



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: May 2, 2016

Re: Breckenridge Park – Annexation Public Hearing (Case #16-13)

## Executive Summary

This request proposes the annexation of approximately 90.8 acres of land located at the western terminus of Smith Drive, approximately 3,000 feet west of Scott Boulevard, and at the western terminus of Whitefish Drive. Such annexation would permit future development to connect to city-maintained utilities (water, sewer, and electricity) as well as make it subject to city subdivision, zoning, and building requirements. The annexation would also authorize the City to enter into a development agreement with Thompkins Homes and Development, Inc. establishing public infrastructure obligations and performance triggers associated with the proposed annexation and future site development (development agreement to be introduced May 16, 2016).

## Discussion

The City Council will determine if the annexation of 90.8 acres of land located at the far west end of Smith Drive is a reasonable and necessary expansion of the city's corporate limits. The subject acreage is contiguous to the city on its eastern boundary and partially along its northern boundary. The site is proposed to be developed as a single-family residential subdivision within the R-1 and PUD zoning districts. Extension of city sewer service is sought to support the proposed future development and per Policy Resolution 115-97A the requested annexation is required. Associated with the proposed annexation is a proposed development agreement that establishes public infrastructure obligations and performance triggers as a means of addressing future development impacts on the existing City infrastructure systems.

### Annexation Considerations -

The subject property is currently zoned County R-S (Single-family Residential) and is contiguous with the city limits along its eastern boundary and partially along its northern boundary. The applicant is requesting R-1 (One-family Dwelling District) zoning for the majority of the property, and PUD-4.5 zoning for approximately 11 acres located in its southeast corner. The permanent zoning request (Case #16-13 – Permanent Zoning, Development Agreement) is tentatively scheduled for introduction at the May 16 Council meeting. Additionally, requests for a preliminary plat (Case #16-14) and a PUD development plan (Case #16-15) are tentatively scheduled for Council consideration at the June 6, 2016 Council meeting.



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The parcel is currently improved with one single-family home and associated accessory structures. The existing use would be located within the proposed R-1 zoning district, and would be considered a permitted use under the requested permanent zoning.

Water service is provided by the City via service lines located at the terminus of Smith (8-inch) and Whitefish (6-inch). The City is the electric service provider for the site and there is sufficient electric service capacity to support the future development. Service extensions for both utilities will be required to support the proposed development and such costs for extension will be at the expense of the applicant. Boone County Fire Protection District currently serves the site; however, the Columbia Fire Department will assume fire protection duties upon annexation.

## Comprehensive Plan Considerations -

The subject site is not presently contained within the Urban Service Area as represented in *Columbia Imagined*. This does not prevent the annexation of the property as *Columbia Imagined* lays out possible considerations when analyzing a site that is outside of the USA. Principally, City contributions for CIP projects that would benefit sites should be limited, and impact fees should be considered. At this point, no public investment will be involved in the extension of services to the site – such costs will be borne by the applicant. In addition, the applicant has agreed to enter into a development agreement that would serve to offset off-site impacts that the development will create within the transportation network, and address other issues as well. The proposed development agreement's contents are explained in greater detail below.

In addition to the information included in *Columbia Imagined* regarding the Urban Service Area, the site itself represents a parcel of property that is near several existing city subdivisions, and is located generally along the western edge of City development – the east slopes of the Perche Creek bottoms. The site could be considered a logical extension of the City limits. The preliminary plat reflects a connection to the Perche Creek 60-inch sewer main, which currently has capacity to serve the development.

The site is accessible by two existing City maintained streets (Smith Drive and Whitefish Drive) which abut the site along its eastern boundary. The extension of these roadways through the adjacent city subdivisions was required by the subdivision regulations as a means of ensuring future connectivity with adjacent undeveloped property.

Smith Drive is currently identified as an improved city-maintained collector street. The extension of Smith Drive into the site is currently being considered by the Columbia Area Transportation Study Organization (CATSO) for inclusion on their Major Roadway Plan (MRP) as a major collector that would cross the site and provide a future connection across Perche Creek to Route UU, potentially in conjunction with (or as a replacement for) Broadway. CATSO has considered information regarding the possible addition Smith Drive to the MRP at its Technical and Coordinating Committee meetings, and have currently scheduled a public



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hearing for May 26 for final consideration of amending the MRP to include the extension of Smith Drive.

The site includes several types of environmental areas of interest within its boundaries. Being near the Perche Creek, the site has considerable slope along the west side of the property of which a portion exceeds the defined "steep slope" designation within Columbia Imagined of 15-percent. Located on some these steep slopes and elsewhere within the site is climax forest. A portion of this forest will be preserved in common lots not intended for development and account for the required 25-percent tree preservation as stipulated within Chapter 12A. Approximately 50 percent of the site area is to remain in open space (a combination of climax and non-climax forest areas).

Columbia Imagined also identifies the site as including karst topography, which is indicated by existing sinkholes on the site. Currently, nothing with the City's regulations prohibit the development of a site with karst topography. The subdivision regulations, however; provide guidance that appropriate safeguards will be instituted to ensure the development is conducted safely. To that end, the site will be subject to additional general geotechnical studies to ensure that all areas susceptible to sinkholes are identified and additional evaluations may be required on a specific lot basis if there is concern identified during construction.

Furthermore, the preliminary plat and the PUD plan identify the known sinkhole areas and provide a 50-foot radius zone around the center of the sinkhole in which no residential lots are located, however; some portions of streets are located within these areas. The City will require additional geotechnical review of these areas to assess the stability of the ground prior to approval of roadway construction plans.

## Development Agreement Considerations –

A proposed development agreement has been prepared in cooperation with the applicant and staff in response to the requested annexation and development the site's 90.8 acres. The agreement is currently undergoing final review by the applicant and their legal counsel and will be included as part of the annexation and permanent zoning ordinance associated with Case # 16-13 which is tentatively scheduled for introduction at the May 16 Council meeting.

The Development Agreement addresses several topics associated with the development of the subject property, including:

- Right of way and improvements for Broadway and Smith Drive,
- Offsite traffic improvements,
- Trail easements to connect the development to a future trail on Perche Creek



- Protection of a potential burial ground on the site.

The development agreement represents a “cost of entry” approach for proposed annexation requests and is intended to address the impacts that annexing the requested acreage may have upon existing city services. Additionally, the terms of the agreement are an acknowledgement that the City is not required to annex property that does not benefit the existing residents as a whole.

Per the development agreement, the applicant will dedicate the required right of way for Broadway, but would not be financially responsible for the construction any portion of the actual roadway. In exchange, the applicant has agreed to plat a right of way for Smith Drive to a major collector standard from its current terminus through the property, in a location recommended by staff, and terminate at the far west edge of the property. The applicant would also construct approximately 1,000 feet of Smith Drive at the same width as existing Smith Drive to the intersection of Smith and Double Jack/Angels Rest (as seen on the attached preliminary plat). The applicant would also be required to obtain additional off-site property for the dedication of additional right of way for the constructed portion of Smith.

To the west of the constructed portion of Smith, the applicant will pay a fee in lieu for the cost of construction of Smith as a Local Residential Street, but will receive credit for grading a portion of Smith that generally abuts the residential lots shown on the preliminary plat, a distance of approximately 700 feet west of the intersection of Smith and Double Jack/Angels Rest.

Staff also identified a potential impact of the proposed development upon the intersection of Smith and Scott Boulevard. The intersection accommodates a high volume of traffic turning left from east-bound Smith to north-bound Scott with a single left turn lane. This single lane can only effectively accommodate a certain amount of trips before a second left turn lane would be warranted. Per the submitted transportation impact study's (TIS) findings the development does not generate sufficient trips to exceed the maximum that the current intersection can accommodate. However, staff finds that the development does contribute to the need to upgrade the intersection to accommodate a second turn lane and believes that the applicant to contribute funds to off-set these costs. The applicant has agreed to a lump sum fee as contribution to these offsite impacts.

Another offsite improvement agreed to by the applicant is the dedication of trail easements from this site to the future Perche Creek Trail located along the western edge of the subject property. These easements would be dedicated at the discretion of the Parks and Recreation Department at the time of final platting.

Finally, staff has information indicating that the property includes a potential Native American burial site (see attached documentation). The development agreement assures that the potential site is recognized and located within a common lot (as seen on the



preliminary plat) that is not to be disturbed. Any future disturbance of the site would require the applicant to notify the City and the Missouri Department of Natural Resources to ensure that all local, state, and federal regulations are followed. The City received a letter from the Osage Nation opposing any annexation of the subject property, and any disturbance of the possible burial site. This letter is included with public comment, as it was submitted at the Planning and Zoning Commission's public hearing for this request.

Staff has attached all public comment that has been submitted to date regarding this request, even though some of the public comment specifically addresses the preliminary plat and PUD plan that are associated with this site. All public comment were received the day of the public hearing, March 24, 2016. Please note that page numbers have been appended to the public comment document to aid in reviewing the 146 pages. In addition, the majority of the comments were submitted as one packet that included several written statements. Bookmarks are provided in the PDF for more information.

## Attachments

- Locator maps
- Zoning exhibit
- Proposed preliminary plat
- Public comment

## Fiscal Impact

Short-Term Impact: None anticipated within the next two years. Public infrastructure extension/expansion would be at the cost of the applicant.

Long-Term Impact: Public infrastructure maintenance such as roads and sewers, as well as public safety and solid waste service provision. Future impacts may or may not be offset by increased user fees and property tax collections.

## Vision & Strategic Plan Impact

### Vision Impacts:

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

### 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: Environmental Management



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## Legislative History

Date	Action
4/18/2016	Set public hearing for annexation request (R35-16)

## Suggested Council Action

Hold the public hearing for the annexation as required by State Statute. Ordinances annexing and zoning the property, an ordinance authorizing a development agreement, and a resolution approving a preliminary plat of subdivision remain to be introduced.