

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
October 4, 2018**

SUMMARY

A request by Victory Christian Church of Columbia, Inc. (owner) for approval of a design adjustment to Section 29-5.1(d)(2) to allow the waiver of sidewalk construction along the property's Ballenger Lane street frontage, a distance of approximately 1,500 feet. The 13.42-acre subject site is located on the west side of Ballenger Lane, approximately 1,200 feet north of Clark Lane, and addressed as 1705 N. Ballenger Lane. (Case #18-181)

DISCUSSION

The applicant is seeking approval of a design adjustment from Section 29-5.1(d) of the UDC which requires the construct a sidewalk along the property's approximately 1,500-foot Ballenger Lane frontage which is considered an unimproved (no curb or gutter) collector street. The criteria below are used when evaluating whether to grant the requested waiver and include analysis of the criteria from the PR 48-06A listed first followed by an overview of the request's compliance with the UDC's standard design adjustment criteria. Staff's evaluation is listed after each condition, followed by their determination if the condition is met (shown in CAPS and BOLD)

Design Adjustment - Sidewalk on Unimproved Street

The requested design adjustment is from Section 29-5.1(d) of the UDC, which mandates sidewalk construction as a required element associated with the permitting of new construction along a collector street. The requirement to construct sidewalk along the applicant's Ballenger Lane frontage was triggered by the permitting of a new church building. The applicant's justification for granting the adjustment is attached. In addition to using the UDC's standard criteria for a typical design adjustment, the criteria from Council Policy Resolution 48-06A is also used due to the roadway being unimproved (no curb or gutter). Policy Resolution 48-06A uses the following factors to provide guidance when considering waiving sidewalk construction along such streets:

1. The cost of constructing the sidewalk relative to the cost of the proposed development;

*The applicant estimates the cost of fill to accommodate the sidewalk to be \$45-50,000, with the cost of reconstructing the driveway between \$15-20,000 (although staff cannot confirm if the driveway will need to be reconstructed, but it was not built to City standard). With a total project cost of \$800,000, the sidewalk is approximately 6.9-9.4% of the total site development costs. If it is determined that a fee-in-lieu of construction is required for approval, that fee would be \$60.91 per linear foot of sidewalk, or approximately \$91,000. **NOT SUPPORTED.***

2. Whether the terrain is such that sidewalks or walkways are physically feasible;

*Sidewalks appear to be feasible, with little impediments due to terrain. **NOT SUPPORTED.***

3. Whether the sidewalk would be located in a developed area, on a low traffic volume local street without sidewalks;

It appears that this area is somewhat developed, with the property directly to the south undeveloped, along with several properties south of the site on the east side of Ballenger. These sites would also be required to build sidewalks at the time of development. The street is not considered a local street; it is

classified as a major collector and is expected to accommodate higher volumes of traffic than local streets. Ballenger is largely without sidewalks in the vicinity of the subject site. However, the site is approximately 1,000 feet away from connecting to a sidewalk network along Clark Lane that is fairly extensive.

*Ballenger is classified as a major collector and would be expected to carry >15,000 ADT, per the City's standard designs. The most recent traffic count (2015) showed 5,108 trips on Ballenger. **NOT SUPPORTED.***

4. Current or future parks, schools or other pedestrian generators near the development for which a sidewalk or walkway would provide access.

*The church itself would be considered a traffic generator, and a sidewalk would also provide a more direct pedestrian connection for a small number of residents on the east side of Ballenger to McKee Street Park, which is located west of the subject site. **NOT SUPPORTED.***

Design Adjustment – UDC Criteria

The Commission may recommend approval of a design adjustment if it determines that the criteria listed in Section 29-5.2(b)(9) have been met. Overall, sidewalks are consistent with the City's Comprehensive Plan, and since sidewalks are pedestrian infrastructure, pedestrians circulation may be impacted by waiving sidewalk installation.

However, it is relevant to note that the City is currently in the design phase of a project to install shoulders along Ballenger Lane, and the shoulders will allow for safer pedestrian travel along Ballenger. The City will construct shoulders along the subject site, whether or not the sidewalk is constructed. As part of the project, the City may include additional infrastructure in their plans that would connect the sidewalks under review for this site to the City's shoulder project. And while the shoulder project will provide a safer pedestrian experience for people traveling along Ballenger, a sidewalk would be considerably safer overall. And in the long-term, the shoulder project ultimately is constructed to assume the role of an additional travel lane in the future, presuming that Ballenger will be upgraded in the future with additional lanes, curb and gutter, bike lanes, and sidewalks.

Conclusion

As part of the City shoulder project, the City could include the cost of connecting the sidewalk to the shoulder, which would require the City to build access across the existing roadside ditches and thereby making better use of the sidewalks.

Staff finds that the request does not meet the standards for waiving sidewalk installation on the subject property; however staff is not offering a specific recommendation on the requested sidewalk waiver, as there are several scenarios that are available. Taken together, the circumstances do not warrant the waiver of sidewalk installation in this particular location given the benefit that the sidewalk would provide to pedestrians.

Per PR 48-06A, if a sidewalk is found to be warranted in this situation, then the sidewalk may be either required to be constructed, or a fee equivalent to the cost of construction may be required to be paid based upon an average cost of similar City projects, which is about \$61/foot of sidewalk. Another alternative is to allow the applicant to pay a fee-in-lieu based upon their own cost estimate, which may be less than the City's average cost for sidewalk installation. And finally, while a shoulder does not

represent the highest level of pedestrian infrastructure, it does represent a marked improvement to the existing conditions, and if the Commission found that sidewalks were not warranted, a full waiver could be recommended.

RECOMMENDATION

Conduct the public hearing.

SUPPORTING DOCUMENTS (ATTACHED)

- Locator maps
- Design Adjustment Worksheet
- Council Policy Resolution PR 48-06A
- Ballenger Lane - ROW Plans for City Project
- Site Plans

SITE CHARACTERISTICS

Area (acres)	13.42
Topography	Generally slopes away from center of lot
Vegetation/Landscaping	Significant wooded areas, turf
Watershed/Drainage	Middle Hinkson Creek
Existing structures	Church

HISTORY

Annexation date	1969
Zoning District	R-2
Land Use Plan designation	Neighborhood District
Previous Subdivision/Legal Lot Status	Land in Limits

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 of a public information meeting, which was held on September 11, 2018.

Public information meeting recap	Number of attendees: 1 (applicant) Comments/concerns: NA
Notified neighborhood association(s)	Meadowlands HOA, Zaring NOA, Hominy Branch NOA
Correspondence received	None at time of report.

Report prepared by Clint Smith

Approved by Patrick Zenner