Introduced by		
First Reading	Second Reading	g
Ordinance No	Council Bill No.	<u>B 304-13</u>
	AN ORDINANCE	
a Replat of a portio accepting the dedica	at of The Villas at Old Hawth n of Lot 5 of Old Hawtho ation of rights-of-way and ance contract; and fixing the ecome effective.	orne Plat 1; easements;
BE IT ORDAINED BY THE COUNFOLLOWS:	ICIL OF THE CITY OF CO	LUMBIA, MISSOURI, AS
SECTION 1. The City Counce Hawthorne Plat 8, a Replat of a port 2013, a subdivision located on the Hawthorne Drive East, containing ap County, Missouri, and hereby author plat evidencing such approval.	tion of Lot 5 of Old Hawthorn east side of Diamond Cree oproximately 5.41 acres in th	ne Plat 1, dated October 9 bek Lane and south of Old ne City of Columbia, Boone
SECTION 2. The City Counce easements as dedicated upon the p		tion of all rights-of-way and
SECTION 3. The City Mana contract with Lifestyle Development The Villas at Old Hawthorne Plat substantially as set forth in "Exhibit a set forth herein verbatim.	, Inc. in connection with the a 8. The form and content	approval of the Final Plat o of the contract shall be
SECTION 4. This ordinance passage.	e shall be in full force and	effect from and after its
PASSED this day of	of,	2013.
ATTEST:		
City Clerk	Mayor and Presi	ding Officer
APPROVED AS TO FORM:		
City Counselor		

PERFORMANCE CONTRACT

This contract is entered into	o on this	day of	, 20 13	between the City
of Columbia, MO ("City") and	LIFEST	YLE 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 an 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.

1

than the parties.	
IN WITNESS WHEREOF, the parties habove written.	have executed this contract on the day and year first
	CITY OF COLUMBIA, MISSOURI
	BY: Mike Matthes, City Manager
ATTEST:	
Sheela Amin, City Clerk	
APPROVED AS TO FORM:	
Nancy Thompson, City Counselor	
	Subdivider BY:

This contract is not intended to confer any rights or remedies on any person other

9.



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 yea	ar 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		





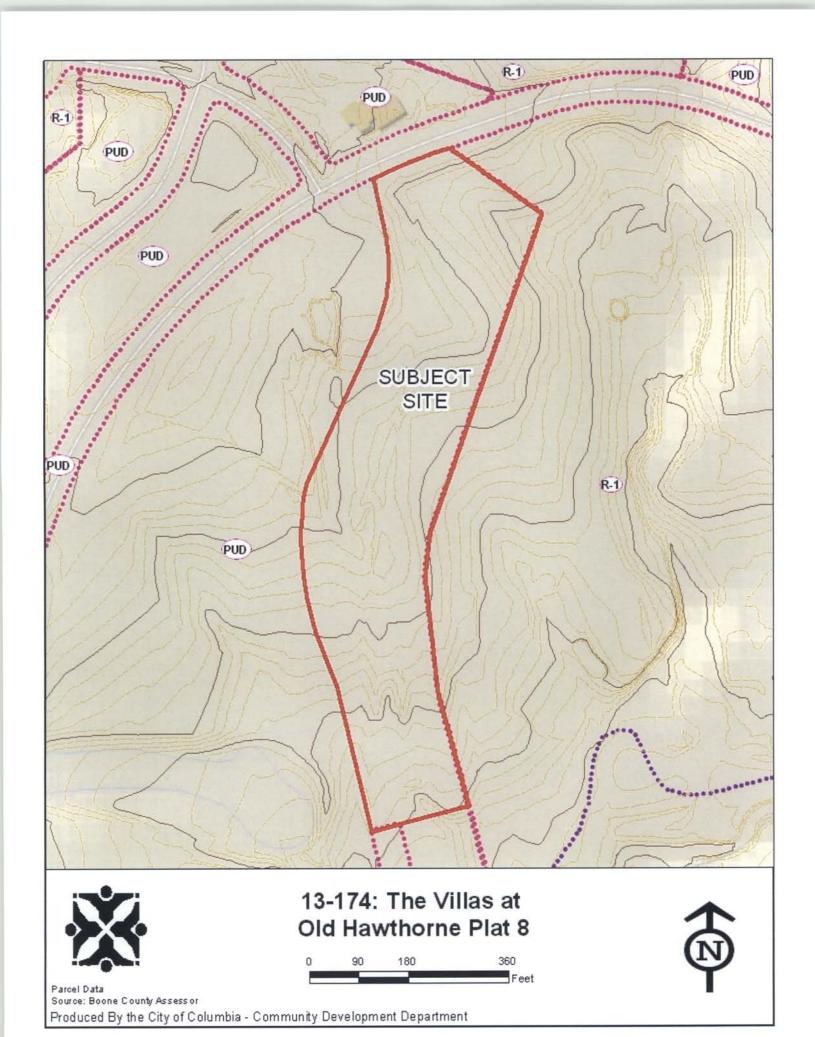
13-174: The Villas at Old Hawthorne Plat 8





Parcel Data Source: Boone County Assessor

Produced By the City of Columbia - Community Development Department



FILED FOR RECORD, BOONE COUNTY MISSOURI BETTIE JOHNSON RECORDER OF DEFTIS

THE VILLAS AT OLD HAWTHORNE PLAT 8

A REPLAT OF A PORTION OF LOT 5 OF OLD HAWTHORNE PLAT 1 OCTOBER 9, 2013

<u>NOTES</u>

- 2. PERMANENT MONUMENTS ARE TO BE SET AFTER STREET

- 5. SQUARE FOOTAGES ARE CALCULATED VALUES AND ARE NOT INTENDED TO REPRESENT THE PRECISION OF THE SURVEY.

FLOOD PLAIN STATEMENT

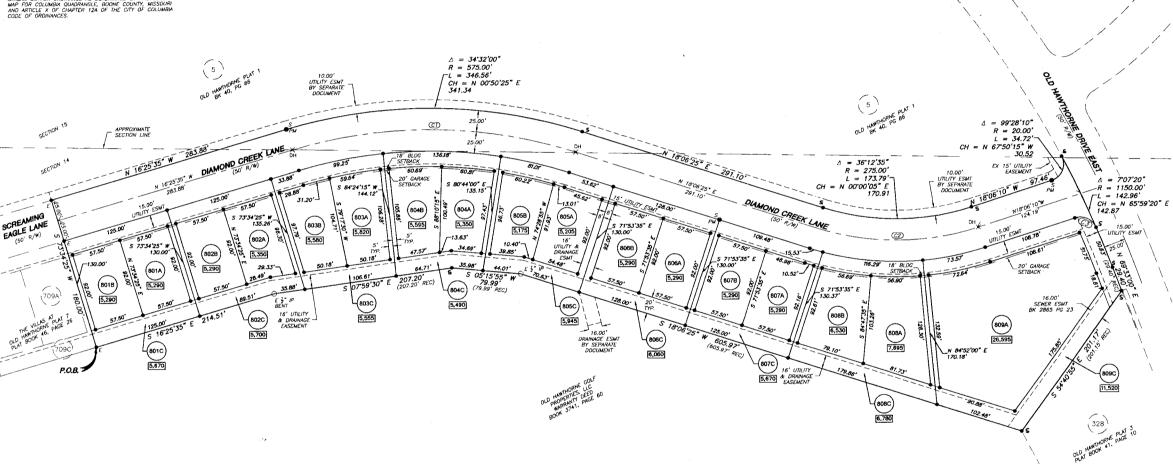
THIS TRACT IS NOT LOCATED WITHIN
THE 100-YEAR FLOOD PLAIN AS SHOWN BY
FIRM MAP \$29019C 03250
DATED: MARCH 17, 2011

STREAM BUFFER STATEMENT

ROBERT McDAVID, MAYOR

SHEELA AMIN. CITY CLERK

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



SITE

LOCATION MAP

KNOW ALL MEN BY THESE PRESENTS

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

IN WITNESS WHEREOF, DON STOHLDRIER AND BELINDA STOHLDRIER HAVE CAUSED THESE PRESENTS THE SKINED.

THE BOONE COUNTY RECORDS, AND BEING MORE PRITICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MORTHEAST CORRIER OF LOT TORGE OF THE VILLAS AT OLD HAWTHORNE PLAT 7

RECORDED IN PLAT BOOK 46, PAGE 26; THENCE ALONG THE NORTH LINE OF SAID LOT, S73'34'25'W,
180.00 FEET TO THE NORTHWEST CORRIER OF SAID PLAT 7; THENCE LEAVING SAID LINE, N16'25'35'W,
180.00 FEET TO THE NORTHWEST CORRIER OF SAID PLAT 7; THENCE LEAVING SAID LINE, N16'25'35'W,
180.00 FEET TO THE NORTHWEST CORRIER OF MOUSE CIVER TO THE RICK, 346.55'EFF, SAID CURRE
HAWING A CHORD WHICH BEARS NOTO'S'25'E, 341.34 FEET, THENCE N18'06'25'E, 291.10 FEET THENCE
HAWING A CHORD WHICH BEARS NOTO'S'25'E, 341.34 FEET, THENCE N18'06'25'E, 291.10 FEET THENCE
HAWING A CHORD WHICH BEARS NOTO'S'25'E, 341.34 FEET, THENCE NOTO'S'25'E, 300-FOOT ROUSE CURRE TO THE LOT, THE LOT

10-9-2013



- IRON PIPE CAP \$2001006115
 E EXISTING
 S SET
 PIM PERMANENT MONUMENT
 (R) RADIAL LINE

- REC. RECORD
- DH X DRILL HOLE WITH CHISELED "X"
- € CENTERLINE TO.000 SQUARE FEET
- 1.50 AC ACRES
- --- EXISTING FENCE
- EXISTING STONE
- IP () IRON PIPE RB⊙ REBAR
- (C100) CURVE NUMBER

CURVE DATA TABLE NUMBER RADIUS ARC LENGTH DELTA ANGLE CHORD DIRECTION CHORD LENGTH N 00'50'25" F 326.50 C1 550.00 331.49 34'31'59" 36.12'33" N 00.00,02 E 186.45 C2 300.00 189.59 C3 20.00 29.72 85'07'51" N 24'27'45" E

