

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

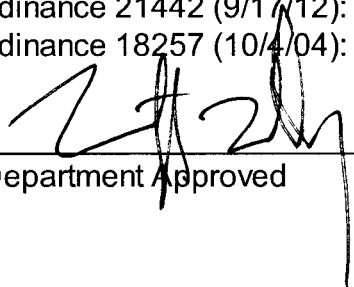
Suggested Council Action

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. B 191-14

AN ORDINANCE

approving the Final Plat of Oak Park Plat 5, a Replat of Part of Oak Park Plat 4; 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 Oak Park Plat 5, a Replat of Part of Oak Park Plat 4, as certified and signed by the surveyor on June 17, 2014, a subdivision located on the southwest corner of High Point Lane and Route K, containing approximately 3.80 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 Beacon Street Properties, LLC in connection with the approval of the Final Plat of Oak Park 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 BEACON STREET PROPERTIES, 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 OAK PARK 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 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:

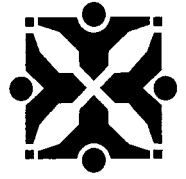
Sheela Amin, City Clerk

APPROVED AS TO FORM:

Fred Boeckmann, City Counselor

Subdivider

BY: Scott Linnemeyer
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SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

Maps, Plat



14-92: Oak Park Plat 5 Replat





14-92: Oak Park Plat 5 Replat



