

019393
Permanent Record
Filed in Clerk's Office

Introduced by Hindman
First Reading 1-16-07 Second Reading 2-5-07
Ordinance No. 019393 Council Bill No. B 21-07

AN ORDINANCE

extending the corporate limits of the City of Columbia, Missouri, by annexing property located on the north side of State Route K, along both sides of Scott Boulevard, extended; directing the City Clerk to give notice of the annexation; placing the property annexed in District PUD-1.1 and District C-P; 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 December 5, 2006, 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 a representative of Fairway Meadows Corporation, the owner of the fee interest of record in the land proposed to be annexed. A public hearing was held concerning this matter on January 16, 2007. 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 1-11.181 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 1-11.181. February, 2007 Extension of Corporate Limits.

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

A TRACT OF LAND LOCATED IN THE WEST HALF OF SECTION 9, TOWNSHIP 47 NORTH, RANGE 13 WEST, BOONE COUNTY, MISSOURI, BEING PART OF THE TRACTS DESCRIBED BY THE WARRANTY DEEDS RECORDED IN BOOK 549, PAGE 192 AND BOOK 1539, PAGE 392 AND PART OF TRACT 11B OF THE SURVEY RECORDED IN BOOK 1392, PAGE 799 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SECTION 9-47-13; THENCE WITH THE SECTION LINE, N0°29'10"E, 1841.37 FEET TO THE NORTHWEST CORNER OF TRACT 11B OF THE SURVEY RECORDED IN BOOK 1392, PAGE 799; THENCE LEAVING SAID SECTION LINE AND WITH THE NORTHERLY LINE OF SAID TRACT 11B, S89°30'50"E, 622.00 FEET; THENCE S53°19'45"W, 144.28 FEET; THENCE S13°31'35"E, 69.55 FEET; THENCE S29°05'20"E, 138.61 FEET; THENCE S54°00'25"E, 54.04 FEET; THENCE N86°18'45"E, 111.63 FEET; THENCE S51°36'35"E, 254.23 FEET; THENCE S79°00'10"E, 84.21 FEET; THENCE S19°37'30"E, 89.82 FEET; THENCE S15°23'30"W, 304.46 FEET; THENCE N85°57'20"E, 105.51 FEET; THENCE N39°22'35"E, 236.84 FEET; THENCE N87°49'50"E, 102.42 FEET; THENCE S33°51'05"E, 79.53 FEET; THENCE S80°57'50"E, 119.20 FEET; THENCE S10°34'15"E, 54.60 FEET; THENCE S53°45'40"E, 107.28 FEET; THENCE S6°44'30"W, 105.11 FEET TO THE NORTHWEST CORNER OF DEERFIELD RIDGE PLAT 1, RECORDED IN PLAT BOOK 34, PAGE 76; THENCE LEAVING SAID NORTHERLY LINE AND WITH THE WEST LINE OF SAID DEERFIELD RIDGE PLAT 1, S27°20'55"W, 1183.04 FEET; THENCE S31°44'10"W, 424.26 FEET TO THE NORTH LINE OF STATE ROUTE K AS DESCRIBED BY THE ROAD AND UTILITY EASEMENT RECORDED IN BOOK 2726, PAGE 67; THENCE LEAVING SAID WEST LINE AND WITH SAID NORTH LINE, N81°19'50"W, 1.84 FEET TO A POINT 150.00 FEET PERPENDICULAR TO AND NORTHERLY OF CENTERLINE STATION 405+50.00; THENCE S80°14'05"W, 158.11 FEET; THENCE N89°24'15"W, 178.01 FEET; THENCE N40°04'50"W, 88.60 FEET; THENCE N1°10'10"E, 57.01 FEET; THENCE N88°49'50"W, 100.00 FEET; THENCE S1°10'10"W, 43.85 FEET; THENCE S49°55'10"W, 97.65 FEET; THENCE N81°19'50"W, 51.50 FEET; THENCE 143.34 FEET ALONG 2924.79-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, N82°44'05"W, 143.32 FEET; THENCE N76°28'55"W, 69.06 FEET TO THE SECTION LINE; THENCE LEAVING SAID NORTH LINE AND WITH SAID SECTION LINE, N0°13'55"W, 501.57 FEET TO THE POINT OF BEGINNING AND CONTAINING 61.08 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. 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 Fifth 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 following described property:

A TRACT OF LAND LOCATED IN THE WEST HALF OF SECTION 9, TOWNSHIP 47 NORTH, RANGE 13 WEST, BOONE COUNTY, MISSOURI, BEING PART OF THE TRACTS DESCRIBED BY THE WARRANTY DEEDS RECORDED IN BOOK 549, PAGE 192 AND BOOK 1539, PAGE 392 AND PART OF TRACT 11B OF THE SURVEY RECORDED IN BOOK 1392, PAGE 799 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 9-47-13; THENCE WITH THE SECTION LINE, N0°29'10"E, 173.19 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, CONTINUING N0°29'10"E, 1668.18 FEET TO THE NORTHWEST CORNER OF TRACT 11B OF THE SURVEY RECORDED IN BOOK 1392, PAGE 799; THENCE LEAVING SAID SECTION LINE AND WITH THE NORTHERLY LINE OF SAID TRACT 11B, S89°30'50"E, 622.00 FEET; THENCE S53°19'45"W, 144.28 FEET; THENCE S13°31'35"E, 69.55 FEET; THENCE S29°05'20"E, 138.61 FEET; THENCE S54°00'25"E, 54.04 FEET; THENCE N86°18'45"E, 111.63 FEET; THENCE S51°36'35"E, 254.23 FEET; THENCE S79°00'10"E, 84.21 FEET; THENCE S19°37'30"E, 89.82 FEET; THENCE S15°23'30"W, 304.46 FEET; THENCE N85°57'20"E, 105.51 FEET; THENCE N39°22'35"E, 236.84 FEET; THENCE N87°49'50"E, 102.42 FEET; THENCE S33°51'05"E, 79.53 FEET; THENCE S80°57'50"E, 119.20 FEET; THENCE S10°34'15"E, 54.60 FEET; THENCE S53°45'40"E, 107.28 FEET; THENCE S6°44'30"W, 105.11 FEET TO THE NORTHWEST CORNER OF DEERFIELD RIDGE PLAT 1, RECORDED IN PLAT BOOK 34, PAGE 76; THENCE LEAVING SAID NORTHERLY LINE AND WITH THE WEST LINE OF SAID DEERFIELD RIDGE PLAT 1, S27°20'55"W, 1183.04 FEET; THENCE S31°44'10"W, 424.26 FEET TO THE NORTH LINE OF STATE ROUTE K AS DESCRIBED BY THE ROAD AND UTILITY EASEMENT RECORDED IN BOOK 2726, PAGE 67; THENCE LEAVING SAID WEST LINE AND WITH SAID NORTH LINE, N81°19'50"W, 1.84 FEET TO A POINT 150.00 FEET PERPENDICULAR TO AND NORTHERLY OF CENTERLINE STATION 405+50.00; THENCE S80°14'05"W, 158.11 FEET; THENCE N89°24'15"W, 178.01 FEET; THENCE N40°04'50"W, 88.60 FEET; THENCE N1°10'10"E, 57.01 FEET; THENCE N88°49'50"W, 100.00 FEET; THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE, N1°10'10"E, 95.68 FEET; THENCE 180.95 FEET ALONG A 715.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, N6°04'50"W, 180.46 FEET; THENCE N13°19'50"W, 335.02 FEET; THENCE 50.09 FEET ALONG AN 815.00-FOOT RADIUS CURVE TO THE RIGHT, SAID

CURVE HAVING A CHORD, N11°34'10"W, 50.09 FEET; THENCE S80°11'25"W, 235.38 FEET TO THE POINT OF BEGINNING AND CONTAINING 56.05 ACRES.

will be zoned and become a part of District PUD-1.1 (Planned Unit Development) with a development density of not more than 1.1 dwelling units per acre. Hereafter the property may be used for detached single-family homes. The statement of intent submitted by applicant, marked "Exhibit 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 hereby amended so that the following described property:

A TRACT OF LAND LOCATED IN THE WEST HALF OF SECTION 9, TOWNSHIP 47 NORTH, RANGE 13 WEST, BOONE COUNTY, MISSOURI, BEING PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 1539, PAGE 392 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SECTION 9-47-13 AS SHOWN BY THE SURVEY RECORDED IN BOOK 1392, PAGE 799; THENCE WITH THE SECTION LINE, N0°29'10"E, 173.19 FEET; THENCE LEAVING SAID SECTION LINE, N80°11'25"E, 235.38 FEET; THENCE 50.09 FEET ALONG AN 815.00-FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A CHORD S11°34'10"E, 50.09 FEET; THENCE S13°19'50"E, 335.02 FEET; THENCE 180.95 FEET ALONG A 715.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, S6°04'50"E, 180.46; THENCE S1°10'10"W, 95.68 FEET TO THE NORTH LINE OF STATE ROUTE K AS DESCRIBED BY THE ROAD AND UTILITY EASEMENT RECORDED IN BOOK 2726, PAGE 67 AT A POINT 176.89 FEET PERPENDICULAR TO AND NORTHERLY OF CENTERLINE STATION 410+49.44; THENCE WITH SAID NORTH LINE, CONTINUING S1°10'10"W, 43.85 FEET; THENCE S49°55'10"W, 97.65 FEET; THENCE N81°19'50"W, 51.50 FEET; THENCE 143.34 FEET ALONG 2924.79-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, N82°44'05"W, 143.32 FEET; THENCE N76°28'55"W, 69.06 FEET TO THE SECTION LINE; THENCE LEAVING SAID NORTH LINE AND WITH SAID SECTION LINE, N0°13'55"W, 501.57 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.03 ACRES.

will be zoned and become a part of District C-P (Planned Business District). Hereafter the property may be used for the following uses:

Bakeries

Bicycle repair shops

Restaurants, cafes and cafeterias

Convenience store and service station, provided all fuel storage tanks are located underground

Drive-up ATM facility

Car wash

Barber or beauty shop
Photographic service shops and studios
Physical fitness centers, private gymnasiums and reducing salons
Daycare and preschool facilities
Banks, other financial institutions and travel agencies
Medical or dental clinics
Office buildings used for the administrative functions of businesses, professions, companies, corporations; and social, philanthropic, eleemosynary or governmental organizations or societies
Offices for professional and business use involving the sale or provision of services, but not the sale or rental of goods, including but not limited to: Lawyers, engineers, planners, architects, realtors, accountants, insurance agents, brokers, and other consultants in similar professions; Physicians, dentists, chiropractors, or other licensed medical practitioners; Teachers of private lessons in art, music, or dance

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

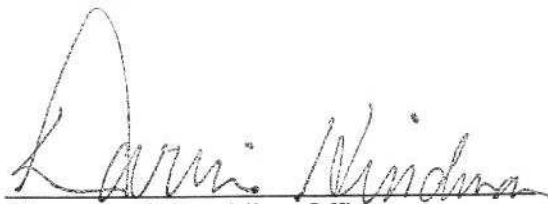
SECTION 9. This ordinance shall be in full force and effect from and after its passage.

PASSED this 5th day of February, 2007.

ATTEST:



City Clerk



Mayor and Presiding Officer

APPROVED AS TO FORM:



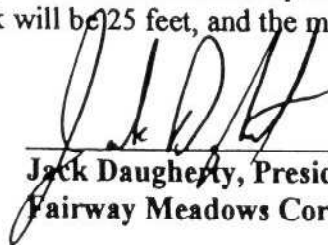
City Counselor

STATEMENT OF INTENT
FOR
PUD-1.1 REZONING REQUEST
BY
FAIRWAY MEADOWS CORPORATION
(North of Route K and RA Nursery Road)
May 22, 2006

RECEIVED
NOV 30 2006
PLANNING DEPT.

Location of Tract - 56.05 acres adjacent to and north of the intersection of State Route K and RA Nursery Road.

- a. The type of dwelling units proposed and any accessory buildings proposed.**
Dwelling units shall be detached single family homes. No accessory buildings are proposed at this time.
- b. The maximum number of dwelling units proposed and the development density.**
The maximum number of dwelling units proposed is 52 which correlate to a density of 1.08 units per acre (52 units /48.21 acres).
- c. The maximum building height proposed.**
The maximum building height will be 37 feet.
- d. The total number of parking spaces proposed and the parking ratio.**
The total number of parking spaces proposed 208 or 4 parking spaces per unit.
- e. The minimum percentage of the entire site to be maintained in open space such as landscaping or natural vegetation.**
There will be a minimum of 60 per cent open space (landscaping or natural vegetation).
- f. Any amenities proposed, such as swimming pools, golf courses, tennis courts, hiking trails or club houses.**
The common lots are reserved for picnic areas and/or playground areas to be eventually deeded to the Property Owners Association.
- g. A general description of the plan including minimum lot sizes, if applicable, minimum building setbacks from streets and minimum setbacks between buildings.**
The minimum lot size in this development will be 15,000 square feet, minimum street setback will be 25 feet, and the minimum distance between structures will be 12 feet.



Jack Daugheerty, President
Fairway Meadows Corporation

**STATEMENT OF INTENT
FOR
C-P REZONING REQUEST
BY
FAIRWAY MEADOWS CORPORATION
(North of Route K and RA Nursery Road)
July 19, 2006**

RECEIVED
NOV 30 2006
PLANNING DEPT.

Location of Tract – 5.03 acres adjacent to and north of the intersection of State Route K and RA Nursery Road.

a. The uses proposed.

- Bakeries
- Bicycle repair shops
- Restaurants, cafes, and cafeterias
- Convenience store and service station, provided all fuel storage tanks are located underground
- Drive-up ATM facility
- Car Wash
- Barber or beauty shop
- Photographic service shops and studios
- Physical fitness centers, private gymnasiums and reducing salons
- Daycare and preschool facilities
- Banks, other financial institutions, and travel agencies
- Medical or dental clinics
- Office buildings used for the administrative functions of businesses, professions, companies, corporations; and social, philanthropic, eleemosynary, or governmental organizations or societies
- Offices for professional and business use involving the sale or provision of services, but not the sale or rental of goods, including, but not limited to;
 - Lawyers, engineers, planners, architects, real estate agents, accountants, insurance agents, brokers, and consultants in similar professions.
 - Physicians, dentists, chiropractors, or other licensed medical practitioners.
 - Teachers of private lessons in art, music, or dance.

b. The maximum gross square feet of building floor area proposed.


The maximum gross square feet of building floor area proposed is 30,000.

c. The maximum building height proposed.

The maximum building height proposed is 37 feet.

d. The minimum percentage of the site to be maintained in open space.

The minimum percentage of the site to be maintained in open space and landscaping is 25 percent.



Jack Daugherty, President
Fairway Meadows Corporation