



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: April 17, 2023

Re: Fox Creek Subdivision Plat 2 - Preliminary Plat (Case #94-2023)

Executive Summary

If passed, this request would grant approval of a revised preliminary plat for the Fox Creek Subdivision, creating 50 additional lots (128 total) on a total of 45.36-acres. The revised preliminary plat contains 16.52 acres of new land that is proposed for annexation (Case # 131-2023) and assignment of permanent R-1 zoning (Case # 97-2023). A related request to the revised preliminary plat, presented under separate cover, seeks a design adjustment from Section 29-5.1 (3)(ii) of the UDC, as it relates to the maximum permitted block length. The design adjustment along with Case # 131-2023 and Case #97-2023 will appear on the Council's April 17, 2023 agenda.

Discussion

Simon & Struempf Engineering (agent), on behalf of JR2 Development, LLC and Patterson Property Management, LLC. (owners), are seeking approval of a revised preliminary plat to be known as "Fox Creek Subdivision Plat 2". The revised preliminary plat will contain 89-lots on approximately 29.21 acres of the overall 45.36-acre development site. 16.52 acres of the 29.21 is proposed to be added via a pending annexation (Case #131-2023) and permanent zoning (Case #97-2023). Also associated with the revised preliminary is a design adjustment pertaining to waiver of the UDC's provisions addressing block length. These topics are presented under separate cover on the Council's April 17, 2023 agenda.

The existing 2016 development acreage (28.84 acres) included a total of 78 single-family lots. The proposed revision inclusive of the additional 16.52 acres to be annexed and permanently zoned will result in the overall subdivision containing a total of 122 single-family and 6 common lots. Of the 128 total lots, 37 single-family and 2 common lots were platted within Phase 1 of the subdivision.

The proposed revision will result in 85 single-family lots and 4 common lots left for development. The depicted common lots are to be used for open space, stormwater management, stream buffer, and tree preservation purposes. Additional rights of way and utility easements are also depicted on the preliminary plat, to be dedicated at the time of final platting.

The Planning and Zoning Commission considered this request concurrently with the proposed permanent R-1 zoning (Case # 97-2023) at their March 9, 2023 meeting. Staff presented its report and the applicant's representative gave an overview of the request. A neighboring property owner spoke during the permanent zoning action (Case #97-2023) on concerns about construction noise and the undefined timeline for construction of the development



City of Columbia

701 East Broadway, Columbia, Missouri 65201

(see attached). He indicated that a family member suffers from an extreme auditory disorder causing an aversion to noise, and he hoped for some realistic accommodations to avoid impacts on their quality of life. The applicant exchanged contact information with this speaker and indicated that all attempts would be made to avoid a conflict.

Following public comment, the Commission had discussion relating to the corresponding design adjustment seeking a waiver of the maximum block length and expressed concerns about the lack of accommodation of pedestrian connectivity within the development. Following a “tie” (3-3) vote, resulting in “no recommendation” on the design adjustment, the Commission reconsidered the design adjustment with a condition that a pedestrian easement be provide between the excessively long blocks. This motion was approved (5-1). The Commission then made a motion to approve the revised preliminary plat which passed (5-1).

It should be noted that while discussing the proposed preliminary plat revision and related design adjustment pertaining to “block length”, Commissioner Loe mistakenly referenced the maximum permissible block length of 600-feet as a “minimum” block length within the minutes. This statement was an error. Section 29-5.1(c)(3)(ii) of the UDC states that “**maximum**” block length is 600-feet.

Since the Planning Commission meeting, the preliminary plat has revised to address the condition imposed relating to the design adjustment. A pedestrian easement has been provided between Lots 259, 260, 274 and 275.

The Planning Commission staff report, locator maps, preliminary plat, 2016 approved preliminary plat, design adjustment worksheets, public correspondence 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 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: Reliable Infrastructure, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Infrastructure, Tertiary Impact: Mobility, Connectivity, and Accessibility

Legislative History

Date	Action
4/3/23	Set a public hearing for the annexation of the subject tract (R50-23)

Suggested Council Action

Approve the proposed *Fox Creek Preliminary Plat 2* as recommended by the Planning and Zoning Commission.