

**AGENDA REPORT  
PLANNING AND ZONING COMMISSION MEETING  
June 4, 2020**

**SUMMARY**

A request by Brush and Associates (agent) on behalf of Tom and Pam Kardon (owners) to rezone three parcels from PD (Planned Development) to M-C (Mixed-use Corridor). The property is addressed 1206 Coats Street and is the location of Tom's Imports (**Case 99-2020**).

**DISCUSSION**

The applicant is seeking to rezone three parcels containing approximately 1.13 acres of property from PD (Planned Development) to M-C (Mixed use- Corridor). Tom's Imports (an auto repair and parts service shop) is presently operating on the site. The main structure at the southeast corner of Coats Street and North Blvd. is approximately 9,000 square feet, and the auxiliary building directly to the east of the main building is approximately 3,600 square feet. There are 57 parking stalls on the site in lots oriented from the Coats Street and North Blvd. sides of the site.

The two northernmost lots were zoned C-P (Planned Commercial), now PD (Planned development) in 1999. The southernmost lot was added to the C-P zoning in 2011 to allow for a building expansion on the rear of the main building. A revised statement of intent (SOI), design parameters, and development plan were approved to include all three lots which replaced the 1999 ordinance for the northern two lots. C-P zoning was pursued after an attempt to rezone the property to C-3 was unsuccessful.

The site's 2011 permitted uses (attached) include many of the residential and office uses, public services (e.g. utility providers, police and fire stations, and libraries), personal services and light commercial uses previously allowed in the C-1 (Intermediate Commercial) zone in 2011. From the C-1 listing, permitted commercial uses included stores, shops and markets for retail trades (with some restrictions), physical fitness centers, printing shops, coin-operated laundries, radio and television sales and services and pet stores and grooming shops. Many uses which otherwise would have been permitted in the C-1 zone were restricted, including drive up facilities as a customary accessory use, alcoholic beverage sales by the package or as an accessory to a restaurant, restaurants, banks and boarding houses.

The site's present, permitted use as an automobile repair shop was explicitly included in the 2011 SOI (see Exhibit A of Ord. 210221). This use was not permitted in the C-1 zone, which is generally analogous to the Mixed Use- Neighborhood (M-N) district per the UDC adopted in 2017. Automobile repair shops were permitted in the C-3 zone in 2011, which is generally analogous to the UDC's M-C zoning the applicant is now requesting. This use is permitted in the M-C zone under the classification of "Major vehicle repair and service".

The 2011 SOI also included a 15% minimum for open space, a maximum 12,950 square footage limitation for all on-site buildings, a maximum 24-foot building height, and hours of operation limitations (7 AM to 6 PM). The C-P zoning request was supported by the North Central Columbia Neighborhood Association at the time.

The property owner has indicated a desire to have straight zoning applied to the site to offer flexibility in terms of its future use and reduced limitations on specific site features. The applicant has expressed concerns about the impact that PD zoning has on the property given the current economic conditions. Staff acknowledges the applicant's concerns and frustrations with revisions to a planned development and their desire to seek straight zoning; however, rezoning property out of such a designation often

comes with potential unintended consequences which must be evaluated. PD zoning is often applied to address unique impacts that permitted uses generate on adjacent property and affords Council the opportunity to establish site-specific conditions to mitigate impacts. The requested rezoning would expand the permitted uses allowed on-site and restricts the Council's ability to impose site-specific conditions such as landscaping requirements and limited hours of operation. Furthermore, such an action would eliminate the requirement of a public approval process for site plan changes.

In evaluating this specific request, staff looked at the surrounding land use conditions, and what, if any other planning-related aspects have changed since 2011 given the prior failure of the requested C-3 rezoning. Since 2011, the City adopted a new Unified Development Code (2017) offering new zoning and neighborhood protection standards. Additionally, in 2018 City acknowledged the Business Loop CID's Corridor Plan for the Business Loop (see [theloopcomo.com/loop-corridor-plan-approved/](http://theloopcomo.com/loop-corridor-plan-approved/)). However, in general, the zoning and land uses of the area remain much the same.

The Loop Corridor Plan includes this site in its "Mixed-Use Zone" (p. 8). The plan calls for M-C zoning along the corridor in this zone and states: "Utilizing the Unified Development Code, of the City of Columbia, a designation which best reflects the plan would be a M-C (Mixed Use- Corridor District). The classification of the overlay plan as a Mixed Use- Corridor District allows for certain flexibility [of] development, especially if approved for transit standards... The base zoning district designation for a Mixed Use Corridor will allow for flexibility in building standards and lot standards" (p. 52). Additionally, the Plan's Rangeline Street Intersection Placemaking Focus Area Concept shows a new building and parking lot on the vacant lot to the east of this site, and the potential for open space and stormwater BMP facilities and new development fronting on North Boulevard (p. 58 and 71).

With the adoption of the UDC in 2017, better mitigation options were created to address the negative externalities associated with some uses and conflicts between land use transitions via enhanced landscape buffering, neighborhood protections and use-specific standards than were in place with the previous zoning code. These new provisions were developed with the intent of reducing the reliance on PD zoning to address typical transition-related issues.

The surrounding land use and zoning around the site is mixed. To the west, across Coats Street, is Autozone, Dairy Queen and the Boys and Girls Club on property zoned M-C. To the south (improved with a single family home and southeast (a vacant lot) is property zoned R-MF (Multiple-Family). To the east is a parking lot and vacant area zoned M-N, and to the north the area between the Business Loop 70 and North Blvd. is zoned M-C. The Community Land Trust's "Cullimore Cottages" site, zoned P-D, is one lot away to the south and east of the site between Rear Coats Street (generally functioning as an alley) and N. Eighth Street. An 8 foot fence is on the southern property line of the subject site.

Should the subject property be successfully rezoned to M-C, all of the permitted retail uses within the M-C zone would be allowed. While staff has concerns about the intensity of some of the commercial uses which may be permitted these concerns are mitigated largely by the aforementioned provisions in the UDC.

In evaluating the site and speaking with the applicant on the use of the site, staff would be more in support of M-N zoning as it is slightly removed (though visible) from the Business Loop Corridor and would be more akin to the existing uses permitted by the PD zoning. However, such an action would render the current permitted "auto repair" facility as a non-conforming use, which is less than ideal from a staff perspective and could pose issues for the applicant should the use of the property discontinue for a period of time or if there is a desire to expand on the existing site.

Staff also has concerns about the potential for commercial creep into the adjoining residential neighborhood; however, notes that the site is generally already fully developed and future improvements or redevelopment would be subject to the code. The existing use is already one of the

most intensive commercial uses permitted in the UDC within M-C district and redevelopment of the site would likely have limited additional impact that would not otherwise be addressed by current code requirements.

Very little commentary on the request has been received. At the time of writing the staff report, two adjacent property owners had called with questions about the process. There did not appear to be support or concern for the request. No written comments have been received for or against the proposal. The applicant indicated, at the time of filing the request, he had attempted to reach out to the neighborhood association but has not been able to make contact.

**Conclusion:**

Given all of the information and the facts inherent to this site, there are some concerns that would be ameliorated if the site retains its PD zoning or if the applicant were to pursue M-N zoning, but staff also notes the challenges inherent to the PD zone for the applicant and the present use would become a non-conformity with no option for conformance (the current use is not a CUP in the M-N zone). Staff has not received correspondence from the North Central Columbia Neighborhood Association to know if they are in favor or against the request.

The Loop Corridor Plan indicates this general area has the potential for investment and redevelopment. The plan; however, is not so granular to suggest an exact land use desired for the site even though it is included in the mixed-use zone planning area where the plan supports M-C zoning. The site is already built out with an intense commercial use that was supported by the neighborhood in 2011 and has been, to staff's knowledge, operated without incident since that time.

The applicant has not indicated any immediate intent to redevelop the subject site. Given the potential redevelopment options for property zoned M-C to the north and the development potential of property to the east (zoned M-N) in accordance with the CID's Loop Plan as its guide and the UDC's new protective standards as a means to ensure appropriate land use transitions, staff finds that the requested rezoning of the subject parcel would not be inconsistent with the existing and potential future land use pattern.

**RECOMMENDATION**

Approval of the M-C zoning map amendment.

**SUPPORTING DOCUMENTS (ATTACHED)**

- 1) Locator maps
- 2) 2011 Ordinance, SOI & Permitted Uses (Ord. 21021)
- 3) Kardon C-P Plan Revised 2011

**SITE CHARACTERISTICS**

<b>Area (acres)</b>	1.13 acres
<b>Topography</b>	Generally flat, gradual sloping to south
<b>Vegetation/Landscaping</b>	Urban, landscaped with grass, shrubs and trees
<b>Watershed/Drainage</b>	Flat Branch Creek
<b>Existing structures</b>	Improved with auto repair and parts shop and auxiliary building and parking areas

**HISTORY**

<b>Annexation date</b>	1906
<b>Zoning District</b>	PD
<b>Land Use Plan designation</b>	Commercial District
<b>Previous Subdivision/Legal Lot Status</b>	Lot 10 and 11 of J.C. Conley's Addition to the City of Columbia

**UTILITIES & SERVICES**

All utilities and services provided by the City of Columbia.

<b>Coats Lane</b>	
<b>Location</b>	West side of site
<b>Major Roadway Plan</b>	Local residential street
<b>CIP projects</b>	N/A
<b>Sidewalk</b>	Existing

<b>North Blvd.</b>	
<b>Location</b>	North side of site
<b>Major Roadway Plan</b>	Local residential street
<b>CIP projects</b>	N/A
<b>Sidewalk</b>	None.

**PARKS & RECREATION**

<b>Neighborhood Parks</b>	Site is served by Hickman High School facilities, approx. 600 feet to the southwest
<b>Trails Plan</b>	N/A
<b>Bicycle/Pedestrian Plan</b>	N/A

**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 this pending request on May 11, 2020. 22 postcards were distributed.

<b>Advanced notice postcards sent</b>	Number of attendees: N/A (No mtg held due to COVID-19) Comments/concerns: N/A
<b>Notified neighborhood association(s)</b>	NCCNA/Shoe Factory District & North Central Columbia Neighborhood Associations
<b>Correspondence received</b>	Two phone calls with questions. No concerns expressed.

Report prepared by Rachel Bacon

Approved by Patrick Zenner