

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
October 8, 2020**

SUMMARY

A request by the City of Columbia to correctively rezone 110 E. Ash Street from C-2 (Central Business) to M-OF (Mixed-use Office). The subject property is located approximately 115-feet east of the intersection of First Street and Ash Street and is presently improved with an office building housing True Line Title Company. **(Case #154-2020, Map Area #3)**

DISCUSSION

The subject parcel is being proposed to be rezoned so that it matches its existing land use and best conforms to the permanent zoning classifications established as part of the 2017 adopted Unified Development Code (UDC). The choice to not rezone the subject parcel to M-DT (Mixed-use Downtown), the replacement district to C-2, in 2017 was influenced by the fact that the M-DT district is a “form-based” zone dependent on a compact and highly walkable street network where buildings and building architecture influence the pedestrian experience. Additionally, the M-DT zone has significant building design criteria not believed appropriate for locations outside the city-center.

During the UDC adoption process, it was contemplated that all C-2 zoned parcels located outside the existing core of Columbia (now zoned M-DT) would be considered for new zoning classifications following staff analysis and Planning Commission and Council review and approval. It was furthermore contemplated that once all anomalous C-2 parcels were rezoned the C-2 regulations would be deleted from the UDC. In fulfilling these objectives, the Commission and staff reviewed the proposed zoning classification of the subject parcel in June and July 2017; however, were unable to initiate the rezoning process at that time due to time-sensitive work assignments. Since conducting its initial research and analysis, work assignments have normalized and staff has been able to re-engage in this activity.

The property owner of the subject site was notified at the end of March 2020 of the pending rezoning action. Staff was contacted by the property owner seeking additional information on the impact of the request and was informed that owner’s attorney would be in contact with staff to discuss possible alternative zoning classifications. No additional contact has been made as of preparation of this report.

On August 17, 2020, the City Council authorized staff to initiate the formal rezoning process on the subject parcel to M-OF. Following this authorization, staff has followed all notification and public hearing notice procedures applicable to any other rezoning request. The property owner as well as adjoining property owners within 200-feet and Neighborhood Associations within 1000-feet of the subject parcel have been notified of the pending action.

The subject parcel was rezoned in 1988 from R-3 (now R-MF) to C-2 for the purposes of future development. At the time of rezoning the site was vacant and addressed as 106 E. Ash Street. The 1988 staff report supported the C-2 rezoning given its opportunity to allow for context appropriate infill development. The staff report expressed concern that the C-2 district did not required parking; however, also acknowledged that given the site’s location on-site parking would likely be provided. The staff, at that time, found that the rezoning request was in keeping with the “commercial” designation on the then existing Land Use Plan and would likely not interfere with the activities of the existing churches on the block.

The subject parcel has not sought rezoning since 1998 and is presently being occupied by an office use for a title company. This use could be accommodated in several zoning designations adopted as part

of the 2017 UDC such as M-OF, M-N (Mixed-use Neighborhood), or M-C (Mixed-use Corridor). Following notification to the property owner of the pending rezoning action concern was expressed that the proposed M-OF zoning would unreasonably reduce the commercial uses allowed on the property and that a preference for a designation of M-N or M-C was desired. Staff informed the property owner that if such a request were desired the property owner would be responsible for payment of processing and advertising fees. No formal request has been received to seek the alternative zoning expressed as the preference by the property owner.

The choice of M-OF zoning for the subject parcel is based upon the fact that the site is presently used as an office, there have been no submitted plans for conversion of the space to another use, and that an M-N or M-C classification would permit uses considered inappropriate and out of context with the land uses along the south side of the Ash Street abutting the parcel. The preponderance of land uses along E. Ash Street, with the exception of those at the intersection of Providence and Ash, are civic, social services, or residential. Notable exceptions would include the funeral home west of First Street, zoned PD, and the former Water and Light Building, zoned M-N, at the corner of Park Avenue and Ash Street now used by multiple community organizations such as the MU Family Impact Center, CASA, and the United Way located on a 1.34 acre parcel.

Furthermore, while the M-DT district is immediately south of the east-west alley behind the subject parcel, that boundary line was determined to ensure it captured all property along E. Walnut that is part of the "Urban General West" designation on the M-DT Regulating Plan. The alley acts a physical demarcation line between the land use districts and regulations applying to the parcels within those districts. There was discussion during the UDC adoption process of potentially coding the south side of E. Ash Street to Garth Avenue within the M-DT; however, the adopted Regulating Plan did not include this area given its existing development pattern and limited benefits that would be obtained if the form-based standards were applied to the parcels upon their potential future redevelopment.

Given the current land use pattern, a desire to limit possible commercial impacts should the subject parcel redevelop, and the fact that rezoning will not result in the creation of a non-conforming property, staff believes the proposed rezoning is in the best interest of the City. Such action will not negatively impact the property owner's enjoyment of the parcel as it is being presently used. The M-OF classification allows significant re-use options for the site and its existing improvements believed more compatible with its surrounding than an M-N or M-C designation. The M-OF is consistent with the Comprehensive Plan's future land use designation.

RECOMMENDATION

Approve the requested rezoning of the subject parcel to M-OF.

SUPPORTING DOCUMENTS (ATTACHED)

- 1) Locator Maps
- 2) Zoning Graphic

SITE CHARACTERISTICS

| | |
|-------------------------------|---|
| Area (acres) | Approximately 0.26 acres (11,400 sq. ft.) |
| Topography | Sloping upward to the north |
| Vegetation/Landscaping | Turf, some landscaping |
| Watershed/Drainage | Flat Branch |
| Existing structures | Office building and parking lot |

HISTORY

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|--|---|
| Annexation date | 1826 |
| Zoning District | C-2 (Central Business District) per 1988 rezoning |
| Land Use Plan designation | City Center |
| Previous Subdivision/Legal Lot Status | Lot 314 Original Town, now City of Columbia |

UTILITIES & SERVICES

Parcel is serviced by all City services.

ACCESS

| E. Ash Street | |
|---------------------------|----------------------------------|
| Location | North of subject parcel |
| Major Roadway Plan | Major Collector; City-maintained |
| CIP projects | None |
| Sidewalk | Sidewalks present |

PARKS & RECREATION

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|--------------------------------|---|
| Neighborhood Parks | Located within 1100-feet of Douglas Park |
| Trails Plan | None proposed for subject parcels |
| Bicycle/Pedestrian Plan | Pedway adjacent to parcel within Ash Street right of way. |

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 provided early property-owner notification of this pending request on September 5, 2020 and formal property owner notification letters on September 28, 2020. 38 postcards and letters were distributed.

Report prepared by _____

Approved by Patrick Zenner