

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
April 6, 2023**

SUMMARY

A request by A Civil Group (agent), on behalf of Gary & Brenda Lewis (owners), seeking to rezone *Lot 7 of Corporate Lake Plat 14*, from PD (Planned Development) to M-C (Mixed-Use Corridor). The 1.26-acre subject lot is located northwest of the intersection of North Cedar Lake Drive and Santana Circle.
(Case #125-2023)

DISCUSSION

Background

Requests for zoning map amendments are evaluated from several perspectives, including the previous zoning on the parcel, the surrounding zoning and land use mix, and how the requested zoning correlates with the Comprehensive Plan and its future land use designation. The Comprehensive Plan identifies the subject parcel as being within the “Commercial” land use category, which is reflective of the current C-P zoning.

The subject property was included as part of a 1985 annexation parcel that extended from Providence Road to Bethel Road south of Southampton Road. The annexation parcel was rezoned the following year (1986) to R-2 PUD (Two-Family Planned Unit Development) and C-P (Planned Commercial) with the approval of the *Rock Bridge Meadows PUD & C-P Plan*. The plan depicted an expansive condominium development across the acreage, with an array of amenities, and a residential care facility anchoring the development at the intersection of Providence and Southampton Roads. In 1987, the *Villa Mediera Final Plat*, established the existing portion of Santana Circle, to the east of the subject parcel, and the intersection of Mondego Drive (now North Cedar Lake Drive) with Old Route K (now the South Providence Outer Road).

The subject site was rezoned to C-1 in 1989, then back to C-P, due to the failure of the Villa Mediera development, with the approval of the *Corporate Lake Final C-P Plan* in 1990. The Villa Mediera parcel was partially constructed when the developer shifted the design to accommodate commercial uses in the units facing Providence Road. The 1990 *Corporate Lake* development plan reimagined the acreage south of Corporate Plaza Drive, from Santana Circle west to Executive Drive (formerly Lewis Drive), for commercial and office uses similar to those permitted under the previous C-1 zoning. The development plan depicted two buildings on the block containing the subject lot with roughly 57,000 square feet of tenant space.

In conjunction with the aforementioned rezoning actions and schematic redesigns a number of platting actions took place through the early 2000s. *Corporate Lake Plat 1* (1990) dedicated right-of-way for Corporate Lake Drive, from Providence Road to the west, leaving a stub for a future extension of the road in the direction of Bethel Road. *Corporate Lake Plat 4* (1991) created the intersection of North Cedar Lake Drive and Bethel, establishing the western connection into the Corporate Lake parcel. *Corporate Lake Plat 6* and *Plat 7* then served to reroute the primary vehicular corridor through the parcel from Bethel Street to South Providence Outer Road by replacing the originally contemplated through street, Corporate Lake Drive, with North Cedar Lake Drive and its connection to existing Mondego Drive.

Then in 2005, the block containing the subject parcel was replatted (*Corporate Lake Plat 14*), but generally remains unutilized. A small parking lot resides near the intersection of North Cedar Lake Drive and Santana Circle, serving neighboring properties on the subject lot. In 2017 the C-P designation was recoded to PD (Planned Development) with the adoption of the UDC.

Rezoning

The applicant seeks to rezone the subject 1.26-acre property from PD to M-C (Mixed-use Corridor) in an effort to reactivate the property's development potential. The adjacent parcels are zoned a mix of M-N on the north side of North Cedar Lake Drive and M-C to the south. The west side of the Providence Road corridor in this location includes an established M-C district to the south of the subject lot. The M-N Villa Mediera development is located between the subject site and the Providence Outer Road. The current C-P zoning permits uses congruent with the C-1 zoning that existed in 1990, such as residential and office uses, service-oriented businesses, retail establishments (including alcohol sales), and restaurants.

Uses presently not permitted by the PD designation that will become available upon rezoning to M-C include hotels, self-service storage facilities, landscaping services and greenhouses, indoor and outdoor recreation facilities, marijuana facilities, and adult retail. When rezoned to C-P in 1990, the contemporary zoning code also contained additional conditional uses in the C-1 district. Many of these uses would be fully-permitted in the proposed M-C zoning district. These uses include car washes, light vehicle service or repair, assembly or lodge halls, trade schools, research laboratories, and veterinary hospitals.

Many of the additional uses that would be permitted by the proposed M-C zoning are seemingly innocuous in terms of impacts on adjacent properties and would remain largely consistent with what is currently permitted in the PD. Staff's principal concern with a rezoning to M-C is 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 utilizing street profiles consistent with the current local non-residential street standards in Appendix A of the UDC, with 60 to 66-foot ROW widths. Santana Circle, being the exception, lies within a substandard ROW of 46-feet and was platted in conjunction with the original residential phase of the Villa Mediera development when zoned R-2 PUD. The roadways to which the subject parcel has frontage contain pavement width that is capable of accepting commercial volumes of traffic. Per Section 29-5.1(c)(8) of the UDC, any potential development on the subject parcel generating more than 100 vehicular trips during the peak hour would be required to prepare of a traffic impact analysis. This provision ensures that traffic impacts created by more intense commercial uses would be mitigated by requiring improvements to the existing roadways.

In general, the requested M-C zoning is consistent with desirable nodal development patterns as well as the patterns already customarily found in the surrounding vicinity as Corporate Lake and Commercial Drives are established M-C corridors. Approval of M-C zoning on the subject parcel may be perceived as an encroachment into the established M-N district surrounding the subject site given its location north of North Cedar Lake Drive. However, it should be recognized that North Cedar Lake Drive now serves to collect traffic between Bethel Road and the South Providence Outer Road due to the platted realignment of the east/west connection through the overall Corporate Lake development. As a result of these changes, the subject parcel is situated within an existing roadway network and land use environment that some may find facilitates the more-intensive uses allowed within the M-C district; even more-so than some established M-C lots in the vicinity.

Notwithstanding the existing roadway network and land use patterns surrounding the subject parcel, staff remains concerned about the possible impact that a rezoning to M-C may create. As such, staff evaluated, as an alternative, the potential rezoning of the subject parcel to M-N (Mixed-Use Neighborhood). It is worth noting that several uses presently permitted by the C-P designation would be lost if M-N zoning is a desired alternative. In particular, drive-up facilities are a permitted accessory use in the current C-P and would become a conditional use in an M-N district. At the time of this report, the applicant had not indicated a specific use or prospective tenant for the property that could be used to justify the necessity for rezoning to the requested M-C.

Conclusion

Staff supports the desire to rezone out of PD given the surrounding land use context. However, without a clear indication of what type of development is sought on the subject property coupled with the potential for “zoning creep” onto adjoining undeveloped lands, a rezoning to the most intense commercial zoning permitted by the UDC is not believed consistent with the Comprehensive Plan nor in the best interest of the surrounding development.

RECOMMENDATION

Denial the M-C zoning map amendment.

Alternatively, if believed appropriate and supported by the applicant, the Planning Commission could recommend approval to rezone the parcel to M-N, which is consistent with the adjacent zoning, land use patterns, and restrictions of the existing PD zoning entitlement.

SUPPORTING DOCUMENTS (ATTACHED)

- Locator Maps
- Zoning Graphic

SITE CHARACTERISTICS

Area (acres)	1.26
Topography	Generally flat, graded
Vegetation/Landscaping	Turf
Watershed/Drainage	Little Bonne Femme Creek Watershed
Existing structures	Small parking lot (12 stalls) near southeast corner of parcel

HISTORY

Annexation date	1985
Zoning District	PD (Planned District)
Land Use Plan designation	Commerical
Previous Subdivision/Legal Lot Status	Legal Lot, Lot 7, Corporate Lake Plat 14

UTILITIES & SERVICES

All utilities and services provided by the City of Columbia

ACCESS

Santana Circle	
Location	East side of parcel
Major Roadway Plan	N/A
CIP projects	N/A
Sidewalk	Required

North Cedar Lake Drive	
Location	South side of parcel
Major Roadway Plan	N/A

CIP projects	N/A
Sidewalk	Required

PARKS & RECREATION

Neighborhood Parks	Cosmo-Bethel Park, ~ 1,600' (3/10 mile) northwest of site
Trails Plan	South Providence Trail, 225' east of site
Bicycle/Pedestrian Plan	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 an advanced notification postcard which was mailed on March 15, 2023. 6 postcards were sent.

Public Notification Responses	None
Notified neighborhood association(s)	None
Correspondence received	None

Report prepared by Rusty Palmer

Approved by Patrick Zenner