

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
March 21, 2019**

SUMMARY

A request by Engineering Surveys and Services (agent), on behalf of Last Enterprises, LLC (owner), seeking approval to rezone 7.66 acres of undeveloped land from PD (Planned District) to M-C (Mixed-Use Corridor District). The subject site is located at the southwest corner of the intersection of Vandiver Drive and Mexico Gravel Road, between Vandiver and Highway 63. **(Case # 71-2019)**

DISCUSSION

The applicant is seeking rezoning of their property on the east side of Highway 63, from PD (Planned District) to M-C (Mixed-Use Corridor District). The existing PD zoning limits allowed uses to general retail businesses that are consistent with the overall development theme and pattern of the Centerstate Development. A request to rezone the subject parcel to I-G (General Industrial District) was recommended for approval (7-1) by the Planning and Zoning Commission on December 21, 2018. The request was denied by City Council based, in part, on concerns that less restrictive zoning should require a PD plan approval process, which includes a public hearing.

Columbia Imagined designated this parcel as a part of the Open Space/Greenbelt District, which is intended to provide for the recreational and aesthetic needs of Columbia residents. The District is also intended to protect sensitive areas such as floodplains and hilly terrain from development and preserve prime natural areas. Despite this designation, the parcel was disturbed during the construction of the Vandiver Drive connection to Mexico Gravel Road in 2009 and 2010. In light of this disturbance, the value of the subject site as a prime natural area has been diminished and staff finds that the property's Comprehensive Plan designation may be in error given the transportation changes that have occurred.

The Vandiver Drive extension also negated any possibility for development east of the roadway, due to its proximity to the Hinkson Creek stream bed. Much of the land east of the roadway lies within the floodway, and as such is undevelopable. The stream corridor also acts as a natural buffer between the subject parcel and undeveloped land to the east of Hinkson Creek. The Hinkson Creek floodway provides over a ¼ mile of buffer in some areas, between the subject site and any potential development east of the creek. Highway 63 acts as a similar buffer on the west side of the parcel. Given these natural limitations, the subject site is isolated from surrounding development. This isolation, coupled with the site's proximity to US Highway 63 and two major arterial roadways, appears to justify the requested rezoning from PD to M-C.

PD zoning provides opportunity for greater development oversight; however, staff does not believe such oversight is necessary at this time given the changes that have occurred within the area since it was originally zoned. The property has remained undeveloped in spite of its improved access and visibility. Uses within the M-C district are generally consistent with the uses permitted within the existing PD statement of intent thereby permitting compatible development with the already improved portions of the Centerstate Development. M-C zoning; however, does permit a wider range of uses than the approved statement of intent as discussed below.

Currently, the statement of intent permits uses ranging from office buildings and churches to carwashes and convenience stores, including farm machinery sales and service. All these uses are allowed within the M-C district as well as tree and landscaping services, self-service storage facilities, and adult retail. The use originally sought by the applicant in the IG rezoning request was "mechanical and construction contractor shops". This use would be allowed within the M-C district subject to approval of a conditional use permit (CUP). M-C zoning also permits adult entertainment establishments subject to approval of a CUP. The CUP approval process requires a public hearing and is similar to the approval of a planned district with the exception that a development plan is not required. It should be further noted that an adult entertainment or adult retail businesses would not be permitted on the property due to State Statutes and use-specific standards within the UDC since the parcel is within 1000-feet of a residential dwelling.

Given the similarity of the uses permitted between the PD statement of intent and those allowed within the M-C zoning district, existing transportation improvements, natural isolation of the property from adjoining development,

as well as the restrictions on adult uses, staff believes the request for rezoning is reasonable. The use of a PD designation is intended to mitigate potential land use conflicts and to address unique characteristics of a development parcel. Staff does not believe, given the changed characteristics of this area since its initial zoning, that a PD designation is appropriate. Many, if not all, of the potential impacts that this site may create upon neighboring parcels can be addressed through the general provisions of the UDC which were not available at the time of its original zoning.

RECOMMENDATION

Approve the requested rezoning.

ATTACHMENTS

- Locator maps

HISTORY

| | |
|--|-------------------------------|
| Annexation date | 1969 |
| Zoning District | PD (Planned District) |
| Land Use Plan designation | Open Space/Greenbelt District |
| Previous Subdivision/Legal Lot Status | Lot 1, Centerstate Plat 13 |

SITE CHARACTERISTICS

| | |
|-------------------------------|------------------------|
| Area (acres) | 7.66 acres |
| Topography | Generally flat, graded |
| Vegetation/Landscaping | Turf or bare |
| Watershed/Drainage | Perche Creek |
| Existing structures | None |

UTILITIES & SERVICES

All utilities and services provided by the City of Columbia

ACCESS

| Vandiver Drive | |
|---------------------------|--------------------------------|
| Location | Along eastern edge of property |
| Major Roadway Plan | Major Arterial |
| CIP projects | N/A |
| Sidewalk | Improved |

PARKS & RECREATION

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

Report prepared by Rusty Palmer

Approved by Patrick Zenner