



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: July 17, 2023

Re: Design Adjustments - PD Plan for Kinney Point (Case #157-2023)

## Executive Summary

Approval of this request will grant two waivers from Section 29-5.1(c)(4)(ii) of the Unified Development Code as it pertains to the required right-of-way dedication along Grand Avenue and the east-west alley between Garth and Grand located along the northern property line of the revised *PD Plan for Kinney Point*. This request is being considered concurrently with a request to approve a revised PD Plan and Statement of Intent (SOI) for the Kinney Point development being built by the Columbia Housing Authority north of Sexton Road between Garth and Grand Avenues.

## Discussion

In conjunction with their request for a major amendment to the *PD Plan for Kinney Point*, the Columbia Housing Authority (CHA) is seeking approval of two (2) design adjustments from Section 29-5.1(c)(4)(ii) of the UDC pertaining to the required dedication of approximately five feet of additional right-of-way along Grand Avenue and approximately 18 inches of right-of-way along the east-west alley to the north of the subject parcel. Both rights-of-way are a substandard in width.

Section 29-5.2(b)(9) of the UDC provides five evaluation criteria which shall be considered when weighing a request for a design adjustment. The criteria (**in bold**) and staff analysis of each are outlined below.

- 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 requested design adjustments are consistent with provisions in the comprehensive plan which support a mix of housing types and place an emphasis on infill development such as what is being proposed. The narrowed street corridor assists in traffic calming, making the environment safer for pedestrians given the site's location adjacent to Ridgeway Elementary school. However, the narrower street right of way limits the opportunity (specifically along Grand) for a complete street design inclusive of other modes of transportation such as a bike lane. As such, the waiver request is of along Grand Avenue is inconsistent with the UDC and cannot be support by staff.

**[NOT 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;***



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No adverse impacts are anticipated from approval of the design adjustments. The Grand Avenue corridor is consistent in width from Sexton to Business Loop 70 as is the alley except for the lot immediately north of the alley at its intersection with Grand. This lot contains a residence that sits within the alley limiting its functionality. The alley remains unimproved; therefore, cannot be utilized for emergency access even at its full standard width of 18 feet. Item #11 of the associated PD Plan SOI pledges the necessary dedication of ROW for the alley if it is ever constructed. In the meantime, the development plan contains a 20-foot wide internal access drive through the property from Grand to Garth. This drive serves as on-site vehicular circulation and meets emergency access requirements (20-foot width). The lots north of the alley are sufficiently accessed via Fourth Street for the purposes of emergency services.

**[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;**

While the requested design adjustments would perpetuate existing street conditions, they would also have an impact when considering potential safety improvements in the future. As previously stated, the Grand Avenue corridor cannot facilitate additional modes of traffic. However; waiving the additional 18 inches required for the alley would not create a significant impact on safety. Provisions for obtaining this alley ROW in the future are also contemplated in the PD Plan SOI. **[NOT 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 applicants are seeking the design adjustments to help maintain a continuity in character with the neighboring properties along Grand Avenue. Partnered with the reduced setbacks, the street space is consistent along the entire block north of the subject site. **[SUPPORTED]**

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

No significant adverse impacts on public health and safety are anticipated by granting the waivers. The status quo, while not ideal, does not constitute a negative outcome. The property is properly served by the existing street network and will support the infill development. **[SUPPORTED]**

On June 8, 2023, the Planning & Zoning Commission held its public hearing on this matter along with a public hearing on the revised PD Plan and SOI. Staff presented its report, inclusive of this matter, the revised PD Plan, and revised SOI. The applicant and his representative were present and gave an overview of the overall request.



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The Commissioner's did not ask any questions specifically directed at the requested waivers of right of way dedication; however, did inquiry about other aspects of the proposed PD Plan (see concurrent report on the PD Plan and minutes for the full record of discussion). One member of the public spoke in opposition of the request, citing concerns about stormwater, increased traffic, parking issues, and emergency access. Another speaker supported the project due to the desperate need for housing and because the design was sensitive to its context in an infill environment.

After limited additional discussion, the Commissioners made a series of motions related to the design adjustments and the overall revised PD Plan and revised SOI. Motions to were made to approve the design adjustments. The waiver of dedication along Grand Avenue was approved by a vote of (5-2) and waiver of dedication along the east-west alley was approved by a vote of (7-0).

A copy of the Planning and Zoning Commission staff report, locator maps, PD Plan (dated 5/23/2023), revised PD Plan (dated 6/9/2023), statement of intent, design adjustment worksheet, 2022 approved PD Plan, 2021 approved statement of intent, and meeting minute excerpts are attached for review.

## Fiscal Impact

Short-Term Impact: None anticipated within the next two years. Public infrastructure extension/expansion would be at the cost of the applicant.

Long-Term Impact: Public infrastructure maintenance associated with sanitary sewer 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: Livable & Sustainable Communities, Tertiary Impact: Mobility, Connectivity, and Accessibility

## Legislative History

Date	Action
07/18/22	Approved revised development plan and statement of intent. (Ord. # 021789)
03/01/21	Approved revised development plan and statement of intent. (Ord. # 024570)
08/19/13	Approved <i>Kinney Point PUD Plan</i> and statement of intent. (Ord. # 021769)

## Suggested Council Action

Approve, the proposed design adjustments as recommended by the Planning & Zoning Commission.