



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: November 6, 2017

Re: Supplemental Memo - 2301 Primrose Sidewalk Waiver (Case #17-157)

## Executive Summary

Approval of this request would waive the requirement to construct sidewalks along the public right of way.

## Discussion

This request was tabled at the September 5, 2017 City Council following a presentation by the applicant requesting that a payment in lieu of construction of approximately 60 feet of required sidewalk valued at \$10,890 be accepted (\$181.50 per lineal foot). Justification of the payment in lieu was to avoid the removal of a large tree within the path of the future sidewalk. There was some interest among Council members in preservation of the existing tree, a large multi-stemmed Sycamore. Council requested that staff evaluate alternative designs that may avoid the removal of the tree and recommend a possible solution that used the existing public right of way. The item was tabled to the November 6, 2017 meeting.

Attached to this report is the alternative preferred design ("Street Bump-out") and cost estimate developed by the City's Public Works Department. The \$74,827 estimate is larger in scope than the 60 lineal foot, 300 square foot of sidewalk estimate submitted by the applicant. The sidewalk would begin where existing sidewalk ends, and it would terminate at the driveway on the neighboring property to the west, requiring 874 square feet of sidewalk. This design exceeds the minimum required improvements that the applicant would be required to make under the provisions of the Development Code. As such seeking full payment for such improvements as a fee-in-lieu of the applicant's obligations is not permissible. If Council so chooses to grant the sidewalk waiver using this design, the applicant's proposed fee-in-lieu of payment could be applied against the overall project costs.

It should be further noted that the applicant has provided a cost estimate for construction of the required sidewalk in its standard location (60 lineal feet x 5 foot width = 300 square feet). For the purposes of comparison, the City's Public Works Department has put together the City's anticipated costs for a standard location, resulting in an estimate of \$76,356. Once again the city estimate is for a project larger in scope, requiring 801 square feet of concrete sidewalk and extending from the end of the existing sidewalk to the neighboring driveway.

Besides the scope of the project, the difference in cost estimates is partially a result of requirements for prevailing wage rates as well as standardized costs not always applicable to private construction.



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

If an equitable payment in lieu of construction is sought, it is staff's opinion that the applicant's contribution should be a proportionate share of the City's cost to construct the standard improvements. In essence, approval of the waiver means the City will be building the improvements either as required by the Development Code or in some alternate manner determined by Council at a later date. The City is under no obligation to waive standard construction. If the applicant is unsatisfied with this recommended course of action they can withdraw their request and install the sidewalk as required, at their expense, which they have estimated at a cost of \$10,890.

Neither staff nor the applicant has produced any other alternatives, such as an alternative that uses a portion of the street surface as a pedestrian path.

Copies of the City's "Street Bump-out" and "Standard Location" sidewalk diagrams and costs estimates are attached for review.

## Fiscal Impact

Short-Term Impact: NA

Long-Term Impact: NA

## Strategic & Comprehensive Plan Impacts

### Strategic Plan Impacts:

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

### Comprehensive Plan Impacts:

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

## Legislative History

Date	Action
NA	NA

## Suggested Council Action

This memo is to provide additional information.