

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

**Case Number 92-2021**

**A request by Engineering Surveys & Services (agent), on behalf of TKG San Jacinto Place Development, L.P. (owner), for approval of a PD (Planned Development) plan, constituting of a major amendment to the Breaktime at Stadium and Ash C-P Plan, and a statement of intent for the development of the site with a Scooter's Coffee, accessory drive-up, and associated off-street parking, to be known as Scooter's Coffee Near Shoppes at Stadium PD Plan. The approximately 0.54-acre property is located at the northwest corner of Stadium Boulevard and Ash Street.**

MS. LOE: May we have a staff report -- you were just all stacked up tonight, weren't you, Mr. Smith?

MR. SMITH: I am. I like to get everything at one meeting.

Staff report was given by Mr. Clint Smith of the Planning and Development Department. Staff recommends approval of the PD Plan amendment for -- which will be now known as Scooter's Coffee Near Shoppes at Stadium PD Plan, and the Statement of Intent.

MS. LOE: Thank you, Mr. Smith. Before we move on to Commissioner questions, I would like to ask Commissioners if anyone has had any ex parte related to this case to please share that with the rest of the Commission so we all have the benefit of the same information on behalf of the case in front of us. You are a quiet group. All right. Any questions for staff? Ms. Geuea Jones?

MS. GEUEA JONES: You may not know the answer. This may be for the owners, assuming someone is here. How did they deal with the underground storage tanks? Did they remove them or did they cap them?

MR. SMITH: You know, I will let the owner ask that question. That's not specifically that we discussed. So I know they have an engineer there, as well as an owner representative.

MS. GEUEA JONES: Just before we start building especially something that's a food establishment, that would be good to know.

MR. SMITH: Sure. Good question.

MS. LOE: We'll probably get to that when we get to public comments, so save -- save your answer, and we'll finish up with staff questions. Did you have any more questions, Ms. Geuea Jones?

MS. GEUEA JONES: No. That's -- that's the only thing on my mind.

MS. LOE: Mr. MacMann?

MR. MACMANN: That was my exact question, also. Thank you.

MS. LOE: Okay. Any additional questions for staff? Then we're going to open the floor to public comment.

**PUBLIC HEARING OPENED**

MS. LOE: Please come forward. If you can give your name and address for the record, that would be great.

MR. THOMAS: Good evening. My name is Zach Thomas; I'm with Engineering Surveys & Services, 1113 Fay Street, 65201. And to answer your question regarding the tanks, they were removed. I do know that there is state-federal requirements that whenever gas stations close, they have to be removed. And so, yes, they -- they have been removed in their entirety.

MS. LOE: Any additional questions for this speaker? Mr. MacMann?

MR. MACMANN: Thank you. I was aware of the -- the law when it changed, like, in the early '90s or whatever. I also know that old gas stations tend to have some toxic issues. Do we know anything about this soil?

MR. THOMAS: I personally am not aware of anything with that, of any soil contamination or anything.

MR. MACMANN: All right. I'm just -- I'm just trying to be thorough so we get that on the record.

MR. THOMAS: Uh-huh.

MR. MACMANN: All right. Thank you.

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

MR. THOMAS: Thank you.

MS. LOE: Any additional speakers on this case? Seeing none, we'll -- oh, sorry.

MR. GREEN: Good evening. My name is Robert Green, 4100 White Pine Court. I'm here representing the owner to address any questions you might have. And to the discussion -- the query regarding the tank removal, so I'll address that forthwith. The tanks were removed and the soil excavated and removed by the prior owner prior to us acquiring the site. We do have a Missouri DNR notice of site being clean, so happy to provide that to the City or whoever might be interested in seeing that, but I did not bring that with me to the -- tonight's meeting. Does that answer your question, sir?

MR. MACMANN: Yes. Yes, it does. As -- as long as we have it on record, and we do, she's writing it right now, that you all have that, if it's required in the future. Thank you. Just I've had -- we've had issues with toxic soil in the past. That's all. That's why I asked the question.

MR. GREEN: And we wouldn't buy it if we didn't have it.

MR. MACMANN: I didn't think so, but I just wanted to be sure. Thank you. I don't have any questions of this witness.

MS. LOE: Any additional questions for this speaker? I see none. Thank you. If there's no additional speakers, we'll close the public comments.

**PUBLIC HEARING CLOSED**

MS. LOE: Commission comment? Ms. Russell.

MS. RUSSELL: Well, I'm going to go ahead and make a motion then. In the case of 92-2021, I move to approve the PD Plan Amendment for Scooter's Coffee Near the Shoppes at Stadium.

MR. STANTON: Second.

MS. LOE: Mr. Stanton. We have a motion on the floor. Any discussion on that motion? Seeing none. Ms. Carroll, may we have roll call, please?

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Carroll, Ms. Loe, Mr. MacMann, Mr. Stanton, Ms. Geuea Jones, Ms. Russell, Mr. Toohey, Ms. Burns. Motion carries 8-0.**

MS. CARROLL: We have eight to approve; the motion carries.

MS. LOE: Recommendation for approval will be forwarded to City Council.