



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: June 3, 2019

Re: The Shoppes at Somerset Village Plat 1 – Final Plat (Case # 96-2019)

Executive Summary

Approval of this request would result in the creation of a 1-lot subdivision known as, “The Shoppes at Somerset Village Plat 1”, located on the northwest corner of St. Charles Road and Battle Avenue. The plat will confer “legal lot” status upon the lot, in order to permit development in accordance with the requirements of the UDC.

Discussion

The applicant is seeking approval of a one-lot final plat of 6.64 acres located on the northwest corner of St. Charles Road and Battle Avenue. The University of Missouri has entered into a contract to purchase the property for the purpose of constructing a medical office similar to that located on Smiley Lane on the lot. The subject lot requires final platting for the purposes of meeting the UDC’s definition of a “legal lot” to facilitate its sale.

The lot in question (Lot 304 of Preliminary Plat of Somerset Village Plat No. 2) is subject to the provisions of a Development Agreement approved on March 9, 2015. The Development Agreement establishes a number of conditions, described below, on the development of the Somerset Village property as well as provides for the establishment of the Somerset Village Transportation Development District (TDD) on the non-residential portions of the overall development acreage. The purpose of the TDD is assist in financing the installation of approximately \$50 million dollars of transportation infrastructure identified within a 2012 Traffic Impact Study for a 1,800 acre study area within which Somerset Village is located.

The proposed plat fulfills the requirement of Exhibit D of the Development Agreement which requires the elimination of the signalized intersection at St. Charles Road and Battle Avenue, and replacement of the intersection with a roundabout. The necessary on-site right-of-way to facilitate the construction of the roundabout will be dedicated upon approval of the proposed plat. Additional off-site right-of-way to ensure construction of the roundabout has been secured and dedicated to the City by separate document.

Finally, the proposed plat addresses the provisions of Paragraph 10 of the Development Agreement that states “[the] Owner will provide north-south (parallel to Battle Avenue) access through Tract 2 and Tract 4 (Lots 302 and 304 on the preliminary plat) for emergency purposes”. Such access is provided on the plat by way of an emergency access easement. This easement is based on preliminary site design for the medical office and may require relocation at a future date following a formal vacation request and rededication. However, its presence on the plat in its current configuration satisfies this condition of the Development Agreement.



City of Columbia

701 East Broadway, Columbia, Missouri 65201

Upon additional review of the obligations of the Development Agreement, it was identified that the subject parcel would be required to pay supplemental building permit fees and was to be a part of the TDD parcels. When the Development Agreement was adopted, there was no anticipation that any portion of the overall development would be sold to a tax- and permit-exempt entity such as the University of Missouri. Given the pending sale and the concerns that the obligations imposed by the agreement (i.e. supplemental building permit fees and inclusion within the TDD) are in conflict with the University's status, the applicant is seeking a revision to the Development Agreement.

The revisions to the Development Agreement will be concurrently introduced on June 3 as a separate Council Agenda item. Such report will also include a formal request to adopt the required Intergovernmental Cooperation Agreement which is in substantial compliance with that shown in Exhibit F of the Development Agreement. Adoption of the Intergovernmental Cooperation Agreement is necessary to allow for collection and deposit of TDD sales taxes from the commercially developed properties within Somerset Village that can be applied to the \$50 million dollars of transportation improvements identified in the 1,800 acre study area.

Aside from the proposed revisions to the Development Agreement, the staff finds the plat is in substantial conformance with the approved preliminary plat and is in conformance with the provisions of the Development Agreement and all UDC regulations. Staff recommends approval.

A copy of the locator maps, final plat, approved "*Preliminary Plat of Somerset Village Plat No. 2*", and 2015 Development Agreement are attached for review.

Fiscal Impact

Short-Term Impact: None anticipated within the next two years.

Long-Term Impact: None anticipated.

Vision & Strategic Plan Impact

Strategic Plan Impacts:

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

Comprehensive Plan Impacts:

Primary Impact: Mobility, Connectivity, and Accessibility, Secondary Impact: Land Use & Growth Management, Tertiary Impact: Inter-Governmental Cooperation



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Legislative History

| Date | Action |
|-----------|--|
| 2/16/2016 | Approved: Preliminary Plat of Somerset Village, Plat No. 2 (Res. R19-16) |
| 3/3/2015 | Approved: Annexation of the subject property, and establishing C-P zoning (Ord. 22373) |

Suggested Council Action

Approve the final plat of, "The Shoppes at Somerset Village Plat 1."