



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: June 5, 2023

Re: 1605 & 1607 Westwinds Drive – Rezoning (Case # 142-2023)

Executive Summary

Approval of this request will rezone a 10.53-acre parcel from R-1 (One-family Dwelling) to A (Agriculture) that is located at the western terminus of Westwinds Drive and commonly addressed as 1605 and 1607 Westwinds Drive. This property has appeared before the Council as the subject of a 2-lot preliminary plat known as Hidden Haven.

Discussion

A Civil Group (agent), on behalf of Sonya Andreassen-Henderson (owner), seeks approval to rezone 10.53-acres from R-1 (One-family Dwelling) to A (Agriculture). The subject acreage is located at the western terminus of Westwinds Drive and is the original homestead of the owner's mother and was the property at which the owner was raised as a child prior to moving away from Columbia. The owner desire to retire and move back to Columbia with her family and restore the property to its previous status as a wooded tract. The existing farmhouse on the property is to be retained and the existing outbuildings are to be removed and replaced with a new detached accessory structure as well as a second primary dwelling to the rear of the property.

The desire to have a second primary dwelling on the acreage is what has precipitated the necessity to rezone from the R-1 district to the A Agriculture district. The R-1 district only allows one primary dwelling unit per parcel, whereas as the A district, upon approval of a conditional use permit, would permit a parcel to be improved with two (2) primary dwellings. This request is being considered concurrently with the required conditional use permit (Case # 144-2023) as well as a 1-lot final plat and design adjustment (Case #271-2022). Each of these additional cases are being considered under separate cover on the Council's June 5, 2023 agenda.

It should be noted that the requested rezoning and conditional use permit are being sought after the applicant attempted to secure relief from the Board of Adjustment in March 2023 for variances to the UDC but was denied. The relief requested was to allow the applicant to construct a detached garage in front of the desired second primary dwelling and prior to the second primary dwelling being built. These proposed improvements were shown on Lot 101 of the Hidden Haven preliminary plat that was approved by Council in February 2023. In rendering its decision, the Board cited the fact that the applicant had not proven its "hardship" nor had they exhausted all other available regulatory options to achieve their desired objectives.



City of Columbia

701 East Broadway, Columbia, Missouri 65201

In light of the Board's action and after consultation with the applicant, this request for rezoning was submitted. Staff review of the conditions surrounding the site finds that while the requested rezoning to the A-district may be considered unconventional it does have merit and will assist in facilitating several goals and objectives of the Comprehensive Plan such as preservation of natural features and habitats for wildlife. Furthermore, based on public comment received there is support from the immediately adjacent property owners for the rezoning.

The subject site contains approximately 45-feet of fall from southeast to northwest. Given these slopes, there are limited areas upon which traditional subdivision construction would be readily available without significant modification to the site's natural features. Additionally, the site is encumbered by floodplain overlay given that the northern boundary of the site is defined by the County House Branch.

Given these conditions, rezoning of the site would prohibit conventional subdivision development of the property as the A-district only allows the division of a property into two lots that are a minimum of 2.5 acres each. This protective measure serves to ensure the natural features contained within the site are protected and that development intensity is limited as desired by adjacent property owners.

A final supporting factor for rezoning to the A-district is the site's limited access to public streets. This is principally due to the topographic conditions on the property and is evidenced by the surrounding land use and platted development patterns. There are few, if any, platted stub streets into this property given the existing roadways that bound the parcel follow existing ridgelines. The site is at the terminal end of Westwinds Drive, a public street over a mile in length, with no reasonable ability to connect to College Park further to the west. Furthermore, given the site's elevation above Stadium Boulevard as well as Stadium's restricted access there are further limitations for additional public street connections.

It should be further noted that A-district zoning is not that unconventional within the surrounding area as there is presently a similar tract to the south off Forum Boulevard just north of Chapel Hill Road. And finally, while agricultural zoning is generally associated with farming activities (i.e. crop growing), the UDC does define agriculture to include other purposes such as grazing of animals, orchards, trees, and forest lands. As noted, the applicant seeks to re-forest the property with species that existed on the site during her childhood while also managing the property from the effects of invasive species.

The Planning and Zoning Commission considered this request at their May 4, 2023 meeting. Staff provided its report and the applicant's agent was available to answer questions. The Commission commented on the benefits of the rezoning to protect existing wildlife habitat corridors. Following limited additional discussion, a motion was made to approve the requested rezoning from R-1 to A which was approved by a vote of (8-0).

A copy of the Planning and Zoning Commission staff report, locator maps, and meeting minute excerpts are attached.



Fiscal Impact

Short-Term Impact: N/A

Long-Term Impact: N/A

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Not Applicable, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Livable & Sustainable Communities, Tertiary Impact: Not Applicable

Legislative History

Date	Action
N/A	N/A

Suggested Council Action

Approve the rezoning of the subject 10.53-acres from R-1 (One-family Dwelling) to A (Agriculture) as recommended by the Planning and Zoning Commission.