

Introduced by Hindman

First Reading 4-6-98 Second Reading 4-20-98

Ordinance No. 015580 Council Bill No. B 104-98A

AN ORDINANCE

amending the Zoning District Map established and adopted by Section 29-4 of the Code of Ordinances of the City of Columbia, Missouri, by changing and amending the zoning map whereby five parcels of property located on both sides of U.S. Highway 63, south of Mexico Gravel Road will be rezoned and become a part of O-P, C-P, and PUD-14; 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 hereby amended and changed so that the following described property, to wit:

A tract of land located in the NE 1/4 of Section 5, Township 48 North, Range 12 West, Columbia, Boone County, Missouri, said tract being part of the tract described by the deed recorded in Book 1112, Page 135, and includes part of Lot 1, Woodard Subdivision, as recorded in Plat Book 26, Page 21, and being more particularly described as follows:

Commencing at the North 1/4 corner of said Section 5; thence with the 1/4 section line, S0°28'15"W, 25.01 feet to the south right-of-way line of Pioneer Drive and the point of beginning; thence with said south line, N89°10'45"E, 100.00 feet to the west line of Tract "A" of the deed recorded in Book 321, Page 410; thence with the lines of said deed, S0°28'15"W, 410.59 feet; thence N89°10'45"E, 400.00 feet; thence N0°28'15"E, 410.59 feet to the south right-of-way line of Pioneer Drive; thence leaving the lines of said deed, and with said south line, N89°10'45"E, 100.24 feet to the northwest corner of Lot 1, Woodard

Subdivision, as recorded in Plat Book 26, Page 21; thence with the west line of said Lot 1, S4°27'20"E, 670.84 feet; thence N89°10'45"E, 542.44 feet; thence S32°40'25"W, 122.35 feet; thence S43°14'55"E, 1000.00 feet to the westerly right-of-way line of Highway 63; thence with said line with the following bearings and distances: S46°45'05"W, 250.00 feet; thence S64°29'45"W, 131.24 feet; thence S48°52'20"W, 135.09 feet; thence S67°31'25"W, 310.16 feet; thence S60°47'15"W, 309.23 feet; thence S52°27'45"W, 150.75 feet; thence S35°26'30"W, 203.96 feet; thence S28°18'30"W, 172.23 feet to the 1/4 section line; thence leaving said westerly line, and with the 1/4 section line, S87°50'55"W, 556.44 feet to the center of Section 5; thence with the 1/4 section line, N0°28'15"E, 2500.58 feet to the point of beginning and containing 58.62 acres, except for that part of the previously described tract currently zoned R-1 and containing 2.05 acres. The net area of the described tract is 56.57 acres.

will be rezoned and become a part of O-P (Planned Office District) and taken away from A-1 (Agricultural District). Hereafter the property may be used for all the uses listed in "Exhibit A" which is attached to and made a part of this ordinance.

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 hereby amended and changed so that the following described property, to wit:

A tract of land located in the NE 1/4 of Section 5, and in the NW 1/4 of Section 4, both in Township 48 North, Range 12 West, and also in the SW 1/4 of Section 33, Township 49 North, Range 12 West, Columbia, Boone County, Missouri, said tract includes Tract 2 of the survey recorded in Book 1275, Page 398, said tract also includes the tract described by the Quit-Claim Deed recorded in Book 1360, Page 5, and is also a part of the tract described by the deed recorded in Book 1112, Page 135, and being more particularly described as follows:

Beginning at the southwest corner of said Section 33; thence with the section line, N0°26'05"E, 1108.26 feet to the centerline of Mexico Gravel Road; thence with said centerline, S81°32'50"E, 6.75 feet to the westerly right-of-way line of Highway 63; thence with said westerly line with the following bearings and distances: S8°27'10"W, 45.00 feet; thence S75°30'40"E, 649.03 feet; thence S8°27'20"W, 473.32 feet; thence S19°16'55"W, 377.18 feet; thence S25°00'40"W, 374.95 feet; thence S0°54'05"E, 109.48 feet; thence along a 2739.79-foot radius non-tangent curve to the right, 235.00 feet, said curve has a chord S32°42'25"W, 234.93 feet; thence leaving said westerly line, N72°19'20"W, 324.79 feet; thence N17°40'40"E, 495.57 feet to the point of beginning and containing 17.08 acres. —

will be rezoned and become a part of O-P (Planned Office District) and taken away from A-1 (Agricultural District). Hereafter the property may be used for all the uses listed in "Exhibit A".

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 hereby amended and changed so that the following described property, to wit:

A tract of land located in the NE 1/4 of Section 5, and in the NW 1/4 of Section 4, both in Township 48 North, Range 12 West, Columbia, Boone County, Missouri, being part of the tract described by the deed recorded in Book 1112, Page 135, and being more particularly described as follows:

Beginning at the southwest corner of Section 33-49-12; thence S17°40'40"W, 495.57 feet; thence S72°19'20"E, 324.79 feet to the westerly right-of-way line of Highway 63; thence with said westerly line with the following bearings and distances: along a 2739.79-foot radius non-tangent curve to the right, 243.18 feet, said curve has a chord S37°42'25"W, 243.10 feet; thence S45°20'40"W, 310.34 feet; thence S46°45'05"W, 824.90 feet; thence leaving said westerly line, N43°14'55"W, 1000.00 feet; thence N32°40'25"E, 122.35 feet; thence N0°49'15"W, 694.49 feet to the section line; thence with said line, N89°10'40"E, 1440.55 feet to the point of beginning and containing 38.43 acres.

will be rezoned and become a part of C-P (Planned Business District) and taken away from A-1 (Agricultural District). Hereafter the property may be used for

all the permitted uses in District C-3 except:

Halfway Houses
Farm Machinery Sales and Services
Drive-in Theaters
Machine Shops

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 hereby amended and changed so that the following described property, to wit:

A tract of land located in the NE 1/4 of Section 5, and in the NW 1/4 of Section 4, both in Township 48 North, Range 12 West, Columbia, Boone County, Missouri, said tract being part of Tract 1 of the survey recorded in Book 1275, Page 398, and also being part of the tract described by the deed recorded in Book 1112, Page 135, and being more particularly described as follows:

Beginning at the east 1/4 corner of said Section 5; thence with the 1/4 section line, S87°50'55"W, 1500.03 feet to the easterly right-of-way line of Highway 63; thence with said easterly line with the following bearings and distances: along a 2789.79-foot radius non-tangent curve to the right, 270.01 feet, said curve has a chord N43°58'45"E, 269.91 feet; thence N42°55'55"E, 90.07 feet; thence N46°45'05"E, 1000.00 feet; thence N43°53'20"E, 200.25 feet; thence N46°45'05"E, 374.90 feet; thence along a 2989.79-foot radius curve to the left, 640.00 feet, said curve has a chord N40°37'10"E, 638.78 feet; thence leaving said easterly line, S78°39'40"E, 433.66 feet; thence N86°21'55"E, 310.00 feet; thence S13°38'05"E, 305.00 feet; thence S16°05'40"W, 275.00 feet; thence S29°35'15"W, 750.00 feet; thence S42°35'15"W, 385.00 feet; thence S62°15'15"W, 457.98 feet to the point of beginning and containing 54.56 acres.

will be rezoned and become a part of C-P (Planned Business District) and taken away from A-1 (Agricultural District). Hereafter the property may be used for all the permitted uses in District C-3 except:

Halfway Houses
Farm Machinery Sales and Services
Drive-in Theaters
Machine Shops

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 hereby amended and changed so that the following described property, to wit:

A tract of land located in the NW 1/4 of Section 4, Township 48 North, Range 12 West, and in the SW 1/4 of Section 33, Township 49 North, Range 12 West, Columbia, Boone County, Missouri, said tract being part of Tract 1 of the survey recorded in Book 1275, Page 398, and includes part of the tract described by the deed recorded in Book 1112, Page 135, and being more particularly described as follows:

Commencing at the SW corner of said Section 33; thence with the section line, N89°51'45"E, 786.91 feet to the easterly right-of-way line of Highway 63 and the point of beginning; thence with said easterly line with the following bearings and distances: N24°11'20"E, 382.14 feet; thence N29°16'05"E, 412.91 feet; thence N11°47'15"E, 114.33 feet; thence along a 3254.79-foot radius non-tangent curve to the left, 113.61 feet, said curve has a chord N2°15'00"E, 113.61 feet; thence N31°47'50"E, 20.06 feet; thence leaving said easterly line, S82°29'50"E, 151.87 feet to the centerline of Hinkson Creek; thence with said centerline with the following bearings and distances: S5°34'00"E, 285.00 feet; thence S1°42'30"E, 255.00 feet; thence S13°43'00"E, 280.00 feet; thence S6°15'30"E, 270.00 feet; thence S0°01'30"E, 261.10 feet; thence leaving said centerline, N84°54'50"W, 832.27 feet to the easterly right-of-way line of Highway 63; thence with said easterly line, N24°11'20"E, 367.04 feet to the point of beginning and containing 14.53 acres.

will be rezoned and become a part of PUD (Planned Unit Development District) and taken away from A-1 (Agricultural District), so that hereafter the property may be used for all the permitted uses in District R-3. The zoning district map shall designate the property PUD-14. The statement of intent submitted by applicant's agent, marked "Exhibit B" is attached to and made a part of this ordinance.

SECTION 6. The rezoning of land set forth in this ordinance is subject to the following conditions:

- (a) That the City and developer agree to infrastructure and cost sharing; and that an agreement on the timing of construction phases of the infrastructure be agreed upon prior to C-P/O-P Plan approval.
- (b) That a traffic study be prepared and be acceptable to both the City and developer prior to C-P/O-P Plan approval.
- (c) That an agreement be reached between the developer and the Parks Department on the greenbelt along Hinkson Creek prior to C-P/O-P Plan approval.
- (d) That an agreement with the City regarding stormwater detention be reached.
- (e) That the C-P Plan on Tract D have some mixed use, including office and multi-family residential.
- (f) That the greenbelt along Pioneer Drive be established.
- (g) That a break in access be granted by the Missouri Highway Commission prior to C-P/O-P Plan approval.
- (h) That the plan include a park with a trail having access to Hinkson Creek.
- (i) That final plats not be approved on any of the tracts described in Sections 1 through 5 until a comprehensive C-P/O-P Plan for that entire tract of land is approved by the City Council.

SECTION 7. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

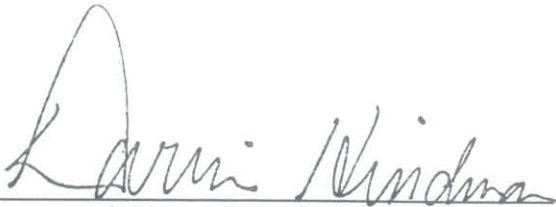
SECTION 8. This ordinance shall be in full force and effect from and after its passage.

PASSED this 20th day of April, 1998.

ATTEST:




City Clerk



Mayor and Presiding Officer

APPROVED AS TO FORM:



City Counselor

EXHIBIT A

All of the permitted uses in district R-3 (subject to the height and area regulations of district R-3).

Banks, other financial institutions, and travel agencies.

Buildings and premises for public utility services or public service corporations.

Counseling centers operated by charitable or not-for-profit organizations; excluding halfway houses or any use connected with penal or correctional institutions.

Drive-up facilities incidental to any permitted uses.

Hospitals for human beings, medical or dental clinics, sanitariums, and medical laboratories.

Hospitals for small animals, if within an enclosed building.

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:

- (1) Artists, sculptors, photographers.
- (2) Authors, writers, composers.
- (3) Lawyers, engineers, planners, architects, real estate agents, accountants, insurance agents, brokers, and consultants in similar professions.
- (4) Ministers, rabbis, priests, or other clergy members.
- (5) Physicians, dentists, chiropractors, or other licensed medical practitioners.
- (6) Seamstresses, tailors.

(7) Teachers of private lessons in art, music, or dance.

Residential care facilities.

Schools operated as a business within an enclosed building, except trade schools and schools which offer retail goods or services to the public.

Customary accessory uses subject to the provisions of section 29-27 of the City Code.



allstate consultants
Engineering • Planning • Surveying

John Hancock, Director
Planning Department
PO Box N
Columbia, MO 65205

RECEIVED
FEB 25 1998
Planning Department

Re: CenterState Properties P.U.D. statement of intent

Dear Mr. Hancock:

The following is the Statement of Intent for the CenterState Planned Unit Development.

1. The development shall have multi-family dwelling units and accessory buildings consistent with the R-3 zoning regulations.
2. The development shall have a maximum of 14 units per acre.
(14 units/acre * 14.53 acres = 203 units)
3. The maximum building height shall be 35 feet.
4. The development shall have a minimum of two parking spaces per unit.
(2 parking spaces/unit * 203 units = 406 parking spaces. This assumes maximum number of dwelling units.)
5. A minimum of 15% of the land shall be open space.
6. The developer will dedicate a green space trail easement for a Hinkson creek trail.
7. The lots will have a minimum of 25' front yard and rear yard setbacks, 15' side yard setbacks and a minimum of 10' between buildings.

Please call me at (573) 875-8799 if you have any questions.

Sincerely,

Allstate Consultants, P.C.

Brian Harrington, E.I.T.
Project Engineer

Ron Shy
3312 LeMone Industrial Blvd.
Columbia, MO 65201
314/875-8799

