



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: June 5, 2023

Re: Hidden Haven Plat 1 – Stadium Boulevard sidewalk waiver (Case #271-2022)

Executive Summary

This request would approve a waiver of the required installation of approximately 535-feet of sidewalk along a proposed lot's roadway frontage with Stadium Boulevard (an expressway) as permitted by Section 29-5.1(d)(2)(v) of the UDC. This request is being considered concurrently with a proposed one-lot final plat to be known as Hidden Haven Plat 1 which appears as a separate agenda item on the Council's June 5, 2023 meeting. The proposed lot contain 10.53 acres and is located northwest of the current western terminus of Westwinds Drive.

Pursuant to the provisions of Section 29-5.1(d)(2)(v), the Council is authorized to grant the requested waiver without such request being evaluated by the Planning and Zoning Commission given the parcel's location abutting a roadway classified as an "expressway".

Discussion

A Civil Group (agent), on behalf of Sonya Andreassen-Henderson (owner), is seeking approval to waive installation of approximately 535-feet of sidewalk located adjacent to Stadium Boulevard (an expressway) which is the partial roadway frontage of lots depicted on the final plat to be known as Hidden Haven Plat 1. The plat, is being concurrently presented along with a related rezoning (Case #142-2023) and conditional use permit (Case # 144-2023) request, each under separate cover, on the Council's June 5, 2023 agenda. The subject 10.53-acre parcel is located on the north side of Stadium Boulevard, approximately 500 feet east of College Park Drive, but accessed from the western terminus of Westwinds Drive and is addressed 1607 Westwinds Drive.

Approval of the sidewalk waiver would allow the platting of the 10.53-acre parcel without the installation of sidewalk along the parcel's approximate 535-feet of Stadium Boulevard (an expressway) frontage. An alternative available to an out-right waiver would be to require the applicant to pay a "fee-in lieu" value for the sidewalk to be waived. "Fee-in lieu" costs are based on the City's 2- year average cost of constructing sidewalk multiplied by the street frontage of the subject site. In this instance, the 2-year average cost is \$70.85/linear foot and the length of the subject site's frontage seeking waiver is 535-feet. Based on the defined calculation procedure, the applicable "fee-in-lieu" would be \$37,904.75.

It should also be noted that parcel does have approximately 325-feet of frontage at the western terminus of Westwinds Drive. This frontage **is not** included in the requested waiver and the applicant **will build** sidewalk along this segment of lot frontage in connection with a future permit for a new single-family home on the lot.



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Given the “expressway” roadway classification of Stadium Boulevard as shown on the CATSO MRP, the requested waiver is permitted to be considered and voted upon by the Council without a Planning and Zoning Commission recommendation. The relevant section of the UDC pertaining to this request is found within Section 29-5.1(d)(2)(v), which states:

“Sidewalks shall be required on both sides of expressways and frontage roads **unless the council determines** that potential or existing pedestrian volumes do not necessitate sidewalks to safeguard the public health, safety and general welfare.”

This standard allows Council to waive sidewalks along Stadium if they find that the sidewalks are unnecessary due to low pedestrian volume.

Staff supports the request that sidewalk not be required along Stadium Boulevard in this location. There is little connectivity that would be achieved in this location and there are no other sidewalks currently to the east along Westwinds Drive that this sidewalk would connect to. While there is a City trail to the west of the site (County House Trail at College Park Drive), the grades on the subject site down to the trail connection would make construction difficult. Additionally, if the sidewalk were required it still would not directly connect to the trail creating a sidewalk gap and a potential dead-end sidewalk since getting to the Stadium Boulevard pavement would be difficult given the drainage ditch in between the property and the pavement.

Furthermore, the Parks & Recreation Department expressed concerns with the grade challenges associated with connecting to the trail given the existing terrain. Finally, there are no current connections shown in the Trails Plan or the Sidewalk Master Plan along Stadium suggesting that this is a desired connection.

Constructing sidewalk directly abutting Stadium would also be difficult due to the drop in grade at the edge of the existing pavement. Grading along the pavement would likely be required to accommodate sidewalks which has not generally been supported by MoDOT in similar locations along Stadium. Stadium in this location currently has a bike lane and a shoulder, and adding a separate sidewalk may not substantially increase pedestrian safety. No other portions of Stadium Boulevard immediately adjacent to the site include sidewalks, and it isn't until Stadium Boulevard reaches areas of higher pedestrian traffic near commercial and institutional settings (i.e. Broadway to the west and Providence to the east) that sidewalks are present.

A nearby example of a similar request (from 2017) is located at the northwest corner of West Boulevard and Stadium Boulevard. A similar sidewalk waiver was granted for the residential property frontage along Stadium given a similar set of circumstances. A more recently approved request was for the *A-1 Rental Plat 1*, located at the southeast corner of Stadium Boulevard and Old Highway 63, which also was not required to build additional sidewalk along Stadium Boulevard.



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The final plat for Hidden Haven Plat 1 being considered concurrently and under separate cover, includes a note that acknowledges the waiver of the sidewalk where it abuts the Stadium frontage which is defined as an expressway. This acknowledgement provides clarity as to where a future owner has the obligation to build or not build sidewalk along the lot's roadway frontages. An approval of the waiver would not release the applicant or future owner from the obligation to build sidewalk along the approximate 325-feet of Westwinds Drive.

Staff has reviewed the requested waiver of sidewalk in connection with the proposed 1-lot final plat to be known as Hidden Haven Plat 1 and supports the requested waiver. The plat meets all requirements of the UDC with the exception of the sidewalk installation and is supported for approval as well.

Locator maps, final plat, sidewalk design adjustment exhibit, and the previously approved *Hidden Haven* preliminary plat are attached.

Fiscal Impact

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

Long-Term Impact: Public infrastructure maintenance such as sewers and water, 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: Reliable Infrastructure, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

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

Legislative History

Date	Action
2/6/23	Approved the preliminary plat of <i>Hidden Haven</i> . (Res. 16-23)

Suggested Council Action

Approve the requested sidewalk waiver along Stadium Boulevard.