



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: September 7, 2021

Re: Old Hawthorne North Preliminary Plat (Case #105-2021)

## Executive Summary

Approval will result in a new 168-lot preliminary plat for a residential subdivision. This request is being reviewed concurrently with a request for design adjustments regarding block length, cul-de-sac length, and driveways on a collector street. Approval will also authorize the City Manager to execute a development agreement between the City and the property owners establishing public infrastructure obligations related to the development of the *Old Hawthorne North* subdivision.

## Discussion

Crockett Engineering Consultants (agent), on behalf of Boone Development, Inc., Old Hawthorne Development, LLC and Vistas at Old Hawthorne Homes Association (owners), is seeking approval of a 168-lot preliminary plat located on property either currently zoned or requested to be zoned R-1 (One-family Dwelling). The 125.57-acre site includes two parcels that are pending annexation (Case # 106-2021) located on the south side of Richland Road, approximately 4,000 feet east of Rolling Hills Road, and also 3 existing City lots located along the north side of Ivory Ln and Crooked Switch Ct within the Old Hawthorne subdivision. Two of the three lots are sought to be rezoned (Case #107-2021) from PD to R-1.

Associated with this request, under separate cover on the September 7 Council agenda, is a concurrent request for design adjustments from Sections 29-5.1(c)(3)(ii) for longer block lengths, 29-5.1(c)(3)(i)(F) for a longer cul-de-sac length, and 29-5.1(f)(2)(iii) to allow driveways on a collector street.

The applicant is seeking a preliminary plat to create a new 168-lot residential subdivision that would be immediately north of and connected by two streets to the existing Old Hawthorne development. Lots sizes range from larger than one-acre to those approximately 70 feet wide and containing 10,000 square feet (1/4 acre). Access to the site will be primarily from a new intersection with Richland Road on the north side of the development. The site will also connect to an existing stub street (Cutters Corner Lane) that exists within the Old Hawthorne development and a new second access point to be known as San Lorenzo Lane through an existing common lot sought to be rezoned from PD to R-1.

Altogether, three existing lots within Old Hawthorne (two of them common lots) are included in the preliminary plat and will be reconfigured to allow residential development along the north side of Ivory Lane. Of the three existing lots, Lot 516 of *Old Hawthorne Plat 5*, was restricted, by plat note, for residential development purposes; however, approval of the preliminary plat would permit the lot to be developed given such approval eliminates the



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

existing restriction. The remaining two common lots are zoned PD and are the subject of Case # 107-2021 being introduced concurrently with the preliminary plat request.

It should be noted that the preliminary plat is not strictly consistent with the Major Roadway Plan (MRP), which includes a north/south major collector generally along the west side of the property. The roadway is shown as aligning with Richland Lane to the north of the subject site which extends further north providing a future connection to I-70 Drive SE. The MRP is considered a portion of the Comprehensive Plan which is used for guidance in the laying out of street networks through the subdivision process. The prelim plat does propose a curvilinear east-west collector street with a 66 foot right-of-way and 32 foot wide pavement.

The Planning and Zoning Commission considered this request at their June 10, 2021 meeting. Staff presented its report and the applicant gave an overview of the request. Two members of the public spoke during the public hearing. Concerns included site visibility along Richland Road for traffic entering and exiting the site, the lack of a proposed turn lane, and stormwater management.

In addition, a letter from a member of the public was submitted citing concerns regarding the lack of sidewalks along some portions of the street network within the existing Old Hawthorne development and that adding traffic to these streets by way of the new development could negatively impact pedestrians. Staff clarified during the meeting that a variance had previously been granted to waive sidewalks along a portion of the north side of Lightpost Drive. Other locations within the existing development without sidewalks are generally the result of lots that have not yet been developed.

The Commission inquired about whether tree preservation would be eliminated on the common lots as a few trees exist. Additionally, there was concern that one of the common lots had not been transferred to the HOA previously. Following additional discussion, a motion to approve the preliminary plat failed (1-8). Discussion on the accompanying design adjustments is included in a separate report to Council.

In conjunction with the preliminary plat, staff recommends that the attached development agreement be considered for approval. Per UDC requirements, a traffic study was submitted to ascertain the impact of the development on the surrounding road infrastructure. The traffic study did not recommend any infrastructure improvements based on the increase in traffic volumes generated by the development principally due to the conclusion that the increase in traffic at the surrounding intersections (i.e. Richland Road/development entry and Rolling Hills/Grace Lane) would not cause those intersections to fall below a reasonable service level.

While staff generally agrees with these conclusions, it also recognizes that the increase in traffic will have an incremental impact on the ability of the intersections to function properly in the future. In recognition of this fact, the attached development agreement proposes to assign a portion of the costs of likely future infrastructure upgrades (i.e. roadway



widening/intersection improvements) to this specific development by way of a payment of \$94,048.70. The applicant has agreed to the terms of the development agreement.

The execution of the development is contingent upon the approval of the request to annex and apply permanent zoning to the subject tract (Case #106-2021). Should the Council not approve the annexation and permanent zoning the attached agreement would be void. It should be further noted, that because the preliminary plat is recommended for denial, an affirmative vote of 5 of 7 Council members would be required to approve the preliminary plat as submitted.

The Planning Commission staff report, locator maps, preliminary plat, traffic impact study, development agreement, preliminary plat (revised 8/12/2021), 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 and would be subject to payment of all applicable connection fees for city services like other property presently within the corporate limits.

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: Not Applicable, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

### [Comprehensive Plan Impacts:](#)

Primary Impact: Land Use & Growth Management, Secondary Impact: Mobility, Connectivity, and Accessibility, Tertiary Impact: Not Applicable



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## Legislative History

Date	Action
NA	NA

## Suggested Council Action

Denial of the preliminary plat, due to the denial of the associated design adjustments and its inconsistency with the Major Roadway Plan as recommended by the Planning and Zoning Commission.