

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

**SUMMARY**

A request by Crockett Engineering (agent), on behalf of Boone Development, Inc. (owner), seeking approval to rezone the western 3.65 acres of a 4.21-acre parcel bisected by Rolling Hills Road from PD (Planned Development) district to the M-N (Mixed-use Neighborhood) district. The subject site is located at NW corner of Rolling Hills Road and Highway WW, is unimproved, and is unaddressed.

**(The applicant, following public notice and advertising, revised this request to a more restrictive zoning district. The applicant now seeks to rezone the PD property to M-N (Mixed-use Neighborhood) district in lieu of the originally submitted M-C district).**

**DISCUSSION**

The applicant is seeking to rezone approximately 3.65-acres of a 4.21-acre parcel bisected by Rolling Hills Road from PD to M-N. The applicant originally sought M-C (Mixed-use Corridor) zoning for the subject acreage; however, after review of the existing PD Statement of Intent and its restricted land uses which were found to be generally consistent with the M-N district they chose to amend the request. This amendment followed public notice and advertising; however, given the change is more restrictive than originally sought and advertised, consideration of the amended application is permissible. If the applicant had sought a more intense zoning classification the request would have required new advertising.

The subject acreage is part of what is known as Tract 3-C of the Old Hawthorne and Vineyards annexation and permanent zoning which was approved in 2005 by Ordinance 018558. At that time, the subject acreage was zoned C-P (now PD) and included property that is presently east of Rolling Hills Road. The current SOI for the subject acreage included a list of excluded C-3 (now M-C) uses that generally resulted in the acreage being capable of being developed with C-1 (now M-N) uses. The subject acreage has remained undeveloped since its annexation. If approved the proposed rezoning would remove the requirement that a PD plan be approved via a public hearing process prior to future site development.

The subject acreage is located at the interface of City and County zoned lands. To the north is City R-1 (Single-family Dwelling), to the east is City M-C (Mixed-use Corridor), to the south is County A-1 (Agriculture), and to the west is County A-R (Agriculture Residential). The M-C property, to the east, was previously zoned PD and was the remainder of Tract 3-C. This parcel was created following the construction of Rolling Hills Road.

**Zoning**

Changes in zoning are evaluated from several perspectives, the first being how the zoning correlates with the city's land use planning documents and their corresponding future land use designations. The Columbia Imagined comprehensive plan identifies the subject site as being within the land use category of "Commercial". Per the comprehensive plan, "Commercial" districts permit a variety of citywide and regional retail uses as well as offices, businesses, personal services, and high-density residential multi-family dwellings as supporting uses within the district. The comprehensive plan also identifies several goals and principles as guidance for land use planning decisions.

The following factors have been considered by staff as part of its analysis of this requested action and establish the basis by which it has arrived at its recommendation.

- **Future Land Use Designation** – Columbia Imagined designates the subject acreage as “Commercial”, which is intended to accommodate citywide and regional retail uses. While land use designations are not directly correlated to zoning classifications, typically associations would be the R-MF, M-OF, M-N, and M-C zoning districts. The requested M-N zoning, given the existing PD SOI, is most consistent with the intensity of uses contemplated in 2005 when the subject acreage was annexed and permanently zoned. The C-P (now PD) designation of the property was likely chosen to ensure that land use incompatibilities would be mitigated through the site plan approval process. However, with the approval of the UDC in 2017 and its enhanced neighborhood protections and buffering/screening provisions, it is believed that the site plan approval process is unnecessary. Rezoning to M-N will actually result in greater limitations with respect to bulk and area requirements than the previous C-P which was subject to C-3 bulk and area requirements.
- **Surrounding zoning and land use** - The subject acreage is located northwest of the recently completed roundabout at the intersection of two minor arterial streets - Highway WW and Rolling Hills Road. Such a location would generally be considered appropriate for M-C zoning (the applicant’s original request); however, given the use restrictions within the current PD SOI such a designation was tempered. Furthermore, when evaluating the impact that an M-C designation would have upon the adjoining property to the west (zoned County A-R), it was necessary to consider how a land use transition could be created. The applicant’s amended request to the M-N district is viewed as a means by which to provide the necessary transition, but still acknowledge the significance of the intersection that exists and the potential for neighborhood-serving uses to be constructed on the site.

The less intense zoning for the subject acreage is not believed inappropriate given to the property to the east is capable of being more intensely developed as M-C. Development on the eastern tract has begun and was, when zoned PD, intended to be the commercial “hub” of the surrounding area. This acreage is better suited for more intense uses given its overall acreage and frontage along a less significant public street (i.e. Pergola Drive) that would allow for better access. The acreage of the subject site and its access limitation (only to Rolling Hills Road) will naturally limit the intensity of the uses capable of being constructed upon it.

- **Columbia Imagined Goals** – The request aligns with Columbia Imagined. The following bullets are excerpts of Goals, Policies, and Principles described in Columbia Imagined that support the requested rezoning to M-N in this location.
  - **Livable and Sustainable Communities, Policy Two – Support mixed-use.**

While the current PD designation of the subject acreage achieves this goal, approval of the requested rezoning would result in a more predictable outcome for a future land user with respect to construction permitting. This greater level of predictability would mean a greater opportunity would exist to see actual construction on the subject acreage; thereby more effectively supporting the creation of a neighborhood-scale commercial node.
  - **Land Use and Growth Management, Policy Three – Prioritize and Incentivize Infill Development.** Infill development is a high priority of the City and refers to the development or redevelopment of vacant or underutilized land in established areas. It is the opposite of sprawl. One action to assist in incentivizing infill is to reduce regulatory barriers or uncertainty in development outcomes.

The subject site has remained undeveloped since 2005. This may, in part, be due to the added process and unpredictability of development approvals for PD-zoned lands or that the time to develop the subject acreage had not yet been reached. The requested rezoning would eliminate the potential for an unpredictable outcome. If development plans for the subject acreage meet defined code standards a permit would be issued.

Since 2005, a stormwater ordinance (2007) and the new UDC (2017) were created. These regulatory documents offer added protections to surrounding development that the PD process was intended to ensure. Given these tools are now in place the necessity of additional public review is not believed necessary.

## **Conclusion**

The amended rezoning request aligns with the uses permitted within the existing PD SOI from 2005 and several goals of Columbia Imagined. While rezoning would eliminate the need for a public process to approve a future development plan for the site, this loss is not viewed as detrimental given the advancements in the City's regulatory standards. Furthermore, if rezoned, the "open" classification would be more restrictive with respect to bulk and area requirements and would ensure that current UDC provisions relating to neighborhood protections and screening/buffering are applied to future site improvements.

## **RECOMMENDATION**

Approval of the rezoning to M-N.

## **SUPPORTING DOCUMENTS (ATTACHED)**

- Locator Maps
- 2005 Annexation & SOI Excerpts (Ord. 018558)

## **SITE CHARACTERISTICS**

<b>Area (acres)</b>	3.65 acres
<b>Topography</b>	Sloping northward and southward to center of property and South Fork of Grindstone Creek
<b>Vegetation/Landscaping</b>	Turf south of creek and Wooded area north of creek
<b>Watershed/Drainage</b>	Grindstone Creek
<b>Existing structures</b>	Vacant

## **HISTORY**

<b>Annexation date</b>	2005
<b>Zoning District</b>	C-P (now PD)
<b>Land Use Plan designation</b>	Commercial
<b>Previous Subdivision/Legal Lot Status</b>	Survey tract (not a legal lot)

## **UTILITIES & SERVICES**

<b>Sanitary Sewer</b>	City of Columbia
<b>Water</b>	PWSD #9
<b>Fire Protection</b>	City of Columbia
<b>Electric</b>	Boone Electric

## **ACCESS**

<b>Rolling Hills Road</b>	
<b>Location</b>	Along east side of property
<b>Major Roadway Plan</b>	Minor Arterial
<b>CIP projects</b>	None
<b>Sidewalk</b>	Sidewalks required

<b>Highway WW</b>	
<b>Location</b>	Along south side of property
<b>Major Roadway Plan</b>	Minor Arterial
<b>CIP projects</b>	None
<b>Sidewalk</b>	Sidewalks required

## **PARKS & RECREATION**

<b>Neighborhood Parks</b>	Within ¾ mile of Vineyards Lake Park
<b>Trails Plan</b>	South Fork of the Grindstone Trail (Secondary); Proposed Hwy. WW trail
<b>Bicycle/Pedestrian Plan</b>	South Fork of the Grindstone Trail

## **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 August 4, 2023. 14 letters were distributed. Public hearing ad published within the Columbia Tribune on August 8, 2023. No correspondence has been received.

Report Approved by Patrick Zenner