

**AGENDA REPORT  
PLANNING AND ZONING COMMISSION MEETING  
December 5, 2019**

**SUMMARY**

A request by A Civil Group (agent) on behalf of Columbia Housing Authority (CHA) (owner) for approval of a two-lot final plat of R-MF (Multiple-family Dwelling) zoned property to combine 14 existing lots, constituting a replat of Lots 8-19 of Crouch's Addition and Lot 1 & 6 of Bergens Addition, to be known as Providence Walkway Plat 1, and an associated design adjustments to Sections 29-5.1(g), 29-5.1(d), 29-5.1(f)(3) and 29-5.1(c), of the Unified Development Code relating to additional right-of-way dedication, sidewalk construction, installation of street trees, and platting of a new lot line through an existing structure. The 3.68-acre property is located at the northwest corner of Providence Road and Park Avenue. (**Case #12-2020**)

**DISCUSSION**

The applicant is seeking to consolidate multiple lots from previous subdivision into 2 larger lots in order to better facilitate the redevelopment of the site. Per the applicant, the replatting is sought to accommodate the redevelopment of the site, which will include the demolition of the existing dwellings on Lot 101 and their reconstruction. As of this report no demolition permits have been requested and plans for the new structures have not been submitted. The applicant is also requesting four design adjustments to waive additional right-of-way dedication, sidewalk construction, installation of street trees, and permission to allow a new lot line through an existing structure, all of which are discussed later in this report.

The existing site is made up of all or portions of 14 lots, some of which conflict with existing building locations. Per the UDC, structures may not be constructed over lot lines so the consolidation is necessary for the redevelopment of the site. The future development layout, per the applicant, will be similar to the current site. Proposed Lot 101 would contain the reconstructed residential dwellings, existing CHA administrative offices, and existing laundry facilities. Lot 102 includes the JW "Blind" Boone Community Center.

Platting the property requires additional right of way dedication along Providence Road as well as dedication of standard utility easements. A new utility easement is being granted over the existing sanitary line within the site. The right of way dedication along Providence Road would range from approximately an additional 17 feet at the north portion of the property, down to about 12 additional feet at the south edge of the property; however, the applicant has requested such dedication requirements be reduced via a design adjustment more fully discussed below. The required dedication would cause four existing residential buildings on Lot 101 to encroach into the required setback from Providence Road (presumed to be the side yard) by approximately 3 to 7 feet. If the site were redeveloped, new buildings would need to be set back this additional distance.

In general, the replat will consolidate the existing lots into two lots that will allow for new construction in the future. The combination of the lots will not create a development that is out of character with the surrounding residentially zoned property. It would also be consistent with the building form that is currently on the site. Staff finds that the requested replat will not eliminate any restrictions that have been relied upon by neighbors, is properly served by existing utilities, and will not be detrimental to the neighborhood.

**DESIGN ADJUSTMENTS**

Section 29-5.2(b)(9) of the UDC includes the following criteria for considering design adjustments to

Section 29-5.1 (Subdivision Standards) of the UDC. The Director and Commission may recommend approval of a design adjustment if it determines that the criteria for granting such adjustment have been met.

***Design Adjustment from Section 29-5.1(c)(4) and Appendix A (Street Standards), Section 3(a) (Street Widths)***

The applicant is requesting a design adjustment to reduce the amount of right of way dedication along Providence Road, which requires a minimum 53-foot half-width for a major arterial. The requested design adjustment seeks to reduce the dedication from approximately 17 feet to 1 foot at the northeast corner of the property and tapering the dedication from approximately 12 feet to 5 feet at the southeast corner of the property. The site is currently improved with 64 dwelling units; however, due to the required right of way dedication the permissible number of reconstructed dwelling units would be reduced to 59. This reduction is due to the parcel's R-MF zoning which requires a minimum of 2500 square feet of lot area per dwelling unit

The applicant has also submitted an exhibit (attached) that proposes to shift the MoDOT established centerline of Providence Road eastward. When additional right of way dedication is required it is based on the location of the defined roadway centerline. As seen in the attached exhibit, the red lines reflect the applicant's proposed centerline which, if approved, would reduce required dedication upon the subject property. At this time, the City's Public Works Department does not support the shift in the centerline, and does not support the waiver of right of way dedication for the following reasons:

1. Would result in acquisition of less right of way than is required for streets identified as a major roadway (i.e., major arterial) and would be inconsistent with the Major Roadway Plan;
2. The design adjustment as proposed would require that the property owners on the east side of the street (City of Columbia, Columbia Public Schools) to dedicate more right of way than what would currently be required, which could be considered an adverse impact. Furthermore, as redevelopment occurs in this area and within the downtown core, additional traffic will be generated, which may increase the need for better transportation infrastructure for vehicles, including public transit, bikes, and pedestrians. Not having adequate right of way to make future improvements may have an adverse impact on residents traveling through this area. .
3. Obtaining the additional right of way will allow the City to make future improvements to the roadway that may address issues of circulation and safety. While there are no immediate plans to improve the roadway, obtaining right of way at the time of platting ensures that the right of way is in place when future improvements are warranted and eliminates the possibility that structures may be constructed within the right of way that may need to be acquired or potentially relocated increasing overall project costs.

Pursuant to the UDC, when property along a street with substandard right of way is replatted it is required to dedicate the additional half-width right of way to make improvements (immediate or future) consistent with the roadway designation as assigned by the Major Roadway Plan. The assignment of roadway classification is not based solely on the current role of the street, but also of its expected role as traffic increases due to surrounding development or redevelopment.

4. The impact of requiring the additional right of way dedication would not be specifically unique to

this property. Other properties along Providence Road and other major arterials that have been recently replatted have experience similar dedication requirements. Granting the design adjustment would impact the ability of the City to install roadway improvements in the future and in turn negatively impact the public through potential increases in acquisition costs or less efficient and safe travelways.

5. See #3.

***Design Adjustment from Section 29-5.1(d) of the UDC (Sidewalks; Standard Requirements)***

Per the UDC Section 29-5.1(d)(2)(i), sidewalks are required to be constructed on lots within this replat. There is an approximately 180-foot length of Lot 101 along Switzler Street that currently does not have sidewalks. The area in question extends from the northwest corner of the lot (at the intersection of Switzler and Trinity to the existing drive entrance for the site along Switzler. The applicant's are requesting to fully waive the required sidewalk for this area.

1. Below is a listing of comprehensive plan provisions that address sidewalks:

Columbia Imagined: Under the "Livable and Sustainable Communities" goal (page 144), the strategy for Policy Two is to "Identify service gaps and support zoning and development decisions to provide walkable local commercial service and employment nodes". Granting a variance contradicts this goal.

Columbia Imagined: Under the "Mobility, Connectivity, and Accessibility" goal (page 148), the strategy for Policy One is to "encourage interconnectivity between neighborhoods, commercial districts, and employment centers using non-motorized transportation networks". Granting a variance contradicts this goal.

2. The design adjustment will create adverse impacts on surrounding property owners, as pedestrians will be required to walk on the street pavement for the portion of the sidewalk not installed.
3. The design adjustment will make it more dangerous for pedestrian circulation, as pedestrians will be required to walk on the street pavement for the portion of the sidewalk not installed given the terrain.
4. The applicant has stated that the request is meant to address the grades created by the existing building at the northwest corner of the site. The building is elevated to address the fact that the site is in the floodplain. Furthermore, between the building and Switzler the grade of the land is steep enough to require a retaining wall.

Staff inspected the site and determined that the aforementioned grade issue impacts approximately 60 feet of the approximately 180-foot sidewalk waiver distance. The remaining 120 feet distance could be constructed without grade issues. Furthermore, even though the grade is not flat for the other 60 feet, staff estimated that a short retaining wall (around 2 feet) is all that would be necessary to allow the construction of the sidewalk. This is not an uncommon requirement for sidewalk construction within developments, as many sites experience varying grades on which sidewalks must be constructed, and would not be considered a unique design issue.

5. The provision of sidewalks along this street frontage would increase public safety, health and welfare by accommodating separation of pedestrians and motor vehicles. Pedestrian safety should take priority over the preservation of existing vegetation.

***Design Adjustment from Section 29-5.1(g)(3) (Street Trees)***

The applicant is requesting a complete waiver from the requirement to plant street trees every 40 feet along the rights of way to which the subject property has frontage upon. The applicant has stated that they may leave many of the trees currently existing on the site, but would like the flexibility to remove certain trees during the reconstruction of structures without the requirement to replace them. As a note, the site is considered compliant with the current street tree requirements, so no additional trees would be required. As of this report's preparation, no building or site plans have been submitted for this site and the applicant was not able to identify specific trees that they may like need to be removed. Given the uncertainty of the impact that redevelopment may create staff believes this request is premature. Given the structure of the requested design adjustment, if approved, the site would not require any street trees, thereby allowing all of them to be removed at the applicant's discretion.

1. While not specifically identified in Columbia Imagined, the Environmental Management section includes goals under which street trees may fall. The strategy for Policy Two (Prepare a "Green Infrastructure" Plan) is to "Acknowledge opportunities for environmental preservation and enhancement within the City". Presuming that the inclusion of street tree requirements in the UDC was likely in fulfillment of these goals, granting a variance would contradict this goal.
2. Street trees are intended to provide aesthetic appeal, as well as provide practical benefits such as shade for those traveling along sidewalks. Waiver of the requirements could impact anyone walking along the sidewalks that abut the property, including residents and surrounding owners.
3. Waiving street trees would not make travel through the development more difficult.
4. Street trees are a requirement for other developments and the waiver request does not appear to be addressing a unique site or design feature.
5. See #3.

***Design Adjustment from Section 29-5.1(f)(3) of the UDC (Lot Lines)***

Per the UDC Section 29-5.1(f)(3), no structure may be constructed across a lot line. A new lot line is being proposed between proposed Lot 101 and 102 that divides the existing parking lot, which by UDC definition is considered a structure; therefore, is not permitted.

Upon review of the design adjustment worksheet, staff concurs with the applicant's findings and supports the request. The requested location of the new lot line (approximately down the center of the parking lot drive aisle) is reasonably located and does not arbitrarily bisect parking spaces. Allowing a lot line over the parking lot does not appear to be detrimental to the site, or in conflict with the standards for granting a design adjustment.

**CONCLUSION**

Upon review of the requested design adjustments, staff has concluded that the circumstances surrounding the requests for reduction of required right of way dedication and waiver of sidewalk and street tree installation fail to meet the criteria established for design adjustment approval. Staff does find that the platting of a lot line across the parking lot can be granted.

The proposed final plat has been reviewed by staff and aside from the requested design adjustment and some minor technical corrections it meets all requirements of the Unified Development Code.

**RECOMMENDATION**

The following recommendations are provided:

1. Denial of the design adjustment to Section 29-5.1(c)(4) and Appendix A (right-of-way), 29-5.1(d) (sidewalks), and 29-5.1(g)(3) (street trees).
2. Approval of the design adjustment for 29-5.1(f)(3) (Lot lines over structures).
3. Denial of the final plat for *Providence Walkway Plat 1* as it is not consistent with Section 29-5.1(c)(4) and Appendix A (right-of-way), 29-5.1(d) (sidewalks), and 29-5.1(g)(3) (street trees).

**Alternatively**, if the Commission supports the requested design adjustments the plat could be recommended for approval, subject to minor technical corrections.

**SUPPORTING DOCUMENTS (ATTACHED)**

- Locator maps
- Final Plat
- Design Adjustment Worksheet
- Providence Road Right of Way Exhibit

**SITE CHARACTERISTICS**

<b>Area (acres)</b>	3.68
<b>Topography</b>	Generally flat
<b>Vegetation/Landscaping</b>	Turn, perimeter trees
<b>Watershed/Drainage</b>	Flat Branch
<b>Existing structures</b>	Multi-family dwellings and accessory structures

**HISTORY**

<b>Annexation date</b>	1826
<b>Zoning District</b>	R-MF
<b>Land Use Plan designation</b>	Neighborhood, Open Space/Greenbelt
<b>Previous Subdivision/Legal Lot Status</b>	Lots 8-19 of Crouch's Addition and Lot 1 & 6 of Bergens Addition

**UTILITIES & SERVICES**

<b>Sanitary Sewer</b>	City of Columbia
<b>Water</b>	City of Columbia
<b>Fire Protection</b>	City of Columbia
<b>Electric</b>	City of Columbia

**ACCESS**

<b>Providence Road</b>	
<b>Location</b>	Along the east side of property
<b>Major Roadway Plan</b>	Major Arterial; MoDOT maintained (106-110-foot ROW required; 53-55 half-width required) Design adjustment request for ROW.
<b>CIP projects</b>	None
<b>Sidewalk</b>	Sidewalks present

<b>Switzler Street</b>	
<b>Location</b>	Along the north side of property
<b>Major Roadway Plan</b>	NA; local residential (50-foot ROW required; no additional ROW dedicated)
<b>CIP projects</b>	None
<b>Sidewalk</b>	Sidewalks partially present; Design adjustment requested for unbuilt portion

<b>Trinity Place</b>	
<b>Location</b>	Along the west side of property
<b>Major Roadway Plan</b>	NA; local residential (50-foot ROW required; no additional ROW dedicated)
<b>CIP projects</b>	None
<b>Sidewalk</b>	Sidewalks present

<b>Park Avenue</b>	
<b>Location</b>	Along the south side of property
<b>Major Roadway Plan</b>	NA; local non-residential (66-foot ROW required; no additional ROW dedicated)
<b>CIP projects</b>	None
<b>Sidewalk</b>	Sidewalks present

**PARKS & RECREATION**

<b>Neighborhood Parks</b>	Within half mile of Armory Sports and Recreation Center, Douglass Park, Downtown Optimist Park, MKT Nature and Fitness Trail, Flat Branch Park
<b>Trails Plan</b>	None within half mile
<b>Bicycle/Pedestrian Plan</b>	None

**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 November 12, 2019.

<b>Public information meeting recap</b>	Number of attendees: 1 (including 1 applicant) Comments/concerns: None.
<b>Notified neighborhood association(s)</b>	None.
<b>Correspondence received</b>	None to date.

Report prepared by Clint Smith

Approved by Patrick Zenner