

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
September 19, 2019**

SUMMARY

A request by Van Matre Law Firm (agent), on behalf of the Donna Jean Armstrong Unitrust (owner), for approval to rezone 6.8 acres of property currently within the City from A (Agricultural) to M-N (Mixed Use-Neighborhood). The subject site is located on the south side of Clark Lane, approximately 1,200 feet west of St. Charles Road, and addressed as 5320 Clark Lane. (**Case #194-2019**)

DISCUSSION

The applicant is seeking a zoning map amendment in order to rezone the subject property from A to M-N, which would permit a mix of commercial and other uses. Property to the west is zoned PD and allows residential density of 8 units per acre, and to the east is zoned M-C on the southern portion, and County C-G on the northern portion. Clark Lane borders the property on the north, with R-2 zoning on the north side of Clark Lane. The site is bordered on the south by Interstate 70. The subject property is currently vacant.

In addition to the requested rezoning, a permanent zoning for the site to the east (Case #195-2019) to zone it M-C and M-N upon annexation, and a preliminary plat (case #196-2019) that includes both the subject property and the adjacent property proposed to be annexed has been submitted together for consideration.

Zoning

Changes in zoning are evaluated on how the zoning correlates with the city's Comprehensive Plan (Columbia Imagined) and its future land use designation, and how the zoning would impact surrounding properties. The Comprehensive Plan identified this parcel as being within the land use category of a Neighborhood District. Neighborhood Districts could permit a range of residential uses, as well as "a limited number of nonresidential uses that provide services to neighborhood residents". Staff reviewed the request and has the following observations.

1. The site is located on the boundary of a Commercial District and a Neighborhood District, while being identified as Neighborhood on the future land use map.

In addition to future land use categories, the Comprehensive Plan includes a list of goals and associated policies that provides guidance when evaluating a requested land use change. In this case, the "Livable and Sustainable Communities" goal is most applicable, and it includes four policies. 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 in establishing nodes of commercial activity in proximity to residential uses. This goal furthers the desire to provide walkable neighborhoods that provides accessible services to surrounding neighborhoods, in contrast to past development practices of creating large homogenous blocks of single-family dwelling areas separated from commercial districts.

This policy also points out that care should be taken when considering the location of these smaller-scale commercial uses adjacent to neighborhoods. Ideally, there would be a transition from the most intense to least intense uses (i.e. commercial to higher-density residential to low-density residential uses) that would help support the commercial services offered. In situations where significant buffers

are present (such as on the south portion of the subject property where a stream buffer and preservation easement exist), commercial uses could adjoin residential.

This particular site, while identified as Neighborhood, is located right on the boundary between the Neighborhood and Commercial Districts. While the boundaries of these districts are subjective and are conceptual in nature, the intersection node of I-70 and St. Charles clearly represents a type of commercial district. Given this location, a wide variety of uses could be considered, such as low intensity commercial uses, office, and high-density residential.

The appropriate zoning for this site could include M-N, but it may also include M-OF or R-MF, which would provide uses that are appropriate in the transition between Neighborhood and Commercial, but not commercial uses. Per Columbia Imagined, M-N may be appropriate within a "Neighborhood District" to provide services to residents, and the site abuts property that is currently residentially zoned, and is in use as residential. It is generally located on the edge of a residential neighborhood, and would be a buffer between the residential portion and the heavier commercial uses to the east, and would provide services within a walkable distance. However, per Columbia Imagined, a boundary between a commercial district and residential district is better suited for office and/or high-density residential uses. Alternatively, commercial could be located along the border where a significant physical boundary separates the uses, such as a river or wooded area. 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.

2. There is a significant acreage of existing commercial zoning at this node, the majority of which is vacant.

Given the abundance of vacant commercially-zoned land, adding the subject acreage to the existing conditions may further dilute development potential within the area. The commercial district to which the subject site is proposed to be added contains approximately 150 acres of which half is currently vacant. What isn't well represented in the area is property zoned for high density residential (up to 17 units per acre) uses, which could provide dwelling units and residents to support the commercial district as discussed in Columbia Imagined. The site to the west is currently developed with multi-family dwellings; however, due to its PD designation is half of what could be achieved within an R-MF zone.

While the M-N district permits residential dwellings, often times the *zoning* of a property dictates how the site will be developed given the expectation of a certain return on investment for commercially zoned property. This site is not altogether unsuited for commercial zoning; to the contrary, it is within the radius of the commercial node and is adjacent to an arterial street that has undergone upgrades to support more intense development. The site has the semblance of a buffer between it and the multi-family development to the west - with the dwellings on multi-family site setback approximately 50 feet. There is also a significant grade change, as the dwellings currently sit below the grade of the subject site, but it is important to note that the grade is subject to change upon development.

Based on staff's analysis of the commercial district that includes the commercially zoned area surrounding the intersection of I-70 and St. Charles Road (the commercial node), the table below illustrates how that acreage is zoned and its vacancy for both the City and the County. It should be noted that County districts have been consolidated into one category and include County-planned commercial. The area includes is nearly 150 acres of property currently zoned to allow some type of commercial uses of which less than half currently has a structure on it (indicated as vacant). The totals do not include the new solar farm project that is located in the southeast corner of the zoning graphic.

Zoning	Total Acres	Vacant	Percent Vacant
M-C	58.55	37.78	65%
M-N	1.46	0	0
PD (w/ commercial)	51.37	36.21	70%
County Commercial	19.76	16.5	46%
<i>totals</i>	<i>147.64</i>	<i>90.49</i>	<i>61%</i>

3. No planned commercial development for the site. The applicant has not indicated that development of the subject acreage is imminent. If the site had been identified with a specific development such information could have been used to provide justification that there was enough demand to consider the site for a commercial rezoning. Without such indication and given the abundance of existing vacant commercially-zoned land the request to rezone the subject site appears premature.

Conclusion

The most appropriate zoning for this site in terms of the City's goals could include M-N, but it may also include M-OF or R-MF. A conservative approach would be to leave the zoning as it currently is A (Agriculture) while the commercial node further develops. This accomplishes two things - it prevents the increase of additional vacant commercially-zoned and further dilution of opportunities to absorb existing vacant commercial property while there is limited demand. Put another way, limiting the increase in supply of commercial zoning allows for development to catch up with the existing supply that is already zoned and ready for development.

Second, it allows the market to better determine what the need is at this location once the commercial district is further developed. While additional commercial zoning may still be needed, it may be determined that commercial zoning at other commercial nodes (e.g. near Battle High School) is desired, and that those commercial nodes should have an opportunity to provide the commercial property supply to develop uses to serve those surrounding residents. If so, the adjacent commercial district may be best served by zoning this site to allow high-density residential development, which would provide nearby, walkable access for residents, which is consistent with Policy Two of the "Livable and Sustainable Communities" goal. R-MF zoning on this site would permit a density up to 17 dwelling units per acre directly adjacent to a commercial district, with an existing pedeway providing walking and biking access.

RECOMMENDATION

Denial of the requested M-N zoning change.

SUPPORTING DOCUMENTS (ATTACHED)

- 1) Locator maps
- 2) Zoning Graphic
- 3) Surrounding zoning

SITE CHARACTERISTICS

Area (acres)	6.8
Topography	Slopes north and south from center of property.
Vegetation/Landscaping	Turf and some trees
Watershed/Drainage	Hominy Branch
Existing structures	None

HISTORY

Annexation date	1969
Zoning District	A
Land Use Plan designation	Neighborhood District
Previous Subdivision/Legal Lot Status	None

UTILITIES & SERVICES

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

ACCESS

Clark Lane	
Location	North side of site
Major Roadway Plan	Minor Arterial (Improved & City maintained). 84-100-foot ROW (42-50-foot half-width) required to be dedicated at time of final plat.
CIP projects	None.
Sidewalk	Existing.

PARKS & RECREATION

Neighborhood Parks	Located within unnamed park service area
Trails Plan	None adjacent to site.
Bicycle/Pedestrian Plan	Pedway along north side of site; bike lane along Clark.

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 August 27, 2019.

Public information meeting recap	Number of attendees: 5 (includes 2 applicants) Comments/concerns: Access
Notified neighborhood association(s)	None,
Correspondence received	None.

Report prepared by Clint Smith

Approved by Patrick Zenner