

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
October 7, 2021**

SUMMARY

A request by Haden & Colbert (agent), on behalf of Dan Hagan and The Hagan Trust (owners), for a rezoning from R-1 (One-Family Dwelling District) to M-OF (Mixed-Use Office) of approximately 1.65 acres located south of E. Broadway, north of Green Valley Drive, and west of Broadway Village Drive. The request includes three parcels. The western parcel is improved with a single-family dwelling addressed as 2215 Green Valley Drive and the eastern parcels are undeveloped. (**Case #287-2021**)

DISCUSSION

The applicant is seeking to approximately 1.65 acres of property to M-OF, which would allow office and other permitted uses. The subject site is currently zoned R-1. A concurrent one-lot plat (Case #288-21) is under review that proposes to consolidate the three lots into one and, if approved, bestow legal lot status on the acreage. The applicant has stated the intent of this request is to permit an office building to be built on the site.

There is a single-family home on the westernmost lot of the property which will be demolished prior to redevelopment. The remaining portion of the site is vacant; Boone County historical aerial photography shows a second home generally in the middle of subject property was demolished between 2002 and 2007. The triangular/eastern extent of the subject property (west of the intersection of Green Valley Drive and Broadway Village Drive) appears to be vacant going back to at least 1956. The E. Broadway corridor (a major arterial) serves as the northern extent of the property with a “pedway” (wider sidewalk) buffering the north property line from the travel lanes of E. Broadway.

Access to the property is from Green Valley Drive. To the south across Green Valley Drive is the Broadway Village Apartments (zoned Planned Development (PD) for multi-family use), and to the west is property zoned R-1 and FP-O (Floodplain Overlay). There are two single-family homes to the west of the single-family home on the subject property that are located southeast of the floodplain area around the Hinkson Creek. Property to the north across Broadway is zoned R-1 and commercial PD (Broadway Bluffs shopping area), and the Eastgate Plaza to the far west is zoned M-N (Mixed Use-Neighborhood).

The concurrent platting action will require the dedication of right-of-way (ROW) and sidewalk installation along the Green Valley Drive frontage of the site. The Hinkson/Hominy Creek Trail connector from S. Old Highway 63 which connects to the north side of Green Valley Drive approximately ¼ mile to the west of the subject site. This connector heads north to a pedestrian bridge that crosses the Hinkson Creek toward Broadway which has a spur that goes under Broadway and connects to Stephens Lake Park. An additional multi-modal trail exists to the east of the pedestrian bridge that presently utilizes the Green Valley Drive right of way which has been stripped to encourage multi-modal use and to facilitate traffic calming. These markings continue eastward along Green Valley Drive past the subject site and the parcels to the west providing connection to the Homily Trail connector approximately 1.3 miles to the east.

The required sidewalk will help to fill an existing gap in the off-street sidewalk network along Green Valley Drive; however, there will still be a gap between the subject site and the trail connections to the west given the two intervening properties that are not part of this request. Furthermore, the required sidewalk along the subject site's frontage will reduce reliance on the Green Valley Drive right of way for multi-modal movements.

Zoning

Changes in zoning are evaluated for consistency with the surrounding land use context and the goals and future land use designations of the City's Comprehensive Plan. The Comprehensive Plan identifies the two eastern parcels (approximately 1.64-acres) as being located within a "Neighborhood" District and the .08-acre westernmost parcel as being located within an "Open Space" District. While designations do not directly align with zoning district designations, a neighborhood district typically correlates to "residential uses" which are permitted in the M-OF zone district as are a "limited number of nonresidential uses that provide services to neighborhood residents." The small nature of this site may lend itself to providing smaller-scale employment and services that could be considered suitable to support neighborhood needs. The Open Space district designation on westernmost parcel is better aligned with a rezoning to the O (Open Space) district than the proposed M-OF. However, given the small size of this parcel (6% of the total request) and the generally undesirable impact of split zoning, staff does not believe a rezoning to "O" would be appropriate and may offer no appreciable benefits.

The following analysis provides an itemized list of circumstances that staff believes would support approval of the requested rezoning as well as identifies additional factors believed important to note due to the potential impacts the rezoning may create on surrounding properties. The requested M-OF zoning would allow office and other uses that are shown in the Table 29-3.1 of the UDC.

Analysis

- **M-OF provides an appropriate buffer between the Broadway corridor and residential uses.** The site currently sits at the boundary between the established commercial corridor along Broadway to the west and northeast, and the multi-family development to the south of the subject property. M-OF zoning can be an adequate transition between commercial districts and residential districts. M-OF zoning would permit most residential uses (including multi-family), office uses, community service uses (police station, library, etc.), and daycares, along with other uses. These additional uses are not inappropriate in an area that is located between single- and multi-family dwelling zoning and commercial zoning.

The rezoning of the subject site to permit inclusion of mixed uses may also meet the Comprehensive Plan goal of Livable and Sustainable Communities, Policy 2: Support Mixed Use.

- **Additional landscape buffering and neighborhood protections would be required along boundaries with R-1 zoning.** When any of the subject parcels change use to an office or other M-OF permitted use such change would trigger the installation of a Level 3 transitional landscape and screening buffer to transition with the single-family properties directly to the west. A level 3 buffer consists of a 10-foot wide landscape area and an eight-foot tall screening device. These improvements would be required along the abutting property lines of any lot zoned R-1 and is intended to mitigate the impacts of the new non-residential use on the residentially zoned property. In addition neighborhood protection requirements would apply ([Section 29-4.7](#)), with one of the protections addressing height as follows:

"Buildings constructed after the effective date of this Code with a height greater than thirty (30) feet shall reduce the perceived height of the building when viewed from abutting lots by using at least one of the following techniques:(1) "Stepping down" building height of any portion of the building within twenty-five (25) feet of the contiguous side and rear lot lines to a maximum of twenty-four (24) feet; (2) Increasing the contiguous side yard and rear yard setbacks a minimum of ten (10) feet beyond that otherwise required in the District where the property is located."

- **Future Land Use Plan.** The future land use map (FLUM) identifies approximately 94% of the subject property as falling within the Neighborhood District, which may support limited non-

residential uses. As this site is fewer than two acres, there may be opportunity for offices and permitted services to serve a neighborhood-level of use and employment. However, staff notes that

larger-scale zoning requests to office may exceed what the Columbia Imagined Plan envisions as “limited” non-residential uses. “Limited” is not defined in the Plan. Additionally, the future land use designations within Columbia Imagined are not generally well-suited to parcel-by-parcel evaluation of the preferred zoning on a site. Parcel by parcel analysis is best accomplished through a neighborhood plan which provides more detailed guidance on future redevelopment within specific neighborhoods. In this particular instance no neighborhood plan has been completed for the area.

- **The preponderance of the site is not currently used for residential purposes, and is vacant.** The two largest parcels on the east side of the site are currently vacant; therefore, would not affect current housing levels if redeveloped. The history of vacancy of these properties also supports the belief that R-1 zoning may not be viable or desirable for this area from a market standpoint. The adjacency with the Broadway road corridor is likely the contributing factor limiting the desirability of residential uses here.
- **Multimodal impacts.** Redevelopment of the property (and the concurrent platting action) will trigger the dedication of ROW and the construction of sidewalk along Green Valley Drive, which may help to support the multi-modal trail connectors along the roadway by providing off-street sidewalk. Office uses also tend to be lower traffic generators than other uses; however, the introduction of a new building on this site will result in a traffic increase from the present single house as employees and office clients travel to and from the site. The site itself may provide benefits to employees in that they will have access to multi-modal facilities and natural areas, and these facilities may be desirable to persons traveling to the site via bike or walking, which may help to off-set increased automobile traffic.
- **No clearly defined land use transitional boundary, as described in Columbia Imagined, exists between this property and the properties to the west which would remain in residential use and zoning.** Staff notes that this request may increase redevelopment pressures on the properties to the west to seek a transition to office over time by making the R-1 zoning less desirable, especially as there are only two homes in this area. The next natural boundary to the west is the Hinkson Creek itself. While staff notes there would be landscape buffer and neighborhood protections required between this property and those to the west should the rezoning be approved as described in previous sections, future rezoning requests would continue to pose-- but not answer-- the question of how much non-residential uses are appropriate in a neighborhood district.
- **Introduction of dissimilar zoning into an established residential neighborhood.** While M-OF is often considered “transitional” zoning between commercial corridors and residential districts, which may be appropriate if this area is considered transitional in terms of the *larger land use pattern (rather than immediate pattern)* of the area, this request still introduces a zoning category not directly adjacent to any of the existing parcels on the site. The introduction of this zoning may have an impact on the existing residential neighborhood. There will always be a point where residential uses meet office or commercial uses, but some transitions are better than others. An ideal transition would include a physical separation, with lots sharing a rear lot line rather than a side lot line, which is not the case herein. Here, staff is more concerned with the impact of the M-OF zoning on the R-1 properties than the multi-family structures as they are across the road and setback a minimum of 25’ (per the Broadway Village Plat 3 perimeter setback and PD zoning) with internal roadway connections which access Broadway Village Drive. However, the proposed office development would increase traffic at the Broadway Village Drive/Green Valley Drive intersection, which may impact apartment residents.

- **Rezoning may result in loss of housing.** Approval of the rezoning may be considered inconsistent with the goal of Livable and Sustainable Communities, Policy 1 which states “Support Diverse and Inclusive Housing Opportunities”. While M-OF does allow for a full range of housing options to be constructed, such designation may also prove to be a hindrance given non-residentially zoned acreage is often more expensive to acquire and in turn develop.
- **Impacts to neighbors.** Staff has received multiple calls and limited correspondence regarding this request seeking information, but not expressing concern. Staff discussed opportunities to limit impacts to the existing pedway and trail connector with the Director of the PedNet Organization. An email (attached) from the owner of the Broadway Village Apartments expressing concerns with traffic, noise, and impacts to the trail has received. The applicant was advised of the stated concerns and has provided correspondence in support of the rezoning request addressing these elements. Additionally, two letters (attached) in support of the request were received. Staff also received a phone message and left a message in return from/to an owner of one of the homes to the west of the subject site; however, as of this writing have not discuss possible concerns.

Conclusion

Allowing the expansion of an office district into a residential district should be done with appropriate care. The Comprehensive Plan provides some guidance on where the boundary should be between the two; however, reasons to support or not support any such request may be mixed and can be somewhat subjective. With regards to this specific request, staff finds that there is more objective evidence to support the proposed rezoning than to object to it, notwithstanding the concerns listed in the staff’s analysis above.

RECOMMENDATION

Approve the rezoning of the subject site from R-1 to M-OF.

SUPPORTING DOCUMENTS (ATTACHED)

- 1) Locator Maps
- 2) Zoning Graphic
- 3) Public Correspondence - Opposition
- 4) Public Correspondence - Support
- 5) Applicant Correspondence

SITE CHARACTERISTICS

Area (acres)	1.65
Topography	Sloping to Hinkson creek from Broadway
Vegetation/Landscaping	Turf, Trees
Watershed/Drainage	Hinkson Creek
Existing structures	One single-family dwelling

HISTORY

Annexation date	1955
Zoning District	R-1
Land Use Plan designation	Neighborhood District (east), Open Space District (west)
Previous Subdivision/Legal Lot Status	Unplatted

UTILITIES & SERVICES

All services provided by the City of Columbia

ACCESS

Green Valley Drive	
Location	Along the south side of property
Major Roadway Plan	Local Street
CIP projects	None
Sidewalk	Required

PARKS & RECREATION

Neighborhood Parks	To the south (across Broadway) from Stephens Lake Park
Trails Plan	Hinkson to Hominy Creek Connector/multimodal striping along Green Valley Road
Bicycle/Pedestrian Plan	Hinkson to Hominy Creek Connector/multimodal striping along Green Valley 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 September 7, 2021. Seven postcards were distributed.

Public information meeting recap (not held due to COVID protocols)	Advanced public info postcards sent. 7 Comments/concerns: Numerous calls with questions. See below for correspondence rec'd.
Notified neighborhood association(s)	East Campus and Shepard Blvd. Neighborhood Associations
Correspondence received (attached)	Two letters in support of the request were received, one of which was from a nearby but not directly adjacent property. An email to staff with concerns from the owner of the Broadway Village apartments was received and is attached for Commission consideration; concerns include traffic, noise and impact to the trail. Staff received a phone message and left a message in return to one of the owners of the single family homes on Green Valley Road.

Report prepared by Rachel Smith

Approved by Patrick Zenner