

**AGENDA REPORT  
PLANNING AND ZONING COMMISSION MEETING  
March 8, 2018**

**SUMMARY**

A request by A Civil Group (agent) on behalf of Delta Tau Delta Association of Columbia, Missouri (owners), for approval of a replat of La Grange Place to be known as La Grange Place Plat 4, and design adjustments waiving the requirement that subject property have direct access to public sewer and to reduce the amount of right-of-way dedicated with the plat. The replat combines Lots 3 and 4 of La Grange Place into a single lot. The .58 acre site is zoned R-MF (Multiple-Family Dwelling) and is located at 506 Rollins Street. **(Case #18-41)**

**DISCUSSION**

The applicant is seeking approval to replat two existing lots into a single lot to allow for redevelopment of the property. La Grange Place was platted in 1910. The current fraternity house is built over the lot line between Lots 3 and 4 of La Grange Place which is no longer permitted by the UDC. The Delta Tau Delta Association was granted several variances by the Board of Adjustment on January 9, 2018 to accommodate their planned new structure.

The applicant is also seeking two design adjustments. The first design adjustment request is to reduce the amount of right-of-way (ROW) that must be dedicated with the plat. Rollins Street is identified as a major collector on the CATSO Major Roadway Plan that requires a total right-of-way width of 66 feet (33 foot half-width). The present roadway right-of-way corridor is 40 feet (20 foot half-width) and requires an additional 13 feet of dedication from the applicant from the centerline of the roadway/half-width. The applicant is proposing dedicating of an additional five feet rather than the 13 feet required.

The second design adjustment requests an exception to the requirement that the property have direct sanitary sewer access. The property is presently served via private sewer line along Rollins Street that is also believed to serve two other properties, Alpha Gamma Sigma (500/502 Rollins Street) and Kappa Kappa Gamma (512 Rollins Street). The applicant is requesting to connect the new building to the existing private sewer line when the present property is demolished.

**Design Adjustments**

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.**

*Design Adjustment #1: Required ROW Dedication*

The applicant is requesting a design adjustment from Section 29-5.1(c)(4)(ii), which requires the dedication of additional right-of-way to ensure that substandard streets contain required half-width to meet the City's street standards. The applicant is required to provide 13-feet of additional width to meet the regulatory standards; however, is proposing to dedicate 5-feet of additional width. Such additional width would result in a 25-foot half-width for Rollins Street which is 8-feet less than required by the UDC regulations. The applicant has provided information supporting the requested design adjustment, which is attached.

The City's Public Works staff has evaluated the design adjustment, as presented by the applicant, and does not find issue with the request. There are no future plans to improve or expand Rollins Street beyond its existing footprint. The dedication of an additional five (5) feet of right-of-way will bring the current 40-foot wide street into closer compliance with the minimum standard. A ten foot utility easement is also being dedicated along Rollins Street in addition to the right-of-way.

After considering the Public Works evaluation and the submitted information by the applicant, staff supports its approval. While the request does not address a unique feature, it would not be detrimental to public safety or injurious to other properties, and is not inconsistent with the Comprehensive Plan. Furthermore, given recent roadway network changes to the west, limited likelihood of additional redevelopment to the east, and no long-range plan for expansion of Rollins to a major collector dedication of the full half-width may yield limited added value to the City. A separate action to revise the roadway classification shown on the CATSO plan for Rollins may be warranted.

*Design Adjustment #2: Sewer Service Design/Connection*

Properties abutting City water and within two hundred twenty-five (225) feet from a city sewer are required to provide connection to the City Sewer (City Code of Ordinances, Section 11-1). The applicant is requesting a design adjustment from Section 29-5.1(g)(4) of the UDC's subdivision requirements which requires the following:

*(g) Utilities. Utilities, including but not limited to water, sewer, natural gas, electric and telephone lines, and fire hydrants, shall be provided to lots in accordance with standards and specifications governing the construction and installation of such utilities adopted by council or promulgated by the city departments or utility companies responsible for those utilities.*

*(4) Easements for public and private utilities shall be provided adjacent to all street right-of-way and in other locations in accordance with facility requirements and design standards. To the maximum extent feasible, utilities shall be located in designated easements and not in the street right-of-way.*

Specifically, the applicant is requesting relief from the requirement to connect to public sewer, which could potentially be accomplished by a permanent sanitary sewer easement on either the Delta Gamma and/or Alpha Gamma Sigma property to the south of the property. The applicant has indicated that they are in discussions with these property owners to gain an easement agreement. If negotiations are successful, the property could be given access to an existing public main approximately 25 feet south of the property, negating the need for the design adjustment. The applicant could also build a public extension in lieu of the permanent sewer easement to the south to meet city requirements.

In the design adjustment request, the applicant suggests the City form a sewer district for the three properties on the private line to allow for the properties to bear the burden of upgrading the deficient private sewer. The applicant indicates this meets the intent of the comprehensive plan and policy guidance on sewer districts. However, Utilities Department staff has indicated City ordinance does not

allow tax billing for sewer districts replacing private common collector sewers. The applicant has also indicated a willingness to connect to a public line should a public line be built in place of the existing private sanitary sewer line along Rollins; however, at this time there are no capital improvement plans to build a new public line to replace the private line.

The City's Utilities Department staff has reviewed the requested design adjustment and indicates the plat cannot be approved without the public sewer main being extended to serve the property, or the necessary public sanitary sewer easement(s) being obtained so as to permit connection of the structure to a public sewer. Reconnection of the future construction on the lot to the existing private common collector within Rollins Street does not meet the UDC or City Code requirements that all newly created lots have public sewer extended to serve them.

After considering the Utilities Department's evaluation of the requested design adjustment and the submitted information by the applicant, staff does not support its approval per the design adjustment criteria outlined in the UDC. The Comprehensive Plan's goals and objectives state funding priority should be on existing *public* infrastructure and services, and the proposal of a new sewer district to replace the private line would place the financial responsibility upon the City's Sewer Utility for private infrastructure replacement. Additionally, the request does not address a unique feature as the applicant has indicated there is the ability to meet City requirements via a sanitary sewer easement to the south, a likely cheaper alternative than building a new public connection. Staff understands this will require the participation of one of the two adjacent property owners. The condition of the private line may also have potential adverse impacts to public health and safety should structural failures occur in the future. Staff believes the request generally meets the other two criteria for design adjustments.

### **RECOMMENDATION**

The proposed replat has been reviewed by staff and found to comply with the provisions of the UDC with the exception of the requested design adjustments. As described above, staff cannot support the second design adjustment. The plat may be approved by the Commission without the approval of one or both of the design adjustments and recommends the following:

1. Approval of the final plat for La Grange Place Plat 4.
2. Approval of the design adjustment to Section 29-5.1(c)(4)(ii) regarding the dedication of road ROW.
3. Denial of the design adjustment to Section 29-5.1(g)(4) regarding the sanitary sewer design.

### **SUPPORTING DOCUMENTS (ATTACHED)**

- Locator maps
- Final Plat
- Design Adjustments Request

**SITE CHARACTERISTICS**

<b>Area (acres)</b>	.58 acres
<b>Topography</b>	Generally flat
<b>Vegetation/Landscaping</b>	Generally turf
<b>Watershed/Drainage</b>	Flat Branch
<b>Existing structures</b>	Existing fraternity house

**HISTORY**

<b>Annexation date</b>	1906
<b>Zoning District</b>	R-MF (Multiple-Family Dwelling)
<b>Land Use Plan designation</b>	Residential District
<b>Previous Subdivision/Legal Lot Status</b>	Lots 3 & 4 of La Grange Place

**UTILITIES & SERVICES**

All services provided by the City of Columbia.

**ACCESS**

<b>Rollins Street</b>	
<b>Location</b>	South side of site
<b>Major Roadway Plan</b>	Major Collector 66-foot ROW (33-foot half-width) required; 5-foot additional ROW dedicated (eight feet short) design adjustment requested.
<b>CIP projects</b>	N/A
<b>Sidewalk</b>	Sidewalks required.

**PARKS & RECREATION**

<b>Neighborhood Parks</b>	Grasslands Park— approximately ¼ mile west
<b>Trails Plan</b>	NA
<b>Bicycle/Pedestrian Plan</b>	NA

**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 a public information meeting, which was held on January 30, 2018.

<b>Public information meeting recap</b>	Number of attendees: 1 (applicant) Comments/concerns: No comments
<b>Notified neighborhood association(s)</b>	Grasslands Neighborhood Association
<b>Correspondence received</b>	None to date.

Report prepared by Rachel Bacon

Approved by Patrick Zenner