

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
June 24, 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) to PD (Planned Development), a 3-lot, 10.62-acre PD development plan and accompanying statement of intent for an office and retail development to be known as “*Discovery Center*”, and a design exception to exceed 200% of allowed parking. 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. **(This case was tabled at the June 10, 2021 Planning Commission meeting). (Case #162-2021)**

DISCUSSION

The proposed PD plan includes the creation of a three-lot commercial development, the rezoning of a small portion of land from 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 on April 20, 2015. The subject property includes a portion of the area identified as Lot 11 on the approved preliminary plat.

The overall 10.62 acre PD Plan site includes a 1.64-acre area that is not currently zoned PD. This acreage is proposed to be rezoned and included into the PD plan. The existing boundary between the M-C and PD zoning is reflected on the plan and is shown crossing through the eastern portion of Lot 3. 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 94,752 sq.ft. of floor 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 29-4.3(e)(2), which restricts the number of parking spaces

on a site to no more than 200% of the required minimum number of spaces. In this case, the office use on Lot 3 would require a minimum of 315 spaces for 94,752 sq.ft. of floor area (1 space/300 sq.ft. GFA), and the site could provide up to a maximum of 630 parking spaces. The applicant has requested a design exception to this requirement to allow 679 spaces (or 216% of the minimum), which is reflected within Note #11 on the PD plan. It should be noted that the PD plan presented at the June 10 PZC meeting and emailed to Commissioners on June 8 has been revised. The revisions to the June 8 plan are described below.

While evaluating the request, staff spoke with the applicant about the need to address the objectives of the PD district, as stated in Section 29-2.2(c)(4), if they were requesting a design exception. One of these objectives is to, "provide for more usable and suitably-located common open space and amenities, including but not limited to clustered patterns of development and open space than would not otherwise be provided under the City's base zone districts." In response, the applicant is proposing to include an open space area within Lot 3 of the plan.

The open space area, which measures over 26,000 sq.ft., includes trees, benches, and walkways along the edges and through the middle of the site for access. Additionally, in contrast to the location of the open space shown on the June 8 PD plan being on the former hotel site on Lot 4, the current plan has moved the open space closer to the office building for greater access and usage by employees. The location also has the added benefit of screening more of the parking lot from Nocona Boulevard, where there are existing residential apartments. With the additional landscaping, there will be 25% parking lot landscaping on Lot 3, which exceeds the UDC minimum of 20% triggered by having parking numbers that are greater than 150% of the required minimum number.

Staff finds that the inclusion of the open space "park" area" meets the previously stated objective for a PD. The flexibility to exceed the 200% maximum parking requirement on the site can be considered in return for providing the additional park area, which amounts to an open space amenity that would otherwise not be required by the UDC. From a broader perspective, design exceptions that allow zoning flexibility within a PD are an essential part of planned development zoning. However, as stated in the PD objectives, there does need to be clear benefits and/or amenities provided to the City, residents or users of a site that would not otherwise be provided. While increases in parking are not the ideal way that PD would provide flexibility given that it increases impervious surface, staff finds that the additional park area is a significant amenity and that it is enough of an amenity to offset the relief sought.

On the balance of the site, 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 23% 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.

RECOMMENDATION

Approval of the rezoning of property from M-C to PD, the *Discovery Center PD Plan* with the design exception pertaining to exceeding 200% minimum parking, the associated Statement of Intent, and the PD plan abrogation.

SUPPORTING DOCUMENTS (ATTACHED)

- Locator maps
- PD Plan (revised 6-18-21)
- Statement of Intent
- Statement of Intent (4-19-04)
- Preliminary Plat (4-20-15)
- Aria Boulevard Phase 2 PD Plan (1-19-21)

SITE CHARACTERISTICS

Area (acres)	10.62
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

