

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
August 4, 2022**

SUMMARY

A request by A Civil Group (agent), on behalf of Sonya Andreassen-Henderson (owner), for approval of a two-lot preliminary plat of an R-1 (One-family Dwelling) zoned tract that includes an extension of City sewer to the site, to be known as *Hidden Haven Plat 1*. The 10.53-acre tract of land is located on the north side of Stadium Boulevard, approximately 500 feet east of College Park Drive, but is accessed from the western terminus of Westwinds Drive and is addressed 1607 Westwinds Drive. (**Case # 216-2022**)

DISCUSSION

The applicant is requesting a preliminary plat of a 10.53-acre property that has not been previously platted. The site currently includes two existing residential structures on the site, one of which has been a multi-unit residential building, and the other a single-family dwelling. The applicant has stated that their intent is to remove the multi-family building, and construct a new single-family home on Lot 1, while retaining the dwelling located on Lot 2 that currently houses family members.

The existing structures appear to have existed for a number of years, with 1933 aerial photos indicating that they were some of the first structures in this area. Westwinds Drive also appears in these aerials, indicating it has been in use as a street/road for an extended period, prior to the construction of Stadium Boulevard which occurred in the 1950s.

The site currently has direct access to a City right-of-way (ROW) along the south property line, where Westwinds Drive is located. However, the ROW for Westwinds Drive does not extend along the entire south property line, only extending approximately 315 feet west from the easternmost extent of the property. The rest of the property borders the MoDOT right of way for Stadium Boulevard. Although the site is unplatted, this ROW was deeded to the City in 1957, around the time that the Stadium Boulevard extension was being planned and constructed, and shortly after the property to the east of this site was platted as the Westwood Manor Subdivision (1955).

Upon the initial submission of this preliminary plat, the applicant was requesting a design adjustment from the requirement that all terminal streets have a turnaround at their closed end that complies with the most current adopted edition of the City of Columbia's International Fire Code. This requirement is most typically met through the construction of a standard cul-de-sac in new development. The applicant sought to waive this requirement given the cost of building a new cul-de-sac to serve the existing dwellings, and the additional amount of ROW dedication that would have been necessary (cul-de-sacs have a 96-foot ROW diameter, so a substantial amount of ROW would have been needed). For reference, a standard cul-de-sac, located at the terminus of Westwinds Drive, would have extended onto Lot 2 beyond the existing house.

After further consultation with staff, the applicant submitted the present alternative. In this design, a modified, T-shaped turnaround will be constructed, but it will be located within the existing ROW of St. Michael Drive. This right-of-way, which is oriented north-south and located about 130 feet east of the site, was platted with the Westwood Manor subdivision, but was never constructed since no houses were built along it (possibly due to the significant grades in this area). It should also be noted that the applicant also owns Lots 1 and 2 of Westwoods Manor as well.

The design of the turnaround has been reviewed and approved by staff as being compliant with the International Fire Code (IFC). The UDC allows for alternative designs that are compliant with the IFC and when their use is approved by the Fire Department and Public Works. In this instance the design is compliant and has support of Fire and Public Works.

While the alternative design is supported, it would be located approximately 450 feet from the current terminus of Westwinds which exceeds the distance allowed for the turnaround to be considered UDC compliant. As such as part of the preliminary plat, a request to vacate approximately 315 feet of the Westwinds ROW abutting the south side of the property is proposed. This future vacation is shown on the plat, but the actual vacation (a City County action) would be processed formally at the time of final plat.

Staff evaluated the potential impacts of utilizing the alternative cul-de-sac design and the future vacation of the Westwinds ROW and concluded that neither were objectionable. These conclusion were based upon the following considerations:

- The site is currently existing, and but for the terminal street situation, no additional street construction or right-of-way dedication would be required. The approximately 315 feet of pavement to be vacated is currently maintained by the City, but only serves the existing 10.53-acre tract. Its vacation would not significantly impact the tract's access to a public roadway and if vacated the remaining pavement would essentially become the tract's private driveway.
- The proposed division of the property does not increase the number of dwelling units (in fact, if the multi-family unit is demolished, the number of dwellings will decrease). The typical bulb cul-de-sac design is well suited to allow residential lots all around it, making it an efficient design in that regard. But a similar cul-de-sac in the present location would only provide access to two lots and would not be accessible from the south at all due to the Stadium ROW.
- The amount of expected traffic down Westwinds Drive is low. The turnaround would only serve two structures both owned by the same individual. The entire terminal street length includes only 8 total other houses as compared to the maximum of 30 homes permitted on a standard terminal street. Moving the turnaround farther east will actually decrease the distance a vehicle would need to travel down Westwinds Drive in order to reach it.
- The elimination of the approximately 315 feet of right of way would reduce the amount of pavement that the City would be required to maintain.

It is important to note that the vacation of the street will remove the direct street access to proposed Lot 1; however, the entire site (Lots 1 and 2) border Stadium Boulevard so the overall tract complies with the UDC requirement. To ensure that Lot 1 has access to a public street (Westwinds Drive), the applicant proposes to dedicate an access easement across Lot 2 for use by Lot 1.

The dedication of an access easement is a permissible option that the Director can approve in context sensitive situations. In this case, the Director considered the property's ownership, the existing development pattern, and use of an alternative cul-de-sac design as unique factors supporting an access easement to serve the two lots. To ensure no more than two lots are accessed from the easement, a note has been provided on the plat that restricts further subdivision of the property without the re-dedication of right-of-way.

It should be noted that the original application included requests for several design adjustments, which were based upon the initial design of the preliminary plat. However, due to the redesign of the site no design adjustments are required and thus no public hearing is required.

Conclusion

The property in question is an example of property that was developed prior to most City development requirements and surrounded by development over the years while avoiding the need to subdivide. It has been essentially hemmed in by a subdivision to the east, the Stadium extension to the south, and topographic constraints north and west. If it were to be platted today, Westwinds Drive would likely not extend as far west as it does now, as there is no practical need to do so to serve the 10-acre tract. The proposed terminus of Westwinds is adequate to serve the proposed lots and the resulting infrastructure improvements will provide a compliant turnaround on Westwinds Drive currently does not exist. Staff is recommending approval of the preliminary plat which would include the vacation of a portion of Westwinds Drive right-of-way as part of the final platting of this acreage.

RECOMMENDATION

Approval of the *Hidden Haven Plat 1* preliminary plat, pending some minor technical corrections.

SUPPORTING DOCUMENTS (ATTACHED)

- Locator maps
- Preliminary Plat

SITE CHARACTERISTICS

Area (acres)	10.53
Topography	Generally sloping to the northwest towards County House Branch
Vegetation/Landscaping	Large areas of timber coverage.
Watershed/Drainage	County House Branch
Existing structures	Two existing residential structures

HISTORY

Annexation date	1962, 1955
Zoning District	R-1
Land Use Plan designation	Columbia Imagined: Neighborhood, Open Space/Greenbelt
Previous Subdivision/Legal Lot Status	Unplatted

UTILITIES & SERVICES

Sanitary Sewer	City of Columbia
Water	City of Columbia
Fire Protection	City of Columbia
Electric	City of Columbia

ACCESS

Westwinds Drive	
Location	Along the east side of property
Major Roadway Plan	NA; local residential street
CIP projects	None
Sidewalk	Not required.

PARKS & RECREATION

Neighborhood Parks	Within Kiwanis Park, Westwinds Park service area
Trails Plan	Within County House Trail service area
Bicycle/Pedestrian Plan	None

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 13. Twenty-nine postcards were distributed.

Report prepared by Clint Smith

Approved by Patrick Zenner