



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: June 21, 2021

Re: Timberbrook - Preliminary Plat (Case #131-2021)

Executive Summary

Approval of this request would permit the creation of a 35-lot preliminary plat on 21.21 acres of land located on the west side of Scott Boulevard at Copperstone Creek Drive. This request is being considered concurrently with a request for annexation and assignment of permanent R-1 zoning (Case #163-2021 and #132-2021), respectively.

Discussion

Crockett Engineering (agent), on behalf of The Eric-Lori Kurzejeski Trust (owners), is seeking approval of a 35-lot preliminary plat on 21.21-acre property located west of Scott Boulevard and north of the existing Creek's Edge subdivision. The proposed preliminary plat is being reviewed concurrently with the proposed permanent zoning (Case # 132-2021) of the acreage, subject to annexation (Case #163-2021).

Of the proposed 35 lots, lots 1-32 are intended for development with single-family detached homes. Lot C1 is significantly encumbered by floodway making it unsuitable for development purposes; therefore, will be used for open space and stormwater mitigation. Lot D1 will contain an existing city-owned stormwater detention facility. Lot D2 is a remnant of the proposed plat and will be transferred to Aaron and Kristin Catron, owners of the existing home fronting to Scott Boulevard, to replace their driveway access that will be eliminated as part of the development.

A private sewer service lateral currently serves the Catron home. This private lateral service will be replaced by a public main extension at the time of final platting to ensure conformance with City policies. Once the new public main is constructed and accepted the existing lateral will be abandoned. All other necessary utility easements are provided on the plat as well as additional right-of-way for Scott Boulevard which will be dedicated upon final plat approval. Standard 50-foot rights-of-way have been provided for Kuzzie Court and Vecchi Lane to serve all proposed development lots. Each roadway will be improved with sidewalks.

"Stream buffer averaging," a technique permitted per Chapter 12A, has been applied to this development to allow Lots 17 and 18 to have sufficient buildable area to accommodate a future home. These lots were identified as being partially encumbered by the required stream buffer of Mill Creek during initial review. Pursuant to Chapter 12A requirements, additional stream buffer has been provided elsewhere on along Mill Creek to off-set the adjustments on lots 17 and 18. The expanded stream buffer was originally identified as being located within a sewer easement at the time of Planning Commission report preparation. As



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a condition of plat approval this additional buffering was to be relocated slightly to the north before the plat is forwarded to Council. The attached plat depicts this revision.

The Planning and Zoning Commission considered this request at their May 6, 2021 meeting. Staff presented a combined staff report detailing both the permanent zoning (Case #132-2021) and preliminary plat (Case #131-2021) requests. The applicant gave a presentation addressing Commissioner questions regarding sewer capacity and further explained the concept of stream buffer averaging and how its application in this instance reduced conflicts with development lots. One member of the public spoke on the combined requests seeking greater protections for the stream buffer outer zone and the floodplain, and indicating support for consideration of R-2 zoning for properties seeking annexation in the future.

The Planning Commission then voted (8-0) for approval of the preliminary plat, pursuant to minor technical corrections (i.e. relocation of the stream buffer averaging area and a reference to an existing utility easement over the private sewer lateral). These technical corrections have been reflected on the attached preliminary plat.

The Planning Commission staff report, locator maps, preliminary plat, and meeting minute excerpts are attached.

Fiscal Impact

Short-Term Impact: None anticipated within the next two years. Public infrastructure extension/expansion would be at the cost of the developer.

Long-Term Impact: Public infrastructure maintenance such as roads, sewers, and water, as well as public safety and solid waste service provision. Future impacts may or may not be offset by increased user fees and/or property tax collections.

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

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

Comprehensive Plan Impacts:

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



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Legislative History

Date	Action
6/7/21	Introduction of permanent zoning. (B172-21)
6/7/21	Conducted annexation public hearing. (PH22-21)
5/17/21	Set annexation public hearing. (R76-21)

Suggested Council Action

Approve the preliminary plat of *Timberbrook*.