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May 6, 2021

Rachel Smith
City of Columbia
701 E. Broadway
Columbia, MO 65201

RE: Arbor Falls PD Phase 4 – PD Plan – Design Exceptions Response
(Case #: SUBD-000140-2021)

Dear Ms. Smith:

Please find below the list of Design Exceptions being requested for the Arbor Falls Phase 4 PD Plan. It should be noted that this is not a cottage development. It is a patio Home Development concept that is not available within the current code. It does resemble R-1 in that there will be single family detached homes built on a single lot. However, the intent of these homes is to provide a home for those that do not want a large yard or the maintenance of the landscaping. Each home will have a small out door area for the owners; hence the name patio homes.

These design exceptions are for Arbor Falls Phase 4 PD plan

1. A design exception is being requested for the following portions of the R-1 zoning Category
    a. Setbacks - The Front Yard setback shall be a minimum of 20 feet. The side yard on interior Lots will be a minimum of 5 feet. The Rear Yard will be a minimum of 20 feet. The side yard on a corner lot shall be a minimum of 15 feet. Please note that there will be no side entry garages on the corner lots.
        i. Comprehensive Plan and Policy guidance issued by Community Development and the Council.
            1. This is the same setbacks allowed in Arbor Falls north of pergola and our intent is to continue the same concept south of Old Hawthorne.
            2. The Columbia Imagined plan indicates a desire for a mixture of housing types and density of homes where it is appropriate. We believe this plan meets the intent of the Columbia Imagined Plan.
        ii. The exception will not create significant adverse impacts on any lands abutting the proposed development and the owners of those units.
            1. The owner to the West is in support of this development and believes it will be a good addition to the Community at Old Hawthorne.
            2. The owners to the North have the same setbacks as we are proposing.

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3. The Portion of Arbor Fall we abut on the East is a mixture of Single Family Attached and apartments. The setbacks we are proposing are similar to those in this portion of Arbor Falls.

iii. The exception will not make it significantly more difficult or dangerous for automobiles, bicycles, or pedestrians to circulate in and through the development than if the Subdivision Standards of Section 29-5.1 were met;

1. The 20-foot setback has been designed so a car can park in front of the garage and not block the sidewalk or the street.
2. The 15-foot side yard setback on corner lots allows for adequate Sight Distance at the intersections of streets.

iv. The design exception is being requested to address a unique feature of the site or to achieve a unique design character, and will not have the effect of decreasing or eliminating installation of improvements or site features required of other similarly situated developments;

1. The site is designed to continue the existing single family detached homes north of Pergola and is being done to achieve a unique design character. All general improvements typically found on a R-1 zoned lot will be provided for these lots

v. . The design exception will not create adverse impacts on public health and safety.

1. All infrastructure will be similar to R-1 Districts and allow for Fire and Emergency access to the site. There are no public Health issues.

b. Lot Area – The Lot areas will be limited to a minimum of 5,000 square feet. This is being done to reduce the lawn area and landscaping to provide for a patio home with the outdoor maintenance reduced.

i. Comprehensive Plan and Policy guidance issued by Community Development and the Council

1. This is providing a housing type not available within the existing code and is being done to address the demand for housing of this type.

ii. The Exception will not create significant adverse impacts on any lands abutting the proposed development and the owners of those units

1. Smaller lots will not have an adverse impact on any lands abutting the development. The existing approved plan of 70 apartments has a much greater impact to the abutting neighbors.

iii. The exception will not make it significantly more difficult or dangerous for automobiles, bicycles, or pedestrians to circulate in and through the development than if the Subdivision Standards of Section 29-5.1 were met;

1. Lot size does not create to make it significantly more difficult or dangerous for automobiles, bikes, or pedestrians.

iv. The design exception is being requested to address a unique feature of the site or to achieve a unique design character, and will not have the effect of decreasing or eliminating installation of improvements or site features required of other similarly situated developments; and

1. The exception is to allow a continuation of the existing Arbors Falls development as single family detached.

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v. . The design exception will not create adverse impacts on public health and safety.
    1. Lot size does not affect Public Health or Safety.

c. Free Standing accessory structures (garages) allowed on a lot without a primary structure. – There is a desire by Arbor Falls for additional garage space for parking cars, boats and golf carts as well as storage.
    i. Comprehensive Plan and Policy guidance issued by Community Development and the Council.
        1. Tis is an amenity that is desired by the community to help with a perceived issue with parking and storage of items. The Comp Plan does not address this other in a general way in it provided an amenity for the owners.
    ii. The Exception will not create significant adverse impacts on any lands abutting the proposed development and the owners of those units.
        1. The land to the East of the Garages is a part of Arbor Falls and a portion is already used for free standing garages. The immediate land behind the garages is a landscaped common area.
    iii. The exception will not make it significantly more difficult or dangerous for automobiles, bicycles, or pedestrians to circulate in and through the development than if the Subdivision Standards of Section 29-5.1 were met;
        1. This exception will eliminate constant parking in the driveways thereby making the development more open and pedestrian friendly.
    iv. The design adjustment is being requested to address a unique feature of the site or to achieve a unique design character, and will not have the effect of decreasing or eliminating installation of improvements or site features required of other similarly situated developments;
        1. The freestanding garages are a continuation of the garages already within Arbor Falls there will be no adverse impact of the garages and will provide a desired amenity.
    v. . The design adjustment will not create adverse impacts on public health and safety.
        1. The Garages will help reduce on street parking and parking in the driveway to homes which will provide a safer environment for the community.

d. Use Specific standards of Section of the UDC from which the adjustment is being requested:
    i. All accessory uses and accessory structures shall be subordinate to the principal structure(s) and primary use(s) on the property. The aggregate first floor square footage of all accessory structures on a lot shall not exceed the first-floor square footage of any principal structure on the lot. The aggregate square footage of all areas devoted primarily to accessory uses on a lot shall not exceed the square footage of all areas devoted to the primary use of the lot;

        1. The explanation of the free-standing garages is above. The proposed garages are different than a detached garage on a single

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lot. These are meant to serve the residents of Arbor Falls.

ii. All accessory uses and structures shall comply with all dimensional regulations (i.e., building height, lot coverage, and minimum yard) applicable to the principal structure(s) on the property unless this chapter provides a specific exception to those regulations;

    1. The freestanding garages shall have different setbacks from an accessory structure on a single-family lot which is appropriate for this use. We have a 10-foot front setback to remove the ability of people to park in the driveway in front of the units. The 10-foot rear setback is proposed to provide landscape buffer. As for building height we are not asking for an exception. I am not aware of lot coverage requirements for freestanding garages and minimum yard.

iii. No part of a detached accessory structure shall be closer than ten (10) feet to another structure;

    1. We are not asking for an exception to this minim distance between structures

iv. An accessory use may not begin operation before a permitted primary use or an approved conditional primary use begins operation on the property. An accessory structure may not be constructed before a permitted principal structure is constructed on the property; and

    1. The Garages will be built as the residential lots are built on to provide this amenity to the residents.

v. Driveways, parking areas and loading areas shall comply with the requirements of section 29-4.3.

    1. I believe I have addressed the driveways, parking areas and loading areas above this in previous responses.

vi. Detached accessory structures shall not exceed twenty-four (24) feet in height or the height of the principal structure, whichever is less, and may not occupy more than thirty (30) percent of a required rear yard;

    1. We are not asking for an exception to this rule

vii. For any dwelling there shall be permitted one garage with space for not more than one motor vehicle for each two thousand (2,000) square feet of lot area, provided that total garage space shall not exceed the total habitable first-floor floor area of the primary dwelling;

    1. This is a different accessory use than a detached garage on a single-family lot so we are asking for an exception to this rule for all of the reasons stated above.

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viii. Detached accessory structures and accessory surface improvements (such as tennis courts, basketball courts, swimming pools, or paved patios) shall be located:

1. Not forward of the principal structure,
2. Not less than three (3) feet from any side lot line, and
3. Not less than one foot from any alley line;
    a. There is no primary structure propose on the garage lots so we are asking for an exception to this rule.
    b. We are not asking for an exception from this rule as we are asking for a 5-foot setback from a side yard lot line.
    c. We are not asking for an exception to this rule as there are no proposed alleys

ix. Notwithstanding the provision of subparagraph (iii) above, when the rear lot line is common to a side or rear lot line of another lot, detached accessory structures and accessory surface improvements must be located a minimum of three (3) feet from such rear lot line. For corner lots, detached accessory structures and accessory surface improvements must be located not less than the distance required for residences from side streets; and

1. We are not asking for a design exception to this rule.

x. An accessory structure or accessory surface improvement constructed as an integral part of the main building shall be subject to the setback standards affecting the main building, provided that on a corner lot, a garage integrally attached to the main building may extend to a point not less than eighteen (18) feet from the rear lot line, but shall not occupy more than thirty (30) percent of the rear yard.

1. We are not proposing a primary structure just Freestanding garages so this rule is not applicable.

I believe this addresses all the design exceptions we are requesting. Let me know if you have any questions or concerns.

Thank You,



Jay Gebhardt, PE, PLS

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