

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
June 9, 2022**

SUMMARY

A request by Crockett Engineering (agent), on behalf of Jeremy and Michelle Moore (owners), seeking approval of two design adjustments related to sidewalk installation and public improvements, 29-5.1(d) and 29-5.1(g), respectively. The requested design adjustments are sought in connection with a proposed two (2) lot final plat of approximately 6.55-acres of R-1 (One-Family Dwelling) zoned property. The property is located on the west side of Bluff Creek Drive, approximately 200 feet north of the intersection of Bluff Creek Drive and Pebble Creek Court. **(Case #115-2022)**

DISCUSSION

In connection with a desire to obtain approval of two (2) lot final plat of approximately 6.55-acres previously shown on the 1994 approved preliminary plat of Bluff Creek Estates Phase 5-A, the applicants are seeking approval of two design adjustments from the UDC. Section 29-5.2(b)(9) of the UDC requires that the Commission shall provide City Council a recommendation on any design adjustments prior to the approval of a final plat. This requested action focuses on the design adjustments sought by the applicants with respect to standard sidewalk construction and public infrastructure improvements requirements not the final platting action itself. Should the applicant had not been seeking relief from the standard UDC requirements for these development features the platting action would have been presented directly to City Council as prescribed by Section 29-5.2(c)(iii)(B).

For contextual purposes, the proposed final plat contains two lots; a 4.3-acre residential lot and a 2.2-acre 'not for development' lot which is set aside to protect the greenway corridor of the Grindstone Creek. The property extends from the existing terminus of Bluff Creek Drive northward across Grindstone Creek abutting the City-owned Grindstone Creek Trail. The majority of the property contains a ridge, at minimal grade, which extends westward from Bluff Creek Drive. The edges of this ridgeline, to the north and southwest, contain steep slopes in excess of 20% grade. The northern 'not for development' lot contains an approximate 660' stretch of Grindstone Creek which is inundated with FEMA-regulated floodway and overlaid with FP-O (Floodplain Overlay) zoning. The site is heavily wooded; predominately with a mix of hardwoods and a cluster of cedar trees along the central ridgeline.

The proposed residential lot will take access from Bluff Creek Drive, a Neighborhood Collector, that is shown to cross Grindstone Creek with a bridge on the 1994 approved preliminary plat. Bluff Creek Drive currently terminates at the subject site, but will be required to be extended by the developer to provide access to the proposed lot. It should be noted that the bridge is not built and per City Code would be the responsibility of the City to construct. This future construction is not currently in the Capital Improvements Plan (CIP). The beginning of this future bridge, hereafter referred to as the abutment, would be located approximately 450' north of the existing street terminus adjacent to the proposed plat.

Pursuant to Sections 29-5.1(d) and 29-5.1(g), respectively, sidewalks and grading are required to be completed along the property's Bluff Creek Drive frontage up to the future abutment upon final platting. The applicant is requested partial relief from these obligations by providing alternatives that are discussed below. The applicant's justification for granting the adjustments is attached.

Staff evaluates design adjustments through the lens of five criteria outlined in Section 29-5.2(b)(9). Staff's analysis of each design adjustment is below.

Design Adjustment from 29-5.1(d): Sidewalks

Typical location for sidewalk in this case would include grading and constructing sidewalk in a 90' linear stretch where there are currently steep slopes exceeding 20% grade adjacent to the Grindstone Creek corridor. The applicant's alternative avoids these steep slopes and connects a gap in the bicycle pedestrian network between existing sidewalk and the Grindstone Creek Trail.

There is an existing gravel path in the Bluff Creek right-of-way that connects the existing sidewalk at the Bluff Creek Drive terminus north to the Grindstone Creek Trail. The applicant proposes to construct sidewalk up to the new proposed street terminus in its standard location then cross over the right-of-way and tie-in both sidewalks to the Grindstone Creek Trail on City property. A graphic of the proposed alternative is attached.

(i)The design adjustment is consistent with the city's adopted comprehensive plan and with any policy guidance issued to the department by council;

Overall, sidewalks are consistent with the City's Comprehensive Plan, and thus waiver of sidewalk would not be consistent. However, the applicant's proposed alternative is not a complete waiver of sidewalk construction. The alternative would support 'Mobility, Connectivity, and Accessibility' by connecting existing greenway trails to a residential neighborhood.

Supported

(ii)The design adjustment will not create significant adverse impacts on any lands abutting the proposed plat, or to the owners or occupants of those lands;

Complete waiver of the sidewalk would remove the obligation to build a sidewalk. At the current time, the construction of sidewalk to the future bridge abutment may not significantly benefit abutting property owners without a bridge connection. However, the applicant's alternative would provide bike/ped connectivity to the Grindstone Creek Trail which has a pedestrian bridge located approximately 400' northeast of the proposed sidewalk terminus. This alternative option does not create any adverse impacts, and would directly provide a benefit to the surrounding public now. ***Supported***

(iii)The design adjustment will not make it significantly more difficult or dangerous for automobiles, bicycles, or pedestrians to circulate in and through the development than if the subdivision standards of section 29-5.1 were met;

Lack of sidewalks in general does present a danger to pedestrians. As previously stated with the current status of the bridge, the construction of sidewalk in the standard location may not significantly improve pedestrian safety at this time. The alternative location provides a better outcome for bike/ped circulation than if the standard requirements were met. ***Supported***

(iv)The design adjustment is being requested to address a unique feature of the site or to achieve a unique design character, and will not have the effect of decreasing or eliminating installation of improvements or site features required of other similarly situated developments; and

The site does include two unique features; topography featuring steep slopes surrounding the

Grindstone Creek greenway corridor and an unbuilt bridge. Sidewalk is proposed to be relocated to connect to a City trail instead of a dead-end at a steep slope. Pedestrian facilities will likely be included with the future bridge, but how and when this is accomplished is unknown. **Supported**

(v)The design adjustment will not create adverse impacts on public health and safety.

As previously stated with the current status of the bridge, the construction of sidewalk in the standard location may not significantly improve pedestrian safety at this time. At this time, the only pedestrian crossing over Grindstone Creek in the area is located approximately 400' to the northeast. The proposed alternative provides an improvement with a more direct route to that trail crossing. **Supported**

This design adjustment request meets all five criteria and is supported by City Staff including Public Works and Parks and Recreation. Given the status of the bridge, the proposed sidewalk alternative provides a better benefit to the public today by connecting neighborhood sidewalks to the Grindstone Creek Trail instead of terminating on top of a retaining wall/future bridge abutment.

Design Adjustment from 29-5.1(g): Public Improvements

Chapter 22 of the City Municipal Code requires the developer to provide roadway grading up to bridge abutments. The applicant cites in the design adjustment worksheet that grading without an existing abutment or retaining wall is impossible due to the steep slopes and creek crossing. The developer will grade the roadway bed to accommodate sidewalk construction, as is typical.

There is approximately 95 linear feet of grading, between the future abutment and beginning of the trail, that wouldn't be graded as part of the alternative sidewalk location that is otherwise required by Chapter 22. The developer is grading approximately 340', existing street terminus to trail, of their 435' obligation, trail to future bridge abutment. This design adjustment request is for a partial waiver of grading for the remaining approximate 95 linear feet beyond the trail connection.

The developer is required to grade this 95' out to the future abutment. Typically, an abutment or retaining wall would already be in place for the developer to grade to and stabilize the earthen fill. In this unique situation, the developer would be required to construct a retaining wall for fill stabilization, which given the unknown timeline of the bridge, would otherwise erode away.

(i)The design adjustment is consistent with the city's adopted comprehensive plan and with any policy guidance issued to the department by council;

The Comprehensive Plan 'Land Use and Growth Management' strategies encourage new development to pay a fair allocation of infrastructure costs. This specifically references offsite improvements needed to support impacts and needs of new development projects. The bridge and associated grading are not vital to support the development of this one residential lot.

While there is no specific policy guidance, if the Commission doesn't find waiving the obligation grade this area appropriate then a fee-in-lieu of grading could accomplish the goals of ensuring developers pay fair allocation of costs while acknowledging grading is impractical until the bridge abutments are built.

However, fee-in-lieu of grading would be required to be used within 7 years. The bridge is not in the CIP and its potential construction may not occur for 10 to 20+ years which would result in

the fee-in-lieu being returned to the developer. At this time, requiring grading up to the future abutment is considered premature given the uncertain nature of the bridge's project status.

Supported

(ii)The design adjustment will not create significant adverse impacts on any lands abutting the proposed plat, or to the owners or occupants of those lands;

Waiving roadway grading for approximately 95 linear feet beyond the trail connection will not create any adverse impacts on lands or occupants of lands abutting the proposed plat.

Supported

(iii)The design adjustment will not make it significantly more difficult or dangerous for automobiles, bicycles, or pedestrians to circulate in and through the development than if the subdivision standards of section 29-5.1 were met;

Without an existing bridge or designs for a bridge in the CIP, there is little benefit now to grading this section of roadway. Grading will be addressed as part of bridge construction in the future.

Supported

(iv)The design adjustment is being requested to address a unique feature of the site or to achieve a unique design character, and will not have the effect of decreasing or eliminating installation of improvements or site features required of other similarly situated developments; and

The site does include two unique features; topography featuring steep slopes surrounding the Grindstone Creek greenway corridor and an unbuilt bridge. A major drainage structure with an abutment or retaining wall is required to be built to stabilize grading. Typically, a bridge abutment would already be in place for the developer to use as stabilization.

As previously mentioned, the bridge is not in the CIP and its potential construction may not occur for 10 to 20+ years. Grading is impractical now and would be most appropriately addressed when the City begins the project and designs the abutments. **Supported**

(v)The design adjustment will not create adverse impacts on public health and safety.

This partial waiver will not create any adverse impacts on public health or safety as the bridge connection does not exist. This design adjustment would not impede any future project to create a bridge for Bluff Creek Drive over Grindstone Creek. **Supported**

The design adjustment request meets all five criteria and is specifically requested due to the unique circumstances involving the future bridge crossing Grindstone Creek. Construction of the bridge may not occur for 10 to 20+ years. The City will address grading and construction of the abutments at the time the bridge project is undertaken. Currently, grading is impractical.

Conclusion

Staff finds that sidewalks are appropriate for the area, but their construction at this time is not practical given the terrain and status of the future bridge. The existing topography would make construction challenging and expensive. If constructed today, the sidewalks would dead-end at a steep slope.

The applicant's proposed alternative to connect sidewalk to an existing trail connection that crosses Grindstone Creek is a superior alternative to the typical sidewalk location. The alternative would provide a direct benefit to the public today whereas the timeline for construction of the future bridge is unknown. Sidewalk and other pedestrian facilities will likely be included when the City designs and builds the future bridge, but how this is accomplished has not been determined at this time.

The future bridge is not in the CIP and its timeline for potential construction is unknown. Grading beyond the trail connection is currently impractical and would best be addressed when the City begins the bridge project and builds the abutments for stabilization.

RECOMMENDATION

Approve the requested design adjustments to waive grading between the trail and the bridge abutment and to allow sidewalk to be built in an alternative location.

SUPPORTING DOCUMENTS (ATTACHED)

- Locator maps
- Exhibit - Final Plat
- Design Adjustment Worksheets
- Sidewalk Alternative Graphic

SITE CHARACTERISTICS

Area (acres)	6.55
Topography	Top of ridgeline whose hillside steeply slopes to Grindstone Creek
Vegetation/Landscaping	Heavily wooded on ridgeline. Natural vegetation along riparian corridor of Grindstone Creek
Watershed/Drainage	Grindstone Creek Watershed
Existing structures	None

HISTORY

Annexation date	1969
Zoning District	R-1 (One-family Dwelling)
Land Use Plan designation	Neighborhood and Greenbelt
Previous Subdivision/Legal Lot Status	Existing preliminary plat – Bluff Creek Estates 5-A

UTILITIES & SERVICES

Sanitary Sewer	City of Columbia
Water	City of Columbia
Fire Protection	City of Columbia
Electric	City of Columbia

ACCESS

Bluff Creek Drive	
Location	East
Major Roadway Plan	Neighborhood Collector
CIP projects	None
Sidewalk	Sidewalks required

PARKS & RECREATION

Neighborhood Parks	Grindstone Nature Area, ¼ mile West
Trails Plan	Adjacent to Grindstone Creek Trail
Bicycle/Pedestrian Plan	Grindstone Creek Trail; Bluff Creek Dr is a key roadway to Bike/Ped connectivity

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 this pending request on May 23, 2022. Fifteen postcards were distributed.

Report prepared by Brad Kelley

Approved by Patrick Zenner