

AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
June 6, 2019

SUMMARY

A request by Crockett Engineering (agent), on behalf of Broadway Bluffs 2012, LLC (owner), seeking approval of a revised Statement of Intent (SOI) for the existing Broadway Bluffs Planned Development (PD). The SOI revision is only applicable to Lot 2 of the Broadway Bluffs Subdivision. The applicant desires to update the existing SOI to include, but not be limited to, the "Medical Marijuana Dispensary" use to the list of permitted uses allowed on the site. **(Case #77-2021)**

DISCUSSION

The applicant is seeking a major amendment to the existing Broadway Bluffs Planned Development (PD) Plan that involves the revision of the exiting Statement of Intent (SOI) governing uses on the property. The revision is only applicable to Lot 2, which is approximately .85 acres and fully improved with a commercial building. The revision would add "medical marijuana dispensary" and "artisan industry" as permitted uses allowed on Lot 2. These uses were not in the code at the time the ordinance zoning the property to PD was approved in 2005. The amendment also ensures previously permitted uses are brought into alignment with how they are defined and administered by the new UDC. The PD plan for the site, approved in July 2006 and amended via a minor amendment in October 2006, is not requested to be amended at this time.

Broadway Bluffs was annexed into the City in 1955, and was rezoned from O-1 (Office) to C-P (Planned Business District; now PD) in 2005. The adopted PD SOI permitted all uses within the C-3 district with the following exceptions: bowling alleys, car washes, commercial greenhouses and plant nurseries, commercial swimming pools, kennels for boarding animals, miniature golf courses or driving ranges, mortuaries, self-storage facilities, drive-in theaters, hallway houses, and live adult entertainment business.

The revised SOI proposes the addition of "artisan industry" which will allow some light, small-scale manufacturing and production activities to occur on the site. This use did not exist in 2005, but is presently allowed in the M-N, M-C, M-DT, M-BP and IG zones. Additionally, the applicant seeks to add "medical marijuana dispensary" to the SOI. As with "artisan industry" this use did not exist at the time of the initial zoning. Subject to the use-specific standards of Chapter 29-3.3(qq), medical marijuana dispensaries are permitted in the M-C, M-DT and IG zones. A preliminary review of Lot 2 did not identify any conflicts with the use-specific standards prescribed under 29-3.3(qq) for this site. A formal review of the site's ability to meet the use-specific standards will be part of the business licensure process should a state-licensed operator seek to locate on the site.

When evaluating the requested additional uses to the SOI, staff evaluated the surrounding land uses, the uses permitted and prohibited under the existing SOI, and the use-specific standards applicable to a medical marijuana dispensary. In addition to the artisan industry and medical marijuana dispensary uses the applicant is also requesting that the site be exempt from the use-specific standards for "Restaurants" (29-3.3(r)) and "Light Vehicle Sales or Rental" (29-3.3(bb)). Staff is supportive of these requests as the use-specific standards of 29-3.3(r) apply only to the M-N zone and the standards of 29-3.3(bb) apply only to the M-DT zone. It is staff's finding that the site's PD zoning is generally consistent with the uses allowed in the M-C zone.

Staff finds that the applicant's desired additional uses and use-specific standard exemptions do not result in the amended SOI containing any uses previously excluded from the existing SOI. Staff views the proposed SOI revision as a means to modernize it while at the same time adding the two new uses described above which are otherwise permitted in the M-C zone which is generally equivalent to what the PD permits except for the previously excluded uses. Should this request be approved the previously excluded uses would continue to remain excluded from the site.

Adjacent land uses to this site are generally commercial on the north side of Broadway and the site is designated as being within a "Commercial District" on the future land use map of Columbia Imagined. The Broadway Bluffs subdivision is accessible by the "green" Go COMO bus route, and the site has quick vehicle access to and from downtown along Broadway and to the Highway 63 and I-70 corridors.

For medical marijuana patients, the site is near Boone Hospital as well as the E. Broadway and Keene Street corridor which are highly developed with medical offices of all types. The existing uses of the Broadway Bluffs subdivision, as approved and on-site, are commercial at a scale no less intensive than those proposed in the SOI amendment.

The proposal has been reviewed by staff, and meets all applicable City zoning standards.

RECOMMENDATION

Approve the revised statement of intent.

ATTACHMENTS

- Locator maps
- Revised Statement of Intent
- Lot 2 Broadway Bluffs Subdivision C-P Development Plan (October 27, 2006)
- PD Zoning Ordinance (May 16, 2005)

HISTORY

Annexation date	1955
Zoning District	PD (Planned District)
Land Use Plan designation	Commercial District
Previous Subdivision/Legal Lot Status	The Broadway Bluffs Subdivision, Lot 2

SITE CHARACTERISTICS

Area (acres)	.85 acres
Topography	Graded for development
Vegetation/Landscaping	Developed
Watershed/Drainage	Perche Creek
Existing structures	Existing building and parking

UTILITIES & SERVICES

Sanitary Sewer	City of Columbia
Water	City of Columbia
Fire Protection	City of Columbia
Electric	City of Columbia

ACCESS

E. Broadway	
Location	Southern edge of property
Major Roadway Plan	Major Arterial (Improved & City-maintained)
CIP projects	N/A
Sidewalk	existing

Broadway Bluffs Drive	
Location	Western and norther edge of property
Major Roadway Plan	Local non-residential (Improved & City-maintained)
CIP projects	N/A
Sidewalk	Existing

PARKS & RECREATION

Neighborhood Parks	Directly east of Stephens Lake Park
Trails Plan	East and north of the Hinkson and Hominy Creek Trails
Bicycle/Pedestrian Plan	N/A

Report prepared by Rachel Smith

Approved by Patrick Zenner