

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
February 22, 2018**

SUMMARY

A request by Christine Gardner (applicant) on behalf of a group of homeowners for approval of a request to rezone 33 parcels from R-2 (Two-family Dwelling District) to R-1 (One-family Dwelling District), 4 parcels from R-MF (Multiple-family Dwelling) to R-1, and 1 parcel from R-MF to R-2, including the following addresses:

| <i>Parcel #</i> | <i>Address</i> | <i>Requested Zoning</i> | | <i>Parcel #</i> | <i>Address</i> | <i>Requested Zoning</i> |
|------------------------|-----------------------|--------------------------------|--|------------------------|-----------------------|--------------------------------|
| 1 | 804 Again St | R-1 | | 20 | 122 Meadow Lane | R-1 |
| 2 | 805 Again St | R-1 | | 21 | 110 Meadow Lane | R-1 |
| 3 | 807 Again St | R-1 | | 22 | 116 Meadow Lane | R-1 |
| 4 | 809 Again St | R-1 | | 23 | 124 Meadow Lane | R-1 |
| 5 | 115 Anderson Ave | R-1 | | 24 | 11 N. Glenwood Ave | R-1 |
| 6 | 112 Anderson Ave | R-1 | | 25 | 111 N. Greenwood Ave | R-1 |
| 7 | 117 Anderson Ave | R-1 | | 26 | 114 N. Greenwood Ave | R-1 |
| 8 | 14 Anderson Ave | R-1 | | 27 | 320 N. West Blvd | R-1 |
| 9 | 304 Anderson Ave | R-1 | | 28 | 311 Ridgeway Ave | R-1 |
| 10 | 103 Anderson Ave | R-1 | | 29 | 710 Ridgeway Ave | R-1 |
| 11 | 308 Anderson Ave | R-1 | | 30 | 711 Ridgeway Ave | R-1 |
| 12 | 320 Anderson Ave | R-1 | | 31 | 702 W. Ash St | R-1 |
| 13 | 322 Anderson Ave | R-1 | | 32 | 719 W. Broadway | R-1 |
| 14 | 211 Anderson Ave | R-1 | | 33 | 903 Jewell Ave | R-1 |
| 15 | 810 Broadhead St | R-1 | | 34* | 305 N. Fifth St | R-1 |
| 16 | 511 Donnelly Ave | R-1 | | 35* | 612 N. Sixth St | R-1 |
| 17 | 903 Hirth Ave | R-1 | | 36* | 715 Lyon St | R-1 |
| 18 | 704 Independence St | R-1 | | 37* | 403 N. Ninth St | R-2 |
| 19 | 117 Meadow Lane | R-1 | | 38* | 606 N Sixth St | R-1 |

**Current zoning is R-MF, all others R-2*

DISCUSSION

The applicants are requesting to “downzone” their properties to R-1, with the exception of parcel #37, which is requesting R-2. Downzoning, as used here, is merely a rezoning request that would place a property in a less intensive district, thereby reducing the range of uses that can legally occur on the site.

The impacts of a downzoning are generally the loss of certain types of uses for the subject properties. There are very few differences between R-1 and R-2 districts in terms of permitted uses - the most significant difference being that one-family attached and two-family dwellings are not permitted in R-1. The action of downzoning will not trigger new zoning requirements for upon the subject properties or neighboring properties until such time as either a non-conforming use is discontinued or redeveloped of the site occurs.

Pursuant to the provisions of the UDC, buffering and neighborhood protection standards would apply if a property that is zoned R-MF *is redeveloped*, and is adjacent to a property zoned R-1 or R-2. Landscape screening will be required along the common property line and, if the new development will be between 30-35 feet¹ in height, then the building height must be stepped down to no taller than 24 feet when such new construction is within 25 feet of the property line. An alternative to stepping down the building is to increase side yard setback by 10 feet from the minimum required. To reiterate, these restrictions will only apply upon the construction of a new building on an R-MF zoned parcel.

This request includes 33 parcels within the West Central Columbia Neighborhood Action Plan (WCC Plan) planning area. In addition to those 33 properties, there are 5 properties more generally located north of downtown (parcels #34-38). In addition to not being located in the same general area as the other 33 properties, these 5 parcels are zoned R-MF instead of R-2, and one property (#37) has requested downzoning to R-2 instead of R-1. While these properties were not included in the WCC Plan, they share many of the same characteristics in terms of the existing single-family housing stock found on the properties and within the surrounding neighborhoods.

However, the surrounding development context is noticeably different for three of these sites (#34,36,37). One in particular (#34) is located in close proximity to the M-DT district, and given this location, could be suitable for multi-family redevelopment as well. But the limiting factor for these 3 parcels is their current size - none meet the minimum lot size to allow the construction of a multi-family dwelling at this time. That could change if additional contiguous lots are consolidated for the purposes of redevelopment, but as it stands, the redevelopment of the site is limited by its size.

One outcome of downzoning properties from R-2 (and R-MF) is that the parcel will only be allowed one dwelling unit, instead of 2 (or multiple dwelling in the case of R-MF). This may result in the loss of *potential density* for these site. However, given that the existing density potential for a majority of the R-2 area has never been realized, the downzoning is unlikely to have any significant impact on the availability of housing. Furthermore, there is significant inventory that will remain zoned R-2 to accommodate potential redevelopment in the area.

While on the surface, the downzoing represents a reduction of density, the WCC plan also identifies areas within its boundary that would be appropriate for *higher* densities as well - areas that would be in locations that provide for better land-use transitions between redevelopment and single-family areas. These strategies are spelled out as additional goals within the WCC Plan (pgs. 33-35).

¹ R-MF maximum height is 35 feet

Currently, given the mismatch between the predominantly single-family use of the area and the existing two-family zoning, it is difficult to anticipate if and where potential two-family redevelopment could occur, thus providing uncertainty for property owners. The proposed rezoning attempts to create a critical mass of R-1 zoning that will help to provide more certainty to residents in these areas, which could in turn create a more stable residential neighborhood and more opportunities for investment in the existing housing stock.

Staff supports the requested downzoning of the 38 parcels for the reason identified in its analysis above as well as the following reasons:

Historical Basis

Downzoning has a history within the City, occurring in other neighborhoods with at least 9 separate requests approved by Council over the years. Most requests have been located within the Benton-Stephens and East Campus Urban Conservation Overlay District (UC-O). This request represents the largest number of individual properties included within one downzoning application. The last large-scale request was within Benton-Stephens and included 35 parcels.

Supports Comprehensive and Neighborhood Plan Goals & Objectives

Within 2013 city-wide comprehensive plan, *Columbia Imagined*, one of the goals aims to facilitate neighborhood planning. Within the goal of Livable and Sustainable Communities, *Policy Three: Facilitate Neighborhood Planning*, neighborhood plans were identified as important in determining the direction of specific neighborhoods, and identifying methods to preserve neighborhood character while identifying areas where transitions to potential residential redevelopment are suitable and will provide a wider range of housing options.

In 2015, in response to the *Columbia Imagined* goals and objectives and at the request of neighborhood representatives, the Community Development Department initiated a neighborhood planning process for an area north of Broadway, between Stadium Boulevard and McBaine Avenue, and south of the interstate. The resulting plan, the West Central Columbia Neighborhood Action Plan (WCC Plan), included goals that supported efforts to preserve the existing single-family character of portions of the plan area that were zoned R-2.

The Plan's recommendations were divided between three topics two of which - Neighborhood Character and Land Use and Zoning - are directly relevant to this requested downzoning. Priority 1 of the Neighborhood Character goal was to take steps to preserve single-family character within the area by supporting downzoning from R-2 to R-1 in areas where the existing building form was typically single-family (pg. 26).

Within the Land Use and Zoning goal, Priority 1 was a more expansive description of the goal of downzoning the area to R-1. To summarize the priority it states that new zoning districts were created in the 1950s and the plan area was included in the new R-2 district with the possible goal of facilitating higher-density redevelopment. However, in the following decades very little redevelopment has occurred and the existing housing stock, as well as the existing land use, remains single-family, creating a mismatch between land-use and zoning. The full discussion of the priority is addressed in more depth on page 32 of the Plan.

Supports Council Action on Neighborhood Conservation

Following completion of the WCC Plan and prior to the last large-scale downzoning, Council passed Ordinance #022651 which removed application processing fees for requests to rezone property from any district to R-1 and from R-3 or R-4 (now R-MF) to R-2. This action was intended to replace a pre-existing Council policy resolution (PR 195-92) that supported downzoning of property in residential neighborhoods as a means to support neighborhood revitalization and stabilization. The new ordinance eliminated restrictive guidelines pertaining to when and how group downzoning petitions may be filed and processed in favor of a simple application fee waiver.

Conclusion

Staff finds that this request is consistent with the goals and objectives of preserving the surrounding neighborhood character and promotes the ongoing preservation goals articulated in the City's comprehensive plan and the WCC neighborhood plan. Furthermore, staff does not find that this request will detrimentally impact existing development, and future development will only be impacted upon expansion or redevelopment of the more intensely used or zoned parcels adjacent to those lots sought to be downzoned.

RECOMMENDATION

Approval of the requested rezoning to R-1 and R-2, as listed in the included table.

SUPPORTING DOCUMENTS (ATTACHED)

- Locator maps
- Letter from applicant
- Columbia Imagined Policy 3 (pgs 124-125)
- West Central Columbia Neighborhood Action Plan (pgs 26, 32-35, 51) ([link here to full plan](#))
- Fee Schedule ordinance amendment (022651)
- Downzoning Policy Resolution (PR 195-92)

HISTORY

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| Annexation date | 1826, 1905, 1906 |
| Zoning District | R-2, R-MF |
| Land Use Plan designation | Neighborhood District, |
| Previous Subdivision/Legal Lot Status | Previously platted in various subdivisions |

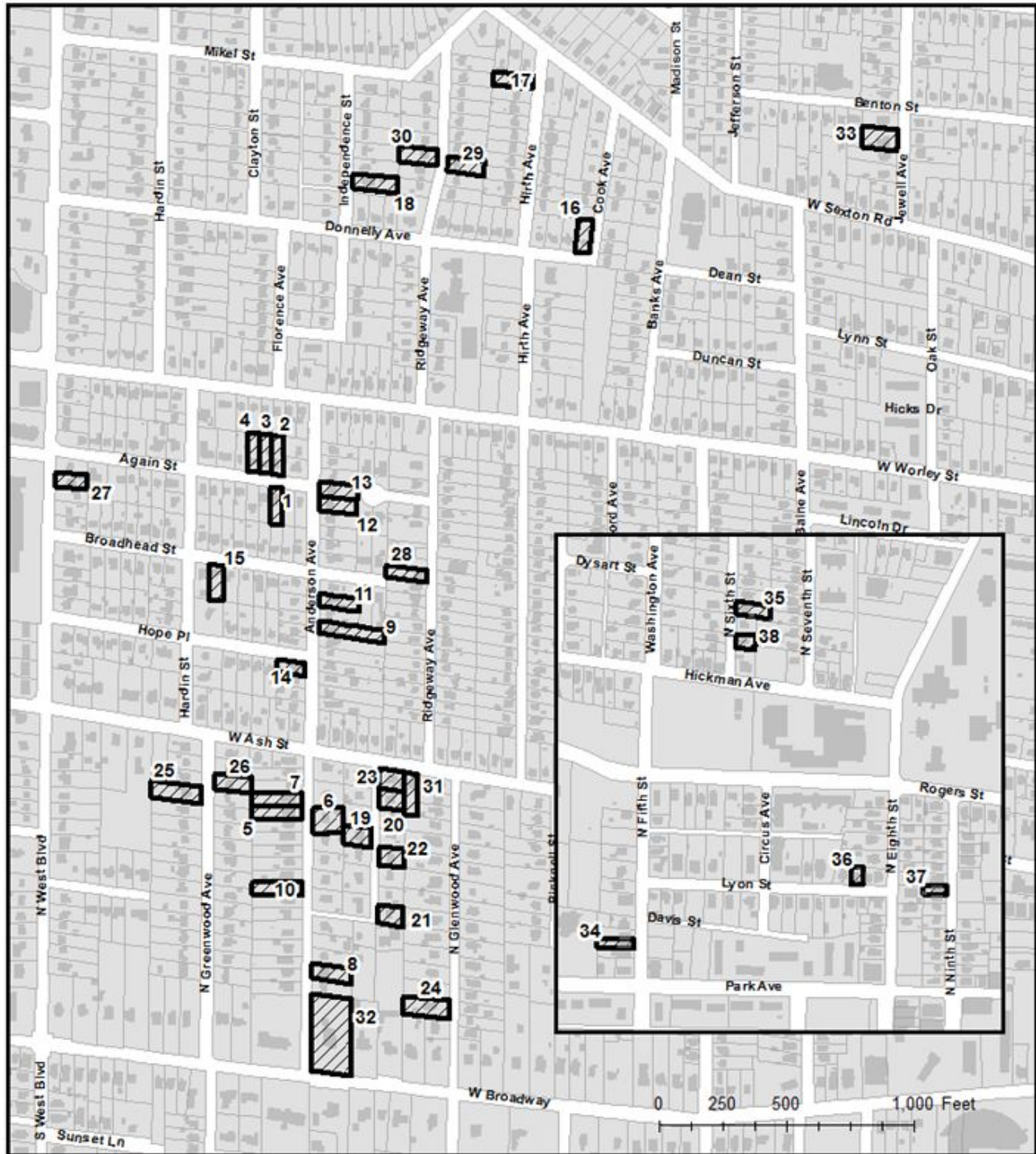
PUBLIC NOTIFICATION

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 a public information meeting, which was held on February 13, 2018.

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| Public information meeting recap | Number of attendees: 9 Comments/concerns: Effects on neighboring properties, gentrification implications, impacts on properties that are downzoning |
| Notified neighborhood association(s) | Lake Broadway HOA, Highland Park Neighborhood Association, Ridgeway NA, North Central Columbia NA, Historic Old Southwest NA, West Ash NA, Historic West Broadway NA, Worley Street Park NA |
| Correspondence received | None at time of report. |

Report prepared by Clint Smith

Approved by Patrick Zenner



18-51: West Ash Neighborhood and other requested Rezoning



Created by The City of Columbia - Community Development Department
Parcel Data Source: Boone County Assessor