

Introduced by McDavid

First Reading 6-15-15

Second Reading 7-6-15

Ordinance No. 022489

Council Bill No. B 160-15

AN ORDINANCE

rezoning property located on the east side of Brown Station Road and south of US Highway 63 from PUD-12 and M-R to M-R and M-C; approving a revised statement of intent; setting forth a condition for approval; requiring a traffic study; 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 NORTH HALF OF SECTION 32, TOWNSHIP 49 NORTH, RANGE 12 WEST, AND BEING PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 4228, PAGE 76, AND BEING PART OF TRACTS 1 & 4 OF THE SURVEY RECORDED IN BOOK 1315, PAGE 238, AND PART OF BOONE PRAIRIE PLAT 1, RECORDED IN PLAT BOOK 38, PAGE 111, AND BOONE PRAIRIE PLAT 2, RECORDED IN PLAT BOOK 39, PAGE 11, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID BOONE PRAIRIE PLAT 1, AND WITH THE LINES THEREOF, N 4°01'55"E, 152.18 FEET; THENCE 227.29 FEET ALONG A 5759.70-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, N 2°54'05"E, 227.28 FEET; THENCE S 88°13'45"E, 5.00 FEET; THENCE 37.74 FEET ALONG A 5764.70-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, N 1°35'00"E, 37.74 FEET; THENCE N 1°23'45"E, 626.50 FEET; THENCE N 88°36'15"W, 5.00 FEET; THENCE N 1°23'45"E, 220.00 FEET; THENCE S 88°36'15"E, 10.00 FEET; THENCE N 1°23'45"E, 671.78 FEET; THENCE 144.62 FEET ALONG A 1282.50-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, N 4°37'35"E, 144.54 FEET; THENCE N 15°55'45"E, 26.59 FEET; THENCE S 88°42'45"E, 295.24 FEET; THENCE S 65°12'40"E, 69.89 FEET; THENCE S 21°39'35"W, 294.23 FEET; THENCE 66.01 FEET ALONG A 283.00-FOOT RADIUS, NON-TANGENT

CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, S 61°39'30"E, 65.86 FEET; THENCE S 54°58'35"E, 61.90 FEET; THENCE S 35°01'25"W, 66.00 FEET; THENCE S 1°23'45"W, 1670.99 FEET; THENCE S 89°28'40"W, 303.00 FEET; THENCE S 89°48'40"W, 66.29 FEET THE POINT OF BEGINNING AND CONTAINING 16.78 ACRES.

will be rezoned and become a part of District M-R (Research, Development and Office Park) and taken away from District PUD-12 (Planned Unit Development).

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 NORTH HALF OF SECTION 32, TOWNSHIP 49 NORTH, RANGE 12 WEST, AND BEING PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 4228, PAGE 76, AND BEING PART OF TRACTS 1 & 4 OF THE SURVEY RECORDED IN BOOK 1315, PAGE 238, AND PART OF BOONE PRAIRIE PLAT 1, RECORDED IN PLAT BOOK 38, PAGE 111, AND BOONE PRAIRIE PLAT 2, RECORDED IN PLAT BOOK 39, PAGE 11, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID TRACT 1 AND WITH THE LINES THEREOF, S 46°45'20"E, 718.43 FEET TO THE NORTHWEST CORNER OF THE EXISTING MC ZONING DISTRICT; THENCE WITH THE WEST LINE OF SAID MC ZONING DISTRICT, S 1°23'45"W, 2018.38 FEET TO THE SOUTH LINE OF SAID TRACT 1; THENCE WITH THE SOUTH LINE OF SAID TRACT 1, S 89°28'40"W, 333.18 FEET; THENCE LEAVING SAID SOUTH LINE, N 1°23'45"E, 1670.99 FEET TO THE NORTHEAST CORNER OF LOT 11 AS SHOWN BY SAID BOONE PRAIRIE PLAT 1; THENCE WITH THE LINES OF SAID PLAT, N 35°01'25"E, 66.00 FEET; THENCE N 54°58'35"W, 61.90 FEET; THENCE 66.01 FEET ALONG A 283.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, N 61°39'30"W, 65.86 FEET; THENCE N 21°39'35"E, 294.23 FEET; THENCE N 65°12'40"W, 69.89 FEET; THENCE N 88°42'45"W, 295.24 FEET; THENCE N 15°55'45"E, 70.50 FEET; THENCE N 17°55'45"E, 96.16 FEET; THENCE N 18°05'20"E, 95.79 FEET; THENCE N 18°15'55"E, 96.45 FEET; THENCE N 23°12'55"E, 76.56 FEET TO THE POINT OF BEGINNING AND CONTAINING 18.92 ACRES.

will be rezoned and become a part of District M-C (Controlled Industrial) and taken away from District PUD-12 (Planned Unit Development) and District M-R (Research, Development and Office Park). Hereafter the property may be used for the permitted uses set forth in the statement of intent.

SECTION 3. The City Council hereby approves the terms and conditions contained in the statement of intent dated May 26, 2015, attached hereto in substantially the same form as "Exhibit A" and made a part of this ordinance, for the property described in Section 1. This statement of intent replaces the statement of intent attached to Ordinance No. 017414 passed on August 19, 2002. 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 4. The rezoning described in Section 1 of this ordinance is subject to the condition that the submission of any future M-R development plan include a traffic study to demonstrate the effects of the development on Blue Ridge Road and Brown Station Road and the surrounding area. The property owner shall implement the recommendation contained within the traffic study at the time of construction at the cost of the property owner. In lieu thereof, the property owner and City may enter into a development agreement to allocate cost and responsibility for construction of the improvements recommended by the traffic study.

SECTION 5. A traffic study shall be provided by the property owner of the property described in Section 2 of this ordinance prior to issuance of any building permit to construct one or more structures on the property. The property owner shall implement the recommendations contained within the traffic study at the time of construction. In lieu thereof, the property owner and City may enter into a development agreement to allocate the cost and responsibility for construction of the improvements recommended by the traffic study.

SECTION 6. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 7. This ordinance shall be in full force and effect from and after its passage.

PASSED this 6th day of July, 2015.

ATTEST:

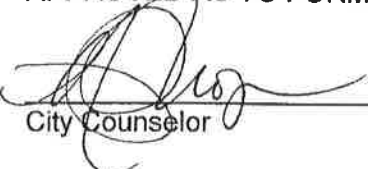


City Clerk



Mayor and Presiding Officer

APPROVED AS TO FORM:



City Counselor

REVISED
5/26/15

Statement of Intent
EMT4, LLC
May 26, 2015

The allowed uses for the subject M-R Tract shall be as follows:

All allowed uses in District M-C with the following exceptions:

- Plants and facilities for the assembly, compounding, manufacture, packaging, processing, repairing or treatment of equipment, materials, merchandise or products
- Freight terminals (rail or truck for loading or storage) or sidings.
- Sports and recreational facilities, including accessory retail and concession sales.
- All allowed uses under M-C that would require additional screening per Section 29-19(e)(2) shall be screened per said section. This provision shall not reduce, eliminate, or change any of the existing screening requirements for any other use within the M-R zoning district.
- The maximum gross floor area (GFA) shall not exceed 130,000 square feet.
- The maximum building height shall not exceed 35 feet.
- The minimum amount of open space on the site shall not be below 15% of the total tract.