

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 17-14

AN ORDINANCE

rezoning property located southwest of the intersection of Waco Road and Brown Station Road from District R-1 and District C-P to District M-C; 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 21, TOWNSHIP 49 NORTH, RANGE 12 WEST IN BOONE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 441 OF THE VILLAGES AT ARBOR POINTE PLAT 3 AS RECORDED IN PLAT BOOK 41, PAGE 72 OF THE BOONE COUNTY, MISSOURI RECORDS AND CONTAINING 39,805 SQUARE FEET OR 0.91 ACRES, MORE OR LESS.

will be rezoned and become a part of District M-C (Controlled Industrial) and taken away from District R-1 (One-family Dwelling) and District C-P (Planned Commercial).

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 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.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 _____, 2014.

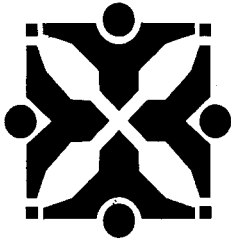
ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor



Source: Community Development - Planning 

Agenda Item No:

To: City Council

From: City Manager and Staff 

Council Meeting Date: Jan 21, 2014

Re: Dell Jones, LLC - rezoning request (Case 13-250)

EXECUTIVE SUMMARY:

A request by Dell Jones, LLC (owner) to rezone approximately 0.91 acres from R-1 (one-family dwelling) and C-P (planned commercial) to M-C (controlled industrial). The 0.91 acre property is located south of Waco Road southwest of the intersection of Waco Road and Brown Station Road and is commonly identified as Lot 441 of The Villages at Arbor Pointe Plat 3. **(Case 13-250)**

DISCUSSION:

The applicant is requesting to rezone a 0.91 acre strip of land from R-1 and C-P to M-C along the south side of improved Waco Road west of Brown Station Road. The request to rezone the subject site is to permit its consolidation into the M-C zoned industrial acreage south of the originally platted right-of-way of Waco Road which had been platted as part of Dell Jones Subdivision, Plat 2.

Between July 2006 and June 2007 the location of Waco Road was shifted northward and required new right-of-way to be dedicated. The subject site was created as a result of the new right-of-way dedication; however, the old right-of-way of Waco Road was not vacated. Because of this, the subject site was rendered unbuildable due to setback requirements applied from each platted roadway frontage.

While the potential rezoning of the subject site would bring M-C zoning closer to future residences, staff believes the performance measures and landscaping standards contained within the M-C district will mitigate potential impacts. Waco Road provides a natural break between the residential development to the north and the industrial uses to the south.

Until such time as the former right-of-way of Waco Road is vacated and Dell Jones Subdivision, Plat 2 is replatted the subject site will not be developable even if it is rezoned. This is due to the setback standards required by the M-C zoning district. Requests to vacate the former right-of-way of Waco Road and approve the replat will be processed separately following Council action on this rezoning request.

At its meeting on January 9, 2014, the Planning and Zoning Commission voted unanimously (8-0) to recommend approval of the proposed rezoning. There were no Commissioner comments or questions and no one from the public spoke. The applicant's representative was present to answer Commission questions.

A copy of the staff report, including locator maps, and the meeting excerpts are attached for your review.

FISCAL IMPACT:

None

VISION IMPACT:

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

None

SUGGESTED COUNCIL ACTIONS:

Approval of the request to rezone from R-1 and C-P to M-C as recommended by the Planning and Zoning Commission.

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 #	NA
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	NA
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	NA

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
January 9, 2014**

SUMMARY

A request by Dell Jones, LLC (owner) to rezone approximately 0.91 acres from R-1 (one-family dwelling) and C-P (planned commercial) to M-C (controlled industrial). The 0.91 acre property is located south of Waco Road southwest of the intersection of Waco Road and Brown Station Road and is commonly identified as Lot 441 of The Villages at Arbor Pointe Plat 3. **(Case 13-250)**

DISCUSSION

The proposed rezoning is being sought in conjunction with a pending replat of Dell Jones Subdivision, Plat 2 and vacation of the previously dedicated right-of-way and utility easements for Waco Road located along the southern boundary of the subject site. The requested rezoning would allow the subject site to be zoned consistently with the remainder of the Dell Jones subdivision to the south.

In July 2006 the subject site was rezoned to R-1 and C-P as part of changes made to accommodate the development of Arbor Pointe Subdivision. The southern boundary of these zoning districts was the northern right-of-way line of Waco Road which had been previously platted as part of Dell Jones Subdivision, Plat 2.

Between July 2006 and June 2007 the location of Waco Road was shifted northward and required new right-of-way to be dedicated. The subject site was created as a result of the new right-of-way dedication; however, the old right-of-way of Waco Road was not vacated. Because of this, the subject site was rendered unbuildable due to setback requirements applied from each platted roadway frontage.

Waco Road is currently improved and provides a natural break between the residential development to the north and the industrial uses to the south. The M-C zoning classification includes performance measures and landscaping standards intended to minimize the impacts that allowed uses within the district will have on adjacent property. The impact of rezoning the approximate 0.91 acres will be minimal and mitigated as a result of the protections built into the M-C district.

The extension of the M-C zoning to the subject site is not seen as an issue since the variation in land uses would have existed regardless if Waco Road had been relocation or not. Given the pending request to vacate the former right-of-way and the proposal to replat Dell Jones Subdivision, this request appears to make the best use of existing infrastructure.

RECOMMENDATION

Approval of the proposed rezoning.

SITE HISTORY

Annexation date	1969
Initial zoning designation	A-1 (Agriculture)
Previous rezoning requests	M-C (2000), R-1 & C-P (2006)
Land Use Plan designation	Neighborhood & Commercial District
Existing use(s)	Vacant
Existing zoning	R-1 & C-P

SITE CHARACTERISTICS

Area (acres)	0.91 acres
Address	None assigned
Topography	Gently sloping to southwest
Vegetation	Cleared
Watershed	Bear Creek

UTILITIES & SERVICES

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

ACCESS

Waco Road	
Location	North side of site
Major Roadway Plan classification	City-maintained minor arterial street
CIP projects	Intersection reconstruction Waco Road and Brown Station Road (6-10 yrs)

PARKS & RECREATION

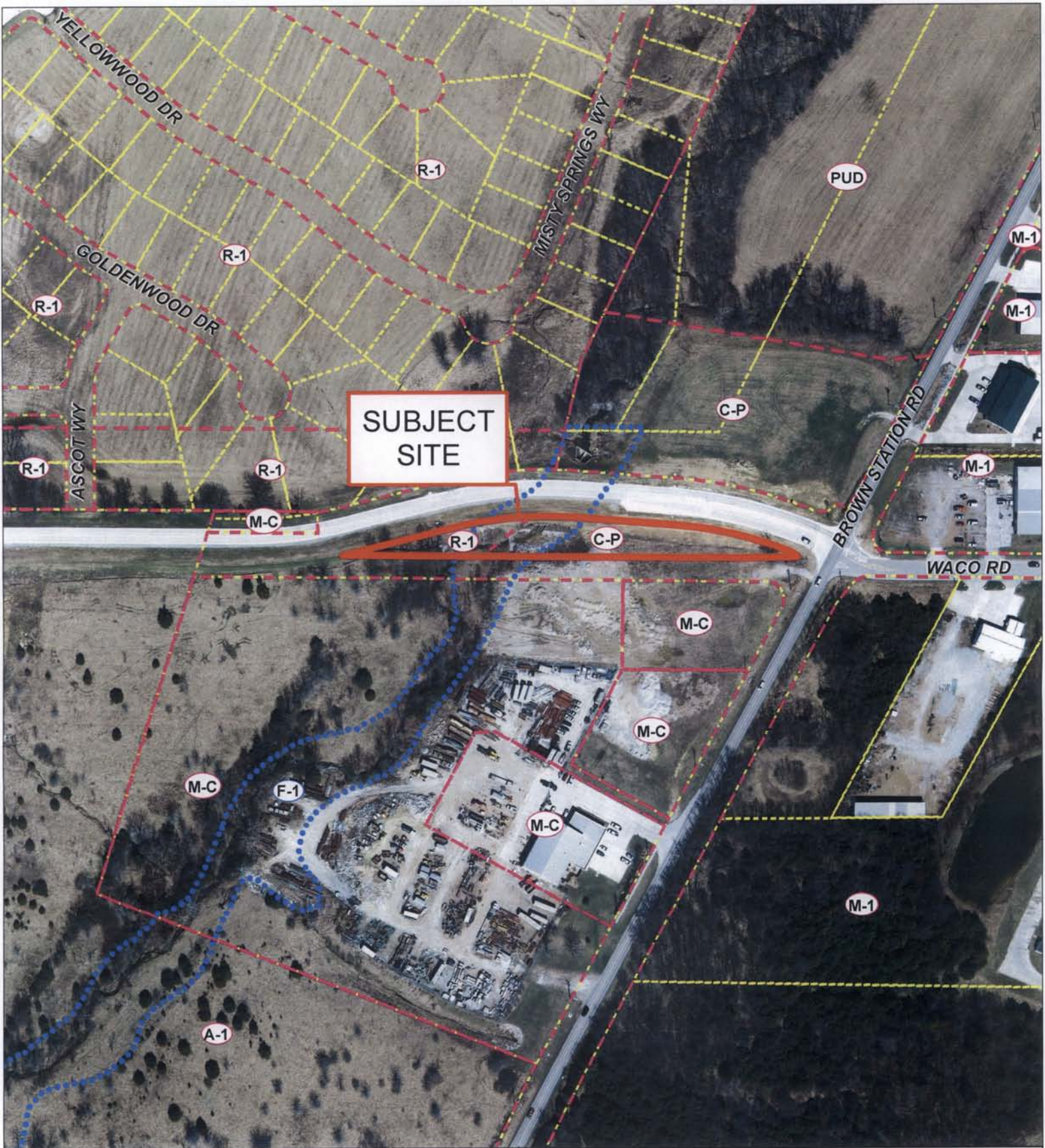
Neighborhood Parks Plan	Closest existing City park is Smith Park to the southwest
Trails Plan	No existing or proposed trails adjacent to site
Bicycle/Pedestrian Network Plan	Urban trails/pedway adjacent to site

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 December 17, 2013.

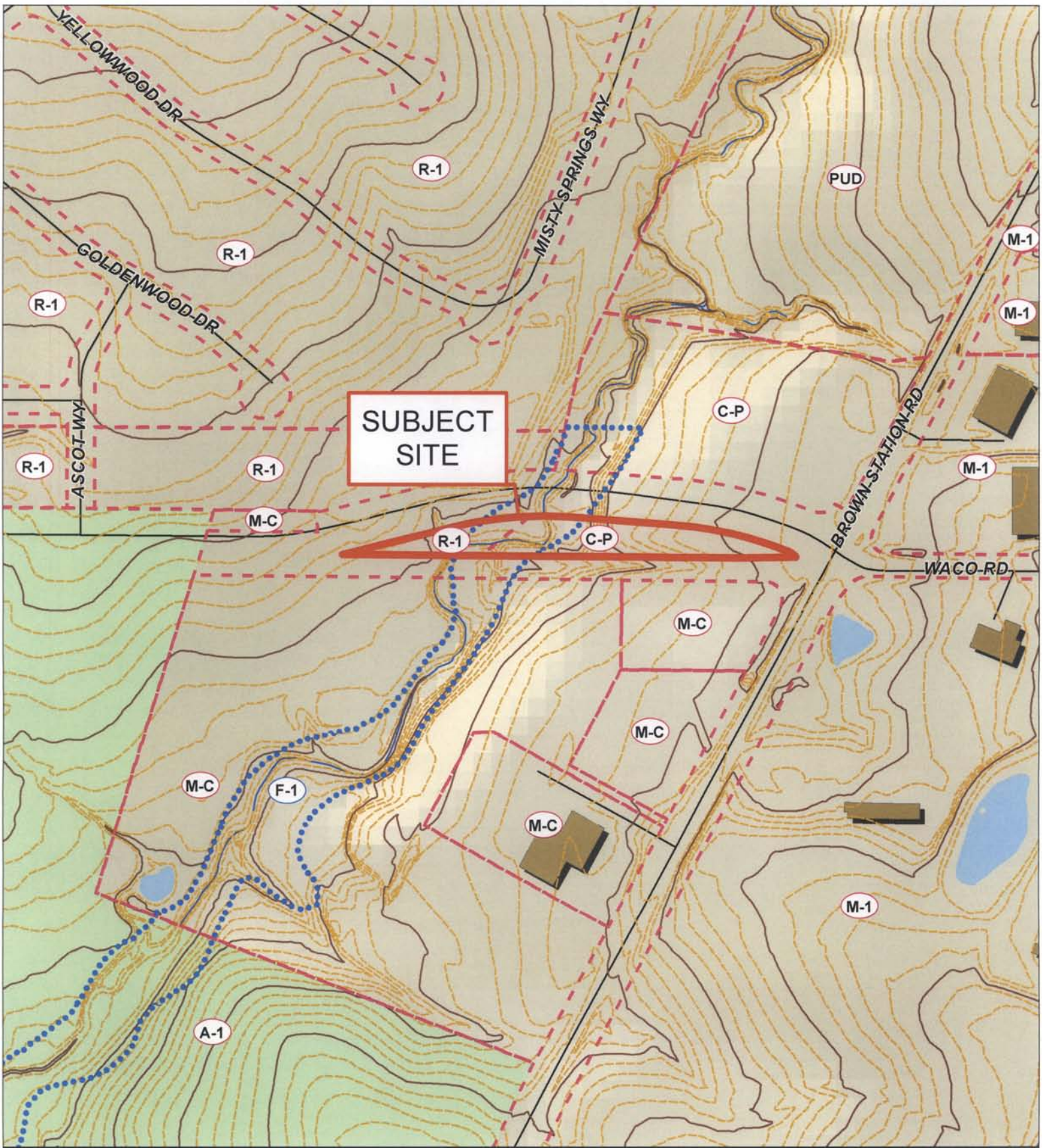
Public information meeting recap	Number of attendees: 3 Comments/concerns: General questions
Neighborhood Association(s) notified	N/A
Correspondence received	None as of this writing

Report prepared and approved by: Patrick Zenner



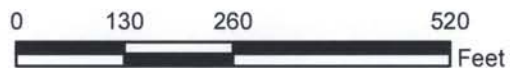
13-250: Dell Jones Plat 3 Rezoning





13-250: Dell Jones Plat 3 Rezoning

Hillshade Data: Boone County GIS Office
Parcel Data Source: Boone County Assessor
Imagery: Boone County Assessor's Office, Sanborn Map Company
Created by The City of Columbia - Community Development Department



EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
January 9, 2014

Case No. 13-250.

A request by Dell Jones, LLC (owner) to remove approximately 0.73 acres from R-1 (one-family dwelling) and C-P (planned commercial) to M-C (controlled industrial). The 0.73 acre property is located south of Waco Road southwest of the intersection of Waco Road and Brown Station Road and is commonly identified as Lot 441 of The Villages at Arbor Pointe Plat 3.

DR. PURI: May we have a staff report, please.

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the proposed rezoning.

DR. PURI: Commissioners, any questions of the staff? I see none.

PUBLIC HEARING OPENED

MR. MURPHY: Good evening, Chairman and Commissioners. Kevin Murphy with A Civil Group, offices at 3401 Broadway Business Park Court, and I would just be happy to answer any questions you have.

DR. PURI: Commissioners, any questions of the engineer?

MR. MURPHY: Thank you.

DR. PURI: Thank you, sir. Anybody else wishing to speak on this matter? Seeing no one.

PUBLIC HEARING CLOSED

DR. PURI: Discussion, Commissioners? Mr. Tillotson?

MR. TILLOTSON: I think this is pretty cut and dried. Staff has recommended approval. It sounds like by the 20 minutes that Pat talked that he's covered all the bases.

DR. PURI: Is that a motion?

MR. TILLOTSON: So with that said, I make a motion to approve.

MR. STRODTMAN: Second.

DR. PURI: Mr. Strodman seconds. Roll call, please.

MR. STRODTMAN: Give me a second.

DR. PURI: Take your time, Mr. Secretary.

MR. STRODTMAN: A motion has been made and seconded for Item 13-250, a request by Dell Jones, LLC, to rezone approximately .73 acres from R-1 and C-P to M-C. The property is located south of Waco Road southwest of the intersection of Waco Road and Brown Station Road.

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

MR. STRODTMAN: Mr. Chair, the motion carries.

DR. PURI: All right.

VI) COMMENTS OF PUBLIC

Comments of the public? Seeing none.