



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: July 6, 2020

Re: Philips Park – Rezoning (Case 113-2020)

Executive Summary

Approval of this request would result in the rezoning of 139.07 acres, commonly known as A. Perry Philips Park, from PD (Planned District) to O (Open Space District). The subject tract is located on the northeast corner of Gans Road and Bristol Lake Parkway.

Discussion

Allstate Consultants (agent), on behalf of the City of Columbia (owner), are seeking to rezone the 139-acre A. Perry Philips Park, located at the northeast corner of Gans Road and Bristol Lake Parkway, from PD (Planned District) to O (Open Space District). The request has been presented in efforts to streamline the regulatory process associated with future improvements within park as authorized by Council. If approved, the rezoning would eliminate a redundant public hearing process that presently exists prior to commencement of new public investments within the park.

The subject acreage is part of the larger Philips Farm annexation and permanent zoning that was approved in 2004. The 2004 approved Statement of Intent for this acreage restricted its uses to a public park and associated non-inhabitable structures if acquired by the City. The City acquired the 139-acres in 2008 and obtained its first development plan approval in 2009 for a fishing/boating dock, shelter structure, and a small parking lot accessed off Bristol Lake Parkway. At that time, it was understood that each phase of new development would require approval of a PD plan amendment before the Planning & Zoning Commission and Council prior to development being authorized. Since 2009 the existing PD property has been amended a second time to accommodate the new Sports Field House off the extension of Philips Farm Road.

The necessity of a public hearing before the Planning and Zoning Commission to amend the PD plan each time new public improvements are sought within the Park has been brought into question. Improvements within the Park are being funded by the expenditure of Park Sales Tax revenues on projects identified with the Parks and Recreation Department's Master Plan which are arrived at after extensive public engagement and only upon approval for construction following a public hearing by the City Council.

Given the nature of how the improvements within the Park are identified and the deliberate public process under which they are authorized, staff does not find that maintaining the existing PD plan controls serves a significant public purpose. Furthermore, with the creation of the O (Open Space) district in 2017 there is now a more appropriate district to limit the potential land uses allowed on open space property than previously.



City of Columbia

701 East Broadway, Columbia, Missouri 65201

If this request is approved, it should be noted, that all existing PD restrictions would be null and void and uses on the property could be expanded to include community gardens, elementary/secondary schools, public golf courses, religious institutions, farmer's markets, outdoor recreation and entertainment uses, and minor public utility services. These additional uses: however, are either public functions otherwise permitted on any public property, or uses permitted in nearly all zoning districts (i.e. schools and churches).

The "outdoor recreation and entertainment" use permitted in the O district, by definition, includes commercially operated businesses (i.e. amusement parks, concert venues, commercial sports complexes, race tracks) and are only permitted by a conditional use permit. While some existing uses upon the subject acreage are similar to those captured by the definition of "outdoor recreation and entertainment" the principal difference is that they are operated by local government as part of the public park system. While "user fees" may be charged for admittance, the uses are not considered commercial in nature, but rather accessory to the principal use of the land which is a public park.

At its June 4, 2020 meeting, the Planning and Zoning Commission held the public hearing on this matter. Following the staff report, Commissioners asked questions about potential public uses for the park, such as Roots and Blues and fireworks displays for the Fourth of July. Staff explained that any City functions would be permitted within the park, just as any other public park. The applicant was present to answer questions and no public comment was received. After limited additional discussion, the Commission made approved a motion (8-0) to recommend rezoning of the property from PD to O.

The Planning and Zoning Commission staff report, locator maps, and meeting excerpts are attached for review.

Fiscal Impact

Short-Term Impact: None anticipated within the next two years.

Long-Term Impact: None anticipated.

Vision & Strategic Plan Impact

Strategic Plan Impacts:

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

Comprehensive Plan Impacts:

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



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Legislative History

| Date | Action |
|---------|---|
| 8/7/17 | Ord. 23254: Approved Major Amendment to the PUD Plan for A. Perry Philips Park – Columbia Indoor Sports Complex |
| 3/17/09 | Ord. 20211: Approved Final Plat of A. Perry Philips Park |
| 3/3/09 | Ord. 20197: Approved PUD Plan for A. Perry Philips Park, Phase I |

Suggested Council Action

Approve the rezoning as recommended by the Planning and Zoning Commission.