

019965 Filed in Clerk's Office Permanent Record

Introduced by Hindman

First Reading 5-19-08

Second Reading 6-2-08

Third Reading 6-16-08

Fourth Reading 7-7-08

Ordinance No. 019965

Council Bill No. B 141-08 A

AN ORDINANCE

rezoning property located on the north side of Berrywood Drive, approximately 400 feet east of Portland Street, from District R-1 to District O-P; repealing all conflicting ordinances or parts of ordinances; approving the Silver Oak Senior Living O-P Development Plan; setting forth conditions for approval; 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:

All of KEENE ESTATES PLAT NO. SIX (6) as shown by Plat recorded in Plat Book 11, Page 226, Records of Boone County, Missouri.

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

Offices for professional and business use involving the sale or provision of services, but not the sale or rental of goods, including: physicians, dentists, chiropractors, or other licensed medical practitioners

Residential care facilities, including assisted living and independent living

The statement of intent, 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 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.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 Silver Oak Senior Living O-P Development Plan, dated April 30, 2008, for the property referenced in Section 1 above.

The Director of Planning and Development shall use the design parameters set forth in "Exhibit A," which is attached to and made a part of this ordinance, as guidance when considering any future revisions to the O-P Development Plan.

SECTION 4. The approval of the O-P Development Plan is subject to the following conditions:

1. The applicant shall work with the neighbors and the City arborist to develop a landscape screening plan along the south half of the subject site's east property line, which shall include the addition of up to 40 trees and achieve up to 80% opacity, as desired by adjacent residential property owners.
2. The applicant shall adhere to the following recommendations of the City arborist to ensure adequate protection of trees situated within the proposed greenspace conservation easement area:
 - a. The conservation easement line shall be marked on site with stakes and all the trees along the edge of the tree preservation area shall be clearly tagged either for removal or preservation.
 - b. To prevent damage to the root systems of the preserved trees, a qualified arborist or forestry professional shall be on site while tree removal is taking place to ensure that the removal methods are appropriate, none of the remaining trees are unduly damaged, and that the saved trees are likely to survive into the future.
 - c. Once tree removal is complete, the tree preservation area shall be fenced off to prevent damage by machinery or from use as storage space.
3. The proposed assisted living facility shall be limited to one story in height where it abuts the R-1 zoning district along the north half of the east side of the subject site.
4. The appearance of the buildings shall substantially conform to the architectural features, materials and colors of those shown in the rendering provided by the applicants.
5. The design parameters shall be revised to limit sign surface area to a maximum of 32 square feet.
6. The south portion of the site, designated for future office buildings and associated 53-space automobile parking area, shall not be cleared of vegetation until such time as construction of the office buildings is to commence.
7. Applicant shall submit a greenspace easement acceptable to council.

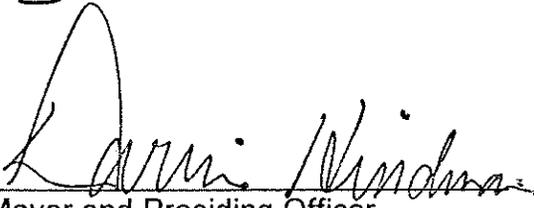
SECTION 5. This ordinance shall be in full force and effect from and after its passage.

PASSED this 7th day of July, 2008.

ATTEST:



City Clerk



Mayor and Presiding Officer

APPROVED AS TO FORM:



City Counselor

**STATEMENT OF INTENT & DESIGN PARAMETERS
FOR O-P ZONING
SILVER OAK SENIOR LIVING
KEENE ESTATES PLAT NO. 6
COLUMBIA, MISSOURI**

February 14, 2008 (Revised April 10, 2008)

Property: ALL OF KEENE ESTATES PLAT NO. 6, RECORDED IN PLAT BOOK 11, PAGE 226, LOCATED IN THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND CONTAINING 11.24 ACRES.

Location: On the north side of Berrywood Drive, 550' west of Woodridge Drive and 425' east of Portland Street.

Statement of Intent:

- a. Allowable Uses of Tract:
 - 1. Offices for professional and business use involving the sale or provision of services, but not the sale or rental of goods, including: Physicians, Dentists, Chiropractors, or other licensed medical practitioners.
 - 2. Residential Care Facilities, including Assisted Living and Independent Living.

- b. Maximum Gross Square of Buildings
 - a) The Independent Living Facility is planned for 100 Units - 173,300 gross square feet in four (4) floors.
 - b) The Assisted Living Facility is planned for 75 Units - 82,500 gross square feet in two (2) floors.
 - c) A Kitchen Facility is planned as a separate building. It will be on one level and have 7,500 gross square feet.
 - d) Two (2) Office Buildings (6,000 square feet each) for medical practitioners are planned along Berrywood Drive.

- c. Maximum Building Height

The maximum planned building height is 45 feet.

- d. Minimum Percentage of Tract to be Maintained in Open Space such as Landscaping and/or Natural Vegetation:

There will be a minimum of 35% open space shown on the Development Plan.

Design Parameters:

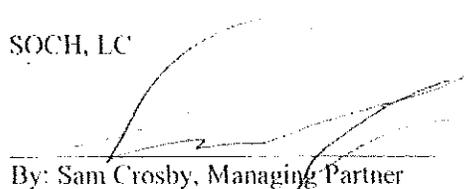
- a. The minimum Distance between any building and the adjacent property line is ten (10) feet.
- b. The minimum distance between the edge of any driveway, parking area, loading area, trash storage area and any adjacent property line is one (1) foot and twenty-five (25) feet to the street right-of-way.
- c. There will be six (6) freestanding signs on the site, with a maximum square footage of one hundred 100 square feet per sign and maximum height of six (6) feet each.
- d. The minimum percentage of the site to be maintained in landscaping is 10% plus the 25% set aside for the Forest Preserve.
- e. There will be a maximum of twenty (20) light poles with heights of less than twenty-eight (28) feet. They will be shoe box, down-cast type of fixtures.

These Design Parameters shall become part of the ordinance approving the O-P development plan.

In addition to the Statement of Intent and Design Parameters, the following self-imposed stipulations will be followed:

1. The City of Columbia Arborist and a representative of the Woodridge Neighborhood Association will be invited to be present during the tree harvest stage of the project to insure the protected area of the Climax Forest is preserved.
2. An area of Climax Forest that remains will be dedicated as a Greenspace Conservation Easement, or similar instrument, to the City of Columbia.

SOCH, LC


By: Sam Crosby, Managing Partner