

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

**SUMMARY**

A request by Allstate Consultants (agent), on behalf of the City of Columbia (owners), for rezoning of approximately 139.07 acres from PD (Planned District) to O (Open Space) on property commonly known as A Perry Philips Park. The subject property is located at the northeast corner of Gans Road and Bristol Lake Parkway. **(Case #113-2020)**

**DISCUSSION**

The applicants are seeking to rezone their property at the northeast corner of Gans Road and Bristol Lake Parkway, from PD (Planned District) to O (Open Space) district in efforts to streamline the approval process for future public improvements within the Park. The current PD plan approval process is redundant with the public hearing process required for any project using Park Sales Tax funds.

“A. Perry Philips Park Phase I PD Plan,” was approved in March of 2009. At that time the extent of construction within the Park included just a fishing/boating dock, shelter structure, and a small parking lot accessed off Bristol Lake Parkway. This phase of development impacted roughly 2.1 acres of the 139-acre property. The intention was that as the property was further developed each phase would be presented to the Planning & Zoning Commission and Council as a major amendment to the planned district.

The subject acreage is part of the larger Philips Farm annexation and permanent zoning that was approved in 2004. As part of this action, the approved Statement of Intent for this acreage restricted the future uses upon it to those of a public park and associated non-inhabitable structures if acquired by the City. In 2008, the subject acreage was acquired by the City.

Given the pending request is to remove the PD designation and rezone the acreage to the O district all prior PD plan and Statement of Intent restrictions for the property would become null and void. As a result, the potential land uses allowed on the acreage would 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 in addition to the previously permitted public parks and non-habitable structures. 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). Establishment of such businesses within the O district requires approval of a conditional use permit by the City Council.

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.

Staff believes the requested O (Open Space) zoning is appropriate for this location. The O district is clearly consistent with the Open Space/Greenbelt District designation within the comprehensive plan. Furthermore, future development of the remaining portions of the acreage will be subject to a rigorous public engagement process and City Council approval prior any additional land improvements being constructed. Having a duplicated public hearing process relating to future site improvements is believe unnecessary and the proposed rezoning will eliminate this without any loss of public engagement opportunities.

**RECOMMENDATION**

Approve the requested rezoning from PD to O.

**ATTACHMENTS**

- Locator maps
- Previously Approved, "A. Perry Philips Park PD Plan," Statement of Intent

**HISTORY**

<b>Annexation date</b>	2004
<b>Zoning District</b>	Currently PD (Planned District)
<b>Land Use Plan designation</b>	Open Space/Greenbelt District
<b>Previous Subdivision/Legal Lot Status</b>	Lot 1, A. Perry Philips Park

**SITE CHARACTERISTICS**

<b>Area (acres)</b>	139.07
<b>Topography</b>	Gently sloping to west toward lake
<b>Vegetation/Landscaping</b>	Turf/Natural
<b>Watershed/Drainage</b>	Clear Creek
<b>Existing structures</b>	Shelter/Dock (Phase I), Indoor Sports Complex (Phase II)

**UTILITIES & SERVICES**

<b>Sanitary Sewer</b>	All utilities and services provided by the City of Columbia
<b>Water</b>	
<b>Fire Protection</b>	
<b>Electric</b>	

**ACCESS**

<b>Bristol Lake Parkway</b>	
<b>Location</b>	West side of property
<b>Major Roadway Plan</b>	Neighborhood Collector
<b>CIP projects</b>	N/A
<b>Sidewalk</b>	Sidewalks constructed

**PARKS & RECREATION**

<b>Neighborhood Parks</b>	A. Perry Philips Park
<b>Trails Plan</b>	Philips Park Trail
<b>Bicycle/Pedestrian Plan</b>	8' pedway planned for each side, Philips Farm Road

**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. 10 postcards were distributed.

<b>Public information meeting recap</b>	Number of attendees: N/A (No mtg held due to COVID-19) Comments/concerns: N/A
<b>Notified neighborhood association(s)</b>	Lenoir Woods NA
<b>Correspondence received</b>	None

Report prepared by Rusty Palmer

Approved by Patrick Zenner