



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: April 4, 2022

Re: 1600 Old Highway 63 – Design Adjustment (Case #99-2022)

## Executive Summary

Approval of this request will result in the granting of a partial design adjustment from Section 29-5.1 of the UDC relating to the installation of sidewalks of the subject property's Stadium Boulevard and S. Old Hwy. 63 roadway frontages.

## Discussion

A Civil Group (agent), on behalf of John & Sarah Maddock (owners), is requesting a partial design adjustment from Section 29-5.1 of the UDC which, if approved, would waive the property from UDC provisions requiring construction of sidewalks along all of the site's roadway frontages. The applicants originally requested the design adjustment in conjunction with their final plat, "A-1 Rental Final Plat," in August 2021; however, withdrew the request given limited support from City review staff. The plat was approved by City Council with a performance contract obligating the property owner to constructing the sidewalks.

In the intervening months since obtaining approval of the final plan, the owners and their agent undertook a more detailed evaluation of the site conditions supporting the partial waiver of the required sidewalk installation and submitted a detailed rationale for the design adjustment (see attached design adjustment worksheet and supporting documentation). The worksheet highlights the fact that waivers have generally been granted in instances where topographic and other significant site constraints make sidewalks unfeasible. The applicant also points to an existing lack of a sidewalk network and available options for connectivity to the subject site.

Specifically, on the Stadium Boulevard frontage, the applicant indicates the primary reason for the request is the extreme topographical conditions and limited space in which to place the required sidewalk. In seeking input on the request, MoDOT indicated that no right-of-use permit would be issued for construction of a sidewalk in this location due to pedestrian safety concerns and that they will not accept maintenance responsibilities or liability for the sidewalk if constructed.

As noted in the staff report (attached), given the limited sidewalk feasibility along the parcel's Stadium frontage a waiver in that location would be considered appropriate. However, in analyzing the remaining property frontage (Old Hwy. 63) there appeared to be less justification. Staff noted the recent improvements at the intersection of Old 63 and Stadium were a clear indication of having enhanced connectivity with the property to the south of the subject site which is the location of the Waters-Moss Memorial Wildlife Center. Given this



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701 East Broadway, Columbia, Missouri 65201

desire for connectivity, the staff was unsupportive of the waiver of the sidewalks along this portion of the property's frontage.

The Planning & Zoning Commission considered this request at their March 10, 2022 meeting. Staff presented their report and answered questions. Commissioners inquired about options for approving a partial waiver of the sidewalk installation in which the applicant would be required to connect sidewalk from Stadium/Old 63 intersection east to the existing multi-use lane which extends across the site's Stadium frontage. Commissioners also sought clarification on how a sidewalk would avoid the drainage ditch at the southwest corner of the subject site. Staff noted that the Commission could make a recommendation with conditions to ensure construction as they desired and that the open ditch would likely need to be piped if the sidewalk would be constructed in the same location.

The applicant gave a presentation and distributed handouts (attached) that included a proposed "sidewalk construction plan" that staff was unaware of before the public hearing. The Plan showed sidewalk along the majority of the site's Old Hwy. 63 frontage to just north of the existing driveway access to the site which included a proposed pedestrian crossing connecting the on-site sidewalk back to the existing pedway/sidewalk network along the western side of Old Hwy. 63. The applicant provided further testimony noting that extension of sidewalk further south of the driveway would not be feasible due to utility conflicts, topographical and right of way space constraints, and would not permit connection to Waters-Moss property given an intervening private property. The neighboring property owners (the intervening parcel) favor of the request, citing their concerns that a sidewalk ending at their driveway would only promote more pedestrians cutting through their property to access Hillcrest Drive and the Waters-Moss property.

After brief discussion, Commissioners moved to approve a partial waiver of the required sidewalks along both frontages such that sidewalk **would be installed** as depicted in the applicant's sidewalk installation plan (attached).

For information purposes, based upon the City's two-year average cost of \$69/linear foot to construct sidewalks, the value of those **portions** of sidewalk (2,295' on Stadium and 220' on Old Hwy. 63) requested to be waived would be equal to \$173,535.

A copy of the Planning Commission staff report, locator maps, design adjustment worksheet, applicant's Old 63 and Stadium Boulevard information, sidewalk installation plan, and meeting minutes are attached for review.

## Fiscal Impact

Short-Term Impact: None anticipated.

Long-Term Impact: None anticipated.



## Strategic & Comprehensive Plan Impact

### Strategic Plan Impacts:

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

### Comprehensive Plan Impacts:

Primary Impact: Mobility, Connectivity, and Accessibility, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

## Legislative History

Date	Action
11/15/21	Approved, "A-1 Rental, Plat 1" (Ord. 024836)

## Suggested Council Action

Approve a partial waiver of sidewalk installation along the site's Stadium Boulevard and S. Old Hwy. 63 roadway frontages such that sidewalk is to be installed in the locations depicted the applicant's "Sidewalk Installation Plan", attached hereto, as recommended by the Planning and Zoning Commission.