

Planner

Introduced by Mr. Hobart

First Reading 12-15-69 Second Reading 1-5-70

Ordinance No. _____ Council Bill No. 399-69

AN ORDINANCE

amending the Zoning District Map approved by Section 19.090 of the Revised Ordinances of the City of Columbia, Missouri, 1964, by changing and amending said Zoning District Map, whereby property known as 201 through 415 North Stadium Boulevard,

herein more particularly described, will be rezoned and become part of District C-P of said map; 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. That the Zoning District Map approved by Section 19.090, Chapter 19 of the Revised Ordinances of the City of Columbia, Missouri, 1964, be, and the same is hereby amended and changed so that the following described property, to-wit:

A tract of land in the SW $\frac{1}{4}$ of Section 10, Township 48 North, Range 13 West in Columbia, Missouri and containing Lots 4, 5, 6 and part of 3 of Biscayne Heights Subdivision Block No. 1 and being further described as follows:

Starting at the Northeast corner of Lot 2 of Biscayne Heights Subdivision Block No. 1 as recorded in Book 9, Page 34 of the Boone County Records; thence North 83°-49' West, 202.20 feet; thence on a 45°-45' curve to the left, 114.56 feet; thence South 45°-11' West 39 feet; thence on a 29°-08' curve to the right, 177.56 feet; thence North 83°-37' West 89.0 feet; thence North 84°-51' West 362.0 feet; thence North 5°-09' East 351.88 feet; thence North 84°-49' West 203.52 feet; thence North 0°-05' West 1135.32 feet; thence South 84°-11' East 527.75 feet; thence South 83°-53' East 589.82 feet; thence South 0°-05' East 1333.02 feet to the point of beginning.

will be rezoned and become a part of District C-P, Planned Business District, and taken away from District C-1, Intermediate Business District, R-3, Multiple Family Dwelling District, and R-1, Single Family Dwelling District, so that hereafter said property may be used for all the purposes permitted in District C-P, Planned Business District.

Section 2. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. That this ordinance shall be in full force and effect from and after its passage.

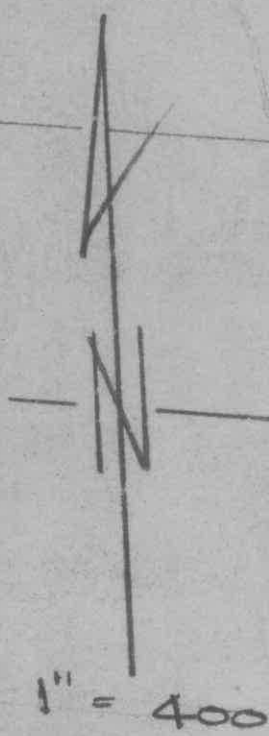
Passed this 5th day of Jan., 1970.

Attest:

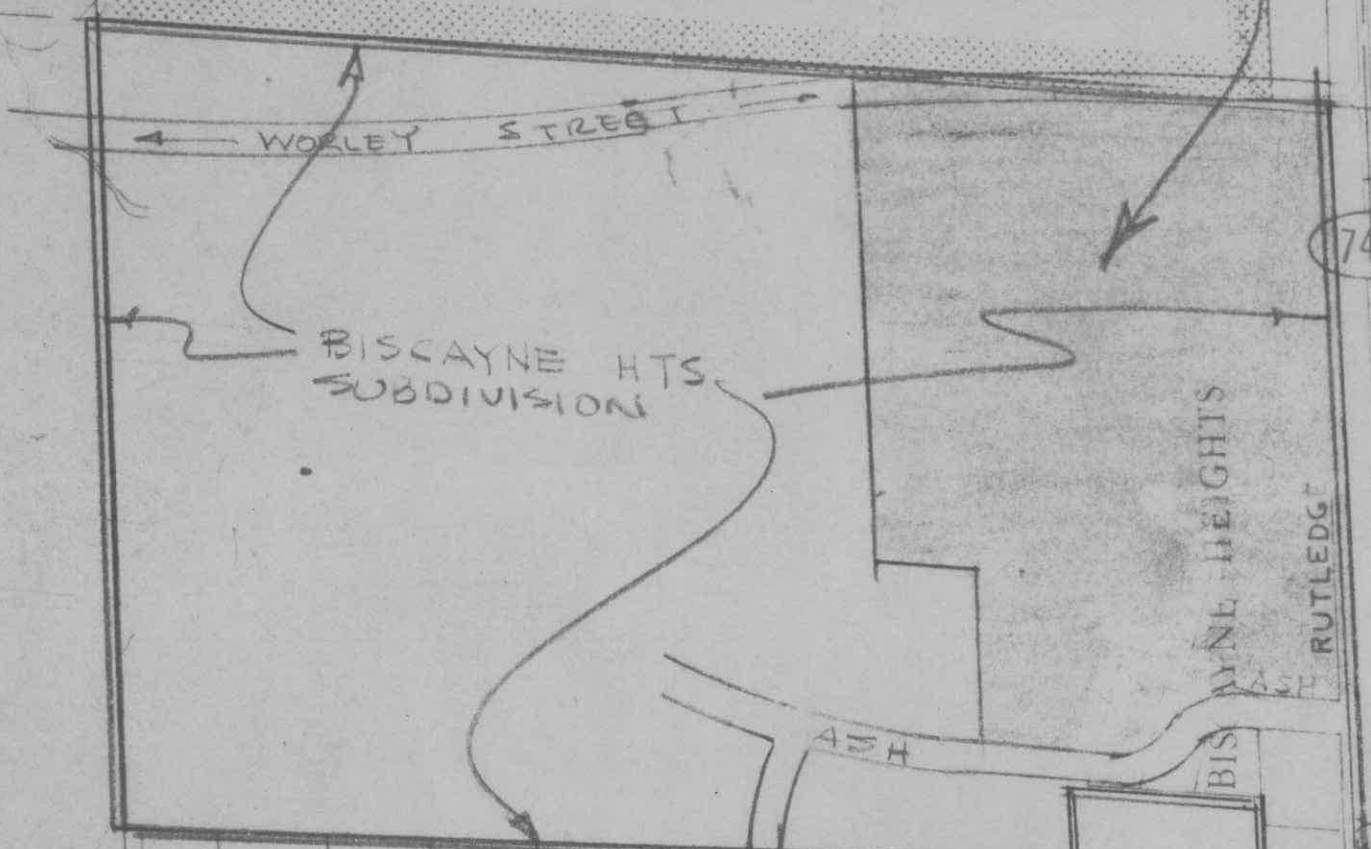
Certified a true copy, this 6 day of Jan., 1970
Sharon Wood
City Clerk, Columbia, Mo.

City Clerk
Approved as to form:
Jane H. Crocker
City Counselor

Mayor and Presiding Officer
Approved for Council action:
Don F. Allard
City Manager



C-P AREA



10

TIGER LANE
DICKERSON

ASH

WEST

BERNARD

Section 19.180 District C-P, Planned Business District.

GENERAL CONDITIONS:

A District C-P may be established on a tract of land in single ownership or under unified control, provided that a preliminary development plan for a Planned Business District has been prepared, submitted and approved in compliance with the regulations and requirements of this section.

Application shall be made to the City Council for the rezoning of property for a Planned Business District, and it shall thereupon be referred to the City Planning and Zoning Commission, hereinafter referred to as the Commission, for recommendations.

The net area of land to be included in a District C-P and so designated shall be at least three (3) acres in size, except that contiguous additions to be established and approved Districts C-P may be made as herein provided for original districts, which additions may contain an area of less than three (3) acres in size. The term "net area", as used herein, shall not include any areas within dedicated highways, streets, alleys, or any other public property.

The location of any District C-P shall be on property which has an acceptable relationship to major thoroughfares, and the Commission must satisfy itself as to the adequacy of the thoroughfares to carry the additional traffic generated by the development.

The plan for the proposed development must present a unified and organized arrangement of buildings and service facilities which shall have a fundamental relationship to the properties comprising the planned development, and shall not adversely affect the uses of properties immediately adjacent to the proposed development.

The requirements and regulations herein prescribed pertaining to height, open space, setbacks, parking and loading, may be adjusted or modified by the Board of Adjustment, after recommendation of the Commission before a District C-P is established, so that the property in question may be developed in a reasonable manner and at the same time will not be detrimental to the public welfare and the interests of the city, but in keeping with the general intent and spirit of the article.

The Commission shall have power to make and adopt such rules and regulations as are necessary and proper to effectuate the purpose of this section.

PRELIMINARY PLAN:

The proponents of a Planned Business District shall prepare and submit a preliminary development plan to the Commission for its inspection and review, upon which plan the Commission shall hold a public hearing. This preliminary plan of the property to be zoned as a District C-P, drawn to scale, shall show the boundaries of the property proposed to be zoned, the existing topography with contour

intervals no greater than five (5) feet, unless waived by the Commission, and the proposed size, location and arrangement of buildings, parking areas, with proposed arrangement of stalls and number of cars, entrance and exit driveways and their relationship to existing and proposed streets, alleys and other public ways or public property and any additional information required by the Commission. The Plan shall show sufficient proposed control grades to interpret the intent of the developer. The preliminary plan shall also show the development of adjacent properties within two hundred (200) feet, including the location and type of buildings and structures thereon. If the Planned Business District is proposed in an unplatted area, the preliminary plan shall be accompanied by a plat, giving the full legal description of the boundaries of the property to be included in the areas to be zoned as a Planned Business District. It also shall be accompanied by a plan, drawn to scale, showing the general arrangement of streets within the remainder of such unplatted area, which plan need not extend more than one thousand (1,000) feet from the boundaries of the area to be zoned as a Planned Business District.

The developer shall indicate, on the preliminary plan, the stages which will be followed in the construction of the Planned Center.

If this preliminary plan is found to comply with the intent of the requirements and regulation set forth in this section, the Commission shall, upon approval of the preliminary plan, prepare and submit to the Council a request for an amendment to this article, which amendment is to provide for and establish a C-P District for the land covered by the preliminary plan.

Upon approval of the zoning change by amendment, the proponent shall submit a final development plan to the Commission for its review and recommendation. The final development plan may be submitted separately for the first and each successive stage of construction.

FINAL PLAN:

It shall be the responsibility of the Commission to determine that each stage, or all, of the final development plan conforms to the intent of the preliminary plan on which the zoning change was made. The Commission, having reviewed the final development plan for any or all stages of the development, and finding that it conforms to the intent of the preliminary plan, shall recommend its approval to the City Council.

If the final plan fails to conform to the intent of the preliminary plan submitted in support of the rezoning, such final development plan may be submitted to the Commission as an amended preliminary plan, upon which the Commission shall hold a public hearing. The procedure shall be the same as for the original preliminary plan.

No building permit shall be issued for any construction in this center until the City Council shall have approved the final development plan, covering at least the first stage of development, and notified the Building Inspector.

A final development plan, prepared for each succeeding stage, shall also be reviewed by the Commission, and when approved by the City Council, shall be filed in the office of the Director of Public Works.

The proponents of a Planned Business District shall prepare and submit a schedule of construction in one or more stages, which construction shall begin within a period of one year following the approval of the final development plan, or any stage thereof, by the City Council. Failure to begin construction as scheduled shall void the plan, as approved, unless a request for an extension of time is made by the proponents to the Board of Adjustment, and approved by said Board. If for any reason the plan is abandoned, or if the construction is terminated after the completion of any stage, and there is ample evidence that further development is not contemplated, the ordinance establishing such District C-P may be rescinded by the City Council and the zoning of the entire tract, or the portion which is undeveloped as a District C-P, may be changed to a suitable classification.

After the final development plan has been approved and the zoning change made, and when, in the course of carrying out this plan, adjustments or rearrangements of buildings, parking areas, entrances, heights, setbacks, or open spaces are requested by the proponents, and such requests conform to the standards established by the approved final development plan, for area to be covered by buildings, parking spaces, entrances, height, setbacks and other requirements, such adjustments may be approved by the Board of Adjustment upon application and after receiving the recommendations of the Commission.

The plan shall meet the following requirements as to use, height, open space, off-street parking and loading and all driveways or public access.

USE REGULATIONS:

In District C-P, Planned Shopping District, no building, structure, land or premises shall be used, and no building or structure shall be erected, constructed, reconstructed or altered, except in conformance with the final development plan, and except for one or more of the following uses:

Any use permitted in District C-1, Except:

(A) Advertising signs other than as specified herein.

Accessory uses customarily incident to any of the above uses, including drive-in or curbside service, provided that there shall be no billboards, and that only one flat wall sign or sign on the face of a building or marquee, showing the name of each place of business, and the commodities or services offered there, and one flat wall sign on the side of each building showing only the name of the place of business therein, will be permitted in a District C-P, except that in addition there shall be permitted one sign or structure to

identify each planned district. Such sign or structure shall be of permanent construction and the design shall be submitted as a part of the preliminary and final development plan. In addition, a filling station may have one free standing sign to be approved as part of the preliminary plan as to size and location.

Cleaning, pressing and dyeing establishments, provided that only non-explosive cleaning fluids shall be used.

Bowling alleys, provided, however, that the same shall not be less than two hundred (200) feet from any existing clinic, hospital, school or church, and shall not be less than two hundred (200) feet from a District R-1 to R-3, inclusive, unless approved by the Board under such restrictions as seem appropriate after consideration of noise and other detrimental factors incidental to such use.

Launderettes.

Garment storage facilities.

HEIGHT AND AREA REGULATIONS:

In a District C-P the height of buildings and the minimum dimensions of open spaces shall be as follows: (For exceptions, See Section 19.260, Height and Area Exceptions).

Height: Buildings or structures shall not exceed forty-five (45) feet and shall not exceed three (3) stories in height.

Open Spaces: There shall be a setback from any street of at least thirty (30) feet for any building, and ten (10) feet for any parking lot. Along any other property line within or adjoining a zoned business district, there shall be a setback for any building or structure of at least ten (10) feet, unless the Board waives such setback; or along any property line abutting or adjoining a zoned dwelling house district, there shall be a setback of at least ten (10) feet for any building or parking lot. The Planned Business District shall be permanently screened from such abutting or adjoining properties zoned for dwelling house use by wall, fence or other suitable enclosure at least four (4) feet in height. The area adjacent to such wall or fence shall be planted with trees and shrubs to form an ornamental screen. Such trees and shrubs shall be properly and adequately maintained by the owner or owners of land included in such district.

The building line along any street shall be consistent with the building line established in the neighboring residential districts.

The Board may grant a reduction in the above required setbacks where the situation will reasonably warrant such reduction.

PARKING AND LOADING REGULATIONS:

In any District C-P there shall be provided off-street customer parking space for motor cars in the ratio of at least ten (10) parking spaces for each one thousand (1,000) square feet of sales floor area, exclusive of storage space.

The off-street parking space required above shall be provided in addition to any space used for a commercial parking lot, taxicab stand, truck or bus parking. Off-street parking space for "drive-in" service establishments shall be provided in addition to the parking space described for all other business activities.

Ample off-street space for standing, loading and unloading of supplies shall be provided within the development.

Section 19.150 District C-1, Intermediate Business District.

USES: In District C-1, no building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed or altered except for one or more of the following uses: (For exceptions, See Section 19.230, Special Classes; Section 19.280, Non-conforming Uses; and Section 19.370, Powers and Duties of the Board.)

Any use permitted in District R-3.

Advertising signs, when the same are attached to a building and advertise only services, articles or products which are offered only within the building to which such sign is attached, and provided such sign shall not extend above the outside walls of such building, nor more than one foot from the face of the wall of such building, except that filling stations shall be permitted one (1) pole type sign.

Alcoholic beverages - Sales of all kinds of alcoholic beverages in the original package in compliance with the alcoholic beverage regulations of Chapter 4 of the Revised Ordinances of the City of Columbia.

Alcoholic beverage sales in the original package or by the drink on licensed premises shall be permitted in hotels, restaurants or similar places where substantial quantities of food are served, all in compliance with alcoholic beverage regulations of Chapter 4.

Assembly halls.

Automobile parking lots for passenger cars only.

Banks.

Barber and Beauty Shops.

Car Washes, provided all operations are performed within an enclosed building or structure.

Clinics (medical or dental).

Filling stations, provided all storage tanks for gasoline shall be below the surface of the ground.

Frozen food lockers for individual or family use.

Greenhouses (commercial).

Ice delivery stations for storage and sale of ice at retail only.

Lodge Halls.

Mortuaries.

Offices, business or professional.

Photographic service shops.

Printing shops, provided the total mechanical power used in the operation of such printing plant shall not exceed five (5) horsepower.

Radio and television shops or studios.

Restaurants, cafes or cafeterias, where there is no floor show of other form of entertainment.

Shoe repair shops.

Shops for custom work, or the manufacture of articles to be sold at retail only, on the premises, provided that in such manufacture the total mechanical power shall not exceed five (5) horsepower for the operation of any one shop, and provided that the space occupied by the manufacturing use permitted herein shall not exceed fifty (50) percent of the total floor area of the entire building or the equivalent of the ground thereof, and provided further that such manufacturing use is not noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.

Stores, shops and markets for retail trades, provided merchandise is not displayed, stored or offered for sale on the premises outside of a building within the required front yard.

Theatres.

Accessory uses customarily incident to any of the above uses, including air-conditioning plants, ice and refrigerating plants, purely incidental to a main activity permitted on the premises, and when operated by electricity or gas.

The above specified stores, shops or businesses shall be retail or service establishments exclusively. No drive-in or curbside services shall be permitted.

HEIGHT AND AREA REGULATIONS:

In District C-1, the height of buildings, the minimum dimensions of lots and yards and the minimum lot area per family permitted upon any lot shall be as follows:

Provided that buildings erected exclusively for dwelling purposes shall comply with the front, side, and rear yard requirements of District R-3. (For exceptions, see Section 19.260, Height and Area Exceptions.)

Height: Buildings or structures shall not exceed thirty-five (35) feet and shall not exceed two and one-half stories, except that where a District C-1 joins a District R-3 to M-1 inclusive within the same block, the height may be increased to forty-five (45) feet or three stories within that block.

Rear Yards: The depth of the rear yard shall be at least twenty (20) percent of the depth of the lot, but such depth need not be more than twenty (20) feet, except that on a corner lot no rear yard is required within fifty (50) feet of a side street, unless the rear line adjoins a District R-1 to R-3 inclusive.

Front Yards: Same as District R-1, provided that where established buildings in this district within the same block have front yards of less depth, the Board may reduce the required depth.

Side Yards: No side yard required, except that in the case of a corner lot there shall be a side yard adjacent to the side street of not less than fifteen (15) feet, and where a side line of a lot

in this district abuts upon the side line of a lot in District R-1 to R-3 inclusively, a side yard of not less than five (5) feet shall be provided.

Width of Lot: The minimum width of a lot shall be sixty (60) feet at the building line, if used exclusively for uses enumerated in Districts R-1 to R-3 inclusive, except as otherwise provided in District R-1. For other uses the width may be less.

Lot Area Per Family: Same as District R-3.

Parking Regulations: (See Section 19.310, Off-Street Parking and Loading.)