

022238

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Ordinance No. 022238

Council Bill No. B 299-14

AN ORDINANCE

changing the uses allowed on C-P zoned property located on the south side of Grindstone Parkway, approximately 415 feet west of the Grindstone Parkway and Grindstone Plaza Drive intersection; approving a revised statement of intent; approving the C-P Plan for Lot 5A of Red Oak South, Plat No. 1-A; 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 permitted uses on property in District C-P located on the south side of Grindstone Parkway, approximately 415 feet west of the Grindstone Parkway and Grindstone Plaza Drive intersection, and further described as follows:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF LOT 5 OF RED OAK SOUTH, PLAT NO. 1, RECORDED IN PLAT BOOK 46, PAGE 32 AND BEING PART OF THE TRACT DESCRIBED BY THE QUIT-CLAIM DEED RECORDED IN BOOK 2833, PAGE 2 AND THE QUIT-CLAIM DEED RECORDED IN BOOK 2927, PAGE 145 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF GRINDSTONE PARKWAY AT THE NORTHERNMOST CORNER OF LOT 4 OF SAID RED OAK SOUTH, PLAT NO. 1, THENCE WITH SAID SOUTH RIGHT-OF-WAY LINE AND THE LINES OF SAID PLAT, N 57°01'35"E, 6.00 FEET TO THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING AND CONTINUING WITH SAID SOUTH RIGHT-OF-WAY LINE AND THE LINES OF SAID PLAT, N 57°01'35"E, 103.38 FEET; THENCE S 32°58'25"E, 40.90 FEET; THENCE N 54°08'05"E, 80.72 FEET TO THE NORTHEAST CORNER OF LOT 5 OF SAID PLAT; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE AND CONTINUING WITH THE LINES OF SAID PLAT, S 32°58'30"E,

298.27 FEET TO THE EASTERNMOST CORNER OF SAID LOT 5 AND THE NORTHERLY RIGHT-OF-WAY LINE OF GRINDSTONE PLAZA DRIVE; THENCE WITH SAID NORTHERLY RIGHT-OF-WAY LINE AND CONTINUING WITH THE LINES OF SAID PLAT, S 57°01'30"W, 184.00 FEET; THENCE LEAVING THE LINES OF SAID PLAT AND SAID NORTHERLY RIGHT-OF-WAY LINE, N 32°58'30"W, 335.03 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.34 ACRES.

are amended to include the following permitted use:

Automobile repair facilities

SECTION 2. The City Council hereby approves the terms and conditions contained in the revised statement of intent dated July 28, 2014, marked "Exhibit A," which is attached to and made a part of this ordinance, which replaces the statement of intent attached to Ordinance No. 022012 passed on April 7, 2014, and it 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. The City Council hereby approves the C-P Plan for Lot 5A of Red Oak South, Plat No. 1-A, as certified and signed by the surveyor on September 4, 2014. The Director of Community Development shall use the design parameters set forth substantially in the same form as "Exhibit B," which is attached to and made a part of this ordinance, as guidance when considering any future revisions to the C-P Plan.

SECTION 4. This ordinance shall be in full force and effect from and after its passage.

PASSED this 6th day of October, 2014.

ATTEST:




City Clerk



Mayor and Presiding Officer

APPROVED AS TO FORM:



City Counselor

RED OAK INVESTMENT COMPANY
200 Business Highway 63 South
Columbia, Missouri 65203

July 28, 2014

City of Columbia – Planning and Development
Attn: Tim Teddy
701 E. Broadway
Columbia, Mo 65201

Re: Statement of Intent for Red Oak Investment Company (the “Red Oak”) for land located on the South Side of Grindstone Parkway across from Walmart

Statement of Intent:

The above-referenced property, being approximately 12.91 acres of platted land described as follows:

SEVEN LOTS OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING A PORTION OF THE LAND DESCRIBED BY THE QUIT-CLAIM DEED RECORDED IN BOOK 2833, PAGE 2 AND THE QUIT-CLAIM DEED RECORDED IN BOOK 2927, PAGE 145 AND BEING ALL OF LOTS 1, 2, 3, 4, 5, 6 AND 7 OF RED OAK SOUTH, PLAT NO. 1 RECORDED IN PLAT BOOK 46, PAGE 32 AND CONTAINING 12.91 ACRES.

which land shall hereafter be referenced as the “Red Oak Development,” and which is a part of what was originally platted as Red Oak Development.

The land in the Red Oak Development is zoned A-1 under the Columbia Zoning Ordinance. This Statement of Intent is submitted with Owner’s Application to rezone the Red Oak Development to the C-P Zoning District (Planned Commercial District).

The intended uses permitted for Red Oak Development shall be medical testing laboratories and all uses listed on Exhibit A. In addition, on Lot 5A, automobile repair facility with all repairs taking place within an enclosed building shall be an additional permitted use, provided that such use is limited as follows: there shall be no outside storage of vehicles overnight; there shall be no outside storage of equipment, inventory, or other items; and the hours of operation shall be limited to between the hours of 7:00 am and 7:00 pm Monday through Friday, 8:00 am and 4:30 pm on Saturdays, and noon and 5:00 pm on Sundays. Red Oak Development further agrees that it will not seek approval of a conditional use permit for any of the following:

Pornography shops, head shops, or other shops selling drug paraphernalia
Massage parlors (not including licensed massage therapists)
Tattoo parlors

Travel trailer or mobile home parks
Cemeteries
Reservoirs, wells, water towers, filter beds, water supply plants, or water pumping stations
Research and development laboratories

It is acknowledged that in C-P Districts the following uses are not permitted:

Halfway houses
Gun ranges
Drive-in theaters
Live adult entertainment
Labor camps
Manufacturing of explosives or flammable liquids
Freight terminals
Junk yards
Stock yards
Landfills, garbage dumps, or trash incinerators
Packing houses or slaughter houses
Any use producing dust or fly ash in excessive quantities
Manufacture, compounding, or processing of hazardous materials
Outside repair of vehicles
Cement, asphalt, or concrete plants
Temporary shelters
Stables
Machine shops

Maximum Gross Square Footage of Building Floor Area on the entire Red Oak Development shall be 200,000 square feet in aggregate and the maximum building height is 60 feet subject to satisfaction of applicable C-P Zoning building set back requirements.

Minimum Percentage of Red Oak Development to be maintained in Open Space shall consist of preserving the climax forest on Lots 1 and 7 of Red Oak Development, and an additional 2.11 acres of climax forest space to be preserved on the other side of Grindstone, and will be in addition to the landscaping areas within Red Oak Development to be shown on C-P Plans.

The following additional provisions shall apply:

- All C-P Development Plans shall substantially conform to the Commercial District Compatibility Guidelines in the City's Metro 2020 plan.
- All C-P Development Plans light poles that comply with applicable City lighting standards. All such lights will be shielded to direct illumination away from residences, neighboring properties, public streets, and other public areas, and wall packs will not be used. Light pole height shall be limited to 25 feet.
- Landscaping shall be installed as required by the C-P zoning ordinances, provided that the east and south boundaries shall be screened from the neighboring property according

to C-P Zoning District landscaping requirements along boundaries with residentially zoned land.

- All rooftop HVAC units shall be designed with sound baffling devices built into the units or added to the units and all such units shall be screened from view from all sides.
- Common public elements throughout the development will include the same bicycle racks, light poles and lighting standards, same paving detailing and consistent landscaping qualities will be employed in all areas and all C-P Development Plans submitted shall include catalogue cut sheets or shop drawings of these elements are consistent for all areas.
- All C-P Development Plans will be accompanied by architectural elevations which include labeling of all exterior building surface materials All buildings shall be constructed with four-sided architecture, and exterior walls that are made of the following materials, or materials having a similar appearance, or some combination thereof:
 - LEED metal panels or other LEED materials or products
 - Stone
 - Cast stone
 - Colored block
 - Split faced block
 - Brick
 - Exposed architectural structural steel
 - Glass
 - Aluminum Storefront
 - Hardi-Plank siding and accent trims and accents
 - EIFS (provided that EIFS shall constitute not more than 50% of the façade, all of which EIFS shall be no lower than 5 feet above ground).

Streets, drives and entrances.

- The two existing entrances from Grindstone will provide access to the development. No other direct access entrances to Grindstone will be permitted.
- The west entrance will be right-in right-out only.
- A four-way signalized intersection for the easternmost of the two entrances opposite Grindstone Plaza Drive will be installed at no cost to the City or State of Missouri, with costs to be shared under an existing agreement between the Red Oak Development and Grindstone Plaza.
- The intersection will be installed in accordance with plans approved by the Missouri Department of Transportation and the City Public Works Department in order to achieve Level of Service C at peak hour on build out of the project and Level of Service D at peak hour in 2030.
- The street entering Red Oak Development at that intersection will be a dedicated Major Collector street with 6-foot wide bike lanes in a 66-foot wide right of way, which will be extended to the south boundary line of Red Oak Development (ending with a temporary cul de sac until such time as adjoining property is developed, if ever).