

020107

Introduced by Hindman

First Reading 11-3-08

Second Reading 11-17-08

Ordinance No. 020107

Council Bill No. B 323-08

AN ORDINANCE

extending the corporate limits of the City of Columbia, Missouri, by annexing property located south of I-70 Drive Southeast, northwest of St. Charles Road (5304 I-70 Drive Southeast); directing the City Clerk to give notice of the annexation; placing the property annexed in District C-P; rezoning property located south of I-70 Drive Southeast, northwest of St. Charles Road (5304 I-70 Drive Southeast) from District A-1 to District C-P; repealing all conflicting ordinances or parts of ordinances; setting forth a condition 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 City Council hereby finds that a verified petition was filed with the City on September 16, 2008, requesting the annexation of land which is contiguous and compact to the existing corporate limits of the City and which is described in Section 4 of this ordinance. This petition was signed by PDIL, LLC, the owner of the fee interest of record in the land proposed to be annexed. A public hearing was held concerning this matter on November 3, 2008. Notice of this hearing was published more than seven days prior to the hearing in two newspapers of general circulation qualified to publish legal matters. At the public hearing all interested persons, corporations and political subdivisions were permitted to present evidence regarding the proposed annexation.

SECTION 2. The Council determines that the annexation is reasonable and necessary to the proper development of the City and that the City has the ability to furnish normal municipal services to the area to be annexed within a reasonable time.

SECTION 3. The Council determines that no written objection to the proposed annexation has been filed within fourteen days after the public hearing.

SECTION 4. The City Council hereby extends the city limits by annexing the land described in Section 1-11.198 of the Code of Ordinances of the City of Columbia, Missouri, which is hereby added to Chapter 1 of the City Code and which reads as follows:

Section 1-11.198. November, 2008 Extension of Corporate Limits.

The corporate limits of the City of Columbia shall include the following land:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF TRACT A OF THE SURVEY RECORDED IN BOOK 310, PAGE 110 AND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 3343, PAGE 13 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING ON THE SOUTH RIGHT-OF-WAY LINE OF I-70 DRIVE SOUTHEAST, AT THE NORTHEAST CORNER OF SAID SURVEY RECORDED IN BOOK 310, PAGE 110; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND WITH THE LINES OF SAID SURVEY, S0°14'10"W, 200.00 FEET TO THE EXISTING CITY LIMITS, THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING AND CONTINUING WITH THE LINES OF SAID SURVEY, S0°14'10"W, 325.00 FEET; THENCE N89°43'40"W, 428.62 FEET TO THE EAST LINE OF THE SURVEY RECORDED IN BOOK 379, PAGE 971; THENCE WITH THE EAST LINE OF SAID SURVEY, N0°32'25"E, 327.06 FEET TO SAID CITY LIMITS; THENCE LEAVING THE EAST LINE OF SAID SURVEY RECORDED IN BOOK 379, PAGE 971 AND WITH SAID CITY LIMITS, S89°27'00"E, 426.89 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.20 ACRES.

SECTION 5. The City Clerk is hereby authorized and directed to cause three certified copies of this ordinance to be filed with the Clerk of Boone County, Missouri and three certified copies with the Assessor of Boone County, Missouri. The City Clerk is further authorized and directed to forward to the Missouri Department of Revenue, by registered or certified mail, a certified copy of this ordinance and a map of the City clearly showing the area annexed to the City.

SECTION 6. The property described in Section 4 is in the Third Ward.

SECTION 7. The Zoning District Map established and adopted by Section 29-4 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended so that the property described in Section 4 will be zoned and become a part of District C-P (Planned Business District). Hereafter the property may be used for all permitted uses in District C-3 with the exception of the following uses:

Commercial parking for automobiles and light trucks
Large equipment storage yard or sales

Motor vehicle or trailer sales and service
Car washes

The statement of intent, marked "Attachment A," is attached to and made a part of this ordinance.

SECTION 8. 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 NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF TRACT A OF THE SURVEY RECORDED IN BOOK 310, PAGE 110 AND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 3343, PAGE 13 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON THE SOUTH RIGHT-OF-WAY LINE OF I-70 DRIVE SOUTHEAST, AT THE NORTHEAST CORNER OF SAID SURVEY RECORDED IN BOOK 310, PAGE 110; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND WITH THE LINES OF SAID SURVEY, S0°14'10"W, 200.00 FEET TO THE EXISTING CITY LIMITS; THENCE LEAVING THE LINES OF SAID SURVEY, N89°27'00"W, 426.89 FEET TO THE EAST LINE OF THE SURVEY RECORDED IN BOOK 379, PAGE 971; THENCE WITH THE EAST LINE OF SAID SURVEY, N0°32'25"E, 200.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF I-70 DRIVE SOUTHEAST; THENCE LEAVING THE EAST LINE OF SAID SURVEY RECORDED IN BOOK 379, PAGE 971 AND WITH SAID SOUTH RIGHT-OF-WAY LINE, S89°27'00"E, 425.82 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.96 ACRES.

will be rezoned and become a part of District C-P (Planned Business District) and taken away from District A-1 (Agricultural District). Hereafter the property may be used for all permitted uses in District C-3 with the exception of the following uses:

Commercial parking for automobiles and light trucks
Large equipment storage yard or sales
Motor vehicle or trailer sales and service
Car washes

The statement of intent, marked "Attachment A," is attached to and made a part of this ordinance.

SECTION 9. All ordinances or parts of ordinances in conflict with the provisions of Section 8 are hereby repealed.

SECTION 10. The annexation and rezoning of the property described in Section 7 and Section 8 shall be subject to the condition that a traffic study shall be submitted before or in conjunction with any C-P development plan for the property.

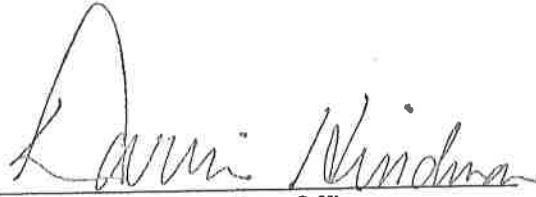
SECTION 11. This ordinance shall be in full force and effect from and after its passage.

PASSED this 17th day of November, 2008.

ATTEST:




City Clerk



Mayor and Presiding Officer

APPROVED AS TO FORM:



City Counselor