

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 304-13

AN ORDINANCE

approving the Final Plat of The Villas at Old Hawthorne Plat 8, a Replat of a portion of Lot 5 of Old Hawthorne Plat 1; 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 8, a Replat of a portion of Lot 5 of Old Hawthorne Plat 1, dated October 9, 2013, a subdivision located on the east side of Diamond Creek Lane and south of Old Hawthorne Drive East, containing approximately 5.41 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 8. 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 _____, 2013.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

PERFORMANCE CONTRACT

This contract is entered into on this _____ day of _____, 2013, 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 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 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

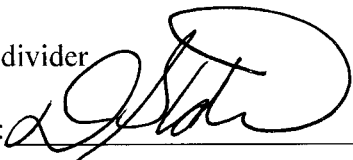
ATTEST:

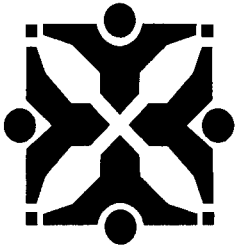
Sheela Amin, City Clerk

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: Oct 21, 2013

Re: The Villas at Old Hawthorne Plat 8 - replat (Case 13-174)

EXECUTIVE SUMMARY:

A request by Lifestyle Development, Inc. (owner) for approval of a 26-lot replat of PUD (Planned Unit Development) zoned land to be known as "The Villas at Old Hawthorne Plat 8." The 5.41-acre subject site is located on Diamond Creek Lane Lane, south of Old Hawthorne Drive West, and north of Screaming Eagle Lane. (Case # 13-174)

DISCUSSION:

The applicant is requesting approval of a 5.41-acre resubdivision plat of a portion of Lot 5, Old Hawthorne, Plat No. 1. The replat includes 26 lots (including A/B and common area sub-lots) for 16 single-family attached units, and one single-family detached residential dwelling unit. The proposed plat is substantially consistent with the corresponding approved PUD development plan.

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:

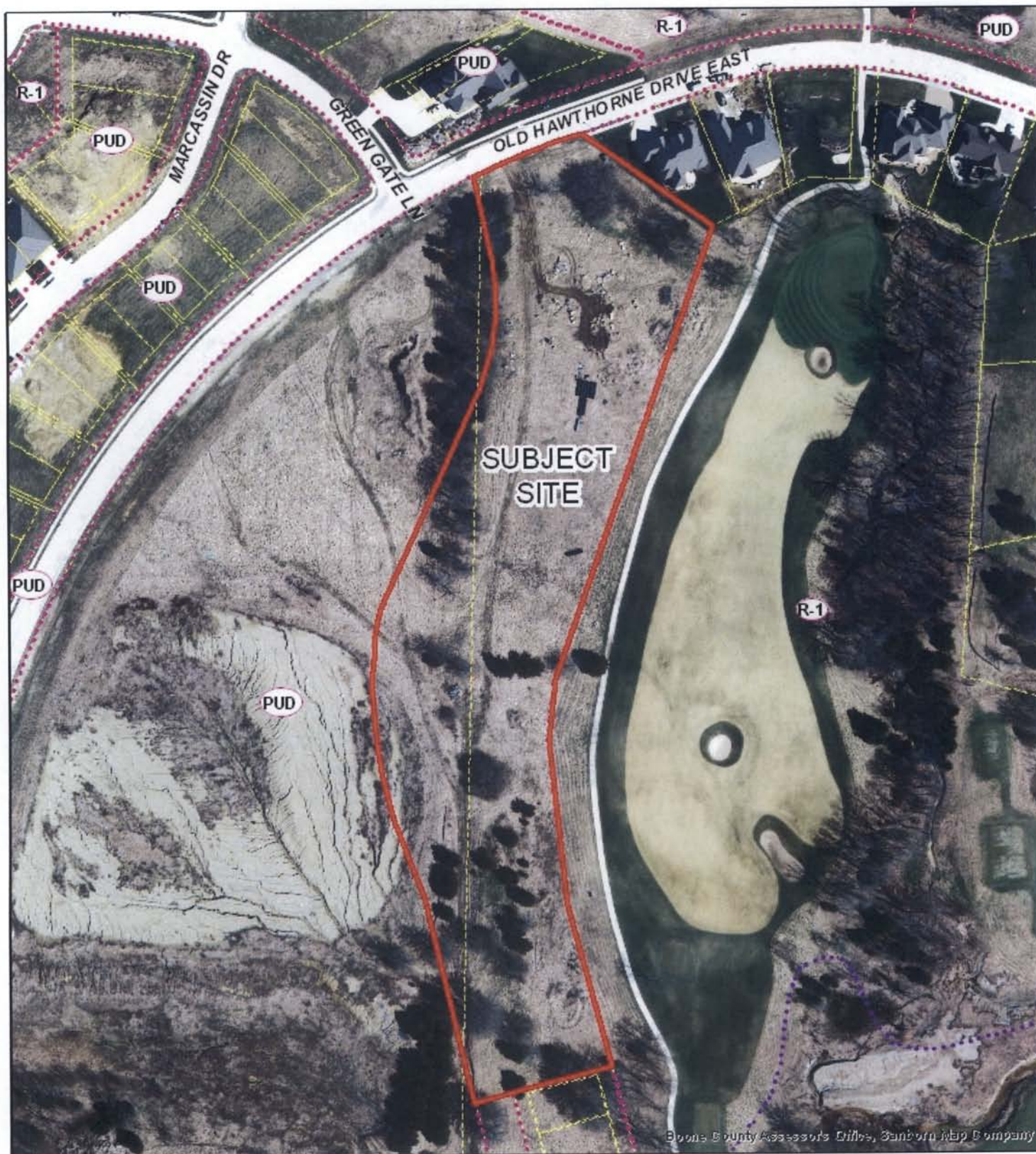
<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

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



13-174: The Villas at Old Hawthorne Plat 8

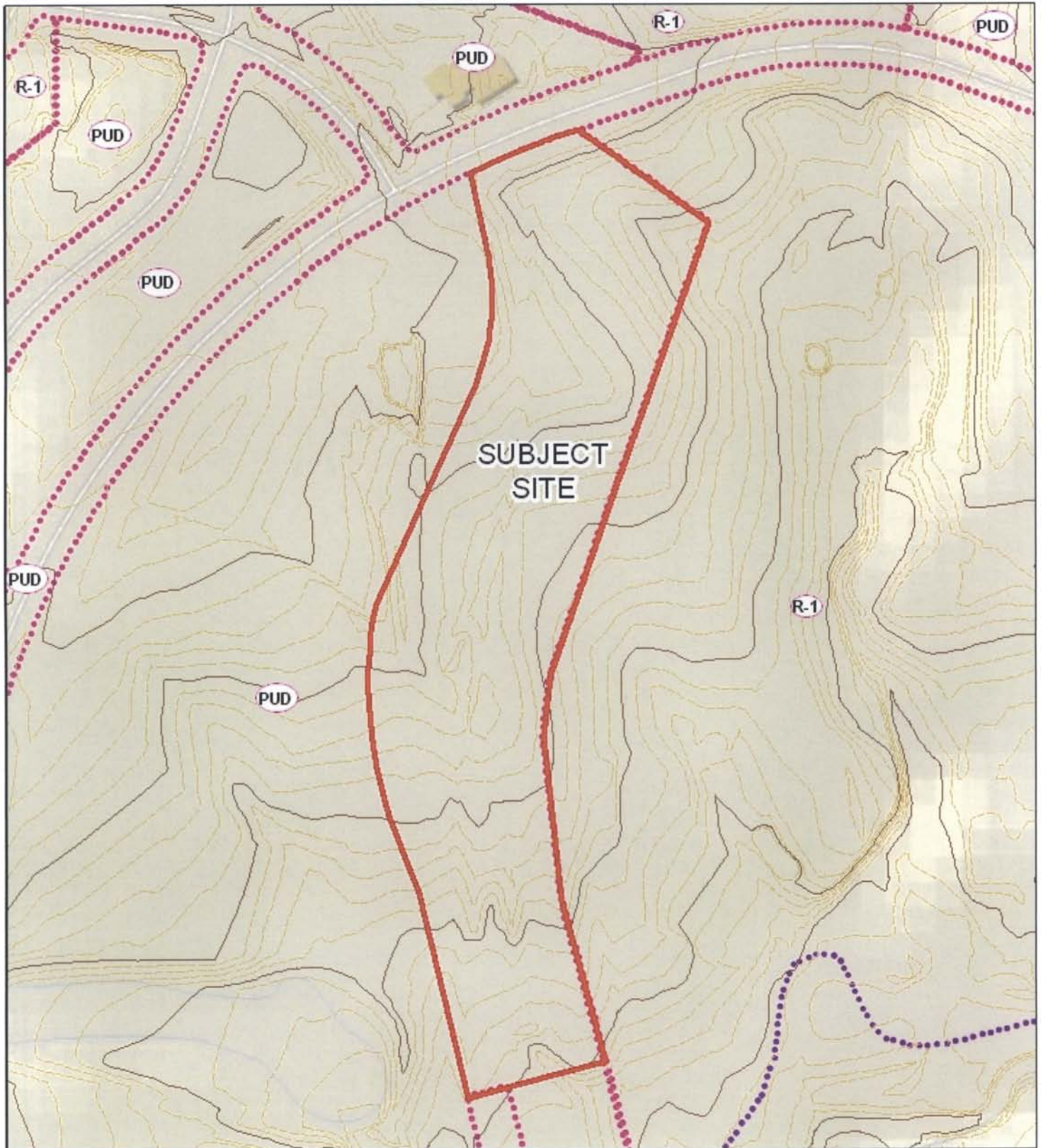
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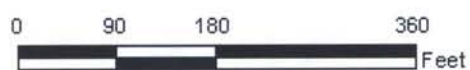
Parcel Data

Source: Boone County Assessor

Produced By the City of Columbia - Community Development Department



13-174: The Villas at Old Hawthorne Plat 8



Parcel Data
Source: Boone County Assessor

Produced By the City of Columbia - Community Development Department

