

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 361-12

AN ORDINANCE

rezoning property located on the northeast corner of the intersection of Nifong Boulevard and State Farm Parkway (1101 East Nifong Boulevard) from A-1 to O-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 SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING ALL THAT PART OF THE 20 ACRE TRACT SHOWN IN BOONE COUNTY SURVEY NUMBER 7738 AND LYING EAST OF STATE FARM PARKWAY, NORTH OF NIFONG BOULEVARD AND SOUTH OF GRINDSTONE PARKWAY AND CONTAINING 13.5 ACRES MORE OR LESS.

will be rezoned and become a part of District O-P (Planned Office District) and taken away from District A-1 (Agricultural District). Hereafter the property may be used for all permitted uses set forth in the statement of intent, marked "Exhibit A," attached to and made a part of this ordinance.

SECTION 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2013.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor



**City of Columbia
Planning Department**

701 E. Broadway, Columbia, MO
(573) 574-7239 planning@gocolumbiamo.com

Statement of Intent Worksheet

For office use:

Case #: 12-184	Submission Date:	Planner Assigned:
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Please provide the following information, which shall serve as the statement of intent for the proposed planned district zoning:

1. The uses proposed.
See attached.
2. The maximum gross square feet of building floor area propose. If **PUD** zoning is requested, indicate type(s) of dwelling units & accessory buildings, and maximum number of dwelling units & development density.
95,000 square feet
3. The maximum building height proposed.
45 feet
4. The minimum percentage of the site to be maintained in open space, shown by the percent in landscaping and the percent left in existing vegetation.
Landscaping: 15%
Existing Vegetation: 5%
5. A traffic study shall be completed and submitted to the City of Columbia for review and approval at the time of any O-P Plan submission.

The following items only apply to PUD zoning request:

6. The total number of parking spaces proposed and the parking ratio per dwelling unit.
7. Any amenities proposed, such as swimming pools, golf courses, tennis courts, hiking trails or club houses.
8. A general description of the plan including minimum lot sizes, if applicable, minimum building setbacks from perimeter and interior streets, other property lines and minimum setbacks between buildings

Note: At the discretion of the applicant, the statement of intent may include other aspects of the proposed development.

Signature of Applicant or Agent

Richard C. Thomas

Date

11-28-12

O-1

*All permitted uses in District R-3 are subject to the height and area regulations of District R-3.

A hobby may be pursued as an accessory use by the occupant of the premises purely for personal enjoyment, amusement or recreation, provided that the articles produced or constructed are not sold in the ordinary course of business either on or off the premises, and provided such use will not be obnoxious or offensive by reason of vibration, noise, odor, dust, smoke, gas, or otherwise.

Adult day care home.

Agriculture, nurseries and truck gardens, each of which shall be limited to the propagation and cultivation of plants, provided no retail or wholesale business shall be conducted upon the premises, and no obnoxious fertilizer is stored upon the premises, and no obnoxious soil or fertilizer renovation is conducted thereon.

Apartment houses.

Banks, other financial institutions, and travel agencies.

Boarding houses or lodging houses.

Churches, mosques and synagogues.

Continuing care retirement community (CCRC) (see R-3 District for restrictions)

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

Customary accessory uses subject to the provisions of Section 29-27, Accessory Uses.

Dwellings, One-Family.

Dwellings, Two-Family.

Family day care homes, day care centers, pre-school centers, nursery school, child play care centers, child education centers, child experiment stations or child development institutions under the following regulations: (see Zoning Regulations for restrictions)

Family day care homes, day care centers, pre-school centers, nursery school, child play care centers, child education centers, child experiment stations or child development institutions.

~~Fraternity or sorority houses and dormitories.~~

Garage sales, under the following restrictions: (see Zoning Regulations for restrictions)

~~Golf courses and golf clubhouse appurtenant thereto, (except miniature golf courses, driving ranges, and other activities operated as a business).~~

~~Group care homes for mentally-retarded children~~

Group Homes for Foster Care.

~~Group homes for mentally or physically handicapped, under the following restrictions: see Zoning Regulations for restrictions.~~

Home occupations which are compatible with the residential character of the neighborhood will be permitted, however, in order to promote peace, quiet and freedom from excessive noise, excessive traffic, nuisance, fire hazard, and other possible effects of commercial uses being conducted in residential areas, all home occupations must meet the following restrictions: (see Zoning Regulations for restrictions)

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

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, realtors, accountants, insurance agents, brokers, and other 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 or private lessons in art, music, or dance.

Public administrative buildings.

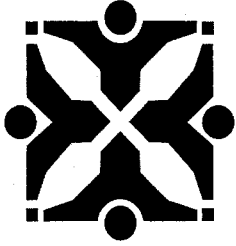
Public libraries.

Public museums.

Public parks and playgrounds, including public recreation or service buildings within such parks.

Public police and fire stations.

Public schools, elementary and secondary, private schools with curriculum equivalent to that of a public elementary or high school, and institutions of higher learning including gymnasiums, stadiums, and dormitories if located on campus. (see Zoning Regulations for additional requirements)
Publicly owned and operated community buildings.
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.
Temporary real estate sales office, located on property being sold and limited to a period of sale, but not exceeding two (2) years without special permit from the Board.



Source: Community Development - Planning

Agenda Item No:

To: City Council

From: City Manager and Staff

Council Meeting Date: Dec 17, 2012

Re: PLD, LLC - rezoning request (Case 12-184)

EXECUTIVE SUMMARY:

A request by PLD, LLC (owner) to rezone 13.73 acres of land from A-1 (Agricultural District) to O-P (Planned Office District). The subject site is located on the east side of State Farm Parkway, between Grindstone Parkway and Nifong Boulevard, and is addressed 1101 E Nifong Boulevard. (Case #12-184)

DISCUSSION:

The applicant is requesting to rezone the subject site from A-1 (Agricultural District) to O-P (Planned Office District) zoning, to allow most permitted uses in the O-1 (Office District). The subject property was originally zoned A-1 when it was annexed into the city in 1969, and is occupied by a single-family home, which is surrounded by hay fields.

Surrounding land uses include large residential tracts (zoned A-1) to the south and east, C-P (Planned Business District) development to the north, and R-3 (Medium Density Multiple Family Dwelling District) to the west. Since the subject property is located at the intersection of two major roads and adjacent zoning districts to the north and west allow higher intensity uses, staff believes the proposed office zoning is suitable at this location.

City and MoDOT traffic engineers have indicated the need for a traffic study upon future development plan submittal, and suggested that, with the exception of the existing driveway onto State Farm Parkway, access may be either limited or restricted along the site's adjacent street frontages. The applicant's statement of intent includes a self-imposed condition that requires a traffic impact study to be submitted concurrently with any future development plan submission.

At its December 6, 2012 meeting, the Planning and Zoning Commission voted unanimously (8-0) to recommend approval of the rezoning. Commissioners agreed that the O-P use is appropriate in this location. There was no public comment on this request.

The staff report, locator maps, statement of intent, and excerpts from the meeting minutes are attached.

FISCAL IMPACT:

None.

VISION IMPACT:

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

None.

SUGGESTED COUNCIL ACTIONS:

Approval of the proposed rezoning from A-1 to O-P.

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$0.00	Duplicates/Expands an existing program?	No	Vision Implementation impact	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	No
One Time	\$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	N/A
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	N/A
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	N/A

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
DECEMBER 6, 2012**

SUMMARY

A request by PLD, LLC (owner) to rezone 13.73 acres of land from A-1 (Agricultural District) to O-P (Planned Office District). The subject site is located on the east side of State Farm Parkway, between Grindstone Parkway and Nifong Boulevard, and is addressed 1101 E Nifong Boulevard. (Case # 12-184)

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RECOMMENDATION

Approval of the proposed rezoning and Statement of Intent

ATTACHMENTS

- Aerial/zoning and natural features maps
- Statement of Intent

SITE CHARACTERISTICS

Area (acres)	13.73 acres
Topography	Approx. 35 ft elevation loss from south to north
Vegetation/Landscaping	Hay fields with small clusters of tree cover
Watershed/Drainage	Hinkson Creek
Existing structures	Single-family home

HISTORY

Annexation date	1969
Zoning District	1969: A-1
Land Use Plan designation	Neighborhood District
Subdivision/Legal Lot Status	Land in limits. Plat required prior to development permits

UTILITIES & SERVICES

Sanitary Sewer	City of Columbia
Water	City of Columbia
Fire Protection	City of Columbia
Electric	Boone Electric Cooperative

ACCESS

Grindstone Parkway	
Location	North side of site
Major Roadway Plan	Major arterial (improved & MoDOT-maintained). No additional ROW required.
CIP projects	None
Sidewalk	5-ft sidewalk needed

State Farm Parkway	
Location	West side of site
Major Roadway Plan	Major collector (improved & City-maintained). No additional ROW required.
CIP projects	None
Sidewalk	Sidewalk needed <i>in place</i>

Nifong Boulevard	
Location	South side of site
Major Roadway Plan	Major collector (unimproved & City-maintained). No additional ROW required.
CIP projects	None
Sidewalk	Sidewalk needed

PARKS & RECREATION

Neighborhood Parks	Rock Quarry Park is 2/3 mile east
Trails Plan	No trails planned adjacent to site.
Bicycle/Pedestrian Plan	Urban Pedways may be required along the site's State Farm Parkway and Nifong Boulevard street frontages

PUBLIC NOTIFICATION

All property owners within 200 feet and City-recognized neighborhood associations within 1,000 feet of the boundaries of the subject property were notified of a public information meeting, which was held on November 13, 2012.

Public information meeting recap	Number of attendees: Applicant & 2 adjacent property owners. Comments/concerns: Screening
Notified neighborhood association(s)	None
Correspondence received	None as of this writing



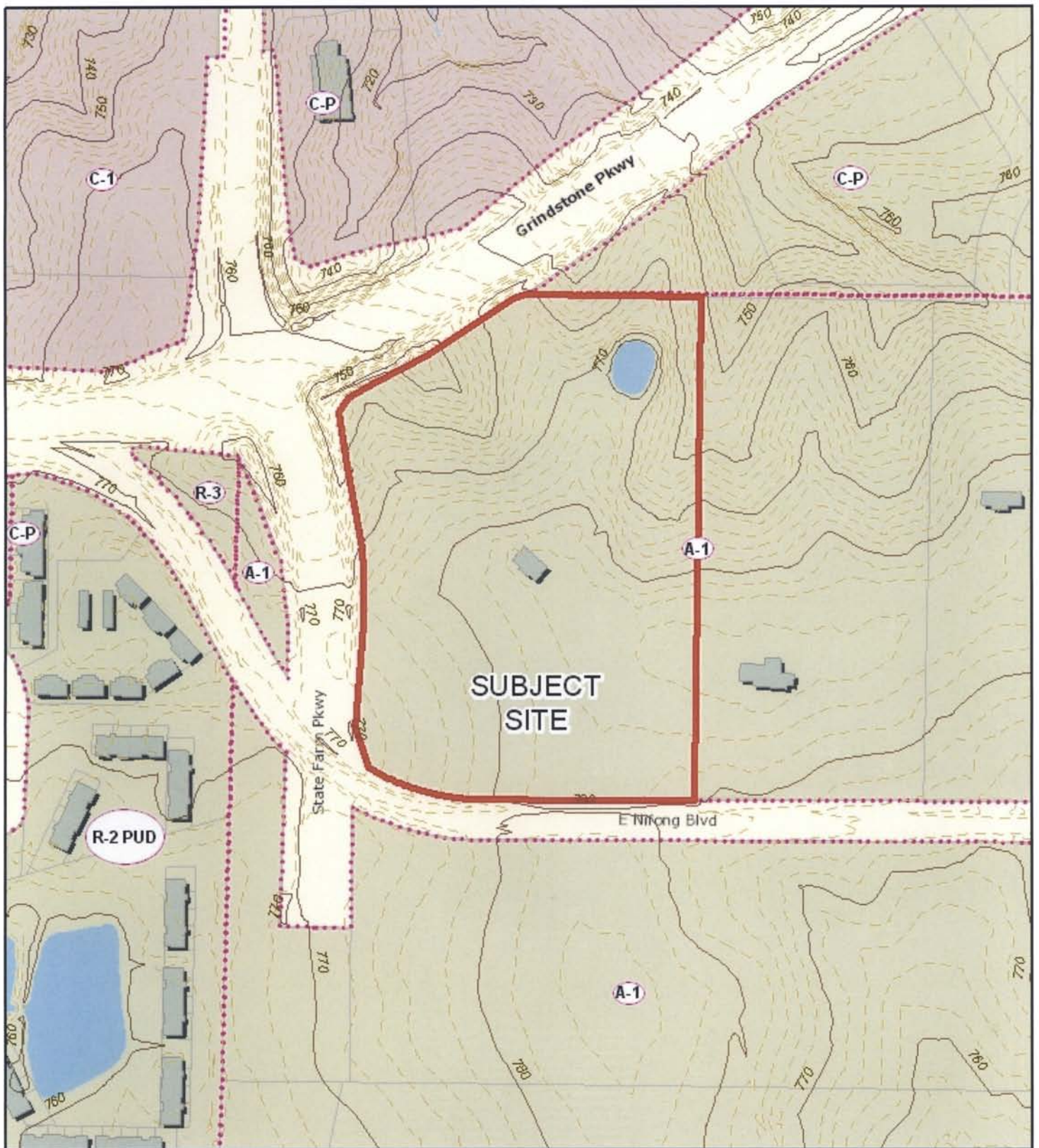
2011 Orthophoto
Source: Boone County Assessor

Case 12-184: Rezoning PLD, LLC

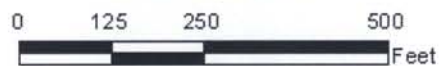
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Feet

1 inch = 250 feet





Case 12-184: Rezoning PLD, LLC



1 inch = 250 feet



EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
DECEMBER 6, 2012

12-184 A request by PLD, LLC (owner) to rezone 13.73 acres of land from A-1 (Agricultural District) to O-P (Planned Office District). The subject site is located on the east side of State Farm Parkway, between Grindstone Parkway and Nifong Boulevard, and is addressed 1101 East Nifong Boulevard.

MR. WHEELER: May we have a Staff report, please?

Staff report was given by Mr. Steven MacIntyre of the Planning and Development Department. Staff recommends approval of the proposed rezoning and Statement of Intent.

MR. WHEELER: Are there any questions of Staff? Seeing none, we'll open the public hearing.

PUBLIC HEARING OPENED

MR. CROCKETT: Mr. Chairman, members of the Commission, my name is Tim Crockett with Crockett Engineering Consultants, 2608 North Stadium. I'm here tonight representing the applicant, PLD Development -- or excuse me, PLD, LLC. With me is Dick Thomas as well as Tom Mendenhall, also representatives of the applicant. I believe that Mr. MacIntyre did a pretty good job of summarizing this request. We fully believe that really this is an underzoning of the property; however, our clients do not desire to go above that of an office district. We think that their needs and their services can be provided by this zoning, therefore that's what we're asking for. We're fully aware of the issue of the traffic study. Once we have a better understanding and a better knowledge of what we want to put on the property, when that time comes, the O-P plan will come forward as well as a traffic study to evaluate the traffic situation of this area. We understand there may be some concerns. There's also some limited access out there as well, so that's certainly going to help with the traffic situation in that area. Other than that we've listed -- given you a specific list of uses for the property. While it is lengthy, it is a specific use as opposed to an open all-allowed uses in a certain district, so we think that's a plus for the project as well. So with that, we concur with Staff report and be happy to answer any questions that the Commission may have.

MR. WHEELER: Are there any questions? Mr. Skala?

MR. SKALA: Just one question. It may be a bit premature because there certainly is no plan out here, but it looks like there is a pond on the property and so on. Are you going to try and incorporate that into this -- the stormwater plan or --

MR. CROCKETT: To answer your question, Mr. Skala, we have not -- we do not have a final plan yet, but in looking at the project and looking at how we would develop the property, how it could be developed, that pond makes a natural location for stormwater detention, stormwater quality features. So while I can't commit that that's where we'll put it, but it does make a natural location for that and we have looked at that as being used for that purpose when the plan gets developed.

MR. WHEELER: Are there any other questions? Thank you. Are there any other speakers on this item tonight?

PUBLIC HEARING CLOSED

MR. WHEELER: Commissioners? Mr. Skala?

MR. SKALA: It looks relatively uncontroversial, which is refreshing given the circumstances with Grindstone Parkway and so on, and some of the discussions we've had with some of the housing and so on. So I think this is a perfectly reasonable request.

MR. LEE: Seems pretty straightforward to me.

MR. SKALA: So you want -- I'll make the motion that we go ahead and approve the request by PLD, LLC (owner) to rezone 13.73 acres of land from A-1 (Agricultural) to O-P (Planned Office District). The subject site located on the east side of State Farm Parkway, between Grindstone Parkway and Nifong Boulevard.

MR. WHEELER: Motion's been made. Mr. Strodtman?

MR. STRODTMAN: I'll second.

MR. WHEELER: Motion's been made and seconded. Ready? Go ahead and role call.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Lee, Ms. Peters, Dr. Puri, Mr. Reichlin, Mr. Skala, Mr. Strodtman, Mr. Tillotson, Mr. Wheeler. Motion carries 8-0.

MR. WHEELER: Recommendation for approval will be forwarded to City Council.