

**AGENDA REPORT  
PLANNING AND ZONING COMMISSION MEETING  
June 9, 2016**

**SUMMARY**

A request by Engineering Surveys and Services (agent) on behalf of the City of Columbia (owner) for approval of a two-lot final minor plat on C-2 (Central Business District) zoned land, to be known as "Sixth & Cherry Garage Subdivision", along with an associated variance to Section 25-46(b). The 1.6-acre subject site is located on the northwest corner of Sixth Street and Locust Street. (**Case #16-101**)

**DISCUSSION**

The applicant is seeking approval of a two-lot final plat that combines several existing lots that were created with the plat of the Town of Columbia in 1825. Lot 1 will include the existing City parking garage referred to as the Sixth and Cherry garage, and Lot 2 will include a surface parking lot. The City of Columbia is the current owner of all property, but the City has entered into an agreement to transfer Lot 2 to the University of Missouri.

**VARIANCE**

The applicant is requesting a variance from the requirement to provide a 30-foot corner radius on the corner of lots located at street intersections, as required per Section 25-46(b). This essentially rounds the corners of lots at intersections to allow for traffic turning movements as well as additional sidewalk area. Staff has reviewed the attached variance worksheet and concludes that the request does not meet the standards for granting the variance. However, staff acknowledges that the 30-foot radius included in the code may not be the ideal radius for downtown, and may be more applicable to suburban development.

Upon further discussions with the applicant, and further review of the site, staff has determined that the corner truncations are not absolutely essential to provide space in which to construct future roadways or sidewalks. Currently the west half of the subject property is improved with a surface parking lot, and there exists a possibility that the City may reconstruct sidewalks along right of way that abuts the property. Typically redevelopment of a site in the downtown may require the installation of sidewalks by the property owner. However, if the City initiates sidewalk construction work prior to any redevelopment of the site, the City would be financially responsible for the construction. In order to facilitate the construction of sidewalks in that scenario, the City may require Temporary Construction Easements (TCE) on the property if needed to complete construction. Staff is recommending that as a condition of variance approval, the applicant agree to grant the City upon request any TCEs necessary for sidewalk construction in the future at no cost.

In addition, the existing surface parking lot encroaches into the right of way along the south property line, which is area that would be needed for future sidewalk construction, as sidewalks are typically constructed in the downtown from the property line to the curb line. Staff recommends that the property owner submit an application for a Right of Use (ROU) permit for the portion of the surface parking lot within the right of way. The ROU permit is necessary when structures that are not owned or maintained by the City are located within the City's right of way, which would occur if and when this property is no longer owned by the City. The ROU permit will clarify that the portion of the parking surface within the right of way is only permitted to remain by permission of the City, and that permission may be revoked

in the future, which may be necessary to ensure proper sidewalk installation.

Staff acknowledges that the request may not meet the standards necessary for granting variances, however, given the unique nature of development in the downtown, the corner truncation standard may not be as applicable or necessary when compared to traditional subdivision development. With that in mind, and with the agreed upon conditions by the applicant ensuring that future sidewalk construction is not compromised, staff recommends approval of the variance.

The proposed final plat has been reviewed by staff, and aside from the requested variance, meets all technical requirements of the subdivision regulations.

**RECOMMENDATION**

Approval of the final plat for “Sixth and Cherry Garage Subdivision” and approval of the variance request to Section 25-46(b), with the following conditions:

1. The property owner shall grant to the City, upon request, any Temporary Construction Easement on the subject property for the purposes of sidewalk construction within the City’s right of way.
2. The property owner shall obtain a right of use permit for the portion of the existing parking surface that extends into the City’s right of way along Locust Street, and agrees that the parking surface and any other structure within the City’s right of way may be removed at the City’s discretion at any time.

**SUPPORTING DOCUMENTS (ATTACHED)**

- Locator maps
- Final plat
- Variance Worksheet

**SITE CHARACTERISTICS**

<b>Area (acres)</b>	1.6
<b>Topography</b>	Slopes southwest
<b>Vegetation/Landscaping</b>	Minimal turf
<b>Watershed/Drainage</b>	Flat Branch
<b>Existing structures</b>	Parking garage, surface parking lot

**HISTORY**

<b>Annexation date</b>	1826
<b>Zoning District</b>	C-2 (Central Business District)
<b>Land Use Plan designation</b>	Downtown District
<b>Previous Subdivision/Legal Lot Status</b>	Lots 79-81 and 112-114 of Original Town

**UTILITIES & SERVICES**

All utilities and services provided by the City of Columbia.

**ACCESS**

<b>Cherry Street</b>	
<b>Location</b>	Abuts north side of property
<b>Major Roadway Plan</b>	Local non-residential (66-foot ROW required)
<b>CIP projects</b>	None
<b>Sidewalk</b>	Sidewalks present (10' width preferred Downtown)

<b>Sixth Street</b>	
<b>Location</b>	Abuts east side of property
<b>Major Roadway Plan</b>	Local non-residential (66-foot ROW required)
<b>CIP projects</b>	None
<b>Sidewalk</b>	Sidewalks present (10' width preferred Downtown)

<b>Fifth Street</b>	
<b>Location</b>	Abuts west side of property
<b>Major Roadway Plan</b>	Local non-residential (66-foot ROW required)
<b>CIP projects</b>	None
<b>Sidewalk</b>	Sidewalks present (10' width preferred Downtown)

<b>Locust Street</b>	
<b>Location</b>	Abuts south side of property
<b>Major Roadway Plan</b>	Local non-residential (66-foot ROW required)
<b>CIP projects</b>	None
<b>Sidewalk</b>	Sidewalks present (10' width preferred Downtown)

**PARKS & RECREATION**

<b>Neighborhood Parks</b>	Within Flat Branch Park service area
<b>Trails Plan</b>	None located on site
<b>Bicycle/Pedestrian Plan</b>	NA

Report prepared by Clint Smith

Approved by Patrick Zenner