



City of Columbia

701 East Broadway, Columbia, Missouri 65201

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: March 7, 2016

Re: The Gates Park - Final Plat (Case #16-5)

Executive Summary

Approval of the request will result in the creation of a 1-lot final plat to be known as "The Gates Park".

Discussion

The applicant, Crockett Engineering Consultants, on behalf of the owner, Mike Tompkins Et Al, is requesting approval of a one-lot final plat containing 56.25 acres on the west side of S. High Point Lane, approximately 1,100 feet south of State Route K. The proposed plat will dedicate the required half-width (additional 30-feet) for High Point Lane and establish required utility easement along the site's High Point Lane frontage.

On January 19, 2016, the City Council authorized the Parks and Recreation Department to proceed forward with a purchase agreement for this lot. Such agreement is being considered concurrently on the March 7 Council agenda and includes provisions that will assign the responsibility of public infrastructure improvements (i.e. utilities and sidewalk) to the City. Such infrastructure is normally required to be installed by the applicant within 3-years of plat approval. In this instance, the property will be acquired for park purposes and will principally be used as a nature area with limited infrastructure demand. As demands increase, necessary utilities and sidewalks can be phased-in and accounted for as part of the City's CIP process or use Park's Sales Tax revenues to off-set their installation costs.

The plat has been reviewed by staff and meets all applicable subdivision and zoning regulations. Locator maps and the final plat are attached for review..

Fiscal Impact

Short-Term Impact: Limited. Acquisition of the proposed parcel is part of the Park Sales Tax revenue. Timing of sidewalk installation and utility infrastructure will be upon improvement of park site.

Long-Term Impact: City maintenance and operational expenses which will be contained within the Parks and Recreation Department budget.



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Vision & Strategic Plan Impact

Vision Impacts:

Primary Impact: Development, Secondary Impact: Parks, Recreation & Greenways, Tertiary Impact: Not Applicable

Strategic Plan:

Primary Impact: Infrastructure, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Infrastructure, Tertiary Impact: Not Applicable

Legislative History

Date	Action
7/21/14	Res. #128-14: Approved preliminary plat of "The Gates, Plat 2"
7/21/14	Ord. #22127: Approved annexation and rezoning to R-1.

Suggested Council Action

Approval of the final plat for "The Gates Park".

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 53-16

AN ORDINANCE

approving the Final Plat of The Gates Park, 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 The Gates Park, as certified and signed by the surveyor on November 5, 2015, a major subdivision located on the west side of High Point Lane and south of State Route K, containing approximately 56.25 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 Mike Tompkins in connection with the approval of the Final Plat of The Gates Park. 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 _____, 2016.

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 **Mike Tompkins**. ("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 Gates Park**, 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

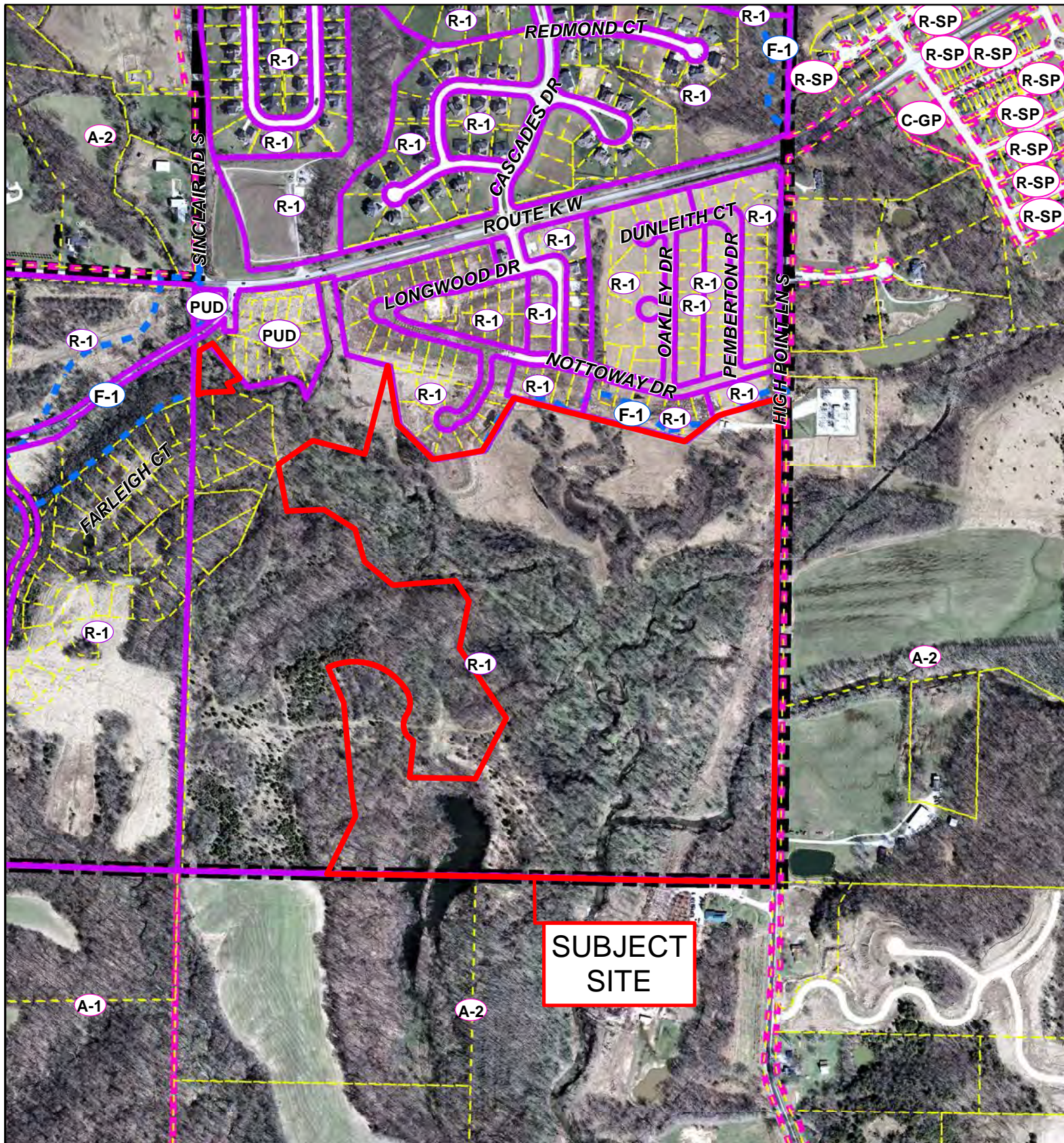
APPROVED AS TO FORM:

Nancy Thompson, City Counselor

Mike Tompkins

BY:  _____

SUPPORTING
DOCUMENTS FOR
THIS AGENDA ITEM



16-5: The Gates Park Final Plat



City of Columbia Zoning

100-Year Flood Plain



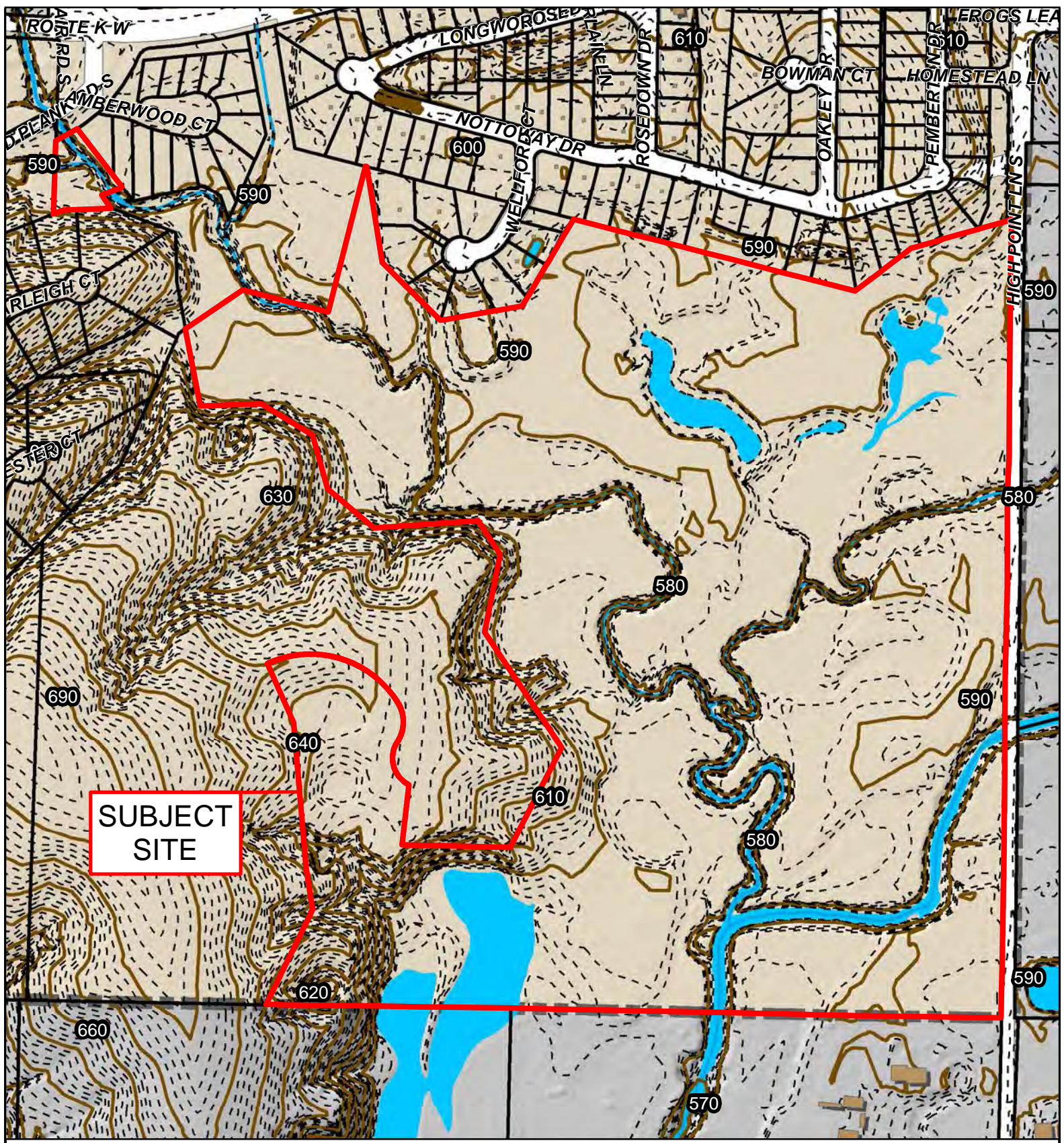
Boone County Zoning

Parcels



Columbia City Limit

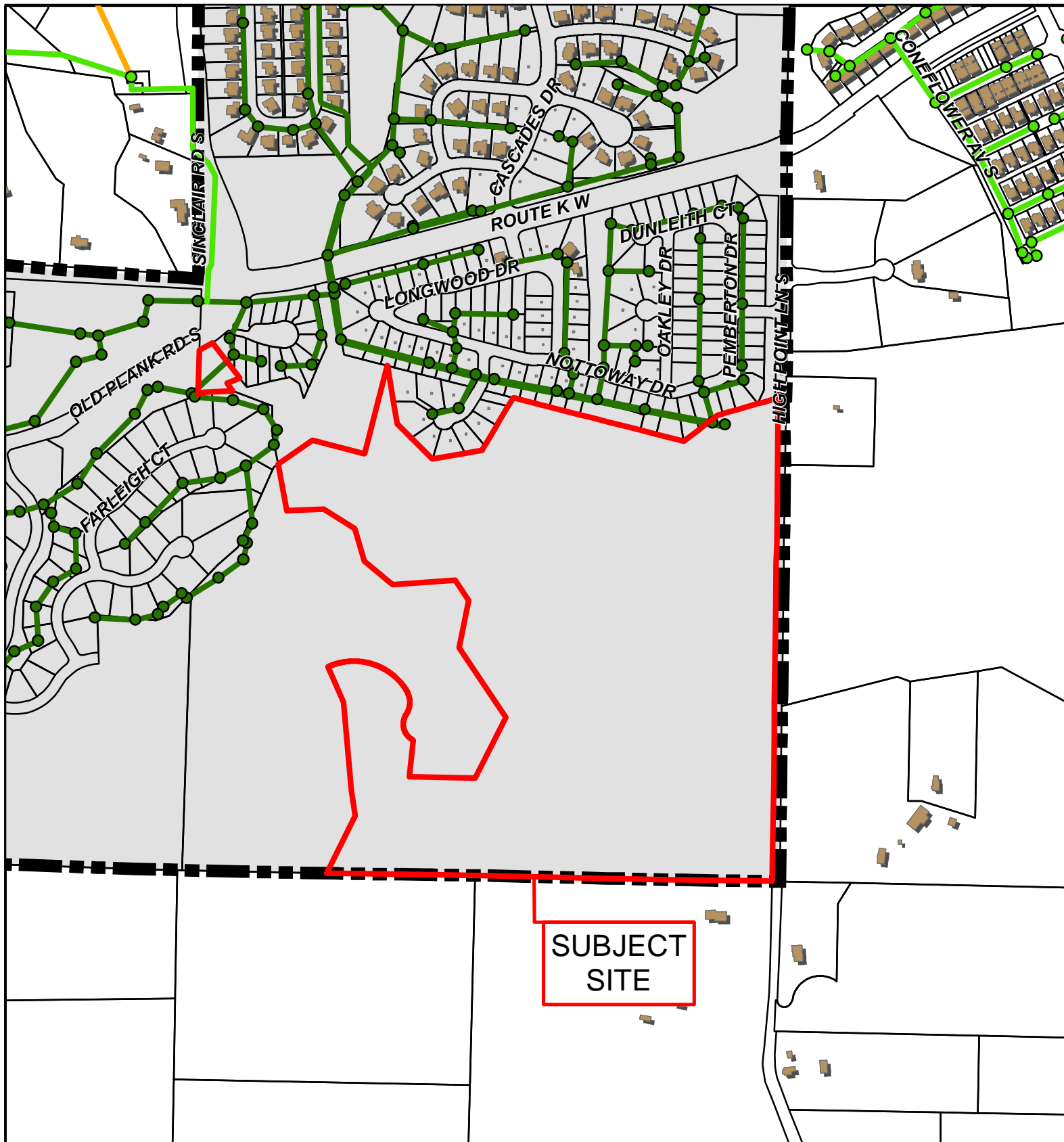




16-5: The Gates Park Final Plat



- 10 Foot Contour Lines
- 2 Foot Contour Lines
- Parcels
- Building Footprint
- Bodies of Water
- Columbia City Limit



16-5: The Gates Park Final Plat



● BCRSD

● City Sanitary Structure

— BCRSD

— City Sanitary Line

— Private Sanitary Line



Building Footprint

Parcels

Columbia City Limit





LOCATION MAP
NOT TO SCALE

NOTES:

- PART OF THIS TRACT IS LOCATED IN THE 100-YEAR FLOOD PLAIN AS SHOWN BY BOONE COUNTY & CITY OF COLUMBIA FLOOD PLAIN MAPS 29019C02250 & 29019C03350 DATED MARCH 17, 2011.
- THIS SURVEY CONFORMS TO THE ACCURACY STANDARDS FOR URBAN PROPERTY AS DEFINED BY MISSOURI BOARD RULE 20 CSR 2030-16.040(2)(A).
- RECORD TITLE INFORMATION WAS PROVIDED BY BOONE-CENTRAL TITLE COMPANY, FILE NO. 1403705, DATED JUNE 23, 2014.
- PART OF THIS TRACT IS LOCATED WITHIN THE TYPE 1 & 2 STREAM BUFFER AS DETERMINED BY THE USGS MAP FOR JAMESTOWN QUADRANGLE, BOONE COUNTY, MISSOURI AND ARTICLE X OF CHAPTER 12A OF THE CITY OF COLUMBIA CODE OF ORDINANCES.
- ALL MONUMENTS WILL BE SET AFTER CONSTRUCTION AND UTILITIES ARE COMPLETE.
- LOT 1 IS SUBJECT TO A WATERLINE EASEMENT RECORDED IN BOOK 934, PAGE 22, (NOT LOCATED)
- LOT 1 IS SUBJECT TO AN ELECTRICAL EASEMENT RECORDED IN BOOK 396, PAGE 736

ACCEPTED BY ORDINANCE OF THE CITY COUNCIL OF COLUMBIA, MISSOURI,
THIS _____ DAY OF _____, 2015,

ROBERT McDAVID, MAYOR

SHEELA AMIN, CITY CLERK

KNOW ALL MEN BY THESE PRESENTS:

THAT MIKE TOMPKINS, DEANNA TOMPKINS, SHAUN AND FELICIA TOMPKINS, HUSBAND & WIFE, AND BRETT AND JENNIFER McCALLISTER, HUSBAND & WIFE ARE THE OWNERS OF THE HEREON DESCRIBED TRACT AND THAT THEY HAVE 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 "THE GATES PARK"

IN WITNESS WHEREOF, WE HAVE CAUSED THESE PRESENTS TO BE SIGNED.

Mike Tompkins
MIKE TOMPKINS

STATE OF MISSOURI } SS
COUNTY OF BOONE }

ON THIS 13th DAY OF November, 2015 BEFORE ME PERSONALLY APPEARED MIKE TOMPKINS, TO ME KNOWN, WHO BY ME DULY SWORN, DID ACKNOWLEDGE THIS INSTRUMENT TO BE HIS FREE ACT AND DEED.

Kenneth Farris
KENNETH FARRIS
NOTARY PUBLIC
MY COMMISSION EXPIRES APRIL 22, 2018
COMMISSION NUMBER 14965667

KENNETH FARRIS
Notary Public - Notary Seal
STATE OF MISSOURI
Cole County
Commission #14965667
My Commission Expires: April 22, 2018

IN WITNESS WHEREOF, WE HAVE CAUSED THESE PRESENTS TO BE SIGNED.

Deanna Tompkins
DEANNA TOMPKINS

STATE OF MISSOURI } SS
COUNTY OF BOONE }

ON THIS 13th DAY OF November, 2015 BEFORE ME PERSONALLY APPEARED DEANNA TOMPKINS, TO ME KNOWN, WHO BY ME DULY SWORN, DID ACKNOWLEDGE THIS INSTRUMENT TO BE THEIR FREE ACT AND DEED.

Kenneth Farris
KENNETH FARRIS
NOTARY PUBLIC
MY COMMISSION EXPIRES APRIL 22, 2018
COMMISSION NUMBER 14965667

KENNETH FARRIS
Notary Public - Notary Seal
STATE OF MISSOURI
Cole County
Commission #14965667
My Commission Expires: April 22, 2018

IN WITNESS WHEREOF, WE HAVE CAUSED THESE PRESENTS TO BE SIGNED.

Shaun Tompkins
SHAUN TOMPKINS

Felicia Tompkins
FELICIA TOMPKINS

STATE OF MISSOURI } SS
COUNTY OF BOONE }

ON THIS 13th DAY OF November, 2015 BEFORE ME PERSONALLY APPEARED SHAUN TOMPKINS, AND FELICIA TOMPKINS, HUSBAND AND WIFE, TO ME KNOWN, WHO BY ME DULY SWORN, DID ACKNOWLEDGE THIS INSTRUMENT TO BE THEIR FREE ACT AND DEED.

Kenneth Farris
KENNETH FARRIS
NOTARY PUBLIC
MY COMMISSION EXPIRES APRIL 22, 2018
COMMISSION NUMBER 14965667

KENNETH FARRIS
Notary Public - Notary Seal
STATE OF MISSOURI
Cole County
Commission #14965667
My Commission Expires: April 22, 2018

IN WITNESS WHEREOF, WE HAVE CAUSED THESE PRESENTS TO BE SIGNED.

Brett McCallister
BRETT McCALLISTER

Jennifer McCallister
JENNIFER McCALLISTER

STATE OF MISSOURI } SS
COUNTY OF BOONE }

ON THIS 13th DAY OF November, 2015 BEFORE ME PERSONALLY APPEARED BRETT McCALLISTER, AND JENNIFER McCALLISTER, HUSBAND AND WIFE, TO ME KNOWN, WHO BY ME DULY SWORN, DID ACKNOWLEDGE THIS INSTRUMENT TO BE THEIR FREE ACT AND DEED.

Kenneth Farris
KENNETH FARRIS
NOTARY PUBLIC
MY COMMISSION EXPIRES APRIL 22, 2018
COMMISSION NUMBER 14965667

KENNETH FARRIS
Notary Public - Notary Seal
STATE OF MISSOURI
Cole County
Commission #14965667
My Commission Expires: April 22, 2018

FINAL PLAT
THE GATES PARK

SHEET 1 OF 2

A MAJOR SUBDIVISION LOCATED IN SECTION 10, TOWNSHIP 47 NORTH, RANGE 13 WEST
COLUMBIA, BOONE COUNTY, MISSOURI
OCTOBER 12, 2015

CERTIFICATION:

I HEREBY CERTIFY THAT IN OCTOBER OF 2015, I COMPLETED A SURVEY AND SUBDIVISION FOR TOMPKINS HOMES & DEVELOPMENT, LLC, OF A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 47 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF TRACT 2 AS SHOWN BY THE SURVEY RECORDED IN BOOK 2404, PAGE 56, AND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 4333, PAGE 151 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID TRACT 2 AND WITH THE SOUTH LINE THEREOF, N 88°57'30"W, 940.15 FEET; THENCE LEAVING THE SOUTH LINE OF SAID TRACT 2, N 1°02'30"E, 222.59 FEET; THENCE N 4°47'10"W, 605.61 FEET; THENCE N 25°25'30"W, 242.60 FEET; THENCE N 72°05'25"E, 232.65 FEET; THENCE N 29°17'30"W, 298.33 FEET; THENCE S 89°37'50"W, 578.37 FEET; THENCE N 6°57'50"E, 318.10 FEET; THENCE N 52°26'35"W, 329.34 FEET; THENCE N 14°14'00"E, 402.83 FEET TO THE NORTH LINE OF SAID TRACT 2; THENCE WITH THE LINES THEREOF S 79°54'30"E, 2.85 FEET; THENCE S 9°15'40"E, 260.94 FEET; THENCE S 45°22'05"E, 220.39 FEET; THENCE N 80°02'10"E, 222.86 FEET; THENCE N 30°33'45"E, 270.85 FEET; THENCE S 75°49'05"E, 779.84 FEET; THENCE N 52°41'55"E, 189.95 FEET; THENCE N 73°54'40"E, 295.75 FEET THE EAST LINE OF SAID TRACT 2; THENCE WITH THE EAST LINE OF SAID TRACT 2, S 0°52'40"W, 2162.38 TO THE POINT OF BEGINNING AND CONTAINING 56.25 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, PLS-2002014099

11/5/2015
DATE

STATE OF MISSOURI } SS
COUNTY OF BOONE }

SUBSCRIBED AND AFFIRMED BEFORE ME THIS 5th DAY OF November, 2015.

Kenneth Farris
KENNETH FARRIS
NOTARY PUBLIC
MY COMMISSION EXPIRES APRIL 22, 2018
COMMISSION NUMBER 14965667

KENNETH FARRIS
Notary Public - Notary Seal
STATE OF MISSOURI
Cole County
Commission #14965667
My Commission Expires: April 22, 2018

FINAL PLAT THE GATES PARK

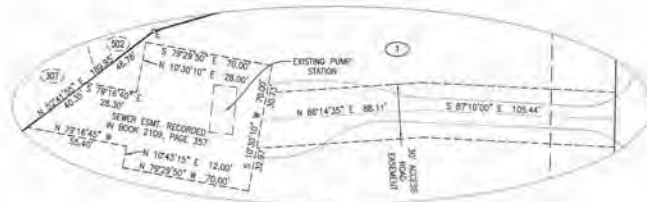
A MAJOR SUBDIVISION LOCATED IN SECTION 10, TOWNSHIP 47 NORTH, RANGE 13 WEST
COLUMBIA, BOONE COUNTY, MISSOURI
OCTOBER 12, 2015



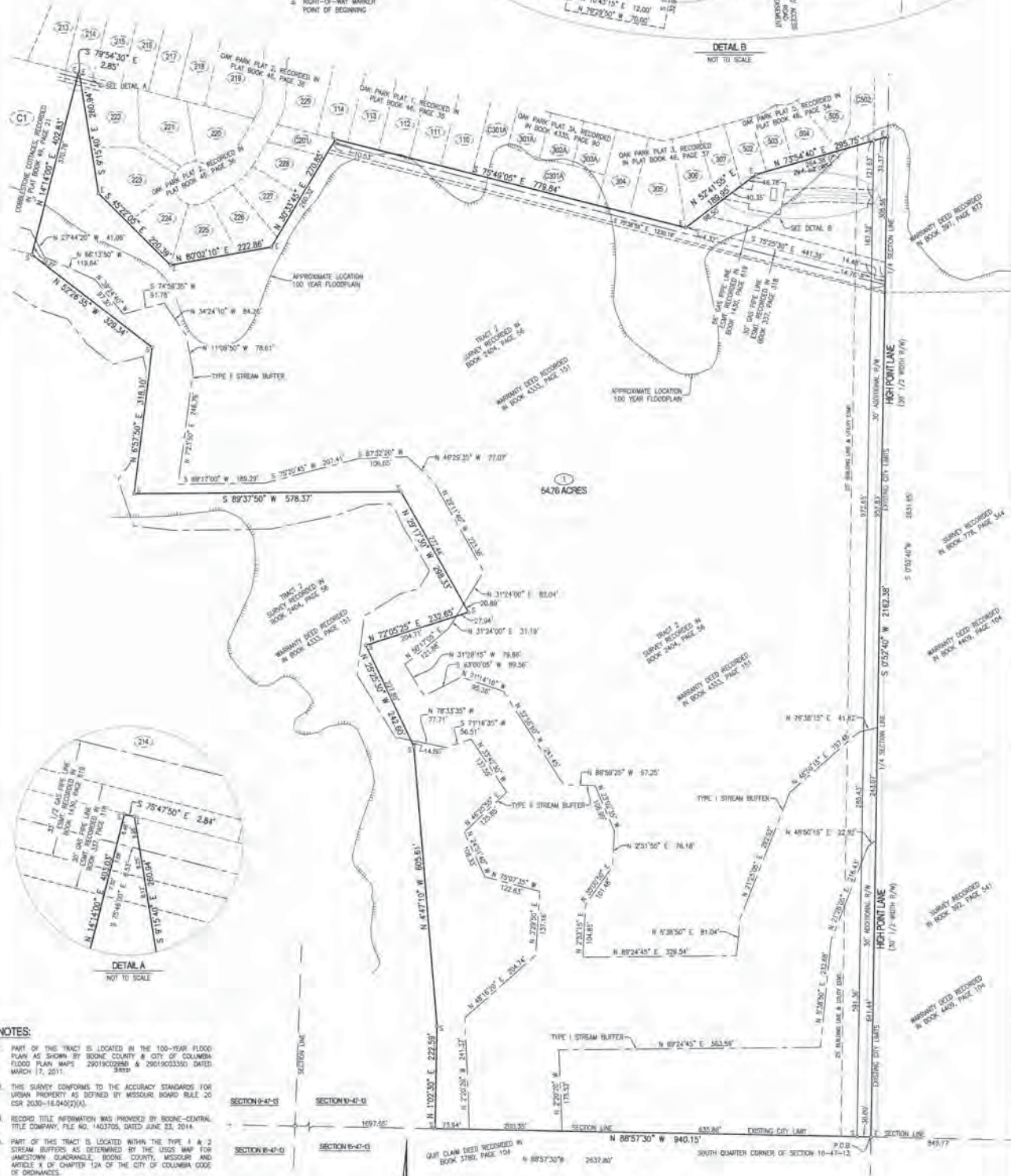
LOCATION MAP
NOT TO SCALE

LEGEND:

- E EXISTING
- S SET
- 1/2" IRON PIPE (UNLESS NOTED OTHERWISE)
- D STONE
- PERMANENT MONUMENT
- (M) MEASURED DISTANCE
- (REC) RECORDED DISTANCE
- (R) RADIAL LINE
- CH H DRILL HOLE
- W/ CHISELED #
- RIGHT-OF-WAY MARKER
- POINT OF BEGINNING

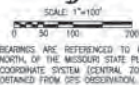


DETAIL B
NOT TO SCALE



NOTES:

1. PART OF THIS TRACT IS LOCATED IN THE 100-YEAR FLOOD PLAIN AS SHOWN BY BOONE COUNTY & CITY OF COLUMBIA FLOOD PLAIN MAPS 29019002280 & 29019003350 DATED MARCH 17, 2011.
2. THIS SURVEY CONFORMS TO THE ACCURACY STANDARDS FOR URBAN PROPERTY AS SET FORTH BY MISSOURI BOARD RULE 20 CSR 2030-18.040(2)(A).
3. RECORD TITLE INFORMATION WAS PROVIDED BY BOONE-CENTRAL TITLE COMPANY, FILE NO. 1403705, DATED JUNE 23, 2014.
4. PART OF THIS TRACT IS LOCATED WITHIN THE TYPE I & 2 STREAM BUFFERS AS DETERMINED BY THE USGS MAP FOR JAMESTOWN, CLARK COUNTY, MISSOURI, AND ARTICLE X OF CHAPTER 124 OF THE CITY OF COLUMBIA CODE OF ORDINANCES.
5. ALL MONUMENTS WILL BE SET AFTER CONSTRUCTION AND UTILITIES ARE COMPLETE.
6. LOT 1 IS SUBJECT TO A WATERLINE EASEMENT RECORDED IN BOOK 834, PAGE 22 (NOT LOCATED).
7. LOT 1 IS SUBJECT TO AN ELECTRICAL EASEMENT RECORDED IN BOOK 385, PAGE 738.



DAVID E. BUTCHER, PLS-000014095
DATE