

**EXCERPTS**  
**PLANNING AND ZONING COMMISSION MEETING**  
**COLUMBIA CITY HALL COUNCIL CHAMBER**  
**701 EAST BROADWAY, COLUMBIA, MO**  
**September 9, 2021**

**Case Case Number 234-2021**

**A request by A Watermark Engineering (agent), on behalf of University Centre, LLC (owner), for a U.S. Bank ATM to be built in the parking lot of the existing Eatwell grocery store at 111 South Providence Road. The property is zoned M-DT (Mixed-Use Downtown). The drive-through component of the ATM is an accessory use which requires a conditional use permit (CUP) in the M-DT zone.**

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 requested CUP to allow a drive-up facility on the site subject to the proposed CUP conditions.

MS. LOE: Thank you, Planner Smith. Before we move on to Commissioner questions, I would like to ask any Commissioner who has had any ex parte related to this case prior to this evening to please share that with the Commission now so we all have the benefit of the same information on the case in front of us. Seeing none. Are there any questions for staff? Commissioner Burns?

MS. BURNS: Ms. Smith, did you -- I notice that the traffic will be coming north to south to access the ATM machine.

MS. SMITH: Yes.

MS. BURNS: So you would have to be heading south on Providence Road to turn onto Cherry Street and then come into the parking lot. No?

MS. SMITH: No. I think maybe I wasn't clear when I said it that way. So I meant that the ATM, you actually go here, and then you drive north to south in front of ATM. So the turning movement would be -- you could head north on Providence, make a left here, then you make a left here, and then you make another left here, and then you head north to south. So there is no direct access on Providence. That would be expressly prohibited under not just the CUP criteria, but access restrictions, et cetera. So, no. That is just not an option, and we reiterated that with the --

MS. BURNS: No. I'm sorry. I was just trying to figure out how people are going to access this ATM machine --

MS. SMITH: Uh-huh.

MS. BURNS: -- when they're cruising through a parking lot. I mean, I shop at this grocery store

periodically, and the parking lot is already kind of challenging simply because they aren't angle-in spots. But you're forcing traffic into a parking lot where you have people with small children. I'm just trying to figure out the traffic flow as it gets in there to access the ATM machine. I'm concerned about it coming up -- is that Locust that's between Eatwell and the new Cane's that's being developed, because if you drive up, then you're going to have to drive past Eatwell. The idea is that you would go all the way up, or would you stay further to the west?

MR. ZENNER: This is the site plan, so as Ms. Bacon -- Smith pointed out -- I've got to get over that. As Ms. Smith pointed out, the bypass lane is to the Eatwell side, which is actually an existing drive lane in the parking lot. So there are two ways of being able to enter the parking lot. There is one from Cherry Street.

MS. BURNS: Right.

MR. ZENNER: And if you make the -- heading south, you make the left, you make another left to get into the parking lot, and then you make a right to get into the drive-through lane. If you come in off of Locust up the driveway into the Eatwell facility, you're going to pass the -- you'll pass Raising Cane's entry --

MS. BURNS: Uh-huh.

MR. ZENNER: -- the new entry, and you will turn right into the parking lot, parallel back, you're backtrack, in essence, down the Locust Street frontage into this drive aisle, into this existing two-way traffic aisle generally, and then parallel Providence, make a right, and get into the queue. So those are your two points of access, well away from where the general pedestrian activity would be for Eatwell itself.

MS. BURNS: Can you go back to the photograph that showed the cars and the proximity, the actual photograph, because in your site plan, the car -- I didn't know if Eatwell was going to be blocking off some of those parking spaces, because currently you are seeing there are cars that are very close to where a car would be driving to access the ATM machine.

MR. ZENNER: And that's a site management-related issue. I mean, while U.S. Bank is looking at leasing this parcel from the ownership group, which is the Kroenke Group, if I am not incorrect, they patrol how this site is used and the parking allocation. The parking for Eatwell in this lot is well in excess, so the loss of these parking spaces or the barricading off of them to ensure that the head-in spaces to Providence aren't in the -- aren't in the exit lane actually of the drive-through, all of that will be resolved as part of a site planning issue, or a site development issue, but the drive aisle that you can see in this aerial that exists right here is the drive aisle that is -- this is a two-way drive aisle providing access to the perpendicular parking to the drive aisle, and then that parking which is directly accessed off of it 90 degree head in to Providence. So all of this is -- you know, you're -- your main parking field is in the opposite -- it's in the opposite direction. You're accessing it in the opposite direction of the drive aisle for the through traffic on the site.

MS. BURNS: Okay. Thank you.

MS. LOE: Ms. Placier?

MS. PLACIER: Well, then tell us what happens when somebody exits the drive-through. They can either make a hard right and go back to Cherry, or they could go Locust, or --

MS. SMITH: They would have maneuver to go back that way.

MR. ZENNER: I would -- I would probably tell you if you're coming in, if you're trying to exit it's either you're going to exit out -- you could make, Ms. Placier, as you say, that hard right, but the turning radius to probably do that is really not existing, so what you're probably going to end up doing is you would end up exiting the drive-through and you would either come back up a lane that has the parking on either side of it and go back out. I -- given that the signalized intersection is at Locust, I would imagine that the -- the majority of the exiting trips are going to be wanting to go to the signalized intersection just because it's controlled and you have better ways of getting in and out with breaks in the traffic. But, I mean, that's all going to be depending upon the user. If you drive a Prius or a little -- one of those little cars, a smart car, you could probably make the turn without a problem. I don't know if I would want to accelerate off of Cherry Street though trying to get onto Providence. So, I mean, ultimately, that would be probably the -- you know, it's going to be a user choice. A standard sedan may or may not be able to make that turn.

MS. SMITH: Not with his RV. I did say we did spend some time looking at the overall circulation of the site and the location thereof, and whether an ATM should be here at all is up to you. Right? That's the question. But in terms of where, if it is going to go on this site somewhere, we felt like this was probably the best option in order to limit interactions with other cars' turning movements and pedestrians. Also, too, you know, the UDC definitely has a strong proponent of putting ATMs and service-type facilities behind buildings, and that is just not an option on this site. So it's going to be somewhere in the parking lot if it's going to be on this site.

MS. LOE: Ms. Carroll?

MS. CARROLL: All right. Can you show me where you think the primary pedestrian activity is occurring on this site?

MR. ZENNER: The primary level of pedestrian activity, I -- that -- that depends. I mean, you get a lot probably coming up Cherry Street and you'll have it coming up -- the new pedestrian connection that was required as a part of Raising Cane's is going to generate a lot of traffic on the south side of the entry road to get you to the center, the shopping center, as well as to get you to the remaining undeveloped commercial lots to the south. While the public sidewalk infrastructure exists here, being able to get across from the development on this side, from Flat Branch Park and everything else really is not made convenient at this point unless you go all the way back up to the Providence-Broadway intersection, or you come down to Locust, which both intersections have the ped-heads, the audible ped heads. The actual improvements to the intersection at Locust and Providence were also a condition of the Raising Cane site. So I think as Rachel points out, when you look where the placement of this facility is and tucked in this corner, given where the normal flow of -- the higher flow of pedestrian traffic may come from downtown, the campus. It's actually coming up the Locust corridor, I would say, and, therefore, where

this is placed, it pushes it up to an area where you may not have as much pedestrian conflict. To Ms. Burns' concern, I think that the exiting traffic that comes out to get to a vehicle parked in this area here really won't necessarily have to contend with the movements here except probably in exceptional circumstances when the parking lot is filled, and you're having to park further away from the store. That may be the only time and where we would see possibly some type of interaction, but, I mean, we have an ATM sitting out off of Stadium Boulevard that used to be in front of the gas station at the corner of Ash and Stadium that basically acts -- it parallels Stadium Boulevard. We have an ATM sitting outside the Dairy Queen off of Forum across from Schnuck's. So, I mean, I think that it's not that uncommon in an environment where you may have pedestrian interaction with a vehicular use and, therefore, all things being considered equal, trying to keep this as isolated as we could and functioning within the existing infrastructure layout, this seems to be somewhat of a -- of a decent location for this type of activity.

MS. CARROLL: And the drive-through for the -- I'm forgetting the name -- the chicken -- the fast food.

MS. LOE: Raising Cane's.

MS. CARROLL: Raising Cane's. Thank you. Raising Cane's, when they went through, they were required to build a sidewalk along the south side of that entrance driveway.

MR. ZENNER: That is correct.

MS. SMITH: Correct.

MS. RUSHING: So that will direct the pedestrians. Most of the pedestrians I've seen come off of Locust, so that sidewalk on the south should direct pedestrians out of the parking lot on the --

MS. SMITH: We would -- we would hope so.

MS. RUSHING: -- on Eatwell.

MS. CARROLL: Does that connect both to the Raising Cane's parking lot and --

MS. LOE: I don't know. It -- sorry. Okay.

MR. ZENNER: This aerial does not show it. What I can guarantee you and say with certainty is that the sidewalk went up to the point at which the internal connection road that comes off of the Locust Street drive ties back in down just -- just to the north of Complete Automotive. So the sidewalk is along this entire southern boundary. I cannot recall if the condition was to carry it all the way up to basically Eatwell. Keeping in mind as well, the site back here is not currently -- has not been submitted for development. It is in the M-DT, as well. We don't know what the overall site development for the remaining undeveloped acreage here will be.

MS. SMITH: It may need sidewalk connection, as well. We did not propose sidewalk connection from the Providence sidewalk here because this is an autocentric use, and we didn't -- as part of the conversation, I think, with a previous case this evening, we didn't want pedestrians to come up through the parking lot. Right? Especially if there's going to be pedestrian facilities down here, we really wanted them to utilize the pedestrian facilities. Also, there is a -- quite a bit of a grade. I think it's 15 to 20 feet right here, and so it would be a major switchback to an autocentric use and then dumping pedestrians

where they -- it's not best for them to be.

MS. CARROLL: Yeah. I'm more worried about increased car trips --

MS. SMITH: Uh-huh. Absolutely.

MS. CARROLL: -- and a parking lot that's already, honestly, a bit chaotic, as Tootie pointed out. These were my same comments for the Raising Cane's. I feel that burying it between two different drive-through -- autocentric drive-through CUPs does take away from the walkable environment. Sidewalk helps. I think it will be less of an impact than Raising Cane's.

MS. LOE: Additional comments, Ms. Carroll?

MS. CARROLL: That's all.

MS. LOE: Any additional questions for staff? Seeing none. We'll open up the floor to public comment.

### **PUBLIC HEARING OPENED**

MS. LOE: If anyone has public comment, please come up to the podium and we need your name and address for the record. We do limit you to six minutes if you're speaking for a group, and three minutes if you're speaking individually. We have scared everyone into silence. All right. We will move on and close public comment.

### **PUBLIC HEARING CLOSED**

MS. LOE: Commission discussion? Commissioner Geuea Jones?

MS. GEUEA JONES: I just wanted to point out that while I recognize that, especially given the new Gateway Park, or whatever we're calling that, there will be more pedestrian traffic. Allowing them to do this improves the site greatly with regard to green space. And -- and, to me, that is a benefit that -- that is definitely worth considering even if it does mean that we're encouraging cars to drive in and out -- of this parking lot, which they're already doing, so that's my comment.

MS. LOE: Additional comments?

MS. CARROLL: A staff question.

MS. LOE: Commissioner Carroll?

MS. CARROLL: Sorry. You mentioned food deserts and the need to have this in the M-DT, which I agree with. It's quite a need. Is there -- is there a risk of having a food desert without an ATM?

MS. SMITH: I don't know the answer to that.

MS. CARROLL: Okay.

MS. SMITH: I think that if you make -- if a site is more revenue producing, there's maybe more support for it. Right? When Lucky's went out, we were very concerned. Ideally, in a perfect world, this whole site would redevelop with a super grocery store that's oriented a little bit differently, but we've -- I've served on the CHIP, which is the health improvement comp plan basically for the health department, and we've looked at this -- this area before Lucky's came in and the other grocery stores in the area, and it's very underserved. And without this, it's a key link in the -- in the chain.

MS. CARROLL: Yeah. Just trying to gain some insight.

MS. SMITH: And then to -- to your point, too. We -- we did talk with them and we greatly preferred a landscape street wall, and that's what they went with for the same points that you pointed out.

MS. LOE: Commissioner Burns?

MS. BURNS: No. I think the landscaping is great, too. I just -- I really have concerns about forcing traffic back into a parking area, particularly this one. Were there any considerations for a walk-up ATM maybe associated with Eatwell, inside or outside?

MS. SMITH: I'm going to let the applicant talk to that. This was this request.

MS. BURNS: Because I understand, yeah.

MS. SMITH: I think, and certainly in the very core of the downtown, that might be the only option staff would be able to support. Saying that, yeah, that it's not that the cat has gotten out of the bag, but this is a pretty suburban site already, and so we take that into consideration.

MS. LOE: Ms. -- Robbin -- Ms. Kimbell?

MS. KIMBELL: I would agree with Commissioner Burns that the green space is great. My -- my concern is people walking and the traffic up from Locust. I mean, you've got it up from the chicken restaurant, up from around there. I mean, you've got people coming in from Locust and going down to the ATM. So I'm just a little concerned about the traffic flow. So how can -- I mean, what was -- was there a study done on that? I mean, how --

MS. SMITH: So the traffic engineer looked at this. So the exist -- there is existing traffic flow already that's two way. Right? So we've got a dedicated cross axis easement that we wouldn't require if it wasn't there. Right? Because we want to make sure that all lots have equal access. So we looked at the traffic engineer, and looking at the site, understanding the C-P process, we did not want any direct access to Providence. It's can we live with there could potentially be some conflict. Now I have all that information on how overparked they are because I feel like that was a relevant piece to the puzzle, part of the conversation of where people are likely to park relative to demand. And so this site is greatly overparked. You can see that there's a couple of parked -- cars parked here. Maybe they're employees or something, but, for the most part, this has been unutilized anyways, and given how much parking they have available to them, we really think that these spots are going to be absorbed first. And that's really why on the site plan and in the staff report, I do talk about how much parking would normally be required for a grocery store, how much they have, and they're greatly in excess, even after losing the 13 spots. So we did think about it in that way, as well. And I provided some information from the applicant on they've got two other U.S. Bank ATMs that are directly adjacent or near grocery stores, provided some volume data by time of day. Traffic counts were relatively low. It is hard to capture on how many of those trips were folks just getting cash because they're going to the grocery store. I think a lot of them are probably that, but I -- you know, I do agree that this is an autocentric use in an environment that we do want to be pedestrian oriented. That is definitely part of the conversation. It's not atypical to have an ATM in a grocery or a larger commercial shopping center. The traffic engineer did look at it and was okay with this design.

MS. KIMBELL: Thank you.

MS. LOE: Mr. Stanton?

MR. STANTON: This is right in my neighborhood. I mean, let me let you all know, this is a perfect place. Don't worry about the traffic. Nobody parks over there unless they either work there or in construction because that's too far away and people are too lazy to walk from way over there to get to Eatwell, I promise you. And in my more pedestrian days that -- don't worry about that. Don't worry about that traffic. Don't worry about extra cars. None of that exists. I'm here to tell you because I personally -- this is in my hood. I personally tell you that's all good. Now, people are not going to walk up that hill to get to the ATM. They're not going to do it. They're going to take that. They're not going to make that sharp turn and go back on Cherry. They're not going to do it. They're going to come right on down into Locust, that's how they're going to do it. I promise you. Why? Because I live there.

MS. BURNS: I live there, too. I live there, too. It's in my hood.

MR. STANTON: We'll go. We'll go. The only thing people may do is come up, back up to Eatwell. That's -- you know, that's the worst thing they'll do. But I -- I plan to use it. I'm probably not even going to drive. I'm just going to walk up there and use it, and if you're a car, you'll just have to wait for my butt to move, and you'll be okay. So I think it's a good spot. I think it adds more use to that because those parking spots are right there. I mean, I've seen construction companies rent that spot -- that space; you know what I mean? It's not that -- you know, they've got plenty of parking, and most people are up by the building. So I plan to support it.

MS. LOE: Okay. Ms. Carroll? Were we wrapping things up here? We still have a break and two cases to get through?

MS. CARROLL: Yes.

MR. STANTON: Oh, we need a public hearing.

MS. LOE: No. We've done public hearing. We are on Commission discussion. I'm waiting for a motion.

MS. GEUEA JONES: I'm ready to make one.

MS. LOE: Ms. Geuea Jones?

MS. GEUEA JONES: In the matter of Case Number 234-2021, U.S. Bank drive-through, 113 South Providence CUP, I move to approve the requested CUP to allow the facility on the site subject to the proposed CUP conditions which are Exhibit A.

MS. SMITH: Just A through G would be right.

MS. GEUEA JONES: A through G, proposed CUP conditions A through G.

MS. LOE: Motion by Commissioner Geuea Jones.

MS. RUSHING: Second.

MS. LOE: Second by Commissioner Rushing. We have a motion on the floor. Any discussion on this motion? See, there's always room for more discussion. I will never really shut you down. Seeing none. May we have roll call, please, Ms. Carroll.

**Roll Call Vote (Voting "yes" is to recommend approval). Voting yes: Ms. Geuea Jones, Ms. Placier, Ms. Kimbell, Ms. Carroll, Ms. Loe, Mr. Stanton, Ms. Rushing. Voting No: Ms. Burns. Motion carries 7-1.**

MS. CARROLL: We have seven votes to approve, and one to deny.

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