



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: December 6, 2021

Re: Hardy Plat 1 – Design Adjustment (Case #318-2021)

Executive Summary

Approval of this design adjustment request would waive the requirement to construct sidewalks along Highway KK. This request is being reviewed concurrently with a request for a 2-lot final plat to be known as *Hardy Plat 1*.

Discussion

McClure Engineering Co. (agent), on behalf of Marshall & Sylvia Murray (owners), is seeking approval of a design adjustment to Section 29-5.1 (d) to waive sidewalk construction along the property's S. Highway KK frontage. The design adjustment is being considered concurrently with a proposed 2-lot preliminary plat to be known as *to be known as Hardy Plat 1* that will appear as a separate business item on the Council's December 6 agenda. The subject site is located on the north side of S. Highway KK, approximately 3,200 feet west of Scott Boulevard, and includes property addressed as 5971 S Highway KK.

The requested **design adjustment from Section 29-5.1(d)** is sought to waive the requirement to construct sidewalks along a new subdivision's street frontage. The two-lot final plat includes 264 feet of frontage along Highway KK, which is classified as a major collector street on the City's Major Roadway Plan (MRP). The applicant has stated generally that there are topographical challenges to constructing the sidewalk and the likelihood that additional sidewalk will be constructed along Highway KK is very low so construction or a fee-in-lieu of construction of the sidewalk is not warranted.

When evaluating the sidewalk waiver request, staff considered the typical design adjustment criteria within the UDC as well as the provisions found within Policy Resolution 48-06A (attached) relating to unimproved streets as Highway KK in this location does not have curbs or gutters. Pursuant to those provisions, a fee-in-lieu of construction may be considered as an alternative to an out-right waiver of the requirement to construct sidewalks.

After evaluating the criteria for granting a design adjustment, staff concurs with the applicant that sidewalk construction in this location is not practical at this time. However, given there are existing sidewalks nearby and the site's proximity to an elementary school it was concluded that payment in lieu of sidewalk construction was more appropriate than a full waiver of the construction. No alternative sidewalk construction or fee-in-lieu of construction has been proposed by the applicant at this time and their request continues to be a full waiver of the sidewalk construction along Highway KK.



City of Columbia

701 East Broadway, Columbia, Missouri 65201

The calculated fee for a fee-in-lieu payment is based on the City's average cost (\$69/linear foot) of constructing sidewalk over the last two years. This construction cost is multiplied by the street frontage of the site (264 feet) resulting in a fee-in-lieu payment of \$18,216.

The Planning and Zoning Commission considered this request at their November 4, 2021 meeting. Staff presented its report and the applicant gave an overview of the request. No member of the public spoke during the public hearing. The Commission discussed the sidewalk gap to the east of the site, and the cost and feasibility of constructing the sidewalk. Following additional discussion, a motion to approve the design adjustment subject to payment of a fee-in-lieu passed by a vote of (6-3).

The Planning Commission staff report, locator maps, design adjustment worksheet, policy resolution 48-06A, and meeting minute excerpts are attached.

Fiscal Impact

Short-Term Impact: None.

Long-Term Impact: If the waiver is approved without a fee-in-lieu payment, the City may be responsible for the cost of sidewalk construction in the future.

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

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

Comprehensive Plan Impacts:

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

Legislative History

Date	Action
NA	NA

Suggested Council Action

Approve of the requested design adjustment to Section 29-5.1(d) to waive the requirement to construct sidewalks along Highway KK subject to payment of a fee-in-lieu of sidewalk construction in the amount of \$18,216 to be paid in accordance with the provisions of PR 48-06A as recommended by the Planning and Zoning Commission.