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Introduced by Treese

First Reading 7-1-19

Second Reading 7-15-19

Ordinance No. 023925

Council Bill No. B 175-19

**AN ORDINANCE**

approving a major amendment to Lot 102A of the Copperstone Commercial C-P Plan by approving the PD Plan for "Copperstone Lot 102A" located on the west side of Frontgate Drive and approximately 300 feet south of Vawter School Road (4015 Frontgate Drive); approving a statement of intent; providing that approval of the PD Plan shall constitute approval of the preliminary subdivision plat for Copperstone Lot 102A; granting design modifications relating to entry door orientation, installation of landscape screening, installation of buffering, reductions in front yard setbacks, and reductions in minimum lot sizes; setting forth a condition relating to the construction of Frontgate Lane; 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 City Council hereby approves a major amendment to Lot 102A of the Copperstone Commercial C-P Plan by approving the PD Plan for "Copperstone Lot 102A," as certified and signed by the surveyor on May 28, 2019, located on the west side of Frontgate Drive and approximately 300 feet south of Vawter School Road (4015 Frontgate Drive). Hereafter Lot 102A of Copperstone Commercial may be used for the permitted uses set forth in the statement of intent which shall apply to the PD Plan for Copperstone Lot 102A.

SECTION 2. The City Council hereby approves the terms and conditions contained in the statement of intent dated May 28, 2019, attached hereto in substantially the same form as Attachment 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. Pursuant to Section 29-5.2(c)(2)(iii) of the City Code, approval of the PD Plan shall constitute approval of the preliminary subdivision plat for the PD Plan for Copperstone Lot 102A.

SECTION 4. Pursuant to Section 29-6.4(n)(2)(ii)(C) of the City Code, the following design modifications to the subdivision regulations are hereby approved:

- (a) Subdivider is granted a design adjustment from the requirements of Section 29-4.6(c)(1) of the City Code so that an operating entry door shall be oriented on the southern façade of the commercial/office building located on the northeast portion of the property rather than along the Frontgate Drive façade of the building.
- (b) Subdivider is granted a design adjustment from the requirements of Section 29-4.4(e)(1) of the City Code so that an eight-foot tall screening device shall not be required along the south property line.
- (c) Subdivider is granted a design adjustment from the requirements of Section 29-4.4(e)(2) of the City Code so that a landscape buffer that meets an eighty (80) percent opacity factor at the time of planting shall not be required along the south property line. Subdivider shall install and maintain a landscape buffer in substantially the same design as shown on the Landscape Development Plan prepared by Rost, Inc. dated May 6, 2019.
- (d) Subdivider is granted a design adjustment from the requirements of Section 29-2.2(b)(2) of the City Code so that a front yard setback of 25-feet along the property's Frontgate Drive frontage shall not be required. In lieu of the 25-foot front yard setback required by Section 29-2.2(b)(2), there shall be a minimum setback on the newly created Lot 102C of 20-feet and Lots 102B-1, 102B-2, 102B-3 and 102B-4 of 10-feet.
- (e) Subdivider is granted a design adjustment from the requirements of Section 29-4.1-1 of the City Code so that the single-family attached dwellings located on the southeast portion of the property may have a minimum lot area less than 3,500 square feet per dwelling unit. The single-family dwelling units constructed shall be limited to four (4) attached units and there shall be a minimum of 16,550 square feet of common area green space maintained for such units on Lot 102B.

SECTION 5. The construction of the improvements to Frontgate Lane shall be completed in their entirety to the western property line on or before December 31, 2020 or prior to the issuance of a temporary or permanent certificate of occupancy for any structure located within the PD Plan for Copperstone Lot 102A, whichever occurs first.

SECTION 6. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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

PASSED this 15th day of July, 2019.

ATTEST:

  
\_\_\_\_\_  
City Clerk

  
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Mayor and Presiding Officer

APPROVED AS TO FORM:

  
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City Counselor