



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: May 19, 2025

Re: Oscar Plat 1– Design Adjustment (Case #90-2025)

Executive Summary

Approval of this request would grant a waiver from the provisions of Section 29-5.1 (f) (iv) (D) of the Unified Development Code as it pertains to individual driveway placement on newly-created non-residential lots with less than 300 feet of roadway frontage along arterial or collector roadways. This matter is being considered concurrently with a request to approve a 1-lot final plat to be known as “Oscar Plat 1,” which is to be presented concurrently on the May 19, 2025 Council agenda.

Discussion

A Civil Group (agent), on behalf of Bucky C, LLC (owner), is seeking approval of a design adjustment from Sec. 29-5.1 (f) (iv) (D) of the UDC regarding required minimum lot frontage along collector and arterial roadways. This design adjustment has been triggered by the applicant's desire to obtain approval of a 1-lot final plat of the subject site. The proposed final plat will be introduced concurrently with this requested design adjustment on the Council's May 19 agenda. Approval of the accompanying final plat is subject to approval of the requested design adjustment. The subject property contains .55-acres, is located at the northwest corner of Vandiver Drive and Range Line Street, and is addressed 1901 Range Line Street.

Sec. 29-5.1 (f) (iv) (D) of the UDC requires that a minimum of 300-feet of street frontage be provide along any newly platted non-residential lots abutting a collector and arterial roadway in order for such lot to be authorization to install an individual private driveway. This section further states that, “shared access for parking and driveways may be required to promote internal development connectivity.” The applicants have provided their justification for the requested relief in the attached “Design Adjustment Worksheet”. Waiver of this regulatory requirement would allow for the creation of the concurrent 1-lot final plat which proposes to maintain two of the three existing private driveway entrances (one onto Vandiver Drive and one onto Range Line Street) despite having less than 300 feet of roadway frontage on either street.

The subject site is located on the northwest corner of Range Line Street and Vandiver Drive and was previously developed with a gas station until around 2011-2015 when the structure was demolished. The site currently has three access points, two on Range Line Street and one on Vandiver Drive. The site's dimensions and the existing accesses were permissible prior to adoption of the UDC in March 2017. Additionally, the site is not considered a “legal lot” and given the removal of prior improvements must obtain “legal lot” status prior to issuance



of any building permits. Obtaining this status requires a final plat that is compliant with current UDC standards.

With the adoption of the UDC in 2017, the site's frontages along Vandiver and Range Line are now insufficient to meet the adopted requirements that would permit individual driveway accesses without approval of the requested design adjustment. Full compliance with the current standards is compromised by the site's physical features given its significant rise in elevation along its western boundary which limits the location of any access point along Vandiver. Furthermore, discussions between the applicant and the property owner to the north have failed to facilitate a shared access agreement that would have utilized the existing northern access to Range Line Street.

Given the site's topographical challenges and the inability to negotiate a "shared" access with the property owner to the north, the applicant seeks to widen the existing northern access, on its own property, such that their site has an individual access that would no greater than 30-feet in width. If allowed, the combined width of the existing, approximately 18-foot wide driveway and the proposed expansion would result in an "effective" approximately 48-foot wide driveway split by the common lot. Allowing the 30-foot access on the subject site would ensure that in the event the northern property owner either blocked or removed their section of the existing driveway adequate commercial access would be maintained to the subject site.

It should be noted that any change to the existing driveway width along Range Line Street would be subject to issuance of a driveway permit from MoDOT given this street is under their regulatory control. Furthermore, as shown the concurrent final plat, should the design adjustment be approved the existing southern driveway would be eliminated. This elimination would remove a "conflict point" along the Range Line Street frontage and enhance public safety.

With respect to site's access to the Vandiver frontage, the applicant is proposing to relocate the existing access westward. Vandiver is a city-maintained roadway and the proposed relocation is favored by the City Traffic Engineer given the current access placement is not optimally setback from the intersection of Vandiver and Range Line.

Staff has reviewed the applicant's submitted worksheet and evaluated the waiver request pursuant to the criteria of Sec. 29-5.2(b)(9) of the UDC. The five design adjustment criteria are shown below (in bold) with staff's analysis following each criterion.

i. The design adjustment is consistent with the city's adopted comprehensive plan and with any policy guidance issued to the department by council;

Approving this design adjustment would allow the subject lot, identified as being within a "Commercial" district, to be redeveloped. The commercial district is intended to contain a variety of citywide and regional retail uses as well as offices, businesses, personal services, and high-density multi-family dwellings. Most of the



retail uses in this district depend on auto or transit access to and from major roadways to support and sustain their business activity. In its current form, this lot does not have "legal" status and would not be issued any building permits. A platting action without approving the requested design adjustment is not permitted pursuant to existing regulations and would result in an unusable lot or a lot with no legal access points.

ii. 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;

The applicant has made efforts to mitigate the impacts on the roadway network abutting the subject site and pursued negotiations with the property owner to the north to secure a "shared access" which were not successful. The new driveway accesses along the site's frontages have been reviewed by city and MoDOT staff, and are determined to be sufficient to allow for needed access and permit the future platting of the lot to confer "legal lot" status upon it.

Given a final use for the subject site has not been identified, a "developer imposed" notation on the final plat indicates that a Traffic Impact Analysis (TIA) may be requested when the site seeks a building permit to ensure that transportation system impacts are minimized to the greatest extent possible with the site's redevelopment. If a TIA is required, any recommended actions to ensure system functionality would be at the expense of the applicant and tied to the issuance of building permit.

iii. 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;

The driveway access points have been changed in such a way as to mitigate, to the greatest extent possible given existing site constraints, impacts upon the existing roadways network. Removing one of the access points along the parcel's Range Line frontage removes a conflict point with respect traffic flow as well as any pedestrians utilizing the widened shoulder along the roadway.

iv. 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

This lot was previously improved and granted access utilizing a different set of regulatory standards. MoDOT previously approved the two access points along Range Line Street. Furthermore, there exists a topographical challenge along the western portion of the lot that prevents ease of access from the west. The applicant further attempted to negotiate a shared access agreement with the neighboring property owner, but was unable to secure one.



Directly to the south, there is a developed parcel on the southwest corner of Range Line Street and Vandiver Drive. This parcel is currently used as a restaurant, has an access point on both Vandiver and Range Line and is of similar dimensions to the subject site. It is staff's conclusion that approving this design adjustment would be consistent with existing conditions nearby and given the mitigative measures undertaken to reduce access points the impacts to the surrounding roadway network would be enhanced

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

This design adjustment would allow the applicant to develop this lot to a standard similar to how the lot was utilized previously until around 2011-2015. The proposal would reduce the conflict points with users of the site and travelers along Vandiver and Range Line.

Given the history and existing conditions of the subject site, staff does not anticipate significant impacts to neighboring properties or public safety if the design adjustment were approved. The applicant is removing one of the existing driveways and taking steps to mitigate the impact of the remaining two access points. Any permit to change the driveway on Range Line will require permit approval from MoDOT, and a traffic study can be requested for the intersection on Vandiver.

The Planning and Zoning Commission considered this matter at their April 10, 2025, meeting concurrently with the request for approval of the associated final plat entitled "Oscar Plat 1." Staff presented its report, inclusive of both the platting and design adjustment requests, and answered commissioner's questions pertaining to this request. The applicant's representative was present and gave an overview of the request. No other public comments were received during the public hearing.

After limited Commissioner discussion, two separate motions were made with respect to this request. The first motion was to approve the design adjustment which was passed by a vote of (6-1). The second motion was to approve the final plat which was passed unanimously by a vote of (7-0).

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

Fiscal Impact

Short-Term Impact: None anticipated.

Long-Term Impact: None anticipated.



Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Safe Community, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Mobility, Connectivity, and Accessibility, Secondary Impact: Land Use & Growth Management, Tertiary Impact: Not Applicable

Legislative History

Date	Action
N/A	N/A

Suggested Council Action

Approve the requested design adjustment from Sec. 29-5.1 (f) (iv) (D) waiving the requirement that a minimum of 300-feet of lot frontage be required for individual private driveway access to newly platted non-residential lots along an arterial or collector roadway as recommended by the Planning and Zoning Commission.