



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: July 21, 2025

Re: Wyatt Acres – Preliminary Plat (Case # 87-2025)

## Executive Summary

Approval of this request would authorize the creation of a 32-lot preliminary plat to be known as "Wyatt Acres." The subject property contains 5.05-acres and was recently annexed into the city and permanently zoned R-2 (Two-family Dwelling). The proposed preliminary plat layout illustrates a development utilizing the "cottage" optional development standards within the R-2 district. Use of these standards requires approval of the Board of Adjustment which was granted on June 10, 2025. The preliminary plat conforms to the Board's approval conditions which included increased rear yard setbacks along all adjacent R-1 zoned lots. The subject site is located at 4100 North Wyatt Lane.

## Discussion

A Civil Group (agent), on behalf of Adam Kopriva (owner), request approval of a 32-lot preliminary plat on 5.05 acres of property located at 4100 North Wyatt Lane approximately 200-feet northeast of the intersection of Mule Deer Drive and North Wyatt Lane. The applicant was required to obtain Board of Adjustment approval to use "cottage" optional development standards prior to this request being submitted for Council consideration. The required approval was granted on June 10, 2025. Subsequent to this approval, the property was annexed into the city and assigned R-2 (Two-family Dwelling) zoning.

The Planning Commission recommendation approval of the attached preliminary plat contingent on both the annexation/permanent zoning being approved by the City Council and Board of Adjustment approval of "cottage" optional development standards such that the lots shown conform to reduced dimensional requirements from the traditional R-2 zoning district.

The "cottage" optional development standard approval authorized by the Board of Adjustment permits the proposed residential lots to be created with the following "minimum" dimensions:

- Front yard setback: 20-feet
- Side yard setback: 6-feet
- Rear yard setback (if east or south): 20-feet
- Rear yard setback (if north): 10-feet
- Minimum Lot Width: 38-feet

Access to the proposed lots will be from three new public streets - Billue Lane, Johnathan Lane, and Busch Drive. These streets utilize the "Access Street" standards shown within the



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UDC and are an alternative design to a traditional local residential street. This non-traditional street type is permissible due to the proposed development consisting of only single-family detached dwellings, being located on streets no longer than 750-feet in length, and given the development is not anticipated to generate will be more than 250 Average Daily Trips (ADT) in the peak hour.

Access streets require 44-feet of right-of-way be dedicated opposed to traditional 50-feet for a local residential street. Furthermore, only 24-feet of a paved travel lane is required which is 4 fewer feet than a typical residential street. It should be noted that parking is typically permitted on one side of access street; however, given the streets within the development are all considered "terminal" they must provide a minimum 20-feet of width for fire apparatus access and be terminated in compliant fire apparatus turnarounds. Given these factors, parking is not permitted on either side of any of the streets in this subdivision since such parking would require a minimum of 8-feet of width effectively reducing the travel lane width of the street to 16-feet which is less than permitted by the Fire Code.

The plat illustrates Busch Drive stubbing to the neighboring northern property line to allow for a future roadway extension into the adjacent undeveloped property to promote increased internal connectivity within the road network. The stub extension is required per Sec. 29-5.1(C)(3)(i)(H) of the UDC which states when a new subdivision is created streets shall be extended to adjacent undeveloped or unplatted property. The extension would allow for the alignment and intersection of a potential future extension of East Elder Drive, which has 60-feet of dedicated right-of-way on the west side of North Wyatt Lane running East/West.

The restriction of on-street parking should not result in the creation of future parking issues within the development. This conclusion is based on the fact that the proposed lots will have sufficient lot area, outside the public right of way, to accommodate the required 2 parking spaces necessary to support the future "cottage" style development. Parking accommodations will be considered at the time of site plan review and building permit issuance.

It is worth noting that staff did perform an analysis of the potential to add more on-site surface parking. It was concluded that such additions would likely trigger additional lot width or increased setbacks to ensure compliance with the limitations of Table 4.1-5 of the UDC [Yard Area Exceptions]. Permissible alternatives for increasing on-site parking would be to incorporate a 1- or 2-car garage into the proposed future lot improvements. Such inclusion would trigger a 20-foot front yard setback (sufficient to accommodate 2 on-site spaces) plus the garage space(s), resulting in either a total of 3 or 4 on-site parking spaces.

Pursuant to the Board of Adjustment's authorization to use the "cottage" optional development standards, a 20-foot front yard building line has been shown on the plat. This setback line is considered a "developer-imposed restriction" given the "cottage" standards would allow for a 10-foot front yard when no garage is proposed. Elimination of this restriction would require both Board of Adjustment and City Council action.



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The preliminary plat shows all necessary easements will be dedicated to allow the extension of sewer to the site upon final platting. All future sewer lines will connect to an existing manhole located along the southern border of the site. Sewer lines are shown extending northward along Billue Lane until it meets Johnathan Lane. Additionally, sewer lines will be constructed along the western edge of the site within a newly platted 10-foot utility easement abutting the eastern edge of an expanded right-of-way of Wyatt Lane.

Additionally, there is a new 16-foot utility and drainage easement running through the middle of the site that straddles the rear lot lines of lots 17-26 that will provide access to a future sewer main as well as stormwater pipes and inlet boxes. Finally, the plat illustrates a 16-foot wide drainage easement running across the north edge of the site, starting on the western edge of Busch Drive, then running north/south between lots 1 & 2, then releasing into lot C-1, identified as a storm water detention pond.

The plat will dedicate an additional 10.5-feet of right-of-way for Wyatt Lane to ensure it maintains the required 33-foot half-width. Additionally, note # 13 addresses what the "front" of the lots will be at the terminus of the access streets. This note has been provided given driveway access may not be provided from the stub of the access street, but rather lots must have driveways from the edge of the street.

The site lies within the City Urban Service Area. Sewer, water, and fire will be provided by the city and electric will be provided by Boone Electric Cooperative. Adequate easements are being proposed to provide connections for utilities to all lots. There are no known service issues with respect to available infrastructure capacity or quality of infrastructure.

The Planning & Zoning Commission considered the preliminary plat at their March 6, 2025 meeting. Commissioners questioned the appropriateness of the utilization of access streets at this location, provided no on-street parking would be permissible to compensate for IFC fire lane minimum width requirements. Concerns were brought up as it related to enforcement of the on-street parking restriction and potential concerns this could create for fire access. The applicant also noted that they understand the concerns, but are providing the required on-site parking for each of the lots.

There were several public comments (see attached) made with respect to this case in reference to the possible setback reductions, a displeasure for the alternative lot sizes, and possible land use incompatibility. The Commission's noted that the setback matters would be addressed as a part of the "cottage" optional development standards approval which was the Board of Adjustment's purview. Staff noted it would include expressed Commissioner and public concerns on the setback as part of its future report seeking Board approval of the optional development standards.

Following limited additional discussion, a motion was made to recommend approval of the proposed preliminary plat which passed by a vote of (7-2).



The Planning and Zoning Commission staff report, locator maps, preliminary plat, public correspondence, and meeting minute excerpts are attached for review.

## Fiscal Impact

Short-Term Impact: Limited. All costs associated with the extension of public infrastructure systems will be borne by the applicant. Depending on construction completion, additional costs may be incurred for maintenance of newly installed infrastructure and increased public safety and service provision (i.e. trash collection). Incurred costs are dependent on subdivision development.

Long-Term Impact: On-going maintenance of public infrastructure and provision of public safety and solid waste services. Future impacts may or may not be offset by increased user fees and/or property tax collections.

## Strategic & Comprehensive Plan Impact

### Strategic Plan Impacts:

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

### Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Mobility, Connectivity, and Accessibility, Tertiary Impact: Livable & Sustainable Communities

## Legislative History

Date	Action
5/10/25	Board of Adjustment approval to authorize use of "cottage" optional development standards. (Case # 200-2025)
04/20/25	Permanent R-2 zoning and annexation into City.
04/07/25	Annexation public hearing held. (PH10-25)
03/17/25	Set a public hearing on the proposed annexation. (Res. R27-25)

## Suggested Council Action

Approve the requested "Wyatt Acres," preliminary plat as recommended by the Planning & Zoning Commission and approved by the Board of Adjustment.