

Introduced by _____

First Reading _____ Second Reading _____

Ordinance No. _____ Council Bill No. B 113-05

AN ORDINANCE

rezoning property located on the south side of Cooper Drive North, across from Rockman Lane, from District C-1 to District C-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:

Lots 13 and 14 Nifong Village Plat No. 3, in Columbia, Boone County, Missouri, recorded in plat book 32 page 14 of the Boone County records.

will be rezoned and become a part of District C-P (Planned Business District) and taken away from District C-1 (Intermediate Business District). Hereafter the property may be used for automobile repair facilities, provided that all repair shall take place within an enclosed building. The statement of intent, marked "Exhibit A," is 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 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.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 _____, 2005.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

Engineering Surveys and Services

Consulting Engineers, Geologists, and Land Surveyors
Analytical and Materials Laboratories

Exhibit A
RECEIVED

APR 14 2005

PLANNING DEPT.

Larry L. Hendren, PE, RG
David A. Bennett, PE
Timothy J. Reed, PLS
Morton L. Ratliff, PLS
Bruce A. Dawson, PE
Richard J. Rolsing, PE
Randall A. Lee, PE, RG
Timothy J. O' Connor, PE
Benjamin A. Ross, PE
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April 14, 2005

Honorable Mayor and City Council
City of Columbia
Columbia, MO 65205

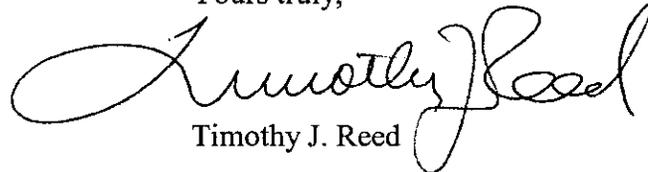
Ladies and Gentlemen:

In accordance with Section 29-17 (e)(2) of the City of Columbia Zoning Ordinance, we hereby submit this statement of intent, relating to the rezoning of Lots 13 and 14 Nifong Village No. 3, from C-1 (Intermediate Business District) to C-P (Planned Business District).

- a. The proposed use is automobile repair facilities.
- b. The maximum gross square feet of building floor area proposed is 10,000 square feet.
- c. The maximum building height proposed is 35 feet.
- d. The minimum percentage of the site to be maintained in open space is 15 %.

Thank you for your consideration of this request.

Yours truly,



Timothy J. Reed

Source

William Watkins



TO: City Council

FROM: City Manager and Staff 

DATE: April 8, 2005

RE: A request by Joseph A. Tosini to rezone property from C-1 (Intermediate Business District) to C-P (Planned Business District), located on the south side of Cooper Drive North, across from Rockman Lane, containing approximately 0.84 acres. (Case 12-Z-05)

EXECUTIVE SUMMARY

At its meeting of April 7, 2005, the Planning and Zoning Commission voted unanimously (6-0) to recommend approval of the proposed rezoning. No one from the public spoke in opposition to the request. The Commission's recommendation was subject to the allowed C-P uses being automobile repair facilities, provided all repair shall take place within an enclosed building.

A staff report, locator map and excerpts from the minutes of the Planning and Zoning Commission meeting are attached.

SUGGESTED COUNCIL ACTION

The Planning and Zoning Commission recommends approval of the proposed rezoning, subject to the allowed C-p uses being limited to an automobile repair facility, provided all repair shall take place within an enclosed building.

Fiscal Impact

YES

~~NO~~

Other Info.

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
APRIL 7, 2005**

ITEM NO.

12-Z-05

APPLICANT

Joseph A. Tosini

LOCATION

On the south side of Cooper Drive North, across from Rockman Lane

PROPERTY SIZE

Approximately 0.84 acres

EXISTING ZONING

C-1 (Intermediate Business District)

REQUESTED ZONING

C-P (Planned Business District)

(Note: proposed C-P uses are Automobile repair facilities, provided all repair shall take place within an enclosed building)

HISTORY

The property was annexed into the City in 1969 and was zoned C-1. There are no prior requests to rezone the property.

EXISTING CONDITIONS

	<u>ZONING</u>	<u>LAND USE</u>
SITE	C-1	Undeveloped
NORTH	C-1	Commercial

SOUTH	C-1	Undeveloped
EAST	C-1	Undeveloped
WEST	C-1	Undeveloped

LAND USE PLAN DESIGNATION

The subject property is shown as a "commercial district" on the Metro 2020 Land Use Plan. The proposed C-P zoning would be in conformance with the Plan.

ACCESS

Access to the site is off Cooper Drive North, an improved local nonresidential street.

PUBLIC UTILITIES

All City utilities are available to the site.

SITE CHARACTERISTICS

The subject site is relatively flat and has no tree cover. It is in the Mill Creek drainage basin.

NEIGHBORHOOD ASSOCIATIONS AFFECTED

None

PARKLAND NEEDS/GREENBELT

Neighborhood parkland is not an issue in this case. There is no designated greenbelt either on or adjacent to the subject site.

DISCUSSION

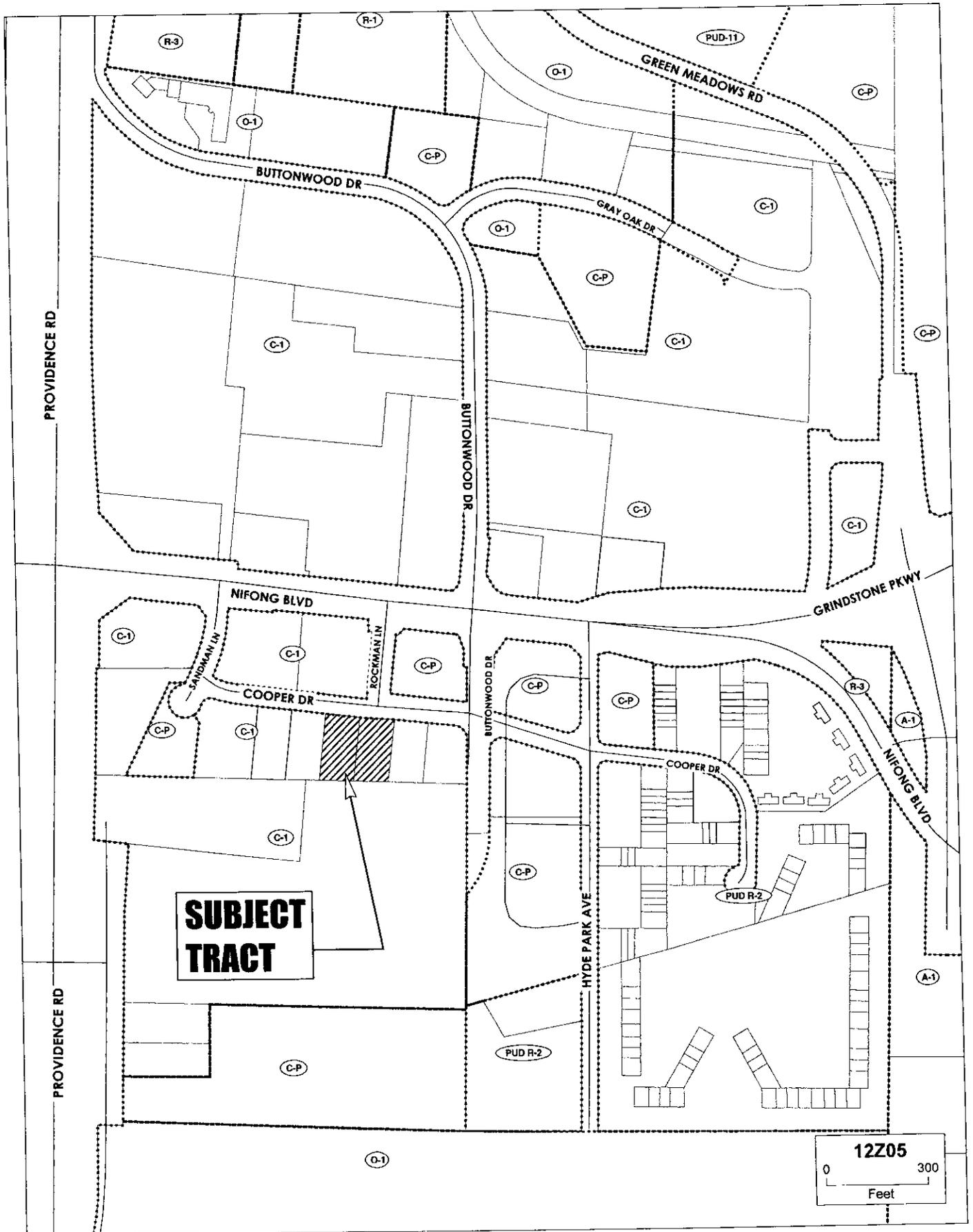
The developer is requesting C-P zoning in order to have an automobile repair facility. Similar changes from C-1 to C-P have been made in this area for Custom Muffler and the Tires Plus facilities.

STAFF RECOMMENDATION

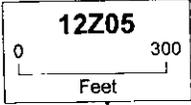
Approval of the requested rezoning

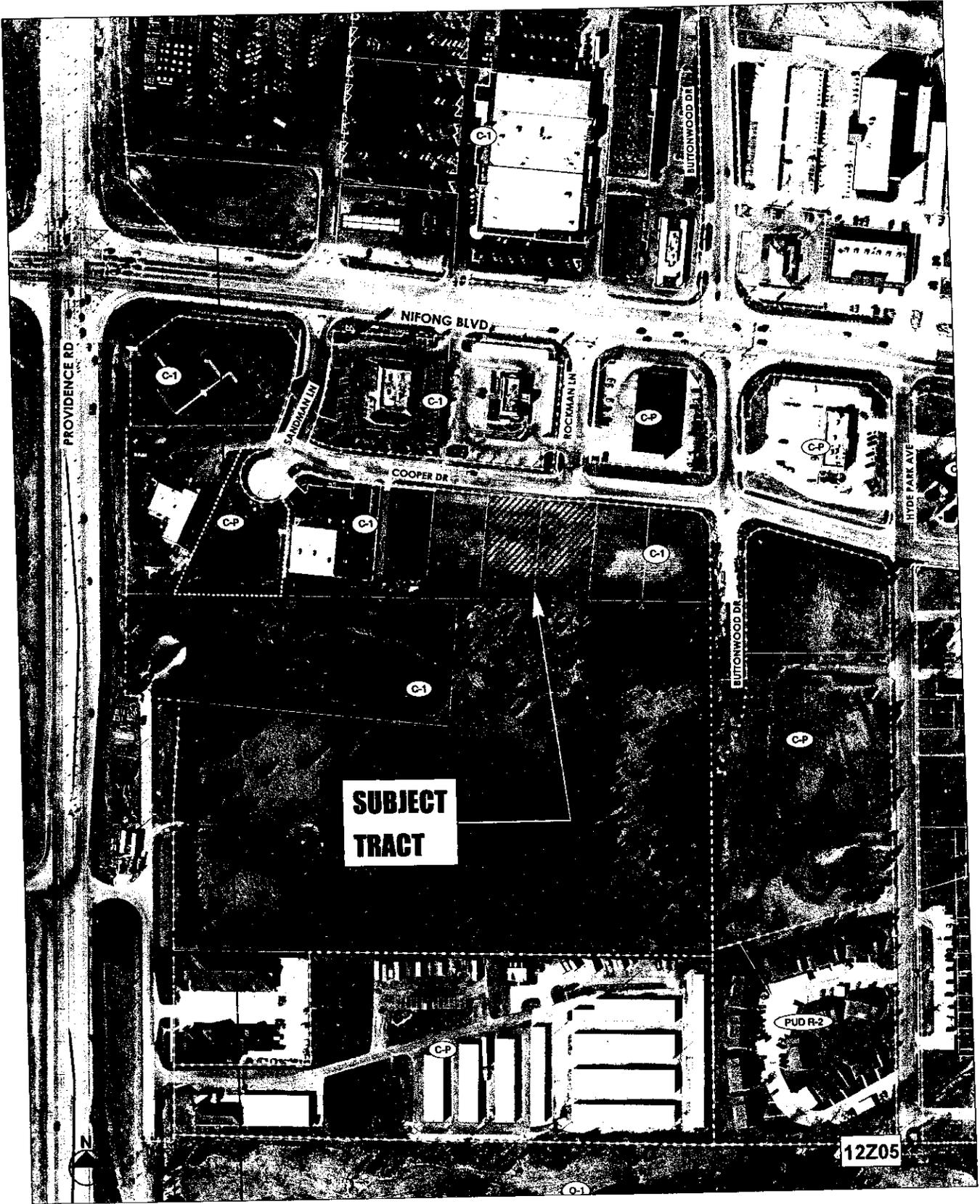
Report written by CJB

Approved by [Signature]



SUBJECT TRACT





PROVIDENCE RD

NIFONG BLVD

SANDMAN LN

COOPER DR

ROCKMAN LN

EUTONWOOD DR

EUTONWOOD DR

HYDE PARK AVE

SUBJECT TRACT

C-P

PUD R-2

12205

N

APPLICATION
FOR
REZONING OF PROPERTY
(September 22, 1997)

12-Z-05

General location of property (use street intersections if possible) South Side of Cooper

Drive North at Intersection with Rockman Lane

Street address of property (note N/A if site is vacant) N/A

Size of tract (expressed in acres) 0.84 acres

Deed to property recorded in Book 1460, Page 802

Present zone (s) C-1

Requested zone (s) C-P

Present use (s) of property Vacant

Columbia Land Use Plan designation Commercial District

Reason for requesting zoning change Allow construction of an Automobile Repair Facility

SEE ATTACHED FOR DESCRIPTION OF ALL ITEMS
WHICH MUST BE INCLUDED WITH THIS APPLICATION

OWNERS
of record:

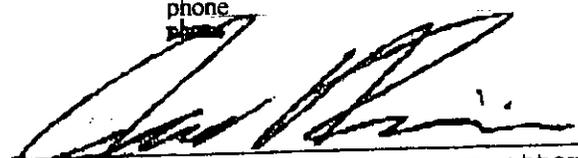
CONTRACT PURCHASER
(if applicable):

AGENT
(if other than owner):

Joseph A. Tosini
names
552 N. Country Rd. Suite 1
address
St. James, NY 11780
city state zip
phone

Dents Unlimited
name
316 B Nebraska Ave.
address
Columbia, MO 65201
city state zip
573-817-1200
phone

Engineering Surveys & Services
name
1113 Fay Street
address
Columbia, MO 65201
city state zip
573-449-2646
phone

X 
signature of property owner or attorney representing owner

Date

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
April 7, 2005

12-Z-05 A request by Joseph A. Tosini to rezone property from C-1 to C-P, located on the south side of Cooper Drive North, across from Rockman Lane, containing approximately 0.84 acres.

MR. WADE: May we have a staff report, please.

Staff report given by Mr. Bondra of the Planning and Development Department. Staff recommends approval of the requested zoning.

MR. WADE: Are there any questions of staff? Thank you, Mr. Bondra.

PUBLIC HEARING OPENED

MR. WADE: Anyone wishing to speak in support of this proposal, please come forward.

MR. REED: Good evening. My name is Tim Reed. I'm a land surveyor with Engineering Surveys & Services. I'm representing the contract purchaser of these two lots, Dents Unlimited. They want to build an automotive-repair facility on these two lots, and have designated that as the only permitted use in this C-P district. They wanted to get the proper zoning in place and then purchase the property, and then they'll plan their building and follow that up with C-P development plan. So, I would be happy to try to answer any questions you might have.

MR. WADE: Are there any questions of this speaker? Thank you.

MR. REED: Thank you.

MR. WADE: Anyone else wishing to speak in support of this proposal? Anyone wishing to speak in opposition to this proposal?

PUBLIC HEARING CLOSED

MR. WADE: Commissioners? Mr. Barrow?

MR. BARROW: Well, yes. This area has been laid out and planned to be commercial for quite a long time, and I think that the planned commercial is entirely appropriate. And I really appreciate the fact that they're specifying a use and that they're going to come back with a plan later. And I'm happy to support this, and I will make a motion that we recommend changing the zoning to planned commercial with the use specified.

MR. WHEELER: I second.

MR. WADE: It's been moved and seconded that we recommend approval of this rezoning request with the uses as specified. Is there any discussion on the motion? Mr. Skala?

MR. SKALA: Just a brief comment. I really appreciate the fact that the use is specified here. It makes our life a lot easier when that is the case. I understand the business about being flexible with some uses, but if they know what they want and they put it forward, it usually will go through pretty readily, so I appreciate that.

MR. WADE: Further -- Mr. Barrow?

MR. BARROW: I just want to follow up on that and say that, I mean, I think it's a real advantage to the neighborhood and the City, because if a new owner gets it and wants to change the use, then there will be another public-hearing process, and I think that's an advantage to all parties.

MR. WADE: Further comments on the motion? Roll call, please.

MR. MEIER: Okay. This is a request to rezone property from C-1 to planned commercial, located on the south side of Cooper Drive North, across from Rockman Lane, containing approximately .84 acres with the uses as specified, automobile-repair facilities, provided that all repairs shall take place within an enclosed building.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Wheeler, Mr. Barrow, Mr. Daugherty, Mr. Meier, Mr. Skala, Mr. Wade. Motion carries 6-0.

MR. MEIER: A recommendation for approval will be passed on to the City Council.