

**AGENDA REPORT  
PLANNING AND ZONING COMMISSION MEETING  
July 5, 2018**

**SUMMARY**

A request by Engineering Surveys and Services (agent), on behalf of OTA Properties (owner), for approval of a one-lot replat to be known as "OTA Subdivision Plat 1" and approval of design adjustments from Sections 29-5.1(c)(4) and 29-5.1(g)(4) of the UDC pertaining to dedication of additional right-of-way and the provision of public utility easements, respectively. The subject site contains .52 acres and was formally platted as Lot 25 and the south sixty (60) feet of Lot 24 of Harbison's Second Addition. **(Case 18-133)**

**DISCUSSION**

The applicant is seeking approval to replat Lot 25 and the south sixty (60) feet of Lot 24 of Harbison's Second Addition into a single lot. The plat is required to eliminate construction across building lines, and is in advance of future site redevelopment. The plat is being considered concurrently with Case #18-132, which would rezone the property from I-G (Industrial) to M-N (Mixed Use- Neighborhood) to allow a three-story mixed use building.

The applicant is also seeking two design adjustments. The first adjustment seeks partial waiver of the required dedication of right of way (ROW) on Fay Street. The second adjustment is to waive the requirement to dedicate a ten (10) foot utility easement along Fay Street.

**Design Adjustments**

The Commission may recommend approval of a design adjustment if it determines that the following criteria have been met (Section 29-5.2(b)(9)):

1. The design adjustment is consistent with the City's adopted comprehensive plan and with any policy guidance issued to the Department by Council;
2. 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;
3. 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;
4. 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
5. The design adjustment will not create adverse impacts on public health and safety.

***Design Adjustment #1: Required ROW Dedication***

The applicant is requesting a partial design adjustment from Section 29-5.1(c)(4)(ii) and Appendix A of the UDC, which requires the dedication of additional right-of-way to ensure that substandard streets contain the required half-width to meet the City's street standards. Fay Street is a local non-residential street with 40 feet of ROW (20-foot half-width) adjacent to the subject property. Designs for local non-residential roadways require between 60 and 66 feet of ROW width and between 30 to 36 feet of pavement width. With the plat, the applicant proposes to dedicate an additional five (5) feet of ROW to bring the street up to a 25 foot half-width of ROW along the property's frontage, five feet short of the minimum required dedication. The existing street pavement width is 32 feet wide.

The City's Public Works staff has evaluated the ROW design adjustment and supports the request. Such support is given based on the fact that the proposed dedication will match the ROW on the adjacent property to the south. Additionally, the additional ROW should be sufficient to allow the required sidewalk for Fay Street to be constructed within the public ROW.

***Design Adjustment #2: Required 10 Foot Utility Easement***

The applicant is also requesting a design adjustment from Section 29-5.1(g)(4) and the design standards in Appendix A of the UDC, which require the dedication of a ten (10) foot utility easement adjacent to all public streets. The applicant is requesting relief from this standard along Fay Street.

The UDC describes that, to the extent possible, utilities shall be located in designed easements and not in the street right-of-way. However, in this case as well as many other developed areas of the City, and especially commonplace in the urban core, utilities are located in the street right of way. The Utilities Department has evaluated the request and supports the waiver due to the existing utility locations.

This requested waiver is further sought to support the applicant's request for redevelopment of the subject site to occur utilizing the M-N "Pedestrian Standard". Authorization to utilize the "Pedestrian Standard" is subject to Board of Adjustment review and approval (per Section 29-6.4(j)) which is predicated on successfully obtaining Council approval to rezone the subject property to M-N (Case #18-132). The "Pedestrian Standard" would allow a zero-foot front yard setback and is intended to accommodate pedestrian-oriented retail with walkable connections to surrounding neighborhoods (Section 29-2.2(2)(i)&(ii)).

Should the requested design adjustment not be granted, new building(s) would be required to locate behind the ten-foot utility easement. This would negate the benefit of pulling a future structure up to the property line provided the "Pedestrian Standard" is approved. Should the "Pedestrian Standard" not be approved the 10-foot utility easement would be located within the standard 25-foot front yard setback of the M-N district. Regardless if the "Pedestrian Standard" is approved or not approved, the applicant is required to build adequate sidewalk along the Fay Street frontage.

After considering Public Works and Utilities staff's review of the requested design adjustments, the existing site conditions and the built environment, and the information submitted by the applicant staff supports the approval of the full waiver of the utility easement dedication and the partial waiver of the dedication of ROW.

Overall, there are no plans at present to improve Fay Street beyond its existing footprint, and the plat brings the area into closer compliance through the partial dedication of ROW and the requirement to build adequate sidewalk. The requests are not inconsistent with the Comprehensive Plan, are not detrimental to public safety or injurious to other properties, and do not negatively affect the circulation of the site.

However, it should be noted that sewer capacity within this sewer basin has been identified as a concern. As of writing this staff report the City Utilities Department is working with the applicant to monitor sewer capacity and flow for the area with the understanding that building permits for any redevelopment activity shall not be issued unless it is determined or mitigation actions produce an adequate sewer capacity to support the proposed redevelopment. This action is consistent with provisions contained within Section 29-6.4(b)(5) of the UDC.

**RECOMMENDATION**

The proposed replat has been found to comply with the provisions of the UDC with the exception of the requested design adjustments. Staff recommends approval of the proposed replat subject to approval of the design adjustments as follows:

1. Approval of the design adjustment to Sections 29-5.1(c)(4) waiving full half-width dedication in lieu of provision of an additional 5-feet of half-width as depicted on the attached plat; and
2. Approval of the design adjustment to Section 29-5.1(g)(4)

**SUPPORTING DOCUMENTS (ATTACHED)**

- Locator maps
- Final Plat
- Design Adjustments Request

**SITE CHARACTERISTICS**

<b>Area (acres)</b>	.52 acres
<b>Topography</b>	Flat
<b>Vegetation/Landscaping</b>	Urban environment
<b>Watershed/Drainage</b>	Hinkson Creek
<b>Existing structures</b>	one-story building and asphalt parking lot

**HISTORY**

<b>Annexation date</b>	1906
<b>Zoning District</b>	I-G (Industrial)
<b>Land Use Plan designation</b>	City Center
<b>Previous Subdivision/Legal Lot Status</b>	Lot 25 and the south sixty (60) feet of Lot 24 of Harbison's Second Addition to the City of Columbia

**UTILITIES & SERVICES**

All utilities and services provided by the City of Columbia.

**ACCESS**

<b>Fay Street</b>	
<b>Location</b>	Along eastern edge of property
<b>Major Roadway Plan</b>	Local non-residential
<b>CIP projects</b>	N/A
<b>Sidewalk</b>	Required for platting action

**PARKS & RECREATION**

<b>Neighborhood Parks</b>	Closest park is Field Park
<b>Trails Plan</b>	Colt RR Trail
<b>Bicycle/Pedestrian Plan</b>	Colt RR Trail

**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 June 12, 2018. 14 postcards were sent.

<b>Public information meeting recap</b>	Number of attendees: 2 (including 1 applicant) Comments/concerns: Seeking information on proposed redevelopment (Columbia College representative)
<b>Notified Neighborhood association(s)</b>	Benton Stephens Neighborhood Association; North Central Columbia Neighborhood Association; NCCNA/Shoe Factory District Neighborhood Association
<b>Correspondence received</b>	Request for information by the Benton Stephens Neighborhood Association

Report prepared by Rachel Bacon

Approved by Patrick Zenner