

Source: Community Development - Planning

Agenda Item No: Supplemental
Information
B30-13A

To: City Council
From: City Manager and Staff

Council Meeting Date: May 20, 2013

Re: B30-13 Vacating Sidewalk Easements on Lot 321A and 322A within Copperstone Plat 7 located along Blue Hollow Court - Supplemental Information II

EXECUTIVE SUMMARY:

As directed by Council, staff has referred this item to the Disabilities Commission for its opinion. Meeting on Thursday, May 9, 2013, the Commission reviewed and discussed the request. The Commission made a motion to recommend to Council that no facility be built that is not compliant with the Americans with Disabilities Act (ADA). Minutes of the meeting are attached for reference.

DISCUSSION:

The trail that exists is built at a five percent (20:1) maximum slope which is the maximum grade standard for sidewalks, trails and accessible routes. Americans with Disabilities Act (ADA) design guidance makes some allowance for deviations from the standard, for example in recreational trails where topography is difficult. In the U.S. Department of Transportation (USDOT) document, *Designing Sidewalks and Trails for Access, Part II Best Practices Design Guide*, there is this reference to exceptions from the five percent maximum grade standard:

15.5.1.1 Recommended grade specifications

In general, running grades on recreation trails should not exceed 5 percent, and the most gradual slope possible should be used at all times. When trails must be built with steeper grades, it is essential that the lengths of the maximum grade segments are minimized to enhance accessibility and grade segments are free of other access barriers. Users should not be required to expend additional efforts to simultaneously deal with factors such as soft surfaces, steep cross slopes, narrow tread widths, or obstacles.

When it is not possible to have running grades that are 5 percent or less, the following recommended guidelines should be used for designing maximum grades over short intervals:

- **8.3 percent for a maximum of 61.0 m (200 ft);**
- **10 percent for a maximum of 9.14 m (30 ft); and**
- **12.5 percent for a maximum of 3.05 m (10 ft).**

This language refers to a situation where the terrain is difficult and disturbance is to be minimized (for example, to preserve a "natural" area).

The Commission discussion suggests that the trail in question should be considered more a sidewalk than a recreational trail and since it already exists at a ADA compliant slope, it cannot be argued that it is not possible to comply.

FISCAL IMPACT:

None

VISION IMPACT:

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

None.

SUGGESTED COUNCIL ACTIONS:

The Disabilities Commission does not recommend replacement of the existing sidewalk easement.

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$0.00	Duplicates/Epands an existing program?	No	Vision Implementation impact	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	No
One Time	\$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	

COLUMBIA DISABILITIES COMMISSION
MEETING MINUTES
Thursday, May 9, 2013
Board Meeting Room, Chamber of Commerce Building, 300 S. Providence Rd.

1. Called to order by Chair, Homer Page, at 3:00 p.m.

2. Introductions:

Members: Marcie Luebbert, Hazel Fields, Homer Page, Lee Henson, Dovie Weston, Sean Spence, Kathleen Weinschenk, Lisa Zanetti and Dawn Zeterberg

Excused Absence: Cheryl Price, Mike Peplow, Christy Brookins

Unexcused Absence: None

Staff and Other Attendees:

Tony St. Romaine, City Manager's Office

Julie King, Thumper Entertainment

Betsy Farris, Thumper Entertainment

Nancy Thompson, City Law Department

Kevin Murphy, A Civil Group

3. Additions to Agenda

Vacating sidewalk easements on Lot 321A and Lot 322A within Copperstone, Plat 7 located along Blue Hollow Court (Case No. 12-204)

4. Review and Approval of Minutes of Previous Meeting

Ms. Weston made a motion to approve the minutes from the April 11, 2013 meeting as written, Ms. Weinschenk seconded. All in favor; motion approved.

5. New Business

- a. Roots 'n Blues ADA Compliance

Betsy introduced the Roots and Blue Festival and the location change. She explained the venue change is due to expansion of the festival. This year there will not be a BBQ competition; there will be more BBQ vendors instead.

With the venue change comes a new set of difficulties to become ADA compliant. Thumper Entertainment and Lee Henson went to the park to find and address these issues. She briefly explained the manners in which Thumper would address these issues. Reichmann Pavilion parking lot would be available for ADA Parking and shuttles would be used to take participants to the entry gate. The group discussed parking and travel issues for those with disabilities. Mr. Henson indicated routes and how uneven the routes were; Betsy indicated interlocking mats would be placed to create a more even surface. Julie briefly updated the group on ADA restroom facilities available.

Volunteers who sign up for two 4-hour shifts gain weekend access to the festival; Julie passed around volunteer sign-up sheets.

b. Hidden Disabilities

Ms. Zanetti provided a handout to go along with the PowerPoint. Hidden disabilities are any impairment that causes limitations not obvious to the naked eye or easily discernible to others. She explained that there are many myths that go along with hidden disabilities. Hidden disabilities include cognitive, sensory, physical, and psychological impairments. Roughly 10% of the population lives with a hidden disability.

She commented that she felt that the name hidden disability appeared as though those that live with them are trying to keep them hidden. She noted several websites that have good literature on hidden disabilities if anyone wanted to further their knowledge. She further discussed the hidden disabilities that she lives with and their effects on day to day activities and ways that employers could aid these employees. The group briefly discussed how responders react and aid those with hidden disabilities. Education is the key.

c. Vacating sidewalk easements on Lot 321A and Lot 322A within Copperstone, Plat 7 located along Blue Hollow Court (Case No. 12-204)

Monday night Council heard a request for vacating sidewalk easements on Lot 321 A and 322A within Copperstone. Instead of using the ADA standard they were requesting to use a Park sidewalk standard. Council recommended the issue be forwarded to the Disabilities Commission for comment before the issue was voted on.

Kevin Murphy, A Civil Group, addressed the group and explained the location of the request and detailed the request. He explained why they were making the request and that the design concept was originally accepted by Council when the Subdivision was accepted; this created an 8ft pedway on one side of the roadway. They redesigned the initial plan due to issues encountered with developers and realtors. They sent out letters to property owners in the area to take out the sidewalk connection, 29 responses were received with 26 being in favor of taking out the connection at that location.

Mr. Murphy explained that the sidewalk would be constructed in the public easement which is why they are making the request to Council. He thought that only residents in the area would utilize it. There are 7 access points to the common area and this would be the only one deviated from the ADA standard. The group agreed that signage should be in place that specifies that there is a steeper slope at the location. The group discussed alternatives to the sidewalk including: no sidewalk or a natural trail.

The group recommended leaving it as a natural trail and letting people making their own decision on whether to walk that route or continue elsewhere. The group also felt that more information was needed to make an informed recommendation.

Ms. Weston made a motion to recommend the sidewalk be eliminated but they felt that it was a sidewalk and not a trail and did not support a sidewalk that was not ADA compliant; Ms. Weinschenk seconded. All in favor; motion passed.

d. Repurposing Human Rights position to Law Department

Mr. St. Romaine introduced Nancy Thompson as the new City Attorney. He gave a brief background of the issue of repurposing the position that was being held by Negar Rezvani to the Law Department and transferring ADA duties to that individual.

He briefly spoke about vacancies on the Commission and applicants that had submitted applications for those.

e. Sidewalk projects included in the CDBG Application:

Hold for next meeting.

f. HRC Update

None.

6. Public Comments

None.

7. Announcements

None.

10. Adjourn

Meeting adjourned approximately 4:50 p.m.

Respectfully submitted,

Heather Cole
Assistant to the City Manager

Introduced by _____

First Reading _____

Third Reading _____

Fifth Reading _____

Second Reading _____

Fourth Reading _____

Sixth Reading _____

Ordinance No. _____

Council Bill No. B 30-13 A

AN ORDINANCE

vacating sidewalk easements on Lot 321A and Lot 322A within Copperstone, Plat 7 located along Blue Hollow Court; directing the City Clerk to have a copy of this ordinance recorded; accepting conveyances for sidewalk purposes; directing the City Clerk to have the conveyances recorded; 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 finds and determines that certain sidewalk easements on Lot 321A and Lot 322A within Copperstone, Plat 7 located along Blue Hollow Court, more particularly described as follows:

TWO TRACTS OF LAND LOCATED IN THE WEST HALF OF SECTION 33, TOWNSHIP 48 NORTH, RANGE 13 WEST IN THE CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, AND BEING PARTS OF LOTS 321A AND 322A AS DESCRIBED BY COPPERSTONE PLAT 7 RECORDED IN PLAT BOOK 46, PAGE 30 OF THE BOONE COUNTY RECORDS AND BEING 5 FEET EITHER SIDE OF FOLLOWING DESCRIBED CENTERLINES:

CENTERLINE 1:

COMMENCING AT THE NORTHEAST CORNER OF LOT 322A OF SAID PLAT; THENCE ALONG THE EAST LINE OF SAID LOT, S09°59'15"E, 39.53 FEET TO A POINT ON THE CENTERLINE OF A SIDEWALK EASEMENT; THENCE FOLLOWING SAID CENTERLINE ALONG A NON TANGENT 153.00 FOOT RADIUS CURVE TO THE RIGHT, 8.10 FEET, SAID CURVE HAVING A CHORD S70°57'55"W, 8.10 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID 153.00 FOOT RADIUS CURVE TO THE RIGHT, 63.17 FEET, SAID CURVE HAVING A CHORD S84°18'35"W, 62.72 FEET TO THE END OF THIS CENTERLINE.

CENTERLINE 2:

BEGINNING AT THE NORTHEAST CORNER OF LOT 321A OF SAID PLAT; THENCE ALONG THE EAST LINE OF SAID LOT, S25°00'00"W, 63.70 FEET; THENCE LEAVING SAID LOT LINE ALONG A 10.00 FOOT RADIUS CURVE TO THE RIGHT, 9.49 FEET, SAID CURVE HAVING A CHORD S52°10'40"W, 9.14 FEET; THENCE S79°21'20"W, 5.86 FEET; THENCE ALONG A 10.00 FOOT RADIUS CURVE TO THE LEFT, 19.60 FEET, SAID CURVE HAVING A CHORD S23°13'00"W, 16.61 FEET; THENCE S40°30'20"E, 24.93 FEET; THENCE ALONG A 10.00 FOOT RADIUS CURVE TO THE RIGHT, 23.58 FEET, SAID CURVE HAVING A CHORD S27°02'40"W, 18.48 FEET; THENCE N89°53'10"W, 45.29 FEET; THENCE ALONG A 10.00 FOOT RADIUS CURVE TO THE LEFT, 20.40 FEET, SAID CURVE HAVING A CHORD S31°40'20"W, 17.04 FEET; THENCE S26°46'10"E, 84.99 FEET; THENCE ALONG A 97.50 FOOT RADIUS CURVE TO THE LEFT, 25.41 FEET, SAID CURVE HAVING A CHORD S34°14'05"E, 25.33 FEET TO THE END OF THIS CENTERLINE.

are in excess and surplus to the needs of the City and are hereby vacated.

SECTION 2. The City Clerk is hereby authorized and directed to cause a copy of this ordinance to be recorded in the office of the Recorder of Deeds of Boone County, Missouri.

SECTION 3. The conveyances to the City of Columbia, Missouri, a municipal corporation, more particularly described as follows:

Grant of Easement for sidewalk purposes from Woodland Hills Properties, LLC, dated May 1, 2013, more particularly described in Exhibit "A" attached hereto and made a part hereof as fully as if set forth herein verbatim.

Grant of Easement for sidewalk purposes from Woodland Hills Properties, LLC, dated May 1, 2013, more particularly described in Exhibit "B" attached hereto and made a part hereof as fully as if set forth herein verbatim.

are hereby accepted.

SECTION 4. The City Clerk is hereby authorized and directed to have the conveyances recorded in the office of the Boone County Recorder of Deeds.

SECTION 5. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2013.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

GRANT OF EASEMENT FOR SIDEWALK PURPOSES

THIS INDENTURE, made on the 1 day of MAY, 2013, by and between Woodland Hills Properties, LLC, a limited liability company of the State of Missouri, Grantor, and the City of Columbia, Missouri, a municipal corporation, Grantee; Grantee's mailing address is Post Office Box 6015, Columbia, MO 65205;

WITNESSETH:

That the Grantor, in consideration of the sum of Ten Dollars (\$10.00), to us in hand paid by the City of Columbia, Missouri, the receipt of which is hereby acknowledged, do hereby grant unto said City, its successors and assigns, an easement of way for street purposes, over the following described real estate, situated in the County of Boone, State of Missouri, to wit:

A STRIP OF LAND LOCATED IN THE WEST HALF OF SECTION 33, TOWNSHIP 48 NORTH, RANGE 13 WEST IN THE CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, AND BEING PART OF LOT 321A AS DESCRIBED BY COPPERSTONE PLAT 7 RECORDED IN PLAT BOOK 46, PAGE 30 OF THE BOONE COUNTY RECORDS. SAID STRIP BEING 5 FEET IN WIDTH AND LYING IMMEDIATELY WEST AND ADJACENT TO THE FOLLOWING DESCRIBED PROPERTY LINE:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 321A; THENCE ALONG THE EAST LINE OF SAID LOT, S25°00'00"W, 209.29 FEET TO THE END.

This grant includes the right of the City of Columbia, Missouri, its officers, agents and employees, to enter upon the described land to construct, re-construct, maintain and operate a public sidewalk at any time for the purposes of exercising any of the rights herein granted.

The Grantor warrants that, subject to liens and encumbrances of record at the date of this easement, it is the owner of the above-described land and has the right and authority to make and execute this Grant of Easement on behalf of said limited liability company.

IN WITNESS WHEREOF, the said Woodland Hills Properties, LLC has caused these presents to be signed by its authorized member(s) the day and year first written above.

WOODLAND HILLS PROPERTIES, LLC

"NO SEAL"

By:


David Dunafon, Managing Member

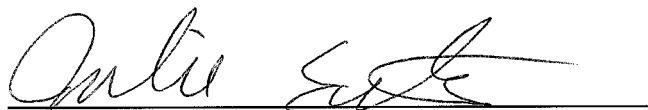
STATE OF MISSOURI

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)ss.
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COUNTY OF BOONE

On this 1 day of May in the year 20 13, before me, a Notary Public in and for said state, personally appeared, David Dunafon, who being by me duly sworn, acknowledged that they are member(s) of Woodland Hills Properties, LLC, a limited liability company, and that said instrument was signed in behalf of said company and further acknowledged that they executed the same as a free act and deed for the purposes therein stated and that they have been granted the authority by said limited liability company to execute the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal.


Notary Public



JULIE SCHULTZ
My Commission Expires
June 20, 2016
Boone County
Commission #12357749

GRANT OF EASEMENT FOR SIDEWALK PURPOSES

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COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 322A; THENCE ALONG THE WEST LINE OF SAID LOT, S25°00'00"W, 209.29 FEET TO THE END.

This grant includes the right of the City of Columbia, Missouri, its officers, agents and employees, to enter upon the described land to construct, re-construct, maintain and operate a public sidewalk at any time for the purposes of exercising any of the rights herein granted.

The Grantor warrants that, subject to liens and encumbrances of record at the date of this easement, it is the owner of the above-described land and has the right and authority to make and execute this Grant of Easement on behalf of said limited liability company.

IN WITNESS WHEREOF, the said Woodland Hills Properties, LLC has caused these presents to be signed by its authorized member(s) the day and year first written above.

WOODLAND HILLS PROPERTIES, LLC

"NO SEAL"

By:


David Dunafon, Managing Member


STATE OF MISSOURI

)
)ss.
)

COUNTY OF BOONE

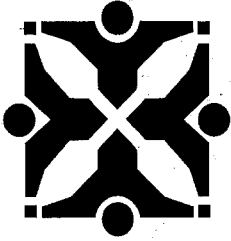
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IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal.


Notary Public



JULIE SCHULTZ
My Commission Expires
June 20, 2016
Boone County
Commission #12357749



Source: Community Development - Planning

Agenda Item No: B30-13

To: City CouncilFrom: City Manager and Staff *Mh*

Council Meeting Date: May 6, 2013

Re: B30-13 Vacating Sidewalk Easements on Lot 321A and 322A within Copperstone Plat 7 located along Blue Hollow Court - Supplemental Information

EXECUTIVE SUMMARY:

Staff has received new walkway design and easement legal description that is proposed to replace the existing sidewalk and pedestrian easement in the original Council bill. Instead of the present serpentine path the proposed new walkway and easement follows the side lot lines of lots 321A and 322A. The resulting walkway alignment is less intrusive on the two future home sites but is less accessible for walkway system users due to its increased slope.

DISCUSSION:

This item was tabled by the City Council to allow the applicant to suggest an alternative to removal of a pedestrian linkage between the sidewalk on Blue Hollow Court and the interior walkway system at Copperstone which links several streets across a common green space. Staff had opposed removal of the walkway as originally requested because it would sever one of the links in the Copperstone walkway system. The system was designed as an alternative to the City standard of five foot sidewalks on both sides of the street right-of-way.

The proposed new alignment reduces the impacts of the walkway on the two lots that it crosses at some expense to accessibility. The applicant cites a "trail" standard of 12:1 slope as the maximum acceptable slope for that type of facility for a maximum length of 200 feet. While it is true that there is such a standard, Council should consider whether the Copperstone walkways are "trails" as intended by the rules and guidelines of the Americans with Disabilities Act (ADA) and Architectural Barriers Act. Published guidelines define a "trail" as "*A pedestrian route developed primarily for outdoor recreational purposes. A pedestrian route developed primarily to connect elements, spaces, or facilities within a site is not a trail.*" If the Copperstone walkway system is considered "a pedestrian route developed primarily to connect elements," then the revised walkway alignment does not meet the requirements of the ADA.

A purely recreational trail will follow existing topography since flattening of the trail slope may be disruptive to the surrounding "natural" environment that is not being developed. In the case of a new subdivision, much of the surrounding environment is disturbed and therefore there is an expectation for compliance with accessible 1:20 slopes (8.4 percent slope) - which the existing walkway achieves.

If Council believes the existing walkway is excessively intrusive upon the lots at the end of Blue Hollow Court, it may grant the requested relief and accept the premise that a "trail" standard of up to 12:1 slope for not more than 200 feet may apply.

FISCAL IMPACT:

There is no fiscal impact associated with this request

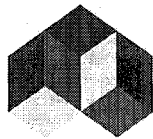
VISION IMPACT:

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

None.

SUGGESTED COUNCIL ACTIONS:**Staff does not recommend approval of the easement vacation or new easement**

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$0.00	Duplicates/Epands an existing program?	No	Vision Implementation impact	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	No
One Time	\$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	



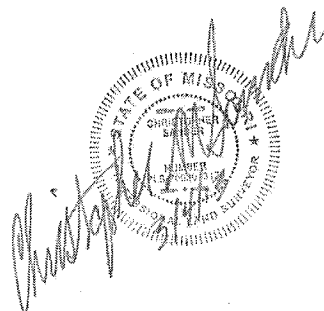
A CIVIL GROUP

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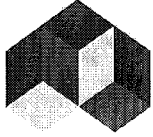
LEGAL DESCRIPTION
5' PUBLIC SIDEWALK EASEMENT
LOTS 321A, COPPERSTONE PLAT 7
COLUMBIA, MISSOURI

A STRIP OF LAND LOCATED IN THE WEST HALF OF SECTION 33, TOWNSHIP 48 NORTH, RANGE 13 WEST IN THE CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, AND BEING PART OF LOT 321A AS DESCRIBED BY COPPERSTONE PLAT 7 RECORDED IN PLAT BOOK 46, PAGE 30 OF THE BOONE COUNTY RECORDS. SAID STRIP BEING 5 FEET IN WIDTH AND LYING IMMEDIATELY WEST AND ADJACENT TO THE FOLLOWING DESCRIBED PROPERTY LINE:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 321A; THENCE ALONG THE EAST LINE OF SAID LOT, S25°00'00"W, 209.29 FEET TO THE END.



3401 BROADWAY BUSINESS PARK COURT, SUITE 105
COLUMBIA, MISSOURI 65203
PHONE: 573-817-5750 FAX: 573-817-1677



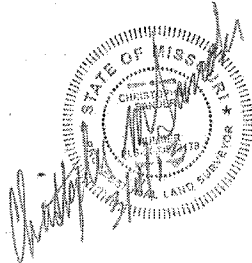
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LEGAL DESCRIPTION
5' PUBLIC SIDEWALK EASEMENT
LOTS 322A, COPPERSTONE PLAT 7
COLUMBIA, MISSOURI

A STRIP OF LAND LOCATED IN THE WEST HALF OF SECTION 33, TOWNSHIP 48 NORTH, RANGE 13 WEST IN THE CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, AND BEING PART OF LOT 322A AS DESCRIBED BY COPPERSTONE PLAT 7 RECORDED IN PLAT BOOK 46, PAGE 30 OF THE BOONE COUNTY RECORDS. SAID STRIP BEING 5 FEET IN WIDTH AND LYING IMMEDIATELY EAST AND ADJACENT TO THE FOLLOWING DESCRIBED PROPERTY LINE:

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3401 BROADWAY BUSINESS PARK COURT, SUITE 105
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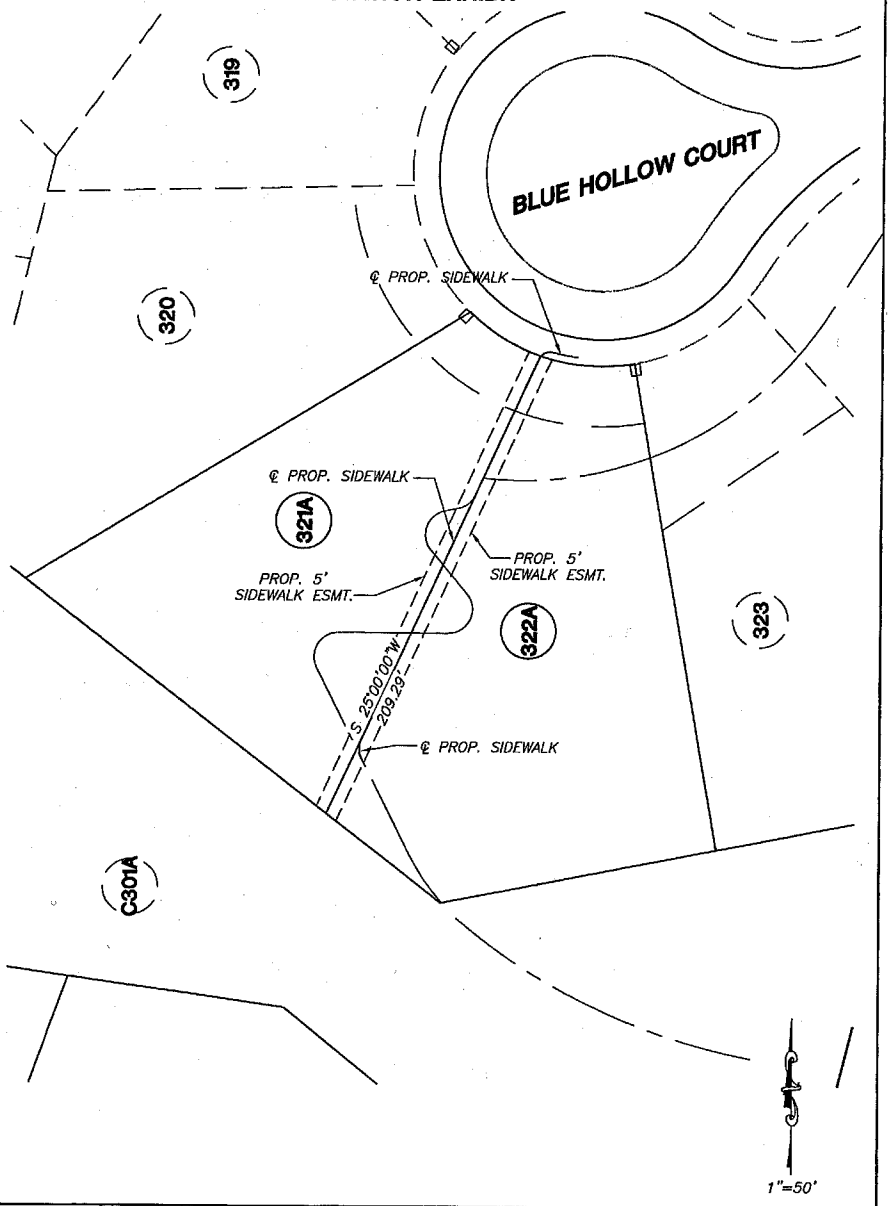
Accessible Routes, Outdoor Access Routes & Trails

Accessible routes, outdoor access routes and trails are all paths that have varying requirements based on their purpose, what they connect to and the environment they fall within. The following table identifies the technical provisions as they apply to each of the different paths.

Surface	Access Route (ADAAG)	Outdoor Access Route	Trail
	Stable, firm, Slip resistant	Firm and Stable	Firm and Stable <i>Exception*</i>
Max Running Slope	1:12	1:20 (for any distance) 1:12 (for max 50 ft) 1:10 (for max 30 ft)	1:20 (for any distance) 1:12 (for max 200 ft) 1:10 (for max 30 ft) 1:8 (for max 10 ft) <i>Exception 1:1 (for 5 ft max in open drainage structures)</i> <i>Exception*</i>
Max Cross Slope	1:50	1:33 <i>Exception 1:20 (for drainage purposes)</i>	1:20 <i>Exception 1:10 (at the bottom of an open drain where clear tread width is a min of 42 inches)</i>
Min Clear Tread Width	36 inches 32 inches (for no more than 24 inches)	36 inches <i>Exception 32 inches when * applies</i>	36 inches for any distance <i>Exception 32 inches when * applies.</i>
Edge Protection	Where provided, min of 2 inches.	Where provided, min of 3 inches.	Where provided, 3 inches min.
Tread Obstacles	(Changes in Level) 1/4 inch (no beveled edge) 1/4-1/2 inch must have a beveled edge with a max slope of 1:2. Over 1/2 inch=ramp.	1 inch high max <i>Exception 2 inches high max (where beveled with a slope no greater than 1:2 and where * applies.)</i>	2 inches high max <i>Exception 3 inches max (where running and cross slopes are 1:20 or less)</i> <i>Exception*</i>
Passing Space	Every 200 feet where clear tread width is less than 60 inches, a minimum 60 X 60 inch space, or a t-shaped intersection of two walks or corridors with arms and stem extending min of 48 inches.	Every 200 feet where clear tread width is less than 60 inches, a minimum 60 X 60 inch space, or a t-shaped intersection of two walking surfaces with arms and stem extending min of 48 inches. <i>Exception every 300 feet where * applies.</i>	Every 1000 feet where clear tread width is less than 60 inches, a 60 X 60 inch min passing space or a t-shaped intersection of two walking surfaces with arms and stem extending min of 48 inches. <i>Exception*</i>
Resting Intervals	(Landings) 60 inch min length, min width as wide as the ramp run leading to it, if change in direction occurs, must have 60 X 60 inch space	60 inches min length, width at least as wide as the widest portion of the trail segment leading to the resting interval and a max slope of 1:33 <i>Exception a max slope of 1:20 is allowed for drainage purposes.</i>	60 inches min length, width at least as wide as the widest portion of the trail segment leading to the resting interval and a maximum slope of 1:20. <i>Exception*</i>

*(16.1.1 Conditions for Departure) The provision may not apply if it cannot be provided because compliance would cause substantial harm to cultural, historic, religious or significant natural features or characteristics; substantially alter the nature of the setting or purpose of the facility; require construction methods or materials that are prohibited by Federal, state or local regulations or statutes; or would not be feasible due to terrain or the prevailing construction practices.

**LOTS 321A & 322A COPPERSTONE PLAT 7
SIDEWALK EASEMENT DEDICATION EXHIBIT**



Boone County Internet Parcel Map

Prepared by the Boone County Assessor's Office, (573) 886-4262



Boone County Assessor's Office

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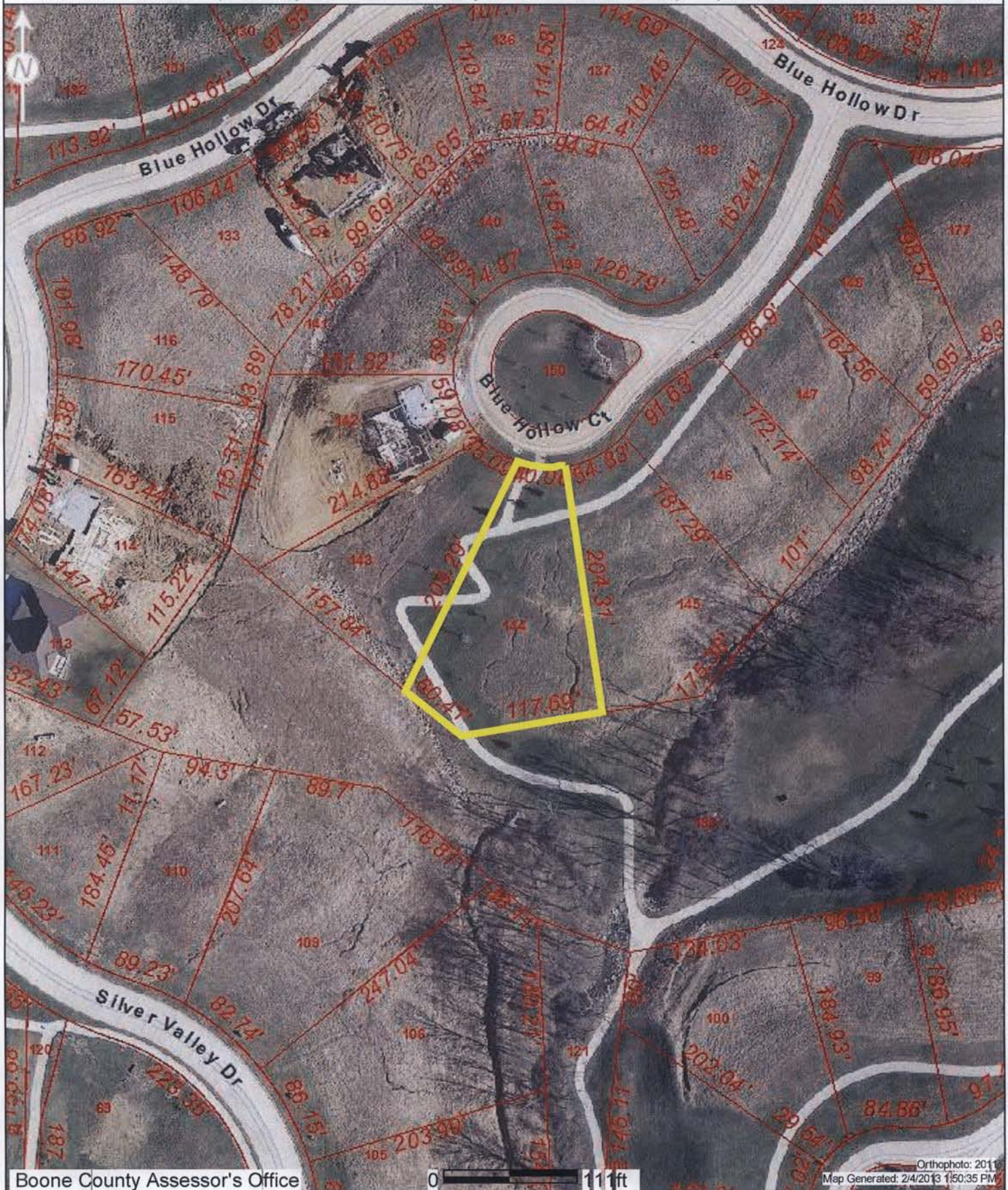
Map Generated: 2/1/2013 1:37:05 PM

ATTENTION!!

DISCLAIMER; READ CAREFULLY: These maps were prepared for the inventory of real property based on the utilization of deeds, plans, and/or supportive data. In addition, map files are frequently changed to reflect changes in boundaries, lot lines and other geographic features resulting from changes in ownership, development and other causes. The existence, dimension, and location of features, as well as other information, should not be relied upon for any purpose without actual field verification. The County of Boone makes no warranty of any kind concerning the completeness or accuracy of information contained on these

Boone County Internet Parcel Map

Prepared by the Boone County Assessor's Office, (573) 886-4262



Boone County Assessor's Office

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56 LETTERS SENT
22 OF 23 FAVORABLE RESPONSE

January 11, 2013

Dear Neighbors,

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This process was initiated with the recent re-plat that was approved (Copperstone Plat 7) which rearranged several of the lot lines on lots owned by Woodland Hills Properties throughout the subdivision. This re-plat, eliminated a stem of the interior common lot that came up between these two lots and in which this particular sidewalk easement was mostly contained. We say mostly because, if you have seen, this sidewalk winds down the hill in a serpentine fashion from Blue Hollow Court.

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There would remain two connections on Granite Springs Drive and a connection each on Blue Hollow Drive, Granite Springs Court, Copperstone Creek Drive and Silver Valley Drive. We plan on constructing a small concrete pad with a bench and/or a picnic table where we will be ending the sidewalk in the common area.

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Woodland Hills Properties would like your acknowledgement and support in this process as we feel that removal of this sidewalk will allow these two lots to develop with the types of homes that all of us in the subdivision are proud of.

Please sign this letter below as acknowledgement of your understanding of this easement and sidewalk vacation. A self-addressed and stamped envelope is enclosed. Thank you and should you have any questions, feel free to call either Wendy Swetz or Kevin Murphy at the number below.

Sincerely,

David Dunafon
Woodland Hill Properties, LLC
442-8373

Wendy Swetz
JWR Brokers & Associates
424-6623

Kevin Murphy
A Civil Group
kevin@acivilgroup.com
817-5750

Owner signature: _____

Carol Weiss

Owner signature: _____

Printed names: _____

Carol Weiss

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Matthew & Kathy Clerui

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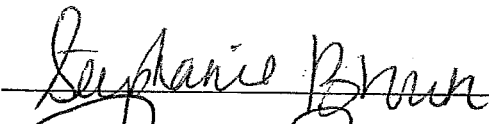
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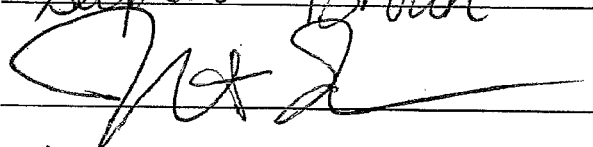
Kevin Murphy

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Owner signature:



Owner signature:



Printed names:

Stephanie Brown Justin Brown

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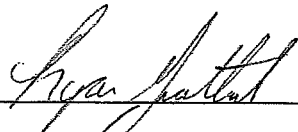
Wendy Swetz

JWR Brokers & Associates
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Kevin Murphy

A Civil Group
kevin@acivilgroup.com
817-5750

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Owner signature: _____



Printed names: _____

Ryan Grathwohl + Jaira Grathwohl

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Owner signature: _____

Kelli L. See

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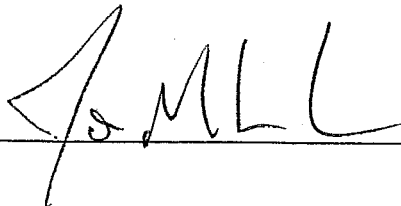
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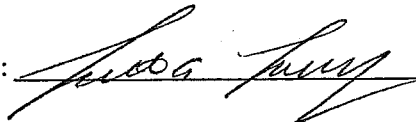
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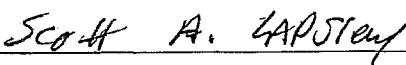
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JOYCE L BRAY

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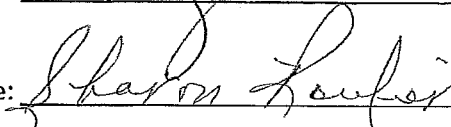
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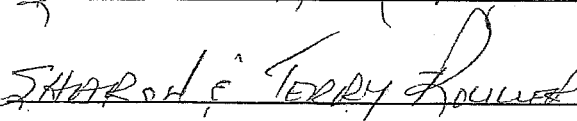
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Sincerely,

David Dunafon
Woodland Hill Properties, LLC
442-8373

Wendy Swetz
JWR Brokers & Associates
424-6623

Kevin Murphy
A Civil Group
kevin@acivilgroup.com
817-5750

Owner signature: _____

Owner signature: _____

Printed names: _____

Stephen Cory Williams & Eva H. Williams

January 11, 2013

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442-8373

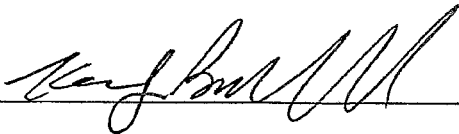
Wendy Swetz

JWR Brokers & Associates
424-6623

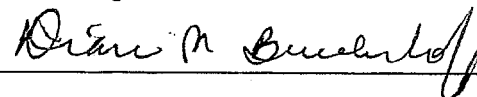
Kevin Murphy

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817-5750

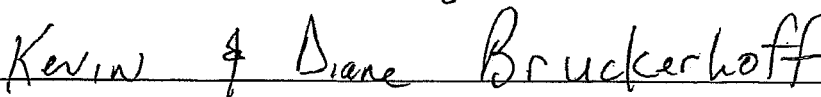
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Owner signature: _____



Printed names: _____



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Kevin Murphy
A Civil Group
kevin@acivilgroup.com
817-5750

Owner signature: _____

Owner signature: _____

Printed names: _____

Seth Hickcox, Melanie Hickcox

January 11, 2013

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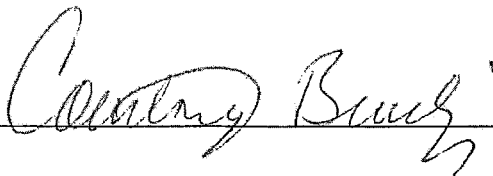
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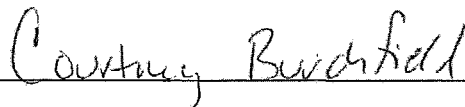
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A Civil Group
kevin@acivilgroup.com
817-5750

Owner signature: _____

Debbora J Jones

Owner signature: _____

Printed names: _____

DEBBORA J JONES

January 11, 2013

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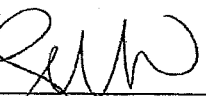

Wendy Swetz
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Kevin Murphy
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Printed names: _____



 Kim Joe Choi

January 11, 2013

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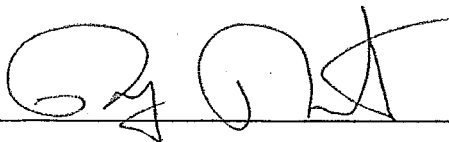
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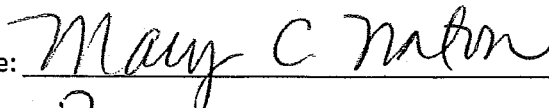
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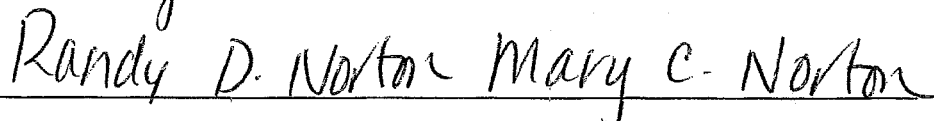
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Owner signature: _____

B. Habermehl 1/18/13

Owner signature: _____

Leigh Habermehl 1/18/13

Printed names: _____

Brian Habermehl Leigh Habermehl

January 11, 2013

Dear Neighbors,

Note: We have received the notice but do not agree with vacating the sidewalk.

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Kenney Hubble

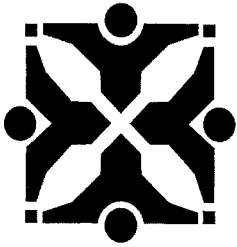
Owner signature: _____

R Hubble

Printed names: _____

Kenney Hubble

ROBIN HUBBLE



Source: Community Development - Planning

Agenda Item No:

To: City Council

From: City Manager and Staff

Council Meeting Date: Jan 22, 2013

Re: Lots 321A, 322A, Copperstone, Plat 7 sidewalk easement vacation (**Case #12-204**)

EXECUTIVE SUMMARY:

A request by A Civil Group, on behalf of Woodland Hills Properties, LLC, for a sidewalk easement vacation. The site is located on lots 321A and 322A of Copperstone, Plat 7. (**Case #12-204**)

DISCUSSION:

The applicant requests a sidewalk easement vacation on lots 321A and 322A of Copperstone, Plat 7. The easement runs across the front one-third of lot 322A as part of the sidewalk along Blue Hollow Court. It then descends in a winding manner from the cul-de-sac on Blue Hollow Court to the rear of lot 322A connecting to the existing trail/sidewalk in the common area behind lots 321A and 322A. Within the easement is an improved sidewalk providing connectivity to the other sidewalks/trails within the Cooperstone subdivision.

On August 20, 2012, the City Council approved a replat of several previously recorded plats in the Cooperstone subdivision which consolidated 84 lots into 64 lots. The purpose of this replat, per the applicant's surveyor/engineer, was to make the resulting lots more marketable. As part of the replatting process the desire to vacate the sidewalk easement was informally discussed, but no formal request was made. As such, it was staff's understanding that the easement would be left in place providing sidewalk connectivity to the common area behind lots 321A and 322A as was the case prior to the replatting action.

City departments have reviewed the request, and multiple departments have questioned the necessity for the easement vacation. The subdivision was originally approved with a "non-standard" sidewalk layout that has multiple pedestrian connections such as these. All the sidewalks are presently installed in the development and residents are currently occupying homes. The proposed easement vacation would result in disconnection of a connected sidewalk system at the end of Blue Hollow Court and impact approximately 10 homes access to the common area behind the subject lots. The applicant states that the easement vacation is necessary to permit allowable development on these recently replatted lots.

A locator map, copy of the easement exhibit, and the legal description for the easement to be vacated are attached.

FISCAL IMPACT:

None.

VISION IMPACT:

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

None.

SUGGESTED COUNCIL ACTIONS:

Denial of the sidewalk easement vacation request. Alternatively, if Council desires to approve the vacation request it is recommended that approval be granted subject to:

1. The easement vacation is limited to the portion of the easement running parallel to Blue Hollow Court.
2. The vacated easement be replaced with a new easement closer to the existing back of curb of Blue Hollow Court (the standard location) and tied back into the easement running between lots 321A and 322A
3. Replacement sidewalk is installed in the relocated easement prior the issuance of a certificate of occupancy for lot 322A.

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$0.00	Duplicates/Epands an existing program?	No	Vision Implementation impact	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	No
One Time	\$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	N/A
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	N/A
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	N/A



**Case 12-204: Sidewalk Waiver Variance
Woodland Hills Properties**

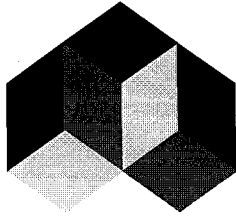


2011 Orthophoto
Source: Boone County Assessor



1 inch = 300 feet





A CIVIL GROUP

CIVIL ENGINEERING • PLANNING • SURVEYING

December 3, 2012

Tim Teddy
Director of Planning and Development
City of Columbia
701 E. Broadway
Columbia, MO 65201

RE: Sidewalk Easement Vacation – Lots 321A & 322A, Copperstone Plat 7

Dear Mr. Teddy:

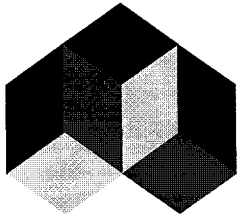
On behalf of Woodland Hills Properties, LLC, LLC, we are herewith submitting this easement vacation request to allow for allowable development of these two lots. The previous common area between the lots was eliminated with Copperstone Plat 7 replat for this reason as well.

Included with this letter is an easement vacation application, a locator map, legal descriptions and an exhibit.

Please feel free to contact me at the number below if you have any questions.

Thank you,
A Civil Group

Kevin P. Murphy



A CIVIL GROUP

CIVIL ENGINEERING • PLANNING • SURVEYING

LEGAL DESCRIPTION
10' PUBLIC SIDEWALK EASEMENT VACATION
LOTS 321A AND 322A OF COPPERSTONE PLAT 7
COLUMBIA, MISSOURI

TWO TRACTS OF LAND LOCATED IN THE WEST HALF OF SECTION 33, TOWNSHIP 48 NORTH, RANGE 13 WEST IN THE CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, AND BEING PARTS OF LOTS 321A AND 322A AS DESCRIBED BY COPPERSTONE PLAT 7 RECORDED IN PLAT BOOK 46, PAGE 30 OF THE BOONE COUNTY RECORDS AND BEING 5 FEET EITHER SIDE OF FOLLOWING DESCRIBED CENTERLINES:

CENTERLINE 1:

COMMENCING AT THE NORTHEAST CORNER OF LOT 322A OF SAID PLAT; THENCE ALONG THE EAST LINE OF SAID LOT, S09°59'15"E, 39.53 FEET TO A POINT ON THE CENTERLINE OF A SIDEWALK EASEMENT; THENCE FOLLOWING SAID CENTERLINE ALONG A NON TANGENT 153.00 FOOT RADIUS CURVE TO THE RIGHT, 8.10 FEET, SAID CURVE HAVING A CHORD S70°57'55"W, 8.10 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID 153.00 FOOT RADIUS CURVE TO THE RIGHT, 63.17 FEET, SAID CURVE HAVING A CHORD S84°18'35"W, 62.72 FEET TO THE END OF THIS CENTERLINE.

CENTERLINE 2:

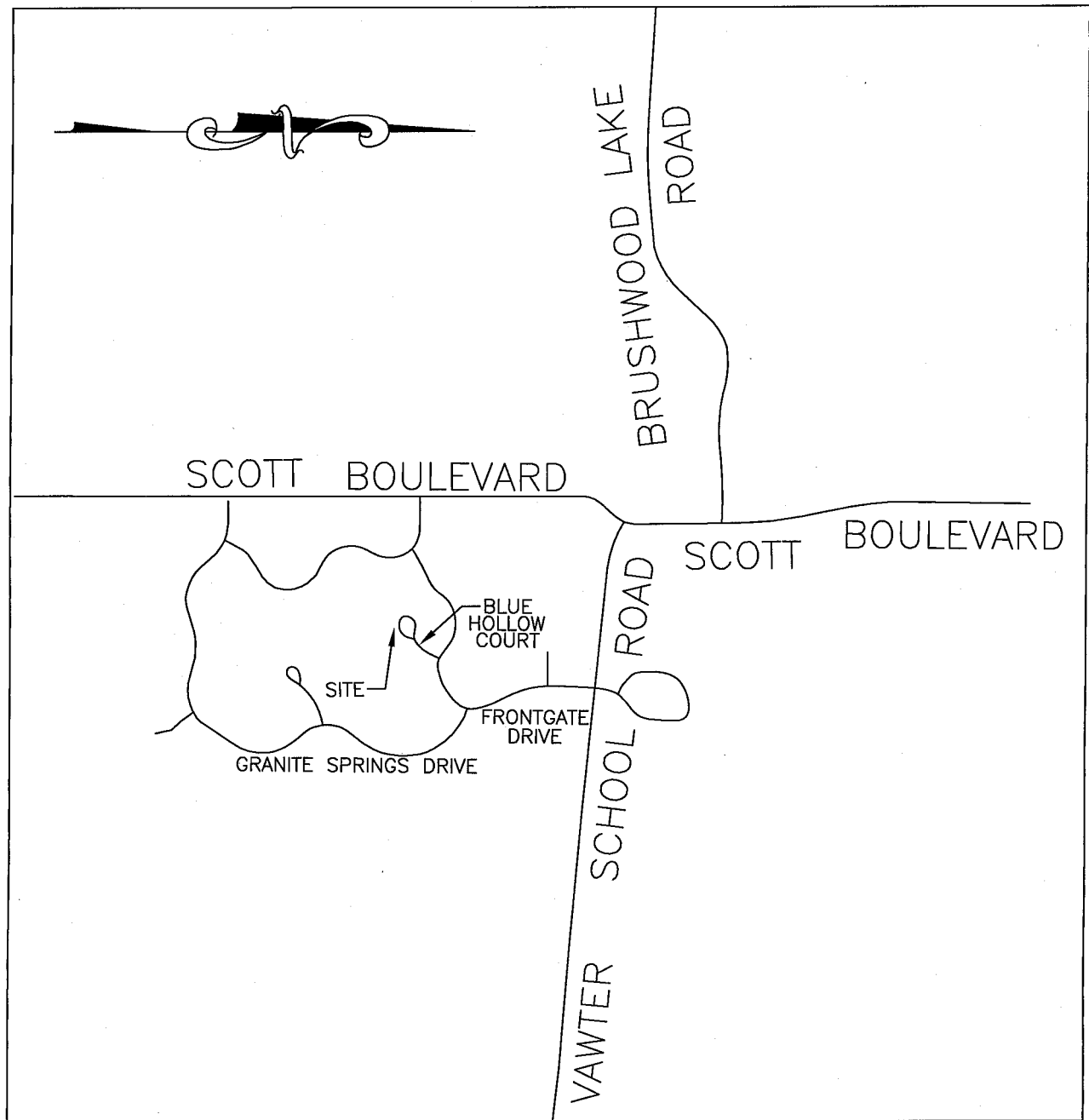
BEGINNING AT THE NORTHEAST CORNER OF LOT 321A OF SAID PLAT; THENCE ALONG THE EAST LINE OF SAID LOT, S25°00'00"W, 63.70 FEET; THENCE LEAVING SAID LOT LINE ALONG A 10.00 FOOT RADIUS CURVE TO THE RIGHT, 9.49 FEET, SAID CURVE HAVING A CHORD S52°10'40"W, 9.14 FEET; THENCE S79°21'20"W, 5.86 FEET; THENCE ALONG A 10.00 FOOT RADIUS CURVE TO THE LEFT, 19.60 FEET, SAID CURVE HAVING A CHORD S23°13'00"W, 16.61 FEET; THENCE S40°30'20"E, 24.93 FEET; THENCE ALONG A 10.00 FOOT RADIUS CURVE TO THE RIGHT, 23.58 FEET, SAID CURVE HAVING A CHORD S27°02'40"W, 18.48 FEET; THENCE N89°53'10"W, 45.29 FEET; THENCE ALONG A 10.00 FOOT RADIUS CURVE TO THE LEFT, 20.40 FEET, SAID CURVE HAVING A CHORD S31°40'20"W, 17.04 FEET; THENCE S26°46'10"E, 84.99 FEET; THENCE ALONG A 97.50 FOOT RADIUS CURVE TO THE LEFT, 25.41 FEET, SAID CURVE HAVING A CHORD S34°14'05"E, 25.33 FEET TO THE END OF THIS CENTERLINE.

CHRISTOPHER M. SANDER L.S. 2003013178

12/3/12
Date



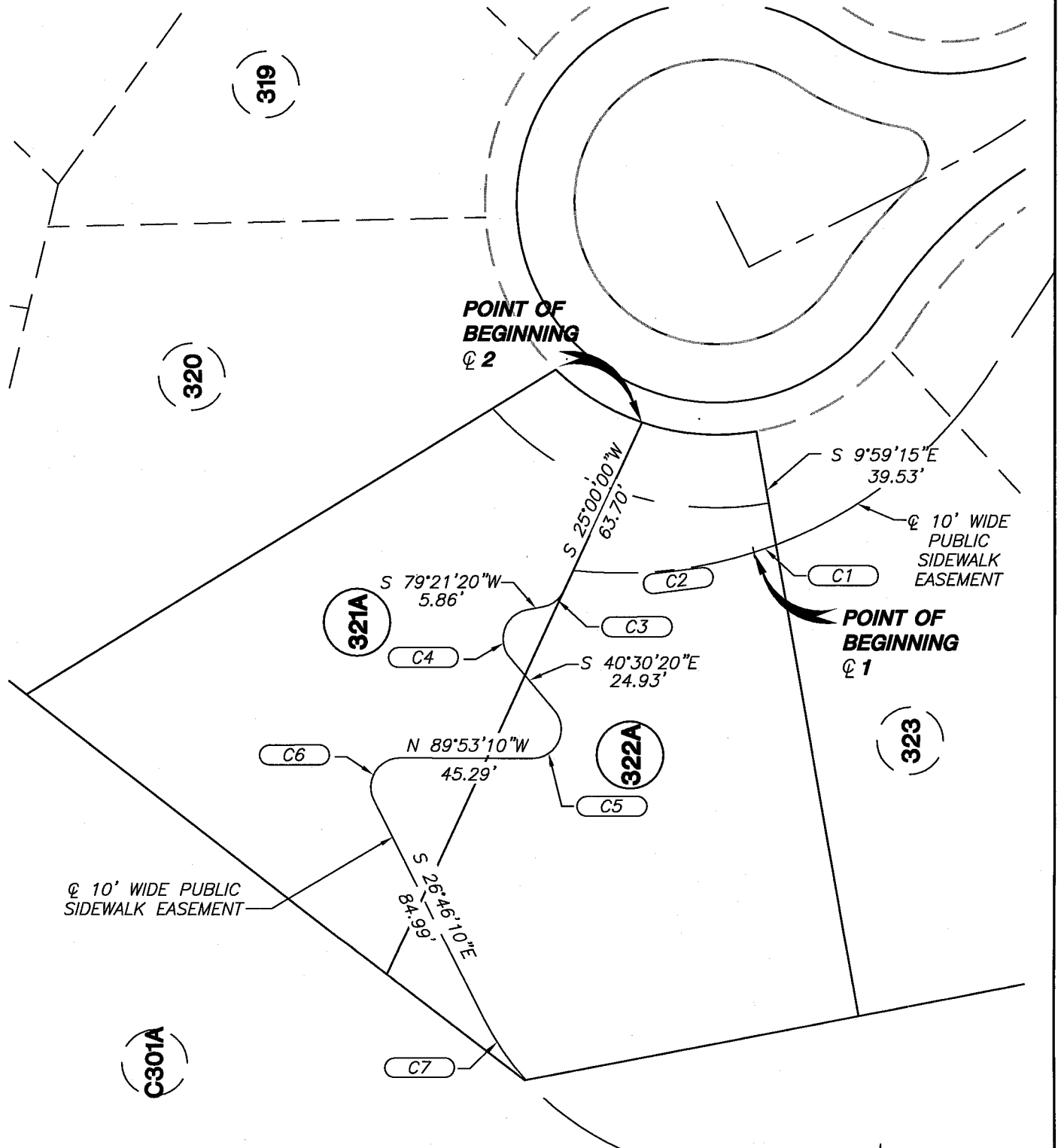
3401 BROADWAY BUSINESS PARK COURT, SUITE 105
COLUMBIA, MISSOURI 65203
PHONE : 573-817-5750 FAX : 573-817-1677



LOCATION MAP

NOT TO SCALE

**LOTS 321A & 322A COPPERSTONE PLAT 7
SIDEWALK EASEMENT VACATION EXHIBIT**



NUMBER	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD DIRECTION	C. LENGTH
C1	153.00	8.10	$03^{\circ}02'00''$	$S\ 70^{\circ}57'55''\ W$	8.10
C2	153.00	63.17	$23^{\circ}39'25''$	$S\ 84^{\circ}18'35''\ W$	62.72
C3	10.00	9.49	$54^{\circ}21'20''$	$S\ 52^{\circ}10'40''\ W$	9.14
C4	10.00	19.60	$112^{\circ}16'45''$	$S\ 23^{\circ}13'00''\ W$	16.61
C5	10.00	23.58	$135^{\circ}06'00''$	$S\ 27^{\circ}02'40''\ W$	18.48
C6	10.00	20.40	$116^{\circ}53'00''$	$S\ 31^{\circ}40'20''\ W$	17.04
C7	97.50	25.41	$14^{\circ}55'50''$	$S\ 34^{\circ}14'05''\ E$	25.33

