

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
March 10, 2022**

SUMMARY

A request by A Civil Group (agent), on behalf of Finley and Rebecca Gibbs (owners), for a design adjustment from Section 29-5.1(d) of the UDC relating to waiving sidewalk construction. The 0.88-acre subject site is zoned R-1 (One-family dwelling) and is located on the south side of Rollins Road, approximately 950 feet east of S. Greenwood Avenue. **(Case # 98-2022)**

DISCUSSION

The applicant is seeking a waiver for sidewalk construction on a lot recently platted as Lot 100 of *Quarry Heights Plat 7*. The unimproved site is intended for development of a single-family dwelling. The 0.88-acre site is located on the south side of Rollins Road approximately 950 feet east of S. Greenwood Avenue.

The subject site is located downhill of a small ridgetop over which East Rollins Road is constructed before connecting to Redbud Lane in the creek bottom to the southeast. A small intermittent tributary of Flat Branch is situated across Rollins Road to the east of this property. The subject site slopes downward from west to east at approximately an 8-10% grade before reaching Rollins Road. This elevation is akin to the six developed lots located along Rollins Road to the north. The site is heavily wooded with young flora containing tree species typically found within riverfront or bottomland forest (Sycamore, Cottonwood, etc.).

The site has frontage on Rollins Road and Redbud Lane which are local residential streets. Right-of-way was dedicated with the plat. Sidewalk does not exist along the street frontages and is required with new development per Section 29-5.1(d) of the Unified Development Code. The applicant is requesting a design adjustment waiver from that section of code. Design adjustments are evaluated against the five criteria described in Section 29-5.2(b)(9). Staff's analysis is detailed below.

UDC Criteria

- **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 goals regarding 'Livable and Sustainable Communities' and 'Mobility, Connectivity, and Sustainability' thus waiver of sidewalk would not be consistent with the Plan. **NOT SUPPORTED**

- **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;**

Waiver of the sidewalk would remove the obligation to build a sidewalk. At the current time, the construction of sidewalks may not significantly benefit abutting property owners due to the lack of sidewalk along the street. However, waiver of obligations for sidewalk construction could hamper future projects that propose to construct sidewalks throughout the neighborhood. Several properties along this street do not appear to be legal lots and would be required to plat and construct sidewalk prior to receiving a building permit. **NOT SUPPORTED**

- **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;**

Given there are no other sidewalks along this street, installation of sidewalk in this area would not fill a gap leaving a disconnected pedestrian network on either side of the site. If sidewalk were constructed, the remainder of the street would still lack a sufficient pedestrian network at this time. In general, the lack of sidewalks does present a danger to pedestrians.

There is a downhill curve in the road located at the corner of the subject site. There is a minor visibility issue along this curve as there are trees along the road that disrupt the line of sight between drivers and pedestrians. The construction of sidewalks would improve pedestrian safety specifically along this curve. **NOT SUPPORTED**

- **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 applicant indicates that they are seeking the design adjustment in efforts to leave the site in its natural state and disturb as few of the site's existing trees as possible. While staff acknowledges the applicant's objective, a wooded site is not a unique feature in this area or the immediate surroundings. Staff has been unable to identify any unique feature of the site that would impede the ability to install the required improvement. Waiver of the required installation of the sidewalk along this property based upon the applicant's object of retaining a wooded site may justify similar waivers, if sought, on adjoining non-legal lots in the future. Staff; however, would agree that installation of a sidewalk would be unique feature, at this time, within the neighborhood. **NOT SUPPORTED**

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

As previously stated, with the current lack of sidewalk along the street frontage, the construction of sidewalks would improve pedestrian safety of the street, specifically along the curve. Additionally, lack of sidewalks in general does present a danger to pedestrians. **NOT SUPPORTED**

Conclusion

Staff finds that sidewalks are appropriate given the site is located within a residential neighborhood within ¼ mile of the MKT Trail. Sidewalk construction on this street frontage is practical to construct given there are no unique topographical or other natural features. If constructed, this site would contain the only nearby street frontage with sidewalk and may be viewed as inconsistent with the neighborhood character

Staff findings, following review of the five design adjustment criteria, is that the requested design adjustment is not supported. If granted, the design adjustment would discourage other sidewalk projects in the area and may have negative effects on public health and safety.

RECOMMENDATION

Deny the requested design adjustment for sidewalk construction

SUPPORTING DOCUMENTS (ATTACHED)

- 1) Locator Maps
- 2) Final Plat
- 3) Design Adjustment Worksheet
- 4) Public Correspondence

SITE CHARACTERISTICS

Area (acres)	0.88
Topography	Approximate 8-10% downslope from west to east
Vegetation/Landscaping	Heavily wooded
Watershed/Drainage	Flat branch
Existing structures	None

HISTORY

Annexation date	1905 and 1952
Zoning District	R-1
Land Use Plan designation	Neighborhood
Legal Lot Status	Legal Lot

UTILITIES & SERVICES

Site is fully served by City of Columbia utilities and services.

ACCESS

Rollins Road	
Location	North and East
Major Roadway Plan	N/A; Local residential
CIP projects	None
Sidewalk	None

Redbud Lane	
Location	Southeast
Major Roadway Plan	N/A; Local residential
CIP projects	None
Sidewalk	None

PARKS & RECREATION

Neighborhood Parks	MKT Trail (1/4 mile SE); MLK Jr. Memorial at Battle Garden (1/3 mile SW); Grasslands Park (1/3 mile E)
Trails Plan	MKT Trail (1/4 mile SE)
Bicycle/Pedestrian Plan	None

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 via advanced notice February 11, 2022. Twenty-two postcards were distributed.

Public information recap	Several inquiries about the proposal. Some comments note that there aren't any sidewalks on the street.
Notified neighborhood association(s)	Quarry Heights NA; Historic Old Southwest NA
Correspondence received	Two letters in support (attached)

Report prepared by Brad Kelley

Approved by Patrick Zenner