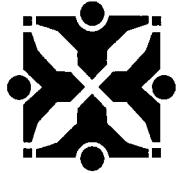


City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: B139-14

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: May 19, 2014

Re: Rock Valley, Plat V - 2-lot final plat (Case #14-59)

Documents Included With This Agenda Item

Council memo, Resolution/Ordinance, Performance Contracts

Supporting documentation includes: Summary of Board/Commission Reports, Maps, Plats and Plans, Excerpts from Minutes

Executive Summary

A request by PVL Columbia Realty, LLC (owner) for approval of a 2-lot final plat entitled "Rock Valley Plat 5". The 11.66 acre site is located north of Chapel Hill Road west of Madison Park Drive and east of Face Rock Court and is addressed as 2333 Chapel Hill Road. (Case 14-59)

Discussion

PVL Columbia Realty, LLC is seeking to divide the existing 11.66 acre parcel into two lots. The platting action is the result of two separate financing institutions being involved with the future development of the site into a continuing care retirement community (CCRC).

Proposed Lot 501 is the location of a future assisted living facility for which building plans and permits have been issued. Proposed Lot 502 will be the location of a smaller structure that will accommodate additional assisted living units as well as a skilled nursing facility. No permit application has been made for the second structure.

Access to Lot 502 has been restricted such that it must obtain its access through Lot 501. This restriction was required to ensure development of Lot 502 does not impact the future improvements to Chapel Hill Road. No additional utility easements or street rights-of-way dedications are required with this platting action.

At its May 8, 2014, meeting the Planning and Zoning Commission voted unanimously (7-0) to recommend approval of the platting action. No one from the public spoke regarding the matter.

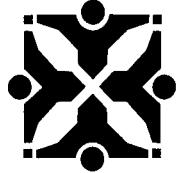
A copy of the staff report, including locator maps, a reduced copy of the plat, and meeting excerpts are attached.

Fiscal Impact

Short-Term Impact: None anticipated. Utility infrastructure placement and extension as well as

City of Columbia

701 East Broadway, Columbia, Missouri 65201



roadway/sidewalk construction are the responsibility of the developer at their expense.

Long-Term Impact: Impacts will include additional sidewalk, roadway, and utility infrastructure maintenance. Such costs will be offset by additional user fees and increased property tax revenue from improvement of the site.

Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Development, Health, Social Services and Affordable Housing

Strategic Plan Impact: Not Applicable

Comprehensive Plan Impact: Land Use & Growth Management, Livable and Sustainable Communities

Suggested Council Action

Approval of the two-lot plat as recommended by the Planning and Zoning Commission.

Legislative History

October 2013 - Approval of Rock Valley, Plat 4 (Ord. # 21853)



Department Approved



City Manager Approved

Introduced by _____

First Reading _____ Second Reading _____

Ordinance No. _____ Council Bill No. B 139-14

AN ORDINANCE

approving the Final Plat of Rock Valley Plat 5, a Replat of Lot 401 of Rock Valley Plat 4, 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 Rock Valley Plat 5, a Replat of Lot 401 of Rock Valley Plat 4, as certified and signed by the surveyor on May 8, 2014, a minor subdivision located on the north side of Chapel Hill Road and west of Madison Park Drive, containing approximately 11.66 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 PVL Columbia Realty, LLC in connection with the approval of the Final Plat of Rock Valley Plat 5. The form and content of the contract shall be substantially as set forth in "Exhibit A" attached hereto.

SECTION 4. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2014.

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 14 between the City of Columbia, MO ("City") and PVL COLUMBIA REALTY, LLC ("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 ROCK VALLEY PLAT 5, including sidewalks and all improvements and utilities shown on the plat and related construction plans, within 36 months after the City Council approves the plat.
2. If street, utility or other construction of public improvements should occur on or adjacent to land in the subdivision at the initiative of the City Council, as benefit assessment projects, Subdivider agrees to bear Subdivider's equitable and proportionate share of construction costs, as determined by such assessments.
3. No utility service connections or occupancy permits shall be issued to the Subdivider or to any other person for any structure on land in the subdivision unless and until all utilities and improvements have been constructed, erected and installed in the structure and upon the lot or lots on which the structure is situated in accordance with all applicable ordinances, rules and regulations of the City.
4. No occupancy permit shall be issued to Subdivider or any other person for any structure constructed on land in the subdivision unless the street and sidewalk adjacent to the structure have been completed in compliance with the City's Standard Street Specifications.
5. City may construct, erect or install any improvement or utility not constructed, erected or installed by Subdivider as required by this contract. City may perform such work using City employees or City may contract for performance of the work. Subdivider shall reimburse City for all costs and expenses incurred by City in connection with the construction, erection or installation of improvements and 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

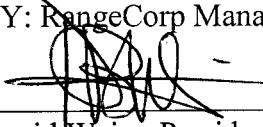
BY: _____
Mike Matthes, City Manager

ATTEST:

Sheela Amin, City Clerk

APPROVED AS TO FORM:

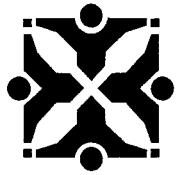
Fred Boeckmann, City Counselor

Subdivider
PVL Columbia Realty, LLC
BY: RangeCorp Management, Inc., its Manager


David Weiss, President

City of Columbia

701 East Broadway, Columbia, Missouri 65201



**SUPPORTING DOCUMENTS INCLUDED WITH
THIS AGENDA ITEM ARE AS FOLLOWS:**

Summary of Board/Commission Reports, Maps, Plats and Plans, Excerpts from Minutes

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
May 8, 2014**

SUMMARY

A request by PVL Columbia Realty, LLC (owner) for approval of a 2-lot final plat entitled "Rock Valley Plat 5". The 11.66 acre site is located north of Chapel Hill Road west of Madison Park Drive and east of Face Rock Court and is addressed as 2333 Chapel Hill Road. (Case 14-59)

DISCUSSION

The applicant is requesting approval to divide the existing 11.66 acre parcel into two lots. The existing parcel was created with the approval of Rock Valley, Plat 4. Proposed Lot 501 is the location of a future assisted living facility for which building plans and permits have been issued. Proposed Lot 502 will be the location of a smaller structure that will accommodate additional assisted living units as well as a skilled nursing facility. No permit application has been made for the second structure.

The applicant has indicated two financing institutions are involved in the development of the overall project. As such, each financing institution desires to have individual ownership interest in a portion of the overall property. The proposed subdivision will accommodate the interests of each financing institution.

Access to Lot 502 has been restricted such that it must obtain its access through Lot 501. This restriction was required to ensure development of Lot 502 does not impact the future improvements to Chapel Hill Road. No additional utility easements or street rights-of-way dedications are required with this platting action.

The plat has been reviewed by internal and external departments and agencies and is recommended for approval.

STAFF RECOMMENDATION

Approval of the proposed two-lot subdivision.

SUPPORTING DOCUMENTS

- Rock Valley Plat 4

SITE CHARACTERISTICS

Area (acres)	11.66
Address	2333 Chapel Hill Road
Topography	Sloping to the northwest
Vegetation	Generally cleared with treed areas toward northern property line
Watershed	County House Branch

SITE HISTORY

Annexation date	1964
Land Use Plan designation	Neighborhood District
Existing use(s)	Undeveloped, except for improvements on Hillcrest Road
Existing zoning	R-3 (Medium density multi-family)

UTILITIES & SERVICES

All city utilities serve the site.

ACCESS

Chapel Hill Drive	
Location	South side of site
Major Roadway Plan classification	City-maintained minor arterial. 50-foot half-width previously obtained. Sidewalk required along property's street frontage.
CIP projects	None

PARKS & RECREATION

Neighborhood Parks Plan	Closest existing City park is Twin Lakes to the southwest of site.
Trails Plan	County House Branch Trail along the northern property line
Bicycle/Pedestrian Network Plan	Urban trail/pedway – designated bike line on south side of Chapel Hill Road

Report prepared/approved by Patrick R. Zenner



14-59: Rock Valley Plat 5 Final Minor



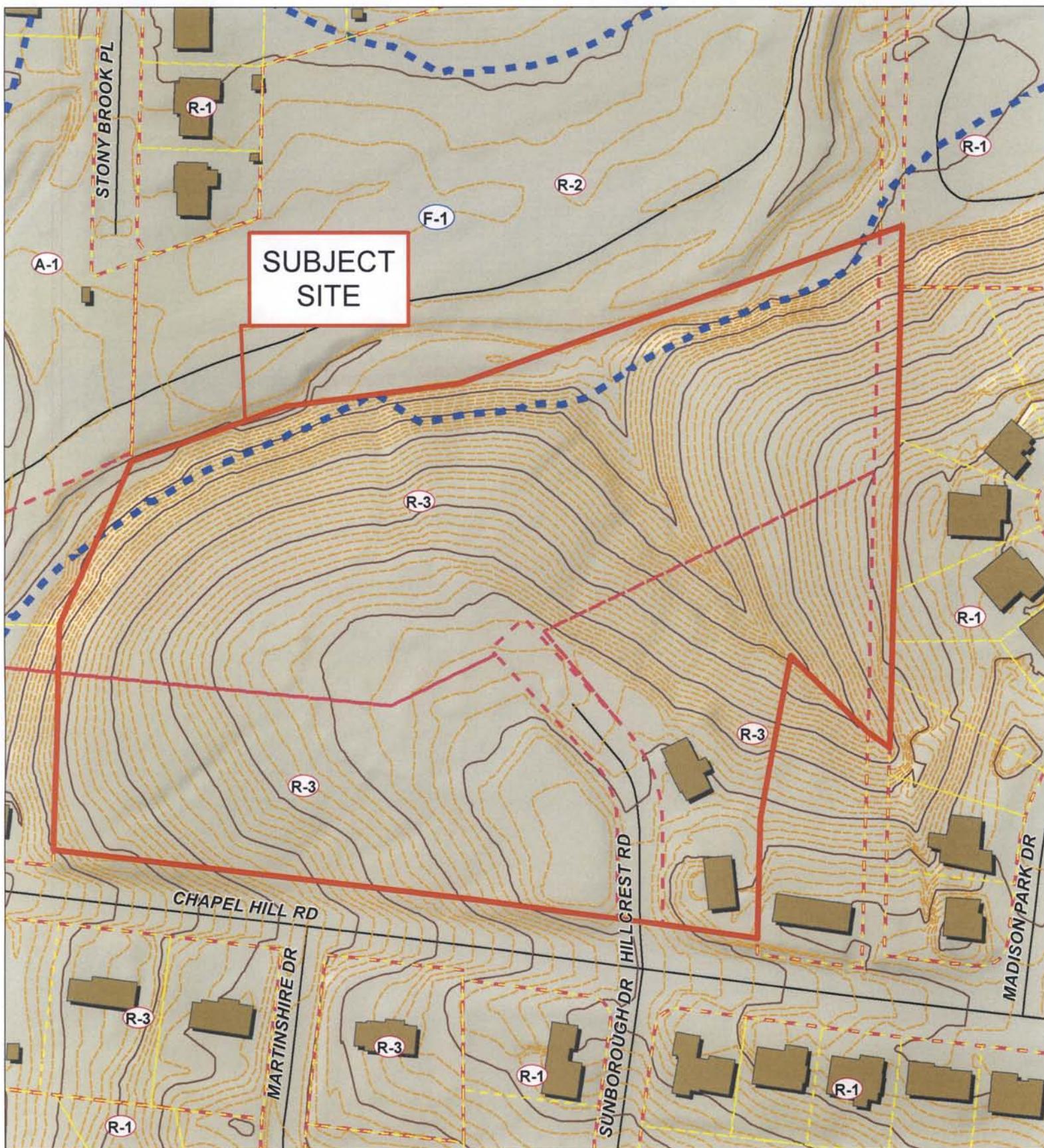
Hillshade Data: Boone County GIS Office

Parcel Data Source: Boone County Assessor

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

Created by The City of Columbia - Community Development Department

0 80 160 320
Feet



14-59: Rock Valley Plat 5 Final Minor



Hillshade Data: Boone County GIS Office

Parcel Data Source: Boone County Assessor

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

Created by The City of Columbia - Community Development Department

0 80 160 320
Feet

NOTES

1. THIS IS AN URBAN CLASS SURVEY.
2. PERMANENT MONUMENTS ARE TO BE SET AFTER STREET CONSTRUCTION IS COMPLETE.
3. ALL IRONS ARE TO BE SET AFTER CONSTRUCTION UNLESS OTHERWISE NOTED.
4. RECORD TITLE INFORMATION FOR THIS PLAT WAS PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. NCS-649025-STL, DATED: JANUARY 10, 2014.
5. SQUARE FOOTAGES ARE CALCULATED VALUES AND ARE NOT INTENDED TO REPRESENT THE PRECISION OF THE SURVEY.
6. THERE SHALL BE NO VEHICULAR ACCESS OUT OF LOT 502 FROM CHAPEL HILL. CROSS EASEMENTS SHALL BE PROVIDED FOR ACCESS TO LOT 502 THROUGH LOT 501 WITHIN THE COVENANTS AND SHALL RUN WITH THE LAND.

SCALE: 1" = 50'
0 25 50 100

BORDERS ARE REFERENCED TO THE WEST BOUNDARY LINE OF MADISON PARK PLAT 1 AS DESCRIBED IN PLAT BOOK 39, PAGE 69.
BEARING = S027°45'W

LEGEND

- IRON PIPE CAP #2001006115
- E EXISTING
- S SET
- (M) PM, PERMANENT MONUMENT
- (R) MEASURED
- (R) RECORD
- X DH, DRILL HOLE WITH CHISELED "X"
- € CENTERLINE
- [10,000] SQUARE FEET
- [1.50 AC] ACRES
- - - EXISTING FENCE
- EXISTING STONE
- IP IRON PIPE
- RB REBAR
- (C100) CURVE NUMBER

SURVEY RECORDED IN
BK 392, PG 87
(RIDGEFIELD PARK ASSOC.)

FLOOD PLAIN STATEMENT
PART OF THIS TRACT IS LOCATED WITHIN THE 100-YEAR FLOOD PLAIN AS SHOWN BY THE BOONE COUNTY FLOOD INSURANCE RATE MAP #29019C02700 AND MAP #29019C02900 DATED MARCH 17, 2011.

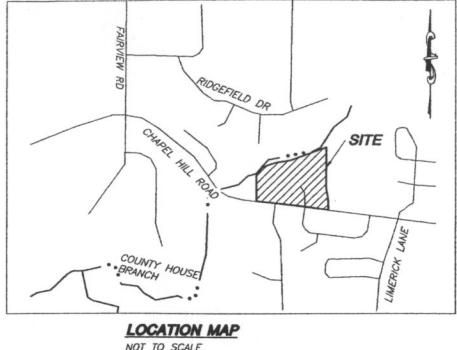
STREAM BUFFER STATEMENT
THIS TRACT IS REGULATED BY THE CITY OF COLUMBIA STREAM BUFFER ORDINANCE AS DETERMINED BY THE USGS MAP FOR COLUMBIA QUADRANGLE, BOONE COUNTY, MISSOURI. A STREAM BUFFER HAS BEEN PROVIDED FOR THE TYPE-1 STREAM, COUNTY HOUSE BRANCH, WITH ADJACENT SLOPES GREATER THAN 15% GRADE.

FINAL MINOR PLAT

ROCK VALLEY PLAT 5

A REPLAT OF LOT 401 OF ROCK VALLEY PLAT 4 AS RECORDED IN PLAT BOOK 47, PAGE 58

MARCH 31, 2014



KNOW ALL MEN BY THESE PRESENTS

PVL COLUMBIA REALTY, LLC BEING SOLE OWNER OF THE BELOW DESCRIBED TRACT, HAS CAUSED THE SAME TO BE SUBDIVIDED AS SHOWN ON THIS PLAT.

IN WITNESS WHEREOF, PVL COLUMBIA REALTY, LLC 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.

PVL COLUMBIA REALTY, LLC

RANGECORP MANAGEMENT, INC., MANAGER OF PVL COLUMBIA REALTY, LLC

BY: DAVID B. WEISS, PRESIDENT OF RANGECORP MANAGEMENT, INC.

STATE OF MISSOURI
COUNTY OF _____ ss

ON THIS DAY OF May, IN THE YEAR 2014, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED DAVID B. WEISS, PRESIDENT OF RANGECORP MANAGEMENT, INC., MANAGER OF PVL COLUMBIA REALTY, LLC, WHO BEING BY ME DULY SWORN, ACKNOWLEDGED THAT THEY ARE THE MANAGING MEMBER OF PVL COLUMBIA REALTY, 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
MY COMMISSION EXPIRES

CERTIFICATION

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 48 NORTH, RANGE 13 WEST, IN THE CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, AND BEING ALL OF THE TRACTS 1 AND 4 THE SURVEY RECORDED IN BK 316, PG 218, AS DESCRIBED IN THE PLAT DEED ORDERED BY BOOK 3788, PAGE 75; ALSO BEING PART OF THE SURVEY RECORDED IN BOOK 1036, PAGE 89 AND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 4086, PAGE 147; ALL OF THE BOONE COUNTY RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE CENTERLINE OF CHAPEL HILL ROAD N83°24'40"W, 142.40 FEET; THENCE N02°37'40"E, 50.27 FEET TO THE POINT OF BEGINNING; THENCE N83°24'40"W, 317.64 FEET; THENCE N84°26'55"S, 470.33 FEET; THENCE N00°29'30"E, 247.44 FEET; THENCE N22°46'10"E, 197.67 FEET; THENCE N80°34'15"E, 181.80 FEET; THENCE N81°24'15"E, 194.23 FEET; THENCE N69°36'50"E, 523.17 FEET; THENCE N02°27'45"W, 573.94 FEET; THENCE N54°50'40"W, 30.41 FEET; THENCE N46°45'40"W, 120.30 FEET; THENCE S09°17'55"W, 180.60 FEET; THENCE S00°37'40"W, 134.15 FEET TO THE POINT OF BEGINNING AND CONTAINING 11.66 ACRES.

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

SURVEY AND PLAT BY
A CIVIL GROUP

JAY GEBHARDT
L.S. 2001001909
5/8/14
DATE

STATE OF MISSOURI
COUNTY OF BOONE ss
SUBSCRIBED AND AFFIRMED BEFORE ME THIS 8th DAY
OF MAY, 2014.

Spencer Hashamp
Signature

NOTARY PUBLIC
MY COMMISSION EXPIRES JULY 11, 2015.



A CIVIL GROUP
CIVIL ENGINEERING - PLANNING - SURVEYING
3401 BROADWAY BUSINESS PARK COURT
SUITE 105
COLUMBIA, MO 65203
PH: (573) 817-5750, FAX: (573) 817-1677
MISSOURI CERTIFICATE OF AUTHORITY: 2001006115
PLU14-01

ACCEPTED BY ORDINANCE OF THE CITY COUNCIL OF COLUMBIA
THIS ____ DAY OF _____, 2014.

APPROVED BY THE CITY OF COLUMBIA PLANNING AND
ZONING COMMISSION THIS ____ DAY OF _____, 2014.

ROBERT McDAVID, MAYOR

SHEELA AMIN, CITY CLERK

DR. RAMAN PURI, CHAIRPERSON

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
MAY 8, 2014

Case No. 14-59

A request by PVL Columbia Realty, LLC (owner) for approval of a two-lot final plat entitled "Rock Valley Plat 5." The 11.66 acre site is located north of Chapel Hill Road west of Madison Park Drive and east of Face Rock Court and is addressed as 2333 Chapel Hill Road.

Dr. PURI: Staff report, please.

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

DR. PURI: Commissioners, any questions of the staff? Mr. Lee?

MR. LEE: Mr. Zenner, it's not noted on this map. Which one is 501 and which is 502?

MR. ZENNER: Lot 502 is here. It's the one that is closest to Madison Park, also the smallest of the two lots. And then Lot 501 is the largest.

MR. LEE: Okay. Thank you.

MR. STRODTMAN: I have a question.

DR. PURI: Mr. Strodtman?

MR. STRODTMAN: Did you say that the Hillcrest Road, would that be maintained for -- how did you explain it?

MR. ZENNER: Hillcrest Road, in essence, no longer exists, so that was vacated as part of the original platting action. What we have is this notch. Here's Hillcrest Road as it existed originally, so this is -- this intersection now has been eliminated and the new entrance as permitted with the five -- Lot 501 improvements is more over -- if I recall correctly, it's more over in this area right in here. The notch actually is not, if I recall correctly, the access. The access comes right up in this particular area.

MR. STRODTMAN: And then to access 502, it would be off that same --

MR. ZENNER: It would -- yes.

MR. STRODTMAN: So there would be one for both lots.

MR. ZENNER: One access.

MR. STRODTMAN: Okay. Thank you.

MR. ZENNER: And there is a loop that goes around the back of the buildings in order to provide back access for fire and other emergency access services based on the site plan.

DR. PURI: Mr. Wheeler?

MR. WHEELER: Does -- will this new roadway align with Martinshire then?

MR. ZENNER: No, it does not. And, actually, that was a comment that was made during the plat review of this by our traffic engineers. Martinshire is here and this particular roadway is almost in the middle of Martinshire and -- what is that -- Sunborough. It is not directly aligned. And, quite honestly, there was a -- as many of you are probably aware in this particular area, there's a vertical curve

associated with this. The distance in the spacing, according to our traffic engineers, it meets it, and I believe we have representatives potentially here from the development firm, Cody Darr, with A Civil is here to maybe to speak to that more definitively, but our traffic engineer said it was okay. And all things being equal, they probably would have wanted it to align, but based on some grade differences between the developed site or the developing site and what we have out in the field, it just didn't make sense.

MR. WHEELER: Thank you.

DR. PURI: Mr. Lee?

MR. LEE: Mr. Zenner, will this be -- ingress and egress will be both east and west? It's not a right-in/right-out?

MR. ZENNER: Yeah. That is correct. It is two-way, so you can go east and west on Chapel Hill.

MR. LEE: Okay. Thank you.

MR. ZENNER: Full access.

DR. PURI: Ms. Burns?

MS. BURNS: Did the applicant do any type of traffic study with the idea of what type of traffic flow would be generated by this development?

MR. ZENNER: My recollection was, no, there was not. This is an assisted living facility, which it should have extremely low traffic flow at best. I mean, we probably have more potentially emergency vehicles coming in and out, and it -- it's a pretty stable environment. The road rights-of-way that were required during the original platting were based upon the maximums necessary for the expansion of Chapel Hill. That was something that we were very insistent on at the time of original platting back in 2013 when we platted the property originally.

MS. BURNS: Thank you.

DR. PURI: Commissioners, any other questions? Mr. Lee?

MR. LEE: I would make a recommendation we approve the plat of Case No. 14-59.

MR. STRODTMAN: I'll second.

DR. PURI: Mr. Strodtman seconds. May we have roll call?

MR. STRODTMAN: Yes, sir. This is for item 14-59, recommend approval of plat.

Roll Call Vote (Voting “yes” is to recommend approval.) Voting Yes: Mr. Tillotson, Mr. Wheeler, Ms. Burns, Mr. Lee, Dr. Puri, Mr. Stanton, Mr. Strodtman. Motion carries 7-0.

V) PUBLIC HEARINGS

DR. PURI: All right. The public hearing portion of our agenda today.