

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 102-13

AN ORDINANCE

approving the Final Plat of Keevins Estate Plat 1 located on the west side of Rock Quarry Road and north of Stags Way, a minor subdivision; accepting the dedication of rights-of-way and easements; authorizing a performance contract; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Council hereby approves the Final Plat of Keevins Estate Plat 1, dated February 25, 2013, a minor subdivision located on the west side of Rock Quarry Road and north of Stags Way, containing approximately 25.41 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 Michael J. Keevins in connection with the approval of the Final Plat of Keevins Estate Plat 1. The form and content of the contract shall be substantially as set forth in "Exhibit A" attached hereto and made a part hereof as fully as if set forth herein verbatim.

SECTION 4. 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

PERFORMANCE CONTRACT

This contract is entered into on this 25 day of Feb, 2013 between the City of Columbia, MO ("City") and Michael J. Keevins ("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 Keevins Estate Plat 1, 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.

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:

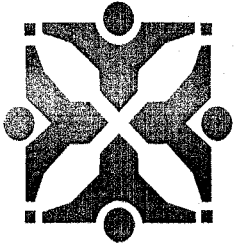
Sheela Amin, City Clerk

APPROVED AS TO FORM:

Fred Boeckmann, City Counselor

Subdivider


BY: 
Michael J. Keevins



Source: Community Development - Planning ⁴

Agenda Item No:

To: City Council

From: City Manager and Staff 

Council Meeting Date: Apr 15, 2013

Re: Keevins Estate, Plat 1 final plat request (Case #13-39)

EXECUTIVE SUMMARY:

A request by Allstate Consultants, on behalf of Michael Keevins, for a one-lot, final minor plat to be known as Keevins Estate, Plat 1. The 25-acre site is located west of Rock Quarry Road, 250 feet north of Stags Way. (Case #13-39)

DISCUSSION:

The applicant requests approval of a one-lot, final minor subdivision. The 25-acre site, which is zoned A-1 and is currently undeveloped, consists of multiple tracts that had previously been surveyed but never platted; therefore this plat will establish legal lot status for the entirety of the site.

The frontage along Rock Quarry Road is subject to a scenic roadway overlay, which encompasses 83 feet from the centerline of the road in either direction. The Public Works traffic division has requested 38 feet of right-of-way be dedicated along Rock Quarry Road in anticipation of future improvements, which is provided as part of the subdivision. The plat has been reviewed by pertinent departments and agencies, and complies with the Subdivision Regulations.

At its April 4, 2013 meeting, the Planning and Zoning Commission voted 8-0 to recommend approval of the final plat. No one from the public spoke regarding the request. The staff report, locator maps, meeting minutes, and a reduced size copy of the plat are attached.

FISCAL IMPACT:

None.

VISION IMPACT:

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

None.

SUGGESTED COUNCIL ACTIONS:

The Planning and Zoning Commission recommends approval of the final plat.

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

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
APRIL 4, 2013**

SUMMARY

A request by Allstate Consultants, on behalf of Michael Keevins, for a one-lot, final minor plat to be known as Keevins Estate, Plat 1. The 25-acre site is located west of Rock Quarry Road, 250 feet north of Stags Way. (Case #13-39)

DISCUSSION

The applicant requests approval of a one-lot, final minor subdivision. The 25-acre lot consists of multiple tracts that had previously been surveyed but never platted; therefore this plat will establish legal lot status for the entirety of the site.

The frontage along Rock Quarry Road is subject to a scenic roadway overlay, which encompasses 83 feet from the centerline of the road in either direction. No improvements, save for those listed in 29-21.2 (c) are permitted in this overlay area. These permitted improvements include: street/sidewalk construction or reconstruction, clearing necessary to provide roadway and pedestrian safety features, mowing and the removal of dying trees, and agricultural activities.

The Public Works traffic division has requested 38 feet of right-of-way be dedicated along Rock Quarry Road in anticipation of future improvements. This comports with Option B of the major collectors illustrated in Appendix A of the City's design standards for streets, sidewalks, and bikeways and is generally consistent with ROW dedicated on recently recorded plats on Rock Quarry Road. The plat shows 38 feet to be dedicated for such purpose.

The plat has been reviewed by pertinent departments and agencies, and complies with the Subdivision Regulations.

STAFF RECOMMENDATION

Approval of the minor plat.

SITE CHARACTERISTICS

Area (acres)	25.0
Topography	Varied; slopes downward on west side toward stream
Vegetation	Trees, grass
Watershed	Hinkson Creek

SITE HISTORY

Existing structures	Abandoned house
Existing zoning	A-1 (and Scenic Roadway Overlay along Rock Quarry Road)
Annexation date	1964

UTILITIES & SERVICES

Sanitary Sewer	All City of Columbia services
Water	
Electric	
Fire Protection	

ACCESS

Rock Quarry Road	
Major Roadway Plan classification	Major Collector
Capital Improvement Program projects	Description: Rock Quarry Road capacity upgrade improvement from Stadium Blvd. to Grindstone Pkwy. Cost: \$10 M Timeline: 6-10 years
Right-of-way needed	38 feet; 33 provided on plat

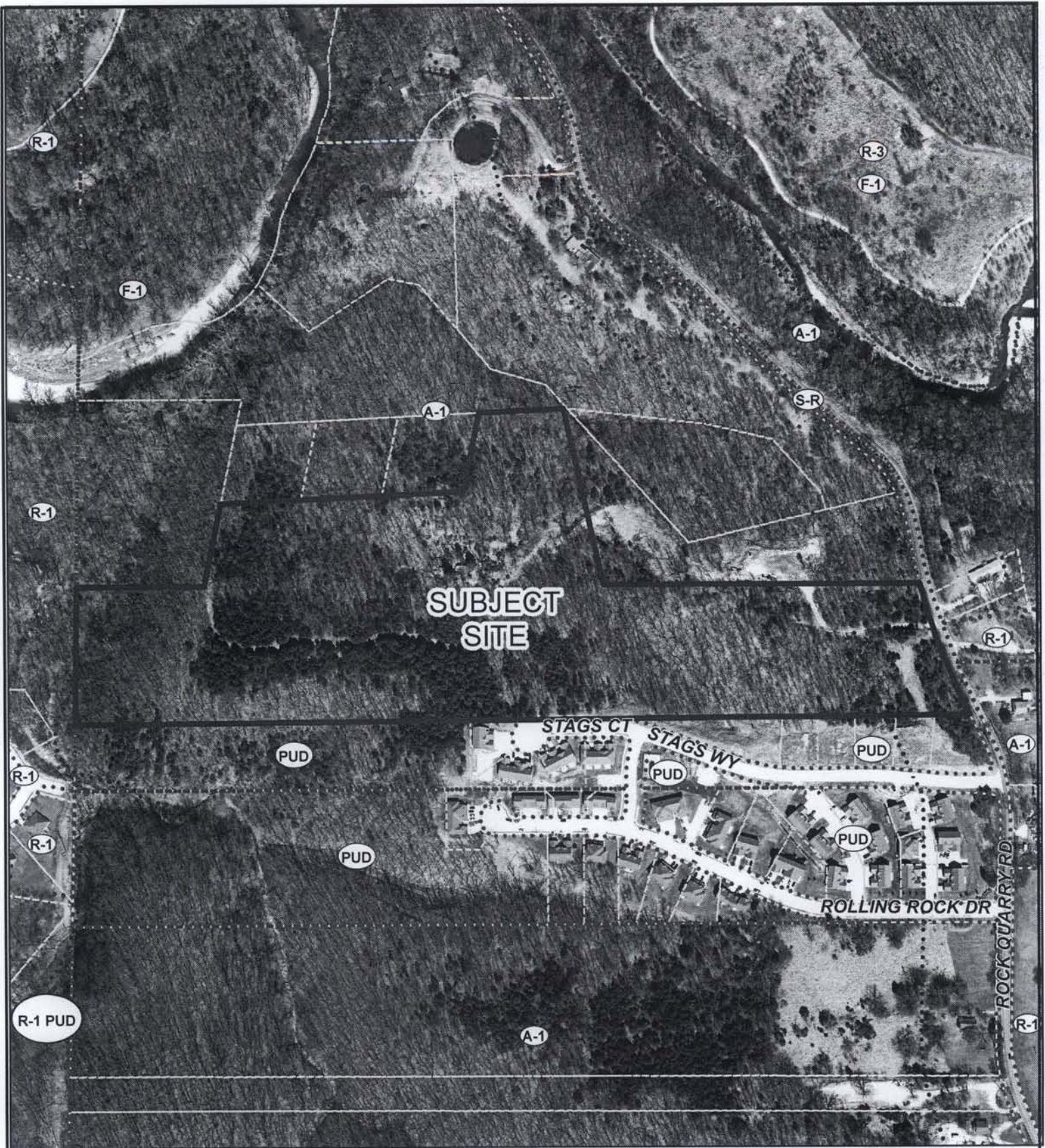
Pedestrian Access Needs	
Sidewalks	Needed along Rock Quarry Road
CATSO Bicycle/Pedestrian Network Plan	Pedways: Rock Quarry Road is an urban trail/pedway

PARKS & RECREATION

Neighborhood Parks Plan	None; Capen Park nearest
Trails Plan	N/A
Trail easement(s)	N/A

Report prepared by ML

Approved by PRZ



**SUBJECT
SITE**

STAGS CT

STAGS WY

ROLLING ROCK DR

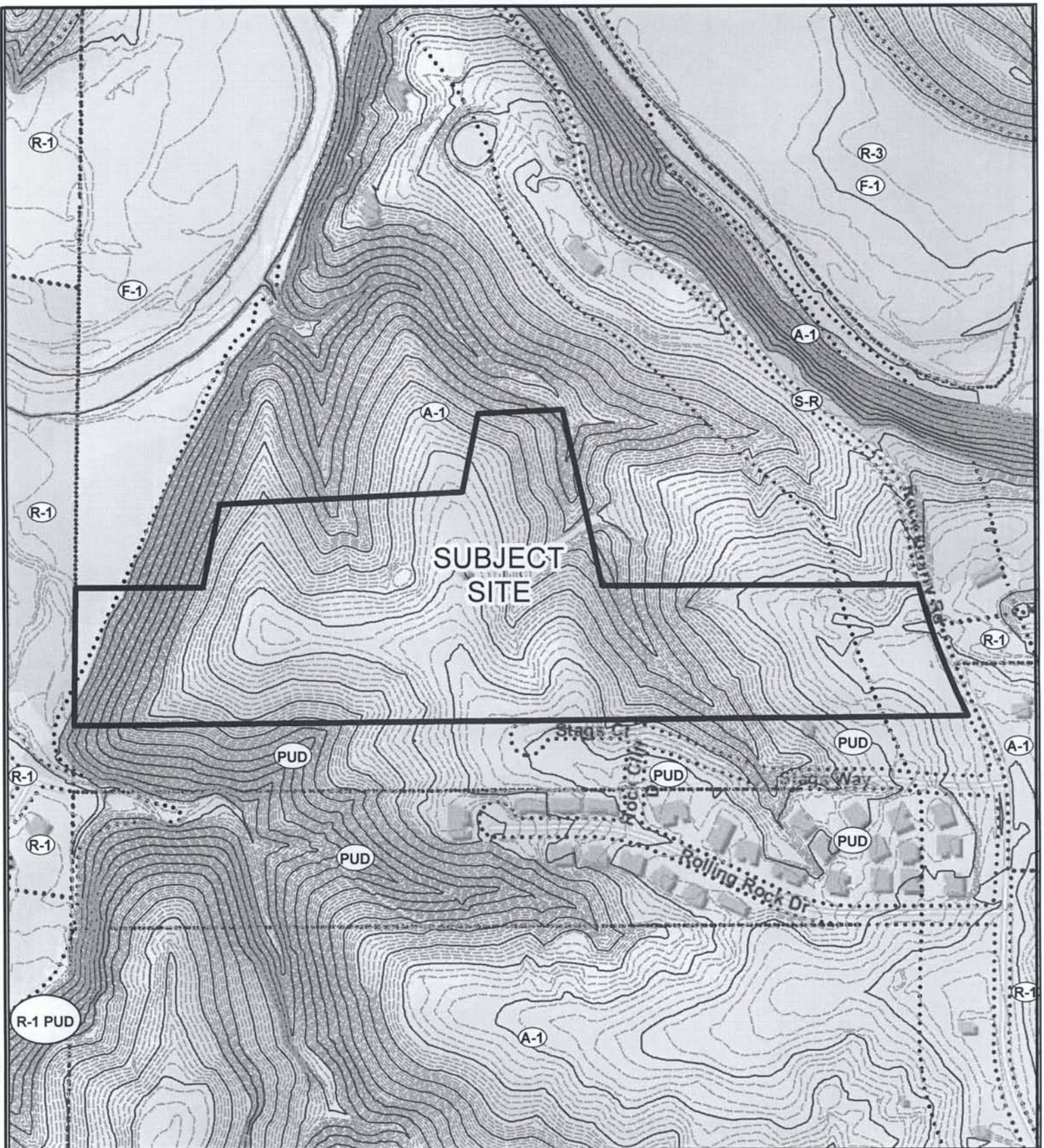
ROCK QUARRY RD

**Case 13-39: Final Minor Plat
Keevins Estate, Plat 1**

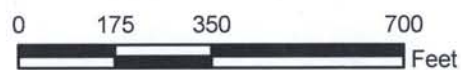


1 inch = 350 feet





**Case 13-39: Final Minor Plat
Keevins Estate, Plat 1**



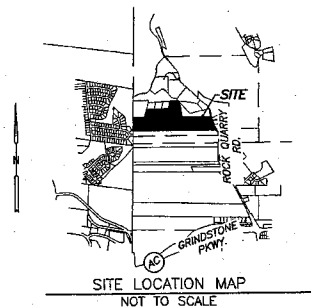
1 inch = 350 feet



KEEVINS ESTATE PLAT 1

FEBRUARY 25, 2013

FINAL PLAT



SCALE: 1" = 100'

BEARINGS ARE REFERENCED TO GRID NORTH OF THE
MISSOURI STATE PLANE COORDINATE SYSTEM (NAD-83).
CENTRAL ZONE AS GATHERED FROM GPS OBSERVATION.

KNOW ALL MEN BY THESE PRESENTS

MICHAEL J. KEEVINS AND JEWEL A. KEEVINS, BEING SOLE OWNERS OF THE BELOW
DESCRIBED TRACT, HAVE CAUSED THE SAME TO BE SUBDIVIDED AS SHOWN ON THIS
PLAT.

IN WITNESS WHEREOF, MICHAEL J. KEEVINS AND JEWEL A. KEEVINS HAVE CAUSED THESE
PRESENTS TO BE SIGNED.

EASEMENTS, OF THE TYPES AND AT THE LOCATIONS AS SHOWN, ARE HEREBY DEDICATED
TO THE CITY OF COLUMBIA FOR PUBLIC USE, FOREVER.

ROCK QUARRY ROAD IS HEREBY DEDICATED TO THE CITY OF COLUMBIA FOR PUBLIC USE
FOREVER.

MICHAEL J. KEEVINS JEWEL A. KEEVINS

STATE OF MISSOURI }
COUNTY OF BOONE } SS

ON THIS DAY OF , IN THE YEAR 2013, BEFORE ME, MARLA E.
OGLESBY, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED MICHAEL J.
KEEVINS AND JEWEL A. KEEVINS, KNOWN TO ME TO BE THE PERSONS WHO EXECUTED
THE WITHIN FINAL PLAT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME
FOR THE PURPOSES THEREIN STATED.

MARLA E. OGLESBY NOTARY PUBLIC
MY COMMISSION #12490598
EXPIRES FEBRUARY 28, 2016

CERTIFICATION

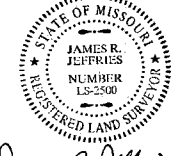
A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP
48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING THE
LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 4087, PAGE 23, AND
SHOWN BY THE SURVEY RECORDED IN BOOK 2405, PAGE 143 AND BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF ROCK QUARRY PUD PLAT 2 RECORDED IN
PLAT BOOK 42, PAGE 32 AND THE SOUTHWEST CORNER OF SAID SURVEY RECORDED
IN BOOK 2405, PAGE 143; THENCE WITH THE WEST SECTION LINE AND WITH THE
LINES OF SAID SURVEY, N01°15'15"E, 360.82 FEET; THENCE LEAVING SAID WEST
SECTION LINE AND WITH THE LINES OF SAID SURVEY, N89°38'40"E, 366.65 FEET;
THENCE N12°53'50"E, 214.92 FEET; THENCE N87°44'35"E, 660.01 FEET; THENCE
N12°55'55"E, 227.97 FEET; THENCE N87°45'00"E, 218.60 FEET; THENCE, S10°03'45"E,
480.19 FEET; THENCE S89°38'40"E, 879.91 FEET TO THE CENTERLINE OF ROCK
QUARRY ROAD AS SHOWN ON BOONE COUNTY SURVEY'S #7779 AND #7636; THENCE
WITH SAID CENTERLINE S23°26'45"E, 67.87 FEET; THENCE S21°28'35"E, 280.94 FEET
TO THE NORTH LINE OF SAID ROCK QUARRY PUD PLAT 2; THENCE LEAVING SAID
CENTERLINE AND WITH THE NORTH LINE OF SAID ROCK QUARRY PUD PLAT 2
S89°28'05"W, 2445.36 FEET THE POINT OF BEGINNING AND CONTAINING 25.41 ACRES.

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

SURVEY AND PLAT BY
ALLSTATE CONSULTANTS LLC

ALLSTATE
CONSULTANTS
3312 LEMONE INDUSTRIAL BLVD.
COLUMBIA, MO 65201
(573) 875-8799



James R. Jeffries
JAMES R. JEFFRIES LS-2500
MAR 28 2013
DATE

STATE OF MISSOURI }
COUNTY OF BOONE } SS

SUBSCRIBED AND AFFIRMED BEFORE ME THIS 28th DAY OF MARCH, 2013.

MARLA E. OGLESBY NOTARY PUBLIC
MARLA E. OGLESBY MY COMMISSION #12490598
EXPIRES FEBRUARY 28, 2016

MARLA E. OGLESBY
Notary Public - Notary Seal
State of Missouri
My Commission Expires February 28, 2016
Commission #12490598

LEGEND

- IRON PIPE OR REBAR (UNLESS NOTED OTHERWISE)
- EXISTING 1/2" IRON PIPE (UNLESS OTHERWISE NOTED)
- SET 1/2" REBAR (UNLESS OTHERWISE NOTED)
- PERMANENT MONUMENT (5/8" REBAR W/ALUM. CAP)
- IRON PIPE
- REBAR
- (M) MEASURED DISTANCE
- (REC.) RECORD MEASUREMENT
- X_{CH} DRILL HOLE WITH CHISELED "X"
- C CENTERLINE
- B.C.S. BOONE COUNTY SURVEY #
- SRB SURVEY REC. IN BOOK XXX, PAGE XXX
- W.D. WARRANTY DEED REC. IN BOOK XXX, PAGE XXX
- P.O.B. POINT OF BEGINNING
- FENCE

NOTES

- THIS PLAT CONFORMS TO THE ACCURACY STANDARDS FOR URBAN PROPERTY AS DEFINED BY MISSOURI BOARD RULE 4 CSR 2030-16.040(2)(A).
- ALL IRONS ARE TO BE SET AFTER CONSTRUCTION UNLESS OTHERWISE NOTED.
- ALL CURVE DIMENSIONS ARE ARC MEASUREMENTS UNLESS OTHERWISE NOTED AS CH. FOR CHORD DIMENSIONS.
- A CURRENT TITLE COMMITMENT WAS NOT AVAILABLE FOR THIS PLAT.
- ROCK QUARRY ROAD IS DESIGNATED AS A SCENIC ROADWAY. THIS TRACT IS SUBJECT TO AN 85-FOOT HALF WIDTH VEGETATION BUFFER AS DESCRIBED BY THE CITY OF COLUMBIA ZONING REGULATIONS, SECTION 29-21.2.

FLOOD PLAIN STATEMENT

A PORTION OF THIS TRACT LOCATED WITHIN THE 100-YEAR
FLOOD PLAIN AS SHOWN BY BOONE COUNTY INCORPORATED
MAP, FIRM MAP NO. 29019C0290D, DATED: MARCH 17, 2011.

STREAM BUFFER STATEMENT

THIS PLAT IS NOT REGULATED BY THE CITY OF COLUMBIA
STREAM BUFFER REQUIREMENTS OF ARTICLE X ACCORDING
TO CHAPTER 12A-232 OF THE CITY OF COLUMBIA'S CODE
OF ORDINANCES.

APPROVED BY THE CITY OF COLUMBIA PLANNING AND ZONING COMMISSION THIS
DAY OF , 2013.

DOUG WHEELER, CHAIRPERSON

APPROVED BY THE COLUMBIA CITY COUNCIL THIS
DAY OF , 2013.

ROBERT McDAVID, MAYOR

SHEELA AMIN, CITY CLERK

**EXCERPTS
PLANNING AND ZONING COMMISSION
APRIL 4, 2013**

IV.) SUBDIVISIONS

13-39 A request by Allstate consultants, on behalf of Michael Keevins, for a one-lot, final minor plat to be known as Keevins Estate, Plat 1. The 25-acre site is located west of Rock Quarry Road, 250 feet north of Stags Way.

MR. WHEELER: May we have a Staff report, please.

Staff report was given by Mr. Matthew Lepke of the Planning and Development Department. Staff recommends approval of the minor plat.

MR. WHEELER: Are there any questions of Staff? Seeing none. This wasn't a public hearing, but it has been our practice to allow any comments if there's any additional information we need. Seeing none, Commissioners, discussion? Ms. Peters?

MS. PETERS: This seems pretty straightforward to me, and unless anybody has any other comments, I'd move for approval.

MR. WHEELER: Motion's been made to approve.

MR. REICHLIN: I'll second.

MR. WHEELER: Mr. Reichlin. Motion's been made and seconded. Any discussion on the motion? When you're ready.

MR. VANDER TUIG: We have a motion and a second to approve Case No. 13-39, a request by Allstate consultants, on behalf of Michael Keevins, for a one-lot, final minor plat to be known as Keevins Estate, Plat 1.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Peters, Dr. Puri, Mr. Reichlin, Mr. Skala, Mr. Strodman, Mr. Tillotson, Mr. Vander Tuig, Mr. Wheeler. Motion carries 8-0.

MR. WHEELER: Recommendation for approval will be sent to City Council.