

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
April 20, 2023**

SUMMARY

A request by A Civil Group (agent), on behalf of Grindstone Acres, LLC et al (owners), for approval of a PD plan (Planned Development) and Statement of Intent (SOI). The PD plan, to be known as the *PD Plan Copperstone Corner*, proposes a 10-lot subdivision and private street network, but no individual development on the lots at this time. The 16.79-acre property is located at the southeast corner of Scott Boulevard and Vawter School Road, and includes the address 4190 W Vawter School Road.

DISCUSSION

Background

The subject 16.79 acres was annexed into the City in November 1998 (Ord. 015793) and is the remainder of a larger 22-acre tract which was permanently zoned C-P (Planned Commercial, now PD). At the time of annexation and permanent zoning the site was authorized to be developed with all uses in the then C-1 (Intermediate Business) district plus service stations with automatic car washes and lubrication facilities. There was no development plan approved at that time; however, the applicant's agent provided a "conceptual" sketch plan of a multi-lot development with a proposed roadway network connecting the development to Scott Boulevard, Vawter School Road, and internally into the adjoining residential development now known as Copperstone. Since annexation the subject site has remained undeveloped; however, approximately 5 acres has been improved with the Addison's restaurant and a mixed-use commercial/residential development south of Frontgate Lane (a private road).

At this time, the applicant desires to pursue development and sale of the acreage with a defined development plan. As such, this request has been presented to ensure that the acreage is compliant with contemporary PD (Planned Development) requirements which include a Statement of Intent (SOI) and a development plan. It should be noted that at the time the original C-P zoning was assigned there were no requirements for an SOI and the entitlements process consisted of two steps – rezoning and development plan approval. Following the adoption of the UDC in 2017, this process was consolidated to a single procedure requiring an SOI and development plan to be submitted and approved concurrently.

It should be further noted, that if the applicant desired to only seek improvement of the site with uses allowed by the existing entitlement (i.e. all 1998 C-1 uses) this action would not be necessary given the site could have been improved via individual development plans as has been the case with the commercial developments to the east. However, given the applicant desires to establish a common development layout and incorporate a new use not previously allowed on the site into its list of authorized uses, this request has been deemed necessary.

Furthermore, given potential traffic impacts generated by future development of the site a transportation impact analysis was conducted. Due to the necessary improvements identified within the analysis a development agreement establishing transportation infrastructure milestones and applicant obligations was prepared. The agreement's obligations and installation timeline have been accepted by the applicant and will be presented to City Council for approval concurrently with the Commission's recommendation.

Finally, as part of discussion between the applicant and staff regarding the necessity to retain planned zoning on the property it was concluded that such action was in the best interest of the City and surrounding residents. Such designation will permit the City to more effectively impose additional regulatory requirements aimed at protecting adjoining residents (i.e. enhanced landscaping/buffers, open space/maximum lot coverage, and use limitations) than would otherwise be allowed in a comparable M-N or M-C zoning district. Furthermore, based upon feedback provided from the applicant following multiple neighborhood meetings it was understood that the owner's likely to be most impacted by the future development of the site were in favor of retaining the "planned" designation.

Development Plan & Transportation System Improvements

The attached PD plan is different from what has been previously presented. Traditionally, a PD plan would identify the location of future buildings and other site features (i.e. parking lots and landscaping). Illustrating these features has often been a fictitious exercise for design professionals and can become a significant point of contention in PD rezoning cases and subsequent plan revisions given the unknown nature of all future site users. To avoid this fictitious exercise, the attached PD plan identifies **only** the proposed lot layout of the future development, the internal transportation system, and as a separate "plan sheet" the proposed landscaping/buffers along the perimeter of the 16.79-acre property.

This streamlined plan would actually require that every lot shown on the plan be submitted for a "final" site-specific PD approval unlike the historic practice that allows "administrative" adjustments following a fully annotated PD plan's approval to occur without public notice. Furthermore, as a result of 2017 changes in the PD zoning and plan approval process, the streamlined plan is believed more consistent with the current regulatory standards given all "design parameters" are actually shown on the plan. These parameters establish for the applicant as well as the staff and public what can actually occur on a given lot and are seen as a more accurate depiction of possible impacts than a fictitious building footprint that may or may not be constructed.

With respect to the proposed development plan submitted by the applicant, the first page contains the design parameters for each lot (i.e. Lot Restrictions), signage restrictions, and general notes that define how each lot shown will be capable of being developed. The "lot restrictions" table references the Statement of Intent (SOI) for additional regulatory requirements such as dimensional standards, parking, and open space. On page 4 of the PD plan, the standards and location of required landscaping/buffers are shown with the specific plant materials and spacing criteria that must be addressed to ensure compliance. As part of the site-specific plan review process these features would be reviewed and the plan would be presented to the Commission for recommendation and final approval by City Council.

The plan depicts a development of a maximum of 10 total lots and a private street system contained in a 76-foot wide common lot. Of the 76-feet of common lot, a total of 56-feet will be dedicated to street and pedestrian purposes (a 38-foot street, with center turn lane, and 5-foot sidewalk four feet of the back of installed curb and gutter). The remaining 20-feet (10-feet per side) will be used for utility purposes. This proposed configuration is consistent with the Local, non-residential Option "C" standard for comparable public streets as shown in the UDC.

The private street system provides access to two public streets (Scott Boulevard & Vawter School Road) as well as interconnects to existing Frontgate Lane, a private street, to the east. Frontgate Lane connects to Frontage Drive, a public street, that also connects to Vawter School Road. The plan shows a fourth access point (a driveway apron) to Scott Boulevard near the northwest corner of the property

that will provide internal driveway access to Lots 101-105.

Given the potential traffic impacts generated from the parcel's development, several roadway upgrades to both Scott Boulevard and Vawter School Road will be required to be made by the applicant. These upgrades include the installation of turn lanes along Vawter School Road, a crosswalk with refuge island west of the intersection of Frontage Drive and Vawter School Road, and modification to the Scott Boulevard/Vawter School Road roundabout such that the installation of right-turn by-pass lane in the southeast quadrant of the roundabout be built. To facilitate these required improvements that application will be dedicating approximately 2.3 acres of right of way for future public use. The common lot containing Capital Drive, the site's primary roadway corridor, contains 1.81 acres.

Lot Restrictions & Statement of Intent

With respect to the "Lot Restrictions" which define the level of building intensity on each lot, the PD plan as well as the SOI shows that they vary based on the location of a particular lot. Generally, the standards become more restrictive when a future development lot adjoins existing R-1 zoned property. Lots north of Capital Drive and having frontage along Scott Boulevard and/or Vawter School Road (Lots 101-105) would be permitted the most building footprint area (35%) per lot. While Lots 107-110, south of Capital Drive and adjoining R-1 property, would be permitted the least building footprint area (20%) per lot. Lot 106 would be permitted a building footprint area of 25% of the its lot.

The following table provides the potential maximum building footprint (in square feet) for each lot within the development based on its lot area restriction along with possible parking demand assuming one level of "retail" development. **These calculations are provided for contextual purposes only.** It should be noted the building footprint on each lot may be significantly impacted if a building is to contain multiple stories given the need to accommodate parking and other required set asides (i.e. setbacks and landscaping/open space).

Development Lot	Area (acres)	Area (square feet)	Max. Footprint (square feet)	Parking Req. (retail assumed)
101	1.57	68,389	23,936	100
102	1.89	82,328	28,815	96
103	1.51	65,776	23,021	77
104	1.14	49,658	17,380	58
105	0.98	42,689	14,941	50
106	1.60	69,696	17,424	58
107	1.69	73,616	14,723	49
108	0.97	42,253	8,451	28
109	0.73	31,799	6,360	21
110	0.79	34,412	6,882	23

The SOI provides specifications relating to required landscaping on each lot. Lots 101-105 will be required to contain no less than 15% landscaping and Lots 106-110 will be required to contain no less than 20% landscaping. For lots 106-110 the perimeter buffer shown on page 4 of the PD plan is intended to count toward the minimum landscaping required. The landscaping allotment for Lots 106-110 is greater than the minimum 15% required by the UDC for general development. Evaluation of compliance with these SOI provisions would be undertaken with each site-specific development plan submission.

Additionally, the SOI stipulates that a 25-foot perimeter setback shall exist along the boundary of the development and where lots adjoin the common lot containing the private street. The SOI also addresses the location of parking and provides greater levels of protection from such parking areas when they are located near R-1 zoned property. Evaluation of compliance with these SOI provisions would be undertaken with each site-specific development plan submission.

Finally, the dimensional standards applicable to each development lot are also shown within the SOI which states that each lot will be subject the dimensional, parking, and use-specific standards shown in Sections 29-4.1, 29-4.3, and 29-3.3, respectively, of the UDC as they related to R-MF or M-C (current) district requirements. Pursuant to these standards, a future building regardless of its location could have a maximum height of 45-feet subject to compliance with the “Neighborhood Protection Standards” as defined in Section 29-4.7 of the UDC. Evaluation of compliance with these SOI provisions would be undertaken with each site-specific development plan submission.

It should be noted that the 1998 C-P zoning did not define a building height, but rather stated height was to be “compatible with the surrounding area”. A compatible height of 35-feet based on existing sounding development could be concluded as appropriate; however, would fail to recognize that the site will require grading which may lower the southern portion of the property with respect to the adjacent development. Given this condition, staff does not believe that the additional 10-feet of height is inappropriate. Should the Commission desire a lessor height against the R-1 zoned property a provision could be added to the SOI stipulating that Lots 106-110 have a maximum height of 35-feet.

As noted above, the applicant seeks to expand the previously approved uses allowed on the site in addition to seeking approval of a comprehensive PD plan. The current uses allowed were those shown in the 1998 C-1 zoning district and also included service stations with automatic car washes and lubrication facilities. Per current PD and SOI requirements, the applicant has taken the current Permitted Use Table of the UDC and created a development specific list of proposed land uses. This list includes all comparable and relevant commercial, office, and residential C-1 uses allowed in 1998 and proposes to add as a new permitted use “indoor recreation or entertainment”. This use is defined as follows and is generally an expansion of the former C-1 use identified as “fitness centers, private gyms, and reducing salons”:

“A facility for indoor participation or observation of sports, games, fitness, arts, or culture activities that do not meet the definition for another use in this chapter. This use includes but is not limited to billiard parlors, game arcades, skating rinks, bowling alleys, gymnasiums not accessory to an education institution, racket clubs, sports arenas, and similar uses. Accessory uses include the sales of food, beverages, and items related to or required for participation in the recreation or entertainment activity. This use includes any establishment with more than three (3) amusement game machines on the premises”.

While it would appear that this use creates a significant increase in the intensity of activities permitted, staff notes the proposed development is located at the corner of a major and minor arterial street. Furthermore, if the subject property were to be rezoned M-N, the district comparable to the former C-1, this use would be permitted by-right. Given these uses would be completely contained within an enclosed structure, the adverse impacts that they may impose are not believed to be significant. Finally, given the transportation system improvements required to support the overall development it is likely that any traffic impacts generated by such facilities would be adequately mitigated. Should the Commission have concern with this additional use, a stipulation could be added within the SOI that restricts such uses to only Lots 101-105 of the development.

Conclusion

The subject site has been zoned for “planned” development since 1998 and has only been improved with two commercial uses. This request provides an opportunity to define a future development layout with sufficient internal and external transportation improvements and a correspondence Statement of Intent (SOI) that would grant entitlements believed consistent with the site’s original approval, but updated to meet today’s contemporary standards.

The proposed development plan contains design parameters that will permit future users to improve the lots with building footprints reflective of their unique needs instead of presenting a plan with fictitious footprints that may convey unrealistic expectations of future development forms. Additionally, the development plan provides clear expectations for required site improvements such as landscaping/ buffers and signage. Given that no proposed buildings are shown on the plan, all future construction will be required to seek final, site-specific plan approvals as each lot is developed via the established PD plan approval process (i.e. Commission recommendation and Council approval) via a public hearing. As such, the simplified plan does not reduce the public’s engagement in final site plan approvals, but rather allows for design professionals to meet future user’s needs more efficiently.

When the plan’s design parameters are combined with the limitations of the proposed SOI a picture of the type of the development that will be constructed on the acreage begins to emerge. Given the use restrictions within SOI, the future development will be consistent with that originally proposed in 1998 (neighborhood-level uses) with the addition of “indoor recreation and entertainment”. The most significant difference would be with the building height which was not previously determined, but is now proposed to be consistent with that of the current M-C district, 45-feet subject to neighborhood protection standards.

Staff finds that the proposed PD plan and SOI meet the regulatory requirements of the UDC and will permit development of the 16.79 acres in a manner consistent with that envisioned in 1998. The plan and SOI have been reviewed by internal and external staff which support its approval. Approval of the PD plan, also the site’s preliminary plat, will permit the applicant to proceed to final platting of lots within the development and design of infrastructure necessary to support the proposed future lots. Finally, the corresponding development agreement relating to the required transportation improvements will be submitted to Council concurrent with the Commission’s recommendation.

RECOMMENDATION

1. Approval of the requested Statement of Intent for the PD zoned land addressed as 4190 W. Vawter School Road
2. Approval of the PD plan to be known as “*PD Plan Copperstone Corner*”

SUPPORTING DOCUMENTS (ATTACHED)

- Locator Maps
- PD plan
- Statement of Intent
- Ordinance # 015793

SITE CHARACTERISTICS

Area (acres)	16.79
Topography	Sloping upward from Scott/Vawter to the southeast
Vegetation/Landscaping	None
Watershed/Drainage	Mill Creek
Existing structures	None

HISTORY

Annexation date	1998
Zoning District	PD
Land Use Plan designation	Commercial
Previous Subdivision/Legal Lot Status	Survey tract (not legal)

UTILITIES & SERVICES

All utilities and services provided by the City of Columbia.

ACCESS

Scott Boulevard	
Location	West side of site
Major Roadway Plan	Major Arterial (improved and City maintained) within street easement. Half-width and additional ROW for roundabout by-pass lane required at time of plat.
CIP projects	None
Sidewalk	Sidewalks existing

Vawter School Road	
Location	North side of site
Major Roadway Plan	Minor Arterial Collector (improved and City maintained). No additional ROW required to accommodate half-width and traffic study improvement to be dedicated at time of plat.
CIP projects	None
Sidewalk	Partial sidewalks existing near Scott/Vawter intersection

PARKS & RECREATION

Neighborhood Parks	Within half-mile of MKT Nature & Fitness Trail and Jay Dix Station
Trails Plan	None impacting site
Bicycle/Pedestrian Plan	Pedway along Scott & Vawter

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 April 3, 2023. 34 property owner letters were distributed. Since distribution, no inquires relating to this request have been made.

Report prepared & approved by Patrick Zenner