

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
November 18, 2021**

SUMMARY

A request by Crockett Engineering Consultants (agent), on behalf of P1316 LLC (owner), for approval of a 7-lot PD development plan for a mixed-use commercial development on property zoned PD (Planned Development) to be known as *The Kitchen & Discovery Offices*, which will include office, retail, residential and outdoor recreation; the request also includes a revision to the Statement of Intent to include *Outdoor entertainment or recreation* as a permitted use. The 10.64-acre property is located at the southwest corner of Discovery Parkway and Endeavor Avenue. **(Case #6-2022)**

DISCUSSION

The applicant is seeking to develop the site with a mix of office buildings, a mixed-use (residential/commercial) building, and an outdoor entertainment venue that would be subdivided into seven separate lots. The approved zoning for the site occurred in 2004 and identifies the existing PD acreage as being located within the Tract 5 zoning area of the Philips Farm annexation. The approved Tract 5 zoning allows for most commercial uses, with some exceptions, and for residential uses as well.

The proposed development plan represents a revision to the *Discovery Park Subdivision Preliminary Plat Revision #3* approved on February 3, 2020. The subject property includes Lot 505 on the approved preliminary plat. The PD plan represents the further subdivision of the site into 7 lots.

Lot 1 includes a three-story mixed-use building that includes 44, 1-bedroom dwellings on floors 2 and 3, with the first floor of the building used for office and/or retail uses. Lots 2-6 will include buildings for office uses, and Lot 7 includes *The Kitchen* portion of the development, which includes several uses and is discussed more later in this report. No design exceptions have been requested for this site, and all buildings will have entrances facing a public street, and most will have walkways providing direct access from the public sidewalk network.

Access to the site will be from Endeavor Avenue on the north side of the property, as well as from Artemis Drive on the south (future construction) and Discovery Parkway on the east. Both the Endeavor and Discovery Parkway access points will be right-in/right-out entrances only. Since there are seven lots and only three access points, access easements shall be required to ensure that each lot has direct access to a public street.

Landscaping is provided per the UDC requirements, which includes parking lot landscaping and street trees. The site currently includes approximately 26% of the lot area in open space, which is more than the City minimum of 15%. The overall required open space is regulated by the original zoning ordinance, and it is currently compliant with those requirements.

The minimum off-street parking requirement for the site is 465 spaces. With the allowed reduction for providing bike parking, the requirement decreases to 441 spaces, and the provided amount is 441 spaces. It should be noted that staff recommended that the applicant consider deferring the construction of some of the required parking spaces, due to the opportunity to share parking spaces between the different types of uses on the site. The offices that are located on lots 2-6, and the uses within *The Kitchen* on Lot 7, will have different peak hours for parking needs, with offices busier during regular work hours, and *The Kitchen* busier in the evenings and on weekends. This could allow for the

construction of less total parking spaces to accommodate the individual parking needs for those uses.

The deferred parking spaces would be seeded and would become part of the open space calculation for the site. However, in the case that the parking demand is higher than anticipated in the future, the plans would reflect the location of the deferred parking spaces, and they could be designed to be easily constructed if the need arises.

The applicant is also requesting to amend the existing statement of intent (SOI) from 2004 to include a new use that was not originally permitted - *Outdoor recreation or entertainment*. In order to revise the SOI to add a new use, all of the uses from the 2004 SOI must be recategorized to match a current use from the UDC's permitted use table. The attached list reflects the recategorized uses, and includes the additional use being requested at the end of the list. Below is additional information provided by the applicant on the proposed use:

“With regards to the specific uses of The Kitchen, it is a proposed indoor and outdoor recreation facility. It will include 10 pickleball courts; 6 being indoor and 4 being outdoor (2 of the outdoor are proposed to be covered). It will also include bocce ball courts, an artificial turf yard game area, a small stage for live music, an indoor gaming area, indoor and outdoor seating areas, and a 2–story restaurant. The artificial turf yard game area would be able to be converted to a small ice rink in the winter months.

The site is being designed in a fashion to direct all of the noise from the outdoor spaces, in particular the stage, to the interior of the development where it will be mitigated and blocked by the proposed buildings of the venue itself. The open area of the perimeter would be towards Highway 63 and would be limited in size as compared to the overall perimeter of the venue. The main focus of this development is the pickleball facility and restaurant. The stage is rather small and not intended primarily for small bands similar to the venue at Rose Music hall. Any large concert would be a rare event.”

The original SOI allowed nearly all commercial uses (C-1 through C-3 at the time) but did exclude some uses specifically. The use in question was not excluded, but it also was not a permitted use in those commercial districts. At that time, the planned development section of the zoning ordinance included uses that could only be included in a planned development, and *Outdoor recreation or entertainment* was one of those uses. To include it as a permitted use, it would have needed to be specifically listed, which it was not.

As stated above, the *Outdoor recreation or entertainment* use would be located on Lot 7 of the site. It would be part of *The Kitchen*, which is a combination of restaurant, indoor recreation and outdoor recreation uses. Pickleball courts are a featured amenity both indoors and outdoors, but the outdoor portion would also include several other activities, such as a music stage, bocce ball, various yard games, and in the winter, an ice rink.

The use *Outdoor recreation or entertainment* is currently permitted within the M-C district. One of the concerns with this type of use may be traffic generation, but the restaurant and indoor recreation are likely to create more traffic to the area overall, and those uses do have higher parking requirements, so it is unlikely that the *Outdoor recreation or entertainment use* would dramatically increase traffic more than those uses. The Discovery Park development also includes many new streets that were designed as collector streets, and the intersection of Endeavor and Discovery Parkway should soon include a traffic signal. All of these improvements are considered adequate to account for the additional traffic.

The other concern would be the noise produced by the use, especially in regards to the outdoor stage. Per the information provided by the applicant, the design of the site with buildings opposite of the stage should mitigate some of the potential for amplified noise to be heard beyond the bounds of the lot. With residential uses in the vicinity, it is important to ensure that noise does not become a factor, but if it

does, the UDC clearly states in Section 29-4.9(b)(2) that, “Amplified sounds shall not be allowed to cross property lines”. With this in mind, staff does not object to allowing this use for this specific PD, as it is not out of character with the other commercial uses permitted currently in this PD.

Also worth noting is note #10, which will not permit the development to receive any occupancy permits prior to the installation of the traffic signal at the intersection of Endeavor and Discovery Parkway. This was a requirement first applied to the *Endeavor Center West* PD plan, and it was based on the City’s findings that the traffic signal was warranted due to the level of development that is planned, and needed to be installed prior to the opening on any future developments.

Conclusion

Staff have reviewed the proposed SOI revision and the PD plan and finds that they meet the technical requirements of the PD district and the UDC.

RECOMMENDATION

Approval of *The Kitchen & Discovery Offices PD Plan* and the associated revision to the Statement of Intent to include *Outdoor recreation or entertainment* as a permitted use.

SUPPORTING DOCUMENTS (ATTACHED)

- Locator Maps
- PD Plan
- Renderings (The Kitchen)
- Statement of Intent
- Statement of Intent (4/19/04)
- Preliminary Plat (2/3/20)

SITE CHARACTERISTICS

Area (acres)	10.64
Topography	Generally sloping west toward lake
Vegetation/Landscaping	None
Watershed/Drainage	Clear Creek
Existing structures	None

HISTORY

Annexation date	2004
Zoning District	PD
Land Use Plan designation	Commercial
Previous Subdivision/Legal Lot Status	Previously unsubdivided

UTILITIES & SERVICES

Sanitary Sewer	City of Columbia
Water	City of Columbia
Fire Protection	City of Columbia
Electric	City of Columbia

ACCESS

Nocona Parkway	
Location	West side of site
Major Roadway Plan	Major Collector (Improved and City maintained); 66-76' of ROW required, no additional ROW dedication required.
CIP projects	None
Sidewalk	Sidewalks existing.

Endeavor Avenue	
Location	North side of site
Major Roadway Plan	Major Collector (Improved and City maintained); 66-76' of ROW required, no additional ROW dedication required.
CIP projects	None
Sidewalk	Sidewalks existing.

Discovery Parkway	
Location	East side of site
Major Roadway Plan	Minor Arterial (Improved and City maintained). 84-100-foot ROW required (42-50-foot half-width), no additional ROW dedication required.
CIP projects	None
Sidewalk	Sidewalks existing.

Artemis Drive	
Location	South side of site
Major Roadway Plan	Local Non-residential Street (Proposed), requiring 60' of ROW. ROW dedication required at time of plat.
CIP projects	NA
Sidewalk	Sidewalks required.

PARKS & RECREATION

Neighborhood Parks	Within half-mile of Nifong Park, Gans Creek Recreation Area, Philips Park
Trails Plan	Philips Lake Trail
Bicycle/Pedestrian Plan	Pedway along Nocona and Endeavor

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 this pending request on October 19, 2021. Three postcards were distributed.

Report prepared by Clint Smith

Approved by Patrick Zenner