
**Board of Adjustment
March 14, 2023
Staff Report**

Application Summary –

A request of Caleb Colbert (attorney), on behalf of Black Dog Consulting & Development, LLC (owner), is seeking approval to use “cottage” optional development standards on property address as 3612 Oakland Gravel Road to facilitate the development of a 19-lot subdivision to be known as Corriente Village as required by Section 29-6.4(j) of the Unified Development Code.

Site Characteristics

The subject property is a 3.28-acre tract of land that was recently rezoned to R-2 (Two-family Dwelling) with the intent to be developed as a “cottage subdivision” containing 19 total lots (18 single-family and 1 common lot). Pursuant to the UDC, the ability to utilize the “cottage” development standards requires that the applicant obtain Board of Adjustment approval prior to seeking preliminary plat and subsequent final plat authorization showing development of lots smaller than the typical meeting the R-2 single-family standards. The “cottage” standards permit the creation of single-family lots as small as 3,000 square feet with reduced lot width, and reduced front and rear setbacks. The underlying purpose for seeking approval to utilize the “cottage” standards is to facilitate the construction of more affordable housing.

The subject property is located east of and fronts to Oakland Gravel Road and is bordered on three sides by R-1 zoning. There are existing single-family structures on the adjacent lots to the north, east, and south. West of the subject property, across the Oakland Gravel Road, is property zoned R-MF and R-2 that is improved with duplexes. Approximately 400-feet north of the subject property are parcels zoned R-MF and R-2 improved with multi-family structures and duplexes. According to the CATSO major roadway plan, Oakland Gravel Road is classified as a major collector and has existing sidewalk in place along the site’s street frontage.

The site has approximately 20-feet of fall from the southeast to the northwest. There is a heavily wooded treeline along the property’s northern boundary. The applicant’s submitted site plan (attached) shows a proposed drainage pond within the southwest corner of the property. A single cul-de-sac street is proposed to serve the 18 single-family lots from the Oakland Gravel frontage generally centered on the parcel’s roadway frontage. The existing home on the property would be demolished as part of the proposed cottage subdivision.

Authorization Sought and Purpose

The applicant is seeking authorization to utilize permissible “optional development standards” associated with the development of a “cottage” subdivision. These “optional development standards” are shown in Section 29-4.1(a), Table 4.1-1 of the UDC and are only applicable to property that is zoned R-2. Per Section 29-6.4(j) of the UDC authorization to permit an applicant to use the standards requires Board of Adjustment approval following findings that the request meets three review criteria.

The applicant’s correspondence (attached) indicates that the authorization is sought to allow development of the site with smaller, single-family detached homes than would be allowed within conventional R-1 or R-2 development. The proposed development mixture would include detached single-family homes of 2 and 3 bedrooms with each unit having adequate off-street parking and either a single or two-car garage. Additionally, the applicant has provided the following dimensional summary table to illustrate what approval of the requested “optional development standards” may yield in the way of development lots.

	<i>R-1</i>	<i>R-2 Current</i>	<i>R-2:3 Cottage</i>	<i>Corriente Village *</i>
Minimum Lot Area	7,000 SF	5,000 SF	3,000 SF	4,000 SF
Minimum Lot Width at Building Line	60 feet	60 feet	30 feet	40 feet
Minimum Depth of Front Yard	25 feet	25 feet	10 feet	25 feet
Minimum Width of Side Yard	6 feet	6 feet	6 feet	6 feet
Minimum Depth of Rear Yard	25 feet	25 feet	10 feet	20 feet
Maximum Building Height	36 feet	35 feet	35 feet	35 feet

**While the request is for R-22 Cottage Standards, the dimensions listed under the Corriente Village are for reference only based on anticipated dimensions for this development.*

Authorization Analysis –

Summary and Impacts –

The applicant is seeking authorization to utilize the “optional development standards” for construction within the R-2 zoning district to facilitate development of a cottage-style single-family subdivision. If authorized, the proposed 19-lot development would be permitted to develop single-family homes on lots as small as 3,000 square feet with reduced lot frontage (minimum 30-feet) and reduced setbacks from those typically allowed in the R-2 district.

In 2017 when the UDC was adopted, the “cottage” development standards were created such that applicants would have the ability to create smaller-footprint detached subdivisions as a means of increasing housing diversity, income integrated neighborhoods, and affordable housing options that did not exist in previous zoning and subdivision codes. The creation of the “cottage” category was also viewed as a means of ensuring fulfillment of the Comprehensive Plan’s Livable and Sustainable Neighborhood goals and objectives. To date, only one other development within the City of Columbia has sought and received approval to develop a subdivision using the “optional development standards”.

Given the ability to utilize the “optional development standards” often requires that a property first be rezoned to the R-2 district, concerns related to the appropriateness of the land use (i.e. smaller footprint homes and increased density) have been vetted by both the Planning and Zoning Commission and City Council. The subject site is an example of this process being followed. The site sought and received approval of the zoning change from R-1 to R-2 in February 2023.

The concern typically encountered with such a land use change such is the uncertainty that the property will be actually developed with “cottage” housing. In this particular instance, the applicant provided evidence of that intent to the Planning and Zoning Commission and City Council, and through public outreach to adjoining owners were able to address many of the concerns expressed about the site’s development with traditional duplex construction. The site plan (attached) is the same that was presented at concept review as well as through the public hearing process to achieve the R-2 zoning designation.

Should the Board approve the requested authorization to allow the 19-lot development to use the “optional development standards” the applicant will be capable of pursuing approvals of preliminary and final plats to create the lots shown conceptually. The introduction of such lots, while smaller and with less lot frontage than surrounding R-1 development, will permit those desiring single-family housing an option that is not otherwise available generally within the area. The size of the lots and resultant dwelling units provides a more affordable and diverse product for those may not be able to achieve conventional homeownership. The ability to offer

such an option is consistent with the Livable and Sustainable Neighborhood goals and objectives of the Comprehensive Plan. The product that would be allowed is not uncharacteristic of the development pattern within the surrounding environment which contains a mixture of housing types (single-family, duplex, and multi-family) except that such development would consist of smaller lots and dwelling units.

Having mixed housing products within close proximity to each other meets the diverse needs of the public and often maximizes the use of previously over-looked “infill” parcels. The subject site is considered “infill” and is believed, properly situated to accommodate the alternative development sought. For comparison purposes, an analysis of the development potential of the site using traditional R-2 standards finds that the site could potentially accommodate up to 18 single-family lots (5,000 sq. ft) or up to 18 duplex lots (7,000 sq.ft.) containing 36 dwelling units. It should be noted; however, if duplexes were desired the site would require a secondary access therefore significantly reducing the lot and dwelling unit yield.

While this analysis illustrates that a comparable number of single-family traditional R-2 lots may be possible, it does not fully account for potential regulatory compliance or other development limitations such as available roadway frontage to front future single-family lots upon. Furthermore, the comparison illustrates that development with traditional duplex construction, which is not desired nor supported by adjoining residents, may result in higher development costs given the necessity to provide a secondary access. In light of these possible outcomes, the proposed 18-lots of “cottage” development would appear to be the most efficient development pattern with the least per lot cost on the subject 3.28 acres. The lower per lot cost may result in the ability of the applicant to offer the lots and future homes at a more affordable price point to future buyers.

Compliance with “Optional Development Standard” Criteria -

Staff has reviewed the “Criteria for Approval” of the “optional development standards” articulated in Section 29-6.4(j)(3)(i-iii), of the UDC and finds that:

- i. The subject site is located within a “Residential” district as shown on the City’s Future Land Use Plan. This designation supports the construction of diverse and inclusive housing options which the “optional development standards” would be consistent in facilitating. The land use character surrounding the subject site is a mixture of housing types on a range of lot sizes. The proposed development would result in the development of single-family lots minimally different from those in adjacent subdivision developments and would be located in an environment that is walkable to two public schools, the Albert-Oakland Park, and the MU Health Care facility on Smiley Lane.

As stated in the applicant’s correspondence (attached), the authorization to use the “optional development standards” would afford the opportunity for the subject site to support several Comprehensive Plan Livable and Sustainable Neighborhood goals and objectives such as providing diverse and inclusive housing, compact development, and affordable housing. Additionally, authorization to use the “optional development standards” would support several Land-use and Growth Management goals and objectives such as prioritizing infill development and reducing maintenance costs for public infrastructure by allowing more dense development.

- ii. Authorization to utilize the “optional development standards” does not relieve the applicant of meeting other regulatory requirements of the UDC. This criterion seeks to determine if adequate parking will be provided for the proposed development. Per the UDC, a single-family detached dwelling is required to provide two on-site parking spaces. Based on the lots shown on the proposed site plan (attached) and the stated intent to offer either one or two-car garages, it is staff’s belief that the applicant has shown compliance with this criterion. Additionally, if a garage is added to each future dwelling unit the front yard setback will be increased from 10-feet to 20-feet from the property line (not the curb location) which is

believed to be a sufficient depth to accommodate a vehicle parked in the private driveway. Finally, at the time of building permit issuance, an additional compliance check will be performed to ensure the applicant has complied with the required on-site parking standards.

- iii. The authorization of the “optional development standards” is not seen as creating additional traffic or other risks to the public health or safety in the immediate vicinity. The proposed development will yield the same if not slightly more single-family lots than the traditional R-2 zoning and significantly fewer dwelling units and associated trips if the site were developed with duplex dwellings. Each proposed lot will access a newly constructed street to city standards which reduces the potential for operational impacts to Oakland Gravel Road which has sufficient additional capacity to support the proposed 18-lots from its single connection point. It possible, given the size of the future dwellings, that the demographic of the residents within the subdivision may be different than those within the surrounding larger single-family lot subdivisions and rental units within the R-2/R-MF zones thereby reducing traffic impacts.

Potential Board Action -

Should the Board determine that compelling testimony has been provided and the standards of Section 29-6.4(j)(3)(i-iii) have been met, it would then be appropriate to offer a recommendation to authorize the use of the “optional development standards” on the subject lot. If a determination is made that such request is not supported by the testimony given or the standards of Section 29-6.4(j)(3)(i-iii), then a recommendation of denial would be appropriate.

For the purposes of establishing a “complete” public record, Board justification supporting authorization or denial of authorization to use the “optional development standards” as defined in Section 29-6.4(j)(3)(i-iii) shall be stated within the public record prior to a final decision being rendered.