

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
August 24, 2023**

SUMMARY

A request by Crockett Engineering (agent), on behalf of Old Hawthorne Golf, LLC (owner), for approval of a conditional use permit for 'outdoor recreation and entertainment' uses (i.e the Old Hawthorne Clubhouse and Driving Range facilities) to be considered legal uses within an O (Open Space) district. The 33.96-acre site is currently split-zoned PD (Planned Development) and R-1 (One-Family Residential). A concurrent request (Case # 220-2023) has been submitted seeking the rezoning of the site from PD and R-1 to O. The subject site located at 6221 E. Broadway.

DISCUSSION

The applicants currently operate a clubhouse and driving range facility on their split-zoned parcel. The applicants have requested rezoning of the property to the O (Open Space) district in efforts to consolidate the uses within a single common zoning classification and to avoid future plan amendments. However, the requested O (Open Space) zoning requires the issuance of a conditional use permit due to the golf course and its amenities being held under private ownership. The use does not meet the definition of a 'public park, playground, or golf course' as it's defined in the UDC, which would be permitted in the R-1 zoning district. Instead, the use meets the definition of 'outdoor recreation or entertainment,' and this use is not permitted by right.

CUP requests must be evaluated by the Planning and Zoning Commission subject to the following six criteria identified in Section 29-6.4(m)(2) of the UDC. Following a recommendation by the Commission, the City Council may approve the CUP with any conditions deemed necessary to carry out the provisions and intent of the UDC. Below is staff's summary of the application's compliance with the six CUP criteria:

1. The proposed conditional use complies with all standards and provisions in this chapter applicable to the base and overlay zone district where the property is located.

The golf facilities on the attached site plan, both existing and proposed, are generally consistent with what would be found in a public golf course which is a principal permitted use in the O zoning district. The site plan illustrates planned future improvements on the subject parcel that would typically be considered ancillary uses to any golf course. These uses include an existing training facility, a new putting facility, and a proposed snack bar near the existing driving range tee boxes. The singular distinction between these facilities and a public golf course is that the Old Hawthorne property is under private ownership.

2. The proposed conditional use is consistent with the city's adopted comprehensive plan.

The subject site is identified as being a mix of the Neighborhood and Commercial Districts per the Columbia Imagined Future Land Use Plan. The Commercial District, which coincides with the clubhouse portion of the property, is intended for a variety of local and regional retail and personal services uses, as well as offices, businesses, and high-density residential. The Neighborhood District is intended for a limited number of smaller-scale service-oriented commercial uses that serve the primary residential uses within the district. The golf course and its components are

consistent with these objectives. The golf course and clubhouse are considered to be amenities for the broader residential development.

- 3. The proposed conditional use will be in conformance with the character of the adjacent area, within the same zoning district, in which it is located. In making such a determination, consideration may be given to the location, type and height of buildings or structures and the type and extent of landscaping and screening on the site.**

The existing improvements were generally contemplated as an integral part of the broader Old Hawthorne development, and were intended to be an amenity for its residents. The proposed future improvements are in keeping with the original intent for the golf course and clubhouse functions on the property.

- 4. Adequate access is provided and is designed to prevent traffic hazards and minimize traffic congestion.**

Access is provided via an existing private drive extending north from Old Hawthorne Drive West, and Broadway (WW). Broadway is considered a minor arterial roadway by the CATSO Major Roadway Plan; therefore, it is designed to serve significant levels of traffic; although, limited impacts are anticipated by the proposed improvements beyond what is currently seen in terms of vehicular traffic.

- 5. Sufficient infrastructure and services exist to support the proposed use, including, but not limited to, adequate utilities, storm drainage, water, sanitary sewer, electricity, and other infrastructure facilities are provided.**

The site is already served by all necessary utilities and is not anticipated to significantly increase demand.

- 6. The proposed variance will not cause significant adverse impacts to surrounding properties.**

The proposed CUP is intended to address an existing zoning conformity issue, and bring an existing use on the property into compliance. No significant impacts are anticipated with the approval of the CUP.

Conclusion

Adverse impacts are not anticipated as a result of the proposed CUP, as the golf facilities on the property are existing. The CUP would grant legal status to these existing uses, but issuance of the CUP must be considered in conjunction with the proposed rezoning, and the nonconformity can only be fully rectified if the rezoning is approved and the CUP is issued as well. If the Commission wishes to deny the requested rezoning, the CUP request would be voided.

RECOMMENDATION

Approval of the requested CUP, permitting outdoor recreation or entertainment as shown on the attached "Future Site Plan".

SUPPORTING DOCUMENTS (ATTACHED)

- Locator Maps
- Future Site Plan

SITE CHARACTERISTICS

Area (acres)	33.95
Topography	Slopes gently to the south
Vegetation/Landscaping	Turf and landscaping
Watershed/Drainage	Hinkson Creek
Existing structures	Clubhouse, driving range facilities (including indoor putting facility)

HISTORY

Annexation date	2005
Zoning District	PD (Planned Development) and R-1 (One-Family)
Land Use Plan designation	Neighborhood District
Previous Subdivision/Legal Lot Status	Lot 1, The Clubhouse at Old Hawthorne, Plat 1

UTILITIES & SERVICES

Sanitary Sewer	City of Columbia
Water	PWSD #9
Fire Protection	City of Columbia
Electric	Boone Electric

ACCESS

Broadway (Route WW)	
Location	Along the south side of property
Major Roadway Plan	Minor Arterial (MoDOT-maintained) no ROW required
CIP projects	N/A
Sidewalk	None

Old Hawthorne Drive West	
Location	Along the southwest corner of property
Major Roadway Plan	N/A
CIP projects	N/A
Sidewalk	Constructed

PARKS & RECREATION

Neighborhood Parks	None adjacent to site
Trails Plan	None adjacent to site
Bicycle/Pedestrian Plan	None adjacent to site

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 July 26th, 2023, and property owner letters were distributed on August 4th, 2023. 49 neighboring property owners received the notification.

Report prepared by Rusty Palmer

Approved by Patrick Zenner