

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 175-12

AN ORDINANCE

approving the Final Plat of The Villas at Old Hawthorne Plat 7, a Replat of a Portion of Lot 5 of Old Hawthorne Plat 1 and Lots 309A-C through 311A-C of The Villas at Old Hawthorne Plat 3, 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 The Villas at Old Hawthorne Plat 7, a Replat of a Portion of Lot 5 of Old Hawthorne Plat 1 and Lots 309A-C through 311A-C of The Villas at Old Hawthorne Plat 3, dated May 22, 2012, a major subdivision located on Screaming Eagle Lane, east of Old Hawthorne Drive West, containing approximately 4.65 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 Lifestyle Development Inc. in connection with the approval of the Final Plat of The Villas at Old Hawthorne Plat 7. The form and content of the contract shall be substantially as set forth in "Exhibit A" attached hereto and made a part hereof as fully as if set forth herein verbatim.

SECTION 4. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2012.

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 12 between the City of Columbia, MO ("City") and LIFESTYLE DEVELOPMENT INC. ("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 THE VILLAS AT OLD HAWTHORNE PLAT 7 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

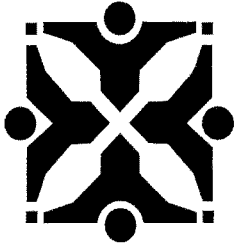
ATTEST:

Sheela Amin, City Clerk

APPROVED AS TO FORM:

Fred Boeckmann, City Counselor


Subdivider
BY:  _____
DON STOHLDRIER



Source: Community Development - Planning ^{TT}

Agenda Item No:

To: City Council

From: City Manager and Staff 

Council Meeting Date: Jul 16, 2012

Re: The Villas at Old Hawthorne Plat 7 - final major plat (Case 12-81)

EXECUTIVE SUMMARY:

A request by Lifestyle Development (owner) for approval of a 27-lot final major plat of PUD-zoned land to be known as "The Villas at Old Hawthorne Plat 7." The 4.07-acre subject site is located on Screaming Eagle Lane, east of Old Hawthorne Drive West. (Case # 12-81)

DISCUSSION:

The applicant is requesting approval of a four-acre final major subdivision plat within Old Hawthorne, which includes 27 lots (including A/B and common area sub-lots) for 18 single-family attached residential dwelling units. The proposed plat is consistent with the corresponding approved PUD development plan, and includes the reconfiguration of nine lots which were previously platted as part of The Villas at Old Hawthorne Plat 3.

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:

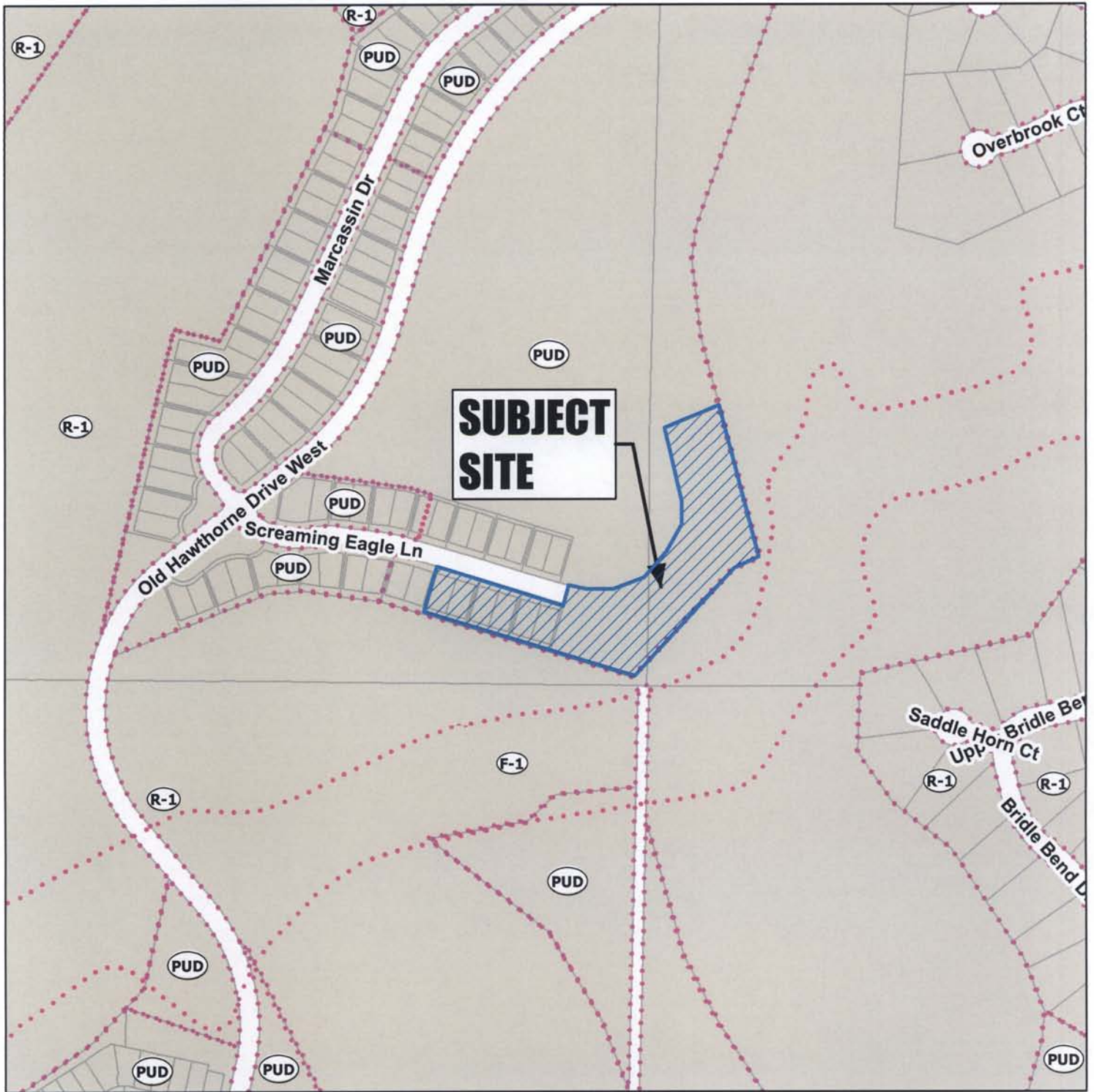
<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

None

SUGGESTED COUNCIL ACTIONS:

Approval of the proposed final major plat.

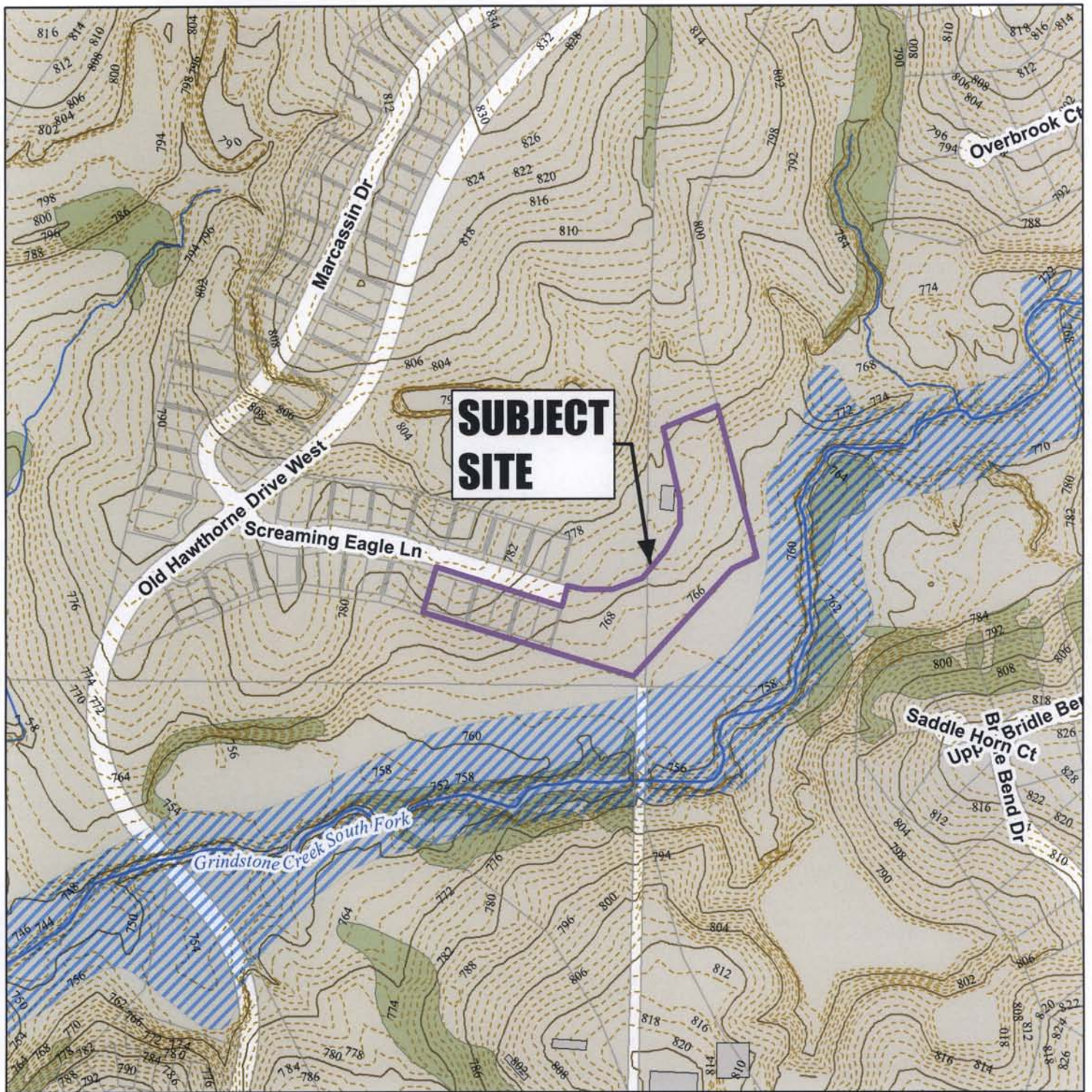
FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$0.00	Duplicates/Expands an existing program?	No	Vision Implementation impact	
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



The Villas at Old Hawthorne Plat 7 Case 12-81 Final Major Plat

0 190 380 760 Feet





The Villas at Old Hawthorne Plat 7 Case 12-81 Final Major Plat

0 190 380 760
Feet



NOTES

1. THIS IS AN URBAN CLASS SURVEY.
2. PERMANENT MONUMENTS ARE TO BE SET AFTER STREET CONSTRUCTION IS COMPLETE.
3. ALL IRONS ARE TO BE SET AFTER CONSTRUCTION UNLESS OTHERWISE NOTED.
4. ALL CURVE DIMENSIONS ARE ARC MEASUREMENTS UNLESS OTHERWISE NOTED AS CH. FOR CHORD DIMENSIONS.
5. SQUARE FOOTAGES ARE CALCULATED VALUES AND ARE NOT INTENDED TO REPRESENT THE PRECISION OF THE SURVEY.
6. A REQUEST TO VACATE THE SHOWN PORTION OF UTILITY EASEMENT RECORDED IN BOOK 2865, PAGE 163 IS BEING SOUGHT AND WILL BE DOCUMENTED AT A LATER DATE.

FLOOD PLAIN STATEMENT

THIS TRACT IS NOT LOCATED WITHIN
THE 100-YEAR FLOOD PLAIN AS SHOWN BY
FIRM MAP #28019C 0325D
DATED: MARCH 17, 2011

STREAM BUFFER STATEMENT

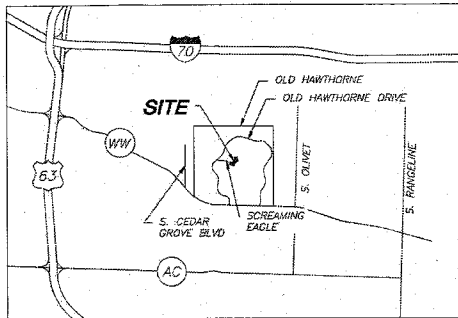
THIS TRACT IS NOT REGULATED BY THE CITY OF COLUMBIA
STREAM BUFFER ORDINANCE AS DETERMINED BY THE USGS
MAP FOR COLUMBIA GUARDRAIL, BOONE COUNTY, MISSOURI
AND ARTICLE X OF CHAPTER 12A OF THE CITY OF COLUMBIA
CODE OF ORDINANCES.

FINAL PLAT

THE VILLAS AT OLD HAWTHORNE PLAT 7

A REPLAT OF A PORTION OF LOT 5 OF OLD HAWTHORNE PLAT 1
AND LOTS 309A-C THROUGH 311A-C OF THE VILLAS AT OLD HAWTHORNE PLAT 3

MAY 22, 2012



LOCATION MAP
NOT TO SCALE

KNOW ALL MEN BY THESE PRESENTS

LIFESTYLE DEVELOPMENT INC., BEING SOLE OWNER OF THE BELOW DESCRIBED TRACT, HAS
CAUSED THE SAME TO BE SUBDIVIDED AS SHOWN ON THIS PLAT.

IN WITNESS WHEREOF, DON STOHLDRER AND BELINDA STOHLDRER HAVE CAUSED THESE
PRESENTS TO BE SIGNED.

EASEMENTS, OF THE TYPES AND AT THE LOCATIONS AS SHOWN, ARE HEREBY DEDICATED TO
THE CITY OF COLUMBIA, MISSOURI.

SCREAMING EAGLE LANE IS HEREBY DEDICATED FOR PUBLIC USE FOREVER.

DON STOHLDRER, PRESIDENT BELINDA STOHLDRER, SECRETARY

STATE OF MISSOURI } SS
COUNTY OF BOONE }

ON THIS DAY OF IN THE YEAR 2012, BEFORE ME, SPENCER HASKAMP,
A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED DON STOHLDRER AND
BELINDA STOHLDRER KNOWN TO ME TO BE THE PERSONS WHO EXECUTED THE WITHIN FINAL
PLAT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES
THEREIN STATED.

SPENCER HASKAMP

NOTARY PUBLIC
MY COMMISSION EXPIRES
JULY 11, 2015

CERTIFICATION

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 15 AND THE SOUTHWEST
QUARTER OF SECTION 14, ALL IN TOWNSHIP 48 NORTH, RANGE 12 WEST, CITY OF COLUMBIA,
BOONE COUNTY, MISSOURI, BEING PART OF LOT 5 OF OLD HAWTHORNE PLAT 1 RECORDED IN
PLAT BOOK 40, PAGE 86, AND ALL OF LOTS 309 A, B & C, 310 A, B & C, AND 311 A, B & C
OF THE VILLAS AT OLD HAWTHORNE PLAT 3 RECORDED IN PLAT BOOK 44, PAGE 13, ALL OF
THE BOONE COUNTY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 309C OF SAID VILLAS AT OLD HAWTHORNE
PLAT 3; THENCE ALONG THE WEST LINE OF SAID LOT, N15°15'40"E, 130.00 FEET TO THE
SOUTH RIGHT-OF-WAY LINE OF SCREAMING EAGLE LANE; THENCE ALONG SAID RIGHT-OF-WAY,
S74°44'20"E, 317.33 FEET; THENCE ALONG A 275.00-FOOT RADIUS CURVE TO THE LEFT, 27.72
FEET, SAID CURVE HAVING A CHORD WHICH BEARS S77°37'30"E, 27.70 FEET; THENCE
N05°28'10"E, 50.00 FEET; THENCE LEAVING SAID PLAT 3 ALONG A NON-TANGENT 225.00-FOOT
RADIUS CURVE TO THE LEFT, 455.19 FEET, SAID CURVE HAVING A CHORD WHICH BEARS
N41°31'45"E, 381.44 FEET; THENCE N16°25'35"W, 116.39 FEET; THENCE N73°34'25"E, 180.00
FEET TO A POINT ON THE EAST LINE OF LOT 5 OF OLD HAWTHORNE PLAT 1; THENCE
FOLLOWING THE LINES OF SAID LOT FOR THE FOLLOWING FOUR (4) CALLS: THENCE
S16°25'35"E, 378.16 FEET; THENCE S62°51'30"W, 61.83 FEET; THENCE S41°16'20"W, 378.22
FEET; THENCE N74°44'20"W, 572.97 FEET TO THE POINT OF BEGINNING AND CONTAINING
202,625 SQUARE FEET OR 4.65 ACRES

I HEREBY CERTIFY THAT I SURVEYED THE 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
A CIVIL GROUP

CHRISTOPHER M. SANDER L.S. 2003013178

DATE

STATE OF MISSOURI } SS
COUNTY OF BOONE }

SUBSCRIBED AND AFFIRMED BEFORE ME THIS DAY
OF 2012.

SPENCER M. HASKAMP

NOTARY PUBLIC MY
COMMISSION EXPIRES
JULY 11, 2015

LEGEND

- IRON PIPE CAP #2001006115
- EXISTING SET
- PM, PERMANENT MONUMENT
- (R) RADIAL LINE
- REC. RECORD
- ✕ DM, DRILL HOLE WITH CHISELED "X"
- CENTERLINE
- 10,000 SQUARE FEET
- 1.50 AC. ACRES
- EXISTING FENCE
- EXISTING STONE
- IP, IRON PIPE
- RB, REBAR
- C100 CURVE NUMBER

RECEIVED AND ACCEPTED BY THE COLUMBIA CITY
COUNCIL THIS DAY OF 2012.

ROBERT McDAVID, MAYOR

SHEILA AMIN, CITY CLERK

NUMBER	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD DIRECTION	CHORD LENGTH
C100	250.00	505.76'	115°54'45"	N 41°31'45" E	423.82'

SCALE: 1" = 50'
0 25 50 100
BEARINGS ARE REFERENCED TO THE
VILLAS AT OLD HAWTHORNE PLAT 1
RECORDED IN PLAT BOOK 40, PAGE
137.