



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: July 6, 2021

Re: Cherry Street Hotel Final Plat – Design Adjustment (Case #157-21)

## Executive Summary

Approval of this request would waive the requirement to dedicate 10' utility easements adjacent to the Cherry Street and Hitt Street frontages of property addressed as 1005 Cherry Street. This request is being considered concurrently with a one-lot final plat to be known as the final plat of "Cherry Street Hotel".

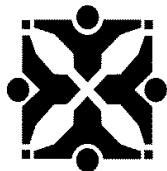
## Discussion

Crockett Engineering (agent), on behalf of Cherry Street Hotel, LLC (owner), seeks a replat of Lot 158 and the west sixty-five feet of Lot 159 of the Original Town of Columbia to be known as the final plat of the "Cherry Street Hotel". The requested design adjustment seeks waiver from the requirement to dedicate 10' utility easements adjacent to the Hitt and Cherry Street roadway frontages as required by Chapter 29-5.1 (Public Improvements) of the UDC. The subject site is located at the northwest corner of Cherry and Hitt Streets.

Pursuant to Section 29-5.1(g)(4), a 10' utility easement is required to be dedicated along all public street frontages of a property undergoing subdivision. The UDC further states that **to the extent possible** utilities shall be located in designed easements and not in the street right-of-way. This provision has direct conflict with the design standards for development within the M-DT district which mandates new construction be at the "required building line" which is within 2-feet of a parcel's property line. This location overlaps and is in direct conflict with the required 10' utility easement.

This conflict has been discussed at great length in previous platting actions by both the Planning Commission and Council during public hearings in 2019 and 2020, respectively, for the My Backyard Final Plat. The principal issue discussed during the hearings dealt with which objective was most important (the provision of the 10' utility easement or construction at the RBL), and what would be lost should the waiver be granted. In some situations, principally within the M-DT, the utility easement requirement has been viewed as unnecessary provided sufficient utilities are already in place. Similar discussion was briefly presented at the June 10, 2021 Planning and Zoning Commission meeting relating to this request.

Based on the facts of this specific waiver request and the criteria established in Section 29-5.2(b)(9) for granting a design adjustment, staff concluded that approving the design adjustment was not inappropriate. A full discussion of the staff's analysis is presented in the attached Planning and Zoning Commission staff report.



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The Planning and Zoning Commission considered this request at their June 10, 2021 meeting. Staff presented its report and a representative for the applicant gave an overview of the request. No other member of the public spoke during the public hearing. Following discussion, **a motion to recommend approval of the design adjustment passed (9-0).**

The Planning Commission staff report, locator maps, design adjustment worksheet, final plat and meeting minute excerpts 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 roads and sewers 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: 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
N/A	N/A

## Suggested Council Action

Approve the requested design adjustment from Section 29-5.1(g)(4) waiving the dedication of 10' utility easements along Cherry Street and Hitt Street frontages of the subject property as recommended by the Planning and Zoning Commission.