

Introduced by McCollum  
First Reading 11-7-94 Second Reading 11-21-94  
Ordinance No. 014281 Council Bill No. B 366-94

014281

AN ORDINANCE

amending the Zoning District Map established and adopted by Section 29-4 of the Code of Ordinances of the City of Columbia, Missouri, by changing and amending the zoning map whereby property located at the southeast corner of Stadium Boulevard and Bernadette Drive will be rezoned and become a part of C-P, Planned Business District; amending the Land Use Plan; repealing all conflicting ordinances or parts of ordinances; approving the C-P development plan of Columbia Plaza Shopping Center South; 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 hereby amended and changed so that the following described property, to wit:

Lot One (1) of Lourdes Subdivision, according to the plat thereof recorded in Plat Book 11, Page 52, Records of Boone County, Missouri.

will be rezoned and become a part of C-P, Planned Business District, and taken away from R-3, Medium Density Multiple-Family Dwelling District. The eastern 135 feet of the property may be used for all permitted uses in District O-1. The rest of the property may be used for all permitted uses in District C-1, except the following:

- Alcoholic beverages sales other than by the drink as an ancillary or accessory use to a restaurant;
- Buildings and premises for public utility services or public service corporations, other than normal office functions;
- Cleaning, pressing and dyeing establishments, in which actual cleaning, pressing or dyeing occurs;
- Pet stores and grooming shops for small animals;
- Physical fitness centers, private gymnasiums and reducing salons;
- Repair of household appliances;
- Radio and television servicing other than as an ancillary function of a radio and television sales establishment;
- Shoe repair shops;
- Repair shops of any kind except as an ancillary function of retail sales establishments;
- "Adult" bookstores, "adult" movie or video rental establishments, "adult" movie theaters or other "adult" entertainment businesses of any kind;
- Theaters, "juice bars" or similar establishments or any playhouses or theaters featuring full or partial nudity or "adult" entertainment;
- Gaming or gambling or betting establishments;
- Amusement parlors other than incidental to operation of a restaurant or as an ancillary function to other permitted businesses;
- Electronic game parlors or similar facilities other than incidental to the operation of a restaurant or as an ancillary function to other permitted businesses;
- Commercial laundries or coin-operated laundries;
- Massage parlors;
- Check cashing establishments or similar facilities other than bank facilities or automatic teller facilities;
- Outdoor stage or concert facilities;
- Storage facilities or storage yards;
- Tanning salons;
- Pawn shops or secondhand stores other than antique or high-quality merchandise stores;
- Stores selling guns.

Permanent Record  
Filed in Clerk's Office

SECTION 2. The property described in Section 1 is designated "Planned Commercial" on the Land Use Plan.

SECTION 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. The City Council hereby approves and adopts the Columbia Plaza Shopping Center South C-P development plan for the property referenced in Section 1 above, subject to the following conditions:

1. Screening. A completely opaque wooden fence or masonry wall at least 8 feet high, measured from the surface of the existing parking lot, shall be constructed along and shall be maintained in good repair along the entire easterly and southerly boundary of the parcel.
2. Landscaping materials, as shown on the C-P plan, shall be installed along the entire length of the easterly and southerly boundary lines of the property, on the easterly and southerly side of the wall mentioned in subparagraph 1 in order to screen the adjacent property.
3. Any air conditioning or ventilating unit or air handling unit placed on the roof of any building shall be screened in accordance with the requirements of the City of Columbia building code.
4. No building occupied by a restaurant serving alcoholic beverages shall be located closer than 300 feet to the eastern boundary line of the property.
5. Street plans for the Bernadette Drive/Stadium Boulevard improvement shall be submitted to and approved by the City Public Works Department and the Missouri Highway and Transportation Department, if such Highway and Transportation Department approval is otherwise required, prior to the issuance of any building permits for the site.
6. The proposed improvements to Bernadette Drive/Stadium Boulevard shall be completed by the developer prior to any occupancy permits being issued on the site unless completion is secured by a bond or other security satisfactory to the Public Works Department.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, the entire ordinance shall be invalid.

SECTION 6. This ordinance shall be in full force and effect from and after its passage.

PASSED this 21st day of November, 1994.

ATTEST:

*Donald H. Daniel* *Mary Anne McCollem*  
City Clerk Mayor and Presiding Officer

APPROVED AS TO FORM:

*Fred Beckman*  
City Counselor