

**AGENDA REPORT  
PLANNING AND ZONING COMMISSION MEETING  
October 22, 2020**

**SUMMARY**

A request by Crockett Engineering (agent), on behalf of Alpha Phi House Corp Board- University of Missouri (owner), for a one-lot consolidation replat to be known as the “Alpha Phi Subdivision Replat” and a design adjustment to waive additional right of way dedication requirements along the parcel’s Providence Road frontage. The subject part are platted as Lot 1, Alpha Phi Subdivision and Lot 22, La Grange Place addressed as 906 and 912 S. Providence Road, respectively. **(Case #189-2020)**

**DISCUSSION**

The applicant is seeking approval of a final plat that will consolidate 2 lots into a single lot for a proposed reconstructed Alpha Phi Sorority House. The L-shaped lot that contains the existing sorority house and annex was created in 2017 per an approved consolidation plat entitled “The Alpha Phi Subdivision”. The remaining lot to the south fronting along Providence Road is Lot 22 of La Grange Place. Combined both lots contain approximately 0.66 acres and are zoned R-MF (multiple-family dwelling district). The consolidated lot would retain frontage on both Providence Road and Curtis Avenue. At the time of writing the staff report redevelopment plans for the site had not been received; however, staff is aware of a pending request seeking setback variances to accommodate the new structure and steps towards processing that request have begun.

Three feet of additional right-of-way (ROW) for Curtis Avenue, a local street requiring a 25’ half-width, is dedicated with the plat. The previously recorded Alpha Phi Subdivision plat dedicated 2-feet of right of way towards meeting the required half-width. The plat also shows dedication of the required 10’ utility easements along both Providence Road and Curtis Avenue as well as previously dedicated easement crossing the subject lots. Depending on the proposed location of the future redeveloped sorority house, existing easements platted upon the properties may need to be vacated in the future via separate Council actions.

***Design Adjustment from Section 29-5.1(c)(4) and Appendix A.3***

The applicant is requesting a design adjustment from the required dedication of additional right of way (ROW) on the site’s Providence Road frontage. Providence Road, a major arterial, requires a 53’ half-width. Currently the half-width of the roadway is 35.5’. The applicant is seeking to waive the requirement that the proposed plat dedicated the required 17.5’ of additional ROW. The applicant states that the request is sought given the dedication would constitute 15% of the lot depth of the subject parcels, and if dedicated and improved such improvements may impact the existing sorority to the north at the intersection of Providence and Burnham.

It should be noted that the redevelopment of the existing sorority house to the north did not require a platting action and the right of way and signalization improvements at the intersection were addressed as part of the construction plans for the recently completed improvements. The subject site is proposed to be replatted which triggers the need for substandard roadways to be upgraded with respect to ROW dedication. While the roadway is currently owned and maintained by MoDOT, the City’s current practice is to request ROW per the UDC standards regardless of the ownership and maintenance given such conditions may change over time.

It should be further noted that the present platting request shows the same ROW profile as was approved in early 2017 via the original Alpha Phi Subdivision (submitted and approved prior to the adoption of the UDC). However since that time, staff has taken a more critical stance on the importance of reserving ROW for future roadway improvements for pedestrians and automobiles in efforts to lessen the public costs of such improvements. While such changes have occurred it is still the responsibility of the Commission to render a recommendation on such requests for Council's consideration.

In arriving at its recommendation there is some consideration which may be made by the Planning Commission in terms of the site-specific aspects which make additional improvements to Providence Road very challenging in this location, such as the University of Missouri's ownership of the dorm property to the south at the northeast corner of Stadium and Providence, the property's location being relatively mid-block with several ownership entities on either side, and the fact that the Rollins/Turner intersection areas have been improved in recent years.

Despite these facts, staff believes there an overall community benefit in not approving the ROW design adjustment *given the challenging facts of the area are further challenged* if the City passed up the opportunity to have the ROW dedicated via this subdivision action.

At this time, the City's Public Works Department and Community Development Departments do not support the waiver of the required right of way dedication for the following reasons. The responses shown below are based upon the evaluation criteria shown in Section 29-5.2(b)(9) of the UDC.

1. Approval of the design adjustment would result in acquisition of less right of way than is required for streets identified as major arterials and would be inconsistent with the Major Roadway Plan;
2. As redevelopment occurs in this area and within the nearby downtown core, additional traffic will be generated, which may increase the need for better transportation infrastructure for vehicles, public transit, bikes, and pedestrians. Not having adequate right of way to make future improvements may have an adverse impact not only on this site but on abutting properties as well.
3. Obtaining the additional right of way will allow the City to make future improvements to the roadway that may address issues of circulation and safety. While there are no immediate plans to improve the roadway, obtaining right of way at the time of platting ensures that the right of way is in place when future improvements are warranted and eliminates the possibility that structures may be constructed within the right of way that may need to be acquired or potentially relocated, increasing overall project costs.

Pursuant to the UDC, when property along a street with substandard right of way is replatted it is required to dedicate the additional half-width right of way to accommodate improvements (immediate or future) consistent with the roadway designation as assigned by the Major Roadway Plan. The assignment of roadway classification is not based solely on the current role of the street, but also of its expected role as traffic increases due to surrounding development or redevelopment.

4. There is no known unique feature *inherent to the site* which impedes the ability for a *new redevelopment proposal* to meet the new building envelope created by the dedication of the required ROW. Having less property to work with than what is desired for a new development is not typically deemed a unique situation nor a hardship. The property has frontage on both Curtis Avenue and Providence Road, and the property even if the ROW is dedicated will exceed  $\frac{3}{4}$  of an acre, not an uncommon size for a Panhellenic property in this area.

In addition, other properties along Providence Road and other major arterials that have been recently replatted have experienced similar dedication requirements. However, some of the previous requests resulted in less than the minimum required amount of right of way dedication as well, but this amount of relief has varied. Granting the design adjustment would impact the ability of the City to install roadway improvements in the future and in turn negatively impact the public through potential increases in acquisition costs or less efficient and safe travelways.

5. Not having the adequate right of way could hinder the City from making future improvements to the roadway, sidewalks, and other infrastructure that may address issues of public health and safety.

**Conclusion**

Upon review of the requested design adjustment, staff has concluded that the circumstances surrounding the request fail to meet the criteria established for design adjustment approval.

The proposed final plat has been reviewed by staff and aside from the requested design adjustment is believed to meet all requirements of the Unified Development Code.

**RECOMMENDATION**

The following recommendations are provided:

1. Denial of the design adjustment to Section 29-5.1(c)(4) to waive the required additional right of way dedication on Providence Road;
2. Denial of the proposed final plat given it is not in compliance with the provisions of the UDC.

**Alternatively**, if the Commission supports the requested design adjustment the plat could be recommended for approval.

**SUPPORTING DOCUMENTS (ATTACHED)**

- Locator maps
- Design Adjustment Worksheet
- Final Plat

**SITE CHARACTERISTICS**

<b>Area (acres)</b>	0.87
<b>Topography</b>	Mostly flat
<b>Vegetation/Landscaping</b>	Developed site with front yard along the Providence frontage
<b>Watershed/Drainage</b>	Flat Branch
<b>Existing structures</b>	Home presently occupied by renters (912 S. Providence) and Alpha Phi Sorority House (906 S. Providence), Sorority Annex (911 Curtis Avenue) and parking areas

**HISTORY**

<b>Annexation date</b>	1906
<b>Zoning District</b>	R-MF
<b>Land Use Plan designation</b>	Neighborhood
<b>Previous Subdivision/Legal Lot Status</b>	Lot 1, Alpha Phi Subdivision and Lot 22, La Grange Place

**UTILITIES & SERVICES**

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

**ACCESS**

<b>Providence Road</b>	
<b>Location</b>	Along the west side of property
<b>Major Roadway Plan</b>	Major Arterial; MoDOT maintained (106-110-foot ROW required; 53-55 half-width required) Design adjustment request for ROW.
<b>CIP projects</b>	Providence Road Improvements Project to provide a longer turning lane southbound at Stadium and intersection improvements to the south at Rollins and Turner completed in recent years
<b>Sidewalk</b>	Sidewalks present

<b>Curtis Avenue</b>	
<b>Location</b>	South side of site
<b>Major Roadway Plan</b>	NA; Local street (50-foot ROW required; 25 half-width required) and plat provides additional required ROW of 5'
<b>CIP projects</b>	None
<b>Sidewalk</b>	Required

**PARKS & RECREATION**

<b>Neighborhood Parks</b>	Grasslands Park, Flat Branch Park and MKT trailhead all within approximately .5 miles
<b>Trails Plan</b>	MKT Nature and Fitness Trail
<b>Bicycle/Pedestrian Plan</b>	MKT Nature and Fitness Trail

**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 on September 29, 2020. 20 postcards were distributed.

Report prepared by Rachel Bacon

Approved by Patrick Zenner