



A CIVIL GROUP

CIVIL ENGINEERING - PLANNING - SURVEYING

February 13, 2023

Tim Teddy, Director
Community Development
City of Columbia
Columbia, Missouri 65203

Re: Revision to the overall Statement of Intent to Crosscreek Center

Dear Mr. Teddy,

I would like to request a revision to the Statement of Intent for the overall development of Crosscreek Center to correct a situation caused by the private covenants for Crosscreek Center. I have tabled the current Hotel project on Lot 108A at City Council to the May 1st meeting to allow this proposed revision to catch up with the approval of that plan.

Crosscreek Center has Private covenants that assigns the original total maximum 580,000 Square feet of building area to each lot. The proposed Hotel Site on Lot 108A was assigned 8,000 square feet.

The city regulates the total building area, which has not been exceeded by the proposed Hotel. However, the city does not regulate private covenants. We recently became aware that the private covenants allocated the original 580,000 square feet to each lot using the best information available at that time. Unfortunately, the best information at that time was the original plan for Lot 108A which showed a possible restaurant of 8,000 sq. ft. Due to this plan which was always known as a fictitious plan, the covenants assigned this lot 8,000 sq. ft. Due to this private covenant, the best way to create more area on each lot was to raise the total for the whole development. This was done in an attempt to prevent any one lot owner using area assigned to another lot.

The proposed Hotel on Lot 108A is a four-story building with an area of approximately 50,000 square feet. I would need to raise the total area for Crosscreek Center Statement of Intent by 42,000 sq. ft. Through this it has also come to my attention that Lot 105 has exceeded the covenant's allocated amount by approximately 10,000 sq. ft. I believe it in the best interest of the City to correct this issue while we are correcting it for Lot 108A. If you do not agree, please let me know and we will revise and reduce our request to include only Lot 108A.

The total building area of 580,000 sq. ft. has not and would not have exceeded with the proposed plan for the hotel on Lot 108A and the existing building on Lot 105. Essentially this is because of the Domain Apartments on Lot 110 were built rather than the originally proposed Toyota Dealership. Our calculations show that with the proposed hotel on Lot 108A; the total building areas within the development is 568,650 sq. ft.

The purpose of the original total area limit was due to environmental concerns with the total impervious area. We can show that the total impervious area is not being exceeded, and is actually being reduced even with the increase in total square feet of building area. This is due to several factors but mainly the 2, 3 and 4 story buildings that have been built to date and the 4-story proposed on Lot 108A. Our calculations show that the total impervious area with the proposed hotel is 36% which is a reduction from the original plan approval for the development by 9 %.

Our request is due to the private covenants, which states an allocated amount for each lot. The covenants provide the best way to increase the area allocated to each lot is to go the City Council with a revision to the overall Statement of Intent. We have a plan amendment for Lot 108A that was recommended for approval by the Planning and Zoning Commission, and my client tabled at Council when this issued came to light.

The above is the background and reason for our request of a very narrow change to the overall Statement of Intent for Cross Creek Center. The only revision being proposed is to increase the total building area within the development by 52,000 sq. ft. for a new total building area of 632,000 sq. ft. This will allow the project for the Hotel to move forward.

I believe this request is sufficiently different than the normal requests to the Statement of Intent that it does not fit into the standard forms typically used by the department for a Statement of Intent. I would like to make this request and then meet with and work with your staff to provide the information they need to present the case to the Planning and Zoning Commission and the City Council.

If you have any questions, please let me know,

Sincerely,

A Civil Group. LLC

A handwritten signature in black ink, appearing to read "Jay Gebhardt", with a large, sweeping flourish extending to the left.

Jay Gebhardt, PE, PLS