

City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: B 118-15

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: 5/18/2015

Re: Discovery Park Subdivision Plat 3 & Discovery Park Subdivision Plat 3A - Final Major Plats
(Case #15-97)

Documents Included With This Agenda Item

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

Supporting documentation includes: Maps, Plats and Plans

Executive Summary

Passing the two ordinances will approve a three-lot final plat on C-P (Planned Business District) and C-3 (General Business District) zoned land, to be known as "Discovery Park Subdivision Plat 3", and approve a final plat, known as "Discovery Park Subdivision Plat 3A", that will dedicate additional right of way for Nocona Parkway's connection to Discovery Parkway.

Discussion

The applicant, Columbia Civil Engineering Group, is requesting approval of two separate but related final plats located within the Discovery Park development. The two plats include property annexed and zoned as part of the 2004 Philips Tract annexation, and are also located within the Discovery Park Subdivision Preliminary Plat 2 that was approved April 20, 2015.

The first plat, "Discovery Park Subdivision Plat 3", will create three lots primarily located on property zoned C-P, but with a small portion zoned C-3 in the southeast corner of the subdivision. The 3.85-acre subject site is located south of the intersection of Ponderosa Street and Nocona Parkway. These three lots are also being concurrently considered for approval of a C-P development plan (Case 15-102).

The second plat, "Discovery Park Subdivision Plat 3A", will not create buildable lots - it will dedicate right of way that will facilitate the connection of the existing portion of Nocona Parkway with Discovery Parkway to the south. The roadway includes right of way for construction of a roundabout that will provide additional internal access to future lots to the west, as well as to the proposed roundabout at the Gans Road intersection. Once constructed, Nocona will become the principal thoroughfare through the site, replacing Ponderosa Street as the primary corridor.

Staff finds that the two final plats are in substantial compliance with "Discovery Park Subdivision Preliminary Plat 2", are in technical compliance with all relevant subdivision regulations, and recommends approval.

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Fiscal Impact

Short-Term Impact: Limited short-term impact. Connection/extension of infrastructure is at the cost of the developer.

Long-Term Impact: Long-term impact would include infrastructure maintenance and public safety services. Such increased costs may or may not be offset by increased property taxes and user fees.

Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Transportation

Strategic Plan Impact: Infrastructure

Comprehensive Plan Impact: Livable & Sustainable Communities

Suggested Council Action

Approval of the final plats for "Discovery Park Subdivision Plat 3" & "Discovery Park Subdivision Plat 3A".

Legislative History

Resolution #71-15 (4/20/15): Approved "Discovery Park Subdivision Preliminary Plat 2"

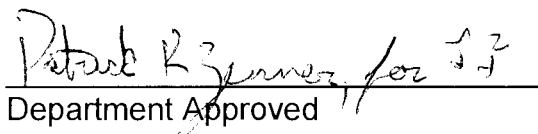
Ordinance #21889 (11/18/13): Approved abrogation of final plat "Discovery Park Subdivision Plat 1"

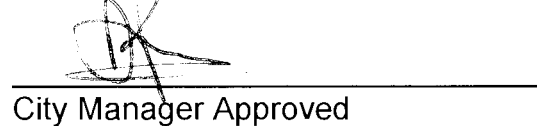
Resolution #225-13 (11/4/13): Approved preliminary plat "Discovery Park Subdivision"

Ordinance #21707 (6/3/13): Approved final plat "Discovery Park Subdivision Plat 1"

Resolution #168-11 (9/19/11): Approved preliminary plat "The Village of Phillips Lake Plat 1"

Ordinance #18043 (4/19/04): Approved annexation, permanent zoning, development agreement


Department Approved


City Manager Approved

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 118-15

AN ORDINANCE

approving the Final Plat of Discovery Park Subdivision Plat 3A;
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 Discovery Park Subdivision Plat 3A, as certified and signed by the surveyor on April 23, 2015, a subdivision located on the southeast corner of Ponderosa Road and Nocona Parkway 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 P1316, LLC in connection with the approval of the Final Plat of Discovery Park Subdivision Plat 3A. 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 _____, 20____ between the City of Columbia, MO ("City") and PIBIV, 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 ~~Deer Creek Park Subdivision Part 3A~~, 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: _____
JON OPLE, MEMBER



SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

Maps, Plats and Plans

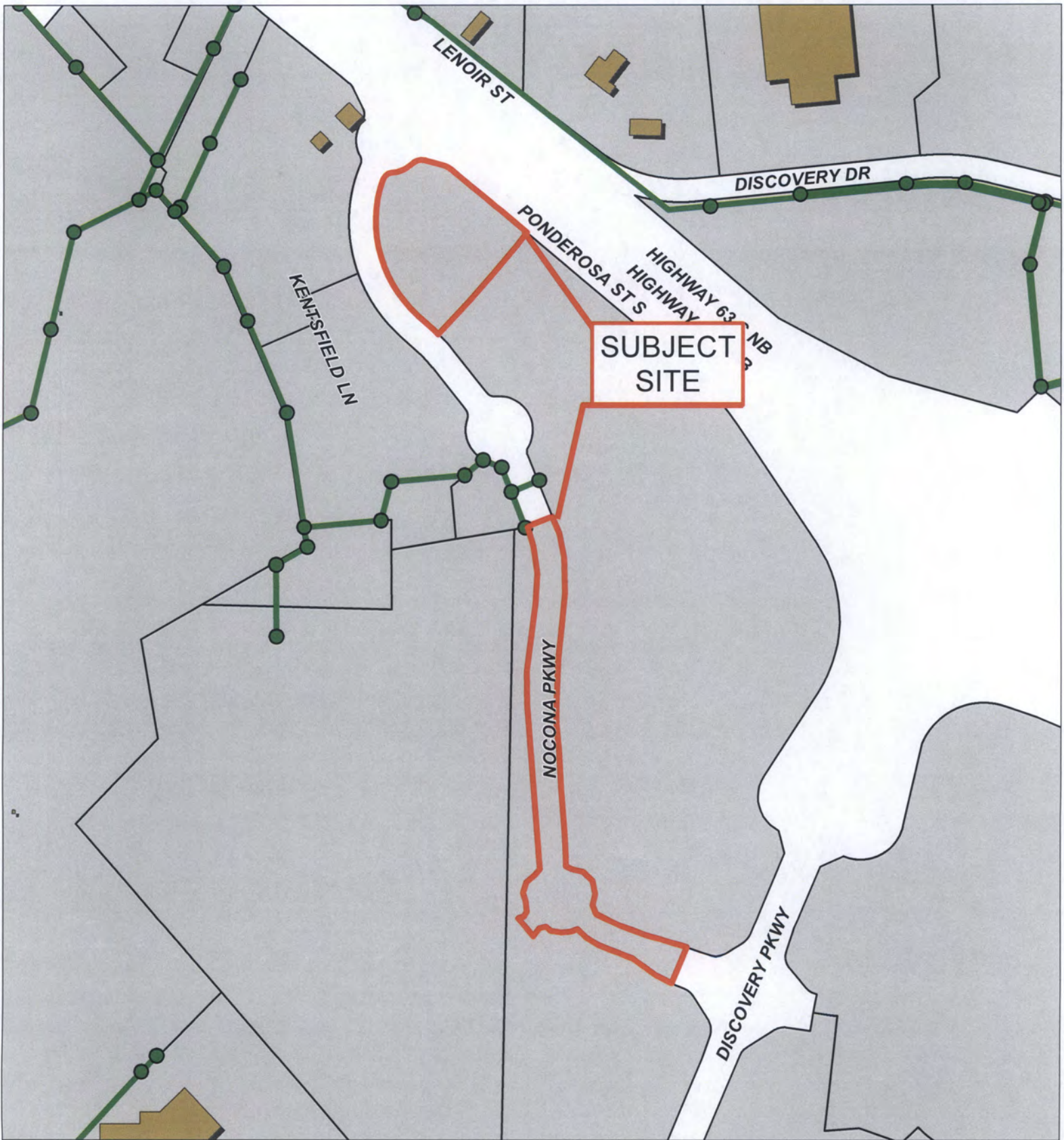


15-97: Discovery Park Plat 3 Final Plat



- City of Columbia Zoning
- Parcels



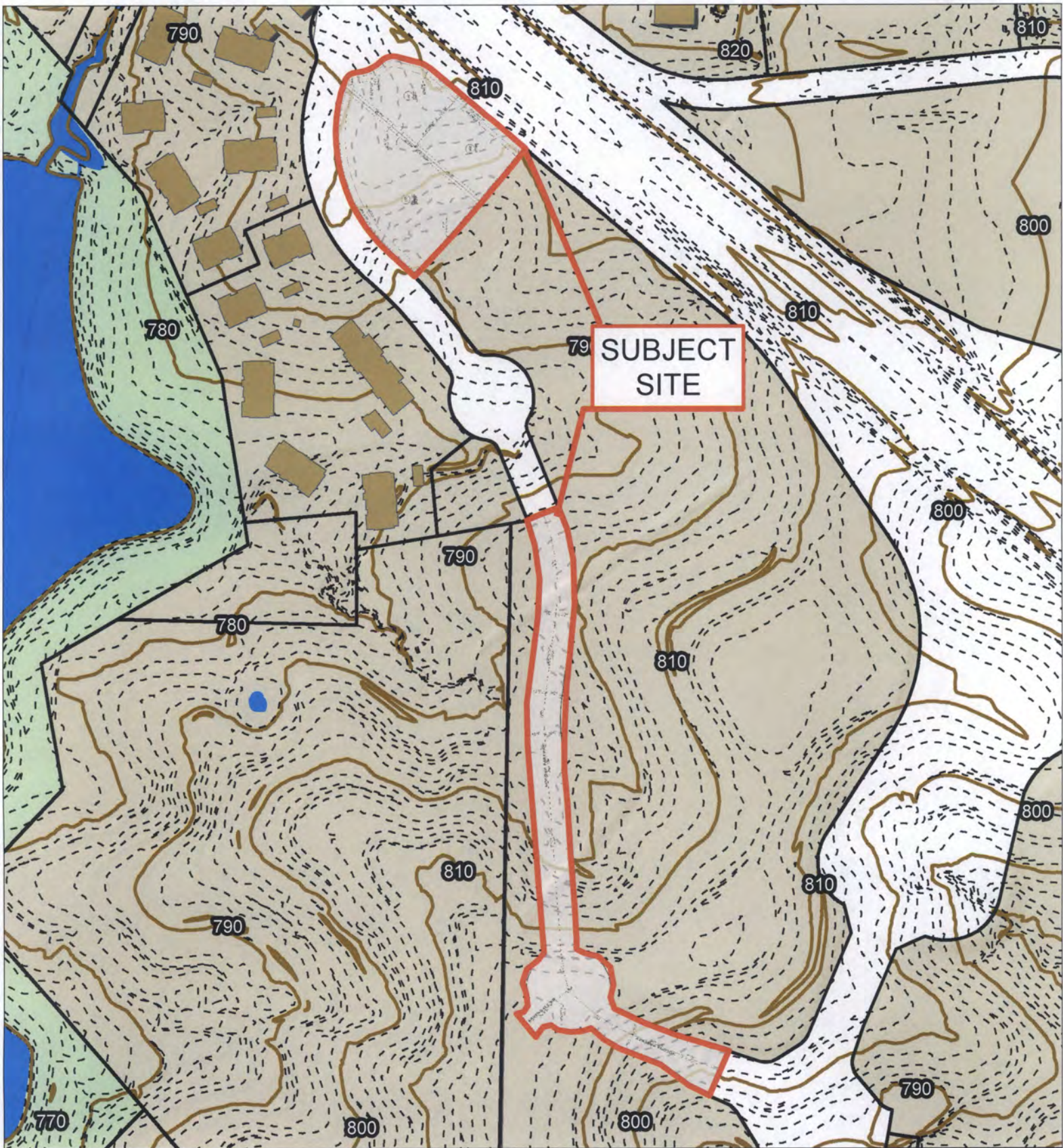


15-97: Discovery Park Plat 3 Final Plat



- City Sanitary Structure
- City Sanitary Line
- Building Footprint
- Parcels





15-97: Discovery Park Plat 3 Final Plat



— 10 Foot Contour Lines

- - - 2 Foot Contour Lines

— Stream

▭ Parcels

■ Building Footprint



■ Bodies of Water

■ Columbia City Limit





LOCATION MAP