

**EXCERPTS**  
**PLANNING AND ZONING COMMISSION MEETING**  
**COLUMBIA CITY HALL COUNCIL CHAMBER**  
**701 EAST BROADWAY, COLUMBIA, MO**  
**November 18, 2021**

**Case 03-2022**

**A request by Crockett Engineering (agent), on behalf of Wendling Development LLC (owner), for approval of a Planned Development (PD) Plan and associated Statement of Intent (SOI) for Lot 2 of Providence South Plaza, Plat 2 to permit a drive-through restaurant. The 1.29-acre Planned Development (PD) zoned property is addressed 511 E. Green Meadows Drive and is located on the northwest quadrant of the E. Green Meadows Road and Carter Lane roundabout.**

MS. LOE: May we have a staff report please.

Staff report was given by Ms. Rachel Smith of the Planning and Development Department. Staff recommends approval of the PD, planned development, of Lot 2 of Providence South Plaza, Plate 2, and the associated statement of intent as required by the applicant.

MS. LOE: Thank you, Planner Smith. Before we move on to questions for staff, I'd like to ask any commissioner that had any ex parte prior to this case to please share that with the commission now so all commissioners have the benefit of the same information on the case in front of us.

MS. RUSHING: I had contact from a citizen regarding the time of tonight's meeting, not indicating what the citizen was interested in. And I did provide that citizen with email copies of our agenda and the attachments.

MS. LOE: Thank you. Any other ex parte? Seeing none, are there any questions for staff. Commissioner MacMann.

MR. MACMANN: Thank you, Madam Chair. Planner Smith, if you'll refer to the first locator map which was the overhead photograph, can you blow it up some?

MS. SMITH: This?

MR. MACMANN: That will work. The one in our packet is a little easier to see what I'm going to point out. I think you can see it on that one. Question, there is a flat space towards the top of the property and then there's a berm. Okay. In the center of that berm as it is traveling east is a cut in the berm, and that cut is -- has cattails in it and a variety of concrete piles is piled there. From the tracking, and I'll ask Mr. Crockett this also, it looks like it was an old well perhaps or an old storm sewer. I notice that there's no old storm sewer listed on this property and the sanitary sewer is south. Do we know anything about what could have been there or what is there?

MS. SMITH: No. I might defer to Mr. Crockett for that. It did not come up in the review process. There's no easement there by any means.

MR. MACMANN: Yeah. I didn't see anything, and the storm sewers, storm collection points on Carter are not directly in line with that. So I didn't know what that was, but I was taking a look at it. All right. Thank you very much.

MS. LOE: Commissioner Carroll.

MS. CARROLL: I wonder from a staff perspective is there any reason to continue with a PP plan at this site as opposed to straight commercial?

MS. SMITH: So that came up during the concept review. Many of you might remember, we had a site on this piece of property that asked for MC zoning. With that -- down here.

MS. CARROLL: Okay.

MS. SMITH: Staff was not supportive of MC zoning. The Commission generally agreed with staff; I don't know what the exact vote was. And so that did not get rezoned out of PD. In terms of this site, there was discussion about maybe going to MN which would be generally supportable by staff for the existing zoning. The issue with the MN was going to be a two-step process because restaurants require a CP in the MN. And so we talked about the pros and cons of that. At that time we were still also kind of noodling out some site features that may have led to design exception request which did not end up happening. So we kind of went over process, and I don't -- even though this is typical to MC zoning, I don't know that we would go that far here. We'd have to think about that and evaluate that. And then potentially maybe, but then there would be the two-step process for the drive-through. So it was discussed. At this point I think the PD plan process does have some mechanisms in place that might be appropriate here.

MS. LOE: Ms. Placier.

MS. PLACIER: Yes. Between Macadoodles and this site as described, it looks like most of it will be under concrete in the building or the parking lot. Where will this -- well, first, is there any drainage evaluation on that. And also you said that about 38 percent would be open space. Are you just counting that as being the perimeter around all that pavement?

MS. SMITH: So the landscape plan is included. There -- yes. The site is subject to stormwater requirements, so all the impervious surfaces do have to be accounted for. I am not an engineer, I don't play one on TC, but yes, that is part of it. The site is more than an acre. It is absolutely subject to those requirements. In terms of the open space, which is typically going to be turf in this situation, and yes, that's typically going to mostly be on the perimeter. Right. Because this site has fewer than a hundred parking spots, so internal landscaping of the parking lot is not required, although, like I said, stormwater is. So PD plans at a minimum require 15 percent. The applicant through the SOI is requiring this site themselves, they're self-regulating to have 30 percent. They actually exceed that. If you look at the calculations on the landscaping plan, 38.7 percent will be open space. So that is accounted for on the landscaping plan.

MS. LOE: Any additional questions for staff? Seeing none, we will open up the floor to public comment. If you can please give your name and address for the record.

MR. CROCKETT: Madam Chair, members of the commission, Tim Crockett, Crockett Engineering, 1000 West Nifong. Ms. Smith did a very thorough job in the staff report I believe. She addressed many of the items that I would talk about tonight so I'll kind of forego that for the most part. But I would like to hit on a few topics. First of all, this property was zoned under the current zoning back in 2000. And I believe the question was brought up with regard to looking at rezoning the property, and I think that we did look at that and we had some discussions about that, but also as part of the discussion, part of the rezoning back in 2000 was reducing some of the MC uses, or at that time C3 uses that wouldn't necessarily be appropriate at this location. I think that's where the planning department kind of came up, well, if we went with MC, we'd start allowing those uses back in and that may not be appropriate for the location. If it were MN and then it's a two-step process to get the zoning. If we don't get the drive-through, it's kind of a chicken and egg kind of thing. So I believe it's -- it was determined in this case keeping the PD zoning was the appropriate zoning. Again, it was zoned this back in 2000. And then Macadoodles to our west was developed, and again, when they developed, they added the two entrance points, one on the corner to the north and one on Green Meadows to the south. And that was designed, laid out to be a shared connection point. So we don't have a lot of connections and lot of driveways out on to Green Meadows and Carter Lane. However, we keep those controlled specified locations. Again, those are collector streets. They do handle -- are designed to and handle quite a bit of traffic, and certainly designed with this piece of property in mind as well. You know, Ms. Placier talked about the drainage at this location. Yes. The drainage is all addressed; there's no issues there. Generally it will drain from west to east. As Ms. Smith indicated we do have a detention cell located on the far east side. That handles our water quality component. So from the drainage calculation, on the drainage mainly we have to hit water quality and detention. This piece of property, just so happens, there's not many in town, this is one of them that is addressed by a regional detention basin. One is installed downstream that has this whole area. And so when that detention basin was designed and constructed, they had this piece of property as one of the areas in mind for commercial development. So all of that's been addressed. There's no concerns there. It's been reviewed by the City's stormwater engineers. And so that's how we're addressing it. So, yes, we do anticipate there's going to be water from Macadoodles coming across our property. We anticipate that into our design so there's no concerns. Again, the traffic for this site was reviewed by the City traffic engineers and I don't believe they have much concern either given the existing entrances. Again, there's no design adjustments, no design modifications. It conforms with the regulations that were established back in 2000. Furthermore, when the UDC came about in 2017, they put additional regulations, just broad regulations, you know, out there as well. This site complies with that I think as -- I almost said Ms. Bacon, sorry -- Ms. Smith identified all those locations with regards to the drive-through and those items as well. So those are some additional requirements that were put on this

piece of property by the zoning change and we're in conformance with those as well. Happy to answer any questions that the Commission may have.

MS. LOE: Thank you, Mr. Crockett. Any questions for Mr. Crockett? Commissioner MacMann.

MR. MACMANN: Thank you, Madam Chair. Mr. Crockett, I'm going to ask you the question I asked Ms. Smith. There's a cut in that berm.

MR. CROCKETT: Uh-huh.

MR. MACMANN: There are cattails.

MR. CROCKETT: Yep.

MR. MACMANN: Water.

MR. CROCKETT: I meant to address that, Mr. MacMann.

MR. MACMANN: Okay.

MR. CROCKETT: And yes. So what that is is when that site was originally graded, the developer put a diversion berm so that water just didn't kind of free flow out --

MR. MACMANN: I'm with you so far totally.

MR. CROCKETT: And what that does is that directs it down. And so that water has to discharge, so there's a rock check at the bottom of that I believe is what you're looking at.

MR. MACMANN: Is there a rock check at the top?

MR. CROCKETT: Another rock check --

MR. MACMANN: They need to use a rock check at the bottom, FYI.

MR. CROCKETT: Okay.

MR. MACMANN: It's starting to erode.

MR. CROCKETT: Okay. And so we will address that. You know, when this property develops, we're going to have to a full erosion control plan, so. I believe that's what you were looking for was the erosion control that the developer put in place many years ago to address that.

MR. MACMANN: I just -- I want to make sure that I knew what I was -- that's where I went first and then I was like, wow, okay. Then I'm thinking, okay, in 1985 what was on this property.

MR. CROCKETT: Right.

MR. MACMANN: Was there a house. Is this a well.

MR. CROCKETT: Right, no.

MR. MACMANN: Okay.

MR. CROCKETT: Thank you though.

MR. MACMANN: All right. Thank you.

MS. LOE: Any additional questions for this speaker? I see none. Thank you, Mr. Crockett. Any additional speakers on this case?

MS. LEE: Yes. I'm Marlene Lee. I live at 612 Huntridge in the Meadows Homeowners Association which overlooks -- from my kitchen window I look right down on the roundabout, and when there were no leaves, I can see everything. I heard the word "compliant" a lot. And if the rules aren't

quite right for the area, being compliant is not necessarily a good thing. There are several drive-throughs clustered around that roundabout. There's -- of course there's Macadoodles and the gas station pumps behind the area, and then there's Just Jeffs across the way. There is Dunkin Donuts. There's the new approved development just below the office building at 555 East Green Meadows. So that with a two -- two-story residential addition. So there's going to be a lot of people -- there are already a lot of cars. There are many parking lots around there. And so the impression I'm getting from what I hear is that, oh, it's going to be fine because it was all designed to accommodate. But if you would be there at 4:30 or 5:00 in the afternoon, you would see huge lines coming west, yes, west on Green Meadows and they're backed up. And all of the entries and exits to all of these parking lots are going to be very confusing, and I can't see that we can really accommodate another drive-through there. I don't follow this compliance business. Sounds good and it's very fast spoken, sounds really good, but if you live there and look out on it, you can't imagine more cars going around that roundabout in and out another drive-through. Thank you.

MS. LOE: Thank you. Are there any questions for this speaker? We do ask questions sometimes, but it looks like you're off the hook this time. Thank you. Any more speakers on this case.

MR. FUENFHOUSEN: Good evening. My name is John, but I go by Scott Fuenfhausen. I'm at 608 Huntridge and I'm also a member of the HOA. My -- I'm another bedroom that overlooks the roundabout. And Marlene actually did a good job of bringing up a number of the elements that I also had concerns of. And I'm very -- when they built River Region Credit Union, I was like, fantastic. You know, it's a great spot, great place for it. All the other developments that went in, I'm like, that sounds great. You know, it sounds good. I'm very pro-business. However, when I found out there was a drive-through restaurant was going to go here, a number of things came up. And as Marlene made mention earlier, Dunkin often has lines that -- you know, remember, on Green Meadows that's a divided road, you know. You cannot make -- you know, if you're coming out of Macadoodles, you have to go west. If you come out of Dunkin, you have to go east. There is no other way. Now, on, I believe that's Carter Lane, it's also very curvy, but that's a two-lane road. And so, you know, most of the fast food restaurants that I've seen are not on two-lane roads. And, you know, with that much activity around it. So this is going to be -- even though they may share the same exit and egress, that it's also going to be an issue of just traffic. I have also, you know, wanted to kind of also make a point about, you know, it is a single-lane road. But now, I did want to ask a question because you said that the -- because there was a new apartment complex that was approved a year ago, that you're saying now that's not happening?

MS. SMITH: So there were two recent developments. There was a PD plan amendment for a site to the east that had apartments on the top and then office and retail on the first floor. And then further to the east were the existing apartment that are kind of on the west side of that parking lot. The owner requested to go to MC zoning. Staff did not support that and the Commission generally agreed with staff and it did not go anywhere. So there's kind of -- that middle property is the --

MR. FUENFHOUSEN: Which is another thing that could happen, right, another big apartment complex could go in also. The Lizzi & Rocco's is there, another complex and that works. But we've got -- within 50 feet we have -- and one of the drive-throughs also is that River Region Credit Unit has their drive-throughs. So we have four drive-throughs within a 50-foot area of a single-lane roundabout. This is not like the roundabout that's been -- that was beautifully done that was on Forum and Green Meadows, you know. That's a two lane. It handles the traffic and does a really fantastic job. This is a one lane. I mean, the round -- if you take a look at the roundabout now, it's actually already beat up. I can't -- sad to say, but I'm a light sleeper and I hear a lot of late night drunk drivers hit that roundabout full speed. I've heard it many times. And so I can't imagine, you know, more being in there. The other thing I say, you know, this was, from what I understand, zoned in 2000. Well, I also had brown hair in 2000. You know, it's just not there anymore. I mean, so what's changed is the fact that everything around it has really grown. I moved here 17 years ago and moved into this HOA about five years ago. And I've seen the growth and so far it's been pretty good. This is the only one that's really raised my concern with the amount of traffic, you know. And I don't even know the hours of operation of this place, but did they say alcohol and beverage sales as well as I jotted down? And it's also in a very -- if you look at the -- I'm sorry, if you can pull up the sky view. Yeah. If you look at it, it's a very curvy road coming south on Clark. And we have the Veterans United that's on the right -- by the way, also, that building on the Veterans United, that spot next to them is also up for sale zoned commercial. Might be another Veterans United building. I think honestly what isn't. And so, you know, going into a single-lane roundabout is -- it's just you're shoving so many -- it's so much activity into a small area. And that's what probably my biggest concern is.

MS. LOE: Were you prepared to take any questions from the Commission?

MR. FUENFHOUSEN: No. I'm no expert. I teach marketing and business, I'm a -- but I spent 20 years in advertising too, so, you know, I'm a very pro-business guy, but this is one thing that actually made me very concerned. So but please, yeah.

MS. LOE: Are there any questions for this speaker? Mr. Stanton.

MR. STANTON: If the shoe was on the other foot, how would you fix it? How would you fix your concerns?

MR. FUENFHOUSEN: As far as fix it in order to be able to have this establishment there?

MR. STANTON: Yeah. What would make you feel -- what would make you sleep better?

MR. FUENFHOUSEN: You know, honestly, if it was a -- if it was another, you know, like a business, you know, where it's not constant traffic, you know, where people are in at 8:00, they're out at 5:00, you know. That's just traffic, you know. I moved here from Chicago and, you know, Lord, there's not a day without traffic. Right. But when it's a constant fast -- quick-serve restaurant where you have a drive-through, it's going to be -- and open until I'm not sure, it's going to be much more traffic. How do you fix it? I don't know. Do you make the roundabout bigger? But I don't think you have the ability with the space because of what's been approved so far in the development. So the -- it's a great little

roundabout, but what's happened is is all the stuff that's come in around it, it's actually now insufficient. With another quick-serve restaurant it is -- you know, I think will overwhelm it. The other thing is it's a city bus route. It's also -- I've stayed on the -- I've seen the school buses go by that, you know, travel through. It's a very -- it's becoming a very busy road, and I don't think we anticipated that. And this, I think, this quick-serve restaurant will actually exacerbate that situation. It can't help but, you know. You want businesses to be successful, so that's only going to mean that it's going to be more busy. There's a lot of folks who walk, that walk their dogs, they jog, and whatever, and are starting to -- and I think Ms. West, Jen West who is part of our -- had emailed in her, I think you got that, her concerns. She's a big walker. And it has become, you know, kind of, you know, tenuous, some risky spot. I think what -- the number of things that -- what is that? River Region it looks like. That's an old picture because it's actually very lovely landscaping now. But that's got a drive-through through it too and sees a lot of activity. You've got people coming out of Macadoodles, you know, coming out of that. And then of course what's missing here too is down in that southeast side -- how old is that picture?

MS. SMITH: So I just grabbed this from Google. I --

MR. FUENFHOUSEN: Okay. This is old --

MS. SMITH: -- think it's 2019 or 2020.

MR. FUENFHOUSEN: -- because what you're missing up here is where that blue -- yeah. That's Lizzi & Rocco's. That's a whole other strip mall, you know. And it's on this. I mean, this is right that you sent, you know. But that's Lizzi & Rocco's and three other businesses and -- and I believe a chiropractor down there. It just is becoming overwhelmed. And that's -- that's my concern with this. I've got a cousin that owns eight McDonalds in Liberty, Missouri, so, which is where I'm from, so I'm very all for business. I'm -- my biggest concern is where this business is going and not, you know, anything more, that the -- how much is going to be overwhelmed in this area with the traffic in a two-lane road with the main artery being divided. And then one of the big problems we're having too with that, if you go down and take a look at that roundabout is, you know, all the curbs are already crumbling and it's mainly because the big semis that come through that are going to Walmart which is just down the road. But also -- and of course stores have to have their deliveries of course. But it's becoming -- and it's not just a rush hour, five o'clock. I always kind of chuckle at rush hour in Columbia, the rush 15 minutes. But it's, you know, it does back up and it does become hazardous and this is only going to make that last longer in this area simply because I think at the time the roundabout was made for the traffic that it was taking, and it did a good job. But now so much has built up around it, it's become overwhelmed. And there's no really anyplace to go with it. And so that's my biggest concern with this -- with this quick-serve restaurant is how much congestion, safety, and accessibility is going to start to -- the accessibility is going to start to really have a problem.

MS. LOE: Your question got answered, Mr. Stanton?

MR. STANTON: Yes.

MS. LOE: All right. Any additional questions for this speaker? I see none at this time. Thank you.

MR. FUENFHOUSEN: Thank you for listening.

MS. LOE: Any additional speakers on this case? I see none. We'll move on to commissioner comments.

MS. CARROLL: Can I ask Staff a question?

MS. LOE: Commissioner Carroll.

MS. CARROLL: What was the commission's imagined designation for this?

MR. ZENNER: Commercial.

MS. CARROLL: Okay.

MR. ZENNER: I'd also like to point out that the roundabout design designed at Green Meadows in this particular location was designed in conjunction with the zoning actions that occurred to establish the commercial zoning for this particular area. So as each individual development component has come in, as it relates to the property the Wendlings owned, the anticipated density of growth in this particular area was anticipated early on. And that is something that our City's traffic engineering division looks at with each and every development proposal as it relates to ingress and egress associated with these sites. While I'll speak to the last speaker's concerns that the traffic volumes in this particular area have increased, so too, since the original approval of this zoning, has the population in south Columbia. We likely have other deficiencies in the transportation system; they have not yet been addressed, that will alleviate particular traffic flow matters on Green Meadows. You know, the Nifong construction has recently been completed in order to increase the capacity on Nifong. We still have a remaining phase of that potentially providing other options for the general public to travel to locations possibly further to the south not utilizing this particular connection. So, I mean, there are -- there are a whole series of other interrelated-transportation related issues all which take time to build out our full road network in order to better and more adequately distribute our traffic throughout the city. But the first and foremost concern that this was not anticipated is not a correct assumption. When this project was designed, this roundabout was designed, the development intensity of this particular location was known and the design at that point was created accordingly. We've got a lot of other background related issues that potentially are influencing the amount of traffic here right now, but this development definitely has been evaluated in all of the developments surrounding it and how it's loading in. Expansion of the roundabout may be challenging, if not not even possible. However, the road segments going in either direction do have adequate road rights-of-way to accommodate potentially additional expansion. But expansion without expanding the choke point which would be the roundabout really is not a worthwhile capital expenditure. So if that's what is identified in the future as additional traffic is loaded into the system, we will have to identify other options better which to achieve getting better traffic flow. Roundabouts in and of themselves prove to move far more traffic than four-way or controlled intersections; and therefore, the ability for this roadway to handle the capacity of traffic traveling on it is a proven engineering, traffic



engineering fact, that the road does have the capacity with this design feature. So that's part of the situation that we have here. But do not misunderstand that our staff, from all views, have looked at this to ensure that it does meet our requirements and there are none additional requirements that have been identified as being needed.

MS. LOE: That said, Mr. Zenner, I use what I consider to be the Green Meadows cut-through to head east and I have been backed up at the light on Providence trying to make the heading south, trying to make the east turn onto Green Meadows and been backed up into the travel lane on Providence because there are too many cars trying to make that turn. So I do question -- I mean, that can probably be handled with light timing, but it does indicate to me that something is already out of sync with it. And I did, before the speakers came up, share the concerns with adding drive-through restaurant traffic to that circle, in part because of the divided road in that anyone coming off of Providence has to go through that traffic circle to gain entrance to the restaurant. So we are filing all those cars through there, unless they knew enough or get off earlier. So I'm not fully convinced about the traffic patterns.

MR. ZENNER: There's a conundrum here. You have a state-managed route, Providence Road. You have a City-managed road at Green Meadows. The coordination between signal timing, possibly a dual turn lane, there are a variety of solutions possibly to be explored. Apparently given the -- the condition may not have reached a warrant yet to do something. It may reach a warrant at which MoDOT and the City identify solutions as we have in other locations. So you get to the point of failure, and at that point then that's when I guess we start talking. We're not quite to failure. We may be to less-than-ideal servicing, which is, as you know, A through F is the service schedule. Most of our intersections are probably operating at a level C if I recall correctly. D is still acceptable. E and F are where we get into the troubled areas.

MS. LOE: Commissioner MacMann.

MR. MACMANN: I was going to call this question unless you all want to discuss more.

MS. LOE: Commissioner Placier.

MS. PLACIER: Yes. I tend to agree with you, Commissioner Loe, about if we're going to get to this point of failure, this is the ideal type of business to put to create failure because of the -- it's fast food, it's fast traffic, it's liable to be wanted at certain times of day, lunch and dinner times. With people coming off the single-turn lane onto Green Meadows and then going around and then into something to deal with all the other people. I also use that as a, you know, a cut-through to get to the Nifong businesses so that I can avoid Nifong. So I wish there was some other kind of commercial development that might go in here that would not create that failure so soon. And I'm not a prognosticator, but that just seems to be the kind of thing that would.

MS. LOE: Additional comments?

MS. RUSHING: I agree with basically what people have been saying about the traffic in that area. For a while I rode the bus, there is a bus stop there, and even, you know, the buildings that are further south, the arrangement of getting around in that area is not very desirable. It's just difficult. And I

agree with Commissioner Placier that a drive-through restaurant seems to be the least-desirable type of business for that location. But I understand the constraints we have if it's already been approved. So it's a difficult situation.

MS. LEE: May I say something?

MS. LOE: We're in commission discussion right now. We can open the floor back up to public comment, but I prefer to let the commissioners finish their discussion.

MS. LEE: Certainly.

MS. LOE: Commissioner Geuea Jones.

MS. JONES: So I agree that there's heavy traffic on this Green Meadows, precisely because so many of us use it as a cut-through to avoid heavy traffic at the Nifong/Providence intersection. I wonder if this continues to be built up, if it will stop being seen as a cut-through to people which weirdly, may be that the traffic balances itself out a little bit. Because I know that I have found myself saying, you know what, I'm not even going to try to go down there, I'm just going to go up to the light. So, I mean, I -- I think it will have an interesting effect that as, you know, some of these businesses are fairly new, I think people's inclination will continue shifting away from using it as a shortcut now that it's not a shortcut.

MS. LOE: I must say that a restaurant in a neighborhood is not a bad match. It's something that people would walk to. So, I mean, that's something that we would allow in an MN district. So it's not necessarily the restaurant, it's -- but it's the drive-through, the traffic aspect that I think is giving us some pause. Any further commission discussion? Commissioner Geuea Jones.

MS. JONES: I wonder, a question for legal perhaps. If we generally are not concerned about the restaurant aspect and are merely concerned about the drive-through window aspect, is that something that we can discuss with legal or the applicant changing the SOI? I mean, because I -- I think that this area is going to be developed and I hate the idea of just saying flat no, go start again, if the only hold up is the delivery window.

MR. SHELTON: Is your question can you add conditions?

MS. JONES: Yes. Let's say that's my question.

MR. SHELTON: I think the short answer is yes. I guess I would stop there and then sort of take questions as they come.

MR. ZENNER: Chris, if I could, I'll add some context for this. The C3 zoning district at the time of this ordinance approved -- was approved and the provisions within the UDC which specifically entitle the property owner to proceed under the initial zoning authorization to build their property out exists. It attaches to this particular situation. This is a planned district property that was entitled to uses in the C3 and the 01 or OP zoning -- CP, all C3 uses, and then the OP zoning district, generally all office 01 uses at the time. In the C3 zoning district as a customary accessory use to any restaurant was a permissible, by right, drive-through. To consider severing that land use entitlement would be to undercut the underlying regulatory approval that was given for the property. And I would suggest and caution the Commission

significantly on taking that action. This property is entitled to have a drive-through restaurant, and to decide otherwise I think could potentially result in possibly land use rights being taken.

MS. JONES: I withdraw my question.

MS. LOE: Thank you. Commissioner Burns?

MS. BURNS: No. That --

MS. LOE: That answered your question. Commissioner Stanton.

MR. STANTON: Well, thank you for that bit of information, Mr. Zenner. And I was just going to say, if we kept it a planned development which has -- it generally benefits us because there's more green space than required, it, you know, just gives us more time, more leverage. They've done everything. They've played the game. They didn't have ask for any variances. They didn't ask for any, you know. They played the game, gave us what we needed. I plan to support it. I do see the traffic, but I helped build some of that stuff out there a long time ago. But what can we do. We can't move it. We can't increase the roundabout. It was designed for growth. The vision is to make this commercial. I mean, everything is lined up. Everything's right. I plan to support it.

MS. LOE: One silver lining or one piece that's not commercial, we do have that Climax Forest to the east, right, or --

MS. SMITH: This is OP.

MR. ZENNER: So you've got the OP piece that's undeveloped north of the existing office building.

MS. LOE: But also further to the east --

MR. ZENNER: And further to the east you have --

MS. LOE: -- that was the swap out for --

MR. ZENNER: That was the swap out for some of the exchange --

(Multiple simultaneous speakers.)

MR. ZENNER: And the regional detention basin is a little bit further to the east of that. So the detention basin, if I'm not incorrect -- Mr. Crockett, correct me if I'm wrong -- lies between the eastern boundary of Mr. Wendling's property where you can see the trail, what looks like a trail, and the apartment complex that is immediately further east of that. There is again another Climax forestry preservation area that was part of the Grindstone Walmart project to the east of the apartment complex. So a lot of this particular area from a development perspective is pretty well accounted for.

MS. SMITH: We will see a mixed-use building here.

MR. ZENNER: Yeah.

MS. SMITH: And then potentially an office building here. And then it's built out.

MR. ZENNER: Yeah. That were in essence built out. So with the exception of what is right around where the apartments --

MS. SMITH: Oh, yeah. That --

(Multiple simultaneous speakers.)

MS. SMITH: It's still zoned PD.

MR. ZENNER: And that is not nearly as constrained from right-of-way upgrading if necessary. And of course it moves back to another node. Another thing with the observation here is this is identified as a commercial node within Columbia imagined. It's developing just as that. And I think Ms. Geuea Jones's comment is actually somewhat -- it's counterintuitive, but it may be more intuitive than we may think. And again, the roadway connection that I referred to that has not been built is the roadway connection that would offload traffic further south at the Gans interchange, at Discovery, and provide a connection back to South 163, south of the State Farm property which would potentially offload traffic utilizing the Grindstone corridor to be able to access the southern portion of the city of which, if people choose to take the crosscut or the shortcut that exists today, the Green Meadows corridor, they may find it is more efficient to take an alternative route where you're not fighting stop-and-go traffic of signalized intersections. That road corridor plan has been completed, but it has not yet been executed. And so that is the incomplete component of the transportation network to serve really a parallel cross-city connection within Columbia. Once that connection is constructed, it is very possible that we may see significant decreases in the in-between traffic to levels that are more capable of being handled with the existing infrastructure. That is something to look forward to. The public has that to look forward to. We have that to look forward to. And right now the question at hand is is this particular proposal good for this particular location.

MS. LOE: Any commissioner comments.

MS. CARROLL: I like this plan. If I'm judging by the plan that was submitted itself, I appreciate that they've exceeded the amount of landscaping. The traffic flow in the plan itself makes sense. The parking makes sense. The traffic of the roundabout, I hear your concerns, I really do. If that drive-through use goes with the PD plan that the property has, I don't feel that I would be -- I don't feel that I would be judging them fairly if I -- I guess if they have to have the PD, I -- I don't know. I like the plan as a whole. I can't separate the two. If it has to go with it, then I think that it does.

MS. LOE: Commissioner Geuea Jones.

MS. JONES: Oh, no. I defer.

MS. LOE: All right. Commissioner MacMann.

MR. MACMANN: My fellow commissioners, if there are no more comments, concerns, questions of staff, in the matter of Case 003-2022, a request to approve the PD plan and associated plan and the statement of intent for Lot 2 of the Providence South Plaza Plot 2, to permit a drive-through restaurant, I move to approve.

MR. STANTON: Second.

MS. LOE: Moved by Commissioner MacMann, seconded by Commissioner Stanton. We have a motion on the floor. Any discussion on this motion? Commissioner MacMann.

MR. MACMANN: Just very briefly, I strongly suggest each commissioner vote their conscious on this.

MS. RUSHING: I do admire the setback to 25 feet of green space. There's not much on the adjoining lot, and I do like the attention to that on this particular one.

MS. LOE: Any additional discussion on this motion? Seeing none, Commissioner Carroll, may we have roll call please.

MS. CARROLL: Commissioner Stanton.

MR. STANTON: Yes.

MS. CARROLL: Commissioner Burns.

MS. BURNS: Yes.

MS. CARROLL: Commissioner Rushing.

MS. RUSHING: Yes.

MS. CARROLL: Commissioner MacMann.

MR. MACMANN: Yes.

MS. CARROLL: Commissioner Geuea Jones.

MS. JONES: Yes.

MS. CARROLL: Commissioner Placier.

MS. PLACIER: No.

MS. CARROLL: Commissioner Kimbell.

MS. KIMBELL: Yes.

MS. CARROLL: My vote is yes. Commissioner Loe.

MS. LOE: Yes.

MS. CARROLL: We have eight to approve and one to deny. The motion carries.

MS. LOE: Recommendation for approval will be forwarded to City Council. Before we move on to the next case, were there any additional public comments? Seeing none --

MS. DOCKEN: I want to comment.

MS. LOE: Sorry, Dee.

MR. MACMANN: The court reporter, she could not hear you. Could you repeat that for our court reporter please.

MS. DOCKEN: Dee Docken 804, Again Street. My ears perked up when you start talking about Gans Road because of the need to plan in that area. And I really think that if you want to move people across town in a fast way, it might be a good idea to make that a parkway or limit development in that. And I think that would be a good thing to -- for this group to be planning on as well as the fringe area along Gans Wild -- Gans Creek Wild Area.