

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
August 5, 2021**

SUMMARY

A request by Allstate Consultants (agent), on behalf of EquipmentShare.com Inc. and Premiere Industrial Properties LLC (owners), for approval of a one-lot final plat of M-BP (Business/Industrial Park) zoned property, constituting a replat of Lots 10-12 of *Eastport Centre Plat 2-A* and the vacated right-of-way of Burnside Drive to be known as *Eastport Centre Plat 2-C* as well as a design adjustment to Appendix A.7 regarding terminal streets. The 19.66-acre subject site is located east of Port Way and south of Bull Run Drive (excluding 1.05 acres located at the southeast corner of Port Way and Bull Run Drive). The subject property is addressed as 5710 Bull Run Drive. **(Case #213-2021)**

DISCUSSION

The applicant is seeking to consolidate three existing lots and the recently vacated right-of-way for Burnside Drive into a single lot for the development of the site as a business campus for EquipmentShare. Lots 10, 11, and 12, along with the right-of-way would be combined into one 19.66-acre lot. There is an existing structure on the site now, which is currently in use by EquipmentShare but had previously been the site of Ashley Furniture.

This site has been the subject of two other recent requests. The site was previously zoned both PD (Planned Development) and M-C (Mixed Use-Corridor), but a rezoning to M-BP was recently approved for the three lots. Additionally, a right-of-way vacation was approved for the portion of Burnside Drive lying between Lots 11 and 12 of *Eastport Centre Plat 2-A* (Case #133-2021). Burnside Drive still exists south of the site, where it enters into the *Eastport Village Plat 3* subdivision, at a point where Burnside Drive has been constructed.

Given the scope of this project, (which included a rezoning, right-of-way vacation, and the current replat), staff submitted a report to City Council regarding the right-of-way vacation request on their May 3 agenda. The report sought direction on the requested street vacation. Council indicated their support for the street vacation and the proposed site plan for EquipmentShare's campus at that meeting, and the right-of-way vacation was ultimately approved, along with the M-BP rezoning request.

However, once the street vacation occurred, Burnside Drive became a terminal street (albeit temporary in this case). With the proposed replat, even though the street vacation was approved, Appendix A.7 of the UDC requires all terminal streets to have a proper turnaround which most commonly requires the construction of a cul-de-sac. In this case, pursuant to the UDC requirement that would require the construction of a cul-de-sac on the subject site extending from where Burnside Drive currently terminates at the south property line. The applicant is requesting a design adjustment seeking relief from this requirement.

Design Adjustment

Associated with the proposed consolidation of the subject property is a request for a design adjustment from the UDC provisions which is discussed below.

Appendix A.7: Terminal Streets

The requested design adjustment is seeking relief from Appendix A.7 that requires a turnaround at the closed end of a terminal street. The turnaround is required generally to allow for vehicular turnarounds where a street terminates in a dead-end. This request would waive the requirement to construct a turnaround at the terminal end of Burnside (on the applicant's property) which would require the dedication of additional right of way. If granted, Burnside would remain in its current state.

Appendix A.7 reads as follows:

A.7 - Terminal Streets.

Terminal streets shall have a turnaround at the closed end of such street that complies with the most current City of Columbia adopted edition of the International Fire Code. In no instance shall a terminal street be constructed with less than a seventy-six-foot outside roadway diameter and a right-of-way diameter of ninety-four (94) feet unless otherwise authorized by the fire official and approved by the director of public works.

Upon review of the request, staff supports the requested design adjustment for the following reasons:

- 1) The waiver of the requested cul-de-sac would not appear to have a significant negative impact on surrounding properties. The property likely to be most impacted would be an existing duplex located at 404 & 406 Burnside, which is the only residential structure located along the dead-end section of Burnside Drive. The impact would not likely be to the residents, as they will enter and exit their property via their private driveways; the impacts would mostly be to the vehicles that would visit the property, such as for mail delivery and solid waste collection. However, the impact of waiving the standard turnaround at the end of Burnside would be fairly minimal in this case. There is only one house on this section of the roadway, and with the driveway located within 50 feet of a through street (compared with a much longer terminal street with multiple homes), it is likely that most vehicles will not enter onto this section of roadway, and even if they do, they will only be required to back up a short distance to exit the dead-end.
- 2) Another factor to consider is the zoning of the site as M-BP and the proposed development of the site as a business campus. Had the site been developed as another residential subdivision, then the rationale for waiving the construction of a terminus would be much less, as additional residential lots could be developed around the cul-de-sac. Since the site is being developed, per the applicant, as a business park type development, the cul-de-sac would not include residential lots around it, and therefore would be underutilized, diminishing the value of the infrastructure.
- 3) It is also worth considering when the City requires temporary turnarounds on streets that stub to undeveloped properties. When a new subdivision is constructed, and it includes new streets that stub to adjacent property, a temporary turnaround is sometimes required so that there is at least a way for vehicles to turn around until the street is extended. However, if the street does not exceed 150 feet, then a turnaround is not required, due to the expectation that few vehicles will go to the end of the short street, and even if they do, as previously stated, they will only be required to back up a short distance. The street in question extends approximately 130 feet (but again, the only driveway is approximately 50 feet from the through street).

Conclusion

Given the combination of factors involved, (Council approval of the street vacation, short street length, M-BP zoning, unique development) staff supports the requested design adjustment. It should be stressed that it is the combination of all these factors that staff found the request to be persuasive. In the majority of situations where a street is stubbed to a property line, a waiver would not likely be supported. However, in this situation, the construction of a cul-de-sac would appear to have a very limited benefit.

RECOMMENDATION

- Approval of the requested design adjustment to waive the requirement for a turnaround at the terminus of Burnside Drive as required by Appendix A.7 of the UDC.
- Approval of the final plat of *Eastport Centre Plat 2-C*.

SUPPORTING DOCUMENTS (ATTACHED)

- Locator Maps
- Final Plat
- Design Adjustment Worksheet
- Final Plat (8/15/2005)
- Conceptual Site Plan

SITE CHARACTERISTICS

Area (acres)	19.66
Topography	Slopes toward creek in middle of site
Vegetation/Landscaping	Turf, trees along creek and other low areas
Watershed/Drainage	Grindstone Creek
Existing structures	Commercial building on Lot 10

HISTORY

Annexation date	2001
Zoning District	M-BP (Business/Industrial Park)
Land Use Plan designation	Commercial
Previous Subdivision/Legal Lot Status	<i>Eastport Centre Plat 2-A</i> Lots 10, 11 & 12

UTILITIES & SERVICES

Sanitary Sewer	City of Columbia
Water	PWSD #9
Fire Protection	City of Columbia
Electric	Boone Electric

ACCESS

Bull Run Drive	
Location	Along the north side of property
Major Roadway Plan	NA (partially constructed/improved and City maintained); 66-76-foot ROW required; 33-38-foot half-width required; No additional right-of-way required.
CIP projects	None
Sidewalk	Sidewalks partially existing; required with future building & street construction

Port Way	
Location	Along the west side of property
Major Roadway Plan	NA (improved and City maintained); 66-76-foot ROW required; 33-38-foot half-width required; No additional right-of-way required.
CIP projects	None
Sidewalk	Sidewalks existing

PARKS & RECREATION

Neighborhood Parks	Eastport Park, Lake of the Woods Recreation Area
Trails Plan	None adjacent to site
Bicycle/Pedestrian Plan	None adjacent to site

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 this pending request on July 16, 2021. Thirty postcards were distributed.

Report prepared by Clint Smith

Approved by Patrick Zenner