



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: February 4, 2019

Re: Westbury Village – Preliminary Plat (Case #23-2019)

Executive Summary

Approval of this request would result in the creation of a 15-lot mixed-use preliminary plat to be known as “Westbury Village” that includes new roadways and easements to be dedicated to public use upon final platting. Furthermore, as a condition of approval the property owner would be required to enter into a development agreement with the City for the purposes of establishing public infrastructure obligations associated with the proposed preliminary plat and future development of the site prior to the issuance of a land disturbance permit.

Discussion

Overview

Engineering Surveys & Services (agent), on behalf of Westbury Village Joint Venture, Hamlet Limited Partnership, and Joseph Tosini (owners), are seeking approval of a 15-lot preliminary plat on PD (Planned Development) zoned land, to be known as *Westbury Village Subdivision*. The approximate 45-acre subject site is generally located at the northwest and southwest corner of Scott Boulevard and Smith Drive.

This request is also associated with case #24-2019, which is a request to rezone the property from PD to R-MF, M-N, and M-C. The proposed preliminary plat proposes to subdivide the property along the zoning boundaries that are being proposed with case #24-2019. If the zoning request is not approved, then approval of the preliminary plat as shown would likely include split zoning on several lots.

The requested preliminary plat includes the creation of a total of 15 lots that would permit the development of commercial and residential uses, with one lot dedicated to tree and sensitive area preservation. The preliminary plat includes the future dedication of the required right of way for two new non-residential streets. One is the extension of Dayspring Drive from its current terminus south to intersect with Smith Drive, and the other the continuation of Faurot Drive that will connect Scott Boulevard and Stone Valley Parkway. Additional right of way for Smith and Scott will also be dedicated.

Presuming the requested zoning is approved, the site would generally allow commercial development on Lots 1-10, and residential development on Lots 12-13 and 15. Access to the property from Scott will likely be limited to a pair of right-in/right-out access points – one to the north and one to the south of Smith Drive.



City of Columbia

701 East Broadway, Columbia, Missouri 65201

The Planning and Zoning Commission considered the preliminary plat for the subject property at their December 20, 2018 meeting. Staff presented its report and the applicant and their representatives gave an overview of the request. Multiple members of the public spoke generally against the request during the public meeting on the related zoning action as well as during public comments relating to the plat, with concerns relating to increased traffic on Stone Valley Parkway, Dayspring Drive, and Scott Boulevard. Residents expressed concern about the proposed connection of Faurot Drive to Stone Valley Parkway and desired that it be eliminated; however, if required, they requested that it be offset so that it does not align with existing streets on the west side of Stone Valley Parkway.

Following limited additional discussion, the Commission made a motion to approve the preliminary plat which failed by a vote of 4-5. Pursuant to the provisions of Section 29-5.2(c)(3)(ii)(F) of the UDC, a two-thirds vote of the Council will be required to over-ride the Commission's denial of the preliminary plat.

Development Agreement

A development of the scale and intensity proposed is not without impact to existing city infrastructure. In light of this reality, staff has proposed and the applicant has agreed to enter into a development agreement that will need to be executed prior to the issuance of a land disturbance permit for the property. The development agreement represents an "adequate cost allocation" approach for the proposed development request and is intended to address the impacts that developing the requested acreage may have upon existing city services.

The agreement addresses three main items, which include: 1) improvements that were recommended by a traffic impact analysis, which includes, among other improvements, intersection improvements at Scott and Smith, 2) payment offset of approximately \$160,000 for previous costs to the City for traffic light installation and right of way acquisition, and 3) fee-in-lieu payment for the cost of constructing a portion of Stone Valley Parkway that was previously platted but not constructed.

A draft copy of the development agreement and its exhibits has been prepared and is attached to this report. The resolution associated with this request includes a condition that a development agreement, substantially consistent with that attached as an exhibit, be executed by the property owner and the City prior to the issuance of a land disturbance permit for the site.

A copy of the Planning Commission staff report, locator maps, proposed preliminary plat, existing *Westbury Village* O-P/C-P development plan, draft development agreement with exhibits, and meeting 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 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: Infrastructure, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Infrastructure, Tertiary Impact: Livable & Sustainable Communities

Legislative History

Date	Action
4/2/2001	Approved O-P/C-P Plan (Ord. #16838)
12/4/2000	Approved PUD Plan (now expired) (Ord. #16698)
2/21/2000	Approved PUD-12, O-P and C-P zoning. (Ord. #16361)

Suggested Council Action

Deny the preliminary plat for *Westbury Village Subdivision*, as recommended by the Planning and Zoning Commission.