

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
March 5, 2020**

SUMMARY

A request by Crockett Engineering Consultants (agent), on behalf of On the Ninth LLC (owner), for approval of a major amendment to the *On The Ninth PUD Plan*, located on PD (Planned Development) zoned property, to permit the replatting of Lot D2 into 5 single-family lots as well as approval of an associated design adjustment to Section 29-5.1(d) of the Unified Development Code to waive sidewalk construction on the west side of Bunker Loop. The 5.68-acre property is located on the east side of Old Hawthorne Drive West, approximately 1,300 feet north of Route WW. **(Case #61-2020)**

DISCUSSION

The applicant is seeking to change the lot arrangement and the residential uses for a portion of the area within the PD plan the lies west of Bunker Loop. On the current PD plan, the area shown as Lot 3-A (but platted as Lot D2) was originally proposed as a single lot with two separate single-family attached structures containing 4 units each. The revision would subdivide Lot 3-A into 6 lots - five single-family detached units and one common lot.

The site has a current PD plan that was originally approved in 2014, prior to adoption of the UDC. The approved zoning for the site, which occurred in 2005 along with the parcel's annexation, permitted both attached and detached single-family uses on the site. With the revised layout, the plan is still consistent with the permitted density of 6.6 units per acre. Approximately 20 units have been constructed to date. The original plan included 32 dwelling units.

The applicants are also requesting a design adjustment to waive the requirement to build sidewalks along the west side of Bunker Loop. The existing plan was approved without sidewalks in this area; however, the UDC requires sidewalks along all streets - public or private. Since this request is considered a major amendment the PD plan is subject to all current UDC standards and required to construct sidewalks along Bunker Loop.

DESIGN ADJUSTMENT

Design Adjustment from Section 29-5.1(d) of the UDC (Sidewalks)

Per UDC Section 29-5.1(d), sidewalks are required to be constructed along all streets (which includes private). This would require sidewalks to be constructed along Lots 1-5 and C6 where those lots front Bunker Loop, a distance of approximately 620 feet. The applicant is requesting to fully waive the required sidewalk for this area. Below are staff's comments regarding the information provided in the attached design adjustment worksheet.

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 design adjustment **is not consistent** with 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 design adjustment **is not consistent** with 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.
4. The new design will create 5 single-family lots, and sidewalks are a requirement for other single-family lots in non-PD zoned subdivisions. There is **no clear evidence** that the requested design adjustment is part of a unique design feature. While the lots are considered through lots (in that they front upon two streets and will have sidewalks along Old Hawthorne Drive West), this **is not an uncommon situation**.
5. The provision of sidewalks along this street frontage **would increase** public safety, health and welfare by accommodating separation of pedestrians and motor vehicles.

CONCLUSION

It is important to acknowledge that the existing PD plan was originally approved without sidewalks along the west side of Bunker Loop and the site could be developed as presently authorized. The requested amendment will result in less density with five detached single-family lots replacing approximately eight attached single-family units within two buildings. Furthermore, It is also important to note that PD plans that propose major amendments **MUST** comply with the current UDC regulations, unless waived, and that the current regulations require sidewalks along both public and private streets. Given these facts, the above evaluation was performed to determine whether the requested design adjustment met the standards set forth in the UDC or not. It is the staff’s conclusion that this request has failed to do so.

Staff is supportive of the requested increase in total number of lots within the PD plan and the conversion of the uses on those lots to detached single-family. This change does not appear to be detrimental to the overall development and is believed to be compatible with the surrounding uses. Furthermore, the change is believed appropriate given that the existing zoning entitlement allows for detached single-family residential uses within the PD development. However, given that the submitted plan does not include sidewalks along the west side of Bunker Loop and such omission results in the PD plan being non-compliant with the requirements of the UDC staff must, by Code, recommend denial of both the design adjustment and the PD plan revision.

RECOMMENDATION

1. Denial of the design adjustment to Section 29-5.1(d) (sidewalks);
2. Denial of the major amendment to the On the Ninth PD plan.

SUPPORTING DOCUMENTS (ATTACHED)

- Locator maps
- *On the Ninth PD* Development Plan
- Design Adjustment Worksheet
- *Previously approved - On the Ninth PUD* Development Plan (2014)

SITE CHARACTERISTICS

Area (acres)	5.68
Topography	Gradual slope south to north
Vegetation/Landscaping	Turf, some perimeter trees, general landscaping
Watershed/Drainage	Grindstone Creek
Existing structures	Several attached single-family dwellings

HISTORY

Annexation date	2005
Zoning District	PD (previously PUD 6.6)
Land Use Plan designation	Neighborhood
Previous Subdivision/Legal Lot Status	On the Ninth at Old Hawthorne Plat No. 1; On the Ninth at Old Hawthorne Plat No. 1-A

UTILITIES & SERVICES

Sanitary Sewer	City of Columbia
Water	PWSD #9
Fire Protection	City of Columbia
Electric	Boone Electric

ACCESS

Old Hawthorne Drive West	
Location	Along the west side of property
Major Roadway Plan	NA; local residential (50-foot ROW required; no additional ROW dedicated)
CIP projects	None
Sidewalk	Sidewalks present

Bunker Loop	
Location	Through the property
Major Roadway Plan	NA; private residential street
CIP projects	None
Sidewalk	Sidewalks present on east side, required on west side

PARKS & RECREATION

Neighborhood Parks	None within a half mile.
Trails Plan	None within a half mile.
Bicycle/Pedestrian Plan	None within a half mile.

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 February 11, 2020.

Public information meeting recap	Number of attendees: 2 (including 1 applicant) Comments/concerns: None.
Notified neighborhood association(s)	None.
Correspondence received	None to date.

Report prepared by Clint Smith

Approved by Patrick Zenner