

**AGENDA REPORT  
PLANNING AND ZONING COMMISSION MEETING  
February 8, 2024**

**SUMMARY**

A request by A Civil Group (agent), on behalf of Marilyn E. Brown (owner), for approval of a request to permanently zone 37.59 acres to R-1 (One-family Dwelling), and 30 acres to R-2 (Two-family Dwelling) upon annexation. The 67.59-acre subject site is located at 1301 Olivet Road and is currently zoned Boone County A-1 (Agriculture). **(Case # 54-2024)**

**DISCUSSION**

The applicants are seeking approval of a mix of R-1 and R-2 permanent zoning, pursuant to annexation of their 67.59-acre parcel located on the west side of Olivet Road at Turner Farm Road. The request seeks R-2 zoning on the easternmost 30 acres, to be known as Tract 1, and R-1 zoning on the remaining 37.59 acres, to be known as Tract 2. The subject site is currently zoned Boone County A-1, as are all adjacent county parcels to the north, south, and east. Adjacent parcels to the west lying within the city are zoned R-1. The applicants have indicated a desire to construct a range of single-family housing types on the parcel, similar to those found in the neighboring Old Hawthorne development, and plan to seek approval of cottage dimensional standards for the R-2 portion of the property from the Board of Adjustment in accordance with the procedural standards of Section 29-6.4(j) of the UDC.

The subject parcel lies within the Neighborhood District as defined by the city's comprehensive plan, Columbia Imagined. The Neighborhood District is intended to accommodate a broad mix of residential uses and also supports a limited number of nonresidential, neighborhood-oriented uses serving nearby residents. The applicant's initial concept review for the subject acreage proposed roughly 16 acres of R-MF (Multi-family Dwelling) along the parcel's Olivet Road frontage for the purpose of constructing a number of attached single-family units. At that time staff voiced concerns about the impacts of potential multi-family densities allowed by open R-MF zoning in such a remote location. Staff's primary concerns were in regards to vehicular access and provision of vital services for such higher densities. While the Neighborhood District does generally account for greater residential densities, staff advised the applicants to reduce their request to include just R-1 and R-2 zoning while maintaining a diversity of housing options.

The subject parcel is also centrally located within the East Area Plan (EAP) study area. The boundaries of the EAP encompass the area from the interchange of Highway 63 and I-70, southeast beyond the intersection of Rangeline Road and New Haven Road. Per the EAP's future land use map, the subject parcel lies adjacent to the 'Residential Areas' boundary, with 'Agricultural Areas' lying to the southeast of the intersection of Turner Farm and Olivet Roads. The EAP land use allocation did not specifically identify development densities within its 'Residential Areas', but rather focused upon the value of residential land use diversity as a means of accommodating future residential development needs. The study further states that development densities over 1 unit per lot should be evaluated on a case-by-case basis, with special consideration given to infrastructure and traffic impacts.

The proposed development, which preliminary plans indicate could contain approximately 120 homes, is anticipated to generate enough daily trips to trigger the traffic impact analysis (TIA) requirement of the UDC. Traffic studies are typically completed prior to the submission of a preliminary plat and included in the submission packet for staff review. The recommendations in the TIA are then used to establish development milestones and triggers for recommended public infrastructure improvements as well as proportionate share responsibilities for necessary offsite improvements offsetting impacts created by the development. Such improvements are then outlined in a development agreement between the developer and the City. For example, the Richland Estates development, north of the

subject site at the intersection Richland and Olivet Roads, provided right-of-way and roughly one-fourth of the anticipated expenses for construction of a roundabout at the major intersection. The proposed development on the subject site will likely be responsible for similar roadway improvements beyond those directly required to serve proposed development, such as a portion of the Richland/Olivet roundabout construction costs.

The CATSO Major Roadway Plan designates Olivet Road as a minor arterial roadway, and Turner Farm Road as a neighborhood collector. Turner Farm Road is planned to extend across the subject parcel near its southern boundary until it meets another planned north-south major collector, near the western boundary of the site. The Richland Estates development, just one parcel to the north, has already established that same corridor (Burghley Drive) on its western boundary. These planned roadways are accommodated on preliminary site plans provided by the applicant, along with a connection to the west into the Old Hawthorne development via Shallow Ridge Road. However; design details will be finalized during later platting and permitting phases of the project.

The proposed permanent zoning has been reviewed by staff and external agencies and is believed to be consistent with the goals and objectives of Columbia Imagined and the East Area Plan, which support diversity of housing options and income integration within neighborhoods. These governing documents seek to promote thoughtful, orderly development with pockets of density and more-intensive uses located at significant transportation nodes. City staff has not identified any issues with capacity to serve the proposed development with necessary utilities.

Staff believes that the full-range of residential uses, including multi-family development, would be appropriate on the parcel if the transportation network and other utilities were more fully-developed, or if the parcel were positioned in a more central locale. However; in the proposed location open R-MF zoning is problematic without significant improvements to those public services. The property lies between two significant traffic nodes (Richland and WW) on the edge of the area delineated for residential uses in the EAP, and therefore uses on the property should be at a transitional intensity between the residential uses to the west and the agricultural uses to the east. The requested zoning is compatible with the adjacent land uses, and is appropriate for the property, subject to approval of the associated annexation request.

A formal petition protesting the requested R-2 zoning on the east end of the subject site, has been submitted to the City Clerk in accordance with Section 29-6.4(n)(1)(ii)(E) of the UDC. The petition contains signatures of the owners of 19 of the 26 properties within 185 feet of the subject parcel. The signatures have been preliminarily validated and represent nearly 85% of the buffer area utilized for public notices. In discussions with staff in preparing the petition, neighbors expressed concerns over the loss of rural character, an increase in traffic without proactive transportation improvements, and other infrastructure impacts.

Petitions with more than 30% of property owner signatures within the 185-foot buffer require a super-majority vote of City Council to approved the permanent zoning. While the petition has been submitted, it should be noted that special action or voting procedure is triggered. The Planning Commission's voting process for approval remains a "simple majority".

## **RECOMMENDATION**

Approve the request to permanently zone the subject 67.59 acres as follows and as depicted on the attached zoning graphic:

Tract 1 (30.0 acres) - R-2

Tract 2 (37.59 acres) - R-1

## **ATTACHMENTS**

- Locator Maps
- Zoning Graphic

## **SITE CHARACTERISTICS**

<b>Area (acres)</b>	67.59 acres
<b>Topography</b>	Varies, drainage network near center of site drains to north, ridgelines at each end of parcel
<b>Vegetation/Landscaping</b>	Centrally wooded, with pasture to east and west
<b>Watershed/Drainage</b>	Perche Creek
<b>Existing structures</b>	Home & 2 outbuildings on eastern end of parcel, near Olivet

## **HISTORY**

<b>Annexation date</b>	NA
<b>Zoning District</b>	Boone County A-1 (Agriculture)
<b>Land Use Plan designation</b>	Neighborhood District
<b>Previous Subdivision/Legal Lot Status</b>	Survey tracts, platting required prior to issuance of construction permits

## **UTILITIES & SERVICES**

<b>Sanitary Sewer</b>	City of Columbia
<b>Water</b>	PWSD #9
<b>Fire Protection</b>	Boone County Fire Protection District. Upon annexation shared with City of Columbia as primary provider.
<b>Electric</b>	Boone Electric

## **ACCESS**

<b>Olivet Road</b>	
<b>Location</b>	East side of parcel
<b>Major Roadway Plan</b>	Minor Arterial
<b>CIP projects</b>	None
<b>Sidewalk</b>	None installed. Would require installation as part of site development

<b>Shallow Ridge Road</b>	
<b>Location</b>	Enters center of parcel from the west (Old Hawthorne)
<b>Major Roadway Plan</b>	N/A
<b>CIP projects</b>	None
<b>Sidewalk</b>	Would require installation with on-site development

## **PARKS & RECREATION**

<b>Neighborhood Parks</b>	No existing parks within 1 mile (Eastport Park 1.25 miles NW)
<b>Trails Plan</b>	N/A
<b>Bicycle/Pedestrian Plan</b>	N/A

**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 December 15th of the pending action. Property owner letters were sent, and an ad was placed in the Columbia Daily Tribune on January 6th, advertising the public hearing relating to the permanent zoning of the property. Revised Tribune advertisement and property owner letters were then sent on January 8<sup>th</sup> (ad ran on January 23<sup>rd</sup>) due to an error in the original public notices, which indicated that the applicants sought only R-1 zoning on the entirety of the parcel.

<b>Notified neighborhood association(s)</b>	None
<b>Correspondence received</b>	No formal comments received; however, a formal protest petition has been submitted to the City Clerk. Planning staff has validated signatures representing owners of 84.13% of the 185-foot buffer area adjacent to the site.

Report prepared by Rusty Palmer

Approved by Patrick Zenner