

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 106-14

AN ORDINANCE

approving the Final Plat of Bedford Walk – Plat 9, a major 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 Bedford Walk – Plat 9, as certified and signed by the surveyor on April 1, 2014, a major subdivision located on the southwest corner of Nifong Boulevard and Bethel Street, containing approximately 7.99 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 The Village of Bedford Walk, LLC in connection with the approval of the Final Plat of Bedford Walk – Plat 9. 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 FEBRUARY, 2014 between the City of Columbia, MO ("City") and THE VILLAGE OF BEDFORD WALK 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 BEDFORD WALK - PLAT 9, 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

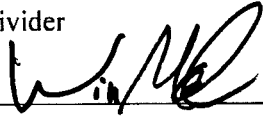
ATTEST:

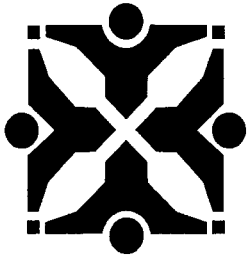
Sheela Amin, City Clerk

APPROVED AS TO FORM:

Nancy Thompson, City Counselor

Subdivider

BY:  _____



Source: Community Development - Planning

Agenda Item No:

To: City Council
From: City Manager and Staff

Council Meeting Date: Apr 21, 2014

Re: Bedford Walk Plat 9 - Final Major Plat (Case #14-34)

EXECUTIVE SUMMARY:

A request by Fred Carroz, Engineering Surveys & Services (agent) on behalf of The Village of Bedford Walk, LLC (owner) for approval of a one-lot final major plat on PUD (Planned Unit Development) zoned land, to be known as "Bedford Walk, Plat 9". The 7.77-acre subject site is located on the southwest corner of Nifong Boulevard and Bethel Street. (Case #14-34)

DISCUSSION:

The applicant is requesting approval of a one-lot plat on PUD (Planned Unit Development) zoned land in advance of future development as a senior housing community. The proposed plat is substantially consistent with the Bedford Walk Plat 9 PUD development plan, which was approved by Council on February 3, 2014 and permits single-family detached dwellings and multi-family dwellings, with an overall maximum density of 14 dwelling units per acre. The plat includes the required dedication of additional right of way along both Nifong Boulevard and Bethel Street, as well as sidewalk and conservation easements identified at the time the PUD development plan was approved.

The plat has been reviewed by City departments and external agencies, and meets all applicable requirements of the City's Zoning and Subdivision Regulations. Locator maps, a reduced copy of the plat, and performance contracts are attached.

FISCAL IMPACT:

None

VISION IMPACT:

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

None

SUGGESTED COUNCIL ACTIONS:

Approval of the plat.

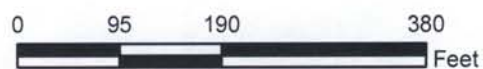
FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$0.00	Duplicates/Expands an existing program?	No	Vision Implementation impact	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	No
One Time	\$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	NA
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	NA
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	NA



14-34: Bedford Walk Plat 9 Final Major



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





A horizontal number line is shown with tick marks at 0, 95, 190, and 380. The word "Feet" is written at the right end of the line. The segment between 95 and 190 is shaded gray.

BEDFORD WALK - PLAT 9

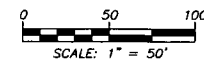
FINAL PLAT
April 1, 2014



SITE LOCATION MAP
NOT TO SCALE

MONUMENT LEGEND

⊕ IRON
S SET
F FOUND



BEARINGS ARE REFERENCED TO THE
LINES OF BEDFORD WALK PLAT 8

A SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 35 T48N R13W, IN COLUMBIA, BOONE COUNTY, MISSOURI, BEING TRACT 28 OF A SURVEY RECORDED IN BOOK 1266 PAGE 805, ALSO BEING THE TRACT DESCRIBED BY WARRANTY DEED RECORDED IN BOOK 4273 PAGE 80, CONTAINING 7.99 ACRES.

THIS TRACT IS SUBJECT TO A DRAINAGE EASEMENT RECORDED IN BOOK 525 PAGE 743 AND A UTILITY EASEMENT RECORDED IN 1528 PAGE 445.

THIS URBAN PROPERTY HAS BEEN SURVEYED AND SUBDIVIDED IN ACCORDANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

BY:
ENGINEERING SURVEYS & SERVICES
MISSOURI L.S. CORP. #2004004672
1113 FAY STREET
COLUMBIA, MO 65201
PHONE: (573) 449-2646
EMAIL: FCARROZ@ESS-INC.COM



FREDERICK E. CARROZ III
PROFESSIONAL LAND SURVEYOR
PLS - 2008016655

THIS DOCUMENT WAS INTENDED TO BE DIGITALLY SIGNED. IF SIGNATURE AND VALIDATION ARE NOT PRESENT THIS MEDIA SHOULD NOT BE CONSIDERED A CERTIFIED DOCUMENT.

STATE OF MISSOURI } SS
COUNTY OF BOONE }

ON THIS _____ DAY OF _____, 2014 BEFORE ME PERSONALLY APPEARED FREDERICK E. CARROZ III TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.
IN TESTIMONY WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL AT MY OFFICE IN SAID COUNTY AND STATE, THE DAY AND YEAR FIRST ABOVE WRITTEN.
MY TERM EXPIRES DECEMBER 6, 2015.

JOSHUA D. LEHMEN, NOTARY PUBLIC

KNOW ALL MEN BY THESE PRESENTS: THAT, THE VILLAGE OF BEDFORD WALK, LLC BEING THE SOLE OWNER OF THE ABOVE DESCRIBED TRACT, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO ONE LOT AS SHOWN ON THE PLAT. ADDITIONAL LAND FOR RIGHT-OF-WAY FOR NIFONG BOULEVARD AND ADDITIONAL LAND FOR RIGHT-OF-WAY FOR BETHEL STREET, LOCATED AS SHOWN ON THE PLAT, IS HEREBY DEDICATED TO THE CITY OF COLUMBIA FOR PUBLIC USE FOREVER. UTILITY EASEMENTS, SIDEWALK EASEMENTS, & CONSERVATION EASEMENTS, LOCATED AS SHOWN ON THE PLAT, ARE HEREBY DEDICATED TO THE CITY OF COLUMBIA FOR PUBLIC USE FOREVER.

THE VILLAGE OF BEDFORD WALK, LLC

WILL MARKEL, VICE PRESIDENT

STATE OF MISSOURI } SS
COUNTY OF _____ }
ON THIS _____ DAY OF _____, 2014 BEFORE ME APPEARED WILL MARKEL TO ME PERSONALLY KNOWN, WHO, BEING BY ME DULY SWORN DID SAY THAT HE IS A VICE PRESIDENT OF THE VILLAGE OF BEDFORD WALK, LLC, A MISSOURI LIMITED LIABILITY COMPANY AND THAT SAID INSTRUMENT WAS SIGNED IN BEHALF OF SAID LIMITED LIABILITY COMPANY AND THE SAID WILL MARKEL ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID LIMITED LIABILITY COMPANY.
IN TESTIMONY WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL AT MY OFFICE IN SAID COUNTY AND STATE, THE DAY AND YEAR FIRST ABOVE WRITTEN.
MY TERM EXPIRES _____

_____, NOTARY PUBLIC

NOTES
THIS TRACT IS NOT REGULATED BY THE CITY OF COLUMBIA STREAM BUFFER ORDINANCE AS DETERMINED BY THE USGS MAP FOR COLUMBIA QUADRANGLE, BOONE COUNTY, MISSOURI AND ARTICLE X OF CHAPTER 12A OF THE CITY OF COLUMBIA CODE OF ORDINANCES.

THIS PROPERTY IS LOCATED IN ZONE "X" AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN BY FLOOD INSURANCE RATE MAP NUMBER 29019C02900, DATED MARCH 17, 2011.

ACCEPTED BY ORDINANCE OF THE CITY COUNCIL OF COLUMBIA, MISSOURI, THIS 5TH DAY OF MAY, 2014.

ROBERT MCDAVID, MAYOR

ATTEST: SHEELA AMIN, CITY CLERK

