

AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
June 20, 2019

SUMMARY

A request by A Civil Group (agent) on behalf of The Callaway Bank (owner) for a rezoning of 32.38 acres of property including Lots 1502, C1502, 1503, C1503, 1504 and C1504 of Auburn Hills Plat 15 and Lots 1202 and 1203 of Auburn Hills Plat 12. The request would rezone the property from Planned Development (PD) to a mix of Mixed-use Corridor (M-C), Mixed use-Neighborhood (M-N), and Mixed-use Office (M-OF). The property is generally located east of N. Hwy. 763, north of Brown School Road, south of International Drive and west of Edenton Drive.
(Case #143-2019)

DISCUSSION

The applicant is seeking rezoning of property on the northeast corner of N. Highway 763 and Brown School Road from PD (Planned District) to M-C (Mixed-use Corridor District), Mixed-use Neighborhood (M-N), and Mixed-use Office (M-OF). The preponderance of the approximately 32.38-acre rezoning request is for M-C zoning (approximately 24.8 acres) on Lots 1202 and 1203 of Auburn Hills Plat 12 and Lots C1502, 1503, C1503, 1504 and C1504 of Auburn Hills Plat 15. Lot 1502 of Auburn Hills Plat 15 is proposed to be split-zoned with a combination of approximately 11.7 acres of M-C zoning, 3.7 acres of M-N zoning, and 4 acres of M-OF zoning. The applicant has indicated a desire to provide the M-N and M-OF zoning as a softer transition from the R-1 (one-family dwelling district) zoning across Edenton Blvd. to the east.

As part of Tract G of the larger 200+/- acre Auburn Hills rezoning from 2001, the subject property was zoned C-P (Planned Business District), which is now under the City's PD zoning. The permitted uses for the property per the statement of intent (SOI) were all of the permitted uses in allowed in the C-3 zone plus some uses typically found in light industrial or agricultural zones. No C-3 uses were restricted. A PD plan for the property, known as the Auburn Hills South 32.8 Acres C-P Plan, was approved in 2007.

This request does not include all of the 2001 Auburn Hills PD zoned property nor does it include all of the property shown on the 2007 C-P Plan entitled "Auburn Hills South 32.8-acres C-P Plan". While this is the case, it should be noted that the PD zoning and PD Plan remain unchanged for properties not included in this request. A PD Plan for Auburn Hills Plat 16, which included some property shown on the 2007 C-P Plan, was approved in 2018 to provide a development plan for the new Molly Bowden Neighborhood Policing Center Property on the south side of International Drive.

When evaluating the rezoning request, staff reviewed the surrounding land uses, the development history of Auburn Hills, and the uses entitled under the existing PD zoning.

Surrounding uses and zoning districts (in parentheses) include residential development in the County to the west across N. Hwy. 63 (R-S), the new CenterPointe Hospital to the north across International Drive (PD), the Auburn Hills residential neighborhood to the east (R-1), and City commercial (M-C), and County light industrial (M-L) to the south. The Molly Bowden Neighborhood Police Center (PD) is under construction and is located east of Lots 1202 and 1203 and north and west of lot 1502 of this rezoning request, and the existing Moser's Foods (PD) is generally between Lots 1503 and 1203 with frontage on N. Hwy. 763.

This property is presently bank-owned and the applicant has indicated a desire to rezone the property to allow for sale to developers. In addition to coming online shortly before the 2008 recession's hit to commercial development, Auburn Hill's commercial areas may have been slower to develop relative to the residentially-zoned property due to the challenges associated with the planned development zoning. While planned developments may allow cohesive master planning and greater creativity and development controls, plan revisions to accommodate potential buyers or tenants may be more difficult or have inherent uncertainties relative to straight zoning.

When evaluating this rezoning request, staff reviewed the potential impacts of removing the property from a controlled, planned district to placing it in open zoning. This review found the request is generally no more intensive than the approved PD zoning for the site, and in some ways is actually more restrictive. The C-3 uses permitted in the PD zoning's SOI are consistent with the present M-C zoning request in terms of allowed uses, and may be considered a slight "downzoning" as the straight zoning request for the proposed M-C areas removes any additional uses permitted under the CP zoning and not permitted under the M-C zone today (e.g. machine shops were added to the SOI as a permitted use but are a conditional use in the M-C zone).

The introduction of M-N and M-OF zoning on lot 1502 is more restrictive than the PD plan presently permits in terms of uses, and provides a stepping down transition from the requested M-C areas. Given the adjacency to R-1 zoning across Edenton Blvd., staff concurred that neighborhood level commercial and office zoning may be more appropriate for this location, while the M-C zoning requested for the remaining tracts allows for commercial development along the Hwy. 763 corridor. This is consistent with the site's *Columbia Imagined* Comprehensive Plan designation as a Commercial District, which is intended to provide a mixture of commercial activities at a more intensive scale than the Neighborhood District to provide for regional shopping and service needs.

While PD zoning provides an opportunity for greater development oversight, staff does not believe such oversight is necessary at this time for this location given the overall development pattern of the area and the fact the zoning request itself is analogous with what is already permitted. Straight zoning may reduce development uncertainties and the need for planned development plan revisions. Permitting in straight zones is also a simpler task for City staff, and the UDC affords greater neighborhood protection, landscaping and buffering standards than were afforded at the time of the site's initial zoning and development plan adoption.

RECOMMENDATION

Approval of the requested rezoning.

ATTACHMENTS

- Locator maps
- Zoning Exhibit
- Previously approved zoning (Ord. 017005)
- Auburn Hills South 32.8 Acres C-P Plan

HISTORY

Annexation date	1998
Zoning District	PD (Planned Development)
Land Use Plan designation	Commercial District
Previous Subdivision/Legal Lot Status	Auburn Hills Plat 12 & Auburn Hills Plat 15

SITE CHARACTERISTICS

Area (acres)	Approximately 32.38 acres
Topography	Generally flat but slopes around Cow Branch Creek
Vegetation/Landscaping	Turf and brush
Watershed/Drainage	Perche
Existing structures	Vacant

UTILITIES & SERVICES

Sanitary Sewer	City of Columbia
Water	
Fire Protection	
Electric	Boone Electric

ACCESS

N. Hwy. 763	
Location	Western frontage of site
Major Roadway Plan	Major arterial
CIP projects	N/A
Sidewalk	Sidewalks existing

E. Brown School Road	
Location	Southern frontage of site
Major Roadway Plan	Major arterial
CIP projects	N/A
Sidewalk	Sidewalks required; mostly existing

Edenton Blvd.	
Location	Eastern frontage
Major Roadway Plan	Local Non-Residential
CIP projects	Molly Bowden Neighborhood Policing Center
Sidewalk	Sidewalks existing

PARKS & RECREATION

Neighborhood Parks	West of Auburn Hills Park
Trails Plan	Proposed Cow Branch Trail
Bicycle/Pedestrian Plan	NA

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 May 28, 2019.

Public information meeting recap	Number of attendees: 5 (including applicant) Comments/concerns: Questions about permitted uses under PD zoning versus requested zoning, taxing district status, and private covenants/deed restrictions for site.
Notified neighborhood association(s)	White Pines and Auburn Hills Homeowners Associations
Correspondence received	None.