



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: June 17, 2024

Re: Richland Estates Plat No. 2 - Preliminary Plat & Development Agreement (Case # 142-2024)

## Executive Summary

If approved, this item would revise the approved preliminary plat "*Richland Estates*" by adding approximately 29.68-acres and rearranging the approved subdivision layout to include an additional 92 lots. The additional acreage is located to the southeast and is being considered for annexation and permanent zoning under Case # 164-2024 and 141-2024, respectively. Approval of the request would also authorize the City Manager to execute a development agreement between the City and the property owner that addresses off-site transportation infrastructure improvements and requires a monetary contribution to off-set the anticipated impacts that the subdivision will create upon the surrounding roadway network. The revised subdivision, to be known as "*Richland Estates Plat No. 2*", will contain 251 residential lots and 21 common lots. The enlarged subject site contains a total of 126.7-acres that is located southwest of the intersection of Richland and Olivet Roads and is commonly addressed as 6800 Richland Road.

## Discussion

### Summary

Crockett Engineering (agent), on behalf of Richland Olivet Farm, LLC (owner), seeks approval of a 272-lot revised preliminary plat on their 126.7-acre parcel to be known as, "*Richland Estates Plat No. 2*," subject to annexation (Case # 164-2024) and permanent zoning (Case # 141-2024). On June 3<sup>rd</sup>, City Council held the required public hearing for the annexation request. The permanent zoning request also was introduced under separate cover at the June 3<sup>rd</sup> meeting. The proposed modifications to the approved preliminary plat would expand the subdivision to the southeast to include another 29.68 acres, which previously obtained preliminary plat approval from Boone County as the 20-lot single-family development known as, "*Oak Mill Estates*."

The revised preliminary plat would contain 251 single-family residential lots and 21 common lots and a rearranged internal roadway network. The common lots provide space for landscape preservation and green space, buffering, storm water management, and neighborhood amenities. The revised plat gains added density with smaller lots throughout the platted area, which is located at 6800 Richland Road, southwest of the intersection of Richland and Olivet Roads. The M-N parcel (*Lot 147, Richland Estates*) and located at the southwest corner of Richland and Olivet Roads is under separate ownership; therefore, it is not included in the revised preliminary plat. As such, the commercial lot is still subject to the original, "*Richland Estates*," preliminary plat, and the terms of the previously approved development agreement from June 2023 (Ord. 025357).



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

The proposed preliminary plat is generally bounded by Olivet Road to the east, Richland Road to the north, and the Old Hawthorne North Subdivision to the west. Along this western boundary are a number of internal roadway connections to the subject parcel. Burghley Drive, a north-south future major collector street shown on the CATSO Major Roadway Plan, remains unchanged from its previously approved location and provides both Old Hawthorne North and the proposed development access to Richland Road. The developer will construct Burghley along the subject development's western boundary to major collector standards. Burghley terminates at the southwest corner of the Richland Estates tract, where a stub is provided for future connection further south through presently undeveloped property in accordance with UDC standards and the CATSO Major Roadway Plan. The CATSO MRP shows the alignment of Burghley extending as far south as New Haven Road in the future. Collectors allow for travel between neighborhoods that would otherwise use the network of local streets.

Another future CATSO MRP roadway, Adare Manor Drive, is also shown as being fully constructed by the applicant as part of the preliminary plat. This roadway would extend from Old Hawthorne North across the subject parcel to the east through the former Oak Mill Estates parcel (the parcel seeking annexation/permanent zoning) and finally terminating at Olivet Road.

## **Traffic impacts**

Given the revised lot layout and increase in the number of proposed lots, the applicant submitted an updated traffic impact study. The study was reviewed and its findings were accepted by the City's Traffic Engineer as being necessary to address anticipated transportation network impacts. The study offered the following recommendations: 1) construction an eastbound right-turn lane on Richland Road at Burghley Drive at the time of Burghley Drive's construction, and 2) require that Bodiam Drive aligns with Bonita Bay Drive on the north side of Richland Road.

It should be noted that per standard development policy, additional right of way for Richland and Olivet Roads has been shown on the preliminary plat and will be dedicated upon the recording of final plats associated with the development such that required half-width of each roadway is in place to support future expansion efforts. Additionally, sidewalk construction along each roadway frontage would be triggered as part of final platting and infrastructure installation within each future phase of development. The applicant is not seeking any design adjustments associated with the City's standard right of way width requirements or sidewalk installation standards. Additionally, it is worth noting that the prior preliminary plat showed the future dedication of additional right of way for a roundabout at the intersection of Richland and Olivet Roads that would be triggered with the recording of a final plat containing the M-N zoned property at that corner. This additional right of way was identified as being necessary to address future traffic issues as well as to accommodate the planned northern extension of Olivet Road to I-70 Drive Southeast. If this request were to be approved, this obligation would not be altered.



The revised traffic study was also used to determine what amount of intersection capacity would be allocated to the revised development at the Richland/Rolling Hills/Grace Lane intersection. The allocation amount, not unlike other recent developments along Richland Road, has been used to determine what the development's proportional share would be for the installation of a future roundabout at that intersection. Based upon the study's findings, it has been determined that the revised development requires a \$37,623.48 increase in its proportional contribution. The attached development agreement specifies that upon the recording of the **first final plat** the developer shall remit a payment of \$103,455.57 that the City may use, in its sole discretion, for any improvements or maintenance of Richland Road within 3 miles of the subject property.

### **Other development agreements in the Richland Road corridor**

It is further worth noting that a several development agreements and an annexation agreement have been executed with respect to development along the Richland Road corridor since April 2023. These agreements have included similar contribution criteria to address the increasing impact that development has/will be having upon the existing transportation infrastructure. Furthermore, the agreements include specific on- and off-site requirements intended to address transportation needs within the region. The total amount of required contributions, based on the four developments, totals \$613,173.27. A breakdown of each development's obligations is discussed below.

To the west and north of the subject site are two developments, Old Hawthorne North and Silver Lakes, respectively. The 169 single-family lots at Old Hawthorne North have been assigned a contribution obligation of \$98,048.70 and the development agreement requires that a pedway be constructed along the south side of Richland Road. The 366 single-family lots at Silver Lakes development has an assigned contribution obligation of \$223,572 and is also required by the development layout to build two major roadways, shown on the CATSO MRP through the property, as well as the roundabout at the intersection of Richland and Olivet Roads. And finally, to the east of the subject property, is the Five Pines subdivision. This development is under an approved annexation agreement given it is located within Boone County jurisdiction, but connects to the city sanitary sewer. As part of the annexation agreement, the City secured a contribution of \$188,097 to offset the traffic demands for its 350 single-family lots and 20 multi-family units upon the Richland Road corridor.

### **Planning & Zoning Commission review**

The Planning and Zoning Commission considered this request at their May 9, 2024 meeting. Staff presented its report and the applicants' representative gave a brief overview of the proposed development. Commissioners inquired about infrastructure arrangements between the City and County in the area. The applicant noted that the City sewer system serving the parcel was designed to include the entire Grindstone Creek watershed, so the area was anticipated to be developed within the City and be served by City sewer. Other commissioners then complimented the increase in density compared to the previous subdivision.



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

After brief discussion, a motion was made to approve the preliminary plat pursuant to minor technical corrections, which include renaming the plat, “Richland Estates Plat No. 2,” to distinguish the revised plat from the original since it will still be in effect for the commercial parcel (Lot 147).

The revised preliminary plat has been renamed and reviewed by both internal and external departments/agencies and complies with all requirements of the Unified Development Code. The plat is recommended for approval.

The attached development agreement has been executed by the property owner and provides milestones for the remittance of financial contribution as well as installation and/or dedication infrastructure or right of way necessary to address the anticipated impacts that will be created by the development upon the surrounding region. The agreement is attached to this report for consideration by Council and authorization for the City Manager to sign.

The Planning Commission staff report, locator maps, revised preliminary plat, previously approved preliminary plat, development agreement, and meeting minute excerpts are attached for review.

## Fiscal Impact

Short-Term Impact: None. All costs associated with public infrastructure expansion are borne by applicant/developer.

Long-Term Impact: Minimal. Such impacts may include increased sewer maintenance, trash collection, and public safety provision expenditures. Such impacts may or may not be offset by user fees or increased tax collections.

## Strategic & Comprehensive Plan Impact

### Strategic Plan Impacts:

Primary Impact: Reliable Infrastructure, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

### Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Infrastructure, Tertiary Impact: Inter-Governmental Cooperation

## Legislative History

Date	Action
5/20/2024	Set public hearing on proposed annexation for 6/3/2024. (Res. 100-24)
8/7/2023	Authorized first amendment to development agreement correcting scrivener's error. (Ord. 025398 & 025397)
6/20/2023	Approved “Richland Estates,” preliminary plat, authorizing a development agreement (Ord 025357)
6/20/2023	Approved annexation and established R-1 zoning. (Ord. 025356)



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

5/4/2023	Set public hearing on proposed annexation for 6/5/2023. (Res. 75-23)
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## Suggested Council Action

Approve the proposed preliminary plat known as, "*Richland Estates Plat No. 2,*" and the revised development agreement.