

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

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

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

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

Council Bill No. B 373-13

### **AN ORDINANCE**

approving an increase in the maximum number of dwelling units allowed on property zoned PUD-2 located northwest of the Louisville Drive and Chapel Hill Road intersection; approving a revised statement of intent; 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 maximum number of dwelling units allowed on the following property in District PUD-2:

Two tracts of land located in the North half of the Southwest quarter of Section 20, Township 48 North, Range 13 West, which lies East of the center of the main channel of Perche Creek; and also the South half of the Northwest quarter of Section 20, Township 48 North, Range 13 West; which lies on the East side of the main channel of Perche Creek; more particularly described as Tracts 1 and 2 of a survey in Book 1939, Page 711 of the records of Boone County, Missouri.

is hereby increased from 86 to 88 dwelling units.

SECTION 2. The City Council hereby approves the terms and conditions contained in the revised statement of intent dated October 28, 2013, marked "Exhibit A," which is attached to and made a part of this ordinance, and replaces the statement of intent approved as part of Ordinance No. 018068 passed on May 3, 2004. The revised statement of intent shall be binding on the owners until such time as the Council shall release such limitations and conditions on the use of the property.

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

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

ATTEST:

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

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

APPROVED AS TO FORM:

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

**Statement of Intent  
Westcliff  
October 28, 2013**

The following information is being presented as the Statement of Intent for the subject property.

**PUD-2**

- a) The types of dwelling units proposed and any accessory buildings proposed.

**Single family homes are proposed and all accessory uses allowed in R-2 zoning shall be allowed. All homes shall have a minimum of a two-car garage.**

- b) The maximum number of dwelling units proposed and the development density.

**There are 88.51 acres of land in this tract. Of these 88.51 acres, 8.47 +/- acres are for street easement for the roadways serving the development. 88 units are proposed and the "PUD defined" density is 1.10 units per acre. The density as commonly defined would be 0.99 units per acre.**

- c) The maximum building height proposed

**The maximum building height is 38 feet.**

- d) The total number of parking spaces proposed and the parking ratio

**The parking spaces proposed will follow the city's requirements for single family dwellings and each unit will have a two car garage as state above.**

- e) The minimum percentage of the entire site to be maintained in open space, such as landscaping or natural vegetation.

**The minimum percentage of open space will be 70%.**

- f) Any amenities proposed, such as swimming pools, golf courses, and tennis courts, hiking trails, or clubhouses.

**There are four common areas within the PUD. One of these is approximately 20 acres in size along the eastern side of Perche Creek, which is to the West of the PUD. The common areas will be transferred to the Home Owner's Association for maintenance, landscaping, and common use.**

- g) A general description of the plan including minimum lot sizes, if applicable, minimum building setbacks from streets and minimum setbacks between buildings.**

**20-foot rear and 5-foot side yards will be the minimum setbacks allowed except where the perimeter setback requires 25 feet.**

**Front yards:**

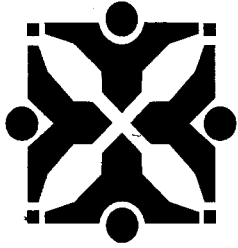
**In cases of front entry garages, there will be 20 feet between the right-of-way and the garage. Other portions of the structure may be no closer than 15 feet from the right-of-way.**

**In cases of side, or other entry garages, the structure may be no closer than 15 feet from the right-of-way.**



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**Tim Crockett**  
**Crockett Engineering Consultants**



Source: Community Development - Planning

Agenda Item No:

To: **City Council**

From: **City Manager and Staff**

Council Meeting Date: Dec 16, 2013

Re: Hemme Construction, LLC - rezoning request (Case #13-221)

**EXECUTIVE SUMMARY:**

A request by Hemme Construction, LLC to amend the PUD (Planned Unit Development) zoning associated with the Westcliff PUD Plan by increasing the maximum number of dwelling units from 86 to 88. The approximately 88.5-acre subject site is located northwest of Louisville Drive and Chapel Hill Road. (Case #13-221)

**DISCUSSION:**

The applicant is requesting approval of a major amendment to the PUD (Planned Unit Development) zoning designation associated with the Westcliff PUD development plan by amending the Statement of Intent to allow an increase of two dwelling units. The Westcliff PUD development is mostly built out, and the applicant's request would raise the total potential number of units in the development from 86 to 88 single-family dwellings.

Westcliff Plat 3, a 14-lot subdivision that was approved by Council on November 18, 2013, represents the last undeveloped phase of development within the Westcliff PUD. The proposed zoning amendment would increase the net PUD development density from 1.075 to 1.1 units per acre, well below the maximum established density of 2.0 units per acre, and allow the applicant to replat Westcliff Plat 3 to yield two additional lots for single-family development.

At its meeting on December 5, 2013, the Planning and Zoning Commission unanimously (7-0) to recommend approval of the proposed rezoning. The Commission's discussion was limited. One person spoke in opposition to the request based on concerns about increased density resulting in smaller lot sizes.

A copy of the staff report, including locator maps, amended Statement of Intent, and meeting excerpts, are attached.

**FISCAL IMPACT:**

None

**VISION IMPACT:**

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

None

**SUGGESTED COUNCIL ACTIONS:**

Approval of the request to amend the PUD zoning Statement of Intent

| FISCAL and VISION NOTES:                   |        |   |    |   |    |
|--|--------|---|----|---|----|
| City Fiscal Impact<br>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/Expands 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:<br>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 #   | NA |
| Operating/ Ongoing                         | \$0.00 | Requires add'l facilities?                        | No | Secondary Vision, Strategy and/or Goal Item # | NA |
|  |        | Requires add'l capital equipment?                 | No | Fiscal year implementation Task #             | NA |

**AGENDA REPORT  
PLANNING AND ZONING COMMISSION MEETING  
December 2, 2013**

**SUMMARY**

A request by Hemme Construction, LLC (owner) to amend the PUD (Planned Unit Development) zoning associated with the Westcliff PUD Plan by increasing the maximum number of dwelling units from 86 to 88. The approximately 88.5-acre subject site is located west of Louisville Drive and north of Chapel Hill Road. (Case #13-221).

**DISCUSSION**

The applicant is requesting approval of a major amendment to the PUD (Planned Unit Development) zoning designation associated with the Westcliff PUD development plan by amending the Statement of Intent to allow an increase of two dwelling units. The Westcliff PUD development is mostly built out, and the applicant's request would raise the total potential number of units in the development from 86 to 88 single-family dwellings.

Westcliff Plat 3 was approved by Council on November 18, 2013, and represents the last remaining final plat within the Westcliff PUD development. The proposed zoning amendment would increase the net PUD development density from 1.075 to 1.1 units per acre, both of which are well below the maximum 2.0 unit per acre density established by the original PUD Statement of Intent. The major zoning amendment is required because, in addition to establishing a maximum number of units per acre, the original Statement of Intent specified the maximum number of units to be 86.

Aside from the proposed increase to the number of allowed dwelling units, the wording and conditions within the Statement of Intent remain unchanged.

**RECOMMENDATION**

Approval of the proposed major amendment to the PUD zoning Statement of Intent

**ATTACHMENTS**

- Locator aerial and topographic maps
- Revised Statement of Intent
- Original PUD rezoning ordinance and Statement of Intent
- Recently approved Westcliff Plat 3 final plat, showing approximate location of two proposed additional lots

## SITE HISTORY

|                                     |   |
|-------------------------------------|---|
| <b>Annexation Date</b>              | 2002  |
| <b>Existing Zoning District(s)</b>  | PUD-2 (Planned Unit Development District)             |
| <b>Land Use Plan Designation</b>    | Neighborhood District & Greenbelt/Open Space District |
| <b>Subdivision/Legal Lot Status</b> | Platted as Westcliff Plats 1, 2, & 3                  |

## SITE CHARACTERISTICS

|                               |   |
|-------------------------------|---|
| <b>Area (acres)</b>           | 88.51 acres                                     |
| <b>Topography</b>             | Flat to steeply sloping                         |
| <b>Vegetation/Landscaping</b> | Grass, trees, and natural vegetation            |
| <b>Watershed/Drainage</b>     | Perche Creek                                    |
| <b>Existing structures</b>    | Detached single-family homes on individual lots |

## SURROUNDING LAND USES

| <b>Orientation from site</b> | <b>Zoning</b>             | <b>Land Use</b>       |
|------------------------------|---------------------------|-----------------------|
| <b>North</b>                 | City R-1 (One-Family)     | Undeveloped           |
| <b>South</b>                 | R-1                       | Single-family homes   |
| <b>East</b>                  | R-1                       | Undeveloped           |
| <b>West</b>                  | County A-2 (Agricultural) | Perche Creek/cropland |

## UTILITIES & SERVICES

|                        |                          |
|------------------------|--------------------------|
| <b>Sanitary Sewer</b>  | City Public Works Dept.  |
| <b>Water</b>           | City Water & Light Dept. |
| <b>Fire Protection</b> | Columbia Fire Dept.      |
| <b>Electric</b>        | City Water & Light Dept. |



## ACCESS

|                           |   |
|---------------------------|---|
| <b>Chapel Hill Road</b>   | East side of site                           |
| <b>Major Roadway Plan</b> | Minor Arterial (Improved & City-maintained) |
| <b>CIP Projects</b>       | None  |

|                           |   |
|---------------------------|---|
| <b>Louisville Drive</b>   | East side of site                                   |
| <b>Major Roadway Plan</b> | Neighborhood Collector (Improved & City-maintained) |
| <b>CIP Projects</b>       | None  |

## PARKS & RECREATION

|                                |  |
|--------------------------------|--|
| <b>Neighborhood Parks</b>      | Longview Park is ~1,000 feet southeast                                   |
| <b>Trails Plan</b>             | Greenway trail planned along west side of Perche Creek, adjacent to site |
| <b>Bicycle/Pedestrian Plan</b> | N/A  |

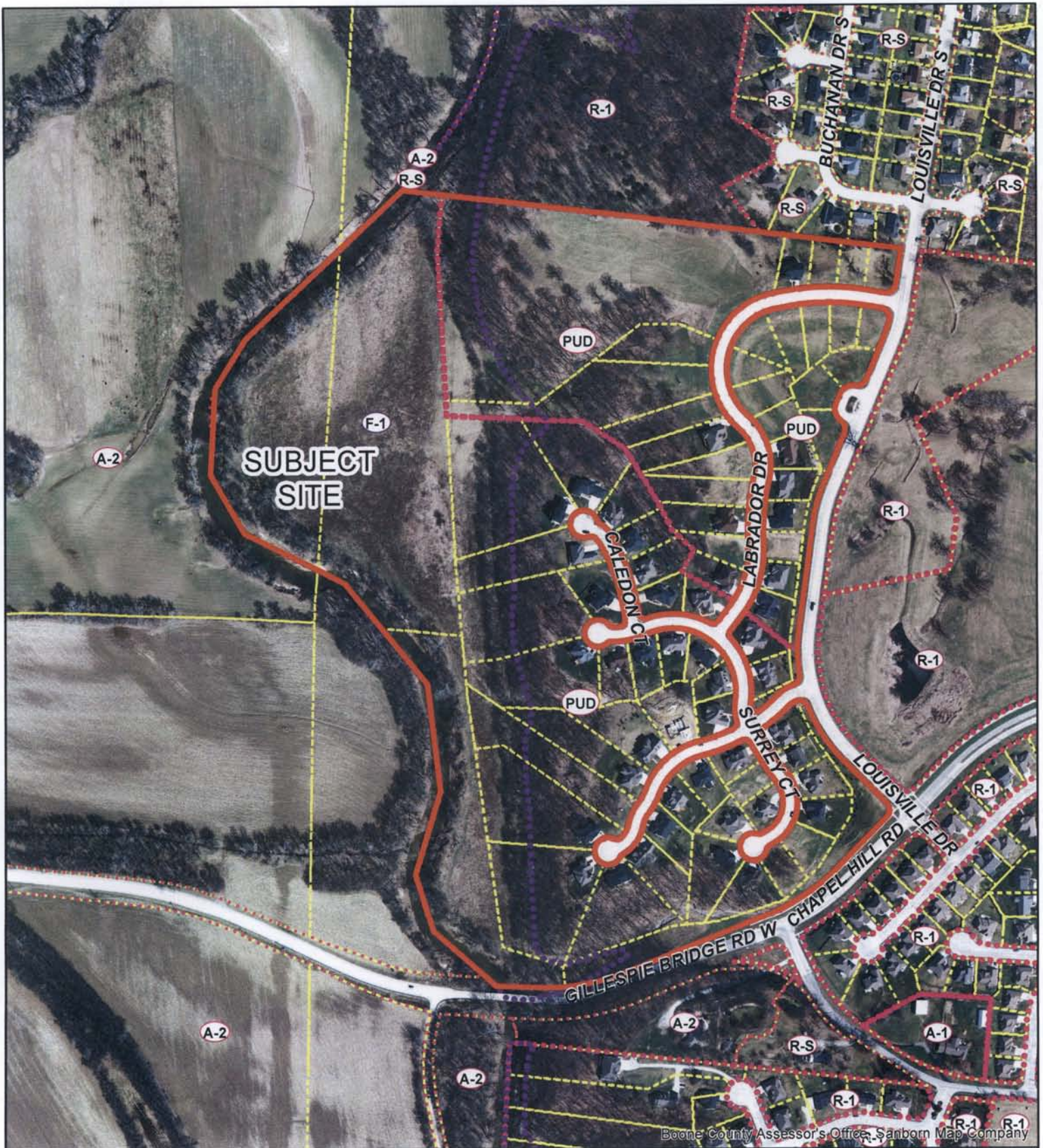
## PUBLIC NOTIFICATION

All property owners within 185 feet and City-recognized neighborhood associations within 1,000 feet of the boundaries of the subject property were notified of a public information meeting, which was held on November 12, 2013.

|   |  |
|---|--|
| <b>Public Information Meeting Recap</b>     | Number of attendees: 1<br>Comments/concerns: General questions |
| <b>Neighborhood Association(s) Notified</b> | Longview, and Stonecrest                                       |
| <b>Correspondence Received</b>              | None as of this writing  |

Report prepared by Steve MacIntyre; approved by Pat Zenner





## 13-221: Westcliff Plat 3 PUD Zoning Amendment

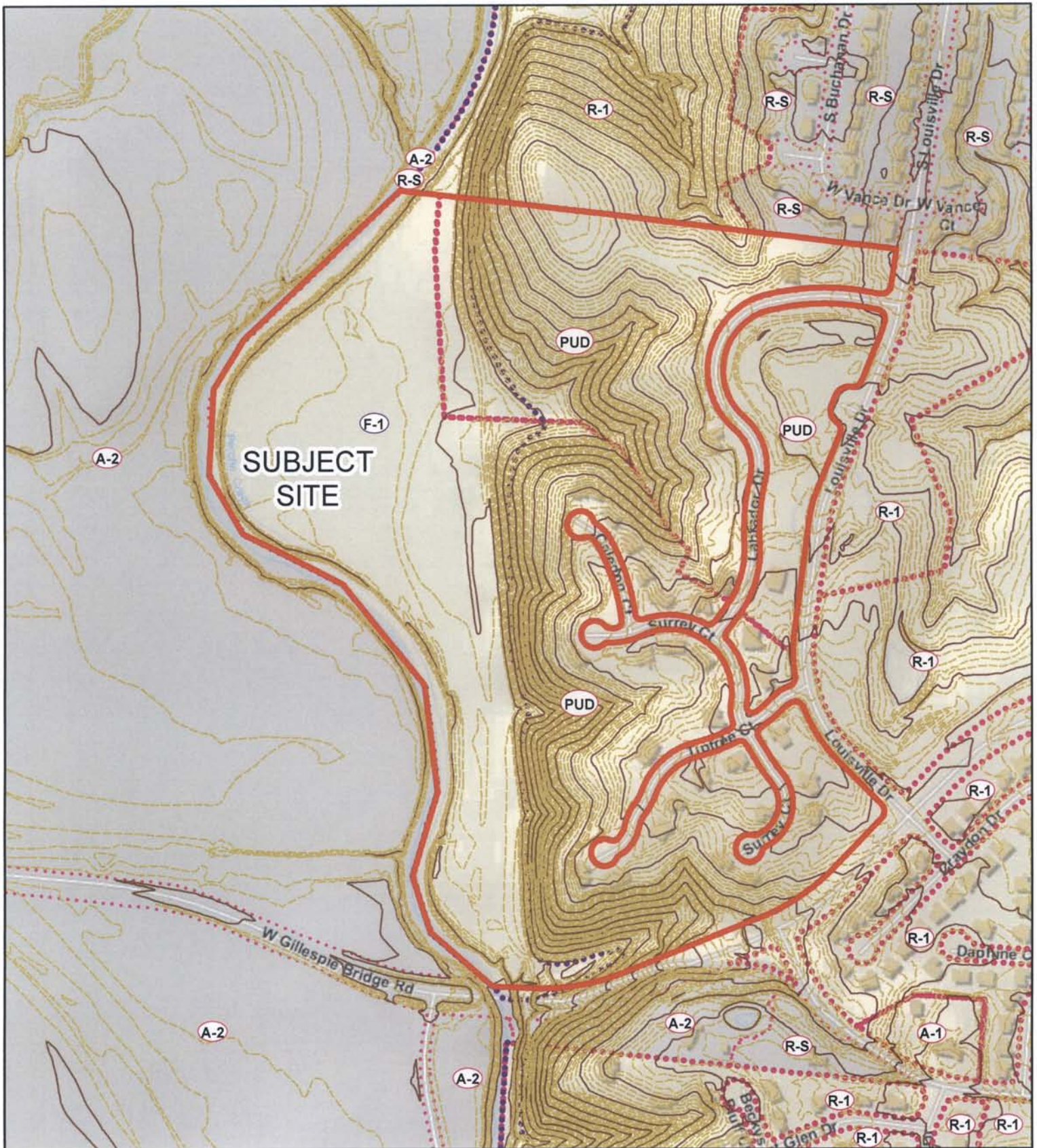
0 230 460 920  
Feet



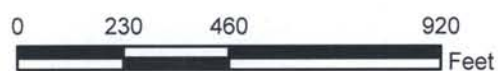
Parcel Data Source: Boone County Assessor

Created by The City of Columbia - Community Development Department





## 13-221: Westcliff Plat 3 PUD Zoning Amendment





018068

Permanent Record  
Filed in Clerk's Office

Introduced by Hindman

First Reading 4-19-04 Second Reading 5-3-04

Ordinance No. 018068 Council Bill No. B 116-04 A

AN ORDINANCE

rezoning property located on the north side of Chapel Hill Road, extended, and on the east side of Perche Creek from District R-1 to District PUD-2; approving the PUD site plan of Westcliff; granting variances from the Subdivision Regulations; 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:

Two tracts of land located in the North half of the Southwest quarter of Section 20, Township 48 North, Range 13 West, which lies East of the center of the main channel of Perche Creek; and also the South half of the Northwest quarter of Section 20, Township 48 North, Range 13 West; which lies on the East side of the main channel of Perche Creek; more particularly described as Tracts 1 and 2 of a survey in Book 1939, Page 711 of the records of Boone County, Missouri.

will be rezoned and become a part of District PUD (Planned Unit Development) with a development density not exceeding two dwelling units per acre and taken away from District R-1 (One-Family Dwelling District). The zoning district map shall designate the property PUD-2. Hereafter the property may be used for all permitted uses in District R-1 and all permitted accessory uses in District R-2. The statement of intent submitted by applicant, marked "Exhibit A" is attached to and made a part of this ordinance.

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

SECTION 3. The City Council hereby approves the Planned Unit Development Site Plan of Westcliff, dated February 23, 2004, subject to the following condition:

1. That the applicant shall negotiate with staff from the parks and recreation department to show placement of a greenspace trail easement along Perche Creek on the final plat.


SECTION 4. Subdivider is granted a variance from the requirements of Section 25-43 of the Subdivision Regulations so that Bromley Lane and Perche Pointe Place may be constructed with a pavement width of 24-feet in a 44-foot right-of-way and that Tiptree, Caledon and Surrey Courts may be constructed with a pavement width of 28-feet in a 46-foot right-of-way.

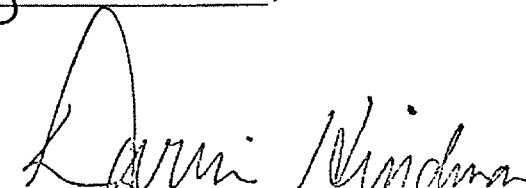
SECTION 5. Subdivider is granted a variance from Section 25-47(b) of the Subdivision Regulations so that the cul-de-sac bulbs other than the Perche Pointe Place cul-de-sac bulb may be constructed with a pavement diameter of 72-feet in an 86-foot diameter right-of-way and that construction of a T-shaped turnaround shall be allowed on Bromley Lane in lieu of a cul-de-sac bulb.

SECTION 6. This ordinance shall be in full force and effect from and after its passage.


PASSED this 3rd day of may, 2004

ATTEST:

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

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

APPROVED AS TO FORM:

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

SECTION 3. The City Council hereby approves the Planned Unit Development Site Plan of Westcliff, dated February 23, 2004, subject to the following condition:

1. That the applicant shall negotiate with staff from the parks and recreation department to show placement of a greenspace trail easement along Perche Creek on the final plat.

SECTION 4. Subdivider is granted a variance from the requirements of Section 25-43 of the Subdivision Regulations so that Bromley Lane and Perche Pointe Place may be constructed with a pavement width of 24-feet in a 44-foot right-of-way and that Tiptree, Caledon and Surrey Courts may be constructed with a pavement width of 28-feet in a 46-foot right-of-way.

SECTION 5. Subdivider is granted a variance from Section 25-47(b) of the Subdivision Regulations so that the cul-de-sac bulbs other than the Perche Pointe Place cul-de-sac bulb may be constructed with a pavement diameter of 68-feet in an 86-foot diameter right-of-way and that construction of a T-shaped turnaround shall be allowed on Bromley Lane in lieu of a cul-de-sac bulb.

SECTION 6. This ordinance shall be in full force and effect from and after its passage.

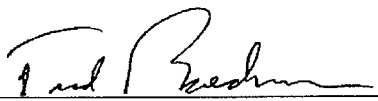
PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

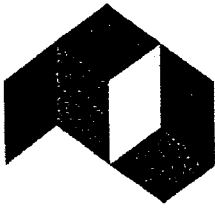
ATTEST:

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

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

APPROVED AS TO FORM:

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



**A CIVIL GROUP**  
CIVIL ENGINEERING • PLANNING • SURVEYING

February 20, 2004

Statement of Intent, WESTCLIFF

RECEIVED

FFR 2 3 2004

PLANNING DEPT.

**P.U.D - 2**

a.) The types of dwelling units proposed and any accessory buildings proposed.

**Single family homes are proposed and all accessory uses allowed in R-2 zoning shall be allowed. All homes shall have a minimum of a two-car garage.**

b.) The maximum number of dwelling units proposed and the development density.

**There are 88.51 acres of land in this tract. Of this 88.51 acres, 8.47 +/- acres is for street easement for the roadways serving the development. 86 units are proposed and the "PUD defined" density is 1.07 units per acre. The density as commonly defined would be 0.97 units per acre.**

c.) The maximum building height proposed

**The maximum building height is 38 feet.**

d.) The total number of parking spaces proposed and the parking ratio

**The parking spaces proposed will follow the city's requirements for single family dwellings and each unit will have a two car garage as stated above.**



**A CIVIL GROUP**  
CIVIL ENGINEERING • PLANNING • SURVEYING

RECEIVED  
FEB 23 2004  
PLANNING DEPT.

e.) The minimum percentage of the entire site to be maintained in open space, such as landscaping or natural vegetation.

**The minimum percentage of open space will be 70%.**

f.) Any amenities proposed, such as swimming pools, golf courses, and tennis courts, hiking trails or clubhouses.

**There are four common areas within the PUD. One of these is approximately 20 acres in size along the eastern side of Perche Creek, which is to the West of the PUD. The common areas will be transferred to the Home Owner's Association for maintenance, landscaping, and common use.**

g.) A general description of the plan including minimum lot sizes, if applicable, minimum building setbacks from streets and minimum setbacks between buildings.

**20-foot rear and 5-foot side yards will be the minimum setbacks allowed except where the perimeter setback requires 25 feet.**

**Front yards:**

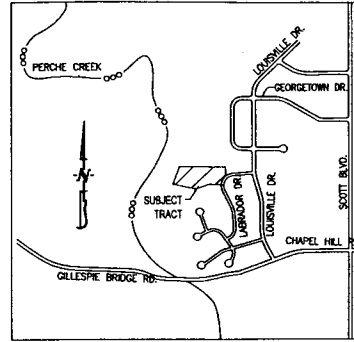
**In cases of front entry garages, there will be 20 feet between the right-of-way and the garage. Other portions of the structure may be no closer than 15 from the right-of-way.**

**In cases of side, or other entry garages, the structure may be no closer than 15 feet from the right-of-way.**



# FINAL PLAT WESTCLIFF, PLAT 3

A MAJOR SUBDIVISION LOCATED IN SECTION 20, TOWNSHIP 48 NORTH, RANGE 13 WEST  
COLUMBIA, BOONE COUNTY, MISSOURI  
SEPTEMBER 2, 2013



## BASIS OF BEARING

BEARINGS ARE REFERENCED TO GRID  
NORTH, OF THE MISSOURI STATE PLANE  
COORDINATE SYSTEM (CENTRAL ZONE),  
OBTAINED FROM GPS OBSERVATION.

## LEGEND

- E EXISTING
- S SET
- 1/2" IRON PIPE  
(UNLESS NOTED OTHERWISE)
- STONE
- PERMANENT MONUMENT
- (M) MEASURED DISTANCE
- (REC) RECORDED DISTANCE
- (R) RADIAL LINE
- DH X DRILL HOLE
- W/ CHISELED X

## NOTES

- A PORTION OF THIS TRACT IS LOCATED IN THE 100-YEAR FLOOD PLAIN AS SHOWN BY BOONE COUNTY FLOOD PLAIN MAP #29019C02600, EFFECTIVE MARCH 17, 2011.
- THIS SURVEY CONFORMS TO THE ACCURACY STANDARDS FOR URBAN PROPERTY AS DEFINED BY MISSOURI BOARD RULE 20 CSR 2030-16.040(2)(A).
- LABRADOR DRIVE HAS BEEN DEDICATED AS PART OF WESTCLIFF, PLAT NO. 2.
- A CURRENT TITLE COMMITMENT WAS NOT PROVIDED FOR THIS SURVEY.
- THIS TRACT IS NOT REGULATED BY THE STREAM BUFFER REQUIREMENTS IN SECTION 12A-230, ARTICLE X OF THE CITY OF COLUMBIA CODE OF ORDINANCES. IT WAS PRELIMINARY PLATTED PRIOR TO 2007.
- ALL MONUMENTS WILL BE SET AFTER CONSTRUCTION OF STREET AND UTILITIES ARE COMPLETED.

## CURVE TABLE

| CURVE | L       | R       | A          | CHORD   |
|-------|---------|---------|------------|---------|
| 1     | 215.09' | 250.00' | 49°17'40"  | 208.51' |
| 2     | 22.68'  | 200.00' | 6°29'45"   | 22.66'  |
| 3     | 28.00'  | 20.00'  | 80°13'25"  | 25.77'  |
| 4     | 23.26'  | 30.00'  | 44°24'55"  | 22.68'  |
| 5     | 220.52' | 47.00'  | 268°49'50" | 67.14'  |
| 6     | 31.42'  | 20.00'  | 90°00'00"  | 28.28'  |

## CERTIFICATION

I HEREBY CERTIFY THAT IN AUGUST 2013, I COMPLETED A SURVEY FOR HEMME CONSTRUCTION, LLC OF A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 48 NORTH, RANGE 13 WEST, BOONE COUNTY, MISSOURI AND BEING PART OF THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 4213, PAGE 10 AND BEING PART OF TRACTS 1 AND 2 OF THE SURVEY RECORDED IN BOOK 1939, PAGE 711 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON THE NORTH LINE OF TRACT 2 OF SAID SURVEY RECORDED IN BOOK 1939, PAGE 711 AT THE NORTHWEST CORNER OF LOT 210 OF WESTCLIFF, PLAT NO. 2, RECORDED IN PLAT BOOK 39, PAGE 33 AND WITH THE WEST LINE OF SAID LOT 210, S11°28'20"W, 189.23 FEET TO THE NORTH RIGHT-OF-WAY LINE OF LABRADOR DRIVE; THENCE LEAVING THE WEST LINE OF SAID LOT 210 AND WITH THE NORTH RIGHT-OF-WAY LINE OF SAID LABRADOR DRIVE, 243.04 FEET ALONG A 245.00-FOOT RADIUS, NON-TANGENT, CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, S51°04'20"W, 233.19 FEET TO THE NORTHEAST CORNER OF LOT 209; THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE AND WITH THE LINES OF SAID WESTCLIFF, PLAT NO. 2, N67°28'50"W, 126.91 FEET; THENCE N89°46'50"W, 128.06 FEET; THENCE S52°45'55"W, 414.90 FEET; THENCE N87°32'20"W, 289.61 FEET TO THE NORTHWEST CORNER OF LOT 208 OF SAID WESTCLIFF, PLAT NO. 2; THENCE LEAVING THE LINES OF SAID WESTCLIFF, PLAT NO. 2, N31°15'15"W, 463.33 FEET; THENCE N41°17'30"E, 201.78 FEET TO THE NORTH LINE OF SAID SURVEY RECORDED IN BOOK 1939, PAGE 711; THENCE WITH SAID NORTH LINE, S82°35'45"E, 1089.53 FEET; THENCE S82°40'35"E, 14.90 FEET TO THE POINT OF BEGINNING AND CONTAINING 11.29 ACRES.

THIS SURVEY WAS MADE IN CONFORMANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

SURVEY AND PLAT BY:

CROCKETT ENGINEERING CONSULTANTS, LLC  
2608 NORTH STADIUM BLVD.  
COLUMBIA, MO 65202

CORPORATE NUMBER: 2000151304



DAVID T. BUTCHER, PLS-2002014095  
10/16/2013  
DATE

STATE OF MISSOURI } SS  
COUNTY OF BOONE }

SUBSCRIBED AND AFFIRMED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

DANIELLE GRIFFITH  
NOTARY PUBLIC  
MY COMMISSION EXPIRES OCTOBER 28, 2016  
COMMISSION NUMBER 12409201

DANIELLE GRIFFITH  
Notary Public-Notary Seal  
STATE OF MISSOURI  
Boone County  
My Commission Expires Oct. 28, 2016  
Commission #12409201

## KNOW ALL MEN BY THESE PRESENTS

THAT HEMME CONSTRUCTION, LLC IS THE SOLE OWNER OF THE HEREON DESCRIBED TRACT AND THAT THEY HAVE CAUSED SAID TRACT TO BE SURVEYED, SUBDIVIDED, AND PLATTED AS SHOWN ON THE ABOVE DRAWING. THE STREET RIGHT OF WAY SHOWN BY THE ABOVE DRAWING IS HEREBY DEDICATED TO THE CITY OF COLUMBIA FOR THE PUBLIC USE FOREVER. THE EASEMENTS AS SHOWN, ARE HEREBY DEDICATED TO THE CITY OF COLUMBIA FOR THE PUBLIC USE FOREVER. THE ABOVE DRAWING AND DESCRIPTION SHALL HEREAFTER BE KNOWN AS "WESTCLIFF, PLAT 3".

IN WITNESS WHEREOF, HEMME CONSTRUCTION, LLC HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS MANAGING MEMBER.

HEMME CONSTRUCTION, LLC.

STATE OF MISSOURI } SS  
COUNTY OF BOONE }

JEFF HEMME, MANAGING MEMBER

SUBSCRIBED AND AFFIRMED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

DANIELLE GRIFFITH  
NOTARY PUBLIC  
MY COMMISSION EXPIRES OCTOBER 28, 2016  
COMMISSION NUMBER 12409201

DANIELLE GRIFFITH  
Notary Public-Notary Seal  
STATE OF MISSOURI  
Boone County  
My Commission Expires Oct. 28, 2016  
Commission #12409201

ACCEPTED BY ORDINANCE OF THE CITY COUNCIL OF COLUMBIA, MISSOURI,  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

ROBERT McDAVID, MAYOR

SHEELA AMIN, CITY CLERK

DETAIL A

SCALE 1" = 10'

**EXCERPTS  
PLANNING AND ZONING COMMISSION  
DECEMBER 5, 2013**

**IV.) PUBLIC HEARINGS**

**Case No. 13-221**

**A request by Hemme Construction, LLC (owner) to amend the PUD (Planned Unit Development) zoning associated with the Westcliff PUD Plan by increasing the maximum number of dwelling units from 86 to 88. The approximately 88.5-acre subject site is located west of Louisville Drive and north of Chapel Hill Road.**

DR. PURI: Staff report, please?

Staff report was given by Mr. Steve MacIntyre of the Planning and Development Department. Staff recommends approval of the proposed major amendment to the PUD zoning Statement of Intent.

DR. PURI: Commissioners, any questions of the Staff? I see none. This is a public hearing item, and we would like to open up the floor for anybody that would want to speak regarding this item.

**PUBLIC HEARING OPENED**

MR. BLACKSTUN: What should I do here?

DR. PURI: If you would come to the mic -- to this podium. If you would like to say something about that, you state your name and your address, and please --

MR. BLACKSTUN: My name is Larry Blackstun. My wife and I live in Phase I of Westcliff. And we're just a little concerned that -- that adding two more houses in there will reduce the size of the lots. And we feel will reduce the value of not only our house, but the nearly 70 other houses that are complete in the subdivision. I was looking today on your -- this thing that is up here now, and I didn't ever see where Lots 10 and 11 were.

MR. MACINTYRE: They are actually -- they were left out. And you can see 10 and 11 would appear on the proposed replat that is shown below here, which we have just received this past Monday.

MR. BLACKSTUN: But it -- but it goes to 16. It shows -- it shows 16. The lots are numbered there, but there is no 10 and 11.

MR. MACINTYRE: That's correct. There's a technicality with regard to lot or plat review. While each lot is required to have an assigned number on it, they aren't required to be sequential. And the developer in this case -- since they noted this issue with the zoning but wanted to proceed with the Westcliff Plat 3 initially, they left space for those two lots to be added or to change --

MR. BLACKSTUN: So they had this in mind all along?

MR. MACINTYRE: Yes, they did.

MR. BLACKSTUN: Well, I don't know. We just -- we just -- you know, we're just trying to hold up our property values. All this is -- this was proposed and you guys approved this, I assume, back in '04. I believe it was; isn't that correct?

MR. MACINTYRE: Sounds about right.

MR. BLACKSTUN: And, you know, at that time, the housing market was doing fine and everything was great, and so they allowed for so many lots. This was supposed to be -- actually, this was supposed to be the crème de crème of the subdivision. The lots and the houses were supposed to increase in value. And now we are going in here and -- what we feel probably will reduce the value of the lots and houses. And we're just sitting here with -- fairly defenseless. But we just wanted to come and state our views and our opposition to the -- the adding two more lots to the subdivision.

DR. PURI: Do you understand that Lot 309 is what is being divided up? It's not every single lot where there -- this space is coming from.

MR. BLACKSTUN: I understand that, yes. But if -- if that thing was going to be sold as 309, that would have been a huge lot that would have sold for a decent amount of money. And now that is being split up into three lots that are not going to be as valuable, and the houses won't be as big nor as valuable. And the developer is going to make more money, which we all know is the bottom line. But, yeah, I do understand that. And I think -- I think the density deal -- I don't know anything about this, I just looked at this stuff. I don't know. But if you look at those lots, probably -- I mean, those big lots, those things fall off down that Perche Creek bottom. It's totally uninhabitable. Like the -- up there where the house will be, those people will have a small backyard, and it just falls off the cliff there, which is why I'm sure with the acreage and the number of houses, this density number is -- is well within the accepted number or whatever. But it's not like that there is a huge area for these houses. And a big part of that land out there is a -- you couldn't build on it. Anyway, we just wanted to voice our opinion.

DR. PURI: Just hang on a second. Commissioners, any questions for the speaker? Seeing none. Thank you, sir.

MR. BLACKSTUN: Thank you.

DR. PURI: Okay. Close public hearing seeing no one else.

#### **PUBLIC HEARING CLOSED**

DR. PURI: Commissioners, discussions on the item?

MR. WHEELER: Do you want me to lead?

DR. PURI: Mr. Wheeler? Yes.

MR. WHEELER: Yes. Okay. Well, I -- I guess I respectfully disagree with you. I don't think the addition of two lots -- two more lots is going to affect your property values, although I understand your feelings. It was previously platted as a PUD -- PUD-2 with 86 acres. Technically, that would have been 172 units or dwellings or something close to that. I think that's what Mr. MacIntyre was alluding to when he said it's about half the density. I suspect that what has happened here is the

previous two plats were platted. We only had a specific number left because their statement of intent said 86 instead of anything greater than that, and so they platted it accordingly. That's what I suspect happened. But although I agree with you, I'll support the request. It seems reasonable to me.

MR. PURI: Go ahead.

MR. LEE: In looking at the Westcliff plat approved and the proposed for Lot 309 into two more, it seems that those two lots are approximately the same size as most of the other lots in the whole thing. So it -- I can't see how that's going to really affect your property values when they are about the same as all the rest of them. So for that reason, I -- I plan to vote for approval.

MR. PURI: Does anyone want to frame a motion?

MR. WHEELER: Well, if there is no discussion remaining, I would recommend that we approve or we recommend approval of Case No. 13-221.

MR. STANTON: Second.

MR. PURI: Roll call, please.

MR. STRODTMAN: Yes. Yes, sir. A motion has been made and seconded for an approval of Item No. 13-221. A request by Hemme Construction, LLC to amend the PUD -- planned zoning -- associated with the Westcliff PUD. Increase units from 86 to 88.

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

MR. PURI: All right. Thank you, sir. Comments of the public?