

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

SUMMARY

A request by A Civil Group (agent) on behalf of TRS Property Management, LLC (owner) to permanently zone 1.62 acres to City M-N (Mixed Use-Neighborhood) from County R-S (Single-family Residential) and C-N (Neighborhood Commercial); and 1.18 acres to City M-C (Mixed Use-Corridor) from County C-GP (Planned Commercial) upon annexation. The subject site is located on the south side of E. St. Charles Road at the intersection of Talon Road, and includes addresses 5200, 5202 and 5210 E St. Charles Road. (**Case #69-2019**)

DISCUSSION

The applicant is seeking permanent zoning on approximately 2.8 acres of property, pending the approval of its annexation into the city by City Council. The site is currently located within unincorporated Boone County.

To the east of the site is a County Planned Commercial (C-GP) zoned land developed and being used with a variety of uses that could be categorized as heavy commercial. To the south and west is undeveloped City R-1 zoned property, and to the north is a mix of R-1 and PD zoned property that includes a mobile home park and multi-family residential uses.

The subject properties are currently improved with residential dwellings and are currently occupied. The site has contiguity with the City's existing municipal boundary along its entire northern and southern property lines and is able to be served by municipal utilities. Throughout this report, the three parcels may be referred to by number, which will increase from west to east, with parcel #1 being furthest west, parcel #2 in the middle, and parcel #3 furthest east.

Zoning

Changes in zoning are evaluated from several perspectives, the first being how the zoning correlates with the city's Comprehensive Plan (Columbia Imagined and the East Area Plan) and its future land use designation. The Comprehensive Plan identified the two most eastern parcels (parcels #2 & #3) as being within the land use category of a Commercial District which is reflective of the site's current County zoning, while parcel #1 is identified as being within the Residential District. Per the Comprehensive Plan, Commercial Districts can contain "a variety of citywide and regional retail uses," as well as office and high-density residential uses to support said commercial uses. Neighborhood Districts can also include limited commercial uses. As the the Comprehensive Plan does not specify the specific commercial zoning designation, additional analysis is required to determine the appropriate zoning for the site.

Commercial development is also discussed in the East Area Plan. In the EAP, the site is identified as a "Commercial Area". In general, the plan states that the commercial areas in the study area (and in this watershed specifically), are not expected to meet regional commercial needs, but rather the everyday convenience and service needs to the surrounding residents (pg. 104). Furthermore, commercial uses should be concentrated at nodes, not as linear commercial strips.

The location of the M-N zoning appears to be compatible with the surrounding uses. The property is not located at an intersection of major roadways, where M-C zoning may be appropriate, and would be

consistent with the limited commercial zoning found in the PD zoning that is located to the east between the subject site and Grace Lane and Bull Run. Per Columbia Imagined, M-N may be appropriate within a "Neighborhood District" to provide services to residents, and the site abuts, and is across from, residentially zoned property. It is generally located on the edge of a potential future residential neighborhood, and would be a buffer between the residential portion and the heavier commercial to the east, and would provide services within a walkable distance. The M-N district also limits many uses (or allows them as conditional uses) that would not be compatible next to residential property as well as permits multi-family dwellings, providing opportunities for increased residential density.

It should be noted that upon annexation, if the property is zoned as requested (#1 & #2 as M-N, #3 as M-C), parcels #1 & #2 would still allow all residential uses, while M-C would only permit multi-family uses. In other words, parcels #1 & #2 could be used as single-family and would be permitted, while single-family uses are not permitted in the M-C.

However, given the listed reasons discussed below, staff does not support the M-C zoning request. Following the itemized list are additional reasons that might be seen as supporting the requested zoning, for comparison. The requested M-C zoning would allow a wide variety of commercial uses that are shown in the Table 29-3.1 (attached) of the UDC.

CIRCUMSTANCES SUPPORTING DENIAL OF M-C

- **Commercial node.** A significant amount of M-C zoned property is currently concentrated at the intersection of I-70 and St. Charles, a major intersection, which is an appropriate location for M-C. There is currently a clear and logical transition from the M-C node (surrounding the interchange) to lower intensity zoning and uses south of Bull Run Drive, where the zoning changes to a mixture of City/County planned development. Furthermore, at the southwest corner of St. Charles and Grace Lane, property is zoned city-PD and limited to uses within the former C-1 district.

When considering where the logical and orderly transition of zoning should be between higher and lower intensity uses natural boundaries, features, or transitioning land use patterns should be considered. In this instance, Grace Lane acts a physical feature that provides a logical dividing line between the more intense and less intense uses within the area. Specifically, this physical feature appears to be the logical dividing point between the more intense M-C and City/County PD uses, to the north and east, and less intense M-N uses, to the south and west.

It should be noted that properties to north and east of the parcel at the intersection of St. Charles and Grace Lane, zoned city PD, are currently zoned County C-G (General Commercial) and permitted to be improved with uses similar to those found within the M-C district. However, given their proximity to residential subdivisions these parcels may too be better suited for M-N zoning given their distance from the established commercial node at the interchange.

While there are some exceptions, there is a clear transition from the M-C node, generally south of Bull Run.

- **M-C Zoning Intent.** Per the UDC, the Mixed Use - Corridor (M-C) zone is appropriate for commercial activities that may be suited to areas of high visibility and may tend to be more auto-oriented, and generally located at intersections of major roadways. While these properties are along major collector, they are not located within the existing node at the intersection of I-70 and St. Charles.

- **Surrounding zoning.** Given surrounding zoning, M-N would be a preferable transition.
 - Zoning to the south is single-family residential, but is currently vacant. Site would be well situated to provide commercial services to residents upon development.
 - Zoning to the north is PD and R-1. Site would be well situated to provide commercial services to residents upon development.
 - To the east is property zoned County Planned Commercial (C-GP), but does not include any permitted uses list at this time (and won't until a plan is submitted, so all current uses are existing non-conforming). M-N would be a preferable transition.
- **Stadium Boulevard Extension.** At this time, the Stadium Boulevard extension has a preferred layout, but there are no plans for construction in the near future. This site may not be directly impacted by the alignment, but the intersections of St. Charles, Grace Lane, and Bull Run may be significantly altered. It is difficult to predict how that will impact this site and surrounding areas - it may become more clearly a commercial node at that time that would warrant M-C. However, given the uncertainty on the timing of this project, staff is basing the recommendation on the existing conditions.
- **Existing M-C.** Given the amount of existing M-C zoned property in the vicinity that is not currently developed there does not appear to be an overwhelming need for additional M-C zoned property. The subject site is locationally inferior and would result in "leap-frog" zoning over zoning that has a less intense list of permitted uses.

CIRCUMSTANCES SUPPORTING APPROVAL

- The use that the applicant is proposing is a storage facility. While the site would not be limited to this use once zoned M-C, this particular use typically has minimal impact on surrounding properties in terms of noise and traffic (the exception is typically the aesthetic impact, as the building form is more suited to industrial areas). Storage is a low intensity use that is used by residents, and relatively close access to such users could be beneficial (although staff considers it to be more auto oriented than pedestrian oriented).
- While the zoning to the east is County C-GP, there are no legal uses permitted currently (as explained previously). However, the existing non-conforming uses on the site are similar to M-C uses. Any proposed uses for the site could be allowed in the future if approved as part of the County's planned development approval process.
- The future alignment of the Stadium Boulevard extension will be located south of this site, and could result in the property abutting a major roadway, not residentially zoned property. Furthermore, the extension of Stadium could result in higher traffic volumes on Stadium (but perhaps lower on St. Charles) that may make the expansion of the M-C commercial node warranted.

In addition to the future land use categories, the Comprehensive Plan includes a list of goals and associated policies that may also provide guidance when evaluating a requested land use change. However, it should be noted that not all of the goals may apply in all instances. In this case, the four policies of the "Livable and Sustainable Communities" goal are applicable. In summary, the policies are 1) Support diverse and inclusive housing options, 2) Support mixed-use, 3) Facilitate neighborhood planning, and 4) Promote community safety.

Policy Two (support mixed-use) primarily addresses the desire to establish nodes of commercial activity in proximity to residential uses. This goal furthers the desire to provide walkable neighborhoods that provide accessible services to surrounding neighborhoods, in contrast to past development practices of creating large homogenous blocks of single-family dwelling areas. Providing commercial areas that are M-N in proximity to the current residentially zoned surrounding property would be consistent with this

goal, as it would permit lower intensity commercial uses, office uses, and all types of residential uses as well.

The subject site is presently contained within the Urban Service Area (USA) as presented in Columbia Imagined. The site would be served by the City but require the extension of services upon development in the future; there are no capacity issues in the this area.

Conclusion

Given its analysis, staff supports the M-N component of the request; however, does not support the M-C component for the reasons listed above. Therefore, staff is recommending denial of the entire request.

RECOMMENDATION

Denial as submitted for the above stated reasons.

Alternatively, staff would support a rezoning of the entire site to M-N (Mixed-use Neighborhood).

SUPPORTING DOCUMENTS (ATTACHED)

- 1) Locator maps
- 2) Application letter
- 3) Surrounding zoning
- 4) East Columbia Preferred Stadium Boulevard Alignment (excerpt)

SITE CHARACTERISTICS

Area (acres)	2.8
Topography	Sloping southward
Vegetation/Landscaping	Turf, trees
Watershed/Drainage	Grindstone Creek
Existing structures	Four Single-family Dwellings (parcel #1), One single-family dwelling (parcels #2-3)

HISTORY

Annexation date	NA
Zoning District	County R-S (parcel #1), C-N (parcel #2), C-GP (parcel #3)
Land Use Plan designation	Neighborhood District (parcel #1), Commercial District (parcels #2-3)
Previous Subdivision/Legal Lot Status	Surveyed tracts

UTILITIES & SERVICES

Sanitary Sewer	City (not currently served)
Water	Public Water Supply District #9
Fire Protection	City of Columbia
Electric	

ACCESS

St. Charles Road	
Location	North side of site
Major Roadway Plan	Major Collector (Unimproved & County maintained). 76-foot ROW (38-foot half-width) required to be dedicated at time of final plat. Current right of way is unknown.
CIP projects	None.
Sidewalk	Required.

PARKS & RECREATION

Neighborhood Parks	Located within unnamed park located on Port Way service area
Trails Plan	None adjacent to site.
Bicycle/Pedestrian Plan	None adjacent to site.

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 of a public information meeting, which was held on February 26, 2019.

Public information meeting recap	Number of attendees: 1 (includes 1 applicant) Comments/concerns: None.
Notified neighborhood association(s)	Eastland Hills HOA, Eastland Hills NA
Correspondence received	None.

Report prepared by Clint Smith

Approved by Patrick Zenner