



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: September 17, 2018

Re: NGT, Inc. Annexation & Permanent City Zoning (Case #18-146)

## Executive Summary

Approval of this request would result in the annexation of a 10.36-acre parcel and establishment of M-N (Mixed-Use Neighborhood) district zoning upon property located at the northwest corner of Scott Boulevard and Brushwood Lake Road.

## Discussion

The applicant, Smith Lewis, LLP (agent), on behalf of NGT, Inc. (owners), seeks to annex 10.36 acres into the City of Columbia and have M-N (Mixed-Use Neighborhood) zoning assigned as the site's permanent zoning. Annexation is sought to allow the parcel to connect to the City's sewer and utility services. The requested M-N zoning is to permit the development of a neighborhood commercial center. The subject acreage is contiguous to the City along its north boundary and to the east across Scott Boulevard.

The requested M-N (Mixed-Use Neighborhood District) zoning is considered consistent with existing City planned commercial zoning to the east and southeast. The subject property is located at the intersection of Scott Boulevard, a major arterial, and relocated Brushwood Lake Road, a neighborhood collector. Being at such an intersection, pursuant to the Comprehensive Plan, would classify this location as a "commercial node". The subject property is located within a "Neighborhood District" according the Comprehensive Plan's Future Land Use Map. Such Districts support neighborhood level commercial uses consistent with that permitted within the requested M-N zoning district. Furthermore, the subject parcels location near existing residential neighborhoods as well as public spaces will create opportunities for "walkable" commercial development.

The subject site is located within the floodplain and floodway of Mill Creek and would become subject to the City's FP-O (Floodplain Overlay District) requirements upon annexation. To provide an unrestricted area of development on the subject property, the application has obtained a Letter of Map Revision (LOMR) from FEMA for an approximate 2.9 acre portion of the site located in its southeast corner. Issuance of the LORM means that the 2.9 acre portion of the site is no longer considered as being located within either the floodplain or floodway.

The area removed is generally the same as that upon which fill materials were placed prior to the relocation of Brushwood Lake Road to the south. The remaining approximate 7.46 acres of the site were not removed from the floodplain or floodway classification. This area will be subject to the FP-O District standards, upon annexation, which prohibit development within the floodway and place special permitting requirements on portions of structures located within the floodplain.



While the roadway network adjacent to the site has been recently upgraded, there are additional needs for right of way dedication. Furthermore, since the subject site does not meet the definition of a "legal lot" it will need to be final platted prior to issuance of construction permits for site improvement. During the final platting process, the necessary right of way dedications and public utility construction plan approvals will be obtained.

At its August 9, 2018 meeting, the Planning and Zoning Commission considered this request and recommended approval (6-1) to permanently zone the site M-N (Mixed-use Neighborhood) subject to annexation. One member of the public expressed concerns about stormwater issues on the south side of Brushwood Lake Road, adjacent to her property. The property in question was identified as being nearly unbuildable and the applicant has no development intentions in that area. No other correspondence was provided by the public.

A copy of the Planning and Zoning Commission staff report, locator maps, FEMA correspondence, LOMR graphic, and meeting 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 applicant.

Long-Term Impact: Public sewer maintenance, as well as public safety and solid waste service provision. Future impacts may or may not be offset by increased user fees and property tax collections.

### Vision & Strategic Plan Impact

Strategic Plan Impacts:

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

Comprehensive Plan Impacts:

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

### Legislative History

Date	Action
9/4/2018	Approved annexation public hearing date (R132-18)

### Suggested Council Action

Approve M-N (Mixed-use Neighborhood) as permanent City zoning, as recommended by the Planning and Zoning Commission.