

**EXCERPTS**  
**PLANNING AND ZONING COMMISSION MEETING**  
**COLUMBIA CITY HALL COUNCIL CHAMBER**  
**701 EAST BROADWAY, COLUMBIA, MO**  
**July 20, 2023**

**Case Number 194-2023**

**A request by Crockett Engineering (agent), on behalf of D&D Investments, LLC (owner), and Letrisha Thomas (contract purchaser), seeking approval to rezone property from R-1 (One-Family Dwelling) to PD (Planned Development) with an associated Statement of Intent (SOI) and development plan to be known as "Thomas Dental". The subject 0.5-acre property is proposed to be improved with a building containing a dental office on the ground level and two lower-level dwelling units. The 0.5-acre site is located at the southeast corner of West Broadway Street and Manor Drive and is presently unimproved.**

MS. GEUEA JONES: May we have a staff report, please.

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the proposed PD plan and associated Statement of Intent.

MS. GEUEA JONES: Thank you. Before we go to questions for staff, if any of my fellow Commissioners have had any outside contact regarding this case, please say so now. Seeing none. Questions for staff? Seeing none. Oh, wait. Commissioner Loe, please?

MS. LOE: Mr. Zenner, when you presented this to us preliminarily two weeks ago, one of the reasons for going with a PD, I believe, was indicated as the mixed use. Is there -- could that not be done under the M-OF?

MR. ZENNER: It could have been done under the M-OF, yes, because mixed does allow multi-family. However, the -- the requirement that it be done or the assurance through the plan and through the Statement of Intent wasn't there. In the M-OF district, the prior request denied had the full spectrum of M-OF. So what we would have ended up having is the opportunity for retail uses to be allowed on the property because retail is an allowed personal service. It does have a restriction associated with it, but it would have been allowed, which potentially would have caused some issue from an interactive -- or from interactions perspective with the neighborhood. Staff would have been -- staff supported -- or staff did not support the prior request, and it didn't support the prior request due to other issues, and there wasn't enough control. The public comment, as you recall, and comment of this own body, was that there was a lack of residential assurance. At this point, residential assurance in the mixed-use building is there due to the plan and due to the Statement of Intent. A 24-hour population on this property, as well, and that's something addressed within the staff report, is actually a benefit. It's eyes on the property. So while

there is a parking lot associated with this, the parking lot has actually been designed with a reduction in parking spaces utilizing a number of the techniques that Mr. Palmer talked about today. So the paved area is actually smaller than what would have otherwise been required. But the parking lot, in and of itself, because of the residential component associated with the building, actually isn't going to be maybe as much of a nuisance after hours as it would be if there was just an office use here because you'll have tenants that are part of the neighborhood. They may become integrated into the neighborhood and its functionings.

MS. LOE: I have two follow-up questions, if I may. Your comments just now remind me that some of the public correspondence identified that the previous proposal included one or four residential units. When I checked the plan that came forward to this Commission, there were not any residential units included, which was my memory. I just wanted to confirm that with you that what we reviewed previously did not include residential units.

MR. ZENNER: It did not. The discussion that was had during the Commission meeting was the potential of the property to be divided through standard subdivision procedures to accommodate potentially a maximum number of individual compliant 7,000 square foot lots. The applicant's agent will be able to better explain some of the topographic-related issues with this proposal, and why that yield may not have been accurate. At best, from what we have looked at since the September rezoning or the denial of the rezoning request to M-OF, you are probably best to get two units, one possibly facing Manor, one possibly facing Maplewood, if it were to be redeveloped, given the topography, which would be, you know, maybe the maximum amount in residential use. However, we still feel that single-family housing here, from a staff perspective, isn't optimal. This is a signalized intersection surrounded by street on three sides. The use that's being asked for we find to be more compliant with the goals and the objections of the plan, and therefore, still stand with our position at this point that residential development is not nearly as fulfilling of the overall objectives as is the mixed use project proposed.

MS. LOE: My second follow-up question is about the parking. And based on the plat that was submitted, the PD plan that was submitted, it identifies that 25.5 spaces were required, and they have a reduction factor of 20 percent for transit route, leaving 21 spaces, and that is divided between the requirement for the dental office and the residential units, three and a half of those spaces being for the residential units. My experience with dental offices is that they're an office space that has a large square footage use. You have the x-ray, you have other equipment, so the occupancy tends to be lower. And I'm wondering why they're not applying the bicycle space exception since 25.5 spaces does exceed the 25 minimum, they could have reduced it by four more spaces. And I'm just thinking in a residential -- being adjacent to a residential neighborhood, is that something that was discussed?

MR. ZENNER: It was mentioned.

MS. LOE: Okay.

MR. ZENNER: I think we -- we originally asked for the recalculation --

MS. LOE: Uh-huh.

MR. ZENNER: -- because it wasn't calculated properly initially. In talking with the applicant's agent, their engineer who is here this evening, that discussion came up. They wanted to stick with what they had. They actually had parking that was not onsite. It was actually out in future dedicated right-of-way for Manor, so they had to shift stuff over, and in so doing and utilizing and applying the other reductions, they were able to just maintain what their parking was and they said, okay, good. It is in the purview of the Planning Commission, should you be able to twist his arm, that a reduction of an additional four parking spaces is still possible. And given your assessment, because we do not assign parking based on -- in this particular environment, because this would be an office use, we don't assign it based on the breakdown of the areas. So exam space, for example, if you were looking at exam rooms, maybe that square footage would equate -- that and the waiting room, would equate to parking. That's not how we evaluate office uses. We base it on the gross square footage of the footprint. And so while reducing the parking because of the bike would be a way of being able to backdoor in the understanding that it's a large space with probably few customers or clients within it. The drawback to doing so is if the use were to change out, the parking that's being provided right now is compliant based upon the square footage of the building, so it is interchangeable with a different user. So if the dental office moved out and another professional office moved in, the square -- the square footage of the building is being accounted for within the parking field. So you wouldn't want to then, if you were a buyer of the property, and say you're running an accounting firm, you wouldn't want to have to rip out existing landscaping to meet your parking demand because you're doing a change of use. And that's part of what -- you know, part of what you have to balance here is the landscaping that's been shown as being installed, which is fully compliant with the Code and actually along the southern boundary, it's in some instances could be considered a double buffer. The fence on the adjoining property owner to the south is new. The landscaping that will be provided on the subject site is actually fully compliant with the required screening, so you're getting a double buffer there. So we have enhanced buffering, at least on the southern property. The two sides and the front meet all of our street frontage landscaping requirements of the Code. So the change, if you take the spaces out and the applicant is willing to remove them is if you change the use over time, we may end up having to add it back in later.

MS. LOE: Correct. It would still meet the terms -- the requirements of the Code, plus I'm thinking some of the uses are -- they're working at different times of the day.

MR. ZENNER: Correct.

MS. LOE: You would expect the residential to be parking overnight, and the dental to be parking during the day, so you have a little bit of a buffer there, but yeah.

MR. ZENNER: Correct.

MS. LOE: Thank you.

MS. GEUEA JONES: Any other questions? Commissioner Wilson?

MS. WILSON: The description in the agenda notes that the dental office will be on the ground floor and the apartments will be on a lower level. Yet in your report, you said that an apartment could

potentially face Manor and another one facing Maplewood. So is -- is that different from -- is that meaning that they would also be on the ground level?

MR. ZENNER: That was an alternative if the site were developed as single-family residential, Ms. Wilson.

MS. WILSON: Got you.

MR. ZENNER: So this proposal is lower level units facing Manor, because that's the way that the slope is to this property. The access to those would be on the Manor side, and then the dental office would enter from the parking lot at grade.

MS. WILSON: Thank you.

MS. GEUEA JONES: Any other questions? Seeing none. I will open the floor to public comment.

### **PUBLIC HEARING OPENED**

MS. GEUEA JONES: Please come forward. Name and address for the record.

MR. STEPHENS: Jesse Stephens, Crockett Engineering, 1000 West Nifong, Building 1. I've got a PowerPoint here if --

MR. ZENNER: They will turn you on from in the back.

MR. STEPHENS: All right. Thank you, Planning and Zoning Commission. Thank you, Pat, for the -- for explaining the property. I'm Jesse Stephens. Dr. Thomas is also here, who is the applicant, along with Gina Rende with Plaza Commercial Realty, who will get up and talk, also. So the overview of the lot, it's an existing .7 acre lot, or by -- we've already calculated the plat. We know that we're going to have to give up a certain amount of right-of-way to meet all the platting requirements. If so approved, we would -- we would move forward with a plat. Pat has explained the PD request. This isn't speculative, and even when we were asking for the M-OF zoning, it wasn't speculative. This is basically being the intent of Dr. Thomas all along. The difference with the PD plan is we're narrowly structuring this thing and creating self-imposed limits that we're bound by and we'll stick to. So Dr. Thomas' existing office is located next to the library. We're moving, basically, this location is about a mile away from her existing practice. You've already seen a picture of the site. That's kind of the street view, currently undeveloped. History of the property, there was a single-family home that was demolished. It was beyond repair. The existing property owners chose to demolish it, and it's been sitting vacant ever since. Here's kind of the view of the plan, kind of the landscaping view of the plan. The weird going -- I mean, enhanced landscaping and trying to meet all the buffering requirements to make this an attractive property. We've included some other features. There's just a single drive off of Manor. Obviously, we're rebuilding the sidewalk all the way around. A generous landscape buffer between us and the neighbor to the south, and along with the self-imposed bio-retention cell to treat the parking lot drainage. On the building materials, Pat explained we've self-imposed this thing to look like a structure that you would find on historic Broadway. No cheap materials, no vinyl, no efface. Height limitations consistent with the single-family home, architectural shingles, pitched roofs. And the -- and the uses are narrowly tailored for this for we

understand that they're not -- they're -- maybe there were some uses in the M-OF designation that weren't appropriate and objectionable to the neighbors, but the ones that have been left in here are stuff that either would have been allowed in R-1 zoning anyway, or R-2, and the office use for the -- that the dental office needs. That's the one thing, the project doesn't happen without the dental office. Traffic, there's just -- as Pat mentioned, the traffic has looked at this. This is just a low-impact, quiet project that does not generate the type of traffic that will impact Manor. The adjacent church is generating far more traffic on the street than this dental office will. I think you've already seen this, but this is kind of the CATSO designation where we're basically adding an unidentified node, which is kind of a unique characteristic of the property. In terms of light, noise, security, the dental practice is normal business hours. This is not a night and weekend operation, although the residents that will be there will be there nights and weekends, as we've already discussed. So some of the concerns before about this not being a vacant parking lot are just not going to happen with the PD plan. The lower-level tenants should be there kind of monitoring the situation. My conclusion of this, this is about the lowest impact proposal that we can think of on this particular piece of property that's financially -- at the intersection of financial feasibility, meeting the needs of the community, and meeting the needs of the dentist. We're doing everything that we possibly can. Any suggestion that was a constructive suggestion that we got from the neighbors, such as no parking along Manor adjacent to our property, we've taken that into consideration, and we've tried to include that in the plan to just tailor this as narrow as possible. And with that, I'll answer any questions.

MS. GEUEA JONES Thank you. Are there any questions for this speaker? Commissioner Stanton?

MR. STANTON: How much engagement did you have with the neighbors?

MR. STEPHENS: So we had a -- a neighborhood meeting back in early May, and Gina can get up here and kind tell you efforts that she went to to put that together, but basically, trying to bring the immediate neighbors of the neighbors of the area. I think -- I can't remember how many flyers she sent out, but it was a lot, and we had a pretty good turnout.

MR. STANTON: Yeah. Do you think they support these efforts or how do you feel about it?

MR. STEPHENS: I feel like there's probably about half the neighbors that are -- that are for it and half that are against it. And you're -- you're going to -- you're going to see them get up here and talk, I have no doubt about it. But we were really interested in getting whatever constructive feedback we could, and we tried to include that in this plan. There were some good suggestions, and Melissa -- T -- Tom Wellman, in particular, actually had stuff that we could integrate into this plan to try to make it better, and so that's what we've done.

MS. GEUEA JONES: Any other questions for this speaker? Commissioner Loe?

MS. LOE: Mr. Stephens, I am curious about the parking.

MR. STEPHENS: Sure.

MS. LOE: Can you just tell us why you need the 21 spaces?

MR. STEPHENS: Well, particularly, the dental office may not need it. I think Pat had a good

summary of that. I think we would be amenable to potentially reducing that more. It's not something I've specifically talked with the client about, so it is something we would probably entertain. Obviously, it would reduce the cost of the project, which has -- which has been a concern here all along of trying to figure out, I mean, a lot -- a lot of why it took from a year -- almost a year ago to now to get here is trying to figure out how to make this thing financially feasible and work with builders and financing and all that stuff. So I won't rule that out as -- as a potential.

MS. LOE: I'm thinking simply also the location. It's on one of the bike routes --

MR. STEPHENS: Sure, it is.

MS. LOE: -- in the city. A lot of my neighbors bike. I mean, this is being proposed as a neighborhood --

MR. STEPHENS: Adjacent.

MS. LOE: -- right. So --

MR. STEPHENS: It's adjacent to the bus route, et cetera. Yeah.

MS. LOE: Yeah. Okay. Thank you.

MR. STEPHENS: Yeah.

MS. GEUEA JONES: Thank you. Anyone else? Commissioner Wilson?

MS. WILSON: I don't have a question, but I do have a comment of appreciation that you listened the last time that you were here. I appreciate that you met with the residents. One of our concerns the last time was that we're not reducing residency, and so adding those dwelling spaces is definitely amenable, so I appreciate that you made all of those efforts.

MS. GEUEA JONES: Anyone else? I just have a question about the lower level --

MR. STEPHENS: Sure.

MS. GEUEA JONES: -- nature of the dwelling units.

MR. STEPHENS: For sure.

MS. GEUEA JONES: Are we talking limited windows? How are they getting in and out? This isn't a two-level -- the topography doesn't allow you to have a walk-out.

MR. STEPHENS: It kind of walks out on the northeast corner, and so basically imagine kind of the -- kind of the northeast quadrant. So one of the apartments need -- needing to have an egress window, is only going to be able to have a one bedroom. And we have looked at that with the builder, you know. The other one is capable of having two egressable windows, so it can be a two-bedroom apartment. So that's the proposal, a one-bedroom apartment and a two bedroom apartment that, basically, where the doors will face Maplewood and be able to walk out with a -- with a sidewalk that -- that connects with the Maplewood sidewalk.

MS. GEUEA JONES: When you say walk out, are they walking out without having to go up and down stairs walkout, or are they --

MR. STEPHENS: The public sidewalk, they do, but there will be a stairwell that leads back up to the parking lot for them -- for them to park their car, and that's the intent is for them to park in the parking

lot.

MS. GEUEA JONES: Okay. Thank you. Anyone else? Seeing none. Thank you very much.

MR. STEPHENS: Thanks.

MS. GEUEA JONES: Who wants to go next?

MS. RENDE: Hello. I'm Gina Rende; I am the real estate agent for Dr. Thomas, and I live at 2412 Bluff Boulevard in Columbia. I know I've been up here to speak with you before, so I appreciate your guys' time very much. As I mentioned before, we did look in close proximity to Dr. Thomas' current office trying to find a location for her to be able to owner occupy, you know, a building that she owns. And we looked at existing, and there really just wasn't any options. I think one of you mentioned that there had been a dental office that had transacted, like, shortly before we were looking. While we were looking and then we took a hiatus. She was thinking she, you know, couldn't develop, and, you know, budgetwise, we had some changes that took place based on what's available and the price range that Columbia has to offer. Anyway, and as well as existing land, and there just really is not very many options. Dr. Thomas really wants to be a part of this neighborhood, part of this, you know, smaller community, and walking distance to her existing location is very important to her, as well as to a couple of the nonprofits that she plans to serve more. She doesn't currently now, but plans to serve more in her new location when she does the tongue and lip tie, you know, center within the dental office. So, anyway, visibility, obviously, very important to her. She wanted something walking distance, but also visible from the road, easy to get to from, like I said, bus stops, as you mentioned, biking, current -- proximity to her current location. Obviously, she's a woman-owned business in the area, as well as I am, and so I am a big supporter of that, as well as, obviously, the plans for the City long term to create a little bit more high density and to prevent urban sprawl. As far as the neighborhood, yes, we had a neighborhood meeting prior to the first time around the sun that we saw you guys the last time, and then we had another neighborhood meeting this past time. And, yes, we tried to take into consideration honestly a lot of your all's comments the last time we came to P and Z, as well as the neighbors. You can't obviously make everybody happy, but we really tried to come up with a happy medium. There were people that were adamantly opposed to dental or to really any retail commercial development. There were people that were adamantly opposed to keeping it R-1 and residential development. We had some that wanted to have us to build a coffee shop, and we had others that, you know, wanted to have a multi-family dwelling, and, you know, just everything in between. So we really tried to take into consideration what the neighborhood really wanted. We did have some newcomers at this last meeting that we weren't -- I wasn't expecting. I kind of knew most of the faces from the first time around and from this. And, anyway, we did have some new faces. Do you have any questions for me? I'm getting beeped at.

MS. GEUEA JONES: Are there any questions for this speaker? Seeing none. Thank you very much.

MS. RENDE: Okay. Thanks.

MS. GEUEA JONES: Next speaker?

MR. GANONG: Hi. My name is Larry Ganong; I live at 111 Manor Court, and I'm going to get to be the first opposition of the evening. I've -- my wife and I have lived in the Manor neighborhood for 45 years. This is our neighborhood. It's been single family, R -- R-1, and we see this as profound change to the Manor neighborhood. I had some comments about traffic. You have experts. I did some calculations based on what Dr. Thomas said in terms of the number of patients per day, and I came up with about 60, 65. They're -- they've got to come in, they've got to leave. I don't know how many people walk to a dentist and leave after being shot with Novocain, but most of the people are -- are probably driving. You've got maybe two apartments. People -- I'm really concerned about the traffic. Manor Boulevard -- Manor Drive is a traffic problem already. We -- we now have something like six speed tables. Speed is an issue, but it's -- there's a lot of people that use that as a way to avoid some other traffic spots at, like, you know, Stadium and Broadway, et cetera. So I am very concerned about that. I'm concerned about lights at night. I live maybe 150 yards from where this is proposed. I will see those -- those lights. I don't know. I could say more. I -- I noticed that the City guy said something about a precedent multiple times, which I'm an old academic. That makes me worry about, hmm, precedence, because this has been -- this is an old neighborhood. It's an R-1 neighborhood, and this is a big change, and I'm thinking there will be other changes in the future. So I hope -- anyway --

MS. GEUEA JONES: Thank you. Any questions for this speaker? Commissioner Stanton?

MR. STANTON: Two questions. What would you be happy with here? If not this, what?

MR. GANONG: So there was a house here, and the developers, you know, bought the property, knocked the house down. I think a house would be great. I don't -- if they could put two houses, one facing Maplewood, that would be great. I mean, I don't see any reason -- I don't -- I know the real estate person just came up and talked about Dr. Thomas' reasons. None of those seem compelling to me to change this long-term R-1 property into something different. So I would -- that would be my preference.

MR. STANTON: If not that, is there something that -- I'm going to withdraw that. Never mind. Put yourself in her shoes, and is there anything that this project -- that you could do to make this project work for you?

MR. GANONG: Well, it sounds pretty inevitable, based on what I've heard thus far, but no. I mean, you know, in some of the conversations in the neighborhood when the developers came and talked, it was pointed out that up and down Broadway, there have been offices available that she could have relocated to in the last two, two and a half years. So I don't have a huge amount of sympathy for her plight.

MR. STANTON: I'm --

MR. GANONG: I think there are other solutions that would leave my neighborhood intact.

MR. STANTON: I'm going to throw this out to you. Has anybody ever told you there's other places you can live besides here? Have you heard that before?

MR. GANONG: I've lived there for 45 years, so I -- I haven't for a while, no.

MR. STANTON: Oh, I guess what I'm saying is mobility and access to property is kind of -- I've



had ancestors been told, you can go move somewhere else. There's other places available for you to move, not here. You hear where I'm coming from? So the ability for somebody to look for something that they -- they want to be mobile, they want to be in a particular neighborhood, and if we're going talk history, along that corridor, there's a number of kind of residential -- there's a number of commercial uses and in particular with this, it seems like they made efforts to make this almost like a neighborhood node or what we would call a neighborhood centric service. You do not agree with that kind of development, and do you --

MR. GANONG: I just -- I just -- I don't know what you're --

MR. STANTON: I'm talking about kind of a win-win. It maybe just seems that you're just opposed regardless, unless it was a house, you don't want to hear anyway. But just for the sake of argument, is there's something we could do that would make you happy if this --

MR. GANONG: No, I don't -- I don't think so.

MR. STANTON: Okay.

MR. GANONG: I mean, I don't want to talk about hypotheticals, because what you're talking about is my neighborhood.

MR. STANTON: Yes.

MR. GANONG: So, I mean, we -- you know, if we went across the street and had a drink together, I would be glad to talk hypotheticals, but that's not what you're going to vote on here. You're going to vote on my neighborhood.

MR. STANTON: Okay.

MR. GANONG: So I'm sorry, but --

MR. STANTON: Thank you.

MR. GANONG: Yeah.

MS. GEUEA JONES: Thank you. Anyone else? Commissioner Dunn?

MR. DUNN: Would you ever consider utilizing a dentist that is located in your neighborhood?

MR. GANONG: No.

MR. DUNN: Thank you.

MS. GEUEA JONES: Anyone else?

MR. GANONG: I mean, I have a dentist, and --

MR. DUNN: But if it means you could walk there, would you utilize it?

MR. GANONG: No.

MR. DUNN: Thank you.

MR. GANONG: All right. Sorry.

MS. GEUEA JONES: Thank you very much.

MR. GANONG: Yeah.

MS. GEUEA JONES: Next person who would like to speak, please come forward.

MR. WINDSOR: Hi. I'm Jim Windsor; I live at 200 Manor Drive, and I've lived there for 37 years,

not quite as long as Larry. And I'm going to take the opposite position because I support this project. I'm the -- I can see the church. I can't see -- I won't be able to see the dentist office because I'm on the same side of the street. I believe this is a barrier to Broadway, because this is really on Broadway. It is -- and -- and Broadway, I walk around there daily usually. I walk up Manor and around Maplewood and come back around. And the traffic on Broadway is extreme. People are coming down at the intersection probably 50, 60 miles an hour because it's two lane, and they're racing to see who can be first to get back to the single lane when it gets -- heads on down to the downtown. And going the other way, it's the opposite effect. They are speeding up coming out of the single lane, coming up and it feels more open. So going both ways, even though the speed limit is 30 miles an hour, they are going well above that. So the noise is significant on Broadway. The Unity Church acts as a barrier. Also between Larry and the dental office are street lights and lights in the parking lot of Unity, so the addition of lighting on this property, which is much more directional these days with modern lighting techniques, I think will be minimal. But the reality is it will be a barrier to our neighborhood. And it is my neighborhood, too, if I've been there for 37 years, and I completely support this. Thank you.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Commissioner Dunn?

MR. DUNN: Just one question, and it's going to be my same question all night. Would you consider utilizing the dentist office if it was located in your neighborhood?

MR. WINDSOR: Well, I'm 70. Right now, I drive about five miles to my dentist. I like him, but I may have to make another choice, and I can walk, you know, six or seven houses up the street. That would be great.

MR. DUNN: Thank you.

MS. GEUEA JONES: Anyone else? Seeing none. Thank you. Next speaker?

DR. THOMAS: Good evening. I'm Dr. Thomas, Letrishia Thomas, and I live at 4725 East Woodson Harris Road in Columbia. I just wanted to get up here and say a few things. I mean, our -- I think Gina didn't mention that she knocked on about 180 doors to try to get people to come to our meeting, because we were really wanting a lot of neighborhood feedback because it -- it's important to me. I really -- I enjoy my patients, so they are part of our -- my family at -- at my office, so being part of a community, ideal. We do have fairly restricted hours. We see patients right now 9:00 to 4:00. We have a pretty low capacity right now. I mean, I see less than 30 patients a day. I see a lot of families for certain procedures, and we really enjoy seeing those. I do think that -- lost my train of thought, right out the door. I do think it's a good location for some kind of office use. Me being -- I have four children, so me having a family and having a house there would be concerning for me with just so many -- so much traffic around that area. So I didn't notice -- you mentioned parking spaces and bikes, and, I mean, obviously, that's obviously something that I would want. I think we just didn't think about it. It wasn't our top priority when we were looking at the parking situation and we were just thinking what size do we need here and whatnot, but absolutely, we want some place for -- for bikes to be able to come because that's the whole point of -- of that part of being in the community, so I think that would be something that we would we

would look at to help. I probably had something else to say, but honestly, I don't remember right now. So if you guys have any questions for me.

MS. GEUEA JONES: Commissioner Loe, and then Commissioner Stanton?

MS. LOE: Dr. Thomas, thanks for coming up. We appreciate having the applicants present. The -- you actually do have four bike stalls. My question is that due to the number of parking that was required at the office, which was 25.5, you -- you can reduce the number of parking one stall for every bike spot, so you could eliminate four more parking stalls. We don't have one of our Commissioners here with us who is a strong advocate for reducing as much parking as possible, so I'm speaking on her behalf in part. And in part for the reasons I expressed earlier --

DR. THOMAS: Uh-huh.

MS. LOE: -- would you be amenable to further reduction in the parking?

DR. THOMAS: I think it's definitely something they -- they would just have to explain to me, because, to be quite honest, like, that's not my forte in looking at stuff, but absolutely.

MS. LOE: Okay. Thank you.

MS. GEUEA JONES: Commissioner Stanton?

MR. STANTON: Dr. Thomas, why do you want to be here? You -- it's -- this is your second time. We blew you out of the water the first time. Why here? Why do you want to be here? Tell me -- convince me why here?

DR. THOMAS: Yeah. I -- I thought long and hard before I came back to do a PD plan. They explained it to me, I weighed my options, and I know, you know, people tell you there's -- there's always someplace else to go. But if I move my practice five miles across town, like, the patients that I love dearly that I -- that are in my communities, several of them today that knew I was coming here that were really excited about it, would they be able to still come? You know, would -- would they have access to me still. They wouldn't. I really wanted something near where I'm at. I love -- I love being near the library and things like that. I just -- the space I have isn't amenable to -- to what we need anymore, and we want to be able to provide the best service for our patients, and so that was something that was available. And moving to just some other office space doesn't provide that homey, caring environment that we like for our patients, and it can actually be more expensive to change just some other office space into a dental office. It's very, very, very specific in what we need and how it's planned out, and it doesn't always work.

MR. STANTON: And you own this. Right? You would own this structure?

DR. THOMAS: And then I would own this -- this particular structure and not have, like, the changing and the concerns about will I still have a place to -- to rent if this -- if somebody buys this building. Will they decide I don't have a space anymore, and I have to go somewhere else.

MR. STANTON: Thank you.

DR. THOMAS: Of course.

MS. GEUEA JONES: Anyone else? Commissioner Dunn?

MR. DUNN: I have a question for you.

DR. THOMAS: Of course.

MR. DUNN: The realtor had outlined that you do some community service or nonprofit work out of your office currently?

DR. THOMAS: Well, currently, we are -- I have a friend that's on the board and I support True North, so we have -- they've since had a change in their director, so we are hoping to come together and try to see something that we could -- might be able to do to work with -- with True North in providing some services for -- for their --

MR. DUNN: Okay. But do you -- do you have any current -- I guess, any currently existing plans based on this development to do more of that in the office, or is that just something you're looking to do in the future?

DR. THOMAS: We don't have space for it right now.

MR. DUNN: Understood. Thank you.

DR. THOMAS: So we see -- it's very minimal that we can do right now, so the -- the whole point of expanding is to be able to expand our ability to provide services.

MR. DUNN: What are some of those services that are --

DR. THOMAS: Say it again?

MR. DUNN: I said what are some of those services that would be provided?

DR. THOMAS: At the office? So, I mean, obviously, traditional dental work. I also provide lip and tongue tie releases from -- from infants to adults. I was one of the -- and there's only two of us here in town that actually do it. People have to either drive to Kansas City or St. Louis. And so I work with some lactation, SLPs, chiropractic offices both in Jeff City and Columbia to provide services for -- for those people that can't, you know, that have a location here close to their community to -- to get those services taken care of. And then, obviously, moving forward, we -- we would love to provide some pro bono services for those suffering -- that have been survivors of domestic violence and things like that.

MR. DUNN: Thank you.

DR. THOMAS: Of course.

MR. DUNN: I'm very surprised that there's only two providers in the entire city, so, thank you.

MS. GEUEA JONES: Commissioner Wilson?

MS. WILSON: I have no question.

DR. THOMAS: Okay. I am so sorry. It's late and I'm very tired.

MS. WILSON: Totally understand. In a follow-up to Commissioner Dunn's question, what organizations would you like to partner with to do some additional pro bono work?

DR. THOMAS: My -- the biggest one is True North. They provide just an amazing service to the area, and they're the only one that provides that service. And it's, you know, women, children, and men of surviving domestic violence. And so that's been my -- my biggest, like, heart string. It's just -- it's something that -- that I really love. And then I'm open to looking at others, but that's been my primary source.

MS. WILSON: Thank you.

DR. THOMAS: You're welcome.

MS. GEUEA JONES: Anyone else? Now you may go. Thank you. You're fine. Next member of the public to speak, please come forward. And sorry, one second. Can -- at some point, can we get back to the other PowerPoint that has the summary slide? Thank you. Please go ahead.

MR. WELLMAN: Hi. My name is Tom Wellman; I live at 9 Maplewood Drive, so I and my wife, Rachel Carter, will be the -- the neighbor to the south of the project. And we -- we were in favor of the project before. We remain in favor of it. I will say I do think it's better now, and I will also say that the -- the engineer and the realtor for the project have worked with us, they've listened to us. I feel like they've listened to comments from the neighborhood and tried to address what they could with their plan. They've particularly been amenable to working with us on landscaping issues. We did not want to see another fence go up next to the perfectly good fence that we already have. And so, basically, they have agreed to beef up the landscaping on their side of the fence. And then we expect to have a good working relationship with them. You know, over the years, we'll have to maintain the fence, so I -- I don't see any reason why that will be a problem.

MS. GEUEA JONES: All right. Thank you. Anyone have questions for this speaker?

MR. WELLMAN: Oh, I meant to say, by the way. My wife actually does walk for her dental services to the office building that Dr. Thomas is located in now. So, I mean, I feel like that's an indication that people will walk to these services, and, of course for us, it's going to be a whole lot closer now.

MS. GEUEA JONES: Thank you. Thank you very much. Next speaker, please come forward?

MS. TAGUE: Hi. I'm Melissa Tague; 207 Manor Drive, 30-year resident, owner-occupied home. I will say I do not like change. I do not want this property to be rezoned away from R-1. That's my desire. But I will say that the planned development, that the PD designation that Dr. Thomas has worked with her staff to come up with, per her plan, is more accessible -- acceptable zoning than the M-OF she asked for last year for this location. This designation is more limited in scope and possible impact than M-OF was, and much more enforceable for keeping it to what is written in the design for now and in the future. Again, I do not want this property rezoned away from R-1. D & D Investment owns this property. I heard rumor that D & D Investment had received unsolicited offers to purchase the property so that it might remain R-1 by those purchasers. Those offers were not accepted. The word "investment" is in the D & D company name, D & D Investment. I believe D & D will possibly sell or try to develop this property in the future for a use other than R-1. That's my worse fear because with a PD, I feel we have a possibility of something to remain there as a buffer. And if it would be developed through D & D Investment, which is the property across the street as well, it could be far more intensity than the PD would be -- would permit at this point the way it's written. Again, I do not want this property rezoned, but the question here is the best use of this land. I see Dr. Thomas' planned development as an acceptable choice, even though last year I was against it because it was not a limited thing. But I believe that what Mr. Zenner said, PD does not set precedent. It is on a case-by-case basis on its own merits, so this is not setting a precedent. So

that is, I think, a different type of thing than saying, well, now it's going to be clear cut all the way through the neighborhood. But it is -- I want to protect my neighborhood. I love my neighbors dearly. They're great people, and I don't like change. And I thank you all for listening to all of us complain or whatnot. Any questions? Oh, and dentist -- would I walk to my dentist? If I had a dentist that served my needs, she works with kids a lot, I've got old teeth. So I would walk if my dentist was down the street, yes.

MR. DUNN: Thank you.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Seeing none. Thank you for being here.

MS. TAGUE: Okay. Thanks.

MS. GEUEA JONES: Next speaker?

MR. MEHUYS: I'm John Mehuys; I live at 1512 West Broadway, so immediately east of this property across Maplewood. With Tom, I've always supported this project. I thought the last design was perfectly acceptable and the most reasonable use of this property. I firmly believe no one is ever going to put residential property on that lot. It's just my feeling. I think that they've made every accommodation they could make in regards to, you know, their presence, so they've made lighting accommodations. I don't feel like there's going to be a -- a problem with, you know, dealing with traffic. One of the accommodations they made with me is not coming out on Maplewood because the Maplewood interchange there is weird, you know. It's a difficult interchange. And so we've been very -- you know, very happy with what they've put forth. And I think that, you know, if folks want a planned development which restricts what it can be used for, I think that's fine. The design is residential in looks. It always was. The one thing that kind of concerns me now is it's been turned into a 24/7 property. And so when you put residential in, it becomes a 24/7 property when it was, basically, four days a week of dental work, a day of paperwork, and then nothing on the weekends. So that's just something to consider. Thank you.

MS. GEUEA JONES: Thank you. Any --

MR. MEHUYS: And I think if you build it, they will come.

MS. GEUEA JONES: Thank you. Just one moment, please.

MR. MEHUYS: Yes.

MS. GEUEA JONES: Any questions for this speaker?

MR. DUNN: I got my answer. I'm good. Thank you.

MS. GEUEA JONES: Seeing none. Thank you very much. Next speaker?

MR. YRONWODE: Good evening. My name is Peter Yronwode; I live at 203 Orchard Court, very close to the proposed location. I have been very impressed with Dr. Thomas as a conscientious and community-oriented practitioner, and I remain so. I also understand her intent to own the building in which her offices are located. I think that's a good security for her and for the future of this property. And for -- in light of the changes that's been proposed to make this a very restrictive PD, I must say I'm somewhat agnostic on the proposal, but I am very disappointed with the staff's assurances that this is not going to set a precedent. And the reason that I am is because of the property across the street also

owned by D & D Investments. And I believe that those people are venal and disingenuous frauds, to be candid. They -- the reason that that whole property is currently a desert is because they went through and destroyed one after another eight perfectly viable single-family homes in order to generate this enormous property with nothing on it. And I believe that they're simply waiting for the best price to come down the pike in order for them to do something that I'm sure will be found even less desirable than Dr. Thomas' proposal here. And so I really take issue with the argument, Mr. Zenner, that this does not set a precedent because anyone who owns a property can demolish whatever is on it without ever consulting anyone and without ever indicating what they plan to do with the property once it's vacant. And once we allow something like this to happen on the formerly residential south side of Broadway, there is no question in my mind that people of the sort that are represented by D & D Investments will try to do the same thing in other locations. And all they have to do, as they did across the street, was purchase one house and then approach the adjacent house and say, well, I already got that one. I'll give you a good deal on yours. And pretty soon, you've got a huge tract with often quite unacceptable future. And that's why reluctantly, despite liking Dr. Thomas very much, I think I'm not really in favor of her project.

MS. GEUEA JONES: Thank you, Mr. Yronwode. Any questions for this speaker?

MR. DUNN: I have two --

MS. GEUEA JONES: Commissioner Dunn, go ahead.

MR. DUNN: I have two questions.

MR. YRONWODE: Oh, two. Huh?

MR. DUNN: First -- yes, two for you. So first and foremost, I've heard a lot of disparaging comments against D & D --

MS. GEUEA JONES: Sorry. Zack, can you get closer, please?

MR. DUNN: Oh, yeah. Sorry. I've heard a lot of disparaging comments against the D & D property owner today from a lot of people, including in this public testimony. I believe it was alluded to in Dr. Thomas' presentation that she would be the owner and occupier of this property. She would be purchasing it from this property owner/developer, whatever we may want to call it. Would that not be a desirable outcome as a neighborhood to start taking some of these properties away from this nefarious developer?

MR. YRONWODE: Not really, because it's one relatively small property. And as a consequence, it's really different from the exemplar across the street. So I feel it's really unfortunate that Dr. Thomas has become a pawn in the hands of these -- I have to say disreputable investors or speculators, but that's how it is. There's plenty of them. There's plenty of houses along Broadway that might be deemed irreparable, and consequently demolished. And I was never in the house that was there. I have no opinion on whether it really was irreparable or whether it was only going to be expensive, but the -- the fact remains that they're the owner, and every time I drive up Clinkscapes to the ARC, I'm appalled, once again, by what I see.

MR. DUNN: Yeah. And I think I share some of that sentiment that you do, but I'm just kind of

curious if maybe it's easier -- oh, it's a small win for the community, perhaps. I don't know.

MR. YRONWODE: What's your second question?

MR. DUNN: But the second question is, would you utilize a dentist office in your neighborhood?

MR. YRONWODE: Yes, I would. I have to drive all the way down to Cherry Hill now, and I'd just as soon be able to walk or ride my bike.

MR. DUNN: Thank you.

MS. GEUEA JONES: Thank you. Any other questions for this speaker? Seeing none. Thank you for being here tonight. Next speaker on this case?

MS. WARREN: Hello, everyone. I'm Dawn Warren; I live at 202 Spring Valley Road. And I'm here yet again tonight to speak out in opposition to the proposed retail project. I also represent many voices within my neighborhood, the County Branch neighborhood, which is just down the street off Broadway. And I attended past meetings opposing this project, and I actually read the report -- your report, and the recommendation from you all in the original proposal, and you chose to oppose rezoning. And "Council members in opposition cited concern with the encroachment of nonresidential uses south of Broadway in a desire to remain consistent with the staff and the Commission recommendations as supporting their votes to deny." So my big question is, what has really changed with this new proposed project that would warrant any change to your choice and original recommendation to deny the project? Now I do realize that this current proposal includes two residential dwelling units, but that design does not negate the fact that rezoning property on the south side of Broadway from residential to retail will forever change the integrity of its history and makeup. A further blurb from the same report, "It should be further noted that the northwest -- that to the northwest, there is an existing commercial district. This district includes the Broadway Shopping Center anchored by the Gerbes Supermarket on the north side of Broadway. Such a district is defined within the comprehensive plan as accommodating a variety of city-wide and regional retail uses, as well as offices, businesses, personal services, and high-density multi-family dwellings supporting uses within the district." But the big point is that the potential of this rezoning the south side of Broadway opens the door to changing the feel of the entire neighborhood. Now, Dr. Thomas, a lovely person. I grew up in a real estate household. My parents were both brokers. I recognize the need to have density built into a city, but not at the expense of it wiping out the history which is vital to our community. So wiping away that vital historic value to Columbia's dynamic history and the formation of Missouri and the nation, so here's a little story. Two and a half blocks away from the location --

MS. GEUEA JONES: I'm sorry. I'm going to have to -- I'm sorry. You're at three minutes. I'm not going to --

MS. WARREN: Oh, I thought it was five. I'm sorry. I even timed myself.

MS. GEUEA JONES: No. No. Sorry. Three.

MS. WARREN: So do I have 30 seconds?

MS. GEUEA JONES: I'll tell you what. Give me one second, and we'll figure out how to get your



story in.

MS. WARREN: Okay.

MS. GEUEA JONES: Is there anyone who has a question for this speaker? Commissioner Wilson?

MS. WILSON: Could you tell us your story, please?

MS. WARREN: Oh. Okay, great. Thanks. So two and a half blocks away from the location of this proposed project stands one of the oldest buildings in Columbia, which is still in use today, the Champlain House, located at 1312 West Broadway. This home is right at the top of the hill from where I live and was originally part of a farm and property which was the first integrated neighborhood in Columbia, which was built in the 1950s, and I live in one of those homes. The Champlain House has a history which goes back to the actual formation of Columbia, which was originally called Smithton, and features heavily into the story of the pioneers who ventured from East Coast to West Coast. The Champlain House was originally a two-story cabin built in the early 1800s before Missouri was granted its statehood, which was in 1821, over 200 years ago. This little cabin stood on one of the main trails or roads that connected the east with the west, and later became the Boonslick Road which connected to the Santa Fe Trail and the Oregon Trail. And around when the little cabin was built and the War of 1812 ended, thousands of settlers from all over passed by under life-changing journeys. The Boonslick Road -- Broadway -- which was fully rerouted down Broadway from its original location in 1821, saw settlers come through on foot, on horseback, and in wagons on their way westward with all their worldly possessions. The Pony Express and other travelers use this particular home as a stopping point on their travels, and in 1870, the home evolved into its present form -- that's 1870 -- that you can still see today. There are many other historic homes located on West Broadway, and I would hate to see them put at risk of disappearing. With historic homes within such close distance and with so many other close property options open to Dr. Thomas and her chosen developers, I honestly do not see any good reason to pursue this rezoning of this property to retail in the south side of Broadway. I just really ask you to do everything we can to preserve Columbia's historic residential neighborhoods for our children, our grandchildren, et cetera, because it's something to be proud of. We've come a long way. A lot of things have changed, but let's not throw everything out because stories are what help us move into the future in good ways. So I want to say thank you so much for listening to my story tonight. Thank you, Shannon Wilson, for asking that question, and now I'm happy to answer any of your questions.

MS. GEUEA JONES: Anyone else? Commissioner Dunn?

MR. DUNN: Would you consider utilizing a dentist office located in your neighborhood?

MS. WARREN: You know, I do like to walk, and I do like Dr. Thomas, but I am too old for her, and I go to a dentist that's down close to where my husband works. But I would prefer it to be across the street.

MR. DUNN: Thank you.

MS. GEUEA JONES: Anyone else, questions for this speaker? Seeing none. Thank you for

being here. Oh, sorry. Sorry. Commissioner Stanton, go ahead.

MR. STANTON: Will this development really affect the historical content of your neighborhood?

MS. WARREN: You know, I asked myself that question many times. I don't always like public speaking, but when I believe in something, I'm willing to step up. I've -- I'm from Seattle. You probably don't know that. I lived on the West Coast. I was born originally in Minnesota, but moved there when I was four. And let me tell you, once things -- that gate is open, everything changes. It's not all bad. I like development and I think business is important for communities. But I think it's really important to not care for our places in away that helps us hand down history, and to be mindful and careful in the choices that we make. And I think you've already made the choices. You designated the north part of Broadway to the commercial zone, and the south to remain residential. It makes sense, and then everything is concentrated. Does that answer your question, Mr. Stanton? Okay.

MS. GEUEA JONES: Anyone else? Thank you for being here.

MS. WARREN: Thank you so much.

MS. GEUEA JONES: And, Becky, do we have to wait for Mike to get back? We don't. We have seven. We're good. Sorry. Making sure we still have a quorum before I take more testimony. Next speaker on this case, please come forward. Don't be shy. There we go.

MR. MCNABB: Tom McNabb; office address, 104 Clinkscapes. I'm the property owner at 1601 West Broadway, which is the northeast corner, catty-corner from where the dentist office would be. A little history. My parents leased that house when I was in the first and second grade, and Dad bought a lot down on 300 Manor Drive, and we lived there -- or I lived there for about 20 years, and my parents lived there longer than that. I now own Montmarte Apartments since 1975, which is a block to the north, and several rental houses in that area, but I've either lived or worked within a block of this for 68 years. So I know the area. I can answer questions. I was there when the houses that were tore down on the north side of the street, with two -- three exceptions -- excuse me -- were built, watched Manor Drive being developed, watched the south end of Maplewood being developed, and some of Russell Boulevard and Russell Boulevard School and all of that. I have talked to some of the adjacent neighbors on the northwest corner. The lady that owns the house to the west of mine there at 1601, she is in favor of this. The gentleman that owns the house just north of me is in favor of this. The next house up, the lady is out of town on that one, and I think she'll be back and speak in favor of it for the Council. The lady that owns the house just north of the large vacant lot is in favor of this, although she's not particularly happy with D & D, but she is in favor of this office. She is patient of Dr. Thomas', as I am. So I will be going there. In fact, I will get to see her next Friday, I hope, so -- well, I'm not really looking forward to it, but -- I support this completely. This building fits the neighborhood. It's not going to stick out. You're going to drive by it, you're going to be past it. It's going to look nice, and you're not even going to think about it. It's not an eyesore that's going to stick out, and go, oh, my gosh, what did they do there. It's going to blend in. The lighting can have filters on it and be directed downward. That's a non-issue. But being a property owner directly across or diagonally across the street, a hundred percent for it. I think it's a good fit for the

neighborhood.

MS. GEUEA JONES: Thank you very much, Mr. McNabb.

MR. MCNABB: Thank you.

MS. GEUEA JONES: Any questions for this speaker? Sorry. One moment. Seeing none. Oh, sorry. Are we good? Okay. Thank you. Please go on. Next speaker from the public on this case? Last call? Okay. We've got one more.

MR. SPOTTS: Hi. I'm Peter Spotts; I live at 202 Spring Valley Road. And I think my main concern with this -- I speak in opposition, and I'm concerned that it's a foot in the door. Everybody loves the dentist. Everybody cares for business. And that south -- south of Broadway thing, that's a thing, I think. Like, developers must just want to open that up. And so I get confused by some of the tenor of some of these arguments because it seems to be like this is inevitable, and we're going to make it as painless for you as possible. And this is just obviously my bias, but I don't buy that because, as to other people's arguments, we -- we run a risk of losing a lot of really important things to things that are not that great. And I have three minutes?

MS. GEUEA JONES: Uh-huh.

MR. SPOTTS: I had the privilege recently to travel through a lot of small towns in Missouri, and I saw a lot of towns that had a cute and quaint and historic downtown, and they were surrounded by strip malls. And so I just keep thinking what's that going to look like in 20 years, and what are we building? And so those are my main concerns regarding that.

MS. GEUEA JONES: Thank you. Any questions for this speaker? Seeing none. Thank you very much. Oh, I'm sorry. Did you want --

MR. DUNN: I did get -- I forgot to ask. Would you utilize a dentist office in your neighborhood?

MR. SPOTTS: Yeah. I'm happy with my dentist, and I -- and I travel three miles to my dentist, but if -- if that were not the case, sure. I'd walk to my dentist.

MR. DUNN: Thank you.

MS. GEUEA JONES: Thank you very much. Anyone else from the public to speak on this case? Seeing none. I'm officially closing the public hearing.

#### **PUBLIC HEARING CLOSED**

MS. GEUEA JONES: Commissioner comment?

MR. MACMANN: Shall we?

MS. GEUEA JONES: Might as well. We can do it in discussions.

MR. DUNN: I -- I would like to just say --

MR. MACMANN: Mr. Dunn, I would walk to my dentist.

MR. DUNN: Appreciate it. Thank you. I would too. You know, I really appreciate everybody spending their time coming out today. It's late, it's almost -- or it's 9:00, and it takes a lot to what to sit a couple hours through these hearings, so thank you guys for coming and giving your public input. Kind of throughout the discussion, I -- a few things kind of stood out to me. First and foremost, the community

engagement on the part -- on the part of Dr. Thomas, it was said that she knocked on over 180 doors in the neighborhood to solicit people to come out to the public hearings, and that couldn't be here today. That takes a lot of time. It takes a lot of effort. I knock a lot of doors here in the City, and so I definitely want to recognize that effort by Dr. Thomas. Secondly, I mean, the topic of community service and how she would like to utilize more non-profit work in that space, I was pretty surprised to hear that there's only two providers that provide some of those services here in the City, and a lot of people are having to drive to St. Louis and Kansas City. I don't think that's good for our community. I think we need more services like that here. And third and finally, you know, just the community utilization. You know, I had one consistent question tonight on whether or not the people that came out to testify would consider utilizing a dentist office in their neighborhood, and eight of you said yes, one of you said no. So, I mean, it just goes to show that there's some community utilization to this mixed-use project here in the community as well. What I might add is maybe Dr. Thomas should consider expanding some of her services to older clientele, but beyond that, you know, I think this has the opportunity to be a great project, and I appreciate being amenable to some of the changes that you guys have made over the few months.

MS. GEUEA JONES: Thank you, Commissioner Dunn. Any other Commissioners want to comment? If not, I just want to say a couple of things. And I went back and forth on whether or not I wanted to say much on this case. But one of the people who came forward to speak, I think, said essentially what my thought is, which is this project is much improved from its original plan. I am concerned less with this project and am doing my duty as a Commissioner and separating my thoughts and feelings about the pattern and practice of D & D Investments in buying and demolishing residential and holding it until they can turn it into commercial development from this particular development. And because I am doing my job and separating those two things, because they are different, they are separate, and I think Commissioner Dunn made the comment that getting this property into the hands of someone who is a conscientious community member, like Dr. Thomas, is a good thing for the community, I think I will probably end up voting yes. But I am also very concerned that this will encourage more developers to buy up residential property on busy roads, demolish it, and hold it until they can twist our arms by saying, well, this is an unimproved property that's going to waste. You have to turn it into commercial because we refuse to do anything else. And while that is their right as property owners, it makes them bad neighbors. And that is personally a problem for me, but in my role as Commissioner for this City where I have to look at the development that's in front of me and not necessarily the behavior of the sellers of that property, I can't hold that against Dr. Thomas, and I don't think any of the rest of us should, either. But that is just my comment because it is weighing heavily on my heart and mind, and I wanted to share, and that's what comments are for. Anyone else have a comment or, if not, I'll recognize Commissioner MacMann for a motion. Commissioner Stanton?

MR. STANTON: I consider myself a preservationist, so I am a very big fan of history. The last time this came in front of us, I did not like the straight zoning because it did leave a lot of wiggle room that we were not comfortable with. And our duties here, we have to create a win-win whenever possible. And

the PD option, even though we're trying to get away from that, was the better solution to this. If this would have come back straight zoning again, I would be opposed to it again. The PD plan allowed the neighborhood to have input on what was here, the statement of intent restricts what can be built here in the future, and existing. If this were to go through and somebody had connecting properties wanted to do something like commercial or something like that, the precedent -- I know we didn't want to say that -- would be the PD. And they would be butting up or PD would be in the surrounding area. It would be more likely that they would not just get a straight zoning because of this PD plan. The things that were agreed upon and put into the statement of intent, the things that are allowed and the things that are not allowed, this shows community activism to us, and it should to anybody else that wants to develop in this area. It could very well have an impact on what happens across the street, as well. So I -- I want to support this because of the efforts that the developer and the owner went through to try to make a win-win. I know it's not going to make everybody happy, but the alternative is, it's nothing right now, and it's still going to be in these hands right now. And we can go back to square one, R-1, residential, in a person's hands that it sounds like is not a good neighbor.

MS. GEUEA JONES: Uh-huh.

MR. STANTON: And if we go back to square one, and this doesn't go by, then it's still in his hands. So I'm weighing that in my mind and that's where I'll make my decision.

MS. GEUEA JONES: Thank you. Anyone else? And I'll just add, if this did not include residential housing, it would not be getting my vote for certain because we need residential dwelling units desperately. Commissioner Loe, did you --

MS. LOE: So this area was zoned R-1 in 1957. And there's some areas within -- large swath west side of Columbia. And some of those pockets within that zone have changed since that time. And I'm willing to bet Broadway has changed since 1957. And some -- one of the speakers this evening brought up that this would be a barrier to Broadway. Actually, a couple of speakers mentioned that. I live on College Park. And, frankly, I think Broadway is a barrier between our side of town and getting up to the Farmer's Market or getting up to the ARC. And I think any of the development that we're doing on Broadway needs to start mitigating that. This group knows that I have advocated to get more crosswalks, get the sidewalks completed on both sides of Broadway. This, we already have a sidewalk on that section south of Broadway, but it'll bring some more sidewalks in. Perhaps we can look at getting a crosswalk on both sides of Clinkscapes Manor. I believe right now the crosswalk signal is just on the west side of the signal. So this is our one pedestrian crosswalk between Stadium and West, and we're down to a single side of the street. I think we need to be improving our mobility and improving Broadway any time we touch it. I did not support this originally because when it came through and was replacing the R-1 zoning. However, I am open to mixed use. We do allow office use in residential homes. And bringing the residential into this office use at this location to me feels like a compromise. It's a bigger -- it's a step up of the office -- home office use in some respect. There's been several references this evening to it being either commercial or retail use. Just so you know in the planning side, we do not consider office to

be retail or commercial use. It is much more of what we would consider a neighborhood friendly. It has less -- typically has less traffic and less -- it's just a quieter use that we feel is more neighborhood friendly. So the PD is removing any possibility of the retail or commercial -- well, commercial wasn't allowed in M-OF anyway, I don't think, just personal services. So we have denied projects before or talked about denying them due to zoning creep. I'm just going to put this on the record because I do believe in consistency. But again, I think the fact that this is mixed use, and for the property across the street, that's currently residential, R-2, and personally, I would not consider revising the zoning on that if that did not include residential. We need residential in the city and I'm not about to start replacing residential with commercial use or straight office use. My biggest concern, since I live south of this, was, frankly, the traffic on Manor. I go over all -- I think it's four speed humps on a pretty regular basis. And we've -- I'm the one that walked the petition around to get the two speed humps on College Park about 12 years. So I'm -- I'm familiar with the traffic in the neighborhood. I -- I think that this node is different than other nodes because of the residential behind it. I do think we need to be cognizant of that. I think the proposed use is such that it's not -- it's not such a concern that I won't support the project. Thank you.

MS. GEUEA JONES: Anyone else? Commissioner MacMann?

MR. MACMANN: If my fellow Commissioners -- I have a comment -- I have two comments, and then I'm going to make a motion. Just for your all's information, all motions from the dais must be in the positive. I'm about to move to approve this, but just to let you know, I, and I think I'm going to be the only one, am going to vote no. I'm going to vote no for the reasons -- the same reasons the Chair said she was going to vote yes. This behavior, which you guys don't know what I'm referring to -- what Mr. Yronwode brought up and what the Chair brought up. It's really problematic. We see it. There are lots that have been sitting for 30 and 40 years downtown because they don't need it. We need houses and the lots sit empty. That said, in the matter of Case 194-2023, West Broadway and Manor Drive rezone and PD plan, I move to approve.

MR. STANTON: Second.

MS. GEUEA JONES: Moved by Commissioner MacMann, seconded by Commissioner Stanton. Just because that ear works slightly better and you two were unanimous. Is there any discussion on the motion? Commissioner Loe, whenever you are ready.

MS. LOE: Yes, Madam Chair.

**Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Ms. Geuea Jones, Mr. Ford, Ms. Wilson, Ms. Loe, Mr. Stanton, Mr. Dunn. Voting No: Mr. MacMann. Motion carries 6-**

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MS. LOE: We have six for, one against. The motion carries.

MS. GEUEA JONES: Thank you. I will make an additional motion on this case to remove it from the consent agenda.

MR. MACMANN: I'll second that.

MS. GEUEA JONES: Because it does -- I think that this has enough community engagement that

we need to have it as a separate case docket in front of City Council as opposed to being on the consent agenda. Is there -- I think we talked previously we could do that by thumbs up, we don't need a roll call.

MS. THOMPSON: That's correct.

MS. GEUEA JONES: So if none of my fellow Commissioners object -- all right.

(Six votes for approval; one vote for denial.)

MS. GEUEA JONES: Six to one. Commissioner Dunn voted no. All right. Then it will be forwarded to City Council with that recommendation, and for the benefit of the public, what I just did there is instead of this being part of a massive docket that receives one vote in City Council, it will be its own separate item and have its own separate public hearing. So you will have a clear chance to speak again in front of City Council. With that -- sorry.

MR. MACMANN: Just, can I have your indulgence? .

MS. GEUEA JONES: Please.

MR. MACMANN: Dr. Thomas, I think you rock, and that was in no way directed at you; all right?  
Thanks.

MS. GEUEA JONES: All right. With that, will close the matter of Case Number 194-2023.