

**AGENDA REPORT  
PLANNING AND ZONING COMMISSION MEETING  
April 24, 2025**

**SUMMARY**

A request by Crockett Engineering (agent), on behalf of P1316 LLC (owner), seeking approval of a 5-lot PD Development Plan to be known as “Discovery Apartments” and an associated “site-specific” Statement of Intent (SOI). The PD Plan will also serve as a revised preliminary plat for the development’s acreage which contains Lot 6 of Discovery Park Subdivision, Plat 6A, Lots 7 and 8 of Discovery Park Subdivision Plat 7, and an approximate 16.28-acre survey tract at the northwestern terminus of Endeavor Avenue. The southern portion of the site (proposed Lots 1 & 2) will each contain a 3-story residential building, a 4-story mixed-use/residential building, required surface parking, and private garage structures. The northern portion of the site (Lots 3-5) are reserved for future development; however, are shown on the PD Plan as having dimensional and impervious surface limitations. The approximately 22.14-acre subject site is located around the perimeter of the roundabout at the end of Endeavor Drive.

**DISCUSSION**

**Overview**

The applicant is seeking approval of a 5-lot PD Plan to be known as “Discovery Apartments” and an associated “site-specific” Statement of Intent (SOI) located around the perimeter of the roundabout at the northwestern end of Endeavor Avenue, north of Nacona Parkway. The 22.14-acre subject site is comprised of 3 existing platted lots and a survey tract remainder. The proposed PD Plan would function as the acreage’s preliminary plat and would be required to be final platted prior to the issuance of any building permits.

The proposed development area is located within the boundaries of Tract 4 and Tract 5 of the Philips Farm annexation and permanent zoning (Ord. 018043) that was approved in 2004. Ordinance 018043 contains Tract specific SOIs governing permissible uses as well as other development elements such as impervious surface limitations, maximum building footprints, maximum total building space, and environmental quality considerations. A detailed overview of how these provisions relate to the proposed development are discussed below under the heading “**Philips Farm Background (Ord. 018043)**”.

A final plat would be required to be approved to facilitate the development shown on Lots 1 and 2 of the PD Plan. A concurrent final plat has been submitted for review that would replat Lot 6 of Discovery Park Plat 6A and Lots 7 and 8 of Discovery Park Plat 7. Proposed Lots 1 and 2 of the PD Plan would become Lots 7A and 8A of “Discovery Apartments, Plat No. 1”. Existing Lot 6 is shown as Lot 6A on the submitted final plat and has been included given a portion of the Artemis Drive right of way is proposed to be relocated and rededicated. The submitted final plat is presently “on-hold” awaiting approval of the PD Plan before being forwarded to City Council for approval.

As noted above, the proposed lot layout shown on the PD Plan requires the vacation and relocation of Artemis Drive as it crosses through the PD Plan acreage. The applicant is seeking to relocate the right of way such that it creates a looped public road through the subject acreage that provides access to the

proposed lots. The vacation and initial platting of right of way to accommodate the relocated roadway will occur concurrently with the approval of the submitted final plat. The northern portion of the fully relocated Artemis Drive would occur with the final platting of proposed Lots 3-5 as shown on the PD Plan. Additionally, several utility easement vacation requests have been triggered by the proposed PD Plan. Requests to vacate a 25' wide drainage easement and a 10' wide utility easement on Lot 7 of Discovery Park Subdivision Plat 7 and a 10' utility easement and a drainage easement shown on the Tract Split Survey for Bristol 6789 are under concurrent review. These requests are "on-hold" awaiting approval of the PD Plan before being forwarded to City Council for approval.

### **Proposed PD Plan**

The proposed 5-lot development plan envisions the improvement of the subject 22.14-acre site with a combination of residential and mixed-use/residential structures. At this time, the applicants are only prepared to develop Lots 1 and 2 of the acreage as is illustrated on the submitted PD Plan. Development of Lots 3-5 would require future site-specific PD Plan submissions; however, to ensure that certain existing regulatory limitations applicable to Tract 4 and Tract 5 were addressed at the PD Plan approval stage, the applicant has assigned impervious surface area limitations and dimensional standards to these lot's future improvement. The submitted PD Plan is considered consistent with administrative "best practices" with respect to processing PD applications as the plan only shows development that is imminent instead of proposing fictitious development configurations and footprints subject to modifications.

The proposed improvements on both Lots 1 and 2 would contain a 4-story, 63', mixed-use building with commercial uses on the bottom floor. The remaining three floors will have 9 studios, 36 1-bed, and 35 2-bed apartments totaling 80 dwelling units. Both of the aforementioned lots would also have a 3-story, 45', residential building consisting of 33 1-bed and 6 2-bed apartments totaling 39 dwelling units. Each lot will have surface parking facilities to meet the requirements of the UDC augmented by private residential-style garages. Lot 1 would have three 8-bay garages and Lot 2 would have one 8-bay garage and one 4-bay garage.

With respect to the proposed site design, driveways along the west side of Lots 1 and 2 will provide access to the site from relocated Artemis Drive, Endeavor Avenue, and Briarmont Avenue. Along the east side of the development there will be driveways connecting to adjacent developments. Artemis Drive will be extended and will wrap around the perimeter of Lots 1, 3, and 4 connecting to Briarmont Avenue. Endeavor Avenue will also be extended between Lots 3 and 4 connecting to Artemis Drive. A sidewalk system is being established providing access to each proposed lot. Furthermore, an interior sidewalk will be connected to the proposed system leading to the buildings.

A total of 386 parking spaces, after the bicycle reduction, are required for Lots 1 and 2 per the UDC minimums. The 386 parking spaces would breakdown to 193 apiece for Lots 1 and 2. The development plan illustrates 246 spaces provided on Lot 1 and 183 spaces for Lot 2 with 15 bicycle spaces per lot making for a total of 429 parking spaces. Note #10 on the proposed plan would allow all lots within the development to share parking if a lot were deficient provided the combined total parking spaces within the development meets regulatory requirements. Landscaping for the subject site is provided using the UDC requirements which, included parking lot landscaping and street trees.

The "site-specific" Statement of Intent (SOI) reflects much of the 2004 SOI. The submitted SOI outlines the minimum desired setbacks as follows: from a public street is 25', from a private street 10', between property lines 5', and between buildings 10'. Note #12 on the proposed plan states the frontage of the

lots proposed are facing either Artemis Drive or Briarmont Avenue. Notably, the 10' side yard setback established in 2004 is being reduced to 5' and the 2004 rear yard setback is being reduced from 20' to 10'. There is also a stipulation not being met within the 2004 SOI stating all buildings shall be setback an additional 1' for every 1' they are in height above 45' affecting buildings M-12 and M-8. These setback changes while being noted are not alarming given there is adequate spacing between the adjacent structures and the surrounding environment.

The submitted development plan and "site-specific" SOI has been reviewed by staff and found to be compliant with the provisions of the UDC applicable to PD Plans. It should be noted that this finding is based on the "technical" requirements for a PD Plan and SOI. The approval of these items requires further consideration of amendments needed to the limitations established by Ordinance 018043.

### **Philips Farm Background (Ord. 018043)**

The subject 22.14-acre site is specifically a portion of Tract 4 and Tract 5 of the Philips Farm property that was annexed and permanently zoned in 2004 (Ord. 018043). The overall Philips Farm contains 528-acres and was divided into a total of 9 development tracts of which 8 were assigned "planned" zoning and one retained open C-3 (now M-C) zoning. Additionally, each development tract was subject to development restrictions established either by a Statement of Intent (SOI) and/or development agreement parameters.

Development within the identified tracts, in addition to the SOI's and/or development agreement parameters, are required to comply with the "Water Protection Design Criteria" shown in Sec. 17(1)(a)-(m) of Ord. 018043. These criteria were created and subsequently adopted given the absence of a city-wide stormwater ordinance in 2004. Building and Site Development plan reviewers have continued to monitor development for compliance with the development agreement, specifically Section 17.

In 2007, the City of Columbia adopted a stormwater ordinance and developed a manual that incorporated portions of the KC MARC manual as the standard for water quality BMPs. Staff determined that the City of Columbia's manual, which includes by reference the KC MARC manual, is superior to the water quality protection plan developed by Wright Water Engineers that was attached to and referenced in Ord. 018043. The MARC manual contains a detailed evaluation method to determine the extent of LID (Low-Impact Development) and BMPs (Best Management Practices) to provide for runoff with reduced volume, TSS, nutrients, oils, floatables, and reduced temperature. The MARC manual has a quantifiable method (Level of Service) and the manual also includes detailed sizing calculations, siting and construction criteria.

To further support the "Water Protection Design Criteria" contained in Ord. 018043, additional limitations relating to impervious surfaces as well as building footprint and total building space were established and applied across the 9 development tracts based on their identified future land uses and zoning. Provisions were also incorporated in Ord. 018043 (see Note # 1, Exhibit 21) that provided for "sharing" of unallocated impervious area and building square footage limitations within "Groups" of development Tracts based upon where their stormwater would be directed within the overall Philips Farm parcel. The overall acreage drains to either Philips Lake (Group A) or Clear Creek or Gans Creek (Group B). More specifically, Group A includes Tracts 3, 4, 5, 8, and 9. Whereas Group B Tracts include Tracts 1, 2, 6, and 7.

The tables below are shown as Exhibit 21 within Ord. 018043. These tables contain the prescribed limitations governing each of the 9 development Tracts. Table A shows footprint/total building space. Tables B and C show impervious area without or with Philips Lake Park, respectively. It is important to note that Tract 8 is not subject to **building footprint and total building space** limitation; therefore, sharing of such **future** features or allocations within Tract 8 is not permitted with any other Tract shown within Exhibit 21. However, the impervious allocation (85%) assigned to Tract 8 can be shared among other Tracts which are classified as draining to Philips Lake (Group A tracts) as shown in the Exhibit. Furthermore, for the purposes of determining the allocated impervious surface area to Tract 9, given this Tract was not acquired by the city for “park” purposes, it should be noted that the area allocations shown within **Table B of Exhibit 21** have been used. All other impervious surface area allocations for the parcels within “Discovery Park” have used **Table C of Exhibit 21**.

EXHIBIT 21

IMPERVIOUS SURFACE AREA

A. Footprint: Total building space and impervious surface area for the following C-P and O-P zoned areas are to be as follows:

	Footprint	Total building space	Impervious surface
Tract 4	200,000	425,000	40%
Tract 5	400,000	700,000	60%
Tract 6	150,000	250,000	30%
Tract 7	55,000	100,000	30%
Tract 9	75,000	250,000	65%

Apartments to be counted as 1,000 sq. ft. each for each of Tracts 4 and 6, in mixed use calculations.

B. Philips Tract Impervious Areas: Without Park (Park to be Tracts 3 and 9):

<u>Group A [area draining to lake]</u>				
Tract	Zoning	Total Area (acres)	Impervious percentage	Impervious acreage
3	PUD-4	129.94	16	20.70
4	O-P	61.81	40	24.72
5	C-P	76.09	60	45.65
8	C-3	22.46	85	19.09
9	C-P	23.09	65	15.01
Subtotal for Group A:		313.39	39.97	125.27
(tracts draining to lake)				

<u>Group B [area draining directly to Clear Creek or Gans Creek and not draining to lake]</u>				
Tract	Zoning	Total Area (acres)	Impervious percentage	Impervious acreage
1	PUD-1	29.10	15	4.37
2	PUD-3	74.12	30	22.24
6	O-P	44.55	30	13.37
7	C-P	28.14	30	8.41
Subtotal for Group B:		175.91	27.52	48.41
(tracts not draining to lake)				
<b>Overall Total for Project:</b>		489.30	35.49	173.68

\*See Note 1 below

**\*Note 1:** Any building footprint or impervious surface areas permitted within any Tract within Group A, which is not used within such Tract, Group A, may be shifted to and used within any other Tract within Group A. Any building footprint or impervious surface area permitted within any Tract within Group B, which is not used within that Tract, may be shifted to and used within any other Tract within Group B. If Developer purchases additional land, within the watershed, which either adjoins the 489.29 acres of the Philips Tract, or is approved by the City of Columbia Storm Water Utility as satisfactory for these purposes, then the area of such land which is not devoted to impervious surface area may be included within the impervious surface area limitation computations. Such additional land may be used to increase the impervious acreage but shall not be used to exceed the impervious surface percentage limitations set for Group A or Group B or set for the Overall Total for the project.

**Note 2:** If the City chooses not to acquire the 153.02 acres of Tracts 3 and 9 for the Park, then, in such event, the use of up to 35 acres of pervious paving materials, for driveways, patios, walkways, overflow parking areas, emergency parking areas, emergency driveways and some similar improvements, will be encouraged, in order to reduce runoff, yet remain within impervious surface area limitations, as described in this Exhibit, if alternative paving materials are approved by the Public Works Department of the City.

C. Philips Tract Impervious Areas: With Park (Park on Tracts 3 and 9):

<u>Group A [area draining to lake]</u>				
Tract	Zoning	Total Area (acres)	Impervious percentage	Impervious acreage
3	PUD-4	129.94	7%	9.10
4	O-P	61.81	40	24.72
5	C-P	76.09	60	45.65
8	C-3	22.46	85	19.09
9	C-P	23.09	12	2.44
Subtotal for Group A:		313.39	32.2	101.00
(tracts draining to lake)				

<u>Group B [area draining directly to Clear Creek or Gans Creek and not draining to lake]</u>				
Tract	Zoning	Total Area (acres)	Impervious percentage	Impervious acreage
1	PUD-1	29.10	15	4.37
2	PUD-3	74.12	30	22.24
6	O-P	44.55	30	13.37
7	C-P	28.14	30	8.44
Subtotal for Group B:		175.91	27.51	48.40
(tracts not draining to lake)				
<b>Overall Total for Project:</b>		489.30	30.5	149.40

\*See Note 1 below

**\*Note 1:** Any building footprint or impervious surface areas permitted within any Tract within Group A, which is not used within such Tract, Group A, may be shifted to and used within any other Tract within Group A. Any building footprint or impervious surface area permitted within any Tract within Group B, which is not used within that Tract, may be shifted to and used within any other Tract within Group B. If Developer purchases additional land, within the watershed, which either adjoins the 489.29 acres of the Philips Tract, or is approved by the City of Columbia Storm Water Utility as satisfactory for these purposes, then the area of such land which is not devoted to impervious surface area may be included within the impervious surface area limitation computations. Such additional land may be used to increase the impervious acreage but shall not be used to exceed the impervious surface percentage limitations set for Group A or Group B or set for the Overall Total for the project.

**Note 2:** If the City chooses not to acquire the 153.02 acres of Tracts 3 and 9 for the Park, then, in such event, the use of up to 15 acres of pervious paving materials, for driveways, patios, walkways, overflow parking areas, emergency parking areas, emergency driveways and some similar improvements, will be encouraged, in order to reduce runoff, yet remain within impervious surface area limitations, as described in this Exhibit, if alternative paving materials are approved by the Public Works Department of the City.

As a part reviewing this application, staff requested and obtained a detailed breakdown of building footprints and total building space as well as impervious surfaces on that portion of the Philips Farm commonly known as “Discovery Park” (Tracts 4, 5, 8, and 9) to which this request is a part of. The detailed breakdown tables are attached to this report and titled accordingly.

Staff has reviewed the applicant’s detailed breakdown of building footprints and total building space as well as impervious surfaces. Based on this review, the following findings have been observed:

1. Of the 675,000 sq. ft. of “footprint area” allocated to Tract 4, 5, and 9 per Exhibit 21 of Ord. 018043, a total of 667,458 sq. ft. has been used. This leaves **7,542 sq. ft.** for future building footprint construction.
2. Of the 1,375,000 sq. ft. of “total building space” allocated to Tracts 4, 5, and 9 per Exhibit 21 of Ord. 018043, there has been **231,877 sq. ft.** more building space built than allowed.
3. Of the 104.47-acres of “impervious area” allocated to Tracts 4, 5, 8, and 9 per Exhibit 21 of Ord. 018043, a total of 90.94-acres has been used. This leaves **13.53-acres** of future impervious surface to be built.

It should be noted that the above findings are **inclusive** of existing development within Discovery Park and the development proposed on Lots 1 and 2 of the submitted PD Plan. The proposed development on Lots 1 and 2 account for 127,518 sq. ft. of the total building space overage shown in item # 2. Furthermore, the impervious area shown in item # 3, is **inclusive** of existing development within Discovery Park and that proposed on Lots 1-5 shown on the submitted PD Plan. The significance of these findings is:

1. There is virtually no “footprint area” left to develop unimproved portions of Discovery Park located within Tracts 4 and 5. To resolve this matter, a comprehensive amendment to the provisions of Ord. 018043 would need to occur prior to pursuing any future development on Lots 3-5 of the proposed PD Plan or any undeveloped portion of Tract 5.
2. “Total building space” allocations have been substantially exceeded with respect the limitations contemplated in Ord. 018043 and approval of the requested PD Plan would exacerbate this condition. To resolve this issue, the existing SOI would need to be amended to include, at a minimum, authorization to permit an additional 231,877 sq. ft. of “total building space” with the understanding that no additional development be permitted within Tracts 4 or 5 without a comprehensive amendment to the provisions of Ord. 018043.
3. There appears to be opportunity to manage future impervious area impacts by considering possible “footprint/total building space” limitations on the undeveloped portions of Tract 5 and Tract 8 that could be facilitated by a rezoning of Tract 5 (likely to M-C to match Tract 8) and adoption of a development agreement governing future development of the combined acreages.

### **Necessary Next Steps**

Given the review of Exhibit 21 of Ord. 018043 and the detail development breakdowns provided by the applicant, a recommendation of approval on the submitted PD Plan is contingent on authorizing a 231,877 sq. ft. increase to the existing “**total building space**” limitations imposed upon Tracts 4, 5, and 9 of Ord. 018043. Taking such action would have no negative impact upon the established impervious limitations of Ord. 018043 given the impervious surfaces within these Tracts has not been

exceeded. In fact, when considering all proposed and existing development within these Tracts, there remains approximately 0.72-acres (31,363 sq. ft.) of impervious area available for development. Approval of an expansion of “total building space” is a land use matter not a stormwater matter.

A situation not dissimilar to this was addressed through an SOI amendment at Crosscreek Center just north of Discovery Park on the east side of the US 63 and Stadium Boulevard interchange. The amendment was approved with the full acknowledgement that the current UDC regulatory structure provides a means by which to address possible impacts associated with increased levels of development intensity. Crosscreek Center is located in a similarly environmentally sensitive area, is subject to a pre-UDC approved PD zoning classification and development plan, and included a highly detailed SOI. The location of the project at a major interchange and desire to ensure a compatible form of development supported by the available infrastructure were other contributing factors in having the SOI revision approved.

Discovery Park shares very similar characteristics. The approved development within Discovery Park is serving a community need, has expanded the city exposure to how integrated mixed-use development can meet market demands, and is supported by infrastructure investments (both public and private) that provide efficient and safe movements through and around the development. According to the applicant, the proposed PD Plan, more specifically the development on Lots 1 and 2, is necessary to fill an immediate need for additional residential units. The mixed-use aspect of the proposed buildings provides an opportunity to accommodate supportive service and small-scale retail activities within the development which ultimately would create a more walkable environment.

Staff finds that the existing development intensity within Discovery Park is appropriate given its location, availability to infrastructure, and changes in surrounding land use characteristics. Since adoption of Ord. 018043, large parcels of commercially available acreage have moved from being publicly available to privately owned. The City purchased Tract 3 of Philips Farm and the tract of land south of Gans Road now known as the Gans Recreation Area. These purchases resulted in eliminating the potential for residential development on Tract 3 as envisioned in Ord. 018043 and removed residential development opportunities from the acreage now contained within the Gans Recreation Area.

It is likely that these losses in residential land availability account partially for the increased total building area seen within Tract 4, 5, and 9 of Discovery Park. The increase in intensity upon these Tracts is viewed as appropriate from a “land management/preservation” perspective since it occurred where infrastructure was best capable of supporting it rather than having it placed elsewhere within this specific watershed or in other less suitable locations which may have resulted in encouraging urban sprawl.

Staff supports an amendment that would increase **ONLY** the “total building space” limitations on Tracts 4, 5, and 9 of Ord. 018043 to accommodate the existing development and proposed expansion of Discovery Park as shown on the submitted PD Plan. No further development upon Lots 3-5 of the submitted PD Plan or the undeveloped acreage within Tract 5 is supported without a comprehensive revision to Ord. 018043 addressing both building footprint area and total building space.

Without an amendment of the “total building space” provisions, the continued development of the unimproved Discovery Park tracts is effectively halted until the applicant submits a comprehensive

amendment to the identified total building space overage and the lack of available footprint area. Staff and the applicant have discussed several possible comprehensive solutions to these issues; however, given the zoning and development complexities of the overall site no single, straight-forward process has been identified that was mutually acceptable. Staff recommended delaying this request; however, the applicant noted that given the immediate demand for the production of additional residential units they wanted to pursue forward.

Options discussed as part of a potential comprehensive solution have included:

1. Rezoning Tract 4, 5, and 9 out of PD to comparable “open” districts.
2. Establish revised limitations on Tract 4 with respect to building footprint and total building area as it relates to the future development of Lots 3-5 as shown on the submitted PD Plan.
3. Rezone and combine the undeveloped remainder of Tract 5 with Tract 8 as “open” M-C.
4. Rezone and combine Tract 8 with Tract 5 as a “new” PD and include development limitations that could be used to mitigate existing overages and enhance land preservation.

**RECOMMENDATION**

Staff recommends approval of the proposed PD Plan entitled “*Discovery Apartments*” and its associated Statement of Intent subject to:

1. Amending the allowable “**total building space**” within Tracts 4, 5, and 9 as shown in Exhibit 21, Table A of Ord. 018043 as follows:
  - a. Tract 4 – 16 205,283 sq. ft
  - b. Tract 5 – 1,064,129 sq. ft
  - c. Tract 9 – 429,930 sq. ft.
2. No new development plan submissions shall be considered on Tracts 4, 5, or 9 prior to approval of a comprehensive revision to Ord. 018043 permitting additional footprint and total building space allocations on said Tracts.

**ATTACHMENTS**

- Locator Maps
- PD Plan
- Statement of Intent
- Philips Farm Annexation and Zoning (Ord. 018043)
- Discovery Park Building Area Spreadsheet and Exhibit
- Discovery Park Impervious Area Spreadsheet

**SITE CHARACTERISTICS**

<b>Area (acres)</b>	22.14-acres
<b>Topography</b>	Relatively flat
<b>Vegetation/Landscaping</b>	Partially developed road infrastructure and grass lots
<b>Watershed/Drainage</b>	Clear Creek
<b>Existing structures</b>	None

**HISTORY**

<b>Annexation date</b>	2004
<b>Zoning District</b>	PD
<b>Land Use Plan designation</b>	Residential, Mixed-use
<b>Previous Subdivision/Legal Lot Status</b>	Discovery Park Subdivision Plat 7

**UTILITIES & SERVICES**

All utilities and services provided by the City of Columbia.

**ACCESS**

<b>Endeavor Avenue</b>	
<b>Location</b>	East side of the site extending to the west
<b>Major Roadway Plan</b>	Residential street No additional ROW required at time of plat.
<b>CIP projects</b>	None
<b>Sidewalk</b>	Sidewalks existing and will be developed upon road extension

<b>Briarmont Avenue</b>	
<b>Location</b>	East side of the site extending to the west
<b>Major Roadway Plan</b>	Residential street No additional ROW required at time of plat.
<b>CIP projects</b>	None
<b>Sidewalk</b>	Sidewalks are not installed but will be built with the development

<b>Artemis Drive</b>	
<b>Location</b>	South side of the site extending to the north
<b>Major Roadway Plan</b>	Residential Additional ROW required at time of plat
<b>CIP projects</b>	None
<b>Sidewalk</b>	Sidewalks are not installed but will be built with the development

**PARKS & RECREATION**

<b>Neighborhood Parks</b>	Gans Creek Recreation Area, Philips Park
<b>Trails Plan</b>	Philips Lake Trail, Gans Creek Cross Country Course
<b>Bicycle/Pedestrian Plan</b>	N/A

**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 via public information postcards on February 27<sup>th</sup> of the pending action. Property owner notification letters were sent out and an ad was placed in the Columbia Daily Tribune on March 3, 2025 relating to this request.

<b>Notified neighborhood association(s)</b>	None
<b>Correspondence received</b>	None

Report prepared by Ross Halligan/Patrick Zenner

Approved by Patrick Zenner