



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: October 16, 2017

Re: Athens Subdivision Plat 1 – Final plat (Case #17-216)

Executive Summary

Approval of this request will result in the creation of a 2-lot final plat to be known as “Athens Subdivision Plat 1.”

Discussion

The applicant is seeking approval of a minor replat of Lots 281 and 282 of the Columbia Original Town Plat. The intent of the replat is to combine the two lots and re-divide them, so that the majority of the existing Wabash Arms Building, less an existing encroachment onto Lot 280, can be contained in one lot, and to create a new lot for a second structure located at the northeast corner of the subject parcel.

The proposed arrangement would permit the applicant to submit an application for tax credits for rehabilitation of the building at the northeast corner of the parcel. The existing encroachment of the Wabash Arms Building onto Lot 280 would remain unchanged and was taken into account with the current redevelopment of Lot 280 as a professional office building (the former Bleu Restaurant patio).

The applicant is also seeking a design adjustment from the provisions of Appendix A.6 (b) of the UDC which deal with the design standards for street intersections. Per the UDC, street intersections are required to be rounded with a curve. The southeast corner of the parcel (Ninth and Walnut Streets) is required to have a 30 feet lot corner radius. Provision of such a radius would result in the existing site improvements to be located in the future right of way. To avoid this encroachment, the applicant is seeking waiver of the UDC requirement.

The Planning and Zoning Commission heard this case at their September 21, 2017 meeting. During the staff presentation, it was stated that the lot corner radius was deemed unnecessary by the City Traffic Engineers in terms of both public safety and for future roadway expansion. The plat with the exception of the design adjustment was fully compliant with the UDC provisions.

Commission members expressed concern over granting the design adjustment. Their discussion noted that while the corner truncation was not currently needed it may be necessary in the future and that granting the adjustment would limit the City's ability to obtain it at a later date. The applicant, voiced concerns that dedication of right-of-way would create a number of issues as it pertains to titling and financing of their property.



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Following additional discussion, the Commission voted (6-2) to recommend denial of the design adjustment, and voted unanimously (8-0) in favor of the plat, pursuant to the inclusion of the truncated corner, as required by code.

Following the Commission's recommendation, the applicant has communicated to staff that they desire to seek Council approval of the design adjustment. Per Section 29-5.2(c)(3)(A)(iv) should the Council desire to over-ride the Planning Commission's denial of the design adjustment it will require a 2/3 super-majority vote (5 votes) of Council.

The corner truncation standard as applied to downtown is somewhat analogous to the alley width standard; both require more right-of-way than existing, historical building locations will allow. The design adjustment is a means to accommodate existing, historic buildings while the standard may still be applied on downtown blocks that do not have such encroachment issues. There is some basis in the code for this; Council may consider design adjustments that *"requested to address a unique feature or to achieve a unique design character..."* [29-5.2(b)(9)(iv)]

A copy of the Planning and Zoning Commission staff report, locator maps, plat, and meeting excerpts are attached.

Fiscal Impact

Short-Term Impact: None. All public infrastructure is in place and no expansion is required.

Long-Term Impact: None. No new public infrastructure will required to accommodate the proposed subdivision.

Strategic & Comprehensive Plan Impacts

Strategic Plan Impacts:

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

Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

Legislative History

| Date | Action |
|-----------|---|
| 2/23/1825 | Recorded date of original plat, "A Plat of the Town of Columbia" (lots 281 & 282) |



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Suggested Council Action

Approve "Athens Subdivision Plat 1," subject provision of a corner truncation at the southeast corner of the site prior to recording of the plat with the Register of Deeds. This action would create a building encroachment within the public right-of-way.

Alternatively, the Council may approve the Athens Subdivision Plat 1 and over-ride the Planning Commission's recommendation of denial of the design adjustment by a 2/3 vote of its members.