



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: May 1, 2023

Re: Lot 7, Corporate Lake, Plat 14 - Zoning Map Amendment (Case # 125-2023)

## Executive Summary

Approval of this request would result in the rezoning of 1.26 acres at the northwest corner of North Cedar Lake Drive and Santana Circle, from PD (Planned District) to M-N (Mixed-Use Neighborhood). The original application, as heard by the Planning & Zoning Commission, requested M-C Mixed-Use Corridor zoning, a more intense district than M-N. Since the public hearing, the applicant has revised their application from M-C Mixed-Use Corridor District (reviewed and not recommended by either the staff or the Planning & Zoning Commission) to M-N Mixed-Use Neighborhood District (recommended by the staff).

## Discussion

A request by A Civil Group (agent), on behalf of Gary & Brenda Lewis (owners), seeking rezoning from PD (Planned Development) to M-N (Mixed-use Neighborhood). The applicant amended their request by letter dated April 20, 2023 (attached). If approved, the amended request will zone the subject property to the same district as other parcels on the same block. The original rezoning request to M-C would have allowed additional uses and an intensity of use that is not permitted by the M-N Mixed-Use Neighborhood zoning elsewhere on the block. Rezoning from a Planned Development District to a "base" district such as M-N would also relieve the applicant of the requirement of preparing a development plan for public review, an additional step in planned district zoning.

The 1.26-acre subject lot is located northwest of the intersection of North Cedar Lake Drive and Santana Circle. The subject site is located in a 'Commercial' district as shown on the future land use map of the City's Comprehensive Plan. The requested rezoning is generally consistent with this future land use designation. This tract is the lone remaining undeveloped PD-zoned property in the Corporate Lake development still owned by the applicant.

The existing PD zoning would require approval of a development plan and a public hearing prior any future development of the site. The current permitted uses in the planned district are similar to those allowed in the current M-N (Mixed-use Neighborhood) district with the exception of 'Outdoor Recreation or Entertainment' and 'Accessory Drive-through Facilities'. These additional uses would have been allowed in the M-C zoning district by-right. Drive-up facilities would be permitted as an accessory use for a restaurant in the M-N with approval of a conditional use permit.

## History

Since the 1985 annexation of the broader Corporate Lake development tract, many zoning and subdivision actions have taken place. The Rock Bridge Meadows PUD & C-P Plan was



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701 East Broadway, Columbia, Missouri 65201

approved in 1986, depicting a condominium development across the acreage with a number of amenities and a residential care facility at the intersection of Southampton and Providence Roads. The 1987 Villa Mediera Final Plat dedicated the portion of Santana Circle adjacent to the eastern side of the subject lot, as well as the connection from Santana to Old Route K (now the South Providence Outer Road), which was then known as Mondego Drive.

With a shift in the development focus in 1989, the Villa Mediera development was rezoned to permit a mix of residential condominiums fronting on Santana Circle, and light commercial and office uses fronting Old Route K. This mixed-use arrangement still exists immediately east of the subject site today. Then, with the approval of Corporate Lake Plats 4, 6, and 7 in the early 1990s, North Cedar Lake Drive was established as the primary east/west corridor through the development. This connection shifted the corridor to the north away from Corporate Lake Drive, which was intended to connect South Providence Road to Bethel Road. Multi-family residential development to the south encroached on the original Corporate Lake Drive corridor leading to the shift. As a result, North Cedar Lake Drive connected Bethel to Old Route K via the existing Mondego Drive intersection.

The adjacent parcels to the subject site are zoned a mix of M-N on the north side of North Cedar Lake Drive and an established M-C district to the south. The M-N Villa Mediera development is located immediately east of the subject site. The current PD zoning on the subject site permits the old district C-1 uses that existed in 1990, such as residential and office uses, service-oriented businesses, retail establishments (including alcohol sales), and restaurants. The originally proposed M-C zoning would have permitted a number of additional uses such as hotels, self-service storage facilities, landscaping services and greenhouses, indoor and outdoor recreation facilities, marijuana facilities, and adult retail.

The 1990 zoning code also allowed additional uses in the C-1 district with approval of a conditional use permit (CUP). Given the site's current PD (originally C-P Planned Business) zoning these former CUP uses would not be allowed as they were not specifically called out as "permitted" within the zoning ordinance for the property. However, if rezoned to M-C the prior excluded CUP uses would be fully-permitted. The additional uses would include car washes, light vehicle service or repair, assembly or lodge halls, trade schools, research laboratories, and veterinary hospitals. Many of these additional uses are seemingly innocuous in terms of impacts on adjacent properties. However, concerns remain with rezoning to M-C due to the potential addition of vehicle-oriented services and the impact that such uses may have on the local street network.

The subject lot was platted in 2005 and adjacent street rights-of-way (ROWs) were established using street profiles consistent with the current local non-residential street standards in Appendix A of the UDC, with 60 to 66-foot ROW widths, with the exception of Santana Circle, which lies within a substandard 46-foot ROW. This street was platted in conjunction with the residential phase of the Villa Mediera development, and was never anticipated to carry commercial traffic loads. However; per Section 29-5.1(c)(8) of the UDC, development generating more than 100 vehicular trips during the peak hour would require a



traffic impact analysis. This provision would ensure traffic impacts created by more intense commercial uses would be mitigated by improvements to the existing roads.

## **Review**

Generally, commercial uses in this location are consistent with the existing land use context and desirable small center (or “nodal”) development patterns. Some M-C uses would have added higher intensity functions into the established M-N district north of North Cedar Lake Drive. While North Cedar Lake is the primary vehicular corridor through the development, there is a lack of connectivity to Providence Road and MoDOT has future plans to limit access to Providence Road at the existing Corporate Lake Drive intersection, one block to the south.

Due to concerns over vehicle-oriented services, Staff evaluated the rezoning of the subject parcel to M-N (Mixed-Use Neighborhood), and found M-N to be preferred. M-N zoning maintains the current permitted uses with the exception of drive-up facilities which would still be attainable with approval of a conditional use permit. Assigning M-N zoning on the parcel is consistent with neighboring properties and also acts as a precedent to avoid potential expansion of M-C to other adjacent properties that are less-desirable for those intensive uses.

The Planning and Zoning Commission considered this request at their April 6, 2023 meeting. Staff presented its report, and the applicant's representative discussed their rationale for their rezoning request to remove the development plan requirements of the planned district while permitting the greatest number of potential uses on the property. The applicant noted that many intensive uses permitted by M-C zoning would require a traffic impact analysis and mitigation measures for the impacts they create. They also speculated that many of these uses would be unfeasible in this location due to the size of the lot and its lack of accessibility.

## **Less intense zoning alternative**

Commissioners further discussed the benefits of transitioning out of a planned district to an open zoning district, while remaining cautious about the potential uses that would be permitted without the oversight that the planned district offers. The Commission sought input from the applicant whether they were agreeable to the alternative recommendation to rezone the property to M-N. The applicant's representative stated that the M-C zoning was still their preferred outcome because it would permit drive-up facilities without approval of a conditional use permit, and that they would not consent to a modification of their request at that time. A motion to approve the requested rezoning from PD to M-C failed (7-1).

Subsequent to the public hearing, staff received a written request (attached) that indicates after further consideration by the applicant, they desire to modify the application to seek the M-N zoning on the subject site. **The Planning Commission expressed general support for staff's alternative recommendation, but did not take action on the alternative given the applicant's objection to amend their application at the time of the public hearing.**



The Planning Commission staff report, locator maps, zoning graphic, applicant's request for amend the zoning application, and meeting minute excerpts are attached.

## Fiscal Impact

Short-Term Impact: None anticipated within the next two years. Public infrastructure extension/expansion would be at the cost of the developer.

Long-Term Impact: Public infrastructure maintenance such as roads, sewers, and water, as well as public safety and solid waste service provision. Future impacts may or may not be offset by increased user fees and/or property tax collections.

## Strategic & Comprehensive Plan Impact

### Strategic Plan Impacts:

Primary Impact: Reliable Infrastructure, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

### Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

## Legislative History

Date	Action
7/18/2005	Approved, "Corporate Lake, Plat No. 14." (Ord. 18585)
4/16/1990	Approved revised, "Corporate Lake Executive Business Park," C-P plan. (Ord. 12587)
1/8/1990	Approved revised, "Corporate Lake Executive Business Park." (Ord. 12466)
12/21/1987	Approved the, "Final Plat of Villa Mediera." (Ord. 11715)
1/8/1990	Approved C-P zoning (Ord. 12468) and the development plan for, "Corporate Lake Executive Business Park." (Ord. 12466)
8/4/1986	Approved the final PUD plan for, "Rock Bridge Meadows." (Ord. 11157)
3/17/1986	Approved R-2 PUD (Two-Family Planned Residential) rezoning (Ord. 10955) and, "Rock Bridge Meadows PUD Development Plan." (Ord. 10957)

## Suggested Council Action

Approve the amended request by the applicant to rezone the subject lot from PD to M-N, as recommended by Staff.