

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
April 7, 2022**

SUMMARY

A request by Crockett Engineering (agent), on behalf of Lyon Crest Properties, LLC (owners), is seeking approval of a major amendment to the "Cotswold Villas at Bluff Creek Estates" PD Plan and a design adjustment to Section 29-5.1 of the UDC relating to development access. The proposed revision will re-name the existing PD Plan to "PD Planned Development of Bluff Creek Estates, Plat No. 8" and includes proposed revisions that modify the previously approved lot arrangement and internal roadway network. The proposed revision contains a total of 39-single-family lots and is consistent with the prior plan approval. **(Case 109-2022)**

DISCUSSION

Crockett Engineering (agent), on behalf of Lyon Crest Properties, LLC (owners), is seeking approval of a major revision to the existing *Cotswold Villas at Bluff Creek Estates PUD Plan*, to now be known as the, *PD Planned Development of Bluff Creek Estates Plat No. 8*. Revisions to the plan include a significant redesign of the internal vehicular and pedestrian circulation, as well as lot layout. In addition to the plan revision, several design exceptions as well as a design adjustment from Section 29-5.1 of the UDC relating to development access are requested.

Background

The subject lot, in its current form, was originally platted in 2008 as *Bluff Creek Estates Plat 8*. This plat combined Lot 701 of *Bluff Creek Plat 7* with an adjacent unplatted tract to the south, into a single lot. The property was then subsequently transferred to the current owner, Lyon Crest Properties, LLC. In 2014, Lyon Crest submitted a preliminary plat, which was denied, then a request for rezoning and approval of the, "PUD Plan for Cotswold Villas at Bluff Creek Estates." The rezoning from O-1 to PUD and the associated development plan were ultimately approved by City Council. The plan included 44 narrow residential lots and specified a zero lot line arrangement permitting pairs of homes to be placed immediately adjacent, with no intervening setbacks.

In 2016, the owners requested another major amendment to the PUD plan and statement of intent (SOI). Planned Developments are regulated by a Statement of Intent (SOI), which details permitted uses, setbacks, parking, landscaping, project amenities, and other necessary design parameters. SOIs are binding upon the property and outline basic parameters that future site improvements must comply with. The 2016 revision included a wholesale redesign of the PUD Plan. The lot type was reconfigured to be more consistent with standard single-family lots, although smaller than standard lot sizes. Setbacks were reduced in the SOI which permitted 18 foot front yard and 5 foot side yard setbacks. The SOI specified a minimum lot size of 4000 square feet with a minimum width of 30 feet at the building line. The 2016 revision also reduced the total number of units on the property to 39, however specified a maximum of 44 in the SOI, which was consistent with the permitted density of the previously approved plan.

More than five years have passed since the last approved revision without any construction activity on the property; therefore, the PD plan is considered expired and the applicant must seek approval of a new PD plan and SOI. The applicant has submitted a modified PD plan and a new SOI, which is consistent with that approved in 2016 as well as meets the current UDC PD development standards.

PD Plan & Design Exceptions

The redesigned PD plan pulls heavily from the design parameters and SOI approved with the 2016 plan, but utilizes those standards in a rearranged design layout. The proposed revised plan utilizes three loop streets to provide access to the 39 lots. This design provides much easier circulation and Fire Safety access. Guest parking is provided within the loops to ensure there is little to no overflow parking onto Bluff Creek Drive or surrounding residential streets. Sidewalks are provided throughout the development in accordance with the requirements of the UDC, providing for pedestrian connectivity and safety. The applicant is also required to construct a sidewalk along the development's Bluff Creek Drive frontage, linking the development with the established pedestrian network in the broader neighborhood.

The design exceptions that must be deliberated when considering approval of the plan are in relation to the dimensional standards of the SOI. Notably, the proposed SOI would permit lots as small as 4,500 square feet, and reduces standard setbacks to 18 feet for front yards, 10 feet for rear yards, and 5 feet for side yards. Staff believes these reductions do not pose any detriment to the community or property owners, and serve to create a more condensed, walkable neighborhood with smaller yard areas and dwellings.

Design Adjustment

One design adjustment, relating to Section 5.1(f)(2)(ii) of the UDC, is requested by the applicant. This section states that no more than 30 dwellings may be permitted to be accessed from a single point of ingress/egress unless otherwise specified by the latest edition of the International Fire Code. The 2014 and 2016 development plans were approved with variances from the then corresponding Chapter 25 standards, which at the time, limited the number of residences located off a single point of access to no more than 100. There are 68 existing single-family homes and/or platted residential lots currently accessing the intersection of Bluff Creek Drive and Lacewood Drive, north to Grindstone Creek. The proposed reduction in the number of dwelling units (44 to 39) that would be allowed by the revised development plan will bring the total number of dwelling units accessing this single point to 107. This condition is no greater than what was previously approved in both 2014 and again in 2016.

The potential future extension of Bluff Creek Drive across Grindstone Creek would provide the needed secondary access to address the requested design adjustment; however, it should be noted that construction of a bridge structure is not, per City Code, a developer obligation. Furthermore, it should be noted that the extension of Bluff Creek Drive is no longer shown as a public project within the City's 2021 Capital Improvement Plan (CIP). This is a departure from what the roadways status was in 2014 and 2016. Finally, it would appear given the uncertain construction schedule and cost associated with such a bridge that the previously approved platting action establishing the lot and the subsequent PUD plans were approved with requirements that the necessary right-of-way to facilitate this extension were received so the extension of Bluff Creek could proceed forward, when and if, the extension becomes a public priority.

The previously approved PUD plans were approved with building lines restricting development within the future right of way such that future roadway/bridge construction would not be impeded. These restrictions are shown in the revised plan as well. Additionally, in conjunction with construction of the proposed lots, the applicant will be responsible for construction of a sidewalk across the Bluff Creek frontage, of the site. The sidewalk grading and construction will be required to meet the elevations of the currently approved roadway profile for Bluff Creek Drive that would accept the future bridge crossing.

The requested design adjustment has been evaluated based upon five criteria as required by Section 29-5.2(b)(9) of the UDC.

- (i) The design adjustment is consistent with the city's adopted comprehensive plan and with any policy guidance issued to the department by council;**
- (ii) The design adjustment will not create significant adverse impacts on any lands abutting the proposed plat, or to the owners or occupants of those lands;**
- (iii) The design adjustment 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;**
- (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; and**
- (v) The design adjustment will not create adverse impacts on public health and safety.**

With respect to the above criteria staff finds that:

1. The proposed development does add a unique housing type to the area with small-lot, small-footprint homes; a type that is in short supply in Columbia. Granting the design adjustment will not create any adverse impacts to the abutting properties or neighboring users, and will decrease impacts from earlier approved designs.
2. The subject property lies between a vacant lot, owned by the Parks & Recreation Department, and an office building. The 39 proposed units are a decrease in potential density from previous plans, and the site access and circulation have been redesigned to address concerns about maneuverability expressed by the Fire Department. Additionally, the applicant has agreed to provide "residential fire sprinklers" within each future structure.
3. Sidewalks are provided in accordance with the provisions of the UDC.
4. The design adjustment does help achieve a unique character, with smaller, more-affordable home sites, likely to be purchased by young homebuyers entering the housing market, or by those wishing to downsize to reduce maintenance responsibilities and expenses.

Overall, staff supports granting this requested design adjustment noting that the housing type would serve to fill a void in the housing market, the site was previously approved for up to 44 units, the proposed design constitutes an improved layout from preceding designs, and fire suppression (typically the reason for secondary access) is being provided by the applicant for each proposed dwelling unit.

It should be noted that while approval of the requested design adjustment relating to access will provide relief to the applicant within the context of the UDC, the Fire Code (Chapter 9) of the City Code also has purview over the development. In consultation with the Fire Department it has been determined that the granting of relief from compliance with the access requirements of the UDC is not a substitute to obtaining a waiver from similar requirements contained within the Fire Code. As such, prior to approval of any building permit associated with the proposed revised development will be subject to obtaining a waiver relating to access from the City's Building Construction Codes Commission (BCCC) which is the City's Board authorized to grant relief from building code related matters. Staff understands that the applicant is actively pursuing relief from the BCCC relating to this matter and that the action before the Commission addressed within this report can be acted upon at this time.

Conclusion

Staff believes the proposed PD Plan and SOI are compliant with the Comprehensive Plan, as it fosters diversity and affordability in housing types. The proposed plan is significantly consistent with the previously approved plan and improves site circulation, parking, and public safety. Relevant staff have reviewed PD plan and SOI and find that, with the exception of a minor technical corrections, the noted design exceptions, and the requested design adjustment, it conforms to the technical requirements of the PD district and the UDC.

RECOMMENDATION

1. Approve the requested design adjustment for more than 30 lots accessed from a single point of ingress/egress.
2. Approve the, "Bluff Creek Estates, Plat No. 8 PD Plan," and the associated Statement of Intent.
3. Require that the approving ordinance contain a "section" that stipulates prior to issuance of a building permit that a variance relating to development access per Chapter 9 of the City Code (Fire Prevention and Protection) be granted by the Building Construction Codes Commission

SUPPORTING DOCUMENTS (ATTACHED)

- Locator Maps
- PD Plan
- Statement of Intent (2022)
- Statement of Intent (2016)
- Design Adjustment Worksheet
- Applicant Correspondence
- Supportive Correspondence

SITE CHARACTERISTICS

Area (acres)	8.67 acres
Topography	Relatively flat in the middle, with steep slopes around the edges
Vegetation/Landscaping	Turf, generally, with few trees
Watershed/Drainage	Grindstone Creek
Existing structures	None

HISTORY

Annexation date	1969
Zoning District	PD
Land Use Plan designation	Employment District
Previous Subdivision/Legal Lot Status	Bluff Creek Plat 8, Lot 801

UTILITIES & SERVICES

All utilities and services provided by the City of Columbia.

ACCESS

Bluff Creek Drive	
Location	Western frontage
Major Roadway Plan	Neighborhood Collector
CIP projects	Bridge over Grindstone Creek is listed as a 10+ year project
Sidewalk	5' sidewalk required

PARKS & RECREATION

Neighborhood Parks	Waters-Moss Memorial Wildlife Area is 2,000 ft west of site, adjacent property to the north is owned by Parks & Recreation
Trails Plan	Grindstone Creek Trail is north of site (north of Grindstone Creek)
Bicycle/Pedestrian Plan	Sidewalks needed internally and along Bluff Creek Drive frontage

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 February 16, 2022. 11 postcards were distributed.

Public information recap	Mix of support and opposition, opposed concerned with increased traffic and public safety issues of increased number of dwelling units off one point of access via Bluff Creek Drive, as well as inconsistency of proposed lot size & housing type with existing neighborhood.
Notified neighborhood association(s)	Bluff Creek Estates HOA, and Neighborhood Association
Correspondence received	Attached

Report prepared by Rusty Palmer

Approved by Patrick Zenner