

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 285-13

AN ORDINANCE

rezoning property located on the southeast corner of Providence Road and Broadway from Districts C-2 and M-1 to District C-P; approving the CVS Pharmacy C-P Development Plan; approving a statement of intent; repealing all conflicting ordinances or parts of ordinances; setting forth conditions for approval; approving less stringent setback requirements; providing for construction, landscaping and maintenance of a pocket park on City-owned property located on the southeast corner of Providence Road and Broadway; 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 ALL OF LOTS 181, 182, AND 136, ALSO A PORTION OF LOTS 183, 137, AND 138, ALSO THE VACATED ALLEY BETWEEN SAID LOTS AND THE WEST 17 FEET OF RIGHT-OF-WAY OF 4TH STREET IN THE ORIGINAL TOWN, NOW CITY OF COLUMBIA, BOONE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 136; THENCE N 00°00'00" E, ALONG THE WEST LINE OF LOT 136, A DISTANCE OF 169.05 FEET TO THE EAST LINE OF A TRACT OF LAND DESCRIBED IN BOOK 559 AT PAGE 730; THENCE N 11°18'41" E, ALONG SAID EAST LINE, A DISTANCE OF 32.63 FEET TO THE SOUTH LINE OF THE NORTH 99 FEET OF LOT 183; THENCE S 89°57'56" E, ALONG SAID SOUTH LINE, A DISTANCE OF 73.51 FEET TO THE WEST LINE OF LOT 182; THENCE N 00°01'11" W, ALONG SAID WEST LINE, A DISTANCE OF 99.00 FEET TO THE NORTHWEST CORNER THEREOF; THENCE S 89°57'56" E, ALONG THE NORTH LINE OF LOTS 182, 181, AND THE EXTENSION THEREOF, A DISTANCE OF 176.75 FEET TO THE EAST LINE OF THE WEST 17 FEET OF VACATED 4TH STREET; THENCE S 00°03'24" E, ALONG SAID EAST LINE, A DISTANCE OF 252.54 FEET; THENCE N 89°57'48" W, ALONG THE SOUTH LINE OF THE NORTH 95 FEET OF LOTS 137, 138, AND

THE EXTENSION THEREOF, A DISTANCE OF 176.92 FEET TO THE EAST LINE OF LOT 136; THENCE S 00°01'11" E, ALONG SAID EAST LINE, A DISTANCE OF 47.53 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE N 89°57'40" W, ALONG THE SOUTH LINE OF LOT 136, A DISTANCE OF 79.98 FEET TO THE POINT OF BEGINNING. ENCOMPASSING AN AREA OF 1.392 ACRES.

will be rezoned and become a part of District C-P (Planned Business District) and taken away from District C-2 (Central Business District) and District M-1 (General Industrial District). Hereafter the property may be used for the permitted uses set forth on Exhibit A to the statement of intent.

SECTION 2. The City Council hereby approves the terms and conditions contained in paragraphs a, b, c and d of the statement of intent dated September 12, 2013, attached hereto as "Attachment A" and made a part of this ordinance. The City Council does not approve paragraphs e, f and g contained in the statement of intent. The approved paragraphs of the statement of intent shall be binding on the owners until such time as the Council shall release such limitations and conditions on the use of the property.

SECTION 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. The City Council hereby approves the CVS Pharmacy C-P Development Plan, dated September 11, 2013, for the property referenced in Section 1 above. The Director of Community Development shall use the design parameters set forth in "Exhibit B," which is attached to and made a part of this ordinance, as guidance when considering any future revisions to the C-P Development Plan.

SECTION 5. Approval of the C-P Development Plan shall be subject to the following conditions:

1. The applicant shall dedicate fifteen (15) feet of right-of-way along Providence Road as shown on the Development Plan and shall construct a right turn lane along the property's Providence Road frontage.
2. The applicant shall dedicate five (5) feet of right-of-way along the Broadway street frontage as shown on the Development Plan.
3. The proposed drive-thru exit shall either be moved southward or limited to right turn only movements at the Fourth Street exit.
4. All parking lot light fixtures shall be limited to a maximum height of sixteen (16) feet.
5. The applicant shall install and maintain a minimum of thirty (30) Thuja occidentalis "Emerald" (columnar arborvitae) along the south property line abutting Flat Branch Park.

6. The pocket park layout on the Development Plan is conceptual. The applicant shall design and install such improvements as may be approved by the Director of Parks and Recreation to create a pocket park on the City-owned lot located at the intersection of Providence Road and Broadway.

SECTION 6. The City Council approves less stringent yard requirements than those set forth in Section 29-17(d)(2)a. of the Zoning Regulations so that a 5-foot front yard setback shall be allowed along the north property line adjacent to Broadway rather than the required 25-foot setback.

SECTION 7. The City and Developer may enter into an agreement to construct, landscape and maintain a pocket park on the property owned by the City at the southeast corner of Providence Road and Broadway.

SECTION 8. 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

VAN MATRE, HARRISON, HOLLIS, TAYLOR, AND BACON, P.C.

A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS AT LAW
1103 EAST BROADWAY
POST OFFICE BOX 1017
COLUMBIA, MISSOURI 65201

CRAIG A. VAN MATRE
THOMAS M. HARRISON
ROBERT N. HOLLIS
GARRETT S. TAYLOR
BRYAN C. BACON*
CASEY E. ELLIOTT
RICHARD B. HICKS

(573) 874-7777
TELECOPIER (573) 875-0017
E-MAIL robert@vanmatre.com

EVERETT S. VAN MATRE
(1922-1998)

*ADMITTED IN MISSOURI AND ILLINOIS

September 12, 2013

Steve MacIntyre
City Community Development Department
City of Columbia
701 E Broadway
Columbia, MO 65201
Via E-mail: sjmacint@gocolumbiamo.com

RE: Statement of Intent / Application for Permanent Rezoning / Missouri CVS
Pharmacy, L.L.C. (the "Applicant")

Dear Steve,

The following is intended to satisfy the requirements of Section 29-17(e)(2) of the City's
Zoning Ordinances:

- a. The uses proposed for the Property shall be all of the uses shown on the list attached hereto as Exhibit A.
- b. The maximum gross square feet of building floor area proposed for the Property shall be 20,000.
- c. The maximum building height on the Property shall be 45 feet.
- d. The minimum percentage of the Property to be maintained in open space shall be 15%.
- e. The Downtown Community Improvement District shall be permitted to construct and maintain decorative elements such as landscaping, signage, public art, lighting, or other such similar improvements within the pocket park identified on the C-P Plan (the "Pocket Park") as may be approved by the Applicant. Such improvements shall not include anything that, in the commercially reasonable discretion of the Applicant, inhibits in a detrimental manner the view or visibility of the Property and the improvements constructed thereon.

Van Matre, Harrison, Hollis, Taylor, and Bacon, P.C.
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September 12, 2013
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f. The Applicant shall maintain in good order, condition and repair and in conformity with all applicable laws and consistent with the C-P Plan the landscaping improvements it installs within the Pocket Park.


g. The City shall not construct or permit obstructions within the Pocket Park that would interfere with the use of the Pocket Park as a public pocket park or with the maintenance of the Pocket Park by the Applicant. Without limiting the foregoing, the Pocket Park shall not contain anything that, in the commercially reasonable discretion of the Application, inhibits in a detrimental manner the view or visibility of the Property and the improvements constructed thereon.

Thank you for your attention to this matter.

Sincerely,

Van Matre, Harrison, Hollis, Taylor, and Bacon, P.C.

By:


Robert N. Hollis

RNH/jae

CC: Tim Teddy, Pat Zenner, David Barnett, and Donn Fizer (Via E-mail)

EXHIBIT A

Permitted Uses

Permitted Uses

Full service pharmacy offering goods and services for retail sale, including without limiting the permitted uses under the foregoing list, compounding and dispensing of prescription drugs and non-prescription drugs, medical aids and surgical supplies, convenience goods, home and personal care goods and related supplies, and other goods and services offered by national pharmacies such as CVS.

Uncovered, surface off-street parking areas, except for publicly-owned parking facilities.

R-1 Permitted Uses - One-Family Dwelling District (Section 29-6)

Agriculture, nurseries and truck gardens, each of which shall be limited to the propagation and cultivation of plants, provided no retail or wholesale business shall be conducted upon the premises, and no obnoxious fertilizer is stored upon the premises, and no obnoxious soil or fertilizer renovation is conducted thereon.

Churches, mosques and synagogues.

Dwellings, one-family.

Family day care homes, day care centers, preschool centers, nursery schools, child play care centers, child education centers, child experiment stations, or child development institutions, under the following regulations: (1) That not more than 10 children not related to the operator shall be kept. Up to 3 additional children over the age of 2 may be kept for up to 2 hours per day. Up to 3 additional school-age children may be kept on unscheduled days of school closings; provided that at no time shall more than 13 children not related to the operator be kept, (2) That such uses shall be permitted only if the rear yard in which the home would operate meets the minimum requirements of this section and is enclosed with a suitable fence, (3) That such uses are located in the dwelling used by the operator as his or her private residence, (4) That the operator shall not employ more than one full-time (40 hours per week) assistant who does not reside on the premises or more than 2 half-time (20 hours per week) assistants who do not reside on the premises, (5) That no advertising or identification sign shall be placed on the premises, (6) That all city health and fire regulations are met, and (7) That all applicable state regulations are met.

Garage sales, under the following restrictions: (1) That a special permit is obtained from the city business license inspector according to section 13-20 of this Code, (2) That no more than 2 garage sales per dwelling unit may be held on any lot in a residential zoning district in any calendar year. For any use other than a dwelling unit on a lot in a residential district, there shall be no more than 2 such sales per calendar year by or on behalf of each separate group or organization which forms a part of the allowable zoning purpose of such other use (for example, a school band or athletic team). One additional sale per year shall be allowed under each of the following circumstances: (a) The sale occurs as a result of the resident of that lot moving from that lot to another dwelling; and (b) The sale is conducted by or through the estate or legal guardian of a resident of that lot, and (3) Garage sales may be held only from 8:00 a.m. to sundown on weekdays and Saturdays, and from 9:00 a.m. to sundown on Sundays and holidays. No sale shall extend for more than two (2) consecutive days or any portion thereof.

Golf courses and golf clubhouses appurtenant thereto (except miniature golf courses, driving ranges, and other activities operated as a business).

A hobby may be pursued as an accessory use by the occupant of the premises purely for personal enjoyment, amusement or recreation, provided that the articles produced or constructed are not sold in the ordinary course of business either on or off the premises, and provided such use will not be obnoxious or offensive by reason of vibration, noise, odor, dust, smoke, gas, or otherwise.

Group homes for foster care.

Group homes for mentally or physically handicapped, under the following restrictions: (1) Any such group home shall not be located within a one thousand (1,000) foot radius of another such group home in any specific single-family neighborhood, (2) Before operating such group home, the owner or operator of the home shall register with the Community Development Department and shall sign an affidavit certifying that the home will be in compliance with subsection (1) above, and (3) The exterior appearance of the home and property shall be in reasonable conformance with the general neighborhood standards.

Home occupations which are compatible with the residential character of the neighborhood will be permitted, however, in order to promote peace, quiet and freedom from excessive noise, excessive traffic, nuisance, fire hazard, and other possible effects of commercial uses being conducted in residential areas all home occupations must meet the following restrictions: (1) A home occupation shall be incidental to the use of a dwelling unit for residential uses. No person other than a person residing at the dwelling unit shall be directly involved with or work in the home occupation. If the home occupation employs persons to work at other locations, the dwelling unit shall not be used as an assembly point for any employees who may work at sites outside of the dwelling, (2) No alteration of the residential appearance of the premises shall be made, including the creation of a separate entrance to the dwelling or utilization of an existing entrance exclusively for the home occupation, (3) No more than twenty (20) per cent of the total floor area of the dwelling unit and garage shall be devoted to the home occupation. A garage shall not be used for a home occupation if such use has the effect of eliminating required parking, (4) The home occupation shall be conducted entirely within the dwelling unit or garage and no stock in trade shall be displayed or visible outside, or stored outside of any building, nor shall any raw materials, tools or appliances or waste products be stored outside of any building, (5) Signs may be used for identification or advertisement of the home occupation but such signs must be attached flat to the structure, may not be larger than one square foot and may not be illuminated, (6) No power other than electric shall be used and no single machine shall draw more than one-half horsepower and not more than one horsepower total shall be used, (7) There shall not be conducted on the premises the business of selling stocks of merchandise, supplies, or products, provided that orders previously made by telephone or at a sales party may be filled on the premises; that is, direct sales of products off display shelves or racks is not allowed, but a person may pick up an order placed earlier as described above, (8) The use shall not generate traffic in volumes greater than would normally be expected in a residential neighborhood. For purposes of this section, the normal volume of traffic generated by a single-family dwelling shall be defined as twelve vehicle trips to and/or from the dwelling unit per twenty-four-hour period. The use shall not use commercial or business vehicles to deliver finished products from the dwelling unit. All parking necessarily generated by the use shall be off the street in accordance with section 29-30 of this chapter, (9) The use shall not produce noise, obnoxious odors, vibrations, glare, fumes or electrical interference detectable to normal sensory perception outside the structure, (10) No toxic, explosive, flammable, combustible, corrosive, radioactive or other restricted materials may be used or stored on the site, and (11) All persons desiring to have a home occupation must first present appropriate plans to the building regulations supervisor detailing how the dwelling will be used or altered to accommodate the use. Thereafter, whenever any permit or license is to be renewed, the dwelling may be inspected to determine how it has been altered to accommodate the use.

Abatement. Any home occupation which does not comply with the above restrictions shall be brought into compliance within thirty (30) days of the notice of the deficiency. It shall be unlawful to fail to comply with the above restrictions after notice.

Public police and fire stations.

Public administrative buildings.

Public libraries.

Public museums.

Public parks and playgrounds, including public recreation or service buildings within such parks.

Public schools, elementary and secondary, private schools with curriculum equivalent to that of a public elementary or high school, and institutions of higher learning including gymnasiums, stadiums, and dormitories if located on the campus. Before any building or structure shall be hereafter constructed on a campus of an institution of higher learning, a development plan of the campus shall be submitted to the commission, and after a public hearing, such commission shall report its recommendations to the council. If the council shall approve the development plan by ordinance, such plan shall be filed with the permanent records of the city. The development plan shall show existing and future buildings, parking areas, streets and drives, athletic facilities, and other features which may affect surrounding property or the public interest. The director of community development shall determine, or cause to be determined, that any building or structure hereafter constructed substantially conforms to the approved development plan prior to the issuance of a building permit. If at any time a major deviation from the approved development plan is proposed, said plan shall be amended and submitted to the commission and the council for approval in the same manner as the original plan.

Publicly owned and operated community buildings.

Temporary real estate sales office, located on property being sold and limited to a period of sale, but not exceeding two (2) years without special permit from the board.

R-2 Permitted Uses - Two-Family Dwelling District (Section 29-7)

All permitted uses in district R-1.

Dwellings, two-family.

R-3 Permitted Uses - Medium Density Multiple-Family Dwelling District (Section 29-8)

All permitted uses in district R-2.

Adult day care home.

Apartment houses.

Boardinghouses or lodging houses.

Continuing Care Retirement Communities (CCRC) subject to the following conditions: (1) site size shall be a minimum of 10 acres, (2) a CCRC shall be planned and constructed as a unified development, (3) uses located within a CCRC shall be owned and operated by a single, properly licensed entity or provided under a direct contract with the owner, (4) the height and area requirements of Section 29-8(d) shall apply to any proposed component of a CCRC, (5) a 25 foot perimeter setback shall be provided around all sides of a CCRC, (6) A CCRC development site shall retain or provide an additional fifteen percent (15%) landscaped area beyond that required by section 29-25. Such provision shall be exclusive of those CCRC supportive facilities that may accompany the overall development, and (7) CCRC assisted living facilities and CCRC skilled care nursing facilities shall be operated by legal entities holding all required business licenses including certificates of need issued by the appropriate state agency.

Fraternity or sorority houses and dormitories.

Family day care homes, day care centers, pre-school centers, nursery school, child play care centers, child education centers, child experiment stations or child development institutions.

Group care homes for mentally retarded children.

O-1 Permitted Uses - Office District (Section 29-12)

All permitted uses in district R-3 (subject to the height and area regulations of district R-3).

Purpose. This district is intended to provide for professional, administrative, or other offices and related uses primarily. It may serve as a buffer area between residential and more intense nonresidential uses.

Banks, other financial institutions, and travel agencies.

Counseling centers operated by charitable or not-for-profit organizations; excluding halfway houses or any use connected with penal or correctional institutions.

Hospitals for human beings, medical or dental clinics, sanitariums, and medical laboratories.

Office buildings used for the administrative functions of businesses, professions, companies, corporations; and social, philanthropic, eleemosynary, or governmental organizations or societies.

Offices for professional and business use involving the sale or provision of services, but not the sale or rental of goods, including but not limited to: (1) artists, sculptors, photographers, (2) authors, writers, composers, (3) lawyers, engineers, planners, architects, realtors, accountants, insurance agents, brokers, and other consultants in similar professions, (4) ministers, rabbis, priests, or other clergy members, (5) physicians, dentists, chiropractors, or other licensed medical practitioners, (6) seamstresses, tailors, and (7) teachers of private lessons in art, music, or dance.

Residential care facilities.

Schools operated as a business within an enclosed building, except trade schools and schools which offer retail goods or services to the public.

Customary accessory uses subject to the provisions of section 29-27, Accessory Uses.

C-1 Permitted Uses - Intermediate Business District (Section 29-14)

All permitted uses in district O-1.

Purpose. This district is intended to provide commercial shopping and service facilities in or near a residential neighborhood. The principal land use is a small shopping area with sales and services oriented to the needs of a local population.

Alcoholic beverage sales by the package or as an accessory use to a restaurant.

Alcoholic beverage sales in the original package or by the drink on licensed premises shall be permitted in restaurants or similar places where substantial quantities of food are served, all in compliance with the alcoholic beverage regulations of chapter 4 of this Code.

Barber and beauty shops.

Buildings and premises for public utility services or public service corporations.

Laundries, coin-operated.

Pet stores and grooming shops, for small animals.

Photographic service shops and studios.

Physical fitness centers, private gymnasiums and reducing salons.

Printing shops, provided the total mechanical power used in the operation of such printing plant shall not exceed five (5) horsepower.

Radio and television sales and service.

Repair of household appliances.

Restaurants, cafes or cafeterias, which provide no form of entertainment.

Restaurants, cafes or cafeterias which provide live or recorded music, provided that such music is played indoors only and further provided that the music from any such restaurant, cafe or cafeteria shall not be plainly audible at the property line of the property on which the building housing such restaurant, cafe or cafeteria is located.
Schools operated as a business, except trade schools.
Shoe repair shops.
Stores, shops and markets for retail trades, provided merchandise is not displayed, stored or offered for sale on the premises outside a building in the required front yard or in any side or rear yard adjacent to a residential zoning district.
Accessory uses, including drive-up facilities, customarily incidental to any of the above uses.
Customary accessory uses, including drive-up facilities, subject to the provisions of section 29-27 of this chapter.
C-2 Permitted Uses (Section 29-15)
<i>All permitted uses in district C-1 with the exception that dwelling units shall also be subject to section 29-8(d)(6).</i>
<i>Purpose. This district is intended to provide for commercial facilities in the central business district. The principal land uses are retail sales, services, offices and public facilities.</i>
Assembly and lodge halls.
Bakeries.
Bars, cocktail lounges and nightclubs.
Billiard halls and game arcades.
Bicycle repair shops.
Bus stations.
Government buildings and facilities.
Hospitals for small animals, if within an enclosed building.
Hotels.
Multi-level, underground or covered commercial parking for automobiles and light trucks.
Printing shops.
Restaurants, cafes and cafeterias.
Theatres, not including drive-in theatres.
Trade schools.
Wholesale sales offices and sample rooms.
Customary accessory uses, including drive-up facilities, subject to the provisions of section 29-27.
Any retail business or use of a similar character to those listed above, provided that such use is not noxious or offensive by reason of vibration, noise, odor, dust, smoke, gas, or otherwise.



**City of Columbia
Planning Department**

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

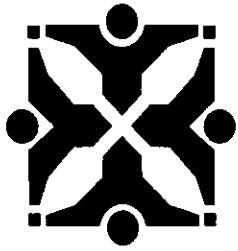
Design Parameters Worksheet

For office use:

Case #: 13-127	Submission Date: 8/27/13	Planner Assigned: S/M
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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. 5' along Broadway, 34' along 4th St, and 3' along City-owned parcel at intersection.
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.
6' along Providence to the parking lot curblin following ROW dedication; 6' along 4th St. to parking area/driveways. Approx. 32' from dumpster/compactor enclosures to 4th St.
3. The maximum number of freestanding signs on the site, the maximum square footage of sign surface area and maximum height of each.
There will be one (1) monument sign, 12' in height, 66 square feet. There will be three (3) internal directional signs 3'-4" in height, 3.12 square feet each. Details and building signage attached.
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% of the total site area is landscaped
5. The maximum height and number of light poles and type of fixtures.
CVS site lighting shall be Cimarron LED fixtures with 28' max. light poles.
Pedestrian lighting shall be Halophane Washington fixtures with 15' light poles per City specifications.



Source: Community Development - Planning *TT*

Agenda Item No:

To: City Council

From: City Manager and Staff *MM*

Council Meeting Date: Oct 7, 2013

Re: CVS Pharmacy C-P Plan - rezoning & development plan request (Case 13-127)

EXECUTIVE SUMMARY:

A request by Mark Stevenson, Trustee of the Mary M. Hackett Trust No. 1, and Roth Properties, LLP (owners) to rezone approximately 1.39 acres of land on the southeast corner of Providence Road and Broadway from C-2 (Central Business District) and M-1 (General Industrial District) to C-P (Planned Business District), and for the approval of a C-P development plan to be known as "CVS C-P Development Plan". (**Case #13-127**)

DISCUSSION:

The applicant is requesting to rezone three parcels located south of Broadway, between Providence Road and Fourth Street, from a mixture of M-1 and C-2 to C-P. The applicant is also requesting approval of a C-P development plan, which would allow the site to be redeveloped with a one-story 13,000 square foot retail building, including a drive-thru pharmacy and off-street surface parking lot with driveway entrances on both Providence Road and Fourth Street. The plan proposes to situate the building five feet behind the Broadway right-of-way line to maintain a setback that is similar to most existing buildings lining Broadway within the central business district. The proposed location of the building on Broadway, with parking in the rear, requires a 20-foot variance from the typical 25-foot front setback standard of Section 29-17(d)(2)(a) to allow a 5-foot setback from Broadway.

At its meeting on September 19th, the Planning and Zoning Commission voted 6-3 to recommend approval of the proposed rezoning and development plan (including the setback variance), subject to the following conditions:

1. The applicant shall construct a right turn lane along the site's Providence Road frontage,
2. The drive-thru shall either be moved southward or limited to right turn movements at its Fourth Street exit,
3. All parking lot light fixtures shall be limited to a maximum height of 16 feet, and
4. Additional landscaping shall be installed to screen the development from adjacent Flat Branch Park

At the time of writing, the applicant has not indicated whether or not they consent to any of the above recommended conditions of approval.

Representatives of the Downtown Leadership Council and the Historic Preservation Commission spoke against the request due to the low-density suburban character of the plan, citing the large surface parking lot, single-story structure, and lack of building entrances addressing the street as undesirable in the downtown setting. Another citizen expressed concern about the development's potential impacts on adjacent Flat Branch Park and its users.

Commissioners agreed that the site is in need of redevelopment, and generally agreed that the proposed use is not ideal at this location. However, a majority of commissioners believed that the proposed plan would be a significant improvement to the corner, and were willing to support the request, subject to the above-mentioned conditions. A minority of commissioners did not vote to support the request because the plan deviates from the guidelines and concepts expressed in City plans and policy documents. These members objected to the suburban nature of the project's single-story auto-oriented design, and the "dead" street fronts that would be created by not having a building entrance oriented toward any of the site's three public street frontages.

A copy of the Planning and Zoning Commission meeting minutes, and staff report, including locator maps, a copy of the statement of intent, development plan and design parameters are attached.

FISCAL IMPACT:

None

VISION IMPACT:

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

None

SUGGESTED COUNCIL ACTIONS:

Approval of the proposed rezoning and C-P development plan (including the setback variance from Section 29-17(d)(2)(a), to allow a 5-foot building setback from Broadway), subject to the following conditions:

1. The applicant shall construct a right turn lane along the site's Providence Road frontage,
2. Either the drive-thru window shall be moved southward on the building, or the drive-thru exit shall be limited to only right turn movements,
3. All parking lot light fixtures shall be limited to a maximum height of 16 feet, and
4. Additional landscaping shall be installed to screen the development from adjacent Flat Branch Park

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
September 19, 2013**

SUMMARY

A request by Mark Stevenson, Trustee of the Mary M. Hackett Trust No. 1, and Roth Properties, LLP (owners) to rezone approximately 1.39 acres of land on the southeast corner of Providence Road and Broadway from C-2 (Central Business District) and M-1 (General Industrial District) to C-P (Planned Business District), and for the approval of a C-P development plan to be known as "CVS C-P Development Plan". (**Case #13-127**)

DISCUSSION

Rezoning Request

The applicant is requesting to rezone three parcels located south of Broadway, between Providence Road and Fourth Street, from a mixture of M-1 and C-2 to C-P, with the following development restrictions identified in the applicant's Statement of Intent:

a. Proposed uses	See attached statement of intent permitted use list
b. Maximum gross building floor area	20,000 sq. ft.
c. Maximum building height	45 feet
d. Minimum maintained open space	15% of site area

The applicant is requesting most of the uses available within the C-2 zoning district, with the exception of the following: cleaning, pressing and dyeing establishments, armories, automobile repair facilities, car washes, electrical repair shop, garment storage facilities, commercial laundries, lumberyards, newspaper publishing plants, service stations, shops for custom work, sign painting shops. The proposed use list includes the addition of a full service pharmacy and uncovered surface off-street parking. While staff understands that these additions are intended as clarifications to ensure that the particular intended use is allowed, it is unnecessary to provide such clarifications. The proposed commercial operations associated with the proposed CVS store are captured under "stores, shops, and markets for retail trades", and the pharmacy is permitted as a customary accessory use. Furthermore, off-street surface parking areas are not only permitted, but required to support the principal commercial use in the C-P district.

While staff believe that C-P is an appropriate zoning designation for the site, the applicant's statement of intent is tailored to the development plan request, and includes conditions associated with the development, design, and maintenance of a proposed "pocket park" on adjacent City-owned property. As such, approval of the rezoning and associated statement of intent should be contingent upon concurrent approval of the proposed development plan.

Development Plan

The applicant is requesting approval of a C-P development plan, which would allow the site to be redeveloped with a one-story 13,000 square foot retail building, including a drive-thru pharmacy, and off-street surface parking lot with driveway entrances on both Providence Road and Fourth Street. The subject site contains three buildings with an estimated gross square footage of 40,000 square feet and nine commercial tenant spaces, including the McAdams building (19 & 32 S. Providence Road), the Ice House building (300 & 320 E. Broadway; & 1, 11, 17, & 19 S. Fourth Street), and the Alley Cat building (25 S. Fourth Street). All of the existing structures would be demolished prior to redevelopment. Neither the Ice House, nor any of the other structures on the site are located within the Downtown Columbia National Register of Historic Places district boundary. Therefore, no certificate of appropriateness will be required prior to demolition.

The applicant proposes to convert the adjacent City-owned parcel at the corner of Broadway and Providence Road from surface parking to a "pocket park". The off-site improvement would be designed in coordination with the Downtown Community Improvement District, and installed and maintained by the applicant.

The following discussion summarizes the proposed redevelopment's conformance with applicable City plans, resolutions, and regulations:

Providence Road Corridor Policy Resolution (R 154-05A)

Section 106-436; Policy Res. 154-05A; Expressing the City Council's preferences relating to rezoning and development along the Providence Road corridor, offers the following land use and design guidelines for redevelopment along Providence Road (responses to guidelines are *italicized*):

- a. Property owners considering rezoning for properties along the Providence Road corridor between Stewart Road and Interstate 70 are encouraged to request planned zoning so the City can better control and plan for signs, lighting, building layout, landscaping and parking.

The request for planned zoning in the form of C-P is consistent with the resolution.

- b. Developers are encouraged to place parking lots along the side and rear of buildings with frontage along the Providence Road corridor.

The proposed building is oriented toward Broadway rather than Providence Road as the resolution suggests. Staff believe this is an acceptable alternative given the location of Flat Branch Creek and the limited area for siting a building along the property's Providence Road frontage.

The proposed addition of a 68-space surface parking lot along the Providence Road frontage does not support the resolution's intent of minimizing the visibility of parking along this corridor. While the offer to convert the off-site City-owned surface parking lot at the intersection of Broadway and Providence Road to a landscaped pocket park is appealing, a minimal (six foot wide) on-site landscaping strip is shown to screen the proposed parking area from Providence Road.

- c. New driveway cuts along the Providence Road corridor should be limited or disallowed.

The plan would eliminate two driveway cuts along Providence Road within the operational zone of the Providence/Broadway intersection.

- d. The list of proposed C-P or O-P uses along the Providence Road corridor should not include large traffic generators such as "fast food" restaurants.

The proposal for all uses permitted under C-2 is not consistent with the desire to eliminate large traffic generators such as fast food restaurants.

- e. Freestanding signs along the Providence Road corridor should not exceed standards for open commercial or office districts. Monument signs rather than pole signs are encouraged.

The plan proposes one monument sign along Providence Road, which meets C-1 sign standards, as is typically preferred in the C-P district.

- f. Planned district proposals along the Providence Road corridor should contain a high level of landscaping.

The proposed plan meets the minimum 15% open space requirement, and exceeds minimum landscaping requirements.

- g. On-site lighting along the Providence Road corridor should be designed to prevent lighting spillover onto adjacent properties.

28-foot high parking lot light poles with full cut-off fixtures, per City Code, will prevent spillover onto adjacent properties.

- h. Mixed-use developments of office or commercial on lower levels and residential on upper levels are encouraged.

The proposed building is one-story, and would accommodate a single retail use.

- i. The following elements are encouraged for planned districts along the Providence Road corridor:

1. Enhanced landscape screening;
Landscaped areas have been enhanced beyond minimum requirements to include visual buffering between the proposed parking lot and Providence Road
2. The use of pitched roofs;
A flat roof is proposed
3. Efforts to reduce spillover from outdoor lighting;
Lighting will comply with the City's lighting standards (Section 29-30.1)
4. Relocation or screening of mechanical units, such as air conditioners; and
Rooftop mechanical units will be screened from view
5. Height and proximity limitations of commercial and office buildings to residential properties.
Proposed building height is one-story, and there are no adjacent residential properties

- j. Trash dumpsters should be screened and placed towards the rear of properties along the Providence Road corridor.

The dumpsters are behind the building and contained within masonry wall enclosures.

Columbia Metro 2020

The City's 2001 comprehensive plan, Columbia Metro 2020... A planning guide for Columbia's future, provides policies and guidelines for development.

The subject site is primarily situated within the Greenbelt/Open Space District, which follows the 100-year floodplain boundary. The Greenbelt/Open Space District is intended to provide for recreational and aesthetic needs of the residents of the community, including preservation of natural beauty, the provision of non-motorized corridors to connect parks, and maintenance of water quality. The proposed 160-foot long extension of the existing double-box culvert to further enclose Flat Branch Creek and accommodate a surface parking lot is at odds with this goal. While a single-story auto-oriented design is incompatible with the preservation of a large portion of the site in green space, it may be possible to achieve the same floor area ratio in a more vertically oriented multi-story and pedestrian-oriented building.

A narrow strip of the site's frontage on Providence Road falls within the City Center District. Surface parking lots are not generally considered compatible uses in the City Center, and are

discouraged, in favor of parking structures with active retail uses at street level. The City Center District supports drive-thru facilities if it can be demonstrated that the design and operation of the facility is compatible with the pedestrian environment. The proposed drive-thru exit onto Fourth Street is not compatible with desired pedestrian enhancements at the intersection of Fourth and Broadway. Conceptual plans prepared by the City's Parks and Recreation Department depict a scenario where Fourth Street may be closed to automobile traffic at Broadway to facilitate a more pedestrian-friendly connection between Flat Branch Park and neighborhoods to the north of Broadway. While this design has not been approved, it is representative of the long-standing intent to improve the pedestrian environment in this part of the central business district.

Downtown Leadership Council Interim Report

The May 2009 Downtown Leadership Council Interim Report expresses a preference for relocating on-street parking from Broadway to Fourth Street. The proposed plan shows replacement of parking along both street frontages with urban sidewalks, which is considered an improvement from the current situation. However, it may be desirable to maintain and increase parking along Fourth Street to support users of Flat Branch Park.

The DLC's report also considers a pedestrian bridge to connect Flat Branch Park to development on the west side of Providence Road. A pedestrian overpass is not contemplated or warranted as part of the current project, but may be considered in conjunction with future redevelopment of the property on the west side of Providence Road. It should be noted that a pedestrian overpass was recently removed from Providence Road north of this site in favor of an at-grade mid-block crossing.

Charrette Report

H3 Studio's 10/8/2010 Charrette Report envisions "Flat Branch Park as destination: Expansion of green space and green entry to downtown; and utilization of existing historic assets with new squares on corner as part of gateway entry." (p. 25 overview plan). The proposed development plan is not compatible with this vision, which suggests extending the greenway corridor from Flat Branch Park by daylighting Flat Branch Creek to Broadway.

The development plan's lack of conformance with the above-mentioned plans makes the proposal unsupportable.

Traffic and Parking

The proposed development would eliminate two driveway entrances on Providence Road, a driveway entrance and 17-space parking lot on Broadway at its intersection with Providence Road, eight head-in/back-out parking spaces on Broadway, between Providence Road and Fourth Street, and 14 head-in/back-out spaces on Fourth Street. There are an additional 15 surface parking spaces in front of the McAdams building, and approximately 35 parking spaces located south of the Ice House and west of the Alley Cat buildings, for a total of approximately 89 parking spaces on the subject site as it currently exists.

The development request would maintain a right-in/right-out entrance onto Providence Road, via Cherry Street, extended, as well as one full access and one exit-only onto Fourth Street. Parking would consist of a total of 68 vehicle spaces south of the building. The applicant is providing 15 feet of right-of-way for a future right turn lane along the site's Providence Road frontage.

The proposed access and parking improvements are consistent with minimum C-P requirements, and are further supported by a traffic impact study. City traffic engineers have also requested

that the drive-thru pharmacy exit onto Fourth Street be restricted to a right-out only turn movement. However, the applicant has not agreed to this restriction.

Flat Branch Creek Culvert Extension

City staff oppose any further enclosure of Flat Branch Creek at this location. The current plan depends on enclosing the portion of Flat Branch Creek which flows through the subject site in order to facilitate automobile access from Providence Road, and to accommodate additional surface parking spaces to serve the site. The creek is currently channelized as it flows through the subject site, and is encased by concrete on three sides. The McAdams building overhangs a portion of the western creek bank.

It should be noted that the applicant has received preliminary authorization from the Army Corps of Engineers to extend the dual concrete box culvert 157 linear feet to the southern edge of the site, subject to meeting a compensatory mitigation condition (see attached letter).

Site Design and Amenities

The plan proposes to situate the building five feet behind the Broadway right-of-way line to maintain a setback that is similar to most existing buildings lining Broadway within the central business district. The proposed location of the building on Broadway, with parking in the rear, requires a 20-foot variance from the typical 25-foot front setback standard of Section 29-17(d)(2)a. to allow a 5-foot setback from Broadway. This setback reduction is supported by staff as it would result in a site configuration that is more typical of the character found within the central business district. With the exception of the setback encroachment, the plan meets all C-P district development plan requirements.

Downtown style sidewalks are shown to be a minimum of 10 feet wide, with a 26-foot wide sidewalk section along Broadway that includes benches, street trees, and ornamental light poles to match those in front of City Hall. Sidewalks are also shown extending through the site to provide a pedestrian connection to between the proposed pocket park and Flat Branch Park.

The prototypical building model has been enhanced to include additional architectural features including windows and a faux entrance along the store's Broadway frontage. Despite these architectural embellishments, City staff find the lack of a pedestrian-oriented entrance onto either Broadway or Fourth Street, combined with the location of the drive-thru lane along the Fourth Street frontage, and the one-story auto-oriented nature of the request as a whole to be undesirable at this major gateway to downtown. The desire for multi-story pedestrian-oriented development at this location is stressed in the above-referenced planning documents, and further elaborated in attached letters from both the Downtown Leadership Council and the Historic Preservation Commission.

RECOMMENDATION

Staff recommend denial of both the rezoning and development plan requests

ATTACHMENTS

- Locator aerial, topographic, and zoning maps
- Development plan and conceptual project elevations
- Statement of intent and design parameters
- Excerpts from Metro 2020, DLC Report, H3 Charrette Report, & Providence Road Corridor Policy Resolution (R 154-05A)
- Traffic impact study (revised August 2013)
- Army Corps of Engineers letter
- Letters from Downtown Leadership Council and Historic Preservation Commission
- Letters from citizens

SITE HISTORY

Annexation date	1826 (part of the original town of Columbia)
Zoning District	C-2 (Central Business District) & M-1 (General Industrial District)
Land Use Plan designation	Open Space/Greenbelt & City Center District
Legal Lot Status	Legally platted as Lots 136, 181, 182, & parts of Lots 137, 138, and 183, A Plat of the Town of Columbia

SITE CHARACTERISTICS

Area (acres)	1.39 acres
Topography	Flat to steeply sloping
Vegetation/Landscaping	Mostly paved/impervious; some landscaping
Watershed/Drainage	Flat Branch Creek
Existing structures	3 commercial buildings, including historic Ice House

UTILITIES & SERVICES

Sanitary Sewer	All City services are available to the site.
Water	
Fire Protection	
Electric	

ACCESS

Providence Road	
Location	West side of site
Major Roadway Plan	Major Arterial (improved & City-maintained), requiring 106-110 ft of ROW. 70 ft existing ROW. 20 ft additional ½ width ROW needed.
CIP projects	None

Broadway	
Location	North side of site
Major Roadway Plan	Major Arterial (improved & City-maintained), requiring 106-110 ft of ROW. 100 ft existing ROW. 5 ft additional ½ width ROW needed.
CIP projects	None

PARKS & RECREATION

Neighborhood Parks	Flat Branch Park is immediately south of site.
Trails Plan	No trails planned adjacent to site.
Bicycle/Pedestrian Plan	N/A

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 of a public information meeting, which was held on July 16, 2013.

Public Information Meeting Recap	Number of attendees: 3 Comments/concerns: Traffic, relocation of existing tenants
Neighborhood Association(s) Notified	Douglass Park
Correspondence Received	See attached

Report prepared by Steve MacIntyre; Approved by Pat Zenner



**Case 13-127: CVS Pharmacy
C-P zoning and development plan**

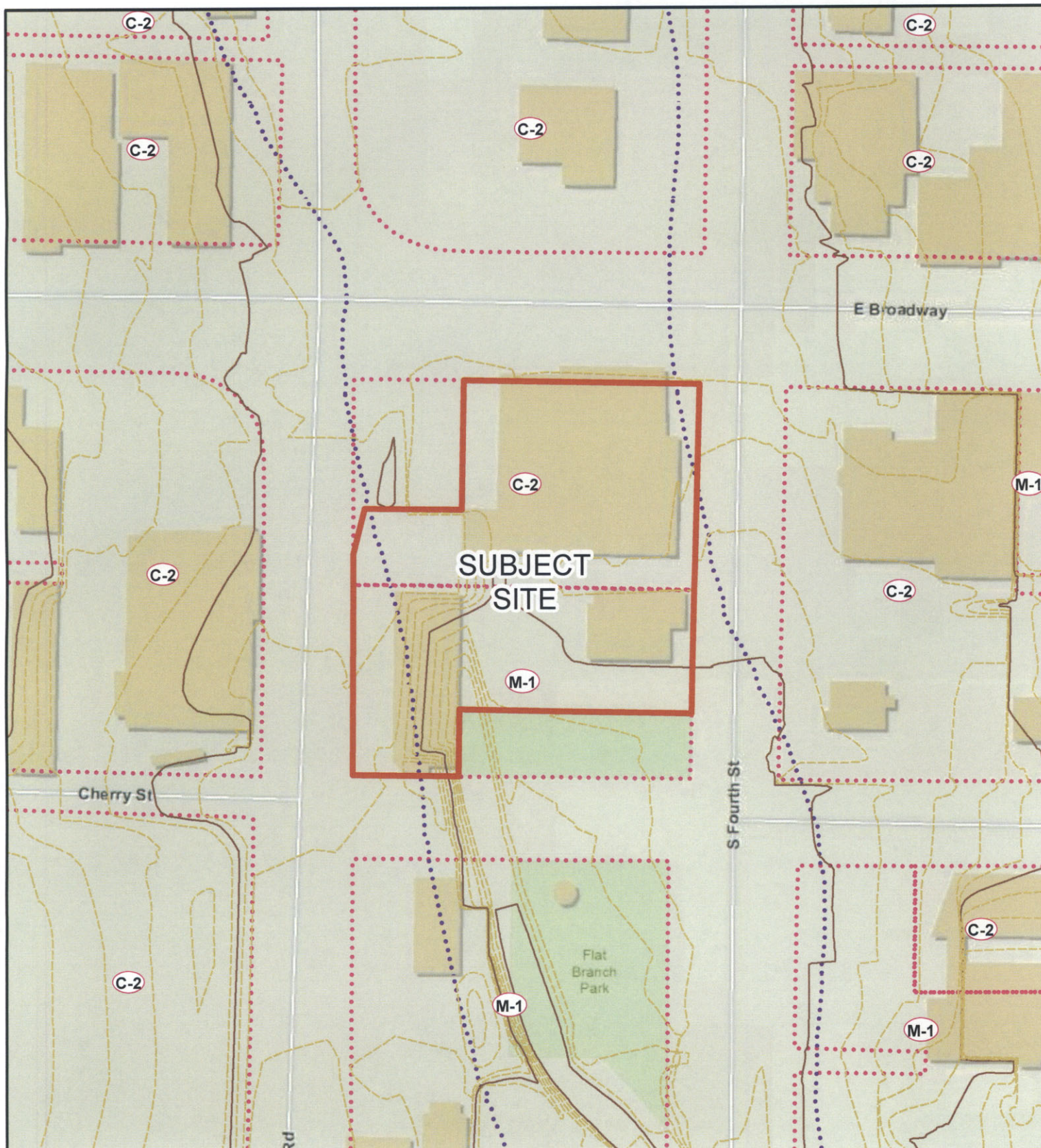


Parcel Data and Aerial Photo
Source: Boone County Assessor



1 inch = 100 feet



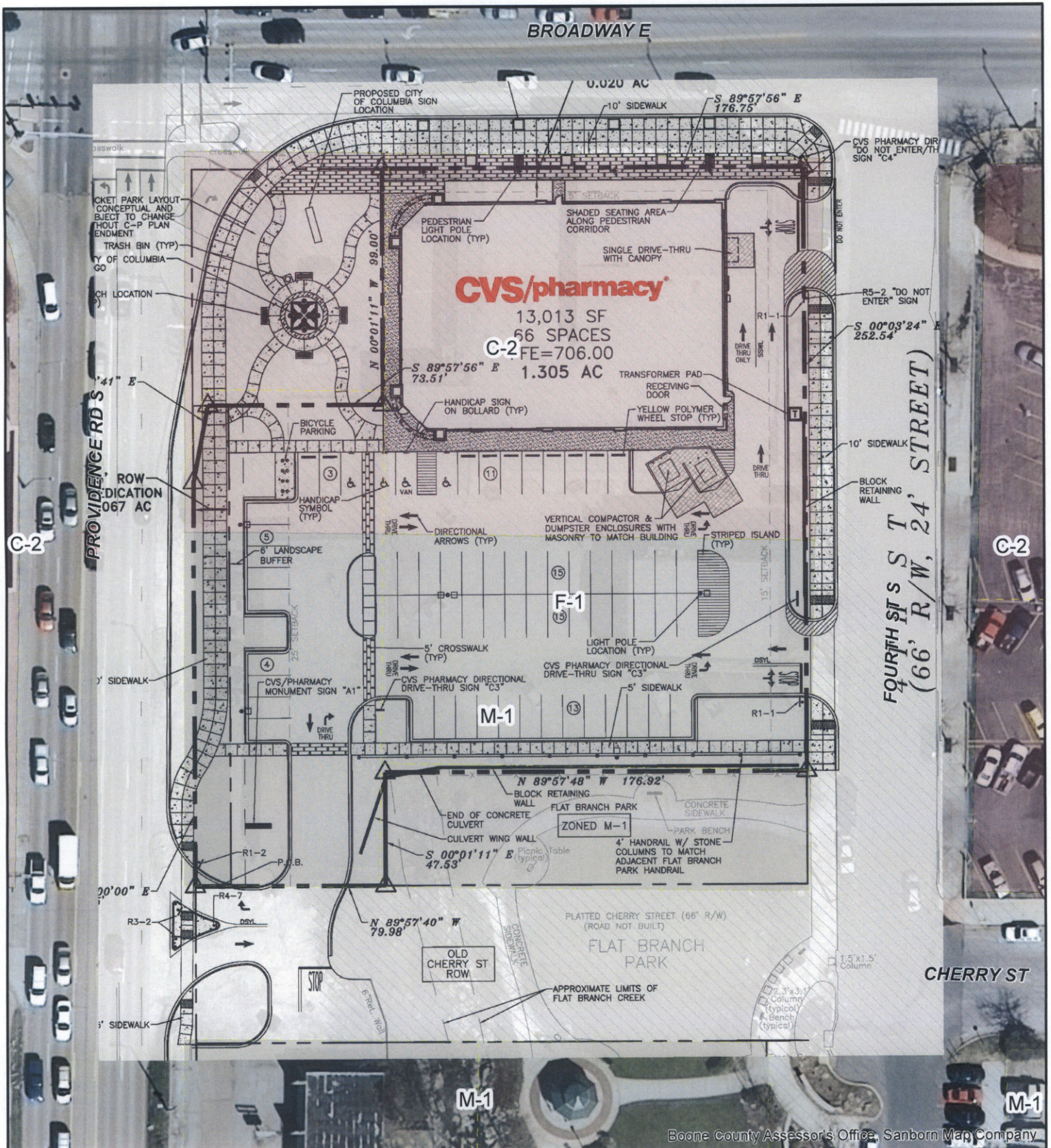


**Case 13-127: CVS Pharmacy
C-P zoning and development plan**



1 inch = 100 feet





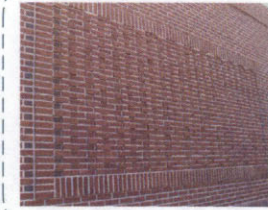
Parcel Data
Source: Boone County Assessor





WEST ELEVATION - PROVIDENCE RD

SCALE: 1/8" = 1'-0"



BRICK DETAIL

SCALE: NTS



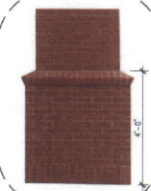
PARAPET
DETAIL

SCALE: NTS



SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



BRICK BASE

SCALE: 1/2" = 1'-0"



NORTH ELEVATION - BROADWAY

SCALE: 1/8" = 1'-0"



EAST ELEVATION - 4TH STREET

SCALE: 1/8" = 1'-0"

NORR
ARCHITECTS ENGINEERS PLANNERS

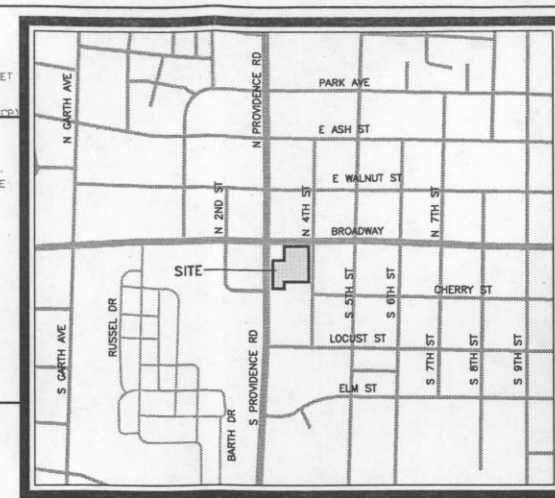
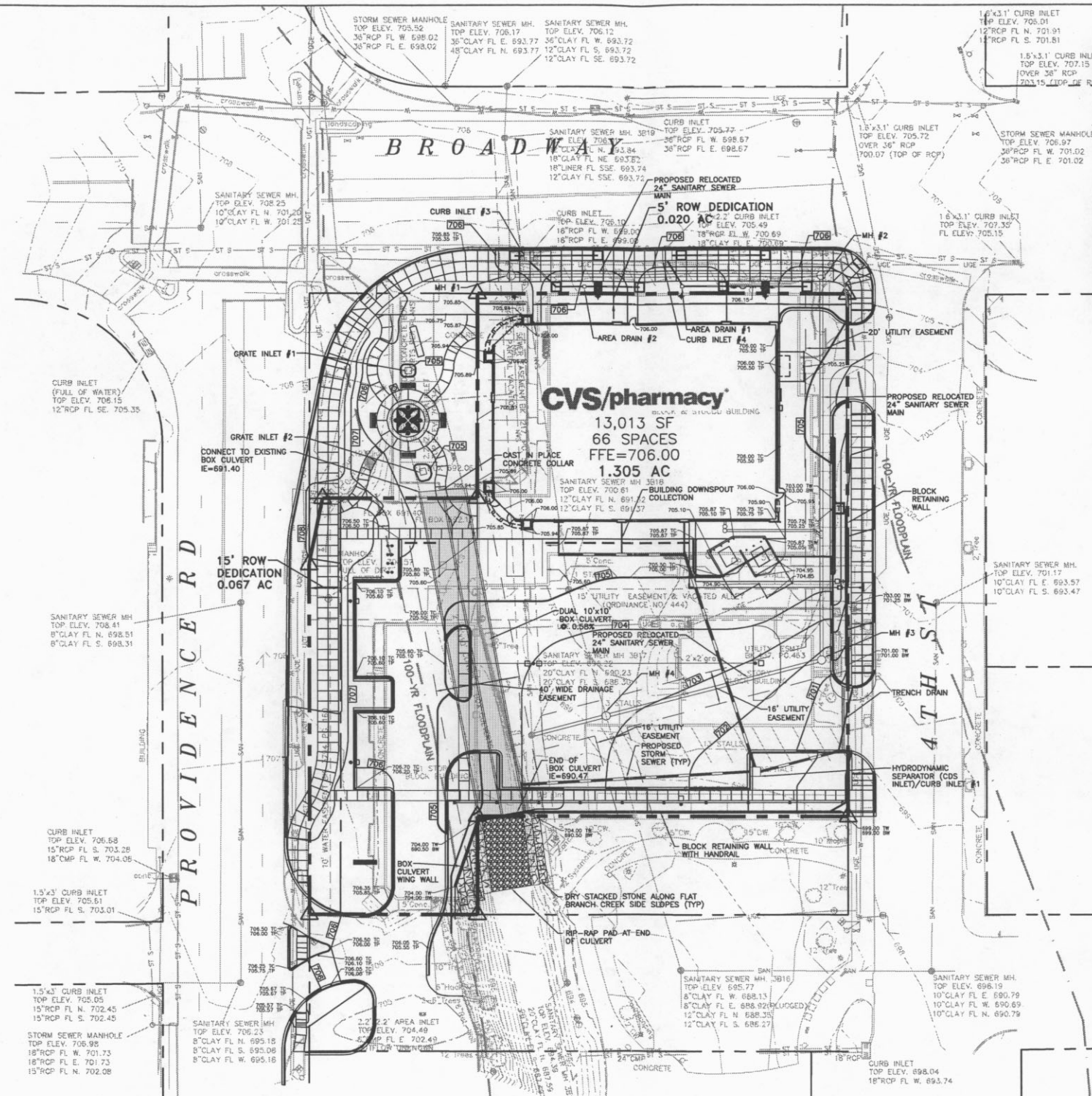
719 Griswold Street
Suite 1000
Detroit, MI 48226
www.norr.com

ORANGE
DEVELOPMENT

CVS 10004 SEC BROADWAY AND PROVIDENCE RD. COLUMBIA, MO

CVS/pharmacy

09.10.2013



VICINITY MAP
SCALE: NTS

LEGEND

- 0000.00 TW - TOP OF WALL
- 0000.00 BW - BOTTOM OF WALL
- 0000.00 TC - TOP OF CURB
- 0000.00 TP - TOP OF PAVEMENT
- 0000.00 ST - STORM SEWER PIPE
- BOX CULVERT
- SANITARY SEWER
- EASEMENT LINE
- STACKED STONE
- RIP-RAP PAD



CVS C-P
DEVELOPMENT PLAN

STORE NUMBER: 10004

SEC - BROADWAY & PROVIDENCE RD.
COLUMBIA, MISSOURI

CS PROJECT NUMBER: 62279

ARCHITECT OF RECORD

719 Griswold Street
Suite 1000
Detroit, MI 48226
www.norr.com



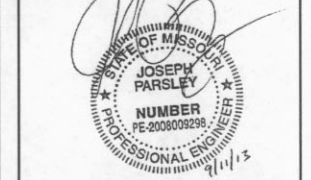
CONSULTANT:

CARLSON
CONSULTING
ENGINEERS, INC.
7068 Ledgestone Commons
Bartlett, TN 38133
Phone (901) 384-0404
Fax (901) 384-0710

DEVELOPER:

ORANGE
DEVELOPMENT
1200 CORPORATE DRIVE
SUITE G-50
BIRMINGHAM, AL 35242
PH. (205) 408-3443

SEAL:



REVISIONS:

- 08/01/2013 - REVISED PER CITY COMMENTS
- 08/22/2013 - REVISED PER CITY COMMENTS
- 08/27/2013 - REVISED PER CITY COMMENTS
- 09/11/2013 - REVISED PER CITY COMMENTS

CVS PROJECT MANAGER: R. SMART

DRAWING BY: D. BARNETT

DATE: 28 JUNE 2013

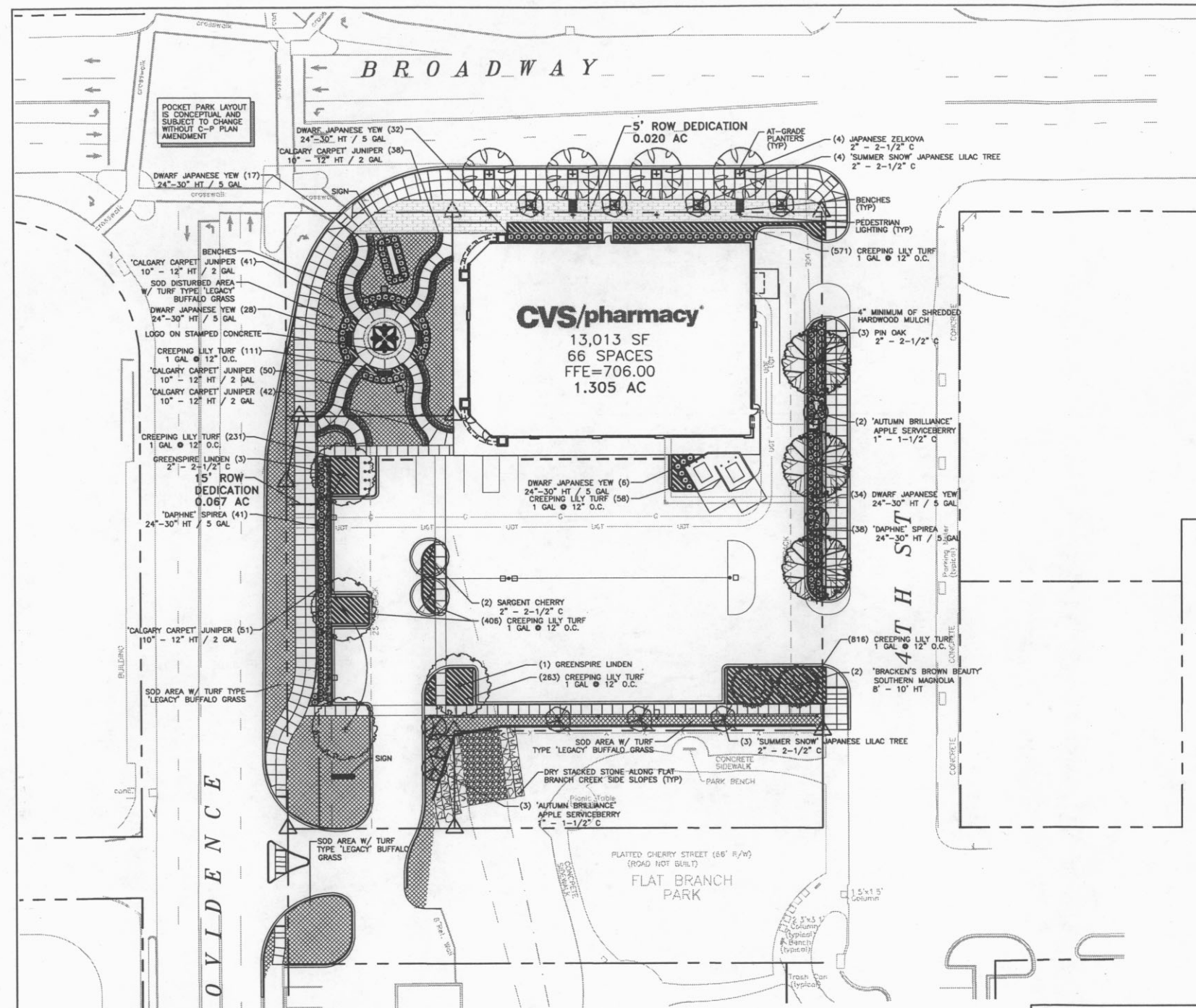
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PLAN

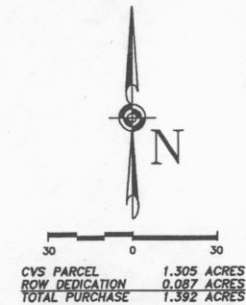
SHEET NUMBER:

3 OF 4

COMMENTS:
NOT RELEASED FOR CONSTRUCTION



GREENSPACE CALCULATIONS *PERCENTAGES ARE CALCULATED FROM SITE BOUNDARIES (1.305 AC)	
GREENSPACE AREA AND PERCENTAGE AS SHOWN ON CVS SITE EXCLUDING ROW DEDICATION AND PARK	8,527 SF OR 15.0%



CVS
pharmacy®

CVS C-P DEVELOPMENT PLAN

STORE NUMBER: 10004
SEC - BROADWAY & PROVIDENCE RD.
COLUMBIA, MISSOURI

CS PROJECT NUMBER: 62279

ARCHITECT OF RECORD

719 Griswold Street
Suite 1000
Detroit, MI 48226
www.norr.com

NORR
ARCHITECTS ENGINEERS PLANNERS

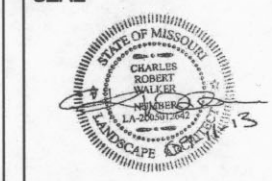
CONSULTANT:

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7068 Ledgestone Commons
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Phone (901) 384-0404
Fax (901) 384-0710

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ORANGE
DEVELOPMENT
1200 CORPORATE DRIVE
SUITE G-50
BIRMINGHAM, AL 35242
PH: (205) 408-3443

SEAL:



REVISIONS:

8/01/13 - REVISED PER CITY COMMENTS
8/21/13 - REVISED PER CITY COMMENTS
8/27/13 - REVISED PER CITY COMMENTS
9/11/13 - REVISED PER CITY COMMENTS

CVS PROJECT MANAGER: R. SMART

DRAWING BY: D. BARNETT

DATE: 28 JUNE 2013

JOB NUMBER: XX00000

TITLE: **PLANTING PLAN**

SHEET NUMBER:

4 OF 4

COMMENTS:
NOT RELEASED FOR CONSTRUCTION

ALL UNSURFACED AREAS SHALL RECEIVE A 6" LAYER OF SUITABLE TOPSOIL AND SOD. WATER UNTIL A HEALTHY STAND OF GRASS IS OBTAINED.

SOD SHALL BE PEGGED ON ALL 3:1 SLOPES OR STEEPER IN ORDER TO HOLD SOD IN PLACE. SEE SITEWORK SPECIFICATIONS FOR OTHER REQUIREMENTS.

UNLESS SHOWN OTHERWISE, ALL LARGE CANOPY TREES SHALL MAINTAIN 25' HORIZONTAL CLEARANCE FROM ALL OVERHEAD UTILITY LINES AND 10' HORIZONTAL CLEARANCE FROM ALL UNDERGROUND UTILITY LINES.

ALL LANDSCAPE AREAS SHALL BE FULLY IRRIGATED AS SHOWN ON THE IRRIGATION PLAN. SEE IRRIGATION PLAN, THIS SET, FOR ADDITIONAL INFORMATION.

MAINTENANCE REQUIREMENT

GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL INSTALLED LANDSCAPING, INCLUDING GRASS MOWING, UP TO THE CVS STORE GRAND OPENING.

PLANT SCHEDULE

NOTE: ALL SIZES AND CONDITION OF NURSERY STOCK SHALL MEET THE STANDARDS ESTABLISHED IN THE LATEST EDITION OF "AMERICAN STANDARD FOR NURSERY STOCK" PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN.

QTY	SYM	BOTANICAL NAME	COMMON NAME	INSTALLED SIZE	SPACING	CONDITION	REMARKS
TREES:							
4	⊙	TILIA CORDATA 'GREENSPIRE'	GREENSPIRE LINDEN	2" - 2-1/2" C / 12' - 14' HT	AS SHOWN	B&B/CONT	FULL HEAD w/UNIFORM GROWTH
5	⊙	AMELANCHIER x GRANDIFLORA 'AUTUMN BRILLIANCE'	'AUTUMN BRILLIANCE' APPLE SERVICEBERRY	1" - 1-1/2" C / 5' - 6' HT	AS SHOWN	B&B/CONT	FULL HEAD w/UNIFORM GROWTH SINGLE TRUNK w/ 3" - 4" MIN CLEAR HT
3	⊙	QUERCUS PALustris	PIN OAK	2" - 2-1/2" C / 12' - 14' HT	AS SHOWN	B&B/CONT	FULL HEAD w/UNIFORM GROWTH
7	⊙	SYRINGA RETICULATA 'SUMMER SNOW'	'SUMMER SNOW' JAPANESE LILAC TREE	2" - 2-1/2" C / 10' - 12' HT	AS SHOWN	B&B/CONT	FULL HEAD w/UNIFORM GROWTH SINGLE TRUNK w/ 5" - 6" MIN CLEAR HT
2	⊙	MAGNOLIA GRANDIFLORA 'BRACKEN'S BROWN BEAUTY'	'BRACKEN'S BROWN BEAUTY' SOUTHERN MAGNOLIA	8' - 10' HT	AS SHOWN	B&B/CONT	FULL HEAD w/UNIFORM GROWTH
4	⊙	ZELKOVA SERRATA	JAPANESE ZELKOVA	2" - 2-1/2" C / 10' - 12' HT	AS SHOWN	B&B/CONT	FULL HEAD w/UNIFORM GROWTH
2	⊙	PRUNUS SARGENTII 'COLUMNARIS'	SARGENT CHERRY	2" - 2-1/2" C / 8' - 10' HT	AS SHOWN	B&B/CONT	FULL HEAD w/UNIFORM GROWTH
SHRUBS:							
117	⊙	TAXUS CUSPIDATA 'NANA'	DWARF JAPANESE YEW	24" - 30" HT / 5 GAL	36" O.C.	CONT	FULL HEAD, UNIFORM GROWTH
222	⊙	JUNIPERUS SABINA 'MONNA'	'CALGARY CARPET' JUNIPER	15" - 18" SPD / 3 GAL	36" O.C.	CONT	FULL HEAD, UNIFORM GROWTH
79	⊙	SPIRAEA JAPONICA 'DAPHNE'	'DAPHNE' SPIREA	24" - 30" HT / 5 GAL	24" O.C.	CONT	ROUND, FULL HEAD - UNIFORM SHAPE
GROUND COVER:							
FILL AREA	⊙	BUCHLOE DACTYLOIDES 'LEGACY'	'LEGACY' BUFFALO GRASS	SOLID SOD	AS SHOWN	SLAB/ROLL	WEED FREE & ACTIVELY GROWING
2456	⊙	LIRIOPE SPICATA	CREeping LILY TURF	6" HT / 1 GAL	12" O.C.	CONT	3 BIB MIN, FULL PLANT
FILL AREA	⊙	4" MINIMUM OF SHREDED HARDWOOD MULCH					

NOTE: SYMBOLS SHOWN IN TABLE ABOVE ARE FOR SPECIES IDENTIFICATION ONLY. PLANT SIZE SHOWN IN THE TABLE IS NOT INTENDED TO BE REPRESENTATIVE OF THE PLANT AT EITHER INSTALLATION OR MATURITY. SIZE OF SYMBOL SHOWN IN TABLE ABOVE MAY VARY FROM THOSE SHOWN ON PLANS.

NOTE: NO SUBSTITUTIONS OF PLANT MATERIALS ARE ALLOWED WITHOUT THE PRIOR APPROVAL OF THE LANDSCAPE ARCHITECT.

CVS/pharmacy NEW CONSTRUCTION

TYPE A - 14,600 SF

CVS#10004

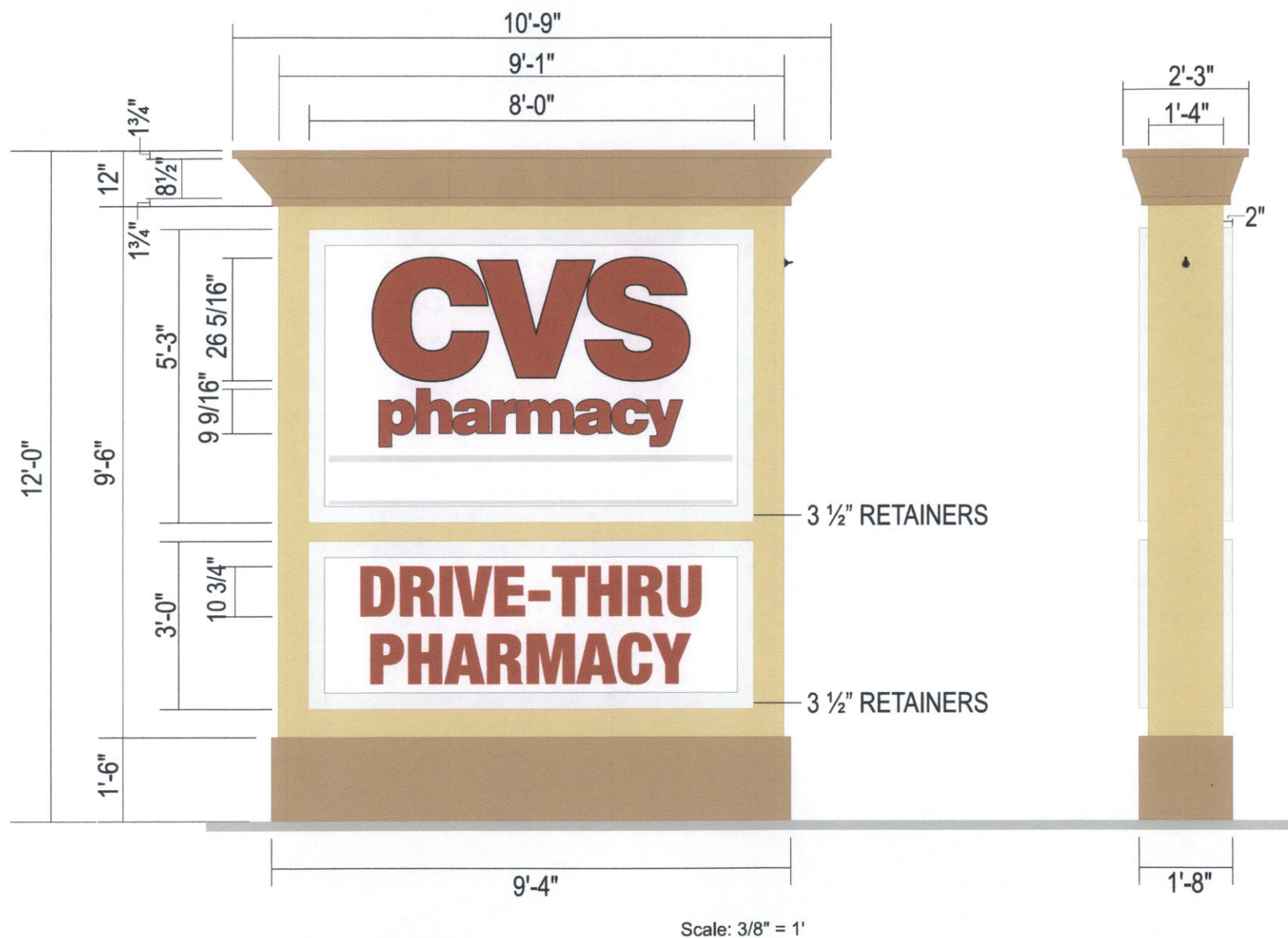
SEC Providence Rd & East Broadway
Columbia, MO 65203



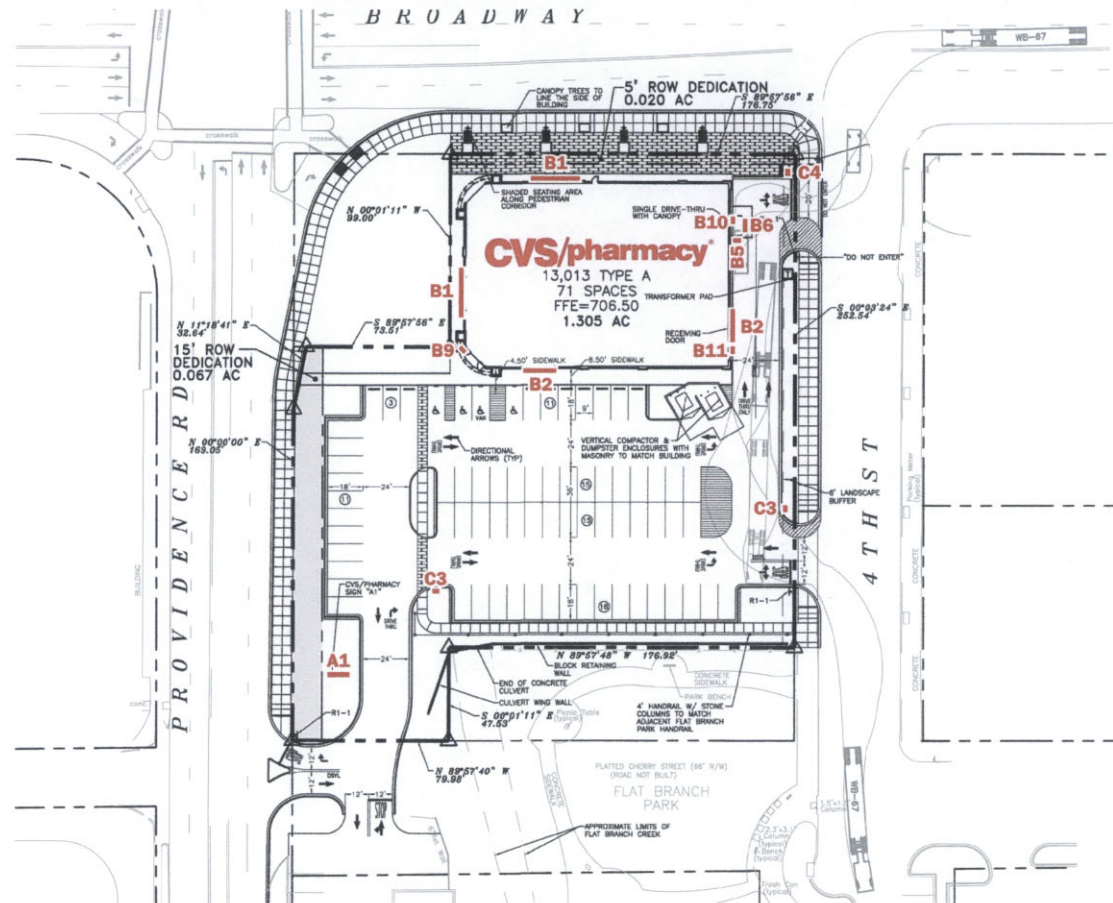
Wo #100598

Start Date: 6/11/13 as
PM: E. Wade
Revision: R3 - 8/1/13 as

66 SQ. FEET



CVS #10004 SEC Providence Rd & East Broadway Columbia, MO 65203



"THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN."

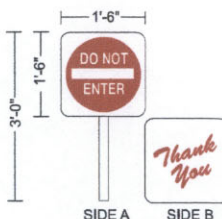
DIRECTIONAL SIGNS

C3-2 DIRECTIONAL SIGNS



3.12 SQ. FT.

C4-1 SIGN



1.77 SQ. FT.

CVS & ANCILLARY CHAN. LTRS

B1-2 SETS OF CHAN LTRS

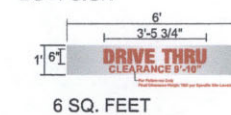


B2-2 SETS OF CHAN LTRS

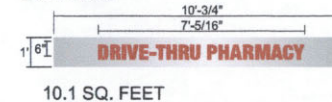


DRIVE-THRU CANOPY FACES

B5-1 SIGN

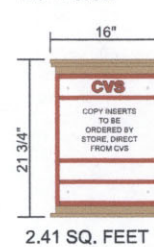


B6-1 SIGN

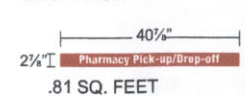


WALL PLAQUES & ALUM. PANELS

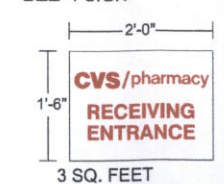
B9-1 SIGN



B10-1 SIGN

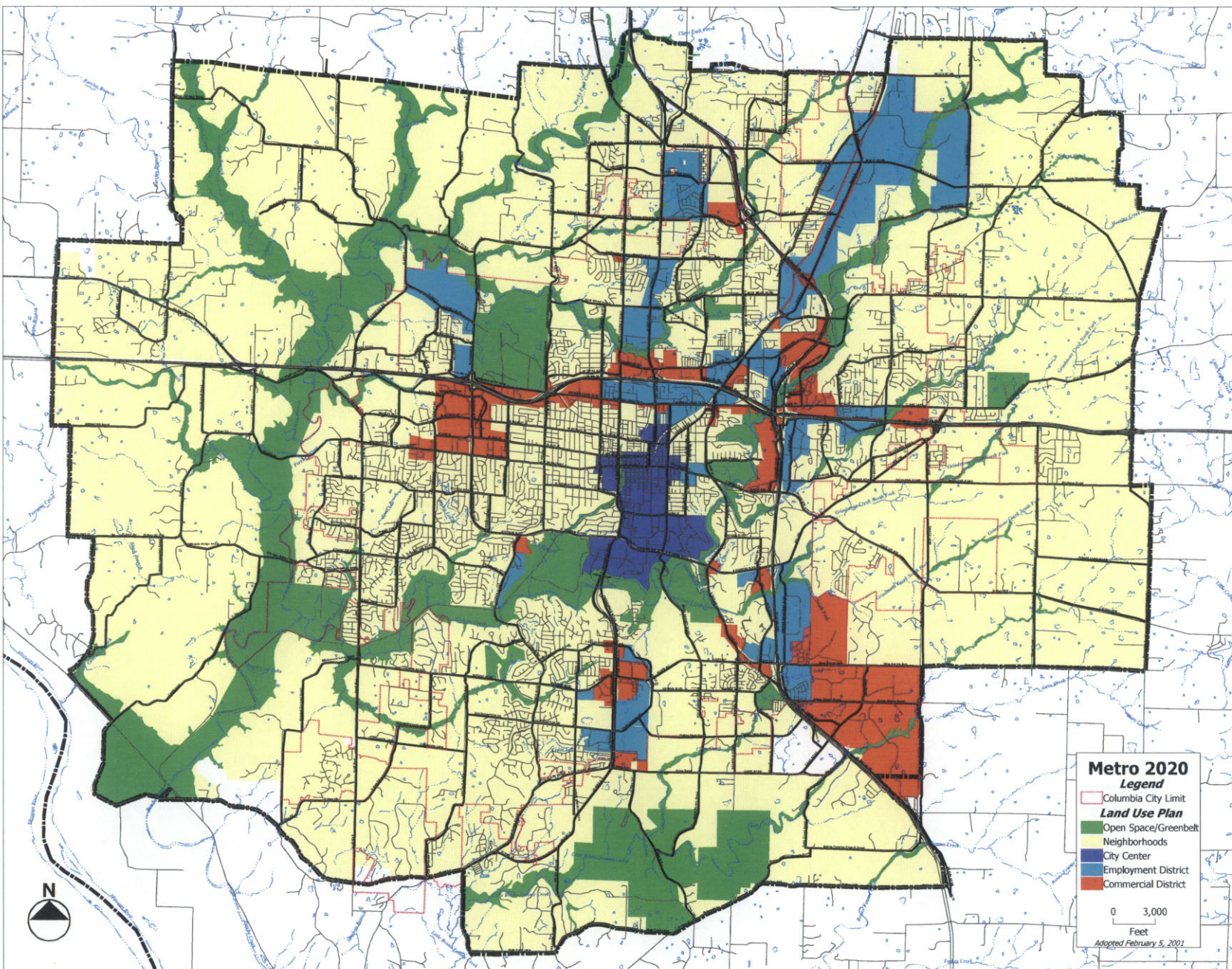


B11-1 SIGN

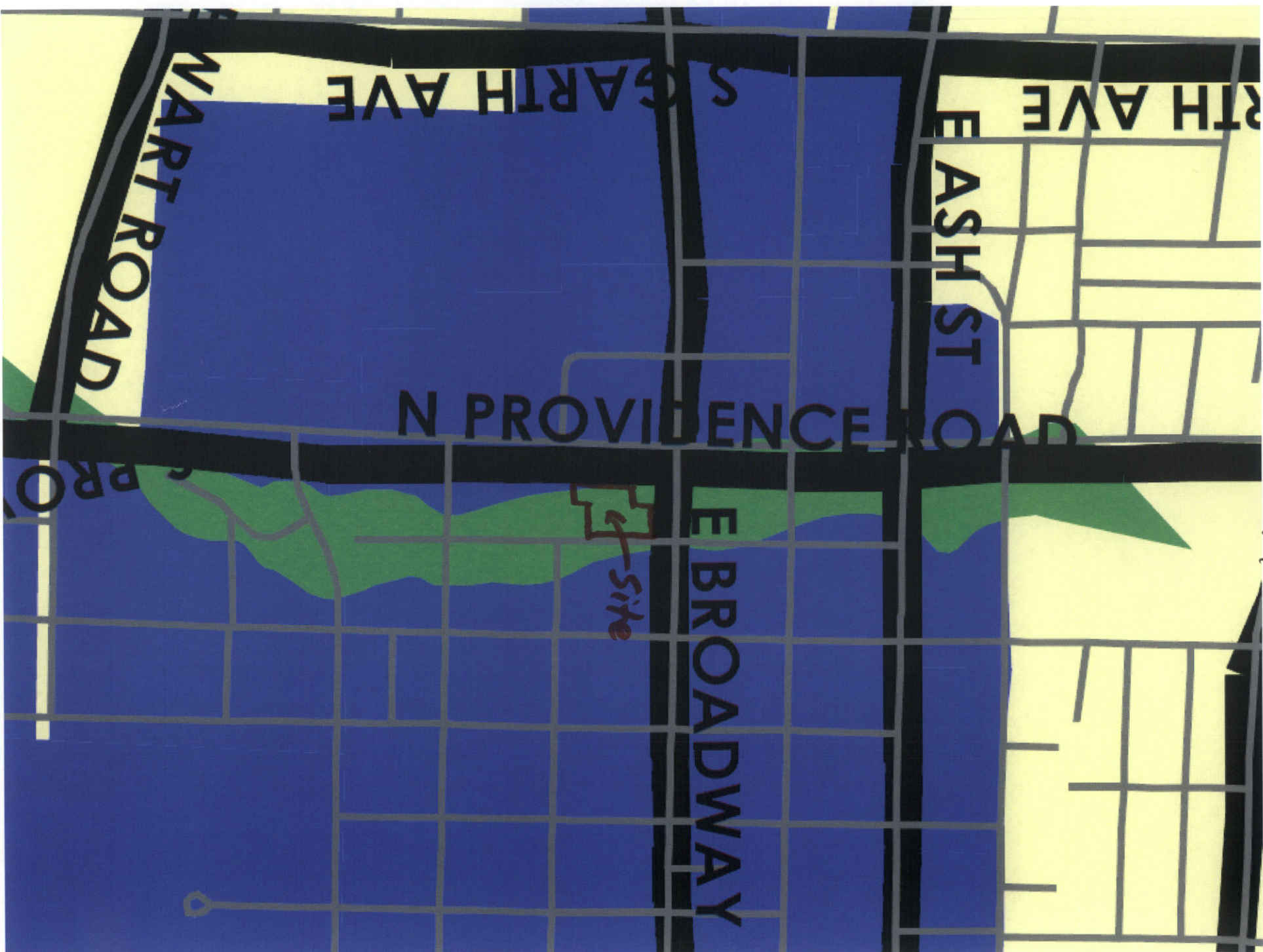


CVS #10004 SEC Providence Rd & East Broadway Columbia, MO 65203

Metro 2020 Land Use Plan



Metro 2020 Plan - Zoned



Chapter Eight: Open Space/Greenbelt

8.1 What is the Open Space/Greenbelt District?

The Open Space and Greenbelt District is designed to provide for the recreational and aesthetic needs of the residents of the community. It is also intended to protect sensitive areas, such as flood plains and hilly terrain, from development, and to preserve prime natural areas. Included in this district are public and private parks; other open spaces; and greenbelts.

8.2 Defining the Open Space Greenbelt District

Boundaries for the Open Space/Greenbelt District would include such things as the edge of the 100-year flood plain, and major or local streets. It also could be defined by the edges of subdivisions next to the greenbelts, such as the boundaries of lots on the bulbs of cul-de-sacs.

This district is also intended to include major City and other regional parks and recreational centers. Examples include state parks, such as Rockbridge Memorial State Park, and City parks such as Capen Park. These facilities are community-wide, serving the entire Metro Area.

8.3 Open Space/Greenbelt Principle(s)

To provide park land, open space, and greenbelts to meet the recreational and aesthetic needs of Columbia's citizens, to ensure the preservation the area's natural beauty, significant wildlife and plant habitats, and to maintain creek water quality.

8.4 Open Space/Greenbelt Policies

1. Insure that bicycle and pedestrian access is provided to and from parks, open spaces, greenbelts and surrounding neighborhoods.
2. Insure that small parks or outdoor spaces are located within walking distance of all residents. The design and location of parks and outdoor spaces should relate to the street and sidewalk system to create a focal point for the residents and should not be merely undevelopable open space in drainage areas or flood plains.
3. Provide for major community recreational facilities.
4. Encourage the dedication of greenspace conservation easements, greenspace access easements, and greenspace trail easements when property is subdivided in adopted greenbelt corridors.
5. Preserve trees and vegetation along stream flood plains.
6. Encourage an inventory of the ecology, biology, and geology of the Metro area.
7. Encourage a joint City/County cooperative arrangement for the development of parks, greenspace and recreational facilities within the Metro area.

8.5 Compatible Uses and Densities

Open spaces and greenbelt areas can serve a variety of functions. Greenbelts can function as the boundary between neighborhoods by buffering residential neighborhoods from non-residential zoning, such as commercial areas. Greenbelts serve to prevent the development of flood-prone lands and the costs and problems resulting from such activity, and preserving the trees and open lands in such areas.

Greenbelts are primarily located along major creek corridors within the Columbia area, encompassing the flood plain and the creek itself. The Greenbelt Plan adopted by the City Council includes the corridors of seven principal creeks:

Bear Creek
Flat Branch
Grindstone Creek
Hinkson Creek
Hominy Branch
Perche Creek
Rocky Fork

The greenbelt system has potential for both recreational and transportation benefits with the addition of pedestrian/bicycle trails in the corridors. An interconnected trail system provides the opportunity for walking and bicycling connections across the Metro area. Such a system allows for connections between major recreational facilities (e.g., Cosmo Recreation Area and Albert-Oakland Park). It provides access across major barriers to pedestrian and bicycle travel, such as major roadways and waterways. Residents may use these trails both for work and pleasure trips. Pedestrian and bicycle access from adjacent districts, especially neighborhoods, is important if open space/greenbelt districts are to be used to their full advantage.

Areas of the greenbelt threatened by development should be identified and considered for acquisition by the City. Greenbelt sections that are suitable for bicycle and pedestrian trails should be identified and a trail plan should be considered by the City Council.

A. Uses/Densities

There are uses that by the nature and scale of the activity that should generally be located only within the Open Space/Greenbelt District. These uses include:

1. Public or private parks: Park facilities are natural uses within the open space/greenbelt district. Both major community parks and neighborhood parks are compatible uses. Recreational facilities based around a lake would be included as well.
2. Playing fields for organized sports: Such playing fields are often part of park facilities, more typically in major community facilities such as Cosmo Park. They also are frequently found in conjunction with parks next to schools, which would usually be located within neighborhood districts. Major facilities, with parking for hundreds or thousands of vehicles, such as a high school or university football stadium or fairground are not compatible within this district. These uses are too intensive to be located in an Open Space/Greenbelt district.

3. Pedestrian/bicycle trails: Additional trails would also be desirable to encourage and allow wider use of alternative transportation modes across the entire Metro area. These would provide for recreation use, as well as promoting walking and bicycling. Specific pedestrian/bicycle trail connections from urbanized areas to the regional state parks, such as Finger Lakes, would be desirable.
4. Nature preserves: Like parks, nature preserves, whether publicly or privately owned, are natural uses for this district. Examples are the City's Grindstone Nature Area and the nearby land owned by the Greenbelt Coalition along Hinkson Creek.
5. Golf courses and driving ranges: Golf courses and the associated facilities as well as driving ranges are appropriate for this district.
6. Community Centers and Private Meeting Facilities: This would include community recreation centers and other private meeting facilities such as alumni centers, and community organizations.
7. Storm water facilities:
8. Agricultural uses, including crops and grazing livestock. This would include typical row crop plantings in creek bottoms, and the grazing of livestock on pasture or crop stubble.

B. Compatibility Guidelines

The following compatibility guidelines should apply to the planning and construction of all uses within an Open Space/Greenbelt District:

1. All development within the Open Space/Greenbelt District will be compatible with the provisions of any applicable watershed and development resolutions adopted by the City Council.
2. In sections of the district that are part of the greenbelt, the greenbelt corridor should have a width of 100' or wider, unless that portion of the naturally occurring flood plain is less than 100' in width.
3. Cut and fill should not be allowed within the naturally occurring floodplain in stream corridors designated as part of the City greenbelt. The only exemptions would be for planned street projects, such as connections or extensions, that are part of the City's adopted Major Thoroughfare Plan, or for the construction of pedestrian/bicycle trail projects.
4. Pedestrian and bicycle accesses should be allowed to provide connections from the district to adjacent subdivisions, whether residential or non-residential. These accesses should be a maximum of 10' wide and constructed of a permeable gravel surface, and should tie into sidewalks or other pedestrian facilities in the subdivision.
5. Buildings and parking lots, except recreational structures and parking associated with park facilities, should not be located within an Open Space/Greenbelt District.

6. In those greenbelt corridors that now contain pedestrian/bicycle trails, pedestrian accesses should be provided to adjacent neighborhoods. Such accesses may be public rights-of-way and make connections to public sidewalks or streets, or they may be either public or private easements. For private easements, the accesses should be maintained by the homeowners' association of the subdivision.
7. All greenbelt trail projects should maintain compatibility with any existing residences next to the trail through such means as landscape buffering and screening, berms, and other natural buffers. Trail projects will be developed with routes compatible to existing subdivisions, such as crossing the creek corridor when possible to avoid individual residences.
8. Future subdivision developments next to the greenbelt corridors with existing or planned trails should be encouraged to provide pedestrian/bicycle access to those trails. The right-of-way for these connections should be dedicated as part of the platting process, or the necessary easements shown on the final plat for the respective subdivisions.

Chapter Seven: The City Center

7.1 What is the City Center?

The City Center District is intended to be the focal point of the City of Columbia, serving as the educational and government center of the City. This is an area of mixed uses and is at a pedestrian scale. The District includes the downtown office and commercial area, the University of Missouri, Stephens College, and Columbia College. It also contains a number of multi-family residential uses, including upper-story units in commercial and office buildings.

The City Center is intended to be the focal point for the Metro area

A major feature of the City Center is its pedestrian scale street environment. Densities are higher here than in other areas, and there is no off-street parking requirement. It includes wide sidewalks, and curb extensions at intersections to facilitate walking. On-street parking throughout the area narrows the streets and tends to slow traffic speeds. Most existing commercial and office buildings are built flush to the front property line, to take advantage of pedestrian traffic on the adjacent sidewalk. New and redeveloped properties should continue that design practice to maintain the pedestrian nature of the district. Street reconstruction projects and traffic signalization also need to be done with pedestrians in mind.

The City Center is also intended to be an attractive place for bicyclists, as it is within easy bicycling distance of central area residential neighborhoods. Bicycle parking areas need to be provided in both on-street and off-street locations, such as parking garages.

It is important to maximize the opportunities for people to live in the City Center. High density residential uses allow people to live within walking distance of all the services and opportunities in the Central Business District. These residents are potential customers for all of the commercial and services located in the central area, but often will not require parking spaces to access these opportunities. The presence of a large number of residents in the City Center enlivens the area and leads to a wider variety of uses, especially in the evenings when restaurants and entertainment venues are frequented. The presence of people in the area on a 24-hour basis also contributes to a safer street environment and subsequently less crime.

As part of the ideal to maximize the efficient use of land within the City Center, off-street parking should only be allowed in parking garages. Surface lots should be discouraged, and existing lots should gradually be phased out. The presence of surface parking lots takes up valuable land that could be accommodating uses that would produce property tax revenue and improve the area.

7.2 Defining the City Center

The boundary for the City Center District may be defined by major arterial and collector streets, or by the edges of University and college properties. District edges may also be areas containing a variety of uses that transition into owner-occupied single family residential uses.

7.3 City Center Principle(s)

The City Center provides the educational and cultural core of the community and will provide a mix of retail, office, and multi-family residential uses in a highly pedestrian-oriented, street focused environment.

7.4 City Center Policies

1. Within the pedestrian core, drive-through facilities may be appropriate as an accessory use to banks and financial institutions, if it can be demonstrated that the design and operation of the facility is compatible with the pedestrian environment.
2. Uses that generate high levels of pedestrian traffic should be encouraged on the street-level. Residential uses should be considered as part of a mix of uses within a building.
3. Multi-family and high density residential uses will be encouraged.
4. The City Center will continue to be the focus of governmental administration and service functions, cultural activities and higher education.
5. A transition of land use intensities should be encouraged to buffer Neighborhood Districts next to the City Center. The transitional uses should be of an appropriate scale and intensity as to not interfere or adversely affect the residential character of the neighborhoods and should relate to and support the neighborhood.
6. Streets and public spaces within the City Center should be designed to enhance pedestrian and bicycle activity.
7. The Columbia Transit System should maintain the central transfer facility located in the historic Wabash Station.
8. On-street and off-street bicycle parking will be included as part of street designs in the City Center.
9. New parking in the City Center should be provided in parking structures. Surface parking lots should be discouraged. Parking structures should have considerations made for the inclusion of retail uses on the street level, place driveways to avoid pedestrian and traffic conflicts, and be designed to be compatible with adjacent buildings.
10. The University of Missouri, Stephens College, and Columbia College are encouraged to work in concert with the City of Columbia to keep their Campus Development Plans updated on a regular basis.

7.5 Compatible Uses and Densities

The City Center District should be developed and maintained in a way to protect the pedestrian-orientation of the district and to preserve the high-density nature of the downtown and other components that make up this area.

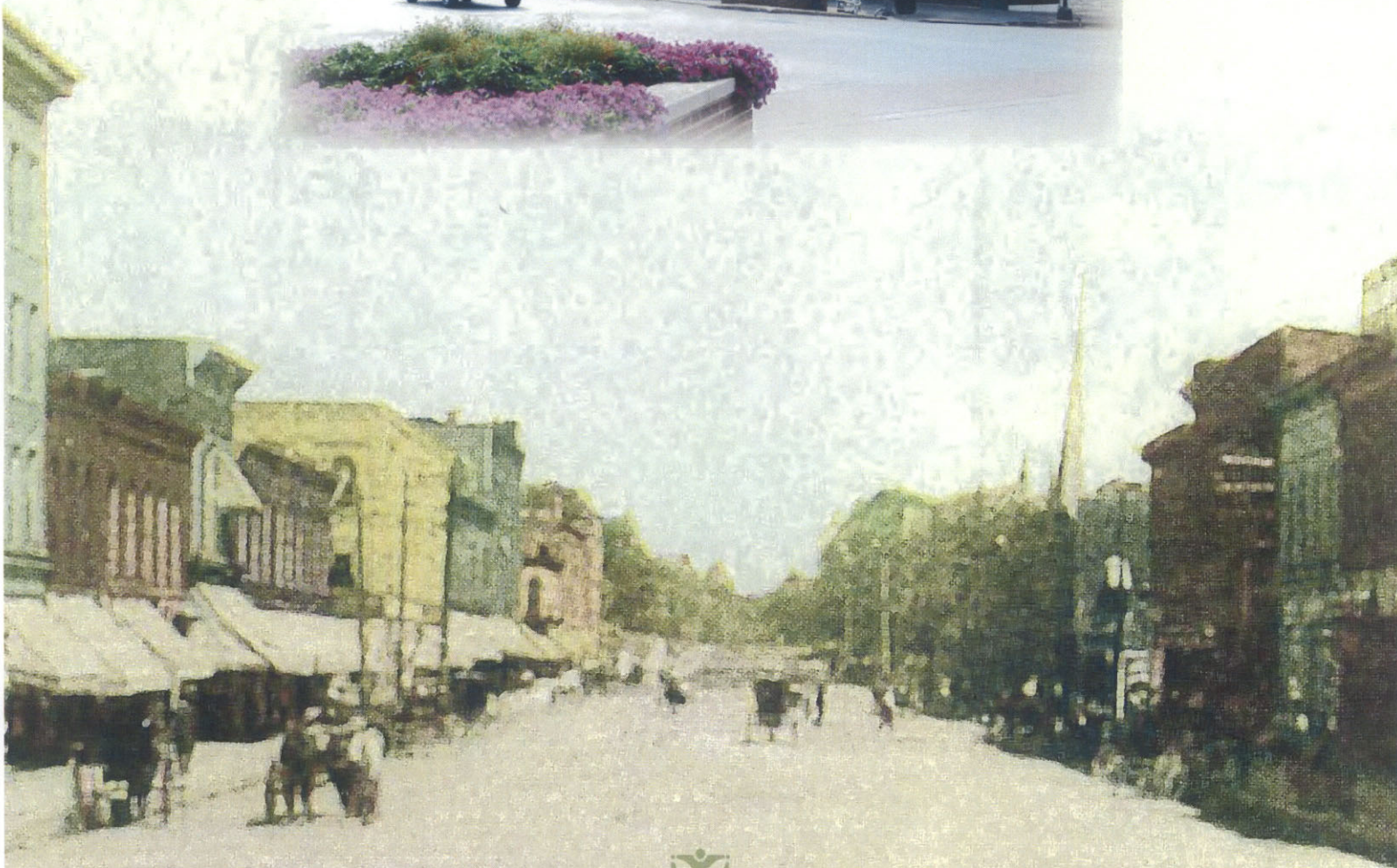
A. Uses/Densities

1. Banks and financial institutions
2. Colleges and universities
3. High density multi-family residential

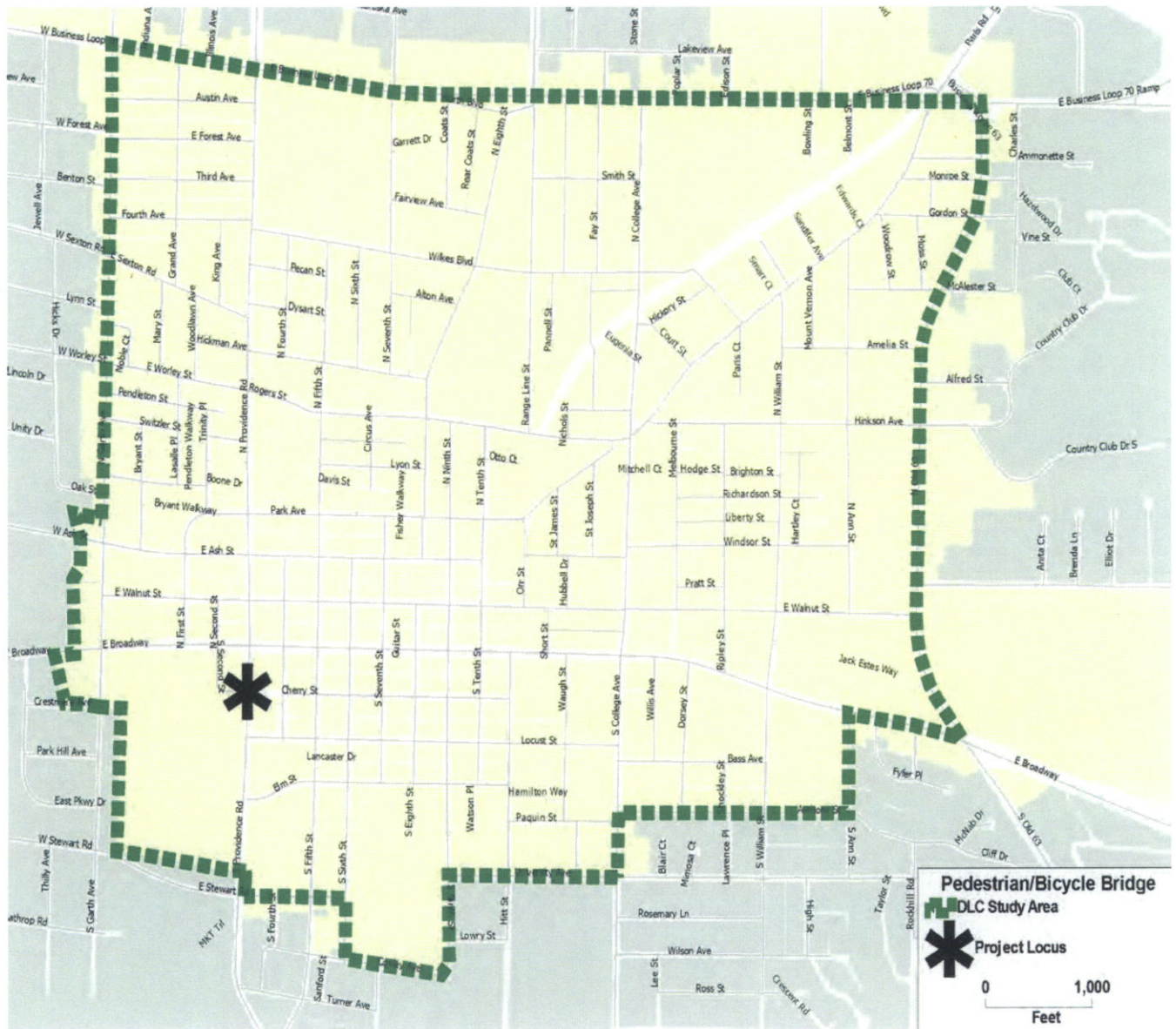
4. Government offices
5. Retail sales and offices
6. Churches, synagogues, and mosques
7. Hotels
8. Museums, galleries, and performing arts facilities
9. Theaters and night clubs
10. Restaurants

B. Compatibility Guidelines

1. All development within the City Center District will be compatible with the provisions of any applicable watershed and development resolutions adopted by the City Council.
2. Single family residences, unless on the National Register of Historic Places or contained within a recognized historic district, should be considered as transitional uses in the City Center. The City Center is a place for mixed use developments, and high-density residential uses. It will be appropriate over the long-term to facilitate the adaptive reuse of existing single family structures to uses that provide for greater density and variety.
3. Alleys should be maintained and kept open for pedestrian and vehicular uses. They should not be obstructed with walls, gateways, fences, dumpsters, or parked vehicles.
4. New public street projects should be designed to slow vehicle traffic speeds. Many existing streets in the district are narrow, having been built prior to the time when motor vehicles were the principal mode of transportation. This pattern should be maintained. Maintaining narrower traffic lanes, providing raised crosswalks, and constructing curb extensions are examples of designs that can keep vehicle traffic at appropriate speeds for an area with heavy pedestrian concentrations.
5. In areas with high levels of pedestrian activity, commercial and office buildings should be built with their orientation to the street to maximize pedestrian access and to support the established building pattern.
6. Small public spaces are suitable in the City Center. These may be pocket parks, (e.g., the park at 9th and Walnut) or public plazas and the like. Such places may include benches, fountains, and other features that make for an attractive social gathering place.
7. Surface parking lots are not generally compatible uses in this district, with the exception of university and college facilities and uses on the district fringe. In the latter cases, placing such parking facilities next to the Neighborhood District boundary is discouraged. Surface parking prevents the land it occupies from being used to contribute to the high-density and mixed use nature of the area.



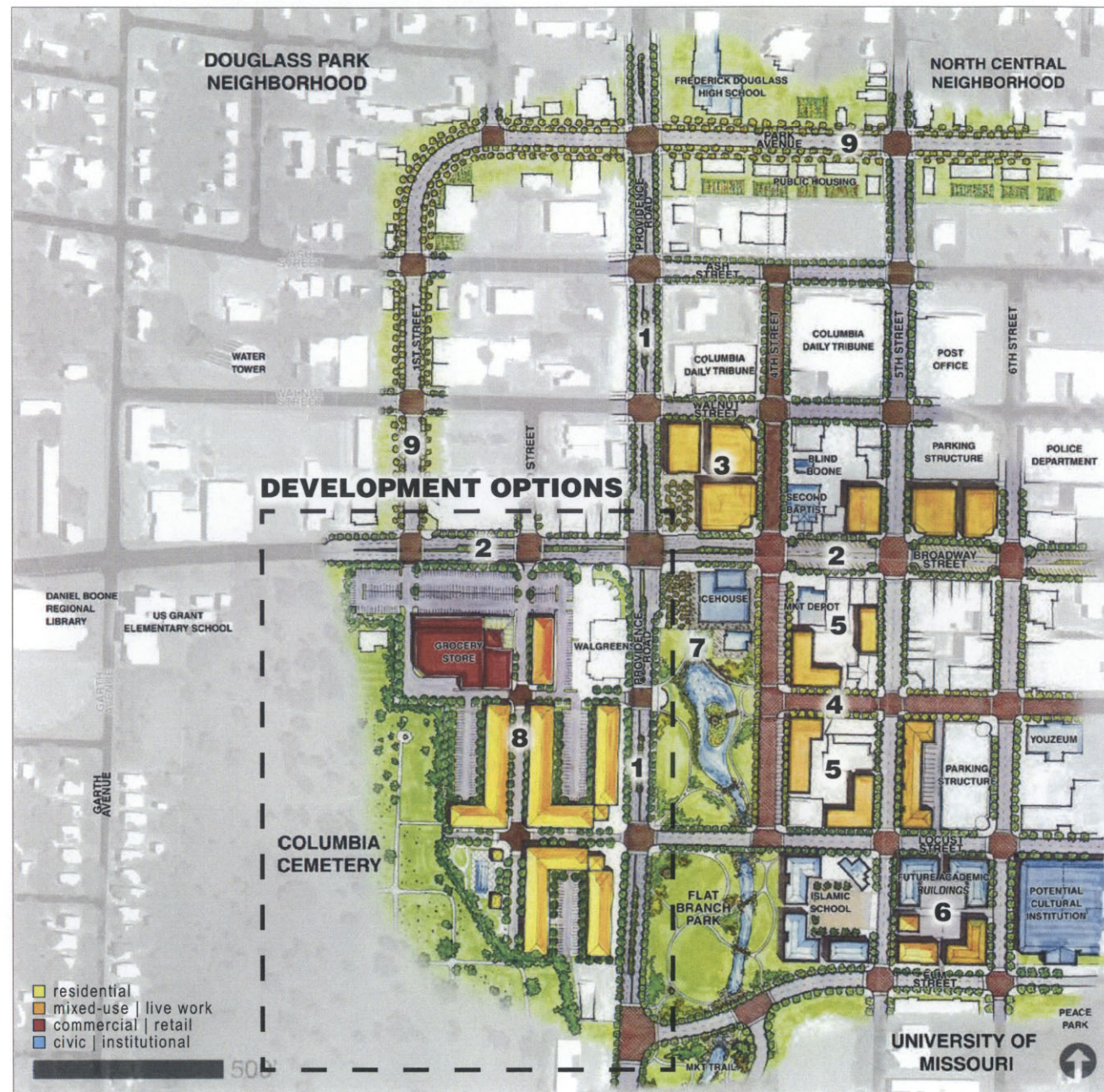
City of Columbia
Downtown Leadership Council Interim Report
May 2009



- The construction of a bicycle/pedestrian bridge project would be considered as part of the overall concept for the redevelopment in the vicinity of the Broadway/Providence intersection.
- The bridge would link a new development to the City's Flat Branch Park and Trail and improve bicycle/pedestrian access to and from the downtown core
- The bridge terminus would be designed to integrate into Flat Branch Park on the east and with redevelopment on the west.

COMPONENTS OF THE PREFERRED PLAN

- Urban Boulevard:** Make Providence Road a signature street by adding medians, street trees, safe pedestrian connections, and way-finding signage creating multiple downtown entrances.
- Broadway Extension:** Extend the existing streetscape strategy to 1st Street w/ curb extensions, street trees, and safe pedestrian crossings. (Extend diagonal parking to 4th Street only)
- Build the Corner:** Private developments and historic assets to the north of Broadway Street and east of Providence Road.
- Cherry Street as Armature:** Signature intimate streetscape on Cherry and Fourth Street with connections to Flat Branch & Bike Routes; Connecting Cherry Street with 9th Street.
- Residential/Mixed-Use Area:** Infill area surrounding Cherry Street as core neighborhood component.
- Cultural/Educational Amenities:** Expand cultural amenities & mixed use infill between Locust & Cherry Street.
- Flat Branch Park as destination:** Expansion of green space and green entry to downtown; and utilization of existing historic assets with new squares on corner as part of gateway entry.
- Catalytic Development Options:** New development opportunities south of Broadway Street and west of Providence Road
- Neighborhood Linkage:** Bike boulevard connection (with bioswales) along Park Avenue from new development to proposed North Village Park & Market



Section 106-436; Policy Res. 154-05A; Expressing the City Council's preferences relating to rezoning and development along the Providence Road corridor

Council Bill No. PR 154-05 A

A POLICY RESOLUTION

expressing the City Council's preferences relating to rezoning and development along the Providence Road corridor.

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

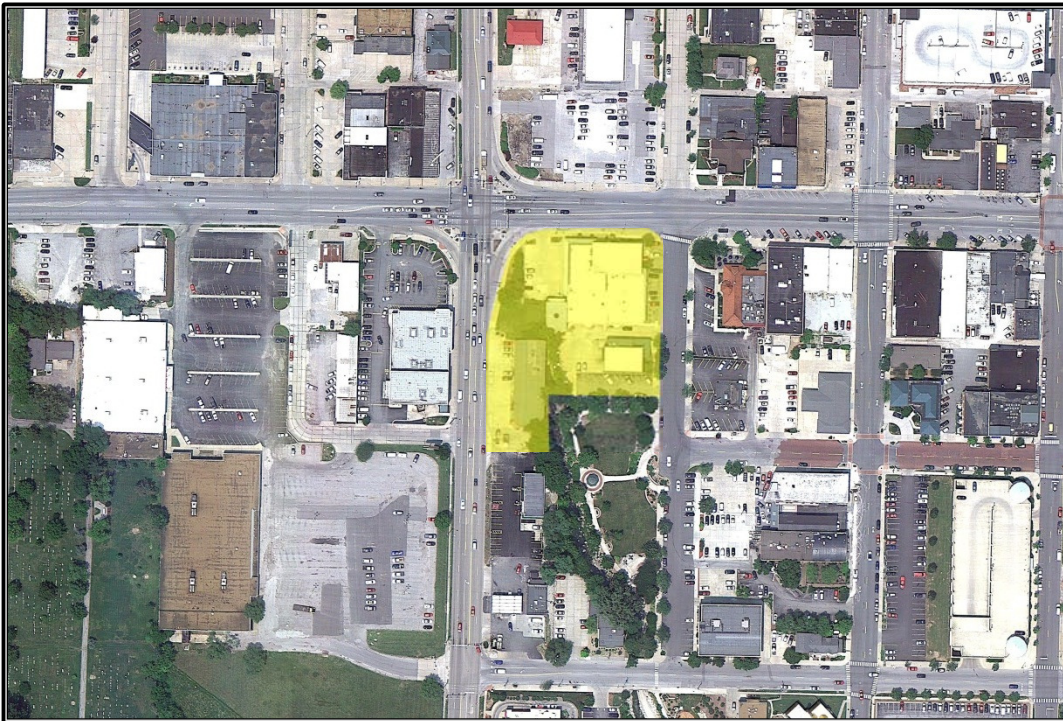
SECTION 1. The City Council expresses the following preferences for future rezoning actions and development along the Providence Road corridor (from Stewart Road to Interstate 70):

- a. Property owners considering rezoning for properties along the Providence Road corridor between Stewart Road and Interstate 70 are encouraged to request planned zoning so the City can better control and plan for signs, lighting, building layout, landscaping and parking.
- b. Developers are encouraged to place parking lots along the side and rear of buildings with frontage along the Providence Road corridor.
- c. New driveway cuts along the Providence Road corridor should be limited or disallowed.
- d. The list of proposed C-P or O-P uses along the Providence Road corridor should not include large traffic generators such as "fast food" restaurants.
- e. Freestanding signs along the Providence Road corridor should not exceed standards for open commercial or office districts. Monument signs rather than pole signs are encouraged.
- f. Planned district proposals along the Providence Road corridor should contain a high level of landscaping.
- g. On-site lighting along the Providence Road corridor should be designed to prevent lighting spillover onto adjacent properties.
- h. Mixed-use developments of office or commercial on lower levels and residential on upper levels are encouraged.
- i. The following elements are encouraged for planned districts along the Providence Road corridor:

1. Enhanced landscape screening;
 2. The use of pitched roofs;
 3. Efforts to reduce spillover from outdoor lighting;
 4. Relocation or screening of mechanical units, such as air conditioners; and
 5. Height and proximity limitations of commercial and office buildings to residential properties.
- j. Trash dumpsters should be screened and placed towards the rear of properties along the Providence Road corridor.

ADOPTED this 1st day of August, 2005.

TRAFFIC IMPACT STUDY
FOR A
PROPOSED CVS PHARMACY
COLUMBIA, MISSOURI



REVISED AUGUST 2013

Prepared For:
Carlson Consulting Engineers, Inc.
7068 Ledgestone Commons
Bartlett, TN 38133

Prepared By:
CBB Crawford, Bunte, Brammeier
Traffic and Transportation Engineers

CBB Job Number 59-12

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Executive Summary

Crawford, Bunte, Brammeier completed a traffic study to address the traffic impact associated with the proposed CVS Pharmacy in the southeast quadrant of East Broadway and Providence Road in Columbia, Missouri. Access to the site is proposed via one right-in/right-out driveway on Providence Road opposite Cherry Street, a full access driveway to 4th Street, south of East Broadway, as well as the Pharmacy drive-thru exit onto 4th Street south of East Broadway.

As requested by the City of Columbia, the proposed drive-thru exit has been re-located from exiting onto East Broadway to exiting onto 4th Street, which is an overall improvement from a traffic perspective. Furthermore, the proposed development would also significantly improve the access management along the south side of East Broadway and the west side of 4th Street by eliminating up to 21 head in parking spaces (7 on East Broadway and 14 on 4th Street) and by converting the City parking lot in the southeast corner of East Broadway and Providence Road to a pocket park, thereby eliminating the existing access at the corner of the intersection. In addition, the new site plan includes a 10-foot sidewalk, a shaded pedestrian area, and five feet of right-of-way dedication along East Broadway to improve the pedestrian connectivity to the Central Business District.

Baseline Conditions

In order to identify the traffic impacts associated with the proposed development, it was first necessary to quantify the baseline roadway, traffic, and operating conditions. To that end, an operational analysis of baseline traffic volumes on the surrounding road system was performed. All of the study intersections have overall favorable operating conditions (LOS D or better) during the a.m. peak hour, with the exception of the westbound approach of Broadway at Providence Road which operates at LOS E.

During the p.m. peak hour, the signalized intersection of East Broadway and Providence Road operates poorly (LOS F) with the eastbound, westbound and northbound approaches operating at less than desirable conditions (LOS E or F) with long queues. The unsignalized intersection of Providence Road at Cherry Street operates at acceptable levels; however, it is acknowledged that the SYNCHRO delay calculations do not include any queue delays or blockages from the adjacent traffic signal to the north. The northbound and southbound approaches of 4th Street at East Broadway also operate poorly during the p.m. peak hour. The heavy through volumes on East Broadway and Providence Road limit the ability to obtain an adequate gap for vehicles turning from the side streets.

Forecasted Build Condition (2013)

The proposed CVS Pharmacy would be expected to generate a total of approximately 130 total trips during the weekday a.m. peak hour and 200 total trips during the weekday p.m. peak hour. Approximately 25% of those trips are expected to be pass-by trips during the a.m. peak hour and approximately 50% pass-by trips during the p.m. peak resulting in 100 “new” trips during the a.m. and p.m. peak hours.

Based on the existing queues from the East Broadway and Providence Road signal, it is recommended that the proposed access on Providence Road opposite Cherry Street be restricted to right-in/right-out only. In order to more adequately restrict the access to right-in/right-out, MoDOT generally prefers that a center raised median be constructed, as such, the CVS development proposed to install a raised center median on Providence Road at Cherry Street. However, it is our understanding that MoDOT has indicated that a center island along Providence Road will not be allowed. As a result, a “porkchop” island on the CVS Entrance is now proposed to keep the access limited to right-in/right-out.

In addition, the Pharmacy drive-thru exit was re-located from exiting on East Broadway to exiting on 4th Street, south of East Broadway. The proposed development will also provide significant improvements related to access management, parking, pedestrian facilities and the inclusion of a pocket park on the existing City lot.

The forecasted build traffic volumes were reanalyzed in an effort to identify the traffic impacts of the proposed development and to identify any roadway and/or traffic control improvements necessary to mitigate the development’s impact. In order to mitigate the impact of the proposed development, the following improvements are proposed:

- *East Broadway and Providence Road Intersection:*
 - Since MoDOT will not allow flashing yellow arrows at the intersection to mitigate the impacts of the development and other physical road improvements are not feasible at this time due to alignment issues and right of way constraints (such as dual left-turns), 15 feet of right-of-way along Providence Road will be dedicated for future road improvements when the corridor redevelops. Based on preliminary discussions with MoDOT, 15 feet of right-of-way would allow for adequate space for a typical travel lane (12-foot) plus a few additional feet to possibly widen the existing lanes.
 - As a short term improvement, the green time for the westbound and northbound left-turn movement could be increased during the p.m. peak hour to improve intersection operations.
- *CVS Drive-Thru Exit:*
 - As included in the revised site plan, the pharmacy drive-thru will now exit to 4th Street, which carries much less traffic when compared to East Broadway.
- *CVS Driveway onto Providence Road Opposite Cherry Street*
 - Install a “porkchop” island on the east side of Cherry Street (CVS Driveway) to restrict access to right-in/right-out only. This is also included as part of the development plan.

With the signal timing adjustments mentioned above, the signalized intersection of East Broadway and Providence Road would actually operate at a better overall level than the baseline conditions during both peak hours, thus mitigating the impact of the proposed development. The

4th Street approaches to East Broadway are expected to continue to operate poorly; however, motorists do have alternative routes to access East Broadway.

20-Year No-Build Conditions (2033)

The 20-year No-Build Traffic Conditions were evaluated to provide a basis of comparison between the 2033 No-Build and Build conditions for the weekday a.m. and p.m. peak hour.

As would be expected, after 20 years of background growth, the operating conditions will continue to degrade, especially during the p.m. peak hour. The unsignalized approaches of 4th Street are expected to be exacerbated by the additional traffic on East Broadway.

20-Year Build Conditions (2033)

20-Year Build Traffic Conditions were evaluated in an effort to determine the impact of the development on the area road system with the long-term traffic demands. Again without any improvements, the operating conditions would continue to degrade, especially during the p.m. peak hour. The right-of-way dedication would facilitate the ability to widen the intersection in the future and signal timing adjustments could facilitate similar operations in the 2033 Build Conditions as compared to the 2033 No-Build Conditions, thus mitigating the impact of the proposed development.

Introduction

Crawford, Bunte, Brammeier (CBB) has prepared the following study to address the traffic impacts associated with the proposed CVS Pharmacy in Columbia, Missouri. This study was prepared in accordance with parameters discussed with the City of Columbia and the Missouri Department of Transportation (MoDOT) at the commencement of the study. The site is located in the southeast quadrant of the intersection of East Broadway and Providence Road. **Figure 1** identifies the general location of the proposed development site relative to the surrounding area.

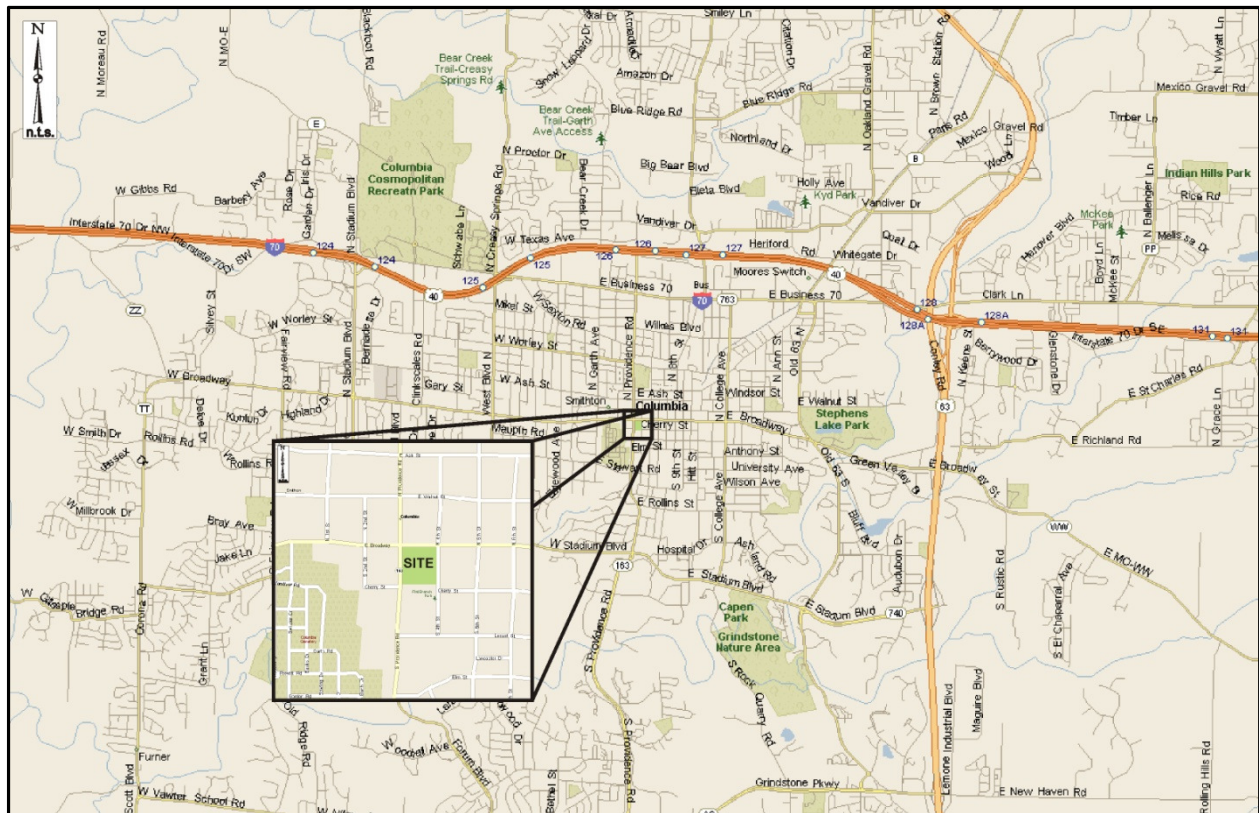


Figure 1: Study Area Location Map

Based on the concept plan provided, right-in/right-out access to the site is proposed on Providence Road via a new stop controlled driveway opposite Cherry Street and a full access driveway on 4th Street via a new stop controlled driveway. As requested by City of Columbia Staff, the pharmacy drive-thru exit has been relocated from existing onto Broadway to exiting onto 4th Street, south of East Broadway. **Exhibit 1** depicts the conceptual development plan.

In our opinion the proposed access for the development would significantly improve conditions near the intersection by providing improved access management along East Broadway and 4th Street by eliminating up to 21 head in parking spaces (7 on East Broadway and 14 on 4th Street) and by converting the City parking lot in the southeast corner of East Broadway and Providence Road to a pocket park and providing improved pedestrian facilities along East Broadway.

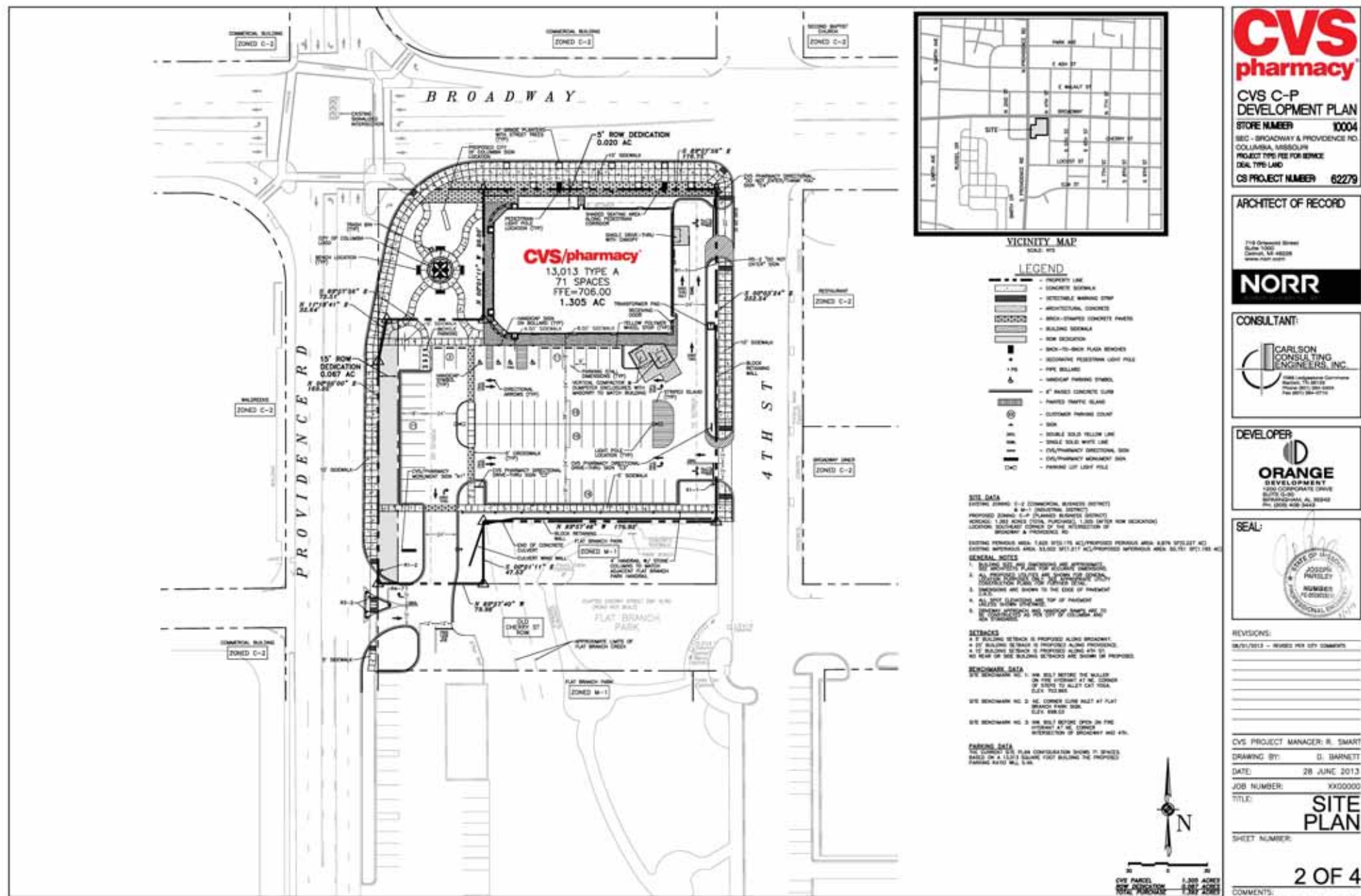


Exhibit 1: Conceptual Development Plan (Provided by Others)

Job# 059-12
08/01/13

The purpose of this study was to forecast future traffic demands associated with the proposed development; analyze the ability of the proposed road system to accommodate the forecasted traffic demands; and recommend additional improvements, as needed, to mitigate the impact of the development and provide safe ingress and egress at each access drive.

Specifically, the study focused on the operating conditions at the following intersections (also identified in **Figure 2**):

- Providence Road and Cherry Street/Site Driveway (unsignalized intersection);
- Providence Road and East Broadway (Signalized intersection);
- East Broadway and 4th Street (unsignalized intersection);
- 4th Street and Full Access Site Driveway (proposed unsignalized intersection); and
- Pharmacy Drive-Thru Exit at 4th Street (proposed unsignalized intersection).

The following report presents the methodology and findings relative to the Baseline, Forecasted Build (2013), 20-Year No-Build (2033) and 20-Year Build (2033) conditions. The analysis focused on the weekday a.m. and p.m. peak periods.

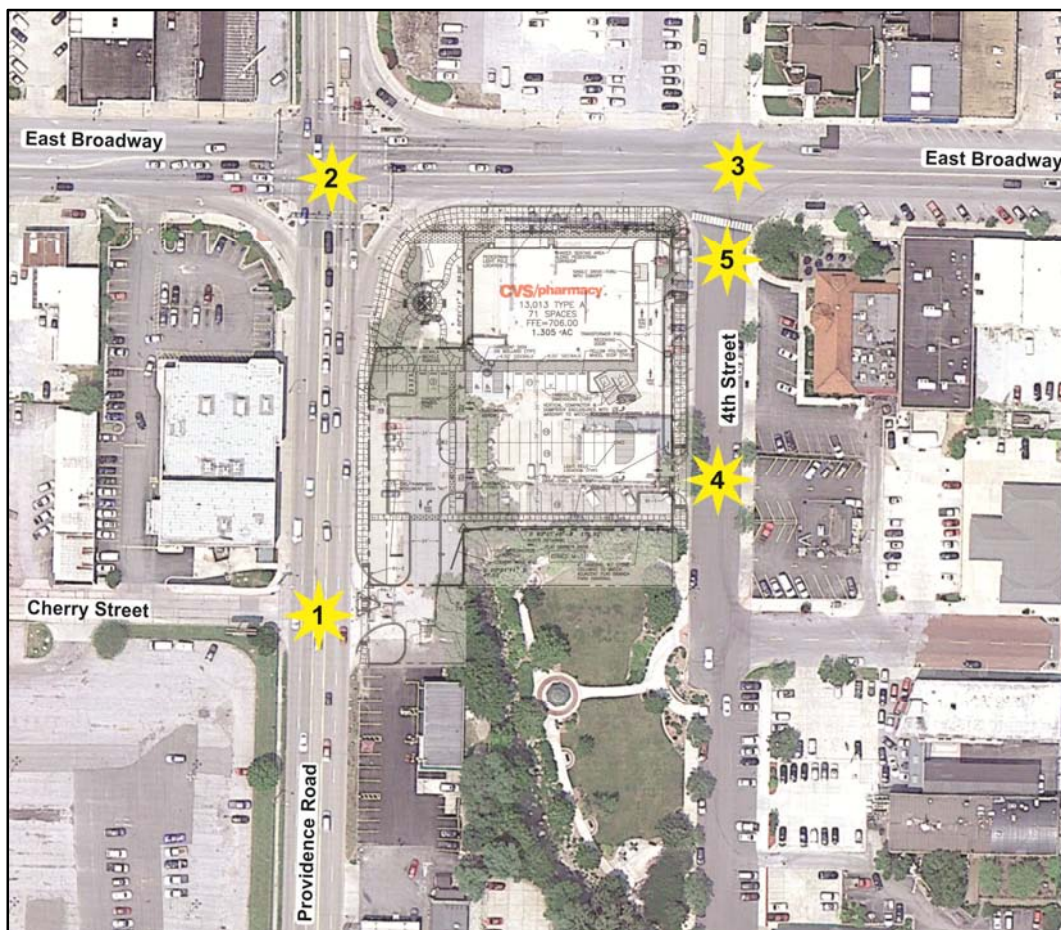


Figure 2: Study Intersections

Existing Conditions

In order to identify the traffic impacts associated with the proposed development, it was first necessary to quantify the existing roadway, traffic, and operating conditions. To that end, an operational analysis of existing traffic volumes on the surrounding road system was performed.

Existing Road System

The study area is classified as part of Columbia's Central Business District (CBD). East Broadway, adjacent to the subject site, is a four-lane east-west neighborhood collector roadway maintained by the City of Columbia. The posted speed limit is 20 miles per hour (mph). Sidewalks and shoulders are provided along the both sides of East Broadway. To the east of 4th Street, on-street angled parking is provided on both sides of East Broadway. Between Providence Road and 4th Street, access is provided to the City Parking lot in the southeast corner of East Broadway and Providence Road, in addition there is on-street head in parking on the south side of the road.

Providence Road (MO 163) is a five-lane north-south major arterial roadway maintained by the Missouri Department of Transportation (MoDOT). The posted speed limit is 35 mph. Sidewalks and curbs are provided along both sides of Providence Road.

The intersection of East Broadway and Providence Road is controlled by a traffic signal. Separate left-turn lanes are provided for each approach. The signal is part of a coordinated system along Providence Road with a 110-second cycle length during both peak periods. The traffic signal operates with protected-only left-turns on all approaches. Pedestrian indications and crosswalks are provided on all legs of the intersection. Photo enforcement is present at this location. **Figure 3** provides an aerial view of the East Broadway and Providence Road intersection.

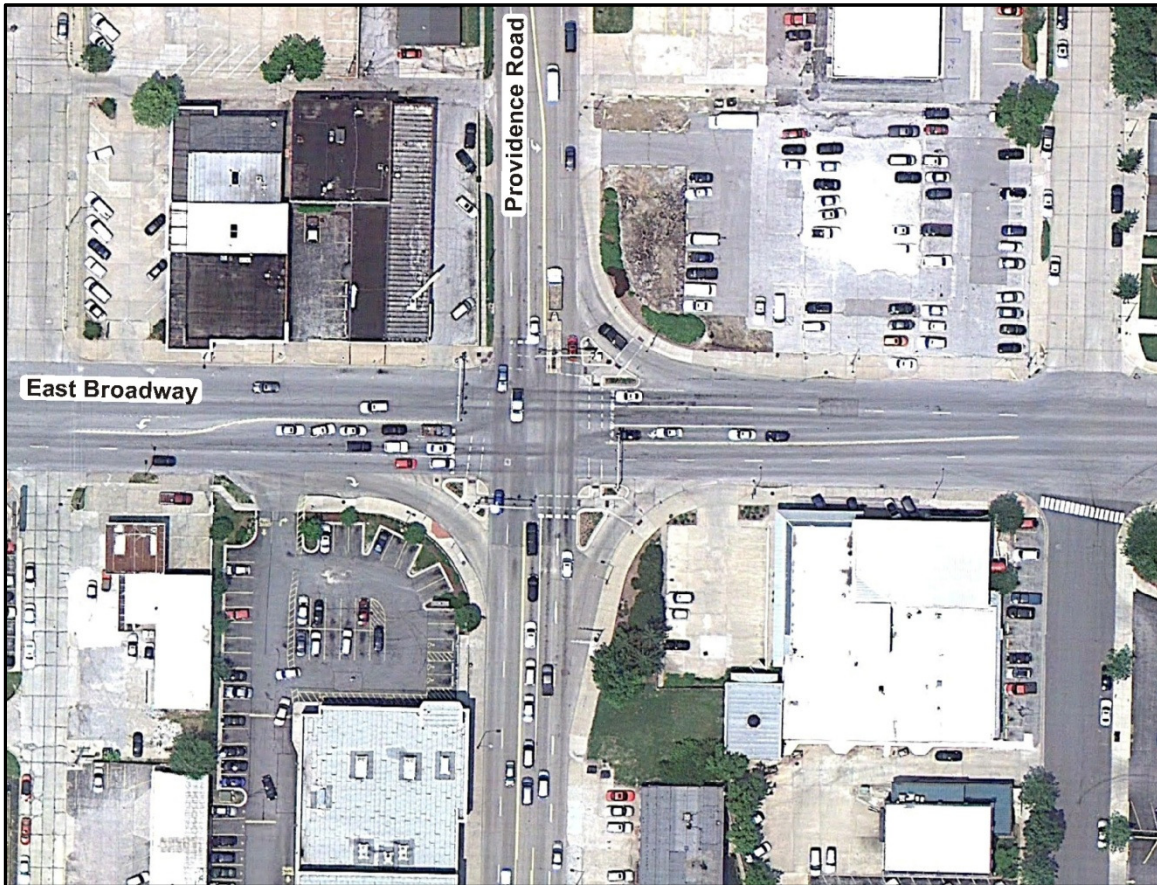


Figure 3: East Broadway and Providence Road Intersection

The intersection of Providence Road and Cherry Street is located approximately 370 feet south of East Broadway (measured centerline-to-centerline). Eastbound Cherry Street is a single-lane approach, though motorists typically have adequate room to get around a vehicle waiting to make a left turn onto Providence Road. A two-way-left-turn-lane is provided on Providence Road to facilitate two-stage left-turn movements from the side street. Cherry Street is stop controlled. **Figure 4** provides an aerial view of the Providence Road and Cherry Street intersection.

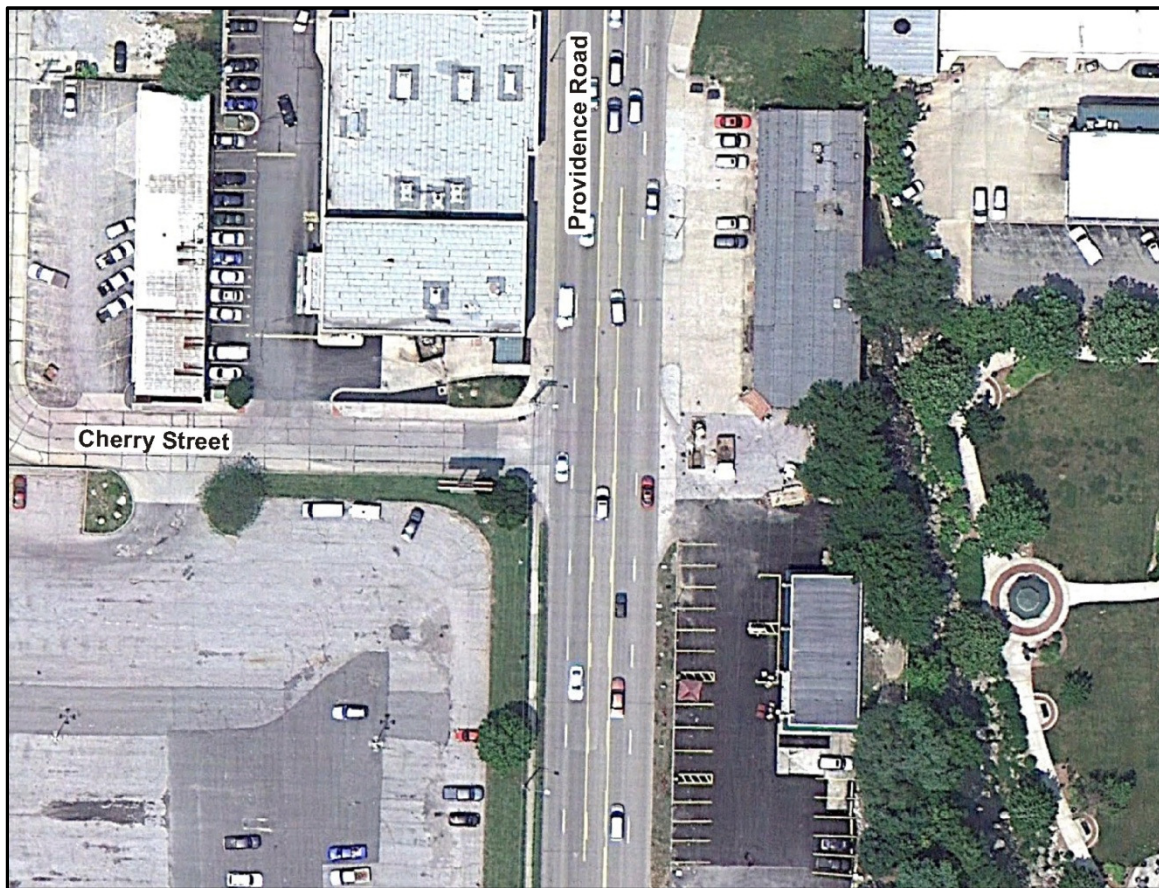


Figure 4: Providence Road and Cherry Street Intersection

4th Street is currently a two-lane north-south local road without a posted speed limit, therefore assumed to be 25 mph. 4th Street has an approximate width of 40 feet with metered on-street parking provided on the east side of the road near East Broadway. Head-in parking beyond the street gutter is provided on the west side of the road for the golf and real estate businesses on the west side of the street. Metered on-street parking spaces are also provided on the west side of the road adjacent to the Flat Branch Park and near the Yoga business. Sidewalks are provided along both sides of the roadway. It should be noted that the City of Columbia indicated that they may modify the 4th Street access at the intersection with East Broadway at some point in the future, possibly in the next year. This was noted as part of our study, although alternatives were not analyzed.

The intersection of East Broadway and 4th Street is located approximately 330 feet east of Providence Road (measured centerline-to-centerline). 4th Street has a single-lane approach from both the north and the south, though motorists typically have adequate room to get around a vehicle waiting to make a left turn onto East Broadway from both directions. Left turn lanes are not provided on East Broadway. 4th Street is stop controlled. Again, the City of Columbia may modify 4th Street's access to and from the south at some point in the future, possibly in the next year. Considerations include right-in/right-out from East Broadway. **Figure 5** provides an aerial view of the existing East Broadway and 4th Street intersection.



Figure 5: East Broadway and 4th Street Intersection

Baseline Traffic Volumes

The traffic study evaluated the operating condition during the morning and afternoon peak periods of a typical weekday at the following intersections:

- East Broadway at Providence Road;
- East Broadway at 4th Street;
- Providence Road at Cherry Street/Proposed Entrance; and
- All Proposed Site Entrances.

At the scoping meeting held in July of 2012, all parties agreed that the unsignalized intersections (East Broadway at 4th Street and Providence Road at Cherry Street) could be counted during the summer and then adjusted to reflect school traffic volumes. MoDOT provided traffic counts for the intersection of East Broadway and Providence Road collected in November 2010 and March 2006. As a result, CBB performed manual traffic counts at the unsignalized intersections and queue observations at the intersection of East Broadway and Providence Road in July 2012.

CBB submitted a Technical Memorandum in July 2012 that summarized the raw traffic counts collected for various time periods and also generated “baseline” traffic volumes that “balanced” the traffic counts.

However, based on comments from City Staff regarding the technical memorandum, the baseline traffic volumes at the intersection of Providence Road and East Broadway were revised using the March 2006 traffic count which was quite a bit higher than the November 2010 traffic count. As a result, the traffic volumes at the adjacent study intersections to the east and south of the traffic signal were increased to balance the volumes. The revised Baseline traffic volumes are illustrated on **Exhibit 2**.

As can be seen, the eastbound, westbound and northbound left-turn volume at the intersection of Providence Road and East Broadway is at or exceeds 200 vph during the p.m. peak hour in the baseline traffic conditions. In addition, the westbound left-turn exceeds 250 vph during the p.m. peak.

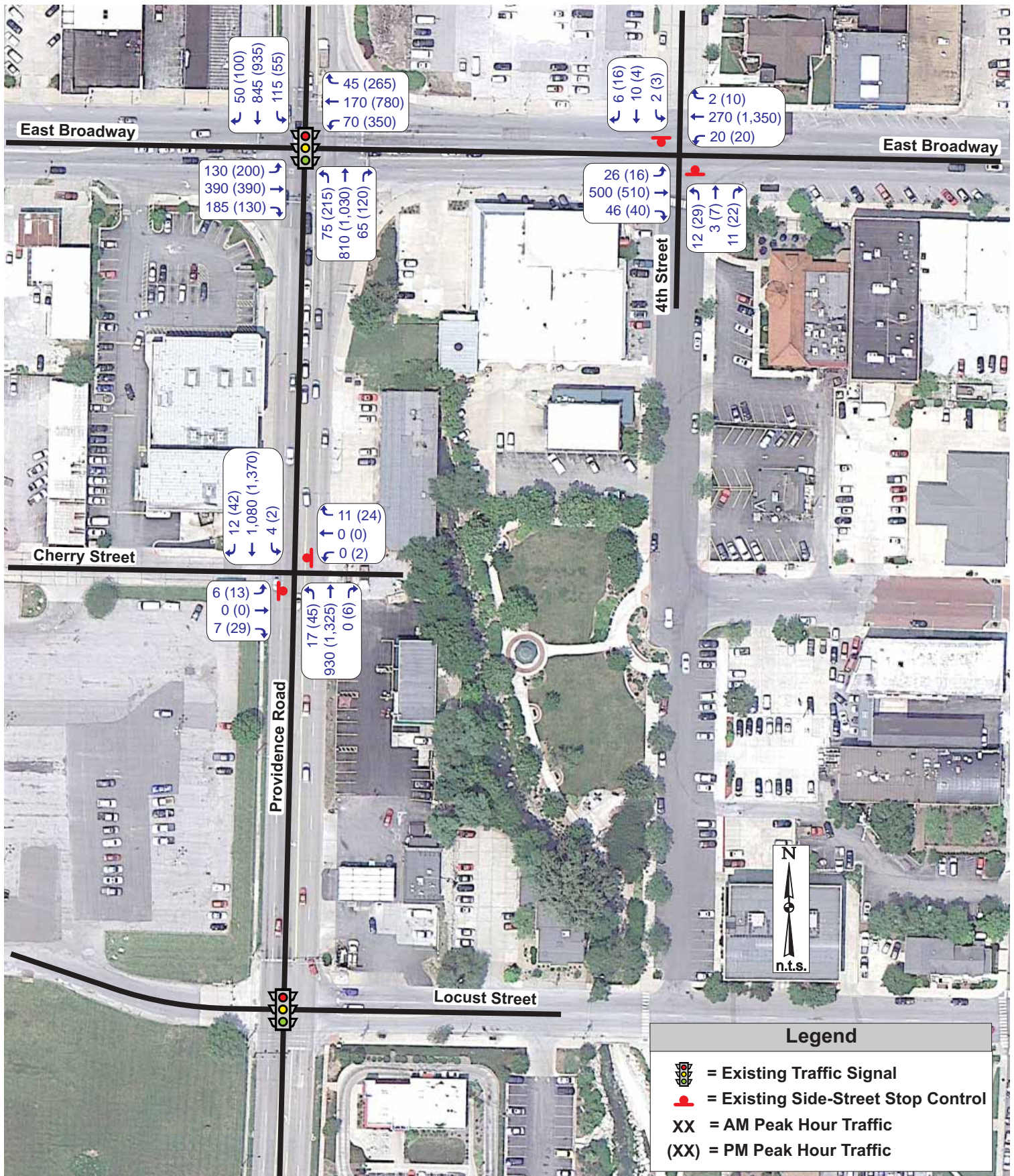


Exhibit 2: Revised Baseline Traffic Volumes (2013)

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Baseline Traffic Conditions

The baseline operating conditions for the study corridor and intersections were completed using SYNCHRO. SYNCHRO is a macro-level analytical/deterministic tool to implement the procedures of the *Highway Capacity Manual* (HCM 2010) to determine estimates of capacity and operational performance of signalized and unsignalized intersections. Our traffic operations analysis includes measures of effectiveness generated by SYNCHRO software.

The operating conditions were graded in accordance with six levels of traffic service (Level A "Free Flow" to Level F "Fully Saturated") established by the Highway Capacity Manual. Levels of Service (LOS) are measures of traffic flow which consider such factors as speed, delay, traffic interruptions, safety, driver comfort, and convenience. LOS C, which is normally used for highway design, represents a roadway with volumes ranging from 70% to 80% of its capacity. However, LOS D is generally considered acceptable for peak period conditions in urban and suburban areas. **Table 1** summarizes the thresholds used in the analysis for signalized and unsignalized intersections.

Table 1: Level of Service Thresholds

<i>Level of Service (LOS)</i>	<i>Control Delay per Vehicle (sec/veh)</i>	
	<i>Signalized Intersections</i>	<i>Unsignalized Intersections</i>
A	≤ 10	0-10
B	> 10-20	> 10-15
C	> 20-35	> 15-25
D	> 35-55	> 25-35
E	> 55-80	> 35-50
F	> 80	> 50

It should also be acknowledged that the perception of acceptable traffic service varies widely by area. Specifically, more delay is usually tolerated in urban regions compared to rural areas. Based on the character of this area, we believe that generally a LOS D would be an appropriate target for overall peak period traffic operations. However, this site is located within the central business district (CBD), which are commonly known to be congested areas that are more suitable for pedestrians and on-street parking maneuvers. As a result, LOS D may not be a realistic target given CBD area constraints.

Each of the study intersections was evaluated using the methodologies described above. The results of the SYNCHRO evaluations are summarized in **Table 2**. As can be seen, all of the study intersections have overall favorable operating conditions (LOS D or better) during the a.m. peak hour, with the exception of the westbound approach of Broadway at Providence Road which operates at LOS E.

During the p.m. peak hour, the signalized intersection of East Broadway and Providence Road operates poorly (LOS F) with the eastbound, westbound and northbound approaches operating at less than desirable conditions (LOS E or F) with long queues. The unsignalized intersection of Providence Road at Cherry Street operates at acceptable levels; however, it is acknowledged that the SYNCHRO delay calculations do not include any queue delays or blockages from the adjacent traffic signal to the north. The northbound and southbound approaches of 4th Street at Broadway also operate poorly during the p.m. peak hour. The heavy through volumes on Broadway and Providence Road limit the ability to obtain an adequate gap for vehicles turning off the side streets.

Table 2: Baseline Operating Conditions

Intersection/Movement	Weekday AM Peak Hour	Weekday PM Peak Hour
<i>Providence Road and Cherry Street (Side-Street STOP)¹</i>		
Eastbound Cherry Approach	B (14.1)	C (16.7)
Westbound Cherry Approach	B (12.2)	C (17.8)
Northbound Providence Left-Turn	B (10.3)	B (12.6)
Southbound Providence Left-Turn	B (10.3)	B (12.8)
<i>Providence Road and East Broadway (Signalized)*</i>		
Eastbound Broadway Approach	D (42.6) 207 th	E (70.8) #336 lt
Westbound Broadway Approach	E (55.6) 118 th/rt	F (323.9) #712 th/rt
Northbound Providence Approach	C (30.6) 357 th/rt	F (92.8) #636 th/rt
Southbound Providence Approach	C (27.8) 337 th/rt	D (46.0) #522 th/rt
Overall Intersection	C/D (34.9)	F (148.7)
<i>East Broadway and 4th Street (Side-Street Stop Control)¹</i>		
Eastbound Broadway Left-Turn/Thru	A (0.5)	A (0.7)
Westbound Broadway Left-Turn/Thru	A (0.6)	A (0.3)
Northbound 4 th Approach	B (13.4)	F (58.4)
Southbound 4 th Approach	B (14.6)	E (45.5)

X (xx.x) - Level of Service (Vehicular delay in seconds per vehicle)

* 95th percentile queue for the critical movement of the approach

¹Does not include impacts from adjacent signal queues

As shown in the table and observed in the field, there are significant queues for the northbound and westbound approaches from the East Broadway and Providence Road traffic signal during the p.m. peak hour and moderate queues in the morning peak hour. The 95th percentile queues summarized in the table represents the length of the queue that only occurs five percent of the time or approximately one time during the peak hour. The intersection of Broadway and Providence Road is coordinated for northbound and southbound traffic during the a.m. and p.m.

peak hours, and as such, provides a majority of the green time to Providence Road to keep traffic flowing along the arterial roadway. The signalized intersection of Broadway and Providence Road has protected only left-turns on all approaches.

The existing heavy northbound and westbound left-turn volume is difficult to serve in a single, protected only left-turn lane. Unfortunately, the ability to add capacity (through additional lanes) is limited by current right-of-way constraints and alignment needs at the intersection, as well as along the corridor. Any roadway improvement would require improvements beyond the site frontage to obtain proper alignment. Furthermore, additional lanes would require longer pedestrian crossing distances.

Proposed Development

Once the baseline traffic volumes within the study area have been established, it was then necessary to consider the traffic associated with the proposed development. This section of the report presents the traffic generation associated with the proposed CVS Pharmacy and the assignment of the site's traffic to the area road system.

In order to achieve a consensus on the study methodology and, ultimately, its results, the following assumptions about trip generation, directional distribution and other traffic variables applied in this analysis were provided to the City of Columbia for their review in advance of the preparation of this traffic impact study. The assumptions were approved by the City, as submitted, at that time.

Site Access

The proposed development is located in the southeast quadrant of East Broadway and Providence Road. Three existing buildings would be removed (McAdams, T's Etc/Monarch Title, Real Estate Management/Septagon Construction/AlleyCat Yoga) to build the proposed CVS Pharmacy with a drive-thru. The access management on the roadways adjacent to the site would be improved by reducing the access drives and eliminating the on-street parking conflicts on Broadway and 4th Street.

Specifically, the existing head in parking spaces on Broadway (7 spaces) and 4th Street (14 along building) would be removed. As part of this project, the City parking lot in the southeast corner of East Broadway and Providence Road will be converted into a pocket park thus eliminating the existing access at the corner of the intersection. In addition, three curb cuts along Providence Road south of Broadway would be combined into one right-in/right-out drive to serve the proposed CVS as well as cross access to the business to the south of Cherry Street.

Based on the concept plan provided (**Exhibit 1**), access to the site is proposed as follows:

- Right-in/right-out access on Providence Road opposite Cherry Street;
- Full access on 4th Street south of East Broadway; and
- Drive-thru exit on 4th Street, just south of Broadway.

Initially, a raised center median was proposed on Providence Road at Cherry Street to restrict the access to right-in/right-out, but MoDOT rejected that proposal. The revised site plan includes a "porkchop" island on the CVS entrance to restrict the east side of Cherry Street (CVS access) to a right-in/right-out.

The proposed access for the development eliminates the existing head-in, reverse-out parking conflicts, reduces the number conflicts on Providence Road and 4th Street, eliminates turning conflicts along Broadway between Providence and 4th Street, provides a pocket park on the corner and improves pedestrian facilities along Broadway.

Trip Generation

As a primary step in this analysis, traffic forecasts for the proposed CVS Pharmacy were developed using data from counts performed at similar facilities within the St. Louis metropolitan area, as well as a study prepared by Traffic Data Inc that looked at several Walgreens and CVS Pharmacy sites. For comparison, the *Trip Generation Manual*, Eighth Edition, published by the Institute of Transportation Engineers (ITE) was also used to determine the anticipated trips for the pharmacy. This manual, which is a standard resource for transportation engineers, is based on a compilation of nationwide studies documenting the trip generation characteristics of various land uses. Specifically, ITE code 881 (Drug Store with Drive-Through Window) was used for the proposed development. **Table 3** provides a comparison of the trip generation derived from the data for similar sites and the data found in the *Trip Generation Manual*.

Table 3: Trip Generation for the Proposed CVS Pharmacy

Land Use	Size (sq. ft.)	Weekday AM Peak Hour			Weekday PM Peak Hour		
		In	Out	Total	In	Out	Total
<i>Trip Generation based on ITE Rates</i>							
Code 881 – Drug Store w/ Drive through window	13,013	20	15	35	67	67	134
<i>New Trips</i>		<i>15</i>	<i>10</i>	<i>25</i>	<i>34</i>	<i>34</i>	<i>68</i>
<i>Pass-by Trips</i>		<i>5</i>	<i>5</i>	<i>10</i>	<i>33</i>	<i>33</i>	<i>66</i>
<i>Trip Generation based on Similar Sites</i>							
CVS Pharmacy	13,000	65	65	130	100	100	200
<i>New Trips</i>		<i>50</i>	<i>50</i>	<i>100</i>	<i>50</i>	<i>50</i>	<i>100</i>
<i>Pass-by Trips</i>		<i>15</i>	<i>15</i>	<i>30</i>	<i>50</i>	<i>50</i>	<i>100</i>

As shown in the table, the trip generation forecasts derived from similar sites actually yield two to three times the number of trips as the rates provided by ITE, thus the trip generation forecasts for the proposed CVS were based on the data for similar sites.

A significant portion of these trips would already be traveling along East Broadway or Providence Road and would be attracted to the proposed CVS Pharmacy as part of another trip (i.e. “pass-by” trips). These trips would represent patrons attracted to the CVS Pharmacy on their way to or from home, work, or another destination. Based upon statistical data provided by the Institute of Transportation Engineers, as well as traffic patterns exhibited at other stores in the region, it was assumed that 25% of the development’s traffic would be pass-by in nature during the morning peak hour and 50% of the development’s traffic would be pass-by during the afternoon peak hour. As a result, the proposed CVS Pharmacy would generate 100 new trips during both the morning and afternoon peak hours.

Based on published traffic data for similar drive-thru pharmacies in the Chicago area the actual drive-thru trips account for only a small percentage of the total trips for the site. In fact, an average of 6 vehicles used the drive-thru between 4:00 and 5:00 p.m., while 10 vehicles on average used the drive-thru between 5:00 to 6:00 p.m. No specific data was provided during the morning peak hour, but presumable would be similar or lower. As a result, it is assumed that the pharmacy drive-thru will have 10 vehicles exit during the morning and afternoon peak hours.

Trip Distribution

The traffic generated by the proposed CVS Pharmacy was assigned to the adjoining roadway system based on existing and projected traffic patterns, as well as the proximity of other pharmacies. The anticipated directional distribution during the a.m. and p.m. peak hour for the *new* trips would be as follows:

- 30% to/from the west on East Broadway;
- 30% to/from the south on Providence Road;
- 20% to/from the north on Providence Road; and
- 20% to/from the east on East Broadway.

It should be noted that pass-by trips were assigned according to the existing traffic volumes on Providence Road and East Broadway with the right-in/right-out movements favored since there is a Walgreens on the opposite side of Providence Road. **Exhibit 3** illustrates the Site-Generated Traffic Volumes.

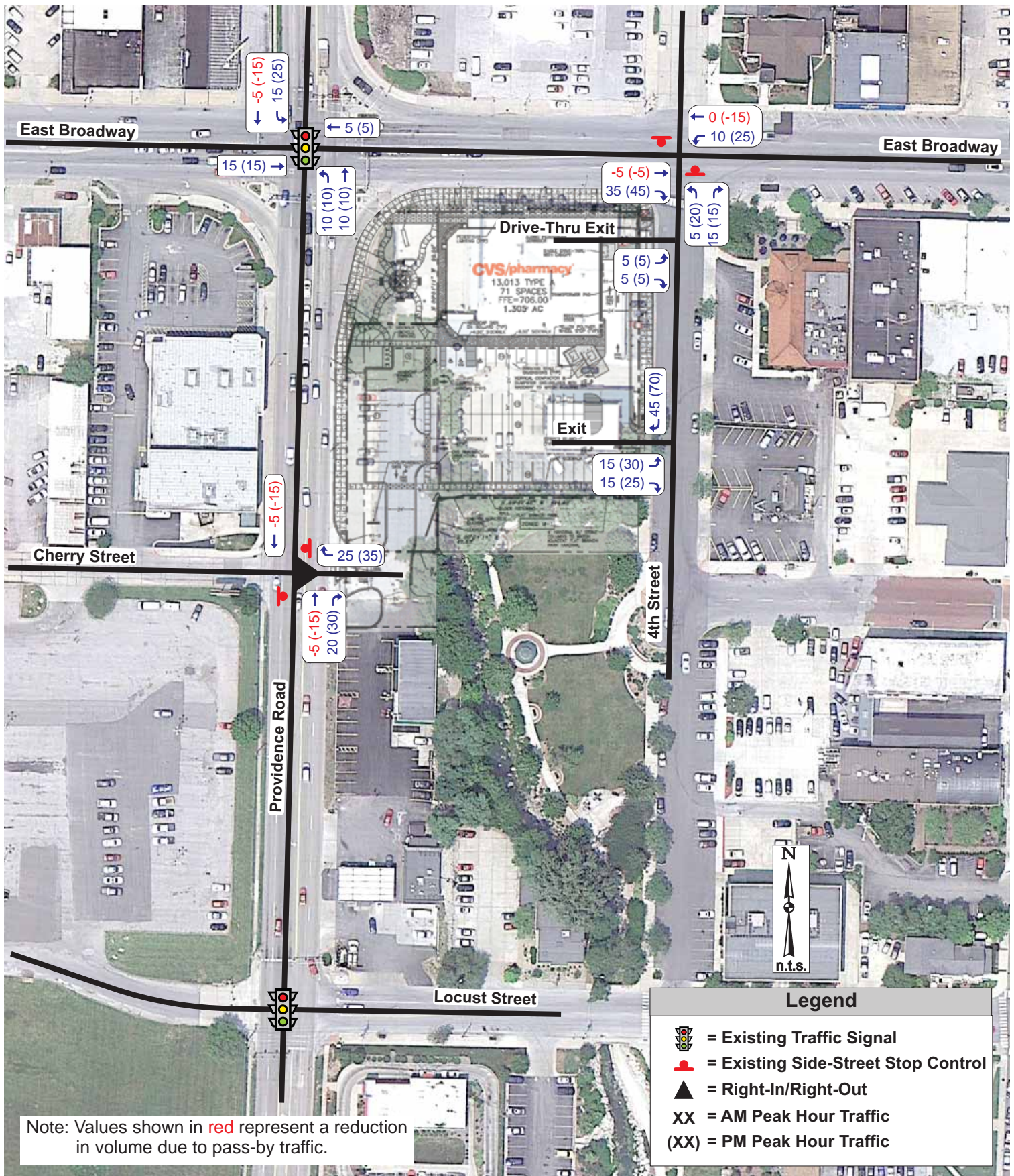


Exhibit 3: Site-Generated CVS Pharmacy Traffic Volumes

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Forecasted Build Condition (2013)

Forecasted Build Traffic Volumes (2013)

The traffic generated by the proposed CVS Pharmacy (Exhibit 3) was added to the revised baseline traffic volumes (Exhibit 2) to reflect forecasted traffic volumes. **Exhibit 4** reflects the Forecasted Build Traffic Volumes (2013).

Forecasted Build Operating Conditions (2013)

The forecasted build traffic volumes (2013) were reanalyzed using the same methodology as before in an effort to identify the impacts of the proposed CVS Pharmacy. **Table 4** summarizes the forecasted build (2013) levels of service and average delay at the critical intersections during the weekday a.m. and p.m. peak hours.

Table 4: Forecasted Build Operating Conditions (2013)

Intersection/Movement	Weekday AM Peak Hour	Weekday PM Peak Hour
<i>Providence Road and Cherry Street (right-in/right-out)¹</i>		
Eastbound Cherry Approach	B (14.2)	C (17.2)
Westbound CVS Right- Turn	B (12.7)	C (17.0)
Northbound Providence Left-Turn	B (10.3)	B (12.5)
<i>Providence Road and East Broadway (Signalized)*</i>		
Eastbound Broadway Approach	D (43.8) 215 th	E (70.5) #336 lt
Westbound Broadway Approach	E (55.9) 121 th/rt	F (326.4) #716 th/rt
Northbound Providence Approach	C (32.1) 363 th/rt	F (102.9) #644 th/rt
Southbound Providence Approach	C (29.9) 335 th/rt	D (45.6) #508 th/rt
Overall Intersection	D (36.4)	F (151.7)
<i>East Broadway and 4th Street (Side-Street Stop Control)¹</i>		
Eastbound Broadway Left-Turn/Thru	A (0.5)	A (0.7)
Westbound Broadway Left-Turn/Thru	A (0.9)	A (0.7)
Northbound 4 th Approach	B (12.8)	F (108.0)
Southbound 4 th Approach	C (15.3)	F (52.1)
<i>4th Street and CVS Full Access (Side-Street STOP)</i>		
Eastbound CVS Full Access Approach	A (9.2)	A (9.5)
Northbound 4 th Street Approach	A (0.3)	A (0.1)
<i>4th Street and Pharmacy Drive Thru Exit</i>		
Eastbound Drive-Thru Exit	A (9.2)	A (9.5)

X (xx.x) - Level of Service (Vehicular delay in seconds per vehicle)

* 95th percentile queue for the critical movement of the approach

When comparing the Baseline and Build conditions, the proposed CVS would have a negligible impact at the study intersections during the a.m. peak hour. An overall increase of 3 second per vehicle is expected at the intersection of Providence Road at East Broadway during the p.m. peak hour. The largest increase occurs in the northbound direction and more precisely the northbound left-turn movement on Providence Road at East Broadway. It should be noted that the proposed CVS would only increase the northbound left-turn volume by 10 vph.

The operating conditions are acceptable at the Providence Road and Cherry Street intersection but do not include the actual delay with respects to northbound Providence Road queues blocking Cherry Street. The side-street operations on 4th Street at East Broadway remain poor during the p.m. peak due to the heavy east-west through volumes. Although 4th Street is expected to remain at poor levels, there are alternative routes via 4th Street (south of this site) to travel to the west on East Broadway.

The pharmacy drive-thru exit onto 4th Street is expected to operate at highly desirable levels, primarily due to the extremely low volume of the drive-thru and the low volumes along 4th Street. Since the drive thru has been re-located to exit to the lowest volume street (4th Street), the drive-thru exit is in the best location. Studies of similar facilities indicate that the drive-thru is only estimated to generate around 10 vph during the a.m. and p.m. peak hours.

In order to mitigate the impacts of the CVS, modifying the traffic signals to allow protected-plus-permitted left-turns, specifically Flashing Yellow Arrows (FYA), was previously proposed on all approaches. MoDOT has since indicated that flashing yellow arrows will not be allowed due to safety concerns.

Since FYA will not be allowed the only other solution to improve conditions at the intersection is to add capacity (lanes). The study considered providing dual left-turns, specifically dual northbound left-turns. However, the ability to actually construct an additional left-turn lane at the intersection and provide appropriate tapers on the opposite side of the intersection is not feasible with the current right-of-way constraints.

For example, in order to construct dual northbound left-turns on the south side of the intersection, additional widening and right-of-way would also be needed along Providence Road north of the intersection for a minimum distance to achieve a comfortable transition back to the current five-lane section. Similarly, if dual eastbound and/or westbound left-turns were constructed to accommodate existing volumes, widening would also be needed on both sides of the intersection to add a turn lane. Furthermore, the transition back to the existing lane configuration to the east of 4th Street could be heavily skewed and may have negative impacts to on street parking to those businesses east of 4th Street. As a result, nearly all physical roadway improvements would require cooperation with multiple property owners beyond the site frontage to obtain proper widening and alignment. It should also be noted that any additional lanes at the intersection would negatively impact pedestrians by increasing the crossing distance at the intersection.

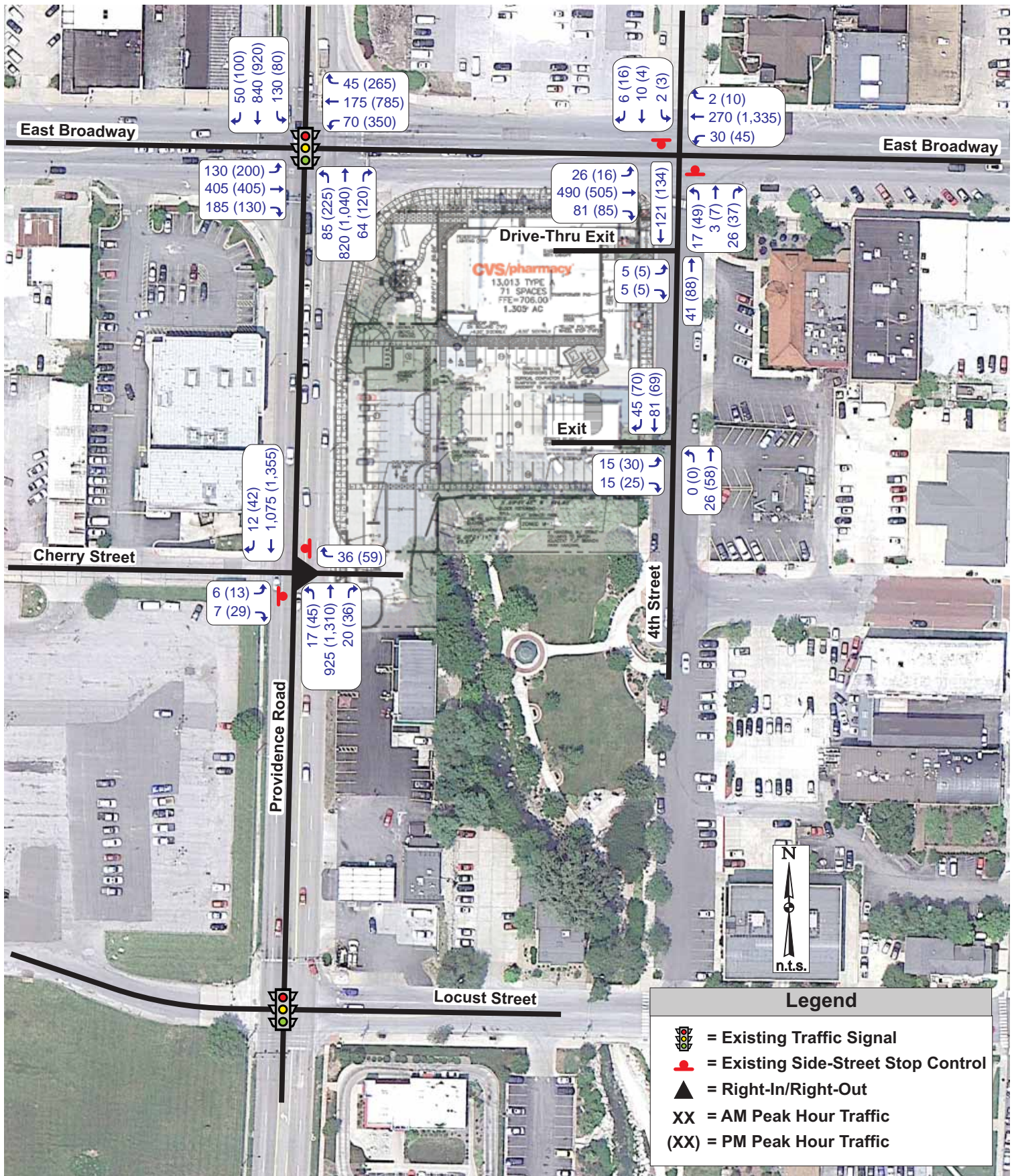


Exhibit 4: Forecasted Build Traffic Volumes (2013)

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Since the proposed CVS does not have the ability to add lanes at the intersection without multiple property owner cooperation, 15-feet of right-of-way is dedicated along Providence Road for the use of future road improvements. Preliminary discussions with MoDOT staff indicate that 15 feet of right-of-way would allow for adequate space for a typical travel lane (12-foot) plus a few additional feet to possibly widen the existing lanes. When future development occurs along the corridor, dual northbound left-turns should be considered.

In the short term, increases in the northbound and westbound left-turn green time during the p.m. peak hour could improve traffic operations. **Table 5** illustrates the impacts of providing additional time to the northbound and westbound approaches without changing the cycle length or total east-west versus north-south green time. When comparing the 2013 Build condition with timing adjustments to the Baseline condition, the adjustments more equally balance the delay through the intersection and show a small improvement at the intersection.

Table 5: Forecasted Build Operating Conditions (2013) with Timing Adjustments

Intersection/Movement	Weekday AM Peak Hour	Weekday PM Peak Hour
<i>Providence Road and East Broadway (Signalized)*</i>		
Eastbound Broadway Approach	D (43.8) 215 th	E (75.8) #336 lt
Westbound Broadway Approach	E (55.9) 121 th/rt	F (257.5) #716 th/rt
Northbound Providence Approach	C (32.1) 363 th/rt	E (63.6) #644 th/rt
Southbound Providence Approach	C (29.9) 335 th/rt	E (71.3) #572 th/rt
Overall Intersection	D (36.4)	F (126.2)

X (xx.x) - Level of Service (Vehicular delay in seconds per vehicle)

* 95th percentile queue for the critical movement of the approach

20-Year Conditions

Before analyzing the long-term impact of the proposed development, it was necessary to establish a baseline forecast to reflect the 20-year traffic conditions without the development. To that end, a 20-Year No-Build scenario was developed to evaluate baseline conditions and to provide a basis of comparison between the 20-Year No Build and Build conditions. Based on information provided by the City of Columbia, there are no planned roadway improvement projects at any of the study intersection and no significant developments planned within the study area that would alter the background traffic conditions.

20-Year No-Build Traffic Volumes (2033)

Although the previous 10 years of traffic data along Providence Road supports only a small increase over the past 10 years, an annual growth rate of 0.5% was assumed for the study area. As a result, an annual background growth rate of 0.5% was assumed to address the 20-year design horizon, which represents an overall increase of 10.5%. **Exhibit 5** illustrates the 20-Year No-Build Traffic Volumes (2033).

20-Year No-Build Traffic Conditions (2033)

The 20-Year No-Build Traffic Volumes were then reanalyzed using the same methodology applied to the baseline and build traffic volumes. The forecasted levels of service and average delay at each study intersection for the 2033 No-Build conditions are summarized in **Table 6**.

As would be expected, after 20 years of background growth, the operating conditions will continue to degrade, especially during the p.m. peak hour. The unsignalized approaches of 4th Street are expected to be exacerbated by the additional traffic on East Broadway. However, the increases in background traffic would require major re-development to occur along the corridor to obtain additional through lanes to achieve acceptable levels of service.

20-Year Build Traffic Volumes (2033)

In an effort to determine the ability of the area road system to accommodate long-term traffic demands, “Design Year” traffic conditions (2033) were evaluated. The peak hour traffic generated by the CVS Pharmacy site (Exhibit 4) was aggregated with the 2033 No Build Traffic Volumes (Exhibit 5) to determine the 20-year forecasted traffic volumes. **Exhibit 6** reflects the 2033 Build Traffic Volumes.

20-Year Build Operating Conditions (2033)

The 20-Year Build Traffic Volumes were reanalyzed using the same methodology applied previously. The results of the 20-Year Build operating conditions are summarized in **Table 7**. In order to evaluate the potential impacts of the 15-foot of right-of-way dedication, an analysis was also performed assuming dual northbound left-turns. The northbound delay is expected to drop from over 2 minutes of delay on average to just over one minute of delay on average during the p.m. peak hour. The northbound left-turn queue is expected to be reduced from more than 459 feet to 173 feet, which would be a dramatic improvement.

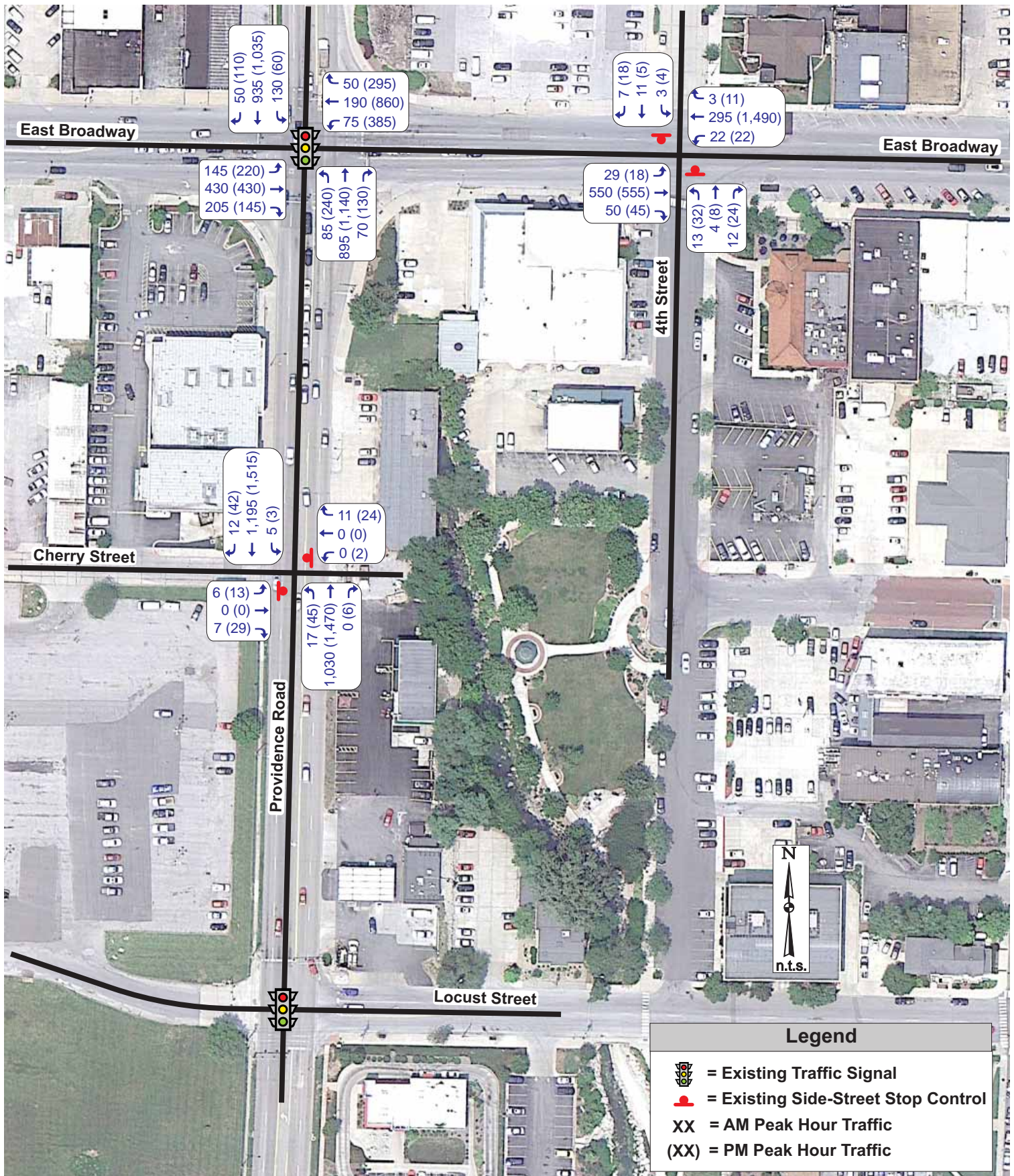


Exhibit 5: 20-Year No-Build Traffic Volumes (2033)

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Table 6: 20-Year No-Build Operating Conditions (2033)

Intersection/Movement	Weekday AM Peak Hour	Weekday PM Peak Hour
<i>Providence Road and Cherry Street (Side-Street STOP)¹</i>		
Eastbound Cherry Approach	C (15.2)	C (19.0)
Westbound Cherry Approach	C (12.8)	C (20.1)
Northbound Providence Left-Turn	B (10.8)	B (14.0)
Southbound Providence Left-Turn	B (10.9)	B (14.0)
<i>Providence Road and East Broadway (Signalized)*</i>		
Eastbound Broadway Approach	D (44.8) 245 th	F (83.1) #375 lt
Westbound Broadway Approach	E (58.7) 141th/rt	F (396.4) #809 th/rt
Northbound Providence Approach	C (33.7) 357 th/rt	F (123.2) #740 th/rt
Southbound Providence Approach	C (31.0) 386 th/rt	E (63.0) #618 th/rt
Overall Intersection	D (37.9)	F (185.6)
<i>East Broadway and 4th Street (Side-Street Stop Control) ¹</i>		
Eastbound Broadway Left-Turn/Thru	A (0.5)	A (0.9)
Westbound Broadway Left-Turn/Thru	A (0.6)	A (0.3)
Northbound 4 th Approach	B (14.6)	F (119.5)
Southbound 4 th Approach	B (15.7)	F (82.0)

X (xx.x) - Level of Service (Vehicular delay in seconds per vehicle)

* 95th percentile queue for the critical movement of the approach

¹Does not include impacts from queues

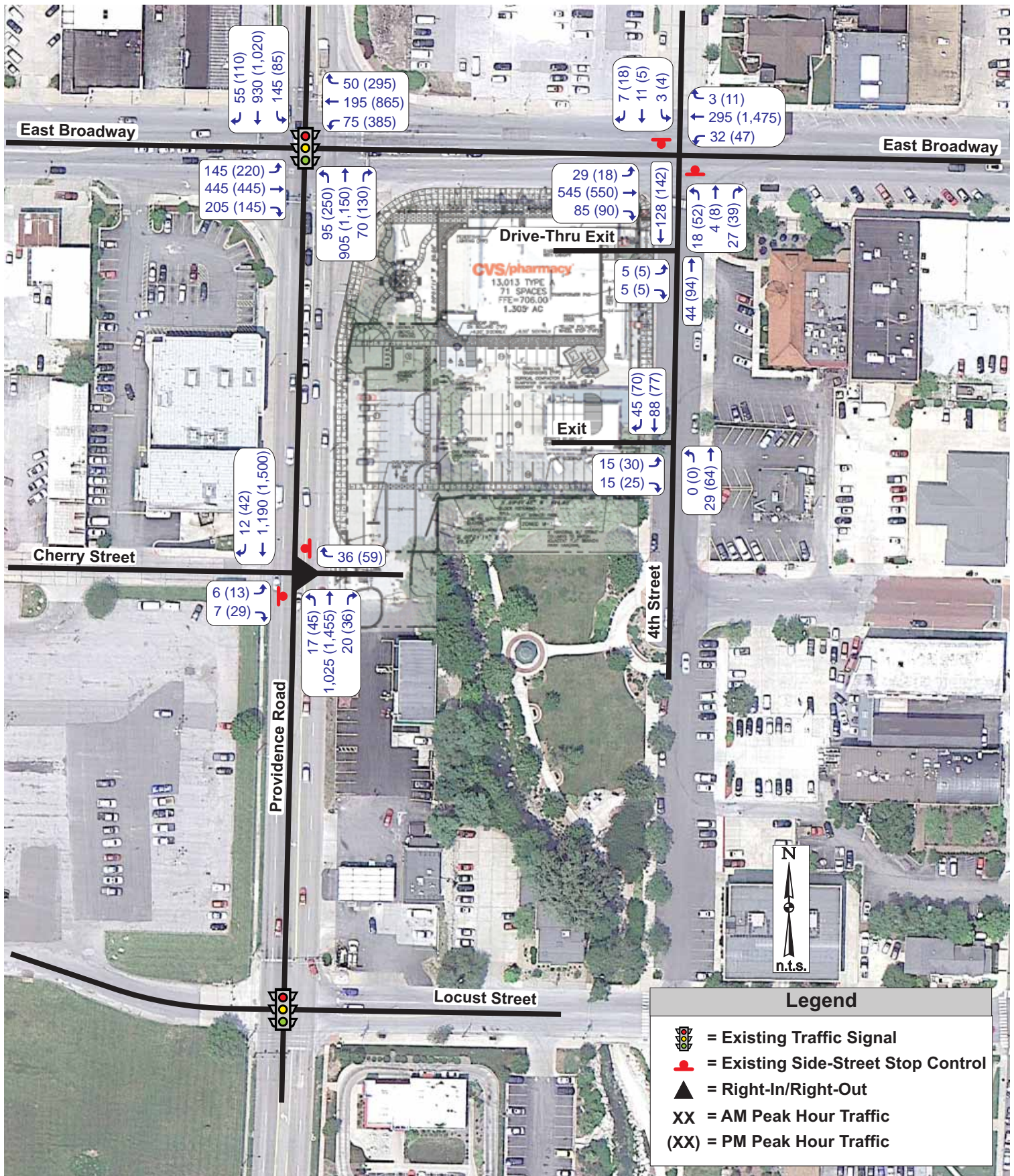


Exhibit 6: 20-Year Build Traffic Volumes (2033)

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Table 7: 20-Year Build Operating Conditions (2033)

Intersection/Movement	Weekday AM Peak Hour	Weekday PM Peak Hour	Future Dual Northbound Left-Turns	
			Weekday AM Peak Hour	Weekday PM Peak Hour
Providence Road and Cherry Street (right-in/right-out)¹				
Eastbound Cherry Right Turn	C (15.3)	B (10.3)		
Westbound CVS Right- Turn	B (13.4)	C (18.1)		
Northbound Providence Road Left-Turn	B (10.8)			
Providence Road and East Broadway (Signalized)*				
Eastbound Broadway Approach	D (45.9) 260 th	F (82.8) #375 lt	D (45.9) 178 lt	F (82.8) #375 lt
Westbound Broadway Approach	E (59.2) 145 th/rt	F (398.3) #813 th/rt	E (59.2)	F (398.3) #813 th/rt
Northbound Providence Approach	C (35.6) 413 th/rt	F (136.0) #748 th/rt	C (32.2)	E (75.2) #748 th/rt
Southbound Providence Approach	C (32.4) 384 th/rt	E (59.7) #605 th/rt	C (32.2)	E (66.6) #618
Overall Intersection	D (39.3)	F (188.8)	D (38.2)	F (172.0)
East Broadway and 4th Street (Side-Street Stop Control)¹				
Eastbound Broadway Left-Turn/Thru	A (0.5)	A (0.9)		
Westbound Broadway Left-Turn/Thru	A (0.9)	A (0.8)		
Northbound 4 th Approach	C (14.0)	F (285.3)		
Southbound 4 th Approach	C (16.5)	F (100.7)		
4th Street and CVS Full Access (Side-Street STOP)				
Eastbound CVS Full Access Approach	A (9.2)	A (9.4)		
Northbound 4 th Street Approach	A (0.3)	A (0.1)		
East Broadway and Drive Thru Exit (Side-Street Stop)				
Eastbound Drive-Thru Exit	A (9.3)	A (8.8)		

X (xx.x) - Level of Service (Vehicular delay in seconds per vehicle)

* 95th percentile queue for the critical movement of the approach

¹Does not include impacts from queues

Conclusions

Crawford, Bunte, Brammeier completed the preceding study to address the traffic impacts associated with the proposed CVS Pharmacy in the southeast quadrant of Providence Road and East Broadway in Columbia, Missouri. Based on the site plan provided, a 13,013 square foot CVS pharmacy will redevelop three existing buildings and convert the existing City parking lot in the southeast corner of the signalized intersection to a pocket park.

Access to the site is proposed via one right-in/right-out driveway on Providence Road opposite Cherry Street, a full access driveway on 4th Street south of East Broadway, and the Pharmacy drive-thru exit onto 4th Street, just south of East Broadway.

As discussed in the preceding report, the proposed CVS Pharmacy would be expected to generate a total of approximately 130 trips during the weekday a.m. and 200 total trips during the p.m. peak hours with only 100 “new” trips during the each of the a.m. and p.m. peak hours.

Based upon the preceding report, the following may be concluded regarding the traffic impacts of the proposed CVS Pharmacy Development:

Baseline Conditions

1. The baseline operating conditions are poor at the signalized intersection of Providence Road and East Broadway during the p.m. peak hour. Heavy through volumes and relatively large left-turns coupled with protected only left-turn phasing create long queues for the northbound and westbound approaches.
 - a. Unfortunately, the ability to add capacity (through lanes or turn lanes) is limited by current right-of-way constraints and alignments needs at the intersection as well as along the corridor.
2. Northbound and southbound 4th Street at East Broadway operate poorly due to the lack of adequate gaps along East Broadway.

Forecasted Build with CVS (2013)

3. Since MoDOT will not allow the installation of Flashing Yellow Arrows at the intersection to mitigate the impacts of the proposed CVS Pharmacy and the construction of additional lanes at the intersection would require multiple property owner cooperation, 15-feet of right-of-way is dedicated along Providence Road for the use of future road improvements.
 - a. As a short term solution, additional green time could be provided to the northbound and westbound left-turn to improve overall signal operations.
4. Northbound and southbound 4th Street at East Broadway will continue to operate poorly due to lack of adequate gaps along East Broadway. Alternative routes are available to minimize left-turns at the intersection.

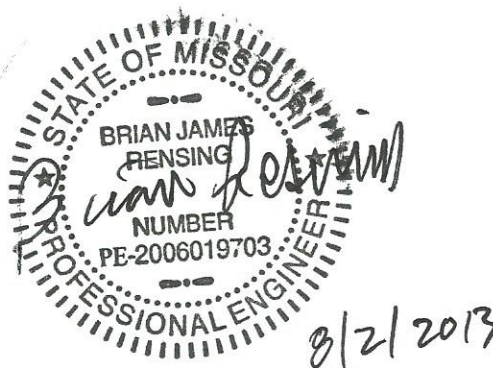
5. The proposed drive-thru will now exit to 4th Street, which is the lowest volume road possible, and operates at acceptable Levels of Service.
6. The proposed development would also significantly improve the access management along the south side of East Broadway and the west side of 4th Street by eliminating up to 21 head-in parking spaces (7 on East Broadway and 14 on 4th Street) and by converting the City parking lot in the southeast corner of East Broadway and Providence Road to a pocket park, thereby eliminating the existing access at the corner of the intersection.
7. The revised site plan also includes a 10-foot sidewalk, a shaded pedestrian area, and five feet of right-of-way dedication along East Broadway to improve the pedestrian connectivity to the Central Business District.

20-Year No-Build (2033)

8. Increases in background traffic would further degrade operating conditions at the signalized intersection if no improvements are made.
 - a. Major corridor redevelopment would be needed to achieve acceptable operating conditions at the intersection of East Broadway and Providence Road.

20-Year Build (2033)

9. Assuming the 15-foot wide right-of way dedication along Providence Road is utilized for the ultimate construction of a dual northbound left-turn, the northbound delay would drop from over two minutes of delay on average to just over one minute of delay on average during the p.m. peak hour. The northbound left-turn queue is expected to be reduced from more than 459 feet to 173 feet, which would be a dramatic improvement.



Brian J. Rensing, P.E., PTOE



DEPARTMENT OF THE ARMY
KANSAS CITY DISTRICT, CORPS OF ENGINEERS
STATE REGULATORY PROGRAM OFFICE - MISSOURI
221 BOLIVAR STREET, SUITE 103
JEFFERSON CITY, MISSOURI 65101
August 20, 2013

REPLY TO
ATTENTION OF:
Missouri State Regulatory Office
(NWK-2013-00896)
(Boon County, Mo, NWP NO. 39)

Donn Fizer
Orange Development
1200 Corporate Drive
Birmingham, Alabama, 35242

Dear Mr. Fizer:

This letter pertains to an application submitted on your behalf by Carlson Consulting Engineers, Inc. for a Department of the Army (DA) permit. The proposed work concerns activities in waters of the United States associated with the redevelopment of commercial property in Columbia, Missouri. The project is titled "CVS Pharmacy #10004" and is located in Columbia at the Southeast corner of Broadway and Providence, in Section 12, Township 48 north, Range 13 west, Boone County, Missouri.

Section 404 of the Clean Water Act (33 U.S.C. 1344), which is administered under Federal regulations 33 C.F.R. 320-332, provides the Corps of Engineers with regulatory jurisdiction over all waters of the United States. These provisions require prior authorization from the Corps of Engineers for the discharge of dredged or fill material in waters of the United States, including wetlands.

This letter contains a preliminary jurisdictional determination (PJD) of the waters of the United States on the project site which was completed in accordance with Corps regulations at 33 CFR Part 331. PJD's, while sufficient for permit determinations, are not appealable. If you wish, you may request an Approved Jurisdictional Determination (which may be appealed) by contacting our office for further instructions. The PJD is described in the enclosed *Preliminary Jurisdictional Determination Form*. We request that you sign the signature block, and return the form to our office. If you do not concur with the jurisdictional determination, then you will need to obtain an Approved Jurisdictional Determination from our office prior to impacting any waters identified in the PJD. This jurisdictional determination is valid until the expiration date of the permit authorization, unless new information warrants a revision.

Based upon a review of the information furnished, we have made a preliminary jurisdictional determination that the waterway (named Flat Branch) traversing the property possesses an ordinary high water mark at this location and is a jurisdictional water of the United States. Therefore, the placement of dredged or fill material below the ordinary high water elevation as proposed by your project requires permit authorization from this office.

We have determined that discharge of fill in the jurisdictional waterway at the project site during construction activities required to extend an existing dual 10-foot by 10-foot concrete box culvert an additional 157 linear feet for access and parking purposes at the site is authorized by nationwide permit (NWP) No. 39, **Commercial and Institutional Developments**, provided you ensure that the conditions listed in the enclosed copy of excerpts from the February 21, 2012 Federal Register, Issuance of Nationwide

Permits, are met. In addition, you must also comply with the project specific compensatory mitigation requirement described below and the Kansas City District Regional NWP Conditions posted at: <http://www.nwk.usace.army.mil/Missions/RegulatoryBranch/NationWidePermits.aspx> . We have attached your design plans submitted with the application to this verification letter. If your project designs changes you must contact this office for a new permit determination.

Compensatory Mitigation Condition --

The District Engineer has determined that the adverse environmental effects of this project are minimal, both individually and cumulatively, with the inclusion of the following special permit condition in order to replace the lost aquatic resources that result from the authorized project:

- You must purchase 161 stream credits from an approved compensatory mitigation bank or from an approved in-lieu fee program in the service area of the project. At this time there are no currently approved mitigation banks available in the service area of your project; however, there is one approved in-lieu fee program available for mitigation credit purchase (The Missouri Conservation Heritage Foundation, Stream Stewardship Trust Fund). The compensatory mitigation credit purchase must be completed **prior to the commencement of work within our regulatory jurisdiction**. You must submit a receipt of payment from the mitigation bank or in-lieu fee program sponsor that includes the amount of credits purchased and the date of credit purchase. Receipts submitted by authorized agents will not be accepted.

The Missouri Department of Natural Resources has certified that this NWP will not violate existing state water quality standards provided you comply with the conditions included in their attached certification document. All conditions included in the water quality certification become conditions of the NWP authorization. Please review all conditions associated with this NWP. If you have any questions concerning state water quality standards or compliance issues with the associated certification conditions, please contact the Missouri Department of Natural Resources, Water Protection Program, P.O. Box 176, Jefferson City, Missouri 65102-0176. You may also contact the office at 573-526-3589 or by email at wpsc401cert@dnr.mo.gov.

This NWP verification is valid until March 18, 2017. Should your project plans change or if your activity is not complete within the specified verification term, you must contact this office for another permit determination. **General condition 30** requires you to sign and submit the enclosed "Compliance Certification" upon completion of the authorized work and any required mitigation.

We are interested in your thoughts and opinions concerning your experience with the Kansas City District, Corps of Engineers Regulatory Program. Please feel free to complete an electronic version of our Customer Service Survey form on our website at: <http://per2.nwp.usace.army.mil/survey.html>. You may also call and request a paper copy of the survey which you may complete and return to us by mail or fax.

Mr. James A. Ptacek, Regulatory Project Manager, reviewed the information furnished and made this determination. If you have any questions concerning this matter, please feel free to contact Mr. Ptacek at 816-389-3834 or email to james.a.ptacek@usace.army.mil. Please reference Permit No. NWK-2013-00896 in all comments and/or inquiries relating to this project.

Enclosures

Copies Furnished (electronically w/o enclosures):

U.S. Fish and Wildlife Service, Columbia, Missouri
Missouri Department of Natural Resources,
Water Protection Program
Missouri Department of Conservation

Copy Furnished (hardcopy):

Carlson Consulting Engineers, Inc.
7068 LedgeStone Commons
Bartlett, TN 38133

Mayor and Members of City Council
Members, Columbia Planning & Zoning Commission
701 E. Broadway
Columbia, Mo 65201

Re: Application for Permanent Rezoning and C-P Development Plan/ Missouri CVS Pharmacy LLC

Dear Members:

On Tuesday, July 23, the Downtown Columbia Leadership Council discussed the proposed Application for Permanent Rezoning and C-P Development Plan by Missouri CVS Pharmacy LLC after hearing a presentation by City Planner Steve Macintyre. This property is currently zoned M-1 and C-2 and currently includes open space and greenbelt. The applicant has requested the property be zoned C-P.

The DLC has several concerns and recommendations regarding the proposed application that merit your attention and discussion.

- 1. Proposed Application is out-of-context with Downtown Charette Report.** In 2009, with the help of H-3 Studios, the DCLC completed a major review of this intersection as an emerging area of downtown. The public engagement process reflected in the Charette report offers important guidelines as you consider appropriate changes to this intersection.

The proposed application suggests a 1-story building of approximately 13,000 square feet. Single-story architecture prevents more dense use in the future. Based on H3's recommendations, a more appropriate development at this location "might" include a multi-story, mixed use building with CVS on the ground floor.

Imagine driving east on Broadway to the Broadway/Providence intersection. Today, on the right, we see an older two story masonry building next to some single story buildings. On the left we see a vacant lot. In the future, we believe Columbia will be a better city if these two corners have multi-story masonry buildings similar in scale and detail to the central business district. Instead, the applicant is proposing a single-story building oriented primarily to automobiles travelling north-bound on Providence. A development project at this location should be more compatible by enhancing the character and identity of our community.

The current proposal is not compatible with the community's desires as expressed in the Downtown Charrette Report. That report was the result of an open process involving thousands of hours of community input and participation. The proposed CVS store is a complicated project that should require much more community discussion and input.

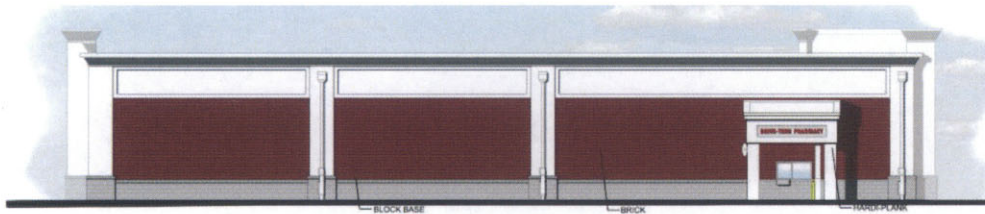
- 2. Planning & Zoning should require clear design expectations before approving the proposed C-P application.** The DLC is unable to determine from the architectural plans submitted whether the exterior is CVS' brick and cast-stone prototype or stucco or some combination. If the commission and council decide to approve this plan, it should require four-sided brick architecture consistent with downtown Columbia's historic vernacular. For example:

- According to Steve Macintyre, the Applicant is proposing "faux" front doors at the corner of Broadway and Providence. A "faux" corner entrance makes this a "dead" corner. Coupled with uncertain fenestration, a service door, and drive-thru exit on the north side of the building facing Broadway, leaves this entire block a windowless, lifeless stretch of Broadway. A fake-

front building may be appropriate for a frontier town or a movie set, but it is not appropriate for a significant corner of a vibrant downtown.

- On the Fourth Street elevation, the drive-thru lane is matched with a receiving door, trash-compactors and dumpsters leaving approaching consumers, customers of the historic Katy Depot, and Flat-Branch park users with another windowless façade.
- The so-called “front door” is buried in the Southwest corner of the building is accessible only from the parking lot and only when pedestrians cross over the drive-thru lane. Re-orienting the building similar to downtown retail may help correct several of these issues.

The Planning & Zoning Commission and the City Council should require the applicant to submit detailed architectural renderings and elevations that address these issues with four-sided, brick architecture that is pedestrian-friendly and which respects Broadway’s status as downtown Columbia’s major gateway.



Color elevations submitted by CVS Pharmacy to the City of East Point, Georgia. This elevation appears to be similar to the Fourth Street elevation contemplated for Columbia, Missouri.

3. **This location requires proper Gateway and Corridor planning.** Many groups are currently working on the concept of a "gateway" to downtown in the area of Broadway and Providence and Broadway and Fourth Street. The current configuration of the CVS proposal would require vehicular traffic exiting their drive-through to be dumped immediately adjacent to the Fourth and Broadway gateway location, which is not acceptable. In addition, the African-American Heritage Trail planned by the Columbia Parks and Recreation continues along this portion of Fourth Street. As previously noted, the Fourth Street elevation proposed by the applicant as a windowless, drive-thru lane and service corridor is unacceptable.

Clear expectations and color elevations for all lighting and signage, monument signs, and concomitant “Health”, “Beauty”, “Photo”, “Drive-thru Pharmacy” signage affixed to the building should be required prior to approval of the application.

With additional development occurring at the Lucky’s Market on the southwest corner of Providence and Broadway intersection, this would be a good opportunity to re-examine likely traffic patterns in this area. Additional consideration of Locust street, Cherry Street, Second Street may result in the elimination of yellow delineators, better traffic ingress and egress for all businesses, and improvements that capitalize on the presence of Columbia Cemetery and Flat Branch park as historic and cultural amenities.

4. **Impact to Flat Branch Park.** The proposed application has several consequences for the City’s Flat Branch Park and creek. The proposed application requires two 10 x 10 box culverts and 16-foot tall block retaining wall in the middle of Flat Branch Park. At a time when the City of Columbia is daylighting and beautifying significant portions of Flat Branch and Hinkson creek in the downtown area, it does not make sense to bury 160 feet of creek near the downtown’s MKT Trailhead.

The city's H3 Planning consultants identified a lack of connection and visibility for Flat Branch Park from Providence. Extending Cherry Street for sole use by CVS further solidifies this lack of access.

Instead, H3's concept for the Broadway & Providence priority area is to create a new central, green civic space by expanding Flat Branch Park, surrounding it with dense new development and infill development, and connecting the areas with urban boulevards, bike boulevards, and signature streetscapes.

On page 28 of the Downtown Charette Report, there are a number of more detailed key recommendations including the following:

- Building upon the African American history & culture of the area including the Blind Boone House, Second Baptist Church, and utilizing historic Water Street (currently Fourth Street) to connect to the CHA housing and the Frederick Douglas High School;
- Reinterpretation of the Flat Branch Creek landscape as a public space amenity and "Green Gateway" into downtown Columbia (see images below);

According to H3 Studios:

With the new proposed development between the Columbia Cemetery and the Flat Branch Creek Greenway, there is a great opportunity to implement comprehensive conservation stormwater management best management practices on the parking lots and landscaped areas which will greatly improve water quality at the headwaters of Flatbranch Creek and decrease flooding. Providing linear bioretention from Park Avenue to the north down to the beginning of the park area just south of Broadway can also mitigate some of the water quality issues related to a "piped" waterway as well as reduce runoff into the system. The expanded park itself provides a space for more extensive rainwater gardens along the waterway that are both attractive landscaped areas as well as structured stormwater solutions. The MKT bike trail along the creek can be designed as a stormwater interpretive trail as a "trails to swales" design to educate the public on how different conservations stormwater techniques work in practice.



Proposed streetscape improvements on northbound Providence with an expanded Flat Branch Park and green gateway to Downtown Columbia.

- 5. Use of City-Owned Property at Providence and Broadway.** Approval of the Applicant's proposal to rezone requires the City of Columbia to forfeit its use of city-owned property at the critical intersection.

Page 3 of the Application for the Permanent Rezoning of Property states:

"The City shall not permit any other improvements or construction on the City Parcel and shall keep the City Parcel free of any and all obstructions which would interfere with the use thereof by the Applicant, including, without limiting the foregoing, the City Parcel shall not contain anything that inhibits the view of the Property and the improvements constructed thereon pursuant to the C-P Plan approved along with this rezoning."

Simply put, the City of Columbia should not abrogate its rights to taxpayer-owned property at this corner for the benefit of private enterprise. The city owns more than 8,000 square feet of property at this major intersection to Columbia's downtown that could be the future location of signature landscaping and signage to downtown, downtown gateway, public art, green space and extension of MKT trailhead. Instead of accepting the applicant's request for deeded right-of-use, the City of Columbia should begin land acquisition for the expansion of Flat Branch Park.

As noted in the Downtown Charette Report, the expansion of Flat Branch Park west to Providence Road—and positioning Flat Branch Park as the civic centerpiece to the western gateway to Downtown—will require significant time and resources to complete full land acquisition and assembly. It is important that City begin to put in place the mechanisms required to complete this expansion and endeavor to purchase the necessary land as it becomes available over the coming years.

The proposed Application for Permanent Rezoning and C-P Development Plan by Missouri CVS Pharmacy LLC requires considerable leeway and cooperation from the City of Columbia, including:

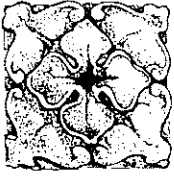
- Permission to extend Cherry Street for ingress to the drive-thru lane.
- Curb cuts on Fourth Street for a drive-thru exit within feet of the Broadway/Fourth Street intersection.
- Considerable imposition on a city-owned park.
- Considerable environmental and stormwater implications by burying 160 feet of Flatbranch creek in the middle of a 100-year floodplain.
- Use of City-owned land at a major intersection and gateway to downtown to meet the applicant's 15% minimum landscaping requirement.

Given the investment of tax dollars in this area, we suggest this gateway intersection be developed utilizing the professional recommendations of H3's Charette Report. Thank you for your careful consideration of these issues as you evaluate this application in favor of a project that closely aligns with the public interest and long-term vision for this area.

Sincerely,

DOWNTOWN COLUMBIA LEADERSHIP COUNCIL

Brent Gardner, Chair



Columbia Historic Preservation Commission

Commissioners

Brian Treece – *Chair*
Robert Tucker – *Vice-Chair*
Brent Gardner
Debby Cook
Patrick Earney
Douglas Jones
Paul Prevo

c/o Department of Planning and Development
City of Columbia
P.O. Box 6015
701 East Broadway
Columbia, MO
www.gocolumbiamo.com/Planning

August 14, 2013

Mayor and Columbia City Council
Members, Columbia Planning & Zoning Commission
Eighth Street & Broadway
Columbia, Missouri 65203

Re: Application for Permanent Rezoning and C-P Development Plan/ Missouri CVS Pharmacy LLC

Dear Mayor, Members of Council and Commissioners:

The City of Columbia's Historic Preservation Commission reviewed the Application for Permanent Rezoning and C-P Development Plan by CVS Pharmacy at our August 6 meeting. After considerable discussion, the Historic Preservation Commission voted unanimously to recommend denial of the application.

Much of the City of Columbia's original settlement and early homesteads occurred in the Flat Branch Creek area that is now the subject of this proposed development. The location of Flat Branch Creek became important to early tanning and trade businesses and significant African American entrepreneurship including a butcher shop owned by John Lange Sr. The historic assets of Flat Branch Creek eventually resulted in Market Square (on Fourth Street, formerly Water Street), attracted a spur and 1909 depot of the Missouri-Kansas-Texas Railroad, and inspired early growth in the development of Columbia's Downtown^{1 2}.

With more than \$200,000 in federal funds and \$1 million in state funds³, the City of Columbia initiated a transformational effort to develop Flat Branch Park in 1997 after considerable industrial use. The applicant's proposal to bury 160 feet of Flat Branch Creek and build a 16-foot retaining wall adjacent to Flat Branch Park greatly diminishes taxpayers' investment in this area.

The proposed C-P plan will not only result in demolition of three cultural assets but will also alter the historic complexion of downtown. Replacing a two-story façade with a 1-story building with a stucco cornice is inconsistent with the look and feel of Columbia's historic downtown. Instead of proposing a building that is historically and culturally appropriate to downtown, the applicant is forcing a suburban prototype store into an urban setting. The poor use of a suburban prototype in this location creates a plan with awkward front-door placement, faux corner, auto-oriented access and a drive-thru lane that work to limit or prevent convenient pedestrian access expected in an historic downtown.

We encourage the Planning & Zoning Commission and the City Council to reject the proposed application. If development must occur at this location, we recommend a downtown retail-form building appropriate to the Broadway and Providence intersection that respects the historic architecture of Katy Station and downtown, and which embraces Flat Branch Creek and Park.

Sincerely,

HISTORIC PRESERVATION COMMISSION

¹ City of Columbia Charette Report; prepared for the City of Columbia and Downtown Leadership Council by H3 Studio; October 2010.

² Flat Branch Historic Walk; The District; http://www.discoverthedistrict.com/historic_walk/flatbranch.html.

³ "Historic Flat Branch evolves from eyesore to attraction"; by Ray Beck; Columbia Business Times; December 1, 2007.

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Subject: ICE HOUSE AND MCADAMS

From: Kathie Reid <kathiereid@gmail.com>

To: sjmacnt@gocolumbia.com

Content-Type: multipart/alternative; boundary=047d7b5d48a66c478104e2faf695

As an interested resident of Columbia, I am distressed to think that we could lose some of the beautiful settings we have here in our town. Without saying, the Ice House definitely has HERITAGE written all over it and McAdams is a landmark, always pleasing to the eye, decorated each and every season and offering the elegant, the unusual, the unique, the distinctive artifacts, gifts, home decorations, and personal service that Columbians have come to expect and cherish.

How could you put a big fat box on that location, without any consideration to the final appearance to a corner that now boasts flower boxes, hanging flower baskets, and eye -pleasing buildings and customer convenient parking locations, too?

How could another huge unattractive behemoth of a building enhance our downtown area, when so much is being done to revive it? And so much success is already in evidence?

Another parking lot????????????????????

Respectfully,

Kathie Reid

Steve MacIntyre <sjmacint@gocolumbiamo.com>

Mon, Aug 5, 2013 at 11:05 AM

To: Kathie Reid <kathiereid@gmail.com>

Hi Kathie,

Message received! Thank-you. I will forward this to the Planning and Zoning Commission immediately.

Have a nice day!
Steve

Steve MacIntyre, Planner
City of Columbia - Community Development Dept.
573-874-7682

[Quoted text hidden]

To: PAT ZENNER

September 09, 2013

Committee members of the
Planning & Zoning Commission

Re: CVS Pharmacy & box store
at Providence & Broadway
(Case # 13127)

Per your request, I am expressing my resolute & unequivocal objection to the CVS Pharmacy box store replacing McAdams Ltd. & the former ice house on the corner of Providence & Broadway on the southwestern edge of ^{the} downtown district of Columbia.

I moved to Columbia in 1968 to attend physical therapy school at Mizzou & graduated in 1970. My husband, Frank, graduated from the MU school of forestry with a BS in 1968, served in Viet Nam, & then received his Master's Degree in 1971. We relocated in Columbia permanently in 1977. His final career position prior to retirement was district conservationist for the soil conservation service. We now own & operate a vineyard on the Missouri River bluffs & consider Columbia our home.

I have been a satisfied customer of McAdams Ltd. through previous owners to the present for over 45 years. Rebecca & Charlie have embodied the aesthetic degree of excellence that been the traditional hallmark of distinction at McAdams Ltd. Just as people equate Mizzou campus with landmarks such as Jesse Hall, Memorial Union, the columns, Truman & Faunt Field, I classify & attach the same inseparable significance to McAdams Ltd. & the former ice house in "the district" of downtown Columbia.

I have witnessed & experienced, first hand, Columbia's "growing pains" playing "catch up" with the increasing population in our road construction, market trends, policy issues & social & cultural changes. During all those events, optimistically, Columbia is ultimately understanding & acquiring the tenacity to retain these irreplaceable landmarks - things of lasting beauty & historical significance that make this exceptional city the distinguished caliber it is today.

Keeping McAdams Ltd. & the former ice house in their present location can only advance the preservation & embrace the unique blend of eclectic charm, beauty & harmony in our past, present & future. This can only enrich & enhance our cultural historical heritage in succeeding generations.

Thank you for your time in considering my opinion

C. Jan Thomas, 4th ward councilman
c. McAdams Ltd.

Sincerely,
ii Frances Gordon

Excerpts
Planning and Zoning Meeting
September 19, 2013

V.) PUBLIC HEARINGS

13-127 A request by Mark Stevenson, Trustee of the Mary M. Hackett Trust No. 1 (owner), to rezone approximately 1.39 acres of land on the southeast corner of Providence Road and Broadway from C-2 (Central Business District) and M-1 (General Industrial District) to C-P (Planned Business District), and for the approval of a C-P development plan to be known as “CVS C-P Development Plan”. (This project was tabled at the August 22 and September 5, 2013 meetings.)

DR. PURI: May we have a Staff report, please.

Staff report was given by Mr. Steven MacIntyre of the Planning and Development Department. Staff recommends denial of both the rezoning and development plan requests.

DR. PURI: Commissioners, any questions for the Staff? Mr. Wheeler?

MR. WHEELER: Was there any calculation done on what the impervious surface is currently and what the proposal --

MR. MACINTYRE: Oh, yes. With the exception of the one request for a variance from the setback, actually the applicant has met all requirements including the 15 percent open space requirement of the C-P district.

MR. WHEELER: And I appreciate that, but my actual question is what's the calculation of existing impervious surface as opposed to --

MR. MACINTYRE: Oh, I'm sorry.

MR. WHEELER: -- what this proposal would be?

MR. MACINTYRE: No. We don't know the existing --

MR. WHEELER: Comparable.

MR. MACINTYRE: I'm not aware of that. I can tell you that there's a small lawn portion. I actually had difficulty finding enough green space to insert a sign. So there is a small green area off of Providence Road. I think this would very likely -- the proposed plan would probably increase the pervious area, the open space, from what exists currently.

MR. WHEELER: And one other thing. I've never heard this asked, but I'm just curious: Does traffic -- or does Public Works or traffic engineer upstairs look at the turning radius from the drive-through? It looks to me like it's crowding that entrance onto Fourth Street so that a right-hand turn movement is going to be a little tight. Does our traffic engineer look at that?

MR. MACINTYRE: Yes, he would've. I didn't receive a specific comment on that from him. I believe, and you may have noticed this on the plan, that there is a portion of that radius which I

believe would be painted or at least a mountable curb to allow for some wider turn movements in tight spaces.

MR. WHEELER: Thank you.

DR. PURI: Any other questions, Commissioners, of the Staff? Mr. Reichlin?

MR. REICHLIN: I thought I heard in conversation that the proposal in front of us today was not necessarily a requirement for their being able to develop the property as is. Can you comment on that?

MR. MACINTYRE: Yeah. That was an early perception that we had, and I'll go back to the zoning map here to illustrate that that, in fact, was an erroneous assumption on my part, and I may have shared that with a few folks along the way. In seeing the zoning line here between the M-1 and the C-2 district, the C-2 district does not accommodate surface parking as of right. It could be accommodated through a conditional use permit, which would require Board of Adjustment action and approval. So once we overlaid the plan on top of the zoning, we can see that the northern row of surface parking, which I believe amounts to 12 or 13 parking spaces, possibly 14, would not be permitted under the existing district. So perhaps there would be an option for development of this site with a structure as shown, generally, and the parking in the M-1 to exist, but not the surface parking in the C-2 district.

MR. REICHLIN: So then, that said, there is a venue for the applicant to go forward, a set of scenario, let's say.

MR. MACINTYRE: There's potentially an alternative venue here -- option.

DR. PURI: Mr. Vander Tuig?

MR. VANDER TUIG: I'm trying to remember, and I think the stormwater ordinance has changed since I was in the development game, but is C-2 exempt from meeting the stormwater ordinance with respect to water quality and quantity?

MR. ZENNER: There is a -- under the current stormwater ordinance, I think what you're referring to is the impervious -- the variation between the impervious covers between what exists today and what would exist under reconstruction. There is a threshold by which if you exceed the existing impervious -- and I cannot remember the number right now off the top of my head -- you would have to comply. There is not, if I recall correctly, also an exemption that applies anymore for the C-2 zoning district as it did previously, hence the reason for the variation in the impervious cover between pre and post. Based on the fact that this site would be completely cleaned and then started all over again, it likely would not qualify under the redevelopment, I believe. But then again, with the way the stormwater ordinance changes have occurred, it very possibly could be considered redevelopment if we're not increasing the impervious area from what was previously there, which then you wouldn't have any additional stormwater requirements. It's still going to be required -- water quality will still apply, just the quantity side of it likely is not going to have to deal with anything new, as we understand.

MR. VANDER TUIG: Okay. Thanks a lot.

DR. PURI: Commissioners, any other questions of the Staff?

MR. STRODTMAN: I have one. You might have mentioned this, but how many feet of the flat branch creek are they proposing to cover?

MR. MACINTYRE: I believe it's 157 feet.

MR. STRODTMAN: Thank you.

MR. WHEELER: If I can follow --

DR. PURI: Mr. Wheeler?

MR. WHEELER: And what portion of that is three-sided now, I mean, bottom, two sides?

MR. MACINTYRE: I believe the entire length of that is three-sided. In fact, the McAdams' building cantilevers over -- or is piered over a good portion of that. It's kind of a partial roof, and that may have -- I think when the Corp did their calculations for mitigating that -- because there's a fee as I understand it, and please don't ask me specifics about this because I've only seen a letter and I only have general information -- but they did not count the portion where the building currently hangs over because technically that isn't open, I think. So interesting situation there to say the least.

MR. WHEELER: Thank you.

DR. PURI: Mr. Lee?

MR. LEE: Wouldn't it be advantageous to have the creek covered over completely? Because I went down there and looked the other day and there's a lot of standing water, there's a ton of gang graffiti on the walls, and there's a whole lot of area that you can't see back up under there that is open that I don't think I'd go down there at night without a SWAT team because it looks like it could be a crime waiting place to happen.

MR. MACINTYRE: I think that's a subjective kind of question. Some folks have certainly -- those who participated in the downtown charrette a few years ago suggested that they would like to see it open all the way out to the intersection of Broadway and Providence. However, there may be practical considerations that make that infeasible, such as maintaining or establishing a stable slope on both sides of it, of the creek, if it were to be opened and, you know, somehow mitigated, brought back to its former glory, if that's even possible. But I think the road, you know, Providence Road may actually present a barrier in achieving the three-to-one slope I think was suggested was needed to accommodate bringing back slopes on there. Not to mention the disturbance of what's currently contained and for the most part stable. So I don't really have a good answer to your question, I'm afraid.

MR. LEE: Well, I would suggest that the money to do that is not available given all the other things that we have to spend money on. Thank you.

DR. PURI: Mr. Reichlin?

MR. REICHLIN: Going forward with that line of thought, can you help us with how much of the Flat Branch Creek is already boxed?

MR. MACINTYRE: Oh, I believe it starts up around Lynn Street.

MR. REICHLIN: Okay.

MR. MACINTYRE: Somewhere actually near -- around the corner of Garth and Sexton maybe. I know it flows through there and a little bit west.

MR. TEDDY: Two tributary streams coming together.

MR. MACINTYRE: So in terms of the overall covered Flat Branch Creek, this is -- this additional is, safe to say, a small percentage of it?

MR. MACINTYRE: Oh, I think that's very safe to say, that this is a small percentage of the total creek.

MR. MACINTYRE: Thank you.

DR. PURI: Any other questions, Commissioners? I have one question. I have a question about this exit from this drive-through. I think Mr. Wheeler touched a little bit on the radius there, but did anybody look at how close it is to Broadway when people turn in from Fourth Street, for example, or turn out?

MR. MACINTYRE: Yes. And that was -- it was actually one of my early review comments and concerns. It was run by our traffic engineers and determined that it wouldn't be an issue at this location. However, our traffic department would like to see it as a right-out only, as opposed to being -- having the possibility for left turn exit directly toward Broadway there. And that is something that the applicant has not agreed to at this point, so they're still showing it as a right-out, left-out.

DR. PURI: All right. Any further questions, Commissioner?

MR. VANDER TUIG: Can you explain a little bit more about the limitations to the City parcel with respect to the statement of intent?

MR. MACINTYRE: Certainly. Really, the only restriction would be regarding visibility of the CVS property behind the parcel from the intersection. And the wording is fairly open-ended. It's -- it suggests that it be reasonable in terms of -- and I'll find that section specifically. If you don't mind, I'll just read this out: The downtown community improvement district shall be permitted to construct and maintain decorative elements such as landscaping, signage, public art, lighting, and -- I'm going to skip forward here to the next paragraph, actually. I think that's more relevant. Section F of the statement of intent states that the applicant shall maintain in good order, condition and repair in conformity with all applicable laws and consistent with the C-P plan landscaping improvements it installs within the pocket park. And then the following section gets to your question of restrictions to the City. In paragraph G, the final paragraph of the statement of intent it states that, The City shall not construct or permit obstructions within the pocket park that would interfere with the use of the pocket park as a public pocket park or with the maintenance of the pocket park by the applicant. Without limiting the foregoing, the pocket park shall not contain anything that, in the commercially responsible -- or pardon me -- in the commercially reasonable discretion of the application, inhibits in a detrimental manner the view or visibility of the property and the improvements constructed thereon.

So nothing to obstruct the reasonable -- commercially reasonable -- you know, within the commercially reasonable discretion, the view of the property.

MR. VANDER TUIG: It's safe to say from Staff's perspective that a gateway project would likely not meet those requirements?

MR. MACINTYRE: I don't believe that a gateway project would necessarily need to be elevated to the point or create an obstruction to be successful. However, in lieu of a design, I think it's -- because that gateway project or improvement hasn't been designed yet, it's impossible to say definitely at this point.

MR. VANDER TUIG: Sure.

MR. ZENNER: I would also suggest to you that, unless the attorney representing CVS has knowledge to the difference, our City legal staff has not commented on this particular section, therefore the applicability of it at this point for inclusion into a final statement of intent that goes before City Council has not yet been determined. We do not have any knowledge that the City has accepted this particular condition. It has been presented as a part of the package in order to allow for the maintenance of what currently is a surface parking lot, and to be incorporated into this site as part of its improvements and then for its ultimate future maintenance. I would suggest to you that the details have not yet been hammered out to our knowledge further up beyond your level at this point.

MR. VANDER TUIG: Okay. Thanks.

DR. PURI: Any other questions, Commissioners? Okay. This is a public hearing item, so some rules of engagement here: The proponents of the project will speak first and they will be given six minutes, and any organized opposition will also be given six minutes. Any other speaker will be given three minutes.

PUBLIC HEARING OPENED

MR. HOLLIS: Good evening. Robert Hollis, Van Matre Law Firm at 1103 East Broadway, here on behalf of the applicant. I've got a lot of information here for you and we'll sort of try to pick through what you've already asked about so as not to bore you. Also with me here this evening is David Barnett, who's the lead civil engineer for the project, as well as Brian Rensing, who's a traffic engineer who conducted the traffic impact study. It was already mentioned, there's 40,000 square feet there now, approximately. It is open -- open zoning so M-1 doesn't require any sort of plan, same with C-2. And there are 89 parking spaces. I've listed dangerous conditions because I was talking about what Mr. Lee mentioned. I did go look at the site and I would encourage all of you too, and hopefully some of you did in advance. But we've got a couple of pictures here that might be helpful. The unrestricted access points, as referenced to, really it's not really like a driveway. It's, like, open, so you can pick your spot in some places to turn in, and that all goes away. As far as Mr. Reichlin's question about whether or not the plan could be constructed, no. I don't think it could, but it wouldn't be the plan that would be constructed. It wouldn't have to be. The building wouldn't have to be located where it is shown. The parking spaces certainly wouldn't be on the C-2 portion,

they'd be on the M-1 portion. So the idea of this slide is to show where the building could be located there on the blue portion and where the parking would most likely be located on the red. Also, should the plan not be approved with the rezoning and it is redeveloped and it's not a CVS, then I put a few of the list -- permitted uses under M-1. Fairly onerous, yet you'd still be looking at a building permit only. Really a non-discretionary decision on behalf of the City. If it's approved, this is what you get and this is a view from where the -- maybe it's Check Into Cash. It's the cash location sort of to the northwest of where the CVS would be located. And I won't spend too much time on this, but you can see the pocket park as proposed. There's a sign in the pocket park. I want to point that out because also in the statement of intent is a grant to the CID, should it want to include some sort of amenity in the pocket park. It doesn't have to be sign. Should it want to, it can place something there. We've put a sign there because they don't know. As to the gateway question, after speaking with Mr. Glasscock, he directed me to the downtown CID -- who we have a letter from them also -- to talk about the gateway project. And frankly, I don't think it's been determined necessarily where the gateway is and, in fact, the gateway may be at Fourth and Broadway. So it's really in the preliminary stages as I understand it, yet what we're proposing is the pocket park as part of a gateway and then the improvements that you see along Broadway, along with the pocket park, would be considered red carpet to the great way -- or to the gateway in the event that Fourth and Broadway becomes the gateway. I want to back up because I've heard this from a few different people and it came from me first, and that was when I first talked to CVS, my response was, You guys didn't know there's a Walgreens across the street? There is. We don't need a CVS there. You're crazy. Why would you choose that spot. It's just ignorance on my part. Those are the spots that they look for. Those are the spots that CVS chooses. Those are the spots that Walgreens chooses. They want to be across from each other. It's very common. I didn't know that. If I knew it, I hadn't paid attention. So that is sort of a silly question, but it's what I asked. A couple of highlights: It's a down-zoning. We're going from M-1 and all C-2 uses to C-2 uses that Staff thinks is appropriate for this site. The parking is reduced. There's a connection to the park, which Mr. Barnett will point out to you on some of the other slides. The downtown sidewalk requirements are vastly exceeded, especially when you look at Broadway a little more closely. The dangerous conditions which exist will be removed, and you get a pocket park which didn't exist before. Here's a picture, and this is if you are looking in the direction -- I believe if you're looking in the direction of the current structures. And the overhang that you can see, you know, it's three sides, but you can see that it's -- and we're at the far south end, I think. You can see that the overhang continues to increase over the stream. It certainly doesn't look like a stream, but this is what it looked like. I had no idea. I thought we were talking about a stream that was uncovered. And, you know, I heard talk of daylighting this. It also seems a little silly. Here's the roof you can see, just a close up with some of the graffiti. These are relatively recent, maybe within the last year and a half. On to what I think matters and that's Staff recommendation, and it's negative. And knowing that that was coming, or having a feeling that that was coming after working

with Staff for a really long time, it's understandable. And I want to stress that it's understandable and expected from CVS because Staff doesn't have a choice, and they're constrained by the application of the plans. And I take issue with using the word "plans" because I don't think they are, at least with respect to the charrette and the policy guideline for Providence. They are guidelines. They are not laws. They are not mandates. When Council approved --

DR. PURI: Mr. Hollis, your six minutes are up, actually.

MR. HOLLIS: Can I have 45 seconds to finish?

DR. PURI: No. I've given you 15 more seconds than that. Can you wrap it up.

MR. HOLLIS: Here's a copy, just in case you're interested, of the Providence Road corridor policy, the charrette, which I think you've already seen. This -- if the stream were to be daylighted, the green area would show what would have to be uncovered, which would take all structures off the building -- off the site. Appreciate your time.

DR. PURI: Commissioners, any questions of the speaker?

MR. HOLLIS: Thank you.

DR. PURI: Next speaker?

MR. BARNETT: Good evening. David Barnett with Carlson Consulting Engineers, 1109 Simmondsridge, Collierville, Tennessee. I'm the civil engineer for CVS on this project. Here you see a copy of the colored site plan. I think you've seen it before. I'll go into more detail on that in just a second. We included the C-P plans, the development plans that we submitted to city Staff in here. If there's any, you know, detail questions on the site itself, I'll be happy to answer them, but I'm going to skip over those just due to time constraints. There's the site plan, a little more detailed site plan, grading plan, and the landscape plan. I want to touch on a couple of key features on this. Going back to I think it was Mr. Wheeler's question, we are reducing the impervious surface from what exists now. It's close to a 10 percent reduction from what's out there today to what we're proposing. If you look at the total site, the total project area, including the pocket park, it's about a 25 percent green space coverage. The reduction in the impervious surfaces obviously reduces the stormwater runoff velocity into the creek. A couple of other features, the Broadway corridor, the pedestrian corridor, I just want to point out some features there. The streetscape basically from the building up to Broadway, it's lined with street trees, two rows of street trees. We also provide some pedestrian amenities including benches and also the street lights that were previously mentioned that match the ones in front of city hall. Also you'll see kind of a blow-up picture of the proposed pocket park. Now, that's completely impervious surface today, and as you can see it's going to be heavily landscaped green corner, provided some benches there, and also included the City of Columbia symbol there in the center, which is going to be stamped into the concrete. The 3D view, this was shown previously, from the intersection, just showing the corridor along Broadway, the streetscape, the pedestrian corridor, and also the pocket park at the corner. Some architectural highlights for the building elevations, I'll just touch on a couple of those real quick. As you can see, it is a brick building, all for

sides. There's some -- a large number of windows on the building, especially along Broadway for pedestrian traffic, and also on Providence. There's some decorative accent arches, as you can see with the EIFS above the windows. There's some accents with the bricks to break up some of the facade, some decorative touches with the bricks and also some varying parapet heights to add to the architectural features. Also, the drive-through shown as a single drive-through lane is more modern urban style drive-through instead of a --

DR. PURI: Your three minutes is up also. Will you wrap it up?

MR. BARNETT: Yeah, sure. Going back to the 3D view, you can see the architectural highlights I just touched on. And as previously mentioned, we're asking for a variance for the 20-foot setback along Broadway to site the building up closer to the street, which is typical of the character in the downtown CVD district.

DR. PURI: Commissioners, any questions for this speaker? Mr. Wheeler?

MR. WHEELER: I have a couple actually. Could you back up to the drive-through? I'm going to restate my question because apparently I didn't say that very well. But my concern is that I'm traveling northward alongside of the building. I get to the drive-up window and I'm trying to make a right-hand turn out of there. And it looks like to me we've accommodated those that decide they don't want to go to the drive-up -- or drive-through, but my concern, it's more those that went through the drive-up -- or drive-through window and now are making a right turn onto Fourth Street, and it looks like to me we start getting pretty tight at that point. And certainly at that point I kind of agree with Staff -- or the traffic engineer that making a left-hand movement onto Fourth Street when we've already crowded the north side of the site -- I hope you're following me or tracking me -- may interfere with traffic flow on Fourth Street. Is there any way -- because I'm sure you guys have built this building several times. Is there any way to move that to the south so that that right-hand movement -- and I'm under the assumption that something could be worked out with -- to approve this. Is there any way to move it to the south so that right-hand turn movement doesn't interfere with traffic flow on Fourth Street?

MR. BARNETT: We ran some car templates driving through the drive-through and exiting onto Fourth Street based on this configuration. And it is tight -- you're right -- but the cars can make that exit maneuver onto Fourth Street. We actually ran some trucks, like F250 trucks. They actually make that maneuver fine. It is close to Broadway -- you're right -- but we actually don't have much flexibility to move it away from the intersection unfortunately. So it does work as far as, you know, cars exiting the site.

MR. WHEELER: Okay. And then another question is I noticed on the height -- and I'm assuming that I got this correct, but the height of the building is 26 feet?

MR. BARNETT: Yes, sir.

MR. WHEELER: Thank you.

DR. PURI: Commissioners?

MR. STRODTMAN: I have a quick --

DR. PURI: Mr. Strodman.

MR. STRODTMAN: -- follow-up question to Mr. Wheeler. Why can you not move the drive-through? You said you were not able to do that. Is that because of the use is not allowing you to do that?

MR. BARNETT: The internal workings of the CVS, when you walk in the front door, what they have it's called the Life way Aisle, where it's a path that kind of meanders back to the pharmacy area. And on either side of this path will have shelving that backs up to this path, it'll have merchandise on the ends of the rows and, you know, sale items. And what they've found is the longer this path to get to the pharmacy, the more likely people are to take things off the shelves and put it in their cart and spend more money. So the longest path that they could provide is putting the pharmacy at the far corner from the building entry, so that's why it's shown in the northeast corner, you know, directly opposite from the front door. So that's the reason why it's sited in that location.

MR. STRODTMAN: So it's more that they don't want to as opposed to they can't.

MR. BARNETT: Correct. Yes.

MR. STRODTMAN: Thank you.

DR. PURI: Mr. Vander Tuig?

MR. VANDER TUIG: I'll probably ask this of the traffic engineer as well, but with respect to the right turn lane off of Providence, is there any site constraints as to the reason why the applicant is against that recommendation by City Staff?

MR. BARNETT: No. We're providing an additional 15 feet of right-of-way. We're deeding that over to the City and the State to allow for the construction of that turn lane in the future. We don't feel that the impact of the site on roadway system warrants the construction of that turn lane at this time.

MR. VANDER TUIG: From the traffic generation of the development itself, you mean?

MR. BARNETT: Yes, sir.

MR. VANDER TUIG: Okay. Thanks.

DR. PURI: Commissioners? Ms. Loe?

MS. LOE: As far as pedestrian amenities along Broadway, was any -- I mean, you may not be the right person to ask this, but was any discussion or consideration given to putting the entrance at the northeast corner -- or northwest corner?

MR. BARNETT: Yes. We did look at that option. We looked at many options as far as building orientation and entrances. What we'll find a lot of times on CVSs, a lot of the customers are elderly and they need access to the front door from the parking lot. That's why we kind of have the building entrance closer to the parking lot to accommodate some of the elderly patrons that would typically visit the pharmacy. You know, you can move the building clo-- or the entrance closer to Providence, then that's pushing it away from the parking field and the primary customer.

DR. PURI: Any other questions of this speaker? I have one question. Are you willing to do that right-out of that exit from the drive-through, right only?

MR. BARNETT: We can talk to our client. We'd prefer to leave it full access. I think, you know, the amount of traffic exiting that drive-through -- and Brian will get into this a little bit more in detail. The traffic counts really aren't high. Maybe in the peak hours, five to six o'clock range you'll see an increase, but typically during the day it's not really high numbers leaving that drive-through. So we don't really want to restrict, you know, the drivers -- the customers leaving the site on normal hours, to force them to turn right when there's really no reason to restrict them. You know, maybe if there's one, two cars backed up sitting at Broadway, then, you know, they'll have to wait their turn to pull out or they can have the option to take a right. But we'd prefer not to restrict that left-hand turn with connectivity to Broadway, which is a -- you know, a main thoroughfare and a good arterial to connect to.

DR. PURI: Mr. Lee?

MR. LEE: I might suggest to you that you revisit that issue a little bit, simply because there are many, many places in the city of Columbia you can only go to the right coming out of place. So I would suggest that that entrance -- or exit, it is very close to Broadway and you have a very busy bar/restaurant right across the street. And especially in those peak hours that you were talking about, not in the morning, of course, but afternoon, so it might be beneficial for your client to look at making that a right only out.

MR. BARNETT: Yes, sir.

DR. PURI: Any other questions of this speaker? Mr. Strodtman?

MR. STRODTMAN: What type of truck service is CVS?

MR. BARNETT: It's your full-size delivery truck and tractor-trailer truck.

MR. STRODTMAN: And typically, where would they unload from on this building?

MR. BARNETT: It's on the east side of the site. They park along Providence. You can see some -- the actual receiving door is this (inaudible).

MR. STRODTMAN: Would a tractor-trailer have room to go by the drive-through and exit out onto Fourth?

MR. BARNETT: They do. Yeah. It looks tight with this rendering, but they do. We've run truck templates as well and verified that it will work.

MR. STRODTMAN: And that's assuming -- which way would they go on Fourth?

MR. BARNETT: I'm sorry?

MR. STRODTMAN: Which way would they go on Fourth, both directions, left or right?

MR. BARNETT: Yeah.

MR. STRODTMAN: A tractor-trailer can go either direction?

MR. BARNETT: Yeah. Well, it depends on which way they enter the site. Say they come in off of Broadway (inaudible) -- right onto Fourth Street.

MR. STRODTMAN: And there's room to allow traffic to come in -- you'd have a car in the drive-through, and then there's room for two cars beside that, north and south, so you'd have three cars wide?

MR. BARNETT: Right at the drive-through?

MR. STRODTMAN: Well, you have two cars pictured now by the drive-through. Would you -- you mentioned that the truck could come in and turn right. Could you get a third car -- you know, you have one that doesn't want to go through the drive-through, one's in the drive-through, and one's coming into the property. You'd have room for three car wide?

MR. BARNETT: (Inaudible.)

MR. STRODTMAN: Correct.

MR. BARNETT: No, sir. That's what we call a bypass lane. We'll have the drive-through lane and 12-foot lane (inaudible) -- bypassing the drive-through to exit. (Inaudible).

MR. STRODTMAN: Unless somebody was trying to exit the site and --

MR. BARNETT: Correct.

MR. STRODTMAN: -- then you have a truck backed up on Broadway potentially waiting or --

MR. BARNETT: Yeah. Or --

MR. STRODTMAN: Or they'd have to go down further.

MR. BARNETT: -- circle -- yes. Use the other entrance, yes.

MR. STRODTMAN: Thank you.

DR. PURI: Commissioners? Thank you, sir.

MR. RENSING: Hi. My name's Brian Rensing; I'm a traffic engineer with Crawford, Bunte, Brammeier Traffic Engineers in St. Louis, 1830 Craig Park Court, St. Louis, Missouri. We did a traffic impact study for this site, and I'll run you through briefly what we did here. We evaluated the existing traffic conditions, estimated the trips for CVS, evaluated the traffic conditions after we layered on those CVS trips to the current conditions, and then provided recommendations to mitigate those impacts. Here's the existing conditions here. As we said here, there's two large curb cuts already onto Providence Road that cause turning conflicts there as well as the head-in parking spaces along Broadway and 14 head-in, back-out parking spaces on Fourth Street. There's also a traffic signal at Providence and Broadway. As far as existing traffic conditions, the signalized intersection of Providence and Broadway is heavily traveled so it's congested, primarily during the p.m. peak hour. There were lengthy westbound and northbound queues along Providence and Broadway during the p.m. peak hour. And really the ability to improve the existing conditions is limited by the existing right-of-way constraints there. So basically we have to add capacity to make the intersection better and that means lanes. So there's a protected lefts only on all approaches to the intersection, which also limits the capability of the intersection serving all those vehicles. And the northbound and southbound Fourth Street approach at Broadway does operate poorly just due to the heavy traffic along Broadway. Here's the proposed CVS. It's about 13,000 square feet. You got a right-in,

right-out on Providence opposite Cherry Street. We got a full access over to Fourth Street, a lot further south than Broadway, as well as a exit onto -- a drive-through exit just south of Broadway. As part of the development plan, we did recommend that they provide the right-of-way for a northbound right turn lane along Broadway across their frontage. And as you can see here for site-generated traffic, we don't expect anybody really to turn right from the site because they've got the ability to turn right at the right-in, right-out, so there's no point to go circuitous and go up to Broadway, make a right, and then a right out at Fourth and then a right down in at the other entrance. So really the patrons that go here aren't going to increase that northbound right turn volume, so really it doesn't do anything worthwhile. In addition to that, the queues are so long in the through lanes, even if you were to build that right turn lane all the way to the right-in, right-out entrance, you wouldn't be able to get there unless you were the first, oh, eight or ten vehicles in that queue. And typical queues are in the range of 25 to 30, so you'd have to basically get the green light and then shift over anyway into useless pavement that doesn't get used. Now, if you can see -- I don't know if you can see those numbers very well, but the drive-through exit's only expected to have about ten vehicles per hour running through the drive-through, so it's not a heavy high demand pharmacy drive-through there, and these are based on nationwide studies. So really the impact and the conflicts coming out of that entrance if it's full access isn't very much because we got in total about 120 vehicles per hour, which is one vehicle every two minutes using Fourth today, so --

DR. PURI: You need to wrap that up. You're three minutes are up.

MR. RENSING: Okay. And so we recommended right-of-way dedication. And this plan really cleans up the access constraints right now, including the wide curb cuts and the head-in, back-out parking. We've really got minimal impact to the signalized intersection and we're dedicating right-of-way for future when it permits.

DR. PURI: Commissioners, any questions of this speaker? Mr. Stanton?

MR. STANTON: I'm a little confused. Civil engineer basically stated that the store basically is circulating around the pharmacy and the drive-through. You're saying that the drive-through is going to have minimum traffic. But it seems like you're not willing to move or make any accommodations to the drive-through situation. So how important is the drive -- is the drive-through to the business? Is it that important that you guys have no leeway in moving the drive-through at all or is it so important that you guys are not willing to make any adjustments?

MR. RENSING: That really wouldn't be one of my questions to answer, as far as on the behalf of CVS, but the drive-through is -- would be labeled as drive-through and then, like, an arrow to go to that space in between the building and Fourth Street there so that everybody's not circulating through the drive-through. So that's primarily just drive-through use right there.

MR. STANTON: Okay.

MR. RENSING: So it -- you know, all the traffic's not going to run through there, and why would you run through right beside the drive-through if you're trying to exit to go out? And you've got about

one vehicle of stacking in between Fourth Street, and then obviously there's on-street parking to the east of Fourth Street, so you've really got to pull out far into the intersection to be able to see to turn. So, you know, you could realistically fit one to two vehicles on that northbound approach at Fourth Street before you would impact the drive-through exit.

MR. STANTON: One more question: When did you conduct your traffic study?

MR. RENSING: We conducted the traffic study in -- let's see. It was last year. And when we were given the notice, we got traffic counts from MoDOT for the intersection because it was when school was in session, so we got 2006 and 2010 traffic numbers, and the City required us to use the heavier traffic numbers at the intersection for those traffic volumes.

MR. STANTON: So I guess my question, what I'm trying to get to is did you -- was this traffic study conducted during what we would call our student -- our student time, when our students are here, basically when we have the most -- the highest population of people here in Columbia, especially using all those -- all those businesses opposite of this site? Did we -- did we take traffic studies at this time?

MR. RENSING: Yes. So the traffic numbers are based on 2006, which were significantly higher than the 2010, and so those traffic counts were taken during the summer months. Correct.

MR. STANTON: That's not our highest -- that's not our --

MR. RENSING: Excuse me. Not during the summer months. I apologize. During the school year.

MR. STANTON: Okay.

MR. RENSING: And Staff has looked it over and they basically said to use the highest number, so that's what we did.

MR. STANTON: Okay. Well, I'm sorry to piggyback off this question. Okay. So we took them during the school year, but actually did you do a physical traffic study or you just basically looked at MoDOT's numbers? Did you lay out the traffic counter and you actually had a -- you actually did your own traffic count or did you just go off of records?

MR. RENSING: So at the intersection of Fourth Street and Broadway, we did actual turning movement counts as well as the turning movements at Cherry Street. And then so we used basically the through volumes, the mainline traffic numbers based on the summer -- or during the non-summer months. Was I clear on that or was that confusing?

DR. PURI: Mr. Vander Tuig? Are you done, Mr. Stanton?

MR. STANTON: Yes.

MR. VANDER TUIG: I think I understand your argument with respect to the right turn lane, that it's going to be unused because of the stacking distance for the throughs. So what's your impression with city Staff's requirement of the right turn lane? I'm not a traffic engineer. Your explanation seems to make sense, but it's at odds with the city traffic engineer.

MR. RENSING: Right. So it's a congested intersection right now and providing right-turn storage right there really doesn't do any functional benefit. So they -- what we've done is recommended that we provide the right-of-way so that when, say, like the northeast corner develops in the future, you could accommodate, say, dual northbound left turn lanes which would help reduce that queue of the left turn and then hopefully ultimately help the whole intersection overall. So scabbing on a right turn lane that the pavement isn't used doesn't really do anything, plus we don't even add any traffic to it. It's all based on the existing traffic. And there's only 120 northbound right turns during the p.m. peak hour, which means one -- or two every minute. It's not the heavy movement. The heavy movement is the throughs northbound on Providence.

MR. VANDER TUIG: But it's city Staff's recommendation that the right turn lane is installed. Is that my understanding?

MR. MACINTYRE: That's correct.

MR. RENSING: They just want it constructed, which we've provided the right-of-way and that allows them to do whatever sort of improvements they need to do in the future.

MR. VANDER TUIG: Thanks.

DR. PURI: Mr. Wheeler?

MR. WHEELER: Is that a City requirement or is that MoDOT, because this is a MoDOT roadway so I'm just curious.

MR. RENSING: Yeah. MoDOT prefers that CVS build it --

MR. WHEELER: Of course they do.

MR. RENSING: -- is what their statement was.

MR. WHEELER: All right. Thank you.

DR. PURI: Any other questions, Commissioners? Ms. Loe?

MS. LOE: Who suggested or recommended that the street parking along Broadway be removed?

MR. RENSING: It's a general plan along the corridor. I think even one of the plans had removal of head-in, back-out parking. Generally, there's a heavy eastbound flow in the morning, so you don't want people piling in and then when they have to exit, pull back out into traffic. And that heavy volume is the big driving factor there. You don't want to be able to stop the throughs coming through the intersection, either turning left or turning right or going through.

MS. LOE: So it's coming from the community? It's a City -- it's in the city plan --

MR. RENSING: Yeah. That and it's just really an unsafe condition, having parking up there. Is that correct, it's in the --

MR. MACINTYRE: Well, I think actually -- I think the city plan -- and I don't know if it was the DLC's or one of the others, but I think it recommended removal of the head-in, back-out parking on Broadway and maybe actually installing or maintaining on Fourth Street. I know there were two concepts, I think, two locations where that idea was propagated. But not certainly what you'd expect

maybe, but it's part of the entranceway to reach Flat Branch Park here. You know, we've got on-street parking and some head-in, back-out already to the south. I think that was also suggested along the eastern frontage of the CVS site.

DR. PURI: Any other questions, Commissioners, of this speaker? Seeing none, thank you.

MR. RENSING: Thank you.

DR. PURI: Next speaker, please.

MS. FOWLER: My name is Pat Fowler; I live at 606 North Sixth Street, and I'm here to speak in opposition to the development plan and the --

DR. PURI: Are you organized opposition?

MS. FOWLER: I am not. I'm going to use my three minutes only. I have some pictures -- uh-oh -- (inaudible). So Flat Branch Park, and that's what I'm speaking in support of, is a refuge in an urban setting that has extraordinary tree canopy, extraordinary vegetation, and is well-designed to provide opportunities for children to play freely during the day and at night. And I took particular pictures of the vegetation because it protects us from traffic noise, from car exhaust, and from traffic so that it is such a safe place. This represents an investment by a variety of tax sources of \$1.7 million by the City to have environmentally remediated this site and to build it out so that it is such a lovely place for our children to play. In a minute you're going to see it switch to nighttime because it has nighttime uses for children as Parks and Recreational programming. This is a family funfest that just happened yesterday, and it indicates the size of the children in particular that regularly are attracted to this park. I think this park is unique in our park system for being suitable for little kids and also for evening activity. When we get to the nighttime, you'll notice that the notice that we put the park to at night would be -- would not be possible with commercial lighting from a large commercial endeavor next door. This is what it looks like at night. They're showing a film. It has funny little characters. I'm sorry, I don't remember the name of the film, but you can see the crowds of people, you can see the families there. You can see that the film is visible from both sides and it's not subject to light pollution from other adjoining uses. It also, the lighting in the area, respects the historic nature of the buildings, including the Second Missionary Baptist Church that dates back to 1894. These two plans that are going to go by awfully quickly are plans that Parks and Rec had and is still awaiting funding and for consideration to protect the historic nature of this neighborhood to connect more things to Flat Branch Park. So here we have a CVS that looks a little different. The arches are there, they're etched in brick. This is out in Creve Coeur. I took this -- I'm sorry it skipped so quickly there. I took this on August 16th. I'm a native New Englander and CVS was started in 1963 in Lowell, Massachusetts, and I'm extremely proud of that company. And my CVS that I shopped in at 980 Great Plain Avenue in Needham, Massachusetts is still standing, and it looks like a traditional storefront, that looks like the storefronts across the street from us with a front entrance that works and a back entrance that works, and is still in operation. So I realize that CVS is a much bigger

company, but when you look at their landscaping, it does what any commercial landscaping needs to do, long sit lines, lots of space for cars. It does not coexist well next to a park that we invested \$1.7 million in. The landscaping is lovely. Their rusticated stonework is lovely. But when you get down to it, remember that this is a park that's scaled for little bitty kids. These are my friend's children that are age three and five. These are the ages of the kids that use this park year-round. And that's the density of the foliage that currently exists, that protects the park users from noise, cars, and car exhaust. I'm sorry I don't have more time to talk about the site plans that Parks and Rec -- but if you ask me some questions about it, I would like to talk about the African American Heritage Trail and how it impacts this as well. Thank you.

DR. PURI: Commissioners, any questions for this speaker? Mr. Vander Tuig?

MR. VANDER TUIG: I'll ask you those questions.

MS. FOWLER: Thank you. I appreciate it.

MR. VANDER TUIG: I serve on Downtown Leadership and I've heard some talk of a proposed African Heritage Trail in downtown, and I'm curious to know about the proposed park plan there because this is the first time I'm seeing that actually.

MS. FOWLER: This plan -- I have a copy of it that goes back, it's dated October 31, 2001 -- and my interactions with the African American Heritage Trail -- and it would be a Parks and Rec project so these are Parks and Rec schematics, and I've got one up there. I think I can click on the slide.

MR. VANDER TUIG: This is of the African Heritage --

MS. FOWLER: The Heritage Trail loops around downtown, but it comes down Fourth Street, it goes past the Boone home, it goes past the Second Missionary Baptist, it crosses over. And if you look to see -- if you can see Broadway up there running east to west at the top of that diagram and you see a little red and green paint there, that's one way to get people safely across from Second Missionary Baptist, over across, south of Broadway so that they can then wander down into Flat Branch Park and continue out there and they would cross over at Stewart, which is the site of the James T. Lynch -- the James T. Scott lynching. There's another one if I go to the second drawing that shows some more elaborate plans that Parks and Rec has on the books. And, again, the reason why this hasn't been implemented is funding. It's not community will because I've worked on this project as a service learning representative from the University with students over the years and there's been community meetings. But it's the lack of funding, as we talked about at DLC; it has no funding source right now. But if you'll look at this schematic, you can see that they even made a wider -- they contemplated even closing off Fourth Street there to provide some kind of green space, again, to allow people to cross over safely and continue down in that area. Now, I don't know ultimately what the African American Heritage Trail will look like. I very much hope it will be built because it's been in the planning stages for more than ten years. But one of the things that concerns me about this is not only that this planned development undermines the investment we have in Flat Branch Park, to the

tune of \$1.7 million, but it also takes out of the running plans that have been under consideration for some time, awaiting funding, that would draw this very historic area together.

MR. VANDER TUIG: I know there's also talk of the gateway project, and I'm not sure where that stands now. It looks like if it is at Fourth Street, this would obviously play into the design of this -- this is Fourth Street. Right?

MS. FOWLER: It is Fourth Street. The gateway project is a project of the downtown CID. It's not a project of Parks and Rec, so I don't know how those two will mesh together. I think more shall be revealed as time goes on about that.

MR. VANDER TUIG: Okay. Thanks.

DR. PURI: Any other questions, Commissioners? Thank you.

MS. FOWLER: Thank you.

DR. PURI: Next speaker, please.

MS. GERDING: Hi. I'm Rosie Gerding; I live at 101 South Fifth Street, just right across the street from this proposed project. I have absolutely no problem with having a CVS pharmacy built in that particular location. I really appreciate all the great sidewalks that they're proposing and the additional greenery, you know, beyond what's there right now, and what's there right now is not terrific. But I do object to having a single-story building there. That does not fly with any of the plans that other organizations have made. It is not in agreement with the kind of density that the public has made clear they would like to see downtown. I would be in favor of a multi-story building with CVS at the street level. But I also object to covering more of Flat Branch Creek, and I know that there is a big section of it right now that is not attractive, but rather than saying, okay, well, then let's just forget about it, why don't we try to hold out for something that is attractive. I think most city's would kill to have an uncovered water feature at the entrance to their downtown and I think it would be a real shame for us to give up that possibility. I also object to a large surface parking lot behind the building. I object to the inaccessibility by pedestrians that is displayed by this particular plan. The only way pedestrians can use this facility is by walking through their parking lot. I also object to a drive-through that dumps out onto Fourth Street. As we learned with the Walgreens on the other side of the large intersection, at some point we're going to end up with those horrible yellow delineators and I would be just horrified if we end up with another string of those on Broadway or even a string of those on Fourth Street so that -- I mean, I don't know how else we're going to keep traffic from making left turns, sitting at Fourth Street trying to make a left turn onto Broadway. I'm also a little concerned about CVS's apparent -- their concern for their older patrons who come in and need to use the pharmacy and their explanation that the entrance has to be where it is so that those older patrons can get into the building easily from the parking lot, but then they're forced to walk as far as they possibly can make them walk to get to the pharmacy. So I'm a little concerned about whether that's a very good explanation as to why the entrance has to be where it is. Thank you very much.

DR. PURI: Any questions of this speaker, Commissioners? Seeing none, next speaker?

MR. GRAY: Good evening. My name is Randy Gray; I reside at 301 Edgewood. As a member of the Downtown Leadership Council, I want to thank you for recognizing the five concerns that we shared in our letter. Unfortunately, the proposed project does not address any of these items. While the building design is incompatible, what is most troubling is that this project would create insurmountable transportation conflicts. Traffic on all sides of this building would be flawed. I really can't imagine this suburban design being improved at any location in Columbia and especially not at a gateway to downtown. Thank you for the opportunity to speak tonight, and I ask that you deny this application.

DR. PURI: Commissioners, any questions of this speaker? Seeing none, next speaker. I see none.

PUBLIC HEARING CLOSED

DR. PURI: Discussion, Commissioners? Mr. Stanton, please start.

MR. STANTON: I support the free market. I think it's a good source of jobs, but as we've heard from all speakers, it just doesn't fit where we're trying to go with Columbia. Now, that doesn't mean the CVS doesn't fit Columbia. This current plan doesn't fit where Columbia is trying to go in this area. I understand its location. I understand its competitive strategy with Walgreens. I would like to see a more friendlier footprint, a smaller building with less parking, landscaping that does filter a lot of light from the park. There's so much technology and there's too many smart people out here in architecture and engineering that somebody can come up with a better solution that can help make this a win/win for everybody. I know it happens. New urbanism, there's -- they address these problems all the time in mixing commerce and green space. I know it can happen. It's just the will of the corporation. Do they want to spend the time in making it happen and is it worth their while. That's what it boils down to. I would love to see the competition, but I would definitely love to see us stay the course as best we can with our downtown plan.

DR. PURI: Thank you, Mr. Stanton. Who's going next?

MR. TILLOTSON: I wouldn't mind asking a question. I don't know who to ask of it. There has been no discussion on lighting in any of this. Can anybody address lighting, especially how it would be seen from the park?

MR. BARNETT: We've done a photometric study which --

DR. PURI: Please state your name again so she knows who she's transcribing.

MR. BARNETT: Okay. David Barnett with Carlson Consulting Engineers. We've run a photometric study on the site, which places the light poles in the parking light and around the building, to analyze the foot candles, the lighting levels around the site and specifically at the property lines. And no light will spill over the property lines to the south to the park or any property line around the site, based on our studies.

DR. PURI: Mr. Wheeler?

MR. WHEELER: Just a follow-up question. I saw you were using 28-foot light standards. Is that just typical or is there some reason for 28-foot light standards?

MR. BARNETT: That was the -- I think the max level height per the city Staff's recommendations.

MR. WHEELER: Oh. I helped write that ordinance, so I'm just wondering if it's just par for the course. I mean, is that just normal for a CVS, 28-foot light standards or -- I mean, was there any thought, I guess -- and let me rephrase the question. Was there any thought to putting a shorter light standard in?

MR. BARNETT: Typically they go taller than 28, so this is -- this is an exception to the rule. And so they are shorter than what we typically do. Actually, they're going with an LED light fixture on the parking lot lights on this one also. It's a newer technology.

MR. WHEELER: Full cutoff, box fixtures?

MR. BARNETT: Yes, sir.

MR. WHEELER: Thank you.

DR. PURI: Mr. Tillotson?

MR. TILLOTSON: Still up here for a second. I look at the photos in this pack here on Page 1, where it shows the park, and it shows what's there now. I try to get a handle on the vegetation that you're proposing to put in there versus what's there now. I don't know if Rosie had any pictures in her slides of that. I can't remember.

MR. BARNETT: (Inaudible) -- this is during the fall months. You can't really see the trees. There is some vegetation along the north line of the park, which would be our south property line. There's some trees and some low growing shrubs. We're not going to affect any of that vegetation at all with our development. We won't touch that.

MR. ZENNER: David, we're going to go ahead and we're going to go back to our aerial. I think it's going to be better to answer the question.

MR. BARNETT: Okay. Yeah. You can see a little bit better there. But, yeah. The landscaping, I guess to answer your question, in the park itself won't be affected by our development.

MR. TILLOTSON: Okay. So landscaping will exist --

MR. BARNETT: Yes, sir.

MR. TILLOTSON: And are you adding additional in that area? No? Yes?

MR. BARNETT: We're not proposing to add any landscaping to the park.

MR. TILLOTSON: No. Not to the park, but --

MR. BARNETT: Right. Along our south property line, we will be installing some trees. There's actually a retaining wall to account for grade differential there. But we will have some trees screening the parking lot somewhat to the park itself.

MR. WHEELER: If I may, I think he's actually talking about the pocket park.

MR. BARNETT: Oh, I'm sorry. Okay. The actual --

MR. TILLOTSON: No. I was talking about the park in the back, because I know it was brought up about lighting and noise and -- but if you're not removing any and you're adding additional -- that's what I was trying to see what was happening there.

MR. BARNETT: Right. Right. Yes, sir. Right. We won't be removing any and we will be adding some more trees along that property line in addition to not allowing any light to bleed over the property line.

MR. TILLOTSON: And tagging back on Doug's question on that 28-foot, can it be shorter and still work? I mean, you helped write that ordinance. Did you say why you need to have 25 [sic]? Does that help with the lighting or setting or --

MR. WHEELER: Actually, they can do anything they want. They just probably have to put in more light standards.

MR. BARNETT: Yeah. If you go with a shorter lights, you'd have to more --

MR. TILLOTSON: Okay.

MR. BARNETT: -- light locations, yeah.

DR. PURI: Any other questions for this speaker, Commissioners? Mr. Stanton?

MR. STANTON: Please, forgive me if I offend, but you're used to building these at a certain spec, certain standard. This is like a cookie cutter -- you just go around the country and build them like this all the time, most of them. You don't really vary too much, do you?

MR. BARNETT: No. This is -- this is definitely an exception to what I've done in the past. It's not prototypical at all. And, you know, where we've come from, our first submittal and our first preapplication with the meeting that was kind of our prototypical layout with the parking in front of the store up next to the intersection.

MR. STANTON: Okay.

MR. BARNETT: And, you know, there's been, I think, several -- you know, four revisions to the C-P plan since the submittal to get to this point and, you know, upgrades, amenities. So it's not your typical cookie cutter site that we're looking at.

MR. STANTON: Do you have any more room to move around, personally?

MR. BARNETT: What?

MR. STANTON: Do you have any more room to redesign? Is it in their company's best interest? Do they have any more will to fight, should I say, with the design of the building?

MR. BARNETT: With the building itself, in particular? Yeah. I mean, possibly. I mean, I will go back and say it's not a prototypical building at all with all the upgrades. This was tailored to this site and to try to address some of the -- you know, the charrette and some of the reports for this location and to fit into the downtown corridor. As far as modifications to the building, you know, I guess there's -- you can always talk to our client and see, you know, what they would be willing to do or not.

MR. STANTON: To do. Okay. If you heard our last speaker, a more traditional looking pharmacy -- I mean, I want to see CVS in Columbia. I like it there. I just -- all these considerations are dead on. I mean, we've invested a lot of money in that park behind there and we have a certain vision that we have for downtown. And a traditional looking old school pharmacy, I fee, would be a good market decision, would be a good strategic decision for your company, if you're willing to move there. It may need to be a little smaller. You may need to look at your market analysis a little more. Who -- what customers are we really going for in this market? But a traditional pharmacy would probably give your competitors a run for their money, if you're willing to take what you've heard this evening and take it to heart very seriously.

DR. PURI: Any other questions?

MR. VANDER TUIG: I just have some comments if we can move it along. I think we're done. I'll just try to touch on all these items. I think with respect to the right turn lane on Providence, I don't see the need for it. I think the right-of-way is a good idea. The Fourth Street entrance needs to be right-out. I've done plenty of site plans and this one is very, very tight. And I agree with Mr. Wheeler with respect to the drive-through traffic and not being able to negotiate that turn. That seems like a very high possibility of some major traffic issues there at Fourth Street. In fact, now that I've looked at the plan that the Parks and Rec have in place for the African Heritage Trail with respect to Fourth Street, it makes a lot of sense, and I think even the traffic engineer would suggest that it makes sense to close off the access at Fourth Street with regards to the traffic numbers and the queuing that he saw on Broadway in his traffic study. So with that, I think I'm not going to support this. I think CVS -- again, to highlight some other comments or reiterate some other comments, CVS in this town would be a great idea. I think this is the wrong site. I think it's too small even if it was in a subdivision location or a suburb type setting. The plans -- numerous plans that we have in this area of downtown suggest that the type of development does not fit and is not what the public is asking for. In the plans, I take exception to the idea that these plans aren't good recommendations because if there is one public plan that I think was the most vetted in this community, it was the downtown H-3 charrette plan. And we had the most participation that I've seen in my five years on P and Z, and that's what people want in this town. With respect to the storm sewer, you know, I'm an engineer and even -- you know, even aside from looking at this site development, the thought process on stormwater is completely turned upside down now with respect to design. And that -- regardless of the desires to have a pocket park here and open up and extend Flat Branch, it's just good practice to daylight storm sewer. The idea that we ever put a creek in a storm sewer is problematic and there's drainage issues downtown to suggest that there's true upstream from this location. So there's a lot of things going against this site. Not CVS, but certainly against this site, so I cannot support this.

DR. PURI: Mr. Lee?

MR. LEE: I have to confess I like this project. I think it's far better than what's there now. We have less impervious surface and so better water -- stormwater treatment. I think it creates

competition for Walgreens and I think with the plans they have for landscaping and lighting and stuff, it certainly makes that corner look a whole lot better than across the street when looking at Walgreens. A comment was made about making people walk to the back of the store. Well, if you think about all your local grocery stores, you have to walk to the back of the store to get milk and eggs and butter. You have to walk through the entire store, the same thing with Walgreens or other pharmacies. Maybe not the locally-owned pharmacies, but certainly the chains, you have to walk to the back of the store. I am not -- as I mentioned earlier, I'm not happy about being able to turn left as you come out of the drive-through, so I think that needs to be worked. But I think that having CVS -- which they always locate their stores next to their principle competition, and it think that creates a good benefit for the people who will use these two stores in that they'll get into competition with each other and perhaps we'll see lower prices for all of their goods, not just pharmacies. So I intend to support this project.

DR. PURI: Mr. Reichlin?

MR. REICHLIN: I'd like to echo some of Mr. Lee's comments, but principally, from where I sit, CVS can build on this tract one way or another if they choose to. So that leads me to feel that what's been developed up until now is probably better and more amenable to some of the things we hold dear than what could potentially be developed on this tract without some kind of cooperation between the applicant and Staff. So if there is going to be a CVS on this corner, one way or another, I would support this alternative as opposed to what I perceive the other one to be, so I will support this plan.

DR. PURI: Ms. Loe?

MS. LOE: One of my chief concerns with this is that I really feel Broadway is the heart of the downtown corridor. And the fact that this basically kills off a block of the street front -- no matter how many pedestrian amenities you place along that sidewalk, the fact that you have no access points whatsoever, no one is going to come to a bench if they're going to find a shorter pass cutting through the parking lot. I cannot condone it as good urban design, and I feel like this is a suburban project trying to fit into an urban corridor and it's not a good fit. So I cannot support it going in here.

DR. PURI: Mr. Strodtman?

MR. STRODTMAN: I'll go next. I won't repeat a lot of what's already been said, but basically in a nutshell, I would -- I agree. I don't think that this is the right site for this use and I would prefer to try to work out something different for this location. And as a result I do not plan on supporting it.

DR. PURI: Mr. Wheeler?

MR. WHEELER: It's easier being chair, going last. So let me just touch on a few things that I've seen in this. We have made a huge investment in Flat Branch Park. We've all seen plans. They extend this park to Broadway, but the reality is that although there is certainly will, there is not the funding for that. This is a privately held piece of property that is pretty value. Our C-2 property downtown is some of the highest price property in our community. I'm torn on this. I think Ms. Loe actually hit this well. It does seem to be a suburban design that we're trying to pigeonhole into the

corner of Broadway and Providence. And although I think you've done a remarkable job and it's so much better than what potentially could be there, I still haven't made up my mind how I'm going to vote on this. I can say I could never support this drive-through the way it is currently configured, coming out onto Fourth, and so that alone would be enough for me to vote no probably. Light standards are a concern of mine. I think there's a way to meet our lighting ordinance. And when we were writing that, I had great concerns of how we were going to comply with this utopia vision that we had on lighting. But I do feel like with the lighting standards, even with the full cutoff fixture, that 28 feet, given the park is lower than the parking lot -- it has to be -- that there is line-of-sight issues here, unless we have full screening of some kind -- and I certainly don't want to see a fence -- on the south boundary, then I don't see anyway to not have line-of-sight on those light fixtures or at least have some light spillage. Although I do understand that according to our ordinance it could not be measured. There is a difference between measured and line-of-sight, and I think that everyone in the community would have to acknowledge that. So then you move on to what could be, and I think Mr. Reichlin has summarized this well. You know, although I agree with the assertion that a multi-story building fits into our downtown area better, the fact of the matter is the C-2 zoning on the corner, which we've been told -- I didn't ask for measurements because we've been told it's approximately 50/50, so let's say that's .8 acres -- or .7 acres, because it's 1.39. If it's half, we've got seven-tenths of an acre that's C-2, which has no setbacks at all, could go as high as they wanted to, could be one of our ugly apartment buildings that we've seen with no parking requirements, no setbacks, essentially no landscaping. You know, the what-could-be's are extremely concerning to me. And so as I've said, I won't belabor this, but I don't want to see the what-ifs, but I also think that this plan is -- unfortunately I have some concerns that would need to be addressed before I think I could support it.

DR. PURI: Mr. Tillotson?

MR. TILLOTSON: Wow. I spent a lot of time with my nose looking at this and I do know we have a property owner that's aggressively wanting to move some property. And when we talk about a multi-story building going in there, that just shocks me because you're going to have to have a lot more parking when you talk about multi-story buildings going in there. And if that's part of the charrette plan, that concerns me a lot because we're -- it creates parking issues. But with that said, I have a personal bonding to this particular area and some of the stores that are there and the people that run them, so I have personally torn issues. But I do know that the time has come for something to happen with this piece of property. I think this is a good design. I think a lot of thought and effort -- I think CVS has fought very hard and worked very hard with the City. And I do have in the back of my head that the City's non-approval of this is not by their really -- or their Staff's, not really by their desire as by their hands are kind of tied behind their back with some other, quote, plans that are out there. I am in agreement with Mr. Wheeler on this -- I wasn't when I set down here earlier, but I am now -- on this drive-through with the right turn or left turn. I look at what's there now and it's an

absolute disaster. It just scares me that there's not accidents or people ran over with the way it is now. And as far as giving up the parking on Broadway, I mean, the City gave up a whole block of parking on Broadway to build their nice building and there's been some other parking on Broadway given away. I'd rather see the parking on Broadway go away entirely and have more of a walk-about community and they'll be no vehicles on Broadway, if the truth be known. I want to support this, but I want to support it with a right turn only on the drive-through and I want to support it with the CVS building the right turn lane there at Providence and Broadway. Anytime you can scoot around a corner and not have to stop or sit in traffic is always a plus. I don't care if you're one car every hour. When you're that one car, it's nice to scoot on through. So I would have to feel comfortable that they could put that into an approval plan if it goes to that point. It seems to me that really isn't going to be the cause for alarm on that park as we see. I do see a lot of troubling and hear of a lot of troubles starting to happen down in that area at night. There's been some severe issues and I think something like this might help clean that up a little bit. And, I don't know, this is -- may get me fired, but I don't need the money -- you know, a nice donation to that park or to the trail from CVS might help bring a little bit more support with a project like this. I would like to support it, but I -- if it's put in a motion before we vote that it's a right turn only and that turn at Providence and Broadway's put in. That would have to be before I could support it.

DR. PURI: Thank you, Mr. Tillotson. I guess it's my turn last. I find that the plan itself -- I mean, presently what we have there is unacceptable. I mean, it's a problem there already. Mr. Lee has described the fact that walking there at night is not possible in those area and creek itself is unsafe. I do understand that we have put a lot of money in the park and the park is a great feature that a lot of families enjoy. By the same token, there's also talk about, you know, hold out for a better thing to come along, you know. But sometimes it's better to have one bird in the hand than two in the bush. And my problem with this is just the drive-through area, the exit from that. I think that the park is untouched from the back. I feel that, you know, there's beautification, more vegetation is being added. Compared to what exists there right now, some of those problems are alleviated. I also agree with Mr. Wheeler, the light standards need to be cut down, especially if using LED light standards. You can cut those down and they also don't scatter as much light, and then you can also use plates and things to direct that light. So I think those things about light concerns for the park can be alleviated with that -- you know, bringing those light standards down. As far as pedestrian connection and things, we have to see what pedestrian connection you have right now. It's a mess right now. It's not even safe to be, you know, along that area. There's parking right off of Providence into those shops and then there's, you know, other problems as you come around the corner trying to get in and out right close to that intersection with the buildings on the corner. I do think that the park on the corner provides some little buffer, and some beautification on the corner as you look down site on Broadway with the trees on the front and the brick building. As far as -- you know, we're not here to tell people how to do their business or what size of building they need to have and what they need

to do. I think that's their job to figure out what works for them, so I don't think that our responsibility is for that. I do find it disturbing that CVS wants old people to walk from one entrance all the way back to the pharmacy to collect their medications. I'm a physician; I write a lot of scripts, and that's not a good thing to know. I mean, I understand the milk and eggs are in the back, but I also understand how much it takes for the patient to walk from the front all the way to the back. I do think if there's a way for you, you should reorganize that drive-through. By just saying that you have a life way aisle from the front of the door to the back of the door so you can have people pay you more for merchandise, I think moving it down just a little bit toward the center of that back area is not going to hurt you a whole lot in your pocketbook. Because bottom line is people are there to pick up medications. While they're there waiting for the scripts to be filled -- which is usually 25 to 30 minutes -- they have plenty of time to wait around and buy stuff. I've never heard of a pharmacist yet that, you know, fills instantly. In view of that, as far as the dynamics of the site are concerned, I think that I would support this project based on the fact that we have a right lane on Providence, on the Fourth Street there should be a right turn out and the drive-through alleviated a little bit. I do agree with Mr. Wheeler. I do not think that the radius there -- you may have done some templating or whatever you're doing. In reality somebody's going to run over those curbs or somebody's going to have problem trying to get out after they get out of that drive-through. Sometimes in theory it may seem like that, but in reality and practicality you have to take the -- how diligent the driver is that's driving those vehicles as well. Some of them are going to older folks that are trying to pick up prescriptions and do various things. The light standards need to be cut down on the height, LED light fixtures to be used, and not to be 28 feet. They need to be quite less than that. And these are, you know, the basic ideas I think if are incorporated into the project I would support that. Any other discussion, Commissioners? Mr. Wheeler?

MR. WHEELER: If I may, I just want to chime in and -- on my drive-through concerns. I also don't want to see delineators coming southward on Fourth Street. It's my belief that if that -- if the drive-through window could be moved more to the center of the building as Dr. Puri is suggesting, then maybe that entrance on the Fourth could be moved further south as well. But if it cannot, then I think there needs to be a median on Fourth Street to restrict that left-hand movement. Otherwise we're going to mess up an intersection that's already, in my opinion, questionable. So, anyway.

DR. PURI: Mr. Stanton?

MR. STANTON: Okay. I think this is the right project, but it's the wrong plan. I think CVS needs to look back at its roots, like the community speaker spoke about. I think this can work if it's just thought about in those terms. If we had to vote on this as is right now, the things I would have to see would be definitely addressing that drive-through issue. I do agree with the doctor on that point of view. But I do disagree with him on this point: I think we do have a right to tell you what kind of building there is to put there because we want a certain look. We want a type of -- we want a type of business that supports the type of community that we want. This is that type of business, but it

doesn't fit what we want physically. I think that is an erase and a -- you know, a couple lines being moved in some plans. I think this can really -- I think you're real close to getting a win/win here. It's a matter of how committed you are to this site and where you're ready to go. The community has spoken in various plans. We have various, for a lack of better term, overlays and ideas of where we want to go with this space and with this area and with our downtown. I think we're very close. I would definitely need to see more landscape. I would like to see the parking decreased, but -- along with the size of the building, but if not, definitely more landscaping to filter noise and light to the park. And I think -- and I agree with my fellow commissioner here, helping develop the park in some way, either the flow -- the water flow in the park, vegetation. Do something, whatever the shortcomings are in the park right now, I think this would be a great opportunity to kind of shore those up, to make this -- to close this deal. That's where I stand, so if those things can be worked out, I would support this. But as is right now, no. We definitely have a little work to do, a little tweaking.

DR. PURI: Thank you, Mr. Stanton. Mr. Vander Tuig?

MR. VANDER TUIG: I'll just add a few more comments with respect to the perspective that I think people are going to see from the park. We didn't get into this a whole lot, but my understanding is that we're going to have a 14-foot wall, a 14-foot retaining wall view of CVS. So when you're talking about line-of-sight with respect to lights, I don't know that any height of light would make a difference with respect to that configuration. And probably that would be the next wall that gets graffiti. And so -- and then in respect to the plans, you can have different opinions on which plans were supported and how they went about and how detailed they were or too detailed they were with respect to planning. But if we don't, at some point, support the plans that we put all this effort into as a Planning and Zoning Commission -- not just zoning -- we will be here stuck again making reactive decisions to these plans instead of making some planned decisions. And so, yes, we have work to do with regards to the efforts that are underway currently. The CID is in the process of selecting between two architects for the gateway project. There are things underway here that this project will interrupt. And so I just wanted to throw that out as a discussion point for those who are still on the fence.

DR. PURI: Anybody want to frame a motion? Mr. Vander Tuig?

MR. VANDER TUIG: I'll make a motion to deny -- I don't have it in front of me -- Case No. --

DR. PURI: 13-127.

MR. VANDER TUIG: -- 13-127.

MR. STRODTMAN: I'll second.

DR. PURI: Roll call, please.

MR. STRODTMAN: Motion has been made and approved [sic] to deny this zoning request of 1.39 acres on the southeast corner of Providence Road and Broadway from C-2 and M-1 to C-P and C-P development plan, CVS C-P Development Plan.

DR. PURI: We're denying the motion of approval, Mr. Stanton, so your yes vote would be a denial vote.

MR. STANTON: Yes means --

DR. PURI: Yes means that you don't --

MR. STANTON: I don't support --

DR. PURI: Right.

MR. STANTON: I don't want that.

DR. PURI: Right.

Roll Call Vote (Voting "yes" is to recommend denial.) Voting Yes: Ms. Loe, Mr. Stanton, Mr. Strodman, Mr. Vander Tuig. Voting No: Dr. Puri, Mr. Lee, Mr. Reichlin, Mr. Tillotson, Mr. Wheeler. Motion fails 4-5.

DR. PURI: Mr. Wheeler?

MR. WHEELER: I always have to default to Mr. Zenner here, but I believe that if a recommendation for denial is approved -- or is denied, then we go back to the drawing board and somebody tries to frame a motion that we can --

MR. ZENNER: You have another motion. Motion to deny has failed.

MR. STANTON: Mr. Chair?

DR. PURI: Yes, Mr. Stanton?

MR. STANTON: I'm sorry for being so naïve in this process. Let's make a deal. Can we -- can we have these guys -- can we have the -- have the party come up and we talk about what we can address and frame that in the motion?

DR. PURI: I think the --

MR. STANTON: What are they willing to discuss and put on the table for change or --

DR. PURI: Mr. Stanton, I don't think we can make a deal here because they're representing CVS, and as far as their powers, if I'm -- you have to get those to the principle before you can say yes or no to anything. So this can't be let's make a deal.

MR. STANTON: Okay.

MR. ZENNER: If I may, Mr. Chairman, if the Commission so desires, you can propose amendments to the plan as part of your motion. Those amendments would be incorporated into an amendment sheet that would be presented to City Council at which point the applicant can either consent or not consent to those, and Council has the authority to either vote on the application as submitted or as submitted with amendments. So if there are specific revisions that you would like to have made to this plan that the clients are unable to make on behalf of the owners and the developers, that is within your purview and can be part of your motion and will be captured in our Staff report forwarded to City Council. Or you can frame a motion different from what you have framed here that just failed and continue to go through that iterative process.

DR. PURI: Mr. Lee?

MR. LEE: Yeah. I would make a motion to approve Case No. 13-127 as submitted with the following amendments: That the developer create the right turn onto Broadway from Providence, that the drive-through be a right only out, and the lighting and landscaping on the south end of the project be improved to further shield the park from said lighting and noise.

MR. STANTON: Second.

MR. ZENNER: If I may ask for a point of clarification within that motion as it relates to the lighting. Is there a specific light height standard that the Commission is desiring to have incorporated into the motion? It's very difficult for Staff to say what will shield the park without having a specific standard.

DR. PURI: Sixteen feet.

MR. LEE: Huh?

DR. PURI: Sixteen feet.

MR. LEE: Then I would amend my amendment to have it at 16 feet instead of the proposed 25.

MR. ZENNER: Twenty-eight.

DR. PURI: Twenty-eight.

MR. LEE: Twenty-eight. Okay.

MR. ZENNER: Thank you.

DR. PURI: And can I make an amendment to that motion -- with that motion? One of the items he has on there about the drive-through, it was pretty close. I just want to give another option. Can it be amended further?

MR. ZENNER: It's been seconded already. I don't think you can make an amendment to an amendment without voting on it. I believe -- and pardon my ignorance as it relates to Robert's Rules of Order. I don't think we've ever gone through an amendment to an amendment to an amendment. If you would like to back up the amendment and just add on, I think that's -- because it's been seconded at this point, and I was asking for a point of clarification to it. If the -- if Mr. Lee as well as -- I believe it was Mr. Strodman seconded that motion -- if you will allow, we can just go backward. I think that's the way you do it or you've got to vote on the motion first and then if it fails you can restate the amendment with whatever clarification. It's a lot easier to go back the other way.

DR. PURI: We can either vote on this amendment or I could call for discussion and clarification on the drive-through. That is the only subject.

MR. TILLOTSON: Can we have a discussion on the drive-through?

MR. ZENNER: You have an amendment, you have a second on it. If you are -- and you'd have to vote to approve the amendment --

MR. TILLOTSON: We can discuss before the vote.

(Multiple people are speaking simultaneously.)

MR. ZENNER: You can discuss before, and then if you need to have additional --

MR. TILLOTSON: Let's do that.

DR. PURI: Mr. Wheeler?

MR. WHEELER: Well, if I may, Robert's Rules of Order are roughly followed on this Commission, and for a good reason in my opinion. So what has happened in the past may not be appropriate but is the way it's happened in the past. If Mr. Stanton would kindly withdraw his second, we could further clarify the motion or discuss the motion that's on the floor and --

MR. STANTON: Refine --

MR. WHEELER: -- come up -- refine it. Yeah. That's a good --

MR. STANTON: I will retract my second then.

MR. WHEELER: Yeah. And so since we're roughly -- and Robert's like out here rolling because we're not doing this, but then I would suggest that that would be an appropriate time for us to refine.

DR. PURI: Thank you, wise man. Discussion on the drive-through, I think I just would like to see -- you know, we have the right-in, right-out. I think one option should be given is moving that drive-through, you know, up the street -- up Fourth Street a little bit so that in case -- you know, if it's moved up on the building, it brings that drive exit closer to the center of the building than, you know, closer to Broadway. If they do that, they may not need right-out only and may solve the purpose of bringing that drive-through a little bit closer. So we could do an and/or type of situation if -- that was my interjection only. I don't know how you feel about that, Mr. Lee.

MR. LEE: I don't have a problem with that. The only thought that occurs to me is that CVS has a formula as to where the pharmacy is located and how it is situation within the building. So if they're willing to change that a little bit to accommodate what you're talking about and moving the drive-through back, then I've got no problem with that at all.

DR. PURI: That way we can have the right-out if it exists where it's out and then if they move it up, they have an incentive to have it right and left, you know.

MR. LEE: Yes.

DR. PURI: Are you okay with that?

MR. LEE: I am.

DR. PURI: Mr. Stanton, you okay with that?

MR. STANTON: Yeah. Can I second it now?

DR. PURI: You can second now.

MR. STANTON: I second the standing motion.

DR. PURI: We have a motion on Case No.13-127 with the following amendments.

Mr. Secretary, can you read them out and then take a roll call, please.

MR. STRODTMAN: I will do that. I'll do my best at least. A motion has been made and approved to approve Item 13-127 with the following three modifications or amendments: The first one is to relocate the drive-through further south on the building to allow a right-out and a left-out, both, second one is a right turn off of Providence onto Broadway, and then the third one is lighting and

landscaping improvements to shield light and noise from the park with poles at maximum 16 feet. Did I clarify that?

MR. TILLOTSON: I don't think so, for me. It was either right-out only from the drive-through or if they move the drive-through, then they could have the option of right or left. Is that the way everybody's understanding it? Okay.

MR. ZENNER: Full access -- full access if moved south.

MR. STRODTMAN: So it would be four items. One would be a right only if they leave it at the existing location. If they're willing to relocate it further south, then that would allow a right-out and a left --

DR. PURI: Full access.

MR. STRODTMAN: -- full access. And then the right lane off of Providence, turn lane onto Broadway, as well as the poles at 16 foot maximum for the lighting and landscaping improvement to shield the park.

DR. PURI: May we have a roll call, please.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Lee, Dr. Puri, Mr. Reichlin, Mr. Stanton, Mr. Tillotson, Mr. Wheeler. Voting No: Ms. Loe, Mr. Strodtman, Mr. Vander Tuig. Motion carries 6-3.

DR. PURI: This will be forwarded to the City Council with Planning and Zoning recommendation. Right, Mr. Zenner?

MR. ZENNER: That is correct. With the amended recommendation, it will not be on the consent agenda.

V.) COMMENTS OF PUBLIC

There were no comments from the public.