



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: April 1, 2024

Re: Brushwood Lake, Plat No. 1 – Final Plat (Case #60-2024)

Executive Summary

This request will approve a 2-lot final minor plat of M-N (Mixed Use - Neighborhood) zoned property, to be known as “*Brushwood Lake, Plat No. 1*”, to be platted. The subject acreage is located to the north and south of Brushwood Lake Road, west of the Vawter School/Scott Boulevard roundabout. The plat is sought for approval in advance of future development on the parcel locate north of S. Brushwood Lake Road.

Discussion

Crockett Engineering Consultants (agent), on behalf of Medicinal Properties LLC (owner), seeks approval of a 2-lot final minor plat of 10.35-acres that is currently zoned M-N (Mixed-use Neighborhood). The site is currently vacant and is proposed to be developed featuring a restaurant, brewery production facility, and outdoor pickle-ball courts, all falling under the Class 1 Artisan Industry designation. This action was reviewed by the Planning and Zoning Commission given the site has not been previously platted and is required to be a “legal lot” prior to issuance of a future building permit.

In September 2018, the subject site received approval for annexation and permanent zoning to the M-N district per Ordinance No. 023658 (Case # 18-146). Prior to obtaining this approval, a FEMA Letter of Map Revision (LOMR) was issued delineating the floodplain designation affecting the property. As a part of the approval process, it was acknowledged that platting would be necessary to confer “legal lot” status upon the acreage and that identification of all stream buffers, floodplain boundaries, and dedicating of S. Brushwood Lake Road right-of-way would be required. The proposed final plat illustrates all features and upon approval will result in the dedication of required right-of-way for S. Brushwood Lake Road.

In October 2023, the applicant requested a concept review to discuss the potential platting and development of the property (Case # 04-2024). The property is split by S. Brushwood Lake Road, with the proposed development intended for the northern portion. The southern portion is presently encumbered by a storm water detention area, rendering it unsuitable for development. Staff recommended that both the northern and southern portions of the parcel be included in the proposed final plat since neither had not been previously platted.

According to sec. 29-2.3 (d)(14)(i) of the Unified Development Code (UDC), development within the floodway requires the submission of a “no-rise” certification. The applicant's future site improvements are not proposed to be located within the floodway; however, since they



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will occur within the floodplain a floodplain development permit will be required at the time of application for a building permit.

Considering the intended use of the property, a traffic study was expected to be necessary upon application for a building permit. However, a traffic generation analysis was submitted to the City's Traffic Engineer, demonstrating that the proposed site would generate fewer than 100 trips during peak hours. Given this finding, a future traffic study is not required.

S. Brushwood Lake Road is identified as a neighborhood collector on the CATSO Major Roadway Plan which requires a 60-foot right-of-way which is shown as being dedicated on the final plat. The final plat also illustrates standard 10-foot utility easements being dedicated across the street frontage.

The northern portion of the site is serviced by an existing 30-foot electric easement and a 20-foot sewer easement traverse the site. A water main extension will be required to serve the northern portion of the property. The existing 36-inch and 24-inch pipes on the site are not available for connection. Aside from the described water main connection limitations, the site is served by all City utilities and requires no other public utility infrastructure expansion at this time.

The Planning and Zoning Commission held a public hearing on this request at its February 22, 2024 meeting. Staff provided its report and noted the plat was recommended for approval subject to technical corrections relating to surveyor-related matters. The applicant was present to answer questions. No one from the public spoke on this matter. Following limited Commission discussion, a motion was made to approve the requested final plat pursuant to minor technical corrections which was approved by a vote of (8-0).

Since the Planning Commission hearing, the applicant has submitted a revised final plat and secured "full" approval. The final plat attached is compliant with the UDC and has been reviewed by both internal and external agencies which support its final approval by City Council.

A copy of the Planning and Zoning Commission staff report, locator maps, final plat, and meeting minute excerpts are attached.

Fiscal Impact

Short-Term Impact: None anticipated. Any future expansion or relocation of utilities to serve the development would be addressed by borne by the applicant.

Long-Term Impact: Limited. Possible impacts could include increased public infrastructure maintenance expenses for roads, sewers, and water, as well as enhanced public safety and solid waste service provision costs. The site's future improvements are supported by existing infrastructure services. 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: Not Applicable, 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

Legislative History

Date	Action
10/01/2018	Approved Annexation and Rezoning to M-N (Ord. 023658)

Suggested Council Action

Approve the final plat of *Brushwood Lake, Plat No. 1* as recommended by the Planning and Zoning Commission.