

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
June 7, 2018**

SUMMARY

A request by Brush & Associates (agent) on behalf of James Harris (owner), seeking to rezone 0.61 acres from PD (Planned District) to A (Agricultural District). The subject parcel is located approximately 700 feet east of Dorado Drive and on the south side of St. Charles Road and is currently a vacant parcel of property. The owner intends to combine this parcel with the adjoining 10 acres to the south (subject of Case #18-105) to be used as a large single-family residence and farm. **(Case # 18-104)**

DISCUSSION

The applicant is seeking to rezone their property on the south side St. Charles Road, approximately 700' east of Dorado Drive, from PD (Planned District) to A (Agriculture District). The rezoning would allow for consistent zoning on the entirety of Mr. Harris' property upon annexation of the 10-acre tract to the south of the subject site (Case #18-105) and would remove the requirement that a development plan be prepared for the subject site. Mr. Harris intends to use the subject lot for vehicular roadway frontage and access to the remainder of the parcel, which would facilitate development of a single family residence on the 10-acre portion.

The existing development plan (The Terebinths – PUD Plan) was initially approved on March 20, 1995, and revised on September 4, 1997. The revised development plan proposed 40 single-family attached condominium units over a larger development tract that included the subject site. The subject site was specifically identified as being improved with two complete and a portion of a third of the proposed 40-units. Additionally, the subject lot included a shared access drive which would connect the development to St. Charles Road that was generally located within the existing stem portion of the subject site. However, due to inactivity, the PUD plan expired in September 2002 and upon the sale of Lot 4 to Mr. Harris has become null and void. The underlying PUD zoning (now PD) and existing Statement of Intent; however, remain in place and would govern any future site development.

Requests to rezone property to the A (Agriculture) district are subject to a minimum lot area of 2.5 acres. The subject site contains 0.61 acres; therefore, is not by itself eligible for such a designation. However, with this request the applicant submitted concurrent applications for annexation of the 10 acres to the south (Case #18-105) and a final plat (Case # 18-106) proposing the subject site be combined with the 10 acre annexation parcel. Given these concurrent applications, the staff proceeded with its review of the requested rezoning action. Should the Commission and Council agree that the requested A zoning is appropriate for the subject parcel such recommendation would be contingent upon the approval of both the annexation request and the final plat.

If this application and the concurrent annexation and final plat requests are approved, the newly created 10.61 acre A zoned tract would be permitted to be improved with two single-family homes accessible via the existing St. Charles Road stem access. If additional division of the combined property were sought it is possible that a maximum of four homes could be constructed upon the total acreage. The UDC permits a maximum of 2 homes per 2.5 acre parcel in the A district; however, also limits the number of contiguous parcels that can be created from an A zoned parcel to a maximum of two before requiring that a rezoning to a conventional residential district (i.e. R-1, R-2, etc) be submitted. The applicant has not indicated any intent to seek further development activity beyond the construction of single-family home on the combined 10.61 acre tract.

Development of the subject tract as a single-family home site or for agricultural purposes is limited due to steep slopes and rocky soil conditions. The applicant intends to use the subject lot simply for access to the 10 acres to the south that is the subject of Case #18-105. If the Commission wishes to deny the requested rezoning, but approve the final plat (Case # 18-106), the UDC does not preclude the creation of a split-zoned parcel. The applicant would be able to utilize the subject lot for access purposes; however, since the lot would remain zoned PD, a PD development plan would be required for any improvements located on the land to ensure compliance with its zoning designation. Since the owner intends the lot for vehicular access only, this would be of no benefit to the public.

In evaluating this application, staff has considered the impacts that zoning this parcel to the A district would have upon surrounding City and County development. The subject parcel, as noted above, is not a candidate by itself to be zoned A due to its insufficient area. However, when considered as part of the adjoining 10 acre annexation parcel the request is not considered inconsistent with the surrounding land use pattern.

The parcels to east and west of the subject site will remain zoned City PD and subject to the original zoning Statement of Intent limitations. Given there is no development on these PD tracts and that a new PD development plan will be required prior to development commencing the proposed change in zoning can be accommodated in a future development proposal. Furthermore, given that the subject parcel is not be used for development purposes, other than as an access, the impacts of the zoning change are considered minimal upon the surrounding land use pattern. The subject site, when combined with the larger annexation parcel, is not considered a "spot zone" which is typically discouraged.

As for impacts upon the adjacent Boone County R-S (Single-family) zoned properties, the proposed rezoning will be less intense than allowed under County provisions. Two single-family homes exist on the three adjacent County parcels. One of the parcels is a large (20.61 acre) undeveloped tract that has a single point of access to the east into the Wellington Manor subdivision. Development of this tract would require annexation for public utilities and would be capable of addressing any potential land use issues arising from the A district zoning of the subject parcel when it is submitted for future development. At this time, staff does not find any land use incompatibility with the requested A district zoning and the existing County R-S.

This request has been review by staff and external agencies and found to be compliant with the UDC requirements and is consistent with the Comprehensive Plan. The subject property has access to public infrastructure capable of supporting the proposed residential development.

RECOMMENDATION

Approval of the requested rezoning from PD to A, subject to approval of the requested annexation of the 10-acres to the south (Case #18-105) and approval of the final plat (Case #18-106) that will combine the subject site with the annexation parcel.

ATTACHMENTS

- Locator maps

HISTORY

Annexation date	1995
Zoning District	PD (Planned District)
Land Use Plan designation	Neighborhood District
Previous Subdivision/Legal Lot Status	Lot 4, Terebinths Subdivision Plat 1

SITE CHARACTERISTICS

Area (acres)	0.61 acres
Topography	Generally sloping South to North
Vegetation/Landscaping	Wooded
Watershed/Drainage	Perche Creek
Existing structures	No structures, concrete drive within stem

UTILITIES & SERVICES

All utilities and services are provided by the City of Columbia

ACCESS

St. Charles Road	
Location	Access point at northern edge of property
Major Roadway Plan	Major Collector
CIP projects	N/A
Sidewalk	Required

PARKS & RECREATION

Neighborhood Parks	N/A
Trails Plan	Approximately 200' east of Hominy Creek Trail St. Charles Road crossing location
Bicycle/Pedestrian Plan	N/A

PUBLIC NOTIFICATION

All property owners within 185 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 May 1, 2018. 11 postcards were sent.

Public information meeting recap	Number of attendees: 2 Comments/concerns: None received
Notified neighborhood association(s)	Avalon HOA, Woodridge NA
Correspondence received	None to date.

Report prepared by Rusty Palmer

Approved by Patrick Zenner