

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
June 10, 2021**

SUMMARY

A request by Crockett Engineering Consultants (agent), on behalf of P1316 LLC (owners), for approval of a rezoning of 1.64 acres of M-C (Mixed Use-Corridor) zoned property to PD (Planned Development), a 4-lot, 10.66-acre PD development plan for hotel, office and retail development on PD (Planned Development) zoned property to be known as *Discovery Center*, an accompanying statement of intent, and a design exception for parking lot landscaping. The request also includes the abrogation of an existing PD plan known as *Aria Boulevard Phase 2*, which currently conflicts with the location of the proposed PD plan. The property is located on the northeast corner of Nocona Parkway and Endeavor Avenue. (**Case #162-2021**)

DISCUSSION

The proposed PD plan includes the creation of a four-lot commercial development, the rezoning of a small portion of M-C to PD, and a new statement of intent for the entire site. The approved zoning for the site occurred in 2004 and identifies the existing PD acreage as being located within the Tract 5 zoning area of the Philips Farm annexation, and the M-C area being within Tract 8. The approved Tract 5 zoning allows for most commercial uses, with some exceptions, and for residential uses as well.

The proposed development plan represents a revision to the *Discovery Park Subdivision Preliminary Plat Revision #2* approved 4/20/2015. The subject property includes a portion of the area identified as Lot 11 on the approved preliminary plat.

The site includes a 1.64-acre area that is not currently zoned PD, and the applicant requests to rezone it and include it on the proposed PD plan. The existing boundary between the M-C and PD zoning is reflected on the plan and is shown crossing through the hotel on Lot 4. The new statement of intent proposed to govern the development of the plan area references the existing annexation ordinance that includes the specific regulations for the Discovery Park development. Given this reference, the site will be subject to the existing regulations from that ordinance in addition to the revised permitted use list that has been updated to match the current uses within the UDC, but only includes the uses that were previously approved.

The proposal also seeks to abrogate the existing PD plan for *Aria Boulevard Phase 2*, which would overlap the proposed *Discovery Center* PD as currently proposed. The multi-family PD plan was reviewed by the PZC at the December 10, 2020 meeting, and approved by City Council on January 19, 2021. The applicant has stated that they wish to move in another direction with the area, and seek to abrogate the PD plan to allow the *Discovery Center* PD plan to proceed.

The site will be developed with a single building on each lot with associated off-street parking. Lots 1 and 2 include retail uses, with Lot 2 also potentially including a restaurant use. A three-story office building is proposed for Lot 3 that will include 90,000 sq.ft. of floor area, and a four-story hotel will be on Lot 4. All buildings fall within the allowed maximum height for this area.

The site includes four total access points, with one each on Ponderosa and Endeavor Avenue, and two along Nocona Parkway, which will be right-in/right-out entrances. Lot 2 will not have direct access to a public right-of-way, so an access easement will be required to be dedicated at the time of final plat.

Lot 3 is currently not compliant with Section 29-4.4(f)(1), which permits a site that has an office building that is larger than 50,000 sq.ft. to exceed 150% of the minimum amount of parking on site (not to exceed 200%) only if the amount of parking lot landscaping is increased from a minimum of 10% to 20%. The office use on Lot 3 would require a minimum of 300 spaces for 90,000 sq.ft. of floor area, and parking could be provided up to 450 spaces (150%) with no increase in landscaping. The amount of parking provided is 518 spaces, which is 173% of the minimum, and the parking lot landscaping provided is currently 16%, so 4% less than required. The applicant has requested a design exception to this requirement, which is reflected on a note on the PD plan.

Staff is not supportive of the request for a design exception to reduce the parking lot landscaping. The requirement to increase the parking lot landscaping is a specific provision in the UDC to ensure a corresponding increase in green space when a specific development chooses to exceed the 150% threshold. Without some specific and significant corresponding benefit that would not ordinarily be provided to offset the relief they are seeking, staff is of the opinion that the parking lot landscaping should be provided per UDC requirements.

Other than the parking lot landscaping on Lot 3, landscaping is provided per the UDC requirements, which includes parking lot landscaping and street trees, some of which are currently planted. The overall development site includes approximately 19% of its area in open space. The overall required open space is regulated by the original zoning ordinance, and it is currently compliant with those requirements; however, each site must still meet the City's 15% minimum of landscaping per lot.

Also worth noting is note #10, which will not permit the development to receive any occupancy permits prior to the installation of the traffic signal at the intersection of Endeavour Ave and Discovery Parkway. This was a requirement first applied to the *Endeavor Center West* PD plan, and it was based on the City's findings that the traffic signal was warranted due to the level of development that is planned, and needed to be installed prior to the opening on any future developments.

Conclusion

Staff have reviewed the proposed PD plan and finds that, with the exception of the requested design exception and some minor technical corrections, the PD plan meets the requirements of the PD district and the UDC. Because staff does not support the requested design exception and given its correction would require the plan to be revised, it is recommending denial of the plan as well as all other portions of this request. If the plan were revised to be compliant (i.e. increase additional landscaping or reduce parking overage), staff would support the request as a whole.

RECOMMENDATION

Denial of the rezoning of property from M-C to PD, the *Discovery Center PD Plan*, the associated Statement of Intent, and the PD plan abrogation.

SUPPORTING DOCUMENTS (ATTACHED)

- Locator maps
- PD Plan
- Statement of Intent
- Statement of Intent (4/19/2004)
- Preliminary Plat (4/20/2015)
- Aria Boulevard Phase 2 PD Plan (1/19/2021)

SITE CHARACTERISTICS

Area (acres)	10.66
Topography	Generally sloping west toward lake
Vegetation/Landscaping	None
Watershed/Drainage	Clear Creek
Existing structures	None

HISTORY

Annexation date	2004
Zoning District	PD
Land Use Plan designation	Commercial
Previous Subdivision/Legal Lot Status	Previously unsubdivided

UTILITIES & SERVICES

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

ACCESS

Nocona Parkway	
Location	West side of site
Major Roadway Plan	Major Collector (Improved and City maintained); 66-76' of ROW required, no additional ROW dedication required.
CIP projects	None
Sidewalk	Sidewalks existing.

Endeavor Avenue	
Location	South side of site
Major Roadway Plan	Major Collector (Improved and City maintained); 66-76' of ROW required, no additional ROW dedication required.
CIP projects	None
Sidewalk	Sidewalks existing.

Discovery Parkway	
Location	East side of site
Major Roadway Plan	Minor Arterial (Improved and City maintained). 84-100-foot ROW required (42-50-foot half-width), no additional ROW dedication required.
CIP projects	None
Sidewalk	Sidewalks existing.

Ponderosa Street	
Location	East side of site
Major Roadway Plan	NA
CIP projects	None
Sidewalk	Sidewalks existing.

PARKS & RECREATION

Neighborhood Parks	Within half-mile of Nifong Park, Gans Creek Recreation Area, Philips Park
Trails Plan	Philips Lake Trail
Bicycle/Pedestrian Plan	Pedway along Nocona and Endeavor

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, 2021. Two postcards were distributed.

Report prepared by Clint Smith

Approved by Patrick Zenner

