

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
December 10, 2020**

SUMMARY

A request by A Civil Group (agent), on behalf of Mary and William Gadbois (owners), for approval of a 1-lot final minor plat to be known as "Vawter School Plat 1". The applicant also requests a design adjustment from section 29-5.1 of the UDC relating to sidewalk construction. The property is located on the southern side of Vawter School Road approximately 1600 feet east of Scott Boulevard. The 0.5-acre property is zoned R-1 (One-Family Dwelling) and addressed 3900 Vawter School Road. (**Case # 26-2021**).

DISCUSSION

The applicant is seeking approval of a one-lot final minor plat that would bestow legal lot status on an unplatted tract of land that is currently improved with a single-family structure and accessory garage for the purposes of facilitating future single-family home construction. A demolition permit has been granted for these structures. The site takes access from Vawter School Road and is located approximately 1600' east of the Scott Boulevard and Vawter School Road intersection.

The site has frontage along one street, Vawter School Road, which is identified as a major arterial on the CATSO Major Roadway Plan. Additional right-of-way is proposed for dedication along this frontage to provide the required 55-feet of half-width based on the currently accepted Vawter School Road centerline which matches the Copperstone development to the west. Access to the site will be maintained along W Vawter School Road.

The existing garage at the rear of the property is located within 1' of the southern property line. This location following the platting action would be considered a legal non-conformity pursuant to the Unified Development Code's setbacks for the R-1 zoning district. The structure will be permitted to remain on the site following platting; however, cannot be expanded in any manner which increases its present level of non-conformity. Approval of the plat will not create any additional non-conformities with respect to the R-1 district standards.

Sidewalks would be required to be constructed along the Vawter School Road frontage pursuant to this platting action. A design adjustment, discussed below, has been submitted seeking waiver of this requirement; however, due to topographical conditions, utility considerations and future public improvements to Vawter School Road.

Redevelopment of the site will require a sanitary sewer extension of approximately 360-feet. The plat reflects a 16-foot sewer easement for the extension and construction plans have been submitted to the Sewer Utility review. No other additional utility extensions are necessary at this time. Existing street and utility easements are shown on this plat. Standard utility easements are also being dedicated with this plat.

Design Adjustment – Sidewalk on Unimproved Street

This requested design adjustment is from Section 29-5.1(d) of the UDC, which requires sidewalk construction in conjunction with new construction along a major arterial street. The request has been submitted, according the applicant, due to topographic and existing utility conflict issues. The applicant's initial submission proposed to place the required sidewalk in an alternative/non-standard location; however, following initial plat review it was determined that such location would not be

acceptable to the City. As such, the applicant refiled the design adjustment seeking to obtain approval of the waiver via s payment of a fee in lieu of construction.

In evaluating the requested design adjustment, staff considered the following scenarios:

- A. Construct at the standard location which will require major utility relocation
- B. Construct where the applicant has proposed, via design adjustment, which will require all of this sidewalk to be torn out when the road is expanded to major arterial standards
- C. Construct at an alternative location somewhere in between which would likely lead to a significant amount of retaining walls that makes more sense to construct if/when this portion of Vawter is widened.

Public Works suggested a payment-in-lieu of the construction of sidewalk given none of these alternatives are practical at this time and considering that Vawter School Road would be improved in the future which includes sidewalk construction. Additionally, any future road improvement for Vawter School Road would not have the sidewalk in the location as originally proposed. Approving the alternative location would encourage future sidewalk to the east to also be constructed in a non-standard location with respect to City standards.

The applicant agreed with staff's recommendation for payment-in-lieu and submitted justification for granting the adjustment which is attached.

Policy Resolution 48-06A Criteria

In addition to using the UDC's standard criteria for a typical design adjustment, the criteria from Council Policy Resolution 48-06A (attached) 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 claims that it is impossible to determine the cost of constructing a sidewalk at the standard cross section location at this specific location, without a full engineering plan for construction of the sidewalk. If it is determined that a fee-in-lieu of construction is required for approval, that fee would be \$72.36 per linear foot for the 158' frontage totaling in \$11,436.04.

Given the practical scenarios for sidewalk construction, it is anticipated that total costs would exceed this total due to major utility relocation, removal and reconstruction of sidewalk at a later date, or installation of retaining walls. While staff would be more comfortable making a determination based on comparisons between costs of alternative locations and project cost, staff is supportive.

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

Sidewalks are not feasible without major utility relocation or design adjustments inconsistent with the standard location.

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

The area is somewhat developed, with the properties to the west and to the north across Vawter School Road. To the east, where a 2800' gap in sidewalk exists on the southern frontage, the area is largely

undeveloped. Construction of sidewalk at this location would fill in approximately 158' or 5.6% of the gap in sidewalk on the south side of the roadway. Half the sites along this eastern section are either located outside the city limits or also face similar challenges. Farther to the east on the north frontage of the road, there is a sidewalk gap of approximately 3600'.

Vawter School Road is classified as a major arterial and is expected to accommodate higher volumes of traffic than local streets. It is expected to carry >15,000 ADT per the City's standard designs. The most recent traffic count (2019) reported 10,544 ADT on this section.

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

The Copperstone development to the west is within walking distance (1/4 mile, typically) and is presently connected to the site via sidewalk. There are no other pedestrian generators within walking distance although two parks and a trail connection are approximately 1/2 a mile away. However, this site is connected to those amenities via existing sidewalk.

UDC Criteria

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

Overall, sidewalks are consistent with the City's Comprehensive Plan. However, this request is for payment-in-lieu of construction which is consistent with ensuring that developers pay their fair share of costs for infrastructure.

- **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;**

The original proposed location for sidewalk would create adverse impacts on property to the east by requiring them to seek similar remedies by constructing sidewalk in a non-standard location. The payment-in-lieu option does not create any adverse impacts.

- **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;**

As there is currently not sidewalk on this frontage and there is a gap of 2800' to the east, the request for a payment-in-lieu would not make it significantly more difficult or dangerous for any mode of transportation for the purposes of circulation.

- **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 payment-in-lieu option significantly addresses issues regarding utility relocation, topography, and potential future improvements to Vawter School Road which might require the City to incur additional costs if sidewalk is installed today and required to be reconstructed in the future.

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

None is anticipated as there would still be an approximate 2650' sidewalk gap to the east.

Conclusion

Staff finds that sidewalks are appropriate for the area but are highly impractical at this time. Ultimately, there is not a great solution as to the question of where to place this sidewalk in the interim until the road is eventually widened. This request for a payment-in-lieu of sidewalk construction meets the policy resolution and UDC criteria for granting relief and is believed by staff to be the best alternative.

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 \$72.36/foot of sidewalk. If the Commission found that sidewalks were not warranted, a full waiver could be recommended.

RECOMMENDATION

Approve the recommended design adjustment to 29-5.1 of the UDC relating to payment-in-lieu of sidewalk construction and approve the final plat to be known as “Vawter School Plat 1”

ATTACHMENTS

- Locator Maps
- Final Plat
- Policy Resolution 48-06A
- Design Adjustment Worksheet

HISTORY

| | |
|--|--------------|
| Annexation date | 1998 |
| Zoning District | R-1 |
| Land Use Plan designation | Neighborhood |
| Previous Subdivision/Legal Lot Status | Unplatted |

SITE CHARACTERISTICS

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|-------------------------------|---|
| Area (acres) | 0.5 |
| Topography | Structure is on a flat tract; tract slopes downward to the north and east |
| Vegetation/Landscaping | Turf/Natural and a variety of trees |
| Watershed/Drainage | Hinkson Creek |
| Existing structures | One existing home and one accessory structure |

UTILITIES & SERVICES

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|------------------------|------------------|
| Sanitary Sewer | City of Columbia |
| Water | City of Columbia |
| Fire Protection | City of Columbia |
| Electric | Boone Electric |

ACCESS

| Vawter School Road | |
|---------------------------|---|
| Location | North side of property |
| Major Roadway Plan | Major Arterial |
| CIP projects | N/A |
| Sidewalk | 20' existing; none along remaining frontage |

PARKS & RECREATION

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|--------------------------------|---|
| Neighborhood Parks | MKT-Scott Blvd and Jay Dix Station approximately ½ mile to the northwest |
| Trails Plan | Proposed Tertiary - Mill Creek Trail approximately ½ mile away MKT Trail ½ mile away |
| Bicycle/Pedestrian Plan | Key Roadway – Vawter School Road |

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 via an advanced notification postcard which was mailed on November 9, 2020. **8** postcards and property owner letters were sent.

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| Public Notification Responses | Three general inquiries – no concern or approval |
| Notified neighborhood association(s) | Copperstone HOA; Spring Creek HOA |
| Correspondence received | N/A |

Report prepared by Brad Kelley

Approved by Patrick Zenner