



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: March 21, 2022

Re: Legacy Farms Preliminary Plat (Case #59-2022)

## Executive Summary

Approval of this request will result in the creation of mixed-use residential and commercial subdivision to be known as “*Legacy Farms*” containing a total of 532-lots of which 3 would be for commercial use. Additionally, approval of this request would authorize the City Manager to execute a development agreement, in substantially the same format as attached hereto, between the City and the property owner that establishes public infrastructure obligations related to the development. A concurrent request, under separate cover, for a design adjustment from Section 29-5.1 (c) (3) (ii) [Block Length] of the UDC is associated with this request that must be approved to permit the submitted subdivision plat to be approved.

## Discussion

Crockett Engineering Consultants (agent), on behalf of Curators of the University of Missouri (owner), is seeking approval of a 532-lot preliminary plat that will allow the future subdivision and development of the site with single-family and multi-family housing, and neighborhood commercial areas. The proposed development is to be known as the *Legacy Farms* Preliminary Plat. The 383-acre property is currently zoned A (Agricultural); however, is being concurrently considered (Case # 71-2022) for rezoning to R-1, R-MF, and M-N. Additionally, a design adjustment from Section 29-5.1 (c) (3) (ii) is being sought to allow longer block lengths. The property is located on the west side of Sinclair Road, approximately 700' south of Nifong Boulevard.

The applicant is seeking a preliminary plat to create a new 532-lot subdivision situated on the west side of Sinclair Road and extending southward approximately 2-miles from Mill Creek Elementary on the north, south past John Warner Middle School, to approximately 700 feet south of Stanley Pitts Lane. Lots within the development are intended for single-family residential development (495) and range in size from about one-acre on the south side of the subdivision, to those nearer the lot size minimum of 60 feet wide and 7,000 sq.ft. in area. Five lots will be zoned R-MF and occupy about 57.7 acres of the site. These are generally located along Sinclair Road, between the Crabapple and Southampton extensions.

The development also proposes three commercial lots located at the northwest corner of Sinclair and Crabapple, with each lot a little over one acre in size. Additionally, there are two larger lots, zoned R-1, and located at the north side of the property which are not intended for residential development. Lot 498 is intended to be transferred to the City as a potential a new salt dome site and Lot 500 is intended to be transferred to the Columbia Public Schools.



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

Many of the common lots identified on the plan will include stormwater management infrastructure and are arranged and sized in a way that may make them usable by the neighborhood for recreation purposes. Several of these lots are also shown to be improved with walking trails. Additionally, the Mill Creek corridor which traverses the site is shown on the City's Parks and Recreation Trails Master Plan as being a location for future public trail development. An easement will be dedicated at the time of final plat to allow trail construction.

Access to the site will be primarily from Sinclair Road, with seven new street intersections proposed. The proposed development will also connect to two existing street stubs on the west side of the property, with one being Crabapple Lane, which will connect through to State Route KK. The extension of Southampton Drive will also be located on the site, although due to a potential bridge structure, the applicant will not construct Southampton across the full extent of their property.

Prior to the submission of the preliminary plat, the developer submitted the proposed street layout for review by the Columbia Area Transportation Study Organization (CATSO), since the street layout included deviations from the major roadway plan (MRP). The CATSO Coordinating Committee met the same day as the Planning and Zoning Commission meeting, February 24, and voted to amend the MRP as requested, making the preliminary plat compliant with the MRP.

Per UDC requirements, a traffic study was submitted to ascertain the impact of the development on the surrounding street infrastructure and to identify any potential improvements that would need to be made to the street network to ensure continued efficiency. The conclusions of the study (attached) identified several impacts needing to be addressed. In regards to improvements immediately surrounding the development, south-bound turn lanes shall be constructed at specific new street intersections.

The traffic study also indicated that the development would have significant impact on at least four nearby intersections. The first intersection, Sinclair Rd/Southampton Drive, immediately abuts the property. Per the study, the applicant will be required to construct a new roundabout at this location. The intersection is currently a through road for Sinclair, with a stop sign on the west-bound approach from Southampton.

The remaining three intersections identified in the study will either operate below an acceptable level of service once the entire site is constructed; or currently operate below an acceptable level of service and development of this site will contribute to their further degradation. These intersections are Nifong/Sinclair, Southampton/Forum, and Southampton/Bethel.

Given the impacts of the development on these intersections, staff is recommending that a corresponding proportional contribution be made by the applicant to address needed improvements to those intersections. The applicant would also normally be responsible to extend Southampton Drive across the property to the west property boundary, but due to



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

the necessity for a bridge structure on a portion of that extension, they would instead be responsible to pay a fee-in-lieu for the local residential street portion of Southampton Drive.

During discussions regarding the proposed development, the City identified an interest in a potential tract of land, shown as Lot 498 on the preliminary plat, for a second salt storage dome, in the southern portion of the City. Public Works staff determined that this site would be acceptable for that use and proposed that the lot be transferred to the City at no cost with the value of the lot being substituted for the payments that would otherwise be required to address the infrastructure needs described within the traffic study.

The donation of the lot, based on its appraised value, would be roughly equivalent to the amount of the expected contributions needed for the off-site intersection improvements and the amount of the payment-in-lieu required for the local residential portion of the extension of Southampton Drive. The applicant has generally agreed to these terms, and a draft development agreement that details the responsibilities of each party (City and applicant) are attached to this report.

The development agreement also addresses the construction of a pedestrian crossing along Sinclair Road that would connect the proposed development to the property owned by Columbia Public Schools (CPS). The CPS property is currently improved with John Warner Middle School and it was recently announced that CPS intends to build an elementary school adjacent and to the north of the middle school with an anticipated opening date of 2024. It should also be noted that in addition to agreeing to construct a safe pedestrian crossing between the development and school sites east of Sinclair, the developer intends to transfer Lot 500 to CPS for inclusion into its Mill Creek Elementary property for expansion of its "nature school" programs.

At this time, the development agreement will not be executed by the current owner given they are not the intended developer, but will be delayed to allow for the property's transfer to the contract purchaser. Given this arrangement, staff is recommending that the following condition be added to the approval of the preliminary plat:

"An executed development agreement that is substantially in the same form as the one attached be signed and delivered to the City prior to August 1, 2022, or prior to any final plat or development on the property".

If this condition is not met, then the preliminary plat would become null and void.

Finally, the subject site, commonly known as "Sinclair Farm" was a University of Missouri research facility. In preparing for the sale of this tract of land, the University chose to sell all but 7-acres located in the southwest corner of the site. Pursuant to the code, holding back this acreage is permissible and the acreage is not required to be shown on the preliminary plat. It should be noted that access was required to be provided to the tract should it be developed in the future and this access is via an easement through a proposed common lot.



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

Public comments were made that the overall tract was previously used for research involving radioactive materials and that the overall acreage, not just the 7-acres, may not be suitable for the development activities proposed. Following these public comments, Commissioners requested a response from the staff; the applicant then was asked to address the concerns expressed and provided testimony that the area proposed for development has been cleared for sale and occupation by the development proposed. Reference was made to environmental clearance reports and continued monitoring. The applicant did not indicate what the property owner's intention was for the 7-acres to be retained; however, did note it was under continued monitoring and subject to a MoDNR agreement.

Since the Planning Commission hearing, the staff has obtained environmental reports regarding the site and the applicant has submitted a letter (attached) detailing the status of the site and the studies associated with it. The letter indicates that the area within the preliminary plat is safe for the development purposes shown.

The Planning and Zoning Commission considered this request at their February 24 meeting. Staff presented its report and the applicant's representatives gave an overview of the request. Four members of the public spoke during the public hearing. Concerns from the public included the impacts of the development on Mill Creek, which could exacerbate flooding issues, the current inadequate condition of infrastructure on Sinclair Rd and its ability to accommodate increased traffic, current traffic volumes on Nifong, lack of information on the 7-acre tract that was not included in the preliminary plat and that may contain radioactive material, and the proposed alignment of Southampton Drive to the west through another property owner's site. Some comments of support included the proximity of the development to public schools, the internal pedestrian walkways that would be constructed, and the extension of Crabapple to provide better access to the schools from the west.

In addition, six letters were submitted regarding the request. Three letters indicated support, and three did not specifically indicate support or opposition.

One Commissioner indicated a desire for more variety in housing options. (Note: The applicant's presentation expressed intention of incorporating housing types such as cottage, condo, or townhouse in addition to traditional apartments on the R-MF lands). There were also concerns with the design of the internal pedestrian walkways between the houses, if fences or landscaping would line the walkways, and that a 5-foot wide walkway width was inadequate to substitute for a street. Commissioners recommended walkways of 8-10 feet wide be considered.

Other Commissioners concerns included the unknown future impact of the 7-acre parcel being withheld from the development, its access driveway across an HOA common lot, and that more information, such as an environmental assessment, was not provided to ensure the safety of the tract.



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

Following additional discussion, a motion to approve the preliminary plat failed (3-5). Prior to taking this vote, the Commission made a motion to approve the associated design adjustment, discussion under separate cover, which failed (2-6).

It should be noted that given the current recommendation before the Council on the preliminary plat is for denial, an affirmative vote of 5 of the 7 Council members would be required to approve the preliminary plat as submitted.

Should such a vote not be obtained, the plat could be revised and resubmitted for consideration. In the event that such action is taken, it is likely that the development agreement would also be resubmitted at that time to reflect any subdivision-specific modifications.

The Planning Commission staff report, locator maps, preliminary plat (dated 2/18/22), zoning exhibit, traffic impact study, design adjustment worksheet and exhibit, draft development agreement, REVISED preliminary plat (dated 2/21/22 fixing site acreage), meeting minute excerpts, and correspondence 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: Reliable Infrastructure, Secondary Impact: Inclusive Community, Tertiary Impact: Not Applicable

### Comprehensive Plan Impacts:

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



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

## Legislative History

Date	Action
NA	NA

## Suggested Council Action

Denial of the preliminary plat, as recommended by the Planning and Zoning Commission. This recommendation is in part based on the Commission denial (2-6) of the associated design adjustment relating to "Block Length" being considered under separate cover.

Should Council desire to approve the preliminary plat, an affirmative vote of 5 of the 7 Council members would be required as well as approval of the related design adjustment.