

Source: Community Development - Planning

Agenda Item No: B65-14

To: City Council

From: City Manager and Staff

Supplemental
Information

Council Meeting Date: Apr 7, 2014

Re: Parkside Estates, Plat No. 1 - final major plat (Case 14-16) - Supplemental Information

EXECUTIVE SUMMARY:

Staff reported in the original memo for the Parkside Estates, Plat 1 that the PUD ordinance approved for the development required a set of restrictive covenants to be prepared and recorded *prior to the approval of the subdivision plat*. As of this writing the applicant has not provided a complete declaration in recordable form, only a fragment describing the content that appeared in the PUD ordinance. Staff recommends that Council table the plat until the covenants have been prepared, reviewed and recorded.

DISCUSSION:

While the City does not enforce private covenants, the requirement to have them was made part of the Parkside annexation and zoning ordinance.

FISCAL IMPACT:

None

VISION IMPACT:

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

SUGGESTED COUNCIL ACTIONS:

Table the subdivision plat until the April 21, 2014 Council meeting.

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

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 65-14

AN ORDINANCE

approving the Final Plat of Parkside Estates, Plat No. 1, a major subdivision; accepting the dedication of rights-of-way and easements; authorizing a performance contract; 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 City Council hereby approves the Final Plat of Parkside Estates, Plat No. 1, as certified and signed by the surveyor on March 6, 2014, a major subdivision located on the east side of Route K and adjacent to Southbrook Court, containing approximately 33.04 acres in the City of Columbia, Boone County, Missouri, and hereby authorizes and directs the Mayor and City Clerk to sign the plat evidencing such approval.

SECTION 2. The City Council hereby accepts the dedication of all rights-of-way and easements as dedicated upon the plat.

SECTION 3. The City Manager is hereby authorized to execute a performance contract with Southside Trails Estates, LLC in connection with the approval of the Final Plat of Parkside Estates, Plat No. 1. The form and content of the contract shall be substantially as set forth in "Exhibit A" attached hereto.

SECTION 4. 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

PERFORMANCE CONTRACT

This contract is entered into on this day ____ of _____, 2014 between the City of Columbia, MO ("City") and **Southside Trails Estates, LLC**. ("Subdivider").

City and Subdivider agree as follows:

1. Subdivider shall construct, erect and install all improvements and utilities required in connection with the final plat of **Parkside Estates, Plat No. 1**, including sidewalks and all improvements and utilities shown on the plat and related construction plans, within 36 months after the City Council approves the plat.
2. If street, utility or other construction of public improvements should occur on or adjacent to land in the subdivision at the initiative of the City Council, as benefit assessment projects, Subdivider agrees to bear Subdivider's equitable and proportionate share of construction costs, as determined by such assessments.
3. No utility service connections or occupancy permits shall be issued to the Subdivider or to any other person for any structure on land in the subdivision unless and until improvements have been constructed, erected and installed in the structure and upon the lot or lots on which the structure is situated in accordance with all applicable ordinances, rules and regulations of the City.
4. No occupancy permit shall be issued to the Subdivider or any other person for any structure constructed on land in the subdivision unless the street and sidewalk adjacent to the structure have been completed in compliance with the City's Standard Street Specifications.
5. City may construct, erect or install any improvement or utility not constructed, erected or installed by Subdivider as required by this contract. City may perform such work using City employees or City may contract for performance of the work. Subdivider shall reimburse City for all costs and expenses incurred by City in connection with the construction, erection, or installation of improvements in utilities under this paragraph. Subdivider agrees to pay City all expenses and costs, including reasonable attorneys' fees, incurred by the City in collecting amounts owed by Subdivider under this paragraph.
6. City shall not require a bond or other surety to secure the construction of the improvements and utilities required in connection with the final plat.

7. The obligations of Subdivider under this contract shall not be assigned without the express consent of the City Council.
8. The remedies set forth in this contract are not exclusive. City does not waive any other remedies available to enforce Subdivider's obligations under this contract or to recover damages resulting from Subdivider's failure to perform its obligations under this contract.
9. This contract is not intended to confer any rights or remedies on any person other than the parties.

IN WITNESS WHERE OF, the parties have executed this contract on the day and year first above written.

CITY OF COLUMBIA, MISSOURI

BY: _____
Mike Matthes, City Manager

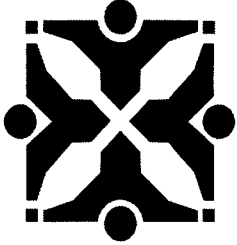
ATTEST:

Sheela Amin, City Clerk

APPROVED AS TO FORM:

Nancy Thompson, City Counselor

Southside Trails Estates, LLC
BY: Robert A. Hill
Robert A. Hill, Manager



Source: Community Development - Planning

TT

Agenda Item No:

To: City Council

From: City Manager and Staff

MM

Council Meeting Date: Mar 17, 2014

Re: Parkside Estates, Plat No. 1 - final major plat (Case 14-16)

EXECUTIVE SUMMARY:

A request by Southside Trail Estates (owner) for approval of a 50-lot final major plat on PUD (Planned Unit Development) zoned land, to be known as "Parkside Estates, Plat No. 1". The 33.04-acre subject site is located on the east side of Route K, across from E. Southbrook Court. (Case #14-16)

DISCUSSION:

The applicant is requesting approval of a 50-lot plat on PUD (Planned Unit Development) zoned land to accommodate the construction of 49 single-family detached houses. The proposed plat is substantially consistent with the Parkside Estates PUD development plan, and meets the conditions contained within the associated rezoning ordinance and statement of intent, which were approved by Council on September 3, 2013.

More specifically, the final plat satisfies the following conditions, which are noted on the preliminary plat/PUD development plan, and contained within the rezoning ordinance and statement of intent:

1. The Type 2 stream buffer has been expanded from 100 feet to 200 feet to meet the Type 1 width standard
2. Direct driveway access to Route K is prohibited
3. Common lot "C1" is reserved for storm water drainage and utility easements
4. A tree preservation plan has been approved
5. All lots are for single-family detached housing
6. A 75-foot wide parkside buffer is shown along the plat's southern boundary
7. Per the statement of intent, draft covenant excerpts pertaining to impervious area, landscaping, lawn care, and storm water mitigation are attached, and the complete declaration of covenants, conditions and restrictions must be recorded prior to approval of the final plat.

It should be noted that there are many requirements listed within the PUD plan notes and statement of intent that pertain to final build-out conditions. While staff will continue to track them in order to ensure future compliance, these conditions cannot be verified at this phase of development. The maximum impervious surface ratio of 15 percent is acknowledged on the plat and will be checked with each construction permit.

The plat has been reviewed by City departments and external agencies, and meets all applicable requirements of the City's Zoning and Subdivision Regulations. Locator maps, a reduced copy of the plat and PUD plan, the rezoning ordinance and statement of intent, excerpts from the pending covenants & restrictions, and performance contracts are attached.

FISCAL IMPACT:

None

VISION IMPACT:

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

None

SUGGESTED COUNCIL ACTIONS:

Approval of the proposed final major plat, subject to the above-referenced covenants and restrictions being completed and recorded prior to plat approval.

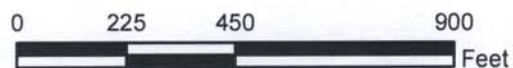
FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$0.00	Duplicates/Expands an existing program?	No	Vision Implementation impact	
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



14-16: Parkside Estates Plat No. 1 Final Major



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

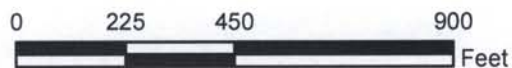


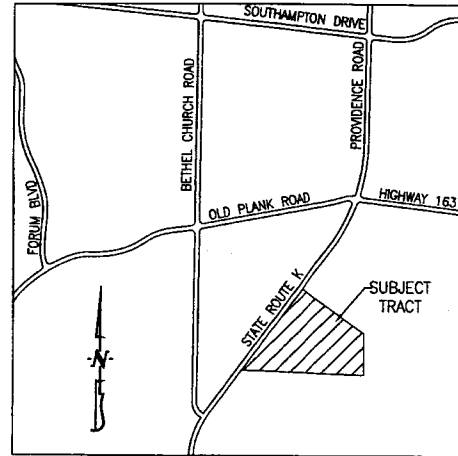


14-16: Parkside Estates Plat No. 1 Final Major

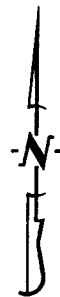


Hillshade Data: Boone County GIS Office
Parcel Data Source: Boone County Assessor
Imagery: Boone County Assessor's Office, Sanborn Map Company
Created by The City of Columbia - Community Development Department





LOCATION MAP
NOT TO SCALE



BEARINGS ARE REFERENCED TO GRID
NORTH, OF THE MISSOURI STATE PLANE
COORDINATE SYSTEM (CENTRAL ZONE),
OBTAINED FROM GPS OBSERVATION.

LEGEND:

- E EXISTING
- o SET 1/2" IRON PIPE
(UNLESS NOTED OTHERWISE)
- STONE
- PERMANENT MONUMENT
- (M) MEASURED DISTANCE
- (REC) RECORDED DISTANCE
- (R) RADIAL LINE
- DH x DRILL HOLE
- W/ CHISELED X

NOTES:

1. THIS TRACT IS NOT LOCATED IN THE 100-YEAR FLOOD PLAIN AS SHOWN BY BOONE COUNTY & CITY OF COLUMBIA FLOOD PLAIN MAP 29019C 0290D DATED MARCH 17, 2011.
2. THIS SURVEY CONFORMS TO THE ACCURACY STANDARDS FOR URBAN PROPERTY AS DEFINED BY MISSOURI STATUTE 20 CSR 2030-16.040(2)(A).
3. A CURRENT TITLE COMMITMENT WAS NOT PROVIDED FOR THIS SURVEY.
4. THIS TRACT IS REGULATED BY THE STREAM BUFFER REQUIREMENTS IN SECTION 12A-230, ARTICLE X OF THE CITY OF COLUMBIA CODE OF ORDINANCES. THERE IS A REGULATED STREAM ON THIS SITE AS SHOWN BY THE COLUMBIA USGS QUAD MAP.
5. ALL MONUMENTS WILL BE SET AFTER CONSTRUCTION OF STREET AND UTILITIES ARE COMPLETE.
6. THERE SHALL BE NO DIRECT ACCESS FROM LOTS 101,131,132,133, 134,135,136,137 OR 148 ONTO STATE ROUTE K.
7. LOT C1 IS TO BE A DRAINAGE AND UTILITY EASEMENT.
8. NO BUILDINGS WILL BE CONSTITUTED WITHIN THE PARKSIDE BUFFER WITHOUT PERMISSION FROM MISSOURI PARKS DEPARTMENT.

FINAL PLAT
PARKSIDE ESTATES, PLAT No. 1

A MAJOR SUBDIVISION LOCATED IN SECTION 1, TOWNSHIP 47 NORTH, RANGE 13 WEST
COLUMBIA, BOONE COUNTY, MISSOURI
JANUARY 27, 2014

KNOW ALL MEN BY THESE PRESENTS:

THAT SOUTHSIDE TRAIL ESTATES, LLC. IS THE SOLE OWNER OF THE HEREON DESCRIBED TRACT AND THAT SAID LIMITED LIABILITY COMPANY HAS CAUSED SAID TRACT TO BE SURVEYED, SUBDIVIDED, AND PLATTED AS SHOWN ON THE ABOVE DRAWING. THE STREET RIGHT OF WAY SHOWN BY THE ABOVE DRAWING IS HEREBY DEDICATED TO THE CITY OF COLUMBIA FOR THE PUBLIC USE FOREVER. THE EASEMENTS AS SHOWN, ARE HEREBY DEDICATED TO THE CITY OF COLUMBIA FOR THE PUBLIC USE FOREVER. THE ABOVE DRAWING AND DESCRIPTION SHALL HEREAFTER BE KNOWN AS "PARKSIDE ESTATES, PLAT NO. 1"

IN WITNESS WHEREOF, SOUTHSIDE TRAIL ESTATES, LLC, LLC HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS MANAGER, THIS _____ DAY OF _____, 2014.

SOUTHSIDE TRAIL ESTATES, LLC.

ROBERT A. HILL, MANAGER

STATE OF MISSOURI }
COUNTY OF BOONE }

ON THIS _____ DAY OF _____, 2014 BEFORE ME PERSONALLY
APPEARED _____ AND _____, TO ME KNOWN, WHO BY
ME DULY SWORN, DID SAY THAT THEY HE IS THE MANAGER OF SAID LIMITED LIABILITY
COMPANY AND THAT HE FURTHER ACKNOWLEDGE THIS INSTRUMENT TO BE HIS FREE ACT
AND THE FREE ACT AND DEED OF SAID LIMITED LIABILITY COMPANY.

NOTARY PUBLIC
DANIELLE GRIFFITH
MY COMMISSION EXPIRES OCTOBER 28, 2016
COMMISSION NUMBER 12409201



ACCEPTED BY ORDINANCE OF THE CITY COUNCIL OF COLUMBIA,
MISSOURI, THIS _____ DAY OF _____, 2014.

ROBERT McDAVID, MAYOR

SHEELA AMIN, CITY CLERK

CERTIFICATION:

I HEREBY CERTIFY THAT IN JANUARY OF 2014, I COMPLETED A SURVEY AND SUBDIVISION FOR SOUTHSIDE TRAIL ESTATES, LLC, OF A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 47 NORTH, RANGE 13 WEST, BOONE COUNTY, MISSOURI AND BEING PART OF THE LAND SHOWN IN THE SURVEYS RECORDED IN BOOK 2920, PAGE 90, AND BOOK 3080, PAGE 187 AND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 4045, PAGE 119 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SAID SECTION 1 ALSO BEING THE SOUTHEAST CORNER OF TRACT 2 OF THE SURVEY RECORDED IN BOOK 3080, PAGE 187 AND WITH THE QUARTER SECTION LINE AND THE LINES OF SAID SURVEY, N 87°37'20"W, 1313.03 FEET; THENCE N 88°09'10"W, 100.78 FEET; THENCE LEAVING SAID QUARTER SECTION LINE AND THE LINES OF SAID SURVEY, N 1°57'20"E, 276.97 FEET; THENCE N 53°30'00"W, 176.05 FEET; THENCE 47.12 FEET ALONG A 30.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, S 81°30'05"W, 42.43 FEET; THENCE N 53°30'00"W, 25.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROUTE KK; THENCE WITH SAID EASTERLY RIGHT-OF-WAY LINE, N 36°30'00"E, 1135.85 FEET; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE AND CONTINUING WITH THE LINES OF SAID SURVEY, S 53°30'35"E, 1170.55 FEET; THENCE S 0°51'25"W, 664.88 FEET TO THE CENTER OF SAID SECTION 1 AND THE POINT OF BEGINNING AND CONTAINING 33.04 ACRES.

I FURTHER CERTIFY THAT I SURVEYED THE ABOVE DESCRIBED PROPERTY AND SUBDIVIDED IT AS SHOWN ON THE PLAT IN ACCORDANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

SURVEY AND PLAT BY:

CROCKETT ENGINEERING CONSULTANTS, LLC
2608 NORTH STADIUM BLVD.
COLUMBIA, MO 65202

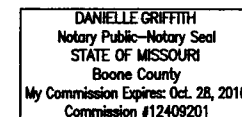
CORPORATE NUMBER: 2000151304

David T. Butcher
DAVID T. BUTCHER, PLS-2002014095
3/6/2014
DATE

STATE OF MISSOURI }
COUNTY OF BOONE }

SUBSCRIBED AND AFFIRMED BEFORE ME THIS 6 DAY OF MARCH, 2014.

Danielle Griffith
DANIELLE GRIFFITH
NOTARY PUBLIC
MY COMMISSION EXPIRES OCTOBER 28, 2016
COMMISSION NUMBER 12409201



CURVE TABLE				
CURVE	L	R	Δ	CHDIST
1	68.57'	300.00'	13°05'45"	68.42'
2	194.76'	500.00'	22°19'05"	193.53'
3	207.64'	115.00'	103°27'10"	180.56'
4	136.51'	250.00'	31°17'05"	134.82'
5	235.58'	150.00'	89°59'05"	212.10'
6	342.89'	300.00'	65°29'10"	324.53'
7	47.24'	30.00'	90°13'20"	42.51'
8	47.01'	30.00'	89°46'30"	42.34'
9	29.86'	20.00'	85°31'45"	27.16'
10	28.80'	20.00'	82°30'20"	26.38'
11	15.35'	20.00'	43°58'10"	14.97'
12	225.85'	47.00'	275°19'10"	63.31'
13	18.38'	20.00'	52°38'15"	17.74'
14	31.42'	20.00'	90°00'00"	28.28'
15	24.77'	27.00'	52°33'30"	23.91'
16	221.53'	47.00'	270°03'50"	66.43'
17	18.91'	27.00'	40°07'05"	18.52'
18	47.12'	30.00'	89°59'50"	42.43'

LEGEND:

- E EXISTING
- SET 1/2" IRON PIPE (UNLESS NOTED OTHERWISE)
- STONE
- ⊙ PERMANENT MONUMENT
- (M) MEASURED DISTANCE
- (REC) RECORDED DISTANCE
- (R) RADIAL LINE
- DH X DRILL HOLE
- W/ CHISELED X

SCALE: 1"=60'
0 30 60 120
BEARINGS ARE REFERENCED TO GRID NORTH, OF THE MISSOURI STATE PLANE COORDINATE SYSTEM (CENTRAL ZONE), OBTAINED FROM GPS OBSERVATION.

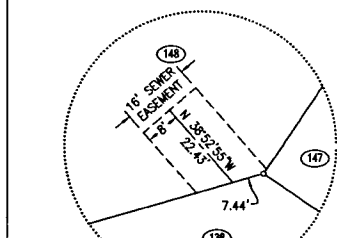
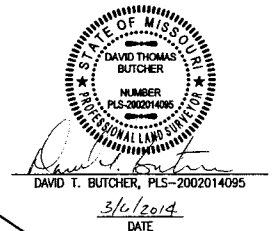
FINAL PLAT
PARKSIDE ESTATES, PLAT No. 1

A MAJOR SUBDIVISION LOCATED IN SECTION 1, TOWNSHIP 47 NORTH, RANGE 13 WEST
COLUMBIA, BOONE COUNTY, MISSOURI
JANUARY 27, 2014

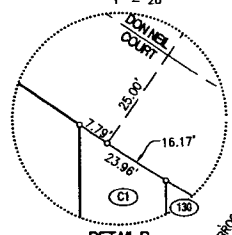
SHEET 2 OF 2

NOTES:

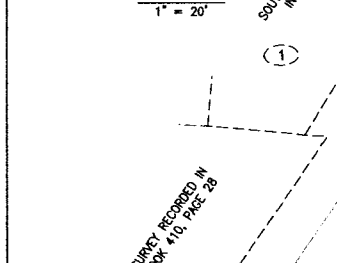
- THIS TRACT IS NOT LOCATED IN THE 100-YEAR FLOOD PLAIN AS SHOWN BY BOONE COUNTY & CITY OF COLUMBIA FLOOD PLAIN MAP 29019C 02900 DATED MARCH 17, 2011.
- THIS SURVEY CONFORMS TO THE ACCURACY STANDARDS FOR URBAN PROPERTY AS DEFINED BY MISSOURI STATUTE 20 CSR 2030-16.040(2)(A).
- A CURRENT TITLE COMMITMENT WAS NOT PROVIDED FOR THIS SURVEY.
- THIS TRACT IS REGULATED BY THE STREAM BUFFER REQUIREMENTS IN SECTION 12A-230, ARTICLE X OF THE CITY OF COLUMBIA CODE OF ORDINANCES. THERE IS A REGULATED STREAM ON THIS SITE AS SHOWN BY THE COLUMBIA USGS QUAD MAP.
- ALL MONUMENTS WILL BE SET AFTER CONSTRUCTION OF STREET AND UTILITIES ARE COMPLETE.
- THERE SHALL BE NO DIRECT ACCESS FROM LOTS 101,131,132,133, 134,135,136,137 OR 148 ONTO STATE ROUTE K.
- LOT C1 IS TO BE A DRAINAGE AND UTILITY EASEMENT.
- NO BUILDINGS WILL BE CONSTITUTED WITHIN THE PARKSIDE BUFFER WITHOUT PERMISSION FROM MISSOURI PARKS DEPARTMENT.



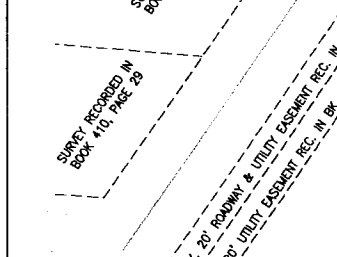
DETAIL A



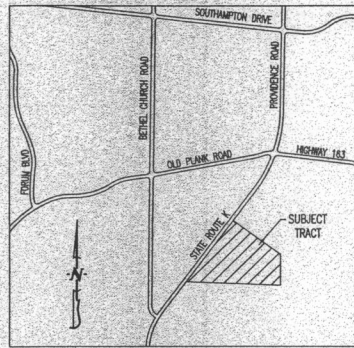
DETAIL B



SOUTH BROOK COURT



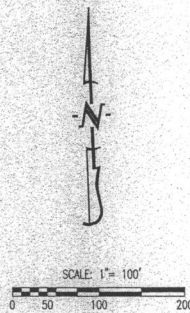
FUTURE PLAT



LOCATION MAP
NOT TO SCALE

LEGEND:

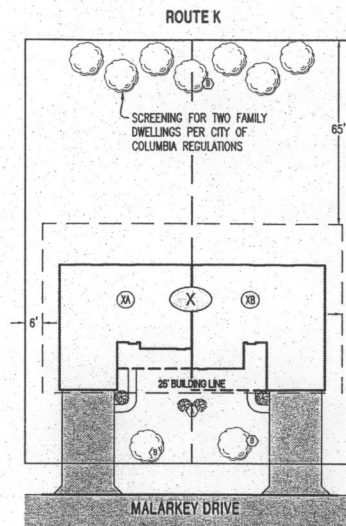
- EXISTING 2FT CONTOUR
- EXISTING 10FT CONTOUR
- PROPOSED 2FT CONTOUR
- PROPOSED 10FT CONTOUR
- EXISTING STRUCTURE
- EXISTING TREELINE
- PROPOSED TREELINE
- EDGE OF WATERWAY
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER
- MANHOLE
- PROPOSED SANITARY SEWER LATERAL
- PROPOSED WATERLINE
- PROPOSED FIRE HYDRANT
- PROPOSED STORM SEWER
- BUILDING LINE
- LOT NUMBER
- STREAM BUFFER (OUTER LIMITS)



OWNER:
SOUTHSIDE TRAIL ESTATES
5796 S. ROUTE K
COLUMBIA, MO 65203

PRELIMINARY PLAT & PUD PLAN PARKSIDE ESTATES

A MAJOR SUBDIVISION LOCATED IN SECTION 1,
TOWNSHIP 47 NORTH, RANGE 13 WEST
COLUMBIA, BOONE COUNTY, MISSOURI
JUNE 2013



- PROPOSED SHRUBS
 - PROPOSED TREE
- TYPICAL PUD LANDSCAPING
FOR LOTS 1-8

NOTES:

WATER DISTRIBUTION TO BE DESIGNED BY THE CITY WATER AND LIGHT DEPARTMENT.

ALL PUBLIC SANITARY SEWER EXTENSIONS SHALL BE MINIMUM OF 8" DIAMETER. SEWERS NOT CONSTRUCTED ALONG FRONTS OF LOTS TO BE LOCATED WITHIN 16 FOOT WIDE EASEMENTS OR EASEMENTS EQUAL TO THE DEPTH OF THE SEWER IF SEWER IS GREATER THAN 16 FEET. NO SEWER TAPS WILL BE GREATER THAN 20 FEET.

NO PART OF THIS TRACT LIES WITHIN THE 100 YEAR FLOODPLAIN AS ADOPTED BY THE CITY OF COLUMBIA AS SHOWN BY FIRM PANELS 29019C 02900 DATED MARCH 17, 2011.

THE STREET R/W SHALL BE 50 FOOT WIDE, UNLESS OTHERWISE NOTED.

THERE SHALL BE A 10 FOOT UTILITY EASEMENT ALONG THE SIDE OF EACH LOT ADJACENT TO STREET RIGHT-OF-WAY.

NATURAL GAS DISTRIBUTION TO BE DESIGNED BY AMEREN UE.

LOT NUMBERS SHOWN ARE FOR INVENTORY PURPOSES ONLY.

THE EXISTING ZONING OF THIS TRACT IS COUNTY A-1 AND R-S (PENDING REZONING TO PUD 2.0).

THIS PLAT CONTAINS 35.84 ACRES.

A 5' SIDEWALK SHALL BE CONSTRUCTED ALONG ONE SIDE OF ALL STREETS.

ELECTRIC DISTRIBUTION TO BE DESIGNED BY THE CITY OF COLUMBIA WATER & LIGHT DEPARTMENT.

A REGULATED STREAM BUFFER AS IDENTIFIED BY ARTICLE X, CHAPTER 12A OF THE CITY CODE OF ORDINANCES, IS LOCATED ON THIS TRACT AND IS AS SHOWN ON THE ADJACENT DRAWING. SAID STREAM BUFFER HAS BEEN EXPANDED PER THE STATEMENT OF INTENT.

NO DIRECT ACCESS SHALL BE ALLOWED FROM LOTS 1-8 AND 21-22 ONTO STATE ROUTE K.

LOT C1 IS NOT FOR RESIDENTIAL DEVELOPMENT, BUT MAY CONTAIN NEIGHBORHOOD AMENITIES SUCH AS SWIMMING POOL, RESTROOM FACILITIES, RECREATIONAL FACILITIES, SHELTERS, STORM WATER FEATURES, ETC.

ALL LOTS SHALL HAVE A MINIMUM WIDTH OF 60' AT THE BUILDING LINE.

A MINIMUM OF 25% OF THE TREES CLASSIFIED AS CLIMAX FOREST AND LOCATED ON THIS TRACT SHALL BE PRESERVED. A TREE PRESERVATION PLAN SHALL BE SUBMITTED AND APPROVED BY THE CITY ARBORIST PRIOR TO LAND DISTURBANCE.

THE MAXIMUM RELEASE RATE FROM THIS DEVELOPMENT SHALL BE CONTROLLED BY LIMITING THE POST-DEVELOPMENT STORM WATER RELEASE RATES TO THE PREDEVELOPMENT RATES FOR THE 1, 2, 10 AND 100 YEAR STORMS.

THE TWO ENTRANCES ONTO ROUTE K SHALL BE DESIGNED TO ACCOMMODATE A STANDARD LENGTH SCHOOL BUS. TURNING RADI AND PATH MODELS SHALL BE SUBMITTED WITH FINAL DESIGN PLANS TO ILLUSTRATE PROPOSED IMPROVEMENTS WILL BE ADEQUATE.

VEGETATIVE LANDSCAPING SHALL BE INSTALLED ALONG THE REAR OF LOTS 22-28.

NO DETACHED BUILDINGS SHALL BE ALLOWED ON ANY PRIVATE LOT WITHIN THIS DEVELOPMENT.

LOTS 1-8 SHALL CONTAIN A SINGLE FAMILY RESIDENTIAL OR TWO FAMILY RESIDENTIAL BUILDING. ALL TWO FAMILY DWELLINGS SHALL MEET THE STANDARDS FOR VILLA STYLE UNITS AS DEFINED BY THE CITY OF COLUMBIA AND THE STATEMENT OF INTENT.

LOTS 9-56 SHALL ALL CONTAIN SINGLE FAMILY RESIDENTIAL UNITS ONLY.

LOT 57 SHALL CONTAIN A PRIVATE DRIVE AND 5 SINGLE FAMILY RESIDENTIAL UNITS. LOT 57 MAY BE SUBDIVIDED ACCORDINGLY IN ORDER TO SELL EACH UNIT.

LEGAL DESCRIPTION:

THREE (3) TRACTS OF LAND LOCATED IN SECTION 1, TOWNSHIP 47 NORTH, RANGE 13 WEST AND BEING ALL OF TRACTS 1, 2 AND 3 OF THE SURVEY RECORDED IN BOOK 3080, PAGE 187, ALSO BEING ALL OF A TRACT OF LAND SHOWN BY THE SURVEY RECORDED IN BOOK 2920, PAGE 90, COLUMBIA, BOONE COUNTY, MISSOURI AND CONTAINING, 35.84 ACRES.

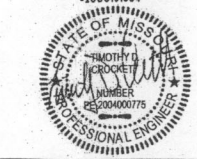
ACCEPTED BY ORDINANCE OF THE CITY COUNCIL OF COLUMBIA,
MISSOURI, THIS 3rd DAY OF September, 2013.

ROBERT McDAVID, MAYOR

SHEELA AMIN, CITY CLERK

PREPARED BY:
CROCKETT
ENGINEERING CONSULTANTS
8500 North Stadium Boulevard
Columbia, Missouri 65202
(314) 447-0292

www.crockettengineering.com
Crockett Engineering Consultants, LLC
Missouri Certificate of Authority
#0000000775



TIMOTHY D. CROCKETT - PE-2004000775

APPROVED BY THE CITY OF COLUMBIA PLANNING AND ZONING
COMMISSION THIS 8th DAY OF August, 2013.

DOUG WHEELER, CHAIRPERSON

021788

Permanent Record
Filed in City Clerk's Office

Introduced by McDavid
First Reading 8-19-13 Second Reading 9-3-13
Ordinance No. 021788 Council Bill No. B 229-13 A

AN ORDINANCE

extending the corporate limits of the City of Columbia, Missouri, by annexing property located on the south side of Route K, approximately 2,000 feet south of the intersection of Providence Road, Route K and Old Plank Road; directing the City Clerk to give notice of the annexation; placing the property annexed in District PUD-2.0; approving the Preliminary Plat & PUD Plan of Parkside Estates; granting a variance from the Subdivision Regulations relating to sidewalk construction; setting forth conditions for approval relating to impervious surface restrictions and best management practices; 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 City Council hereby finds that a verified petition was filed with the City on June 10, 2013, requesting the annexation of land which is contiguous and compact to the existing corporate limits of the City and which is described in Section 4 of this ordinance. The petition was signed by Robert Hill, a member of Southside Trail Estates, LLC, the owner of the fee interest of record in the land proposed to be annexed. A public hearing was held concerning this matter on August 19, 2013. Notice of this hearing was published more than seven days prior to the hearing in a newspaper of general circulation qualified to publish legal matters. At the public hearing all interested persons, corporations and political subdivisions were permitted to present evidence regarding the proposed annexation.

SECTION 2. The Council determines that the annexation is reasonable and necessary to the proper development of the City and that the City has the ability to furnish normal municipal services to the area to be annexed within a reasonable time.

SECTION 3. The Council determines that no written objection to the proposed annexation has been filed within fourteen days after the public hearing.

SECTION 4. The City Council hereby extends the city limits by annexing the land described in Section 1-11.19 of the Code of Ordinances of the City of Columbia, Missouri, which is hereby added to Chapter 1 of the City Code and which reads as follows:

Section 1-11.19. September, 2013 Extension of Corporate Limits.

The corporate limits of the City of Columbia shall include the following land:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 47 NORTH, RANGE 13 WEST, BOONE COUNTY, MISSOURI AND BEING ALL OF THE LAND SHOWN IN THE SURVEYS RECORDED IN BOOK 2920, PAGE 90, AND BOOK 3080, PAGE 187 AND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 4045, PAGE 119 AND CONTAINING 35.84 ACRES.

SECTION 5. The City Clerk is hereby authorized and directed to cause three certified copies of this ordinance to be filed with the Clerk of Boone County, Missouri and three certified copies with the Assessor of Boone County, Missouri. The City Clerk is further authorized and directed to forward to the Missouri Department of Revenue, by registered or certified mail, a certified copy of this ordinance and a map of the City clearly showing the area annexed to the City.

SECTION 6. The property described in Section 4 is in the Fifth Ward.

SECTION 7. 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 so that the property described in Section 4 will be zoned and become a part of District PUD-2.0 (Planned Unit Development) with a development density not exceeding 2.0 dwelling units per acre. Hereafter the property may be used for single-family and two-family dwellings.

SECTION 8. The City Council hereby approves the terms and conditions contained in the statement of intent dated August 26, 2013, attached hereto as "Exhibit A" and made a part of this ordinance provided, however, paragraph 18 of such statement of intent shall be amended to provide for a maximum total impervious area of development of fifteen percent (15%). 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 9. The City Council hereby approves the Preliminary Plat & PUD Plan of Parkside Estates, dated June 2013, a major subdivision containing approximately 35.84 acres, and hereby confers upon the subdivider the following rights for a period of seven years from the date of this approval:

- A. The terms and conditions under which the Preliminary Plat was given will not be changed.
- B. The subdivider may submit on or before the expiration date the whole or any part of the subdivision for final approval.

- C. The time for filing the final plat may be extended by the Council for a specified period on such terms and conditions as the Council may approve.

SECTION 10. Prior to approval of the Final Plat of this Subdivision, the subdivider shall have completed the improvements required by the Subdivision Regulations, or in lieu of completion of the work and installations referred to, present security to the City Council with surety and conditions satisfactory and acceptable to the City Council, providing for and securing the actual construction and installation of the improvements and utilities; or put the City Council in an assured position to do the work, obligating the developer to install the improvements indicated on the plat, provided that no occupancy permit will be issued to any person for occupancy of any structure on any street that is not completed in front of the property involved, or the utilities have not been installed to the satisfaction of the City.

SECTION 11. Subdivider is granted a variance from the requirements of Section 25-48.1 of the Subdivision Regulations so that sidewalks shall not be required along internal streets within the subdivision, subject to the condition that the maximum impervious surface ratio shall not exceed fifteen percent (15%).


SECTION 12. The developer shall incorporate the impervious surface restrictions into the covenants and restrictions for the development. No variance to construct any improvement which would increase the impervious surface area within the development may be granted by the Board of Adjustment without approval, in advance, of the City Council.

SECTION 13. The developer shall incorporate best management practices to ensure the level of service identified by the City Code, Bonne Femme Watershed Plan, and Stormwater Manual are exceeded by at least one point.

SECTION 14. This ordinance shall be in full force and effect from and after its passage.

PASSED this 3rd day of September, 2013.

ATTEST:

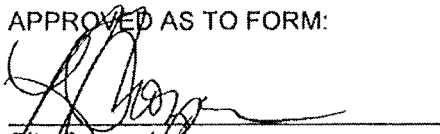


City Clerk



Mayor and Presiding Officer

APPROVED AS TO FORM:



City Counselor

VAN MATRE, HARRISON, HOLLIS, TAYLOR, AND BACON, P.C.

A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS AT LAW
1103 EAST BROADWAY
POST OFFICE BOX 1017
COLUMBIA, MISSOURI 65201

CRAIG A. VAN MATRE
THOMAS M. HARRISON
ROBERT N. HOLLIS
GARRETT S. TAYLOR
BRYAN C. BACON*
CASEY E. ELLIOTT
RICHARD B. HUCKS

(573) 874-7777
TELECOPIER (573) 875-0017
E-MAIL: robert@vanmatre.com

EVERETT S. VAN MATRE
(1922-1998)

*ADMITTED IN MISSOURI AND ILLINOIS

August 26, 2013

Tim Teddy, Director
Department of Planning & Development
City of Columbia
701 E Broadway
Columbia, MO 65201
Via E-mail: ttteddy@gocolumbiamo.com

Pat Zenner
Department of Planning & Development
City of Columbia
701 E Broadway
Columbia, MO 65201
Via E-mail: przenner@gocolumbiamo.com

RE: Statement of Intent / Application for Permanent Rezoning and PUD Plan /
Southside Trail Estates, LLC (the "Applicant") / Case No. 13-100

Dear Mssrs. Teddy and Zenner,

The following is intended to satisfy the requirements of Section 29-10(e)(2) of the City's
Zoning Ordinances:

1. The proposed uses for this property would include single-family and two-family dwellings.
2. This development shall be allowed to have single-family and two-family dwellings. The two-family dwellings shall only be allowed on Lots 1-8 of the proposed PUD Plan. The maximum number of units on the entire property shall be 69. The net density of the development shall not exceed 2.0 units per acre.
3. The maximum building height shall not exceed 35 feet.
4. The minimum percentage of the site to maintained in open space shall be 70%. This amount shall be further delineated as 15% existing vegetation and 55% landscaping.
5. The total number of parking spaces proposed for this development shall be in conformance with the current regulations for the City of Columbia for single-family and two-family dwellings.
6. Additional amenities may include a gazebo, walking trail, shelter houses, and picnic areas.
7. This project is a residential development with internal public streets. There is a portion of the development that would utilize a private street to access a maximum of 5 single-family residences. A small portion of the lots that abut Missouri Route K shall be allowed to have two-family dwellings constructed on them. Adequate screening shall be installed along Route K to screen these units.

8. A 75-foot parkside buffer shall be granted by the developer at the time of the final plat. The location of the buffer shall be along the southerly side of the property and more specifically as shown by the PUD Plan. No buildings shall be allowed within this buffer without consent of the Missouri State Parks.

9. Ninety percent (90%) of the existing trees (4" and larger measured at 2 feet above grade) within the parkside buffer shall remain in place once construction is complete.

10. The developer shall be required to record covenants and restrictions applicable to the real estate within the development prior to final plat approval, which shall include the requirements of items 11, 12, 13, 14, and 15 of this Statement of Intent as obligations of the applicable homeowner's association and shall name the Missouri State Park Board as a third-party beneficiary.

11. The covenants and restrictions shall require that all planted materials within the development shall be native species to this area (with the exception of the individual yards). The developer shall also generate an approved list of acceptable plantings with the assistance of the Missouri State Park Board personnel.

12. The covenants and restrictions shall require that each lot shall have a minimum of 4 trees planted at the time of building construction and that 4 trees shall be maintained with each lot at all times. The trees planted shall be native species that are listed on the approved list of plantings.

13. The covenants and restrictions shall require that there be held an annual seminar available to the residents of the development and at which the Missouri State Park Board personnel is permitted to educate the homeowners about the park as well as environmentally friendly practices in lawn care, pesticide use, and native species of plant materials.

14. The covenants and restrictions shall include provisions requiring the lot owners within the development to use only organic lawn care materials and products on yards within the development.

15. The covenants and restrictions shall require that each initial purchaser of a lot within the development shall be provided with two rain barrels for use on the purchaser's lot within the development.

16. Developer shall increase Type II stream buffer located on the easterly side of the development from standard 100 feet wide to 200 feet in width.

17. The maximum density on Lot 57 shall be 5 single-family residences.

18. The developer shall limit the total impervious area of development, not inclusive of the Missouri Route K right-of-way, to twenty four percent (24%). This impervious area shall include all impervious surfaces including houses, driveways, sidewalks, streets, patios, etc. The project engineer shall keep a running total of the impervious area of the site that shall be submitted with each building permit for any lot within the development.

Sincerely,

Van Matre, Harrison, Hollis, Taylor, and Bacon, P.C.

By:


Robert N. Hollis

RNH/jac

CC: Tim Crockett and Rob Hill (Via E-mail)



Steve MacIntyre <sjmacint@gocolumbiamo.com>

Fwd: Hill / Parkside Estates / Covenants

Robert Hollis <robert@vanmatre.com>

Mon, Mar 10, 2014 at 10:45 AM

To: Steve MacIntyre <sjmacint@gocolumbiamo.com>

Cc: Tim Crockett <tim@rocketengineering.com>, Rob Hill <hillrst@aol.com>

Steve - Please see below the modified covenant provisions, which now include the impervious surface information. Let me know if you need anything else from me.

Thanks.

Robert

“Statement of Intent” shall mean the Statement of Intent approved by the City of Columbia by Ordinance No. 021788 as Council Bill No. B229-13A passed on September 3, 2013.

ARTICLE II**STATEMENT OF INTENT PROVISIONS**

The Lots, and the buildings, structures and dwelling units located thereon, shall be subject to the requirements of paragraphs 11, 12, 13, 14, 15, and 18 of the Statement of Intent, to-wit:

1. All planted materials within the Development shall be native species to the Mid-Missouri area (with the exception of the individual yards). The Developer or the Association shall create a list of acceptable plantings with the assistance of the Missouri State Park Board personnel, which shall be made available to Lot Owners.

2. Each Lot shall have a minimum of 4 trees planted at the time of building construction and a minimum of 4 trees shall be maintained within each Lot at all times. The trees planted shall be native species that are listed on the approved list of plantings described in paragraph 1 above in this Article II.

3. There be held an annual seminar available to the Lot Owners and residents of the Development and at which the Missouri State Park Board personnel shall be permitted to educate the Lot Owners and residents about the adjacent park as well as environmentally friendly practices in lawn care, pesticide use, and native species of plant materials.

4. Lot Owners may only use organic lawn care materials and products on yards within the Development.

5. Each initial purchaser of a Lot within the Development shall be provided with two rain barrels for use on the purchaser's Lot.

6. The Developer shall limit the total impervious area of the Development, not inclusive of the Missouri Route K right-of-way, to fifteen percent (15%). This impervious area shall include all impervious surfaces including houses, driveways, sidewalks, streets, patios, etc. The project engineer shall keep a running total of the impervious area of the site that shall be submitted with each building permit for any Lot within the Development.

Third Party Beneficiary. The Missouri State Park Board shall be a third party beneficiary with respect to the obligations described in Article II of this Declaration.

[Quoted text hidden]