

A CIVIL GROUP

CIVIL ENGINEERING - PLANNING - SURVEYING

February 27, 2024

Tim Teddy, Director of Community Development
City of Columbia
701 E. Broadway
Columbia, MO 65201

RE: PD Plan Amendment & Revision to the Statement of Intent for Lot 108A of Crosscreek Center

Dear Mr. Teddy,

I would like to request revisions to the Statement of Intent specific to lot 108A of Crosscreek Center to allow an additional free standing sign, and to update the permitted use for this lot.

The Statement of Intent allows for one free standing sign on lots 101 through 109. There is an exception on lot 110 that allows two freestanding signs. I would like to request a revision for lot 108A to allow two free standing monument signs due to the fact that this lot has frontage on US 63, Cinnamon Hill Ln, and Stadium Blvd. The plans for the PD Plan Amendment application currently call for a mounted sign on a retaining wall facing Stadium, and a free standing monument sign facing Cinnamon Hill. Both of these signs will meet the height and square footage requirement in the Statement of Intent which has a maximum height of 8 feet and maximum square footage of 64.

The other requested revision would allow a Comprehensive Marijuana Dispensary Facility on lot 108A. The Statement of Intent written in 2008 with uses and laws in mind pertaining to that time period noted permitted uses in C-3 with some exceptions. C-3 was General Business District and it did not show Comprehensive Marijuana Dispensary Facilities as a permitted use. However, C-3 is now M-C Mixed Use-Corridor and it specifically lists retail stores such Comprehensive Marijuana Dispensary Facilities as permitted uses.

Although a dispensary is not specifically listed as an exception in the Statement of Intent, it's possible accessory use such as the sale of drug paraphernalia, is listed. Since these regulated stores are now permitted uses in M-C and legal in City of Columbia, I would like to request that this retail use be permitted on lot 108A.

A letter regarding this project was sent out to property owners surrounding lot 108A along with the Shepard Boulevard and Timberhill Road Neighborhood Associations. As of today, we have not received any questions or concerns about this project. A copy of that letter is enclosed.

I believe the location of this lot along with the changes in legal status and permitted uses in M-C are sufficient reasons to request these revisions to the Statement of Intent.

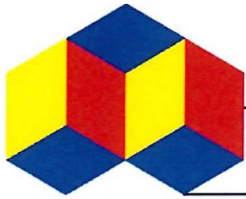
Please contact me if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "Jay Gebhardt". The signature is written in a cursive style with a large, prominent "J" and "G".

Jay Gebhardt, PE, PLS

JAG/lf
Enclosure



A CIVIL GROUP

CIVIL ENGINEERING - PLANNING - SURVEYING

February 6, 2024

RE: Lot 108A Cross Creek Center

Dear Neighboring Property Owners,

On behalf of our client, TLI Real Estate, LLC, we are providing the neighboring property owners notice of our request for approval of a PD Plan on lot 108A Cross Creek Center from the City of Columbia. This lot is west of the Zaxby's restaurant.

Our client would like to build two commercial buildings. The building to the north will have a tentative footprint of 5,200 square feet, it is currently speculative and the use will be determined at some point in the future. The building to the south is to have a footprint of 4,500 square feet and the planned use is a marijuana dispensary. This dispensary will serve as retail only, there will be no testing, or manufacturing related to that business on this site. This business will follow:

- All license and regulation requirements from the Missouri Department of Health and Senior Services.
- All license and regulation requirements from the City of Columbia including the Use Specific Standards found in the Unified Development Code SEC. 29-3.3.qq. (Enclosed)
- All finishes of the buildings will meet the requirements outlined in the Declaration of Conditions, Covenants and Restrictions, and the revised Statement of Intent approved by the City of Columbia on March 23, 2023 which approved an increase in the maximum total building area within Cross Creek Center Planned Development.

Feel free to contact me with any questions or concerns regarding this request.

Sincerely,

Jay Gebhardt, P.E., P.L.S

JAG/lf

Enclosure UDC SEC.29-3.3.qq

Existing Store



3401 Broadway Business Park Ct, Suite 105
PHONE: 573-817-5750

FAX: 573-817-1677

Columbia, Missouri 65203
EMAIL: office@acivilgroup.com

use permit from the board.

(oo) *Accessory and temporary uses of land and buildings: Tree or landscaping service.* When such use is located in the M-C or M-BP district the following additional standards shall apply:

- (1) No grinding or reprocessing of materials or debris shall be permitted on the site;
- (2) Vehicles and equipment used as part of such business operations may be located on the site provided they are screened from adjoining residential property in accordance with the provisions of this UDC and are not located forward of the principal building on the site; and
- (3) Repair of vehicles or equipment used as part of such business shall be conducted within a fully enclosed structure.

(pp) Reserved.

(qq) *Primary use of land and buildings: Marijuana facilities.* Pursuant to Article XIV of the Missouri Constitution the following types of marijuana facilities have been authorized: medical and comprehensive marijuana cultivation facilities, medical and comprehensive marijuana dispensary facilities, medical and comprehensive infused product manufacturing facilities, microbusiness marijuana dispensary facilities, microbusiness marijuana wholesale facilities, and marijuana testing facilities. These facility types are defined within section 29-1.11 of this chapter and shall be subject to the following additional standards:

- (1) No marijuana facility shall be located within five hundred (500) feet of an existing public or private elementary or secondary school, child day care center, or church as those terms are defined in the Rules of the Missouri Department of Health and Senior Services as contained in the Code of State Regulations Title 19 CSR Division 30 Chapter 95.
- (2) The number of total combined medical marijuana dispensary facilities and comprehensive marijuana dispensary facilities located within the city limits shall be limited to one (1) per twenty thousand (20,000) population, or fraction thereof, as established by the most recent U.S. Census Bureau, Population Estimates Program (PEP).
- (3) No single tenant space may be occupied by multiple marijuana facility types. Each marijuana facility shall only be permitted to operate according to its definition and licensure.
- (4) Medical marijuana dispensary facilities, microbusiness marijuana dispensary facilities, and comprehensive marijuana dispensary facilities may be located within a multi-tenant retail-commercial building provided such facilities are separated from other tenants by full walls separating each tenant space.
- (5) Hours of operation for all marijuana dispensary facilities shall be between the hours of 6:00 a.m. and 10:00 p.m., irrespective of what zoning district such facility may be located within.
- (6) All marijuana facilities shall be within a fully enclosed building unless otherwise authorized by

this chapter.

- (7) No marijuana facility shall be permitted to be located within a mobile structure.
 - (8) All newly-constructed marijuana facilities shall be designed to visually integrate with the surrounding structures and comply with applicable city codes. To further preserve the aesthetic integrity of neighborhoods and areas in which retrofitted or newly constructed facilities may be located, there shall be no use of bars or cages on windows to comply with the security requirements within this section.
 - (9) Odor emitted from marijuana facilities shall not be noxious, cause a public nuisance, be perceptible outside the building, as measured at the property line, or otherwise violate the regulations promulgated by the department of health and senior services.
 - (10) Waste generated by marijuana facilities shall be disposed of in accordance to requirements promulgated by the department of health and senior services and other applicable federal, state, and local laws, whichever shall be more restrictive, to prevent exposure to the public or create a nuisance.
 - (11) Marijuana facility signage shall be subject to the regulations promulgated by the department of health and senior services and the requirements of this chapter, whichever is more restrictive.
 - (12) Exterior site/security lighting shall be subject to the regulations promulgated by the department of health and senior services and the requirements of this chapter, whichever is more restrictive.
 - (13) Within thirty (30) days of ceasing marijuana facility operations, all plants, medical marijuana-related equipment, signage, and any other marijuana facility-related items shall be removed from the building and site within or upon which the marijuana facility previously existed.
 - (14) All marijuana facility applicants shall submit, as a component of the City of Columbia Business License application, a security plan, operations and management plan, and emergency response plan compliant with the provisions enumerated in chapter 13 of this Code prior to the issuance of a business license.
 - (15) It shall be unlawful for any person to operate a marijuana facility without a valid license from the department of health and senior services, a valid business license from the City of Columbia, and in a manner not in conformance with these supplemental standards of other applicable requirements of this chapter.
 - (16) The foregoing use specific standards shall be in addition to, and not in lieu of, any other licensing and permitting requirements imposed by any other federal, state, or local laws or regulations.
- (rr) *Primary use of land and buildings: pawn shop.* This use is subject to the following additional standards: