

Introduced by \_\_\_\_\_

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Council Bill No. B 289-19

**AN ORDINANCE**

authorizing a development agreement with Broadway Lodging Two, LLC to establish public infrastructure obligations relating to the construction of a new hotel tower on property located at 1106 E. Walnut Street; directing the City Clerk to have the development agreement recorded; authorizing right of use license permits for emergency exit doors, balconies, an entrance canopy, footings and foundations, conduits, skywalks connecting the new hotel tower to the existing hotel tower, roof overhang and an awning; 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 Manager is hereby authorized to execute a development agreement with Broadway Lodging Two, LLC to establish public infrastructure obligations relating to the construction of a new hotel tower on property located at 1106 E. Walnut Street. The form and content of the agreement shall be substantially as set forth in "Attachment A" attached hereto and made a part hereof.

SECTION 2. The City Clerk is authorized and directed to have the development agreement recorded in the office of the Boone County Recorder of Deeds.

SECTION 3. The City Manager is hereby authorized to execute right of use license permits with Broadway Lodging Two, LLC as follows:

1. Right of use license permit for the installation, maintenance and operation of emergency door egress for four (4) emergency exit doors (also known as "East Emergency Doors") located on the east side of the new hotel tower located at 1106 E. Walnut. The form and content of the right of use license permit shall be substantially as set forth in "Attachment B" attached hereto and made a part hereof.
2. Right of use license permit for the construction, installation, maintenance and operation of balconies on the north façade, a canopy on the north façade and an architectural roof overhang near the top of the structure on both the north and east façades (also known as "North Airspace and Roof Overhang")

of the new hotel tower located at 1106 E. Walnut. The form and content of the right of use license permit shall be substantially as set forth in "Attachment C" attached hereto and made a part hereof.

- 3. Right of use license permit for the excavation, installation, maintenance and operation of footings and foundations under the ground of the new hotel tower located at 1106 E. Walnut. The form and content of the right of use license permit shall be substantially as set forth in "Attachment D" attached hereto and made a part hereof.
- 4. Right of use license permit for the installation, maintenance and operation of conduits, which may contain wires, lines, cables or similar facilities, under the ground of the new hotel tower located at 1106 E. Walnut. The form and content of the right of use license permit shall be substantially as set forth in "Attachment E" attached hereto and made a part hereof.
- 5. Right of use license permit for the construction, maintenance and operation of a skywalk airspace to and from the new hotel tower located at 1106 E. Walnut and the existing hotel tower located at 1111 Broadway. The form and content of the right of use license permit shall be substantially as set forth in "Attachment F" attached hereto and made a part hereof.
- 6. Right of use license permit for the installation, maintenance and operation of an awning and emergency operation of a guest entry door located on the south end of the east side of the new hotel tower located at 1106 E. Walnut (also known as "East Airspace and Guest Entry Door on Southeast Corner"). The form and content of the right of use license permit shall be substantially as set forth in "Attachment G" attached hereto and made a part hereof.

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

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor and Presiding Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
City Counselor