



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: November 7, 2022

Re: Bristol Ridge Plat No. 2 – Annexation Public Hearing (Case #01-2023)

Executive Summary

This request will meet the State Statute requirements for conducting a public hearing on the proposed annexation of approximately 53.80 acres of land located at the north terminus of Bristol Lake Parkway.

Discussion

Crockett Engineering Consultants (agent), on behalf of Fred Overton Development, Inc. (contract purchaser), is seeking approval to annex approximately 53.80 acres into the City's corporate limits. The site is located northwest of the existing terminus of Bristol Lake Parkway. The acreage is contiguous to the City's municipal boundary along its southern and eastern boundaries, which are shared with Bristol Ridge Plat 1 and Phillips Park, respectively.

The applicant seeks assignment of R-1 (One-family Dwelling) district zoning as the site's permanent zoning upon annexation (as described below). The proposed permanent zoning (Case # 246-2022) and preliminary platting (Case # 245-2022) of the acreage were reviewed by the Planning Commission at their October 6, 2022 meeting. Following the required public hearing both cases were recommended for approval. The full Planning Commission staff reports and supporting documentation are being introduced under separate cover on the November 7 Council agenda.

The requested R-1 zoning is generally consistent with the existing Boone County A-1 (Agriculture) zoning and the surrounding development pattern in both the City and County. The site is generally surrounded by County A-1 to the north and west (undeveloped), O (Open Space) to the east (Phillips Park) and City R-1 and PD residential development to the south (Bristol Ridge Plat 1 and Bristol Lakes, respectively). The site is designated as being located within the Neighborhood District on the City's Future Land Use Map which supports all residential zoning categories.

To offset the impacts of the development, a draft development agreement (attached) has been prepared that will be consideration concurrently by City Council with the annexation/ permanent zoning and subdivision requests. The provisions of the agreement stipulate that the developer is responsible for construction of Bristol Lake Parkway and Phillips Farm Road within three years of the initial final plat or prior to the platting of the 69th lot within the development as shown on the attached exhibit. This roadway construction was agreed to by the developer in lieu of a proportional monetary contribution to construction of a future roundabout at the subject site's northeast corner. The construction of the roadway infrastructure will ensure that sufficient vehicular and emergency access to the proposed



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development exists and that the development meets UDC requirements.

The right of way for the extension of Bristol Lake Parkway and proposed roundabout are shown on the preliminary plat and will be dedicated with future final plats. The right of way for the extension of Phillips Farm Road will be provided by the City as the roadway extension traverses the northern portion of Phillip Park just south of the existing Sports Field House. Upon completion of the roadway construction there will be a public street network in place providing direct access to the existing and proposed Phillips Park improvements from both Ponderosa Street and Gans Road.

The applicant has agreed to the terms of the to the draft development agreement, but given they are a contract purchaser of the acreage execution of the agreement will be delayed until the final sale of the land has been completed. To ensure that the development agreement is effective and obligates the developer to its terms, a provision is proposed to be included within the preliminary plat resolution that stipulates “no land disturbance permits for the land shown within the preliminary plat will be issued until such time as a development agreement in substantial conformity to the one attached is signed”.

This approach to delayed execution of the development agreement is similar to that which existing at the time Bristol Ridge Plat 1 was annexed and proposed for development inside the City. The language to be used within the preliminary plat resolution is consistent with that used when Bristol Ridge Plat 1 was approved by the Council. It should be noted that the developer of Bristol Ridge Plat 1 and Bristol Ridge Plat 2 are the same individual – Fred Overton Development, Inc.

It should be further noted that following execution of the development, the developer will be permitted to plat up to 68 lots accessible from a single point of access (i.e. extension of Bristol Lake Parkway). Per Section 29-5.1 (f) (2) (ii) of the UDC, final plats are generally not permitted to exceed more than 30 lots or units without having a secondary access. This provision can be exceeded when authorized by the adopted Fire Code or approved by the Columbia Fire Department.

In recognition of this situation and following consultation with the Fire Department, it has confirmed that the Fire Code does allow for the platting of more than 30 lots or units when a plan for the connection of a secondary access is provided. In this particular instance, the draft development agreement includes “triggers/milestones” specifying when the construction and acceptance of the both Bristol Lake Parkway and Phillips Farm Road will need to be completed. The inclusion of these provisions was determined to be sufficient to allow the Fire Department to recommend approval of the preliminary plat and the future creation of more than 30 lots within the first final plat submission.

Per State Statute, a public hearing must be held prior to final action being taken on the annexation of property into the corporate limits. The purpose of the hearing is to receive public comments regarding the annexation of the property and to determine if such action is a reasonable and necessary expansion of the city's corporate limits.



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The subject site is within the Urban Service Area as presented in Columbia Imagined and has access to an existing City sanitary sewer line onsite. There are no known sewer capacity issues. The subject property is not within a sewer connection agreement area and the expense associated with connection to the city's system will be borne fully by the applicant. The subject property will be required to pay standard connection and monthly service charges as a condition of being provided sanitary service.

The subject property is located within the City's water and electric service territories. Fire protection would be provided jointly by the City of Columbia and the Boone County Fire Protection District.

Public notice relating to the proposed permanent zoning and preliminary plat were provided 15 days in advance of the Commission's October 6th meeting via a published newspaper ad, on-site signage indicating the site was the subject of a public hearing, and written notification to all property owners as well as Homeowners Associations within 185' and 1000', respectively.

Locator maps, annexation petition, roadway construction exhibit and draft development agreement 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 applicant.

Strategic & Comprehensive Plan Impact

Long-Term Impact: Public infrastructure maintenance associated with sanitary sewer 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 Plan Impacts:

Primary Impact: Reliable Infrastructure, Secondary Impact: Inclusive Community, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Livable & Sustainable Communities, Tertiary Impact: Not Applicable

Legislative History

Date	Action
10/17/22	Set a public hearing for November 7, 2022. (Res. 162-22)



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Suggested Council Action

Hold the required public hearing for the requested annexation as required by State Statute.