

City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: B 349-14

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: November 17, 2014

Re: Linkside at Old Hawthorne Plat 2 - final major plat (#14-90)

Documents Included With This Agenda Item

Council Memo, Resolution/Ordinance, Exhibits to Ordinance

Supporting documentation includes: Plats and Plans

Executive Summary

A request by A Civil Group (agent) on behalf of Hurdle Investments, LLC (owners) for approval of a 79-lot replat of PUD-6 (Planned Unit Development) zoned property, to be known as "Linkside at Old Hawthorne Plat 2". The 14.49-acre subject site is located approximately 800 feet north of Route WW, east of Linkside Drive and west of Old Hawthorne Drive East. (Case #14-90)

Discussion

The applicant is requesting a replat of an existing subdivision in order to reflect the lot layout shown on the PUD Development Plan, which was approved in 2008. In 2009, the City approved a final plat that divided the property into three large common lots, with the intent to replat the property into smaller, buildable lots once demand precipitated construction within the subdivision.

The plat has been delayed due to a request by the applicant to vacate portions of a water line easement that benefits the Public Water Supply District (PWSD) #9. Portions of the easement have now been vacated by PWSD #9, and they approve of the final plat as presented.

Staff finds that the submitted plat substantially conforms with the current PUD Development Plan (which serves as the preliminary plat), and meets all technical zoning and subdivision requirements.

Fiscal Impact

Short-Term Impact: None.

Long-Term Impact: None.

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Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Not Applicable

Strategic Plan Impact: Not Applicable

Comprehensive Plan Impact: Not Applicable

Suggested Council Action

Approval of the final plat for "Linkside at Old Hawthorne Plat 2".

Legislative History

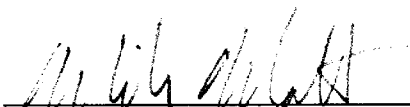
Ord. #20188 (2/16/09): Approved "Linkside at Old Hawthorne Plat 1"

Ord. #20054 (9/15/08): Approved "Linkside at Old Hawthorne" PUD Development Plan

Ord. #18558 (7/5/05): Approved annexation and rezoning to PUD-6



Department Approved



City Manager Approved

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 349-14

AN ORDINANCE

approving the Final Plat of Linkside at Old Hawthorne Plat 2, a Replat of Linkside at Old Hawthorne Plat 1, a subdivision located north of Route WW and on the west side of Old Hawthorne Drive East; 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 Linkside at Old Hawthorne Plat 2, a Replat of Linkside at Old Hawthorne Plat 1, as certified and signed by the surveyor on October 22, 2014, a subdivision located north of Route WW and on the west side of Old Hawthorne Drive East, containing approximately 14.49 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 Hurdle Investments, LLC in connection with the approval of the Final Plat of Linkside at Old Hawthorne 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 _____, 2014.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

PERFORMANCE CONTRACT

This contract is entered into on this 28th day of July, 2014 between the City of Columbia, MO ("City") and HURDLE INVESTMENTS, 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 LINKSIDE AT OLD HAWTHORNE 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

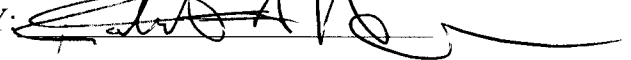
ATTEST:

Sheela Amin, City Clerk

APPROVED AS TO FORM:

Nancy Thompson, City Counselor

Subdivider _____

BY: 



SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

Plats and Plans

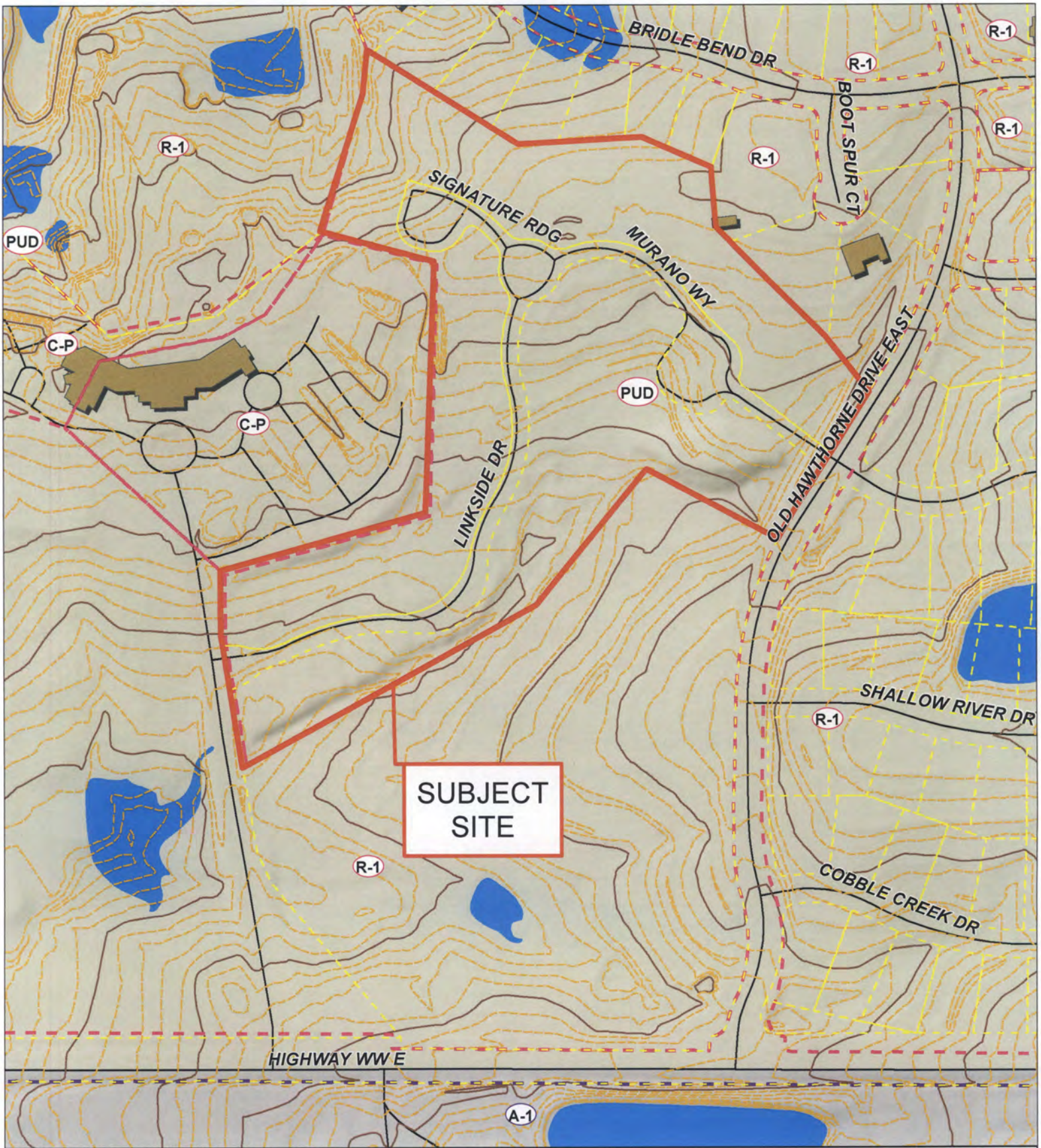


14-90: Linkside at Old Hawthorne Plat 2 Final Major Replat



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

0 130 260 520
 Feet



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