



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: July 1, 2019

Re: Broadway Shops C-P Plan - Major PD Amendment (Case #136-2019)

Executive Summary

Approval will amend the permitted uses allowed under the Broadway Shops planned development (PD) statement of intent (SOI).

Discussion

Crockett Engineering Consultants (agent) on behalf of the Broadway Shops, LLC (owner) is seeking a major amendment to the existing planned development (PD) known as *Broadway Shops*, which is located northeast of the intersection of E. Broadway and Trimble Road and addressed 2703 E. Broadway. The amendment revises the Statement of Intent (SOI) governing uses on the 7.32-acre property to include the addition of “medical marijuana dispensary”, “light vehicle service or repair”, and “artisan industry” as permitted uses. The amendment also ensures conformity with provisions of the new UDC.

Broadway Shops was zoned for planned development in 1996 and permitted to be developed with all C-3 district uses (generally now M-C district uses) with some exceptions. Service stations were one of the noted exceptions; however, the existing Breaktime Gas Station was classified as convenience store rather than a service station at the time of permitting. Inclusion of the “light vehicle service or repair” use will provide consistency with how gas stations are accounted for under the UDC and will be subject to the use-specific standards for the use in found within Section 29-3.3(cc).

When considering the appropriateness of the additional three uses to the SOI, staff evaluated the surrounding land uses, the uses permitted and prohibited under the existing SOI, and uses typically permitted in the former C-3 district. All three of the proposed new uses would be permitted under the M-C zone which this site is generally consistent with and are not out of scale or more intense than the existing uses permitted within the Broadway Bluffs development. The area is the southern limit of the Conley Road commercial area, and is designated as being within a “Commercial District” on the Columbia Imagined future land use map.

From a location perspective, Broadway Bluffs has transit and vehicular access via two Go COMO bus routes (blue and gold), E. Broadway, and is near the Highway 63 and I-70 corridors. For medical marijuana patients, the site is near Boone Hospital as well as E. Broadway and Keene Street which are highly developed with medical offices of all types. A formal review of the site’s ability to meet the use-specific standards for the “medical marijuana dispensary” use will be part of the business licensure process should a state-licensed operator seek to locate within site. Additionally, the very nature of the planned



development's requirement to conform to an approved PD plan provides additional limitations and assurances in terms of the size and scale of all permitted uses.

The previously exempted uses (halfway houses, commercial swimming pools, farm machinery sales and services, mortuaries, cellular phone towers or facilities and billboards) will remain exempt without any additional zoning action.

The Planning and Zoning Commission considered this request at their June 6, 2019 meeting. Staff presented its report and answered a technical question regarding the case description for the advertisement. The applicant gave an overview of the request. No other member of the public spoke during the public meeting. A motion to approve the PD plan amendment passed (8-0).

The Planning Commission staff report, locator maps, Revised Statement of Intent, previously approved *Broadway Shops C-P Plan dated January 11, 2007*, the PD Zoning Ordinance Approved September 3, 1996, and meeting minute excerpts are attached.

Fiscal Impact

Short-Term Impact: None anticipated within the next two years. Public infrastructure extension/expansion would be at the cost of the developer.

Long-Term Impact: Public infrastructure maintenance such as roads, sewers, and water, as well as public safety and solid waste service provision. Future impacts may or may not be offset by increased user fees and/or property tax collections.

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Infrastructure, Secondary Impact: Land Use & Growth Management, Tertiary Impact: Not Applicable

Legislative History

Date	Action
9/3/1996	Approved rezoning to C-P (Ord. 14954).
5/2/2003	Approving the C-P Development Plan of the Broadway Shops (Ord. 17666)

Suggested Council Action

Approve the major amendment to the *Broadway Shops C-P Plan* Statement of Intent as recommended by the Planning and Zoning Commission.