

City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: B137-14

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: May 19, 2014

Re: Creek's Edge Clubhouse - final major plat (Case #14-57)

Documents Included With This Agenda Item

Council memo, Resolution/Ordinance, Performance Contracts

Supporting documentation includes: Maps, Plats and Plans

Executive Summary

A request by Marjorie McGrath Revocable Intervivos Trust (owner) for approval of a one-lot final major plat of R-1 (One-Family Dwelling District) zoned land, to be known as "Creeks Edge Clubhouse". The 3.86-acre subject site is located on the north side of Sawgrass Drive, approximately 300 feet west of Scott Boulevard. (Case #14-57)

Discussion

The applicant is requesting approval of a one-lot plat on R-1 (One-family Dwelling District) zoned land to accommodate the construction of a clubhouse to serve the surrounding residential neighborhood.

The proposed plat is consistent with the preliminary plat of Creeks Edge, which was approved by Council Resolution on November 21, 2011. It 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 performance contracts are attached.

Fiscal Impact

Short-Term Impact: No new capital spending is expected within the upcoming 2 years as a result of this proposal.

Long-Term Impact: The development of this site will increase demands upon the adjacent streets, sanitary sewers, storm sewers, water and electric supply lines. The costs associated with meeting these demands will be offset by increased property tax revenues and user fees.

Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Not Applicable

Strategic Plan Impact: Not Applicable

Comprehensive Plan Impact: Not Applicable

Suggested Council Action

City of Columbia

701 East Broadway, Columbia, Missouri 65201



Approval of the proposed final plat

Legislative History

R208-11 Approving the Preliminary Plat of Creeks Edge located on the west side of Scott Boulevard north of Thornbrook Subdivision; granting variances from the Subdivision Regulations regarding cul-de-sac length (Case No. 11-102).


Department Approved


City Manager Approved

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 137-14

AN ORDINANCE

approving the Final Plat of Creeks Edge Clubhouse, 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 Creeks Edge Clubhouse, as certified and signed by the surveyor on April 21, 2014, a major subdivision located on the north side of Sawgrass Drive and west of Scott Boulevard, containing approximately 3.86 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 Marjorie McGrath Revocable Intervivos Trust in connection with the approval of the Final Plat of Creeks Edge Clubhouse. 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 **Marjorie McGrath Revocable Intervivos Trust**. (“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 **Creeks Edge Clubhouse**, 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:

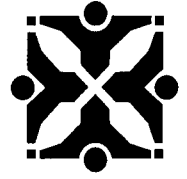
Sheela Amin, City Clerk

APPROVED AS TO FORM:

Nancy Thompson, City Counselor

Marjorie McGrath Intervivos Trust

BY: Marjorie McGrath



SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

Maps, Plats and Plans

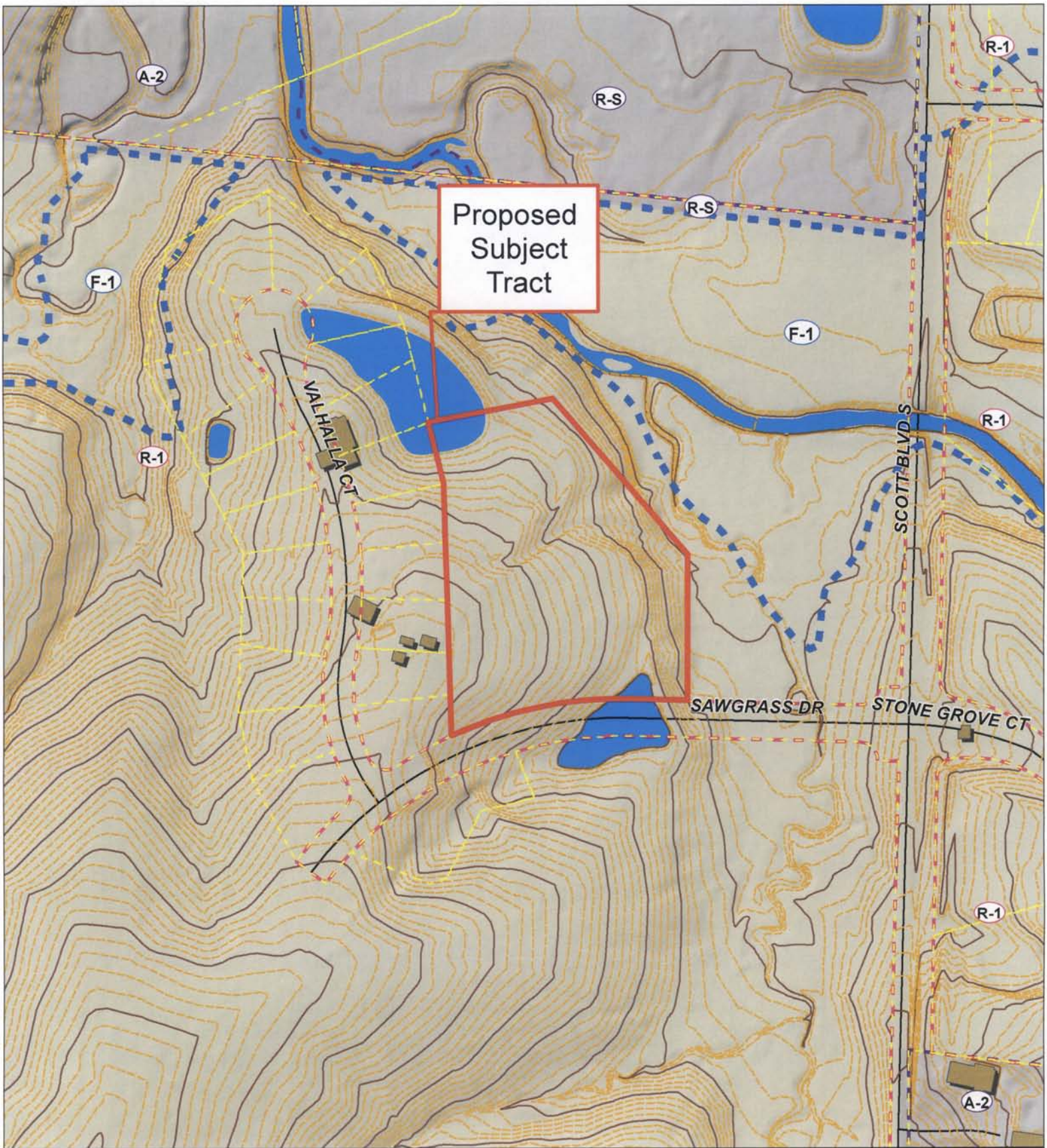


14-57: Creeks Edge Clubhouse Final Major



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

0 115 230 460
Feet

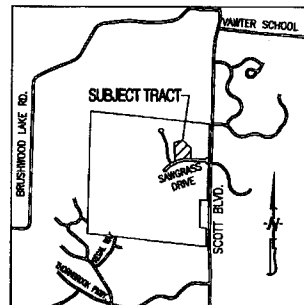


14-57: Creeks Edge Clubhouse Final Major

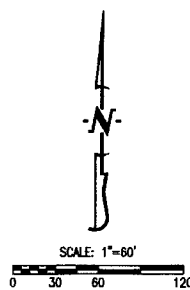


Hillshade Data: Boone County GIS Office
Parcel Data Source: Boone County Assessor
Imagery: Boone County Assessor's Office, Sanborn Map Company
Created by The City of Columbia - Community Development Department





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:

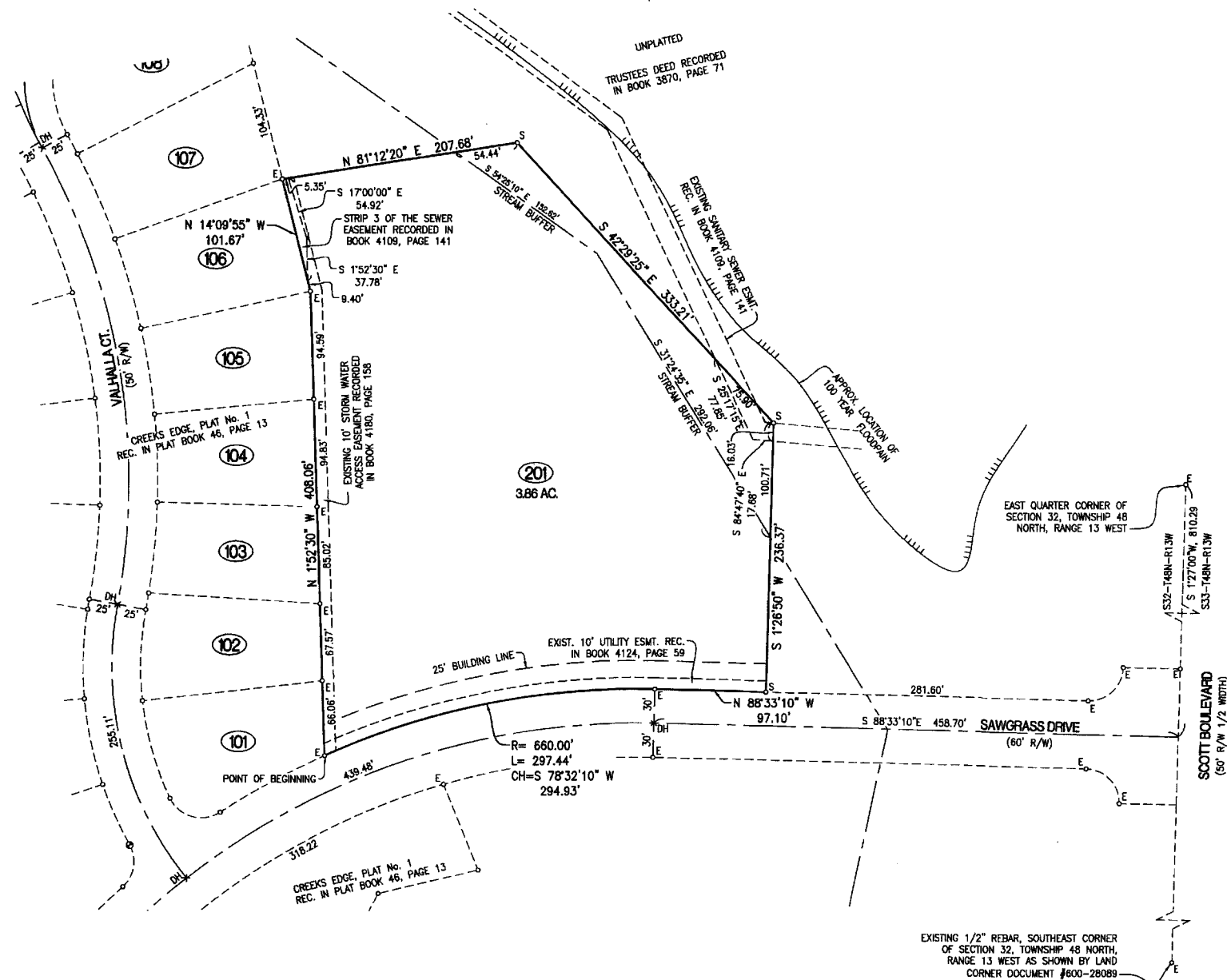
- E EXISTING
- SET 1/2" IRON PIPE
(UNLESS NOTED OTHERWISE)
- ⊕ PERMANENT MONUMENT
- (M) MEASURED DISTANCE
- (REC) RECORDED DISTANCE
- (R) RADIAL LINE
- DH× DRILL HOLE
- W/ CHISELED X

NOTES:

1. NO PORTION OF THIS TRACT LIES WITHIN THE 100-YEAR FLOOD PLAIN AS ADOPTED BY CITY OF COLUMBIA AS SHOWN BY FIRM PANELS 29019C 0270D DATED MARCH 17, 2011. THE LOCATION IS AS SHOWN ON THE ADJACENT GRAPHICS.
2. THIS SURVEY CONFORMS TO THE ACCURACY STANDARDS FOR URBAN PROPERTY AS DEFINED BY MISSOURI BOARD RULE 20 CSR 2030-16.040(2)(A).
3. RECORD TITLE INFORMATION WAS PROVIDED BY BOONE-CENTRAL TITLE COMPANY, FILE NO. 1208126, DATED JANUARY 23, 2012.
4. THIS TRACT IS REGULATED BY THE STREAM BUFFER REQUIREMENTS IN SECTION 12A-230, ARTICLE X OF THE CITY OF COLUMBIA CODE OF ORDINANCES. (HUNTSDALE QUADRANGLE)

FINAL PLAT CREEKS EDGE CLUBHOUSE

A MAJOR SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER
OF SECTION 32, TOWNSHIP 48 NORTH, RANGE 13 WEST
COLUMBIA, BOONE COUNTY, MISSOURI
MARCH 31, 2014



CERTIFICATION:

I HEREBY CERTIFY THAT IN MARCH 2014, I COMPLETED A SURVEY AND SUBDIVISION FOR THE MARJORIE MCGRATH REVOCABLE INTERVIVOS TRUST OF A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF THE LAND DESCRIBED BY THE TRUSTEES DEED RECORDED IN BOOK 3870, PAGE 71, AND BEING PART OF TRACT 2 OF THE SURVEY RECORDED IN BOOK 3914, PAGE 8, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

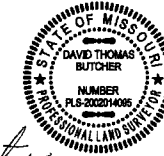
BEGINNING ON THE NORTH RIGHT-OF-WAY LINE OF SAWGRASS DRIVE AT THE SOUTHEAST CORNER OF LOT 101 OF CREEKS EDGE, PLAT No. 1 RECORDED IN PLAT BOOK 46, PAGE 13, THENCE WITH THE EAST LINE OF SAID PLAT, N 81°12'20" E, 207.68 FEET; THENCE N 14°09'55" W, 101.67 FEET; THENCE LEAVING SAID EAST LINE N 81°12'20" E, 207.68 FEET; THENCE S 42°28'25" E, 333.21 FEET; THENCE S 1°28'50" W, 236.37 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAWGRASS DRIVE; THENCE WITH SAID RIGHT-OF-WAY LINE OF SAWGRASS DRIVE, N 88°33'10" W, 87.10 FEET; THENCE 297.44 FEET ALONG A 660.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, S 78°32'10" W, 294.93 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.86 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
4/21/2014
DATE

STATE OF MISSOURI } SS
COUNTY OF BOONE }

SUBSCRIBED AND AFFIRMED BEFORE ME THIS 21 DAY OF APRIL, 2014.

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



KNOW ALL MEN BY THESE PRESENTS:

THAT MARJORIE MCGRATH REVOCABLE INTERVIVOS TRUST IS THE SOLE OWNER OF THE HEREON DESCRIBED TRACT AND THAT SAID TRUST HAS CAUSED SAID TRACT TO BE SURVEYED, SUBDIVIDED, AND PLATTED AS SHOWN ON THE ABOVE DRAWING. THE EASEMENTS AS SHOWN, ARE HEREBY DEDICATED TO THE CITY OF COLUMBIA FOR PUBLIC USE FOREVER. THE ABOVE DRAWING AND DESCRIPTION SHALL HEREAFTER BE KNOWN AS "CREEKS EDGE CLUBHOUSE"

IN WITNESS WHEREOF, MARJORIE MCGRATH REVOCABLE INTERVIVOS TRUST, INC HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS TRUSTEE, THIS 12 DAY OF MAY, 2014.

MARJORIE MCGRATH REVOCABLE INTERVIVOS TRUST

Marjorie McGrath
MARJORIE MCGRATH, TRUSTEE

STATE OF MISSOURI } SS
COUNTY OF BOONE }

ON THIS 12 DAY OF MAY, 2014 BEFORE ME PERSONALLY APPEARED MARJORIE MCGRATH, TO ME KNOWN WHO BY ME DULY SWORN, DID SAY THAT SHE IS THE TRUSTEE OF SAID TRUST AND THAT SHE FURTHER ACKNOWLEDGE THIS INSTRUMENT TO BE HER FREE ACT AND THE FREE ACT AND DEED OF SAID TRUST.

SUBSCRIBED AND AFFIRMED BEFORE ME THIS 12 DAY OF MAY, 2014.

Danielle Griffith 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

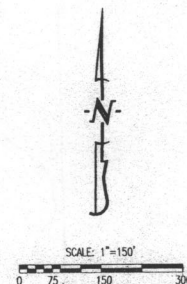
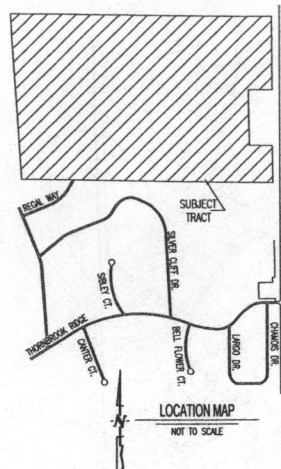
SHEELA AMIN, CITY CLERK

PRELIMINARY PLAT #1 CREEKS EDGE

A MAJOR SUBDIVISION LOCATED IN SECTION 32, TOWNSHIP 48 NORTH, RANGE 13 WEST
COLUMBIA, BOONE COUNTY, MISSOURI
SEPTEMBER, 2011

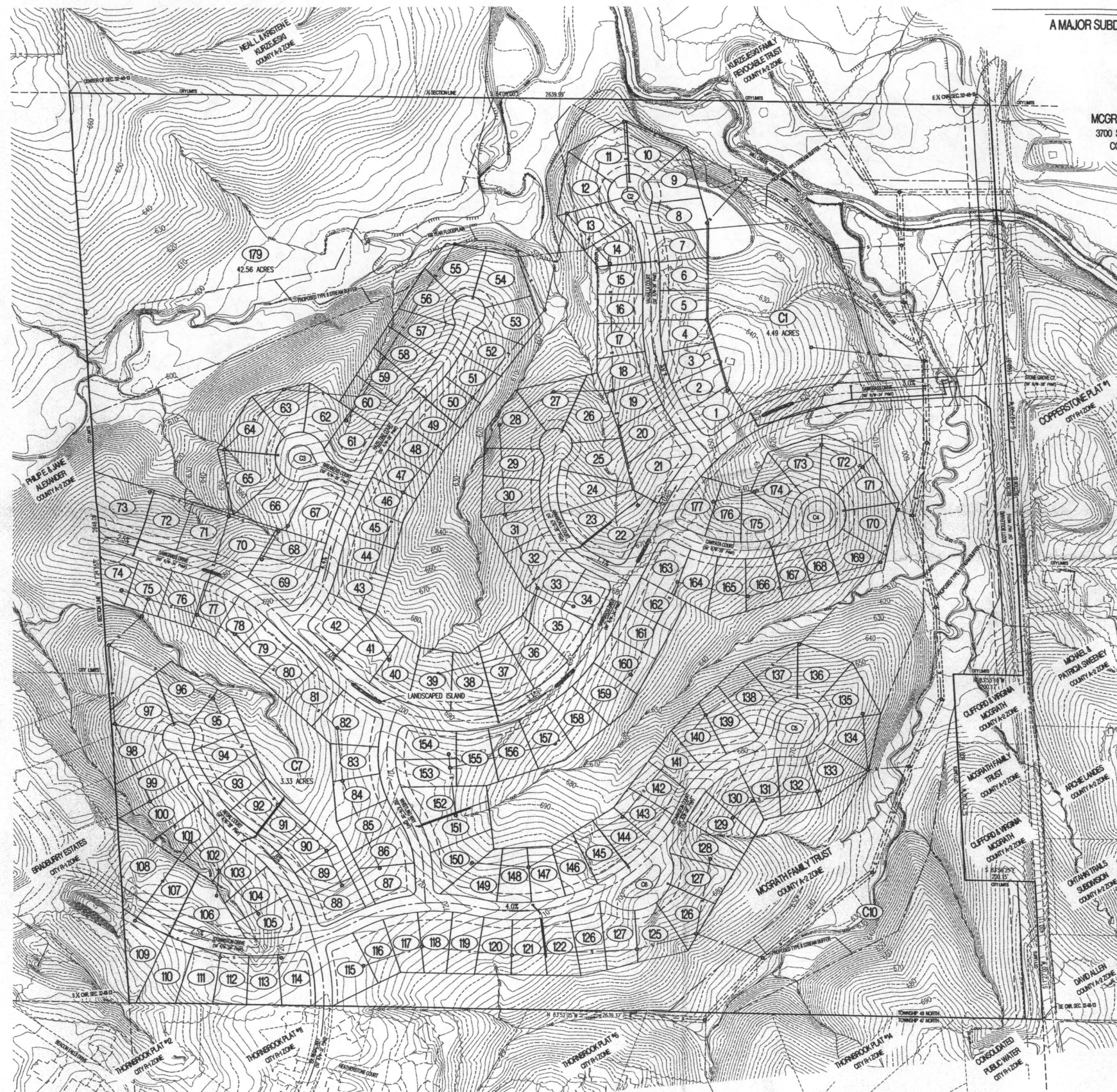
OWNERS:
MCGRATH FAMILY TRUST
3700 S. LENOIR ST. APT. 204
COLUMBIA, MO 65201

DEVELOPER:
JOB CONSTRUCTION, INC.
65209 UPPER BRIDLE BEND
COLUMBIA, MO 65201



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)
- 100 YEAR FLOODPLAIN
- WETLAND



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.
- PART OF THIS TRACT LIES WITHIN THE 100 YEAR FLOODPLAIN AS ADOPTED BY THE CITY OF COLUMBIA AS SHOWN BY FIRM PANELS 290034 02700 AND 290036 02700 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-2. (PENDING ANNEXATION AND ZONING TO CITY R-1)
- THIS PLAT CONTAINS 157.59 ACRES.
- A 5' SIDEWALK SHALL BE CONSTRUCTED ALONG ALL STREETS EXCEPT FOR SCOTT BOULEVARD.
- ELECTRIC DISTRIBUTION TO BE DESIGNED BY THE CITY OF COLUMBIA WATER & LIGHT DEPARTMENT.
- THE STREAM BUFFERS, AS SHOWN, ARE APPROXIMATE AND ARE INTENDED TO COMPLY WITH ARTICLE X, CHAPTER 12A OF THE CITY CODE OF ORDINANCES.
- NO DIRECT ACCESS SHALL BE ALLOWED FROM ANY LOT ONTO SCOTT BOULEVARD.
- LOTS C7 AND C10 ARE NOT FOR RESIDENTIAL DEVELOPMENT, BUT MAY CONTAIN NEIGHBORHOOD AMENITIES SUCH AS SWIMMING POOL, RESTROOM FACILITIES, RECREATIONAL FACILITIES, SHELTERS, ETC.
- ALL EXISTING BUILDINGS ARE TO BE REMOVED WHEN FINAL PLATTED.
- IT IS THE INTENT OF THIS PRELIMINARY PLAT TO SHOW THE NECESSARY RIGHT-OF-WAY FOR THE PROPOSED ROUNDABOUT LOCATED AT THE SAWGRASS DRIVE/SCOTT BOULEVARD INTERSECTION. ADDITIONAL RIGHT-OF-WAY SHALL BE GRANTED TO THE CITY OF COLUMBIA UPON REQUEST.
- ALL CORNER LOTS ON SAWGRASS DRIVE SHALL HAVE DRIVEWAY ACCESS FROM THE INTERSECTING STREET, NOT ONTO SAWGRASS DRIVE.
- LOT C1 MAY HAVE NEIGHBORHOOD AMENITIES SUCH AS A SWIMMING POOL, RESTROOM FACILITIES, RECREATIONAL FACILITIES, PICNIC SHELTER, ETC. SAID LOT SHALL HAVE 1 DRIVEWAY ACCESS ONTO SAWGRASS DRIVE. THIS ACCESS SHALL BE FOR PUBLIC ACCESS TO ANY PROPOSED AMENITIES ON THAT LOT.

LEGAL DESCRIPTION:

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 48 NORTH, RANGE 48 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING TRACTS 1, 2, 3, 4 AND 5 OF THE SURVEY RECORDED IN BOOK, 881, PAGE 902 AND CONTAINING, 157.59 ACRES.

PREPARED BY:

CROCKETT

ENGINEERING CONSULTANTS
2008 North Stadium Boulevard
Columbia, Missouri 65202
(314) 447-0392

www.crockettengineering.com

Crockett Engineering Consultants, LLC
Missouri Certificate of Authority
#0000191304

TIMOTHY D. CROCKETT
REGISTERED PROFESSIONAL ENGINEER
NO. 0000191304
EXPIRATION DATE 12/31/11

APPROVED BY THE CITY OF COLUMBIA PLANNING AND ZONING COMMISSION
THIS 20th DAY OF October, 2011.

Douglas Wheeler
DOUG WHEELER, CHAIRPERSON

APPROVED BY THE CITY OF COLUMBIA CITY COUNCIL THIS ____ DAY OF _____, 2011.

ROBERT MCDAWID, MAYOR

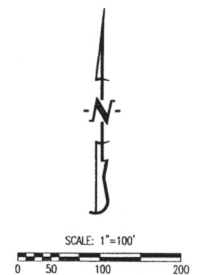
PRELIMINARY PLAT #1
CREEKS EDGE

A MAJOR SUBDIVISION LOCATED IN SECTION 32, TOWNSHIP 48 NORTH, RANGE 13 WEST
COLUMBIA, BOONE COUNTY, MISSOURI
SEPTEMBER, 2011

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JOB CONSTRUCTION, INC.
65209 UPPER BRIDLE BEND
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 - 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)
 - 100 YEAR FLOODPLAIN
 - MEDIAN



APPROVED BY THE CITY OF COLUMBIA PLANNING AND ZONING COMMISSION THIS
26th DAY OF October, 2011.

Doug Wheeler
DOUG WHEELER, CHAIRPERSON

APPROVED BY THE CITY OF COLUMBIA CITY COUNCIL THIS ____ DAY OF _____, 2011.

ROBERT MCDAVID, MAYOR

PREPARED BY:
CROCKETT

ENGINEERING CONSULTANTS
5605 North Shiloh Boulevard
Columbia, Missouri 65202
(573) 447-0202

www.crockettengineering.com

Crockett Engineering Consultants, LLC
Missouri Certificate of Authority
#0000151504

Timothy D. Crockett
TIMOTHY D. CROCKETT, P.E. #0000151504
11/22/11

