

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
June 10, 2021**

SUMMARY

A request by A Civil Group (agent), on behalf of Boone Development, Inc. (owner), for a major revision to the Arbor Falls PD (Planned Development) to be known as "Arbor Falls PD No. 4". The new PD Plan includes a revised site layout, and a revised statement of intent (SOI) reflecting a change in use from multi-family units to one-family detached dwelling units, as well as revised design parameters. The proposed PD also revises the on-site amenities previously approved under the Arbor Falls PD including, but not limited to, removing the previously shown clubhouse and pool, and providing detached garage units for residents of the proposed development. 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. **(Case #140-2021)**

DISCUSSION

The applicant is seeking a major amendment to the "Arbor Falls PUD Plan" approved in 2006. Through a new site plan and statement of intent (SOI), the amendment revises the type, arrangement and number of dwellings and related amenities on the vacant southwest quadrant of Arbor Falls, south of Pergola Drive and west of Talco Drive. The amendment covers 7.49 acres, or approximately 21%, of the total 35.17-acre site. The Arbor Falls PD area is part of the Old Hawthorne neighborhood and was initially zoned PUD 6 (gross; varies by sub-area) for up to six dwelling units per acre as a part of the larger Old Hawthorne annexation and zoning approved in 2005 (Ordinance 18558), then rezoned to 6.6 dwelling units per acre (gross; varies by sub-area) in 2006 (Ordinance 19117).

The remaining 27.68 acres of the Arbor Falls PUD Plan is not subject to this amendment and is mostly built out according to the original plan and amendments which have been processed in the intervening years. For reference, the southeast quadrant of Arbor Falls directly to the east of this site was amended over time from eight 10-unit condo buildings to the present mix of one condo structure, two detached garage unit structures, and 24 one-family attached homes (of which 20 have been built).

The applicant indicates the desired revision from multi-family dwelling units to detached one-family units is to align with market-driven housing demands. Homes on smaller lots with less maintenance commitments and access to the greater Old Hawthorne golf and community amenities are desired within the neighborhood. This style of housing is what is built in the other phases of Arbor Falls, both across Talco Drive to the east and across Pergola Drive to the north in both attached and detached forms. Additionally, these "villa" (attached one-family) and "patio" (detached one-family) styles of homes with smaller setbacks (18-20' front, 20-25' rear and 5' interior side yard setbacks) are common in other parts of Old Hawthorne as well (e.g. Linkside at Old Hawthorne, Villas at Vintage Falls, and Villas at Old Hawthorne), though the minimum lot sizes vary for each development. The proposed SOI is generally consistent with the one-family options built on Trellis and Bower Lanes; most lots range from 0.10 to 0.13 acres and have a 20' garage front yard setback (18' building), 5' interior side yard setbacks, and either a 10' or 25' rear yard setback (see attached the Arbor Falls PUD Plan). The applicant also indicates the garage units, along the eastern boundary of the revised PD Plan, are a desired amenity for extra storage.

The proposed new SOI and site plan reflect a change on the acreage from seven 10-unit condo

buildings and a pool and clubhouse, to 33 single-family lots with free-standing garage unit structures available for lease by residents. The net density of the site per the amendment is 4.4 dwelling units per acre.

During the plan review process, staff raised concerns with the applicant that the clubhouse and pool amenities shown on the approved Arbor Falls PUD Plan are not included in the proposed PD plan amendment. These amenities were designed to serve the entirety of the Arbor Falls planned development area, and the amendment (if approved) means they will never be built. As such, all public notice sent/published/advertised by staff has specifically called out the loss of the pool and clubhouse via the amendment. However, all correspondence with neighbors at the time of writing this report has not resulted in any expressed concerns with the loss of these features. Numerous residents have called with questions regarding the proposal and several callers indicated they had been aware of the proposed plans for this development for some time. No concerns have been cited with the new site plan and SOI as proposed.

The applicant indicates the revision to remove the clubhouse and pool have been part of longer-term plans and conversations with residents. Access to the Old Hawthorne Clubhouse and Pool is available to residents. However, staff still notes the impact of this revision herein for the purposes of transparency and awareness for the public hearing process.

In terms of the greater housing mix of Old Hawthorne, the loss of multifamily units decreases the overall variability of the housing options within the development; however, there remains some multi-family units, and there is property zoned M-N (Mixed-Used Neighborhood) and M-C (Mixed-Use Commercial) directly the west and northwest of this property that would permit multi-family development.

Per the SOI, the minimum residential lot size is 5,000 square feet, with a maximum building height of 35 feet, front yard setback of 20 feet, rear yard setback of 20 feet, side yard of 5 feet (interior), and a side yard for corner lots of 15 feet. The setbacks for the free-standing garages (in connected rows) are proposed to be 10 feet from the front and rear lot lines, five feet on interior side yard lots, and 15 feet on corner lot side yards. Parking will be prohibited on the driveways in front of the garages, and the maximum height of the garages will be 24 feet. The garages will be similar to the existing ones on Ranger Drive, and will be located on two individual lots (434 and 435).

Access to the site will be via Euliss Drive and Talco Drive from Pergola Drive. Talco Drive is an existing teardrop loop drive and Euliss Drive will be extended from the southwestern corner of Talco Drive in a loop west then north to Pergola Drive. Talco Drive will remain a private street (24" pavement) and Euliss Drive will also be a private street (24' pavement). Access has been reviewed and approved by both the Fire Department and Traffic Engineering staff. Sidewalks are required along both sides of both streets, and parking shall be restricted to one side of each street per Appendix A.1(C) of the UDC. Two cluster mailbox locations have been identified to meet recent USPS policies.

DESIGN EXCEPTIONS

As part of the review process, staff and the applicant worked to identify any potential design adjustments (variations from subdivision requirements) and design exceptions (variations from typical zoning requirements for similarly situated developments under non-PD zoning) relating to the proposed development. PD plans may serve as the preliminary plat for planned development proposals, as is the case in this instance, and a final plat will be required to facilitate the proposed development's lots and site arrangement should the PD plan amendment be approved. No design adjustments were identified through the review process as all subdivision requirements are believed to be met by the proposal.

Numerous design exceptions were identified from the standard one-family dwelling district zone, R-1, to facilitate the desired proposal and are discussed below. The applicant has indicated a desire to retain the PD zoning on the site as the desired use type is permitted under the existing zoning, and that a change in zoning may be undesirable to the neighborhood. Staff notes recent discussions during Planning Commission work sessions have identified that the City's existing residential zoning districts do not well-accommodate single-family dwelling types on moderate-sized lots with a relatively higher lot coverage/reduced setbacks, though this style of development is not uncommon in comparable communities and facilitated through their respective zoning codes.

The applicant has provided a letter describing the design exceptions sought to facilitate their design, and the decision-making process behind the proposed design of the individual lots and the site as a whole, including market-related considerations (attached as "Supporting information from applicant"). The design exceptions are also listed on the PD Plan.

Design Exceptions:

- Relating to the Dimensional Standards for the R-1 (One-Family) Dwelling District (29-2.2(a)(1) and Tables 29-2.2 and 4.1-1) to permit a minimum lot area fewer than 7,000 square feet, a minimum lot width of fewer than 60 feet, and minimum setbacks of fewer than 25 feet for the front setback, 6 feet for the side yard, 25 feet for the corner lot street side, and a rear yard of the lesser of 30% of the lot depth or 25 feet.
 - The proposed minimum lot size per the SOI is 5,000 square feet. Lot widths vary (see PD plan). The SOI requires a front yard setback of 20 feet, a rear yard setback of 20 feet, interior side yard setbacks of 5 feet, and side yards on corner side lots of 15 feet.
- Relating to the customary accessory use of a garage per Sections 29-3.3(ii)(1)(i), 29-3.3(ii)(1)(ii) and 29-3.3(ii)(2)(ii) to permit the garages on lots separate from the primary use structure, to permit setbacks which vary from the dimensional standards applicable to the primary use and structure, and to permit the detached units in addition to the attached two-car garages on the residential lots.
 - As per the SOI, the garages would have front and rear setbacks of 10 feet, interior side yard setbacks of 5 feet (10 feet between structures) and 15 foot corner lot setbacks. Additionally, while the number of garage spaces (2) attached to each home is compliant for the proposed lot sizes, the overall PD site plan shows additional garage spaces via the garages on separate lots. This arrangement is not otherwise accounted for in the UDC so a design exception is sought, though the PD plan process allows for design aspects not otherwise foreseen by the code.

Staff reviewed the supporting information from the applicant relating to the design exceptions and reviewed the existing (built) conditions on similarly designed lots in Arbor Falls. While 5-foot interior side yard setbacks can create challenges for site drainage given less "wiggle room" for grading and drainage facilities, there are no known issues with existing homes in this area. Additionally, the resulting 10-foot separation between homes meets the requirements of the Fire and Building codes. Staff also notes this same issue can arise with six-foot side yard setbacks as well.

The other aspects of lot size and lot coverage/setbacks are not believed to be of concern, are similar to many lots throughout the neighborhood, and are not out of keeping with the overall character of the area. Staff also notes the density of the proposal (33 one-family dwelling units on 7.49 acres versus the approved 70 condo dwelling units) is reduced along with corresponding impacts on car trips.

Concerns regarding the loss of community-serving amenities shown on the initial PD plan are discussed in previous sections; these lots will have full access to all of Old Hawthorne's community and

recreation facilities, which helps to alleviate concerns about access to amenities and green spaces which are common to smaller lot/larger lot coverage developments which do not offset greater density with greater amenities.

The continued use of PD zoning is not believed inappropriate to account for a desired development type and the provision of accessory amenities on separate lots not otherwise permitted in the UDC's "straight" residential zoning districts. Additionally, staff does not disagree with the information provided by the applicant and other outlets that market demand for smaller yards/yard maintenance exists, and this development type is desired within this neighborhood and the general community. While it is not believed this development is intended to provide affordable housing, larger conversations are being held in planning circles about lot sizes/lot coverage and land consumption in term of cost and personal versus community spaces and amenities that support such styles of housing development.

Conclusion

Staff has reviewed the proposed PD amendment and finds that it meets the technical requirements of the PD District and the UDC.

RECOMMENDATION

Approve the requested major PD amendment to be known as "Arbor Falls PD No. 4".

SUPPORTING DOCUMENTS (ATTACHED)

- 1) Locator maps
- 2) SOI Worksheet
- 3) Supporting Information from Applicant
- 4) PD Plan
- 5) *Arbor Falls PUD Plan (2006)*
- 6) 2006 PD Zoning (Ordinance 19117)

SITE CHARACTERISTICS

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|-------------------------------|------------------|
| Area (acres) | 7.49 acres |
| Topography | Generally flat |
| Vegetation/Landscaping | Turf |
| Watershed/Drainage | Grindstone Creek |
| Existing structures | None |

HISTORY

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| Annexation date | 2005 |
| Zoning District | PD |
| Land Use Plan designation | Neighborhood |
| Previous Subdivision/Legal Lot Status | Arbor Falls Plat 1, Lots 109-114 and Arbor Falls Plat 2, Lot C9C and Lot C9D |

UTILITIES & SERVICES

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

ACCESS

| Pergola Drive | |
|---------------------------|--|
| Location | North side of site |
| Major Roadway Plan | Neighborhood Collector (improved & City-maintained), requiring 60' of ROW. No additional ROW required. |
| CIP projects | None |
| Sidewalk | Existing |

| Talco Drive | |
|---------------------------|-----------------------------------|
| Location | East side of site |
| Major Roadway Plan | NA; private street |
| CIP projects | NA |
| Sidewalk | 5' sidewalks required per PD Plan |

PARKS & RECREATION

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|--------------------------------|--|
| Neighborhood Parks | Near Old Hawthorne Golf Course |
| Trails Plan | South Fork of the Grindstone Trail, secondary, proposed to extend to the Rolling Hills/WW node |
| Bicycle/Pedestrian Plan | 10' Pedway alongside WW planned |

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 April 16 and May 6, 2021. 33 postcards were distributed.

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| Public information meeting recap | Not held due to COVID 19 protocols. |
| Notified neighborhood association(s) | The Vineyards Homeowner Association Arbor Falls Condominiums and Arbor Falls Villas at Old Hawthorne also notified |
| Correspondence received | Six phone calls with questions, one in person question. No concerns noted. |

Report prepared by Rachel Smith

Approved by Patrick Zenner