



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: March 4, 2024

Re: 611 N. Garth Avenue – Final Plat (Case #69-2024)

## Executive Summary

Approval of this request will result in the consolidation of five lots within Crane's Subdivision into a single lot to be known as "*Jesus House Subdivision, Plat 1*".

## Discussion

McClure Engineering Co. (agent), on behalf of Jesus House Columbia (owner), is requesting approval of a 5-lot lot consolidation plat of PD (Planned Development) zoned property that is also the subject of a concurrent request (Case #70-2024) seeking the lots rezoning to the M-OF (Mixed-use Office) district. The proposed plat is considered a replat of existing lots of record and is subject to the provisions of sec. 29-5.2(d)(4) of the UDC. An analysis of the proposed plat's compliance with the review requirements of this section are provided below. Approval of the plat and concurrent rezoning will allow the applicant to expand the existing structure on the property. The subject site contains a total of 0.77-acres and is located at the southwest of the corner at W. Sexton Road & N. Garth Avenue and includes the address 611 N. Garth Avenue.

The subject site is comprised of Lots 1, 2, 3, 4, and 5 of Crane's Subdivision which were part of the May 2006 "Covenant CDC Garth & Sexton Project C-P [Planned Business] Development Plan". The C-P development proposed was never commenced and the plan has expired. The C-P plan also included two lots to the northwest, Lots 2 and 3 of John A. Stewart's subdivision of Lots 29 and 32 of Garth's addition, which have been acquired by the City and improved with regional stormwater facilities. At the time of C-P plan approval the site was improved with a single structure and parking lot at its southern end which is presently being used by the applicant as a place of worship. This structure is intended to remain and expanded if this request and the concurrent rezoning are approved such that they can accommodate a larger facility for the religious use.

A large portion of the subject site is located within the FP-O (Floodplain Overlay) which will trigger the need for issuance of a floodplain development permit prior to any future site construction. The floodplain is appropriately indicated and referenced on the proposed plat. Additionally, the existing structure on the property is considered "legally" non-conforming with respect to setbacks and buffering per the UDC. Given this status, the structure may remain "as-is"; however, if modified would be required to comply with all UDC standards. Any future development upon the site is required to meet UDC as well as all other land development requirements (i.e. building and stormwater) established by the City Code.



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

In reviewing the proposed plat, staff identified the need to acquire additional right of way to accommodate a planned roundabout at the intersection at W. Sexton Road and N. Garth Avenue. Additional right of way for this future improvement was obtained at the time the plat for the Kinney Point development, to the northeast, was presented to the City. To ensure that adequate right of way for this improvement is secured and that required 50-foot half width is in place along N. Garth, the plat shows an additional 8-feet of right of way being dedication as well as a corner truncation at the intersection. Additionally, the plat shows dedication of all required utility easements. Sidewalk exists along the roadway frontages of the site.

The site is served by all City utilities and requires no other public utility infrastructure extension or upgrade to support the planned expansion of the existing religious facility. There are no known capacity limitations with existing infrastructure that further improvement of the site will impact. Stormwater impacts will be evaluated at the time of development plan submission to ensure that increased impervious surface conditions are properly mitigated in accordance with Chapter 12A requirements. It should be noted that an existing 25.96-foot wide drainage easement traverses the site through the floodplain; however, based on preliminary concepts associated depicting future development there is no impact upon the drainage easement.

Per sec. 29-5.2(d)(4) of the UDC, a resubdivision/replat of land shall only be approved if Council determines compliance with the following provisions (staff analysis follows each provision):

**(i) The resubdivision would not eliminate restrictions on the existing plat upon which neighboring property owners or the city have relied, or, if restrictions are eliminated, the removal of such restrictions is in the best interest of the public.**

Staff is unaware of any restrictions associated with this property that would be eliminated if the proposed consolidation is approved. The approved 2006 C-P plan outlined land uses that were significantly more intensive than what is presently under consideration. Given the previously approved development plan has expired, the proposed rezoning and replat will facilitate the expansion of the existing religious institution in accordance with current regulatory standards.

**(ii) Adequate utilities, storm drainage, water, sanitary sewer, electricity, and other infrastructure facilities are provided to meet the needs of the resubdivision, or, there will be no adverse effect on such infrastructure facilities caused by the resubdivision.**

There are no known capacity-related issues associated with the public infrastructure serving this parcel and existing infrastructure is capable of supporting future redevelopment. Evaluation of stormwater impacts with redevelopment and mitigative measures, if needed, will be addressed at the time of building permit submission. As previously noted, two lots originally included in the 2006 C-P Plan have since been acquired by the City and developed to accommodate a regional stormwater facility. This



currently connects to the existing 25.96-foot drainage easement which traverses Lot 1 of the subject site through the floodplain. Based on preliminary concepts associated with the improvement of the site, proposed structures will not impede upon this easement.

**(iii)The replat would not be detrimental to other property in the neighborhood, or, if alleged to be detrimental, the public benefit outweighs the alleged detriment to the property in the neighborhood.**

A segment of the subject site's western boundary (its rear yard) adjoins a lot located within the R-2 zoning district. At the Planning and Zoning Commission meeting regarding the site's rezoning, staff stated that this would require a minimum 10-foot setback and installation of a 'Level 3' buffer (10-foot wide landscape strip with 8-foot screening device) between these lots. Furthermore, a member of the Ridgeway NA spoke before the Commission, expressing endorsement for the project and emphasizing the constructive communication between neighbors and the church. This underscores the favorable public sentiment toward the project. Considering the concurrent rezoning request, the permitted uses approved for the site will align with and complement the surrounding neighborhood.

Based upon the analysis and findings associated with the above criteria, staff believes the proposed consolidation plat does not result in the elimination of restrictions relied upon by surrounding development, has sufficient infrastructure available to support redevelopment as a single lot, and will not be detrimental to the neighborhood if redeveloped as a single lot. The plat has been reviewed by both internal staff and external agencies and found to meet the requirements of the UDC. The plat is supported for approval.

The locator maps and final plat are attached for review.

## Fiscal Impact

Short-Term Impact: None anticipated. Any future expansion or relocation of utilities to serve the development would be addressed by borne by the applicant.

Long-Term Impact: Limited. Possible impacts could include increased public infrastructure maintenance expenses for roads, sewers, and water, as well as enhanced public safety and solid waste service provision. The site's future improvements are supported by existing infrastructure services. Future impacts may or may not be offset by increased user fees and/or property tax collections.



## Strategic & Comprehensive Plan Impact

### 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
10/16/2006	Approved Rezoning and Covenant CDC Garth & Sexton Project C-P Development Plan (Ord. 19253)
09/05/1928	Approved Crane's Subdivision

## Suggested Council Action

Approve the final plat of *Jesus House Subdivision, Plat 1*.