

**AGENDA REPORT  
PLANNING AND ZONING COMMISSION MEETING  
January 7, 2021**

**SUMMARY**

A request by A Civil Group (agent), on behalf of Walters Acquisitions, Inc. (owner), for a PD plan amendment to the *Columbia Plaza South PD Plan* to accommodate the redevelopment of the site as a Culver's restaurant with an accessory drive-through, and a design exception to 29-4.3(i)(2)(iii) to allow a service window on the corner side of a building. The approximately 0.77-acre property is located at the southeast corner of Stadium Boulevard and Bernadette Drive, and includes the address 2010 Bernadette Drive. (**Case #45-2021**)

**DISCUSSION**

The applicant is proposing to revise an existing PD development plan that would allow the demolition of an existing building, previously occupied by Ruby Tuesday's, and the construction of a new building to house a Culver's restaurant. The approved zoning and PD plan for the subject lot occurred in 1994 and permitted the use of the property with C-1 zoning uses (which are similar to today's M-N zoning), but with some restrictions (see attached). The proposed use, a restaurant with an accessory drive-through, is a permitted use.

The proposed development plan represents a revision to the *Columbia Plaza South PD Plan* that was approved November 21, 1994, although the revision will only affect approximately the western third of the site, which is also Lot 1 of the Columbia Plaza South administration plat. The remainder of the site has undergone several revisions since the original plan was approved in 1994, but is not affected by this amendment.

The existing building on the site was originally shown as 5,850 square feet and will be demolished. A new, roughly 4,200 square-foot building, will be constructed slightly further north on the site to accommodate an accessory drive-through with a service window on the west side of the building, facing Stadium Boulevard. This location is not permitted per 29-4.3(i)(2)(iii), which only allows service windows for drive-throughs on sides of buildings that do not face a street. The applicant has thus requested a design exception to this zoning requirement which is discussed in more detail later in this report. The drive-through facility includes two lanes for ordering, required stacking spaces, and a bypass lane. A patio is also proposed on the north side of the building.

Access to the site will require travel across the adjacent lot, as the site has no direct street access. The two properties have an existing agreement to allow Lot 1 access to the entrances located on Lot 2; in addition, shared parking is also allowed between the two sites. The new site layout also includes a new pedestrian connection from the public sidewalk along Bernadette Drive to the building.

Since the request represents a major amendment to a PD plan, landscaping is provided per the current UDC requirements, which includes parking lot landscaping and street trees, some of which are currently existing. The site included approximately 20 percent of the lot area in open space, and with the revision that amount will increase to 24 percent. One aspect of the landscaping that should be noted is that the original ordinance (Ord. 14281) included a specific condition that the south property line include a fence and landscaping. These were installed previously and are still currently in place. That condition is still in effect, and the fence and landscaping are reflected on the revised PD plan's landscaping plan as well.

As previously mentioned, the applicant is also requesting one design exception to the underlying zoning requirements, which would otherwise require BOA approval if not for the PD plan request. The request is noted below, and appears on the landscaping page of the PD plan.

***Design Exception from 29-4.3(i)(2)(iii): Location and design of stacking lanes.***

The applicant has requested an exception to the requirement that “customers shall be served in vehicles through service windows or a facility located on the non-corner sides and/or rear of the principal building”. This requirement applies to service windows for accessory drive-throughs, and is generally considered to be an aesthetic requirement, limiting the view of drive-through service windows from public streets and sidewalks, and relegating them to the rear of the interior side of the building where they are less visible.

However, limiting the location of service windows to the non-street side of buildings may present a challenge in some situations, and the applicant has stated that the location of the service window on the west side of the building (facing Stadium Blvd) is the most efficient location for this site due to its narrow width. To address the issue, and to mitigate the impacts of the location of the service window on the street side of the building, the applicant is proposing to screen the window itself with an additional structure that acts as an extension of the building. A preliminary elevation of the screening (attached) shows generally how the screening wall would appear. It is constructed of materials that would be consistent with the overall building, and would include fenestration that would allow light to penetrate, but would not be transparent so as to show the service window.

This wall would block the view of the service window to a certain degree, and represents a creative way to meet the intent of the ordinance and screen the service window from view. The end result is a building that would generally appear as if there were no service window on the street side, which is in line with the intent of the regulation from which they are seeking a waiver. Staff supports the requested design exception.

***Conclusion***

Relevant staff have reviewed the proposed PD plan and find that, with the exception of the requested design exception, it meets the technical requirements of the PD district and the UDC.

**RECOMMENDATION**

Approve the requested PD Plan to be known as *Columbia Plaza South PD Plan* and the associated design exception to Section 29-4.3(i)(2)(iii).

**SUPPORTING DOCUMENTS (ATTACHED)**

- Locator maps
- PD Plan
- Elevation
- Statement of Intent/Ordinance (11/21/1994)
- PD Plan (11/21/1994)

## **SITE CHARACTERISTICS**

<b>Area (acres)</b>	0.77
<b>Topography</b>	Generally flat
<b>Vegetation/Landscaping</b>	Landscaped with turf, bushes, trees
<b>Watershed/Drainage</b>	Harmony Creek
<b>Existing structures</b>	Commercial (restaurant) building

## **HISTORY**

<b>Annexation date</b>	1955
<b>Zoning District</b>	PD
<b>Land Use Plan designation</b>	Commercial
<b>Previous Subdivision/Legal Lot Status</b>	Lot 1, Columbia Plaza South administrative plat

## **UTILITIES & SERVICES**

All utilities and services provided by the City of Columbia.

## **ACCESS**

<b>Bernadette Drive</b>	
<b>Location</b>	Along the north side of property
<b>Major Roadway Plan</b>	Major Collector (improved and City maintained); 76-66 ROW required. No additional ROW required.
<b>CIP projects</b>	None
<b>Sidewalk</b>	Sidewalks present

<b>Stadium Boulevard</b>	
<b>Location</b>	Along the west side of property
<b>Major Roadway Plan</b>	Major Arterial (improved and MoDOT maintained); 106-110 ROW required
<b>CIP projects</b>	None
<b>Sidewalk</b>	Sidewalks present

## **PARKS & RECREATION**

<b>Neighborhood Parks</b>	Within half-mile of Columbia Cosmopolitan Recreation Area, L. A. Nickell Golf Course, Clary-Shy Community Park
<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 this pending request on December 4, 2020. Seven postcards were distributed.

Report prepared by Clint Smith

Approved by Patrick Zenner