

City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: B 280-14

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: September 2, 2014

Re: Old Hawthorne, Plat No. 12 - Final Plat (Case #14-133)

Documents Included With This Agenda Item

Council memo, Resolution/Ordinance, Exhibits to Resolution/Ordinance

Supporting documentation includes: Maps, Plats and Plans

Executive Summary

If approved, an additional 33 single-family lots that are zoned R-1 (One-family Dwelling) will be created within the Old Hawthorne development and become known as "Old Hawthorne, Plat No. 12". The 14.74-acre subject site is located at the northwest corner of State Route WW and Old Hawthorne Drive East. (Case #14-133)

Discussion

The applicant is requesting approval of a 33-lot plat on R-1 (One-family Dwelling District) zoned land to accommodate the construction of 33 single-family detached houses. The plat is a phase of the Old Hawthorne development, and is included in the preliminary plat for Old Hawthorne that was approved in 2005. The subject property is one of the last remaining unplatted R-1 properties within the development.

Staff notes that the final plat satisfies two requirements from the development agreement associated with the subject property - the dedication of additional right of way along State Route WW for future road expansion and a provision of a 10-foot wide easement for walking trails/pedways along the south boundary of the property.

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

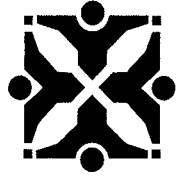
Fiscal Impact

Short-Term Impact: Limited short term impact at this time. Once residential development begins, the City of Columbia will receive additional tax and fee revenues for maintenance of infrastructure and services provided.

Long-Term Impact: Anticipated long-term costs include public infrastructure maintenance (e.g roads and sewer) and demands for services (e.g. public safety).

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Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Development

Strategic Plan Impact: Growth Management

Comprehensive Plan Impact: Not Applicable

Suggested Council Action

Approval of the final plat for "Old Hawthorne, Plat No. 12.


Legislative History

Resolution #223-05 (10/3/05): Approved "Old Hawthorne" preliminary plat

Ordinance #18558 (7/5/05): Approved annexation and rezoning to R-1.



Department Approved



City Manager Approved

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 280-14

AN ORDINANCE

approving the Final Plat of Old Hawthorne, Plat No. 12, 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 Old Hawthorne, Plat No. 12, as certified and signed by the surveyor on August 22, 2014, a major subdivision located on the northwest corner of State Route WW and Old Hawthorne Drive East, containing approximately 14.74 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 Old Hawthorne Development, LLC in connection with the approval of the Final Plat of Old Hawthorne, Plat No. 12. 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 _____, 2014 between the City of Columbia, MO (“City”) and **Old Hawthorne Development, 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 **Old Hawthorne, Plat No. 12**, 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 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 the 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 the 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 WHERE OF, 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

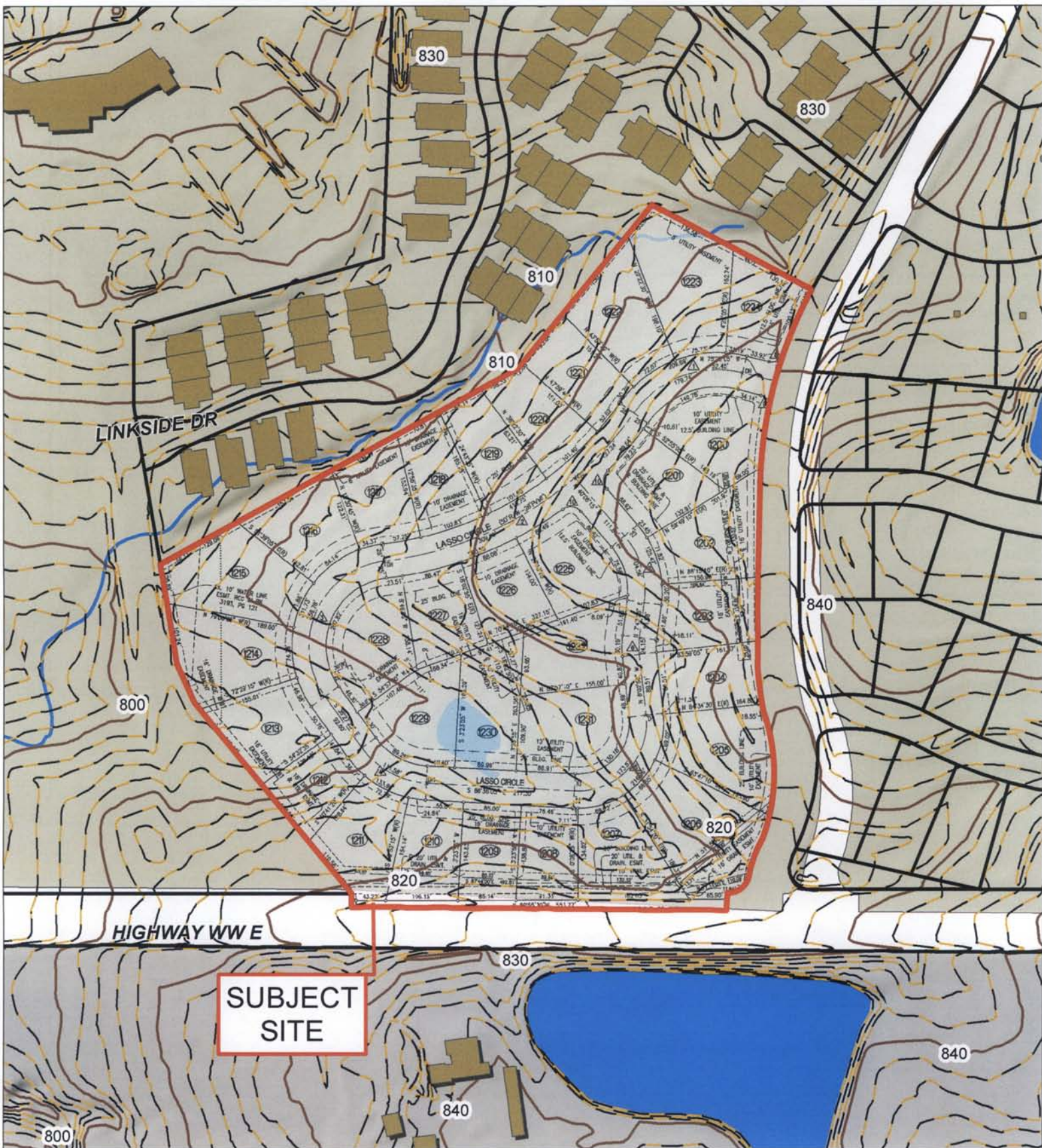
Old Hawthorne Development, LLC.

BY: _____




SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

Maps, Plats and Plans



14-133: Old Hawthorne Plat 12 Final Major



- 10 Foot Contour Lines Parcels — Stream
- 2 Foot Contour Lines Building Footprint



14-133: Old Hawthorne Plat 12 Final Major



City of Columbia Zoning



Parcels

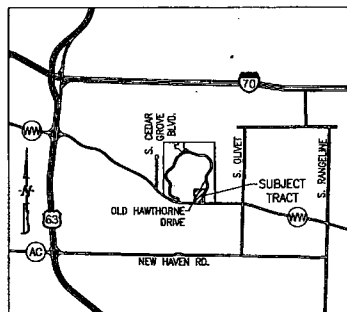


Columbia City Limit

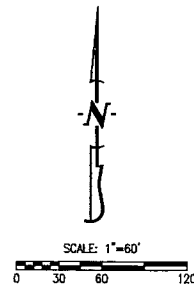


Boone County Zoning





LOCATION MAP
NOT TO SCALE



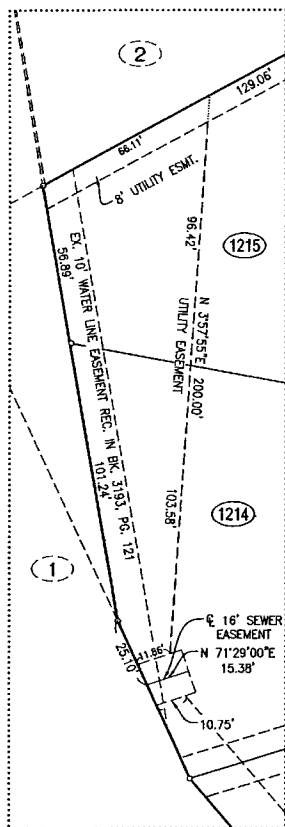
BEARINGS ARE REFERENCED TO GRID
NORTH, OF THE MISSOURI STATE PLANE
COORDINATE SYSTEM (CENTRAL ZONE),
OBTAINED FROM GPS OBSERVATION.

LEGEND:

- E EXISTING
- S SET
- SET 1/2" IRON PIPE
(UNLESS NOTED OTHERWISE)
- ⊙ PERMANENT MONUMENT
- (M) MEASURED DISTANCE
- (REC) RECORDED DISTANCE
- (R) RADIAL LINE
- DH X DRILL HOLE
- W/ CHISELED X

NOTES:

- THIS TRACT IS NOT LOCATED IN THE 100-YEAR FLOOD PLAIN AS SHOWN BY BOONE COUNTY FLOOD PLAIN MAP #2901900325D, DATED: MARCH 17, 2011.
- THIS SURVEY CONFORMS TO THE ACCURACY STANDARDS FOR URBAN PROPERTY AS DEFINED BY MISSOURI BOARD RULE 20 CSR 2030-16.040(2)(A).
- OLD HAWTHORNE DRIVE HAS BEEN DEDICATED AS PART OF OLD HAWTHORNE, PLAT NO. 1.
- A CURRENT TITLE COMMITMENT WAS NOT PROVIDED FOR THIS SURVEY.
- THIS TRACT IS NOT REGULATED BY THE STREAM BUFFER REQUIREMENTS IN SECTION 12A-230, ARTICLE X OF THE CITY OF COLUMBIA CODE OF ORDINANCES. (MILLERSBURG QUADRANGLE)
- ALL MONUMENTS WILL BE SET AFTER CONSTRUCTION OF STREET AND UTILITIES ARE COMPLETE.
- THERE SHALL BE NO DIRECT ACCESS FROM LOTS 1206, 1207, 1208, 1209, 1210 OR 1211 ONTO STATE ROUTE WW.



DETAIL A
1" = 30'

CURVE TABLE				
CURVE	L	R	Δ	CHDIST
1	179.74'	150.00'	68°39'20"	169.18'
2	436.53'	525.00'	47°38'25"	424.06'
3	259.78'	125.00'	119°04'25"	215.49'
4	111.58'	125.00'	51°08'40"	107.91'
5	173.57'	100.00'	99°26'45"	152.59'
6	24.15'	100.00'	1°39'15"	24.09'
7	104.56'	125.00'	47°55'40"	101.54'
8	30.05'	20.00'	88°05'25"	27.30'
9	29.96'	20.00'	85°50'25"	27.24'
10	29.84'	20.00'	85°28'20"	27.14'

FINAL PLAT
OLD HAWTHORNE, PLAT No. 12

A MAJOR SUBDIVISION LOCATED IN SECTION 23, TOWNSHIP 48 NORTH, RANGE 12 WEST
COLUMBIA, BOONE COUNTY, MISSOURI
JULY 14, 2014



CERTIFICATION:

I HEREBY CERTIFY THAT IN JULY 2013, I COMPLETED A SURVEY FOR OLD HAWTHORNE DEVELOPMENT, LLC. OF A TRACT OF LAND LOCATED IN SECTION 23, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF THE SURVEY RECORDED IN BOOK 2591, PAGE 24 AND PART OF THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 4216, PAGE 137 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 2 OF LINKSIDE AT OLD HAWTHORNE, PLAT 1, RECORDED IN PLAT BOOK 43, PAGE 6 AND WITH THE SOUTH LINE THEREOF, N 61°35'40"E, 593.38 FEET; THENCE N 47°03'10"E, 310.50 FEET; THENCE S 62°02'55"E, 268.70 FEET TO THE WEST RIGHT-OF-WAY LINE OF OLD HAWTHORNE DRIVE EAST; THENCE LEAVING THE LINES OF SAID LOT 2 AND WITH SAID WEST RIGHT-OF-WAY LINE, 302.49 FEET ALONG A 625.00-FOOT RADIUS, NON-TANGENT, CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, S 13°47'05"W, 299.55 FEET; THENCE S 0°04'55"E, 176.75 FEET; THENCE 153.03 FEET ALONG A 625.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, S 7°05'45"E, 152.65 FEET; THENCE 192.11 FEET ALONG A 275.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD S 5°54'10"W, 188.23 FEET; THENCE 57.71 FEET ALONG A 175.00-FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CHORD, S 16°28'10"W, 57.45 FEET; THENCE 43.49 FEET ALONG A 30.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD S 48°32'55"W, 39.78 FEET; THENCE S 0°09'10"W, 25.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF STATE ROUTE WW; THENCE LEAVING SAID WEST RIGHT-OF-WAY LINE AND WITH SAID NORTH RIGHT-OF-WAY LINE, N 89°55'30"W, 553.76 FEET; THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE, N 0°06'25"E, 25.00 FEET; THENCE N 39°49'25"W, 364.67 FEET; THENCE N 24°17'05"W, 61.69 FEET; THENCE N 9°47'50"W, 158.13 FEET TO THE POINT OF BEGINNING AND CONTAINING 14.74 ACRES.

I FURTHER CERTIFY THAT I SURVEYED THE ABOVE DESCRIBED PROPERTY AND SUBDIVIDED IT AS SHOWN ON THE PLAT IN ACCORDANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

SURVEY AND PLAT BY:

CROCKET ENGINEERING CONSULTANTS, LLC
2808 NORTH STADIUM BLVD.
COLUMBIA, MO 65202

CORPORATE NUMBER: 2000151304



DAVID T. BUTCHER, PLS-2002014095
DATE 8/22/2014

STATE OF MISSOURI } SS
COUNTY OF BOONE }

SUBSCRIBED AND AFFIRMED BEFORE ME THIS 22 DAY OF AUGUST, 2014.

Danielle Griffith, Notary Public
DANIELLE GRIFFITH
MY COMMISSION EXPIRES OCTOBER 28, 2016
COMMISSION NUMBER 12409201

DANIELLE GRIFFITH
Notary Public-Notary Seal
STATE OF MISSOURI
Boone County
My Commission Expires: Oct. 28, 2016
Commission #12409201

KNOW ALL MEN BY THESE PRESENTS:

THAT OLD HAWTHORNE DEVELOPMENT, LLC. IS THE SOLE OWNER OF THE HEREON DESCRIBED TRACT AND THAT SAID COMPANY HAS CAUSED SAID TRACT TO BE SURVEYED, SUBDIVIDED, AND PLATTED AS SHOWN ON THE ABOVE DRAWING. THE STREET RIGHT OF WAY SHOWN BY THE ABOVE DRAWING IS HEREBY DEDICATED TO THE CITY OF COLUMBIA FOR THE PUBLIC USE FOREVER. THE EASEMENTS AS SHOWN, ARE HEREBY DEDICATED TO THE CITY OF COLUMBIA FOR THE PUBLIC USE FOREVER. THE ABOVE DRAWING AND DESCRIPTION SHALL HEREAFTER BE KNOWN AS "OLD HAWTHORNE, PLAT NO. 12"

IN WITNESS WHEREOF, OLD HAWTHORNE DEVELOPMENT, LLC. HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS MANAGING MEMBER, THIS 22 DAY OF AUGUST, 2014.

OLD HAWTHORNE DEVELOPMENT, LLC.

Billy G. Sapp
BILLY G. SAPP, MANAGING MEMBER

STATE OF MISSOURI } SS
COUNTY OF BOONE }

ON THIS 22 DAY OF AUGUST, 2014, BEFORE ME PERSONALLY APPEARED BILLY G. SAPP, TO ME KNOWN, WHO BY ME DULY SWORN; DID SAY THAT HE IS THE MANAGING MEMBER OF OLD HAWTHORNE DEVELOPMENT, LLC., AND THAT HE FURTHER ACKNOWLEDGE THIS INSTRUMENT TO BE HIS FREE ACT AND THE FREE ACT AND DEED OF SAID COMPANY.

Danielle Griffith, Notary Public
DANIELLE GRIFFITH
MY COMMISSION EXPIRES OCTOBER 28, 2016
COMMISSION NUMBER 12409201

DANIELLE GRIFFITH
Notary Public-Notary Seal
STATE OF MISSOURI
Boone County
My Commission Expires: Oct. 28, 2016
Commission #12409201

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

ROBERT McDOWD, MAYOR

SHEELA AMIN, CITY CLERK