

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
May 9, 2024**

SUMMARY

A request by Brush & Associates (agent), on behalf of Lisa Kulage (owner), for approval of a design adjustment seeking relief from Section 29-5.1(d) of the UDC, requiring construction of sidewalks on all street frontages. The 0.51-acre subject site is located at 811 W. Broadway. The waiver is sought for the entirety of the Greenwood Avenue frontage. Sidewalks are currently constructed along West Broadway. **(Case # 138-2024)**

The applicant is seeking a waiver of the provisions of Section 29-5.1(d) of the Unified Development Code, which require installation of sidewalks along all street frontages of newly platted lots. The request is specific to the Greenwood Avenue frontage of the subject lot, whereas sidewalks are already constructed along West Broadway. This request has been precipitated by the applicant's desire to replat (Case # 101-2024) the subject property into two lots, in an effort to activate the undeveloped approximate northern 70-feet of the overall parcel with a new structure on its own lot. Construction of sidewalk along the existing parcel's Greenwood frontage would be cost-prohibitive due to its length, necessary improvements to address topographic and utility conflicts along Greenwood, and added value when compared to the modest home that could be constructed on the newly created lot.

Section 29-5.2(b) of the UDC provides five evaluation criteria which should be considered when weighing a request for a design adjustment. The criteria and Staff analysis of each are outlined below.

- i. *The design adjustment is consistent with the city's adopted comprehensive plan and with any policy guidance issued to the department by council;*

The requested design adjustment is not consistent with Columbia Imagined, which promotes the accommodation of non-motorized transportation and safe modes of interconnectivity throughout the city. Although Greenwood Avenue is not improved with sidewalks, installation of a new sidewalk would provide a route to the north from West Broadway where pedestrians are not in the street, for at least 273 feet. **[NOT SUPPORTED]**

- ii. *The design adjustment will not create significant adverse impacts on any lands abutting the proposed plat, or to the owners or occupants of those lands;*

No adverse impacts are anticipated from approval of the design adjustments as the status quo would remain. Currently no sidewalks exist on any stretch of Greenwood Avenue in its entirety, from Ash Street to Westwinds Drive. Although, this condition itself does pose some safety concerns for pedestrians that are forced to use the street to travel along Greenwood Avenue. **[SUPPORTED]**

- iii. *The design adjustment will not make it significantly more difficult or dangerous for automobiles, bicycles, or pedestrians to circulate in and through the development than if the subdivision standards of section 29-5.1 were met;*

The requested design adjustment would simply perpetuate the existing non-compliant conditions. If approved, the waiver of sidewalk would make it significantly more difficult or dangerous for users of Greenwood than presently. The request for relief is being triggered by the desire divide a deep corner lot into two lots. No substantial increase in vehicular traffic is anticipated.

[SUPPORTED]

- iv. *The design adjustment is being requested to address a unique feature of the site or to achieve a unique design character, and will not have the effect of decreasing or eliminating installation of improvements or site features required of other similarly situated developments; and.*

Sidewalk construction on the Greenwood Avenue frontage of the subject parcel would require special consideration of a number of conflicts. Overhead power lines are installed on the east side of Greenwood that would conflict with the location of sidewalks if they were installed. A water meter and fire hydrant would also have to be accommodated by the walkway design or relocated, both adding to the cost. Also, the street is set roughly 3-4 feet below the lot near the intersection of Greenwood and West Broadway. This condition would likely require the engineering and construction of a small retaining wall in this location.

The requested waiver is being sought in connection with the replat of the property to create a “useable” new parcel to the rear of the existing home fronting and addressed to West Broadway. Given the lot depth, minimum lot standards within the R-2 district, and the opportunity to create a “small footprint” home on the newly created lot, this request is associated with unique opportunity typically afforded to only corner lots with the city’s more developed neighborhoods. Approval of the waiver would permit a new lot to be created that would conform the existing block frontage.

[SUPPORTED]

- v. *The design adjustment will not create adverse impacts on public health and safety.*

No significant adverse impacts on public health and safety are anticipated by granting the waiver. Continuation of the existing conditions, while not ideal, does not constitute a negative outcome. The property is properly served by the existing street network and resides in a long-established, historic neighborhood. **[SUPPORTED]**

Greenwood Avenue is an improved street, therefore the provisions of Policy Resolution 48-06A (policy for variances for construction of sidewalks along unimproved streets) do apply. However, as an alternative the Commission may choose to consider utilizing the fee-in-lieu provisions of the resolution as a condition of the design adjustment approval. The resulting lot would have a total street frontage of 273 feet, multiplied by the standard sidewalk fee of \$70.85 per linear foot; an appropriate fee would be approximately \$19,342.05.

Conclusion

Staff does not anticipate any adverse impacts from approval of the design adjustment when compared to existing conditions. However; the requested design adjustment is not considered to be consistent with the objectives of the Comprehensive Plan. If the waiver is not granted, the Commission may recommend for Council consideration the payment of a fee in lieu. The final plat under concurrent review would be required to show sidewalk on the plot plan for the newly created lot along the Greenwood frontage at the time a building permit were sought and submission of construction plans for the installation of that sidewalk would also be required. Given the home at 811 West Broadway is not proposed for modifications, sidewalk along that future lot’s Greenwood frontage would be required at the time of the lot’s redevelopment.

RECOMMENDATION

Denial of the requested design adjustment from Section 29-5.1(d) in regards to required sidewalk construction on the Greenwood Avenue frontage of the subject property.

SUPPORTING DOCUMENTS (ATTACHED)

- Locator maps
- Design Adjustment Worksheet
- Proposed Replat (Ridgeway Plat 2)

SITE CHARACTERISTICS

Area (acres)	0.51 acres
Topography	Generally flat
Vegetation/Landscaping	Landscaped with turf, shrubs, trees
Watershed/Drainage	Flatbranch Creek
Existing structures	Single-family home

HISTORY

Annexation date	1905
Zoning District	R-2
Land Use Plan designation	Neighborhood
Previous Subdivision/Legal Lot Status	Lot 2, Ridgeway Subdivision

UTILITIES & SERVICES

All utilities and services provided by the City of Columbia.

ACCESS

Broadway	
Location	South side of property
Major Roadway Plan	Major Arterial
CIP projects	None
Sidewalk	Sidewalks present

Greenwood Avenue	
Location	Along the west side of property
Major Roadway Plan	N/A
CIP projects	None
Sidewalk	Sidewalks required, subject of design adjustment request

PARKS & RECREATION

Neighborhood Parks	Within half-mile of Worley Street Park, Again Street Park
Trails Plan	Within half-mile Edgewood/Aldeah Bike Boulevard
Bicycle/Pedestrian Plan	N/A

PUBLIC NOTIFICATION

All property owners within 200 feet and City-recognized neighborhood associations within 1,000 feet of the boundaries of the subject property were notified via public information postcards on April 11th of the pending action. Property owner letters were sent, and an ad was placed in the Columbia Daily Tribune on April 23rd, advertising the public hearing relating to the requested design adjustment.

Report prepared by Rusty Palmer

Approved by Patrick Zenner