

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 69-13

AN ORDINANCE

repealing Ordinance No. 021141 which approved the C-P Development Plan of Ill Forks Prime Steakhouse located on the northeast corner of Providence Road and East Green Meadows Road; approving the Macadoodles C-P Plan; setting forth conditions for approval; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Council hereby repeals Ordinance No. 021141 passed on November 21, 2011, which approved the C-P Development Plan of Ill Forks Prime Steakhouse, dated October 25, 2011, located on the northeast corner of Providence Road and East Green Meadows Road.

SECTION 2. The City Council hereby approves the Macadoodles C-P Plan, dated March 11, 2013, located on the northeast corner of Providence Road and East Green Meadows Road. The Director of Community Development shall use the design parameters set forth in "Exhibit A" which is attached to and made a part of this ordinance as guidance when considering any future revisions to the C-P Plan.

SECTION 3. Approval of this C-P Plan is subject to the following conditions:

1. Store hours shall be restricted as follows:

8:00 a.m. to 10:00 p.m., Monday through Thursday
8:00 a.m. to 11:00 p.m., Friday and Saturday
9:00 a.m. to 10:00 p.m., Sunday

2. Applicant shall work with the City's arborist to approve a plan for under-story plantings, including evergreens, to supplement the 25-foot natural vegetative buffer screening strip located along the north side of Lot 1 of Providence South Plaza Plat 1. The under-story plantings shall be installed prior to issuance of a certificate of occupancy for the subject property, and shall achieve 80% opacity to a height of 12-feet within four (4) growing seasons.

3. The fuel canopy shall utilize LED lighting designed to minimize glare and light spillover beyond the subject property.

SECTION 4. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2013.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor



**City of Columbia
Planning Department**

701 E. Broadway, Columbia, MO
(573) 874-7239 planning@gocolumbiamo.com

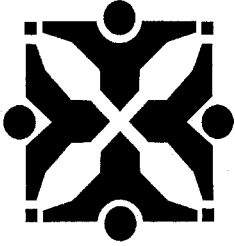
Design Parameters Worksheet

For office use:

Case #: <i>12-227</i>	Submission Date: <i>12-31-12</i>	Planner Assigned: <i>MacIntyre</i>
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Please provide the following information:

1. The minimum distance between any building and any adjacent property line or street right-of-way. 25' FEET TO STREET RIGHT OF WAY AND 20' TO INTERIOR PROPERTY LINES
2. The minimum distance between the edge of any driveway, parking area, loading area, trash storage area and any adjacent property line or street right-of-way.
0' TO INTERIOR PROPERTY LINES AND 6' TO STREET RIGHT OF WAY LINES EXCLUDING DRIVEWAYS.
3. The maximum number of freestanding signs on the site, the maximum square footage of sign surface area and maximum height of each.
3 FREE STANDING SIGNS 64 SQ.FT. MAXIMUM HEIGHT OF 12 FEET
4. The minimum percentage of the site to be maintained in open space shown by the percent in landscaping and the percent left in existing vegetation. (not applicable to M-R districts)
15 % IN LANDSCAPING AND 0% IN EXISTING VEGETATION
5. The maximum height and number of light poles and type of fixtures.
8 LIGHT POLES 12 FEET TALL WITH FULL CUT OFF FIXTURES.
ALL ON SITE LIGHTING WILL CONFORM TO 29-30.1 CITY OF COLUMBIA ORDINANCES.



Source: Community Development - Planning

Agenda Item No:

To: **City Council**

From: **City Manager and Staff**

Council Meeting Date: Mar 18, 2013

Re: Macadoodles C-P development plan request (Case 12-227)

EXECUTIVE SUMMARY:

A request by Wendling Development, LLC (owner) for approval of a C-P development plan to be known as Macadoodles C-P Plan. The 1.73-acre site is located at the northeast corner of Providence and Green Meadows. (Case #12-227)

DISCUSSION:

The request is for approval of an 8,665 square foot retail store, including a service station and drive-thru. The proposed development plan is being processed as a major amendment since it constitutes a significant change from the previously approved plan for a 7,000 square foot restaurant on the subject site. The property is zoned C-P (Planned Business District), and the proposed uses and building size fall within parameters established by the existing zoning.

The new plan includes enhanced evergreen landscape screening along the site's Carter Lane frontage that is equivalent to what was negotiated between the developer and neighbors in The Meadows neighborhood in 2011. The plan complies with all of the standards required by the City's Zoning and Subdivision Regulations, as well as access management requirements.

At its meeting on March 7th, the Planning and Zoning Commission voted unanimously (9-0) to recommend approval of the proposed development plan. Neighboring residents expressed concerns about the land use, landscape screening, hours of operation, traffic, and lighting. Commissioners were supportive of the development plan with the following conditions, which the applicant agreed to adhere to:

1. Store hours shall be limited to the following: 8am to 10pm, Monday to Thursday; 8am to 11pm, Friday and Saturday; 9am to 10pm, Sunday.
2. The applicant shall work with the City Arborist to approve a plan for under-story plantings, including evergreens, to supplement the 25-foot wide natural vegetative buffer screening strip located along the north side of Lot 1 of Providence South Plaza Plat 1. The under-story plantings shall be installed prior to a certificate of occupancy being issued on the subject site, and shall achieve 80% year-round opacity to a height of 12 feet within four growing seasons.
3. The fuel canopy shall utilize LED lighting designed to minimize glare and light spillover beyond the subject property.

Please find attached meeting minutes, staff report, development plan and design parameters. Letters from interested parties and exhibits from the public hearing are also attached. The development plan has been amended to note the LED lighting condition and hours of operation mentioned above.

FISCAL IMPACT:

None

VISION IMPACT:

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

None

SUGGESTED COUNCIL ACTIONS:

Approval of the amended C-P development plan.

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$0.00	Duplicates/Expands an existing program?	No	Vision Implementation impact	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	No
One Time	\$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	NA
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	NA
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	NA

**AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
February 21, 2013**

SUMMARY

A request by Wendling Development, LLC (owner) for approval of a C-P development plan to be known as Macadoodles C-P Plan. The 1.73-acre site is located at the northeast corner of Providence and Green Meadows. (Case # 12-227)

DISCUSSION

The request is for approval of an 8,665 square foot retail store, including a service station and drive-thru. The proposed development plan is being processed as a major amendment since it constitutes a significant change from the previously approved plan for a 7,000 square foot restaurant on the subject site. The property is zoned C-P (Planned Business District), and the proposed uses and building size fall within parameters established by the existing zoning.

The new plan includes enhanced evergreen landscape screening along the site's Carter Lane frontage that is equivalent to what was negotiated between the developer and neighbors in The Meadows neighborhood in 2011.

The plan complies with all of the standards required by the City's Zoning and Subdivision Regulations, as well as access management requirements.

RECOMMENDATION

Approval of the C-P development plan and associated design parameters

ATTACHMENTS

- Locator maps
- Proposed C-P development plan
- Design parameters
- Previously approved C-P development plan
- Rezoning ordinances

HISTORY

Annexation date	1969
Zoning requests	1969: Original zoning was A-1, R-3, & C-1 2000: Rezoned majority of site to C-P, allowing all permitted C-3 uses, with a few exceptions. This followed two similar failed requests to rezone. 2008: Rezoned remnants of land resulting from MoDOT ROW vacation and frontage road realignment, from O-P, C-P (C-1 uses), & A-1 to C-P with same uses & restrictions as 2000 rezoning.
Land Use Plan	Neighborhood District
Lot status	Lot 1, Providence South Plaza Plat 2

SITE CHARACTERISTICS

Area (acres)	1.73 acres
Topography	Gradually sloping downward from west to east
Vegetation/Landscaping	Cleared for development
Watershed/Drainage	Hinkson Creek
Existing structures	None

SURROUNDING LAND USES

Orientation from site	Zoning District	Land use
North	R-3 PUD	Single-family attached residential
South	C-P	Developing commercial
East	O-P/C-P	Developing commercial
West	C-3	Providence Road

UTILITIES & SERVICES

Sanitary Sewer	8-inch City sewer at southeast side of site
Water	8-inch City water line along west side of site
Fire Protection	Columbia Fire Department
Electric	City 3-phase overhead lines along west side of site

ACCESS

Green Meadows Road	
Location	South side of site
Major Roadway Plan	Major collector street (improved with curb/gutter). No additional ROW or improvements needed.
CIP projects	None
Sidewalk	8-ft wide pedway sidewalk in place along north side

Providence Road	
Location	West side of site
Major Roadway Plan	Expressway (unimproved; MoDOT-maintained). No additional ROW is required.
CIP projects	None
Sidewalk	5-ft wide sidewalk to be installed along east side

Providence Outer Road (aka Carter Lane)	
Location	East & north sides of site
Major Roadway Plan	Local non-residential street (improved; City-maintained). No additional ROW required. Sidewalk needed.
CIP projects	None
Sidewalk	5-ft wide sidewalk needed along south side

PARKS & RECREATION

Neighborhood Parks	Highpointe Park is 600 feet northeast of the site
Trails Plan	No trails planned adjacent to site
Bicycle/Pedestrian Plan	Pedways exists along west side of Providence Rd

PUBLIC NOTIFICATION

All property owners within 200 feet and City-recognized neighborhood associations within 1,000 feet of the boundaries of the subject property were notified by postcard of a public information meeting, which was held on January 22, 2013.

Public information meeting recap	Number of attendees: None Comments/concerns: None
Neighborhood Association(s) notified	The Meadows
Correspondence received	None as of this writing

Report prepared by Steve MacIntyre; Approved by Pat Zenner



**Case 12-227: C-P Development Plan
Macadoodles**

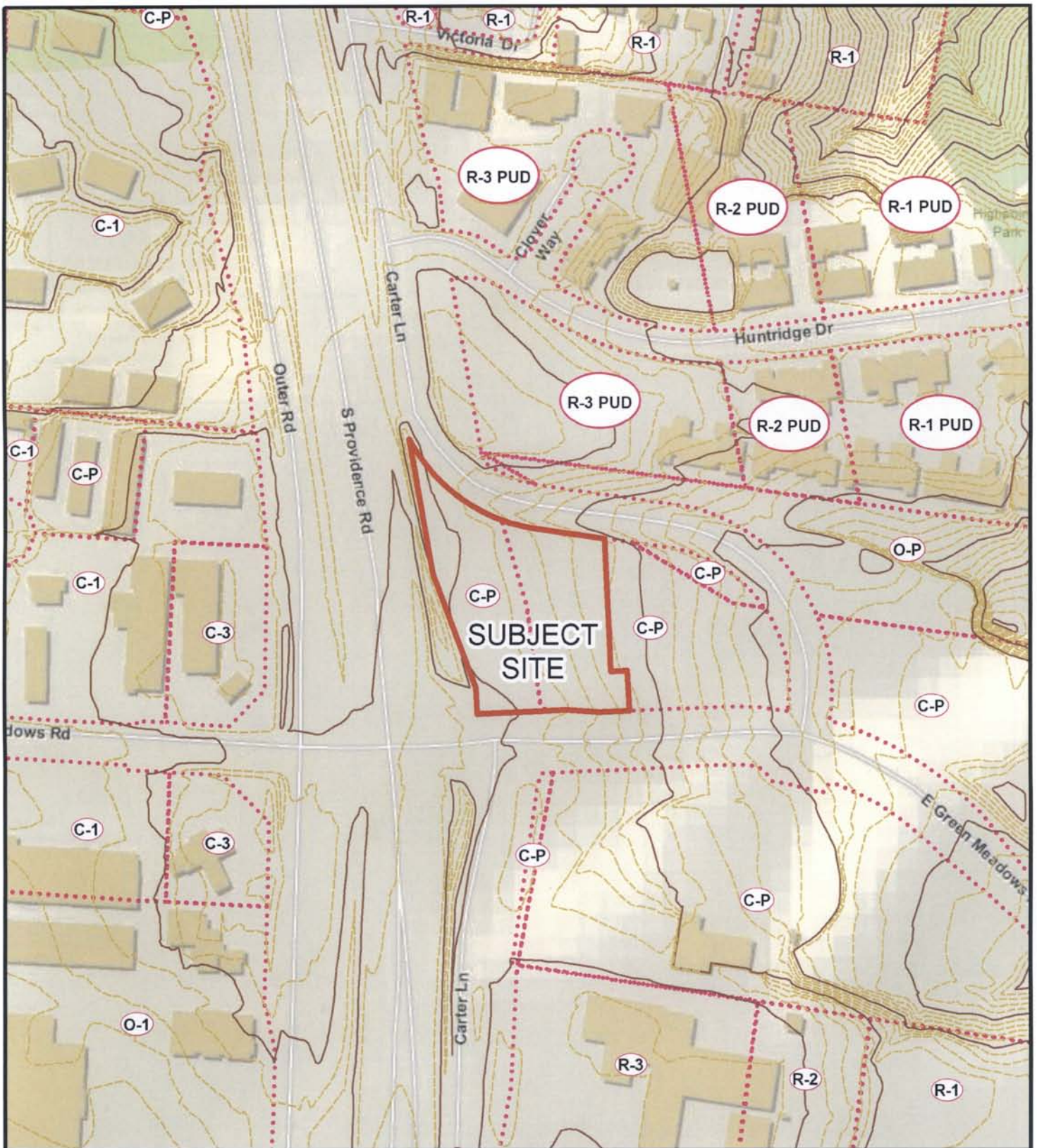


2011 Orthophoto
Source: Boone County Assessor



1 inch = 200 feet



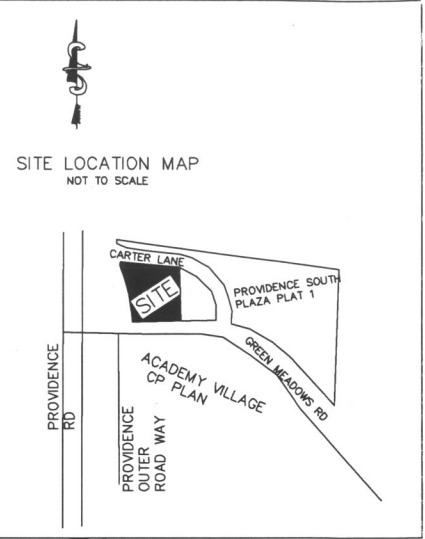


**Case 12-227: C-P Development Plan
Macadoodles**



1 inch = 200 feet





- SCALE 1" = 20'
- LEGEND
- F FOUND 5/8" ROD WITH CAP
 - LC321 UNLESS OTHERWISE NOTED
 - S SET 5/8" ROD WITH CAP
 - PM BRUSH AND ASSOC. LC 321
 - R/W PERMANENT MONUMENT
 - RA RIGHT-OF-WAY
 - L ARC LENGTH
 - CH CHORD
 - R RECORD
 - M MEASURED
 - X- FENCE
 - DHE- OVER HEAD ELECTRIC
 - U- PROPOSED UNDER GROUND ELECTRIC
 - UGFO- UNDER GROUND TELEPHONE
 - W- PROPOSED WATER LINE
 - WR- FOUND RIGHT-OF-WAY MARKER
 - (RA) RADIAL LINE
 - ANCHOR
 - UTILITY POLE
 - SANITARY SEWER MANHOLE
 - EXISTING WATER LINE
 - ELECTRIC TRANSFORMER
 - ENCLOSED DUMPSTER PAD
 - BICYCLE PARKING
 - EXISTING GAS LINE
 - PROPOSED FIRE HYDRANT
 - WATER VALVE
 - PST PROPOSED STORM SEWER
 - PSAN PROPOSED SANITARY SEWER
 - S FREE STANDING SIGN
 - POROUS PAVEMENT
 - M MONUMENT SIGN

DESCRIPTION:

A TRACT LOCATED IN THE SOUTH WEST QUARTER OF THE NORTH EAST QUARTER OF SECTION 25, TOWNSHIP 48 NORTH, RANGE 13 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING LOT 1 OF PROVIDENCE SOUTH PLAZA PLAT 2 AS SHOWN IN PLAT BOOK 45 PAGE 37 OF THE BOONE COUNTY RECORDS AND CONTAINING 1.73 ACRES

NOTES:

1.) THIS TRACT IS NOT LOCATED IN THE 100 YEAR FLOOD PLAIN AS PER FIRM MAP NUMBER 29019 C02900 DATED: MARCH 17, 2011.

2.) AFTER REVIEW OF USGS 7.5 MIN. QUAD SHEET COLUMBIA QUADRANGLE, THERE ARE NO REGULATED STREAMS AS DEFINED BY 12A-233 CITY OF COLUMBIA ORDINANCE.

3.) ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THE CITY OF COLUMBIA STREET AND STORM SEWER SPECIFICATIONS AND STANDARDS

4.) THE MAXIMUM BUILDING HEIGHT FOR ALL BUILDINGS IS 45 FEET.

LIGHTING NOTES:

LIGHTING TO COMPLY WITH SECTION 29-30.1 CITY OF COLUMBIA ORDINANCES.

SGN NOTES:

FREE STANDING SIGNS

2 FREE STANDING SIGNS LOCATED AT THE NORTH WEST CORNER OF SITE AND THE SOUTH WEST CORNER OF SITE. SIGNS TO BE 64 SQ.FT. MAX AREA AND 12 FEET TALL. MAXIMUM LOCATION AS SHOWN ON PLAN

BUILDING SIGNAGE WILL CONFORM TO C3 REQUIREMENTS IN SECTION 23-14 OF THE CITY OF COLUMBIA ORDINANCE

MONUMENT SIGN:

1 MONUMENT SIGN 32 SQ FT MAXIMUM AREA 6 FOOT MAXIMUM HEIGHT LOCATED AS SHOWN ALONG THE PROVIDENCE ROAD RIGHT OF WAY

PARKING NOTES:

REQUIRED PARKING:

1 PARKING SPACE PER 200 SQ FT

8665 SQ.FT. = 44 PARKING SPACES

4 BICYCLE PARKING SPACES

2 HANDICAPPED PARKING SPACES

PARKING PROVIDED:

2 HANDICAP ACCESSIBLE PARKING SPACE

50 PARKING SPACES

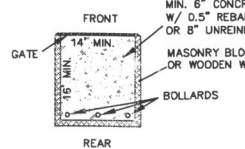
4 BICYCLE PARKING SPACES

8 GAS ISLAND SPACES

4 DRIVE THROUGH SPACES

TOTAL PARKING PROVIDED 67 PARKING SPACES

TYPICAL ENCLOSED DUMPSTER PAD
SEE INDIVIDUAL LOT SITE PLAN
FOR SPECIFIC DETAILS



OWNER:
WENDLING DEVELOPMENT
3210 S PROVIDENCE ROAD
COLUMBIA MO 65203

CONTRACT PURCHASER
MACADOODLES LLC
3105 E 7TH STREET
JOPLIN, MO. 64804

APPROVED BY THE CITY OF COLUMBIA PLANNING AND ZONING COMMISSION THIS ____ DAY OF ____, 2013.

DOUG WHEELER CHAIRMAN

ACCEPTED BY THE CITY COUNCIL THIS ____ DAY OF ____, 2013.

ROBERT MCDONALD MAYOR SHEELA AMIN CITY CLERK

BRUSH AND ASSOCIATES, INC.
CONSULTING ENGINEERS AND LAND SURVEYORS
506 NICHOLS STREET, SUITE A COLUMBIA, MISSOURI 65201
PHONE: (573) 442-3110 FAX: (573) 442-4851
www.brushsurvey.com

MACADOODLES CP PLAN
SITE PLAN
LOT 2 PROVIDENCE SOUTH PLAZA PLAT 2
PLAT BOOK 45 PAGE 37
25-48-13
CITY OF COLUMBIA BOONE COUNTY MISSOURI

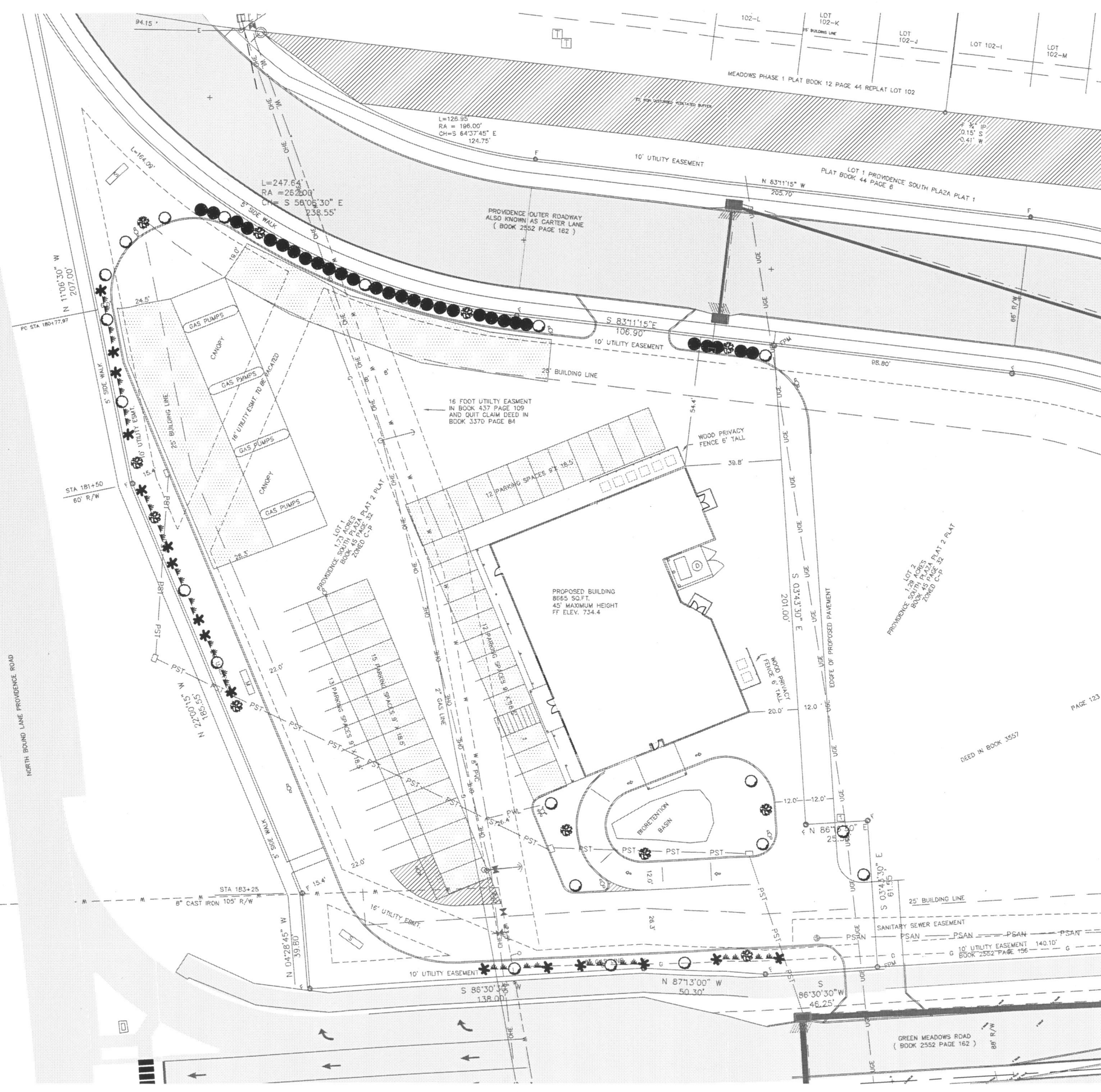
REVISION	DATE	COL. COMMENTS	REVISED MONUMENT SIGN LOCATION
1	12-31-2013		
2	12-31-2013		

DATE
12-31-12

SCALE
1"=20'

JOB NUMBER
7640

CE 101



SCALE 1" = 20'

LEGEND

- F FOUND 5/8" ROD WITH CAP
- CB BRUSH AND ASSOC. LC321 UNLESS OTHERWISE NOTED
- S SET 5/8" ROD WITH CAP
- BRUSH AND ASSOC. LC 321
- PM PERMANENT MONUMENT
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- PROPOSED FIRE HYDRANT
- WATER VALVE
- PST PROPOSED STORM SEWER
- PSAN PROPOSED SANITARY SEWER
- S FREE STANDING SIGN

- LANDSCAPE NOTES:
- 1.) ALL MEDIUM AND LARGE SHADE TREES SHALL BE A MINIMUM OF 2" CALIPER.
 - 2.) LANDSCAPER IS REQUIRED TO CONTACT THE CITY OF COLUMBIA ARBORIST UPON COMPLETION OF PLANTING FOR COMPLIANCE INSPECTION.
 - 3.) OF THE COMBINED TOTAL NUMBER OF TREES REQUIRED TO BE PLANTED IN THE 6 FOOT WIDE STREET YARD LANDSCAPING STRIP AND IN THE INTERIOR PARKING LOT, NO LESS THAN 30% SHALL BE A SPECIES OF MEDIUM TO LARGE SHADE TREES. IN ADDITION, TREES SHALL BE PLANTED WITHIN LANDSCAPING STRIP AREA AT THE RATE OF 1 TREE FOR EACH 50 LINEAL FEET.
 - 4.) OWNER/DEVELOPER MAY SUBSTITUTE PLANTING MATERIAL TYPES FROM APPROVED LIST OF THE CITY OF COLUMBIA PUBLIC WORKS DEPARTMENT.
 - 5.) THE TREES, SHRUBS AND OTHER LANDSCAPING MATERIALS DEPICTED ON APPROVED PLANS SHALL BE CONSIDERED AS ELEMENTS OF THE PROJECT IN THE SAME MANNER AS PARKING, BUILDING MATERIALS AND OTHER ELEMENTS. THE DEVELOPER, HIS SUCCESSOR AND SUBSEQUENT OWNERS AND THEIR AGENTS WHO ARE AUTHORIZED TO MAINTAIN THE PROPERTY, SHALL BE RESPONSIBLE FOR THE CONTINUED MAINTENANCE, PLANT MATERIAL WHICH EXHIBITS EVIDENCE OF INSECT PEST, DISEASE OR DAMAGE SHALL BE APPROPRIATELY TREATED AND DEAD PLANTS PROMPTLY REMOVED AND REPLACED WITHIN THE NEXT PLANTING SEASON.
 - 6.) ALL LANDSCAPING IS TO BE INSTALLED AFTER ALL BUILDING UTILITIES HAVE BEEN EXTENDED.

PLANTING CATEGORIES	TREES	(QTY)
(1)	(11) MEDIUM OR LARGE SHADE TREE	(2" CALIPER)
(1)	(20) ORNAMENTAL TREES	(15 GAL)
(5)	(16) DECIDUOUS SHRUB	(2 GAL)
(6)	(32) EVERGREEN SHRUB/ORNAMENTAL GRASS	(2 GAL)
(1)	(29) UPRIGHT ARBORVITAE	(5' TALL)

LANDSCAPE REQUIREMENTS:

TOTAL AREA OF = 1.73 ACRES
TOTAL LANDSCAPE AREA = 0.27 ACRES = 16 %
TOTAL AREA OF BUILDINGS AND PARKING = 1.46 ACRES = 84 %

BUILDING AREA 8,665 SQ. FT.
PARKING AREA 55,352 SQ. FT.
TOTAL IMPERVIOUS AREA 11,761 SQ. FT.
PERVIOUS AREA 63,997 SQ. FT.

1 TREE FOR EVERY 4500 SQ.FT. OF PARKING AREA;
33% TO LARGE TO MEDIUM SHADE TREES
55,352 SQ.FT. OF PARKING AREA = 12 TREES REQUIRED
(33% = 4 LARGE TO MEDIUM SHADE TREES)

UTILITY NOTES:

GAS:
AMEREN UE
210 ORR STREET
COLUMBIA, MO 65201
(573) 878-3030

WATER:
CITY OF COLUMBIA
701 EAST BROADWAY,
COLUMBIA, MO 65201
(573) 874-7325

SEWER:
PUBLIC WORK DEPARTMENT
CITY OF COLUMBIA
701 EAST BROADWAY
COLUMBIA, MO 65201
(573) 874-8280

ELECTRIC:
WATER AND LIGHT DEPARTMENT
701 EAST BROADWAY
COLUMBIA, MO 65201
(573) 874-7325

LOCATES:
MISSOURI ONE CALL INC.
1022 B. NORTHEAST DRIVE
JEFFERSON CITY, MO 65109
(800) 344-7483

BRUSH AND ASSOCIATES, INC.

CONSULTING ENGINEERS AND LAND SURVEYORS
506 NICHOLS STREET, SUITE A COLUMBIA, MISSOURI 65201
PHONE: (573) 442-3110 FAX: (573) 442-4851
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MACAODOODLES CP PLAN

LANDSCAPE PLAN
LOT 2 PROVIDENCE SOUTH PLAZA PLAT 2
PLAT BOOK 45 PAGE 37
25-48-13
CITY OF COLUMBIA BOONE COUNTY MISSOURI

REVISION	DATE	NUMBER

DATE
12-5-12

SCALE
1"=20'

JOB NUMBER
7640

CE 102



SCALE 1" = 20'

LEGEND

- F FOUND 5/8" ROD WITH CAP BRUSH AND ASSOC. LC321 UNLESS OTHERWISE NOTED
- S SET 5/8" ROD WITH CAP BRUSH AND ASSOC. LC 321
- PM PERMANENT MONUMENT
- R/W RIGHT-OF-WAY
- RA RADIUS
- L ARC LENGTH
- CH CHORD
- R RECORD
- M MEASURED
- X- FENCE
- OHE- OVER HEAD ELECTRIC
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- EXISTING GAS LINE
- PROPOSED FIRE HYDRANT
- WATER VALVE
- PST PROPOSED STORM SEWER
- PSAN PROPOSED SANITARY SEWER
- S FREE STANDING SIGN

CONCEPTUAL STORM WATER DESIGN

THIS IS A 1.73 ACRE SITE THAT WAS GRADED A NUMBER OF YEARS AGO. THE SITE IS COVERED WITH GRASS. THERE ARE NO REGULATED TREES ON THE SITE. THE SITE IS SUBJECT TO A 2008 DEVELOPMENT AGREEMENT WHICH ALLOWS THIS SITE TO UTILIZE A CITY OWNED DETENTION BASIN. THEREFORE NO ON SITE DETENTION IS REQUIRED. THIS SITE WILL UTILIZE PERVIOUS PAVEMENT AND BIORETENTION BASIN TO MEET A WATER QUALITY LEVEL OF SERVICE 7

UTILITY NOTES:

GAS:
AMEREN, U.E.
210 ORR STREET
COLUMBIA, MO 65201
(573) 876-3030

WATER:
CITY OF COLUMBIA
701 EAST BROADWAY,
COLUMBIA, MO 65201
(573) 874-7325

SEWER:
PUBLIC WORK DEPARTMENT
CITY OF COLUMBIA
701 EAST BROADWAY,
COLUMBIA, MO 65201
(573) 874-8280

ELECTRIC:
WATER AND LIGHT DEPARTMENT
701 EAST BROADWAY,
COLUMBIA, MO 65201
(573) 874-7325

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MACADOODLES CP PLAN

GRADING PLAN
LOT 2 PROVIDENCE SOUTH PLAZA PLAT 2
PLAT BOOK 45 PAGE 37

CITY OF COLUMBIA BOONE COUNTY MISSOURI

J. DANIEL BRUSH
DATE:

REVISION

DATE

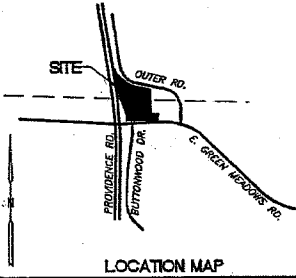
NUMBER

DATE

SCALE

JOB NUMBER



CE 103

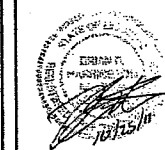


RECEIVED
OCT 26 2011
PLANNING DEPT.

CONCEPTUAL LANDSCAPE PLAN
MIFORIS PRIMESTEAKHOUSE
 COLUMBIA, MISSOURI

REVISED:

	OCT. 05 '11
	OCT. 25 '11



ALLSTATE
ACONSULTANTS
311 LESONE INDUSTRIAL BLVD.
COLUMBIA, MO. 65201
(313) 875-8799

REUSE OF THIS DRAWING IN ANY MANNER IS
STRICTLY PROHIBITED WITHOUT THE WRITTEN
APPROVAL OF
ALSTOM CONSTRUCTION, LLC

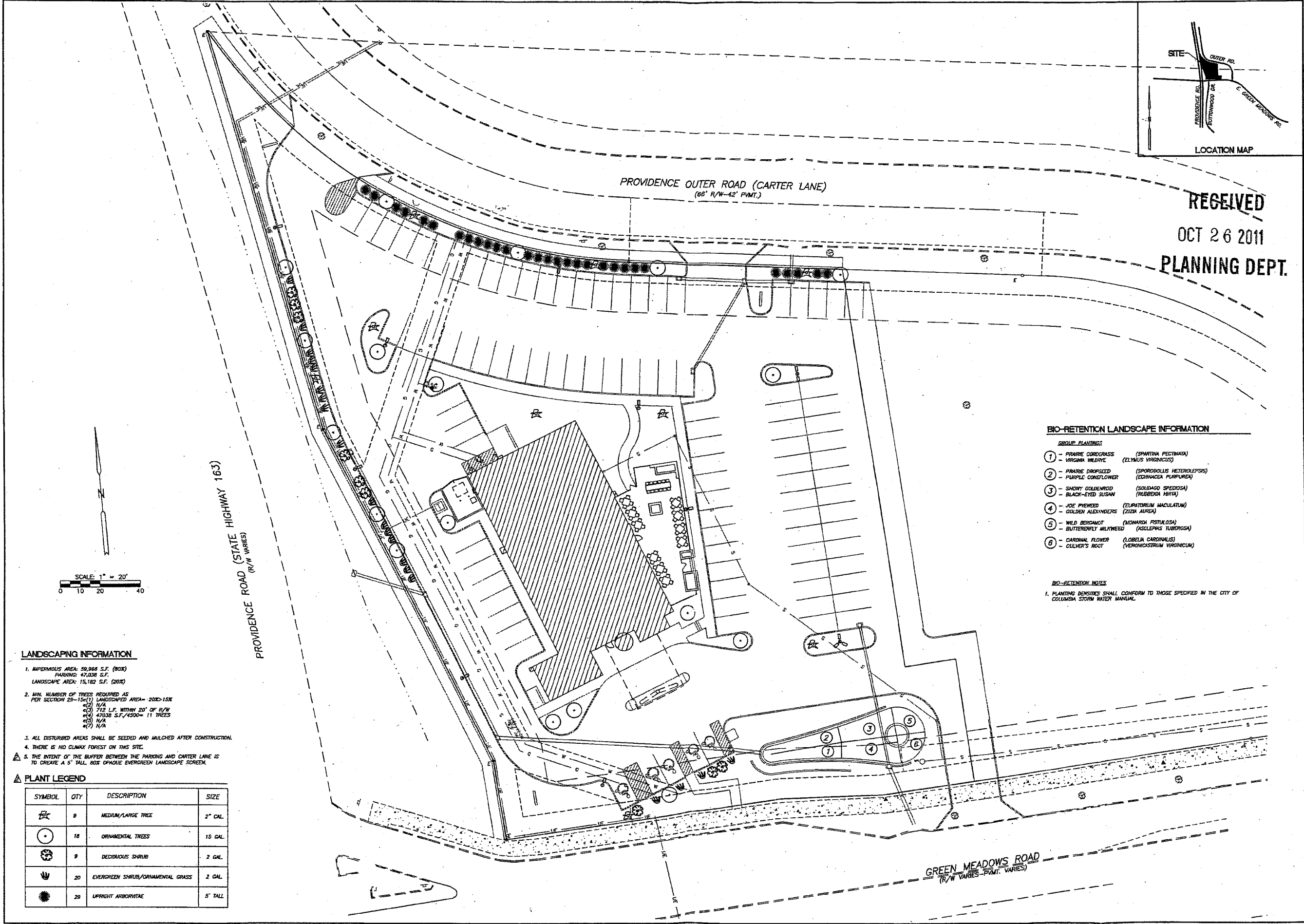
DATE
9-12-2011

JOB NUMBER
11192.01

SCALE
 $1" = 20'$

SHEET

3



LANDSCAPING INFORMATION

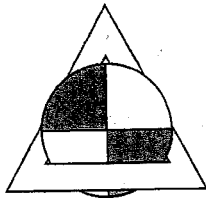
- IMPERVIOUS AREA: 59,968 S.F. (80%)
 PARKING: 47,038 S.F.
 LANDSCAPE AREA: 15,182 S.F. (20%)
- MIN. NUMBER OF TREES REQUIRED AS
 PER SECTION 29-15c(1) LANDSCAPED AREA= 200'-15%
 (e(2) N/A
 (e(3) 712 L.F. WITHIN 20' OF R/Y
 (e(4) 47038 S.F./4500' = 11 TREES
 (e(5) N/A
 (e(7) N/A
- ALL DISTURBED AREAS SHALL BE SEEDED AND MULCHED AFTER CONSTRUCTION.
- THERE IS NO CLIMAX FOREST ON THIS SITE.

△ THE INTENT OF THE BUFFER BETWEEN THE PARKING AND CARTER LANE IS TO CREATE A 5' TALL, 80% OPAQUE EVERGREEN LANDSCAPE SCREEN.

△ **PLANT LEGEND**

SYMBOL	QTY	DESCRIPTION	SIZE
	9	MEDIUM/LARGE TREE	2" CAL.
	18	ORNAMENTAL TREES	15 GAL.
	9	DECIDUOUS SHRUB	2 GAL.
	20	EVERGREEN SHRUB/ORNAMENTAL GRASS	2 GAL.
	29	UPRIGHT ARBOVITAE	5" TALL

E:\2011\11192.01-3FORKS.dwg\CP-PLAN\3FORKS-LANDSCAPE SHEETS-CP.dwg, Layout1, 10/25/2011 2:45:15 PM



allstate consultants llc
Engineering • Planning • Surveying • Investigative • Geotechnical

September 12, 2011

Mr. Tim Teddy, Director
Department of Planning and Development
City of Columbia
701 E. Broadway
Columbia, MO 65205

RECEIVED

SEP 12 2011

PLANNING DEPT.

Re: Design Parameters
III Forks Prime Steakhouse C-P Plan

Dear Mr. Teddy,

The following are the proposed design parameters for the III Forks Prime Steakhouse C-P Plan:


- a. The minimum distance between any building and any adjacent property line or street right of way shall be 25'.
- a. The minimum distance between the edge of any driveway, parking area, loading area, and trash storage area shall be 0' to an adjacent property line and 6' to a right of way line (excluding connecting driveways).
- b. The maximum number of freestanding signs on site shall be three.
 - Sign 1 will be located along the Green Meadows Road frontage and will conform to the C-3 signage requirements for collector roadways.
 - Maximum height of 12'
 - Maximum surface area of 64 s.f. (per side)
 - Sign 2 will be located along the Providence Road frontage and will conform to the C-3 signage requirements for an expressway.
 - Maximum height of 12', for each 1.25 ft. setback, add 1 ft. of height to a maximum of 24'.
 - Maximum surface area of 64 s.f. (per side), for each 1.25 feet of setback add 3.55 s.f. to a maximum of 128 s.f.
 - Sign 3 will be located along Providence Outer Road (Carter Lane) and will conform to the C-3 signage requirements for local nonresidential roadways.
 - Maximum height of 12'
 - Maximum surface area of 64 s.f. (per side)

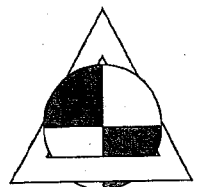
The maximum surface of building mounted signage along the individual street frontages shall meet the standards for C-3 zoning along collector or non-residential streets for each of the three street frontages.

- c. The minimum percentage of the site to be maintained in open space shall be 15%.
- d. All exterior lighting shall conform to section 29-30.1 of the City of Columbia Code of ordinances.

Please contact me at 573-875-8799 if you have any questions or need any additional information.

Sincerely,
Allstate Consultants LLC


Brian Harrington, PE, PTOE



016642

Permanent Record
Filed in Clerk's Office

Introduced by Hindman
First Reading 10-2-00 Second Reading 10-16-00
Ordinance No. 016642 Council Bill No. B 337-00

AN ORDINANCE

rezoning property located on the east side of Providence Outer Roadway, along both sides of the proposed eastward extension of Green Meadows Road, from Districts R-1, R-2, R-3, and C-1 to Districts C-P and O-P; amending the land use plan; repealing all conflicting ordinances or parts of ordinances; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The Zoning District Map established and adopted by Section 29-4 of the Code of Ordinances of the City of Columbia, Missouri, is amended so that the following property:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF THE TRACT DESCRIBED BY THE TRUSTEE'S DEED RECORDED IN BOOK 1560, PAGE 649 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, GREEN MEADOWS EAST PLAT 1, RECORDED IN PLAT BOOK 33, PAGE 70; THENCE WITH THE EAST RIGHT-OF-WAY LINE OF STATE HIGHWAY 163 (PROVIDENCE ROAD), N7°31'10"E, 285.85 FEET; THENCE N10°12'40"W, 277.42 FEET; THENCE N19°57'30"W, 209.90 FEET; THENCE N11°34'30"W, 26.51 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25-48-13; THENCE LEAVING SAID RIGHT-OF-WAY AND SAID NORTH LINE, S59°28'25"E, 476.89 FEET; THENCE S32°16'00"E, 130.00 FEET; THENCE S3°44'00"W, 130.00 FEET; THENCE S86°16'00"E, 60.00 FEET; THENCE S7°37'00"W, 150.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 1, GREEN MEADOWS EAST PLAT 1; THENCE WITH THE LINES OF SAID LOT 1, S7°37'00"W, 200.00 FEET; THENCE N82°23'00"W, 400.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.90 ACRES.

will be rezoned and become a part of District C-P (Planned Business District) and taken away from Districts R-3 (Medium Density Multiple-Family Dwelling District) and C-1 (Intermediate Business District). Hereafter the property may be used for all permitted uses in District C-3 except the following:

- a. Bowling Alleys
- b. Farm Machinery Sales & Service
- c. Miniature Golf Courses
- d. Mortuaries
- e. Armories
- f. Bus Stations
- g. Bars, Cocktail Lounges and Night Clubs

SECTION 2. The property described in Section 1 is designated "Planned Commercial" on the Land Use Plan.

SECTION 3. The Zoning District Map established and adopted by Section 29-4 of the Code of Ordinances of the City of Columbia, Missouri, is amended so that the following property:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF THE TRACT DESCRIBED BY THE TRUSTEE'S DEED RECORDED IN BOOK 1560, PAGE 649 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:


BEGINNING AT THE NORTHEAST CORNER OF CHRISTIAN CHAPEL SUBDIVISION, RECORDED IN PLAT BOOK 11, PAGE 232; THENCE WITH THE NORTH LINE THEREOF, N82°23'00"W, 559.46 FEET TO THE SOUTHEAST CORNER OF LOT 1, GREEN MEADOWS EAST PLAT 1, RECORDED IN PLAT BOOK 33, PAGE 70; THENCE LEAVING SAID NORTH LINE AND WITH THE EAST LINE OF SAID LOT 1, N7°37'00"E, 200.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE LEAVING SAID EAST LINE, CONTINUING N7°37'00"E, 150.00 FEET; THENCE N86°16'00"W, 60.00 FEET; THENCE N3°44'00"E, 130.00 FEET; THENCE N32°16'00"W, 119.40 FEET; THENCE S83°11'00"E, 625.50 FEET TO THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE WITH THE SAID EAST LINE, S0°13'00"E, 581.40 FEET TO THE POINT OF BEGINNING AND CONTAINING 7.25 ACRES.

will be rezoned and become a part of District C-P (Planned Business District) and taken away from Districts R-1 (One-Family Dwelling District), R-2 (Two-Family Dwelling District) and R-3 (Medium Density Multiple-Family Dwelling District). Hereafter the property may be used for all permitted uses in District C-1.

SECTION 4. The property described in Section 3 is designated "Planned Commercial" on the Land Use Plan.

SECTION 5. The Zoning District Map established and adopted by Section 29-4 of the Code of Ordinances of the City of Columbia, Missouri, is amended so that the following property:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI, BEING PART OF THE TRACT DESCRIBED BY THE TRUSTEE'S DEED RECORDED IN BOOK 1560, PAGE 649 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

 BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25-48-13; THENCE WITH THE EAST LINE THEREOF, S0°13'00"E, 201.52 FEET; THENCE LEAVING SAID EAST LINE, N83°11'00"W, 625.50 FEET; THENCE N32°16'00"W, 10.60 FEET; THENCE N59°28'25"W, 476.89 FEET TO THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25-48-13 ON THE EAST RIGHT-OF-WAY LINE OF STATE HIGHWAY 163 (PROVIDENCE ROAD); THENCE WITH SAID NORTH LINE, S83°11'00"E, 1044.15 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.81 ACRES.

will be rezoned and become a part of District O-P (Planned Office District) and taken away from Districts R-1 (One-Family Dwelling District), R-2 (Two-Family Dwelling District) and R-3 (Medium Density Multiple-Family Dwelling District). Hereafter the property may be used for all permitted uses in District O-1.

SECTION 6. The property described in Section 5 is designated "Planned Office" on the Land Use Plan.

SECTION 7. The rezoning of land set forth in this ordinance is subject to the following conditions:

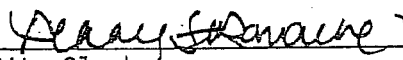
- a. That any C-P development plan submitted for the property described in Section 3 show the easternmost 25 feet (minimum) to be left as an undisturbed vegetative buffer.
- b. That any O-P development plan submitted for the property described in Section 5 show the northernmost 25 feet (minimum) to be left as an undisturbed vegetative buffer.

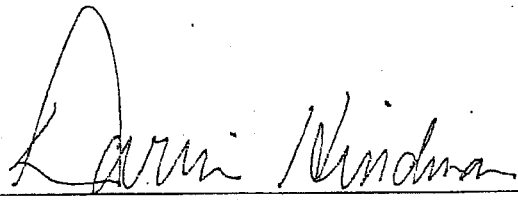
SECTION 8. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 9. This ordinance shall be in full force and effect from and after its passage.


PASSED this 10th day of October, 2000.

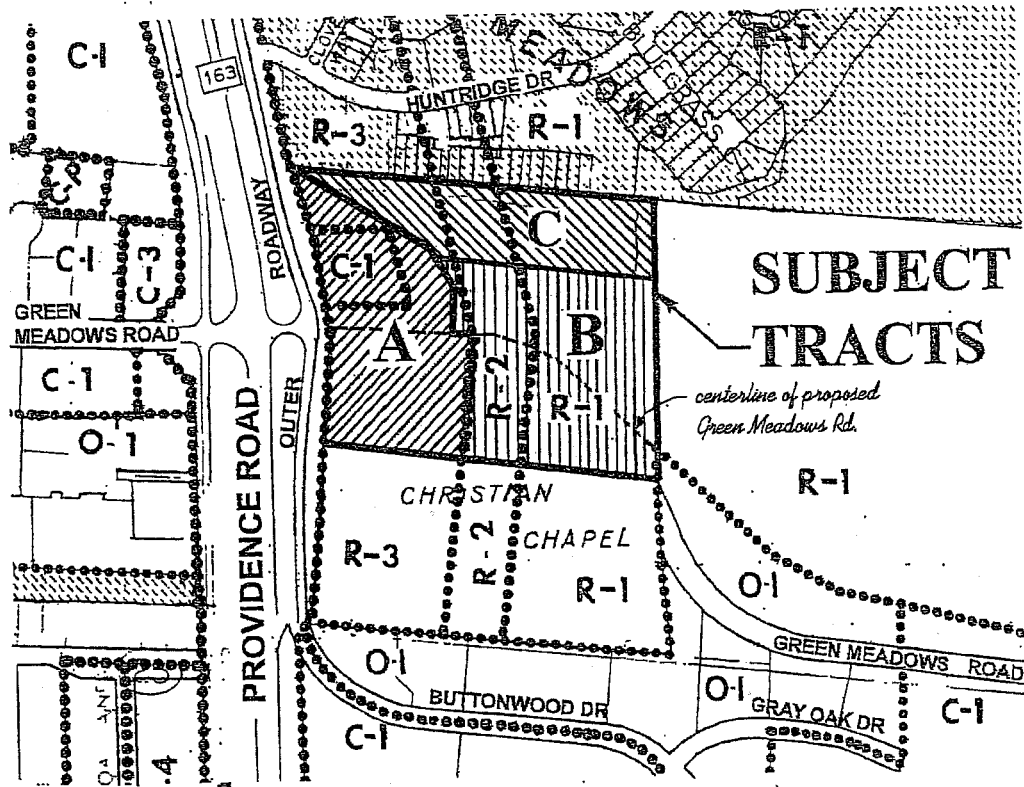
ATTEST:


City Clerk


Mayor and Presiding Officer

APPROVED AS TO FORM:


City Counselor



Introduced by Hindman
First Reading 11-17-08 Second Reading 12-1-08
Ordinance No. 020123 Council Bill No. B 339-08

020123
Permanently Repealed
Filed in Clerk's Office

AN ORDINANCE

rezoning property located northeast and southeast of the Providence Road and East Green Meadows Road intersection from Districts A-1 and O-P to District C-P; repealing all conflicting ordinances or parts of ordinances; changing the uses allowed on C-P zoned property located adjacent to the rezoned property on the north side of East Green Meadows Road, west of Carter Lane; setting forth a condition for approval; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The Zoning District Map established and adopted by Section 29-4 of the Code of Ordinances of the City of Columbia, Missouri, is amended so that Tract A, Tract B and that portion of Tract C not already zoned C-P, described as follows:

Tract A:

A TRACT LOCATED IN SECTION 25, TOWNSHIP 48 NORTH, RANGE 13 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, AND BEING PART OF THE TRACT DESCRIBED BY THE DEED IN BOOK 383 PAGE 185 AND PART OF THE TRACT SHOWN BY THE SURVEY IN BOOK 3298 PAGE 26, ALSO BEING PART OF THE TRACT DESCRIBED BY THE DEED IN BOOK 3370 PAGE 84 ALL OF THE BOONE COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

STARTING AT A POINT ON THE EAST LINE OF THE TRACT SHOWN BY SAID SURVEY IN BOOK 3298 PAGE 26 BEING 195 FEET LEFT OF STATION 184+60; THENCE WITH SAID EAST LINE S08°39'54"W, 18.77 FEET TO THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING CONTINUING WITH SAID EAST LINE S08°39'54"W, 267.35 FEET TO THE SOUTHWEST CORNER OF THE TRACT SHOWN AS LOT 1 OF GREEN MEADOWS EAST PLAT 1 IN PLAT BOOK 33 PAGE 70 OF THE BOONE COUNTY RECORDS; THENCE LEAVING SAID EAST LINE N81°13'00"W, 43.28 FEET; THENCE N06°19'20"E, 44.39 FEET; THENCE N15°21'26"E, 63.91 FEET; THENCE N24°23'32"E, 57.20 FEET; THENCE N23°45'49"E, 28.24 FEET; THENCE S80°57'05"E,

5.01 FEET; THENCE N09°39'23"E, 75.86 FEET; THENCE N90°00'00"E, 8.56 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.17 ACRES.

Tract B:

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 25 TOWNSHIP 48 NORTH, RANGE 13 WEST, IN THE CITY OF COLUMBIA, BOONE COUNTY MISSOURI, BEING PART OF THE TRACT SHOWN BY THE SURVEY IN BOOK 3298 PAGE 26, ALSO BEING PART OF THE TRACT DESCRIBED BY THE DEED IN BOOK 3370 PAGE 84 ALL OF THE BOONE COUNTY RECORDS SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF THE TRACT SHOWN BY SAID SURVEY IN BOOK 3298 PAGE 26 SAID POINT BEING SHOWN AS STA 183+25 AND 105 FEET LEFT OF THE CENTERLINE OF PROVIDECNE ROAD; THENCE FROM THE POINT OF BEGINNING N 22°00'15"W, 185.55 FEET; THENCE N 11°06'30"W, 207.00 FEET TO THE SOUTH RIGHT OF WAY OF CARTER LANE; THENCE LEAVING SAID WEST LINE AND WITH THE SOUTH LINE OF CARTER LANE WITH A NON TANGENT CURVE TO THE LEFT 161.29 FEET; RADIUS 262.00 FEET, CHORD S 46°39'45" E, 158.75 FEET TO A POINT ON THE EAST LINE OF SAID TRACT; THENCE LEAVING THE SOUTH LINE OF CARTER LANE AND WITH THE EAST LINE OF SAID TRACT S19°59'45"E, 135.30 FEET THENCE S 10°15'30"E, 176.65 FEET; THENCE LEAVING SAID EAST LINE S86°30'30"W, 80.85 FEET TO A POINT ON THE WEST LINE OF SAID TRACT; THENCE WITH SAID WEST LINE N04°28'45"W, 39.80 FEET TO THE POINT OF BEGINNING AND CONTAINS 0.76 ACRES.

Tract C:

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 25 TOWNSHIP 48 NORTH, RANGE 13 WEST, IN THE CITY OF COLUMBIA, BOONE COUNTY MISSOURI, BEING PART OF THE TRACT DESCRIBED BY THE DEED IN BOOK 1560 PAGE 649 OF THE BOONE COUNTY RECORDS SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

STARTING AT A POINT ON THE WEST LINE OF THE TRACT SHOWN BY THE SURVEY IN BOOK 3298 PAGE 26 OF THE BOONE COUNTY RECORDS SAID POINT BEING SHOWN AS STA 183+25 AND 105 FEET LEFT OF THE CENTERLINE OF PROVIDENCE ROAD; THENCE FROM THE POINT OF BEGINNING N22°00'15"W, 185.55 FEET; THENCE N 11°06'30"W, 207.00 FEET TO THE SOUTH RIGHT OF WAY OF CARTER LANE; THENCE LEAVING SAID WEST LINE AND WITH THE SOUTH RIGHT OF WAY LINE OF CARTER LANE WITH A NON TANGENT CURVE TO THE LEFT 161.29 FEET; RADIUS 262.00 FEET, CHORD S46°39'45"E, 158.75 FEET TO A POINT ON THE EAST LINE OF SAID TRACT; THENCE CONTINUING WITH THE SOUTH RIGHT OF WAY LINE OF SAID CARTER LANE 86.36 FEET ALONG A CURVE TO THE LEFT, CURVE RADIUS 262.00 FEET, CHORD S 73°44'30"E, 85.95 FEET; THENCE S 83°11'15"E, 114.95 FEET TO THE POINT BEGINNING;

THENCE FROM THE POINT OF BEGINNING CONTINUING WITH SAID RIGHT OF WAY LINE S83°11'15"E, 90.75 FEET; THENCE WITH A CURVE TO THE RIGHT 210.14 FEET, CURVE RADIUS 217.00 FEET, CHORD S 55°26'45"E, 202.05 FEET; THENCE WITH A CURVE TO THE RIGHT 81.15 FEET, CURVE RADIUS 217.00 FEET, CHORD S16°58'15"E, 80.70 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE S 84°49'30"W, 8.95 FEET; THENCE WITH A NON TANGENT CURVE TO THE RIGHT 41.32 FEET, CURVE RADIUS 51.00 FEET, CHORD S28°16'00"W, 40.20 FEET; THENCE N 03°42'45"E, 20.45 FEET; THENCE N 32°14'15"W, 119.40 FEET; THENCE N 32°17'15"W, 10.60 FEET; THENCE N 59°29'45"W, 213.60 FEET TO THE POINT OF BEGINNING AND CONTAINS 0.35 ACRES.

will be rezoned and become a part of District C-P (Planned Business District) and taken away from District A-1 (Agricultural District) and District O-P (Planned Office District). Hereafter the property may be used for all permitted uses in District C-3 with the exception of the following uses:

- Bowling alleys
- Farm machinery sales and service
- Miniature golf courses
- Mortuaries
- Armories
- Bus stations
- Bars, cocktail lounges and night clubs

The statements of intent for Tracts A, B and C, marked "Exhibit A," are attached to and made a part of this ordinance.

SECTION 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. The C-P zoning on that portion of Tract C authorized by Ordinance No. 016642 passed on October 16, 2000 is amended so that the allowed C-P uses on this property shall be as follows:

All permitted uses in District C-3 except for the following uses:


- Bowling alleys
- Farm machinery sales and service
- Miniature golf courses
- Mortuaries
- Armories
- Bus stations
- Bars, cocktail lounges and night clubs

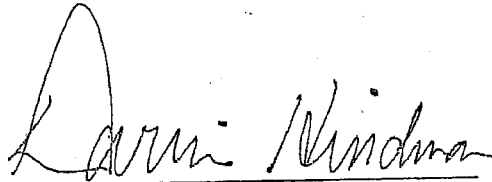
SECTION 4. The rezoning of the tracts described in Section 1 shall be subject to the condition that any future access or development plan proposal shall meet the terms of the development agreement authorized by Ordinance No. 019927 passed on June 2, 2008.

SECTION 5. This ordinance shall be in full force and effect from and after its passage.


PASSED this 1st day of December, 2008.

ATTEST:


City Clerk


Mayor and Presiding Officer

APPROVED AS TO FORM:


City Counselor

BRUSH & ASSOCIATES

CONSULTING ENGINEERS AND LAND SURVEYORS
506 NICHOLS STREET, SUITE A COLUMBIA, MISSOURI 65201
PHONE : (573) 442-3110 FAX: (573) 442-4851

PROFESSIONAL ENGINEERS
JAMES W. BRUSH PE - RETIRED
J. DANIEL BRUSH PE
DANIEL P. HAID EI

Exhibit A

LAND SURVEYORS
JAMES W. BRUSH PLS - RETIRED
J. DANIEL BRUSH PLS

09/12/08

Mr. Tim Teddy
Director of Planning
City of Columbia Department of Planning and Development
P.O. Box 6015
701 E. Broadway
Columbia, Mo 65201

Re: STATEMENT OF INTENT
TRACT A
Wendling Rezoning

The following is the statement of intent for the above project.

- a. The following uses are proposed
All permitted uses in district C-3 except the following;
 - a. bowling alleys
 - b. Farm machinery Sales & Service
 - c. Miniature golf Courses
 - d. Mortuaries
 - e. Armories.
 - f. Bus Stations
 - g. Bars, Cocktail Lounges and Night Clubs
- b. Maximum gross square feet of building floor area proposed
1,700 sq. ft.
- c. The maximum building height proposed
45 feet, except the height may exceed 45 feet, provided that for each additional foot of height, one additional foot of setback shall be provided for all required yards.
- d. The minimum percentage of the site to remain in open space is to be
15%.

Sincerely

Dan Brush PE PLS

BRUSH & ASSOCIATES

CONSULTING ENGINEERS AND LAND SURVEYORS
506 NICHOLS STREET, SUITE A COLUMBIA, MISSOURI 65201
PHONE : (573) 442-3110 FAX: (573) 442-4851

PROFESSIONAL ENGINEERS
JAMES W. BRUSH PE - RETIRED
J. DANIEL BRUSH PE
DANIEL P. HAID EI

LAND SURVEYORS
JAMES W. BRUSH PLS - RETIRED
J. DANIEL BRUSH PLS

09/12/08

Mr. Tim Teddy
Director of Planning
City of Columbia Department of Planning and Development
P.O. Box 6015
701 E. Broadway
Columbia, Mo 65201

Re: STATEMENT OF INTENT
TRACT B
Wendling Rezoning

The following is the statement of intent for the above project.

- a. The following uses are proposed
All permitted uses in district C-3 except the following;
 - a. bowling alleys
 - b. Farm machinery Sales & Service
 - c. Miniature golf Courses
 - d. Mortuaries
 - e. Armories
 - f. Bus Stations
 - g. Bars, Cocktail Lounges and Night Clubs
- b. Maximum gross square feet of building floor area proposed
7,300 sq. ft.
- c. The maximum building height proposed
45 feet, except the height may exceed 45 feet, provided that for each additional foot of height, one additional foot of setback shall be provided for all required yards.
- d. The minimum percentage of the site to remain in open space is to be
15%.

Sincerely

Dan Brush PE PLS

BRUSH & ASSOCIATES

CONSULTING ENGINEERS AND LAND SURVEYORS
506 NICHOLS STREET, SUITE A COLUMBIA, MISSOURI 65201
PHONE: (573) 442-3110 FAX: (573) 442-4851

PROFESSIONAL ENGINEERS
JAMES W. BRUSH PE - RETIRED
J. DANIEL BRUSH PE
DANIEL P. HAID EI

LAND SURVEYORS
JAMES W. BRUSH PLS - RETIRED
J. DANIEL BRUSH PLS

09/12/08

Mr. Tim Teddy
Director of Planning
City of Columbia Department of Planning and Development
P.O. Box 6015
701 E. Broadway
Columbia, Mo 65201

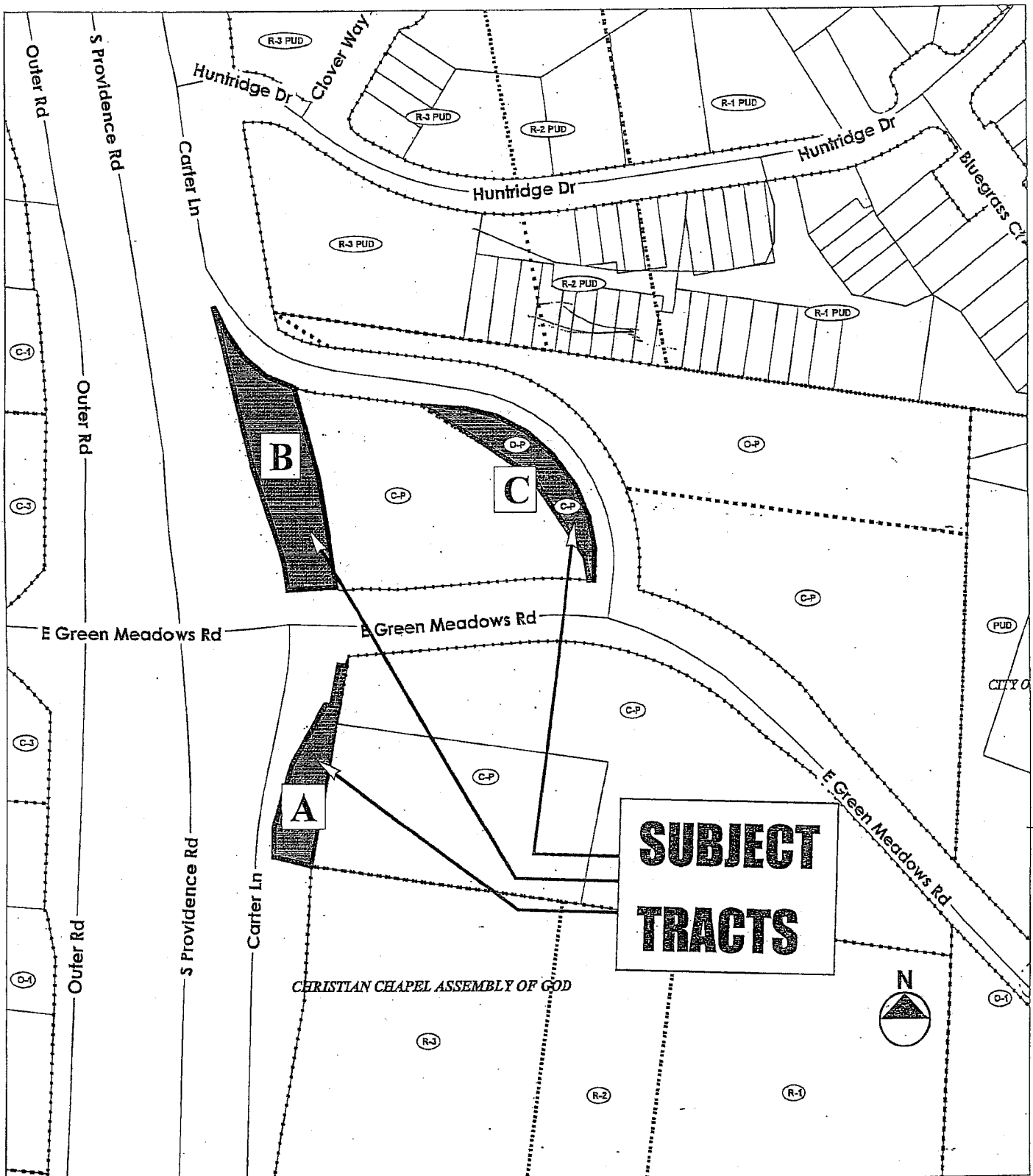
Re: STATEMENT OF INTENT
TRACT C
Wendling Rezoning

The following is the statement of intent for the above project.

- a. The following uses are proposed
All permitted uses in district C-3 except the following;
 - a. bowling alleys
 - b. Farm machinery Sales & Service
 - c. Miniature golf Courses
 - d. Mortuaries
 - e. Armories
 - f. Bus Stations
 - g. Bars, Cocktail Lounges and Night Clubs
- b. Maximum gross square feet of building floor area proposed
1,700 sq. ft.
- c. The maximum building height proposed
45 feet, except the height may exceed 45 feet, provided that for each additional foot of height, one additional foot of setback shall be provided for all required yards.
- d. The minimum percentage of the site to remain in open space is to be
15%.

Sincerely

Dan Brush PE PLS







THE PLAYERS

A BLEND OF THE FOLLOWING TO BE PLANTED AT A RATE OF 8 # PER ACRE. PLANTING TO BE BY HAND BROADCASTING AS DIRECTED BY SUPPLIER.

11.3 PLIN: PRIMER AMERICA BATHWALL OR PRIMER AMERICA ROISCHER
SEALANT TO BE PLACED ON 8 FOOT CENTER LINE ONLY AS SHOWN ON THE PLAN.
PLANTING TO BE BY HAND AND METHOD OR BY SUPPLIERS RECOMMENDATION.

WILDFE MISTAY BLIND
6.98 2 BUSHINGS
12.98 600 BLACKEN
12.98 600M GRASS
12.98 600M GRASS
6.98 SAND LINGERER
6.98 CANADA WILFIE
6.98 PURPLE FRANK CLOVER
3.99 BLACKWEED SUGAR
12.98 BLACKBERRY SUNDRIPLAND
3.98 PHOTONIC PEA
6.98 ALPINE

AREA TO BE PLANTED 0.43 ACRES SEE SHADY AREA

PLAYING LEADS

EXISTING WHITE GRN (AS SHOWN BY AERIAL PHOTO ACTUAL LOCATION MAY VARY)

© 1995 WILD PLUM

(4 LBS) WILDLIFE INSTANT GRIND COVER BLEND 9 SEE NOTE)

CHEN
WORKING DEVELOPMENT LLC
3000 S. PROVIDENCE
COLORADO, 80108

BRUSH AND ASSOCIATES, INC.

CONSULTING ENGINEERS AND LAND SURVEYORS
506 NICHOLS STREET, SUITE A, COLUMBIA, MISSOURI 65201
PHONE: (314) 442-5110 FAX: (314) 442-4851
www.bushingsjars.com

PROVIDENCE SOUTH PLAZA
TREE PRESERVATION
LANDSCAPE ENHANCEMENT PLAN

UNIVERSITY OF COLUMBIA

MISSOURI COUNTY

REFERENCES

CE 101

Planning and Zoning Commission
Steve MacIntyre, Dept. of Planning and Development
City of Columbia
Columbia MO

Feb. 20, 2013

Dear Planning and Zoning commissioners and Steve MacIntyre,

Thank you for notifying us of the newest development proposal for Green Meadows and Providence and for your action at the last hearing of requesting a minimum of 5 foot evergreen plantings north of the proposed development for a Steak House. We did not object to family oriented businesses or the steak house previously proposed.

We do object to another Gas Station, Liquor Store and Convenience Store. We have 3 liquor stores and 4 gas station-convenience stores less than a mile away. Surely there are more appropriate family oriented businesses that could be located between residential neighborhoods, a church, its school and the Early Childhood Academy.

Our concerns about the current proposal include: Traffic, hours and opacity.

Traffic on Carter Lane is already impacting the only access in/out of our residential area. Locating the primary gas station entrance on Carter increases the traffic flow near a curve on Carter Lane that is already a hazardous blind spot. It also increases the traffic entering/exiting Providence at Carter Lane, a congested and dangerous intersection.

Hours: Some Macadoodles gas stations are open 24 hours a day, others close at 11 p.m. The gas happy hours at Macadoodles are 4-6 p.m., a time when traffic now backs up turning across Providence to go East at both Carter Lane and Green Meadows. We would like to see the pumps close by 11 p.m. and the pumps located on the Green Meadows side of the store. That street does not border residential and is better lighted.

Opacity: For 13 years we have looked at construction equipment and trailers parked on the land around the school/daycare. Promises of appropriate size and species of trees to create 80% opacity have not materialized. Most of the city trees have died and the unwanted invasive species Wendling planted have not been removed. Our living rooms will now face the proposed back of the convenience/liquor store and the entrance to the gas station. Increased opacity would block some of the lighting, litter and noise pollution of this development.

Thank you for your consideration of these concerns.

Sincerely,
Sandy Matsuda
504 Huntridge Dr. Resident of the Meadows

TO: Planning and Zoning Commissioners

FROM: Ilene Rauzi (506 Huntridge Drive)

RE: Macadoodles C-P Plan (case #12-227)

DATE: February 20, 2013

I live in one of the townhouses that are north of the proposed development and will therefore be directly impacted by this development as well as others that live in the Meadows community. We are opposed to this proposed development in its present form.

I have spent some time on Macadoodle's website checking their services and nowhere on their site do they list gas as one of their services. Though I learned about their gas service through their Facebook site that lists several posts regarding their "Gas Happy Hours" discounting the gas prices for a period of 2 hours and using an attendant to direct traffic. I also found one of their stores do not have gas pumps – so wonder if they are needed and why a liquor store would have them in the first place.

A concern regarding the gas pumps and their location is the increased traffic on Carter Lane. Currently, speeding cars and visibility at the curve of Carter Lane has presented some difficulty in exiting/entering Huntridge Drive. Another concern is the hours of the gas service – the possibility of 24 hour access would provide issues of noise and lighting. We recommend that the pumps be eliminated or moved to the Green Meadows roadside.

Screening and buffering with opacity continues to be a concern for the Meadows Community and has been discussed at each rezoning and proposed development. This current proposal is especially of concern with all its services/products and potential activity including a drive thru window for liquor and the convenience store. There needs to be a buffer on the north side of Carter that will give us the opacity needed to screen out noise, lighting and visible distractions.

Also of concern are future developments in this tract directly below the proposed development. Hopefully, any screening on the north side of Carter can take that section of future development in consideration.

Almost everyone I talked to regarding the proposed development has mentioned that they did not think this type of development would be considered or had heard Wendling say that only certain businesses would be appropriate for the area near the Child Care Center.

From the Columbia Daily Tribune on April 18, 2009 an interview with Steve Wendling regarding the development at Green Meadows Road and South Providence:
"He said he wants to make sure potential tenants complement the nearby Academy of Fine Arts and Early Childhood Learning, which he and his wife own. My whole goal and desire for the area is to have family-oriented business...medical, insurance, coffee shop type things," Wendling said.

Thank you for your consideration of our concerns.



Apple Mail app on iPhone or iPad. Tap here to download.

Development on Green Meadows/Providence /Carter Lane

Phyllis Cope <pcope@centurytel.net>

Sat, Feb 23, 2013 at 12:12 AM

To: sjmacint@gocolumbiamo.com

Planning and Zoning Commission
Steve MacIntyre, Dept. of Planning and Development
City of Columbia
Columbia MO

Feb. 20, 2013

Dear Planning and Zoning commissioners and Steve MacIntyre,

Thank you for notifying us of the newest development proposal for Green Meadows and Providence. I object to another Gas Station, Liquor Store and Convenience Store. We have 3 liquor stores and 4 gas station-convenience stores less than a mile away. Surely there are more appropriate family oriented businesses that could be located between residential neighborhoods, a church, its school and the Early Childhood Academy.

My concerns about the current proposal include: Traffic, hours, and safety with a drive through liquor store..

Traffic on Carter Lane is already impacting the only access in/out of our residential area. Locating the primary gas station entrance on Carter increases the traffic flow near a curve on Carter Lane that is already a hazardous blind spot. It also increases the traffic entering/exiting Providence at Carter Lane, a congested and dangerous intersection.

Opacity: For 13 years we have looked at construction equipment and trailers parked on the land around the school/daycare. Promises of appropriate size and species of trees to create 80% opacity have not materialized. Most of the city trees have died and the unwanted invasive species Wendling planted have not been removed.

Thank you for your consideration of these concerns.

Sincerely,
Phyllis Cope
711 Huntridge Dr. Resident of the Meadows



Steve MacIntyre <sjmacint@gocolumbiamo.com>

Proposed development near Providence/Green Meadows/Carter Lane

Joanne Heisler <extjhs33@hotmail.com>

Mon, Mar 4, 2013 at 11:34 AM

To: sjmacint@gocolumbiamo.com

Cc: ward6@gocolumbiamo.com

Planning and Zoning Commission

Steve MacIntyre, Dept. of Planning and Development

City of Columbia

Columbia MO

March 3, 2013

Dear Planning and Zoning commissioners and Steve MacIntyre,

I have just learned of the newest development proposal for Carter Lane near Green Meadows and Providence. I strenuously object to another Gas Station, Liquor Store and Convenience Store in that location. We have 3 liquor stores and 4 gas station-convenience stores less than a mile away. Surely there are more appropriate family oriented businesses that could be located between residential neighborhoods, a church, its school and the Early Childhood Academy. I would not object to family oriented businesses or the steak house previously proposed.

Concerns about the current proposal include: Traffic, hours and pollution.

Traffic on Carter Lane is already impacting the only access in/out of our residential area. Locating the primary gas station entrance on Carter increases the traffic flow near a curve on Carter Lane that is already a hazardous blind spot.

It also increases the traffic entering/exiting Providence at Carter Lane, a congested and dangerous intersection.

Hours: Some Macadoodles gas stations are open 24 hours a day, others close at 11 p.m. The gas happy hours at Macadoodles are 4-6 p.m., a time when traffic now back ups turning across Providence to go East at both Carter Lane and Green Meadows.

Litter, Light and Noise Pollution: We already get this from the University Athletic fields and this would further destroy the residential character of our neighborhood. (When I built my home that land was zoned agricultural. Can you imagine what a difference in property value it will mean to me to have a liquor store/gas station instead of a pasture as my neighbor?)

Thank you for your consideration of these concerns.

Sincerely,

Joanne Heisler, homeowner

713 Huntridge Dr.



Steve MacIntyre <sjmacint@gocolumbiamo.com>

Carter Lane

Barbara Thieman <bathiemman@hotmail.com>

Mon, Mar 4, 2013 at 3:19 PM

To: Barbara Hoppe <ward6@gocolumbiamo.com>, Steve MacIntyre <sjmacint@gocolumbiamo.com>

Planning and Zoning Commission
Steve MacIntyre, Dept. of Planning & Development
City of Columbia
Columbia, MO
March 4, 2013

Dear Planning and Zoning Commissioners and Steve MacIntyre,

I have just learned of the newest development proposal for Carter Lane near Green Meadows and Providence. I strenuously object to another Gas Station, Liquor Store and Convenience Store in that location. We have 3 liquor stores and 4 gas station-convenience stores less than a mile away. Surely there are more appropriate family oriented businesses that could be located between residential neighborhoods, a church, its school and the Early Childhood Academy. I would not object to a family oriented businesses or the steak house previously proposed.

Sincerely,
Barbara Thieman
517 Huntridge Drive j
Condominium Owner

condo owner 517 Huntridge

Planning and Zoning Commission
Steve Macintyre, Dept. of Planning and Development
City of Columbia
Columbia, Missouri

March 7, 2013

Dear Planning and Zoning Commissioners and Steve Macintyre,

Thank you for keeping us informed regarding proposed development plans for Providence Village (Green Meadows and Providence). We have no objection to the development of a family oriented business, but were surprised and concerned with the proposed development of a Macadoodles. This proposal **does** meet with objection from our community.

The development of a Macadoodles would bring another gas station, convenience store, liquor/wine store, and, new to Columbia, a drive through liquor store. Presently, within a mile radius, we have 3 locations to buy liquor (Arena, Gerbes and Hy-Vee), and 4 locations for gas/convenience stores (Hy-Vee, Shell, Phillips 66, and Breaktime). None of these are located in a residential area or near a church, school, or day care.

Concerns regarding this proposed development include: Increased crime, traffic, hours, and opacity.

Crime: Convenience stores with and without gas stations appear to be targets for crime.

Traffic: We have only one way in and out of our residential area (turning either right or left on Carter Lane). There is a blind spot as a result of a curve on Carter Lane that impacts our entrance on Carter. Locating the primary gas station entrance on Carter Lane will increase traffic thus making entering Carter more hazardous. This increase in traffic will also potentially impact the safety of children who wait on Carter Lane for their school bus.

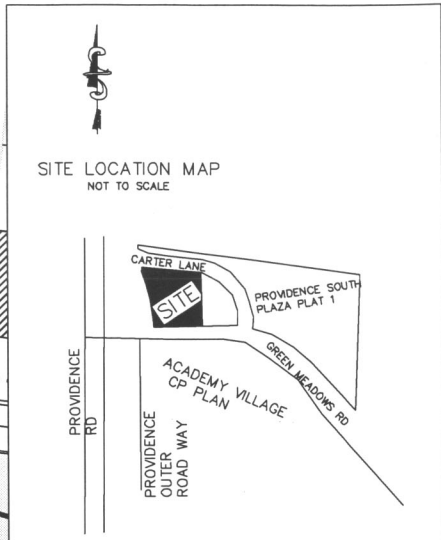
Hours: There are no set hours of operation for gas pumps at Macadoodles. Some gas stations are open 24 hours, while others close at 10 or 11. They all appear to have a Gas Happy Hour from 4-6 p.m. One concern is that it is during these hours that cars attempting to turn East from Providence at both Carter Lane and Green Meadows are backed up. This would only increase the congestion. Another, a very serious concern, is the impact on the safety of children arriving home from school during these hours.

Opacity: Since our living rooms now face the proposed back of the development, increased opacity would block some of the lighting, litter and noise pollution of this development.

Thank you for your consideration of these concerns.

Sincerely,

Marge Gladden
502 Huntridge Drive, Resident of the Meadows



- SCALE 1" = 20'
- LEGEND
- F FOUND 5/8" ROD WITH CAP
 - S CAP BRUSH AND ASSOC.
 - PM RIGHT-OF-WAY MONUMENT
 - R/W RIGHT-OF-WAY
 - RA RADIUS
 - L ARC LENGTH
 - CH CHORD
 - R RECORD
 - M MEASURED
 - X- OVER HEAD ELECTRIC
 - UGE- PROPOSED UNDER GROUND ELECTRIC
 - UGFO- UNDER GROUND TELEPHONE
 - W- PROPOSED WATER LINE
 - (RA) FOUND RIGHT-OF-WAY MARKER
 - ANCHOR
 - UTILITY POLE
 - SANITARY SEWER MANHOLE
 - EXISTING WATER LINE
 - ELECTRIC TRANSFORMER
 - ENCLOSED DUMPSTER PAD
 - BICYCLE PARKING
 - EXISTING GAS LINE
 - PROPOSED FIRE HYDRANT
 - WATER VALVE
 - PST PROPOSED STORM SEWER
 - PSAN PROPOSED SANITARY SEWER
 - S FREE STANDING SIGN
 - M POROUS PAVEMENT
 - M MONUMENT SIGN

DESCRIPTION:

A TRACT LOCATED IN THE SOUTH WEST QUARTER OF THE NORTH EAST QUARTER OF SECTION 25, TOWNSHIP 48 NORTH, RANGE 13 WEST, CITY OF COLUMBIA, BOONE COUNTY, MISSOURI BEING LOT 1 OF PROVIDENCE SOUTH PLAZA PLAT 2 AS SHOWN IN PLAT BOOK 45 PAGE 37 OF THE BOONE COUNTY RECORDS AND CONTAINING 1.73 ACRES

- NOTES:
- 1) THIS TRACT IS NOT LOCATED IN THE 100 YEAR FLOOD PLAIN AS PER FIRM MAP NUMBER 29019 C02900 DATED: MARCH 17, 2011.
 - 2) AFTER REVIEW OF USGS 7.5 MIN. QUAD SHEET COLUMBIA QUADRANGLE, THERE ARE NO REGULATED STREAMS AS DEFINED BY 12A-233 CITY OF COLUMBIA ORDINANCE.
 - 3) ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THE CITY OF COLUMBIA STREET AND STORM SEWER SPECIFICATIONS AND STANDARDS
 - 4) THE MAXIMUM BUILDING HEIGHT FOR ALL BUILDINGS IS 45 FEET.
 - 5) STORE HOURS SHALL BE LIMITED TO THE FOLLOWING: MONDAY THROUGH THURSDAY 8 AM-10 PM FRIDAY AND SATURDAY: 8 AM TO 11 PM SUNDAY: 9 AM TO 10 PM
 - 6) THE APPLICANT SHALL WORK WITH THE CITY ARBORIST TO APPROVE A PLAN FOR UNDER-STORY PLANTINGS TO BE ADDED WITHIN THE 25 FOOT WIDE NATURAL VEGETATIVE BUFFER SCREENING STRIP LOCATED ALONG THE NORTH SIDE OF THE LOT 1 PROVIDENCE SOUTH PLAZA PLAT 1. THE UNDER STORY PLANTING PLAN SHALL BE INSTALLED PRIOR TO A CERTIFICATE OF OCCUPANCY BEING ISSUED ON THE SUBJECT SITE, AND SHALL ACHIEVE 80% YEAR ROUND OPACITY TO A HEIGHT OF 12 FEET WITHIN FOUR GROWING SEASONS OF INSTALLATION.

LIGHTING NOTES:

LIGHTING TO COMPLY WITH SECTION 29-30.1 CITY OF COLUMBIA ORDINANCES.

FUEL CANOPY LIGHTING SHALL UTILIZE LED LIGHTING DESIGNED TO MINIMIZE GLARE AND LIGHT SPILLOVER BEYOND THE SUBJECT PROPERTY

SIGN NOTES:

FREE STANDING SIGNS

2 FREE STANDING SIGNS LOCATED AT THE NORTH WEST CORNER OF SITE AND THE SOUTH WEST CORNER OF SITE. SIGNS TO BE 64 SQ.FT. MAX AREA AND 12 FEET TALL MAXIMUM. LOCATION AS SHOWN ON PLAN

BUILDING SIGNAGE WILL CONFORM TO C3 REQUIREMENTS IN SECTION 23-14 OF THE CITY OF COLUMBIA ORDINANCE

MONUMENT SIGN:

1 MONUMENT SIGN 32 SQ FT MAXIMUM AREA 6 FOOT MAXIMUM HEIGHT LOCATED AS SHOWN ALONG THE PROVIDENCE ROAD RIGHT OF WAY

PARKING NOTES:

REQUIRED PARKING:

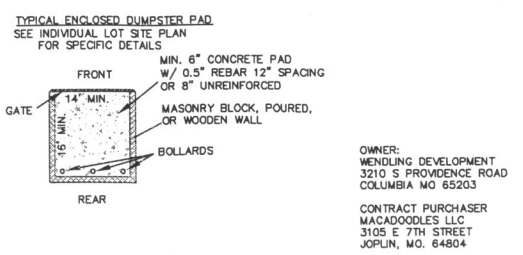
- 1 PARKING SPACE PER 200 SQ FT
- 8665 SQ.FT. = 44 PARKING SPACES
- 4 BICYCLE PARKING SPACES
- 2 HANDICAPPED PARKING SPACES

PARKING PROVIDED:

- 2 HANDICAP ACCESSIBLE PARKING SPACE
- 50 PARKING SPACES
- 4 BICYCLE PARKING SPACES
- 8 GAS ISLAND SPACES
- 4 DRIVE THROUGH SPACES

TOTAL PARKING PROVIDED

67 PARKING SPACES



APPROVED BY THE CITY OF COLUMBIA PLANNING AND ZONING COMMISSION THIS ____ DAY OF ____, 2013.

DOUG WHEELER CHAIRMAN

ACCEPTED BY THE CITY COUNCIL THIS ____ DAY OF ____, 2013.

ROBERT MCDAVID MAYOR SHEELA AMIN CITY CLERK

BRUSH AND ASSOCIATES, INC.

CONSULTING ENGINEERS AND LAND SURVEYORS

506 NICHOLS STREET, SUITE A, COLUMBIA, MISSOURI 65201

PHONE: (573) 442-3110 FAX: (573) 442-4851

www.brushengr.com

MACADOODLES CP PLAN

SITE PLAN

LOT 2 PROVIDENCE SOUTH PLAZA PLAT 2

PLAT BOOK 45 PAGE 37

25-48-13

CITY OF COLUMBIA BOONE COUNTY MISSOURI

REVISION

DATE	COL COMMENTS	REVISED MONUMENT SIGN LOCATION	ADDED REQUIREMENTS OF PLANNING AND ZONING COMMISSION
12-23-2013			
2-1-2013			
3-14-13			

DATE

12-31-12

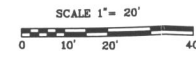
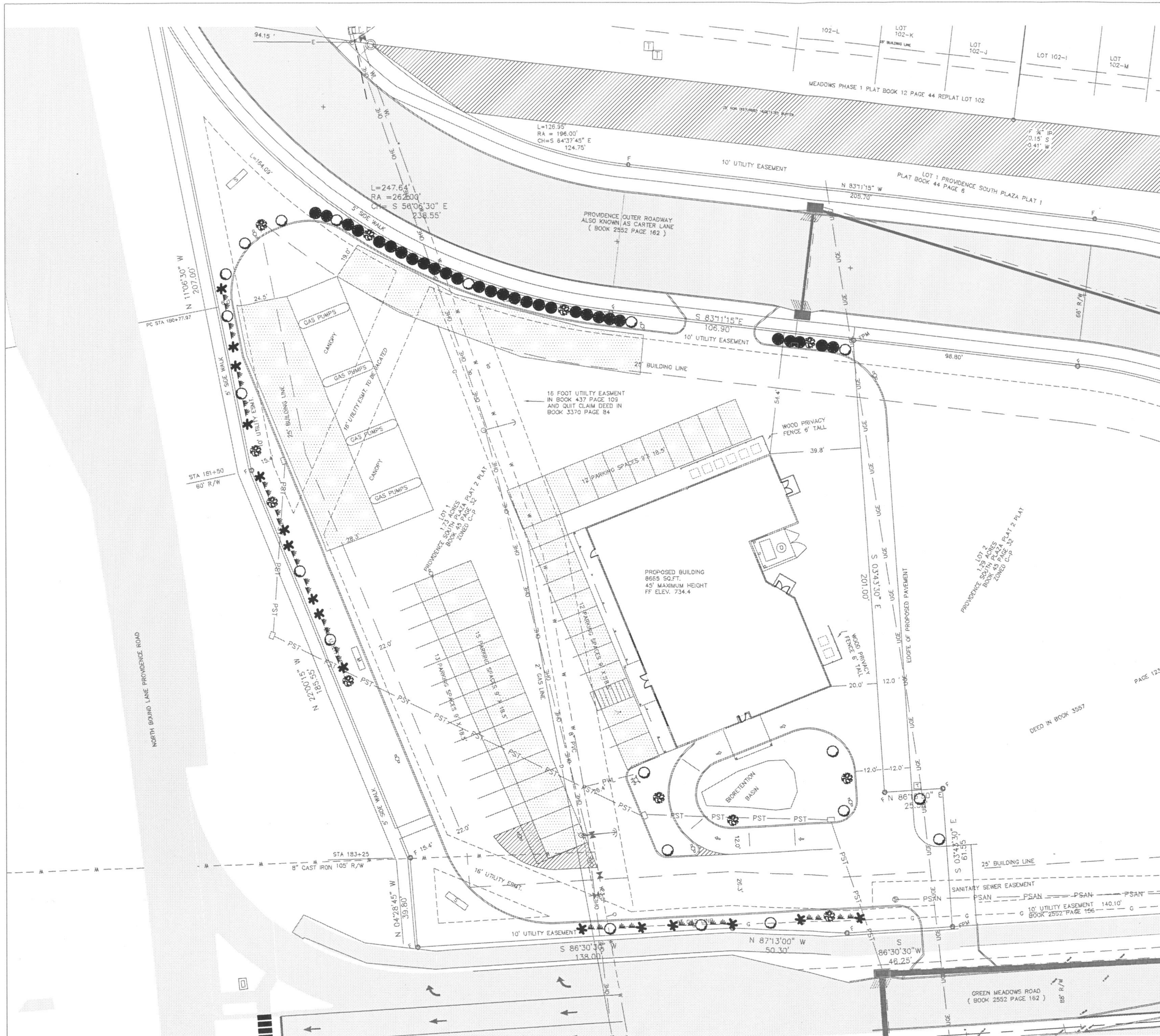
SCALE

1"=20'

JOB NUMBER

7640

CE 101



- LEGEND
- F FOUND 5/8" ROD WITH CAP
 - S CAP BRUSH AND ASSOC.
 - PM LC321 UNLESS OTHERWISE NOTED
 - R/W SET 5/8" ROD WITH CAP
 - RA BRUSH AND ASSOC. LC 321
 - L RADIUS
 - CH RIGHT-OF-WAY
 - M RECORD
 - X- MEASURED
 - OHE- FENCE
 - UOE- OVER HEAD ELECTRIC
 - UGFO- PROPOSED UNDER GROUND ELECTRIC
 - W- UNDER GROUND TELEPHONE
 - (RA) PROPOSED WATER LINE
 - (A) FOUND RIGHT-OF-WAY MARKER
 - (A) RADIAL LINE
 - (A) ANCHOR
 - (A) UTILITY POLE
 - (A) SANITARY SEWER MANHOLE
 - (A) EXISTING WATER LINE
 - (A) ELECTRIC TRANSFORMER
 - (A) ENCLOSED DUMPSTER PAD
 - (A) BICYCLE PARKING
 - (A) EXISTING GAS LINE
 - (A) PROPOSED FIRE HYDRANT
 - (A) WATER VALVE
 - (A) PROPOSED STORM SEWER
 - (A) PROPOSED SANITARY SEWER
 - (A) FREE STANDING SIGN

LANDSCAPE NOTES:

- 1.) ALL MEDIUM AND LARGE SHADE TREES SHALL BE A MINIMUM OF 2" CALIPER.
- 2.) LANDSCAPER IS REQUIRED TO CONTACT THE CITY OF COLUMBIA ARBORIST UPON COMPLETION OF PLANTING FOR COMPLIANCE INSPECTION.
- 3.) OF THE COMBINED TOTAL NUMBER OF TREES REQUIRED TO BE PLANTED IN THE 6 FOOT WIDE STREET YARD LANDSCAPING STRIP AND IN THE INTERIOR PARKING LOT, NO LESS THAN 30% SHALL BE A SPECIES OF MEDIUM TO LARGE SHADE TREES. IN ADDITION, TREES SHALL BE PLANTED WITHIN LANDSCAPING STRIP AREA AT THE RATE OF 1 TREE FOR EACH 50 LINEAL FEET.
- 4.) OWNER/DEVELOPER MAY SUBSTITUTE PLANTING MATERIAL TYPES FROM APPROVED LIST OF THE CITY OF COLUMBIA PUBLIC WORKS DEPARTMENT.
- 5.) THE TREES, SHRUBS AND OTHER LANDSCAPING MATERIALS DEPICTED ON APPROVED PLANS SHALL BE CONSIDERED AS ELEMENTS OF THE PROJECT IN THE SAME MANNER AS PARKING, BUILDING MATERIALS AND OTHER ELEMENTS. THE DEVELOPER, HIS SUCCESSOR AND SUBSEQUENT OWNERS AND THEIR AGENTS WHO ARE AUTHORIZED TO MAINTAIN THE PROPERTY, SHALL BE RESPONSIBLE FOR THE CONTINUED MAINTENANCE, PLANT MATERIAL WHICH EXHIBITS EVIDENCE OF INSECT PEST DISEASE OR DAMAGE SHALL BE APPROPRIATELY TREATED AND DEAD PLANTS PROMPTLY REMOVED AND REPLACED WITHIN THE NEXT PLANTING SEASON.
- 6.) ALL LANDSCAPING IS TO BE INSTALLED AFTER ALL BUILDING UTILITIES HAVE BEEN EXTENDED.

PLANTING CATEGORIES
SEC 29-25 (I):

TREES (QTY)		
(1)	(11) MEDIUM OR LARGE SHADE TREE	(2" CALIPER)
(1)	(20) ORNAMENTAL TREES	(15 GAL)
(5)	(16) DECIDUOUS SHRUB	(2 GAL)
(6)	(32) EVERGREEN SHRUB/ORNAMENTAL GRASS	(2 GAL)
(1)	(29) UPRIGHT ARBORVITAE	(5' TALL)

LANDSCAPE REQUIREMENTS:

TOTAL AREA OF = 1.73 ACRES
TOTAL LANDSCAPE AREA = 0.27 ACRES = 16 %
TOTAL AREA OF BUILDINGS AND PARKING = 1.46 ACRES = 84 %

BUILDING AREA 8,665 SQ. FT.
PARKING AREA 55,352 SQ. FT.
TOTAL IMPERVIOUS AREA 11,761 SQ. FT.
PERVIOUS AREA 63,997 SQ. FT.

1 TREE FOR EVERY 4500 SQ.FT. OF PARKING AREA;
33% TO LARGE TO MEDIUM SHADE TREES
55,352 SQ.FT. OF PARKING AREA = 12 TREES REQUIRED
(33% = 4 LARGE TO MEDIUM SHADE TREES)

UTILITY NOTES:

GAS:
AMEREN UE
210 ORR STREET
COLUMBIA, MO 65201
(573) 876-3030

WATER:
CITY OF COLUMBIA
701 EAST BROADWAY
COLUMBIA, MO 65201
(573) 874-7325

SEWER:
PUBLIC WORK DEPARTMENT
CITY OF COLUMBIA
701 EAST BROADWAY
COLUMBIA, MO 65201
(573) 874-8280

ELECTRIC:
WATER AND LIGHT DEPARTMENT
701 EAST BROADWAY
COLUMBIA, MO 65201
(573) 874-7325

LOCATES:
MISSOURI ONE CALL INC.
1022 B. NORTHEAST DRIVE
JEFFERSON CITY, MO 65109
(800) 344-7483

BRUSH AND ASSOCIATES, INC.

CONSULTING ENGINEERS AND LAND SURVEYORS
506 NICHOLS STREET, SUITE A COLUMBIA, MISSOURI 65201
PHONE: (573) 442-3110 FAX: (573) 442-4851
www.brushincguy.com

MACADOODLES CP PLAN

LANDSCAPE PLAN
LOT 2 PROVIDENCE SOUTH PLAZA PLAT 2
PLAT BOOK 45 PAGE 37

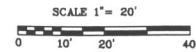
25-48-13
CITY OF COLUMBIA BOONE COUNTY MISSOURI



REVISION	DATE	NUMBER

DATE	SCALE	JOB NUMBER
12-5-12	1"=20'	7640

CE 102



- LEGEND
- F FOUND 5/8" ROD WITH CAP
 - LC321 UNLESS OTHERWISE NOTED
 - S SET 5/8" ROD WITH CAP
 - PM BRUSH AND ASSOC. LC 321
 - R/W PERMANENT MONUMENT
 - RA RIGHT-OF-WAY
 - L/RADIUS
 - CH ARC LENGTH
 - R/CHORD
 - R/RECORD
 - X- MEASURED
 - OHE- FENCE
 - UGE- OVER HEAD ELECTRIC
 - UGFO- PROPOSED UNDER GROUND ELECTRIC
 - W- UNDER GROUND TELEPHONE
 - (RA) PROPOSED WATER LINE
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 - (D) ENCLOSED DUMPSTER PAD
 - (B) BICYCLE PARKING
 - G EXISTING GAS LINE
 - PST PROPOSED FIRE HYDRANT
 - PSAN PROPOSED SANITARY SEWER
 - S FREE STANDING SIGN

CONCEPTUAL STORM WATER DESIGN

THIS IS A 1.73 ACRE SITE THAT WAS GRADED A NUMBER OF YEARS AGO. THE SITE IS COVERED WITH GRASS. THERE ARE NO REGULATED TREES ON THE SITE. THE SITE IS SUBJECT TO A 2008 DEVELOPMENT AGREEMENT WHICH ALLOWS THIS SITE TO UTILIZE A CITY OWNED DETENTION BASIN. THEREFORE NO ON SITE DETENTION IS REQUIRED. THIS SITE WILL UTILIZE PERVIOUS PAVEMENT AND BIORETENTION BASIN TO MEET A WATER QUALITY LEVEL OF SERVICE OF 7

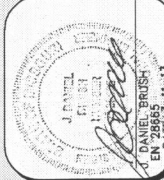
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MACADOODLES CP PLAN

GRADING PLAN
LOT 2 PROVIDENCE SOUTH PLAZA PLAT 2
PLAT BOOK 45 PAGE 37

CITY OF COLUMBIA BOONE COUNTY MISSOURI



REVISION	DATE	NUMBER

DATE	12-5-12
SCALE	1"=20'
JOB NUMBER	7640

CE 103

UTILITY NOTES:

GAS:
AMEREN UE
210 ORR STREET
COLUMBIA, MO 65201
(573) 876-3030

WATER:
CITY OF COLUMBIA
701 EAST BROADWAY
COLUMBIA, MO 65201
(573) 874-7325

SEWER:
PUBLIC WORK DEPARTMENT
CITY OF COLUMBIA
701 EAST BROADWAY
COLUMBIA, MO 65201
(573) 874-8280

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WATER AND LIGHT DEPARTMENT
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LOCATES:
MISSOURI ONE CALL, INC.
1022 B. NORTHEAST DRIVE
JEFFERSON CITY, MO 65109
(800) 344-7483

**EXCERPTS
PLANNING AND ZONING COMMISSION
MARCH 7, 2013**

V.) PUBLIC HEARINGS

12-1227 A request by Wendling Development, LLC (owner) for approval of a C-P development plan to be known as Macadoodles C-P Plan. The 1.73-acre site is located at the northeast corner of Providence and Green Meadows. *(Item was carried forward from February 21, 2013 meeting due to weather-related cancellation.)*

MR. WHEELER: May we have a Staff report, please?

Staff report was given by Mr. Steven MacIntyre of the Planning and Development Department. Staff recommends approval of the C-P development plan and associated design parameters.

MR. WHEELER: Are there any questions of Staff? Ms. Peters?

MS. PETERS: What's the width of Carter Lane?

MR. MACINTYRE: I believe it's 66-foot right-of-way and probably 50-foot street width. And one of the neighbors might correct me, but I think it's about a 75-foot distance from the edge of this property, the subject site, to the nearest backyard there of existing townhomes.

MS. PETERS: And was there any discussion on the hours of operation?

MR. MACINTYRE: Yes. There has been some discussion on that. It's difficult for Staff to implement or insist on restricted hours of operation given that that's typically something that's addressed with the land use and we're certainly beyond the zoning and into the design phase of this project. But there was some indication when we raised the issue as a concern from the neighbors, and of Staff, frankly, that the typical hours of the gas station/convenience store are about, I believe, 8:00 until 10:00 or sometimes eleven o'clock at night at the latest. However, there may be certain 24-hour gas pay at the pump operations, and I'll leave it to the applicant to indicate exactly what they're proposing at this location because I haven't got a final answer yet.

MS. PETERS: And can you tell me what the height of the canopy is? And from the look of one of the diagrams, it looks like the screening on what should be the west side near the gas pumps, kind of bumps up to the gas stations, I'm assuming that that's pull-through?

MR. MACINTYRE: I'm sorry. What was the pull-through?

MS. PETERS: The first question was the height of the canopy, and the second question was in regards to what appears to be on the schematics screening that bumps up against the gas pumps on what looks like the west side.

MR. MACINTYRE: Okay. On the canopy head, I'm not sure what the intended height would be there. The site has a maximum height of -- building height of -- 45 feet would be the maximum elevation. They're proposing a single story, so it's almost certain to be much less than that. And on

the landscaping, you're referring to the landscaping along Providence Road between the gas island and the Providence Road frontage?

MS. PETERS: Yes.

MR. MACINTYRE: That would probably be between one and three feet in height. I believe that's a fairly minimal parking lot landscaping strip there. Now, on the north side, along Carter Lane, that would be up to a five-foot height per the previously arranged enhanced landscaping strip there.

MS. PETERS: And that was the enhancement that was put in when the restaurant was approved?

MR. MACINTYRE: That's right.

MS. PETERS: That's all I have. Thank you.

MR. WHEELER: Are there other questions of Staff? Mr. Vander Tuig?

MR. VANDER TUIG: Does the applicant own both lots there? And the reason I ask is it looks like the drive is actually outside of the limits of the property lines.

MR. MACINTYRE: At this point I believe Mr. Wendling owns both of those lots. However, I would expect there to be a property transfer on the western lot and perhaps some form of a shared-access agreement in whatever form that exists. C-P districts allow for sharing of access between lots and there are a few different options that are probably available to them.

MR. VANDER TUIG: Okay. I appreciate it.

MS. PETERS: I do have a follow-up.

MR. WHEELER: Ms. Peters?

MS. PETERS: Can you tell me if the driveway on Green Meadows is a right-in/right-out, and is there a median on Green Meadows that prohibits left turns?

MR. MACINTYRE: Yes. There is a median in place and it would be a right-in/right-out.

MR. WHEELER: Any other questions of Staff? Seeing none, we're going to open the public hearing, but before we do, let me discuss the rules tonight. First speaker will get six minutes; subsequent speakers will get three. That's for the applicant and any organized opposition will get the first six minutes. There will be one exception tonight. This one is not one of them. And I will be -- we do have a lot of people here that want to address various issues this evening, so I will be watching the clock closely. You will get a 36 -- or a 30-second light notice, and please wrap it up. At the end of your time, you will be cut off. I'm sorry, but we do have a great deal to cover this evening. So with that, we'll open the public hearing.

PUBLIC HEARING OPENED

MR. WHEELER: Sir, I'm sorry, but if you will come to the podium. I know this is your first time before us, but I need your name, address.

MR. HARRELL: My name is Tim Harrell; I'm here representing Macadoodles. I'm actually the general contractor. My address is 210 Northwest O Street, Bentonville, Arkansas.

MR. WHEELER: Thank you, sir.

MR. HARRELL: Again, I'm here to just kind of go through real quickly what we're about. We actually are an upscale beer, wine, and spirits sales. We don't have a lot of convenience store items. We're not your -- what you would think of as a typical convenience store. Here's a little quick shot of the front of our building, which we've got posted across here, and some of the things that you can see that we've got, you know, down through here that -- we're all about customer service here. We're not looking for the quick-in/quick-out guy. We're after a shopping experience at our store. This is a shot of our wine room that has this large wine feature with all of these back-lit panels across the back. And we normally service about 4,000 different brands of wine. This is a look at our -- from the inside of our store at the spirits and beer area. If you notice, all of our floors on the inside of our building are hardwood floors. They're distinguished from one area to another, with the coloration of the floors, and what we do in the back and to the front. Talking about the gas canopy: That's a look at a typical gas canopy in one of these, which normally the height of the canopy is between 22 and 24 feet. This is our drive-through area. Once again, we try to make the shopping experience, whether you're inside or outside of the store, to be pleasant for everybody that visits one of these stores. Here you can see a little quick blurb about how many jobs, you know, 25 to 30 jobs, what kind of revenue that we've got in here, and, you know, some of the things that will happen, you know, whenever we come to town. You addressed the hours. Most the time, Monday through Thursday, the 8:00 a.m. to 10:00 p.m., Fridays and Saturdays you've got an 8:00 to 11:00, and Sundays 9:00 a.m. to 10:00 p.m. These are some of the awards that have been given to the different Macadoodles stores and franchises that we have in Arkansas and Missouri. This is just a shot, again, of the overall concept of what we're trying to do here. You know, we try to make sure that everything that we do and everything that we plan on doing will be a benefit and not a detriment to the City of Columbia. Once again, here's just some contact information, if any of you have any questions that you need to ask us: The owner, Aaron Jurgensmeyer, who's here this evening; myself, Tim Harrell; and then Roger Gildehaus, who is the president and the franchiser of the Macadoodles branded name. Thank you.

MR. WHEELER: Are there any questions of this speaker? Ms. Peters?

MS. PETERS: Have you had any discussions with the neighbors on enhancing the landscaping?

MR. HARRELL: We have. We've had some discussion about that, and our civil engineer, Mr. Dan Brush, is going to get up and address some of those issues, and he's got a -- I think he has a new landscaping plan that he plans to show you-all about what we're planning on doing over there to the other side of the property.

MS. PETERS: Thank you.

MR. WHEELER: Mr. Tillotson?

MR. TILLOTSON: I was looking at when you had the picture of the pumps --

MR. HARRELL: Yes, sir?

MR. TILLOTSON: -- I noticed there was a little house -- or is that a pay area? What was that?

MR. HARRELL: Okay. On some of the properties, we actually have a gas attendant that stays out there. And most of the properties -- and this property will be you can either pay at the pump or you come into the store to pay, at this particular -- at this particular location. The small little area that we put out there for the side is usually for the attendant that stays in there and to have air and things of that nature out in the side.

MR. WHEELER: Are there any other -- Mr. Strodtman?

MR. STRODTMAN: Do you know what percentage your gas sales are versus overall?

MR. WHEELER: Sir, you got to come up. Introduce yourself, give us an --

MR. JURGENSMEYER: I'm Aaron Jurgensmeyer; I'm going to be one of the owners of the store. I got to say --

MR. WHEELER: Address please.

MR. JURGENSMEYER: Oh, sorry. 6 West Leaston (ph.) Drive, Rogers, Arkansas. It would be about 30 percent of the total sales.

MR. STRODTMAN: Thank you.

MR. WHEELER: Are there any other questions of this speaker? I just have one. Are you committing to these hours you just showed us?

MR. HARRELL: That would be a question for this gentleman here.

MR. WHEELER: Are you going to come up and speak next, sir?

MR. JURGENSMEYER: Yes. I'll stay.

MR. WHEELER: Are you coming up to speak next?

MR. JURGENSMEYER: No, I'm not. That would be the --

MR. WHEELER: Okay. Are there any other questions of this speaker then? Mr. Lee?

MR. LEE: Yeah. I have a question that -- one of you gentlemen said that there's an attendant on duty at some of the stores. Will there be an attendant on duty at this store?

MR. JURGENSMEYER: Yes.

MR. LEE: Thank you.

MR. WHEELER: Ms. Peters?

MS. PETERS: Clarification on the hours. You're committed to closing at 11:00 on, what was it, the weekends?

MR. JURGENSMEYER: Yes.

MS. PETERS: Okay. Is that in this -- I didn't see it in the statement of intent in here. Would you be willing to put that in as a condition?

MR. JURGENSMEYER: Yes.

MS. PETERS: All right. Thank you.

MR. WHEELER: Are there any other questions of these speakers? Thank you. Next speaker, please.

MR. BRUSH: My name is Dan Brush; I'm with Brush & Associates, offices at 506 Nichols Street. I'm the engineer on the project. What I've handed out to you here this evening is a shot I took this afternoon of the site. This is located about where the gas canopy is, pointed back toward the neighborhood. So you can see what the existing screening looks like during a winter day, which would be at its lowest opacity. The other sheet I have given you is a landscape plan that Mr. Wendling has gotten approved by the city arborist to go ahead and enhance the existing screening that's in there. And what we're proposing to do on that is to go ahead and come in and plant wild plum thickets to go ahead and secure the understory. And then also come through with a wildlife grass habitat -- habitat grass to go ahead and beef up that understory also to go ahead and provide more of a visual barrier. The other thing we've done on this site is that we've gone ahead and lowered -- from the existing Three-Forks design, we lowered the building about four feet to go ahead and try to enhance that barrier along Carter Lane. About where the gas pumps are, from the existing grade now, that'll be two to three feet lower, like I said, to go ahead and enhance that five-foot evergreen berm that we're putting in. That said, I'd be happy to answer any questions.

MR. WHEELER: Mr. Skala?

MR. SKALA: Just -- I don't know if you have the answer to this, but I ought to ask the question, that is you mentioned -- you referred to opacity, and I was wondering -- I assume that you're going to try and provide year-round opacity to some degree, and do you have any idea what the mature opacity would be?

MR. BRUSH: No. I don't, not with the wild plum ticket, other than just personal experience to know that they're a root sap, so you plant one and you'll end up with 15, 20, 30 there and they're intertwined, small branches. They grow somewhere between 10, 15 feet tall.

MR. SKALA: So the idea is to substantially enhance what's already there. I mean, that's --

MR. BRUSH: Yes.

MR. SKALA: Year round?

MR. BRUSH: Yes.

MR. SKALA: Thank you.

MR. WHEELER: Ms. Peters?

MS. PETERS: Can you tell me when this was approved?

MR. BRUSH: I want to say two weeks ago, three weeks ago.

MS. PETERS: And it's going to be installed this spring?

MR. BRUSH: Yes.

MS. PETERS: Okay. Thank you.

MR. BRUSH: I think the materials are already ordered and on the way.

MR. WHEELER: Mr. Vander Tuig?

MR. VANDER TUIG: I'm curious. Can you talk a little bit about where the City's regional detention is. It's mentioned in the development plan that detention requirements were exempt.

MR. BRUSH: Right. The detention facility, as I understand it, is located further east from this entire development and was put in at the time that Green Meadows and Carter Lane were developed in the first place. And as part of that agreement and so forth, was that detention was provided for this entire area.

MR. VANDER TUIG: Okay. Thanks.

MR. WHEELER: Is that the same regional detention area that Walmart's utilizing or is that --

MR. BRUSH: No. I believe that's a different one.

MR. WHEELER: Are there any other questions of this speaker? Thank you.

MR. BRUSH: Thank you.

MR. WHEELER: Next speaker, please.

MR. WENDLING: My name's Steve Wendling and I reside at 2012 Chapel Ridge Road in Columbia. And I really didn't have anything to add at this point, but I am the property owner that's making the request, so I thought I would make myself available for any questions.

MR. WHEELER: Questions of this speaker? Mr. Reichlin?

MR. REICHLIN: Just briefly if you have anything to share, what were the results of your traffic study, especially with the in and out on Green Meadows Road?

MR. WENDLING: Actually, there wasn't a traffic study required. When we originally did the plat and the zoning, the traffic studies that had been done by Walmart and Kelly Properties down the road, the City accepted those as sufficient and that these would not provide any -- too much more traffic, compared to what Walmart and those bring down Green Meadows now, so I don't know what those numbers are.

MR. WHEELER: Are there other questions of this speaker? Thank you.

MR. WENDLING: Thank you.

MR. WHEELER: Additional speakers. Come on down, ma'am. Just for my knowledge, are you my organized opposition?

MS. RAUZI: Yes.

MR. WHEELER: Okay.

MS. RAUZI: I'm Ilene Rauzi; I live at 506 Huntridge Drive. The Meadows Community will be directly impacted by this proposed development, as well as residents that live on Huntridge Drive, Bluegrass Court, and Timbers Court. And we're here tonight to learn more about the proposed development and to let you know about our concerns. We do oppose a gas station and convenience store due to high traffic activity this type of development would bring to our neighborhood. In addition, as homeowners, we're concerned about increased crime and decreased property values. Traffic on Carter Lane is already impacting the only access in and out of Huntridge Drive. A dead end street, which is -- Huntridge Drive is a dead end street and residential area. Locating the gas station entrance on Carter increases the traffic flow near the curve of Carter Lane that is already a dangerous and -- it's sort of a blind, hazardous spot. It also increases the traffic entering and exiting

Providence at Carter, often congested and dangerous intersection. Another concern is the hours of the various services of Macadoodles, which you've heard the -- addressed. They do provide services seven days a week. We are concerned about the gas pumps that might be open 24 hours. We understand from talking to some stores in that area that you can use the gas stations with a credit card, you know, for 24-hour period. They also have -- and we found this information on Facebook -- but they have what they call gas happy hours, where they discount their gas for a two-hour period, and most of those are usually between 4:00 and 6:00 p.m. during high traffic and rush hour times, providing potential traffic jams. And understand that they do have the attendant there to sort of direct the traffic. Another service they provide is the drive through window for liquor, and anything else they carry can be purchased there. Screening and buffering with opacity continues to be a concern and has been at each rezoning and proposed development. The landscaping plan for this site was discussed and approved at the Planning and Zoning Commission in October of 2011 -- which has already been addressed -- and includes the five-foot evergreens among various other trees and shrubs. And we want to thank the Planning and Zoning Commission for making those recommendations at that hearing. The screening plan that they begin to address for the area on the north side of Carter and directly behind the residential homes has been recently proposed and submitted by Mr. Wendling and we applaud this effort. The natural vegetative buffer with grasses and trees that he has proposed sounds good, though we are concerned and realize that the plan actually calls for planting seeds of these switch grass and other native grasses this spring. But the problem is, is it's going to take four to five years for that grass to become -- to be the height of five or six feet -- six to eight feet. Since we've been asking and waiting for several years for some kind of screening in this area from Mr. Wendling, we would like to see the addition of the appropriate size and species of trees, including evergreens, to create the 80 percent opacity needed to block out the noise, lighting, visual distractions of the proposed development. Another concern are future developments, which you can see from the site that below -- that lies directly below the proposed development. Any screening on the north side of Carter should take that section of future development into consideration. Along with our concerns regarding this proposed development, we had questions about Macadoodles and their company, as we wanted to have a better understanding of their operation. We learned that it is a franchise operation and that there are five stores located in southern Missouri and Arkansas. The first Macadoodles opened in 1997 -- though the first franchise wasn't opened until 2008 in Joplin -- and the original owner is located in the Pineville store. We also learned that the Branson store does not have gas pumps, the Republic store went out of business, and none of the five stores border a residential area as their proposed Columbia store will. We are interested in their plans for Columbia and what research they have done, as the area is already saturated with gas stations and convenience stores and liquor stores. While we understand that the zoning is in place and the developer has the right to develop his land, many of us has taken his word seriously that he would not develop certain businesses that would not compliment the early childhood

learning center. We also have those words in writing in a Columbia Tribune article which states, I quote, He says that he wants to make sure potential tenants compliment the nearby Academy of Fine Arts and Childhood Learning. My whole goal and desire for the area is to have family-oriented businesses: Medical, insurance, coffee type shop things, unquote. He has obviously changed his mind, and that is an option -- that is his option while we don't have one. Instead, we find ourselves always reacting to proposal after proposal. I don't know what the answer is, except after going through this a number of times, it seems as though zoning is the key, as that is when the developer will promise --

MR. WHEELER: Ma'am, would you please wrap up. You're running over pretty bad.

MS. RAUZI: Okay. Okay. Yeah. I'm really at the end. Basically, zoning is the key, as that is when the developer will promise anything and the homeowner does not fully understand the consequences. Thank you for considering our concerns, and thank you for your service on this Commission.

MR. WHEELER: Are there questions of this speaker? You've been before us before --

MS. RAUZI: Yes.

MR. WHEELER: -- with some of the other --

MS. RAUZI: Yes.

MR. WHEELER: Okay.

MS. RAUZI: The other speaker that was going to be here tonight is out of town, so --

MR. WHEELER: Okay. Thank you.

MS. RAUZI: That lives in the Meadows. Okay.

MR. WHEELER: Thank you. Additional speakers? No one? You're coming down? Come on down, folks. There's places to sit on the front row and you can just jump right up.

MR. ANDERSON: I'm sorry. I didn't really come prepared to speak tonight. But my name is Dean Anderson; I reside at 814 Timbers Court, which is just down Huntridge. And my primary concern really is the traffic issue. This access and the one right in front of Grand Cru is really the only way that all of the people on Huntridge, Timers Court, Bluegrass, as well as -- there's several other streets. And there's a lot of high-density housing there with the Campus View, Boulder Ridge, which has increased its density because they've been putting in apartment complexes when they were going to be doing duplexes, all of Seven Oaks, all of Foxfire, as well as Victoria Street, all the houses there, and then Huntridge, which has a lot of high-density housing towards the front and then a lot of high-density student housing toward the back end of it, and then a few residential streets. All of those streets and all the people that live there, the only ways they have to get in and out are through those two entrances, which the one that's just north of there by the Grand Cru is very problematic. You can only exit going north. So all of the people that I've mentioned, if they want to go south on Providence, they're forced to go through this roundabout. It makes it real difficult. If a business goes in here, it's going to further exacerbate the traffic problems on the roundabout, and there are some days when

the traffic is backed up already from Providence back to the roundabout. And I really think it would be beneficial to do a traffic study at this location, if they're really wanting to put a business in there that could exacerbate the problem that exists already. As we all know, traffic can really have a high impact on a quality of life, and I would hate to see this whole area be impacted negatively by further complicating the traffic that's there, because it really is not beneficial. And lastly, I'd like to say there's no sidewalks along that Carter road, and there's a lot of students -- student housing -- students that live north of there and walk along that road to get to the grocery stores. And I think if some development goes in there, it would be nice to see if they would be able to put some kind of sidewalks or even biking trail through maybe the median between Providence and Carter Lane so that there would be walking/biking area for folks. I mean, it's designated as a bike trail, but it's really dangerous.

MR. WHEELER: Are there questions of this speaker? Thank you. Next speaker?

MS. BEVINS: I'm Priscilla Bevins; I live at 2907 Bluegrass Court, which is part of The Meadows. I'm not in the area that is right adjacent to this development. I was concerned when I saw the plat and saw where the gas pumps are located. First place, initially when I went on the site on the -- online, nothing was said about that they sold gas, and so then I was really shocked when I discovered gas pumps. I would like to see them reconfigure the site, if you-all give them the go-ahead, so the site -- the gas pumps are closer to Green Meadows Road, rather than being north where they're -- how shall I say -- more exposed to the residential housing. Any questions?

MR. WHEELER: Is that all? Are there questions of this speaker? Thank you, ma'am. Next speaker.

MR. ALBERT: Good evening. Eric Albert, 803 Ann Street, Columbia, Missouri 65201. I've watched this area develop over the years and it does have good drainage because the owner of the property had to spend a fortune to put in a water system. I watched him build a roundabout and, as I understand it, he paid for that too. The owner of this property has spent years developing it, and I don't know why he does it here in Columbia because Columbia is not very friendly towards business. Everybody has a whine or a howl, similar to the 80 decibel fire engine that roars through here a couple times a day. I would think that the City would be thrilled and other taxpayers in the area would be thrilled to get millions of dollars on small businesses and things like that. You know, it's built for business. People who live in that area would only assume that in time this is going to grow up to be commercial, and in time you're going to have businesses here. It's probably better than a porno shop, and there's already drug dealers living in the neighborhood. You know, the neighbors do look at each other's buildings which would indicate that they can look at structures safely, without their eyes bleeding. So if they look 2- or 300 feet away and they see a commercial location and they live near a commercial location, one would assume that it's okay to have a commercial location. I would -- I would be hesitant to invest in this community with the negativeness on private enterprise and how difficult it is for people to get a business going. And in times of absolute debt of a country, we have to grow our way out of this or we will not exist. So if we don't proceed in the future to be a

little more business friendly and help our local businessmen who risk all -- they risk more than anybody who owns anything else around there. Things can happen and you can go broke. Typically, somebody who sits in their house is not going to go broke by -- by whatever they do. They've got a job. But a businessman, his job is getting his business going and keeping it going. This area is really developed slowly and I don't know what you expect to get out of it, but I'd shoot for the best I could get and anything I could get, you know. I -- I -- I'm not big on a liquor store, but it looks like a wine shop. And if you look across the street -- and I'm not sure if you look out of the windows of those homes and you look just another few feet hundred feet away, you're going to see a liquor store, gas station. You know, you're going to see everything that you say is objectionable 200 feet further, so what's the objection to business in Columbia, Missouri. Thank you very much.

MR. WHEELER: Are there questions of this speaker? Thank you, sir. Next speaker, please.

MS. HEISLER: I'm Joanne Heisler and I've lived in -- on Huntridge Drive in the condos and now in a home on the street since 1986, and I've watched it change over those years, and it certainly has changed. And I certainly understand what the last gentleman said, that we do have to change and we -- I'm happy to see Columbia grow, and I've certainly watched it grow in the years I've lived here -- many more years than that. However, I would like to see the growth controlled and grow gently and see neighborhoods grow moderately. And I'm not sure we need another gas station/liquor store so close to where I live now. And I would like for you-all to give consideration to that, that perhaps the traffic we now experience on Carter Lane is getting kind of scary, and we do have children. So please give it consideration from the neighbors' point of view. We'd appreciate that. Thank you.

MR. WHEELER: Thank you, ma'am. Are there questions of this speaker? Thank you. Next speaker.

MR. COKE: My name is Joe Coke; I live at 417 Victoria Drive, which is the next street down. We've known for a while that a business would go in and I'm not opposed to a business being there. My only concern is the traffic and the lack of a sidewalk and a shoulder even on the road. There's no shoulder, so the people that walk there, at night, if I'm coming home and if it's raining in particular, that's a dangerous spot. There are always people running and riding bicycles around that corner. And I'd just like to hope that that is taken into consideration if this development moves forward. I'm not opposed to this. I just hope it's done well in looking forward. A lot of people have been added to our neighborhood over the past few years, a lot of apartments have been added in our neighborhood and I think more are being added now. (inaudible) the road below the Campus View, which all those people use this road to get in and out.

MR. WHEELER: Are there questions of this speaker? Thank you. Next speaker, please. Going once -- all right.

PUBLIC HEARING CLOSED

MR. WHEELER: All right. Commissioners, discussion? Ms. Peters?

MS. PETERS: I have a couple questions for Staff. I know we just went through the sidewalk updates, but I don't remember seeing sidewalks on here. Can you tell me where it is on the plan and, if possible, what the dates are? And I do realize that they have sidewalks that will go in with their establishment, but connecting sidewalks would be my question.

MR. MACINTYRE: I'll address the area immediately around the development and I think Mr. Zenner will try to address the broader area since he's more familiar with the sidewalk plan. The development plan itself does include a sidewalk along the Providence Road frontage, which would connect to the existing sidewalk on Green Meadows. And it would also include sidewalk along the entire frontage of this lot on Carter Lane, which I realize is not connected to anything right now, but upon development of that eastern portion, it would at least connect into the Green Meadows sidewalk again. I should point out that Mr. Wendling did, I believe, last spring install a sidewalk along the northern section of Carter Lane from his existing office building all the way to the edge of his property line there by the power line here. So there is sidewalk kind of getting out there. I understand though this last gentleman's concern was not addressed really by that. It doesn't quite get up to the neighborhood, but that's off of -- out of Mr. Wendling's hands. It's off of his property so -- and Pat can talk about the rest of it.

MR. ZENNER: I think, as you are well aware as a Commission, that with our planned districts and with development itself where we do not have sidewalks, without a sidewalk variance you are required to install upon construction in order to receive your CO. In this particular location, I am not sure that we have sidewalk identified for the continuation in the sidewalk master plan. This would be what would be referred to as a gap. And as funds are made available, they would probably -- they could be identified and then applied to areas of greatest need. Obviously, this is one that may rise to the level if the residents are concerned or we have that many pedestrian movements in this particular area that is not already on the sidewalk master plan or within the Capital Improvement Plan for the city. But with the development not occurring on the parcel in question that's immediately to the north of Mr. Wendling's property, you're likely not going to see that connection at any time unless there is really a driven demand by the residents, and then potentially having it placed onto the Capital Improvement Program and moved ahead of other higher priority connections that currently exist. So at this point I can't tell you for sure what our schedule is. I do know though that the -- as Steve pointed out, the sidewalk on the northern side has been installed. And there was discussion, as it related to the power pole on the very northwest corner of Mr. Wendling's property, when the concept review was held on this revised site plan as it related to coordinating turning the curve and being able to head further north. Unfortunately, I can't tell you the time specific date associated with that.

MS. PETERS: Can you tell me what the triggers are that would push the sidewalks --

MR. ZENNER: Through faster?

MS. PETERS: Yes.

MR. ZENNER: The triggers would be, one, you have a development plan being presented for the development of this vacant parcel immediately to the north. That would be a requirement per the development regulations, the actual building construction process. And then, if a petition of the surrounding neighborhood associations, The Meadow and then the folks that are further to the north, identified or contacted their Council representative and asked for this particular sidewalk to be added or moved up in the Capital Improvement Program, if it is not already on that list. That would be another method by which to potentially get it into the queue faster than it may currently be there.

MR. WHEELER: Mr. Skala?

MR. SKALA: Yeah. I just had a few questions. I alluded to the opacity issue a little while ago. I'm still interested in that a little bit. There was a young lady who came up here and mentioned about four different points, kind of rhetorical questions. And I wondered if we might get some answers to those questions, or if the Staff doesn't have them perhaps one of the representatives does. But she asked questions about Macadoodles in general and whether the gas pumps were open for 24 hours. That was one question. Whether or not there were gas happy hours was another. Whether there was a drive through liquor window, that was another. And then the other issue dealt with opacity. And you might refresh my memory; I'm not recalling that those requirements, particularly as they relate to the interface between commercial and residential, is an 80 percent opacity requirement, but what is the maturity? I mean, how long does it take? What time frame is necessary for that to achieve that kind of --

MR. MACINTYRE: Well, I'll address the landscaping opacity question, and I think I'd like to defer the other questions, because they're operational questions that kind of go beyond the plan, to the applicant. For starters, on this particular site, since it is separated from the residential district by a roadway, it isn't technically considered to be adjacent and wouldn't be required typically to have landscaping or other type of screening to reach that 80 percent opacity. However, the typical requirement would be for 80 percent to be reached, if it's done with landscaping, within a four-year period.

MR. SKALA: Would it be possible to get answers --

MR. WHEELER: Yes. I think we should bring the applicant up. Could one of you come up?

MR. HARRELL: Yes, sir.

MR. WHEELER: And you'll have to give us your name.

MR. HARRELL: Tim Harrell, 210 Northwest O.

MR. WHEELER: Thank you. Mr. Skala, go ahead.

MR. SKALA: Just the questions that were raised about the hours of the gas facility.

MR. HARRELL: There are no current Macadoodles right now that have -- that service gas 24 hours a day, not one.

MR. SKALA: So this would have, presumably, the same hours as the store?

MR. HARRELL: That's correct.

MR. SKALA: Okay. And is there such a feature as these gas happy hours? That's a potential for traffic.

MR. HARRELL: There is -- there is one franchiser that happens to own two Macadoodle stores, and that particular franchiser is the only one. He owns the Joplin store and he also owns the Springdale, Arkansas store. And he is the only one that does the gas happy hours.

MR. SKALA: Okay. And what about the drive through liquor part?

MR. HARRELL: The drive --yes. We do service -- we do service out of the drive through. Anything that is for sale inside of the store is available through the drive through.

MR. SKALA: Thank you.

MR. WHEELER: Mr. Lee? Hang on.

MR. LEE: Sir?

MR. WHEELER: Sir?

MR. LEE: I got another question. Should this franchisee pursue that, he could decide on his own to have a 4:00 to 6:00 gas happy hour?

MR. HARRELL: Yes, sir. And if you'd like to have him address that, we'll go ahead and do that.

MR. JURGENSMEYER: Aaron Jurgensmeyer, 6 West Leaston Drive. We have no intention of doing that.

MR. LEE: Is that a firm no or we have no intention at this time?

MR. WHEELER: Yeah.

MR. JURGENSMEYER: Well, I couldn't tell you. Ten years from now we come up with a marketing strategy that maybe we do that, yes, maybe we would. But as of right now, we have no design at all for anything like that.

MR. LEE: Thank you.

MR. WHEELER: And you're willing to restrict your hours on the pumps to the same as the store?

MR. JURGENSMEYER: Yes.

MR. WHEELER: Ms. Peters?

MS. PETERS: As long as you're here, if I could ask you another question. I know that we've been given a nice plan for screening across the way, but that really has nothing to do with your request. Would you consider putting in additional screening? Some sort of white pines or something that would grow tall -- they're fairly cheap -- tall enough to block the lights from the pumps to the back of the properties that are across the way?

MR. JURGENSMEYER: I would say we would consider it, yes. Though, obviously, right now I have -- I don't have any idea what -- where they would go, how we would do that. I mean -- but we're open to considering doing that. I mean, are you wanting me to say, Yes, we would? I don't know how to answer that question.

MS. PETERS: I guess -- I think what we're looking for is somewhere between 12 and 18 feet worth of evergreens that would -- you know, they obviously could be small and grow to a taller height.

MR. JURGENSMEYER: Okay. We would consider that. I guess the easiest way I could answer that is we want to bring something to Columbia that we feel like -- I mean, we don't want it to be an eyesore. We want it to be a good thriving business. This is high-end type facility. So if the Council thinks we need to do something like that, then we would comply.

MS. PETERS: Where I'm going with this is the neighbors have been for years battling to get appropriate screening, and that's with a different land owner. I guess I should ask, you guys are going to own this land?

MR. JURGENSMEYER: Yes

MS. PETERS: Okay. I think it would go a long way with the neighbors if you would commit in the statement of intent that you would do some sort of evergreens that were taller than the five feet that's now required, just in the section between the gas station -- whatever the evergreens were.

MR. WHEELER: We'll get Mr. Brush up.

MR. BRUSH: Regarding the screening and the trees, the size that you're talking about tend to start producing a traffic hazard. When I start putting in an 18-foot tree next to the right-of-way of a street, now I'm starting to enter into that quasi world of a traffic hazard. If we're going to do some enhancing, I point back to the other plan that we've already got approved, which brings in the 3-, 4-foot tall plum thickets and growing those on up and so forth. I don't know that an 18-foot tree planted next to the right-of-way in an easement is an appropriate thing to do.

MS. PETERS: Two questions: Can you explain to me how a tree that grows up is a traffic hazard when it's in between a sidewalk and property?

MR. BRUSH: I don't know of any trees that have grown up at that height that are placed in that location.

MS. PETERS: No pines or cedars?

MR. BRUSH: I don't know of any that are that height that are placed in that six-foot barrier -- or that six-foot landscape strip, no. I don't -- I can't think of a place in town.

MS. PETERS: But it doesn't mean that they wouldn't grow.

MR. BRUSH: No. But what I'm saying is, is I don't know that planting one in there is an appropriate thing to do from a traffic safety standpoint.

MS. PETERS: And that would go back to my question of how does a tree that grows up interfere with traffic. And you can't answer that, how a tree that grows up interferes with traffic?

MR. BRUSH: No, I can't. No. I can't answer that. I can tell you that --

MS. PETERS: But you feel that's a statement that you can make with certainty, that it is a traffic hazard, but you can't explain to me how it is?

MR. BRUSH: I haven't seen one that has grown up to become a traffic hazard because usually they're pruned or trimmed back, would be my guess. I have never physically done that. What I'm saying is, is --

MS. PETERS: Are you an arborist --

MR. BRUSH: Am I an --

MS. PETERS: -- or a forester?

MR. BRUSH: No. I'm a civil engineer who often plays and experiments in plants. So I have a background in landscaping and planting also from that regard. Here's my statement on planting trees of that size: When I start planting items that are over that five-foot height near driveway entrances and whatnot, I become concerned from a public safety standpoint the cars coming in and out being blocked by that height. That's my -- Dan Brush's statement on trees.

MS. PETERS: And are you aware that the plums and the other plants that you intend to plant are on the other side of the street and are not owned by this applicant?

MR. BRUSH: That's true.

MS. PETERS: So therefore they would basically be immaterial to this case.

MR. BRUSH: I don't understand what you mean by immaterial to this case. We brought that forward as what is happening in the neighborhood and what we're proposing to do and what we're going to do. That's why we brought forward the idea of the screening on the other side of the street. True, it has nothing whatsoever to do with the C-P plan in front of you. It's not part of --

MS. PETERS: Great. Thank you.

MR. BRUSH: -- but --

MR. WHEELER: Dr. Puri?

DR. PURI: Mr. Brush, you want to shed light: You said you dropped that site down three feet and are going to put a berm there. That's going to serve as some sort of barrier, isn't it?

MR. BRUSH: That's true.

DR. PURI: And I think what you're trying to say with these large trees, they block the line of sight when you look left of right --

MR. BRUSH: Yes.

DR. PURI: -- when they become large. I think that's what you were after.

MS. PETERS: Well, then my question would be what's the height of a driver sitting in a vehicle.

MR. WHEELER: Three feet.

MS. PETERS: But yet they've committed to put five feet in as a screen already.

MR. WHEELER: I get your point. Any other questions of this speaker? Thank you.

Mr. Wendling, will you come down here?

MR. WENDLING: Steven Wendling, 2012 Chapel Ridge Road.

MR. WHEELER: So let me start, Mr. Wendling. I've known you a long time. I hope you won't think I'm going to be badgering you or picking on you tonight, but we've had this conversation so many times now with your property here.

MR. WENDLING: Uh-huh.

MR. WHEELER: And what we really need from you is a commitment to put in some plantings, and preferably something of evergreen nature, that would give us year-round 80 percent opacity on your site. And with that, I think we could finally put this thing to rest. I think it needs to be on your side of the street. I don't believe the appropriate place is in this six-foot buffer, even with the site being dropped two to three feet and a berm put there. And I think that the line of sight is definitely an issue because any tree that grows to 18 feet also grows big in diameter. And so it will exceed the six-foot berm that's proposed. So it needs to be on the other side of the street, which the applicant does not control, but you do. So I think what we're looking for this evening is a commitment from you to enhance the plan that's been approved -- and I understand it's been approved -- to give us the opacity that we're looking for. And I'll just ask you to comment on that.

MR. WENDLING: Are you badgering me?

MR. WHEELER: I guess. I don't know. I just hope you don't think I'm picking on you, but this has come up. I've been here a long time and this is --

MR. WENDLING: Not at all. And, you know, I look forward to address -- first of all, I think I'd like to address Ms. Peters questions. Typically, a horizontal growth of those trees, if it's going to reach 18 to 24 feet, there's only a few species that would allow something even at the 10- to 12-foot range, which would typically be categorized -- or something that are going to have a minimum width of four to six feet. So they would interfere with the distance between the curb and the sidewalk for people that would be walking up and down the sidewalk. So does that help answer that question?

MS. PETERS: Yes, somewhat. I do realize -- if I don't -- if I remember correctly, you're a forester an arborist or you have a tree background, if I remember correctly.

MR. WENDLING: I have a background in plants, yes.

MS. PETERS: Yeah. Is there anything that prohibits lower branches from being trimmed back on the sidewalk side?

MR. WENDLING: Well, I think, to me, if you're going to have an evergreen, then you're going to trim the branches up, then you have a stem and you really don't have anything there that's going to block the line of sight.

MS. PETERS: The intent is that there are second-floor bedrooms on the properties across the way, and living rooms, and I'm quite certain that they might like to look out their windows and not see gas station lights.

MR. WENDLING: Okay. So I've answered that question. But I do agree with Mr. Wheeler, it's probably better to do it on my property side.

MS. PETERS: I know, and you've had a number of years to do it and you've yet to do it.

MR. WENDLING: Well, if I could, I'd like to address that. The number of years required to do that has to do with when I would build the two-story building that's been approved next to the other building as part of that process. If I'm not mistaken, the City's very good at making sure I do what I'm obligated to do; one of which is that sidewalk that was done in October -- it wasn't the spring, by the way -- before I could get an occupancy permit. I was unaware of it. They brought it up, and we had it in. As far as the screening requirement, actually, initially come up as an ordinance by the City Council that I wasn't even allowed to trim, mow, or remove anything, trees or brush, within a 25-foot setback from that property line. It was a no-cut zone. I'm not even allowed to trim the trees even if they're about to fall on the condos. So up until now we've done what was supposed to be done. Now, if we put in evergreens, there's a potential that with the -- evergreens are not typically an undergrowth tree. So by putting those evergreens in there with the oaks and things the size that they are now, they may or may not survive. Would I would be willing to put in evergreens instead of plum thickets? I don't have a problem with that. I'll make that commitment.

MS. PETERS: That wasn't a question in regard to your property. That was a question in regard to the property that you're selling to the applicant.

MR. WENDLING: I'm talking about my property.

MR. WHEELER: And he's actually answering my question. So you'll commit to an 80 percent opacity in something that's -- 80 percent opacity year-round.

MR. WENDLING: Sure.

MR. WHEELER: Mr. Skala.

MR. WENDLING: Would a 12-foot privacy fence be acceptable?

MR. WHEELER: No. Vegetative opacity --

MR. WENDLING: Just a question.

MR. WHEELER: -- buffer. Let me clarify.

MR. WENDLING: I had to ask.

MR. SKALA: I'd like to say something nice here and that is, as a veteran of the gas station canopy wars, in terms of lights, with another veteran who is the Chair here, that seems to be part of the issue, and that is always the issue in terms of point source and light and so on and so forth. And I understand there are two different properties. One is the property that the gas station and the store is on and the other is your property. In the interest of maybe reaching some sort of compromise -- although you've already ceded to the idea of the 80 percent opacity on that vegetative buffer. I appreciate the fact that this gas station canopy more or less. At least it appears that they're recessed lights, not entirely, but mostly, which is a good thing because lots of gas stations in this town are not like that. But one of the solutions instead of growing something from the bottom up to block some of this light trespass, if you will, or glare, whatever you want to call it, is to extend the canopies a little ways down to make sure that there is some sort of shield to prevent some of the glare from happening that's the most egregious to some of the neighbors. Would that be a possibility to

consider that kind of compromise, you with increasing the opacity of your property there and perhaps a willingness of the property owner to -- to go the extra mile to put a little bit more shielding on the canopy -- the gas station canopy?

MR. WENDLING: I can't speak to the shielding, but I do believe there is an ordinance that says that the lighting itself, it can't exceed a certain illumine rating, so many feet --

MR. SKALA: That's for light trespass, but that really doesn't affect glare and that's the -- that's the complaint that most of the neighborhoods really have. It's -- it's blocking that point source of light.

MR. WHEELER: We'll ask the applicant that question if you want. Are there any more questions of Mr. Wendling? Hope you don't think I was too hard on you.

MR. WENDLING: Not at all. Thank you.

MR. WHEELER: Would the applicant step up, please.

MR. HARRELL: If you don't mind, one of the things that --

MR. WHEELER: Can you --

MR. HARRELL: Tim Harrell, 210 Northwest O. One of the things that you're talking about is glare. One of the things that really helps reduce that now, most of the lights that you see on the older gas station canopies, they hang down and they're either a metal halide light or an HID light. Okay? If you go to the new -- the new LED lights, they are much more directional. They don't give off the wash. They don't give off the glare. And I think that most of the stuff that we've been working with now are the new LED lights, and I'm sure that Aaron would be in favor of using those to reduce that, what you're talking about, the wash and the glare, instead of going with the other type of light.

MR. SKALA: I'm really glad you brought up that distinction because that is something -- there has been a change in technology. We faced that with the parking garages in town and so on and so forth. It really has to do with the entire lighting capacity, but if you were willing to work towards minimizing that kind of glare emanating from the gas station, that certainly would go a long way, I think, in terms of helping the neighborhood.

MR. HARRELL: And we will.

MR. WHEELER: All right. Are there additional questions of this speaker? All right. Commissioners -- thank you. Commissioners, who wants to lead off? Mr. Lee?

MR. LEE: Well, it seems to me that this Macadoodles is an upscale, good business and this is probably a decent location for it. I am really concerned about the traffic. I travel on Carter Lane frequently, and I know that, as one of the speakers said, you have all those apartments back in there in the back and all that housing back there in the back, and to get south, they have to come down Carter Lane and go around that roundabout. And I would be hesitant to support this project without seeing a traffic study. And one of the speakers said that a traffic study was not required, so therefore they didn't do it. But I would be hesitant to support it without seeing a traffic study.

MS. PETERS: I have a question for Staff. When was the last traffic study done?

MR. MACINTYRE: I'm not sure when a traffic study was conducted or whether there has been one for this particular site. However, on the traffic issue, I should point out that traffic engineers -- city traffic engineers have not identified this as a particular issue in this case. They haven't requested a traffic study. And the access to this site, as well as the uses, were previously approved regarding the access points. There was a development agreement between the City and the applicant -- or the property owner applicant back in, I think, 2002 or 2005, that guaranteed them certain access points which they are in conformance with on this plan. So I think it would be difficult to require a traffic study at this point, based on that agreement and the fact that the City designed the roads with the zoning in place and the uses in mind.

MS. PETERS: I'll go ahead and go. I actually think there are a lot worse things that could go in here. My concerns are the screening and the hours of operation, and they did say that they would do a statement of intent on the hours for both the gas and the store operations. I think traffic, based on what Staff has said, is not going to be a critical issue. A light could be put in at whatever the road is a little further south for access to Providence. But my real concern is screening for the residents across the way, and as nice of a design and proposal that's been brought in, there's nothing that will guarantee that that will go in. I know the neighbors have been having a number of issues with commitments from the property owner on the other side, and it would go a long way, I think, to the neighbors being more satisfied if there was more screening of the gas pumps. I intend to support this with the statement of intent.

MR. WHEELER: Dr. Puri?

DR. PURI: I think we have seen this a number of times and I think last time the steak house was there a number of issues came up. And I think some of them were, like, the restaurant operation late at night, you know, liquor, food being served out on the patio, if you remember, garbage trucks being dumped at what time hours, you know, that would disturb the neighbors. I mean, bottom line is it's a site that we're required to see if this zoning is appropriate, and that's the bottom line, and at the same time, minimize the impact to surrounding residences. And I think that I agree with Mr. Wheeler that the developer needs to commit to those evergreens across the way. I do not think that they need to be on the property that is Macadoodles, supposedly the development. There's not enough room to put it there, plus they're not required by ordinance to do anything as far as -- other than what they're required. This is across the way on the other side and it would be better served on the other side. I do think it's an upscale type of business and I think that you're going to bring jobs to the community. I think that it's -- the pictures you have shown are well done, from inside and outside, and hopefully you'll keep up that. I think the drop in the site that Mr. Brush did by three foot and put a berm there, that's going to help. The LED lights will definitely help with glare as well as, you know, direction of lighting. It's basically common sense, I think. Under those circumstances, I do plan to support this, with the commitment from the developer to put evergreens on the other side, and I think it's appropriate for this location.

MR. WHEELER: Mr. Tillotson?

MR. TILLOTSON: I want to echo Dr. Puri's comments on this. I actually was -- had already made a decision to be opposed to this before I come in here tonight because I was thinking just your ole convenience store, which they really don't need there. But after seeing this, I'm really impressed by it. Columbia really doesn't have a fine establishment like this anywhere. The best wine stores we have are in Gerbes or Schnucks, the grocery stores, so I was pleased to see that. And I do like the effort that the landowner has put forth. I do know -- we have a little leverage with -- there is a piece of property here that's still -- he's going to want to develop some day, and I know he doesn't want to come back in front of us with this buffer being an issue. And so I think that's going to spur a little interest in his part to make sure that the neighbors are satisfied and happy with that happening before he does come back to us. So with that said, I do intend to support it.

MR. WHEELER: Mr. Skala?

MR. SKALA: Yeah. Just a few comments: I think this isn't a zoning issue -- this isn't a rezoning issue. The zoning is in place. This is a plan issue. And that's the purview of the Planning and Zoning, in addition to rezoning issues, so that's not a question. And our business in reviewing plans is to try and improve them as much as possible and not make it onerous on anybody to -- to have an improvement on the plan. Along with what Mr. Puri was suggesting in terms of the commitment, I mean, I've been around here for a while, and I've heard lots of things from lots of folks, well-meaning folks. And these days I'm always kind of weary that I want to make sure that everybody understands what the commitments are. And as I understand it, Mr. Wendling has suggested that he will enhance some of that -- the buffer, which is one of the issues that we're talking about, and I would like to make sure that he understands what it is expected of him and that we understand what we can expect as well and what the public can expect. So the buffer is one issue and I think we can deal with that. The other issue is that traffic study and the reassurances from the City Staff in terms of their engineering group that have to deal with that. There is a roundabout there that was to deal with the extra traffic and so on and so forth. And then there was that issue of -- certainly the lighting issue was near and dear to my heart as well as some other folks, and I'm a little bit reassured with the LED technology and the commitment to make sure that you can reduce the glare as much as possible, whatever that takes. That combination of the business owner and the property owner, in order to work out some of these issues with the neighborhoods, I think would go very far towards -- towards both of those groups being able to work together. So at this point -- and just one other issue. There was a gentleman that came up and he was talking about how Columbia tends to be business unfriendly. That certainly isn't evidence of the award that we got for being business friendly in this town. Nor was it evidence of a recent study that was conducted by Paul Land -- or requested by Paul Land that suggested that development fees and development costs in this town, in comparison to some of the Kansas City fees of development, are way down the list. We're about 13th or 14th out of 15th, compared to some others. So I don't want to be business unfriendly and I don't think we are,

but I want to make sure that we don't get that reputation just because of various people offering that opinion. So I'm inclined, because of those reasons before that I mentioned, the opacity, the traffic, and the buffer issues, if we can get some -- make some sort of language that makes sure that we understand these commitments -- I will lean towards supporting this plan.

MR. WHEELER: Mr. Vander Tuig?

MR. VANDER TUIG: I'll go and I'll keep it pretty brief. You know, we've seen this several times and the ship has sailed on the zoning; that's not the issue. And I feel like we've come to a point now, with the plan and some of the commitments, that this is going to be beneficial for both parties, and I plan to support this.

MR. WHEELER: Mr. Strodtman?

MR. STRODTMAN: I don't have much to add that hasn't already been discussed. I think a lot was -- we added a lot to it this evening, so I wanted to compliment the applicant and the owner for their willingness to work with us and the residents to try to address some of these concerns. I do agree that there could be worse things. I was very encouraged to see the hours. That was very nice to see that. I don't think that this is a typical convenience store that we're accustomed to, so think it will be a nice addition to the neighborhood, and as a result I do plan on supporting it.

MR. REICHLIN: I'll just chime in. I intend to support it. I'm happy to see the area get developed, and I wish them well.

MR. WHEELER: All right. I beat everybody up so I'm just going to try to clarify what we're -- what I believe we've talked about, and that is restriction of the hours of operation, as discussed. Mr. Wendling and the applicant will work together with the City to come up with an 80 percent vegetative opacity buffering on the north side of the road. Of course, I can't put that restriction on you guys, but, Mr. Wendling, I agree with Mr. Tillotson. We will be watching on the next one, so please get this done this year so we can just put this thing to rest. And then I think we have a commitment from the applicant as far as lighting. And so with that, unless somebody can think of something else, will somebody please frame a motion? I'd appreciate it. Mr. Tillotson.

MR. TILLOTSON: I'll make a motion to approve the request by Wendling Development, LLC for approval of a C-P development plan to be known as Macadoodles C-P Plan. The 1.73-acre site is located at the northeast corner of Providence and Green Meadows, with the addition of adding to the statement of intent the store hours as were presented to us. Can we do that?

MR. SKALA: And the buffer.

MR. WHEELER: Motion's been made. Any questions on the motion?

MR. SKALA: Is that including the buffering, the opacity issue?

MR. WHEELER: I don't think we can put that restriction on them, unfortunately.

MS. PETERS: I'd like to clarify that the hours were 11:00 p.m. for both operation of the gas pump and store hours.

MR. WHEELER: Can we say as presented tonight, because they were different during the week than they are on the weekend? They're actually earlier during the week, a little later on the weekend.

MS. PETERS: I think we need to clarify and state what those are.

MR. ZENNER: You're going to -- one, let's back up here. There is no statement of intent with this. The statement of intent was defined with the zoning. That ship has sailed. You have design parameters. The design parameters associated with this project will need to have specific notation added to them. That specific notation will need to be the hours of limita-- the hours of operation limitations as tied to the hours of operation as presented, 8:00 a.m., if I recall correctly, to 9:00 p.m. -- or is it 10:00 p.m. Monday through -- 8:00 a.m. to 10:00 p.m. Monday through Thursday, 8:00 a.m. to 11:00 p.m. Friday and Saturday, and then 10:00 a.m. to 9:00 p.m. on Sunday -- of flip-flopped, 9:00 a.m. to 10:00 p.m. on Sunday. That will need to be added as a specific note to the design parameters on the plan.

MR. WHEELER: Was that your intent, Mr. Tillotson?

MR. TILLOTSON: That was my exact intent.

MR. ZENNER: That was your intent. The second item that needs to be specified specifically -- and this will be within the approving ordinance. I will advise that you can stipulate, associated with the Macadoodles site plan approval as a separate ordinance provision, that the landscaping along the Meadows subdivision, north of the subject site seeking site plan, approval be landscaped with the enhanced landscape as recommended and required by the Planning Commission prior to the issuance of a CO or the Macadoodles site. If you want resolution of the landscaping issue that has carried through for the last several years, having a separate ordinance provision tied to this site plan approval I believe you can do. If our law department tells us otherwise, as it was pointed out, Mr. Wendling has a vested interest in the remaining parcel that still needs to be developed and would likely not want to come back to this body without having resolved it. I would suggest the easiest way for us from a regulatory perspective is to associate it with the requirement of the enhancement of the landscaping on the north to this ordinance. We can ensure that the CO does not get issued without that being installed.

MR. WHEELER: Was that your intent, Mr. Tillotson?

MR. TILLOTSON: Yes, absolutely.

MR. WHEELER: Thank you.

MR. ZENNER: I would like also, if possible, for the public record, what the intended landscaping improvement is. This is not an option that we work out something. We need to have a specific established in order for our city arborist and our zoning enforcement officials to be able to go out and evaluate that landscape buffer to ensure that it is installed appropriately. Is there a specific height and specific quantity as well as a specific species of vegetation that is desired by the

Commission for this particular area, in addition to the plum thicket which was presented here this evening?

MR. WHEELER: Since this seemed to be my horse to beat, let me say that I don't care if it's in addition to the plum thicket. It can be -- you can -- you can do it as a combination with the plum thicket. But what I am looking for, and I think I'm speaking generally here, would be 80 percent year-round opacity between, I don't know, the ground and 12 feet. I think that's reasonable and something that -- is that good enough for --

MR. ZENNER: If that's what you -- and you want it within four growing seasons. So you're going to want 80 percent opacity in four growing seasons that's a combination of an evergreen and the plum thicket as discussed this evening.

MR. WHEELER: Four years is normal, so I don't -- I don't see any reason that we should ask for something than --

MS. PETERS: Clarification: It would be four years from today or from approval by Council?

MR. ZENNER: It would be four years from the date of approval from -- well, it would be four years from the date of installation and acceptance. So the 80 percent opacity must be installed, then it needs to pass the inspection requirement, which is the reason why I am wanting to make sure we know what we are going to install. You go with a landscaping plan for the purposes of our arborist being able to count plants and verify that they've been planted according to that approved plan. What you're asking us to do is basically come to devise a solution to meet the criteria that you've specified. And I want to make sure that that is going to be clearly conveyed to our staff that this is a negotiated settlement to resolve the screening issue that has to achieve the results that you're specifying: 80 percent within four years, and we will allow our arborist and Mr. Wendling, as well as the other design professionals, to arrive at what that plant material is, based on the current conditions. As I understand it from what we received this evening, the canopy that currently exists there will probably not promote particular type of species growth, therefore we have to be able to have some flexibility to be able to achieve what you're asking. And if we don't want to specify material, but we want to leave that to the design professionals, that's fine.

MR. WHEELER: I think we've come to it. And that was your intent?

UNIDENTIFIED SPEAKER: Yes.

MR. WHEELER: Are there any questions on that?

MR. REICHLIN: I have a question.

MR. WHEELER: Mr. Reichlin?

MR. REICHLIN: Shouldn't these be two separate items?

MR. WHEELER: I think, from what Mr. Zenner just said, we tie them together and then if legal says we can't, then they'll be separated, but -- Mr. Skala?

MR. SKALA: With regard to that explanation, I'm willing to second the motion.

MR. WHEELER: Okay. Ms. Peters?

MS. PETERS: What's the wiggle room in implementation? In other words --

MR. ZENNER: If you -- I will suggest to you, as Mr. Teddy just pointed out to me, this is an off-site improvement. Typically, through off-site improvements you normally have a development agreement that may be associated with them. Council will probably ask, does the applicant consent to this condition. And if the applicant, as he has stated this evening, says he will, you have within the provision we are suggesting that the CO for the Macadoodles site will not be granted until the landscaping to the north of the property that you are approving the site plan for has been installed. It's at that point then the four-year window of 80 percent opacity, which has to go back and be inspected for dead plants and a variety of other things, all of the enforcement side of it becomes basically routine for the City Staff. I would suggest that if the opacity factor is not achieved, we'll probably hear about it from the adjacent property owners as an enforcement or a complaint.

MR. WHEELER: All right. Everybody good? We got a first -- we got a motion, a second. Have you been able to, like, get --

MR. VANDER TUIG: Adjust all this? No. So just for clarification, what's the hours Saturday? I think I have Monday through Thurs-- 8:00 to 11:00? Okay.

MR. ZENNER: 9:00 to 10:00 on Sunday.

MR. VANDER TUIG: Right. Okay. And with the LED lighting or that was not -- LED lighting was included?

MR. TILLOTSON: I thought that's what --

MR. SKALA: That's what he said they --

MR. WHEELER: It's what they agreed to.

MR. TILLOTSON: -- they're doing anyways.

MR. WHEELER: All right. So we have a motion and a second. Discussion on the motion? Have we worn this one out? Mr. Reichlin?

MR. REICHLIN: Yes, we have. I have a concern regarding the tying of the CO to the landscape plan. I think it's an undue hardship to place on the applicant who's just developing a site and meeting all the requirements of that site. Sure, there's a hammer there, but it seems to me that the requirement to have the property owner to develop this landscape screening should be dealt with separate from -- that's my personal opinion.

MR. WHEELER: Okay. And I don't disagree with you, but I'm betting that this is all condition upon a contract of them getting their plan approved and so I have a feeling they'll work it out.

MR. REICHLIN: I just want to put that on the record.

MR. WHEELER: Okay. Thank you, sir. Any other discussion on the motion? If you can --

MR. VANDER TUIG: I'll give it a whirl here.

MR. WHEELER: Oh, you have a question?

MS. PETERS: No. I just wanted to make a comment that -- I think earlier I said I could think of things that were worse and that probably came out not the way I meant it to. I think this is a nice

development, and I think with the screening and working with the neighbors, it will fit into the neighborhood and I think it would be a nice addition to them. I just wanted to say that. Welcome to Columbia.

MR. WHEELER: All right.

MR. VANDER TUIG: So we have a motion and a second for approval of a C-P development plan to be known as Macadoodles C-P Plan. The 1.7-acre site is located at the northeast corner of Providence and Green Meadows. In addition, we will have restrictive hours of operation, which will be a design parameter listed on the plan that will be restricted to 8:00 a.m. to 10:00 p.m. Monday through Thursday, 8:00 a.m. to 11:00 p.m. on Saturday, 9:00 a.m. to 10:00 p.m. on Sunday. And in addition, the CO for this property will not be allowed to be issued until the plantings for 80 percent opacity for year-round to a height of 10 to 12 feet -- is that correct -- is planted, and with that the inspection that takes place within the four year period. In addition, the LED lighting will be installed at the gas canopies.

MR. ZENNER: You just need to add Friday's time spectrum in there. We have it written down, but Friday was not --

MR. VANDER TUIG: Oh, Friday. I'm sorry. Yeah.

MR. ZENNER: Friday is 8:00 a.m. to 11:00 p.m.

MR. WHEELER: Friday and Saturday.

MR. VANDER TUIG: Friday and Saturday, okay. Very well.

MR. ZENNER: They wouldn't have opening hours on Friday. I'm sorry.

MR. VANDER TUIG: Yeah. We got to be open on Friday. Sorry about that.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Lee, Ms. Peters, Dr. Puri, Mr. Reichlin, Mr. Skala, Mr. Strodman, Mr. Tillotson, Mr. Vander Tuig, Mr. Wheeler. Motion carries 9-0.

MR. WHEELER: Recommendation for approval with conditions will be forwarded to City Council.