

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
December 10, 2015**

SUMMARY

A request by Engineering Surveys and Services (agent) on behalf of the City of Columbia (owner) to rezone 1.89 acres of property from C-1 (Intermediate Business District) to C-P (Planned Business District), and for approval of a Statement of Intent and a C-P Development Plan on 5.15 acres of land, to be known as "Mill Creek Substation C-P". The subject properties are located on the west side of Peach Court, approximately 600 feet south of Nifong Boulevard, and are also known as Lots 14-16 of Rockbridge Subdivision Block IX. **(Case #16-18)**

DISCUSSION

The applicant is seeking to develop the property located generally along the west side of Peach Court, which is a terminal street that branches off of Peachtree Drive. The proposed development, which is owned by the City of Columbia, will include an electric substation located on Lot 2 of the proposed development plan, while Lot 1 will include a City owned storm water management (SWM) facility that will be used to provide storm water detention for the surrounding area. In addition, a new roadway will be platted through the site to provide additional transportation connections.

Lots 14 and 15 of the existing subdivision were previously zoned C-1 until 2002, when they were rezoned to C-P with an associated C-P development plan known as the "Holiday Inn Hotel and Suites" C-P plan. The plan called for an approximately 131-room hotel that was to be constructed across Lots 14 and 15, but it was never constructed. The current request represents a new C-P plan for the site, as well as a Statement of Intent (SOI), which the original rezoning did not include, and new design parameters.

REZONING

As the lots currently exist, Lots 14 and 15 are zoned C-P. Lot 16 will be rezoned to C-P and included in a comprehensive development plan that will include all property that the City owns. The SOI, which includes a very narrow range of uses fitting the exact uses the City is proposing (storm water facilities and public utility services), will be adopted for the development. Generally, the SOI includes the gross floor area of any buildings located on a planned development; however, the substation will not include any actual buildings, and thus no floor area is expected.

C-P PLAN

The C-P plan requirements include indicating the location of any building on the site. This project is unique in that neither property will include any actual buildings, which is reflected on the plans. The substation will include numerous structures which will still comply with all bulk regulations (i.e., setbacks, height restrictions, etc.).

The plans also show the proposed location of a new local non-residential roadway (Nova Way) that will traverse the property and separate the substation from the storm water maintenance facility. The right of way will connect with existing right of way on the property to the west that was previously dedicated, and which is part of a larger development agreement that was approved at the time the property to the west was zoned to a planned district. The development agreement, which the City was a party to, specified the installation of the roadway shown on the plan, and its connection to the property to the west, which in turn provides access to Nifong Boulevard to the north.

A landscaping plan is attached and indicates the installation of landscaping along the property's street frontage and meets all required landscaping requirements, with the following exception. The applicant is requesting a waiver of the requirement to screen the site from adjacent R-1 residentially zoned property to the north which is improved with Rock Bridge High School as well as many other facilities the closest of which is the Columbia Area Career Center. The applicant has indicated two primary reasons for the waiver: first, the property to the south, though it is zoned R-1, is not used in a residential manner and does not necessitate the additional screening; and second, the south property line includes an electric easement that is planned to serve as a major egress of underground electric distribution circuits, which would not be compatible with landscaping.

The City Arborist does not support the requested waiver due the lack of a clear hardship. However, the PZC may grant a waiver considering the actual land use of the adjacent site without considering a hardship. The Commission may recommend less stringent screening and landscaping requirements if, after considering topography, surrounding uses and other relevant factors, less stringent screening and landscaping requirements are deemed appropriate. Since the neighboring property is not a residential use, and given the unique nature of the use and the need to locate electric facilities underground, staff does not object to the request.

The applicant is also requesting that the maximum light pole height be increased from 28-feet to 35-feet. This requested increase is permitted, upon Council approval, in a C-P district (35 feet) per Section 29-30.1(g.3). The following provisions are to be considered by Council when considering approval of the increased height:

- a. There is no residential zoning within five hundred (500) feet of the parking lot perimeter.
- b. The buildings are configured so that the lighting is shielded from the residential area.
- c. The site is ten (10) acres or greater.

As previously stated, the school property to the south, while residentially zoned is not a residential use so the first two conditions are less applicable. The third condition is not met, as the site is approximately 3.2 acres; however, given the unique nature of the use and its surroundings, security needs, and the limited locations that poles may be placed due to the structures that will be on the site, staff does not object to supporting the modification in height of light poles.

Staff has reviewed the proposed rezoning, Statement of Intent, and C-P development plan and finds that it meets the technical requirements of the C-P District with the exception of the two waivers requested.

RECOMMENDATION

1. Approval to rezone Lot 16 to C-P, and adopt a Statement of Intent for Lots 14, 15 and 16.
2. Approval of the "Mill Creek Substation" C-P Development Plan with the requested waivers and the associated design parameters.

SUPPORTING DOCUMENTS (ATTACHED)

- Locator maps
- Statement of Intent
- "Mill Creek Substation" C-P Development Plan
- Design parameters

SITE CHARACTERISTICS

Area (acres)	5.5
Topography	Slopes east to west
Vegetation/Landscaping	Majority turf, trees along north and south property lines
Watershed/Drainage	Mill Creek
Existing structures	Vacant

HISTORY

Annexation date	1966
Zoning District	Lot 16: C-1 (Intermediate Business District); lots 14 & 15: C-P (Planned Business District)
Land Use Plan designation	Commercial District
Previous Subdivision/Legal Lot Status	Lots 14-16 of Rockbridge Subdivision Block IX

UTILITIES & SERVICES

Sanitary Sewer	City of Columbia
Water	City of Columbia
Fire Protection	CFD
Electric	City of Columbia

ACCESS

Peach Court	
Location	Along east side of property
Major Roadway Plan	NA; Local non-residential street (66-foot ROW, 38-foot pavement); City maintained
CIP projects	None
Sidewalk	Sidewalks required

Nova Way	
Location	Along north and south side of property
Major Roadway Plan	NA; Local non-residential street (66-foot ROW required to be dedicated, 38-foot pavement required to be constructed at time of platting); City maintained
CIP projects	None
Sidewalk	Sidewalks required

Aurora Drive	
Location	Along west side of property
Major Roadway Plan	NA; Local non-residential street (66-foot ROW dedicated, 38-foot pavement required to be constructed at time of platting); City maintained
CIP projects	None
Sidewalk	Sidewalks required

PARKS & RECREATION

Neighborhood Parks	Within Cosmo Bethel Park service area
Trails Plan	None adjacent to site
Bicycle/Pedestrian Plan	No plans 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 November 17, 2015.

Public information meeting recap	Number of attendees: 1 Comments/concerns: None
Notified neighborhood association(s)	None
Correspondence received	None at time of report.

Report prepared by Clint Smith

Approved by Patrick Zenner