

**AGENDA REPORT  
PLANNING AND ZONING COMMISSION MEETING  
May 5, 2022**

**SUMMARY**

A request by SBLM Architects, PC (agent), on behalf of TKG 7th Street, LLC (owners), for a conditional use permit to allow a veterinary hospital at 400 N. Stadium Boulevard as part of a PetCo retail store. The 1.48-acre property is located on the east side of Stadium Boulevard, just south of Worley Street and was formerly the location of 'Natural Grocers'. **(Case # 142-2022)**

**DISCUSSION**

The applicant is seeking approval of a conditional use permit to allow a veterinary hospital in conjunction with a proposed PetCo retail establishment. The site is located south of Worley Street on the east side of Stadium Boulevard. The subject property is zoned M-N (Mixed-Use Neighborhood) and lies adjacent to a multi-family residential zoning district immediately to the south. The retail function is intended to be the primary use on the property, and the veterinary hospital is to be secondary and subordinate to the retail store. The applicant has indicated in their application materials that the veterinary hospital is to be 2,011 sq. ft. of the 13,539 sq. ft. building, with the remaining floor area devoted to the retail use. 901 sq. ft. is also to be set aside for provision of pet grooming services, which is also considered ancillary to the retail use of the primary space.

Since the veterinary hospital is intended to be an accessory function of the pet store, the use-specific standards of Section 29-3.3(q) do not generally apply. However, these standards create a logical starting point for evaluating the impacts of the proposed use. This section details that outdoor runs and other structures for animals must be fully enclosed and circled with a secondary perimeter fence. Furthermore, veterinary hospitals that provide outdoor facilities, adjacent to residential zoning districts, are subject to enhanced setbacks. Outdoor runs, pens, enclosures, or exercise runs are to honor a 200 foot setback from the residential district. Similarly, the primary structure or any perimeter fence or wall enclosing an outdoor facility should maintain a 100-foot setback.

The applicant's proposed floor plans indicate that the entirety of the veterinary hospital function is to be located on the north side of the building, opposite the residential zoning district. Additionally, the plans do not propose any outdoor functions or structures. All functions of the veterinary hospital are to be within the interior of the building. Therefore, the current configuration would be in-compliance with the above standards.

Pursuant to the provisions of the UDC, a request for a CUP must be evaluated by the Planning and Zoning Commission subject to the following six criteria identified in Section 29-6.4(m)(2). Following a recommendation by the Commission, the City Council may approve the CUP with any conditions deemed necessary to carry out the provisions and intent of the UDC. Below is staff's summary of the application's compliance with the six CUP criteria:

**1. The proposed conditional use complies with all standards and provisions in this chapter applicable to the base and overlay zone district where the property is located.**

The attached building plan illustrates compliance with all requirements for the district, and those found in the use-specific standards, which would apply to a veterinary hospital as a primary use on the property. No overlay zoning district exists in this location.

**2. The proposed conditional use is consistent with the city's adopted comprehensive plan.**

The subject site is identified as being located within a Commercial District per the Columbia Imagined Future Land Use Plan. The Commercial District is intended for a variety of local and regional retail and personal services uses, as well as offices, businesses, and high-density

residential. Neighboring properties to the south are identified as Residential Districts. While veterinary hospitals are considered potentially more invasive in nature, they are an acceptable use within the Commercial District especially when negative impacts can be mitigated. With the veterinary functions being fully enclosed within the building and planned for the north side, away from the residential district, the proposed building improvements were clearly designed with extensive consideration given to the potentially negative impacts of often interrelated outdoor uses.

Staff believes, the proposed improvements afford the opportunity to offer a service that is consistent with the primary use on the property, as well as the surrounding land use environment and general objectives of the Comprehensive Plan.

- 3. The proposed conditional use will be in conformance with the character of the adjacent area, within the same zoning district, in which it is located. In making such a determination, consideration may be given to the location, type and height of buildings or structures and the type and extent of landscaping and screening on the site.**

Given that the proposed veterinary hospital is fully enclosed within the existing building, and no extensive exterior modifications are expected, Staff believes the use is consistent with the contextual character.

- 4. Adequate access is provided and is designed to prevent traffic hazards and minimize traffic congestion.**

Access is provided from both the Worley and Tiger Lane frontages. Worley access is gained via an irrevocable access easement and shared with the Chipotle restaurant that occupies the lot to the north. Traffic impacts generated by the proposed retail use are not expected in excess of past uses on the property, which included a furniture store and an organic grocery store.

- 5. Sufficient infrastructure and services exist to support the proposed use, including, but not limited to, adequate utilities, storm drainage, water, sanitary sewer, electricity, and other infrastructure facilities are provided.**

The site is served by all City utilities and was reviewed by various utility staff. There were no concerns expressed with the proposed use or approval of the conditional use permit.

- 6. The proposed variance will not cause significant adverse impacts to surrounding properties.**

The proposed veterinary hospital complies with the use-specific standards of 29-3.3(q) of the UDC, and furthermore is fully enclosed within the existing building, limiting the opportunity for negative impacts to neighboring properties.

### **RECOMMENDATION**

Approve the requested conditional use permit authorizing a veterinary hospital in conjunction with the proposed PetCo retail establishment.

### **ATTACHMENTS**

- Locator maps
- Proposed Building Plans

**HISTORY**

<b>Annexation date</b>	1955
<b>Zoning District</b>	M-N (Mixed-Use Neighborhood)
<b>Land Use Plan designation</b>	Commercial
<b>Previous Subdivision/Legal Lot Status</b>	Lot 2 – Ross Dickerson Subdivision

**SITE CHARACTERISTICS**

<b>Area (acres)</b>	1.48
<b>Topography</b>	Flat
<b>Vegetation/Landscaping</b>	Turf/pavement; Some landscaping abutting the structure
<b>Watershed/Drainage</b>	Perche Creek
<b>Existing structures</b>	Commercial Building

**UTILITIES & SERVICES**

All utilities and services provided by City of Columbia.

**ACCESS**

<b>Worley Street</b>	
<b>Location</b>	North
<b>Major Roadway Plan</b>	Major Collector
<b>CIP projects</b>	N/A
<b>Sidewalk</b>	Existing

<b>Tiger Lane</b>	
<b>Location</b>	East
<b>Major Roadway Plan</b>	N/A
<b>CIP projects</b>	N/A
<b>Sidewalk</b>	Existing

**PARKS & RECREATION**

<b>Neighborhood Parks</b>	Columbia Cosmopolitan Recreation Area – 0.5 miles north
<b>Trails Plan</b>	N/A
<b>Bicycle/Pedestrian Plan</b>	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 April 11, 2022. 12 postcards and property owner letters were sent. The case was also advertised in the Tribune on April 19, 2022.

<b>Public Notification Responses</b>	None.
<b>Notified neighborhood association(s)</b>	None.
<b>Correspondence received</b>	None.

Report prepared by Rusty Palmer

Approved by Patrick Zenner