

1 inch = 100 feet







Boone County Assessor's Office, Sanborn Map Company



Parcel Data and Aerial Photo  
Source: Boone County Assessor

## Case 13-102: Rezoning Gordon Family Trust

0 50 100 200  
Feet

1 inch = 100 feet

