



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: June 3, 2024

Re: Design Adjustment – Ridgeway Subdivision Plat 2 (Case #138-2024)

## Executive Summary

Approval of this request will grant a waiver from Section 29-5.1(d) of the UDC as it pertains to the required construction of sidewalks on the street frontage of any newly-platted lot. This request is being considered concurrently with the final plat (Case # 101-2024) to be known as "Ridgeway Subdivision Plat 2." The subject property is addressed as 811 W. Broadway and the location of the sidewalk to be waived is along its N. Greenwood Avenue frontage.

## Discussion

Brush & Associates (agent), on behalf of Lisa Kulage (owner), are seeking approval of a design adjustment from Section 29-5.1(d) of the UDC pertaining to the required installation of sidewalks along street frontages whenever a new lot is created. The request was triggered by the property owner's desire to subdivide 811 W. Broadway into two lots, in an effort to activate the undeveloped approximate northern 70-feet of the overall parcel and create the opportunity to have it improved with a "small" footprint home on its own lot.

The applicant states that requiring the construction of the required sidewalk along the overall parcel's N. Greenwood Avenue frontage would be cost-prohibitive due to its length, improvements needed to address topographic and utility conflicts along N. Greenwood, and limited added value of the sidewalk when compared to the modest home that could be constructed on the newly created lot. If this request were approved it would waive the required installation of approximately 273-feet of sidewalk along the divided parcel's N. Greenwood Avenue frontage.

The subject lot is located at the northeast corner of the W. Broadway and N. Greenwood intersection. Sidewalk presently is in place along the W. Broadway frontage; however, no sidewalk is installed along N. Greenwood north of W. Broadway to Ash Street. Per the UDC, whenever a "new" lot is created sidewalk installation is required.

Section 29-5.2(b)(9) of the UDC provides five evaluation criteria which shall be considered when weighing a request for a design adjustment. The criteria (**in bold**) and staff analysis of each are outlined below.

- i. The design adjustment is consistent with the city's adopted comprehensive plan and with any policy guidance issued to the department by council;**

The requested design adjustment is not consistent with Columbia Imagined, which promotes the accommodation of non-motorized transportation and safe modes of



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interconnectivity throughout the city. Although Greenwood Avenue is not improved with sidewalks, installation of a new sidewalk would provide a route to the north from W. Broadway where pedestrians are not in the street, for at least 273 feet.

**ii. The design adjustment will not create significant adverse impacts on any lands abutting the proposed plat, or to the owners or occupants of those lands;**

No greater adverse impacts are anticipated from approval of the design adjustment as the status quo within the existing land use context would remain in place.

Currently no sidewalks exist on any stretch of Greenwood Avenue from Ash Street to Westwinds Drive.

**iii. The design adjustment will not make it significantly more difficult or dangerous for automobiles, bicycles, or pedestrians to circulate in and through the development than if the subdivision standards of section 29-5.1 were met;**

Approval of the design adjustment would simply perpetuate the existing non-compliant conditions. Waiver of required sidewalk installation would not make it significantly more difficult or dangerous for users of Greenwood than presently. The request for relief is being triggered by the desire divide a deep corner lot into two lots with limited additional vehicular traffic being anticipated.

**iv. The design adjustment is being requested to address a unique feature of the site or to achieve a unique design character, and will not have the effect of decreasing or eliminating installation of improvements or site features required of other similarly situated developments; and**

The parcel's location at the intersection of W. Broadway and N. Greenwood Avenue results in it being impacted by several unique features. N. Greenwood Avenue is located roughly 3-4 feet below the lot corner. This condition would likely require engineering and construction of a small retaining wall which is inconsistent with other parcels fronting N. Greenwood Avenue. Furthermore, overhead power lines and poles are installed on the east side of Greenwood that would conflict with standard placement of sidewalk within the right of way. Finally, a water meter and fire hydrant are located at the intersection of W. Broadway and N. Greenwood Avenue that would need to be located.

Given the parcel's corner lot location, it is deeper than most lots within the surrounding area. Additionally, given the location of the existing home on the parcel an excessive under-utilized rear yard exists. Based on these factors, the owner desire to maximize the use of the lot area and seeks to subdivide the property into compliant R-2 zoned lots. Had the subject lot not been located at a corner of two street and had the physical characteristics as it does this design adjustment would not have been requested. The parcel is unique as well as the conditions surrounding it.



**v. The design adjustment will not create adverse impacts on public health and safety.**

No greater significant adverse impacts on public health and safety are anticipated by granting the waiver. No sidewalk exists along N. Greenwood and the roadway has been in use with pedestrians walking within the travel lane for decades. The roadway is considered a residential street and many similarly situated residential streets in the surrounding environment function without dedicated pedestrian facilities.

In lieu of granting a full waiver requiring the construction of sidewalk, the Planning Commission and Council may consider the assessment of a “payment in lieu” of construction. “Payment in lieu” is typically associated with sidewalk variances along unimproved streets (Policy Resolution 48-06A); however, given N. Greenwood Avenue is considered an improved street (curb and gutter) these standards were not evaluated as part of this request. However, if the “payment in lieu” provisions of the resolution were applied to this request the resulting fee would be \$19,342.05. This fee is calculated by taking the total street frontage to be waived (273- feet) and multiplying that value by the two year average City sidewalk construction cost (\$70.85) per linear foot.

On May 9, 2024, the Planning & Zoning Commission held its public hearing on this matter. Staff presented its report, and the applicant’s representative gave an overview of the request noting that the resulting sidewalk on Lot 2 of the proposed plat would be nearly 900 feet from the intersection with Ash Street to the north. Commissioners asked for confirmation from staff whether sidewalk construction would be required on Lot 1 as well. Staff indicated that sidewalk construction would not be triggered on Lot 1 until the owner sought to make improvements on the lot that required a building permit. Upon their request for the permit, the sidewalk would have to be installed.

Commissioners also noted that infill and small lot activations will create a number of similar request moving forward. They added that the extent to which Greenwood is built-out was a primary consideration in their evaluation of the request, and that the City may need to consider adopting different mechanisms for triggering sidewalk construction and maintenance. Finally, the commission commented that the additional home, in this instance, is more important to addressing Columbia’s current housing needs than the 70-foot length of sidewalk. After limited additional discussion, the Commissioner made a motion to approve the requested design adjustment, which was approved by a vote of (5-1).

A copy of the Planning and Zoning Commission staff report, locator maps, design adjustment worksheet, proposed final plat, and meeting minute excerpts are attached for review.



## Fiscal Impact

Short-Term Impact: None anticipated within the next two years. Public infrastructure extension/expansion would be at the cost of the applicant.

Long-Term Impact: Public infrastructure maintenance associated with sanitary sewer as well as public safety and solid waste service provision. 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: Livable & Sustainable Communities, Tertiary Impact: Mobility, Connectivity, and Accessibility

## Legislative History

Date	Action
09/17/1945	Approved: Ridgeway's Subdivision

## Suggested Council Action

Approve the proposed design adjustment as recommended by the Planning & Zoning Commission.