

**AGENDA REPORT  
PLANNING AND ZONING COMMISSION MEETING  
March 21, 2024**

**SUMMARY**

A request by Engineering Surveys & Services (agent), on behalf of Burrell, Inc. (owner), seeking approval to rezone a 1.03-acre property addressed 107 E. Texas Avenue from M-OF (Mixed Use Office) to PD (Planned Development) and revision of the existing Phoenix House C-P Development Plan and associated Statement of Intent governing the use of property addressed as 90 E. Leslie Lane. The C-P Plan revision expands its acreage to incorporate 107 E. Texas Avenue and the statement of intent is revised to meet current UDC regulatory standards. The revised C-P plan will be known as “*Phoenix House PD - Development Plan*” and would permit the development of the site with an additional 7,500 square foot building. The 4.88-acre subject site is located south of the intersection at Newton Drive & E Leslie Lane, and includes the addresses 90 E Leslie Lane and 107 E. Texas Avenue. **(Case #105-2024)**

**DISCUSSION**

The applicants seek approval of a revised PD plan, Statement of Intent (SOI), and zoning map amendment in order to expand their existing facility southwards with a 7,500 square foot building addition and associated parking as well as driveway access to Texas Avenue. The PD plan will serve as a revised preliminary plat for the property. In addition, this request seeks to rezone property addressed 107 E. Texas Avenue, located in the southwest corner of the overall development, from M-OF (Mixed-use Office) to PD such that the entire 4.88-acre site is consistently zoned PD.

The applicant has submitted a concurrent final minor plat (Case #103-2024) as well as a request to vacate (Case #104-2024) the existing utility easement abutting the common lot line between the development's developed and undeveloped properties. The final minor plat request will consolidate Lot 2 of H.E. Johnson Subdivision (north property) and Tract 2 of the Survey recorded in book 333 page 431 (southwest property) into the single development tract shown on the proposed PD plan. Tract 2 is an unplatted acreage and requires Planning and Zoning Commission review/recommendation and City Council approval in order to obtain legal-lot status. The platted PD lot hosts an existing 2-story facility with parking spaces, while the unplatted M-OF property remains vacant with a shed.

In January 2024, the applicant approached staff for a concept review regarding the potential development and platting of the client's two adjacent properties (Case #76-2024). The applicant showed intent to combine both properties into one lot and expand the existing building southwards with proposed street access from Texas Avenue. Staff communicated that the request would require a final minor plat and major PD amendment to facilitate the development proposed. Staff identified that the western boundary of the site borders R-1 (One Family Dwelling) and R-2 (Two Family Dwelling) zoning districts which triggers transitional screening requirements. Given the site already has multiple existing trees along this lot line; staff recommended that the applicant consult with the City Arborist to determine the necessary screening. After consultation with the City Arborist, the applicant has provided a 10-foot landscape buffer which is noted in the landscape plan.

The northern property was rezoned to the C-P (Planned Commercial, now PD) in May 2004 (Ord. 018067) and was accompanied by the 'Phoenix House C-P Development Plan'. As a part of the approving ordinance, Exhibit A (Design Parameters) which served as the SOI were also approved. Since 2004, four minor PD revisions have occurred, resulting in an 1,800 square foot building expansion, the addition of a 400 square foot shed, and the installation of sidewalks between buildings. Permitted uses on the site have remained unchanged since the initial 2004 C-P plan approval.

The subject site is presented used by the applicant for general and medical offices as well as a residential care facility. These uses are consistent with those authorized as part of the approved 2004 SOI and development plan. However, following the adoption of the UDC in March 2017 and establishment of an updated "Permitted Use Table" many of the uses identified in the 2004 SOI are now outdated. Given the proposed PD Plan revision is considered "major", a new SOI is required to ensure compliance with the UDC's regulatory provisions.

The uses in the revised SOI remains consistent with the uses outlined in 2004 SOI; however, have been modernized to match the terms within the current UDC. The most notable changes between the 2004 SOI and the proposed revision are the addition of a second freestanding monument sign on the property and an increase in the maximum GFA permitted on the site acreage.

The new sign is planned at the entrance of the proposed street access from Texas Avenue. Given the site has access from both E. Leslie Lane and E. Texas Avenue, signage on both frontages is deemed appropriate. Signage dimensions will adhere to the design parameters established in the previously approved 2004 SOI which were carried forward into the revised SOI. Given the proposed building expansion, the revised SOI needed to account for this additional GFA. The 2004 SOI set the maximum GFA at 34,000 square feet, the proposed expansion would bring the total GFA to 41,500 square feet. To accommodate this expansion and allow for future development flexibility, the revised SOI seeks to permit a maximum GFA of 45,000 square feet.

The parking requirements for this land use are a combination of the various uses occurring on the site (residential care facility, general office, and medical office). A total of total of 20 beds are included in the residential care facility. There are 16,610 sq. ft. of medical office and 4,749 sq. ft. of general office. Based on UDC parking requirements, a total of 103 spaces would be required (4 for residential care, 83 for medical office, and 16 general office). The revised PD plan contains 110 parking spaces along with 12 bicycle spaces.

East Texas Avenue is identified as a neighborhood collector on the CATSO Major Roadway Plan which requires a 53' right-of-way. East Leslie Lane has no CATSO designation but requires a 50' right-of-way. Appropriate right-of-way has been previously dedicated so no additional right-of-way is being sought/shown on the PD plan. Standard 10-foot utility easements are being dedicated across both street frontages. An existing storm water access easement is located on the northwest corner of the site. The site is served by all City utilities and requires no other public utility infrastructure expansion at this time.

At present, the applicant has not furnished details regarding the development of the southwest property. Considering the proposed street access from E. Texas Avenue traverses the southwest property, it is possible that this vacant area may undergo development in the future. If so, any future development will be required to go through another major PD Amendment process per Section 29-6.4(n)(2) prior to being authorized for additional development.

The request has been reviewed by all applicable departments and found to be appropriate. Staff supports the proposed PD Plan Revision request and associated Statement of Intent.

### **RECOMMENDATION**

The following recommended actions are to be taken:

- 1) Approve the rezoning of property addressed 107 E. Texas Avenue from M-OF to PD.
- 2) Approve the revised Statement of Intent that permits the following allowed uses: Residential Care Facilities, Temporary Shelter, Community/Recreation Center, Office, Accessory/ Commercial Kitchen, Community Garden, Customary Accessory Use and Related Structures, Personal Services which replace all 2004 permitted uses; and allows one (1) additional freestanding monument sign on E. Texas Avenue; and increases the maximum gross square footage of building floor area to 45,000 square feet.
- 3) Approve the proposed 'Phoenix House PD – Development Plan'

### **ATTACHMENTS**

- Locator Maps
- PD Plan
- Statement of Intent

### **SITE CHARACTERISTICS**

<b>Area (acres)</b>	4.88
<b>Topography</b>	Irregular, gentle slope towards perimeter and east of northern property, gentle slope towards northwest of southern property.
<b>Vegetation/Landscaping</b>	Northern property has a storm water access easement towards northwest, is wooded and contains shrubs along entire west perimeter. Southern portion is slightly wooded and contains shrubs along north and east perimeter.
<b>Watershed/Drainage</b>	Bear Creek
<b>Existing structures</b>	25,695 square foot building, parking lot, and 640 sq. ft. shed on northern property. Shed on southern property.

## **HISTORY**

<b>Annexation date</b>	1955, 1905
<b>Zoning District</b>	PD (Planned Development), M-OF (Mixed Use – Office)
<b>Land Use Plan designation</b>	Commercial, Neighborhood
<b>Previous Subdivision/Legal Lot Status</b>	Southwest property (Tract 2 of the Survey recorded in book 333 page 431) is not a legal lot – unplatted. Northern property is Lot 2 of H.E. Johnson Subdivision recorded in plat book 18 page 14.

## **UTILITIES & SERVICES**

All utilities and services provided by the City of Columbia.

## **ACCESS**

<b>90 E. Leslie Lane</b>	
<b>Location</b>	North
<b>Major Roadway Plan</b>	None
<b>CIP projects</b>	None
<b>Sidewalk</b>	Constructed

<b>Texas Avenue</b>	
<b>Location</b>	South
<b>Major Roadway Plan</b>	Neighborhood Collector
<b>CIP projects</b>	None
<b>Sidewalk</b>	Constructed

**PARKS & RECREATION**

<b>Neighborhood Parks</b>	Boxer Park, Bear Creek Trail, Parkade Park-School, Downtown Optimist Park, Proctor Park
<b>Trails Plan</b>	Bear Creek Trail Connector, Bear Creek Trail
<b>Bicycle/Pedestrian Plan</b>	None

**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 public information postcards on February 21<sup>st</sup> of the pending action. Property owner letters were sent out on March 4<sup>th</sup>, and an ad was placed in the Columbia Daily Tribune on February 27<sup>th</sup>.

<b>Notified neighborhood association(s)</b>	Vanderveen HA
<b>Correspondence received</b>	None

Report prepared by Kiaan Ahamed

Approved by Patrick Zenner