



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: September 18, 2023

Re: Lots 14B & 14C – Woodrail Terrace – PD Plan (Case # 222-2023)

## Executive Summary

Approval of this request would result in a major revision to the existing PD plan for Lots 14B & 14C of Woodrail Subdivision Plat No. 3. The revision would permit 4 attached single-family dwellings to be constructed on the 0.55-acre subject site.

## Discussion

A Civil Group (agent), on behalf of Southside Development, LLC (owners), is seeking approval of a major revision to the existing development plan and Statement of Intent (SOI) for the 0.55-acre subject site located near the south end of Woodrail Terrace. The proposed PD plan is to be known as the, "Lots 14B & 14C Woodrail Terrace, Plat 1 PD Plan." The PD plan also serves as a revised preliminary plat for the site and divides the existing two lots into 4 (Lots 101 through 104) to facilitate construction of two pairs of attached single-family dwellings. Each pair of dwellings will have frontage along Woodrail Terrace on the east and west sides of the overall parcel.

The subject site was platted as part of the Woodrail Country Homes planned district in 1975, as R-3 PUD (multi-family planned unit development). At the time of platting, the development's overall density was limited to 3.45 units per acre. Revisions to the planned district between late 1975 through the 1980s modified the permitted housing types on a number of the lots within the development. These modifications resulted in the number of dwelling units within the overall development being reduced from 64 to 52 units and the density being decreased to 2.8 units/acre.

Lot 14 of Woodrail Country Homes was the parent tract of the subject parcels and has undergone a number of revisions. The original 1975 development plan included four attached units on Lot 14, which matched the overall intent of the planned district. In a subsequent 1980 plan revision, Lot 14 was reduced from 4 units to two detached single-family homes. Then again in 2000, a major PD plan amendment was prepared specifically for Lot 14, depicting 3 detached single-family units. In 2001, Lot 14 was subdivided into its current three lot configuration (Lot 14A, 14B, and 14C) to permit the sale of each lot to separate owners. A home on Lot 14A was under construction at the time of final platting and remains on the lot today.

The applicants desire to construct one attached single-family home (two total units) on each of the undeveloped lots - 14B & 14C. This change is considered a "major" amendment to the approved 2000 PD plan and requires Council authorization. The change would double the total number of dwelling units previously approved and results in a localized increase in



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701 East Broadway, Columbia, Missouri 65201

density on the 0.55-acre subject site to approximately 7.3 units/acre. While this “localized” or site-specific density is significantly higher than the surrounding development, when considered in the greater context of the overall development which contains 18.55 acres, the increase in density from 2.8 units/acre to 2.9 units/acre is minimal and there is only a **net** increase of one (1) dwelling unit. The resulting 2.9 units/acre and one (1) additional dwelling unit remains significantly less than the 1975 approved R-3 PUD which authorized a density of 3.45 units/ acre and 64 total dwellings.

A compliant Statement of Intent (SOI) does not presently exist for the subject property. The applicant has submitted an SOI that complies with today's UDC standards. The SOI submitted by the applicant identified the minimum dimensional standards that would be established for future building construction. These standards include a 25-foot front yard, 20-foot rear yard, and 5-foot side yard setback. When compared to standard R-3 (now R-MF) setbacks the rear and side yard setbacks would be 5-feet less than the standard requirements. These reductions are consistent with the approved 2000 PD plan and the 2001 plat. The SOI further indicated that each lot will maintain a minimum open space of 40%. The open space is less than that found throughout the rest of the development; however, when adding in required setback area, which is not buildable, the amount of open space increases to approximately 44% of the lot area on each lot.

The Planning & Zoning Commission considered this case at their August 24, 2023 meeting. Staff gave its report and the applicant's agent provided an overview of the request. The applicant's agent indicated a neighborhood meeting was held with the applicant present to address concerns expressed by neighbors. One member of the public spoke in favor of the request and two spoke in opposition. Those in opposition noted the loss of intended open space due to the increase in “localized” density, expressed concerns about increased impervious area and the possible stormwater impacts, and stated the proposed development was a significant departure in character of the built environment. Speakers opposed also suggest that more consideration be given to open space perhaps with a mass/void study and potentially increased side yard setbacks.

Commissioners clarified and expanded the public concerns asking the developer to confirm that the 40% open space requirement is realistic and if they would consider prescribing deeper side yards to assist with stormwater mitigation and separation between the homes. Several Commissioners expressed concerns that the proposed PD plan was not quite ready, and should be revised before being considered by City Council. Others Commissioners noted that the proposal would serve to provide, “high-end missing middle housing,” in an infill environment where the existing built environment on the Lot 14 parent tract was substandard in terms of setbacks.

A motion was made to approve the PD plan and SOI pursuant to an increase in the proposed side yard setbacks, from 5 feet to 6 feet and submission of a revised development plan and statement of intent, reflective of the increased setback. Following limited additional discussion, the Commission voted (5-1) to approve the rezoning, PD plan, and SOI subject to the recommended changes.



In a separate motion, the Planning Commission moved that the request be placed under 'Old Business' on the City Council's agenda to permit public discussion before City Council. The Commission voted (5-0-1) to approve the motion.

Following the Planning Commission hearing, the applicant, pursuant to the Commission's recommendation has submitted a revised PD Plan (dated 9/5/23) and revised SOI which reflect a 6-foot side yard setback.

A copy of the Planning and Zoning Commission staff report, locator maps, revised PD plan (dated 9/5/23) and SOI (dated 9/6/23), original PD plan and SOI, public correspondence, and meeting excerpts are attached for review.

### Fiscal Impact

Short-Term Impact: No impacts anticipated in the next two fiscal years. Any extension of public infrastructure to serve the proposed development will be at the expense of the property owner/developer.

Long-Term Impact: Public infrastructure maintenance associated with sanitary sewer as well as public safety and solid waste service provision. 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: Not Applicable, Secondary Impact: Secondary, Tertiary Impact: Tertiary

### Legislative History

Date	Action
09/06/2001	Approved: Woodrail Plat 3, replat of Lot 14. (Ord. 017003)
12/11/1980	Approved: Woodrail PUD Plan, Plat 3, Revised
01/09/1975	Approved: Final PUD Plan & Preliminary Plat of Woodrail Plat #3
06/04/1973	Approved: Woodrail Subdivision Plat 2. (Ord. 006045)

### Suggested Council Action

Approve the **revised**, "Woodrail Terrace Plat 1 Lots 14B & 14C PD Plan," and statement of intent, per the conditional recommendation by the Planning and Zoning Commission.