

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
April 7, 2016**

SUMMARY

A request by Jerry Campbell (agent) on behalf of Evangelical Free Church of Columbia (owner) for approval of a one-lot final minor plat, with an associated sidewalk variance, on R-1 (One-Family Dwelling District) zoned land to be known as "Compass Church Subdivision". The 17.71-acre subject site is located at the northeast corner of Silvey Street and Worley Street. **(Case #16-85)**

DISCUSSION

The applicant is seeking approval of a one-lot final plat that combines two existing legal lots, Lots 1 and 2 of Smithton Park Subdivision, and approximately 11 acres of previously unplatted property into one lot. Smithton Park was approved in 2000, and all property included within the requested plat is owned by the applicant.

The dedication of additional right of way is required for Silvey to meet the required 60-foot right of way standard for a neighborhood collector. The right of way adjacent to the property is currently a 25-foot half-width, and therefore an additional 5 feet of right of way is required, as shown on the plat. The dedication of right of way will place the existing parking lot on the site very near the edge of the property. It also may result in certain site infrastructure, such as existing parking lot lights and poles, to be located within the City's right of way. While this is not ideal, the City may grant the property owner a Right of Use permit to allow for the continued operation of the improvements within the City's right of way.

Another item that was addressed during the review of the requested plat was the possible extension of a public water main to service the site. The current site may require an additional connection to the City's water service for future construction, which would have precipitated the need to connect to an existing public water main along Worley Street. The original submission by the applicant included only the unplatted portion of the property (approximately 11 acres), and would have resulted in the lot not having frontage on Worley, which is a requirement to tap into a main with a service line.

As a result of the lack of Worley frontage, the unplatted lot would have been required to extend a public water main from Worley along Silvey (and extending the entire length of the property's frontage along Silvey) in order to allow the site to tap into the main. The City would have required that the main be oversized in order to provide additional capacity for future developments, but the applicant's financial responsibility would have only included the construction costs for the size of a main necessary to serve their property.

As a result of the extension requirement, the applicants decided to include Lots 1 and 2 of Smithton Park in their request, thereby giving the newly created lot access to the water main along the site's Worley frontage. The change allows the applicant construct a private service line from the Worley water main to service the property, instead of constructing a public water main extension along Silvey, which would have provided additional service to properties developing to the north, as well as facilitating a water main loop closure that is identified in the CIP.

Variance

The applicant is requesting a variance from the requirement to construct a sidewalk along the unplatted property's approximately 490-foot Silvey Street frontage. The applicant is required to construct sidewalks along newly platted property per Section 25-48.1. No sidewalks are required to be constructed along Lot 1's Silvey Street frontage due to the approval of an existing trail installation as part of the platting of Smithton Park (Ordinance #16660). Sidewalks currently exist along Worley.

Because Silvey is currently an unimproved road (i.e., lacks curb and gutter), the request is evaluated based on standards included in Council Policy Resolution 48-06A, which provides specific guidance for determining the need for a sidewalk variance and whether the impact of the proposed development justifies the requirement that the sidewalk be constructed.

The criteria below are used when evaluating whether to grant a variance from 25-48.1 based on Resolution 48-06A. Staff's evaluation is listed after each condition, followed by their determination if the condition is met (shown in CAPS and BOLD)

Variance from Section 25-48.1 (Subdivisions; Sidewalks generally (plats approved after January 1, 2001))

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

The applicant provided an estimate of \$81,500 for construction costs for 490 feet of sidewalk. The estimate includes costs associated with sidewalks, landscape removal, and work done to ditches and culverts. At this time, staff has not received an estimate for the total project cost. **FACTOR NOT SUPPORTED**

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

The installation of a sidewalk may require the construction of a retaining wall, per information supplied by the applicant, as well as the reconfiguration of stormwater drainage from the surface parking lot and the removal of a substantial amount of landscaping. But the terrain is not so severe to prevent the installation of sidewalks, and is considered feasible. **FACTOR NOT SUPPORTED**

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

The site is located within an area that is generally developed to the south, but not to the north of the subject property. The Vintage Falls Subdivision, located at the northwest corner of Worley and Silvey, is mostly constructed and includes sidewalk along Silvey, and directly north of that, the Smithton Villas Subdivision has been platted, but no construction has yet to begin. Directly north of the subject site is a large tract of A-1 zoned property located along I-70 Drive SW that is undeveloped.

Other developments in the vicinity of the site include a park, public schools, and other residential developments. The City does not have specific information on the traffic volume on Silvey, but it would appear to be a low traffic volume street. However, Silvey is not considered a local street, as it is identified as a Neighborhood Collector, which are intended to provide connectivity between residential neighborhoods and major streets.

All other adjacent developed properties in the area have existing sidewalks, with the exception of the approved trail system on the previously platted Lot 1 of Smithton Park. **FACTOR NOT SUPPORTED.**

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

The site is generally near several residential developments that could generate pedestrian trips to and from this site. The property directly south of the subject property, at the southeast corner of Worley and Silvey, is the Smithton Middle School, and to the east of that property is the Mary Paxton Keeley Elementary School. In addition, Smithton Park is located immediately east of the property. **FACTOR NOT SUPPORTED.**

Conclusions

Staff finds that the request does not meet the standards for granting a variance for sidewalk installation on the subject property. Alternatively, if the PZC considers granting a sidewalk variance for the unplatted portion, staff recommends that at a minimum, a sidewalk be constructed from the south entrance drive to the existing trail on Lot 1 in order to provide a minimum amount of connectivity from the site to Worley, with a fee-in-lieu accepted for the remaining portion of the sidewalk that is not constructed north of the driveway along the frontage of Silvey.

This alternative could be considered acceptable per Resolution 48-06A which suggests that a variance may be granted if an equitable arrangement for construction of the sidewalk sought for waiver is reached between the City and applicant. At this time, no alternative arrangement has been proposed the applicant.

The proposed final plat and variance have been reviewed by staff, and some minor technical corrections were identified that need to be revised prior to forwarding to Council for consideration.

RECOMMENDATION

1. Approval of the final plat for "Compass Church Subdivision" with the condition that minor technical corrections are completed prior to forwarding to Council.
2. Denial of variance request to Section 25-48.1.

SUPPORTING DOCUMENTS (ATTACHED)

- Locator maps
- Final plat
- Sidewalk Variance Worksheet with construction estimates
- CIP excerpts
- PR 48-06A

SITE CHARACTERISTICS

Area (acres)	17.71
Topography	Slopes east

Vegetation/Landscaping	Landscaping, tree coverage to the east
Watershed/Drainage	Harmony Creek
Existing structures	Church, off-street parking, trails

HISTORY

Annexation date	1969, 1966
Zoning District	R-1 (One-family Dwelling District)
Land Use Plan designation	Neighborhood District (unplatted); Open Space/Greenbelt (Lots 1 & 2 Smithton Park)
Previous Subdivision/Legal Lot Status	Includes Lots 1 & 2 of Smithton Park and previously unplatted property

UTILITIES & SERVICES

Sanitary Sewer	City of Columbia
Water	City of Columbia
Fire Protection	CFD
Electric	Boone Electric

ACCESS

Silvey Street	
Location	Abuts west side of property
Major Roadway Plan	Neighborhood Collector (60-foot ROW required, currently 25-foot half-width); Unimproved and City maintained
CIP projects	10+ year project
Sidewalk	Sidewalks required

Worley Street	
Location	Abuts south side of property
Major Roadway Plan	Neighborhood Collector (66-foot ROW existing); Improved and City maintained
CIP projects	None
Sidewalk	Sidewalks existing

PARKS & RECREATION

Neighborhood Parks	Within Smithton Park service area
Trails Plan	None located on site
Bicycle/Pedestrian Plan	Unimproved streets should be rebuilt as complete streets

Report prepared by Clint Smith

Approved by Patrick Zenner