

**AGENDA REPORT  
PLANNING AND ZONING COMMISSION MEETING  
November 7, 2019**

**SUMMARY**

A request by Cochran Engineering (agent) on behalf of Columbia Mall, LLC, Dillard's Inc., J.C. Penney Properties, Inc., and Dayton-Hudson Corporation (owners) for approval of a PD plan major amendment to the Columbia Mall PD Development Plan, to split an existing lot into two separate lots to create a new 1.58-acre lot that will include a new hotel building, and for approval of a design modification to Section 29-5.1(f)(3) to allow a lot line through an existing structure. The approximately 66.92-acre property is located at the southwest corner of Stadium Boulevard and Bernadette Drive, and includes addresses 2200, 2300, and 2400 Bernadette Drive, and 2201 and 2301 W Worley Street. (Case #225-2019)

**DISCUSSION**

The applicant seeks two changes to the existing C-P plan for the Columbia Mall. First is to subdivide the lot containing the Mall's non-anchor tenants into two separate lots. Second is to approve a site specific development plan for a hotel on the newly created lot that has frontage on Bernadette Drive.

The hotel would be located in an area currently used as off-street parking. The proposed development plan approval also includes a request to reduce the required 6-foot street frontage landscape buffer along Bernadette Drive to one foot. If approved, the applicant proposes to redistribute the required landscaping to other areas of the hotel site, as shown on landscaping plan, in lieu of installing it to meet the required 80-percent parking lot opacity screening from Bernadette Drive.

**HISTORY**

The Columbia Mall C-P development plan was originally approved by Council in 1984 and numerous amendments have occurred since. Amendments such as an addition to JCPenney's (1986), addition of the Barnes and Noble bookstore (2000), approval of a second floor addition to the Dillard's (2005), and a Target expansion that included constructing parking over the existing stormwater detention ponds on the south side of the property (2007). Neither the Dillard's nor the Target expansions have been constructed to date. Additionally, several minor amendments have also been approved on the site, most recently in 2013 for revisions to the entrances along Bernadette. A recent major amendment (2019) created an additional lot around the previous Sears store and revised the minimum parking requirements to be consistent with UDC standards.

**PD PLAN REVISIONS**

The revised PD plan includes the subdividing of existing Lot 1 of *Columbia Mall Plat No. 3* into two lots. While this is typically a subdivision action, given the site's PD zoning and creation of a new commercial lot, a major plan amendment is required. Lot 1 currently includes the portion of the mall that does not include anchor stores, along with off-street parking lot area. The subdivision will divide the common mall area into 2 lots, containing 31.84-acres and 1.58-acres, respectively. The smaller lot is located along Bernadette Drive and is proposed to be developed with a hotel.

Staff finds creation of the new lot to be consistent with actions taken to create the other anchor-store lots and does not view the creation as having a significant or detrimental impact upon the PD plan. However, as noted below, a design modification is required to permit the new lot to be created.

The new lot has frontage along Bernadette Drive; however, will be accessed internally from the Mall property itself. The lot is bound by Bernadette Drive to the north, mall entrances to the east and west, and a common cross-access drive aisle to the south. The proposed hotel to be construction on the lot will include 110 rooms and will be 4 stories tall, not to exceed 50 feet in height, slightly shorter than the permitted height of the Dillard's building. The total amount of required parking for the new hotel is 82 spaces (for both hotel rooms and meeting areas). Of that amount, 60 spaces are located on the the hotel lot itself. The development plan also indicates a 48 space "shared" parking area to the south that would provide a total of 108 space available for the hotel's use. The mall site overall will still provide more than the minimum amount of parking required by code, but will be reduced from the current total of 3,489 to 3,384 (this total does not include the future parking totals related to Target's expansion).

## DESIGN EXCEPTION

The applicant is also requesting a design exception to the underlying zoning requirements as permitted per Section 29-2.2(c)(4)(iv) of the UDC. The request is noted below, and appears in the lower right corner of the revised PD plan. The requested exception has been presented to address a specific site design issue encountered with the new hotel site; however, the note in the lower right corner of the revised PD plan does not limit the exception's scope to only the new lot being created. As such, if the exception is approved, it would apply all of the acreage contained within the revised PD plan.

- **29-4.4(d)(1) Street Frontage Landscaping:** Request to waive the requirement for a 6-foot wide landscape buffer along street right of way when there is pavement with 25 feet of the street.

The buffer sought to be waived is required whenever a paved area greater than 40-feet in length is within 25 feet of a street right of way. When such conditions exist, the UDC requires that street trees and an 80 percent opaque buffer, between 1 to 5 feet, be installed. Staff does not support the requested waiver since the proposed new lot as well as the remaining areas governed by the PD plan do not appear to have any specific or unique challenges that justify granting the relief desired.

The revised PD plan indicates that a 5-foot retaining wall will be constructed near the front of the new lot along Bernadette Drive, thereby eliminating the ability to provide the 6-foot wide landscape buffer. The choice to design the site without accommodating the 6-foot buffer appears to be more related to a desire to address a predetermined building footprint for the new hotel than due to any existing challenges on the site itself. The required buffer, which generally exists on the remaining frontage of Bernadette Drive, provides opportunities to screen parking areas, but in this instance would be replaced by a retaining wall which may appear even more stark than if the parking lot were at grade level.

Furthermore, as stated within the UDC, when design exceptions are considered within a PD Plan the objective of the exception should clearly be related to the scope of the PD plan and/or include clear benefits or amenities to the City that would not otherwise be required by the base zoning district. Based on the information presented to staff, there does not appear to be any clear benefit to the City or the general public if the exception were granted.

Staff notes that the greenspace on the overall mall site will increase as a result of the proposed hotel project. The overall mall site itself was granted a waiver to reduce the minimum percent of the site required to be in greenspace from 15% to the current 13.5%, which is about 9.02 acres. Overall greenspace will increase by approximately 1,750 sq.ft., mostly due to the inclusion of parking lot end caps with landscaping. In addition to end cap landscaped, the site specific development plan for the hotel will augment the overall mall landscaping percentage through inclusion new parking lot

landscaping along its east and west sides which could be viewed as an offset to the loss of the buffer along Bernadette.

Prior to preparing this report, staff and the applicant engaged in discussion on the requested exception to discuss alternatives such as shifting the hotel to the south and reducing drive aisle width - the applicant indicated that they were not in favor of such modifications. Staff also suggested that a reduction of the building's footprint may remove the need for the exception - this option was also not supported.

## DESIGN MODIFICATION

Per the UDC Section 29-5.1(f)(3), no structure may be constructed across a lot line. The new lot created to accommodate the hotel site will include a lot line located through an existing parking lot, which by UDC definition is considered a structure, and so is not permitted.

Upon review of the design adjustment worksheet, staff concurs with the applicant's findings and supports the request. Staff considered the context of the situation, which is a large commercial shopping center development that is already divided into multiple lots, and does not object to the request. The requested location of the new lot line (south of the proposed hotel) is reasonable in its location, and does not arbitrarily bisect parking spaces.

This same situation exists currently for the other anchor tenants on the mall site, as each of those anchors are located on separate lots. Allowing this site to do the same does not appear to be detrimental to the site or the overall PD plan and would be consistent with the development pattern on this site.

## CONCLUSION

While staff supports the requested PD plan revision to include a hotel on this site, and the design modification to allow a lot line to be created through the parking lot (a structure), it does not support the requested design exception to waive the required screening buffer. The requested exception, as presently written, would apply to revised PD plan as a whole, would grant a reduction in required landscaping for the new hotel lot that is not in keeping with the majority of the mall site, and would not add value to the PD itself.

Also worth noting is that the previous ordinance that approved the 2007 C-P plan included several conditions relating to the Target expansion and stormwater requirements. Since the Target expansion isn't changing, these same conditions will carry forward, and will be included in the ordinance.

## **RECOMMENDATION**

Denial of the requested major amendment for the *Columbia Mall PD Plan*.

## **SUPPORTING DOCUMENTS (ATTACHED)**

- Locator maps
- *Previously approved - Columbia Mall PD Development Plan (2019)*
- *Columbia Mall PD Development Plan*
- Design Adjustment Worksheet
- Design Modification request

**SITE CHARACTERISTICS**

<b>Area (acres)</b>	66.92
<b>Topography</b>	Generally flat, some slope to south on south side of property
<b>Vegetation/Landscaping</b>	Landscaping
<b>Watershed/Drainage</b>	Harmony Creek
<b>Existing structures</b>	Commercial Shopping Center

**HISTORY**

<b>Annexation date</b>	<b>1955, 1969</b>
<b>Zoning District</b>	PD
<b>Land Use Plan designation</b>	Commercial, Neighborhood, Open Space/Greenbelt
<b>Previous Subdivision/Legal Lot Status</b>	Columbia Mall Plat 1, Columbia Mall Plat 2, Columbia Mall Plat 3

**UTILITIES & SERVICES**

<b>Sanitary Sewer</b>	City of Columbia
<b>Water</b>	City of Columbia
<b>Fire Protection</b>	City of Columbia
<b>Electric</b>	City of Columbia

**ACCESS**

<b>Bernadette Drive</b>	
<b>Location</b>	Along the north side of property
<b>Major Roadway Plan</b>	Major Collector; 76-66 ROW required
<b>CIP projects</b>	None
<b>Sidewalk</b>	Sidewalks present

<b>Fairview Road</b>	
<b>Location</b>	Along the west side of property
<b>Major Roadway Plan</b>	Minor Arterial; 84-100 ROW required
<b>CIP projects</b>	None
<b>Sidewalk</b>	Sidewalks present

<b>Worley Street</b>	
<b>Location</b>	Along the south side of property
<b>Major Roadway Plan</b>	Major Collector; 76-66 ROW required
<b>CIP projects</b>	None
<b>Sidewalk</b>	None; waived by 1985 ordinance.

**PARKS & RECREATION**

<b>Neighborhood Parks</b>	Columbia Cosmopolitan Recreation Area
<b>Trails Plan</b>	None within half mile
<b>Bicycle/Pedestrian Plan</b>	Pedway along Stadium

**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 October 15, 2019.

<b>Public information meeting recap</b>	Number of attendees: 3 (including 1 applicant) Comments/concerns: None.
<b>Notified neighborhood association(s)</b>	None.
<b>Correspondence received</b>	None to date.

Report prepared by Clint Smith

Approved by Patrick Zenner