

**EXCERPTS**  
**PLANNING AND ZONING COMMISSION MEETING**  
**COLUMBIA CITY HALL COUNCIL CHAMBER**  
**701 EAST BROADWAY, COLUMBIA, MO**  
**June 22, 2023**

**Case Number 166-2023**

**A request by Haden & Colbert (agent), on behalf of PL Real Estate, LLC (owner), for approval to rezone 1.03 acres of property from R-MF (Multi-Family Residential) and A (Agriculture) to M-C (Mixed-use Corridor). The subject site is located southwest of the intersection of Grindstone Parkway and State Farm Parkway.**

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

Staff report was given by Mr. Rusty Palmer of the Planning and Development Department. Staff recommends approval of the requested rezoning to M-C.

MS. LOE: Thank you, Mr. Palmer. Before we move on to questions for staff, I'd like to ask Commissioners if anyone has had any ex parte related to this case, and, if so, to share that with the Commissioners so all -- the full Commissioner has the benefit of all the information related to this case. Seeing none. Are there any questions for staff? Commissioner MacMann?

MR. MACMANN: Thank you, Madam Chair. Planner Palmer, the -- just to clarify, the remnant right-of-way is a MoDOT property?

MR. PALMER: Yes.

MR. MACMANN: Okay. Second thing is would there be a curb cut allowed on Nifong? That's a pretty narrow aspect there.

MR. PALMER: On the north end, that is -- no. That's unlikely.

MR. MACMANN: Unlikely. So it would be well down State -- what's called State Farm Parkway on this?

MR. PALMER: Basically, I'm speculating a little bit, but they would be limited, basically, to one entrance on State Farm Parkway probably at the southern end given enough spacing for the western --

MR. MACMANN: That's what I --

MR. PALMER: --the eastern side of Nifong.

MR. MACMANN: That's what I'm seeing also.

MR. PALMER: Yeah. It's -- it's going to be very, very limited in access.

MR. MACMANN: Well, I guess we'll see what comes to us in the future. Thank you, Planner.

MS. LOE: Commissioner Carroll?

MS. CARROLL: Going to ask if you could give us some discussion on the goals of nodal

development and why you tend to recommend this?

MR. PALMER: Yeah. So nodal development is a concept that strives to concentrate higher intensity uses near higher intensity transportation intersections. And the reason for that being kind of multi-layered. It works for access primarily, but also in terms of placing the high traffic-oriented type uses, so the ones with the higher traffic levels, at those more accessible intersections. And it can have its own limiting factors. You know, this instance is an extreme example, where this is a very busy intersection, and this actually is probably detrimental to the access to these properties, especially the one to the west. But the goal of nodal development is to have our highest intensity uses at major intersections to kind of concentrate those and then disperse out. As Mr. Zenner mentioned on the previous case, you would feather out into lower and lower intensity uses as you get into the smaller and less traffic streets and road network.

MS. CARROLL: Thanks.

MS. LOE: Commissioner Placier

MS. PLACIER: Yeah. I have a couple of questions. One is you mentioned that the comp plan recommended that this be neighborhood, and yet we're going to the more intense commercial use with this zoning -- rezoning. And I'm not sure why, given the problems with ingress and egress with this little sliver. I guess this is kind of leave no sliver left undeveloped kind of thing. But the other issue is you said that notifications were sent out to the owner of the town homes. Now, so that was just one owner, but not the residents of the town homes. Correct?

MR. PALMER: Yeah. That's correct.

MS. PLACIER: So the people impacted did not receive any communication?

MR. PALMER: We do advertise in the paper. You know, the hope is that they would get it that way, the general public receives that notice in that manner. That's what we are required to do by State statute. The letters are actually above and beyond that. We send postcards at the beginning of the process to those property owners, again, because that's kind of the data base that -- that we use, but, yeah. Generally, the State statute required form of communication is via the newspaper ad, so --

MS. PLACIER: Okay. I guess we skipped over my first question. I shouldn't have jumped to the second question --.

MR. PALMER: No, you're fine.

MS. PLACIER: -- was about why M-C?

MR. PALMER: Yeah.

MS. PLACIER: Why adjacent to a neighborhood to go and with such a small space with such limitations --

MR. PALMER: Sure.

MS. PLACIER: -- go with the more intense zoning?

MR. PALMER: Yeah. I mean, if the applicant were to request an M-N use here, I would have also supported that. Basically, it's, you know, kind of a -- an evaluation of location and, you know, the

anticipated impacts that that site may have with that neighboring property, and just the general use of the Code standards and what would apply, and knowing that, you know, this is going to be limited in terms of what can be developed. The Code works to mitigate the impacts that it might have, and then just kind of evaluating what that balance is. And again, you know, this all starts with the request is for M-C, so that's what was evaluated. And so, you know, my evaluation was is M-C appropriate here, you know, given the scale really is probably the biggest thing. I know that, you know, nothing super intensive is going to be put on that property. And so M-C doesn't really give me a lot of heartburn. If you had -- I mean, well, I'll just leave it at that. I think of, you know, I'm kind of rambling at this point, but does that answer your question, though?

MS. PLACIER: I think so. I still may -- might have a difference of opinion about it, but that's okay.

MR. PALMER: Uh-huh.

MR. ZENNER: Ms. Placier, if I may, to support where Mr. Palmer is. The evaluation is based upon what the applicant has asked. And what our comprehensive plan identifies as what the land use designation is, is based upon what the zoning of the property was in 2013. So the property across the street in 2013 was O-P. O-P is considered employment, and if it had been zoned C-1, it would have been identified as a commercial property and in the commercial class. These two properties were identified as R-MF and A, and as a result of that, the designation of neighborhood, which is what that would fit into, is what was applied to it based on the comprehensive plan's land use district classing. That does not necessarily mean that the comprehensive plan was properly calibrated, based upon the road infrastructure that was here, and the anticipated volumes of traffic to be located at this particular node. And so it -- the land use district classifications, again, are based upon the zoning designation of the property at the time the plan was prepared. We often, through our evaluation, have to evaluate was that zoning classification or that designation -- the land use designation correct based on the characteristics of the surrounding area now that the request is coming in. And by default, what will end up happening is is the -- I should say what should happen by default is when and if this rezoning to M-C is approved, the comprehensive plan land classification should be changed to commercial. However, our procedure is that that -- the plans designation does not do that at this point. If we re-adopt the land-use plan, when we rewrite the comprehensive plan, it is likely that where we have changed zoning to be in the -- in a different district than what was originally in 2013 the new land-use map for the City and the designations that are shown in the comprehensive plan will be appropriately assigned. Some communities do an -- do an amendment to their comprehensive plan, land-use plan, at the same time that they do a rezoning. That is not a process that we utilize here. But the rezoning is basically what is helping -- it's used, as Mr. Palmer pointed out, we use the rezoning process as an evaluation tool, and we have to look at all of the other surrounding land use factors that are influencing the site. And the nodal component in our plan is probably more what we fall on when we look at an intersection like this to create that nodal development, to concentrate your most intense uses to this intersection, because it has the most capacity. As Mr.

Palmer pointed out, the capacity that this intersection can handle may be actually a detriment to the parcel in itself because it's going to have other limitations placed on it.

MS. PLACIER: At the time of the comp plan, did that residential area exist?

MR. ZENNER: Yes.

MS. PLACIER: Adjacent to it? Well then, my comment still stands. It is adjacent to a residential area. The residents were not consulted because only the owner of their residences is consulted in this case. So I still think it fits a different zoning category.

MS. LOE: Additional questions? Commissioner Dunn?

MR. DUNN: So can you kind of walk me through -- kind of going back on Commissioner Placier's comments, you know. Would a mixed use make sense in this area? I mean, given it's kind of a busy roadway, you know. Would residential property there be -- if we had mixed use, would that be a better use of the property?

MR. PALMER: Just a quick reminder, talk into your microphone when you're speaking.

MR. DUNN: Oh, sorry.

MR. PALMER: You're fine. So if I were to evaluate a residential development there, I would point to the same issues and say, you know, if we can fit ten apartments in a building on this site, which I kind of doubt, maybe you can. Now you have at least ten, maybe twenty vehicles worth of traffic that you're going to expect to come out of there a couple of times a day. That's not that much, but, you know, long and short of it is, sure, that's probably -- it's probably appropriate there, as well, but then it's not really the highest and best use of that property, and I believe that a commercial use would be. And, you know, my evaluation of M-C is that M-N uses are more likely to happen here, given the size and the access. But M-C uses are appropriate given its location, so --

MR. ZENNER: And as an M district, our M districts are, by nature, mixed, so this have the ability at the applicant's discretion when it is sold to be used for a plethora of different uses. And so how the property is actually functionally redeveloped under the -- under the M-C designation, it was going to be a whole lot of different factors going into that, you know. Can you get a multi-family building on this property that would -- that anybody would want to live in? I think the issue of the old Nifong right-of-way being a buffer between this parcel as M-C, if that is the direction that this were to head in, and that residential development provides that -- that protection. It is in some respects, when you look at multi-family, we normally, for a feathering perspective or a buffering perspective, it would go M-C, M-N, M-OF, which is office, and then R-MF is how we would see this. So while the parcel is very narrow, as Mr. Palmer has indicated, and its development intensity is limited because of that, the uses, the M-C, the most intense M-C use is a gas station, a car lot, something else, even a drive-through, a functional drive-through on this site may not even work because it just has limitations. And therefore, you're probably going to get something that I think we would view this as M-N office use that wants the exposure, an insurance office or something else, that would -- that would benefit from the exposure. I think what one would think if this parcel were a little bit bigger, gas station, or possibly a drive-through. Gas station, we

have multiple gas stations within this area. We had a gas station that was proposed to the east, never materialized. There's saturation already in the area, and that is part of the problem, as well. You have to come up with unique uses to make the property marketable. But as it currently sits, if it were M-N, which is a choice that the Commission can make and the applicant can object to that and you can vote how you see fit, is probably going to be what's there. M-C allows somebody that's creative the opportunity to maximize that, but it's going to be maximized only to the extent that our Code is going to allow them to do the development that meets all of our other requirements -- parking, setbacks, buffering, anything else that would apply.

MR. DUNN: Thank you.

MS. LOE: Of course. Commissioner MacMann?

MR. MACMANN: Just a thought on this property for everyone's benefit. This property is about 44,000 square feet. If a developer, maybe Mr. Crockett can -- can get half of that as usable property, I think he'd be doing great. It's most -- most of it's not even 100 feet wide. By the time setbacks, buffering, parking, this building is 40-feet wide, maybe 150 feet long, no, not even -- it's -- it's really small. And I -- it would be a very creative gas station if that's what that was going to be. But I could see -- I was wondering who would want that, but some would want exposure. One of our friends in the legal field or an insurance company will want that kind of exposure. If it went -- if it went office, you can't -- it's going to be really hard -- the point being it's really hard to put up something M-C in here, because the parcel is smaller than the biggest M-N building, as it is -- we can go 50,000 in M-N or something?

MR. ZENNER: Correct.

MR. MACMANN: Yeah. So it's -- it's not even that big as the biggest building. This building may serve also with the Nifong cut-through there, may serve as an additional buffer. And that's the reason I asked the questions about a curb cut along Nifong on the north. I don't think there's room for that. You would have to be well south of it, so it's office. And also, this was done, for those of you who were, like Mr. Crockett and I, who have been here forever, you see the R-MF to the left and the A to the right. CATSO -- this was all, like, pasture. Okay? We're going to do commercial over here and the road network developed differently. I do agree with your point. I do think renters should receive notification. I really do. I think that's problematic. But I don't have a problem with this as M-C. I think they're going to have a hard time developing this in M-N, but I'm going to put that on them. Thank you, Madam Chair.

MS. LOE: Thank you. We've been talking about a buffer, and there is the buffer in the right-of-way. But I just wanted to clarify if there's any screening requirement or not?

MR. PALMER: If it -- go ahead. I'll let -- defer to you.

MR. ZENNER: Because the right-of-way exists, the property lines do not touch. And, typically, the way that our screening and buffering standards exist, if this is where you're going, is normally where you have adjoining property. So while the right-of-way is the de facto buffer right now between the subject site and the adjoining residential, the actual regulatory buffer would not be required because the road right-of-way does not hold a zoning designation. Now we have -- and I'd have to go back and I'd

have to look at this. Specifically, if the road right-of-way were vacated, the designation of the property -- the designation of the road right-of-way would be split between the zoning, which means that the R-MF would be brought to potentially a future M-C line. If that were to occur at a point after development had happened, at which point, there would be no -- prior to that vacation, there would be no buffer, I believe, required because the two property lines are not joining. However, we -- we're dealing with roughly a 44,000 square foot parcel, as Mr. MacMann pointed out. If they were to seek to vacate the road right-of-way and the road right-of-way gets split between the adjoining properties, that 44,000 square feet may be improved, or may be enlarged because of the receipt of the old Nifong Boulevard frontage and, again, the applicant can address if that's maybe the intent. It may be, as Mr. Palmer pointed out. MoDOT doesn't seem to have an issue, if they were approached, to potentially consider that. But at that point, if you were to vacate and then develop, then you would have a buffer. You would have an M-C against the R-MF.

MS. LOE: It's PD.

MR. ZENNER: Or -- or PD, PD, and we would apply -- we would apply the residential standard.

MS. LOE: Thank you.

MR. ZENNER: That's how our arborist generally, when we look at PDs, we look at what the zoning, the land use in that PD is, and we apply the appropriate buffering requirement.

MR. PALMER: And I think the point I was trying to make in the written staff report, and probably didn't do a great job of verbally, was that you either end up with the spatial buffer of the right-of-way, or you end up with an installed physical buffer. Yeah.

MS. LOE: Thank you. That's exactly what we were trying to clarify. I appreciate that. Any more questions for staff? Seeing none. We will open the floor for public comment.

#### **PUBLIC HEARING OPENED**

MR. CROCKETT: Madam Chair, members of the Commission, Tim Crockett, Crockett Engineering, 1000 West Nifong. I believe staff had a pretty good staff report, and you're certainly aware of the site and the request that's before you tonight. I would like to just briefly talk about some of the questions that were -- that were asked previously. With regard to access to this site, we are correct. There is no access to Nifong Boulevard from this piece of property. MoDOT, when they acquired right-of-way for -- for Nifong, they acquired the access rights, as well. So they dictated and determined where access points would be allowed along Grindstone, and this piece of property doesn't have any such access, nor would it be allowed simply because of the operational distance from the intersection itself. So access to Nifong is going to be -- would be eliminated, would be restricted. We're not going to be able to get that from MoDOT, so access would obviously come off the State Farm Parkway. We're going to have to illustrate to the City traffic engineer that we can use the site. Our traffic can come and go from the site, and not interrupt that existing intersection, and so that's going to have to be illustrated by form of a traffic impact study that illustrates and shows that. So they're going to push that access further to the south out of the operational distance from that intersection. And so access will be handled in that way. You are correct. The size of this piece of property is a very limiting factor, what we can do with this site. Now, Pat

and Rusty, correct me if I'm wrong, but in M-N zoning district, the required parking in an M-N cannot be in front of the building line; is that correct, or if I'm -- or am I just dreaming that?

MR. ZENNER: It can be. I think it can't be any closer than six feet to the property line.

MR. CROCKETT: Okay. So in M-N, it can be six feet, same as M-C. Okay. I was thinking that it was the other way, but, again, the limited size. Mr. MacMann is correct. You know, we have one acre. This is certainly not the typical configuration that you have for one acre. We're going to be limited to -- to the size on what we can and can't put here, so that's going to be a huge factor in what we -- what we can do and how we can develop it. So again, we're not going to see a high-intense car wash, you're not going to see high intense convenience store, or anything along those lines. And so, those major uses will be eliminated. So with that, I'm happy to answer any questions that the Commission may have.

MS. LOE: Thank you, Mr. Crockett. Questions for this speaker? Commissioner Carroll?

MS. CARROLL: Is there a reason why you couldn't fit an R-MF or an R-MF development would be unattractive on this property?

MR. CROCKETT: Well, in R-MF, and I do believe in R-MF, the setback, the -- in the commercial district, I can put the parking lot within six feet of the right-of-way line. I have to screen it, but in an R-MF, in a residential district, I have to -- the required parking has to sit outside the building line. So when you look at the configuration of the piece of property, I have right-of-way on three sides. On all three sides, I would have a setback, and then that parking has to be outside of that setback, so it's going to greatly limit the development of this piece of property even further. So we would have to look and see how we could even configure a parking lot that would conform to the R-MF standards with a building, as well. So I think it would be -- R-MF would be extremely difficult to work on this piece of property.

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

MR. CROCKETT: Okay. Thank you.

MS. LOE: Any additional speakers on this case? Seeing -- oh.

MS. WILSON: Actually, I do have a question.

MS. LOE: Mr. Crockett, can you come back up?

MS. WILSON: Thank you. I have to contemplate what I wanted to say. Thank you. So we heard that there's a possibility of obtaining part of the right-of-way from MoDOT. Is that something that is being considered here, and would that be considered because you can use that for an egress?

MR. CROCKETT: I think there were some conversations with MoDOT years ago with that respect, about obtaining that right-of-way back, and it didn't go anywhere at that time. I'm not sure what has taken place. We have not approached MoDOT here recently, and even approached and discussed that. I think that's partially due to the temperament that MoDOT had years ago and maybe not really too interested in giving that right-of-way back. And so, no, we have not contacted MoDOT to discuss that here recently.

MS. LOE: Thank you, Mr. Crockett. If there's no additional speakers, we'll close public comment.

**PUBLIC HEARING CLOSED**

MS. LOE: Commissioner discussion? Commissioner Stanton?

MR. STANTON: I tend to agree with staff. M-C is the highest, best use we can give, and Crockett and company is going to have a lot of obstacles to fight anyway, and I support giving them their best shot at success because they're going to have a lot of obstacles to deal with.

MS. LOE: Would you care to frame that -- oh. Additional comment?

MR. STANTON: I would.

MS. LOE: Wait. Wait.

MS. CARROLL: Okay. Here's my additional comment.

MS. LOE: Commissioner Carroll?

MS. CARROLL: I do struggle with an upzoning to M-C directly adjacent to R-MF, given that it's currently zoned R-MF and Ag. I acknowledge that it's hard to build an R-MF there, and I want to see this property developed. I don't like to see underutilized property at nodes like this. That said, half of this discussion has been why we don't expect to see the highest uses of M-C, why we don't think they will be able to build a drive-through, why we don't think they will be able to build a gas station. To which point, I have to wonder what's -- why do we need M-C then, what's the use of M-C at that property, because most of the uses that we are envisioning are allowable in the M-N.

MS. WILSON: It sounded like it --

MS. LOE: Sorry. Commissioner Wilson?

MS. WILSON: Sorry. It sounded like that was chosen because they thought there would be an issue with the parking. So even though M-N was an option, it sounded like, from an answer that we got earlier from Mr. Crockett, that he thought that there was going to be an issue with having to park in the back -- or back of the building instead of the front of the building, but I don't know. Maybe I missed it.

MS. CARROLL: For M-N or for R-MF?

MS. LOE: Sorry let's not have a discussion.

MS. CARROLL: Sorry.

MS. LOE: If you would your comments as comments.

MS. WILSON: Who's going to answer the question?

MS. LOE: Commissioner Wilson, did you have any additional comment?

MS. WILSON: No.

MS. LOE: Thank you. Commissioner MacMann?

MR. MACMANN: I think staff could answer that question if someone would direct it at them. m.

MR. PALMER: Can you repeat it, and I'll be happy to.

MR. MACMANN: It's not my question. I just want --

MS. PLACIER: Was there --

MR. MACMANN: -- where does the parking go if this was -- I will. If this is M-N, where does the parking go? If this is M-C, where does the parking go?

MR. PALMER: In any commercial or mixed-use district, they are allowed to place parking in the

front yard setback, the 25-foot, typically, which was Mr. Crockett's comment, asking whether M-N was the same standard as M-C, and it is. R-MF, however, would require that parking be placed outside of those setbacks and that -- that includes all of the setbacks. I believe side and rear yards also, which further limits where that can be placed. And that, therefore, limits the buildable area of the lot, so --

MS. CARROLL: Can I ask Mr. Crockett a question? Can we reopen?

MS. LOE: We have to open the floor again.

MS. CARROLL: Yeah.

MS. LOE: It's -- I just want to make sure there's no additional discussion. And we're going to close Commissioner discussion, reopen public discussion.

#### **PUBLIC HEARING REOPENED**

MS. LOE: Mr. Crockett?

MS. CARROLL: In the spirit of --

MS. LOE: He needs to give his name and address.

MR. CROCKETT: Tim Crockett, Crockett Engineering, 1000 West Nifong.

MS. LOE: Thank you.

MS. CARROLL: In the spirit of Commissioner Stanton's win-win, given that an M-N would allow you to place a parking lot just as you would for an M-C, will an M-N zoning allow you to do what you want to do with this property?

MR. CROCKETT: Well, we don't have an end user at this time, and so I can't say that it will allow us to do what we want to do, because we don't have an end user.

MS. CARROLL: I see.

MR. CROCKETT: So I can't -- I can't speak to that.

MS. CARROLL: That was my question. Thanks.

MR. CROCKETT: Yeah. Perfect. Thank you.

MS. LOE: Thank you. We'll close public comment.

#### **PUBLIC HEARING RECLOSED**

MS. LOE: Reopen Commission discussion. In pursuing the -- I'll just throw in a comment. In pursuing the uses that are allowed under M-C versus M-N, it does appear it will be more difficult to employ some of the larger M-C uses on this site. The ones mentioned, also a hotel, I don't envision going on here. A travel trailer park, again, I don't see going on. Self-service storage facility, probably not. So I think -- drive-in theater. Well, that's a conditional use. The -- the limitations of the site are going to be self-limiting to a large degree, even with the M-C zoning. Further comments? Commissioner Dunn?

MR. DUNN: I feel inclined to agree with Commissioner Carroll on this. I think mixed use, M-N, makes more sense.

MS. LOE: Commissioner Stanton?

MR. STANTON: I would like to entertain a motion and just put it on the table. We either vote for the applicants wants -- if you agree with what the applicant wants, you vote yes. If you don't, vote no.

That's all I'm going to say about it.

MS. LOE: We've asked the applicant if they would entertain an M-N, and they denied that, so, yes. It's M-C, or up or down. Thank you, Mr. Stanton.

MR. STANTON: As it relates to Case 166-2023, Southwest Nifong Boulevard and State Farm Parkway, I recommend approval of the requested rezoning from A and R-MF to M-C.

MR. MACMANN: Second.

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

MR. MACMANN: Just a second thought -- a couple of second thoughts. As soon as you lose a 25-foot setback on this, you've lost a quarter of the property, and those ends, you've probably lost another quarter. The biggest thing going here is probably going to be about 15,000, 20,000 feet. While there are M-C uses that might fit in that footprint, they're not very big and they're not very -- and they don't impinge upon the neighborhood too much. I mean, bare bones, this probably is worth more in M-C than it is in M-N, and they don't know what they're going to do, so I get why they want M-C. That said, this is going to be really hard to develop. There's already a 100-foot barrier from the Nifong remnant right-of-way, approximately. What's the width of that barrier?

MR. PALMER: I -- I honestly don't know --

MR. MACMANN: It's a minimum of about 100, I think.

MR. PALMER: I mean, it would be -- yeah. It would be anywhere from 50 to 100 would be my guess.

MR. MACMANN: Up -- (inaudible). Because of these uses and because this got chopped up by the road, I'm going to support Commissioner Stanton's motion.

MS. LOE: Additional comments?

MS. CARROLL: I'll give my last comment.

MS. LOE: Commissioner Carroll?

MS. CARROLL: In unused property here is pointless. The existing zoning with Ag and R-MF I think will, as it's split there, will almost guarantee that it's unused. I think M-N is better. I -- I don't get the point of M-C here, especially if we're going to convince ourselves that it's okay because all of the things that are -- most of the things that are M-C that we would disagree with can't fit, but most of the things that are M-C that would fit are M-N. I don't see the point, but I don't see the point in leaving it as is, either. I think, regretfully, I will support this because I don't want a useless piece of property sitting there, either.

MS. LOE: Additional comments? Commissioners know I'm very reticent to upzone property next to residential. And sometimes I'm on the other side of the fence when we take a vote on this. However, in this case, this property is not directly adjacent to the residential. If the right-of-way was developed, it would be across the street, and I think we wouldn't be having any of this discussion. And we still maintain that distance regardless of whether it's built out or not. This would commercial or mixed use corridor across the street from a multi-family, which is, I believe, a very different situation. Given that the right-of-

way is not developed, there's the potential for this to come together, but that's -- we don't know if that will ever happen, and we do have some protection in place should that ever come to pass. While -- I actually do think this is an appropriate location for M-C, especially if that right-of-way was developed, given the intersection. So I don't think those uses are inappropriate. Given that -- there again, there's the potential for the adjacency to occur, I feel more reassured given the natural constraints of the site that the uses on that location won't be ones that are very incongruous with what's next to it. So I intend to support it. Any additional comments? Seeing none. Commissioner Carroll, may we have roll call, please.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Loe, Mr. Stanton, Mr. Dunn, Mr. MacMann, Ms. Carroll, Mr. Ford, Ms. Wilson. Voting No: Ms. Placier. Motion carries 7-1.**

MS. CARROLL: We have seven yes votes, and one no. The motion carries.

MS. LOE: Thank you. Recommendation for approval will be forwarded to City Council. That is it for our cases for this evening.