City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: B 191-14

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: July 7, 2014

Re: Oak Park Plat 5 - replat (Case # 14-92)

Documents Included With This Agenda Item

Council Memo, Resolution/Ordinance, Exhibits to Ordinance

Supporting documentation includes: Maps, Plat

Executive Summary

A request by A Civil Group (applicant) on behalf of Beacon Street Properties (owner) for approval of a twelve-lot replat of R-1 (One-Family Dwelling) zoned property, to be known as "Oak Park Plat 5". The 3.8-acre subject site is located at the southwest corner of the intersection of S. High Point Lane and Route K. (Case #14-92)

Discussion

The applicant is requesting to replat a portion of the previously approved Oak Park Plat 4 in order to facilitate the relocation of right of way (currently a portion of Nottoway Drive) to the north approximately 300 feet from its current location. The right of way to be relocated serves as an access point into the Oak Park Subdivision from High Point Lane and is sought to be vacated and relocated (Case # 14-91) due to a conflict between its location and a Boone Electric utility line located along High Point Lane. The relocation of the electric line is not possible due to costs so the vacation and relocation of the existing connection, not yet constructed, would alleviate the conflict.

The plat for Oak Park Plat 5 will dedicate the right of way to replace that which is sought to be vacated per Case #14-91. The dedication of the new right of way (Homestead Lane) will ensure access is maintained between the Oak Park Subdivision and High Point Lane, which is vital to provide safe and efficient access to the development. The new right of way will be approximately located where Lot 426 of Oak Park Plat 4 is currently located, and the vacated right of way will become part of platted lots within the subdivision. Additional right of way is to be dedicated at the intersection of Nottoway Drive and Pemberton Drive to accommodate the new dimensions of the roadway resulting from it no longer being connected directly to High Point. The total number of lots within the subdivision will not change as a result of the re-platting and relocation/vacation of the right of way.

Staff has reviewed the request and finds that it meets all technical requirements.

Locator and topographic maps and a reduced copy of the final plat is attached.

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Fiscal Impact

Short-Term Impact: None. Long-Term Impact: None.

Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Not Applicable

Strategic Plan Impact: Not Applicable

Comprehensive Plan Impact: Not Applicable

Suggested Council Action

Approval of Oak Park Plat 5 final plat

Legislative History

Ordinance 21442 (9/17/12): Approved final plat of Oak Park Plat 4

Ordinance 18257 (10/4/04): Approved annexation

Department Approved

City Manager Approved

Introduced by	
First Reading	Second Reading
Ordinance No	Council Bill No <u>B 191-14</u>
AN	I ORDINANCE
Oak Park Plat 4; acceptir	of Oak Park Plat 5, a Replat of Part of ing the dedication of rights-of-way and a performance contract; and fixing the e shall become effective.
BE IT ORDAINED BY THE COUNCIL FOLLOWS:	L OF THE CITY OF COLUMBIA, MISSOURI, AS
Replat of Part of Oak Park Plat 4, as ce a subdivision located on the southwest approximately 3.80 acres in the City of	nereby approves the Final Plat of Oak Park Plat 5, a rtified and signed by the surveyor on June 17, 2014, corner of High Point Lane and Route K, containing of Columbia, Boone County, Missouri, and hereby City Clerk to sign the plat evidencing such approval.
SECTION 2. The City Council h easements as dedicated upon the plat	ereby accepts the dedication of all rights-of-way and
contract with Beacon Street Properties	r is hereby authorized to execute a performance s, LLC in connection with the approval of the Final content of the contract shall be substantially as set
SECTION 4. This ordinance sl passage.	hall be in full force and effect from and after its
PASSED this day of _	, 2014.
ATTEST:	
City Clerk APPROVED AS TO FORM:	Mayor and Presiding Officer
City Counselor	

PERFORMANCE CONTRACT

Thi	s contract is entered into on this _	day of	, 20 14 between the
City of ("Subdivid	Columbia, MO ("City") an	d BEACON STRE	ET PROPERTIES, LLC _
Cit	y and Subdivider agree as follows	:	
sidewalks a	Subdivider shall construct, erec with the final plat of OAK and all improvements and utilities s after the City Council approves the	PARK PLAT 5hown on the plat and re	, including
projects, Su	If street, utility or other constant in the subdivision at the inabdivider agrees to bear Subdividentermined by such assessments.	nitiative of the City C	
improveme	ther person for any structure on land the nts have been constructed, erected the structure is situated in accordance	nd in the subdivision u l and installed in the st	ructure and upon the lot or lots
	No occupancy permit shall lonstructed on land in the subdiviewe been completed in compliance	sion unless the street	

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 an 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.

City may construct, erect or install any improvement or utility not constructed,

5.

- 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	
	Subdividan

BY: Scott firming.
SCOTT LINNEMEYER

City of Columbia

701 East Broadway, Columbia, Missouri 65201



SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

Maps, Plat



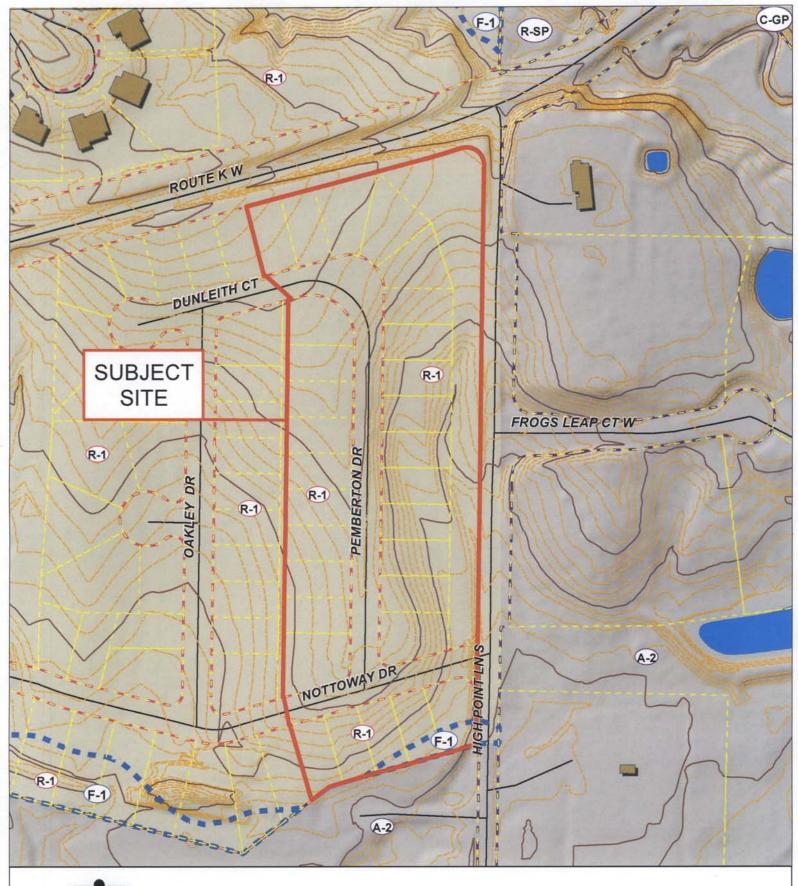


14-92: Oak Park Plat 5 Replat

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









14-92: Oak Park Plat 5 Replat

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Created by The City of Columbia - Community Development Department





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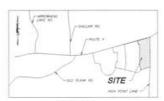
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REPLAT DAK PARK PLAT 5

A REPLAT OF PART OF DAK PARK PLAT 4 MAY 12, 2014



LOCATION MAP

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CIVIL ENGINEERING -PLANNING - SURVEYING
3401 SEDANWAY BUSINESS PARK COUNT

COLUMBA, MO 6520

PH: (572) 817-5750, FAX: 1573 817-1627

MISSOURI CERTRICATE OF AUTHORITY: 2001006115