

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
March 7, 2024**

SUMMARY

A request by A Civil Group (agent), on behalf of Cinnamon Hill, LLC (owner), for approval of a PD Plan for Lot 108A of the Crosscreek Center C-P Plan to be known as 'Fresh Karma PD Plan'. The PD plan is proposing the construction of a 2-story 5,200 square foot commercial building and a 1-story 4,500 square foot comprehensive marijuana dispensary. Associated with this request are two revisions to the approved Statement of Intent (SOI) for Crosscreek Center. The first SOI revision seeks to add a "comprehensive marijuana facility" as a permitted use development-wide and remove a conflicting restricted use within the existing SOI. The second SOI revision seeks to increase allowed on-site signage for Lot 108A specifically. The 2-acre subject site is located at the north east corner of Stadium Boulevard and Highway 63N, and includes the address 1407 Cinnamon Hill Lane. **(Case #91-2024)**

DISCUSSION

The applicant is proposing to construct a 2-story 5,200 square foot commercial building including a restaurant and medical offices and a 1-story 4,500 square foot marijuana dispensary with a drive-through, to be known as the 'Fresh Karma PD Plan'. The 2-acre subject site is located at the north east corner of Stadium Boulevard and Highway 63N, and includes the address 1407 Cinnamon Hill Lane. In addition to approval of the 'Fresh Karma PD Plan' the applicant is also requesting that the existing Statement of Intent (Exhibit A/Agreement Exhibit) be amended to remove a prohibition related to "head shops and stores selling drug paraphernalia" on the property, include "comprehensive marijuana dispensary facility" as a new permitted use to the overall development's Permitted Uses, and increase the maximum number signs allowed on the subject lot to include one additional freestanding monument sign.

Lot 108A of the Crosscreek Center Plat 1-A is governed by the Crosscreek Center C-P plan, approved in August 2008 (Ord. 020013). The plan and associated Statement of Intent (SOI), provide design parameters and land uses for multiple lots, including Lot 108A. The ordinance has undergone amendments over time, permitting hotels as a use in March 2012 (Ord. 021255) and increasing the maximum gross square footage of buildable floor area for this specific lot in May 2023 (Ord. 025319). A prior PD Plan approval (Ord. No. 025314) authorized the subject site to be improved with a 49,520 square foot hotel site plan. The proposed hotel construction has not commenced and the property owner is now seeking approval of the 'Fresh Karma PD Plan'.

In January 2024, the applicant requested a concept review (Case #82-2024) for the potential development of the property, which includes two separate buildings, one being for commercial purposes and the other intended for a marijuana dispensary. Staff noted that the Statement of Intent associated with the 2008 C-P plan permits C-3 uses with several exceptions most notably the exclusion of "head shops" or stores selling drug paraphernalia. Aside from the specific use of the site for a marijuana dispensary, the site's improvement with restaurants, drive-up facilities, and medical offices are permitted per the 2008 SOI. The SOI also contains additional requirements impacting the subject site's development which includes maximum lighting pole height, signage requirements, and consultation with adjoining neighborhood associations.

With respect to the signage requirements contained within the 2008 SOI, it states that lots 101 through 109 are permitted only one freestanding monument sign, with a maximum height of 8 feet and a maximum area of 64 square feet. Staff conveyed these restrictions to the applicant to alert them to possible discrepancies when submitting a PD plan and requesting the amendment to the Statement of Intent. The applicant conveyed their intent to submit a new PD plan and SOI specifically for Lot 108A to amend previous ordinances and to permit the proposed dispensary.

This request has two components: 1) PD Plan Approval and 2) Statement of Intent Amendment

1) PD Plan Approval

The PD plan outlines two proposed locations for a freestanding monument sign: one along Cinnamon Hill Lane and another near Stadium Boulevard, which may or may not be mounted on the proposed retaining wall south of the future marijuana dispensary. Staff has maintained ongoing communication with the applicant to address signage placement on the site plan. Following extensive discussions, it was recommended that a subheading for Site Signage and Building Signage be added under the Signage Note on the site plan to clarify the proposed signage dimensions for the freestanding monument signs and wall signs respectively. It is worth noting that the signage dimensions provided on the proposed plan align with the previously approved Statement of Intent, with the exception of the additional freestanding monument sign. The Lighting Note on the site plan adequately references the 2008 SOI and will adhere to the maximum height of 20 feet outlined in the SOI.

2) Statement of Intent Amendment

When amending the previously approved Statement of Intent, staff advised the applicant that including an explanation in the application letter would be sufficient in detailing the proposed changes to the subject lot. Considering the evolving social and legal context around marijuana, staff suggests reevaluating and amending the permitted uses on the site is warranted. The proposed "Comprehensive Marijuana Dispensary Facility" aligns with retail land use and presents a significant opportunity for the business in this particular location. In relation to the signage on the property, the project involves two distinct buildings with different land uses. Given this, staff believes two freestanding signs on the property are justified. The application letter and PD plan provided by the applicant references the proposed signage sufficiently.

The Unified Development Code (UDC) stipulates a parking requirement of 76 spaces for the proposed PD plan. The building to the north will accommodate a restaurant and medical offices, while the southern building is designated solely for the marijuana dispensary. According to UDC standards, the 5,200 square foot restaurant on the first floor necessitates a minimum of 35 spaces (1 space per 150 sq. ft.), and the 5,200 square foot medical offices on the second level require at least 26 spaces (1 space per 200 sq. ft.). The 4,500 square foot marijuana dispensary, classified as a retail use, requires a minimum of 15 parking spaces (1 space per 300 sq. ft.). Additionally, the UDC mandates 8 bicycle spaces for parking lots or structures with 51-99 parking spaces. These bicycle spaces can contribute to the total required spaces as the parking lot exceeds 25 spaces. The applicant has proposed 75 parking spaces and 8 bicycle spaces, totaling 83 proposed parking spaces. The PD zoning district allows a

maximum of 200% of the minimum required parking. Therefore, this proposal complies with UDC regulations.

The marijuana dispensary is planned to incorporate a drive-through window to facilitate customer service in vehicles. As mentioned, drive-up facilities are already permitted on this subject lot. According to Table 4.3-4 of the UDC, the retail use of the dispensary necessitates a minimum of 3 stacking spaces, measured from the pick-up window. The proposed PD plan meets this requirement and includes a bypass lane around the drive-through stacking lane, as mandated.

Given the neighborhood association consultation requirement outlined in the previously approved SOI, the applicant informed staff that they had made efforts to reach out to the required neighborhood association but were unable to establish contact. In summary, staff recommends amending all relevant ordinances pertaining to the subject lot to accommodate the proposed Comprehensive Marijuana Dispensary Facility and additional signage.

The request has been reviewed by all applicable departments and found to be appropriate. Staff supports the proposed PD Plan and Statement of Intent Revision request.

RECOMMENDATION

The following recommended actions are to be taken:

1. Approve of the requested revisions to 2008 Statement of Intent “permitted use” list by inclusion of “comprehensive marijuana dispensary facility” and deletion of “head shops and stores selling drug paraphernalia” as well as allowing one (1) additional freestanding monument sign on Lot 108A only.
2. Approve the proposed ‘Fresh Karma PD Plan’ subject technical corrections.

ATTACHMENTS

- Locator Maps
- PD Plan
- Application Submission Letter/SOI revision request
- 2008 Approved SOI (mark-up)

SITE CHARACTERISTICS

Area (acres)	2 acres
Topography	Gently sloping up towards north of site
Vegetation/Landscaping	Graded
Watershed/Drainage	Grindstone Creek
Existing structures	None

HISTORY

Annexation date	1969
Zoning District	PD
Land Use Plan designation	Commercial
Previous Subdivision/Legal Lot Status	Crosscreek Center Plat 1-A

UTILITIES & SERVICES

All utilities and services are provided by the City of Columbia.

ACCESS

Cinnamon Hill Lane	
Location	North side of parcel
Major Roadway Plan	None. S Highway 63 is a Freeway and E Stadium Boulevard is an Expressway.
CIP projects	None
Sidewalk	Installed

PARKS & RECREATION

Neighborhood Parks	Shepard Boulevard Park-School, Grindstone Trail
Trails Plan	Shepard Park Trail, Grindstone Creek Trail
Bicycle/Pedestrian Plan	None

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 5th of the pending action. Property owner letters were sent out, and an ad was placed in the Columbia Daily Tribune on February 20th.

Notified neighborhood association(s)	Shepard Boulevard
Correspondence received	None

Report prepared by Kiaan Ahamed

Approved by Patrick Zenner