



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: November 16, 2020

Re: 906 S. Providence – Design Adjustment (Case #189-2020)

Executive Summary

Approval of this request would waive the requirement to dedicate 17.5' of right of way (ROW) along the Providence Road frontage of property addressed as 906 and 912 S. Providence Road and being used by the. This request is being considered concurrently with a one-lot final plat entitled "Alpha Phi Subdivision Replat". The replat would consolidate two existing lots into one lot for the purposes of accommodating reconstruction of the Alpha Phi sorority house on the subject lots.

Discussion

Crockett Engineering (agent), on behalf of Alpha Phi House Corporation Board- University of Missouri (owner), seeks design adjustment approval to waive the 17.5' of right of way dedication required by Section 29-5.1(c)(4) and Appendix A.3 of the UDC along the parcel's Providence Road frontage. This request is being considered concurrently with a one-lot final plat entitled "Alpha Phi Subdivision Replat" which proposes the combination of Lot 1, Alpha Phi Subdivision and Lot 22, La Grange Place to accommodate redevelopment of the lots with a new sorority house and associated parking.

Providence Road is a MoDOT-maintained facility and is classified as a major arterial requiring a 53' half-width dedication. Currently the half-width of the roadway is 35.5'. The full width of Providence Road right-of-way (which includes the sidewalks) is approximately 70 feet at this location. The applicant seeks a full waiver of the required 17.5' of additional half-width right of way. Application correspondence (attached) states that such dedication constitutes 15% of the parcel's depth and if dedicated it may affect the recently reconstructed Delta Gamma sorority house to the north at the intersection of Providence and Burnham if roadway expansion were pursued. It should be noted that reconstruction of the Delta Gamma house did not require a platting action and that the intersection improvements were part of a negotiated settlement associated with the recently completed Providence Road improvements. Furthermore, the Delta Gamma site was granted multiple variances by the Board of Adjustment to permit the existing structure's location.

During the Planning Commission public hearing, the applicant offered correspondence from MoDOT, which staff had no knowledge, indicating that MoDOT does not have future plans for Providence Road expansion in this location that would necessitate dedication of the additional right of way. Staff has confirmed with MoDOT that the applicant's public hearing statement was factual.



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While this portion of Providence Road is currently controlled by MoDOT this ownership may change overtime and the requirement to obtain UDC right of way width during the subdivision process is seen as a general community benefit to ensure future acquisition costs are reduced if expansion is deemed necessary. Right-of-way may be used for a variety of transportation options including but not limited to bike lanes, sidewalks, bus lanes, street furniture (benches, bike racks, lighting, etc.), wider traffic lanes, and utility placement.

The attached replat of the property proposes a Providence Road right of way line consistent with the 2017 approved plat for the Alpha Phi Subdivision that was submitted and approved prior to the adoption of the UDC. The proposed replat; however, does dedicate the additional three feet of half-width ROW required for the Curtis Avenue frontage. The plat also dedicates required utility easements on both the Providence and Curtis frontages.

As discussed during the public hearing (see staff report and meeting minutes), there are some site-specific conditions which may make additional improvements to Providence Road very challenging in this location. The property's mid-block location does not generally offer significant opportunity to make a continuous improvement to the north or south between signalized intersections. Improvements to the south may be made more challenging given the majority of the property is owned by the University and used for student housing. Additionally, while staff agrees that the Delta Gamma house would be negatively affected by a right of way expansion, if the ROW on the subject site is granted it could be used for other purposes as described above, not only roadway travel lanes. Furthermore, the lifecycle of any building is not forever and there may be no better time to obtain right of way than now at the pre-redevelopment stage.

The Planning and Zoning Commission considered this request at their October 22, 2020 meeting. Staff presented its report and findings followed by the applicant's representatives giving an overview and justification of the request. No other member of the public spoke during the public hearing. Following these comments, Commissioners discussed similar requests to waive right of way and whether relief had been granted, as well as unique features associated with this site. Following discussion, a motion was made to approve the requested design adjustment which failed to pass by a 3-6 (6-3 to deny) vote.

The Planning Commission staff report, locator maps, design adjustment worksheet, final plat and meeting minute excerpts are attached.

Fiscal Impact

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

Long-Term Impact: Public infrastructure maintenance such as roads and sewers 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.



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Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

Legislative History

Date	Action
02/20/2017	Approved the Alpha Phi Subdivision (Ord. #023081)
05/05/1910	Approved La Grange Place

Suggested Council Action

Denial of the design adjustment to Section 29-5.1(c)(4) and Appendix A.3 as recommended by the Planning and Zoning Commission.