

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
March 4, 2021**

SUMMARY

A request by Haden & Colbert (agent), on behalf of Nan Erickson (owner), to rezone one parcel from PD (Planned Development) to M-C (Mixed-Use Corridor). The approximately 5.28-acre property is located on the southern frontage of I-70 Drive SE approximately 600-feet west of St. Charles Road and is addressed 5304 I-70 Drive SE. (**Case #81-2021**)

DISCUSSION

The applicant is seeking to rezone the approximately 5.28 acres of property from C-P (Planned Commercial, now PD) to M-C (Mixed-use Corridor). The requested M-C zoning is the City's most intensive commercial district. The subject site located on the southern frontage of I-70 Drive SE approximately 600-feet west of St. Charles Road and is addressed 5304 I-70 Drive SE.

The subject property is heavily wooded with approximately 1.28 acres of the northern ridgetop fronting I-70 Drive SE being cleared of vegetation and accessible by a short, gravel driveway. Additionally, the site contains a 0.18-acre perineal pond fed by two non-classified streams. These two streams flow west through the site creating two shallow gulleys. Runoff from the pond is collected by an I-70 drainage system and directed across the interstate into the Hominy Branch creek. Aside from the pond, there are no improvements or existing structures on the site. The property is unplatted and any future development proposals would necessitate a platting action prior to the issuance of a building permit.

This property is presently contained in the Urban Service Area (USA) as presented in the Columbia Imagined Comprehensive Plan. The site would be served by the City, but requires the extension of services upon development. Costs for utility extensions would be the responsibility of the developer.

Background

The site's current planned district zoning designation of C-P (Planned Commercial) was originally approved on November 17, 2008 and was converted to the current PD (Planned Development) designation as part of the 2017 UDC adoption process. All prior C-P zoning entitlements remained in place following its reclassification. At the time of rezoning, the site consisted of two separate tracts – a northern tract in the City zoned A-1 (Agriculture) and a southern tract in the County zoned R-S (Single-Family Residential).

The 2008 City ordinance (Ord. #20107) annexed the southern tract, rezoned the northern tract to C-P, assigned C-P to the southern tract, and approved a Statement of Intent (SOI) which included maintaining 20% of the site as open space. The SOI permitted all uses allowed under C-3 with a clause excluding the following uses: Commercial parking for automobiles and light trucks, Large equipment storage yard or sales, Motor vehicle or trailer sales and service, and Car washes. It should be noted three of these uses are permitted in the requested M-C zone; however, when comparing the allowed uses to those allowed in the M-N (Mixed-Use Neighborhood) district, two of the uses are conditional and the other two are excluded. Another condition of the 2008 annexation and permanent zoning ordinance also required a traffic study to be submitted with a development plan for the site. To date, no development plan or traffic study have been submitted or approved.

Zoning

Requests for zoning map amendments are evaluated from several perspectives, including the surrounding zoning and land use mix, and how the requested zoning correlates with the Comprehensive Plan and its future land use designation.

This area falls under both the Columbia Imaged Comprehensive Plan and the East Area Plan. The Columbia Imaged Comprehensive Plan identifies this area as being within the land use category of “Commercial”, which is consistent with City and County commercial zoning surrounding the St. Charles Road interchange to the east. The East Area Plan also identifies the area as “Commercial” in its future land use map. The requested M-C zoning is consistent with these future land use categories. However, in both plans, the properties to the west and southwest are classified as “Neighborhood” or “Residential”. As the Comprehensive Plan does not specify the specific commercial zoning designation, additional analysis is required to determine the appropriate zoning for the site.

In terms of the surrounding land use and zoning adjacent to the site, the property to the west is zoned M-C and is improved with one single-family home. The property to the southwest is zoned R-1 (One-Family Dwelling) district and improved with a small mobile home park. To the south, with frontage on St. Charles Road, there is unincorporated Boone County property zoned C-G (General Commercial) and R-S (Single Family). Property to the east, with frontage on I-70 Drive, is zoned M-C and improved with a single-family home. Abutting property to the southeast is zoned County C-G and improved with a car wash and an automobile glass repair facility.

As described above the surrounding area is a mix of zoning of both incorporated and unincorporated parcels, but overall the land use pattern along the I-70 Drive SE corridor in this area is generally undeveloped or residential. However, the nearby St. Charles Road and I-70 Drive SE intersection is identified as a commercial node in both the Columbia Imaged and East Area Plans.

Below is an itemized list of criteria that staff believes supports the approval of the request. Following the itemized list are additional reasons that might be seen as denying the requested zoning, for comparison.

Criteria Supporting Approval

- **Surrounding Zoning** – Both properties directly adjacent to this site on I-70 Drive SE are zoned M-C. Most property along this corridor is zoned M-C and property surrounding the nearby St. Charles Road interchange is zoned either City M-C or County C-G.
- **Future Land Use Maps** – Both Columbia Imaged and the East Area Plan designate this site as future commercial.
- **Commercial Node** – This site is within the concentration of general commercial zoning surrounding St. Charles Road, Bull Run Drive, and I-70.
- **M-C Zoning Intent** – This site takes access from an outer road to I-70 and is highly visible to interstate traffic. The site’s proximity to the interchange lends itself to being more suitable for auto-oriented commercial activities
- **Residential Buffering**– There are sufficient protections in the UDC via neighborhood protection standards and screening that allow development of this site for commercial activities to be buffered against the minimal portion of R-1 property abutting to the southwest.
- **UDC Environmental Protections** – The only specific restriction from the prior PD relating to the natural environment was the requirement to maintain 20% of the site in open space as opposed to the typical 15% required. Since the PD was approved, the UDC has been adopted which includes protections for climax forest, significant trees, and steep slopes which staff believes is an improvement over the additional requirement of 5% open space.

Criteria Supporting Denial

- **Prohibited Uses** – The excludes uses noted in the existing statement of intent refers to uses that are more typical for M-C zoned property. This implies full C-3 zoning was not considered appropriate at the time of the C-P zoning
- **Undeveloped Area** - Given the amount of undeveloped commercial property in place already in the vicinity, there does not appear to be an overwhelming need for additional M-C zoned property. Per the agent, there are no current plans to develop this property which may lend this request to be viewed as premature or speculative.
- **Natural Environment** – The current zoning requires site plan approval which gives greater control as to the specific development site. Site plan approval could be reliant on maintaining or protecting specific features of this site not restricted by provisions that already exist in the UDC.

Conclusion

While the area is generally undeveloped, the surrounding City and County zoning designations, future land use designations, and proximity to the St. Charles Road interchange are factors which lead staff to supporting the requested M-C zoning. Considering the natural environment, staff believes there are sufficient protections in the existing subdivision standards to protect potential climax forest, steep slopes, and significant trees from future development. Considering neighboring residential properties, staff believes neighborhood protection standards and screening provisions of the UDC are sufficient to provide buffers in the context of this commercial node. These additional requirements previously not available prior to 2017 build a strong argument that the current PD designation is not necessary unless significant control over the site development process is seen as essential.

Additionally, the conditions for surrounding zoning and land use have changed since 2008. At that time, the use restrictions for this site were intended as a buffer between the commercial node to the east and the agriculturally zoned parcels to the west. In 2020, two parcels directly to the west were rezoned to M-C from A (Agriculture) which results in this parcel sitting between two M-C parcels fronting I-70 Drive SE. Consideration of another open zoning classification other than M-C, staff believes, would be inconsistent as most of the conditions applicable to this site are similar to those applicable to the adjacent M-C parcels.

The requested rezoning will remove the PD plan requirement and open up the site to uses consistent with neighboring properties. Given the additional provisions of the UDC and consistency with the surrounding zoning along this corridor, staff supports the request for M-C zoning noting the additional criteria above.

RECOMMENDATION

Approve the request to rezone the property to M-C.

SUPPORTING DOCUMENTS (ATTACHED)

- Locator maps
- East Area Plan
- 2008 Zoning Map
- 2008 Ordinance
- Surrounding Zoning Graphic

SITE CHARACTERISTICS

Area (acres)	5.28 acres
Topography	Slopes downward from the southeast into a 0.18 acre pond
Vegetation/Landscaping	Wooded; 1.28 acre clearing directly fronting I-70 Drive SE
Watershed/Drainage	Hominy Branch
Existing structures	N/A

HISTORY

Annexation date	2008 (southern parcel), 1969 (northern parcel)
Zoning District	Planned Development
Land Use Plan designation	Commercial District
Previous Subdivision/Legal Lot Status	Unplatted

UTILITIES & SERVICES

Sanitary Sewer	City of Columbia
Water	Public Water Supply District #9
Fire Protection	City of Columbia
Electric	Boone Electric

ACCESS

I-70 Drive SE	
Location	North side of site
Major Roadway Plan	Major Collector
CIP projects	None
Sidewalk	Required upon development

PARKS & RECREATION

Neighborhood Parks	N/A
Trails Plan	N/A
Bicycle/Pedestrian Plan	N/A

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 February 12, 2021. Nine postcards were distributed.

Report prepared by Brad Kelley

Approved by Patrick Zenner