

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
JULY 21, 2022**

SUMMARY

A request by A Civil Group (agent), on behalf of Jim Carrel & Jan Weaver (owners), for approval of a 2-lot replat of an approximately 1.13-acre parcel and a design adjustment from Section 29-5.1(d) of the UDC relating to required sidewalk construction along Walnut Street. The subject property is located south of Walnut Street, west of Aldeah Avenue and would reconfigure two lots and extend an existing access easement to serve Lot 301. **(Case # 201-2022)**

DISCUSSION

The applicant is seeking approval to replat 1.13 acres of land south of W. Worley street, and including the homes addressed at 412-1/2 and 414 W. Worley. The applicants intend to reconfigure the existing property boundaries and extend an existing cross-access easement to fully serve Lot 201, which is generally interior to the block. The southern boundary of Lot 302 is to be shifted roughly 35 feet to the south to include an existing shed and fence on the property. The plat dedicates 5' of ROW for Worley Street to achieve the required minimum 25 foot half-width, and extends the existing access easement to the south approximately 32 feet to fully accommodate access to Lot 301. The standard 10 foot utility easement is also provided on the newly-established lot frontage.

In addition to the requested replat, the applicant seeks approval of a design adjustment to the provisions of Section 29-5.1(d) of the UDC that requires construction of a sidewalk along the platted property's street frontage. The two resulting lots have a combined street frontage on Walnut of approximately 91 feet. As Walnut in this location is an unimproved street, lacking curb and gutters, evaluation of the design adjustment will utilize both the provisions of Section 29-5.2(b)(9) and Policy Resolution 48-06A.

The applicant has supplied the attached Design Adjustment Worksheet detailing their analysis of the requested waiver. Staff agrees generally with the applicant's assessment except for the findings offered in respect to the first condition. The UDC provisions state that the Commission may recommend approval of a design adjustment if it determines that the following criteria have been met (Section 29-5.2(b)(9)):

- 1. The design adjustment is consistent with the City's adopted comprehensive plan and with any policy guidance issued to the Department by Council;**

Staff believes the design adjustment does, in fact, conflict with the objectives of the Comprehensive Plan which seeks to promote and facilitate non-motorized transportation options by prioritizing interconnectivity between neighborhoods and enforcing the existing sidewalk ordinance. The Comp Plan rates this policy as a high public priority. Given the clarity of this component of the Comp Plan, Staff typically cannot support requests for sidewalk waivers. **NOT SUPPORTED**

- 2. 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;**

Given the lack of sidewalk anywhere on this loop consisting of Bicknell and Walnut Streets, Staff does not foresee any negative impacts to adjacent property owners or creation of dangerous

conditions in terms of pedestrian circulation. Granting the waiver will not create any adverse impacts on public health and safety. **SUPPORTED**

- 3. 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;**

While the existence of a sidewalk in this location could potentially move pedestrian traffic out of the roadway, the lack of sidewalk connectivity severely limits the potential positive impact for the foreseeable future. Therefore, Staff does not believe that the environment is drastically more dangerous currently, than if a sidewalk were constructed. **SUPPORTED**

- 4. 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;**

Staff agrees that the short-term benefits of constructing a sidewalk in this location are minimal, and do not outweigh the negative impacts that would result. The applicant indicates that earthwork would be required, impacting at least one significant (20" DBH) tree and likely damaging another desirable tree on the property's frontage. **SUPPORTED**

- 5. The design adjustment will not create adverse impacts on public health and safety.**

Staff does not foresee any adverse impacts resulting from the approval of the design adjustment. **SUPPORTED**

Policy Resolution 48-06A offers additional guidance when considering waiving sidewalk construction along unimproved streets.

- 1. The cost of constructing the sidewalk relative to the cost of the proposed development;**

No estimate has been submitted by the applicant for the cost of constructing the sidewalk, but the applicant is not seeking to redevelop the property. Given that the current request is to simply replat the property, the cost of constructing the sidewalk is a significant consideration. **SUPPORTED**

- 2. Whether the terrain is such that sidewalks or walkways are physically feasible;**

Construction of sidewalks in this location would not be prohibitive. **NOT SUPPORTED**

- 3. Whether the sidewalk would be located in a developed area, on a low traffic volume local street without sidewalks;**

The subject parcel is located in West-Central Columbia, which is one of Columbia's oldest neighborhoods. The property was originally annexed and platted in 1913 and is located on a secluded loop consisting of Bicknell and Walnut Streets. The area is completely developed and devoid of sidewalks throughout the loop. **SUPPORTED**

4. Current or future parks, schools or other pedestrian generators near the development for which a sidewalk or walkway would provide access.

The subject parcel is within walking distance of a number of public points of interest and traffic generators such as Again Street and Worley Street Parks, West Boulevard Elementary School, Daniel Boone Regional Library, Douglas Park, Columbia's central Post Office, the Activity Recreation Center, etc... **NOT SUPPORTED**

The subject plat has been reviewed by both internal staff and external agencies. The plat, with the exception of the requested design adjustment, is compliant with all aspects of the subdivision requirements of the UDC subject to minor technical surveying corrections.

RECOMMENDATION

1. Denial of the requested design adjustment to Section 29-5.1; and
2. Approval of the final plat pursuant to minor technical corrections (Surveyor comments).

SUPPORTING DOCUMENTS (ATTACHED)

- Locator maps
- Final Plat
- Design Adjustment Worksheet
- Policy Resolution 48-06A

SITE CHARACTERISTICS

Area (acres)	1.13 acres
Topography	Flat
Vegetation/Landscaping	Wooded/Turf
Watershed/Drainage	Perche Creek
Existing structures	Two existing single-family homes and various accessory structures

HISTORY

Annexation date	1905
Zoning District	R-1 (One-Family Residential)
Land Use Plan designation	Neighborhood District
Previous Subdivision/Legal Lot Status	Lot 301, WW Payne's Addition Plat 2 (2021), Lot 302, not a legal lot

UTILITIES & SERVICES

All services provided by the City of Columbia.

ACCESS

Walnut Street	
Location	North side of site
Major Roadway Plan	N/A
CIP projects	N/A
Sidewalk	Sidewalks required

PARKS & RECREATION

Neighborhood Parks	Worley Street Park
Trails Plan	N/A
Bicycle/Pedestrian Plan	N/A

PUBLIC NOTIFICATION

All property owners within 185 feet and City-recognized neighborhood associations within 1,000 feet of the boundaries of the subject property were notified via an advanced public notification postcard on June 20, 2022, and a property owner letter on July 5, 2022. 38 postcards and letters were sent.

Notified neighborhood association(s)	West Ash, Park Hill, Historic West Broadway, & Historic Old Southwest Neighborhood Associations
Correspondence received	Questions from contract purchaser of Lot 301, about the purpose of the platting action and access.

Report prepared by Rusty Palmer

Approved by Patrick Zenner