

EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO
February 10, 2022

Case Number 75-2022

A request by Engineering Surveys & Services (agent), on behalf of Western Oil, Inc. and Kaylee Boyd (owners), for a one-lot Preliminary Plat and Planned Development (PD) rezoning. The site contains one parcel zoned M-N (Mixed-use Neighborhood) and two parcels zoned R-MF (Multi-Family Dwelling) that are located within the Benton-Stephens Overlay District. The PD Plan requests design adjustments relating to lot frontage and right-of-way dedication. The subject property is located northeast of the intersection of College Avenue and Paris Road.

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

Staff report was given by Mr. Brad Kelley of the Planning and Development Department. Staff recommends:

1. Approval of the requested design adjustment for street frontage;
2. Denial of the requested design adjustment for ROW dedication on College Avenue and Paris Road;
3. Denial of the requested rezoning, associated SOI and PD Plan to be known as Petro-Mart Planned Development.

Alternatively, if the Commission desires to approve the Statement of Intent and both design adjustments, then the requested rezoning and PD Plan may be approved subject to:

1. Minor technical corrections (clerical notes and legal description);
2. Approval of the final plat associated with this request shall be compliant with or obtain a waiver from the provisions of Appendix A.6(b) prior to the issuance for any building permit associated with redevelopment depicted on the PD Plan.

MS. LOE: Thank you, Mr. Kelley. Before we move on to questions for staff, are there any Commissioners who had wished to recuse themselves from this case? Mr. Stanton?

MR. STANTON: Madam Chairman, I'm going to play it safe. We do -- the people I'm associated with do a lot of business with Western Oil, so I'm going to step out for a minute.

MS. LOE: We understand. Thank you. Any others? No. Ex parte. If any Commissioner -- oh. Mr. Kelley.

MR. KELLEY: Sorry. I had glossed over it, focusing on this. Speaking specifically of public input, the Benton-Stephens Neighborhood President did have a few brief conversations with me. He said they do -- they do have some -- they do have concerns. I think he was going to provide those at a later date. But just a general summary, has an issue with removing a residential property, loss of affordable

housing, some pedestrian conflicts, lighting, glare, noise, et cetera -- some of those things we have mentioned. And then I had a couple of inquiries throughout this review process. Then several today, this afternoon, also while you were work session, you'll notice on your desk, you have two letters of correspondence that -- one, I would say, is not supportive, and you can read through those reasons, and the other isn't opposed to the gas station, but has -- has some issues with it; noise, lighting, glare, those items. I just wanted to mention that there.

MS. LOE: Duly noted. Thank you. Before we move on to questions for staff, I would like to ask any Commissioner who has had any ex parte related 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. Seeing none. Any questions for staff? Commissioner MacMann, I saw your hand first.

MR. MACMANN: Thank you, Madam Chair. Planner Kelley, when it's time, you're going to want three motions?

MR. KELLEY: Yes.

MR. MACMANN: Thank you.

MS. LOE: Commissioner Placier?

MS. PLACIER: Well, I was responding to your earlier question about ex parte.

MS. LOE: Oh, sorry.

MS. PLACIER: Yeah. Both Commissioner Carroll and I did receive a text message about the inability -- mostly about the inability of the President of the neighborhood association being able to participate -- sorry. You can't hear?

MS. LOE: I'm not sure it's getting picked up. Yeah. We can't hear you.

MS. PLACIER: Oh, okay. Both Commissioner Carroll and I received a text message about the inability of the Benton-Stephens Neighborhood Association President being able to participate in this process, and some concerns about that. Though I don't think it was designed to influence our decision, you have a different --

MS. CARROLL: I don't know if I was on the same text chain then. I didn't hear any particular concerns, although I did hear that he wouldn't be able to make it tonight, and that is the extent of my knowledge.

MS. LOE: Okay. So you were just contacted by people in the loop?

MS. PLACIER: Yeah.

MS. LOE: Thank you. Any additional ex parte? So we may be missing some commentary. All right. Seeing none. Questions for staff? Mr. MacMann has already received clarification. He wants three votes. Commissioner Burns?

MS. BURNS: Yes. I'm sorry, Planner Kelley. You indicated that there were three meetings, and I don't -- I'm looking here in your report and looking for communications between neighborhood, ways to make this successful for everyone. Were there communications engaged in between the developer and the neighborhood and others?

MR. KELLEY: Yeah. Yeah. They had a -- I personally received a postcard that indicated three dates for virtual or in-person meetings. I remember seeing at least two of them were October, there around that time. The Benton-Stephens Neighborhood President did indicate to me that they took a large amount of minutes and took notes from those. The applicant did relay at a high level some of the concerns during -- at the time of the concept review. And then throughout the review process, the Benton-Stephens Neighborhood President, again brief discussions, did relate that they had several concerns as -- you know, largely originating, coming from those interested party meetings that the applicant had.

MS. BURNS: Okay. Thank you.

MR. ZENNER: None of which were provided to us. There are no records, no minutes.

MS. BURNS: That's -- I'm looking -- I was looking for some type of summary or whatever of those meetings or communications. Thank you.

MS. LOE: Thank you, Commissioner Burns. I had a similar question. Any additional questions for staff? Seeing none, we will open up the floor to public comment.

PUBLIC HEARING OPENED

MS. LOE: If anyone has any public comment they would like to share in this case, please give us your name and address for the record. We do limit you to three minutes if you're speaking for yourself, six minutes if you're speaking for a group.

MR. KRIEDE: Thank you. My name is Matthew Kriede; I'm with Engineering Surveys & Services. I'm the civil engineer on the project. Just to answer the question about the public meetings. Yeah. We did have -- we had three opportunities, one indoor, one outdoor, and one virtual. We did ask for written comments, and we've received none. We did receive verbal. Those have been passed on. I think they do echo what you've heard from staff today, and we have done -- done some work to address some of those. But first tonight, I think you really -- you've got two questions at hand here. One is the rezoning and PD Plan. Is that a better situation than the existing condition? Currently, it's still -- it's a gas station today. We're proposing that it continue to be a gas station. I think approximately in around 1980, so it's been a little over 40 years, it's been a gas station, as far as I can tell from history. So the question is not whether the gas station is an appropriate use here. It already is. The question is whether we can improve the condition that's there today with what we're doing, and if we are. Second is on the design adjustment. I am greatly concerned that not granting this design adjustment is completely undermining the integrity of the overlay district. It is an important part the district to -- to control the integrity of the corridors, the character of the area, and we'll talk a little bit more about that, but that I think that is another important aspect that we're looking at here, so -- so look at the PD. You know, certainly, we do have M-N zoning today. Staff says we have a conditional-use permit. You know, we could ask for more M-N zoning, and the expansion of that conditional-use permit. We felt it was better that the neighborhood would have more control. Staff's concern that it doesn't open it up for the possibility of other development, and I would say, yes, it does, we just have to come back to this body again and have these

same hearings again if the use changes in the future. I think that locking that in and knowing what it is and this plan being in place I think way out values the open zone district that would allow greater uses. So many advantages to this compared to the current condition. One, I mean, you're getting a new store. You know, upgraded, better appearance, you're improving landscaping, you're getting an opportunity to put in modern storm-water management, the tanks will be removed and replaced with new modern tanks. We're improving bicycle and pedestrian access into the facility. Traffic circulation and safety for the pedestrians and bicyclists are being improved. The intersection improvements are, I think, also a great improvement for the area, as well. Bicycle lanes do not continue through to College Boulevard now. As they get to the intersection, they become combined with the existing lanes. We're proposing to widen both sides so that lanes continue through. In addition, to add a second left-turn lane onto College Avenue from Paris Road. And, lastly, we're providing turn pockets at the intersection with Hinkson and the driveway to the gas station. The alternative is to leave it what's there today. You have the four intersections; you have the haphazard circulation that occurs today. And the concerns that staff brings up about the use of a gas station remain. So we can improve on those situations and make them less severe, or we can continue to leave it the way it is today. And this is -- you know, the gas station near a residential area is, you know, certainly not ideal, but not unusual, and I can point back to the Gerbes gas station on Ash Street. Again, PD zoned, we went through the same similar process, and I think that's turned out well, and I personally have heard no complaints. So in terms of the second question, the design adjustment, again, I think this is -- this is, at the heart of the matter, is the overlay district. I've got an exhibit here.

MR. MACMANN: We've had some issues today too.

MR. KRIEDE: It was working great at about 6:30. This is an exhibit of College Avenue. Now, granted, north is to the left, just so it displays better on your screen. So what you're looking at now, this is the existing Petro-Mart. This is College Avenue here, and it continues. We've got it basically from the Colt Railroad all the way back down to Broadway. The hatched area is the Benton-Stephens Overlay District. And you'll see a few spots where there has been some right-of-way dedication along the way; you know, particularly here's one here, there's been some others. But -- but the red hatch is the required dedication of right-of-way. And what I'll point out is setting the precedent of this overlay of -- of dedicating this right-of-way for these improvements creates what ultimately will be a suburban corridor opportunity, like Grindstone Parkway or Scott Boulevard. That's not what College Avenue is, and I'd question whether that's really what we want. What's important to note as you -- as you look through these exhibits, or you look through the right-of-way dedication, the impact to the buildings. This goes into the building at Walt's Bike. It goes into this building, into this building, into this building. And if you continue down the corridor, that this sets the precedent to remove multiple structures along this entire corridor or put the right-of-way at the front porch of the buildings or the houses that are there today. Continuing -- you know, just looking further down at the right-of-way, you can continue see the right-of-way dedication continues to encroach into the footprints of these buildings. This is not protecting the

integrity of the corridor that's -- the overlay district is looking for. So I understand that staff's intent to try to allow for improvements in the area, but I think we're setting a precedent that's going to ultimately just change what the character of College Avenue is in the Benton-Stephens neighborhood. You know, whether you like a gas station or not, I think this is an important matter for those in the area. And as mentioned, just kind of last piece about the truncated corner, we have added that to the plan. We'll -- we are not seeking a design adjustment on it. You know, we had believed it was already truncated, the way it was provided, but it wasn't per Code, so we've adapted that, so it is correct.

MS. LOE: Are you willing -- your six minutes is up, so --

MR. KRIEDE: Yeah, I am.

MS. LOE: -- was there any summary comments or did -- or were you willing to take questions?

MR. KRIEDE: No. I will -- I will be happy to answer any questions you have. I'll leave it at that.

MS. LOE: Great. Any questions for this speaker? Commissioner MacMann?

MR. MACMANN: Mr. Kriede, question. This is my store, this is my neighborhood, these are my neighbors. Traffic is about maxed right now. Do you think expanding the store will help or hinder the corner?

MR. KRIEDE: Again, you're talking about the traffic in and out?

MR. MACMANN: The traffic -- every bit of traffic associated within 300 feet of the center section is maxed, as we speak.

MR. KRIEDE: I think these improvements are going to help, and I think a lot of the problems with the intersection, it's not so much College Avenue is the problem, but it's Paris. And I -- I lived out this corridor and drove this for years, and it's been a while, and it's only gotten worse since I've moved. But those left turns onto -- onto College in the morning, it's -- it's a long backup. It backs up through Hinkson Avenue. It backs up through the driveway here. That just causes continued stacking and backing up. It causes backups in the -- in the -- in the gas station, as well. But providing an extra turn pocket, it's allowing more traffic to get through on a signal cycle. That's going to shorten those lengths of those stackings, and as well as adding the turn pockets at the driveway that -- where somebody was waiting to make a left turn into the gas station was backing up traffic onto college, that traffic is now -- that car is now out of the way. And the same thing going to Hinkson -- Hinkson. Now, you have a turn pocket, you could turn, and go onto Hinkson. That will improve the circulation in that area greatly, and I think you're going to see a much better improvement even with a slight increase in traffic into the store. You know, I think, ultimately, you want to see more business. You're going to see a little bit of increase in traffic, but it's not going to be significant. Ultimately, this is a -- isn't a store that serves the area. It doesn't bring people in from around the community, by any means, and it's not pulling in highway traffic, so I don't think you're going to see a massive increase in traffic, but slight, just because it is an improved store that will draw a few more people in.

MR. MACMANN: A follow-up question, if I may. I would submit my assessment of your analysis would be different than what you just gave me. The next question: The current store has a crime issue.

What steps do the owners plan to take? How will this make any of this better?

MR. KRIEDE: Well, the modernizing the store helps out. You know, as the stores have been designed now to help improve security on them, you know, you've got better cameras, you've got better visibility, and you can -- and you utilize that to, you know, to -- to -- I mean, you can't stop crime. Crime -- the crime is still going to happen, but you can reduce the possibility of it happening --

MR. MACMANN: Let me redirect just a second.

MR. KRIEDE: -- and you can deter it by the activities and the security you put in place.

MR. MACMANN: These are the same owners that owned this facility for a while?

MR. KRIEDE: Correct.

MR. MACMANN; The two residential properties currently behind, which are currently unoccupied, they own?

MR. KRIEDE: They own one of them, and that -- that is the one that has been torn down. The other is under contract for purchase.

MR. MACMANN: Okay. Those -- those -- the reason I bring it up is those houses in and of themselves, at least one of them was a crime source.

MR. KRIEDE: Yes. And that's why that house was torn down. And I understand from the owner, from my client, that was at the request of the Columbia Police Department.

MR. MACMANN: A lot of distribution there. Thank you.

MR. KRIEDE: Uh-huh.

MS. LOE: Commissioner Burns?

MS. BURNS: Thank you. What are the current hours of operation for the gas station/convenience store?

MR. KRIEDE: I should know that question. I don't honestly know the answer to that. I think it's 24 hours, if I'm not mistaken.

MS. BURNS: Twenty-four hours?

MR. KRIEDE: Yeah.

MS. BURNS: And because -- and the reason I'm asking that question is because of the correspondence that we received with concerns about light, noise, traffic --

MR. KRIEDE: Uh-huh.

MS. BURNS: -- in particular, cars staying parked there and leaving radios on, just disturbing the neighborhood. What has your client done to alleviate this, if anything? I mean, do they have their own security system? Do they go and monitor the issues? It doesn't sound pleasant for the adjacent neighbors.

MR. KRIEDE: No. And I think, again, as you modernize a store, now the clerks in the store have better visibility of the property, the internal of the store. They have better cameras, and they can see the issues that are occurring and be more proactive to deal with them. Whereas today, you know, they don't have that luxury to see it. They've really got to get out and look at it. It's a lot less convenient to do it. So

I think the modernization of the store will, in and of itself, help improve that. You know, I cannot guarantee, and I won't guarantee that it's all going to go away, but I think these make steps that improve that scenario. And then for lighting, I didn't bring in lighting, but you're talking about, again, a store that's - you know, the standard of lighting is much different than what it is today. Now you can see a good lighting level on the property, have those fixtures cutting off those light sources so it's staying within the property, and you don't see the point of source of light anymore, as well. So that -- that is another great improvement in terms of how it sheds off towards the neighbors. Again, the fixtures we have today are so much more advanced than what they were 20, 30 years ago, and so that is, I think, is going to be a great improvement. And at the same time, you know, it has enough light for the security of the area, so it doesn't have those dark areas. You know, one area we looked at in the early as we met with neighbors, we had actually a patio area. This is a common thing on Petro-Mart, to kind of have an outdoor patio and seating area, and we had that out back on the building. We removed that due to concerns of the crime, and that was a discussion about, you know, are we just creating a location for, you know, someone to stay and hang out, and for criminal activity to occur behind the building where nobody is watching. And, you know, so there are -- there are some steps we're taking to improve that, you know. But again, there is no way anything -- it all gets completely eliminated.

MS. BURNS: Thank you. I guess I'll just -- I hope that we'll have some residents from the neighborhood to perhaps share what their suggestions might be for the parent company to come in and take care of what appears a problem property.

MS. LOE: Commissioner Carroll?

MS. CARROLL: Yeah. I also frequent this store quite a bit as a pedestrian actually. You've mentioned some improvements that you have in terms of complete streets and bike lanes. I see a lot of changes to this intersection -- two left-turn lanes. I see the addition of a bike lane. I have some concerns about the bike lane as it's shown here. I'm looking -- let's see -- like northeast of the property, you have the bike lane marked going in there. Do you own the house beyond what's marked on this PD Plan?

MR. KRIEDE: Well, the proposed improvements are in the right-of-way, so, no, we don't need to own the property, and we're just doing improvements within what is already City right-of-way.

MS. CARROLL: Okay.

MR. KRIEDE: And there's just a -- there's a little jog in the curb. I mean, if you -- and you've driven it, you've seen it.

MS. CARROLL: Uh-huh.

MR. KRIEDE: And, man, if you can just straighten that jog out, you can get the bike lane to go through, and I'm, like, why don't we do this while we're at it? And that -- so we've added that into the plan.

MS. CARROLL: Yeah. Yeah. That's currently a shared lane. There's a bike lane beyond that that ends about three properties up, but as you go this way, I'm actually not sure how useful that bike lane is, how helpful it is going straight up to the intersection. It's useful if you would like to turn right, but being -- following that bike lane as it's extended from where it would have ended, that brings you into traffic if

you wanted to go straight or go left, you still have to get out of the bike lane at the same point that there's already not a bike lane.

MR. KRIEDE: Well, I think -- I believe this -- and this was our intent, is that that bike lane is continuous through the intersection all the way through, because there is a -- there is a bike lane along here, and I believe it tapers out and ends right in here, and we're --

MS. CARROLL: Those are sharrows. It's a shared lane on the other side of the intersection.

MR. KRIEDE: Are you talking about this one here, because this -- which side are we talking about, just to make sure we're on the same page?

MS. CARROLL: Oh. You're adding one on the south side, too. Yeah. So it's this one here.

MS. LOE: The north side.

MS. CARROLL: Yeah. You would still -- if you wanted to use this intersection as a cyclist, you would still be coming out of the lane quite a bit back here to not interact with the traffic.

MR. KRIEDE: And the intent is that this is actually continuous all the way through. So there's a bike lane that does extend back here, and so we're repaving and even beyond within the right-of-way on back so that that lane connects to the existing lane. So your existing lane is right around in here. It's going to be continuous all the way through. That's the intent of what that lane is.

MS. CARROLL: I understand that it's going to be continuous all the way through. I'm not sure that this is where that would be useful to a cyclist. And the bike lane ends three properties up from the end of your property.

MR. KRIEDE: Yeah. And, you know, at this point, it's a matter you're not having to now share the lane with the cars. You can take your way all the way up to the signal. You know, if you're coming -

MS. CARROLL: Yeah. If you wanted to make a right turn.

MS. KRIEDE: If you wanted to make a right turn, or you wanted to continue through. At some point, yeah, you've got to -- you've got to veer back in on Rogers if you go straight.

MS. CARROLL: True. You have to cross the right-turn traffic. Okay.

MS. LOE: Commissioner MacMann?

MR. MACMANN: I just wanted to redirect. Mr. Kriede, did you do Ash Gerbes gas station?

MR. KRIEDE: Yes.

MR. MACMANN: You talked about their lighting.

MR. KRIEDE: Yeah. I talked about that you had a planned development filling station go in adjacent to a residential area --

MR. MACMANN: Okay.

MR. KRIEDE: -- and I believe there was -- it's successfully done.

MR. MACMANN: And I believe you had -- you personally were the engineer on that?

MR. KRIEDE: Yes.

MR. MACMANN: Okay. I just wanted to -- I did want to say -- you can kind of tell where I'm

going anyway. But in regards to that gas station and that light source, we often, me in particular, do use that as a reference on how things should be done, because the neighbors don't complaint and they were deeply concerned.

MR. KRIEDE: Uh-huh.

MR. MACMANN: I just wanted to --

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

MR. KRIEDE: Thank you.

MS. LOE: Any additional speakers on this case? I see none.

MS. JEFFERSON: Barbara Jefferson, and I do live at 305 North Fifth Street. Fifth Street runs into Roger, Roger runs into College, you know, that's how that works. There's always a concern about traffic congestion at College and Paris Road. I don't even try to go down that road. I think about when would be the best time to go, and usually I don't even try to go. But I am a little concerned because I did attend one of those public hearing type meetings, and I wrote on a piece of paper some of the things that I didn't think was a great idea. So for there not to be -- I would like to know where my written statement went to is -- is my thought. Crime is bad. Lighting, everything that Mr. MacMann has said, those are concerns, and this is a neighborhood that you're talking about here. Thank you.

MS. LOE: Excuse me. I'm sorry. I had a question. There's a comment -- staff had made a comment that this was improving traffic circulation. I actually had some question about that, especially when you're heading north on Hinkson into Paris with the new stacking lane that they're showing going left and right to allow, because they had -- because they shortened the left-turn lane going onto College.

MS. JEFFERSON: Yeah. Yeah.

MS. LOE: They had to -- they had to add -- double up on the left-turn lanes.

MS. JEFFERSON: Uh-huh.

MS. LOE: And I'm thinking I know I already wait trying to make a left turn off of Hinkson. And with that becoming a turn lane, it's going to -- you're going to have to look for more -- I'm worried it's an accident area now.

MS. JEFFERSON: Yes, ma'am. I highly agree with you, and my main thought is it's not -- is public safety, and I -- I see it making public safety worse if that's the way to say it or not. But just the -- just think -- just the thought of the way those lanes are looking, the idea of the sidewalk --

MS. LOE: Okay.

MS. JEFFERSON: -- and then I think about -- well, this is like -- this is all the time, but I really think about it even more when I think about when we've snow and ice out there.

MS. LOE: Thank you. Any additional questions for this speaker? Excuse me.

MS. GEUEA JONES: Sorry.

MS. LOE: Sorry. You can't leave yet.

MS. GEUEA JONES: Sorry.

MS. LOE: One more question.

MS. GEUEA JONES: I just have a quick question. I am wondering -- so those neighborhood meetings, none of that is for us, it is to inform before it gets to us for the developer, so I would like to know what you wrote down, if you can remember.

MS. JEFFERSON: Well, I wrote down traffic congestion. And that -- that Petro-Mart does have a high crime. Now, you know, I don't -- you know, that's -- you know, I don't know how you're going to find the documentations of that, but yes. That has been a high crime area. It definitely is a 24/7, so it -- you know, I'm just going to go with, like, you know, at 2:00 to 5:00 in the morning, you know, there's crime going on.

MS. GEUEA JONES: And did you see any change from the initial plan to what you're looking at tonight, or did they try to do anything to address your concerns?

MS. JEFFERSON: Well, you know, if you're -- are you talking about the crime part of it?

MS. GEUEA JONES: Or the traffic part, either way?

MS. JEFFERSON: I don't know if they did anything to improve it. I don't -- I just -- I just see where this is still not going to be safe.

MS. GEUEA JONES: Okay. Thank you. That's -- I just -- since we don't get to see that, I was --

MS. JEFFERSON: No. I did write -- what I remember, and I -- I know there was this -- a discussion about how they removed a house and some of the neighbors were concerned about that house could have been -- that area could have been used for another house. Just because the house looked bad doesn't mean you've got to go and expand something.

MS. GEUEA JONES: Thank you very much for your comments.

MS. LOE: Thank you. Additional speakers on this case?

MS. BRYAN: Hello. I'm Lizzy Bryan, and I live at 1308 Hinkson Avenue. My house is one of four houses that faces the gas station on Hinkson, so as soon as you turn onto Hinkson, my driveway is -- there's a driveway pretty much right on the turn, right before the turn, and then my driveway is the next. So there's a landscaped area there, that's my house behind there. I've lived there for probably close to ten years. And the gas station has always been a thorn in my side. I have had a lot of negative experiences with just -- you know, during the week, being woken up from the noise and sound. The engineer spoke about it really services the area, and there's not a lot of people that come in to use the gas station, but I would disagree that at 1:30 when the bars close and you can still buy alcohol, that parking lot is crazy full of intoxicated people with their music blaring. And I've made the mistake of going over there in my pajamas, sleep deprived, and -- and was very scared. Realized I had made a bad decision to try to talk reason. I do have a lot of concerns about the traffic, as well, and one of the main things is that when people are coming onto Paris, so they're -- they're passing College and going onto Paris, but then they want to turn left into the gas station, they are stopping there because the oncoming traffic -- oh, excuse me -- is full, and -- and then you've got maybe four car lengths before it's in the intersection, so it ends up blocking the intersection. It's very dangerous there. There's a lot of car accidents. I -- we hear them a lot. There is a lot of crime. There was just a shooting there pretty much in

front of our homes not that long ago. There are people loitering in the parking lot, urinating back there, talking as if they're mentally ill, you know, that just kind of hang out there at all hours. I've had people try to live on my front porch. They'd slice my screens and just plugged in their stove and their phone and had all their stuff in there. It's -- it's not great right now, but I do see that this is an opportunity to improve it. And so rather than going against it altogether, I feel that possibly there is a chance to make it something that is a lot better than what it is now. So, you know, improving security would be wonderful. It seems that there is a lot of staffing issues at this gas station. I -- I don't know how much time I'm at, but I could go on for a really long time.

MS. LOE: You're probably coming up against your time.

MS. BRYAN: Okay.

MS. LOE: You're willing to take questions, so are there any questions for this speaker?

Commissioner MacMann.

MR. MACMANN: Hi, Lizzy.

MS. BRYAN: Hi.

MR. MACMANN: I guess you guys could tell, I do know Lizzy.

MS. BRYAN: How are you? Yes. We do know each other.

MR. MACMANN: Just to reiterate, everything -- I will say I will vouch for everything that Lizzy just said, every single thing. I have actually been to her home, but we have not discussed this particular issue. Thank you for that, by the way. You and I both know the problems, and I think the other Commissioners are getting, you know, the flow of it. Do you think, I mean, honestly, that an upgrade would address these issues -- the crime, the lights, the sound, the cars? I'm really concerned about the traffic.

MS. BRYAN: Yeah. When you said -- okay. Let's just go with the lights. When you said that it's much better at this other location that this engineer was in charge of, but --

MR. MACMANN: Well, I just -- I will say this. He's referring to -- if I'm correct, Mr. Kriede, nod at me -- Gerbes on Ash, they put a gas station in there.

MS. BRYAN: Yeah. Yes, I've been there.

MR. MACMANN: I use that with other developments when people have this very concern with lights, because they very effectively, he said they got rid of the point of source, so it doesn't have a canopy with the light right here. It's kind of shielded and the lights curve back in. The lights are lower, and they point in, and they're also a different color, if I remember correctly, so it doesn't overwhelm the neighborhood.

MS. BRYAN: That would be nice.

MR. MACMANN: And people were concerned when that went in --

MS. BRYAN: Yeah.

MR. MACMANN: -- and the neighbors are fine with that now. Because it's the same thing, it's a gas station right inside, and the current gas station, 24/7, it's a --

MS. BRYAN: Yeah.

MR. MACMANN: -- it's a neon sign.

MS. BRYAN: It is.

MR. MACMANN: So do you think these upgrades will address any of these traffic, lighting, crime

--

MS. BRYAN: I think lighting could be improved. I don't like their traffic design. I don't think you should be turn in left --

MR. MACMANN: From Paris into the station?

MS. BRYAN: -- from Paris. I think it could be a right-turn only if you're going westbound on Paris, but, other than that, you can't cross over, you know, which -- I know there's an issue. I had talked to Brad Kelley and he, you know, said they have to be able to get in there with their emergency vehicles, so there's a reason that there even needs to be an access on Paris, because I was kind of, like, can we just not have an access on Paris. Right? You know, and, like -- but they need to be able to get in there, so --

MR. MACMANN: I think there was some juggling there. It could be a right out, and that does allow emergency vehicles.

MS. BRYAN: Yeah.

MR. MACMANN: Those stanchions can be driven over by the fire department and the ambulances.

MS. BRYAN: Yeah.

MR. MACMANN: I just wanted to get your take, because she lives right there. You walk out of Lizzy's front door --

MS. BRYAN: I am right there.

MR. MACMANN: -- and she's right there.

MS. BRYAN: Did not make it to the previous meetings sadly.

MR. MACMANN: If I recall, you've been there a while, too. It was a Texaco before it was this gas station, wasn't it?

MS. BRYAN: Yes, it was.

MR. MACMANN: Long ago.

MS. BRYAN: Yes.

MR. MACMANN: It was a gas station before it was a gas station.

MS. BRYAN: Yeah.

MR. MACMANN: Thanks, Lizzy.

MS. LOE: Commissioner Placier?

MS. PLACIER: Yeah. I had a similar question about some of the issues that you've experienced already with Petro-Mart. They have not been very good neighbors to the neighborhood if they have not been dealing with crime, noise, the 24-hour, you know, opening hours does not help if you're next to a

neighborhood where people are trying to get on with their lives. Have you complained about this to the company or owners?

MS. BRYAN: I -- only to the poor people working in the gas station. I've called over there very late and, I mean, I've even gone to the point of saying can you please go outside and tell whoever it is to turn their car stereo down because it's, you know, 30 minutes. It's, like, I don't know what they're doing over there that long. And they have, but, you know, sometimes they say they will and then it just never stops. I've called the police, and the police are great. They'll -- all they have to do is drive through. They just drive through and the whole place clears out. It's -- they don't even have to get out of their car. They did have some security, like, off-duty security guys working at the -- right around the bar close, like, maybe midnight to 2:00 a.m. I didn't really notice that that helped, you know. It's nice to see that, but then, you know, after that, that parking lot will fill up. And even -- and it doesn't matter what night of the week it is. And will all the -- the increase in college students downtown, I feel it's -- it really worsened once that -- a lot of those students, those luxury student housing, I felt like that gas station got a lot busier. There was a lot more people there at 1:00 -- you know, with bar close, so --

MS. PLACIER: So have you seen anything in this plan that would -- that would improve any of those problems?

MS. BRYAN: Other than it becoming more of an updated, professional establishment, that might be able to retain employees that are -- that if they're going to put this amount of money into it, maybe they want it to be a little more upscale than what it is right now. I don't see a whole lot of reason to think it's going to be better, but I don't know, because I've seen really nice gas stations and I've been in bigger cities, in Kansas City, et cetera, where there's, you know, QuikTrip is kind of like a nice -- nicer gas station. But they're not -- they usually aren't facing, like, a neighborhood. They're -- you know, they're facing more -- and this was big thing. It's, like, can it face more towards College altogether, you know? Why does it have to face directly towards us? There's no blockage of sound. Can we landscape, like, that whole side really thick, you know. Make it where it's not such a walkway that people want to go around and not walk right through the neighborhood, you know, by the school, et cetera. So I don't -- I don't know if I've seen anything that will make it better, but I -- I have hope -- optimism.

MS. LOE: Additional questions for this speaker? Thank you.

MS. BRYAN: Okay. You're welcome.

MS. LOE: Any additional speakers?

MR. SALIERNO: My name is Paul Salierno; I live at 1312 Hinkson Avenue. I'm two doors down from Lizzy. I just painted my house purple, bought it April last year. So I have the same concerns as Lizzy had just said. A couple of additional things is with the people loitering and everything, trash just comes right down our hill, and the dumpster there, our yards are full of trash from this store constantly, which is really an inconvenience. The lighting, as it is right now, as we talked, it would be great, you know. From our house, we're downhill, so when I look out my windows, I'm looking at spaceship, basically, right now. This store is always dirty. You can go there tonight, and it is -- it's filthy everywhere.

I -- I -- I see other places who power wash their place quite often. This -- I've never -- I don't think one time I've seen this place power washed or taken care of. The employees are in and out. There's new employees there all the time. This is across the street from me. I do visit it and see the condition. The pictures of the new place look -- look great. I really wish we could see pictures of what this place looks like now and how it's taken care of. Is that going to be the future of this gas station, to be continued to be taken care of the way it is? If so, then I'd almost rather not have a gas station there. So I love the convenience of being able to take my lawnmower over there and fill it up. You know, that's great. I don't think this store needs to be bigger. I think it's a waste. It's -- there's not -- nobody from -- a lot of people I work with live all over -- Hallsville, this or that. They do not stop at this gas station. They will not stop at this gas station. They're afraid of this gas station. So the people who use it are this neighborhood, pretty much. So I don't think it needs to be bigger. I think it -- with -- if we could make it smaller, we could face it another way. There is no reason for all this food. They're saying they want to put a bunch of food in this place to serve the community. I don't think anybody in the community is going to buy food from this place. We -- I'm going to speak for the neighborhood, as I think I can. We're not going to shop there for groceries. So I don't think it's necessary to do that. Also, you know, we have the Tiger Tots, which is right there. We have the elementary school right there. And the crime is -- is terrible here. I've had cop - - the police officers put their business card on my house saying we had a robbery last night. I see you've got cameras. See if you got it on there. There are so many things that could have been improved on to make this feel a lot better for the neighborhood, but if it's going to continue to go down this road, I'm not -- I'm not a -- I would love to see it be better and improved, but I think it's just going to get dilapidated again as it is right now.

MS. LOE: Thank you. Any questions for this speaker? Commissioner MacMann?

MR. MACMANN: Mr. Salierno, Hi, Paul.

MR. SALIERNO: Hi.

MR. MACMANN: Do you have -- this again, the question that we've been asking. Does -- does anything in this new plan give you hope that the narcotics, the crime, the dinginess, all the negative issues that have been brought forward would --

MR. SALIERNO: It brings me terror.

MR. MACMANN: I'm sorry?

MR. SALIERNO: It brings me horror. That extra parking lot on the side, that just says hang out spot, drug deal, whatever.

MR. MACMANN: The one towards your house?

MR. SALIERNO: Yeah.

MR. MACMANN: Yeah. I -- I --

MR. SALIERNO: That is 100 percent what I see there. I -- like I said, I -- there's just -- and, you know, like they said, well, we had this nice place in the back. Unfortunately, with what we see every day, that would be a terrible idea, to have any space in the back.

MR. MACMANN: All right. Thank you.

MR. SALIERNO: Yeah.

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

MR. SALIERNO: Thank you.

MS. LOE: Any additional speakers on this case?

MS. GORTMAKER: Good evening. Ann Marie Gortmaker, 1714 McAllister Street. My husband and I live in Benton-Stephens. I -- you might have guessed I didn't intend to speak tonight, but I know there are several from our neighborhood who -- who had attended some of the meetings, who could not be here this evening, and I at least wanted to present the -- to make it clear that there are many of us who care passionately about the neighborhood. I am a walker. These are my tools. So when I cross Paris, and cross College at Paris, this is what I'm doing in hopes of getting attention of people. Sometimes it works. Well, obviously, it's worked so far so well -- so good. I make that point, not to be a drama queen, but to say this makes my neighborhood less secure to me. I appreciate the audible signals at College and Paris. However, if I were to cross Paris going towards the gas station, I would still -- I could have the audible signal to let me know that it's safe to go, and then there's a right-turn lane, and then I'm kind of smoked. So if you'll give me two -- two left-turn lanes when I'm wanting to cross College, and there's two now left-turn lanes coming at me, more frightening. I am a strong pedestrian advocate. My two feet are my ways to work, they are my ways around town, and they are the ways that I enjoy this city, that we moved here for access largely. So I think one of the biggest misgivings or concerns that we all have as those who have spoken is that the lack of confidence that a new establishment will be run any better than the present one is. If they're not able to manage well what's in place, I don't have confidence that making it bigger and more -- more traffic, more vehicles, will make it better for the neighborhood. That's enough to say.

MS. LOE: Thank you. Any questions for this speaker? I see none. Thank you. Any additional speakers on this case? I see none. I'm going to close public comment.

PUBLIC HEARING CLOSED

MS. LOE: And move to Commission comment. Commissioner MacMann?

MR. MACMANN: Sure. I will also -- I told you I knew Lizzy and I thank Lizzy for not hitting me up on this. Someone else I know who I trust in their opinions, Mr. McCarter send this letter, Cory. Their views -- none of these people's views are hidden or anything like that, but they did not -- they didn't lobby me on this. As far as the rest of the neighborhood, they -- I think that Ann Marie put it really well there, and Mr. Salierno said something that's too -- I go -- you know, I get gas here and stuff like that. The turnover is -- if there is not a two-week period where we don't have a brand-new employee, it's a rare two-week period. I can see the owners making the point of we have to upgrade to make it better. Ann Marie's point about I think you take care of what you have, and it definitely does not have the neighborhood support. That's -- that's rather clear. I think the neighborhood has been very measured in their response. We've seen other neighborhoods who have done less measured, but I think they got their point across.

MS. LOE: Commissioner Geuea Jones?

MS. GEUEA JONES: I -- I am concerned about something that I don't think has really been discussed, which is the expansion into two residentially zoned lots. You know, we -- we talk constantly about how we have a struggle in Columbia finding housing that isn't on one of the two ends of the economic spectrum. And it seems to me that us saying we're going to take what is essentially the same use with essentially the same volume and expand that footprint and, in the process, lose two residential lots, that concerns me as much, if not more, than the comments that we've heard from the neighbors that are equally compelling about what -- we keep calling it a crime issue, but let's call it what it is. The owners aren't taking care of their property. They're not doing what they need to do with what they have now to make it a good neighbor, so why are we going to give them more space, give them more capacity, and in the process, remove residential properties. I -- I am disturbed also to hear that it sounds like the neighbors have been saying this for a while, and potentially no changes have been made, or at least no significant changes have been made through the plan. So that -- just to let my fellow Commissioners know kind of what I'm thinking because I -- I don't think I've heard a lot about the fact that we're losing two residential lots.

MS. LOE: Commissioner Carroll?

MS. CARROLL: I share your concern with the residential homes. Those are the entry level housing right there. That's not something we frequently consider in and of itself. I also am concerned with the lack of appropriate staffing and what we're calling a crime issue. I've witnessed that myself. And, you know, I -- I hear the claim that improving the property will solve those problems, and to a certain extent, that can help, but you don't need to expand the property to improve the property. You can maintain your property with the footprint that exists. And I agree with the staff's analysis that this location is more akin to a neighborhood commercial node than to a regional center. And this is meant to be smaller in size and serving the neighborhood. I have seen gas stations do this effectively with very small footprints. I can't name one locally to my memory, but I have seen very small footprints that served their neighbors well as a gas station and a convenience store. The neighbors used it. The community used it, and their sales were good. That -- I would like to see that happen at this location.

MS. LOE: I -- oh. Commissioner Placier?

MS. PLACIER: Oh, you go ahead if you were going to --

MS. LOE: I -- I've been thinking about all the concessions and effort that Log Boat Brewing made across the street when they came forward to do some improvements, and they were already on the more commercial College, being on the west side. And we were concerned about simply the face of them and what the face they were presenting to the residential side. And I have to admit it's concerned me, analogous to Commissioner Geuea Jones, that not only are we encroaching into the residential side, but we're taking away from the residential side with this project. And I wasn't, let's say, convinced as much by the efforts being made to work with the neighborhood that we saw with that other applicant coming forward. I also just want to go back to the fact that this is currently a conditional-use permit, and I take

very seriously the concerns of the neighbors and the neighborhood in considering a conditional-use permit. And given the lack of support of the neighborhood, I see no grounds for expanding a conditional use permit in this case. And then, finally, the traffic conditions at the Paris and College Avenue interchange, I -- I agree with Ms. Bryan's comments also, just about the ongoing stacking. And I -- I don't think the current situation is good. I don't think the proposed situation resolves those issues. This may be a good candidate for a traffic circle, given the awkward arrangement of roads coming in, in which case I don't see any reason for walking away from the right-of-ways. So those are going to be my thoughts at this point. Commissioner Placier?

MS. PLACIER: I agree. I agree with all your points. I also think there were some disingenuous statements in the -- in the proposal that I know people use rhetoric thinking it's going to be convincing, but saying that it maintains the historic character of the neighborhood and that, you know, it maintains this historic nature -- really -- when it's really an expansion of a store to sell mostly unhealthy foods and late-night alcohol sales. So I'm -- I'm -- I think that the larger store is also going to require more staffing and more security, and they haven't shown that they've been able to maintain that currently. So I'm just not convinced.

MS. LOE: Commissioner Rushing?

MS. RUSHING: I'm just going to agree with everyone else. I drive by this location on a regular basis, and I don't see -- you know, I understand they want to enlarge their facility, but they're doing it at the expense of the neighborhood. I agree with one of the neighbors who said they're -- they're facing us. I mean, they're -- everything that goes on here affects people across Paris Road. It's not like they're wanting to angle away more so they're looking more towards College where, like Log Boat, it would -- you know it wouldn't affect the residential neighborhood as much. They're just making what they have bigger, and I don't see that as -- I see that as negative for the neighborhood.

MS. LOE: Commissioner MacMann?

MR. MACMANN: I have a comment and then, at the end of my comment, if we have no more comments or concerns, I have a motion. My comment is as follows. This is for the ownership group. I -- you guys have a right to make money, you have a right to expand, that's all fine and good. And I don't think you've been bad -- they've been bad neighbors. I don't think they've been effective neighbors. I mean, Liz and I have been here a long time. This has been a drug-dealing corner for decades. The house that they tore down was slinging drugs. There's a house two doors down around the corner from you that's slinging drugs and has shootings. It's not necessarily your all's fault, but it's the hub. And the realistic concerns about housing and the one house that was torn down, because they were dealing drugs. Because of those and the general lack of neighborhood support, I'm going to make a motion. And just for all of you, what you're about to hear, I'm going to move to approve this, but we have to make all of our motions in the positive, in the affirmative. I will be voting no. Mr. Kelley, could you put up your -- yeah. So I can see all the different motions that I have to make.

MR. KELLEY: Well, I've got it changed on my screen, but we need to get it changed on --

MR. MACMANN: Sure. That's all right. There we go. Okay. Do you want me to go in any particular order?

MS. RUSHING: Can we do just three, perhaps?

MR. KELLEY: Yeah. Just three.

MR. MACMANN: Do you want me to just do three, because the rest follow, or do you want to have an answer on all three of them?

MR. KELLEY: My interpretation, my understanding would be to go in order, one, two, and three.

MS. RUSHING: Okay.

MR. KELLEY: If Pat sees it any differently, then certainly follow his guidance.

MS. RUSHING: Okay.

MR. MACMANN: I'm going to do three, one, two. That should be a very clear message. In the matter of Petro-Mart Planned Development, Case 75-2020 [sic] --

MS. LOE: 2022.

MR. MACMANN: I did it again. My apologies. Case 75-2022, request for rezoning, change the SOI -- an SOI and the PD Plan, I move to approve.

MS. GEUEA JONES: Second.

MS. LOE: Seconded by Commissioner Geuea Jones. We have a motion on the floor. Any discussion on this motion? Seeing none. Commissioner Carroll, may we have roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval). Voting No: Ms. Geuea Jones, Ms. Placier, Ms. Kimbell, Ms. Carroll, Ms. Loe, Ms. Burns, Ms. Rushing, Mr. MacMann. Abstention: Mr. Stanton. Motion denied 8-0.

MS. CARROLL: We have eight no votes, and one abstention. The motion is denied.

MS. LOE: Commissioner MacMann?

MR. MACMANN: Just for a matter of record-keeping. I'm going to combine the design adjustments 1 and 2, if that's okay.

MR. ZENNER: I think that will be fine.

MR. MACMANN: All right. In the matter of Petro-Mart Planned Development, Case 75-2022, a design adjustment as related to streets --

MS. THOMPSON: Can I actually interject real quick, will you go ahead and do them each as individual motions?

MR. MACMANN: Thank you very much.

MS. THOMPSON: Yes. Sorry.

MR. MACMANN: In the matter of case 75-2022, as it relates to street frontage, approving street frontage, I move to approve.

MS. GEUEA JONES: Second.

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

Roll Call Vote (Voting "yes" is to recommend approval.) Voting No: Ms. Geuea Jones, Ms. Placier, Ms. Kimbell, Ms. Carroll, Ms. Loe, Ms. Burns, Ms. Rushing, Mr. MacMann. Abstention: Mr. Stanton. Motion denied 8-0.

MS. CARROLL: We have eight no votes, and one abstention. The motion is denied.

MS. LOE: Thank you. Commissioner MacMann, did you want to make the last motion?

MR. MACMANN: I will go for it. In the matter of Case 75-2022, I move to approve the design adjustments relating to right-of-way dedication.

MS. GEUEA JONES: Second.

MS. LOE: Seconded by Commissioner Geuea Jones. We have a motion on the floor. Any discussion on this last motion? Seeing none. May we have roll call, please?

Roll Call Vote (Voting "yes" is to recommend approval.) Voting No: Ms. Geuea Jones, Ms. Placier, Ms. Kimbell, Ms. Carroll, Ms. Loe, Ms. Burns, Ms. Rushing, Mr. MacMann. Abstention: Mr. Stanton. Motion denied 8-0.

MS. CARROLL: We have eight no votes, and one abstention.

MS. LOE: Thank you. Those recommendations will be forwarded to City Council. That concludes our cases for the evening.