



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: November 7, 2016

Re: Breckenridge Park – Annexation, Permanent Zoning, Development Agreement (Case #16-178)

Executive Summary

Approval of this request would result in the annexation and permanent zoning of approximately 90.8 acres of land to R-1 (One-family Dwelling) located at the western terminus of Smith Drive, approximately 3,000 feet west of Scott Boulevard. Approval of this request would also authorize the City to enter into a development agreement with the property owners, establishing public infrastructure obligations and performance triggers associated with the proposed annexation and future site development.

Discussion

Overview -

The applicant, Crockett Engineering Consultants, is requesting annexation and permanent zoning of approximately 90.8 acres of property owned by Tompkins Homes & Development, Inc. and Glen Smith Trust and Lillie Beatrice Smith, located at the western end of Smith Drive and the western end of Whitefish Drive. The subject property is contiguous with the city limits to the east and partially to the north, and is zoned County R-S (Single-family Residential District). The applicant is requesting R-1 (One-family Dwelling District) zoning for the entire property which is equivalent to the existing County zoning.

Accompanying this request 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. Additionally, the applicant has request a concurrent approval of a 133-lot preliminary plat (Case #16-179) that is to be considered by Council at its November 21 meeting.

As a note, a similar request for the same subject property (Cases 16-13, 16-14, and 16-15) was withdrawn from Council consideration earlier this year following a recommendation of approval by the Planning Commission. The reason for the withdrawal was to permit additional public engagement with adjacent neighbors and the Council Ward representative.

Annexation Considerations -

Approval of this request would result in the annexation of approximately 90.8 acres into the City's corporate limits. The subject acreage is not presently contained within the Urban Service Area as presented in Columbia Imagined; however, this does not prevent the



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annexation of the property. Columbia Imagined identifies possible considerations when analyzing a site that is outside the Urban Service Area. Principally, City contributions for CIP projects that would benefit sites should be limited, and impact fees should be considered.

The subject site has existing access to all City utilities (electric, water, and sewer) which have sufficient capacity to serve the proposed 133-lot residential development. The site will be accessible by existing public streets (Smith and Whitefish) which were stubbed to the property in anticipation of future development. Service extensions for all utilities and new roadway construction will be required to support the proposed development. The cost associated with these improvements will be at the expense of the applicant.

The site itself represents a parcel that is in the mist of existing city subdivisions, and is located generally along the western edge of the City's development. The site is believed to be a logical extension of the City limits and would promote the ideal of "compact and contiguous" municipal growth. In hindsight, the property perhaps should have initially been included in the Urban Service Area.

Expansion of the municipal limits is not without impact to existing city infrastructure. To address this, the applicant has agreed to enter into a development agreement that addresses four main topics which include: 1) securing right of way for the future construction of Broadway and a fee-in-lieu payment for its improvements, 2) internal and off-site public improvements, 3) trail access, and 4) protection of a potential burial ground on the site. The proposed development agreement is attached to this report and has been executed by the applicant. Council approval this annexation and zoning request would authorize the City Manager to execute the agreement on behalf of the City.

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.

In spite of the subject property not being inside the Urban Service Area identified in Columbia Imagined, annexation of the site is believed appropriate based on: 1) the site's immediate adjacency to the City's boundary, 2) the ability of the site to be served by City utilities with adequate capacity, 3) no expenditure of public funds will be incurred to install necessary infrastructure extensions to support the site's future development, and 4) the existence of a development agreement that will require developer contributions to off-set future infrastructure impacts.

Zoning Considerations -

Application of permanent City zoning to annexed property is necessary following a determination if a subject site should become part of the City's municipal boundary. Consideration of permanent zoning is reviewed by the Planning and Zoning Commission with



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a recommendation being provided to City Council following a public hearing. The Commission evaluates the requested permanent zoning utilizing the Comprehensive Plan as a guide for land use compatibility.

It is important to note that Columbia Imagined is not a regulatory document, and thus the recommendations provided within it cannot by themselves require compliance. However, the recommendations are used as a tool to identify areas of concern that could be addressed by the applicant or through approval conditions on the annexation, zoning, or platting by Council.

The applicant has requested permanent R-1 (One-family Dwelling District) zoning for the entire property which is equivalent to the existing County zoning. In considering the applicant's request, the Commission also reviewed a proposed 133-lot preliminary plat (Case # 16-179) that identified several key land use features and preservation areas. The design of the subdivision took into account several significant Comprehensive Plan objectives relating to environmental preservation. The proposed preliminary plat, while reviewed concurrently with the zoning action, was voted on in a separate action and will be presented to Council at its November 21 meeting.

The Comprehensive Plan's Future Land Use Map identifies the subject property as being primarily located within a "Neighborhood District", with smaller portions of the site being identified as "Sensitive Areas" (which highlight karst topography locations) and "Open Space/ Greenbelt" areas. The requested R-1 zoning is consistent with the "Neighborhood District" classification and affords opportunities for the applicant to address land use preservation strategies as illustrated on the proposed preliminary plat. Furthermore, the proposed R-1 zoning is generally consistent with the surrounding development pattern.

The site includes several types of environmental areas of interest within its boundaries which according to the objectives of the Comprehensive Plan should be addressed and where possible preserved. The western portion of the site is generally impacted by slopes greater than 15% containing significant climax forest and karst topography exists throughout the acreage with several existing sinkholes having been identified. Furthermore, there is a documented Native American burial site in the northwest portion of the acreage.

To address these features the subdivision plan proposes 47 acres of common area that will include most of the identified steep slopes and climax forest which will be restricted from development. Public improvements and residential development lots have been placed outside of identified sink-hole locations and when in close proximity to a potential sink-hole area will be required, by current Building Codes, to be evaluated prior permitting to ensure public safety. Finally, the identified Native American burial site will be contained within a platted common lot and buffered from adjacent development. 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. All of these strategies for preservation support the objectives of the Comprehensive Plan.



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The Planning and Zoning Commission (PZC) considered this request and the proposed 133-lot preliminary plat (Case #16-179) at its meeting on October 6, 2016. Staff presented its report and the applicant and their representatives gave an overview of the request. The Commission inquired about several topics, including whether the Urban Service Area included consideration of impacts on local schools, and any planned disturbances of the burial site. School capacity is not addressed as part of the Urban Service Area evaluation, and the applicant responded that they have no current plans to disturb the burial site for development or archeological purposes at this time. A representative from Stoneridge Estates spoke in support of the requested annexation, zoning and subdivision plat.

Following the public hearing and additional discussion, the Planning and Zoning Commission voted (7-0) to recommend approval of the permanent zoning pending annexation.

The Planning Commission staff report, locator maps, preliminary plat, public correspondence, archeological survey, Development Agreement (with exhibits), and meeting minutes 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 and sewers, as well as public safety and solid waste service provision. Future impacts may be offset by increased user fees, property tax collections, and payments required per the development agreement.

Vision & Strategic Plan Impact

[Vision Impacts:](#)

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

Legislative History



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Date	Action
10/17/2016	Resolution R151-16: Set annexation public hearing for November 7, 2016
10/6/2016	Planning and Zoning Commission recommended R-1 as permanent City zoning, pending annexation (7-0)

Suggested Council Action

Approval of the annexation, requested R-1 (One-family Dwelling Distract) permanent zoning, and attached development agreement.