



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: October 4, 2021

Re: 3310 Vandiver Drive - Rezoning (Case #255-2021)

## Executive Summary

Approval will result in rezoning an approximately 1.5-acre lot from PD to M-C zoning addressed as 3310 Vandiver Drive and formerly occupied by a Ruby Tuesday restaurant.

## Discussion

A Civil Group (agent), on behalf of Merle Jr. and Charlotte Smarr (owners), seeks to rezone Lot 1 of Centerstate Plat 6 from PD (Planned Development) to M-C (Mixed-use Corridor). The 1.5-acre property is addressed 3310 Vandiver Drive.

The subject site was zoned C-P (Planned Commercial, now classified PD) as part of the larger rezoning of the Centerstate Crossing commercial development in 2004. The site's PD Plan for a Ruby Tuesday Restaurant was approved in 2004, with a minor plan amendment approved in 2005. The restaurant closed in 2018, and the Fringe Western Wear store has recently moved to the site. Retail is permitted per the approved Statement of Intent, which was last revised in 2019 (attached) to permit the addition of "All uses of the M-C district".

The applicant is pursuing M-C zoning to alleviate the necessity to process PD Plan amendments for site and building additions. If rezoned, all uses within the M-C district would be allowed subject to compliance with applicable UDC use-specific standards. The rezoning would eliminate the public hearing process that is associated with "major" PD plan revisions; however, would still require that alterations to the site meet all building code and UDC requirements. No building plans are presently under review.

When looking at the appropriateness of the requested zoning, consideration was given to the tradeoffs between planned development zoning and the uses and entitlements on the property today to those that would exist if the site were straight zoned. Additionally, consideration was given to the surrounding land use mix, application of current UDC neighborhood protections standards, and the comprehensive plan designation for the site and surrounding area.

The existing development pattern for Centerstate Crossing is generally already consistent with the M-C zoning, and the Columbia Imagined future land use "Commercial" designation for the property is not out of keeping with the request. The visual frontage to the Highway 63 corridor is also not inconsistent with where M-C zoning is typically considered appropriate. It should be noted, that rezoning to M-C would result in some variations between the height and setback allowances applied to the site via the PD Plan design parameters. While such conditions exist, staff believes the addition of use-specific standards to the UDC, the



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relatively small (1.5 acre) area of the site, and the generally built-out nature of this portion of the Centerstate site temper concerns which may potentially arise.

The Planning and Zoning Commission considered this request at their September 9, 2021 meeting. Staff presented its report and the applicant was available to answer questions. A motion to approve the rezoning passed (8-0).

The Planning Commission staff report, locator maps, zoning graphic, Statement of Intent (2019), amended C-P plan (2005), 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: Resilient Economy, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

### Comprehensive Plan Impacts:

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

## Legislative History

Date	Action
11/18/2019	Approved a revised SOI for Lot 1 of Centerstate Plat 6 (also known as "Ruby Tuesday PD Plan" (Ord. 024095)
02/11/2005	Approved a minor amendment to the "Ruby Tuesday C-P Development Plan" (Administrative)
12/7/2004	Approved the "Ruby Tuesday C-P Development Plan" (Ord. 018326)
3/15/1999	O-P to C-P Rezoning (Ord. 015916)

## Suggested Council Action

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