



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: March 7, 2022

Re: 500 N. College, Petro-Mart - PD Plan, Design Adjustments, and SOI (Case # 75-2022)

Executive Summary

Approval of the proposed Planned Development (PD) Plan, design adjustments, and associated Statement of Intent (SOI) would permit a complete reconstruction of the existing Petro-Mart gas station located at the northeast corner of College Avenue and Paris Road.

Discussion

Engineering Surveys & Services (agent), on behalf of Western Oil Inc and Kaylee Boyd (owners), are requesting approval to rezone three parcels to PD (Planned Development) with a development plan and associated SOI to facilitate the reconstruction and expansion of the existing Petro-Mart presently located at 500 N. College Avenue. The development plan also serves as the site's preliminary plat which proposes to consolidate the existing three parcels into a single parcel that would be contained within the Benton-Stephens UC-O zoning district.

The principal parcel, 500 N. College, is zoned M-N, is a legal lot, and contains the existing Petro-Mart gas station and three fuel pumps which are accessed from Paris Road and College Avenue. The remaining two (2) parcels are zoned R-MF. The parcel fronting Paris Road previously contained a single-family structure that was demolished within the last year. The parcel fronting College Avenue contains a single-family structure.

The SOI is requesting that a gas station and accessory convenience store be the sole use permitted to occupy the site. Should this request be approved, authorization would be given to allow the gas station use to expand onto the presently zoned R-MF parcels as depicted on the attached development plan. The applicant indicates that their request for the single use is to limit the uncertainty on future use of the land by requiring any change in the SOI to go through an additional public input and hearing process.

Gas stations are an auto-oriented use that typically sell convenience-related items to the general public as an accessory function. The proposed expansion onto the R-MF zoned property and into the adjoining neighborhood has the potential to create impacts that may include conflicts for pedestrians, increased automobile traffic, exhaust and noise pollution from cars, light spillover and glare, and imbalanced food systems (i.e. swamps or deserts).

The SOI contains setbacks and height restrictions similar to what is required for any M-N property adjacent to residential along an arterial or collector street with the exception of the proposed height of the new gas station. The SOI limits building height to 25' versus the allowed 35' for the M-N zone. Parking requirements are consistent with the recent text



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amendment concerning light vehicle service centers and gas stations. The SOI offers more open space and landscaping than is typically required by the UDC. However, the site is located within the Benton-Stephens UC-O which emphasizes minimizing impervious surface by requiring 50% of the total land area of any residential parcel be retained as green space. The two R-MF properties, if rezoned to PD, would become exempt from this requirement.

The proposed PD Plan features a 5500 sq. ft. convenience store (approximately double the current store) recessed deeper into the combined property with the gas canopy located in generally the same location. The principal structure and side parking lot are generally located where the residential properties are sited today. The store is setback ~15' to 20' from the residential properties to the rear, 23' from College Avenue, and 68' from Paris Road thereby complying with the proposed SOI.

The plan consolidates dual accesses leaving one driveway access on each of parcel's roadway frontages. Pedestrian access is improved by completing sidewalk gaps, providing a 6' sidewalk in one location and a marked crosswalks interior to the site from the adjacent sidewalks. A bus stop for GoCoMo's blue line is located near the Paris Road. access.

The plan proposes improvements to the Paris Road/College Avenue intersection. City staff supports these improvements subject to MoDOT approval. College Avenue and the nearby intersection are MoDOT maintained and any work within the right-of-way (ROW) will require a MoDOT permit. Following the Planning Commission hearing, staff received comments from MoDOT expressing concerns with some aspects of the proposed changes to the roadways and has indicated that a traffic study will be required prior to the issuance of a ROW permit. If the PD Plan is approved, a future major amendment may be necessary to accommodate MoDOT's requirements.

Landscaping is provided in accordance with standard screening and buffering requirements of the UDC with the addition of a level 3 buffer being provided adjacent to the residential properties to the northeast. Parking is compliant with the SOI. Proposed lighting complies with the requirements of UDC regarding off-site lighting, pole height, and recessed dimmable fixtures. No changes to signage are proposed. If the free-standing sign is replaced, it would need to comply with a required 10' setback.

Two design adjustments relating to right-of-way dedication and lot frontage are requested as part of the PD plan approval. Given the PD plan serves as the preliminary plat for the site the UDC permits design adjustments to subdivision-related matters to be considered concurrently with the PD zoning and plan.

With respect to the requested waiver on dedication of right of way, it should be pointed out that parts of the required right-of-way for Paris Road are being dedicated in varying amounts to give a 36.5' half-width. The applicant seeks a full waiver of the required half-width dedication for the College Avenue frontage.

The second design adjustment sought is to permit direct vehicular access to a newly platted



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parcel having less than 300' of frontage along collector roadways. The proposed consolidated parcel does not meet the UDC requirement that is intended to limit the amount of access points along roadways that carry higher volumes of traffic.

Finally, a third design adjustment pertaining to a required lot corner truncation at the Paris/College intersection was identified after the staff report had been prepared. The proposed plan has addressed this deficiency and now shows the dedication of the required truncation. As such, no design adjustment is required.

The remaining design adjustments were evaluated based upon five criteria as required by Section 29-5.2(b)(9) of the UDC. Upon evaluation of the criteria, staff identified facts to support approval of the lot frontage waiver; however, similar facts were not identified to support waiver of the right of way dedications. The full analysis and findings relating to the design adjustments are detailed in the attached staff report.

The applicant has indicated that they held three virtual and in-person neighborhood meetings in the fall of 2021 relating to this request. The Benton-Stephens neighborhood association has indicated to staff that there are concerns with displacement of lower-income housing, lighting glare, changes in traffic patterns on Hinkson Ave, changes in traffic detrimental to vision-impaired pedestrians, and the overall increased footprint of the site.

The Planning and Zoning Commission considered this request at their February 10, 2022 meeting. Staff and the applicant provided presentations and were available for questions. There were concerns raised by the public regarding the existing convenience store, traffic issues, excessive noise and light, and expansion of the existing facility.

The Commission discussed expansion of the facility, rezoning of residential property, traffic impacts, and operations of the existing convenience store. Commissioners noted that lighting for recently constructed gas stations has improved since adopting the UDC. Following questions and comments by the Commissioners and discussion with the public, a motion to recommend approval of the PD Plan, Design Adjustments, and associated SOI was made and failed (9-0) unanimously.

The Planning Commission staff report, locator maps, PD Plan, Design Adjustment Worksheets, ROW Dedication Graphic, Statement of Intent, public correspondence, and meeting minute excerpts are attached.

Fiscal Impact

Short-Term Impact: None anticipated within the next two years. Public infrastructure extension/expansion would be at the cost of the developer.

Long-Term Impact: Public infrastructure maintenance such as roads, sewers, and water, as well as public safety and solid waste service provision. Future impacts may or may not be offset by increased user fees and/or property tax collections.



Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Reliable Infrastructure, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Land Use & Growth Management, Secondary Impact: Infrastructure, Tertiary Impact: Not Applicable

Legislative History

Date	Action
N/A	N/A

Suggested Council Action

Denial of the rezoning to PD, the PD plan, design adjustments, and associated Statement of Intent as recommended by the Planning and Zoning Commission.

Alternatively, should the Council desire to approve this request, the requested design adjustments must receive support by no less than 5 of the 7 Council members (a 2/3 majority) as required per Section 29-5.2(c)(3)(ii)(F) of the UDC. If such support is obtained, a simple majority of the Council members would be necessary to favorable consideration approval of the PD rezoning, PD plan, and SOI.