



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: October 4, 2021

Re: Freedom House I – Design Adjustments (Case #195-2021)

Executive Summary

Approval of this request would waive the requirement that a lot have actual street frontage upon a public street and provide direct access to vehicular, bicycle, and pedestrian traffic from such public street. This request is being considered concurrently with a request to approve a one-lot final plat entitled *Freedom House I*.

Discussion

A Civil Group (agent), on behalf of Mid-Missouri Barrier-Free Housing for the Physically Handicapped, Inc. (owner), is seeking approval of design adjustments from Sections 29-5.1(f)(1)(iv)(A) and 29-5.1(f)(2)(i) of the UDC relating to lot frontage and lot access, respectively. An associated single-lot final plat will appear concurrently as a separate business item on the Council's October 4 agenda. The subject property is located within the Benton-Stephens Urban Conservation Overlay (UC-O) and proposed building plans for the site's redevelopment have been submitted to the neighborhood association.

The requested design adjustments seek relief from the requirement that a parcel have actual street frontage and provide direct access for bicycle, pedestrian, and vehicular traffic from that frontage. In situations with site constraints (i.e. topography or proposed development patterns), the Community Development director may permit access to a lot via an irrevocable access easement provided that the public health, safety, and general welfare are not compromised. The applicant's request seeking approval to use the discretionary access easement as primary access was denied by the director because the site is not landlocked and presently has direct frontage/access to N. William Street directly across the street from a public park. Given this outcome, the applicant chose to pursue the requested design adjustments rather than make modifications to the previously prepared redevelopment plans for the property. The applicant argues that the existing Freedom House site is not accessible from William due to topography, and that the neighbors request a site layout that avoids a parking lot on the north side of the site. A turning diagram has been submitted to illustrate the movement of fire-fighting apparatus through the proposed easement area.

In evaluating this request, staff considered the "design adjustment" criteria of Section 29-5.2(b)(9) as well as documentation supplied by the applicant illustrating what were believed to be the hardships impacting adherence to the UDC provisions. After evaluating the criteria (full analysis provided in the attached Staff Report) and considering the documentation submitted, staff concluded that while there were existing topographical constraints, such constraints were not so extreme that compliance with the UDC could not be achieved and



that the proposed alternative site design was not superior to what would be required if the site met the standard UDC provisions.

In arriving at this conclusion, staff cites the fact that the property presently takes access from N. William Street and can address Americans with Disabilities Act (ADA) compliant accessibility if the site's future redevelopment plans are modified. Furthermore, the proposed access easement would cross through an adjoining property's parking lot and is intended to provide the primary access to the site's redevelopment and its associated parking lot. The proposed redevelopment plan for the site illustrates a proposed secondary entry with a porch (meeting the Benton-Stephens UC Overlay standards) and a limited driveway into the site for the purpose of meeting the UDC's lot access requirements.

The Planning and Zoning Commission considered this request at their September 9, 2021 meeting. Staff presented its report. Several representatives of the owner and agent spoke during the public hearing. The Commissioners expressed concern relating to Americans with Disabilities Act compliant access to the site and the lack of evidence provided that alternative designs were explored justifying that compliance with the UDC could not be achieved. Following additional discussion relating to procedural matters and brief discussion on the final plat, a motion to approval of the design adjustments was made that failed (8-0).

The Planning Commission staff report, locator maps, design adjustment worksheets, design adjustment supplemental documents, and meeting minute excerpts are attached.

Fiscal Impact

Short-Term Impact: None anticipated within the next two years. Public infrastructure extension/expansion would be at the cost of the developer.

Long-Term Impact: Possible impacts could be public infrastructure maintenance such as roads, sewers, and water, 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: Reliable Infrastructure, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Mobility, Connectivity, and Accessibility, Tertiary Impact: Not Applicable

Legislative History

Date	Action
N/A	N/A



City of Columbia

701 East Broadway, Columbia, Missouri 65201

Suggested Council Action

Denial of the design adjustments to Section 29-5.1(f)(1)(iv)(A) relating to lot frontage and to Section 29-5.1(f)(2)(i) relating to lot access, as recommended by the Planning and Zoning Commission