

City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: B 257-15

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: 9/8/2015

Re: Wyndham Ridge Plat No. 3-B (Case #15-171)

Documents Included With This Agenda Item

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

Supporting documentation includes: Maps, Plats and Plans, Applicant Letter

Executive Summary

Approval of this plat will result in the creation of 3 lots (one residential lot and two common area lots) from Lot D3 (a future development lot) that was previously shown on the final plat of Wyndham Ridge Plat 3.

Discussion

The applicant is seeking to divide a future development lot (Lot D3) that was previously shown on the final plat of Wyndham Ridge Plat 3. The proposed lots will have frontage on Steinbrooke Terrace and access to public utilities. The division of Lot D3 is not inconsistent with surrounding R-1 zoned lots or a violation of the subdivision regulations.

The proposed division of Lot D3 has been reviewed by both internal staff and external review agencies, found to be compliant with both the Zoning and Subdivision requirements, and recommended for approval. A performance contract has been submitted to guarantee the installation of all remaining public infrastructure that will serve the lots. Such infrastructure would need to be installed within 3 years of final plat approval.

A copy of locator maps, a reduced copy of the 3-lot plat, and the applicant's request letter are attached for review.

Fiscal Impact

Short-Term Impact: None. The applicant will be required to install all required infrastructure to serve the subject lots as part of the development.

Long-Term Impact: Minimal. Additional long-term costs resulting from the additional residential lot will be incurred through provision of public safety services, trash collection, and infrastructure maintenance. Such additional costs may or may not be offset by increased property taxes and user fees.

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Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Development

Strategic Plan Impact: Not Applicable

Comprehensive Plan Impact: Land Use & Growth Management, Livable & Sustainable Communities

Suggested Council Action

Approval of the 3-lot replat.

Legislative History

May 2014 - Final Plat: Wyndham Ridge Plat 3 (Ord. 22048)

February 2007 - Preliminary Plat: Wyndham Ridge (Res. 51-07)



Department Approved



City Manager Approved

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 257-15

AN ORDINANCE

approving the Final Plat of Wyndham Ridge, Plat No. 3-B, a Replat of Lot D3 Wyndham Ridge Plat No. 3; 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 Wyndham Ridge, Plat No. 3-B, a Replat of Lot D3 Wyndham Ridge Plat No. 3, as certified and signed by the surveyor on August 28, 2015, a subdivision located on the north side of Steinbrooke Terrace and east of Scott Boulevard, containing approximately 2.29 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 Mill Creek Manor, Inc. in connection with the approval of the Final Plat of Wyndham Ridge, Plat No. 3-B. 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 _____, 2015 between the City of Columbia, MO (“City”) and **Mill Creek Manor, Inc.** (“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 **Wyndham Ridge, Plat No. 3-B**, 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



Subdivider

BY: Mill Creek Manor by
Jul Carter



SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

Maps, Plats and Plans, Applicant Letter



15-171:Wyndham Ridge Plat 3-B Replat



City of Columbia Zoning

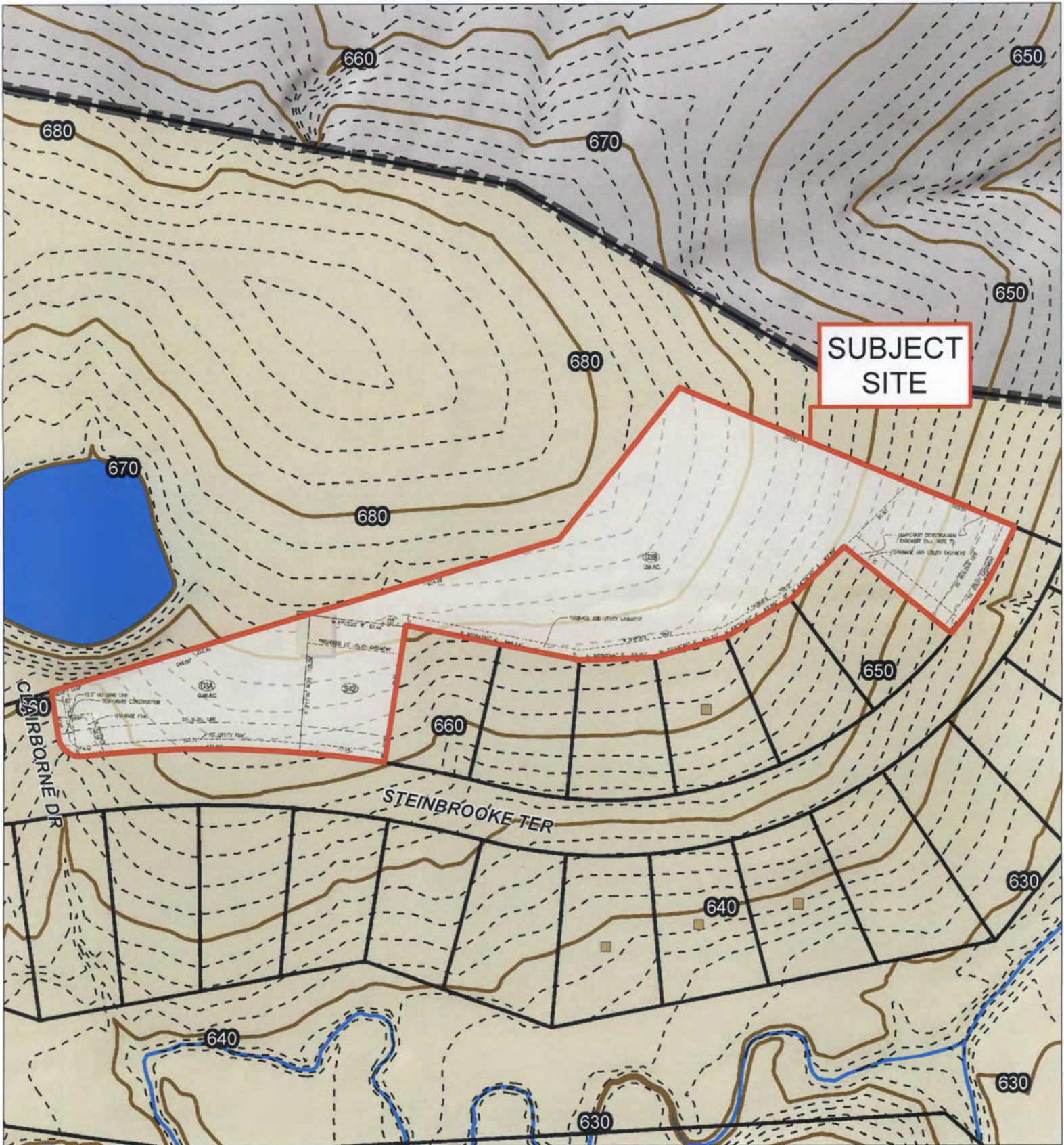


Boone County Zoning



Parcels



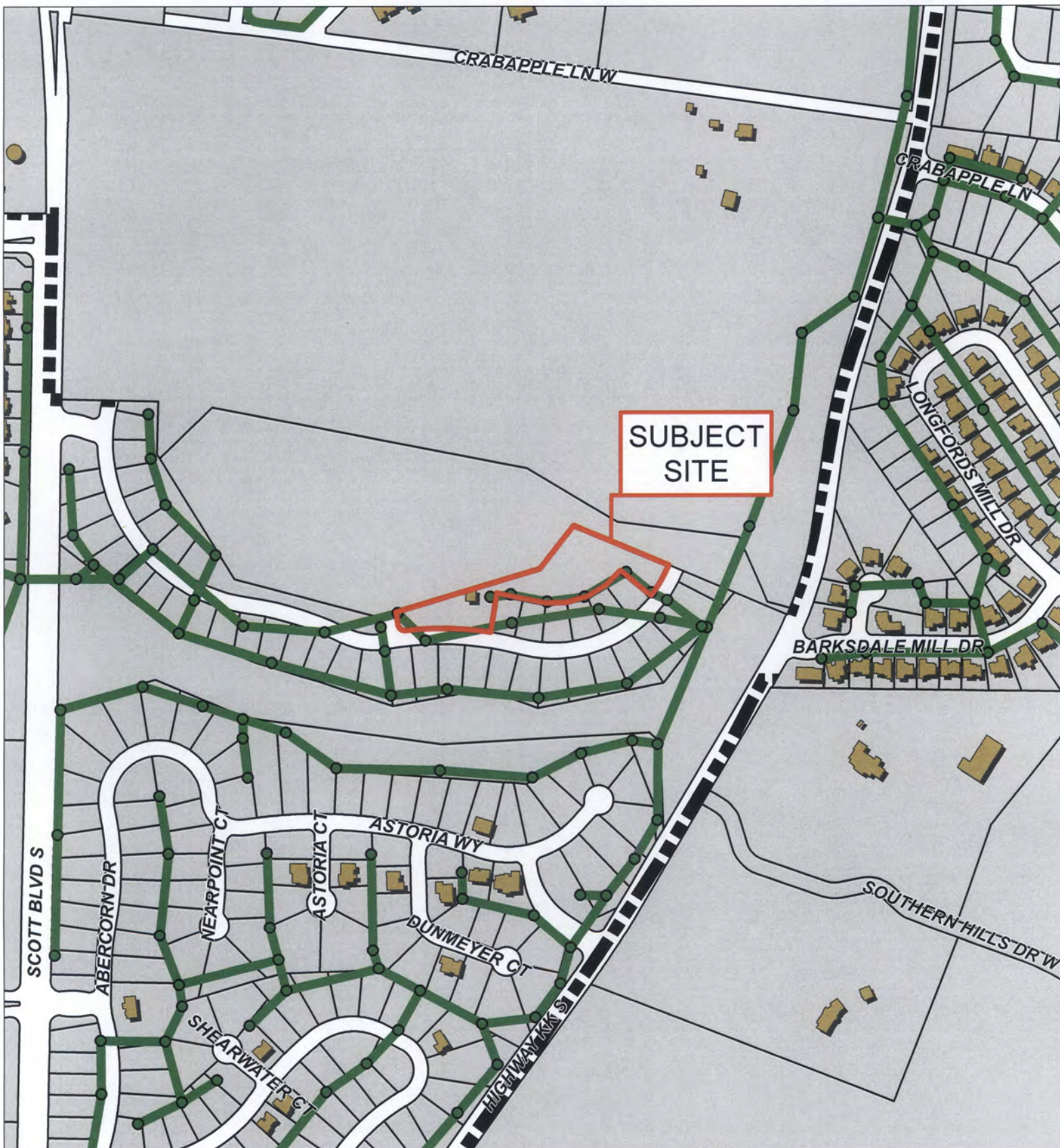


15-171:Wyndham Ridge Plat 3-B Replat



- 10 Foot Contour Lines
- - - 2 Foot Contour Lines
- ▭ Parcels
- Building Footprint
- Bodies of Water



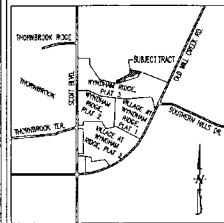


15-171:Wyndham Ridge Plat 3-B Replat



- City Sanitary Structure
- Building Footprint
- City Sanitary Line
- Parcels





FINAL PLAT WYNDHAM RIDGE, PLAT No. 3-B

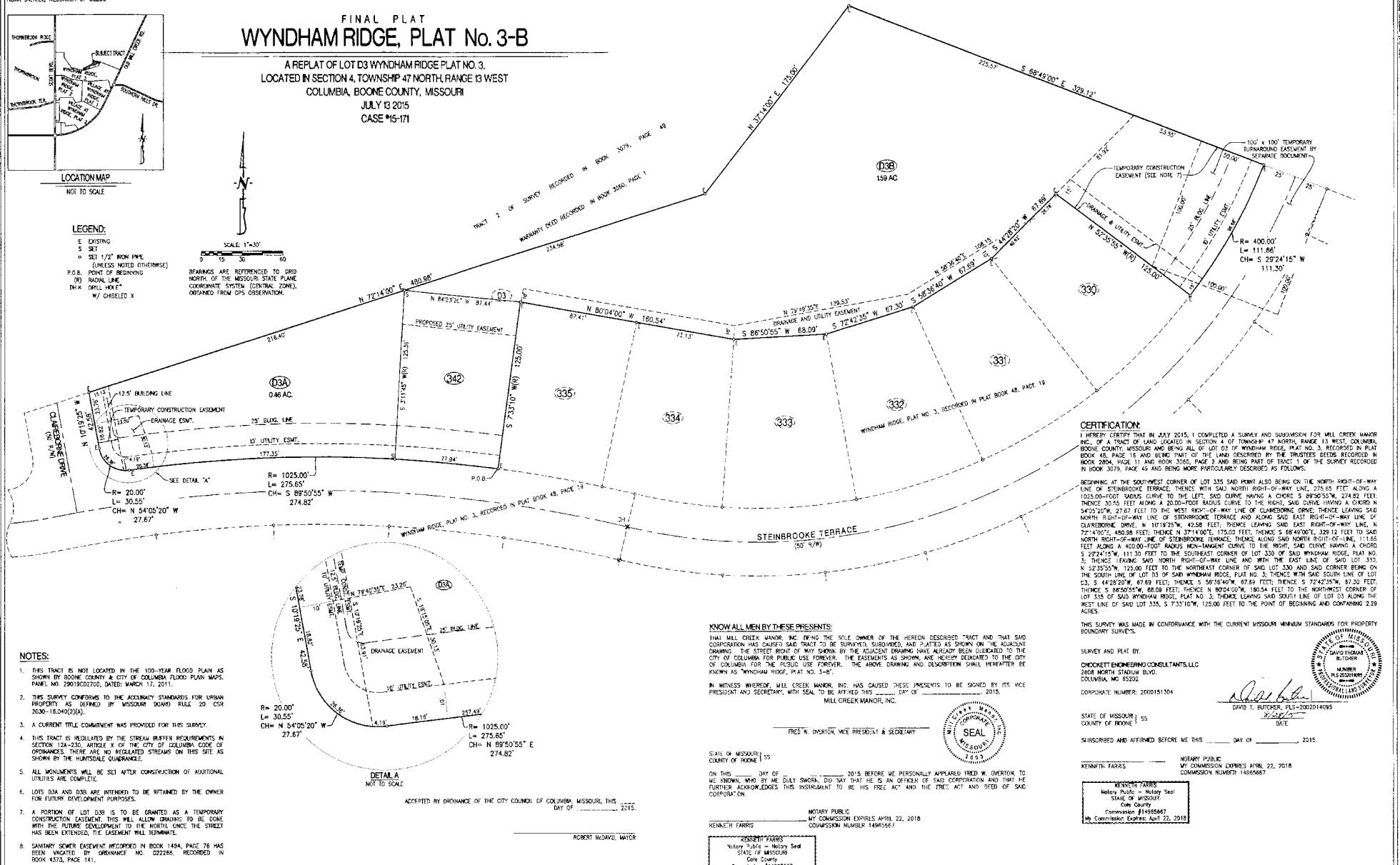
A REPLAT OF LOT D3 WYNDHAM RIDGE PLAT NO. 3,
LOCATED IN SECTION 4, TOWNSHIP 47 NORTH, RANGE 13 WEST
COLUMBIA, BOONE COUNTY, MISSOURI
JULY 13 2015
CASE #15-171

LEGEND:

- E EXISTING
- S SET
- 1/2" 1/2" IRON PIPE
- (UNLESS NOTED OTHERWISE)
- P.O.B. POINT OF BEGINNING
- (R) RADIAL LINE
- D.W. DEED LINE
- W/ CHISELED X

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

SCALE: 1"=30'



NOTES:

- THIS TRACT IS NOT LOCATED IN THE 100-YEAR FLOOD PLAIN AS SHOWN BY BOONE COUNTY & CITY OF COLUMBIA FLOOD PLAIN MAPS, PAGES 140, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

CERTIFICATION:

I HEREBY CERTIFY THAT IN JULY 2015, I COMPLETED A SURVEY AND SUBDIVISION FOR MILL CREEK MANOR, INC. OF A TRACT OF LAND LOCATED IN SECTION 4 OF TOWNSHIP 47 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING ALL OF LOT D3 OF WYNDHAM RIDGE, PLAT NO. 3, RECORDED IN PLAT BOOK 48, PAGE 19 AND BEING PART OF THE LAND DESCRIBED BY THE TRUSTEES DEEDS RECORDED IN BOOK 3004, PAGE 11 AND BOOK 3000, PAGE 2 AND BEING PART OF TRACT 1 OF THE SURVEY RECORDED IN BOOK 3079, PAGE 45 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 335 SAID NORTH ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF STEINBROOKE TERRACE, THENCE WITH SAID NORTH RIGHT-OF-WAY LINE, 278.65 FEET ALONG A 1025.00-FOOT RADIAL CURVE TO THE LEFT, SAID CURVE HAVING A CHORD S 89°50'55" W, 274.82 FEET; THENCE 30.55 FEET ALONG A 30.55-FOOT RADIAL CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD N 54°05'20" W, 27.67 FEET TO THE WEST RIGHT-OF-WAY LINE OF CLAREBORNE DRIVE, THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE OF STEINBROOKE TERRACE AND ALONG SAID EAST RIGHT-OF-WAY LINE OF CLAREBORNE DRIVE, N 101°18'25" W, 42.58 FEET, THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE, N 72°40'00" E, 480.00 FEET; THENCE N 37°14'00" E, 175.00 FEET; THENCE S 68°49'00" E, 329.12 FEET TO SAID NORTH RIGHT-OF-WAY LINE OF STEINBROOKE TERRACE, THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, 11.55 FEET ALONG A 400.00-FOOT RADIAL CURVE NON-TANGENT TO THE RIGHT, SAID CURVE HAVING A CHORD S 29°24'15" W, 111.30 FEET TO THE SOUTHEAST CORNER OF LOT 330 OF SAID WYNDHAM RIDGE, PLAT NO. 3; THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE AND WITH THE EAST LINE OF SAID LOT 335, N 32°35'55" W, 125.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 330 AND SAID CORNER BEING ON THE SOUTH LINE OF LOT D3 OF SAID WYNDHAM RIDGE, PLAT NO. 3; THENCE WITH SAID SOUTH LINE OF LOT D3, S 44°28'30" W, 47.69 FEET; THENCE S 50°14'00" W, 47.69 FEET; THENCE S 72°42'35" W, 67.30 FEET; THENCE S 86°50'55" W, 68.09 FEET; THENCE N 80°04'00" W, 160.54 FEET TO THE NORTHEAST CORNER OF LOT 335 OF SAID WYNDHAM RIDGE, PLAT NO. 3; THENCE LEAVING SAID SOUTH LINE OF LOT D3 ALONG THE WEST LINE OF SAID LOT 335, S 73°10'00" W, 125.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.29 ACRES.

THIS SURVEY WAS MADE IN CONFORMANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

SURVEY AND PLAT BY:

CHICKETT ENGINEERING CONSULTANTS, LLC
2404 NORTH STANLEY BLVD.
COLUMBIA, MO 65202
CORPORATE NUMBER: 2000151304

STATE OF MISSOURI: SS

COUNTY OF BOONE: SS

SUBSCRIBED AND AFFIRMED BEFORE ME THIS _____ DAY OF _____, 2015.

RENEITH FARRIS

NOTARY PUBLIC
MY COMMISSION EXPIRES APRIL 22, 2018
COMMISSION NUMBER: 1495567

RENEITH FARRIS
Notary Public - Notary Seal
STATE OF MISSOURI
Boone County
Commission #1495567
My Commission Expires April 22, 2018

KNOW ALL MEN BY THESE PRESENTS:

THAT MILL CREEK MANOR, INC. BEING THE SOLE OWNER OF THE HEREIN DESCRIBED TRACT AND THAT SAID CORPORATION HAS CAUSED SAID TRACT TO BE SURVEYED, SUBDIVIDED, AND PLATED AS SHOWN ON THE ADJACENT DRAWING, THE STREET RIGHT OF WAY SHOWN BY THE ADJACENT DRAWING HAVE ALREADY BEEN DEDICATED TO THE CITY OF COLUMBIA FOR 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 HEREINAFTER BE KNOWN AS "WYNDHAM RIDGE, PLAT NO. 3-B".

IN WITNESS WHEREOF, MILL CREEK MANOR, INC. HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS VICE PRESIDENT AND SECRETARY, WITH SEAL TO BE AFFIXED THIS _____ DAY OF _____, 2015.

FRED W. OVERTON, VICE PRESIDENT & SECRETARY

SEAL OF MISSOURI: SS

COUNTY OF BOONE: SS

ON THIS _____ DAY OF _____, 2015, BEFORE ME PERSONALLY APPEARED FRED W. OVERTON, TO ME KNOWN, WHO BY ME DULY SWORN, DID SAY THAT HE IS AN OFFICER OF SAID CORPORATION AND THAT HE FURTHER ACKNOWLEDGES THIS INSTRUMENT TO BE HIS FREE ACT AND THE FREE ACT AND DEED OF SAID CORPORATION.

RENEITH FARRIS

NOTARY PUBLIC
MY COMMISSION EXPIRES APRIL 22, 2018
COMMISSION NUMBER: 1495567

RENEITH FARRIS
Notary Public - Notary Seal
STATE OF MISSOURI
Boone County
Commission #1495567
My Commission Expires April 22, 2018

ROBERT MCARD, WAYER

SHEILA AWIN, CITY CLERK



2608 North Stadium Boulevard
Columbia, Missouri 65202
(573) 447-0292

July 13, 2015

Tim Teddy, Director
Development Services
City of Columbia
PO Box 6015
Columbia, MO 65205

Mr. Teddy,

I am writing you on behalf of our client Mill Creek Manor Inc., that you and your staff will process and review the attached request to replat lot D3 of Wyndham Ridge. This plat is called Wyndham Ridge plat no. 3-B. The property is located east of the of Scott Blvd and north of Steinbrook Terrace. Please see the attached plat for details. The parcel number is 20-200-00-08-128.00. The purpose of this plat is to provide an additional residential lot.

Thank you for your attention in this matter. If you have any questions or need anything further, please feel free to let me know. Hope all is well.

Sincerely,
Crockett Engineering Consultants, LLC

A handwritten signature in black ink, appearing to read "David T. Butcher".

David T. Butcher, PLS