

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 163-13

AN ORDINANCE

approving the Final Plat of The Crossing-EPC, Plat 2, 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 The Crossing-EPC, Plat 2, dated April 24, 2013, a minor subdivision located on the south side of Grindstone Parkway, west of Rock Quarry Road, containing approximately 23.09 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 The Crossing-EPC of Columbia in connection with the approval of the Final Plat of The Crossing-EPC, Plat 2. 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 _____ day of _____, 20____ between the City of Columbia, MO ("City") and THE CROSSING-EPC of Columbia ("Subdivider").
A MISSOURI Corporation

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 Crossing-EPC, PLAT 2, 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:

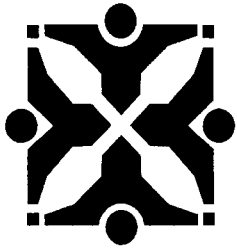
Sheela Amin, City Clerk

APPROVED AS TO FORM:

Nancy Thompson, City Counselor

Subdivider

BY: ABty
Jim Beaty, Director of Operations
The Crossing-EPC of Columbia, A Missouri Corporation



Source: Community Development - Planning 

Agenda Item No:

To: City Council

From: City Manager and Staff 

Council Meeting Date: Jun 17, 2013

Re: The Crossing-EPC, Plat 2 - final minor plat (Case 13-72)

EXECUTIVE SUMMARY:

A request by The Crossing-EPC of Columbia (owner) for approval of a two-lot final minor plat to be known as The Crossing-EPC, Plat 2. The 23.09-acre subject site is located on the south side of Grindstone Parkway, west of Rock Quarry Road. (Case# 13-72)

DISCUSSION:

The applicant is requesting a two-lot subdivision of A-1 (Agriculture District) zoned land, to consolidate recently acquired residential parcels into the previously platted church campus. Additions to the original plat include approximately 4.6 acres of land located northwest of the church on proposed Lot 1. An application for the demolition of the two homes on these parcels has been filed with the City. These houses were constructed in 1958 and 1963, and have no known historical significance. A 1.5-acre residential lot with frontage on Rock Quarry Road is also included in the plat as proposed Lot 2, and includes the required scenic roadway vegetative buffer.

At its meeting on June 6, 2013, the Planning and Zoning Commission voted unanimously (9-0) to recommend approval of the plat. There was little discussion by Commissioners, and no comment from the general public.

The plat has been reviewed by City departments and external agencies, and meets all applicable requirements of the City's Zoning and Subdivision Regulations. Locator maps, a reduced copy of the plat, and performance contracts are attached.

FISCAL IMPACT:

None

VISION IMPACT:

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

None

SUGGESTED COUNCIL ACTIONS:

Approval of the proposed final minor 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/Expands 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 #	NA
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	NA
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	NA

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
June 6, 2013**

SUMMARY

A request by The Crossing-EPC of Columbia (owner) for approval of a two-lot final minor plat to be known as The Crossing-EPC, Plat 2. The 23.09-acre subject site is located on the south side of Grindstone Parkway, west of Rock Quarry Road, and north of Southland Drive. (Case#13-72)

DISCUSSION

The applicant is requesting a two-lot subdivision of A-1 (Agriculture District) zoned land, to consolidate recently acquired residential parcels into the previously platted church campus. Additions to the original plat include approximately 4.6 acres of land located northwest of the church on proposed Lot 1. An application for the demolition of the two homes on these parcels has been filed with the City. These houses were constructed in 1958 and 1963, and have no known historical significance. A 1.5-acre residential lot with frontage on Rock Quarry Road is also included in the plat as proposed Lot 2, and includes the required scenic roadway vegetative buffer.

The plat has been reviewed by applicable internal and external departments, and meets all applicable subdivision requirements.

RECOMMENDATION

Approval of the final minor subdivision plat

ATTACHMENTS

- Aerial and natural features maps
- Subdivision plat

SITE CHARACTERISTICS

Area (acres)	23.09
Topography	Falls approx. 30 feet from south to north, toward pond
Vegetation/Landscaping	Grass, trees, and landscaping
Watershed/Drainage	Hinkson Creek drainage basin
Existing structures	Church, accessory structures, and single-family houses

SITE HISTORY

Annexation Date	1969
Zoning District	A-1 (Agriculture District)
Land Use Plan Designation	Neighborhood District
Subdivision/Legal Lot Status	Plat approval is required prior to development permits being issued on the land being incorporated into the northwest corner of Lot 1.

UTILITIES & SERVICES

Sanitary Sewer	City of Columbia
Water	City of Columbia
Fire Protection	City of Columbia
Electric	City of Columbia

ACCESS

Grindstone Parkway	
Location	North side of site
Major Roadway Plan	Major Arterial (improved). No additional right-of-way needed.
CIP projects	None
Sidewalk	5-foot wide sidewalk required.

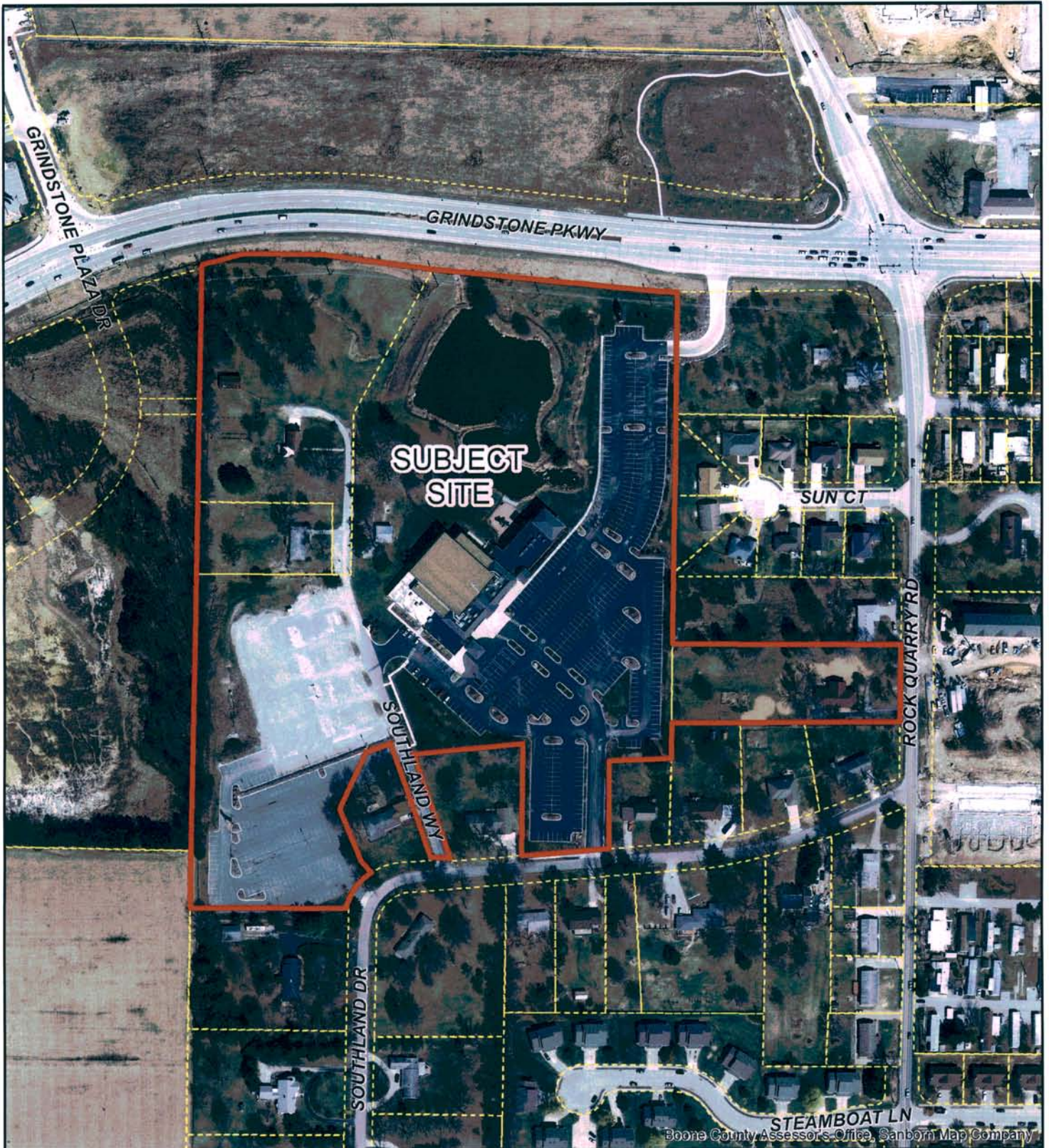
Rock Quarry Road	
Location	East side of site
Major Roadway Plan	Major Collector (unimproved). Additional right-of-way is being dedicated with plat.
CIP projects	10+ year unfunded project to reconstruct section between Nifong and Grindstone.
Sidewalk	5-foot wide sidewalk required.

Southland Drive	
Location	South side of site
Major Roadway Plan	Local Residential (unimproved). No additional right-of-way needed.
CIP projects	None
Sidewalk	5-foot wide sidewalk required.

PARKS & RECREATION

Neighborhood Parks Plan	Site is served by Rock Quarry Park, approximately 500 feet to the east.
Trails Plan	No trails proposed adjacent to site
Bicycle/Pedestrian Plan	Eight-foot wide pedways are in place along north side of Grindstone Parkway and along east side of Rock Quarry Road.

Report prepared by Steve MacIntyre; approved by Pat Zenner.



**Case 13-72: Plat 2 replat
The Crossing-EPC**

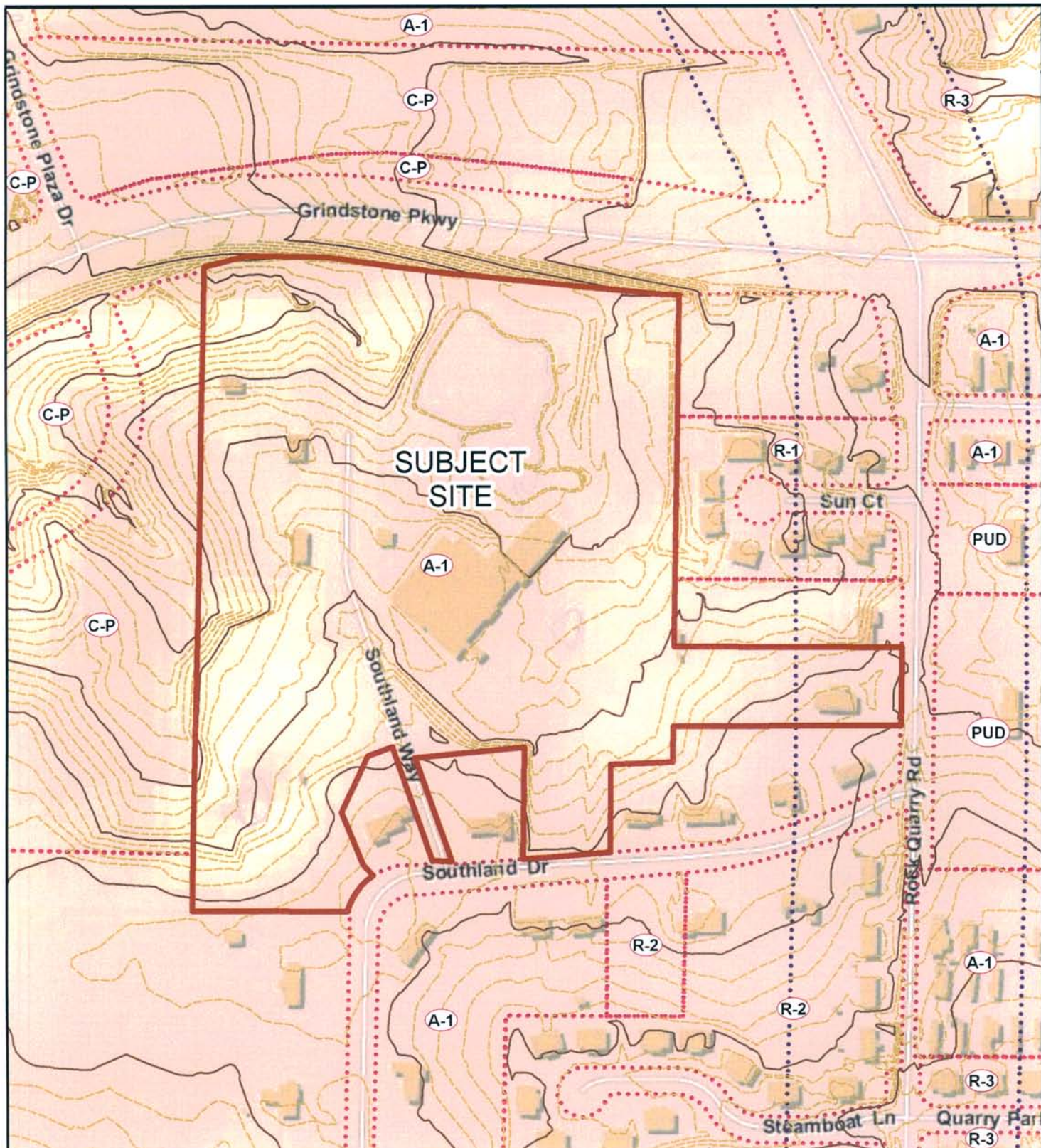


Parcel Data and Aerial Photo
Source: Boone County Assessor

0 125 250 500
Feet

1 inch = 250 feet





**Case 13-72: Plat 2 replat
The Crossing-EPC**

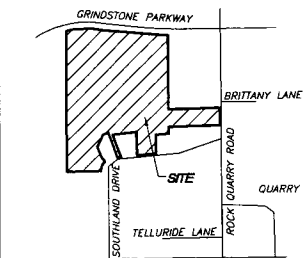


1 inch = 250 feet



THE CROSSING-EPC, PLAT 2

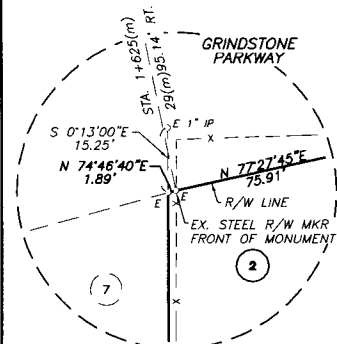
APRIL 24, 2013



SITE LOCATION MAP
NOT TO SCALE

LEGEND

- IRON PIPE (UNLESS NOTED OTHERWISE)
- PERMANENT MONUMENT (5/8" REBAR W/ALUM. CAP)
- △ STEEL RIGHT-OF-WAY MARKER (UNLESS OTHERWISE NOTED)
- E EXISTING 1/2" IRON PIPE (UNLESS OTHERWISE NOTED)
- S SET 1/2" IRON PIPE (UNLESS OTHERWISE NOTED)
- IP IRON PIPE
- RE REBAR
- (M) MEASURED DISTANCE
- (REC) RECORD MEASUREMENT
- CENTERLINE
- - - FENCE



DETAIL 'A'
NOT TO SCALE

FLOOD PLAN STATEMENT

THIS LOT IS NOT LOCATED WITHIN THE 100-YEAR FLOOD PLAIN (ZONE C), PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY BOONE COUNTY UNINCORPORATED AND INCORPORATED MAP, COMMUNITY PANEL NUMBER 29019C 0290 D, DATED MARCH 17, 2011.

STREAM BUFFER STATEMENT

THE STREAM BUFFER LIMITS SHOWN ON THIS PLAT DIFFER FROM THE USGS "COLUMBIA" QUAD MAP AND ARE SHOWN AS PER AN INTER-OFFICE MEMO FROM LEE WHITE TO JOHN GLASCOCK, DATED FEBRUARY 22, 2013, AND ARE INTENDED TO COMPLY WITH THE REQUIREMENTS OF ARTICLE X, CHAPTER 124 OF THE CITY OF COLUMBIA'S CODE OF ORDINANCES. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION WITHIN THE BUFFER EXCEPT AS SPECIFICALLY APPROVED BY THE CITY.

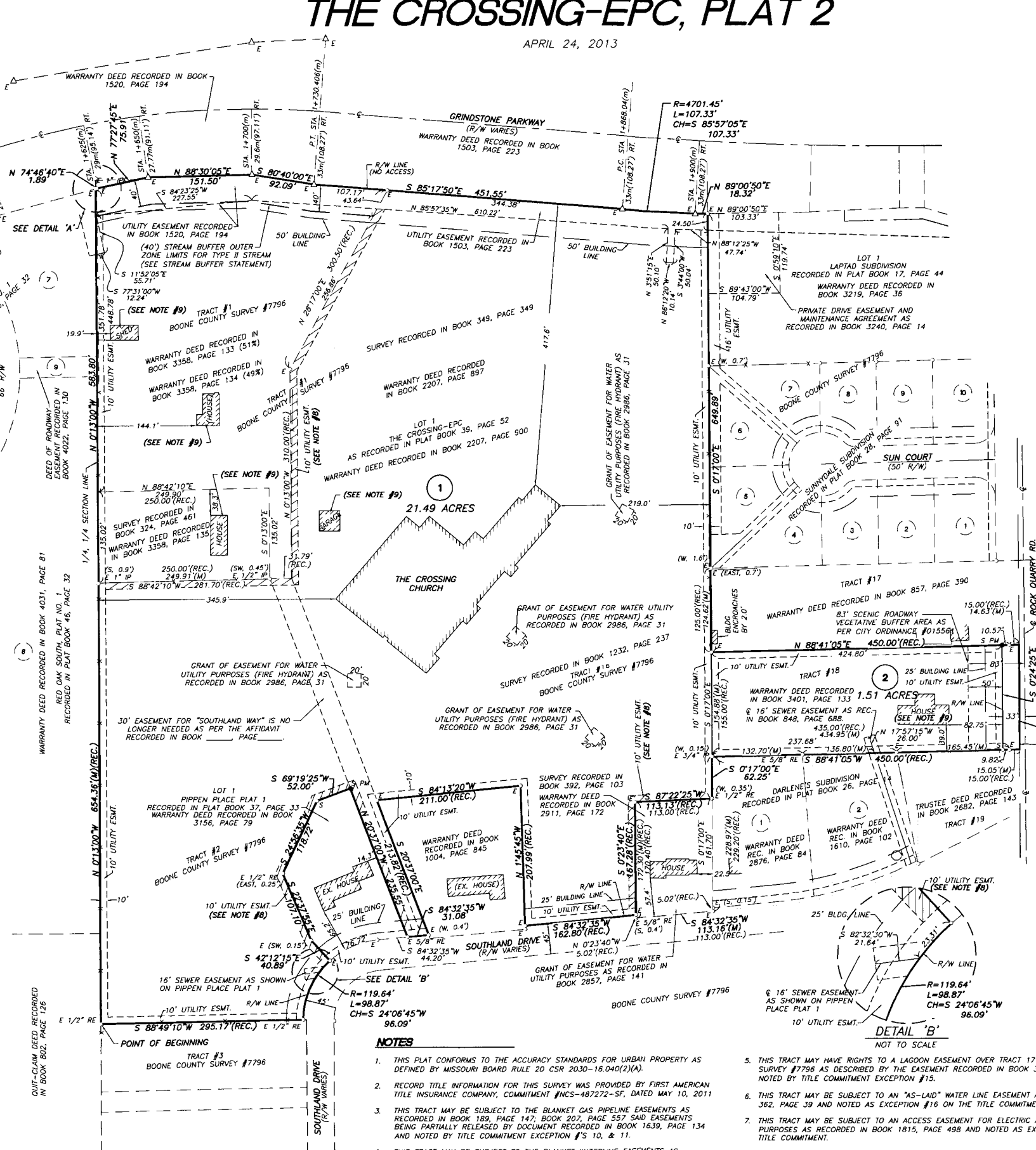
APPROVED BY THE CITY OF COLUMBIA PLANNING AND ZONING COMMISSION THIS ____ DAY OF ____, 2013.

DOUG WHEELER, CHAIRPERSON

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

ROBERT McDAVID, MAYOR

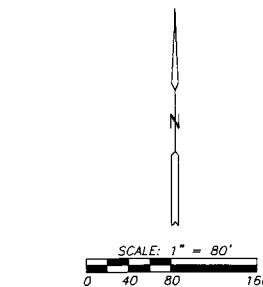
SHEELA AMIN, CITY CLERK



NOTES

1. THIS PLAT CONFORMS TO THE ACCURACY STANDARDS FOR URBAN PROPERTY AS DEFINED BY MISSOURI BOARD RULE 20 CSR 2030-16.040(2)(A).
2. RECORD TITLE INFORMATION FOR THIS SURVEY WAS PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT #NCS-48722-SF, DATED MAY 10, 2011.
3. THIS TRACT MAY BE SUBJECT TO THE BLANKET GAS PIPELINE EASEMENTS AS RECORDED IN BOOK 189, PAGE 147; BOOK 207, PAGE 557 SAID EASEMENTS BEING PARTIALLY RELEASED BY DOCUMENT RECORDED IN BOOK 1639, PAGE 134 AND NOTED BY TITLE COMMITMENT EXCEPTION #S 10, & 11.
4. THIS TRACT MAY BE SUBJECT TO THE BLANKET WATERLINE EASEMENTS AS RECORDED IN BOOK 325, PAGE 132, BOOK 348, PAGE 606 AND NOTED BY TITLE COMMITMENT EXCEPTION #S 13, & 14.

5. THIS TRACT MAY HAVE RIGHTS TO A LAGOON EASEMENT OVER TRACT 17 OF BOONE COUNTY SURVEY #7796 AS DESCRIBED BY THE EASEMENT RECORDED IN BOOK 334, PAGE 334 AND NOTED BY TITLE COMMITMENT EXCEPTION #15.
6. THIS TRACT MAY BE SUBJECT TO AN "AS-LAID" WATER LINE EASEMENT AS RECORDED IN BOOK 362, PAGE 39 AND NOTED AS EXCEPTION #16 ON THE TITLE COMMITMENT.
7. THIS TRACT MAY BE SUBJECT TO AN ACCESS EASEMENT FOR ELECTRIC AND SEWER UTILITY PURPOSES AS RECORDED IN BOOK 1815, PAGE 498 AND NOTED AS EXCEPTION #20 ON THE TITLE COMMITMENT.
8. A REQUEST TO VACATE THE EASEMENTS SHOWN HAS BEEN SUBMITTED.
9. AN APPLICATION HAS BEEN SUBMITTED TO THE CITY OF COLUMBIA FOR THE DEMOLITION OF THE 4 EXISTING STRUCTURES LOCATED IN THE NORTHWEST CORNER OF LOT 1.



BEARINGS ARE REFERENCED TO THE LINES OF THE CROSSING-EPC PLAT AS RECORDED IN PLAT BOOK 39, PAGE 52 OF THE RECORDS OF BOONE COUNTY, MISSOURI.

KNOW ALL MEN BY THESE PRESENTS

THE CROSSING-EPC OF COLUMBIA, A MISSOURI CORPORATION, BEING SOLE OWNER OF THE BELOW DESCRIBED TRACT, HAVE CAUSED THE SAME TO BE SUBDIVIDED AS SHOWN ON THIS PLAT.

IN WITNESS WHEREOF, KEITH SIMON HAS 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.

ADDITIONAL RIGHT-OF-WAY ALONG ROCK QUARRY ROAD IS HEREBY DEDICATED TO THE CITY OF COLUMBIA FOR PUBLIC USE FOREVER.

THE CROSSING-EPC OF COLUMBIA, A MISSOURI CORPORATION

JIM BEATY, DIRECTOR OF OPERATIONS

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 KEITH SIMON, PRESIDENT OF THE CROSSING-EPC OF COLUMBIA, KNOWN TO ME TO BE THE PERSON 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 30, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING LOT 1 OF THE CROSSING-EPC RECORDED IN PLAT BOOK 39, PAGE 52 AND ALSO TRACT 18 OF BOONE COUNTY SURVEY #7796 AND ALSO TRACT 1 OF BOONE COUNTY SURVEY #7796 EXCEPT THAT PART DESCRIBED BY SURVEY RECORDED IN BOOK 349, PAGE 349 AND BEING THE LAND DESCRIBED BY THE WARRANTY DEEDS RECORDED IN BOOK 2207, PAGE 897 AND BOOK 2207, PAGE 900 AND BOOK 3358, PAGE 133 AND BOOK 3358, PAGE 134 AND BOOK 3358, PAGE 135 AND BOOK 3401, PAGE 133 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1 OF THE CROSSING-EPC; THENCE WITH THE LINES OF SAID LOT 1 N0°13'00"W, 854.36 FEET; THENCE LEAVING THE LINES OF SAID LOT AND CONTINUING N0°13'00"W, 583.80 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF GRINDSTONE PARKWAY; THENCE WITH SAID RIGHT-OF-WAY, N74°46'40"E, 1.89 FEET; THENCE N77°27'45"E, 75.91 FEET; THENCE N88°30'05"E, 151.50 FEET; THENCE S80°40'00"E, 92.09 FEET; THENCE S85°17'50"E, 451.55 FEET; THENCE 107.33 FEET ALONG A 4701.45-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAS A CHORD S85°57'05"E, 107.33 FEET; THENCE N89°00'50"E, 18.32 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND WITH THE LINES OF SAID THE CROSSING-EPC, S0°17'00"E, 649.89 FEET TO THE NORTHWEST CORNER OF SAID TRACT #18; THENCE LEAVING THE LINES OF SAID THE CROSSING-EPC AND WITH THE LINES OF SAID TRACT 18, N88°41'05"E, 450.00 FEET; THENCE S0°17'00"E, 154.88 FEET; THENCE S88°41'05"E, 450.00 FEET TO THE EAST LINE OF SAID THE CROSSING-EPC; THENCE WITH THE LINES OF SAID PLAT, S00°17'00"E, 62.25 FEET; THENCE S87°22'25"W, 113.13 FEET; THENCE S00°23'40"E, 167.28 FEET; THENCE S84°32'35"W, 162.80 FEET; THENCE N01°45'45"W, 207.99 FEET; THENCE S84°13'20"W, 211.00 FEET; THENCE S20°37'00"E, 213.82 FEET TO THE NORTHERLY RIGHT-OF-WAY OF SOUTHLAND DRIVE; THENCE WITH SAID RIGHT-OF-WAY S84°32'35"W, 31.08 FEET; THENCE LEAVING SAID RIGHT-OF-WAY AND WITH SAID PLAT N20°37'00"W, 235.55 FEET; THENCE S69°19'25"W, 52.00 FEET; THENCE S24°56'35"W, 118.72 FEET; THENCE S22°37'55"E, 107.10 FEET; THENCE S42°12'15"E, 40.89 FEET TO THE NORTH RIGHT-OF-WAY OF SOUTHLAND DRIVE; THENCE WITH SAID RIGHT-OF-WAY, 98.87 FEET ALONG A 119.64-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAS A CHORD S24°06'45"W, 96.09 FEET TO THE SOUTH LINE OF SAID THE CROSSING-EPC; THENCE WITH SAID SOUTH LINE, S88°49'10"W, 295.17 FEET TO THE POINT OF BEGINNING AND CONTAINING 23.09 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

MICHAEL L. KLASING L.S. 2728

STATE OF MISSOURI }
COUNTY OF BOONE } SS

SUBSCRIBED AND AFFIRMED BEFORE ME THIS ____ DAY OF ____, 2013.

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

**EXCERPTS
PLANNING AND ZONING COMMISSION
JUNE 6, 2013**

13-72 A request by The Crossing-EPC of Columbia (owner) for approval of a three-lot resubdivision to be known as The Crossing-EPC, Plat 2. The 24.14-acre subject site is located on the south side of Grindstone Parkway, west of Rock Quarry.

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

Staff report was given by Mr. Steven MacIntyre of the Planning and Development Department. Staff recommends approval of the final minor subdivision plat.

MR. WHEELER: Are there any questions of Staff? Mr. Tillotson?

MR. TILLOTSON: Just a quick one: There's a house on that one piece that butts up to Rock Quarry. Are they -- is that planned to be torn down as well or is it --

MR. MACINTYRE: I believe they do have plans to tear that home down and put a driveway entrance onto Rock Quarry Road, along with additional parking.

MR. WHEELER: Are there any other questions of Staff? Seeing none, this is not a public hearing, but if there is someone with tidbits of wisdom -- seeing none. Commissioners, discussion? Ms. Peters?

MS. PETERS: This seems pretty straightforward to me, and unless there's some conversation that other Commissions would like to have, I would move for approval.

MR. REICHLIN: I'll second.

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

MR. VANDER TUIG: We have a motion and a second for approval of Case 13-72 for approval of a three-lot resubdivision to be known as The Crossing-EPC, Plat 2.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Lee, Ms. Peters, Dr. Puri, Mr. Reichlin, Mr. Stanton, Mr. Strodman, Mr. Tillotson, Mr. Vander Tuig, Mr. Wheeler. Motion carries 9-0.

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