

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
September 23, 2021

Case 140-2021

A request by A Civil Group on behalf of Boone Development, Inc. for a major revision to the Arbor Falls PD (Planned Development) to be known as "Arbor Falls PD Number 4." The new PD Plan includes a revised site layout, a revised statement of intent reflecting a change in use from multi-family units to one-family detached dwelling units, and revised design parameters. The proposed PD also revises the onsite amenities previously approved under the Arbor Falls PD including, but not limited to, removing the previously shown clubhouse and pool. The request also includes design adjustments from Sections 29-5.1 and Appendix A of the UDC. The property is zoned PD (Planned Development) and is generally located north of Highway WW and south of Pergola Drive addressed as 5730 Pergola Drive. (This case was previously heard at the August 19, 2021 Planning Commission meeting and seeks reconsideration with a revised PD Plan and Statement of Intent.)

MS. LOE: That brings us to our public hearings for the evening. Our first case is Case 140-2021., May we have a staff report, please?

MS. SMITH: Yes, Madam Chair. As you mentioned, this is Case 140-2021. It's a major amendment for Arbor Falls. It's PD Number 4 because this is the fourth revision to the initial Arbor Falls PD plan that was adopted in 2006. This is about one-fifth of that initial development. The remaining is mostly built out. We'll talk about that a little bit more in a moment. The request this evening is in three parts; a revised plan development plan, statement of intent, and then three design adjustments. We will be asking for two discrete votes this evening. One on the PD plan and then one to cover the design adjustments. I will note that at the August 19th meeting, the PD plan failed to get vote of approval by this body, but the three design adjustments did get unanimous vote recommending approval to the City Council. But for a good clean record on the revised plan, we will ask for two votes once again this evening. I've sent two sets of postcards and four sets of letters, as this request has changed a little bit over time, as well as we've had a couple of different dates this has been heard so we've allowed -- or we've alerted all 33 adjacent property owners at each step of the process. At this point, the Arbor Falls HOA has provided a revised and updated letter of support for the present plan under consideration. They had presented a letter of support at the last meeting as well. This evening, in particular, we are going to look at a plan that removes the previously shown detached garage storage units on their own separate

lot. We're going then with a revised lot layout from 34 single-family homes to 37 single-family homes and there are a couple small changes to the statement of intent, as well as the lot layout that are to accommodate that change. And to orient ourselves to the larger site, this is the club at Old Hawthorne right here. That Linksides is the golf course community at Old Hawthorne. This is a particular about one-fifth or so portion of Arbor Falls here more greatly that we're dealing with tonight. This is Pergola Drive right here. And this is East Fulton Gravel, which is HH through here -- or WW, excuse me. So as I mentioned, you're looking at a revised PD plan since the August 19th meeting. Really the primary change is remove those garage units that some commissioners voiced concerns about in terms of the operation and maintenance and who would be using them. So they are no longer shown on the plan at all. And then revised revisions to SOI and design adjustment worksheets. So this is a 2006 plan for this site. Initially it showed seven ten-condo unit buildings and this evening we're looking at 37 single-family home sites. So the revision here is both in terms of units -- so going from 70 units down to 37 -- and then also the dwelling unit type. So going from multi-family condo units to single-family homes. Quickly background. PD plans may serve as a preliminary plat, like the request that you just heard, which lays out the preliminary lot layout, particularly street layout as well as utility connections. This does do that. You will see -- or the council, I should say, will see a final plat to make all of these 37 lots should this be approved. It would require a final platting action. And then design exceptions are just kind of inherently included through the PD process. They do not require a separate vote, but we do identify them on the PD itself. Those are deviations from zoning-related matters and then design adjustments are deviations in subdivision-related matters. They are also shown on the PD plan but they require a separate vote. Okay. So just initially, the Arbor Falls area overall, a picture was -- was zoned planned development for a 6.6 dwelling units per acre. This evening the 37 units, 7.5 acres or so comes to be about 4.9 dwelling units per acre so that would be considered compliant with the initial zoning for the area. Additionally, single-family was a permitted use type under the initial 2006 zoning. As I mentioned, there have been other PD plan revisions to Arbor Falls in the intervening years. This was that generally four-fifths that has been developed. We have seen a trend going towards slightly higher home coverage on relatively smaller lots. There seems to be a desire within this particular area to have fewer yard maintenance and to enjoy the amenities that are provided by the golf course community and all the recreation types of events without having as much personal space. They rely more on those public shared types of spaces. Within our existing zoning code, this body has spent some time talking about existing residential zoning categories. We don't really have a good fit for this model. It's a little bit smaller lot with a little bit bigger home on it and so the PD plan, or Planned Development, zoning process does allow us to look at these differences versus what our traditional zoning code would permit. And throughout this process, I have tried to make it very clear for the sake of transparency for folks in this area and folks who might be buying in that if this amended plan is approved by the City Council, that the previously shown clubhouse and smaller pool shown on the 2006 PD plan would never be built. So all of these residents within this area do have access to the larger Old Hawthorne recreation amenities, including the big pool and the big clubhouse,

but if this plan is approved, that they would not have the smaller site that was originally envisioned in 2006 for these residences. I will note though that through this process I have heard no concerns to the loss of these amenities, but I just want to make sure that everyone is aware that if approved, it will go away. And it's pretty close. So we're looking at this site right here. And you can see the tennis court, swimming pool and clubhouse here so for most folks, it would be a comfortable walk to get to these existing amenities. Okay. So big picture, we previously were showing separate garage storage units on what was generally this lot area. So now we see instead of 34 single-family lots, we see 37. There's a few lot changes within here, but for the most part, the street layout and this cul de sac street are largely the same. Also, the last plan did show a conceptual concept for a wellhouse to do irrigation for this larger common lot greenspace through here. That is maintained on this plan. We've worked with the applicant to come up with some parameters for that. So you'll see on the SOI that they can have up to 400 square feet for the wellhouse and any structural buildings that are to maintain this greenspace. That's not atypical in HOA situations with greenspace to have a garden shed for instance, or in this case, a well house. Additionally, they are showing two United States Postal Service cluster mailboxes, so one here where you kind of pull in and then also one on this common lot down here. I do want to note per the SOI on the plan, because USPS has their own citing requirements, that will be the governing citing requirements for those facilities. We've talked in the past a little bit about these patio-style homes. And that's just the idea of having a little bit larger home on a little bit smaller lot relative to other types of home sites. This is already seen within the area so these are up here on even slightly smaller lots than what is being proposed this evening, but fairly similar idea of -- you can see that the home site relative to the lot has relatively high coverage. And their correspondence that was included in the packet, the applicant has some market and other related information to this effect. So this is effectively just reduced setbacks from what we typically see in the single-family zone. And I have notes coming up here in a moment to compare apples to oranges on that. And as I mentioned previously, the PD plan process does allow this more customized zoning to get a different output than what our traditional zoning categories otherwise allow. You will see a slight name change. So previously we were showing this cul de sac street as Elan Drive. In this plan, they are showing it as Roman Drive. At the last minute, we've heard that that is also not an approved street name so we will keep trying. So the cognizant body that approves street names is the Public Service Joint Communication body, so E911. They have very strict rules on road names. And so on the final plat, we will run that through for the road names. Once again, this is not an uncommon thing that up until the point of final platting, they don't lock in your road name so they can change. But for the sake of transparency, I just want to note that we are showing this as Roman Drive, it was previously Elan Drive, and it will ultimately be something more creative that is approved at the final platting stage. So we're looking at three design adjustments. And as I mentioned, those are the deviations from what our subdivision requirements are. They are shown on the plan and they do require a separate vote. These three -- start with Roman Drive. Roman Drive is 305 feet in length. That is five feet beyond what our code would otherwise permit for cul de sac streets. It is showing a six-foot sidewalk along both sides

of this cul de sac, as well as all streets. And I will talk a little bit about this in a moment because I do think it's a mitigating factor to help meet the criteria for approval of the design adjustment, but they are showing a five-foot pedestrian connector going from the end of the cul de sac across this greenspace to connect Talco Drive to provide -- really to provide better pedestrian connectivity from east to west throughout the site. And so that is intended to help mitigate the negative impacts of connectivity, at least to pedestrians, by having a cul de sac that exceeds the required amount. The second design adjustment is that between this node right here and then this connection to the existing Talco right here, this section of Hailey Drive is a little bit longer than what the code permits; so it's about 20 feet. It is 620 feet [sic] than what would otherwise be allowed by 29-5.1(c)(3)(K(ii)). And that's about, once again, connectivity. Fewer automobile trips, more direct transport. And then kind of bigger picture, this area does have private streets as shown. That is not uncommon at Old Hawthorne. It is not uncommon at Arbor Falls. The idea here is that in PDs the developer does get to propose slightly different deviations to what other public streets might require, but that there are trade-offs in that then those maintenance requirements of those streets are then passed on to the HOA or the developer, so there's some give and take. There were some concerns by this body regarding the use of private streets at the last meeting that this plan was reviewed at. I will note that every iteration of this plan has been reviewed by both the fire department and the traffic engineer. At this point they do not have any concerns with the way the streets are designed. They generally match what's already out there. It's functioning pretty well. There has been no request to devolve the private ownership or maintenance of these streets to the public at this time. And also, the traffic engineer notes that there's been a little bit of a challenge doing maintenance just for everybody who maintains streets right now due to some supply chain and labor-related issues that folks are experiencing. So this design adjustment, because it's requesting a private street design, does have some corresponding design adjustment requests from right-of-way dedication, street widths, et cetera as described in 29-5.1(c)(4) and as enumerated in Appendix A. We are retaining two design exceptions from the previous plan. The first one is probably the most impactful one. Those are reduced setbacks when we compare this design parameters versus -- via the Statement of Intent versus what would already -- would be already permitted under the existing R1 zoning. So under the existing R1 single-family zoning district, which is the same use type that we're proposing under this plan, we see setbacks of 25 foot front, 6 side and 25 rear. On the proposed plan and per the Statement of Intent, we are showing setbacks of 20 front, rear 20, and then side of 5 and then corner side yards of 12.5 rather than 15. Additionally, they're requesting that the lots are a little bit smaller, so 5,000 square feet versus the minimum of 7,000 that's already permitted by the code in the straight zone. So the impact here is a little bit smaller lot. And then with those reduced setbacks, you're allowed to have a slightly larger building envelope than what would otherwise be permitted in the R1 zone. The second design exception is from 293-3.3(i)(1)(i). This would allow that well structure on that HOA lot, as well as the USPS boxes. It has to do a little bit with the citing requirements. So to allow the USPS requirements to trump anything that our code might say about the citing and then also to allow that wellhouse or a combination of HOA greenspace maintenance buildings

to go up to 400 square feet. So the third plan I think is what we're at at this point, has been reviewed by staff. So in addition to planning, staff, fire department and traffic engineer, it went through the full review of city surveyor, building and site, stormwater, et cetera. We also reviewed the information provided by the applicant via the Statement of Intent worksheets, those design adjustments worksheets and then the letter of information regarding the design exception request. We looked at the five criteria in the UDC to approve those design adjustment requests. We think that overall, that connectivity via the six-foot sidewalks on all streets and that additional five-foot wide connector from the end of Roman Drive to the existing Talco Drive does help mitigate some of the potential concerns with those design adjustments. Because this is unique zoning and unique requests, are requir-- are requested to get a unique sign type. We do believe the existing PD zoning is appropriate to remain on the site and does provide the process to get to the end result that the applicant is asking for. And once again, I did mention that the private streets were re-reviewed and found to be acceptable by both fire and traffic. And in that updated letter of support from the Arbor Falls HOA, they do have some comments about their requirements to maintain the streets as well. So with that this evening, we are recommending approval of the revised Arbor Falls PD Plan Number 4 that is before you this evening. We would ask that you make separate votes on the three design adjustments. They are enumerated here on your screen. And then we'd also ask that you would do a separate vote on the Arbor Falls PD plan itself, which does incorporate the associated design exceptions that we discussed this evening. I'm here and happy to answer any questions that you might have, and the applicant is here as well.

MS. LOE: Thank you, Planner Smith. Before we move onto questions for staff, I would like to ask any Commissioner who has had any ex parte related to this case to please disclose that now so all Commissioners have the benefit of the same information on the case in front of us. Seeing none, are there any questions for staff? Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. Planner Smith, if they want to eliminate this building or make it bigger, do they have to apply for a design adjustment or something?

MS. SMITH: For the well house?

MR. MACMANN: The greenspace, the well house.

MS. SMITH: They get up to 400 square feet. So if they want to go above that, they would have to come back and get an amendment. We do allow some phasing of PD plans so if they don't want to build it right away, we don't have necessarily a time crunch on that. I do know they're talking to the existing developed areas to the east. Those folks might be interested in having some irrigation as well so that kind of went into that conversation.

MR. MACMANN: I just -- that was a little point of order for me; how does that go? All right. Thank you very much.

MS. LOE: Any additional questions for staff?

MS. CARROLL: How many units were in the 2006 PD plan?

MS. SMITH: Seventy for this area.

MS. CARROLL: That's what I thought. Thanks.

MS. LOE: That was Commissioner Carroll. Any additional questions? Seeing none, we will open up the floor to public comment.

MR. GEBHARDT: Good evening. My name is Jay Gebhardt, from A Civil Group. I'm really here just to answer questions. I hope this time around I have a plan that meets your all's approval and recommendation. So if you have any questions, I'd be glad to answer them.

MS. LOE: Questions for Mr. Gebhardt? Commissioner Geuea Jones?

MS. GEUEA JONES: I just want to say thank you for your patience and for working with us and the community. I -- I know it's been a process, but I acknowledge that you've been working and appreciate that.

MR. GEBHARDT: Thank you. Appreciate it.

MS. LOE: Any additional comments or questions for Mr. Gebhardt? I see none. Maybe three time's a charm, Mr. Gebhardt. Any additional comments? If not, we will close public comments. Commission comments? Commissioner MacMann?

MR. MACMANN: I may have jumped the gun. I'm ready to make a motion -- motions if we have no questions. This is rather convoluted so there may be questions.

MS. LOE: Commissioner Carroll?

MS. CARROLL: I do not have questions. I did have a comment. And I'm going to sound like a broken record here. We have a stated Columbia matching goal to move towards more compact development. And this represents a move from 70 RMF units to 37 single-family units.

MS. LOE: Commissioner MacMann?

MR. MACMANN: I would respond to that. Yes, two things though. I think had there been the demand for that 70-unit structure, they would have built it. And this does have what I want. It has smaller lots, five vis-a-vis seven, and it has smaller setbacks, which is in ways we want to go. Now, Mr. Gebhardt's having to do this with a PD plan, but he's not far off -- this has nothing to do with you, Jack. He's not far off from where some of the rest of our things want to go. So 70 to 37, yes, but it's bigger than it could have been -- or, you know, more dense than it could have been.

MS. CARROLL: I'm in agreement. 2006 is a long time in the age of a PD plan. Seventy units seems like they may not be relevant. I just have to be aware of my decision-making process.

MS. LOE: I believe those original units were also multi-family; whereas, these are single-family. And one of the things that we've been keeping our -- or we've been including in our discussions is Columbia's low rate of owner-owned housing. So this is something we need in this community. And I agree with Commissioner MacMann that it's an innovative model that we are currently working to -- or evaluating accommodating in our code. So I appreciate it being developed under the PD. Commissioner Stanton?

MR. STANTON: I agree with all my colleagues. And density comes in many shapes and sizes and definitions too. So keep that in mind as we go through our case as well.

MS. LOE: Any additional comments? Commissioner MacMann?

MR. MACMANN: I'm ready when you are. Planner Smith, I'm going to need your assistance here. You want me to start with design adjustments, go to design exceptions and then go to the plat?

MS. SMITH: We do not need to do design exceptions separately.

MR. MACMANN: Because they're in the plat.

MS. SMITH: Yeah. And if there seems to be agreement on all three design adjustments, it would be okay to do them all as one.

MR. MACMANN: All right. With that in mind, I'm going to take a non-- I'm going to take a little survey here. Does anyone -- let me ask this question. Does anyone have any objection for me making one motion for all of these design adjustments? I would be more than happy to do that. With that in mind, I'm going call these out. In relationship to design adjustments relating to Case 140-2021, design adjustment to Section 29-5.1(c)(3)(F) relating to the cul de sac amendments longer than called for, and for allowing that; in relation to 29-5.1(c)(3)(K(ii) relating to street length without an intersection break; and in relationship to 29-5.1(c)(4) and Appendix A of the UDC to allow private street on common lots varying from public street width/right-of-way and design standards -- design and dedication standards, I move to approve these three plan adjustments.

MR. STANTON: Second.

MS. LOE: Moved by Commissioner MacMann, seconded by Commissioner Stanton. We have a motion on the floor. Any discussion on this motion? Seeing none, Commissioner Carroll, may we have roll call, please?

MS. CARROLL: Commissioner Placier?

MS. PLACIER: Yes.

MS. CARROLL: Commissioner Kimbell?

MS. KIMBELL: Yes.

MS. CARROLL: My vote is yes. Chairperson Loe?

MS. LOE: Yes.

MS. CARROLL: Commissioner Stanton?

MR. STANTON: Yes.

MS. CARROLL: Commissioner MacMann?

MR. MACMANN: Yes.

MS. CARROLL: Commissioner Geuea Jones?

MS. GEUEA JONES: Yes.

MS. CARROLL: We have seven votes to approve.

MR. MACMANN: If there are no more questions, I would like to make a motion, Madam Chair. In the matter of the pre-- or the matter of the plat for Case 140-2021, I move to approve the PD plan and associated SOI for Arbor Falls.

MR. STANTON: Second.

MS. LOE: Moved by Commissioner MacMann, seconded by Commissioner Stanton. Motion on the floor. Any discussion on this motion? Seeing none, Commissioner Carroll, may we have roll call, please?

MS. CARROLL: Commissioner Placier?

MS. PLACIER: Yes.

MS. CARROLL: Commissioner Kimbell?

MS. KIMBELL: Yes.

MS. CARROLL: My vote is yes. Chairperson Loe?

MS. LOE: Yes.

MS. CARROLL: Commissioner Stanton?

MR. STANTON: Yes.

MS. CARROLL: Commissioner MacMann?

MR. MACMANN: Yes.

MS. CARROLL: Commissioner Geuea Jones?

MS. GEUEA JONES: Yes.

MS. CARROLL: We have seven votes to approve.

MS. LOE: Three times was a charm.

MR. GEBHARDT: Yes.

MS. LOE: Recommendation for approval will be recommended to City Council.