

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 231-18

AN ORDINANCE

rezoning property located on the south side of I-70 Drive SE, approximately 2,000 feet east of St. Charles Road from District A (Agriculture District) to District PD (Planned District); approving the statement of intent; approving the "Truman Solar" PD Plan; granting a design adjustment relating to landscaping and screening; 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 "Official Zoning Map of the City of Columbia, Missouri" established and adopted by Section 29-1.4 of the Code of Ordinances of the City of Columbia, Missouri, is amended so that the following property:

That part of a tract of land containing 140.29 acres, more or less, located in the West Half of Section 11, Township 48 North, Range 12 West of the Fifth Principal Meridian, in the City of Columbia, Boone County, Missouri, as shown and described on the survey thereof recorded August 11, 1978 as Document Number 10279, in Book 453, Page 557, Records of Boone County, Missouri, more particularly described as follows:

Beginning at the intersection of the south right of way line of Interstate 70, said right of way being 30 feet southerly of the centerline of Outer Road as shown in said Document Number 10279, and the West line of said Section 11 as described in said Document Number 10279; thence along said south right of way line of Interstate 70 the following nine (9) courses: North 89°39'53" East, 1325.52 feet along said south right of way line being 30 feet southerly of the centerline of Outer Road; South 0°20'07" East perpendicular to last described course, 5.22 feet; North 89°39'29" East, 15.26 feet; South 0°20'31" East perpendicular to last described course, 25.00 feet; North 89°39'29" East perpendicular to last described course, 74.75 feet; North 0°20'31" West perpendicular to last described course, 25.00 feet; North 89°39'29" East perpendicular to last described course, 109.89 feet; North 0°20'07" West, 5.20 feet to said south right of way line being 30 feet southerly of the centerline of Outer Road; and North 89°39'53" East

perpendicular to last described course along said south right of way line being 30 feet southerly of the centerline of Outer Road, 1024.70 feet to a line that intersects said south right of way line 126.25 feet west of (as measured along said south right of way line) the northeast corner of lands as described in said Document Number 10279; thence South 38°50'06" West, 1252.10 feet; thence South 6°44'20" West, 347.29 feet; thence South 41°23'44" West, 558.00 feet; thence South 17°33'12" West, 574.23 feet to the south line of said lands described in Document Number 10279; thence North 89°40'34" West along said south line of lands, 1243.11 feet to said West line of Section 11; thence North 1°32'43" East along said West line, 2265.18 feet to the point of beginning.

Said lands containing 4,088,263 Sq. Ft., 93.854 Acres, more or less

will be rezoned and become a part of District PD (Planned District) and taken away from District A (Agriculture 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 August 17, 2018, 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 "Truman Solar" PD Plan, as certified and signed by the surveyor on August 17, 2018 for pages 1, 2, 3, 4 and 6, and on September 6, 2018 for page 5, for property located on the south side of I-70 Drive SE, approximately 2,000 feet east of St. Charles Road. The design parameters set forth in "Exhibit B," which is attached to and made a part of this ordinance, are hereby approved and shall be binding on the owners until such time as Council shall release such conditions on design and construction of the property and shall further be used as guidance by the Director of Community Development when considering any future revisions to the PD Plan.

SECTION 4. Cypress Creek Renewables, LLC (hereinafter "Applicant") is granted a design adjustment from the landscaping and screening requirements of Section 29-4.4 of the City Code to allow a screening device consisting of an eight (8) foot tall privacy fence placed at the 25-foot building setback line along the western property boundary and an eight (8) foot tall privacy fence setback approximately 75-feet along the southern property boundary of the subject tract without the required installation of a ten (10) foot wide landscape buffer along Applicant's side of the privacy fence.

SECTION 5. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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

PASSED this _____ day of _____, 2018.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor