

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
February 4, 2016**

SUMMARY

A request by THHinc-McClure Engineering Co. (agent) on behalf of Columbia Public Schools (owner) for a variance from Section 25-48.1 of the City Code pertaining to sidewalk construction on property platted after 2001. The request variance is for property located at 4303 South Providence Road (Rock Bridge High School) and seeks relief from constructing sidewalk along the property's South Providence Outer Road frontage. (Case # 16-49)

DISCUSSION

The applicant is requesting a variance from the requirement to construct a sidewalk along the property's approximately 1600-foot South Providence Outer Road frontage. The subject site is improved with the Rock Bridge High School, owned by Columbia Public Schools. Proposed site developments and improvements to the football stadium press box, baseball and softball complex and parking facilities will trigger the requirement for sidewalks to be built along this frontage.

Variance from Section 25-48.1 of the Subdivision Regulations

The Subdivision Regulations provide criteria by which all variance and exceptions should be evaluated. Specifically, Section 25-20 allows for variances from undue hardships or practical difficulties that might result from strict compliance of these regulations, subject to the following conditions being met (staff responses to criteria appear in *italics*):

1. The granting of the variance will not be detrimental to the public safety, health or welfare of injurious to other property or improvements in the neighborhood in which the property is located.

Requiring individuals to cross the outer road to the South Providence Trail and back, in order to circumnavigate the front of the school would be not only an inconvenience, but it would also expose the public to additional risk from vehicles traveling on the outer roadway. Sidewalks along this frontage would allow a safe pedestrian connection between the front of the school and the South Providence Trail, and to the existing sidewalk on the property's southern edge, along Southampton Drive. This existing walk then connects to Bethel Park, and the larger pedestrian circulation network.

2. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought, are not applicable generally to other property, and are not self-imposed.

The sidewalk, especially north of the school's main entrance, would require creative topographical manipulation and relocation of utilities in order to maintain an accessible walkway.

3. Because of the particular physical surroundings, shape or topographical condition of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations was carried out.

The southeastern corner of the parcel does pose some unique topographical challenges, and a sidewalk constructed along South Providence Outer Road would require either large amounts of fill or construction of a bridge structure in order to make a direct connection to the existing walkway along Southampton Drive.

Council Policy Resolution 48-06A

Council Policy Resolution 48-06A uses the following factors to provide additional guidance in weighing the cost versus benefit of sidewalk construction where required sidewalks are located on unimproved streets (i.e. no curb or gutters):

1. The cost of constructing the sidewalk relative to the cost of the proposed development;

The applicant estimates the cost of the sidewalk to be \$58,000 – 75,000, which is approximately 0.01 – 0.02% of the total development cost of \$4,500,000.

2. Whether the terrain is such that sidewalks or walkways are physically feasible;

South Providence Outer Road is unimproved with a ditch section and embankment. It is not reasonably feasible to construct a 5-foot sidewalk within the right-of-way due to existing embankment and grades. Sidewalk could, however, be placed on the property within a public easement.

3. Whether the sidewalk would be located in a developed area, on a low traffic volume local street without sidewalks;

The South Providence Trail extends from Green Meadows Road to Highway 163 and Old Plank Road. The area is developed, but with only two exceptions, all properties along South Providence Outer Road are served by the South Providence Trail.

4. Current or future parks, schools or other pedestrian generators near the development for which a sidewalk or walkway would provide access.

The sidewalk along the South Providence Outer Road would allow a connection from north to south, to the sidewalk at the southern edge of the school's property. This connection is already in place with the South Providence Trail. Access points are provided at the north end of the property, near the career center, the main public entrance and at Southampton Drive. Bethel Park, which lies just west of the school's property, is accessible either via the sidewalk along Southampton Drive or through the school property. Public access from the north can circumvent the school's property, by use of the South Providence Trail and the Southampton sidewalk.

RECOMMENDATION

Approval of the requested variance based on the following factors:

1. After reviewing the variance criteria of Section 25-20, there does appear to be an unnecessary hardship and practical difficulty which would prevent the sidewalk from being installed as required.
2. After reviewing the guidance in council Policy Resolution 48-06A, staff believes that while the cost appears to be minimal, in relation to the overall cost of the proposed development, the remaining three contextual factors support approval of the variance.

SUPPORTING DOCUMENTS

Attachments

- Letter from the applicant
- Locator and topographic maps

Report prepared by Russell Palmer

Approved by Patrick Zenner