



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: April 1, 2024

Re: Hotels in the M-C (Mixed-use Corridor) district – UDC Amendment Request (Report)

## Executive Summary

The Community Development Department has received a request from Engineering Surveys & Services (agent), on behalf of the Puri Group (a local business owner/hotelier), seeking amendments to the Unified Development Code (UDC) regulations relating to hotels in the M-C (Mixed-use Corridor) zoning district. This request was submitted following a recent “concept review” involving property at newly proposed I-70 interchange with Hanover Drive/Clark Lane at which a future hotel exceeding the maximum height of the M-C district is desired to be constructed by the Puri Group. Presently, hotels exceeding allowable maximum height must seek relief to exceed permitted height by either obtaining a “variance” granted by the Board of Adjustment or through a rezoning action to PD (Planned Development) approved by City Council.

According to attached correspondence, the focus of the proposed text change would be limited to locations near arterial nodes and freeways. The correspondence also contains proposed revisions to the “Permitted Use Table”, “use-specific standards” and “dimensional standards” for consideration with respect to the proposed UDC revisions. These standards would address the Puri Group’s specific needs; however, would also impact other potential hoteliers desiring hotel structures greater than 45-feet in height.

Per sec. 29-6.4(m)(1)(i)(A) of the UDC, any member of the public may request that the text of the UDC be considered for modification. Prior to engaging in detailed study of the requested changes, it is standing practice that Council authorize staff and the Planning and Zoning Commission to proceed forward with such an activity. If desired and authorized, the staff and Commission will engage to evaluate the requested revisions, prepared proposed new standards, and hold a required public hearing. Following the public hearing, the Commission’s recommended action(s) would be forwarded to City Council for final consideration.

## Discussion

Attached is correspondence from Engineering Surveys & Services (agent), on behalf of the Puri Group, requesting that the Council direct staff and the Planning & Zoning Commission to consider amendments to UDC specifically addressing hotel construction at arterial nodes and freeways. The proposed amendments are sought to permit hotels in locations such as these an opportunity to be constructed greater than 45-feet in height (the M-C district maximum) without the need for a Board of Adjustment “variance” or rezoning action to PD (Planned Development) to accommodate the added height. Furthermore, the attached correspondence states that allowing greater height at these nodal locations would increase



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visual interest and reduce sprawl as well as provide opportunities to reduce impervious areas and increase green space.

The UDC currently permits hotels as a “by-right” land use in M-C (Mixed-use Corridor), M-DT (Mixed-use Downtown), M-BP (Mixed-use Business Park), and IG (Industrial) zoning districts. The locations that would most likely be impacted by the desired amendments are generally located within the M-C district which has a maximum height of 45-feet. It is possible locations zoned M-BP and/or IG could be impacted as well. Height in the M-BP is restricted to a maximum of 45-feet and there is no height limit in the IG district.

Over the past five years approximately four new hotel project sites have been presented for consideration. Two sites were within existing PD zoned developments (Columbia Mall & Discovery Park), 1 was within an M-N district on Keene Street (rezoned to PD), and 1 sought and received a variance at southwest corner of the US 63 and Grindstone Parkway interchange. In each of these instances, there were unique circumstances in which the current regulatory process was effective. However, if the UDC’s text is amended as requested, it would afford options that may streamline the development process from concept to construction while not creating significant negative impacts upon the built environment.

Prior to staff and the Planning Commission engaging in review of the UDC revisions outlined in the attached correspondence, authorization is necessary. If provided, staff and the Commission will review the revisions, prepare applicable amendments, and hold a public hearing. Following the public hearing the Commission’s recommendation on the revisions would be submitted to Council for final consideration.

The correspondence from Engineering Surveys & Services and proposed text change provisions are attached for review.

## Fiscal Impact

Short-Term Impact: None anticipated.

Long-Term Impact: None anticipated.

## Strategic & Comprehensive Plan Impact

### Strategic Plan Impacts:

Primary Impact: Resilient Economy, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

### Comprehensive Plan Impacts:

Primary Impact: Livable & Sustainable Communities, Secondary Impact: Land Use & Growth Management, Tertiary Impact: Not Applicable



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## Legislative History

Date	Action
N/A	N/A

## Suggested Council Action

Direct staff to research and the Planning and Zoning Commission to hold a public hearing on revisions to the UDC that would permit hotel construction greater than 45-feet in height in specific locations.