

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
February 10, 2022**

SUMMARY

A request by Plumb Supply Company, LLC (owner) for a Conditional Use Permit allowing expansion of the 'Mechanical and Construction Contractors' use across the entire 10.16-acres of land owned by and improved with structures used as part of the business operation. The subject property originally consisted of two lots that were recently combined with the eastern lot having been previously approved for the requested use. The site is zoned M-C (Mixed-use Corridor) and is located on the southern frontage of East Business Loop 70 approximately 0.4-miles east of Old 63. **(Case #69-2022)**

DISCUSSION

Plumb Supply Company requests a Conditional Use Permit (CUP) for a 'Mechanical and Construction Contractor' on a 10.16-acre tract that was previously comprised of two parcels. The eastern parcel, hereafter eastern tract, contains the principal structure of the business while the western parcel, hereafter western tract, is used for ancillary storage.

This site is zoned M-C (Mixed-use Corridor) and contains the Plumb Supply Company's principal business, shipping/storage facilities, and accessory outdoor storage. An interceding 0.23-acre lot is zoned M-C, which is separately owned and houses a veterinary clinic, is located on the Business Loop 70 frontage, but is not associated with this request. Property to the east, across Eastland Circle, is zoned M-C. It was previously improved with the Eastwood Hotel and is now vacant. Property to the southeast is zoned R-1 (One-family Dwelling) and improved with a variety of residential structures. Property to the south is zoned R-1 and contains a golf course. Property to the west is zoned M-C and contains an adult entertainment venue and tire repair facility.

History

The western tract previously contained a livestock auction or stockyard that opened in 1944. The associated Bull Pen Café restaurant opened in 1950. The site was annexed into the City Limits in 1955. The zoning at that time is unknown. The northern storage structure on the western tract was constructed sometime before 1956. The 1957 zoning map shows the zoning as C-3. In 1962, the eastern tract was purchased by Riback Supply and began operations. The southern storage structure on the western tract was constructed sometime between 1977 and 1980.

In 1988, the Board of Adjustment granted a CUP for "Plumbing and Heating Contractors and Wholesale Distribution" on what is now the eastern tract. The stockyard closed in 2002 or 2003 and the restaurant followed suit in 2007. After the closure of the restaurant, Riback Supply purchased the western tract and began using it for ancillary storage. The site remained under C-3 zoning until the adoption of the Unified Development Code in 2017 when that zoning classification was recoded to M-C. The two parcels were replatted into one lot in 2020 with approval of the Wellington Gordon, Plat No. 2 subdivision (attached).

The existing CUP only applies to the eastern tract within the subject site. Additionally, the use granted by the CUP was renamed to 'Mechanical and Construction Contractors' in 2017. The use of the property as a 'Mechanical and Construction Contractor' is legal on the eastern tract but is not a legally permitted use on the western tract. The accessory use of the western tract for storage associated with 'Mechanical and Construction Contractors' is not permitted. A CUP must be granted prior to the issuance of a Certificate of Occupancy regarding the ongoing building expansions located on the eastern tract.

The CUP is desired to legalize the ongoing use of the western tract that began in 2007. No additional improvements are proposed to the western tract as a result of this request. Evaluation of this request is based on CUP criteria of Section 29-6.4(m) of the UDC shown below.

Conditional Use Permit Criteria

(A) The proposed conditional use complies with all standards and provisions in this chapter applicable to the base and overlay zone district where the property is located

(B) The proposed conditional use is consistent with the city's adopted comprehensive plan

(C) The proposed conditional use will be in conformance with the character of the adjacent area, within the same zoning district, in which it is located. In making such a determination, consideration may be given to the location, type and height of buildings or structures and the type and extent of landscaping and screening on the site

(D) Adequate access is provided and is designed to prevent traffic hazards and minimize traffic congestion

(E) Sufficient infrastructure and services exist to support the proposed use, including, but not limited to, adequate utilities, storm drainage, water, sanitary sewer, electricity, and other infrastructure facilities are provided

(F) The proposed conditional use will not cause significant adverse impacts to surrounding properties.

The lot complies with all dimensional standards for M-C as required by the UDC. The M-C district is intended to allow for a broad range of commercial activities which may include semi-industrial uses in locations where potential adverse impacts are minimized. The Business Loops contains several heavy commercial and semi-industrial uses of similar nature, particularly nearer Paris Road. In this case, the use has existed on site since 2007 and is deemed by staff as a more appropriate use with its surroundings than a stockyard. Additionally, a 1987 memo from the City Counselor stated that there had been no complaints of Riback Supply on the eastern tract since its inception in 1962.

Further improvements to the western tract will be required to comply with all requirements of the UDC, including stormwater, thereby bringing the site further into compliance with today's standards. The eastern tract is already appropriately screened from its surroundings via an existing treeline. The western parcel is similarly landscaped along its western boundary; however, there is a lack of landscaping along the western parcel's southern boundary abutting the golf course. If improvements are made to the western parcel, the UDC requires that a level 3 screening buffer be installed by the developer which is typical for a semi-industrial use abutting R-1 property.

Staff finds the request to be consistent with the comprehensive plan and the evaluation criteria for a CUP as found in Section 29-6.4(m) of the Code. When reviewing requests for Conditional Use Permits, the Commission may recommend, and the Council may grant, a CUP which may include any conditions deemed necessary to carry out the provisions and intent of the UDC. It should be further noted that CUPs run with the land into perpetuity unless otherwise conditioned. Given future improvements are to be appropriately regulated by the UDC, staff does not recommend any additional conditions at this time

RECOMMENDATION

Approval of the requested conditional use permit to allow a 'Mechanical and Construction Contractor' on Lot 14A of Wellington Gordon Plat No. 2.

SUPPORTING DOCUMENTS (ATTACHED)

- Locator Maps
- Surrounding Zoning Graphic

SITE CHARACTERISTICS

Area (acres)	10.16
Topography	Gentle declining slope to southward
Vegetation/Landscaping	Eastern Tract – Commercial Landscaping Other – Trees line the western, southeastern, and eastern property lines
Watershed/Drainage	Hinkson Creek
Existing structures	Eastern Parcel – Principal Structure of Plumb Supply and accessory structures Western Parcel – Two storage barns remaining from stockyard facilities

HISTORY

Annexation date	1955
Zoning District	M-C
Land Use Plan designation	Commercial
Previous Subdivision/Legal Lot Status	Wellington Gordon Plat No. 2, Lot 14A

UTILITIES & SERVICES

All utilities and services provided by the City of Columbia.

ACCESS

E Business Loop 70	
Location	North
Major Roadway Plan	Major Collector
CIP projects	None
Sidewalk	Eastern Parcel – Yes; Western Parcel - No

PARKS & RECREATION

Neighborhood Parks	None
Trails Plan	Proposed Primary Trail – Hinkson Creek Trail 1000' East
Bicycle/Pedestrian Plan	Business Loop 70 is a key roadway to bike/ped connectivity

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 via an advanced notification postcard which was mailed on January 7, 2022. 21 postcards were sent.

Public Notification Responses	One neighbor to the southwest. Minor concern with potential increased impervious surface and parking area. Views this as improvement over previous stockyard.
Notified neighborhood association(s)	Country Club Estates NA; Strawberry Hill NA; White Gate NA
Correspondence received	None

Report prepared by Brad Kelley

Approved by Patrick Zenner