

City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: B 21-15

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: 1/20/2015

Re: The Crossing-EPC, Plat 3 - Final Minor Plat (Case #15-29)

Documents Included With This Agenda Item

Council memo, Resolution/Ordinance, Exhibits to Resolution/Ordinance

Supporting documentation includes: Summary of Board/Commission Reports (includes maps and plat), Excerpts from Minutes

Executive Summary

Approval of this request will result in the creation of a one-lot final minor plat on A-1 (Agricultural District) zoned property, to be known as "The Crossing-EPC, Plat 3", and the execution of an associated performance contract. The 0.44-acre subject site is located on the north side of Southland Drive, approximately 500 feet west of Rock Quarry Road.

Discussion

The applicant is requesting approval of a final minor plat for a one-lot subdivision that includes property not previously subdivided. The 0.44-acre site is zoned A-1 and is improved with a residential dwelling.

The plat includes the dedication of approximately five feet of property for Southland Drive right of way in order to provide the 25-foot half-width that is required for residential streets. In addition, sidewalks will be required to be constructed within the right of way within 3 years. All appropriate utility easements have also been included.

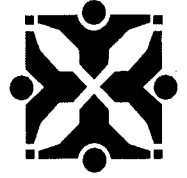
The existing structure on the site is considered a legal nonconforming structure, as it encroaches into both 25-foot side yards that are required in the A-1 District (Section 29-21(d)). The structure will be required to conform to Sections 29-28 (Nonconforming uses) and 29-29 (Completion and Restoration of Existing Buildings), which generally prohibits the expansion of nonconforming structures or the reconstruction of a structure that is destroyed beyond seventy-five percent of its reasonable valuation.

At its meeting on January 8, 2015, the Planning and Zoning Commission voted unanimously (8-0) to recommend approval of the final plat. There were no questions from the Commission, and no one from the public spoke during the meeting.

A copy of the Planning and Zoning Commission staff report (including maps and a reduced copy of the plat) and excerpts of the meeting's minutes are attached.

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Fiscal Impact

Short-Term Impact: Limited short-term impact. The site is currently developed with a residential dwelling.

Long-Term Impact: Limited long-term impact. The site is currently developed with a residential dwelling.

Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Not Applicable

Strategic Plan Impact: Infrastructure

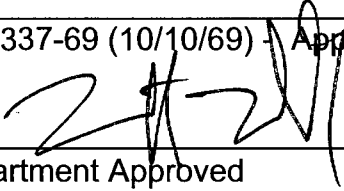
Comprehensive Plan Impact: Mobility, Connectivity, and Accessibility

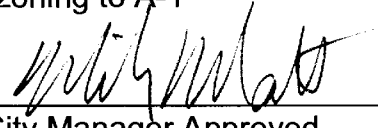
Suggested Council Action

Approval of the final plat for "The Crossings-EPC, Plat 3".

Legislative History

Res #337-69 (10/10/69) - Approved annexation and zoning to A-1


Department Approved


City Manager Approved

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 21-15

AN ORDINANCE

approving the Final Plat of The Crossing-EPC, Plat 3, a minor 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 The Crossing-EPC, Plat 3, as certified and signed by the surveyor on December 23, 2014, a minor subdivision located on the north side of Southland Drive, approximately 500 feet west of Rock Quarry Road, containing approximately 0.44 acre 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 The Crossing-EPC of Columbia in connection with the approval of the Final Plat of The Crossing-EPC, Plat 3. 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 _____, 2015.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

PERFORMANCE CONTRACT

This contract is entered into on this day ____ of _____, 20__ between the City of Columbia, MO ("City") and The Crossing-EPC of Columbia, A Missouri Corporation ("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 The Crossing-EPC, Plat 3, 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 attorney's 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

Subdivider

BY:  _____
Jim Beaty, Director of Operations

The Crossing-EPC of Columbia, A Missouri Corporation



SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

Summary of Board/Commission Reports (includes maps and plat), Excerpts from
Minutes

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
January 8, 2015**

SUMMARY

A request by Allstate Consultants (agent) on behalf of The Crossing-EPC of Columbia (owner) for approval of a one-lot final minor plat on A-1 (Agricultural District) zoned property, to be known as "The Crossing-EPC, Plat 3". The 0.44-acre subject site is located on the north side of Southland Drive, approximately 500 feet west of Rock Quarry Road. **(Case #15-29)**

DISCUSSION

The applicant is requesting approval of a final minor plat for a one-lot subdivision that includes property not previously subdivided. The 0.44-acre site is zoned A-1 and is improved with a residential dwelling.

The plat includes the dedication of approximately five feet of property for Southland Drive right of way in order to provide the 25-foot half-width that is required for residential streets. In addition, sidewalks will be required to be constructed within the right of way within 3 years. All appropriate utility easements have also been included.

Of note is that the existing structure encroaches into both 25-foot side yards that are required in the A-1 District (Section 29-21(d)). This does not prevent the platting of the property; however, upon approval of the plat, the structure would be considered a legal-nonconforming structure and any alterations would need to conform to Sections 29-28 (Nonconforming uses) and 29-29 (Completion and Restoration of Existing Buildings). These sections generally prohibit the expansion of nonconforming structures or the reconstruction of a structure that is destroyed beyond seventy-five percent of its reasonable valuation.

The plat has been reviewed by all applicable staff and has been found to meet all technical requirements within the subdivision regulations and zoning ordinance.

RECOMMENDATION

Approval of the final plat for "The Crossing-EPC, Plat 3".

SUPPORTING DOCUMENTS

Attachments

- Aerial, topographic, and utility maps
- "The Crossing-EPC, Plat 3" final plat

HISTORY

Annexation date	1969
Zoning District	A-1 (Agricultural District)
Land Use Plan designation	Neighborhood District
Previous Subdivision/Legal Lot Status	Not considered a legal lot

SITE CHARACTERISTICS

Area (acres)	0.44 acres
Topography	Slopes generally from north to south
Vegetation/Landscaping	Minimal landscaping
Watershed/Drainage	Hinkson Creek
Existing structures	Two-story residential structure

UTILITIES & SERVICES

Sanitary Sewer	All City services are available to the site.
Water	
Fire Protection	
Electric	

ACCESS

Southland Drive	
Location	South side of subdivision
Major Roadway Plan	Not included in MRP. Local residential (unimproved & City-maintained). Requires 50 feet of total ROW; 20-foot existing half-width ROW with varying total ROW. Five feet of additional ROW required.
CIP projects	None

PARKS & RECREATION

Neighborhood Parks	Within ½ mile radius of Rock Quarry Park.
Trails Plan	No trails planned adjacent to site.
Bicycle/Pedestrian Plan	None.

Report prepared by Clint Smith

Approved by Patrick Zenner



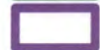
15-29: The Crossing-EPC, Plat 3 Final Minor Plat



scenic_route



Parcels

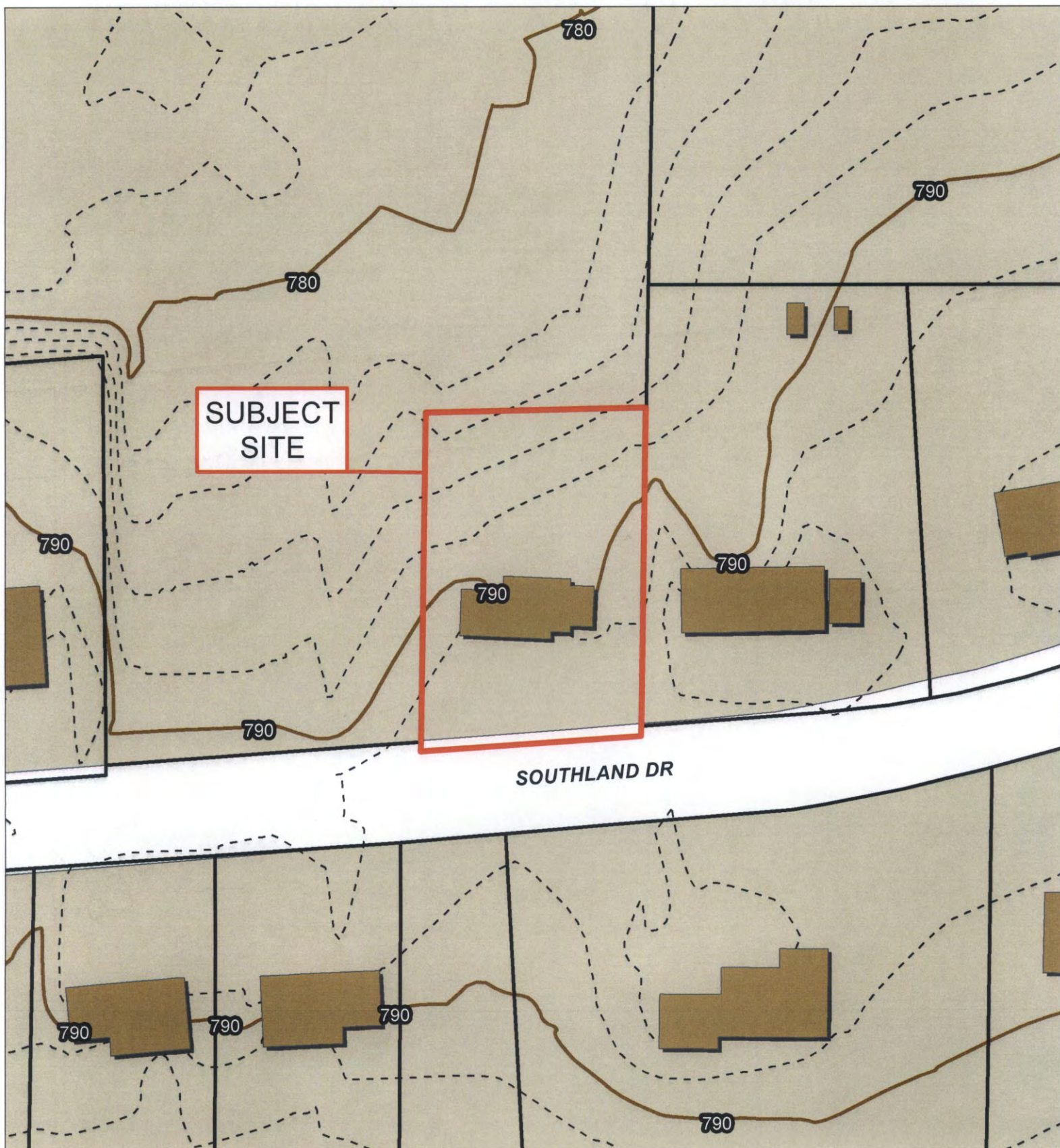


City of Columbia Zoning



Columbia City Limit





15-29: The Crossing-EPC, Plat 3 Final Minor Plat



— 10 Foot Contour Lines

▭ Parcels

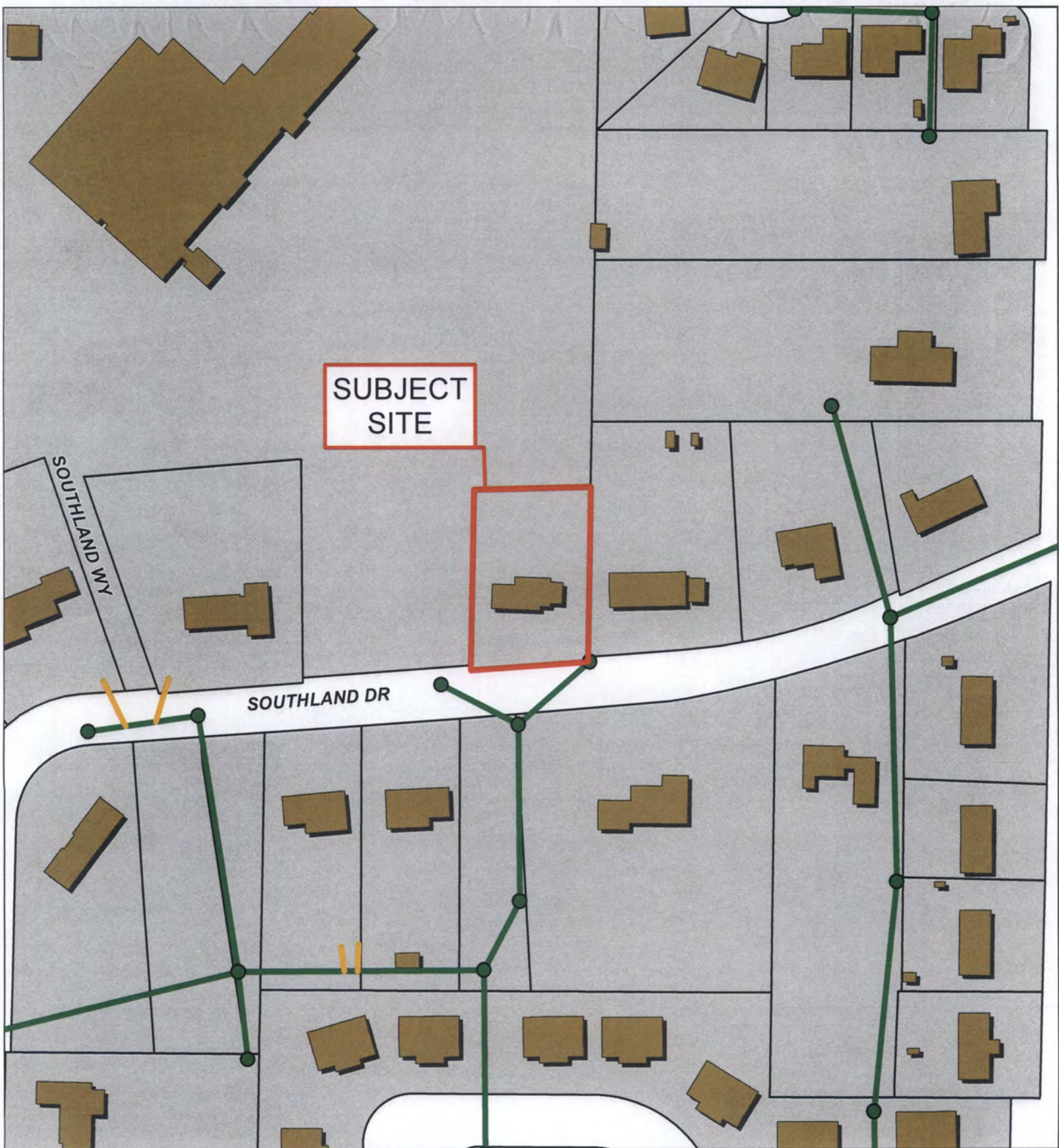


Columbia City Limit

- - - 2 Foot Contour Lines

■ Building Footprint





15-29: The Crossing-EPC, Plat 3 Final Minor Plat



- City Sanitary Structure
- City Sanitary Line
- Private Sanitary Line
- Building Footprint
- Columbia City Limit
- Parcels



FILED FOR RECORD, BOONE COUNTY, MISSOURI
BETHE JOHNSON, RECORDER OF DEEDS



LEGEND

- IRON PIPE (UNLESS NOTED OTHERWISE)
- PERMANENT MONUMENT (5/8" IRON N/100N CAP)
- △ STEEL RIGHT-OF-WAY MARKER (UNLESS OTHERWISE NOTED)
- 1 EXISTING 1/2" IRON PIPE (UNLESS OTHERWISE NOTED)
- 2 SET 1/2" IRON PIPE (UNLESS OTHERWISE NOTED)
- P IRON PIPE
- HC HIGHWAY
- (M) MEASURED DISTANCE
- (REC) RECORD MEASUREMENT
- CENTERLINE
- (-)- FENCE

FLOOD PLAIN STATEMENT

THIS LOT IS NOT LOCATED WITHIN THE 100-YEAR FLOOD PLAIN (ZONE X) PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY BOONE COUNTY UNINCORPORATED AND INCORPORATED MAP, COMMUNITY PANEL NUMBER 20070C D001 & DATED MARCH 17, 2011.

STREAM BUFFER STATEMENT

AS PER U.S.S. QUAD MAP "COLUMBIA", THIS PLAT IS NOT REGULATED BY THE CITY OF COLUMBIA STREAM BUFFER REQUIREMENTS OF ARTICLE 8 ACCORDING TO CHAPTER 124-122 OF THE CITY OF COLUMBIA'S CODE OF ORDINANCES.

APPROVED BY THE CITY OF COLUMBIA PLANNING AND ZONING COMMISSION
THIS _____ DAY OF _____, 2014.

DR. ROBERT PEARL, CHAIRPERSON

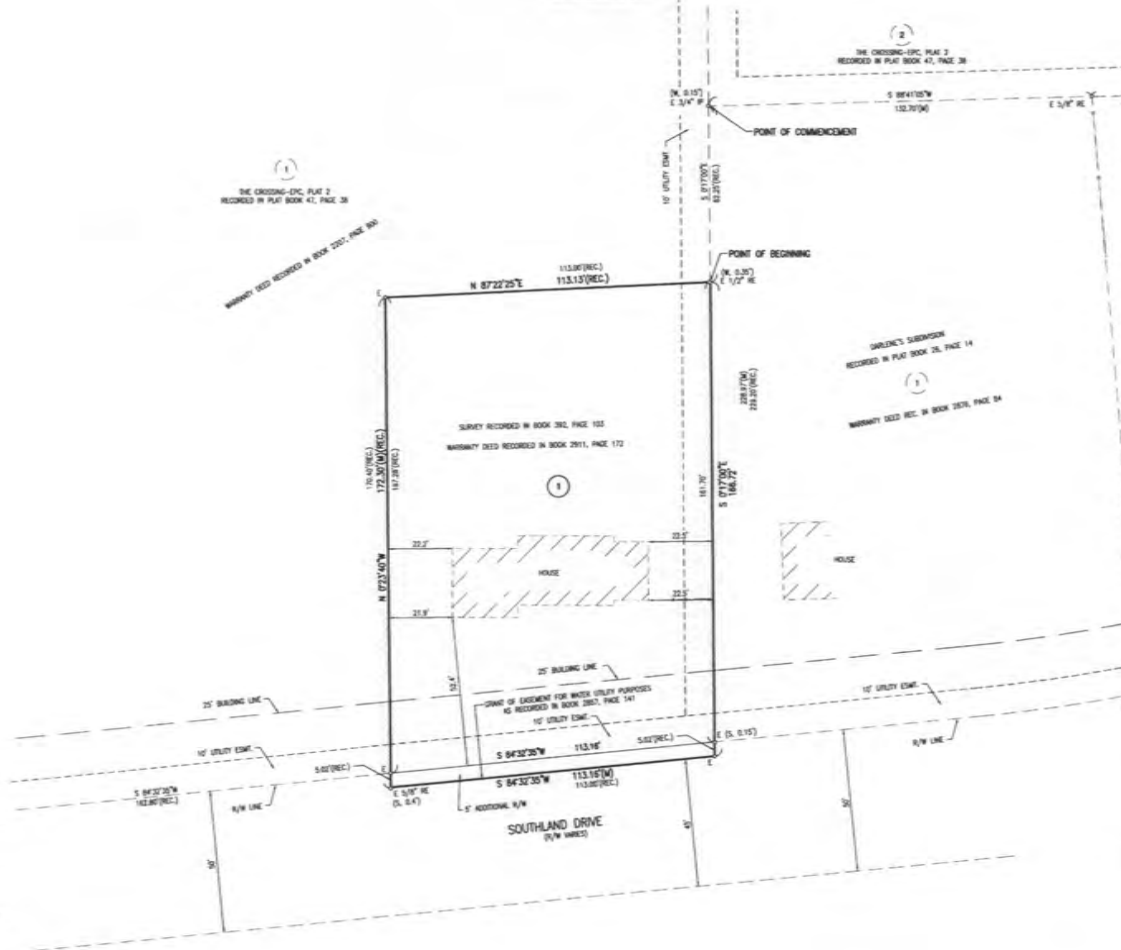
APPROVED BY THE COLUMBIA CITY COUNCIL, THIS _____ DAY OF _____, 2014.

ROBERT WALSH, MAYOR

SHELIA HALL, CITY CLERK

FINAL PLAT THE CROSSING-EPC, PLAT 3

DECEMBER 23, 2014



NOTES

1. THIS PLAT CONFORMS TO THE ACCURACY STANDARDS FOR SURVEY PROPERTY AS DEFINED BY MISSOURI BOARD RULE 20 CSR 203-16.04(2)(3).



BEARINGS ARE REFERENCED TO THE LINES OF THE CROSSING-EPC PLAT AS RECORDED IN PLAT BOOK 26, PAGE 12 OF THE RECORDS OF BOONE COUNTY, MISSOURI.

KNOW ALL MEN BY THESE PRESENTS

THE CROSSING-EPC OF COLUMBIA, A MISSOURI CORPORATION, BEING SOLE OWNER OF THE BELOW DESCRIBED TRACT, HAVE CAUSED THE SAME TO BE SUBMITTED AS SHOWN ON THIS PLAT.
IN WITNESS WHEREOF, JAM BEATY HAS CAUSED THESE PRESENTS TO BE SIGNED.
EASEMENTS, OF THE TYPES AND AT THE LOCATIONS AS SHOWN, ARE HEREBY DEDICATED TO THE CITY OF COLUMBIA FOR PUBLIC USE, FOREVER. ADDITIONAL RIGHT-OF-WAY ALONG SOUTHLAND DRIVE IS HEREBY DEDICATED TO THE CITY OF COLUMBIA FOR PUBLIC USE FOREVER.

THE CROSSING-EPC OF COLUMBIA, A MISSOURI CORPORATION

JAM BEATY, DIRECTOR OF OPERATIONS

STATE OF MISSOURI } ss

COUNTY OF BOONE

ON THIS _____ DAY OF _____, IN THE YEAR 2014, BEFORE ME, KIM REAPY, DEPUTY, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED JAM BEATY, DIRECTOR OF OPERATIONS OF THE CROSSING-EPC OF COLUMBIA, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE WITHIN FINAL PLAT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES THEREIN STATED.

KIM REAPY, DEPUTY
MY COMMISSION #11300014
EXPIRES OCTOBER 6, 2015

CERTIFICATION

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING THE TRACT SHOWN ON THE SURVEY RECORDED IN BOOK 302, PAGE 103 AND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 201, PAGE 172 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, GARLICK'S SUBDIVISION AS RECORDED IN PLAT BOOK 26, PAGE 14, THENCE WITH THE WEST LINE OF SAID LOT 1, 577.70 FT. TO THE POINT OF BEGINNING;
THENCE FROM THE POINT OF BEGINNING AND CONTINUING WITH THE WEST LINE OF SAID LOT 1, 577.70 FT. TO THE NORTHERLY RIGHT-OF-WAY LINE OF SOUTHLAND DRIVE, THENCE LEAVING THE WEST LINE OF SAID LOT 1 AND WITH THE NORTHERLY RIGHT-OF-WAY OF SAID SOUTHLAND DRIVE, 584.32 FT. TO THE POINT OF BEGINNING, LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE AND WITH THE LINES OF LOT 1, THE CROSSING-EPC PLAT 2 AS RECORDED IN PLAT BOOK 47, PAGE 36, 107.20 FT. TO THE POINT OF BEGINNING, THENCE CONTINUING WITH THE LINES OF SAID LOT 1, THE CROSSING-EPC, 107.20 FT. TO THE POINT OF BEGINNING AND CONTAINING 0.44 ACRES.

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

SURVEY AND PLAT BY

ALLSTATE CONSULTANTS LLC
2013 STATE INDUSTRIAL BLVD
ST. LOUIS, MO 63103
(314) 875-0700

STATE OF MISSOURI } ss

COUNTY OF BOONE

SUBSCRIBED AND ATTESTED BEFORE ME THIS 23rd DAY OF December, 2014.

KIM REAPY, DEPUTY
MY COMMISSION #11300014
EXPIRES OCTOBER 6, 2015



Michael L. Blasing
MICHAEL L. BLASING, L.S. 2728
12-23-2014
DATE

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
JANUARY 8, 2015

V) SUBDIVISIONS

Case No. 15-29

A request by Allstate Consultants (agent) on behalf of The Crossing-EPC of Columbia (owner) for approval of a one-lot final minor plat on A-1 (Agricultural District) zoned property, to be known as “The Crossing-EPC, Plat 3”. The 0.44-acre subject site is located on the north side of Southland Drive, approximately 500 feet west of Rock Quarry Road.

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

Staff report was given by Mr. Clint Smith of the Planning and Development Department.

Staff recommends approval of the final plat.

DR. PURI: Commissioners, any questions of Staff? Seeing none. Motion? Ms. Loe?

MS. LOE: It's pretty straightforward. I would move to approve Case 15-29, approval for final plat of The Crossing-EPC, Plat 3.

DR. PURI: Mr. Strodtman, second?

MR. STRODTMAN: I'll second.

DR. PURI: May we have roll call, please.

MR. STRODTMAN: Yes, sir.

Roll Call Vote (Voting “yes” is to recommend approval.) Voting Yes: Mr. Tillotson, Ms. Russell, Ms. Burns, Ms. Loe, Dr. Puri, Mr. Reichlin, Mr. Stanton, Mr. Strodtman. Motion carries 8-0.

MR. STRODTMAN: Our recommendation for approval will be forwarded to City Council.