

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 362-13

AN ORDINANCE

approving the Final Plat of Hoeper Subdivision 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 Hoeper Subdivision Plat 2, as sealed by the surveyor on November 20, 2013, a minor subdivision located on the south side of Walnut Street, east of Stephens Lake Park, containing approximately 6.47 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 Cherme Properties, Inc. in connection with the approval of the Final Plat of Hoeper Subdivision Plat 2. 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 _____, 2013.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

PERFORMANCE CONTRACT

This contract is entered into on this 10 day of OCTOBER, 2013 between the City of Columbia, MO ("City") and CHERME PROPERTIES INC ("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 HOEPER SUBDIVISION 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

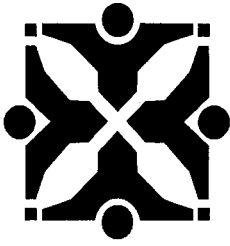
ATTEST:

Sheela Amin, City Clerk

APPROVED AS TO FORM:

, City Counselor

Subdivider
CHERME PROPERTIES INC
BY: 



Source: Community Development - Planning *U*

Agenda Item No:

To: City Council
From: City Manager and Staff *MM*

Council Meeting Date: Dec 2, 2013

Re: Hoeper Subdivision, Plat 2 (Case #13-210)

EXECUTIVE SUMMARY:

A request by Cherme Properties, Inc (owner) for approval of a 2-lot final minor subdivision to be known as "Hoeper Subdivision Plat 2". The subject 6.47 acre tract is located approximately 100 east of Parkview Drive on the south side of E. Walnut Street east of Stephens Lake Park. **(Case # 13-210)**

DISCUSSION:

The applicant is requesting approval to subdivide an existing 6.47 acre R-3 zoned parcel into two lots for future development and to establish "legal lot" status on the tract. The subject acreage is traversed by the Hinkson Creek and two sanitary sewer easements which significantly impact its ultimate development.

Lot 101(3.04 acres) has development potential on approximately 2.0-2.5 acres due to the sewer easement. Lot 102 has virtually no development potential as it is almost fully inside the floodway and the Hinkson Creek stream buffers. The applicant has submitted a tree preservation plan which identifies Lot 102 as being entirely encumbered by the "climax forest" preservation area for the tract. Lot 102 is being shown to make the acreage a "legal lot" so, if desired, it could be transferred to a new owner by referencing this plat.

The plat provides the necessary half-width road right-of-way upgrade for E. Walnut Street and a performance contract has been submitted which obligates the applicant to install a public sidewalk along its E. Walnut Street frontage.

No development plans have been submitted for this tract of land and none are required prior to approval of this requested subdivision action. Prior to issuance of a building permit for the develop-able lot (Lot 101) building plans will be reviewed to insure compliance with all applicable City regulations (building codes, storm water, and zoning). This parcel as been zoned R-3 since its annexation and initial zoning in 1964.

At its November 21, 2013, meeting, the Planning and Zoning Commission considered the request and voted (7-0) to approve it. In arriving at its recommendation, the Commission requested clarification regarding the nature of the request (i.e. that it was not rezoning the property), asked about possible safety issues, and made reference to the sidewalk location within Stephens Lake Park as rational for not having such improvements along E. Walnut Street.

One adjacent property owner spoke on the request and noted concern relating to traffic, the condition of the bridge crossing Hinkson Creek, environmental impacts, and emergency access. Additional correspondence (attached)from two citizens was provided to the Commission citing concerns with the lack of development information being provided, environmental impacts to Hinkson Creek, and the need for more sidewalks to serve area residents.

A copy of the staff report, locator maps, reduced copy of the plat, correspondence and meeting minutes are attached.

FISCAL IMPACT:

None.

VISION IMPACT:

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

The proposed request supports strategy 5.3.1 which states that future development should "use the city's development planning process to promote socio-economically diverse, mixed-use neighborhoods that are supported by citywide bicycle, pedestrian, and transit systems to reduce the need for automobile commuting." Platting of the site will permit, subject to regulatory compliance, more diverse housing to be created within this portion of the City.

SUGGESTED COUNCIL ACTIONS:

Approval of the requested 2-lot final minor plat as recommended by the Planning and Zoning Commission.

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?	Yes
One Time	\$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	5.3.1
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
November 21, 2013**

SUMMARY

A request by Cherme Properties, Inc (owner) for approval of a 2-lot final minor subdivision to be known as "Hoeper Subdivision Plat 2". The subject 6.47 acre tract is located approximately 100 east of Parkview Drive on the south side of E. Walnut Street east of Stephens Lake Park. (Case # 13-210)

DISCUSSION

The applicant is requesting approval to subdivide an existing R-3 zoned parcel into two-lot for future residential development. Lot 101 (3.04 acres) is partially encumbered by the Hinkson Creek floodway and 100-year flood plain as well as is bisected (north-south) by a sewer easement. These conditions will limit the ability to develop this lot since improvements are not permitted within floodway and development of the site for multi-family uses would be required to comply with the parking and setback requirements.

Lot 102 (3.32 acres) is almost fully encumbered by the Hinkson Creek stream buffer and floodway making the site undevelopable. As a result of these conditions, there is no need to mark the site "not for development". This lot is being shown to make the acreage a "legal lot" so, if desired, it could be transferred to a new owner by referencing this plat.

The plat provides the necessary half-width road right-of-way upgrade for E. Walnut Street and a performance contract has been submitted which obligates the applicant to install a public sidewalk along its E. Walnut Street frontage. The plat has been reviewed by applicable City departments and outside agencies and found to comply with the Subdivision Regulations.

STAFF RECOMMENDATION

Staff recommends approval of the subdivision plat

REFERENCE MATERIALS

- Aerial and topographic locator maps
- Hoeper Subdivision Plat 1
- Tree Preservation Plan

SITE CHARACTERISTICS

Area (acres)	6.47
Address	None assigned
Topography	Sloping east to west toward creek
Vegetation	Heavy tree cover to the east and west of cleared sewer easement
Watershed	Hinkson Creek

SITE HISTORY

Annexation date	1964
Initial zoning designation	R-3
Previous rezoning requests	None
Land Use Plan designation	Neighborhood District
Existing use(s)	Undeveloped
Existing zoning	R-3

UTILITIES & SERVICES

Sanitary Sewer	All City Services
Water	
Electric	
Fire Protection	

ACCESS

E. Walnut Street	
Location	South side of site
Major Roadway Plan classification	Unimproved City-maintained collector street (66' right-of-way) required. Plan provides ½ width upgrade
CIP projects	N/A

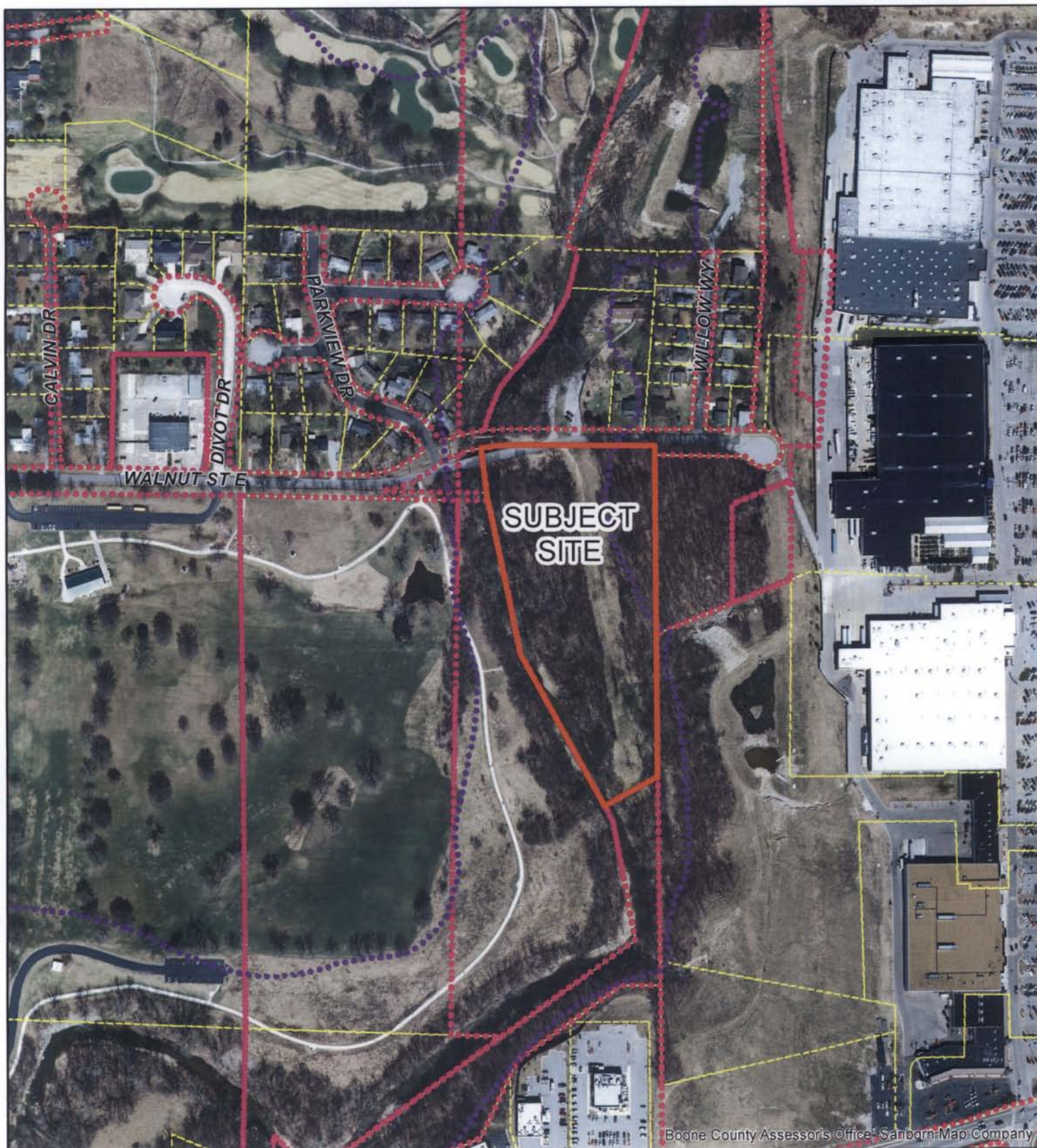
PARKS & RECREATION

Neighborhood Parks Plan	
Trails Plan	No existing or proposed trails adjacent to site.
Bicycle/Pedestrian Network Plan	No bike/ped facilities are proposed on or adjacent to the site.

PUBLIC NOTIFICATION

All property owners within 200 feet and City-recognized neighborhood associations within 1,000 feet of the boundaries of the subject property were notified by postcard of a concept review meeting, which was held on October 29, 2013.

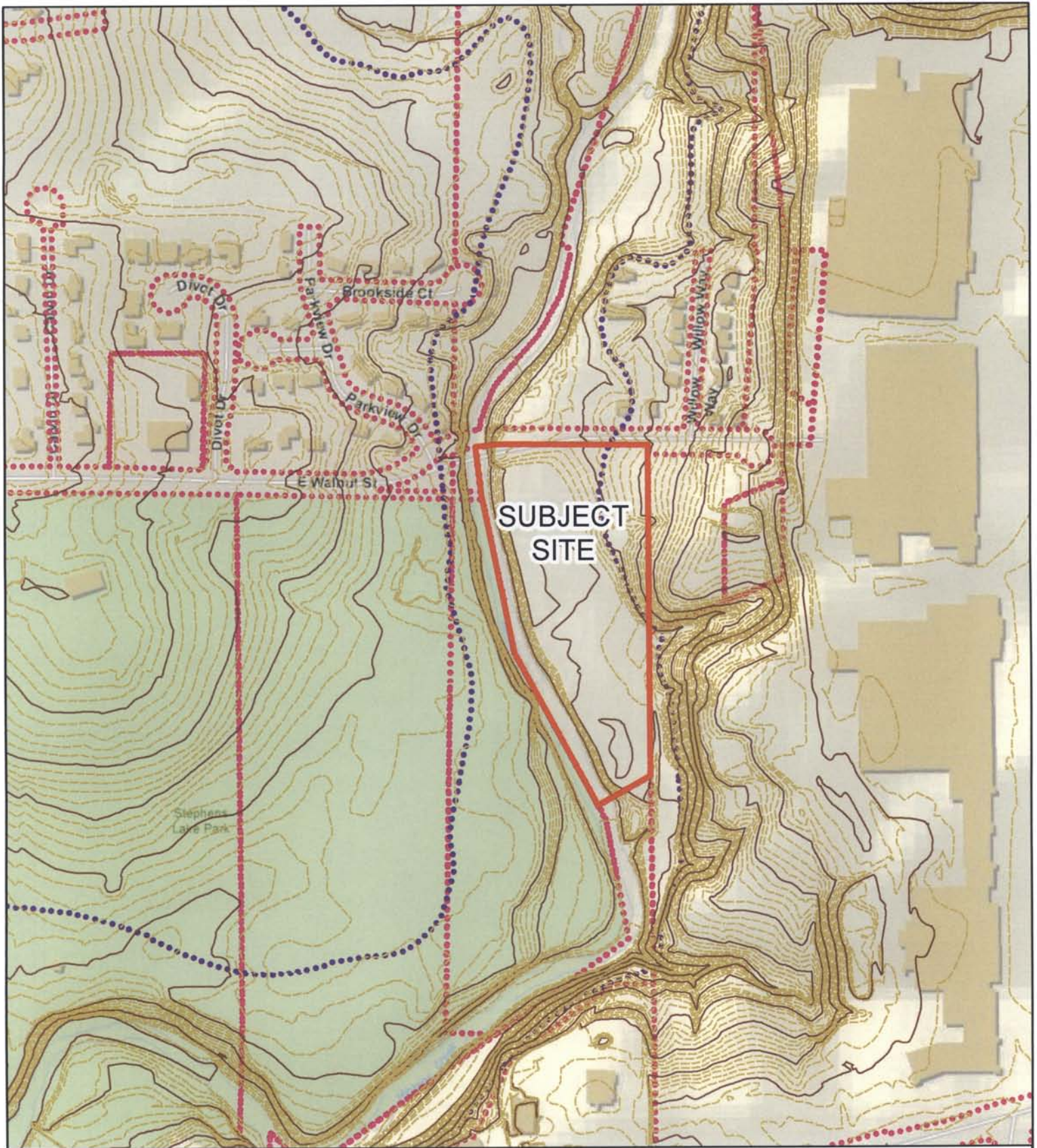
Report prepared by Pat Zenner



13-210: Hoyer Subdivision Plat 2

0 185 370 740
Feet



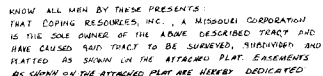


13-210: Hoyer Subdivision Plat 2

0 185 370 740
Feet



HOEPER SUBDIVISION



STATE OF MISSOURI)
COUNTY OF BOONE) ss

L. Suzanne Brush
L. SUZANNE BRUSH NOTARY PUBLIC MY COMMISSION EXPIRES 3-8-87

STATE OF MISSOURI
COUNTY OF BOONE

APPROVED BY THE CITY OF
COLUMBIA PLANNING AND
ZONING COMMISSION THIS
9th DAY OF October 1986

LARRY R. NIEDERGERKE

Julie Hopwood
DEPUTY RECORDER OF DEEDS

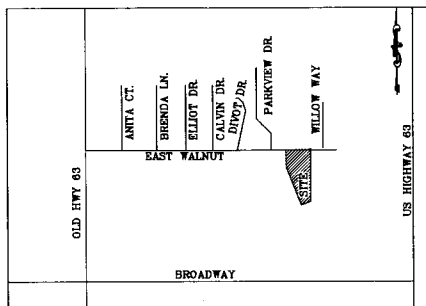
HOEPER SUBDIVISION PLAT 2

MINOR SUBDIVISION PLAT

SUBMITTAL DATE: OCTOBER 7, 2013

SECTION 8, TOWNSHIP 48 NORTH, RANGE 12 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI

SITE LOCATION MAP
NO SCALE



KNOW ALL MEN BY THESE PRESENTS:
THAT, CHERME PROPERTIES, INC., A MISSOURI CORPORATION, IS THE
SOLE OWNER OF THE ABOVE DESCRIBED TRACT AND HAS CAUSED SAID
TRACT TO BE SURVEYED, SUBDIVIDED AND PLATTED AS SHOWN ON THE
PLAT, STREET RIGHT OF WAY FOR EAST WALNUT STREET, AND ALL THE
EASEMENTS AS SHOWN ON THE ATTACHED PLAT ARE HEREBY DEDICATED
TO THE CITY OF COLUMBIA FOR THE PUBLIC USE FOREVER.

DONALD C. MITZEL PRESIDENT

STATE OF MISSOURI)
COUNTY OF BOONE) SS

ON THIS _____ DAY OF _____, 2013 BEFORE
ME APPEARED, DONALD C. MITZEL TO ME PERSONALLY KNOWN, WHO BY
ME DULY SWORN, DID SAY THAT HE IS THE PRESIDENT AS STATED
ABOVE AND THAT THIS INSTRUMENT WAS SIGNED IN BEHALF OF SAID
CORPORATION BY AUTHORITY OF ITS BOARD OF DIRECTORS AND SAID
PRESIDENT ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE ACT AND
DEED OF SAID CORPORATION. IN TESTIMONY WHEREOF I, A NOTARY
PUBLIC, HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL
AT MY OFFICE IN BOONE COUNTY, MISSOURI THE DAY AND YEAR FIRST
ABOVE WRITTEN.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

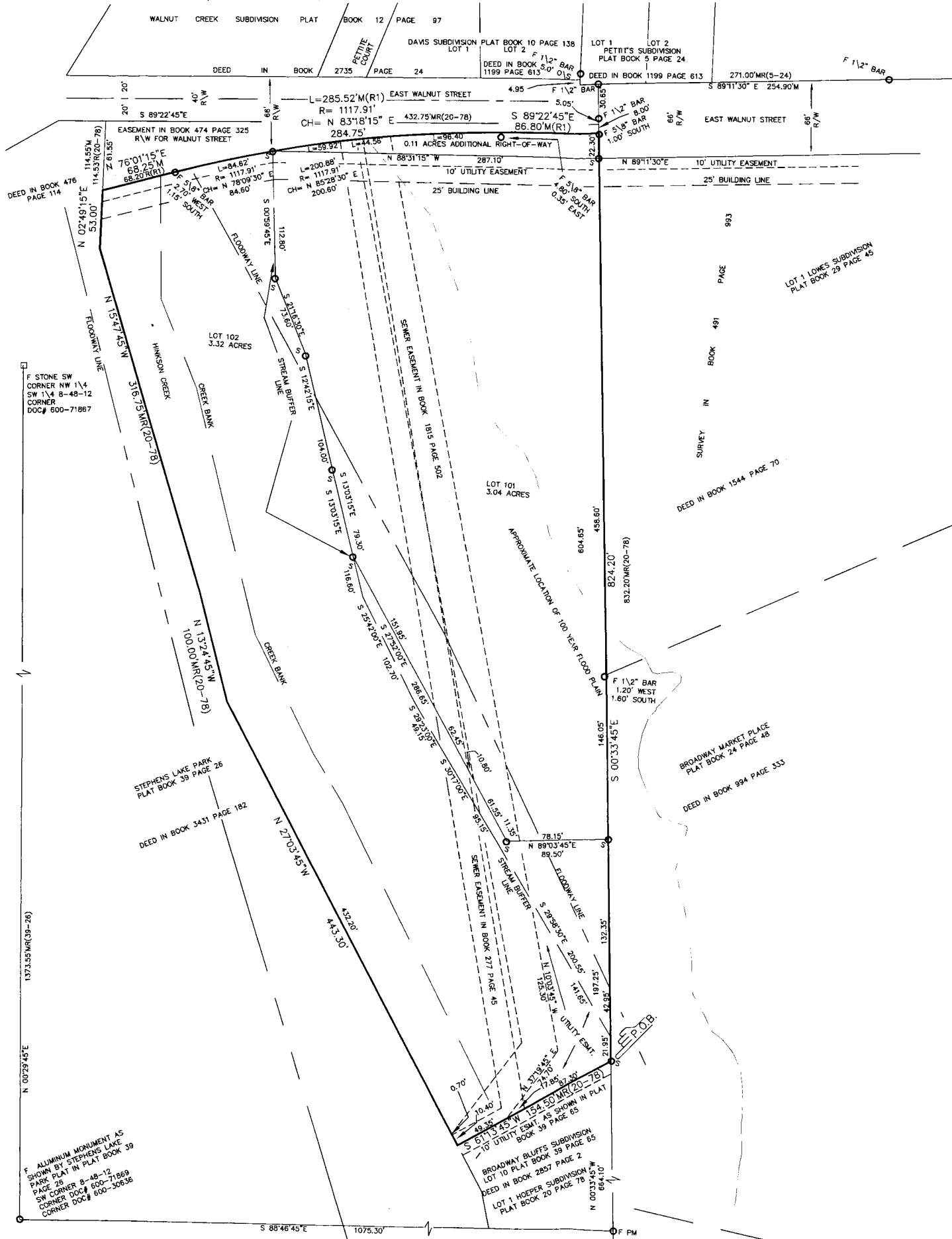
APPROVED BY THE CITY OF COLUMBIA PLANNING AND ZONING
COMMISSION THIS _____ DAY OF _____, 2013.

DR. RAMAN PURI CHAIRMAN

ACCEPTED BY THE CITY COUNCIL THIS _____ DAY OF
_____, 2013.

ROBERT MCDAYD MAYOR

SHEELA AMIN CITY CLERK



SCALE 1"=50'

LEGEND

F FOUND
S SET 5/8" ROD WITH CAP
PM BRUSH AND ASSOCIATES LC 321
5/8" ROD WITH ALUMINUM CAP
BRUSH AND ASSOCIATES LC 321
UNLESS OTHERWISE NOTED
R RECORD
M MEASURED
RA RADIUS
L ARC LENGTH
CH CHORD
R/W RIGHT OF WAY
(R1) RECORD DIMENSION FROM AN UNRECORDED
SURVEY BY JAMES BRUSH DATED JULY 31, 1996
ESMT EASEMENT
POB POINT OF BEGINNING

DATE: SEPTEMBER, 2013

SURVEY FOR: DON MITZEL

THIS SURVEY CONFORMS TO TYPE URBAN ACCURACY STANDARD 4 CSR 30-16.040

REFERENCE BEARING: GRID NORTH AS PER GPS OBSERVATION FROM GRS STATION
BO 27 MISSOURI GEOGRAPHIC REFERENCE SYSTEM.

NOTES:

- 1.) AFTER REVIEW OF THE USGS 7.5 MIN. QUAD SHEET COLUMBIA QUADRANGLE, THERE
IS A TYPE 1 STREAM AS DEFINED BY 12A-233 CITY OF COLUMBIA ORDINANCE
LOCATED ON THIS SITE THE STREAM BUFFER IS AS SHOWN ON THE PLAT.
- 2.) THIS TRACT IS LOCATED WITHIN THE 100 YEAR FLOOD PLAIN AS SHOWN
AS PER THE FIRM MAP #28019 C02850, DATED: MARCH 17, 2011.
- 3.) DRIVEWAY ACCESS FOR LOT 102 WILL BE THROUGH LOT 101.

DESCRIPTION: PART OF THE SOUTHWEST QUARTER OF SECTION
8, TOWNSHIP 48 NORTH, RANGE 12 WEST, CITY OF COLUMBIA, BOONE
COUNTY, MISSOURI, BEING THE TRACT DESCRIBED BY THE DEED IN BOOK
3270 PAGE 121 OF THE BOONE COUNTY RECORDS AND BEING
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

STARTING AT THE SOUTHWEST CORNER OF SAID SECTION 8, THENCE WITH THE SOUTH
LINE OF SAID SECTION 8 S 88°46'45" E 1075.30 FEET; THENCE N 00°33'45" W, 684.10
FEET TO THE NORTHEAST CORNER OF LOT 10 BROADWAY BLUFFS SUBDIVISION
AS SHOWN IN PLAT BOOK 39 PAGE 75 OF THE BOONE COUNTY RECORDS
THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING AND WITH THE NORTH LINE OF SAID LOT 10
S 61°13'45" W, 154.50 FEET; THENCE LEAVING THE NORTH LINE OF SAID LOT 10
N 27°03'45" W, 443.30 FEET; THENCE N 13°24'45" W, 100.00 FEET; THENCE N 15°47'45" W,
316.75 FEET; THENCE N 02°49'15" E, 53.00 FEET TO THE SOUTHWEST CORNER OF THE
TRACT DESCRIBED BY THE EASEMENT IN BOOK 474 PAGE 325 OF THE BOONE COUNTY
RECORDS; THENCE WITH THE SOUTH LINE OF THE TRACT DESCRIBED BY SAID EASEMENT
N 76°01'15" E, 68.25 FEET; THENCE 285.52 FEET WITH A CURVE TO THE RIGHT, CURVE
RADIUS 1117.91 FEET, CHORD N 83°18'15" E, 284.75 FEET; THENCE S 89°22'45" E, 86.80
FEET TO A POINT ON THE WEST LINE OF LOWES SUBDIVISION AS SHOWN IN PLAT
BOOK 29 PAGE 45 OF THE BOONE COUNTY RECORDS; THENCE WITH SAID WEST LINE
S 00°33'45" E, 824.20 FEET TO THE NORTHEAST CORNER OF SAID LOT 10 THE POINT OF
BEGINNING AND CONTAINING 6.47 ACRES.

THE RESULTS OF THIS SURVEY ARE AS SHOWN ON THE PLAT.

I HEREBY CERTIFY THAT THE ABOVE DESCRIBED TRACT WAS
SURVEYED UNDER MY DIRECTION AND SUBDIVIDED AS SHOWN
ON THE ATTACHED PLAT IN ACCORDANCE WITH THE CURRENT
MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

SURVEY AND PLAT BY BRUSH & ASSOCIATES, INC.

J. DANIEL BRUSH

LS 2499

J. DANIEL BRUSH

LS 2499

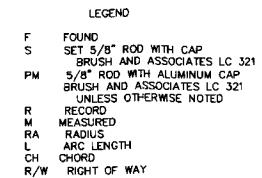
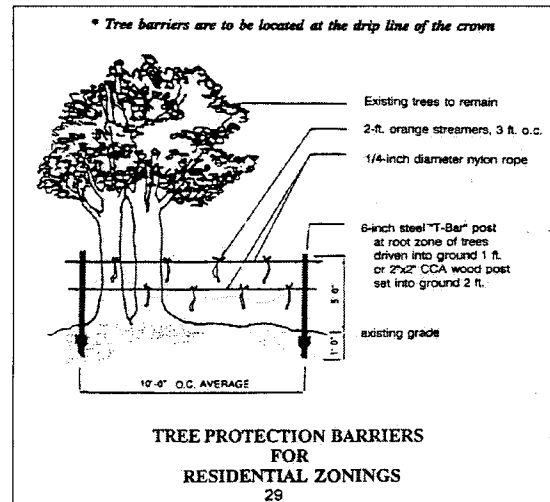
DATE:

SUBSCRIBED AND SWORN TO BEFORE ME, A NOTARY PUBLIC
IN AND FOR BOONE COUNTY, MISSOURI THIS _____ DAY
OF _____, 2013.

KEVIN M. SCHWEIKERT

NOTARY PUBLIC

MY COMMISSION EXPIRES 01-02-14



NOTES:

- 1) AFTER REVIEW OF THE USGS 7.5 MIN. QUAD SHEET COLUMBIA QUADRANGLE, THERE IS A TYPE 1 STREAM AS DEFINED BY 12A-233 CITY OF COLUMBIA ORDINANCE LOCATED ON THIS SITE. THE STREAM SURFACES AS SHOWN ON THE PLAN.
- 2) THIS TRACT IS LOCATED WITH THE 100 YEAR FLOOD PLAIN AS PER THE CITY OF COLUMBIA FIRM MAP #29019 C02B50, DATED: MARCH 17, 2011.
- 3) CONTRACTOR SHALL CONFIRM THE LOCATION OF ALL UTILITIES PRIOR TO BEGINNING CONSTRUCTION
- 4) ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THE CITY OF COLUMBIA STREET AND STORM SEWER SPECIFICATIONS AND STANDARDS
- 5) CONTRACTOR TO OBTAIN ALL NECESSARY PERMITS PRIOR TO BEGINNING CONSTRUCTION

DESCRIPTION:
PART OF THE SOUTHWEST QUARTER OF SECTION
8, TOWNSHIP 48 NORTH, RANGE 12 WEST, CITY OF COLUMBIA, BOONE
COUNTY, MISSOURI, BEING THE TRACT DESCRIBED BY THE DEED IN BOOK
3270 PAGE 121 OF THE BOONE COUNTY RECORDS AND BEING
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

STARTING AT THE SOUTHWEST CORNER OF SAID SECTION 8; THENCE WITH THE SOUTH
LINE OF SAID SECTION 8 S 88°46'45" E 1079.30 FEET; THENCE N 00°33'45" W 684.10
FEET TO THE NORTHEAST CORNER OF LOT 10 BROADWAY BLUFFS SUBDIVISION
AS SHOWN IN PLAT BOOK 39, PAGE 75 OF THE BOONE COUNTY RECORDS;
THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING AND WITH THE NORTH LINE OF SAID LOT 10
S 61°13'45" W, 154.50 FEET; THENCE N 27°03'45" W, 443.30 FEET;
THENCE N 13°24'45" W, 100.00 FEET; THENCE N 15°47'45" W, 316.75 FEET; THENCE
E 1°00'00" W, 100.00 FEET TO THE SOUTHWEST CORNER OF THE TRACT DESCRIBED
BY THE EASEMENT IN BOOK 474 PAGE 325 OF THE BOONE COUNTY RECORDS; THENCE
WITH THE SOUTH LINE OF THE TRACT DESCRIBED BY SAID EASEMENT N 78°01'15" E,
68.20 FEET; THENCE 285.52 FEET WITH CURVE TO THE RIGHT, CURVE RADIUS 1117.19
FEET, CHORD BEARING N 1°18'00" E, 284.75 FEET; THENCE S 89°22'45" E, 86.60 FEET TO A
POINT ON THE EAST LINE OF SAID LOT 1; THENCE WITH SAID EAST LINE S 00°34'45" E,
824.20 FEET TO THE NORTHEAST CORNER OF SAID LOT 10; THENCE LEAVING SAID EAST
LINE OF LOT 10 WITH THE NORTH LINE OF SAID LOT 10 S 61°13'45" W, 154.50 FEET TO THE
POINT OF BEGINNING AND CONTAINING 6.47 ACRES.

1.) TOTAL AREA CLIMAX FOREST 4.93 ACRES

2.) CLIMAX FOREST AREA TO REMAIN 2.79 ACRES 56.6%

3.) TREE PRESERVATION AREA IS AS SHOWN.
DURING LOT CONSTRUCTION THE PERIMETER OF THE DRIP LINE OF THE
PRESERVATION AREA IS TO BE MARKED AS PER CHAP 12A-239

4.) TREE BARRIER TO BE INSTALLED PRIOR TO BEGINNING GRADING
ACTIVITIES.

OWNER:
CHERME PROPERTIES INCORPORATED
2460 SOUTH ROBY FARM ROAD
ROCHEPORT, MO. 65279

BRUSH AND ASSOCIATES, INC.
CONSULTING ENGINEERS AND LAND SURVEYORS
306 NICHOLS STREET, SUITE A COLUMBIA, MISSOURI 65201
PHONE: (573) 442-3110 FAX: (573) 442-4851

TREE PRESERVATION PLAN
HOEPER SUBDIVISION PLAT 2

CITY OF COLUMBIA BOONE COUNTY MISSOURI

J. DANIEL BRUSH

[illegible]

DATE
09-30-2013

SCALE
1" = 50'

JOB NUMBER
7759

PAGE 1 OF 1



Patrick Zenner <przenner@gocolumbiamo.com>

Planning And Zoning Commission : 11-19-2013 07:15:42 am

dsteinmetz@mediacombb.net <dsteinmetz@mediacombb.net>

Tue, Nov 19, 2013 at 7:15 AM

To: przenner@gocolumbiamo.com

The following form submission was received on the City of Columbia website. The sender has been notified of the successful receipt of this request. Recipients should respond to this request within a reasonable time frame, normally within 1 to 3 business days. For more information regarding origin of this message or to report spam contact the Webmaster at webmaster@gocolumbiamo.com.

Below are the results of a Web form submitted on: November 19th, 2013 at 07:15AM (CST).

Name: David Steinmetz

Email Address: dsteinmetz@mediacombb.net

Comments: I am unable to attend the Thursday night meeting because of a previous out of town commitment.

However, I do wish to make a few comments concerning the development of the Hoeper Subdivision Plat 2.

Columbia prides itself on doing things that best benefits the people of Columbia. This project does not benefit the citizens of our city in the best possible way. That area is a natural extension of Stephens Park and should be purchased by the city to be used as a nature park or something similar to it.

The Hinkson creek is a wildlife corridor and the woods adjacent to the creek is a bedding area for the all the wild life (Deer, raccoon, fox, groundhogs, etc).

The DNR is always citing the city of Columbia for Hinkson Creek not meeting the environmental standards. Why would anyone allow a development to take place in an area that already has problems? Despite all the environmental requirement that the developer will meet, it will not stop the people who live there from playing havoc with the creek.

It will become a dumping ground for anything from hazardous materials to any type of junk that residents want to dispose of. I have seen this take place from the bridge.

Assuming that the development will occur, I have a major concern. The increase in traffic will cause some serious safety conditions for East Walnut. We currently have no sidewalks and no shoulders and no parking. From Old 63 to the dead end, we have people riding bikes, motorized wheelchairs, baby carriages, and plenty of walkers. The entire length of East Walnut needs provisions for these people. It is a very stressful situation to be approaching the top of a hill and being confronted with another vehicle in one lane and a motorized wheelchair in your lane.

I attended a meeting several weeks ago in which the coordinator stated that the sidewalk in the park satisfies the city requirement. I also notice that there is a sidewalk adjacent to the park sidewalk on the west side and the south side of Stephens Park.

Just thinking of the necessary upgrades to the road that are necessary for the safety of those who use East Walnut, is the development the most economically way for the City to go. I certainly don't think that satisfying the wishes of a developer over the benefits of the citizens is best for the City of Columbia. Parks and recreations division seems to always be looking for projects to do and perhaps purchasing that property would be of more benefit.

Building a sidewalk in front of the proposed development is required according to the meeting coordinator. That does very little for the entire length of East Walnut.

Thank you for your time and I hope the City will review the suggestions I have made. I am a property owner in the area.

David Steinmetz

To: Pat Zenner, Senior Planner, Department of Community Development

From: Lindsey Smith, Resident and Member of East Walnut St. Neighborhood Association

Re: Case 13-210 Summary of Neighborhood Concerns about R-3 Development on East Walnut St.

The neighborhood is asking the Planning and Zoning Commission to consider the negative impact of multi-unit development at the easternmost end of East Walnut Street.

Traffic

This development will add an additional traffic load of up to 1000 or more trips per day¹ on East Walnut Street. East Walnut is a narrow, unguttered road with no sidewalks.

It is also the longest single access street in Columbia, with the access (from Old 63) one mile west from the proposed development. East Walnut Street already has a higher traffic load than the number of residences in the area indicates, as Stephens Lake Park usage adds hundreds of cars each weekend and during special events on the north side of the park, which includes the Reichmann Pavilion events venue. In addition the Burrell Mental Health facility traffic must empty onto East Walnut Street and the intersection with Old 63.

Emergency and Evacuation

The proposed development can add an additional 80-120 residents to an area of East Walnut Street with no emergency access except the street entrance one mile away on Old 63 or a chained gate on the cul de sac behind Lowes. In a city the size and scope of Columbia it seems antiquated that emergency services need rely on a bolt cutter to serve residents in need.

These 80-120 additional residents will also be dependent on the Hinkson bridge to exit the neighborhood. The entire area lies within the 100 year flood plain; should a catastrophic weather event (such as have occurred in places as close as Joplin MO and northern Colorado in the past several years) occur and the Hinkson bridge become impassable, the city will have permitted an additional evacuation liability of 4x the residents currently living there, with all these residents trying to evacuate through a locked gate.

Bridge

The street bridge is narrow and unmaintained. The neighborhood is concerned about whether it can support the repeated weight of traffic of earthmovers and dump trucks required to grade and stabilize this property as well as the additional permanent traffic associated with the development. The old truss bridge is a liability for the city; though closed by Parks and Recreation in the spring of 2013, the gates

¹ R-3 open-zoned; developer can put 17 units per acre on 2.7 acres (40 units possible); if units house 3- 4 individuals each, there could be an additional 120+ residents with cars associated with 10 additional trips (transportation load number used by the City of Columbia to calculate number of trips per resident) per individual on the road each day.

are down and the bridge is in use by pedestrians and tourists who take pictures of fall foliage on it. A salvage operation and removal is indicated in order to permanently remove the dangers associated with a derelict structure.

Hinkson Creek and Stormwater

This is the last natural area of stormwater mitigation behind the Conley development. It is fully 7 acres of mature forest and unpaved area. The loss of this natural buffer means an increase in flow and drainage into the Hinkson at a time when the collaborative adaptive management effort to reduce pollution there is making progress. The two stormwater retention basins in the area which the Kroenke Group was required to build by the DNR in 2008 as stormwater mitigation for the run-off from the Conley development have not themselves been dredged or maintained for three out of the five years they have been in place.

Impact on Non-Motorized Transportation Community

Many Columbia pedestrians, cyclists, and electric wheelchair users from throughout the city use East Walnut Street as an east-west connector to the Conley development and beyond. In fact, they often take the bus to the stop at Old 63 and East Walnut and walk, bike or wheel the length of East Walnut Street to access the shopping area from the path exiting the gated cul-de-sac. The proposed development with the associated additional traffic load is situated where non-car commuters must come off the sidewalks in Stephens Lake Park and onto the road and bridge where there is no sidewalk or protection for them. With an additional up to 1200 car trips crossing the bridge daily, this will create a bottleneck with a significant risk for injury to cyclists, pedestrians and wheelchair users.

Stephens Lake Park

The development and associated traffic will increase the pressure on park access during special events. Lighting from the development will significantly impact the wild area established at the eastern edge of the park, as the developer is only required to maintain the 50 foot stream buffer of trees and wooded area.



Patrick Zenner <przenner@gocolumbiamo.com>

P&Z agenda - plat

KENNETH <12midkiff@centurylink.net>

Wed, Nov 20, 2013 at 11:59 AM

To: pat zenner <przenner@gocolumbiamo.com>

Pat,

I do not understand how it is that the Hoeper Project - 13-210 - can go forward without the required (City Ordinance Section 25-25 Preliminary plat review and Section 25-27 Final plat review) compliance with City ordinances. These ordinances clearly require a developer to reveal HOW all the required ordinances will be complied with.

In addition, the proposed subdivision is adjacent to Hinkson Creek - which does NOT meet Water Quality Standards - and how the developer proposes to deal with stormwater runoff is of utmost importance. Until the developer reveals density which has to do with impervious surfaces for parking and how stormwater runoff is dealt with, the Sierra Club is opposed to this project.

Moreover, until the plat meets the requirements of City of Columbia ordinances, it should not go forward.

Ken Midkiff

EXCERPTS
PLANNING AND ZONING COMMISSION
NOVEMBER 21, 2013

IV. SUBDIVISIONS

Case #13-210

A request by Cherme Properties, Inc. (owner) for approval of a two-lot final minor subdivision to be known as "Hoeper Subdivision Plat 2". The subject 6.47 acre tract is located approximately 100 feet east of Parkview Drive on the south side of East Walnut Street east of Stephens Lake Park.

Mr. Reichlin: Staff report, please.

Staff report was given by Mr. Pat Zenner of the Planning and Planning and Development Department. Staff recommends the approval of the subdivision plat.

MR. REICHLIN: Are there any questions of Staff? Seeing none, it's been our practice to allow public comment. This isn't a public hearing, but if you have something you would like to say, you're welcome to come to the podium. Please state your name and address and try and keep your comments limited. Is there anybody in the audience who would care to comment on this matter?

MS. SMITH: Thank you for taking my comments and thank you for your service, Commissioners. My name is Lindsey Smith; I live at 2603 East Walnut Street. I understand that as you consider this subdivision plat that this is an administrative function and that, you know, it's -- it's essentially a pass-through sort of thing. The -- I think the neighborhood -- and I am speaking for the neighborhood association tonight as we weren't sure that our neighborhood association leader would be able to be here. She is, but I will speak. The neighborhood just wants to bring public awareness to, I guess we would say, our plight. East Walnut Street runs the north border of Stephens Lake Park. It is one of the longest single access roads in the City of Columbia, maybe the longest, I'm not sure. The potential development will be one mile from that access point to Old 63. Stephens Lake Park, while a lovely amenity, does add a lot of traffic to that street, which is narrow, unguttered, and there are no sidewalks. The subdivision or the potential development will go in right across the Hinkson Bridge, which is narrow and doesn't have pedestrian improvements. And I think that as the Stephens Lake Park has become, you know, more developed with lovely sidewalks, people are using Stephens Lake Park and then East Walnut Street to transit up to the Conley shops. There is a gated cul-de-sac right at the end of East Walnut Street, which the neighborhood has been assured will not be open and it's not really practical to open it, but there is a path that goes beside that and it is used daily by many cyclists, pedestrians, and electric wheelchair users from around the City. So development right there, although there will be sidewalks on the development, you're going to be -- you could be adding, as Mr. Zenner said, it's a multifamily development, two acres, you know, potentially 17 units per acre. If those are three- and four-person, you know, apartments, we're talking

about, you know, 50 or more people living right there, which Richard Stone, the traffic engineer in the City of Columbia, told me, you know, then you count that as at least, you know, six to ten more trips on the road every day. So you're putting a lot of pressure on that little bridge with a lot of nonmotorized transit going on there. Traffic is a big concern with the entire neighborhood. It will increase the congestion at the end of East Walnut Street as we try to make lefts or even simply make a right at some times of the day onto Old 63. Emergency and evacuation is a consideration. This is fully one mile from Old 63. This development would be one mile from Old 63. Is that my, like, you need to wrap it up? So it does seem like in the instance of emergency, it would be a difficult to evacuate quadruple the number of people that already live there. I -- you know, I sent my concerns out to all of you and I know Mr. Zenner distributed them, as well. And the neighborhood just wants to bring the situation to your attention and thank you very much.

MR. REICHLIN: Is there anybody else who wishes to speak? Not seeing anybody, comments of Commissioners? Mr. Lee?

MR. LEE: Mr. Zenner, does Staff have any concerns about emergency services or anything like that if this is approved?

MR. ZENNER: At this juncture, based on the fact that we don't know what the true impact of the development may be, it is difficult for us to indicate what emergency-service impacts or concerns may exist. Obviously, on a roadway that is this long, which we do not generally promote nor permit within our subdivision development, there is always a concern associated with access in and out, considering you have a single point. You know, the reality is is that the parcel has been this way since 1964. The roadway system, unfortunately, is in its place. We can only look at what the development will offer at the time that it comes in and then take appropriate action steps in order to ensure that fire safety and emergency accessibility to the development is adequate, but you can't really correct the roadway system that's already there without either making a connection further to the east, which was significantly resisted when the development to the east was constructed to get to Conley, and that's why we have a cul-de-sac with an emergency gate and/or we do something further to the north to where you connect some of these cul-de-sacs, which may not be practical either. So short answer, we don't know what the true impact will be until I have a set of plans sitting in front of me and then when we get it, our fire-code requirements are going to kick in in order to address the safety issues that can be addressed based on the circumstances that this parcel is currently in.

MR. LEE: Thank you.

MR. REICHLIN: Anybody else? Seeing no -- Ms. Loe?

MS. LOE: I just wanted to clarify because I do -- I appreciate the concerns being brought to our attention, so I just want to clarify that what we're discussing at this point is a parcel that's currently zoned R-3 and be -- is being subdivided into two parcels, so we're just -- we're approving that subdivision, but we're retaining the current R-3 zoning?

MR. ZENNER: That is correct, Ms. Loe.

MS. LOE: Okay.

MR. REICHLIN: Anybody else? Mr. Wheeler?

MR. WHEELER: Well, yes. Say it's -- I mean, it's -- it's already zoned. We're talking about a subdivision process, which, as -- as this speaker said, this is administrative -- an administrative function really of the P&Z Commission. Frankly, it's -- it's met all technical aspects of -- of the process and there would be no valid reason that I can think of that we wouldn't recommend approval of this, even though she's brought up a very good point that there are many concerns of many folks. I was around here when Stephens Park came in. It was agreed that the City actually asked to be allowed to count the sidewalk or the pedway within Stephens Park as their sidewalk when they were developing the park. So -- So the offset was that -- that Walnut was not improved or not widened in the sidewalk there by not putting it on the south side of Walnut, which we all thought was a pretty good idea, given the cost associated with it. But -- but, you know, it is a narrow roadway, but we are talking about something that is previously zoned and I can think of no good reason that we would not approve the subdivision.

MR. REICHLIN: Thank you, Mr. Wheeler. May we have a roll call, please.

MR. WHEELER: We have to have --

MR. STRODTMAN: We need a motion.

MR. WHEELER: Yeah.

MR. REICHLIN: May we have a motion, please. Do you want to take a stab at it?

MR. WHEELER: Well, I'd recommend approval of the -- of the applicant or the subdivision.

MR. STRODTMAN: I'll second. I'll second.

MR. REICHLIN: Roll call, please.

MR. STRODTMAN: Okay. A motion has been made and seconded for Case No 13-210, the "Hoeper Subdivision Plat 2" for a two-lot final minor subdivision. The motion has been to approve.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Stanton, Mr. Strodtman, Mr. Lee, Ms. Loe, Mr. Reichlin, Mr. Tillotson, Mr. Wheeler. Motion carries 7-0.

MR. STRODTMAN: The motion has passed and will be moved to the City Council.