

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 230-13

AN ORDINANCE

changing the uses allowed on C-P zoned property located on the north side of Buttonwood Drive (3500 Buttonwood Drive); approving a revised statement of intent; approving a revision to the C-P Plan of Pavilion Building; 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 permitted uses on property in District C-P located on the north side of Buttonwood Drive (3500 Buttonwood Drive), and further described as follows:

LOT Seven (7), OAK FOREST SUBDIVISION BLOCK III, AS RECORDED IN PLAT BOOK 22 PAGE 22, BOONE COUNTY RECORDS, LOCATED IN THE NE ¼ OF SECTION 25, TOWNSHIP 48 NORTH, RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI.

are amended to include the following permitted uses:

Assembly or lodge halls, provided that the hours of operation on Monday through Friday shall not be before 6:00 p.m. or after 1:00 a.m., and the hours of operation on Saturday and Sunday shall not be before 7:00 a.m. or after 1:00 a.m.

SECTION 2. The City Council hereby approves the terms and conditions contained in the revised statement of intent dated July 24, 2013, marked "Exhibit A," which is attached to and made a part of this ordinance, which replaces the statement of intent attached to Ordinance No. 017991 passed on February 16, 2004, and it 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. The City Council hereby approves the revision to the C-P Plan of Pavilion Building, dated July 22, 2013, to allow for seven additional parking spaces.

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

PASSED this _____ day of _____, 2013.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor



July 24, 2013

Timothy Teddy
Community Development
701 E. Broadway
Columbia, MO 65205

RE: Statement of Intent for Pavilion Building

Dear Mr. Teddy,

The following is a revised Statement of Intent for the Pavilion Building.

A: Intended Uses:

1. All permitted uses in District O-1
2. Stores, shops, and markets for retail trades, provided merchandise is not displaced, 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.
3. Assembly or lodge halls, provided that they shall not be allowed to occur at the same time as the office uses. The assembly uses shall be not be allowed before 6pm nor after 1am Monday through Friday and shall not be allowed before 7am nor after 1am on weekends.

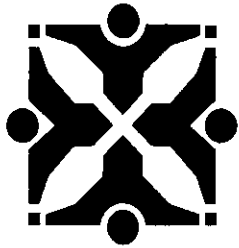
B. The Maximum Gross Square Footage of Building Floor Area Proposed is 16,500 sf.

C. The maximum building height shall be 35.0 ft.

D. Minimum Percentage of the site to be maintained in open space: 15%.

Thank You,
A Civil Group, LLC

Christopher M. Sander, PE, PLS



Source: Community Development - Planning

Agenda Item No:

To: **City Council**

From: **City Manager and Staff**

Council Meeting Date: Aug 19, 2013

Re: Pavilion Building C-P - zoning and development plan amendments (**Case 13-124**)

EXECUTIVE SUMMARY:

A request by Museao, LLC (owner) to amend the Pavilion Building C-P development plan and zoning. The 1.3-acre subject site is located on the north side of Buttonwood Drive, and is addressed 3500 Buttonwood Drive. (Case # 13-124)

DISCUSSION:

The applicant is requesting to add "assembly and lodge halls" to the permitted uses within the existing C-P (Planned Business) zoning district. The site is developed with a 16,150 square foot office/commercial building. The request would allow assembly uses to occur outside of regular office business hours so that the interior building space and off-street parking lot could be shared. The proposal also includes a minor amendment to add seven parking spaces to the C-P development plan.

At its meeting on August 8, 2013 the Planning and Zoning Commission voted unanimously (6-0) to recommend approval of the proposed development plan. Commissioners discussed the coordination of daytime and evening uses, and confirmed that there would be enough off-street parking available on the site. One member of the public expressed concern about existing traffic and on-street parking congestion along Buttonwood and Gray Oak Drives.

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

FISCAL IMPACT:

None

VISION IMPACT:

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

None

SUGGESTED COUNCIL ACTIONS:

Approval of the proposed C-P zoning and development plan amendments

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

AGENDA REPORT
PLANNING AND ZONING COMMISSION MEETING
August 8, 2013

SUMMARY

A request by Museao, LLC (owner) to amend the Pavilion Building C-P development plan and zoning. The 1.3-acre subject site is located on the north side of Buttonwood Drive, and is addressed 3500 Buttonwood Drive. **(Case # 13-124)**

DISCUSSION

The applicant is requesting to add “assembly and lodge halls” to the permitted uses within the existing C-P (Planned Business) zoning district. The site is developed with a 16,150 square foot office/commercial building. The request would allow assembly uses to occur outside of regular office business hours so that the interior building space and off-street parking lot could be shared.

The requested statement of intent includes conditions which define the allowable hours of operation and designates suitable areas within the building to accommodate the assembly use. In addition, the applicant has submitted a revised C-P development plan, which adds parking spaces to the existing parking lot to meet off-street parking requirements for an assembly space with up to 196 seats or occupants.

City staff have reviewed the requested amendments to the zoning and development plan and finds them to be appropriate within the context of adjacent zoning and land uses. Furthermore, the existing building, which was originally designed as a showroom, appears to be well-suited as an assembly space.

RECOMMENDATION

Approval of the statement of intent and C-P development plan revisions

ATTACHMENTS

- Locator aerial and topographic maps
- Revised development plan
- Statement of intent
- 2004 rezoning ordinance

SITE HISTORY

Annexation Date	1969
Existing Zoning District(s)	C-P (Planned Business District)
Land Use Plan Designation	Commercial District
Subdivision/Legal Lot Status	Legally platted as Lot 7, Oak Forest Subdivision Block III

SITE CHARACTERISTICS

Area (acres)	1.96 acres
Topography	Site loses approx. 25 ft elevation from south to north property line
Vegetation/Landscaping	Maintained lawn and landscaping
Watershed/Drainage	Hinkson Creek
Existing structures	16,150 sq. ft. office/commercial building

SURROUNDING LAND USES

Orientation from site	Zoning	Land Use
North	R-1 (One-Family Dwelling)	Church
South	C-1 (Intermediate Business)	Commercial/Office
East	O-1 (Office)	Office
West	O-1 (Office)	Office

UTILITIES & SERVICES

All essential utilities and services, including electricity, water, fire protection, and sanitary sewer, are available to the site, and provided by the City of Columbia.

ACCESS

	Buttonwood Drive
Location	Southwest side of site
Major Roadway Plan	Local Non-residential street (Improved & City-maintained)
CIP Projects	None
Sidewalk	In place

	Gray Oak Drive
Location	Southeast side of site
Major Roadway Plan	Local Non-residential street (Improved & City-maintained)
CIP Projects	None
Sidewalk	In place

PARKS & RECREATION

Neighborhood Parks	N/A
Trails Plan	No trails planned
Bicycle/Pedestrian Plan	No bike/ped infrastructure planned

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: On-street parking from nearby office user
Neighborhood Association(s) Notified	None
Correspondence Received	None as of this writing

Report prepared by Steve MacIntyre; approved by Tim Teddy 



Boone County Assessor's Office, Sanborn Map Company



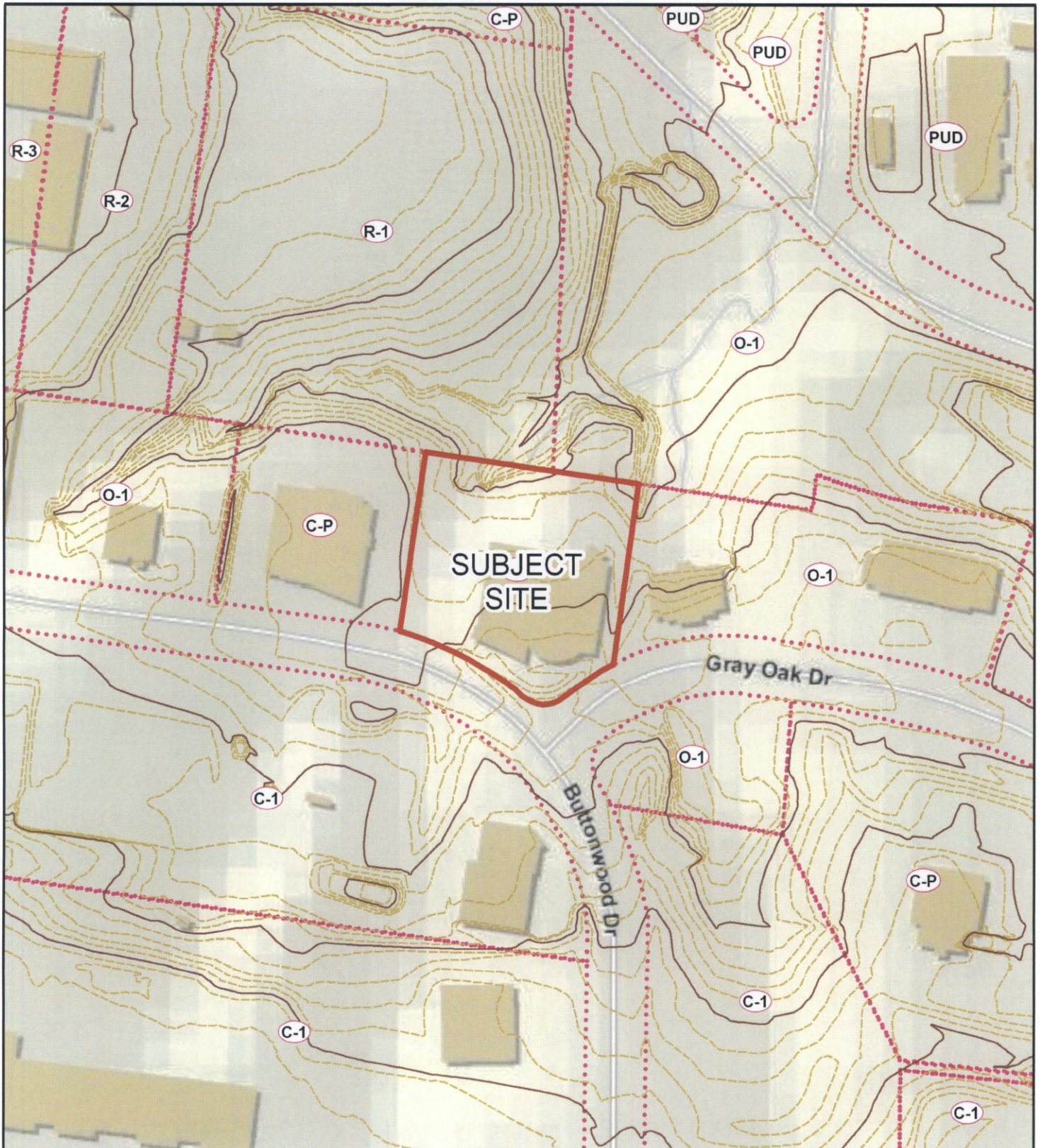
Case 13-124: Pavilion Building C-P zoning and development plan

0 75 150 300
Feet

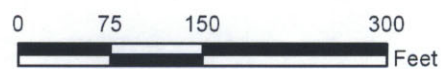
1 inch = 150 feet



Parcel Data and Aerial Photo
Source: Boone County Assessor

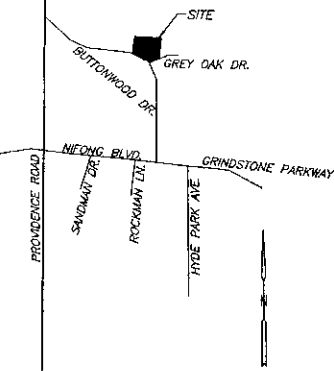


Case 13-124: Pavilion Building C-P zoning and development plan

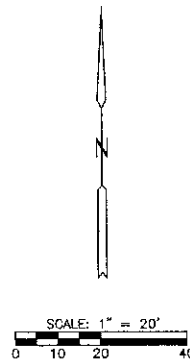


1 inch = 150 feet





LOCATION MAP
NOT TO SCALE



BEARINGS ARE REFERENCED TO THE
LINES OF OAK FOREST BLOCK III,
RECORDED IN BOOK 22, PAGE 22.

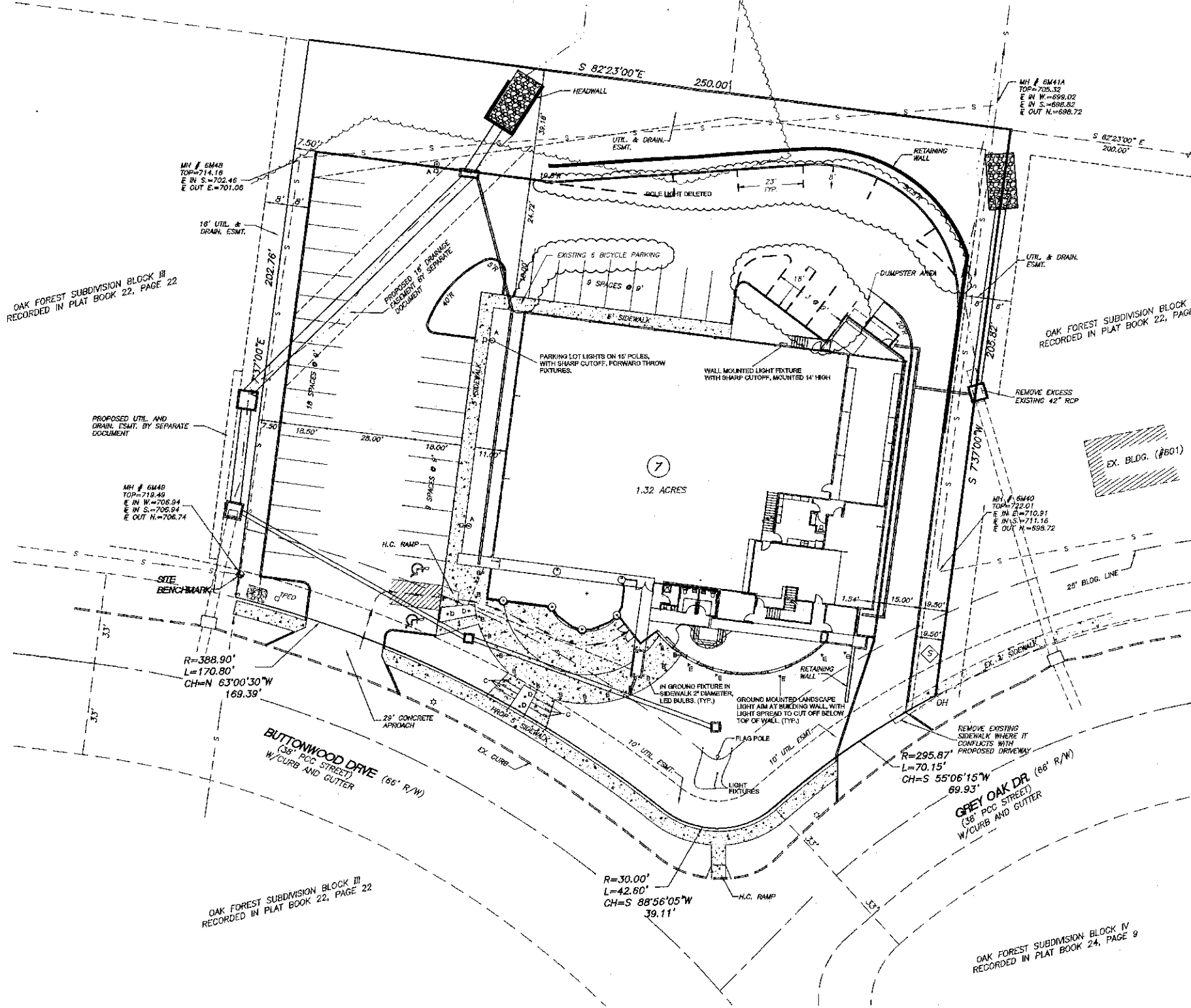
LEGEND

- IRON PIPE (UNLESS NOTED OTHERWISE)
- ⊕ DRILL HOLE
- STORM SEWER
- TELEPHONE
- SANITARY SEWER
- WATERLINE
- GAS LINE
- OVERHEAD ELECTRIC
- UNDERGROUND ELECTRIC
- CABLE TV
- FENCE
- FLOWLINE
- SANITARY MANHOLE
- SANITARY CLEAN OUT
- ⊕ WATER METER
- ⊕ WATER VALVE
- ⊕ FIRE HYDRANT
- CONCRETE
- ⊕ TELEPHONE PEDESTAL
- ⊕ ELECTRIC TRANSFORMER
- ACCESSIBLE ROUTE
- ⊕ FREESTANDING SIGN

OAK FOREST SUBDIVISION BLOCK III
RECORDED IN PLAT BOOK 22, PAGE 22

CHRISTIAN CHAPEL SUBDIVISION
RECORDED IN PLAT BOOK 11, PAGE 232

OAK FOREST PLAT 10 RECORDED IN
PLAT BOOK 38, PAGE 84



OWNER
MUSEAD LLC
C/O LOUI SANDER
3506 BUTTWOOD DR.
COLUMBIA MO 65201
(573) 445-0678

LEGAL DESCRIPTION

LOT 7, OAK FOREST SUBDIVISION BLOCK III, AS RECORDED IN
PLAT BOOK 22, PAGE 22, BOONE COUNTY RECORDS, LOCATED
IN THE NE 1/4 OF SECTION 25, TOWNSHIP 48 NORTH,
RANGE 13 WEST, COLUMBIA, BOONE COUNTY, MISSOURI.

FLOOD PLAIN STATEMENT

THIS TRACT IS NOT LOCATED WITHIN THE 100-YEAR FLOOD
PLAIN AS SHOWN BY THE CITY OF COLUMBIA'S FLOOD PLAIN
MAPS.

SITE BENCHMARK

TOP OF CITY MANHOLE # 6M49, LOCATED AT THE
SOUTHWEST CORNER OF LOT 7.
TOP ELEV. = 719.49

PARKING INFORMATION

REQUIRED PARKING:

DAYTIME USE:
OFFICE (1 SPACE/300 SQ. FT.)
= 14,400 / 300 = 48 SPACES
STORAGE (1 SPACE/2000 SQ. FT.)
= 850 / 2000 = 0.4 SPACE OR 1 SPACE
TOTAL REQUIRED DAYTIME USE = 49

EVENING USE:
ASSEMBLY (1 SPACE/4 OCCUPANTS)
= 196 / 4 = 49 SPACES
TOTAL REQUIRED EVENING USE = 49

PROVIDED PARKING:

43 REGULAR VEHICLE SPACES
2 HANDICAPPED ACCESSIBLE VEHICLE SPACES
4 BICYCLE SPACES
TOTAL PROVIDED SPACES = 49

SIGNAGE

ONE BUILDING MOUNTED SIGN IS PROPOSED ON THE FRONT
CANOPY WITH A MAXIMUM OF 80 SF. A DETAIL OF THIS SIGN
IS ON FILE AT THE CITY OF COLUMBIA. ONE FREESTANDING
DIRECTIONAL SIGN IS PROPOSED IN THE LOCATION SHOWN
WITH A MAXIMUM OF 2 SF.

GENERAL NOTES

- CONTRACTOR SHALL VERIFY EXISTING CONDITION AND LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION. CONTACT ENGINEER WITH ANY DISCREPANCIES.
- BUILDING SIZE AND DIMENSIONS ARE APPROXIMATE. SEE ARCHITECT'S PLANS FOR ACCURATE DIMENSIONS.
- LOT 7 IS ZONED C-P.
- LOT 7 IS 1.32 ACRES.
- ALL DIMENSIONS ARE FROM BACK OF CURB UNLESS SHOWN OTHERWISE.
- ALL SPOT ELEVATIONS ARE TOP OF PAVEMENT UNLESS SHOWN OTHERWISE.
- DRIVEWAY APPROACHES ARE TO BE CONSTRUCTED AS PER CITY OF COLUMBIA STANDARDS.
- BACK SLOPES SHALL BE STABILIZED AS SOON AS GENERAL GRADING OPERATIONS ARE COMPLETE. IF VEGETATIVE COVER CAN NOT BE ESTABLISHED PRIOR TO THE ONSET OF WINTER, AN ALTERNATIVE METHOD OF STABILIZATION SHALL BE USED UNTIL VEGETATIVE COVER IS ESTABLISHED.
- CURB RAMP CANNOT BE WITHIN THE WHEEL CHAIR ACCESS ISL.
- ALL RADII ARE 2.5' UNLESS OTHERWISE NOTED.
- THE MINIMUM PERCENTAGE OF THE SITE TO BE MAINTAINED IN OPEN SPACE IS 15%.
- THE MAXIMUM HEIGHT OF ANY BUILDING ON SITE SHALL BE 35'.

REVISION NOTE

A C-P PLAN WAS APPROVED FOR THIS SITE ON APRIL 22,
2005. A MINOR REVISION TO THIS PLAN WAS APPROVED
JANUARY 30, 2006. THE CHANGES TO THIS PLAN, SHOWN ON
THIS REVISION ARE ENCLOSED IN CLOUDED LINES. THESE
REVISIONS ARE THE ONLY PART OF THIS PLAN PREPARED BY A
CIVIL GROUP. THE REMAINDER WAS PREPARED BY ALLSTATE
CONSULTANTS.

LIGHTING SCHEDULE								
MARK	MANUFACTURER*	MODEL NO.	TYPE	VOLTS	AMPS	LAMPS	MOUNTING	REMARKS
A	LITHONIA	KVR2 400M R4SC 208 RPF20	POLE LIGHT	208	2	1-400W MH	POLE	ON 15' POLE. SHARP CUTOFF FIXTURE
B	ERCO	33740	IN GRADE	120	0.2	1-26W CF	IN GRADE	
C	COOPER	1211-LA	STEP LIGHT	120	0.1	13W CF	IN GRADE	
D	ALLSCAPE	LL-30 100 MH 120 BK	BOLLARD	120	0.8	1-100W MH	ANCHOR	
E	LUMIERE	2004 120 MH39PAR20 MB BK	LANDSCAPE LIGHT	120	0.3	1-39W MH	IN GRADE	FIXTURE TO BE ADJUSTED TO BE CUTOFF @ TOP OF PANEL
* OR EQUAL								

APPROVED BY THE CITY OF COLUMBIA PLANNING & ZONING
COMMISSION THIS _____ DAY OF _____, 2013.

ROBERT McDAVID, MAYOR

DOUG WHICLER, CHAIRMAN

RECEIVED AND ACCEPTED BY THE COLUMBIA CITY
COUNCIL THIS _____ DAY OF _____, 2013.

SHEELA AMIN, CITY CLERK



C-P PLAN PAVILION BUILDING
LOT 7, OAK FOREST SUBDIVISION
COLUMBIA, MISSOURI

C-P REVISION



A CIVIL GROUP
-CIVIL ENGINEERING-
-PLANNING-
-SURVEYING-

3401 BROADWAY
BUSINESS PARK COURT
SUITE 105
COLUMBIA, MO 65203
PH: (573) 817-5750
FAX: (573) 817-1677
CERTIFICATE OF AUTHORITY:
2001006116

THIS DOCUMENT HAS BEEN
ELECTRONICALLY
SIGNED, SEALED AND DATED.

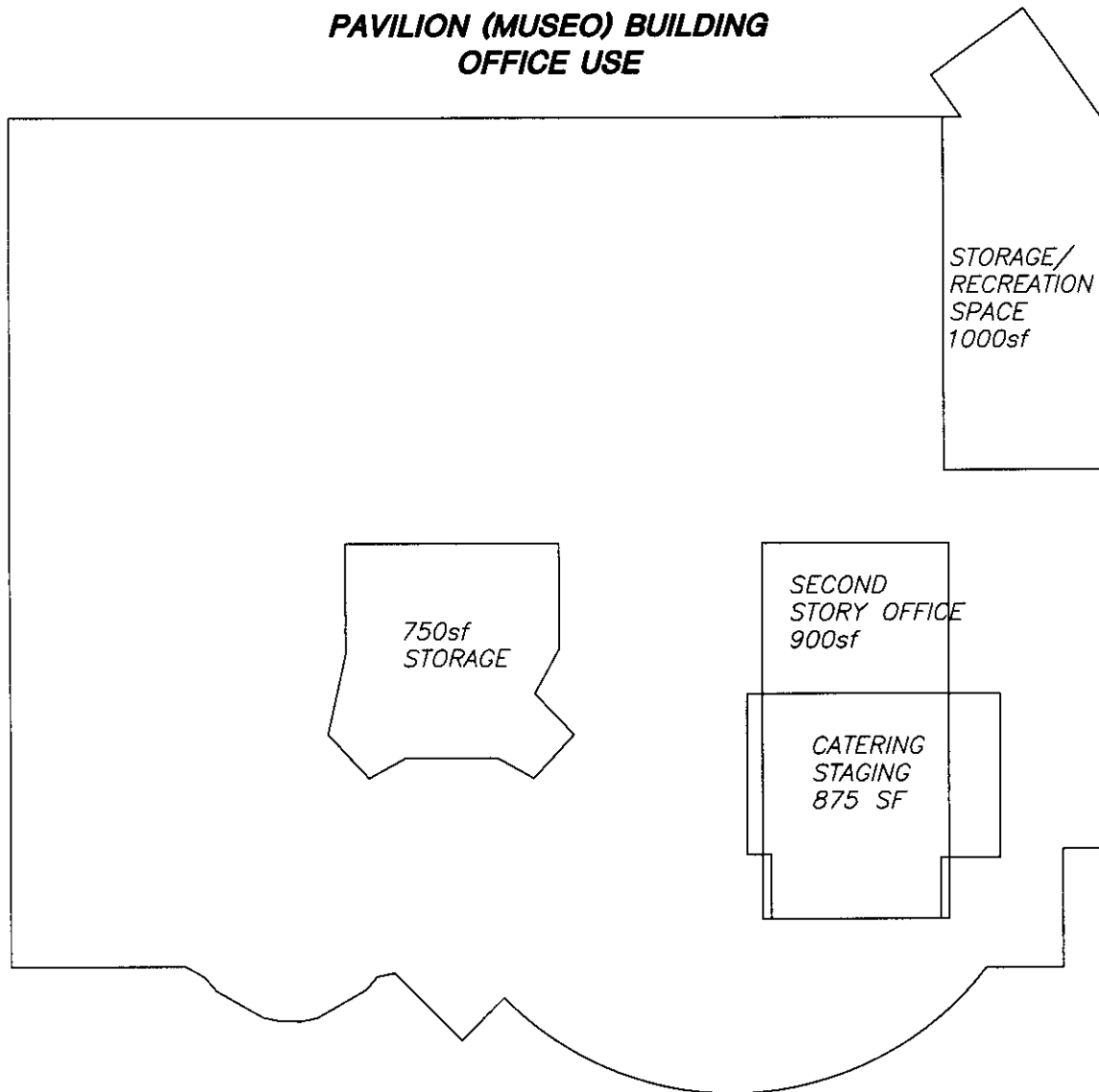


CHRISTOPHER M SANDER
P.E. 2001004659
JULY 22, 2013

PROJECT # MUSE13-01
DRAWING # MUSE13-01
DRAWN BY: SMH

SHEET C 1
SHEET 1 OF 1

**PAVILION (MUSEO) BUILDING
OFFICE USE**

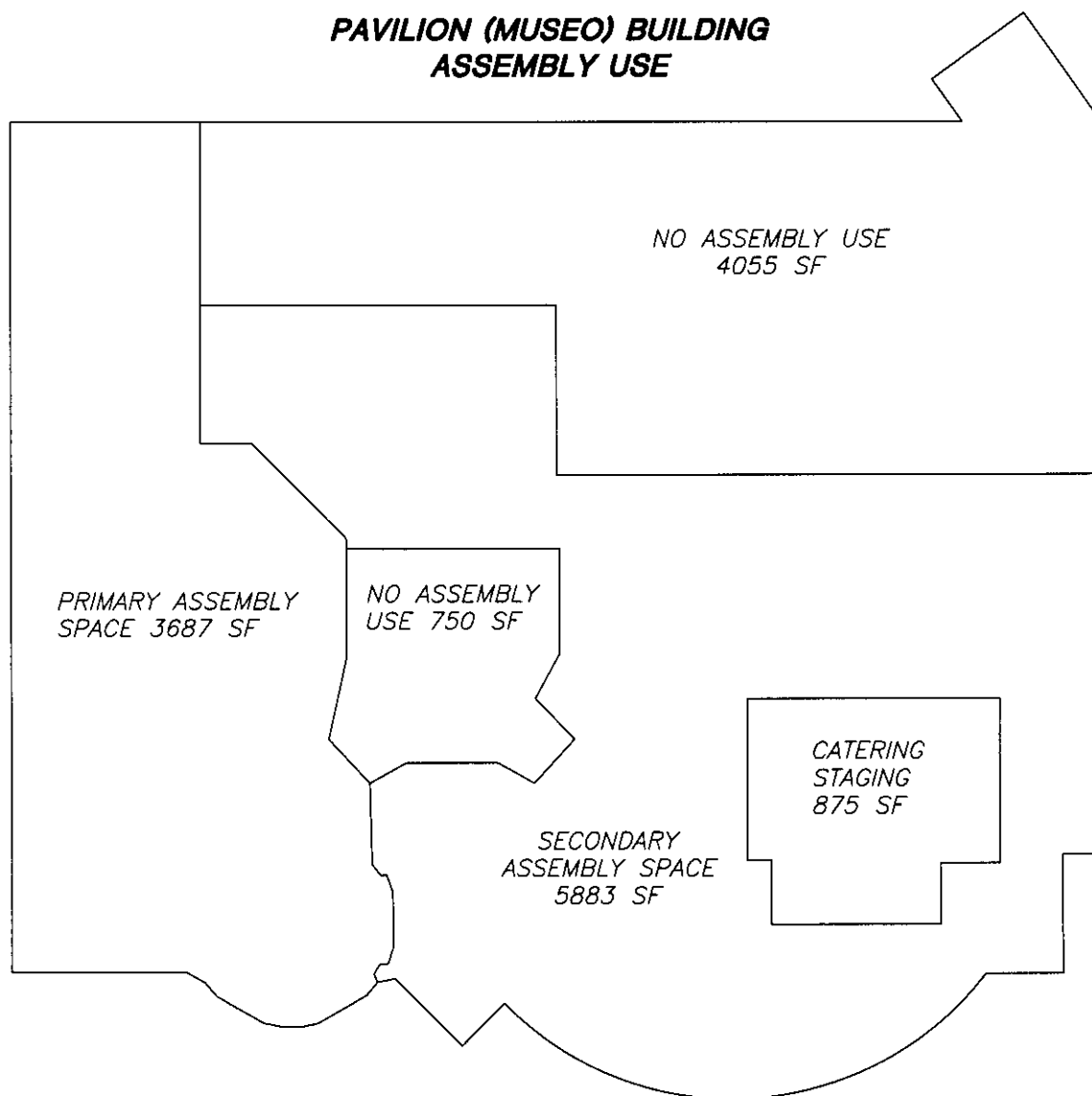


THE AREA OF THE MAIN FLOOR OF THE BUILDING IS 15,250 SQUARE FEET. THE AREA OF THE SECOND FLOOR IS 900 SQUARE FEET FOR A TOTAL OF 16,150 SQUARE FEET.

THE AREA THAT IS USED AS STORAGE IS 1,750 SQUARE FEET. THIS INCLUDES AN UNFINISHED AREA THAT IS USED FOR STORAGE AND FOR OFFICE RECREATION.

THERE IS A CATERING STAGING AREA THAT IS USED BY CATERERS DURING ASSEMBLY RENTALS ONLY. THIS AREA IS NOT USED WHILE THE BUILDING IS BEING UTILIZED AS AN OFFICE. THE CATERING STAGING AREA HAS AN AREA OF 875 SQUARE FEET. THE BUILDING HAS ANOTHER BREAK ROOM FOR OFFICE USE. THE STAGING AREA AND THE BREAK ROOM WERE INCLUDED IN THE OFFICE SPACE UTILIZATION FOR PARKING CALCULATIONS.

**PAVILION (MUSEO) BUILDING
ASSEMBLY USE**



THE AREA OF THE MAIN FLOOR OF THE BUILDING IS 15,250 SQUARE FEET. NO PART OF THE SECOND FLOOR IS AVAILABLE FOR ASSEMBLY USE.

A PORTION OF THE FIRST FLOOR IS NOT AVAILABLE FOR ASSEMBLY USE. THE AREA THAT IS NOT AVAILABLE FOR ASSEMBLY IS 4,805 SQUARE FEET.

THE PORTION OF THE MAIN FLOOR THAT IS LABELED AS PRIMARY ASSEMBLY SPACE CONTAINS 3687 SQUARE FEET. THIS AREA IS MOST SUITABLE FOR PORTABLE TABLE AND CHAIR ARRANGEMENTS AND HAS ADEQUATE SPACE FOR 175 CHAIRS.

THE REMAINING PORTION OF THE MAIN FLOOR CONTAINS 6758 SQUARE FEET, BUT IS BROKEN INTO SMALLER SPACES SO IS AVAILABLE FOR MINGLING BUT IS NOT SUITABLE FOR CONCENTRATED CHAIRS OR TABLES AND CHAIRS. THIS AREA ALSO CONTAINS A KITCHEN AREA THAT IS USED FOR STAGING FOR CATERING EVENTS.

Introduced by Hindman

First Reading 2-2-04 Second Reading 2-16-04

Ordinance No. 017991 Council Bill No. B 41-04

017991

AN ORDINANCE

rezoning property located on the northwest corner of Gray Oak Drive and Buttonwood Drive from District O-1 to District C-P; repealing all conflicting ordinances or parts of ordinances; and fixing the time when this ordinance shall become effective.

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

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

Lot Seven (7) of Oak Forest Subdivision Block III, a subdivision located in the City of Columbia, Missouri, as shown by plat recorded in Plat Book 22, Page 22, Records of Boone County, Missouri.

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

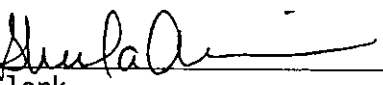
SECTION 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its passage.


PASSED this 16th day of February, 2004.

Permanent Record
Filed in Clerk's Office

ATTEST:




City Clerk

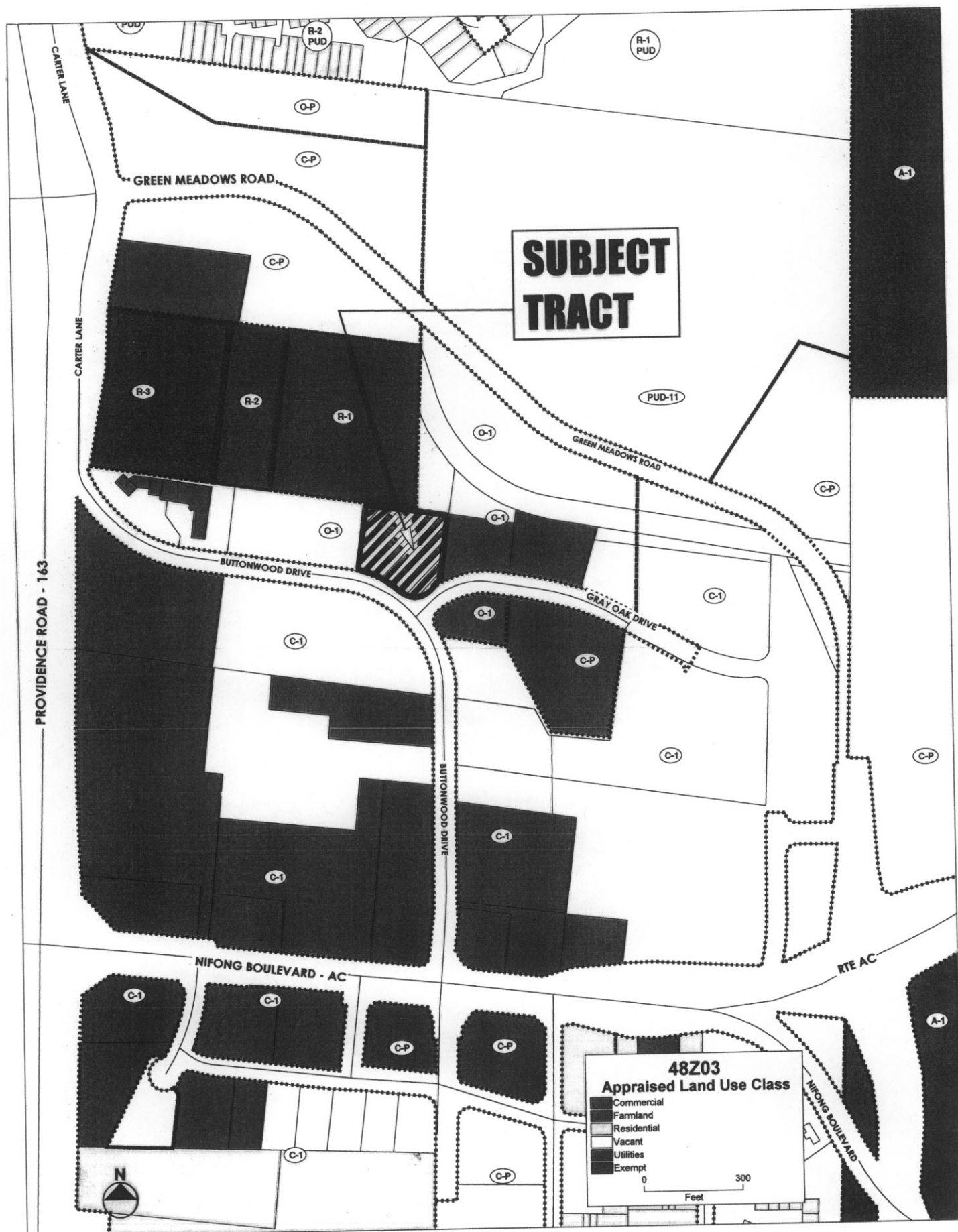


Mayor and Presiding Officer

APPROVED AS TO FORM:



City Counselor



EXCERPTS
PLANNING AND ZONING COMMISSION MEETING
AUGUST 8, 2013

13-124 A request by Museao, LLC (owner) to amend the Pavilion Building C-P development plan and zoning. The 1.3-acre subject site is located on the north side of Buttonwood Drive, and is addressed 3500 Buttonwood Drive.

MR. WHEELER: When Staff feels it appropriate to begin, you may.

Staff report was given by Mr. Steven MacIntyre of the Planning and Development Department. Staff recommends approval of the statement of intent and C-P development plan revisions.

MR. WHEELER: Are there any questions of Staff?

MR. STRODTMAN: I do. Are they just making the stalls smaller?

MR. MACINTYRE: What they're doing is they've incorporated a couple of -- I apologize for this exhibit on the slide, but it is difficult to see. They are making use of some available curb line on the edge of the existing pavement to put in a few parallel spaces there. And then, there's an unused loading dock, which is a remnant of when it was a furniture store and they're adding three spaces in there. So that's how they would add additional parking. They're also showing bicycle parking on the site, which I believe --

MR. STRODTMAN: The existing parking's intact and they're just adding new?

MR. MACINTYRE: It is. That's correct.

MR. STRODTMAN: Thank you.

MR. WHEELER: Are there any additional questions of Staff? Seeing none, we will open the public hearing.

PUBLIC HEARING OPENED

MR. SANDER: Good evening. I'm Chris Sander with A Civil Group, office at 3401 Broadway Business Park Court. I'm here on behalf of Museao, LLC, which is the owner of the building. It is one of a number of companies that's part of a big family. The ownership of this family of businesses is a incubator of small businesses, entrepreneurship, and they were in need of some more office space and this building became available and it just fit into their needs. However, it's much larger than the amount of space that they utilize for their office activities. So they -- over time -- it's a very unique building. It -- when it was described to me before I saw it, I didn't really understand this idea that someone would use it as a -- for receptions and meeting space. But they have combined the open space of a furniture store that was previously there and the unique architecture into a space that is desirable for wedding receptions. And then, along the lines of their primary focus of business, of entrepreneurship, conferences. It's not exactly the right word, but groupings of entrepreneurs where they can find common ways to promote their businesses and such. They have owned This property for a couple of years and since they purchased the property they divided part of it off as office space

and the open spaces then were utilized for this assembly use. Earlier this year, through the review the Community Development staff recognized that, Wait a minute, the zoning's not quite appropriate for what you're using here, and pointed out to them that they wouldn't renew the business license unless we resolved the zoning issues. The -- as Mr. MacIntyre said, the loading dock is no longer necessary and the large pavement area in the back to allow for maneuvering trucks to make deliveries to a furniture store as it's primarily office, no longer used. So we feel like we could just do some striping changes back there and maximize the paved area that's already there to bring our -- you know, utilize as much parking as possible. The -- during the day the building is primarily used for office. The assembly use or reception space is generally used in the evenings and weekends, and the revised statement of intent before you speaks to the hours of operation of the assembly use so that it's outside of normal business hours when the office space would be used, all in an effort to assure that we're not overloading the parking lot and creating a nuisance to the neighbors. Within approximately 500 feet, there is adequate on-street parking along, primarily, Buttonwood to allow for enough spaces to basically provide additional parking for 200, to double the occupancy that is proposed for the space. The statement of intent speaks to the limitation to the number of occupants for assembly use and to use for office. In particular to the assembly space, as this space is being used, a caterer is required to obtain a permit from Community Development for each event that takes place at the site. And in obtaining this permit for each individual activity, there's an application that requires some information, one of the pieces of information being number of occupants. We feel like that provides kind of a unique situation here where there -- a lot of times self-imposed restrictions on a zoning are hard to enforce, but in this case there's sort of that check every time that the caterer is asking for a permit to use the space, they're communicating with the City on an ongoing basis. And we feel like that's a really good opportunity to continually keep the City involved in -- staff involved in that process of how the space is being used. I have Lori Sander and Heidi Fuhrman from Museao, LLC here with me tonight, and we'd just try to answer any questions that you have.

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

MR. STRODTMAN: I do. Explain to me the on-street parking again. I kind of -- you lost me on that. Are you guys going to be looking to use on-street parking?

MR. SANDER: No. No. We are not. The idea being that the limitations stated in the statement of intent parallels the parking requirements for assembly use in the City's zoning ordinance, and the amount of parking -- off-street parking that's provided on the site. But just the idea that if there was a -- if something went wrong with that process, the occupancy that is permitted by, you know, what we're proposing tonight could really be doubled and parking would only be within 500 feet of the site. But we don't -- not that we're proposing to double the occupancy of the use of the building. Just pointing out that there is significant on-street parking available in the area. You know, this area has changed significantly from its original intent and so these streets were built to carry

considerably more flow -- traffic flow. But as the Walmart development, the Kohl's and such has taken place, things have changed considerably in this area.

MR. STRODTMAN: But under your current -- assume we approve this and you get your approvals and your permits, you won't need this street parking. Right?

MR. SANDER: That's correct.

MR. STRODTMAN: Okay. And the only point you were trying to make is that you could double it and you would only be 500 feet -- my concern is I don't want you using the city streets because I don't think that that's -- if you have to use the city streets, then you need to make your building bigger -- or your parking lot bigger and not jeep-- you know, don't penalize us, the street users, to have to go around all these cars. And so that was my point, but if you're not going to be using the city streets, then my question's kind of void here.

MR. SANDER: No. The number of occupants listed in the statement of intent is based on the number of parking spaces available on the property.

MR. STRODTMAN: Perfect. Thank you.

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

MR. TILLOTSON: I have a question for one of the people that work there, but I can wait until --

MR. WHEELER: Are there any questions of this speaker? All right. If you could, ma'am.

MS. FUHRMAN: Hi. I'm Heidi Fuhrman. I work at the Museao and I'm from Moberly, Missouri.

MR. TILLOTSON: We won't hold that against you.

MS. FUHRMAN: Thank you.

MR. TILLOTSON: My question's just real quick. I was out there not too long ago and I believe that's all no parking signs up and down that street.

MS. FUHRMAN: The way that it is right now is that there -- it's pretty much all commercial around there, so there's some no parking right around where the entrances are to the different buildings, but there is some, like, public parking still in between where those entrances would be. So there's a little bit of both, but it's primarily open parking, and then around the entrances, just for safety, it's no parking.

MR. WHEELER: Are there any other questions of this speaker? Thank you, ma'am. Are there any other speakers on this issue?

MS. KURTZ: My name is Susan Kurtz; my address is 300 Devine Court. I'm employed by Hawthorne Educational Services. We're around the corner from Museao on Gray Oak. There is a very large problem with on-street parking on Gray Oak. I don't see that same problem frequently on Buttonwood, but it is a problem. I understand that they intend to use this on off office hours and that does alleviate a lot of the problems. But if you start something even at 4:30, at 5:00, at 5:30, at 6:00, coming on and off of Gray Oak is a serious problem. Cars on Gray Oak, they park right up to the edge of driveways even on Gray Oak. It's a serious problem. In the wintertime sometimes it's one-way traffic on Gray Oak. And now that the developments that have been pointed out to you are there,

we have delivery trucks, we have semi trucks that come down there making deliveries to HyVee and the other big stores in that shopping center. I commend them for using their space. I don't have any problem at all with what they want to do. My problem has to do with on-street parking, and I do think that's a problem that needs to be addressed.

MR. WHEELER: All right. Are there any --

MR. STRODTMAN: I have --

MR. WHEELER: Mr. Strodtman?

MR. STRODTMAN: Who would you say is using that on-street parking?

MS. KURTZ: I haven't taken names, but I suspect that it is the insurance company across the street from us that is zoned for office, but they have a lot of agents who come and go and they seem to park on the street. At the current time, they are putting an addition on their building. I assume when the contractors leave that that will alleviate some of that problem, but I'm not confident of that. And another big infringer would be the Social Security building on that street.

MR. STRODTMAN: And those are the buildings --

MS. KURTZ: Adjacent to me, uh-huh, across the street --

MR. STRODTMAN: Across the street.

MS. KURTZ: -- from our business.

MR. STRODTMAN: Thank you.

MS. KURTZ: You're welcome.

MR. WHEELER: Mr. Tillotson?

MR. TILLOTSON: What I was going to talk about, I do know Social Security office closes at 3:00, so most of that traffic is out of there.

MS. KURTZ: Yes.

MR. TILLOTSON: And in insurance, most of their traffic is morning when they call agents in for meetings.

MS. KURTZ: It's all day.

MR. TILLOTSON: Is it all day? I know it's a big -- it has a lot of agents in and out of there. I was just curious because I have gone over there and it is a mess.

MS. KURTZ: It really is very difficult. And sometimes when you come to the corner of Gray Oak and Buttonwood, you cannot see well enough to confidently make a left-hand turn.

MR. TILLOTSON: You know, you could talk to your Councilperson and --

MS. KURTZ: I've done that. Isn't that interesting?

MR. TILLOTSON: And they haven't given you signs, no parking signs yet?

MS. KURTZ: No, they have not.

MR. TILLOTSON: I'm done. Thank you.

MR. WHEELER: Are there any other questions of this speaker? Mr. Stanton?

MR. STANTON: Pardon my ignorance, but what ward are you in? What ward is this?

MS. KURTZ: It's the Fifth Ward, I believe. I don't live in that ward.

MR. STANTON: Okay.

MR. WHEELER: Thank you, ma'am.

MS. KURTZ: You're welcome.

MR. WHEELER: You were talking about a restriction -- if you don't mind coming back up. You were talking about a restriction for when these functions could happen.

MR. SANDER: Yes, sir.

MR. WHEELER: Are there a proposal of hours of operation?

MR. SANDER: That's correct.

MR. WHEELER: I didn't see it.

MR. SANDER: Oh. Statement of intent includes hours of operation for the assembly use that would be after 6:00 p.m. on weekdays and 7:00 a.m. through -- I don't remember the close hour, but one o'clock, something like that --

MR. WHEELER: I was looking for business hours during the week is what I was looking for, so thank you.

MR. SANDER: After 6:00 p.m. Thank you.

MR. WHEELER: All right. And it does -- if Staff will make a note of that, it does look like something we should bring to Public Works' attention. It would seem to me that it would be appropriate to give us a little stacking distance at this intersection. Thank you. All right. Commissioners? Oh, anyone else like to speak on this item tonight? I'm rushing through because it's almost 11:00, past my bedtime.

PUBLIC HEARING CLOSED

MR. WHEELER: Commissioners, discussion on the motion -- or discussion on the item? Oh, by the way, I'm from Moberly too, so --

MR. TILLOTSON: I knew that. That's why I said that.

MR. WHEELER: Yeah. All right. So let me -- in an effort to move this along, if no one objects, it seems very reasonable to me. This is a -- seems like an appropriate use of space. I agree that there has been a transformation in the area and the street infrastructure is adequate, although I agree that we shouldn't be encouraging street parking any more than -- and we also should have some signs, not that we have any power on that. So I'm -- if there's no objection, I'm going to make a motion that we recommend approval of the request and the accompanying development plan as well as the zoning.

MR. TILLOTSON: I second.

MR. WHEELER: Motion has been made and seconded. Any discussion on the motion?

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Lee, Dr. Puri, Mr. Stanton, Mr. Strodman, Mr. Tillotson, Mr. Wheeler. Motion carries 6-0.

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