



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: February 6, 2017

Re: Creek Ridge, Plat No. 2 – Preliminary Plat (Case #16-145) - Remand

Executive Summary

Approval of this request will result in the creation of a 29-lot preliminary plat to be known as "Creek Ridge, Plat No. 2", along with dedications of easements and right of way, and will grant a variance to Section 25-47 regarding street length. This request was remanded to the Planning and Zoning Commission at the Council's November 21, 2016 meeting for additional review and consideration with specific emphasis placed on evaluating the proposed sale of a lot within the development for Parks and Recreation purposes.

Discussion

The applicant is proposing a 29-lot single-family development that would be the second phase of the Creek Ridge Subdivision located south of the intersection of Forum Boulevard and Old Plank Road. This request was originally presented to the Planning and Zoning Commission at its September 22, 2016, meeting and was denied. This recommendation was forwarded to Council for its consideration and Council recommended denial of the plat at its November 7, 2016, meeting.

At the November 21, 2016, Council moved that this item be reconsidered. The reconsideration would allow the Planning and Zoning Commission to hear more details of a pending sale of land within the development to the Parks and Recreation Department.

The proposed development site was originally shown as Lot 77 on the original preliminary plat of Creek Ridge (attached), but was never final platted. The subject site also includes previously platted lots from Creek Ridge, Plat No. 1 (Lot 26) and Creek Ridge, Plat No. 1A (Lot 27A), which are generally similar to Lots 26A and 27B as shown on the proposed preliminary plat.

The proposed preliminary plat would create 23 **new** buildable single-family lots and 4 common lots. The previously platted lots (Lots 26A and 27B) have been modified, but are not considered new. The lots would be accessed by the extension of Heath Court from its current terminus through the property, terminating at the south property line to provide connectivity to adjacent property in the future. The extension of Heath Court as shown, however, requires a variance to the maximum terminal street length permitted by Section 25-47, which states that a terminal street may have a maximum length of 750 feet. The applicant is proposing to extend Heath Court such that its length would be approximately 1,500 feet. Staff does not support the requested variance, as was detailed in the attached September 22, 2016 Planning and Zoning Commission staff report.



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At its January 5, 2017, meeting, the Planning and Zoning Commission reconsidered this request. Staff presented its report and a representative for the applicant gave an overview of the request as well as described in greater detail the potential sale of land to the City. The applicant's representative stated that the property to be sold to the City was significantly discounted and such discount was based upon the approval of the 23 developable lots. The applicant's representative also discussed in great detail how the proposed terminal street was consistent with other projects and that such termination was not permanent, but designed to be extended south when such connection could be made.

A representative from the City's Parks and Recreation Department explained how the property would be used if acquired and noted that direct roadway access was not necessary as the park was envisioned as a neighborhood not regional destination. It was stated that no funds were identified for improvement of the park at this time; however, acquisition funds were available as part of the current Park Sales Tax revenues. Park practice is to plan and design park improvements with the input of residents in the adjacent subdivisions.

Following public input the Commissioners asked additional questions regarding the ability to provide connectivity to the south and the potential for other platting options related to the sale of the property. Following additional discussion, the Planning and Zoning Commission voted (5-4) to recommend **denial** of the preliminary plat and the associated variance.

A copies of the Planning Commission staff report from January 5 and September 22, locator maps, preliminary plat (dated 12/14/16), variance worksheet, previously approved "Creek Ridge" preliminary plat, previously approved "Creek Ridge, Plat No. 1" final plat, and previously approved "Creek Ridge, Plat No. 1A" final plat, and meeting excerpts from the January 5 meeting are attached.

Fiscal Impact

Short-Term Impact: Limited short-term impact. All infrastructure extension will be at developer's expense.

Long-Term Impact: Long-term impact would include infrastructure maintenance and public safety services. Such increased costs may be offset by increased property taxes and user fees.

Vision & Strategic Plan Impact

Vision Impacts:

Primary Impact: Development, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable



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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: Not applicable, Tertiary Impact: Not Applicable

Legislative History

Date	Action
11/21/2016	Remand to Planning and Zoning Commission
11/7/2016	Denial of preliminary plat (R157-16)
8/17/2015	Approved administrative plat of "Creek Ridge, Plat No. 1-A" , with variance to sidewalks (Ord. #22550)
6/6/2005	Approved final plat of "Creek Ridge, Plat No. 1" (Ord. #18526)
3/21/2005	Approved preliminary plat of "Creek Ridge" (Res. #56-05)

Suggested Council Action

Denial of the variance to Section 25-47 relating to terminal streets and denial of the preliminary plat for "Creek Ridge, Plat No. 2" as recommended by the Planning and Zoning Commission.