



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: July 15, 2024

Re: OPR Subdivision Plat 2 – Final Plat (Case # 146-2024)

Executive Summary

Approval of this request would authorize the recording of an 18-lot final plat to be known as “*OPR Subdivision Plat 2*”. Of the 18-lots, 17 are proposed as “cottage” single-family lots and 1 is a common lot. The proposed final plat is substantially compliant with the approved preliminary plat and consistent with the Board of Adjustment’s authorization to use the optional “cottage” dimensional standards for its future residential development. The subject 2.22-acre development is located approximately 250-feet west of the intersection of W. Old Plank Road and Bethel Church Road and is addressed as 200 W. Old Plank Road.

Discussion

Simon and Struempf Engineering (agent), on behalf of Jeremy and Jessica Spillman and Brooks Chandler and Emily Burks (owners), are seeking approval of an 18-lot final plat to be known as “*OPR Subdivision Plat 2*”. The 2.22-acre parcel is zoned R-2 (Two-family Dwelling), is located approximately 250-feet west of the intersection of W. Old Plank Road and Bethel Church Road, and is addressed 200 W. Old Plank Road. The subject site was authorized to be developed using the “cottage” optional development standards by the Board of Adjustment on September 12, 2023 and a preliminary plat consistent with the lot arrangement shown on the final plat was approved by Council on October 2, 2023.

As indicated, the proposed final plat is consistent with the lot arrangement shown on the approved preliminary plat. It should be noted that per the Board of Adjustment recommendation authorizing the use of “cottage” development standards, lots numbered 109-116, the eastern boundary of the development, were required to have 22-foot rear setback in lieu of the standard 10-foot rear setback. This condition has been duly noted on the plat and within the “General Notes” on the plat.

The plat depicts all lots obtaining access from two new 50-foot wide public streets. Butler Street will connect to W. Old Plank Road and is the development's primary access. Sheets Street is a stub-street providing access to property to the west as well as serves to ensure Fire Code mandated emergency apparatus turn-around requirements are achieved. Public sidewalks will be installed along all roadway frontages internal to the development as well as along W. Old Plank Road. Standard 10-foot utility easements have been provided along all future public street frontages. An existing 20-foot waterline easement and existing 10-foot utility easement overlap south of the dedicated right of way for W. Old Plank Road along the site's W. Old Plank Road frontage. Adequate half-width right of way has been previously dedicated for W. Old Plank Road; therefore, no additional right of way is being dedicated on this plat.



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The subject site is encumbered by an existing utility easement containing Boone Electric Cooperative single-phase electric service lines that runs through the approximate middle of the property both east-west and north-south. The applicants seek to have the easement vacated as its location impacts the constructability of nearly half the lots within the development. The vacation request (Case # 147-2024) has been reviewed and is supported for approval by all impacted parties; however, given the easement contains active electric service lines it cannot be removed until such time as the active lines have been relocated.

The applicant and Boone Electric have established a plan for the relocation of the existing services; however, cannot execute that plan until easements shown on the final plat are established and site grading has been finalized. The home to the west of the subject site will be served from a new 16-foot drainage and utility easement along the western boundary of the development. The east-west utility line crossing the subject lot will be reduced in length and the terminated at service pole location on the lot to the east. The lots to the east of the subject site are served by an electric line connected poles located along Bethel Church Road. Once the relocations have been completed the vacation request (Case # 147-2024) will be introduced for Council consideration.

The final plat shows a 16-foot sewer easement along the eastern and southern boundaries of the site to accommodate public sewer. The site has access to all public infrastructure to support the proposed development and is located within Consolidated Water District #1, Boone Electric, and Boone County Regional Sewer District territories (sewer is treated by the City through an interconnection agreement). Costs associated with the relocation or extension of services to support the development shall be at the developer's expense.

The subject development has been reviewed by both internal and external staff and found to comply with the requirements of the Unified Development Code. Staff supports the approval of the final plat. Locator maps and the final plat are attached for review.

Fiscal Impact

Short-Term Impact: None anticipated. Any costs associated with the extension or relocation of public utility infrastructure will be borne by the applicant.

Long-Term Impact: Minimal. Potential costs may include increased public safety and trash collection services as well as increased public infrastructure maintenance (i.e. roads and sewage treatment). These increased costs may or may not be off-set by user fees or increased tax collection.

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Reliable and Sustainable Infrastructure, Secondary Impact: Resilient Economy, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Livable & Sustainable Communities, Secondary Impact: Infrastructure, Tertiary Impact: Economic Development



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Legislative History

Date	Action
10/02/23	Approved preliminary plat. (R151-23)
9/12/23	Approved "optional development standards" (BOA Case #234-2023)
8/21/23	Approved rezoning from R-MF to R-2 (Ord. 025423)

Suggested Council Action

Approve the proposed final plat to be known as "*OPR Subdivision Plat 2*".