

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
August 20, 2020**

SUMMARY

A request by Crockett Engineering (agent), on behalf of Gary Pfau (owner), seeking approval of a 2-lot final plat containing approximately 0.35-acres of R-MF (Multiple-family Dwelling) zoned property located at the NE corner of N. Sixth Street and Wilkes Boulevard to be known as "Nowell's Addition, Plat No. 2". In addition to plat approval a design adjustment from Chapter 29-5.1(Subdivision) relating to dedication of a 10-foot utility easement along N. Sixth Street is requested. The intent of plat is to split the existing lot so the homes (600 and 602 Wilkes Boulevard) will be on individual lots. **(Case #74-2020)**

DISCUSSION

Presently, 600 and 602 Wilkes Boulevard are single-family homes located on one, 0.35-acre lot. The plat will allow the applicant to subdivide each of the recently-renovated homes onto individual lots to allow for separate, fee-simple ownership of each home and lot. The plat also includes a partial design adjustment relating to the required dedication of a 10' utility easement adjacent to N. Sixth Street.

The property is zoned R-MF (multiple-family dwelling district), which permits multiple units on a single lot subject to the dimensional standards of the zone. The lot is also partially located in the FP-O (floodplain overlay) zoning district. Aside from pursuing the subdivision of the lot, the only other means to permit individual conveyance of the structures would be through the establishment of a "condominium" regime for the parcel of land. The applicant has indicated a desire to provide traditional homeownership opportunities in the neighborhood and facilitating division of the property via a condo regime is less desirable for them than the requested subdivision of the land.

The homes in this block of the North Central Columbia Neighborhood Association (NCCNA) are predominantly single-family in terms of design and use, though the R-MF zoning permits multiple-family units. The neighborhood's small lots generally are not large enough for apartment or duplexes redevelopment unless adjacent lots are assembled and combined. When looking at historical aerial photography and records from the Boone County Assessor's website, the existing homes have been on-site in the current arrangement for at least fifty years, and likely closer to 100 years.

The plat depicts 600 Wilkes Boulevard (Lot 2A) to be 0.16 acres and 602 Wilkes Boulevard (Lot 2B) to be 0.18 acres. The lots as proposed meet the minimum size for a detached single-family home in the R-MF zone of 5000 square feet (0.15 acres). While lot area is compliant with R-MF standards the proposed lots widths do not meet the 60-foot minimum lot frontage for the district.

Given this condition, the applicant on July 14, 2020 obtained a lot width variance from the Board of Adjustment prior to submitting the plat for consideration by the Planning and Zoning Commission. Specifically, the Board granted variances allowing 600 Wilkes (Lot 2A) to have lot frontage of 39' and 602 Wilkes (Lot 2B) to have frontage of 52' in width at their narrowest points. These lot widths are depicted on the attached plat. The approval of the reduced lot frontage was conditioned on the lots being used for single-family purposes only. This condition was applied since the underlying zoning was not being changed and the property could be redeveloped for multi-family uses benefiting from the lesser lot width.

Additionally at the July 14 Board meeting, variances were approved to allow reduced setbacks for the existing driveway location east of 602 Wilkes from the property line and between the existing structures. A 0-foot and 6.5-foot setback, respectively, were approved by the Board. Both variances were not

required for processing of this plat and were also conditioned on the use of the property remaining single-family. The granting of the variances was to address potential concerns for creating "legal" non-conformities upon the division of the property and its future transfer to new owners.

The plat will dedicate an additional 5 feet of right-of-way along the N. Sixth Street frontage to meet the 25-foot required half-width for a local residential street. Adequate ROW exists on the Wilkes Boulevard frontage; therefore, no additional dedication is required. The plat provides the required 10-foot corner truncation at the N. Sixth Street intersection, the required 10' utility easement adjacent to Wilkes Boulevard, and proposes a partial utility easement dedication adjacent to N. Sixth Street which is the subject of the following design adjustment discussion. All other platting requirements are believed to be addressed by the plat.

DESIGN ADJUSTMENT

Section 29-5.2(b)(9) of the UDC includes the criteria for considering design adjustments to Section 29-5.1 (Subdivision Standards) of the UDC. The Director and Commission may recommend approval of a design adjustment if it determines that the criteria for granting such adjustment have been met.

Design Adjustment from Section 29-5.1(g)(4) Public Improvements, Utilities

The applicant is requesting approval to reduce the width of the required 10' utility easement adjacent to the N. Sixth Street frontage. The reduction is sought where the existing home at 600 Wilkes would otherwise encroach into the utility easement. The plat shows the utility easement being reduced to 3' feet generally going around the existing home's footprint from the foundation of the home reflective of the location of protruding appurtenances such as stairs. The applicant has indicated a desire to provide the required utility easement, but also a desire to avoid having the home encroach into the easement.

The plat also shows a small shed encroaching within the utility easement and dedicated ROW adjacent to N. Sixth Street frontage to the back of Lot 2A. The applicant has indicated it is a movable structure. Generally, it may continue to encroach unless obstructing the need to access a utility or should a road widening project occur in the future (none presently planned). The applicant has been advised they may request a right of use permit to continue the use of the structure in its present location.

Sewer, water, and electric staff were made aware of the design adjustment request and were provided the information from the applicant in review of the plat. No concerns were identified by the staff for the request given the existing conditions and facts of the case. It should be noted that the additional dedication of right of way on N. Sixth Street also provides additional space to locate future utilities as needed. The requested design adjustment is narrowly tailored to address the location of the existing home and does not appear to be detrimental to the site, the neighborhood, or in conflict with the standards for granting a design adjustment.

CONCLUSION

Upon review of the requested design adjustment, staff has concluded that the circumstances surrounding the request are appropriate and appear to meet the criteria established for design adjustment approval.

The proposed final plat has been reviewed by staff and aside from the requested design adjustment meets all requirements of the Unified Development Code.

RECOMMENDATION

The following recommendations are provided:

1. Approval of the design adjustment from Section 29-5.1(g)(4) to permit a reduction of the required 10' utility easement on a portion of N. Sixth Street in the vicinity of the existing home at 600 Wilkes Boulevard as reflected on the plat.
2. Approval of the final plat for *Nowell's Addition, Plat No. 2*.

SUPPORTING DOCUMENTS (ATTACHED)

- Locator maps
- Final Plat
- Design Adjustment Worksheet

SITE CHARACTERISTICS

Area (acres)	.35
Topography	Flat
Vegetation/Landscaping	Turf and landscaping/trees
Watershed/Drainage	Flat Branch
Existing structures	Two existing homes and two sheds

HISTORY

Annexation date	1906
Zoning District	F-MF
Land Use Plan designation	Neighborhood District
Previous Subdivision/Legal Lot Status	Not a legal lot

UTILITIES & SERVICES

All utilities and services provided by the City of Columbia.

Wilkes Boulevard	
Location	North side
Major Roadway Plan	Local Street (50-foot ROW; existing)
CIP projects	SW525: 5th to Wilkes Relief Sewer – \$400,000 1-2 Years Description: Extend a relief sewer from the intersection of 5th St and Rogers to the intersection of 7th St and Wilkes. Project will be coordinated with Hickman 6th and 7th Stormwater projects as both projects will follow similar alignments.
Sidewalk	Existing

North Sixth Street	
Location	Along the west side of property

Major Roadway Plan	Local street (50-foot ROW required; dedicating 5' additional ROW)
CIP projects	SS134: Hickman & 6th & 7th – \$1,335,000 3-5 Years Description: Replace undersized, failing box culvert, create an overflow section, replace failing pipes. Install water quality improvements. Phase 1.
Sidewalk	Existing

PARKS & RECREATION

Neighborhood Parks	Douglass Park approx. 0.25 miles to the SW; Field Park approx. 0.31 miles to the east; Armory Sports and Recreation Center approx. 0.4 miles to the south; Downtown Optimist Park approx. 0.31 miles to the NW.
Trails Plan	N/A
Bicycle/Pedestrian Plan	N/A

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 two advanced notification postcards which were mailed on February 17 and July 17, 2020. **20** postcards and property owner letters were sent.

Public Notification Responses	One phone inquiry from a neighbor for more information. Comments/concerns: None.
Notified neighborhood association(s)	North Central Columbia and NCCNA/Show Factory District Neighborhood Associations
Correspondence received	None.

Report prepared by Rachel Bacon

Approved by Patrick Zenner