



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: April 1, 2024

Re: 1407 Cinnamon Hill Lane – Statement of Intent Amendment (Case #91-2024)

## Executive Summary

Approval of this request will amend the existing Statement of Intent (SOI) for the 2008 Crosscreek Center C-P Plan by allowing a 'comprehensive marijuana dispensary facility' as a permitted use development-wide, remove a conflicting restricted use, and amend the on-site signage requirements by permitted Lot 108A of Crosscreek Center Plat 1-A an additional freestanding monument sign. A concurrent request to amend the 2023 approved PD Plan for Lot 108A is being presented under separate cover on the City Council's April 1 agenda. The amended PD Plan proposes the construction of a comprehensive marijuana dispensary on Lot 108A along with an additional mixed-use building. The requested SOI revision is required to permit construction of the proposed dispensary.

## Discussion

A Civil Group (agent), on behalf of Cinnamon Hill, LLC (owner), is requesting approval of a revised Statement of Intent (SOI) governing the permitted uses and allowed on-site signage within the Crosscreek Development located at the terminus of Stadium Boulevard, east of US Highway 63. Crosscreek was zoned CP (now Planned Development, PD) in 2008 and was accompanied by an SOI governing the site's permitted uses and other development-related features. The requested SOI revisions have been triggered by the applicant seeking to develop Lot 108A with a comprehensive marijuana dispensary and mixed-use retail/medical building. Lot 108A was approved in 2023 for development of a 4-story hotel which is no longer being pursued.

In January 2024, the applicant requested a concept review (Case #82-2024) for the potential development of the property with two buildings – one for commercial uses and one for a marijuana dispensary. Staff noted that the approved 2008 SOI allowed most C-3 (now M-C) uses with several exceptions most notably the exclusion of "head shops" or stores selling drug paraphernalia. Staff did not find concern with the building intended to be used for commercial purposes.

Staff further noted that the approved 2008 SOI contained additional requirements impacting the subject site's development which included maximum lighting pole height, signage requirements, and required consultation with adjoining neighborhood associations as part of the plan approval process. With respect to the signage requirements, staff noted that the approved 2008 SOI permitted only one freestanding monument sign, with a maximum height of 8 feet and a maximum area of 64 square feet on lots 101 through 109 of the development. If any additional signage was to be permitted on Lot 108A such increase would necessitate an amendment to approved 2008 SOI limitations.



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

These SOI restrictions were presented to the applicant to alert them to the possible issues that may be encountered when submitting a revised Planned Development plan and amended SOI. With respect to amending the SOI to accommodate the revised land use and possible additional signage staff noted that expressing those changes explicitly within their Application Letter would be sufficient for staff to process the necessary revisions.

The existing 2008 SOI has been revised multiple times as development within Crosscreek has moved forward. In 2023, the SOI was revised to increase the maximum Gross Floor Area (GFA) permitted within the development. In 2012, the SOI was revised to provide clarity relating to the allowance of hotels within the overall development shortly before the construction of the Holiday Inn Express & Suites.

Typically, when an applicant seeks to revise an SOI it is customary practice to obtain an entirely new SOI that conforms to the requirements of the UDC. However, the prior two SOI amendments have not followed this practice given the existing SOI structure is unique to this development. As such, the proposed revisions (shown in attached mark-up) would amend the existing SOI that was part of Ordinance # 020013 from 2008 as amended in 2012 and 2023, respectively.

The proposed SOI revision seeks to first remove the prohibition related to “head shops and stores selling drug paraphernalia”, and add ‘comprehensive marijuana dispensary facility’ as a new permitted use allowed throughout the overall development. The requested amendment is the first since the State authorized adult-use/recreational marijuana. The proposed use is considered a “retail” land use within the UDC’s Permitted Use Table and considering the evolving social and legal context around marijuana, amending the permitted uses is believed appropriate and would be consistent with similar actions taken in other PD developments within the city.

The second SOI revision sought is to increase the number of permissible on-site freestanding signs for Lot 108A only from 1 sign to 2 signs. The proposed development of the site involves two distinct buildings with different land uses. Given this, staff believes two freestanding signs on the property are justified. The size of the additional sign will be governed by the existing limitations imposed upon all other signage within the development – maximum 8-feet tall and 64 sq. ft. of sign area per face.

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.

The Planning and Zoning Commission held a public hearing on this request at its March 7, 2024 meeting. Staff presented its report and the applicant provided a presentation. Several Commissioner questions were asked regarding the PD plan revisions; however, none were asked with respect to the proposed SOI revisions. The Chairman asked if there was discussion about the possibility of converting the zoning of the Lot 108A to straight zoning. Staff



# City of Columbia

701 East Broadway, Columbia, Missouri 65201

explained that maintaining the PD zoning was consistent with other lots and previous SOI revisions and there were no discussions about converting subject property to a straight zoning designation. Following limited Commission discussion, two motions were made. The first to approve the revisions to the SOI and the second to approve the revised PD Plan. Both motions passed with a unanimous vote of (8-0). Discussion of the PD Plan revision appears under separate cover on the April 1 Council Agenda.

A copy of the Planning and Zoning Commission staff report, locator maps, Application Letter, 2008 SOI (mark-up), PD plan, 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: Possible impacts could be 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: Not Applicable, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

### Comprehensive Plan Impacts:

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

## Legislative History

Date	Action
05/01/2023	Approved PD Plan - Lot 108A of Crosscreek Center Plat 1-A (Ord. 025314)
05/01/2023	Approved Statement of Intent revision (max. GFA) (Ord. 025319)
03/05/2013	Approved Crosscreek Center Plat 1-A
03/05/2012	Approved Statement of Intent revision (hotels as permitted use (Ord. 021255)
08/18/2008	Approved Rezoning and Crosscreek Center C-P plan (Ord. 020013)

## Suggested Council Action

Approve revisions to the 2008 Statement of Intent (Ord. 020013) governing the allowed uses and signage within the Crosscreek Center C-P Plan as recommended by the Planning and Zoning Commission as shown in the 2008 Statement of Intent (mark-up).