

017005

Permanent Record
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Introduced by Hindman

First Reading 8-20-01 Second Reading 9-4-01

Ordinance No. 017005 Council Bill No. B 271-01

AN ORDINANCE

rezoning property located on the northeast corner of Rangeline Street and Brown School Road, extended, from Districts M-C, C-1 and O-1 to Districts PUD, R-2, R-1 and C-P; 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. 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 FRACTIONAL ¼ OF SECTION 30, TOWNSHIP 49 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF THE TRACT DESCRIBED BY THE DEED OF INDEPENDENT PERSONAL REPRESENTATIVE RECORDED IN BOOK 1073, PAGE 207, RECORDS OF BOONE COUNTY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID DEED; THENCE WITH THE SOUTH LINE THEREOF, S88°53'10"W, 2,350.64 FEET; THENCE N35°39'50"W 21.09 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N 35°39'50"W, 322.50 FEET; THENCE N54°20'10"E, 684.43 FEET; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 950.00 FEET, AN ARC LENGTH OF 1,024.77' AND A CHORD BEARING N85°14'15"E, 975.80 FEET; THENCE S 63°51'35"E, 580.00 FEET; THENCE ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 950.00 FEET, AND ARC LENGTH OF 134.79' AND A CHORD BEARING S67°55'25"E, 134.67 FEET; THENCE S0°00'00"E, 244.65 FEET; THENCE S88°53'10"W, 244.99 FEET; THENCE N64°24'25"W, 24.33 FEET; THENCE N63°51'35"W, 580.00 FEET; THENCE N76°51'50"W, 338.66 FEET; THENCE S 67°20'25"W, 338.66 FEET; THENCE S54°20'10"W, 684.43 FEET, TO THE POINT OF BEGINNING AND CONTAINING 17.0 ACRES.

will be rezoned and become a part of District PUD (Planned Unit Development) and taken away from Districts M-C (Controlled Industrial District) and C-1

(Intermediate Business District). The zoning district map shall designate the property PUD-10. The statement of intent, marked "Exhibit A" is attached to and made a part of this ordinance. The property may be used for all of the uses set forth in "Exhibit A."

SECTION 2. 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 FRACTIONAL $\frac{1}{4}$ OF SECTION 30, TOWNSHIP 49 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF THE TRACT DESCRIBED BY THE DEED OF INDEPENDENT PERSONAL REPRESENTATIVE RECORDED IN BOOK 1073, PAGE 207, RECORDS OF BOONE COUNTY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID DEED; THENCE WITH THE SOUTH LINE THEREOF, S88°53'10"W, 376.62 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUING WITH SAID SOUTH LINE, S88°53'10"W, 1,974.02 FEET; THENCE N35°39'50"W, 21.09 FEET; THENCE N54°20'10"E, 684.43 FEET; THENCE N67°20'25"E, 338.66 FEET; THENCE S76°51'50"E, 338.66 FEET; THENCE S63°51'35"E, 580.00 FEET; THENCE S64°24'25"E, 24.33 FEET; THENCE S88°53'10"E, 244.99 FEET; THENCE S0°00'00"E, 170.67 FEET TO THE POINT OF BEGINNING AND CONTAINING 14.6 ACRES.

will be rezoned and become a part of District R-2 (Two-Family Dwelling District) and taken away from Districts M-C (Controlled Industrial District) and C-1 (Intermediate Business District).

SECTION 3. 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 FRACTIONAL $\frac{1}{4}$ OF SECTION 30, TOWNSHIP 49 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF THE TRACT DESCRIBED BY THE DEED OF INDEPENDENT PERSONAL REPRESENTATIVE RECORDED IN BOOK 1073, PAGE 207, RECORDS OF BOONE COUNTY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID DEED; THENCE ALONG SAID SOUTH LINE, S88°53'10"W, 376.62 FEET; THENCE N0°00'00"W, 415.32 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 950.00 FEET, AND ARC LENGTH OF 381.54 FEET AND A CHORD BEARING S83°29'40"E, 378.98 FEET TO THE EAST LINE THEREOF; THENCE ALONG THE EAST LINE, S0°00'00"E, 364.42 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.3 ACRES.

will be rezoned and become a part of District R-1 (One-Family Dwelling District) and taken away from Districts O-1 (Office District) and M-C (Controlled Industrial District).

SECTION 4. 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 FRACTIONAL $\frac{1}{4}$ OF SECTION 30, TOWNSHIP 49 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF THE TRACT DESCRIBED BY THE DEED OF INDEPENDENT PERSONAL REPRESENTATIVE RECORDED IN BOOK 1073, PAGE 207, RECORDS OF BOONE COUNTY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID DEED, THENCE N0°00'00"W, 364.42 FEET TO THE POINT OF BEGINNING; THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 950.00 FEET, AN ARC LENGTH OF 381.54 FEET AND A CHORD BEARING N83°29'40"W, 378.98 FEET; THENCE N0°00'00"W, 935.32 FEET; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 750.00 FEET, AND ARC LENGTH OF 417.36 FEET AND A CHORD BEARING N15°56'30"E, 412.00 FEET; THENCE N31°53'05"E, 200.00 FEET; THENCE ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1,045.50 FEET, AN ARC LENGTH OF 585.72 FEET AND A CHORD BEARING N15°50'05"E, 578.09 FEET TO THE EAST LINE THEREOF; THENCE ALONG SAID EAST LINE, S0°00'00"E 2,100.39 FEET TO THE POINT OF BEGINNING AND CONTAINING 12.9 ACRES.

will be rezoned and become a part of District PUD (Planned Unit Development) and taken away from Districts M-C (Controlled Industrial District) and O-1 (Office District). The zoning district map shall designate the property PUD-10. The statement of intent, marked "Exhibit B" is attached to and made a part of this ordinance. The property may be used for all of the uses set forth in "Exhibit B."

SECTION 5. 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 FRACTIONAL $\frac{1}{4}$ OF SECTION 30, TOWNSHIP 49 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF THE TRACT DESCRIBED BY THE DEED OF INDEPENDENT PERSONAL REPRESENTATIVE RECORDED IN BOOK 1073, PAGE 207, RECORDS OF BOONE COUNTY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID DEED; THENCE ALONG THE

EAST LINE THEREOF, S0°00'00"E 135.19 FEET; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1,045.50 FEET, AN ARC LENGTH OF 585.72 FEET AND A CHORD BEARING S15°50'05"W, 578.09 FEET; THENCE S31°53'05"W, 200.00 FEET; THENCE N58°06'55"W, 390.00 FEET; THENCE N23°10'30"W, 712.68 FEET TO THE NORTH LINE OF SAID DEED; THENCE ALONG SAID NORTH LINE, N90°00'00"E, 875.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 11.6 ACRES.

will be rezoned and become a part of District PUD (Planned Unit Development) and taken away from District M-C (Controlled Industrial District). The zoning district map shall designate the property PUD-8. The statement of intent, marked "Exhibit C" is attached to and made a part of this ordinance. The property may be used for all of the uses set forth in "Exhibit C."

SECTION 6. 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 FRACTIONAL $\frac{1}{4}$ OF SECTION 30, TOWNSHIP 49 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF THE TRACT DESCRIBED BY THE DEED OF INDEPENDENT PERSONAL REPRESENTATIVE RECORDED IN BOOK 1073, PAGE 207, RECORDS OF BOONE COUNTY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID DEED; THENCE S88°53'10"W, 376.63 FEET; THENCE N0°00'00"W, 415.32 FEET TO THE POINT OF BEGINNING; THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 950.00 FEET, AN ARC LENGTH OF 134.79 FEET AND A CHORD BEARING N67°55'25"W, 134.67 FEET; THENCE N63°51'35"W, 580.00 FEET; THENCE ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 950.00 FEET, AN ARC LENGTH OF 1,024.77 FEET AND A CHORD BEARING S85°14'15"W, 975.80 FEET; THENCE S54°20'10"W, 96.83 FEET; THENCE N1°06'50"W, 1,102.38 FEET; THENCE N88°23'15"E, 390.69 FEET; THENCE N46°45'20"E, 874.19 FEET; THENCE N86°32'55"E, 318.10 FEET; THENCE S23°10'30"E, 394.27 FEET; THENCE S58°06'55"E, 390.00 FEET; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 750.00 FEET, AN ARC LENGTH OF 412.00 FEET AND A CHORD BEARING S15°56'30"W, 412.00 FEET; THENCE S0°00'00"E, 935.32 FEET TO THE POINT OF BEGINNING AND CONTAINING 51.4 ACRES.

will be rezoned and become a part of District R-1 (One-Family Dwelling District) and taken away from District M-C (Controlled Industrial District).

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 amended so that

the following property:

A TRACT OF LAND LOCATED IN THE NORTHWEST FRACTIONAL $\frac{1}{4}$ OF SECTION 30, TOWNSHIP 49 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF THE TRACT DESCRIBED BY THE DEED OF INDEPENDENT PERSONAL REPRESENTATIVE RECORDED IN BOOK 1073, PAGE 207, EXCEPT THAT PART COVNVAYED TO THE STATE OF MISSOURI FOR STATE HIGHWAY ROUTE 63 BY INSTRUMENT DATED APRIL 28, 1928 AND RECORDED IN BOOK 1, PAGE 318 RECORDS OF BOONE COUNTY AND ALSO EXCEPT THAT PART CONVEYED TO THE STATE OF MISSOURI, ACTING BY AND THROUGH THE STATE HIGHWAY COMMISSION OF MISSOURI FOR U.S. ROUTE 63 BY INSTRUMENT DATED JULY7, 1976 AND RECORDED IN BOOK 434, PAGE 903, RECORDS OF BOONE COUNTY, MISSOURI AND MORE PATICULARLY DESCRIBED AS FOLLOWS:

(TRACT
G)

BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT, THENCE N0°00'00"E, 2665.14 FEET TO THE NORTH WEST CORNER OF SAID TRACT; THENCE ALONG THE NORTH LINE OF SAID DEED, N90°00'00"E, 772.97 FEET; THENCE S0°45'50"W, 163.70 FEET; THENCE S19°59'25"E, 183.52 FEET; THENCE S23°17'40"W, 269.71 FEET; THENCE S44°18'35"W, 190.24 FEET; THENCE N88°53'10"E, 657.42 FEET; THENCE S1°06'50"E, 1,316.98 FEET; THENCE S54°20'10"W, 587.60 FEET; THENCE S35°39'50"E, 343.59 FEET TO THE SOUTH LINE OF SAID DEED; THENCE S88°53'10"W, 999.99 FEET TO THE POINT OF BEGINNING AND CONTAINING 64.7 ACRES.

will be rezoned and become a part of District C-P (Planned Business District) and taken away from District M-C (Controlled Industrial District). The property may be used for all of the permitted uses in District C-3 and the following:

- Amusement parks, commercial baseball or other athletic fields, race tracks or fairgrounds;
- Commercial picnic grounds and fishing lakes;
- Commercial stables;
- Machine shops;
- Plumbing, heating, air-conditioning, and electrical businesses, which may include related customary activities such as contracting, retail and wholesale sales and distribution; and
- Warehousing and distribution facilities provided such facilities are ancillary to other allowed uses in the C-P district.

SECTION 8. The rezoning of the property described in this ordinance is subject to the following conditions:

- 1.) Developer shall provide a traffic study at the time of C-P Plan review for the property described in section 7. The traffic study shall identify recommended access points and serve as the basis for an agreement regarding the developer's responsibility for certain

off-site improvements. More specifically:

The C-P site plan for the property described in section 7 shall follow the proposed Missouri Department of Transportation (MoDOT) guidelines for access management for Route 763 and for Brown Station Road.

The C-P site plan shall reserve an area along Route 763 for future right-of-way acquisition by MoDOT.

As a result of the traffic study, the total square footage and mix of nonresidential uses may be adjusted or reduced from the initial development proposal to achieve the following:

- Provide Level of Service (LOS) C at peak hour on street, weekdays and Saturdays at project build out and for each development phase;
- Provide Level of Service (LOS) D at peak hour on street, weekdays and Saturdays for 2020.

The traffic study must identify off-site improvements needed to accommodate the traffic associated with the development at the desired LOS at each phase of development, at build out and for 2020. The traffic study shall include cost estimates for the improvements and the proposed funding sources.

- 2.) Developer shall enter into an agreement with the City and MoDOT whereby the developer will be responsible for phased traffic improvements.
- 3.) Developer shall provide a stormwater management plan acceptable to the City which may include on-site detention.

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

SECTION 10. This ordinance shall be in full force and effect from and after its passage.

PASSED this 4th day of September, 2001.

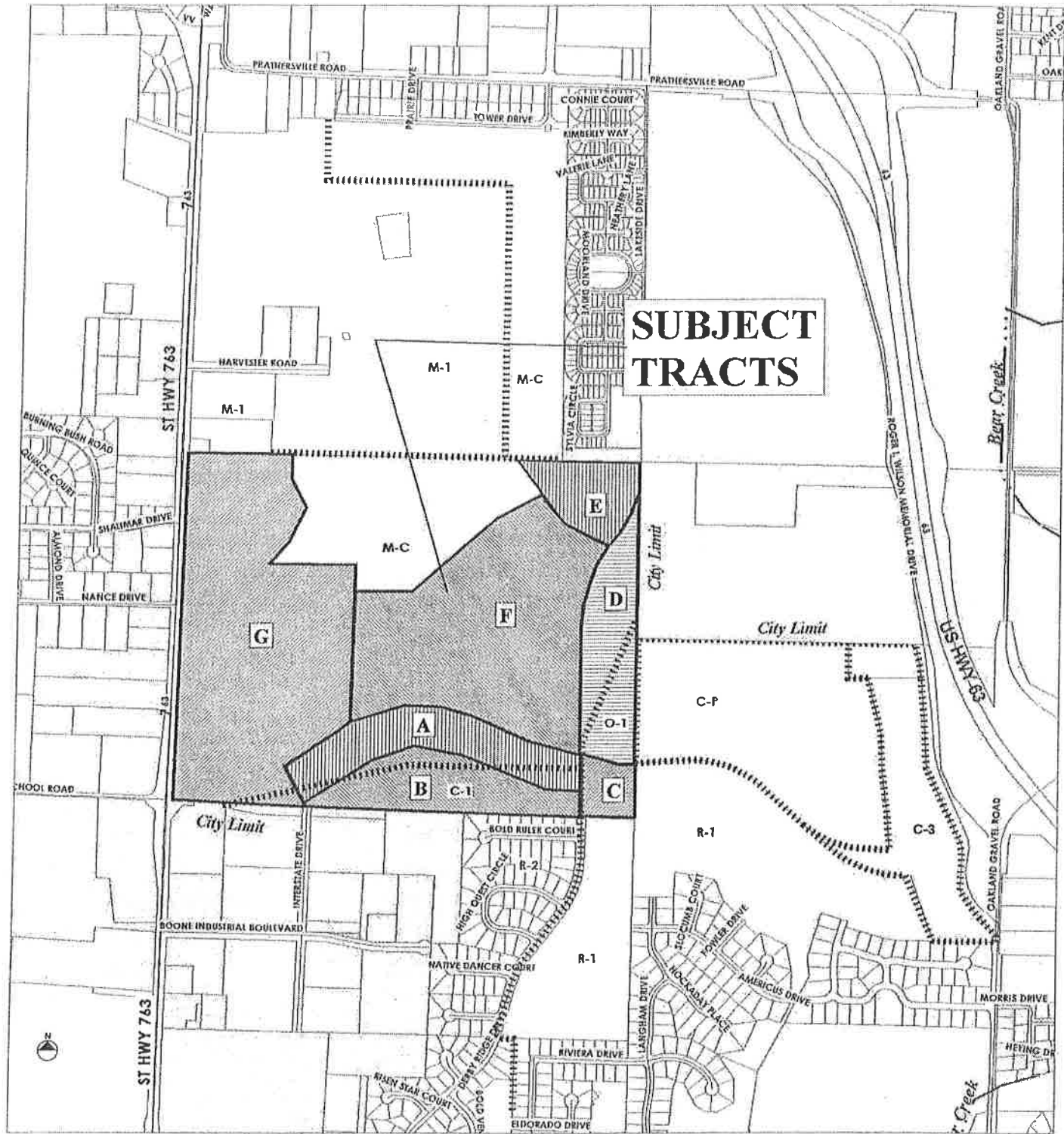
ATTEST:

Maureen St. Germaine
City Clerk

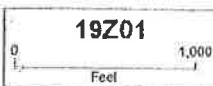
Larri Nindman
Mayor and Presiding Officer

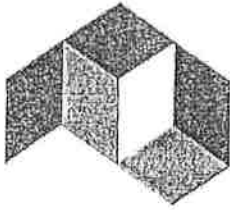
APPROVED AS TO FORM:

Fred Boehm
City Counselor



SUBJECT TRACTS





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THE GROUP

JAY, DONNA, NEAL,
BILL, LAURA, JONATHAN,
AND SUZANNE

19 June '01

Statement of Intent

Tract A P.U.D -10

- a) The types of dwelling units proposed and any accessory buildings proposed.

Single-family attached structures are proposed and any accessory uses allowed in R-1 zoning shall be allowed

- b) The maximum number of dwelling units proposed and the development density.

There are 17.0 acres of land in this tract. It is anticipated there will be 4 acres used for public street right-of-way, leaving 13.0 acres for development. There fore 130 units are proposed and the "PUD defined" density is 10.0 units per acre. The density as commonly defined would be 7.65 units per acre.

- c) The maximum building height proposed

The maximum building height is 38 feet

- d) The total number of parking spaces proposed and the parking ratio

The parking spaces proposed for 130 units are 292 spaces. This minimum-parking ratio is 2.25 spaces per unit. The minimum ratio will be maintained regardless of the number of units ultimately planned.

- e) The minimum percentage of the entire site (tract A) to be maintained in open space, such as landscaping or natural vegetation.

The minimum percentage of open space will be 20% (please note there are other tracts in the parent tract that will have additional open space)

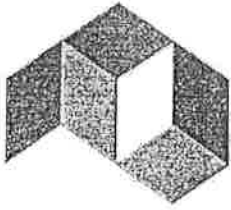
- f) Any amenities proposed, such as swimming pools, golf courses, tennis courts, hiking trails or clubhouses.

Any such amenities will be itemized upon the submittal of a detailed PLD plan by the developer of the property, who may be other than the applicant.

- g) A general description of the plan including minimum lot sizes, if applicable, minimum building setbacks from streets and minimum setbacks between buildings.

If there are to be lots, then the minimum lot size shall be 1,750 square feet. The minimum building set back from streets shall be 18 feet except along the Brown School Frontage, which will have a 25-foot setback. The minimum setback between buildings will be 0 feet.

In addition to the above, no private driveways will be proposed onto Brown School Road. All access to Brown School Road will be from a single public street access approximately half way between Rangeline and Derby Ridge Road and Derby Ridge Road and Interstate Drive. Internal access will be provided with a mixture of public streets and private drives.



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 BILL, LAURA, JONATHAN,
 AND SUZANNE

19 June '01

Statement of Intent

Tract D P.U.D -10

- a) The types of dwelling units proposed and any accessory buildings proposed.

Single-family attached structures are proposed and any accessory uses allowed in R-1 zoning shall be allowed

- b) The maximum number of dwelling units proposed and the development density.

There are 12.9 acres of land in this tract. It is anticipated there will be 1.9 acres used for public street right-of-way, leaving 11.0 acres for development. Therefore 110 units are proposed and the "PUD defined" density is 10.0 units per acre. The density as commonly defined would be 8.52 units per acre.

- c) The maximum building height proposed

The maximum building height is 38 feet

- d) The total number of parking spaces proposed and the parking ratio

The parking spaces proposed for 110 units are 247 spaces. This minimum-parking ratio is 2.25 spaces per unit. The minimum ratio will be maintained regardless of the number of units ultimately planned.

- e) The minimum percentage of the entire site (tract A) to be maintained in open space, such as landscaping or natural vegetation.

The minimum percentage of open space will be 20% (please note there are other tracts in the parent tract that will have additional open space)

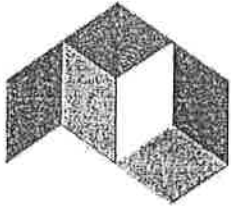
- f) Any amenities proposed, such as swimming pools, golf courses, tennis courts, hiking trails or clubhouses.

Any such amenities will be itemized upon the submittal of a detailed PUD plan by the developer of the property, who may be other than the applicant.

- g) A general description of the plan including minimum lot sizes, if applicable, minimum building setbacks from streets and minimum setbacks between buildings.

If there are to be lots, then the minimum lot size shall be 1,750 square feet. The minimum building set back from streets shall be 18 feet except along the Brown School Frontage, which will have a 25-foot setback. The minimum setback between buildings will be 0 feet.

In addition to the above, no private driveways will be proposed onto Brown School Road. All access to Brown School Road will be from private driveways onto Derby Ridge Road. Internal access will be provided by private drives.



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19 June '01

Statement of Intent

Tract E P.U.D -8

- a) The types of dwelling units proposed and any accessory buildings proposed.

Single-family attached structures are proposed and any accessory uses allowed in R-1 zoning shall be allowed

- b) The maximum number of dwelling units proposed and the development density.

There are 11.6 acres of land in this tract. It is anticipated there will be 0.6 acres used for public street right-of-way, leaving 11.0 acres for development. There fore 88 units are proposed and the "PUD defined" density is 8.0 units per acre. The density as commonly defined would be 7.59 units per acre.

- c) The maximum building height proposed

The maximum building height is 38 feet

- d) The total number of parking spaces proposed and the parking ratio

The parking spaces proposed for 88 units are 198 spaces. This minimum-parking ratio is 2.25 spaces per unit. The minimum ratio will be maintained regardless of the number of units ultimately planned.

- e) The minimum percentage of the entire site (tract A) to be maintained in open space, such as landscaping or natural vegetation.

The minimum percentage of open space will be 20% (please note there are other tracts in the parent tract that will have additional open space)

- f) Any amenities proposed, such as swimming pools, golf courses, tennis courts, hiking trails or clubhouses.

Any such amenities will be itemized upon the submittal of a detailed PUD plan by the developer of the property, who may be other than the applicant.

- g) A general description of the plan including minimum lot sizes, if applicable, minimum building setbacks from streets and minimum setbacks between buildings.

If there are to be lots, then the minimum lot size shall be 1,750 square feet. The minimum building set back from streets shall be 18 feet. The minimum setback between buildings will be 0 feet.