

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 3-17

AN ORDINANCE

rezoning property located north of Stadium Boulevard and east of Cinnamon Hill Lane from District A-1 to District PUD-10; approving the statement of intent; approving the PUD Plan of Kelly Farms; repealing all conflicting ordinances or parts of ordinances; granting a variance from the Subdivision Regulations relating to sidewalk construction; approving less stringent parking requirements; 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 WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 516, PAGE 142 AND THE SURVEY RECORDED IN BOOK 569, PAGE 189 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 17, AS SHOWN BY CROSSCREEK CENTER PLAT 1, RECORDED IN PLAT BOOK 42, PAGE 22, AND WITH THE NORTH LINE THEREOF, N 88°30'20"W, 1286.85 FEET TO THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 63; LEAVING THE NORTH LINE OF SAID CROSSCREEK CENTER PLAT 1 AND WITH THE LINES OF SAID EAST RIGHT-OF-WAY, N 30°10'15"W, 4.40 FEET; THENCE N 10°08'05"W, 356.34 FEET; THENCE N 7°20'05"E, 530.50 FEET; THENCE N 4°51'00"E, 70.00 FEET TO THE SOUTH LINE OF WATER TOWER PLACE SUBDIVISION, RECORDED IN PLAT BOOK 24, PAGE 4; THENCE LEAVING SAID EAST RIGHT -OF-WAY LINE AND WITH THE SOUTH LINE OF SAID WATER TOWER PLACE SUBDIVISION, N 88°29'25"E, 301.06 FEET TO THE SOUTHWEST CORNER OF WATER TOWER PLACE SUBDIVISION PLAT 2, RECORDED IN PLAT BOOK 35,

PAGE 8; THENCE LEAVING SAID WATER TOWER PLACE SUBDIVISION, AND WITH THE LINES OF SAID WATER TOWER PLACE SUBDIVISION PLAT 2, S 89°43'05"E, 250.00 FEET; THENCE N 0°12'40"E, 249.88 FEET; THENCE N 89°42'05"W, 249.91 FEET TO THE EAST LINE OF SAID WATER TOWER PLACE SUBDIVISION; THENCE LEAVING THE LINES OF SAID WATER TOWER PLACE PLAT 2, AND WITH THE EAST LINE OF SAID WATER TOWER PLACE SUBDIVISION, N 0°17'35"E, 394.76 FEET TO THE SOUTH LINE OF THE SURVEY RECORDED IN BOOK 3703, PAGE 23; THENCE LEAVING THE LINES OF SAID WATER PLACE SUBDIVISION, AND WITH THE SOUTH LINE OF SAID SURVEY RECORDED IN BOOK 3703, PAGE 23, S 89°32'05"E, 1009.32 FEET TO THE NORTH-SOUTH SUBDIVISION LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 17; THENCE WITH SAID NORTH-SOUTH SUBDIVISION LINE, S 1 °15'10"W, 1628.87 FEET TO THE POINT OF BEGINNING AND CONTAINING 42.98 ACRES.

will be rezoned and become a part of District PUD-10 (Planned Unit Development) with a development density not exceeding ten (10) dwelling units per acre and taken away from District A-1 (Agricultural District). Hereafter the property may be used for the permitted uses set forth in the statement of intent.

SECTION 2. The City Council hereby approves the terms and conditions contained in the statement of intent dated December 6, 2016, attached hereto in substantially the same form as "Exhibit A" and made a part of this ordinance. The statement of intent 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 PUD Plan of Kelly Farms, as certified and signed by the surveyor on December 20, 2016, for the property referenced in Section 1 above.

SECTION 4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 5. Subdivider is granted a variance from the requirements of Section 25-48.1 of the Subdivision Regulations so that a sidewalk shall not be required to be constructed along the north side of the proposed extension of Timberhill Road adjacent to the property's frontage.

SECTION 6. The City Council approves a reduction in the number of parking spaces required by Section 29-30(b)(1) of the Zoning Regulations so that 649 parking spaces may be provided rather than the required 687 spaces.

SECTION 7. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2017.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor