

**AGENDA REPORT  
PLANNING AND ZONING COMMISSION MEETING  
November 9, 2017**

**SUMMARY**

A request by Brush and Associates (agent) on behalf of Elias & Elias, LLC (owner) for approval of a 31-lot preliminary plat on R-1 (One-family Dwelling District) zoned land, to be known as *Mill Creek Meadows Subdivision Plat 1*, and a design adjustment from 29-5.1(b.2.iii), which requires areas identified as sensitive land not be included on lots intended for development. The 15.57-acre subject site is generally located on the east side of Old Mill Creek Road, approximately 3,000 feet south of Nifong Boulevard, and addressed as 4700 S Old Mill Creek Road. (**Case #17-119**)

**DISCUSSION**

The applicant is seeking approval of a preliminary plat for the development of a single-family subdivision that includes 29 buildable lots and 2 common lots. The applicant is also requesting a design adjustment to allow Lot 15 to include a small portion of flood fringe within the south portion of the lot.

Access for the site will be from Old Mill Creek Road, an unimproved street that is identified as a neighborhood collector on the Major Roadway Plan (MRP). The roadway includes an existing 20-foot wide pavement surface with no shoulders. Additional right of way is shown to be dedicated at time of final platting to ensure a minimum half-width right of way of 33 feet is provided. The subdivision will include additional public roadways, and will connect to Old Mill Creek Road with an internal road - Terzop Street.

In order to provide connectivity to adjacent, undeveloped properties, Terzop is shown as extending to the east property line property. Parcels to the north and south are currently developed and platted, so connectivity is not required. Terzop is classified as a neighborhood collector, which is a wider roadway profile than a local residential street, and may serve a collector role within the surrounding street network if extended east across Mill Creek to the intersection of Sinclair Road and Southampton Drive. The decision to construct a bridge over Mill Creek will likely occur at the time the property to the east develops and would likely include participation by the City since such extension would require a major drainage and bridge crossing. In the interim, Terzop will terminate in a temporary turnaround at its eastern terminus.

The subject site includes several types of features considered as sensitive areas. Mill Creek travels along the south edge of the property, and stream buffers, floodway and flood fringe are all found within the site. The sensitive areas located on the property are accommodated within Lot C1 and Lot C2 - common lots that are not for development - with the exception of the flood fringe discussed in the design adjustment.

The site will also include the future location of the Mill Creek trail extension. An easement will be dedicated at the time of final platting to accommodate the trail's construction. The trail easement is located along the south property line of the site.

## Design Adjustment

The applicant is requesting a design adjustment from 29-5.1(b.2.iii), which requires areas identified as sensitive land not be included on lots intended for development (which would generally mean that it should be included on a common lot). The applicant has provided information supporting the requested design adjustment, which is attached. The Commission may recommend approval of the design adjustment if it determines that the following criteria have been met.

- 1. The design adjustment is consistent with the City's adopted comprehensive plan and with any policy guidance issued to the Department by Council;**
- 2. The design adjustment will not create significant adverse impacts on any lands abutting the proposed plat, or to the owners or occupants of those lands;**
- 3. The design adjustment will not make it significantly more difficult or dangerous for automobiles, bicycles, or pedestrians to circulate in and through the development than if the Subdivision Standards of Section 29-5.1 were met;**
- 4. The design adjustment is being requested to address a unique feature of the site or to achieve a unique design character, and will not have the effect of decreasing or eliminating installation of improvements or site features required of other similarly situated developments; and**
- 5. The design adjustment will not create adverse impacts on public health and safety.**

The applicant is requesting that Lot 15 be allowed to include approximately 300 square feet of flood fringe that is located along the southern portion of the lot (identified by a dashed line). The east to west layout of the roadway across the property, and its intersection with the flood plain, which is aligned northeast to southwest, creates this triangular piece of floodplain. Per the applicant, given the proximity of the proposed roadway to the flood plain on Lot 15, the construction of Terzop and the installation of utilities would likely affect the grade of the property, potentially raising it out of the floodplain. Given that this is a preliminary plat, detailed street designs are not required to be produced, so this cannot be verified at this time. However, given that the extension of the roadway to the east will likely require a bridge to be constructed, staff considers it likely that the grade in the area in question could be significantly impacted.

In order to offset the requested inclusion of 300 sq.ft. of floodplain on the property, the applicant is proposing to include an area of land along the east side of Lot 15 in the abutting common lot - Lot C2. This would be property that is not required to be preserved otherwise, and is located between the east lot line of Lot 15 and the west edge of the floodplain boundary represented by a dashed line on the plat. This area includes currently wooded property that is not within the required tree preservation area, and would result in additional area on lots not intended for development.

After considering the request and the submitted information by the applicant, staff supports the granting of the design adjustment, given the limited scope of the request, the location of the floodplain (which is adjacent to a roadway and within a future utility easement), and the inclusion of additional wooded property within a undevelopable common lot. If the design adjustment were granted, staff does not foresee significant detrimental impacts to public safety or other surrounding properties.

The proposed preliminary plat has been reviewed by staff and aside from the requested design adjustment, it meets all requirements of the Unified Development Code.

**RECOMMENDATION**

Approval of the preliminary plat for *Mill Creek Meadows Subdivision Plat 1* and the requested design adjustment.

**SUPPORTING DOCUMENTS (ATTACHED)**

- Locator maps
- Preliminary plat
- Design Adjustment request
- Land analysis map

**SITE CHARACTERISTICS**

<b>Area (acres)</b>	15.57
<b>Topography</b>	Sloping from north to south towards Mill Creek
<b>Vegetation/Landscaping</b>	Significant tree coverage on east side of parcel
<b>Watershed/Drainage</b>	Mill Creek
<b>Existing structures</b>	Single-family structure

**HISTORY**

<b>Annexation date</b>	NA
<b>Zoning District</b>	Boone County A-2 (Agriculture)
<b>Land Use Plan designation</b>	Neighborhood District, Open Space/ Greenbelt
<b>Previous Subdivision/Legal Lot Status</b>	Not a legal lot

**UTILITIES & SERVICES**

<b>Sanitary Sewer</b>	City of Columbia
<b>Water</b>	City of Columbia
<b>Fire Protection</b>	CFD
<b>Electric</b>	Boone Electric

**ACCESS**

<b>Old Mill Creek Road</b>	
<b>Location</b>	West side of site
<b>Major Roadway Plan</b>	Neighborhood Collector (unimproved & City maintained). 60-foot ROW (30-foot half-width) required.
<b>CIP projects</b>	None
<b>Sidewalk</b>	Sidewalks required.

**PARKS & RECREATION**

<b>Neighborhood Parks</b>	Magnolia Falls Park within ½ mile
<b>Trails Plan</b>	Mill Creek Trail - future location on property
<b>Bicycle/Pedestrian Plan</b>	No facilities in the area

**PUBLIC NOTIFICATION**

All property owners within 200 feet and City-recognized neighborhood associations within 1,000 feet of the boundaries of the subject property were notified of a public information meeting, which was held on May 16, 2017.

<b>Public information meeting recap</b>	Number of attendees: 3 Comments/concerns: Development density, traffic
<b>Notified neighborhood association(s)</b>	None.
<b>Correspondence received</b>	None at time of report.

Report prepared by Clint Smith

Approved by Patrick Zenner