

**AGENDA REPORT  
PLANNING AND ZONING COMMISSION MEETING  
December 10, 2020**

**SUMMARY**

A request by Timothy Meyers (member), on behalf of Mr. G's Properties, LLC (owner), to permit the use of Personal Services- General, such as a barber shop or salon, on the site generally located at the northeast corner of Warwick Street and Vandiver Drive. The 0.58-acre property is zoned M-OF (Mixed-Use Office) and is addressed 1809 Vandiver Drive. (**Case # 24-2021**).

**DISCUSSION**

The applicant is seeking approval of a conditional use permit to allow all use identified as "Personal Services, General" within the existing structure located upon the subject lot which is zoned M-OF (Mixed-Use Office). The site is located at the corner of Vandiver Drive and Warwick Street and is viewed as a buffer between the commercial land uses on Vandiver Drive and the residential character farther north.

The subject property was annexed into the City in 1962 and was zoned R-1. At some point between 1969 and 1973, the property was rezoned from R-1 to R-3. In 1979 the property was rezoned from R-3 to O-1. In 1998, a request to rezone the property from O-1 to C-P (Planned Commercial) was denied due to concern about the impact that up-zoning this site to commercial and allowing retail sales would have upon the surrounding area.

As stated by the applicant and researched by staff, this property has had a variety of tenants over the past decade that would identify as personal services. As part of its review, staff did not find past complaints regarding any potential nuisances or adverse impacts on this site. Additionally, there are several businesses currently operating at the site that would be classified as personal services. Recent tenants have moved in under the impression that their business was classified as a permitted use.

In evaluating this request, staff reviewed prior concerns expressed about the potential loss of the subject parcel functioning as a buffer zone between the Vandiver corridor and adjacent residential homes to the northwest. This analysis determined that permitting personal services within the existing building would not detract from the site's existence as a buffer, as evidenced by the lack of filed complaints, and notes that the potential permitted use class is compatible with its surroundings. Additionally, this request would not permit general retail on site which was the primary concern of the prior rezoning request.

In addition to the zoning history and existing tenancy considerations, staff also reviewed Section 29-6.4(m) of the Unified Development Code (UDC) which states that conditional uses must be reviewed by the Planning and Zoning Commission and approved by the City Council following consideration of the following six criteria.

**1. The proposed conditional use complies with all standards and provisions in this chapter applicable to the base and overlay zone district where the property is located.**

The M-OF zoning district is intended to provide for professional, administrative, corporate, and other offices and similar low-impact non-residential uses. It may serve as a buffer area between residential and more intense nonresidential uses. The principal uses are small-scale office, personal services, and residential uses, as shown in Table 29-3.1 of the UDC. While personal services are described as a principal use, they are not permitted by-right and a property must be granted a CUP to allow those uses, which is the current request.

Given the structure and its associated parking lot have existed for some time, the site improvements are considered legal non-conforming in respect to current zoning standards. The placement of the structure does not comply with the structures over lot line provision or the current rear yard setback requirements of 25'.

Aside from these non-conformities, the site otherwise complies with the provisions of the current M-OF district. Pursuant to Section 29-6.5(b) of the UDC the non-conforming structure can continue to be used. Any expansion of the structure or redevelopment of the site would require compliance with current UDC standards.

**2. The proposed conditional use is consistent with the city's adopted comprehensive plan.**

The subject site is identified as an Employment District per the Columbia Imagined Future Land Use Plan. The Employment District is for basic employment uses includes offices, corporate headquarters, manufacturing, warehouses, and research parks and includes supporting uses such as multi-family residential, convenience retail, day care facilities, and restaurants. Neighboring properties to the north are identified as Residential Districts.

Staff believes that personal services are an ideal transitional use between the Employment and Residential Districts. This is supported by the goals of the Comprehensive Plan to support mixed-uses and interconnectivity between neighborhoods, commercial districts, and employment centers.

**3. The proposed conditional use will be in conformance with the character of the adjacent area, within the same zoning district, in which it is located. In making such a determination, consideration may be given to the location, type and height of buildings or structures and the type and extent of landscaping and screening on the site.**

No exterior alterations to the site are proposed.

**4. Adequate access is provided and is designed to prevent traffic hazards and minimize traffic congestion.**

The site has one access fronting Vandiver Drive to the south and two accesses fronting Warwick Street to the west. When reviewed by planning and traffic engineering staff, this potential permitted use was determined to have no adverse impact to traffic flow.

**5. Sufficient infrastructure and services exist to support the proposed use, including, but not limited to, adequate utilities, storm drainage, water, sanitary sewer, electricity, and other infrastructure facilities are provided.**

Parking required for an office use is 1 space per 300 square feet whereas personal services requires 1 space per 400 square feet. Parking requirements are less intensive for personal services than office which staff used to determine that current parking was sufficient.

The site is served by all City utilities and was reviewed by various utility staff. There were no concerns expressed with the proposed use or approval of the conditional use permit.

**6. The proposed variance will not cause significant adverse impacts to surrounding properties.**

No adverse impacts have been reported to staff's knowledge while this site has had personal services operating. Additionally, the allowance of this singular use category will have limited impact upon surrounding development.

**RECOMMENDATION**

Approve the proposed conditional use permit to allow establishment of “Personal Services, General” uses, upon the subject site.

**ATTACHMENTS**

- Locator maps

**HISTORY**

<b>Annexation date</b>	1962
<b>Zoning District</b>	M-OF
<b>Land Use Plan designation</b>	Employment
<b>Previous Subdivision/Legal Lot Status</b>	Lot 16 & 17 of Oakland Plaza Block 1

**SITE CHARACTERISTICS**

<b>Area (acres)</b>	0.58
<b>Topography</b>	Flat
<b>Vegetation/Landscaping</b>	Turf/Natural; Some landscaping abutting the structure
<b>Watershed/Drainage</b>	Bear Creek
<b>Existing structures</b>	One existing office building

**UTILITIES & SERVICES**

All utilities and services provided by City of Columbia.

**ACCESS**

<b>Vandiver Drive</b>	
<b>Location</b>	South
<b>Major Roadway Plan</b>	Minor Arterial
<b>CIP projects</b>	N/A
<b>Sidewalk</b>	Existing

<b>Warwick Street</b>	
<b>Location</b>	West
<b>Major Roadway Plan</b>	Local Residential
<b>CIP projects</b>	N/A
<b>Sidewalk</b>	Existing on east side of the street, adjacent to site

**PARKS & RECREATION**

<b>Neighborhood Parks</b>	Kyd Park, Bear Creek Park, White Gate Park
<b>Trails Plan</b>	Near Proposed Colt RR Trail – Approximately ¼ mile SE
<b>Bicycle/Pedestrian Plan</b>	Key Roadway – Vandiver Drive

**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 via an advanced notification postcard which was mailed on November 9, 2020. **15** postcards and property owner letters were sent.

<b>Public Notification Responses</b>	N/A
<b>Notified neighborhood association(s)</b>	N/A – Northland Parker is inactive
<b>Correspondence received</b>	N/A

Report prepared by Brad Kelley

Approved by Patrick Zenner