



City of Columbia

701 East Broadway, Columbia, Missouri 65201

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: April 4, 2016

Re: Russell Subdivision, Plat No. 5 – final plat (Case #16-70)

Executive Summary

Approval of this request will create a two-lot final plat to be known as “Russell Subdivision, Plat No. 5.”

Discussion

The applicant is requesting approval of a two-lot preliminary plat of 3.17 acres of property zoned R-1 (One-Family Residential). A proposed public sanitary sewer main would extend approximately 150 feet into the subject site to provide a point of public sewer connection to the existing home (addressed as 709 Russell Boulevard), as well as the newly-created lot. The sewer main crosses a greenspace conservation easement at the property's northern edge, which will be maintained for both of the newly-created lots.

In preparing the final plat and the required sanitary sewer extension plans, it was determined that the sewer connection to the existing home on the parent tract was not located within a public sewer easement. The proposed off-site easement was introduced to Council on March 21, 2016, and will be approved concurrently with the introduction of this final plat. The proposed new public sewer to serve the existing home and the new lot proposed by Russell Subdivision Plat 5 will connect to the off-site easement. The proposed public sewer extension to serve the lots within Russell Subdivision Plat 5 will be located within a 16 foot wide public easement that is shown on the final plat.

The proposed plat is consistent with the preliminary plat of Russell Subdivision – Plat No. 5 (Case #16-52), which was approved by Council at its March 7, 2016 meeting. The final plat has been found to be in compliance with the zoning and subdivision regulations by both internal and external staff and is supported for approval.

Locator maps and a reduced copy of the plat 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: Maintenance of the extended public sewer main and provision of public safety and solid waste services to the new lot. Such long-term impacts may or may not be off-set by increases in user fees and property taxes.



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Vision & Strategic Plan Impact

Vision Impacts:

Primary Impact: Community Facilities & Services, Secondary Impact: Environment, Tertiary Impact: Parks, Recreation and Greenways

Strategic Plan Impacts:

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

Comprehensive Plan Impacts:

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

Legislative History

Date	Action
5/17/2004	Approved Russell Subdivision – Plat 4 (Ord. 018087)
3/7/2016	Preliminary plat approved – Russell Subdivision Plat No. 5 (Res. R27-16)
3/21/2016	Request to approve off-site sanitary easement (B67-16)

Suggested Council Action

Approval of the final plat of “Russell Subdivision, Plat No. 5”

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 84-16

AN ORDINANCE

approving the Final Plat of Russell Subdivision – Plat 5;
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 Russell Subdivision – Plat 5, as certified and signed by the surveyor on March 3, 2016, a subdivision located on the northwest corner of Russell Boulevard and Rollins Road (709 Russell Boulevard), containing approximately 3.17 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 Robert C. Smith in connection with the approval of the Final Plat of Russell Subdivision – Plat 5. 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 _____, 2016 between the City of Columbia, MO ("City") and Robert C. Smith ("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 Russell Subdivision – Plat 5, 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 all utilities and 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 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 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. 2

9. This contract is not intended to confer any rights or remedies on any person other than the parties.

IN WITNESS WHEREOF, 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

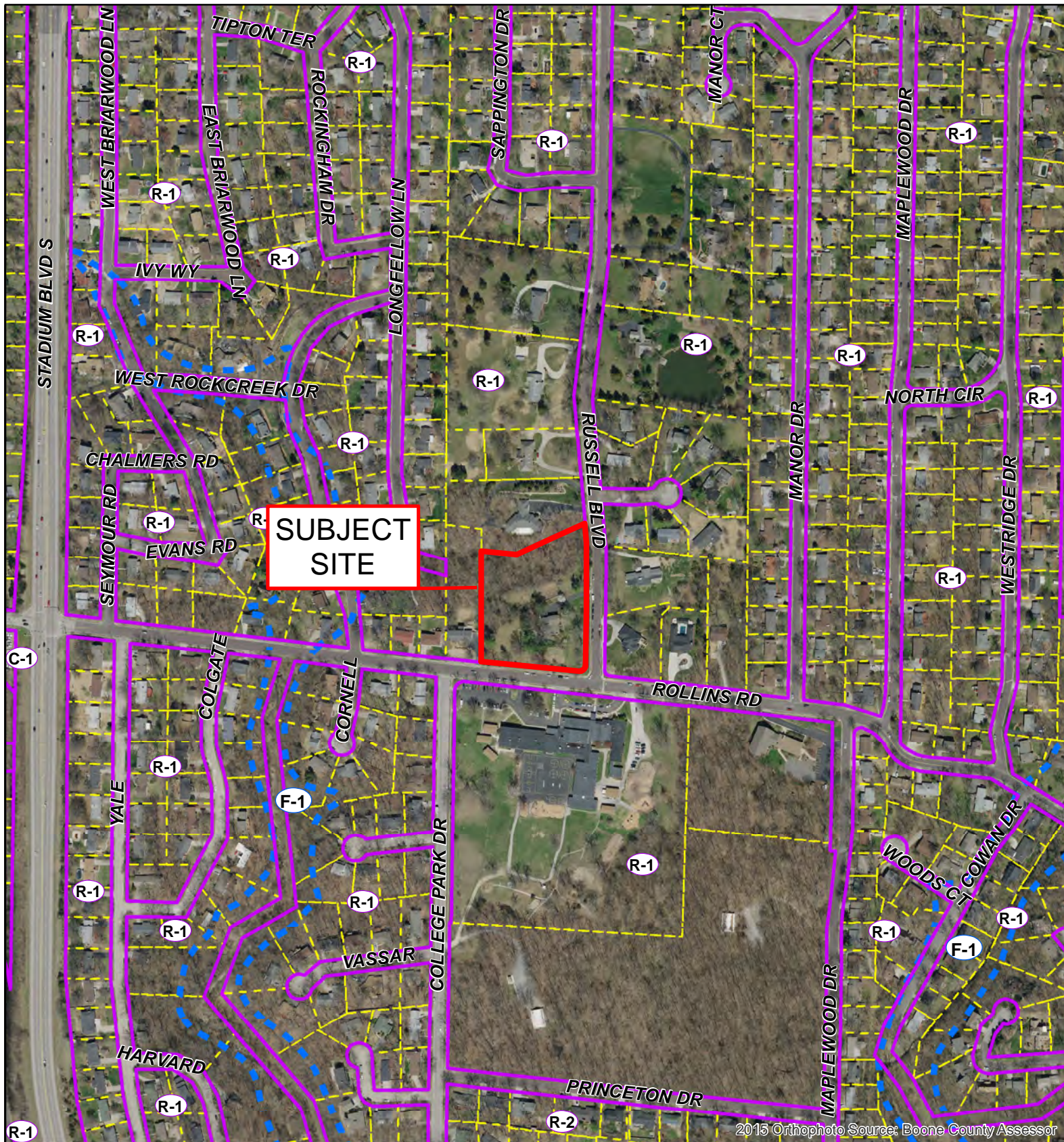
APPROVED AS TO FORM:

Nancy Thompson, City Counselor

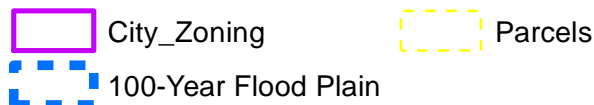
Subdivider

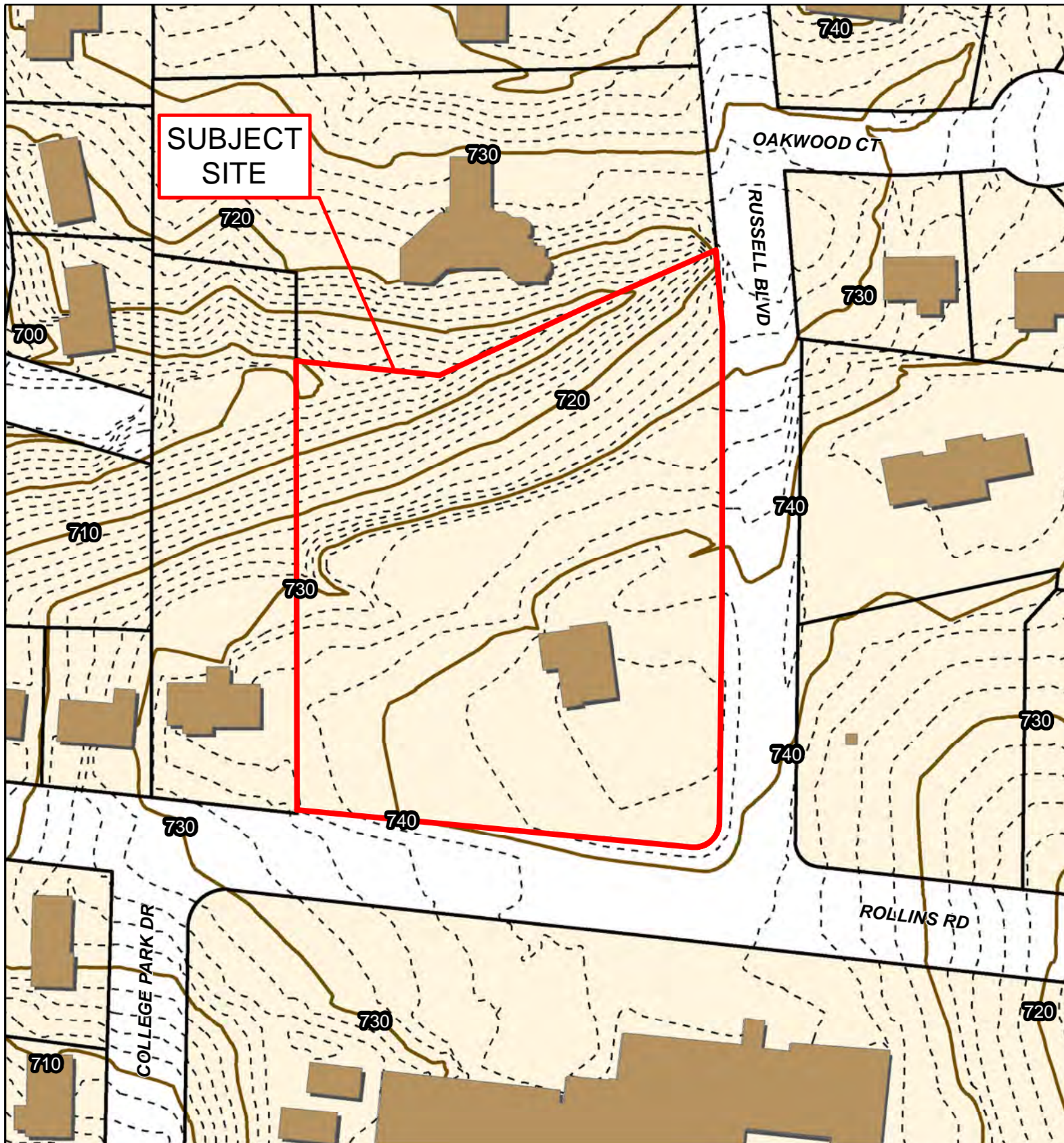
BY:  _____
Robert C. Smith

SUPPORTING
DOCUMENTS FOR
THIS AGENDA ITEM



Case #16-70: Russell Subdivision Plat 5 (Final Major)





Case #16-70: Russell Subdivision Plat 5 (Final Major)



- 10 Foot Contour Lines
- - - 2 Foot Contour Lines
- ▭ Parcels
- Building Footprint
- ▭ 100-Year Flood Plain



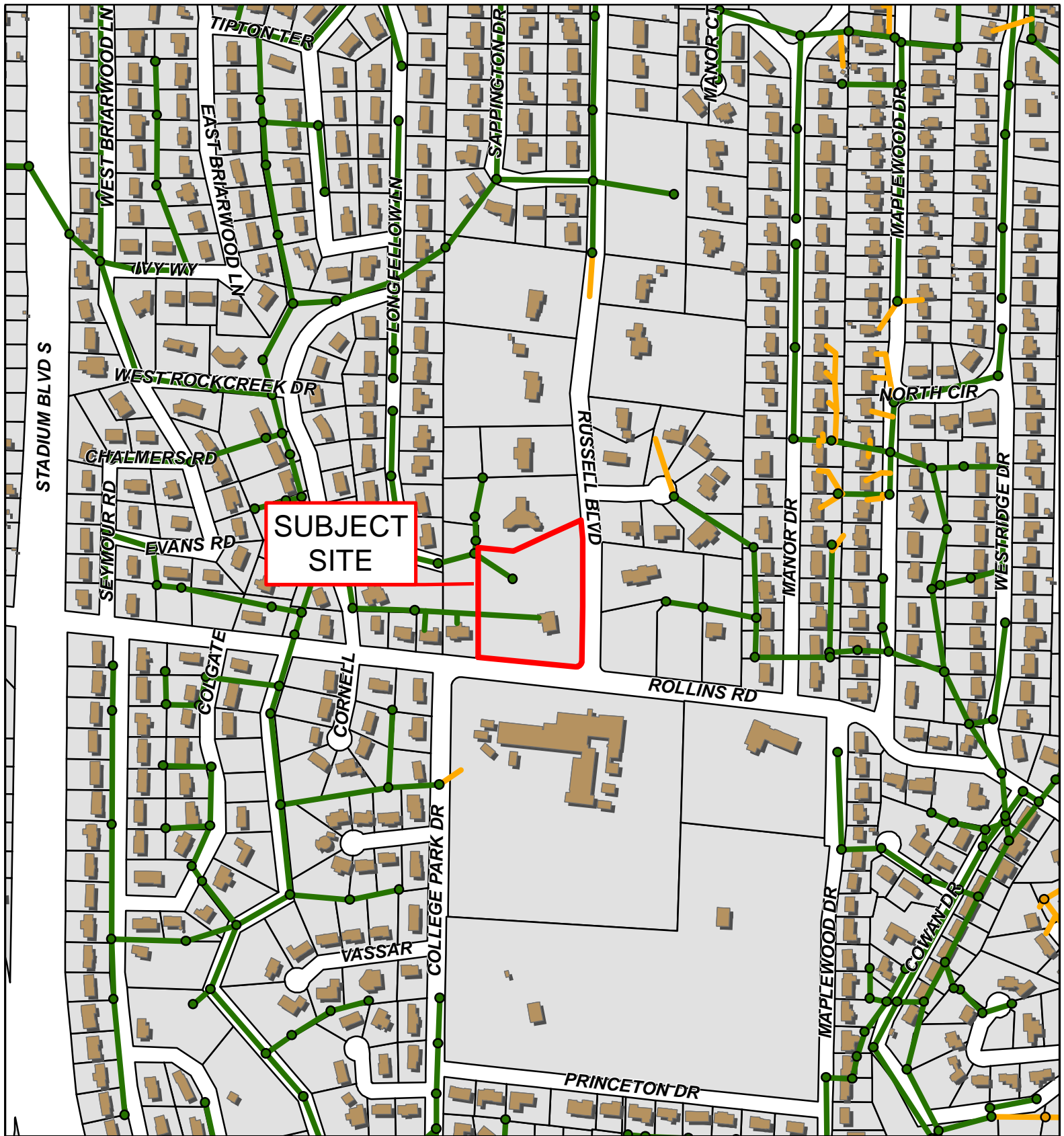
Hillshade Data: Boone County GIS Office

Imagery: Boone County Assessor's Office, Sanborn Map Company

Parcel Data Source: Boone County Assessor

Created by The City of Columbia - Community Development Department

0 45 90 180
Feet



Case #16-70: Russell Subdivision Plat 5 (Final Major)



● City Sanitary Structure

— City Sanitary Line

■ Building Footprint

● Private Sanitary Structure

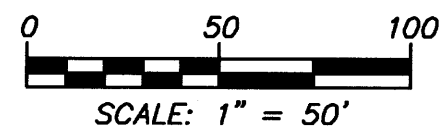
— Private Sanitary Line

■ Parcels



RUSSELL SUBDIVISION - PLAT 5

FINAL PLAT
MARCH 3, 2016

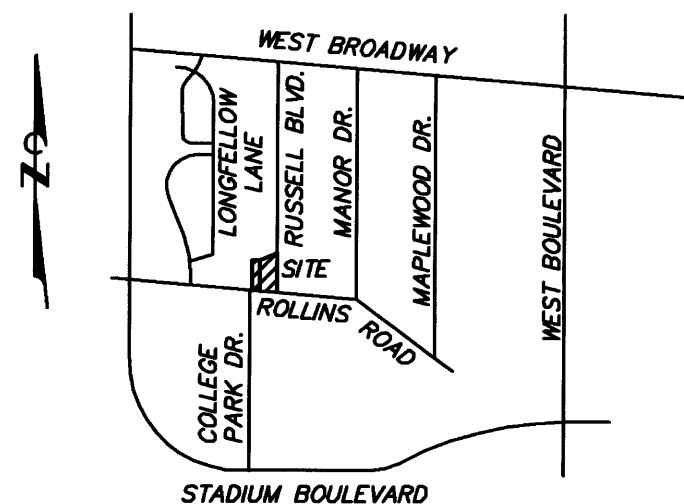


BEARINGS ARE REFERENCED TO THE LINES
OF LOT 2 OF RUSSELL SUBDIVISION - PLAT 4
RECORDED IN PLAT BOOK 38 PAGE 45.

MONUMENT LEGEND

IRON

ALL MONUMENTS ARE FOUND
UNLESS SHOWN (S) SET



VICINITY MAP

NOT TO SCALE

FLOOD PLAIN NOTE

THIS PROPERTY IS LOCATED IN ZONE "X", AREAS
DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE
FLOODPLAIN, AS SHOWN BY FLOOD INSURANCE RATE
MAP NUMBER 29019C0280D, DATED MARCH 17, 2011.

NOTES

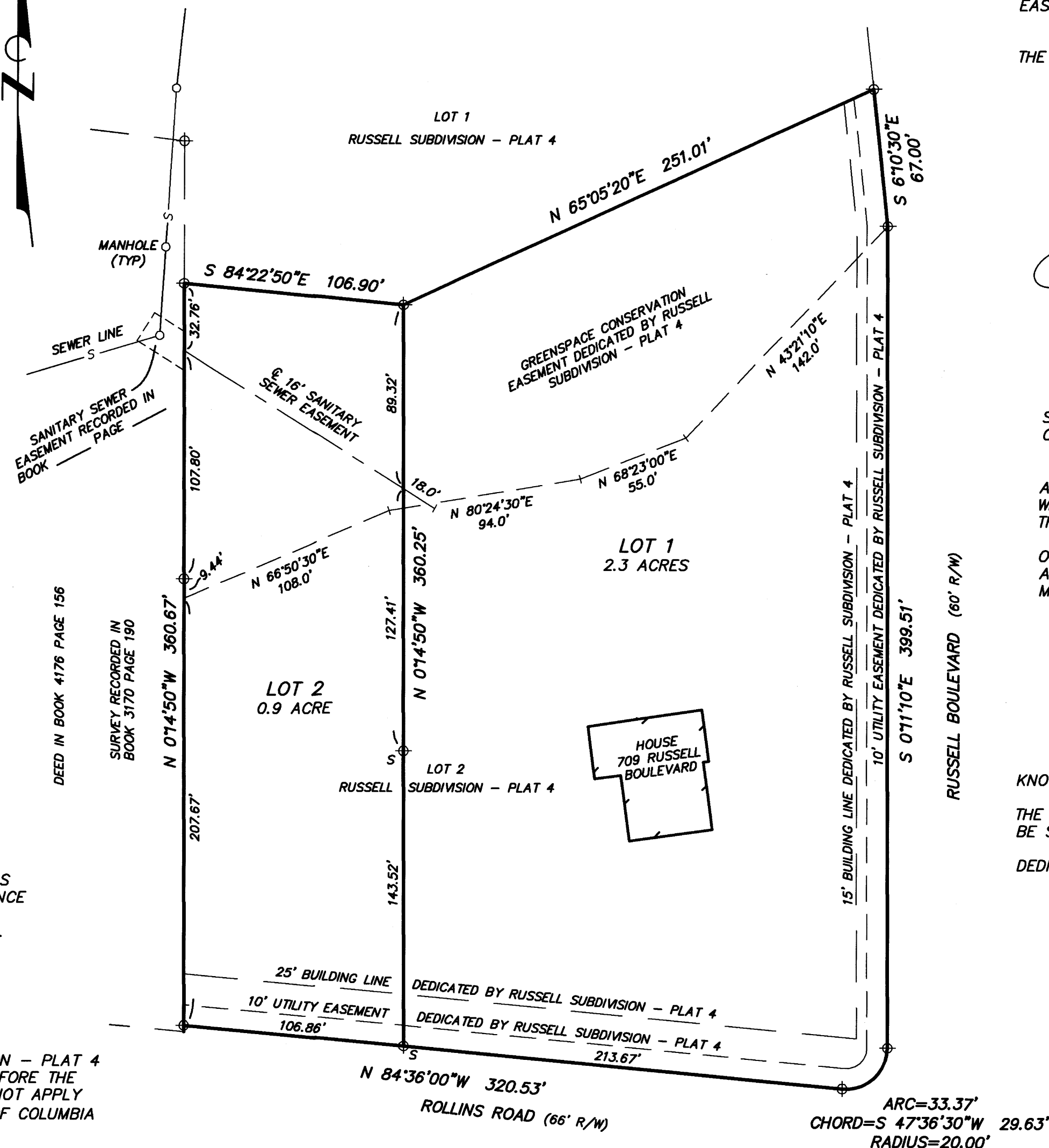
THESE LOTS ARE PART OF THE RUSSELL SUBDIVISION - PLAT 4
RECORDED IN PLAT BOOK 38 PAGE 48 IN 2004. THEREFORE THE
CITY OF COLUMBIA STREAM BUFFER ORDINANCE DOES NOT APPLY
PER CHAPTER 12A, SECTION 12A-32(2) OF THE CITY OF COLUMBIA
CODE OF ORDINANCES.

ACCEPTED BY ORDINANCE OF THE CITY COUNCIL OF
COLUMBIA, MISSOURI, THIS _____ DAY OF _____, 2016

ROBERT MCDAVID, MAYOR

ATTEST: SHEELA AMIN, CITY CLERK

LOT 1
RUSSELL SUBDIVISION - PLAT 4



STATE OF MISSOURI } SS
COUNTY OF BOONE }

ON THIS _____ DAY OF _____, 2016 BEFORE ME PERSONALLY
APPEARED WILLIAM JAY POWELL, TRUSTEE OF THE ROBERT CHARLES SMITH TRUST TO ME
KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT
AND ACKNOWLEDGED THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.
IN TESTIMONY WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL
SEAL AT MY OFFICE IN SAID COUNTY AND STATE, THE DAY AND YEAR FIRST ABOVE WRITTEN.
MY TERM EXPIRES DECEMBER 6, 2019.

JOSHUA D. LEHMEN, NOTARY PUBLIC

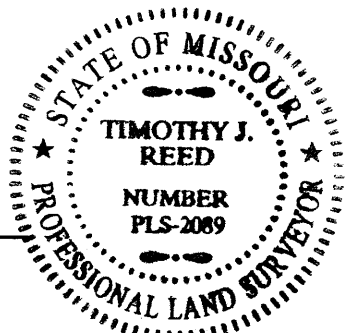
A SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 15 T48N R13W, IN
COLUMBIA, BOONE COUNTY, MISSOURI, BEING LOT 2 OF RUSSELL SUBDIVISION - PLAT 4
RECORDED IN PLAT BOOK 38 PAGE 45 AND CONTAINING 3.17 ACRES.

THIS TRACT IS SUBJECT TO UTILITY EASEMENTS AND A GREENSPACE CONSERVATION
EASEMENT DEDICATED BY THE PLAT OF RUSSELL SUBDIVISION - PLAT 4.

THIS URBAN PROPERTY HAS BEEN SURVEYED AND SUBDIVIDED IN ACCORDANCE WITH
THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

BY:
ENGINEERING SURVEYS AND SERVICES
MISSOURI L.S. CORP. #2004004672
1113 FAY STREET
COLUMBIA, MO 65201
PHONE: (573) 449-2646
EMAIL: TREED@ESS-INC.COM

TIMOTHY J. REED
PROFESSIONAL LAND SURVEYOR
LS 2089
3/03/16



STATE OF MISSOURI } SS
COUNTY OF BOONE }

ON THIS _____ DAY OF _____, 2016 BEFORE ME PERSONALLY
APPEARED TIMOTHY J. REED TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND
WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED
THE SAME AS HIS FREE ACT AND DEED.

IN TESTIMONY WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED MY
OFFICIAL SEAL AT MY OFFICE IN SAID COUNTY AND STATE, THE DAY AND YEAR FIRST
ABOVE WRITTEN.
MY TERM EXPIRES DECEMBER 6, 2019.

JOSHUA D. LEHMEN, NOTARY PUBLIC

KNOW ALL MEN BY THESE PRESENTS,
I, WILLIAM JAY POWELL, TRUSTEE OF THE ROBERT CHARLES SMITH TRUST, BEING
THE SOLE OWNER OF THE ABOVE DESCRIBED PROPERTY, HAVE CAUSED THE SAME TO
BE SUBDIVIDED INTO TWO LOTS AS SHOWN BY THE PLAT.
THE SANITARY SEWER EASEMENT LOCATED AS SHOWN ON THE PLAT, IS HEREBY
DEDICATED TO THE CITY OF COLUMBIA FOR PUBLIC USE FOREVER.

BY:
WILLIAM JAY POWELL, TRUSTEE