



City of Columbia

701 East Broadway, Columbia, Missouri 65201

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: May 3, 2021

Re: Gordon's Subdivision Plat No. 2 – Design Adjustments (Case #90-2021)

Executive Summary

Approval of this request would grant design adjustments from Sections 29-5.1 (f) and 29-5.1 (g) of the UDC relating to lot frontage, lot shape, and dedication of public utility easements. The request is under concurrent review with the proposed two-lot final plat to be known as "Gordon's Subdivision Plat No. 2."

Discussion

Crockett Engineering (agent) is requesting, on behalf of Michael M. Menser Properties, LLC (owners), approval of a replat of 0.38 acres and design adjustments from Sections 29-5.1 (f) and 29-5.1 (g) of the Unified Development Code. The subject property is addressed as 1009-1021 E. Broadway. The purpose of this request is to divide the existing single lot into two, to facilitate the division of the existing improvements into individual ownership. Due to a number of site factors, approval of the plat is to be conditioned on the concurrent approval of the following requested design adjustments.

Section 29-5.1(f)(1)(v) – Lot Shape

Section 29-5.1 (f)(1)(v) states that lots in mixed-use districts are not to be created with protrusions, extensions, or stems that are less than 30 feet in width. The proposed plat seeks to create a 16-foot wide stem lot that would contain the existing protrusion of the Buchroeder's building as it runs north-south from Broadway to rear east-west alley. Creation of the proposed stem follows the exterior walls of the existing building and is desired to permit the transfer of ownership of the Buchroeder's building from the remaining structures on the lot.

The Broadway frontage of the overall lot is currently occupied by five separate shopfronts that are built shoulder to shoulder and incorporate a street level entrance to the Menser Apartments occupying the second and third floors of the Menser Building. The proposed division of the Buchroeder's building from the remaining development within the parcel will have no impact on the appearance of the improvements along this portion of the Broadway frontage. Additionally, at the time the storefront for Buchroeder's was created there were no minimum standards established for storefronts. Furthermore, there are other lots within the downtown that are less than the current minimum 30-foot standard.

Approval of the requested design adjustment is not inconsistent with the development pattern in the downtown and would not impact neighboring properties or the public health, safety, or welfare. The design adjustment is believed appropriate given it is needed to address an existing built feature not originally intended to be owned as a separate fee-simple building.



Section 29-5.1(f)(1)(iii)(B) – Tier Lots

Section 29-5.1 (f) (1) (iii) (B) states that tier lots may be permitted only on previously unplatted lots, pursuant to certain conditions. The subject parcel has been previously shown as a lot within Gordon's Subdivision; therefore, creation of the proposed 16-foot wide tier lot to accommodate the Buchroeder's building cannot occur without approval of the requested design adjustment. The Buchroeder's business extends through multiple adjacent buildings between Broadway and the alley to the north. Approval of the requested tier lot is the only feasible means of dividing the property to facilitate the internal business operations between the adjoining buildings without creating a further need for design adjustments or access issues. While the request does not meet the first two considerations of this section, the requested relief is believed appropriate given the unique layout of the existing buildings on the property (each 80+ years in age) and the fact that no minimum lot frontage standards existed at the time the shopfronts were created.

Section 29-5.1(g)(4) – 10-foot Utility Easement

Section 29-5.1 (g) (4) requires provision of public utilities to lots in accordance with the standards and specifications adopted by the City as well as requires a 10-foot wide utility easement along all street rights-of-way at the time of platting. Due to the location of the structures on the subject parcel, at the edge of the right-of-way, no space exists for dedication of such an easement. Furthermore, the current 10-foot utility easement requirement was not in place at the time the parcel was originally created.

Furthermore, following the adoption of the UDC in 2017 and the creation of the Form-based Controls on parcels within the M-DT district a conflict with this provision was further exacerbated given all construction within M-DT must occur within 24 inches of the right-of-way line. Typical construction practices in the downtown have resulted in utilities being located within the right-of-way either under the sidewalks or within the roadways. Approval of this design adjustment would not negatively impact neighboring properties or the public at large and is consistent with prior actions taken by Council in similar situations.

Upon review of the design adjustment worksheets submitted by the applicant, staff concurs with the applicant's findings and supports the requests. Approval of the stated design adjustments does not appear to be detrimental to the site, or in conflict with the standards of the UDC.

The Planning and Zoning Commission considered these requests at their April 8, 2021 meeting as part of its review of the plat. Staff presented its report and the applicant gave a brief overview of its request. No member of the public spoke during the public hearing. Following limited discussion, a motion to approve the plat and requested design adjustments passed (8-0).

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



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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 roads, 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: Not Applicable, 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 Sections 29-5.1 (f) and 29-5.1 (g), as recommended by the Planning and Zoning Commission.