



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: September 8, 2020

Re: Boone Electric Plat 2 – Design Adjustments (utility easement location and a structure over a lot line) (Case #135-2020)

## Executive Summary

Approval of this request would grant two design adjustments from Section 29-5.1 of the UDC. The first adjustment would be to allow a portion of the standard 10-foot utility easement along the parcel's Range Line Street frontage to be moved to an alternative location further from the right of way to avoid a site feature (i.e. heritage tree). The second adjustment would be to allow a structure (a driveway) to be constructed over a lot line. The requests are under concurrent review with a proposed 19.22-acre one-lot final minor plat to be known as "Boone Electric Plat 2".

## Discussion

McClure Engineering (agent), on behalf of Boone Electric Cooperative (BEC) (owner), is seeking two design adjustments in conjunction with their requested final minor plat known as "Boone Electric Plat 2" which is being concurrently reviewed on the Council's September 8 agenda. The 19.22-acre subject property is located on the west side of Range Line Street, north of the Business Loop 70 and south of I-70, and addressed as 1413 Range Line Street. The concurrently submitted plat, if approved, would bestow legal lot status on the acreage which is required prior to the issuance of permits. BEC intends on making improvements to the Boone Electric Campus in accordance with their master plan.

The first design adjustment request is approval of a variance to Section 29-5.1 (g) (4) of the UDC to allow a portion of the required Range Line Street 10' utility easement dedication to occur in a location that is not adjacent to the street ROW as required by the Code. The requested deviation is in the vicinity of the large tree used for public functions on the Range Line Street frontage. The plat reflects the location of the tree and a jog of the utility easement around the tree only. The location of the remaining required utility easements are adjacent to the back of the ROW and meet UDC requirements.

The second design adjustment to permit a structure (a driveway) to cross the southern boundary of the lot, which is not permitted by the UDC. Specifically, this request is a design adjustment from Section 29-5.1 (f) (3) of the UDC; a driveway is defined by the UDC as a structure.

In terms of the first desired design adjustments, the applicant has submitted correspondence expressing a desire to provide the required utility easement, but also a desire to protect the health of the tree. Staff has reviewed the request and has no concerns with the alternative location. The additional dedication of the required ROW along Range Line Street provides area for the placement of future utility needs. Furthermore, the request is narrowly tailored to reflect an existing condition/unique site feature. It should be noted that the tree is seen as a heritage amenity to the Cooperative, the public, and provides aesthetic appeal, cultural



significance as well as provides practical benefits such as shade for those traveling along sidewalk.

The second requested design adjustment is sought to permit internal connectivity and accessibility to several buildings sited over three adjacent parcels owned by Boone Electric Cooperative, as shown on the demonstrative plan included with the design adjustment worksheet. There are no buildings proposed to cross the southern lot line of the site – only driveway connections. If future building construction is proposed over the southern property line onto the adjoining lots the applicant would be required to prepare a consolidation plat.

Upon review of the design adjustment worksheets submitted by the applicant, staff concurs with the applicant's findings and supports both requests. Overall, the requests do not appear to be detrimental to the site, or in conflict with the standards for granting design adjustments. Additionally, the requests are found to be consistent with the Columbia Imagined Comprehensive Plan, including goals for Livable and Sustainable Communities, connectivity and accessibility, and the Environmental Management section's goals for tree preservation.

The Planning and Zoning Commission considered these requests at their August 6, 2020 meeting as part of its review of the plat. Staff presented its report and the applicant gave an overview of their requests. No member of the public spoke during the public hearing. Following limited discussion, a motion to approve the plat and both requested design adjustments passed (8-0).

The Planning Commission staff report, locator maps, design adjustment worksheets, final plat, and meeting minute excerpts are attached.

### Fiscal Impact

Short-Term Impact: N/A

Long-Term Impact: N/A

### Strategic & Comprehensive Plan Impact

[Strategic Plan Impacts:](#)

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

[Comprehensive Plan Impacts:](#)

Primary Impact: Land Use & Growth Management, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

### Legislative History

| Date | Action |
|------|--------|
| NA   | NA     |

### Suggested Council Action

Approve the design adjustments to Section 29-5.1 (g) (4) and Section 29-5.1 (f) (3) as recommended by the Planning and Zoning Commission.