



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: October 18, 2021

Re: 2550 and 2700 E. Gans Road - Early Resubmittal of Permanent Zoning (Report)

Executive Summary

Attached is a written request to resubmit a substantially similar permanent zoning request on property addressed 2550 and 2700 E. Gans Road that was withdrawn following a negative recommendation by the Planning and Zoning Commission. Pursuant to Section 29-6.4(n)(1)(i)(D) of the Unified Development Code, a period of 12 months shall elapse between the submission of substantially similar requests for zoning map amendments unless otherwise authorized by City Council following review of a written justification by the applicant.

Discussion

Crockett Engineering Consultants (agent), on behalf of William Stricker and Summit Medical Supplies, LLC (owners), is requesting that Council consider authorizing the early resubmission of a proposed permanent zoning request on property addressed as 2550 and 2700 E. Gans Road more commonly known as "Canton Estates". The attached letter has been submitted as required by Section 29-6.4(n)(1)(i)(D) of the UDC which states:

(D) No application to amend the zoning map may be filed if it is the same or substantially the same as an application submitted within the previous twelve (12) months that was denied by the council or withdrawn by the applicant after a negative recommendation from the commission. The council may, in its sole discretion, authorize a resubmittal within the twelve-month period after reviewing a written request from the applicant that provides justification for the early resubmittal.

The original permanent zoning request (Case #91-2021) was withdrawn by the applicant following a negative recommendation of the Planning and Zoning Commission on April 8, 2021. Two concurrent actions were associated with this request, a proposed annexation (Case #130-2021) and a proposed preliminary plat (Case #89-2021). The original application was filed on February 8, 2021.

Section 29-6.4(n)(1)(i)(D) of the Unified Development Code is specifically applicable to cases in which a zoning amendment has been sought. The UDC does not contain procedural provisions or an appeal process for annexation matters and does not specifically address restrictions on the resubmission of platting actions. As such, the matter before Council is to determine if a substantially similar request for zoning amendment (rezoning) should be allowed to be submitted earlier than the required 12-months separation from a similar request.



City of Columbia

701 East Broadway, Columbia, Missouri 65201

The proposal to rezone 61.76 acres to R-1 (One-family Dwelling) and 3.59 acres to M-N (Mixed-Use Neighborhood) is substantially the same as the previous application to rezone 65.35 acres to R-1 District.

The applicant's letter references several subdivision layout changes that, in their opinion, make this current zoning request substantially different. A copy of the revised development layout has been provided as a point of reference; however, as noted above the provisions of Section 29-6.4(n)(1)(i)(D) of the UDC are specifically directed to matters of zoning not development plan changes.

A copy of the applicant's letter and the proposed revised development plan are attached for review.

Fiscal Impact

Short-Term Impact: N/A

Long-Term Impact: N/A

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Resilient Economy, Secondary Impact: Safe Neighborhoods, Tertiary Impact: Reliable Infrastructure

Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Livable & Sustainable Communities, Tertiary Impact: Environmental Management

Legislative History

Date	Action
N/A	NA

Suggested Council Action

Should Council find that the applicant's justification is sufficient, direct the Community Development -Planning and Zoning Division to receive an application for review.