

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

SUMMARY

A request by McClure Engineering Co. (agent), on behalf of Jesus House Columbia (owner), for approval to rezone 0.77 acres of property from the PD (Planned Development) district to the M-OF (Mixed Use Office) district to allow for a planned expansion of their existing religious institution building without a required PD plan amendment. The subject site is located at south west of the corner at W Sexton Road & N Garth Avenue, and includes the address 611 N Garth Avenue. **(Case #70-2024)**

DISCUSSION

The applicants are seeking approval to rezone 0.77 acres of property located on the southwest corner of N. Garth Avenue and W. Sexton Road. The subject acreage consists of 5 parcels presently zoned PD (Planned Development). The subject parcels, Lots 1, 2, 3, 4, and 5 of Crane's Subdivision, were part of the May 2006 "Covenant CDC Garth & Sexton Project C-P Development Plan." The development proposed; however, was never commenced and the City has since acquired the northwest corner of the C-P plan, Lots 2 and 3 of John A. Stewart's subdivision of Lots 29 and 32 of Garth's addition, and improved that area with regional stormwater facilities. At the time of C-P plan approval the site was improved with single structure and parking lot at its southern end which is presently being used by the applicant as a place of worship. A concurrent request seeking approval of a consolidation plat of the existing 5 parcels is presently under review (Case # 69-2024). The consolidation plat will be known as "Jesus House Subdivision, Plat 1" and would be presented to City Council following action on this request. Given the subdivision is a replat of existing lots of record it does not require Planning Commission review.

In October 2023, the applicant approached staff seeking a concept review (Case # 08-2024) for a possible rezoning and expansion of their religious facility situated just north of the current building (Lot 5 of Crane's Subdivision). Considering the potential benefits of reduced parking standards and setback requirements, staff advised the applicant to consider retaining the site's PD district designation. Alternatively, staff suggested that rezoning to the M-OF district could be considered, but this option would result in new requirements that might necessitate several design exceptions once a development plan was finalized. Based on these recommendations, the applicant has chosen to proceed with this request to rezoning the acreage to M-OF. In making this decision, the applicant indicated it was chosen to simplify adherence to specific dimensional standards and allow modifications to their development plan without the need for frequent PD amendments.

A segment of the subject site's western boundary (its rear yard) adjoins a lot lying within the R-2 zoning district. Per sec. 29-4.1 of the UDC a minimum 10-foot setback between this lot and the subject site must be maintained. Furthermore, per sec. 29-4.4(e), Table 4.4-4 (Transitional Screening and Buffering) a 'Level 3' buffer between these lots is required. The width of a 'Level 3' buffer is equal to the required 10-foot setback and must be improved with landscaping and an 8-foot tall screening device. It should be noted the existing building at 611 N. Garth is considered legally "non-conforming" with respect to the UDC's required screening and setback standards. Given its current "non-conforming" status, the building may remain "as-is"; however, any alterations to the building would trigger screening/buffer and setback compliance. Furthermore, any new construction proposed on the site would be required to comply with all UDC requirements at the time of construction.

Staff has limited apprehension regarding the potential impacts of the proposed M-OF zoning, given that the future development of the site will be required to comply with the standards of the UDC, including requirements related to setbacks, screening and buffering, floodplain overlays, neighborhood protection standards, and additional code regulations. While rezoning would remove the opportunity for site-specific plan review, this level of review is not believed necessary since the opportunity for commercial uses on the site are being removed and the actual scale of the development is significantly reduced from what was proposed within the 2006 CP plan. The uses allowed within the proposed M-OF district will generally yield fewer trips than those shown on the 2006 CP plan and given adoption of the City's stormwater management regulations in 2007 the intensity of actual development of the site as M-OF is believed constrained. The proposed expansion of the existing religious facility is believed compatible with the site and the existing land use context.

RECOMMENDATION

Approve the requested rezoning to the M-OF district.

SUPPORTING DOCUMENTS (ATTACHED)

- Locator Maps
- Rezoning Exhibit

SITE CHARACTERISTICS

Area (acres)	0.77 acres
Topography	Mostly level, gentle slope down towards north east of site
Vegetation/Landscaping	Clear
Watershed/Drainage	Flat Branch
Existing structures	Existing building on Lot 5

HISTORY

Annexation date	1905
Zoning District	PD (Planned Development)
Land Use Plan designation	Commercial, Open Space / Greenbelt, Neighborhood
Previous Subdivision/Legal Lot Status	Crane's Subdivision

UTILITIES & SERVICES

All utilities and services provided by the City of Columbia.

ACCESS

N. Garth Avenue	
Location	East of subject site
Major Roadway Plan	Major Collector
CIP projects	Project #819 – Storm Water (Garth @ Oak Tower, replacement of existing box culvert), Project #2018 – Sewer (North Garth Sewer Replacement)
Sidewalk	Constructed

PARKS & RECREATION

Neighborhood Parks	Douglass Park, Worley Street Park, Downtown Optimist Park
Trails Plan	None
Bicycle/Pedestrian Plan	None

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 January 8th, 2024 of the pending action. Property owner letters were sent on January 23rd, and an ad was placed in the Columbia Daily Tribune on January 17th, advertising the public hearing relating to the permanent zoning of the property.

Notified neighborhood association(s)	Ridgeway Neighborhood Association
Correspondence received	None

Report prepared by Kiaan Ahamed

Approved by Patrick Zenner