



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: August 5, 2019

Re: Westbury Village – Amendment #1 to Development Agreement (Case # 177-2019)

## Executive Summary

Approval of the attached ordinance would authorize the City Manager to execute an Amendment to the Development Agreement for Westbury Village that would permit the relocation of a 69 KV electric transmission line traversing Lot 3 of the development.

## Discussion

Westbury Village is a mixed-use (commercial and residential) development located at the northwest and southwest corner of Scott Boulevard and Smith Drive. The final plat and Development Agreement were approved by City Council in June 2019.

The Development Agreement requires on-site and off-site public improvements, as well as a payment offset and fee in lieu of construction. The public improvements are secured by a Letter of Credit, and the work is to be completed within two (2) years of the effective date of the Development Agreement.

The purpose of the proposed amendment is to authorize the relocation of a 69 KV electric transmission line which traverses through the middle of Lot 3, located at the southwest corner of Smith Drive and Scott Boulevard. The relocation project would move the existing transmission line closer to Smith Drive away from the middle of Lot 3. The relocation would increase the area of Lot 3 that could be improved with a permanent structure as permanent structures cannot be located within dedicated utility easements.

The Developer, THM Construction, at its own costs, would install and pay for all improvements and services associated with the project in accordance with the requirements of the Utilities Department. The proposed amendment would revise the existing development as follows:

1. Creation of a new subsection in the Development Agreement setting terms for the relocation of the 69 KV transmission line project, assigning responsibility for installation and costs to developer, and the dedication of easements on the site.
2. Incorporate the Transmission Line Relocation Plans as an exhibit of the Development Agreement.

The proposed Amendment will not affect the zoning entitlement or plats already approved for the project site.



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

The requested relocation has been reviewed by the Utilities Department. No technical issues have been identified that would preclude the requested relocation from occurring. Prior to any work beginning on the requested relocation, authorization from Midcontinent Independent System Operator's (MISO) would need to be obtained. The proposed relocation plans will be submitted by the Utilities Department should this amendment be authorized.

A copy of the proposed amendment to the Development Agreement and accompanying relocation exhibit are attached for your review.

## Fiscal Impact

Short-Term Impact: None. Costs associated with the relocation of the transmission line will be borne by the applicant.

Long-Term Impact: No new long-term costs will be incurred. The existing transmission line will retain its existing maintenance costs just within a new location.

## Strategic & Comprehensive Plan Impact

### Strategic Plan Impacts:

Primary Impact: Not Applicable, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

### Comprehensive Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Land Use & Growth Management, Tertiary Impact: Not Applicable

## Legislative History

Date	Action
6-17-19	Approved Final Plat and Development Agreement for Westbury Village (Ord. 023896)

## Suggested Council Action

Approve Amendment #1 to the Development Agreement for Westbury Village permitting the relocation of a 69 KV electric transmission line.