



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: August 2, 2021

Re: *Eastport Plat 1-A-3* Lot 102-C Rezoning (Case #194-2021)

Executive Summary

Approval of this request would result in the rezoning of Lot 102-C of Eastport Plat 1-A-3 from PD to M-N. The requested rezoning is to permit the development of the site with an assembly lodge hall use. The proposed use will require approval of a conditional use permit (CUP) which is presently under review as Case # 217-2021 and will be considered by the Planning and Zoning Commission at their July 22 meeting.

Discussion

Crockett Engineering (agent), on behalf of JAJ, LLC (owners), seeks the rezoning of *Eastport Plat 1-A-3, Lot 102-C* from PD (Planned District) to M-N (Mixed-Use Neighborhood) to allow the site to be developed with an “assembly or lodge hall” use subject to issuance of a conditional use permit (CUP). The 4.73-acre property is generally located west of Port Way and south of Bull Run Drive and is addressed as 705 Port Way.

A concurrent request (Case # 193-2021) seeks to rezone the adjacent property to the north, Lot 102-E, from PD to M-C (Mixed-Use Corridor) and will be introduced on the Council's August 2 agenda as well. An additional case (Case #217-2021) seeking approval of the required conditional use for the desired “assembly or lodge hall” will be considered by the Planning Commission on July 22 and is tentatively scheduled for Council introduction on August 16.

The subject site was annexed and assigned C-P (now PD) zoning in 2001. The authorized C-P uses included commercial uses permitted in the previous C-3 (now M-C) district with the exception of farm machinery sales/service. In evaluating the request, the impact of “open” M-C uses on the adjoining residential development to the south was considered. Often M-C uses draw higher traffic volumes, have longer working hours, and require more property lighting. Given this observation and at the recommendation of staff, the applicant choose to seek the requested M-N (Mixed-use Neighborhood) zoning.

It should be noted that many of the uses allowed in the PD are permitted within the M-N district; however, require a CUP. The CUP approval process affords the opportunity for public engagement similar to that of a PD plan as well as provides opportunity to attach site specific use conditions to each conditional use sought. The applicant was made aware that the proposed “assembly or lodge hall” use would be subject to approval of a CUP and has submitted a request seeking that authorization.



City of Columbia

701 East Broadway, Columbia, Missouri 65201

This request would be considered a “down-zoning” of the subject site as the more intense uses presently permitted by the PD are to be eliminated or would require CUP approval. While the PD plan process often affords opportunity for greater site development controls, it is believed that the rezoning and necessity for a CUP approval to permit the desired use offsets such a loss. As a means of illustrating what the potential development of the site would look like the applicant has provided a conceptual site plan (attached) illustrating how the proposed site and the adjoining property to the north (Case #193-2021) would be developed if both rezoning requests are approved.

A comparative zoning district analysis was prepared and is shown within the attached July 8 Planning and Zoning Commission staff report. This analysis illustrates that there are few site requirements included in the original C-P zoning that offer a significantly higher level of protection from adverse land use effects or that provide explicit benefits not otherwise obtained by “open” M-N zoning. The most significant shift in the form and development controls on the property would be an increase in the permitted building height, from 25' to 35'.

It should be further noted that a 50-foot wide landscape and utility easement was established by the platting of the subject lot along its southern property boundary in 2004. This area has since been improved with a 10-foot tall landscaped berm which exceeds any current landscaping or buffering requirements found within the UDC. This feature has been depicted on the C-P plan and carried forward with each new platting action on the property. As the easement was created by a recorded plat, the easement will not be impacted by the requested rezoning.

The Comprehensive Plan identifies the subject property as being within the land use category of “Commercial District”. The requested rezoning is consistent with that designation. Furthermore, approval of the requested zoning change would offer a “transition” zone between the more intense activities and uses to the north and the less intense residential development to the south.

The Planning and Zoning Commission considered this request at their July 8, 2021 meeting. Staff presented a combined staff report for Cases #193-2021 and #194-2021. The applicant gave an overview of the requests, and no other public comments were heard by the Commission at that time. Commissioners inquired about parking depicted for the assembly hall and commended staff and applicant for utilizing the M-N district as a transition zone adjacent to the residential uses to the south. A motion to approve the rezoning of the site to M-N passed (9-0).

The Planning Commission staff report, locator maps, zoning graphic, C-P ordinance #021164 with design parameters (12/5/2011), C-P plan (12/5/2011), conceptual site plan, PZC minutes (7/5/2001), and meeting minute excerpts are attached.



Fiscal Impact

Short-Term Impact: None. Extension of infrastructure to support the proposed improvement of the site will be at the expense of the applicant.

Long-Term Impact: Additional cost for public infrastructure maintenance and support services (i.e. public safety and trash collection). Long-term impacts may or may not be offset by increased user fees and tax (property and sales) collections.

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Resilient Economy, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Livable & Sustainable Communities, Tertiary Impact: Mobility, Connectivity, and Accessibility

Legislative History

Date	Action
12/5/2011	Approved C-P development plan, and design parameters. (Ord. #021164)
8/5/2001	Approved C-P zoning upon annexation. (Ord. #016976)

Suggested Council Action

Approve the rezoning from PD to M-N as recommended by the Planning and Zoning Commission.