



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: December 5, 2016

Re: Christiansen Deline Subdivision – Development Agreement (Case #17-30)

Executive Summary

Approval of this request would authorize the City to enter into a development agreement with Greg and Kelly Deline, establishing public infrastructure obligations and performance triggers associated with the proposed development of an approximate 71-acre tract of land located at the southwest corner of Highway 763 and Brown School Road.

Discussion

The attached development agreement amends the May 2016 approved development agreement for the subject site (Ord. 22802) which was associated with the site's annexation and preliminary platting. The revision resolves an issue with the construction of Boone Industrial Boulevard that was discussed during review of the previous development agreement.

An associated preliminary plat revision (Case # 16-202) governing the future subdivision of the site's 71 acres will be considered by Council on December 5. The preliminary plat has been revised to allow for the relocation of Boone Industrial Boulevard, which has resulted in the creation of an additional lot. The Planning and Zoning Commission recommended approval of the revised preliminary plat, subject to Council approval of the attached development agreement, at their October 20, 2016 meeting.

The principal purpose of the revised development agreement is to address the timing of public infrastructure installation adjacent to Lots 7 and 8 and to address the process of dedication of Boone Industrial Boulevard. Under typical circumstances, all public infrastructure abutting new platted lots is required to be installed prior to the issuance of a building permit, or within three years, whichever occurs first. At the time of the final platting of either Lot 7 or 8 (as shown in Exhibit B of the agreement), the property owner would be required to construct all public roadways that abut the lots. In this specific instance, that could include all or portions of Boone Industrial Boulevard and White Tiger Street.

The applicant, through the development agreement, is requesting that their responsibility to construct White Tiger Street be delayed until additional lots (as shown on Exhibit B) have been platted. The development agreement includes specific provisions that would allow the construction of White Tiger Street, along the west boundary of Lot 7 and 8, to be delayed until either Lots 3, 4, or 6 are platted, at which time the portion of White Tiger Street that would have been the responsibility of Lot 7 or 8 would be constructed by the developer of either Lots 3, 4, or 6.



City of Columbia

701 East Broadway, Columbia, Missouri 65201

Delayed construction of White Tiger Street is supported, as it would not represent the sole access for any specific lot and represents less than half of the total roadways that are required to be constructed within the overall development, which is believed to be a reasonable compromise. In addition, per the terms of the development agreement, the applicant has agreed to pay for the relocation of any utilities that will be within the Brown School Road right of way after the platting of the property and dedication of additional right of way occurs.

The revised development agreement also addresses construction requirements and timing for the dedication of Boone Industrial Boulevard following its installation. The applicant currently does not control the necessary property near the intersection of Highway 763 and Boone Industrial Boulevard to fully dedicate the necessary right-of-way for the construction of Boone Industrial Boulevard into the subject site. The existing access point was constructed by MoDOT and is generally located along the property line shared between the subject site and the abutting property to the south. Any extension of Boone Industrial Boulevard would require that at least a small portion of the roadway be located on both properties.

In order to allow for the development of the applicant's property without the necessary right of way for Boone Industrial Boulevard being dedicated, the development agreement proposes to allow Boone Industrial Boulevard to be partially constructed within an existing access easement on the abutting property. Street construction within the easement would be required to comply with the City's street standards for a local non-residential street.

Since the street will not be within right-of-way, the City will not accept the roadway until such time as the right of way has secured - either by the applicant or through a future roadway dedication triggered by the development of the property to the south. Prior to such time, the applicant may utilize the street for access, per the existing easement rights, to Lots 7 and 8. When the right of way has been secured, the City may accept the street, or require repairs, as detailed in the development agreement.

The development agreement also includes additional provisions intended to address public needs surrounding the property that will be triggered as part of its overall improvement. Specifically, the agreement includes provisions for the dedication of a trail easement along the north side of the Cow Branch Creek, which is consistent with the Parks and Recreation Department's trail master plan. To accommodate the trail, the applicant has agreed to either incorporate a water crossing under the future construction of White Tiger where it crosses over Cow Branch or, if a water crossing is not possible, an at-grade crossing.

Additionally, the site's development may require additional infrastructure upgrades to Brown School Road, based upon the results of a traffic impact study (TIS) that will be required at the time that either Lots 1, 2, 3, or 4 are platted. The City, at its discretion, may waive the required TIS improvements if the applicant and the City agree to equivalent alternative improvements in the future.

Locator maps and Development Agreement (with exhibits) 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 and sewers. Future impacts may be offset by increased user fees, property tax collections, and payments required per the development agreement.

Vision & Strategic Plan Impact

Vision Impacts:

Primary Impact: Development, Secondary Impact: Secondary, Tertiary Impact: Tertiary

Strategic Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Secondary, Tertiary Impact: Tertiary

Comprehensive Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Secondary, Tertiary Impact: Tertiary

Legislative History

Date	Action
5/2/2016	Ord. 22801: Approved annexation, permanent zoning Ord. 22802: Authorized development agreement R51-16: Approved preliminary plat of Christiansen Deline Subdivision.

Suggested Council Action

Authorize the execution of the revised development agreement.