



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: February 6, 2023

Re: MFL Golf – Final Plat & Development Agreement (Case #117-2022)

## Executive Summary

Approval of this request will result in the creation of a 1-lot final plat to be known as the “MFL Golf, Plat No. 1,” and authorize the City Manager to execute an associated development agreement between the applicant that the City relating to infrastructure obligations related to the property.

## Discussion

Crockett Engineering (agent), on behalf of MFL Golf, LLC (owners), seeks approval of a 1-lot final plat of a 107.80-acre property located at the eastern terminus of Van Horn Tavern Road. The final plat will bestow “legal lot” status on the lot in advance of issuing a future building permit. In addition to final plat approval, this request also seeks to grant the City Manager authorization to execute a development agreement between MFL Golf, LLC and the City with respect to infrastructure obligations associated with the future development of the property.

The property was annexed into the City in 2021 at the request of the applicants, in order to secure sewer service. The property was zoned O (Open Space) and M-N (Mixed-Use Neighborhood) upon annexation. A conditional use permit was also granted, legitimizing the existing outdoor recreation facility for continued operation in the City. It was previously authorized under Boone County REC (Recreation) zoning. The approved 121.22-acre preliminary plat depicts proposed right-of-way (ROW) for the future extension of Van Horn Tavern Road, which divides the applicant’s parcel into two distinct tracts.

The proposed final plat includes only the area southeast of the future ROW shown on the preliminary plat (attached). To ensure access to the proposed lot would be achieved, the owner has recorded a private access easement that will provide ingress and egress into the proposed lot. This easement crosses through the portion of the MFL Golf property that will remain unplatted from the current terminus of Van Horn Tavern Road. This easement is depicted on the proposed final plat for informational purposes.

Van Horn Tavern Road enters the center of the parcel from the west and historically ended at its intersection with I-70, near the northeast corner of the subject tract. In 1999, MoDOT vacated the portion of Van Horn Tavern Road where it traversed the MFL Golf property, including the bridge used to enter the subject tract. However, the CATSO Major Roadway Plan retained a major collector roadway connection tying the roadway back to I-70 Drive SW across Perche Creek. Per the resolution approving the preliminary plat, a condition was included that required prior to the final plat being recorded that the applicant would need



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to enter into a development agreement with the City. The purpose of the agreement was to ensure issues associated with right-of-way dedication, construction, and maintenance of roadway improvements within this ROW corridor shown on the preliminary plat were appropriately addressed.

The proposed development agreement (attached) would require dedication of a 66-foot ROW for the extension of Van Horn Tavern Road, generally consistent with the preliminary plat. Dedication would be required upon request of the City and restricts the proposed ROW from any development activities. The agreement further details that all existing structures on the property, including the access drive and bridge structure, shall remain private until the Van Horn Tavern ROW is dedicated and that the developer is not responsible for any improvements associated with the extension of Van Horn Tavern Road through the subject property once the ROW is granted to the City.

The proposed final plat has been reviewed by all internal and external stakeholders, is in conformance with the approved preliminary plat, and is fully compliant with the requirements of the UDC. The attached development agreement has been reviewed and is acceptable by both the City's Law Department and the applicant. Authorization to permit the City Manager to execute the agreement would fulfill the applicant's obligations as stated within the preliminary plat resolution relating to approval of the proposed final plat.

Locator maps, final plat, approved preliminary plat, and the proposed development agreement 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.

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: Not Applicable, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

### Comprehensive Plan Impacts:

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



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## Legislative History

Date	Action
4/4/22	Approved the, "MFL Golf," preliminary plat. (R48-22)
10/18/21	Approved CUP permitting outdoor recreation/entertainment. (Ord. 024793)
10/4/21	Approved annexation & permanent "O" and "M-N" zoning. (Ord. 024792)

## Suggested Council Action

Approval of the final plat entitled, "MFL Golf, Plat No. 1" and authorize the City Manager to execute a development agreement between the City and MFL Golf, LLC specifying terms and conditions related to infrastructure related matters.