

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
January 23, 2020**

SUMMARY

A request by Crockett Engineering (agent), on behalf of Cherry Street Hotel, LLC (owner), for a replat of Lot 158 and the west sixty-five feet of Lot 159 of the Original Town of Columbia. The resulting approximately 0.41-acre subdivision will be known as "Cherry Street Hotel" and is located at the northwest corner of Cherry Street and Hitt Street. The request also includes a design adjustment from Chapter 29-5.1 (Public Improvements), requesting a waiver from the dedication of utility easements adjacent to public roadways. **(Case 45-2020)**

DISCUSSION

The applicant is seeking approval to replat 0.41 acres of parts of the Original Town of Columbia, including Lot 158 and part of Lot 159 into a one-lot final plat. The plat is required to bestow legal lot status in advance of future site redevelopment. The applicant has indicated a desire to build a six-story hotel; however, building plans have not yet been submitted. The subject property is currently improved with a surface parking lot and a two-story office building, which is anticipated to be demolished. The building is presently vacant.

The subject site is zoned M-DT (Mixed Use- Downtown), as are the adjacent properties. The property is adjacent to the Cherry Street Centre property on the west. To the east of the property, across Hitt Street, is the Hittsville Building (Ragtag, Uprise Bakery and Hitt Records). To the north, across the public alley (Alley A), is the Stephens building (Gunter Hans, Seoul Taco and Lizzi & Rocco's Natural Pet Market).

The plat will dedicate additional half-width right-of-way (ROW) for Hitt Street (33' half-width for a local non-residential street), as well as the required 30' corner truncation at the intersection of Cherry Street and Hitt Street. The plat also provides the required 5' corner truncation at the existing public alley (Alley A) and its intersection with Hitt Street, and dedicates 4.5 feet of ROW for the alley. The alley is presently 15 feet, and the additional dedication brings the half-width dedication from the subject property to 12, which would accommodate the 24' wide alley standard identified as the "ideal" for the M-DT zone in Appendix A-5. Staff notes the preferred corner truncation for new alleys in the M-DT is 10-15', but finds the code only requires 5' be provided for existing alleys.

During the public information meeting for this request, concerns were expressed about the provision of parking for a hotel. There are no parking requirements for commercial uses within the M-DT which the hotel would be considered. The applicant has indicated, however, that they are pursuing options for parking.

Staff finds the plat is compliant with all aspects of the subdivision requirements of the UDC with the exception of the requested design adjustment. The applicant requesting a waiver from the requirements of Section 29-.1(g)(4) of the UDC that requires dedication of 10-foot utility easements along both Cherry and Hitt Streets. The UDC provision state that "to the **extent**

possible, utilities shall be located in designed easements and not in the street right-of-way". This requirement provides opportunity to carefully weigh whether there is a need to allocate such easements to provide space for utilities, now and in the future; however, does not afford an administrative remedy hence the requested design modification.

In this specific instance, a proposed replat of downtown property, staff has determined that utilities serving the site are located within the existing street right of way. Furthermore, development within the M-DT zone is governed by the Regulating Plan, which identifies a Required Building Line (RBL) which serves as a built-to line to encourage new buildings to be built to a shared plane at the edge of the sidewalk to foster a pedestrian environment and cohesive urban form across often multiple facades on a block.

Given the requirements of the M-DT's RBL, there is an inherent and known conflict between the RBL and the required ten-foot utility easement provision. The design adjustment process allows for a site-by-site analysis as plats come in to weigh the necessity of additional space for utilities versus the RBL. Both are considered valuable design principles, and how much each might need to be varied in any given instance is an important discussion for every street façade. Rather than a zero-sum of either the RBL, which is a 0 foot setback, or the utility easement, which becomes a de facto 10 foot setback, this discussion can include a partial variation from each standard in one direction or another within the 10 feet of space.

In evaluating this plat and site in particular, it has been determined that there is sufficient utility provision without any additional utility easement being provided. This conclusion was reached following coordination with staff responsible for electric, sewer and water utility provision. As such, the entire waiver of the 10' utility easement is deemed reasonable and would not impact service provision now or in the future.

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

While the role of a platting action in reserving areas for future public improvements is important, staff notes the desire to promote a cohesive public realm and downtown urban form is also important and is greatly promoted by utilizing the RBL to the extent possible and

practicable. Without additional direction from the Council to revise the UDC to waive either the RBL or the full 10' utility easement in the M-DT District, the design adjustment process allows the applicant to work with the city on a case-by-case basis as plats are processed to evaluate if partial or full utility easement dedication is necessary. In this specific instance and based on the technical evaluations conducted by the impacted utility providers there is no identified need for additional utility easements and granting of the requested waiver is supported. Should additional policy guidance be provided, staff will evaluate subsequent plats accordingly.

In terms of the remaining design adjustment criteria, staff does not see adverse impacts to adjacent property owners, induce dangerous conditions in terms of site circulation, addresses the unique characteristics of utility provision for this area, and does not create adverse impacts to public health or safety.

RECOMMENDATION

1. Approval of the requested design adjustment to Section 29-5.1(g)(4) pertaining to the dedication of utility easements; and
2. Approval of the final plat.

SUPPORTING DOCUMENTS (ATTACHED)

- Locator maps
- Final Plat
- Design Adjustments Request

SITE CHARACTERISTICS

Area (acres)	.41 acres
Topography	Flat
Vegetation/Landscaping	Developed
Watershed/Drainage	Flat Branch
Existing structures	Developed site with an existing building and parking lot

HISTORY

Annexation date	1826
Zoning District	M- DT
Land Use Plan designation	City Center
Previous Subdivision/Legal Lot Status	Not legal lot as combined

UTILITIES & SERVICES

All services provided by the City of Columbia.

ACCESS

Cherry Street and Hitt Street	
Location	South and east sides of site
Major Roadway Plan	Local non-residential
CIP projects	N/A
Sidewalk	Sidewalks in place

PARKS & RECREATION

Neighborhood Parks	Paquin Park is nearest park
Trails Plan	Approx. .5 miles from MKT Trail
Bicycle/Pedestrian Plan	NA

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 of a public information meeting, which was held on December 31, 2019. 20 postcards were sent.

Public information meeting recap	Number of attendees: 3 Comments/concerns: Concerns regarding parking and redevelopment of existing structures in the downtown
Notified neighborhood association(s)	North Central Columbia and Tenth Hitt Elm Locust Neighborhood Associations
Correspondence received	Questions from adjacent property owners on proposed redevelopment plans; no formal correspondence received

Report prepared by Rachel Bacon

Approved by Patrick Zenner