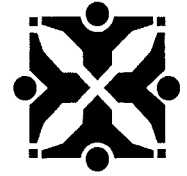


# City of Columbia

701 East Broadway, Columbia, Missouri 65201



**Agenda Item Number:** B 31-15

**Department Source:** Community Development - Planning

**To:** City Council

**From:** City Manager & Staff

**Council Meeting Date:** 2/2/2015

**Re:** Old Hawthorne, Plat No. 8 - Final Major Plat (Case #15-40)

## Documents Included With This Agenda Item

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

**Supporting documentation includes:** Maps, Plats and Plans

## Executive Summary

Approval of this request will result in the creation of a 23-lot final major plat on R-1 (One-family Dwelling District) zoned land, to be known as "Old Hawthorne, Plat No. 8". The 13.38-acre subject site is located on the east side of Rolling Hills Road, approximately 800 feet north State Highway WW.

## Discussion

The applicant, Crockett Engineering Consultants, is requesting approval of a 23-lot final plat for a subdivision to be known as "Old Hawthorne, Plat No. 8". The plat represents the last phase of the Old Hawthorne development that is zoned R-1 and was included in the approved preliminary plat for Old Hawthorne.

The site is located on the west side of the Old Hawthorne development, and will have direct access onto Rolling Hills Road to the west. It will connect to Old Hawthorne Plat No. 7 to the north, which provides additional ingress and egress to the property by way of another access point to Rolling Hills Road. The plat dedicates all necessary internal roadways and required easements to serve the properties with utilities. No additional right of way is required for Rolling Hills Road, which is identified as a minor arterial, as there is currently 106 feet of right of way in place.

Staff finds that the submitted plat substantially conforms with the associated preliminary plat, and meets all technical zoning and subdivision requirements.

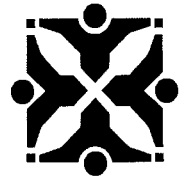
## Fiscal Impact

**Short-Term Impact:** Limited short-term impact. All infrastructure placement will be at the expense of the applicant.

**Long-Term Impact:** Long-term costs include public infrastructure maintenance (e.g., adjacent roads, sewer) and demands for services (e.g. public safety). Costs associated with long-term impacts will be offset by additional tax and fee revenues.

# City of Columbia

701 East Broadway, Columbia, Missouri 65201



## Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Transportation

Strategic Plan Impact: Infrastructure

Comprehensive Plan Impact: Growth Management, Mobility, Connectivity, and Accessibility

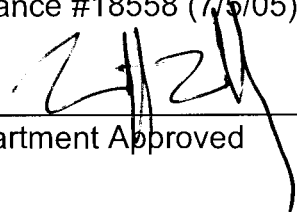
## Suggested Council Action

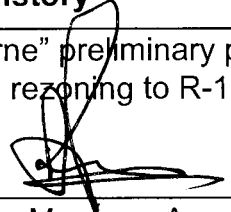
Approval of the final plat for "Old Hawthorne, Plat No. 8".

## 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 31-15

### **AN ORDINANCE**

approving the Final Plat of Old Hawthorne, Plat No. 8, 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. 8, as certified and signed by the surveyor on January 23, 2015, a major subdivision located on the east side of Rolling Hills Road and north of State Highway WW, containing approximately 13.38 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. 8. 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 \_\_\_\_\_, 2015.

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. 8**, 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

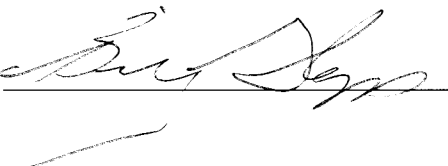
ATTEST:

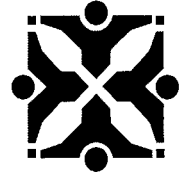
\_\_\_\_\_  
Sheela Amin, City Clerk

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





## 15-40: Old Hawthorne Plat No. 8 Final Major



City of Columbia Zoning



Boone County Zoning



Columbia City Limit



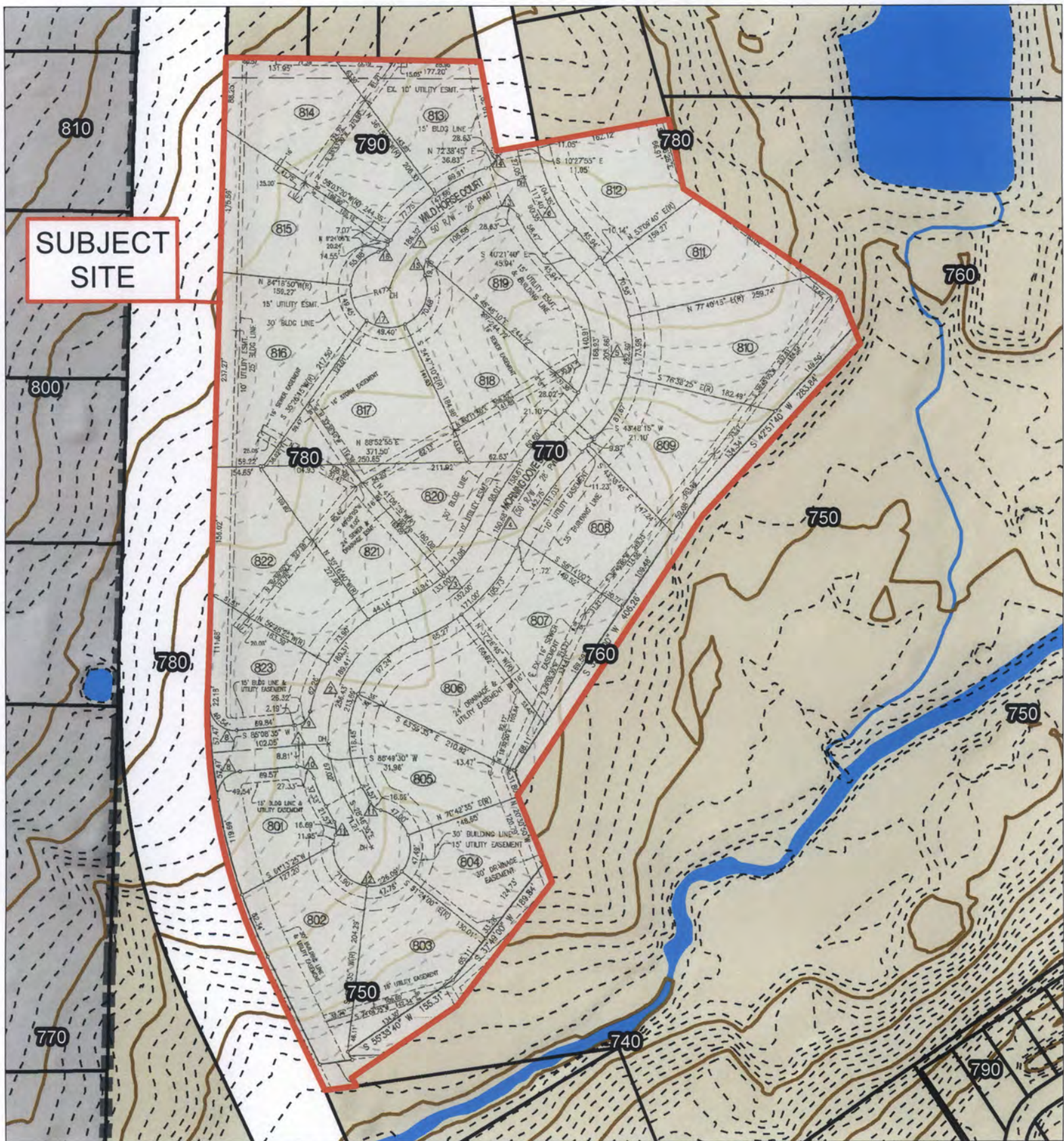
100-Year Flood Plain



Parcels







## 15-40: Old Hawthorne Plat No. 8 Final Major



- 10 Foot Contour Lines
- 2 Foot Contour Lines
- Stream
- Parcels
- Building Footprint
- Bodies of Water
- Columbia City Limit







## 15-40: Old Hawthorne Plat No. 8

### Final Major



- City Sanitary Structure
- Private Sanitary Structure
- City Sanitary Line
- Private Sanitary Line



Building Footprint

Parcels

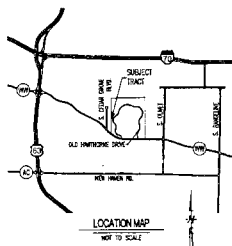
Columbia City Limit





# FINAL PLAT OLD HAWTHORNE, PLAT No. 8

A MAJOR SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 15  
AND THE NORTHEAST QUARTER OF SECTION 22, ALL OF  
TOWNSHIP 48 NORTH, RANGE 12 WEST  
COLUMBIA, BOONE COUNTY, MISSOURI  
DECEMBER 15, 2014



## LEGEND:

- E EXISTING
- S SET
- 1/2" BROWN LINE (UNLESS NOTED OTHERWISE)
- STONE
- PERMANENT MONUMENT
- (M) MEASURED DISTANCE
- (R) RECORDED DISTANCE
- (D) DRAINAGE
- (H) DRAINAGE
- (W) CHISELED X
- (A) RIGHT-OF-WAY MARKER

## NOTES:

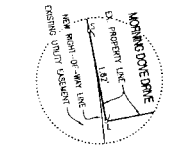
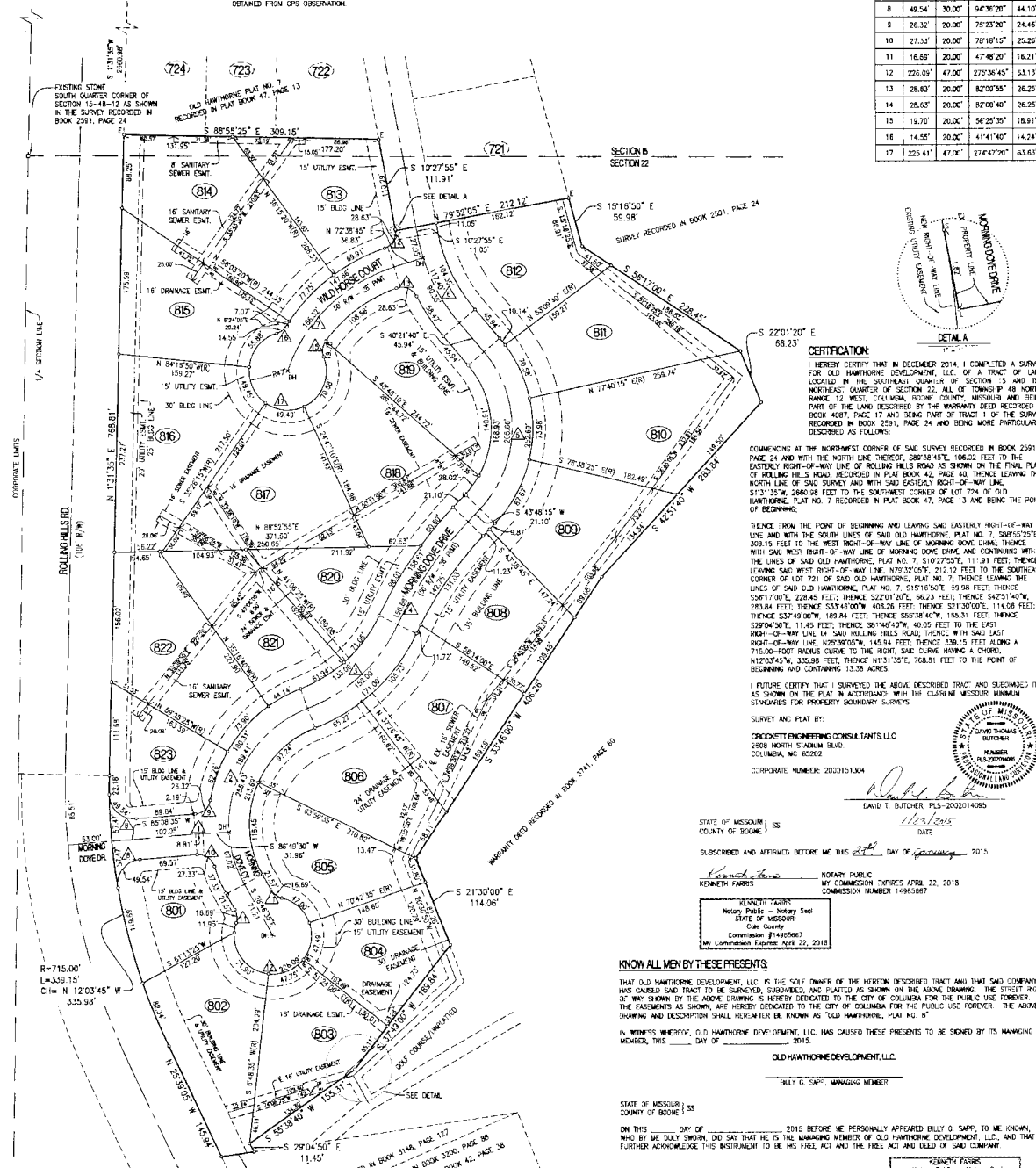
- THIS TRACT IS NOT LOCATED IN THE 100-YEAR FLOOD PLAIN AS SHOWN BY BOONE COUNTY FLOOD PLAIN MAPS, PANEL NUMBERED 230152-0255A & 0255B, DATED MARCH 17, 2011.
- THIS SURVEY CONFORMS TO THE ACCURACY STANDARDS FOR URBAN PROPERTY AS DEFINED BY MISSOURI BOARD RULE 20 CSR 200.00-16.040(2)(A).
- A CURRENT TITLE COMMITMENT WAS NOT PROVIDED FOR THIS SURVEY.
- THIS TRACT IS NOT REGULATED BY THE STREAM BUFFER REQUIREMENTS IN SECTION 12A-230A ARTICLE X OF THE CITY OF COLUMBIA CODE OF ORDINANCES. IT WAS PRELIMINARILY PLATTED PRIOR TO ADOPTION OF ORDINANCE.
- NO DIRECT ACCESS FROM LOTS 801-802 & 814-823 ONTO ROLLING HILLS ROAD IS ALLOWED.

| CURVE | L      | R      | A          | CHORD  |
|-------|--------|--------|------------|--------|
| 1     | 8.81   | 300.00 | 1°40'55"   | 8.81   |
| 2     | 258.43 | 150.00 | 97°57'00"  | 226.33 |
| 3     | 150.00 | 300.00 | 47°32'40"  | 148.37 |
| 4     | 150.68 | 475.00 | 18°10'30"  | 150.65 |
| 5     | 205.68 | 140.00 | 84°09'50"  | 157.65 |
| 6     | 117.40 | 225.00 | 28°53'40"  | 116.07 |
| 7     | 188.32 | 200.00 | 57°22'40"  | 179.96 |
| 8     | 49.54  | 30.00  | 94°36'20"  | 44.10  |
| 9     | 26.32  | 20.00  | 75°23'20"  | 24.46  |
| 10    | 27.32  | 20.00  | 78°18'15"  | 25.26  |
| 11    | 16.69  | 20.00  | 47°48'20"  | 16.21  |
| 12    | 226.09 | 47.00  | 275°36'45" | 63.15  |
| 13    | 28.63  | 20.00  | 82°00'50"  | 26.25  |
| 14    | 28.63  | 20.00  | 87°00'40"  | 26.25  |
| 15    | 19.70  | 20.00  | 56°25'35"  | 18.91  |
| 16    | 14.55  | 20.00  | 41°41'40"  | 14.24  |
| 17    | 225.41 | 47.00  | 274°47'20" | 63.63  |

STONE - CENTER OF SECTION  
15-48-12 AS SHOWN IN LAND  
CORNER DOCUMENT #4494

SCALE: 1"=40'

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



## CERTIFICATION

I HEREBY CERTIFY THAT IN DECEMBER 2014 I COMPLETED A SURVEY FOR OLD HAWTHORNE DEVELOPMENT, LLC OF A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15 AND THE NORTHEAST QUARTER OF SECTION 22, ALL OF TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING PART OF THE LAND DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 4087, PAGE 17 AND BEING PART OF TRACT 1 OF THE SURVEY RECORDED IN BOOK 2591, PAGE 24 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SURVEY RECORDED IN BOOK 2591, PAGE 24 AND WITH THE NORTH LINE THEREOF, S89°38'45"E, 106.02 FEET TO THE EAST; EASTLY RIGHT-OF-WAY LINE OF ROLLING HILLS ROAD AS SHOWN ON THE FINAL PLAT OF ROLLING HILLS ROAD RECORDED IN PLAT BOOK 42, PAGE 24; THENCE LEAVING THE NORTH LINE OF SAID SURVEY AND WITH SAID EASTLY RIGHT-OF-WAY LINE, S17°30'40" E, 206.08 FEET TO THE SOUTHWEST CORNER OF LOT 724 OF OLD HAWTHORNE, PLAT NO. 7 RECORDED IN PLAT BOOK 47, PAGE 13 AND BEING THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING AND LEAVING SAID EASTLY RIGHT-OF-WAY LINE AND WITH THE SOUTH LINES OF SAID OLD HAWTHORNE, PLAT NO. 7, S89°38'45"E, 308.15 FEET TO THE WEST RIGHT-OF-WAY LINE OF MORNING DOVE DRIVE, THENCE WITH SAID WEST RIGHT-OF-WAY LINE OF MORNING DOVE DRIVE AND CONTINUING WITH THE LINES OF SAID OLD HAWTHORNE, PLAT NO. 7, S10°27'55"E, 111.91 FEET; THENCE LEAVING SAID WEST RIGHT-OF-WAY LINE, N72°32'05"E, 212.12 FEET TO THE SOUTHWEST CORNER OF LOT 721 OF SAID OLD HAWTHORNE, PLAT NO. 7; THENCE LEAVING THE LINES OF SAID OLD HAWTHORNE, PLAT NO. 7, S18°12'07"E, 29.96 FEET; THENCE, S58°17'30"E, 228.45 FEET; THENCE, S22°01'20"E, 66.23 FEET; THENCE, S42°51'40"W, 283.84 FEET; THENCE, S33°40'00"W, 408.26 FEET; THENCE, S27°30'00"E, 114.08 FEET; THENCE, S37°48'00"W, 169.84 FEET; THENCE, S35°04'00"W, 155.51 FEET; THENCE, S29°04'30"E, 114.45 FEET; THENCE, S81°42'40"W, 40.05 FEET TO THE EAST RIGHT-OF-WAY LINE OF SAID ROLLING HILLS ROAD; THENCE WITH SAID EAST RIGHT-OF-WAY LINE, N29°38'05"W, 145.84 FEET; THENCE, S38.15 FEET ALONG A 715.00-FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CHORD, N27°02'40"W, 326.09 FEET; THENCE, N71°17'02"E, 768.81 FEET TO THE POINT OF BEGINNING AND CONTAINING 13.35 ACRES.

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

## SURVEY AND PLAT BY:

CHICKADEE ENGINEERING CONSULTANTS, LLC  
2500 NORTH SHAWNEE BLVD.  
COLUMBIA, MO 65202  
CORPORATE NUMBER: 2003151304



DAVID G. BUTCHER, PLS-2002014085  
1/22/2015

STATE OF MISSOURI: KS  
COUNTY OF BOONE: KS

SUBSCRIBED AND AFFIRMED BEFORE ME THIS 22<sup>nd</sup> DAY OF JANUARY, 2015.

NOTARY PUBLIC  
KENNETH FARRIS  
MY COMMISSION EXPIRES APRIL 22, 2018  
COMMISSION NUMBER 14955667

WITNESS: TAYLOR  
NOTARY PUBLIC - January 2nd  
STATE OF MISSOURI  
Boone County  
Commission #14955667  
My Commission Expires April 22, 2018

## KNOW ALL MEN BY THESE PRESENTS:

THAT OLD HAWTHORNE DEVELOPMENT, LLC, IS THE SOLE OWNER OF THE HEREIN 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 HEREIN BE KNOWN AS "OLD HAWTHORNE, PLAT NO. 8".

IN WITNESS WHEREOF, OLD HAWTHORNE DEVELOPMENT, LLC, HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS MANAGING MEMBER, THIS 22<sup>nd</sup> DAY OF JANUARY, 2015.

OLD HAWTHORNE DEVELOPMENT, LLC.

BILLY G. SAPP, MANAGING MEMBER

STATE OF MISSOURI: KS  
COUNTY OF BOONE: KS

ON THIS 22<sup>nd</sup> DAY OF JANUARY, 2015, 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.

NOTARY PUBLIC  
KENNETH FARRIS  
MY COMMISSION EXPIRES APRIL 22, 2018  
COMMISSION NUMBER 14955667

WITNESS: TAYLOR  
NOTARY PUBLIC - January 2nd  
STATE OF MISSOURI  
Boone County  
Commission #14955667  
My Commission Expires April 22, 2018

ACCEPTED BY ORDINANCE OF THE CITY COUNCIL OF COLUMBIA, MISSOURI, THIS 22<sup>nd</sup> DAY OF JANUARY, 2015.

ROBERT MEDARD, MAYOR

SHERLA AMAL, CITY CLERK

