

November 4, 2021
MINUTES OF THE PLANNING AND ZONING COMMISSION
Springfield, Missouri

The Planning and Zoning Commission met in regular session in the City Council Chambers.

Roll Call - Present: Randall Doennig (Chairman), King Coltrin (Vice-Chairman), Dee Ogilvy, Bill Knuckles, Bruce Colony, Kuleya Bruce, Britton Jobe, and Natalie Broekhoven. Absent: Christopher Lebeck. Staff in attendance: Bob Hosmer, Planning Manager, Jill Burris, Assistant City Attorney, and Brendan Griesemer, Acting Planning Director.

MINUTES: The minutes of October 7, 2021 were approved.

COMMUNICATIONS: Bob Hosmer reported on City Council meeting actions.

CONSENT ITEMS:

UNFINISHED BUSINESS:

PUBLIC HEARINGS:

Z-21-2021 w/COD #205

1644, 1684 & 1706 South Zimmer Avenue (Farm Road 129) and 1721 South West Bypass

Applicant: Bibi Investments & Development, LLC

Mr. Hosmer states that this is a request to rezone approximately 11.5 acres of property generally located at 1644, 1684 & 1706 Zimmer Avenue and 1721 West Bypass from County C-2, General Commercial District to GR, General Retail District and establishing Conditional Overlay District No. 205. The Comprehensive Plan identifies north as Medium to High Density Housing and south as Medium Intensity Retail, Office, or Housing. The property is currently zoned C-2 General Commercial District in the County. GR has similar uses. The Transportation Plan classifies Zimmer as a Collector roadway. A Traffic Impact Study required at time of development. The property is not located in a FEMA designated floodplain or sinkhole area. There is a stream buffer area on northeast side and on-site stormwater detention will be required. There is an annexation request at City Council.

The proposed Conditional Overlay District will:

- Require a Traffic Study at the time of development to Mo DOT and City,
- Subdivision to replat/combine property,
- May need additional ROW,
- Sidewalk along Zimmer,
- Sewer connection fee,
- Stream buffer easement, and
- Meet driveway standards.

Staff recommends approval.

Mr. Colony asked about the house and property located at 1696 South Zimmer Avenue (Farm Road 129) and if it is in the annexation request or will it remain outside of city limits or will there be any attempt to combine the properties.

Mr. Hosmer stated that it not part of the annexation or rezoning.

Mr. Jobe asked about the density from the County's C2 zoning to the City 's General Retail zoning.

Mr. Hosmer noted that it is very similar in the density requirements and they wanted to make sure that the zoning (present to proposed) matches as close as possible.

Mr. Doennig opened the public hearing.

Mr. Aaron Hargrave, 3213 S. West Bypass and here to answer any questions.

Mr. Colony asked if there any intent to combine the properties.

Mr. Hargrave noted that they cannot combine the properties as they do not touch with each other.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Knuckles motioned to **approve** Z-21-2021 w/COD #205 (1644, 1684 & 1706 South Zimmer Avenue (Farm Road 129) and 1721 South West Bypass). Mr. Jobe seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Knuckles, Colony, Bruce, Jobe, and Broekhoven. Nays: None. Abstain: None. Absent: Lebeck.

Conditional Use Permit 456

1423 West Atlantic Street

Applicant: Springfield Public Schools

Mr. Hosmer states that this is a request to permit an adaptive reuse of nonresidential structure in a R-SF, Residential Single-Family District to allow a school and studio for art, dancing, drama, music, photography, interior decorating, or similar courses of study generally located at 1423 West Atlantic Street (Abandoned Doling Elementary School). The Comprehensive Plan identifies the property as Community Public (schools, public uses). The Transportation Plan classifies Atlantic as a Collector and Lee, Newton and Nettleton as a Local roadways and a Traffic Impact Study is not required. The property is not located in a FEMA designated floodplain, stream buffer or sinkhole area. On-site stormwater detention will be required. The purpose of the adaptive use section is to allow for the productive use of nonresidential structures built in residential districts that could otherwise be a blight on the neighborhood if left vacant and are not maintained. Review by P&Z and City Council determines that the proposed use would not have significant adverse impacts on the surrounding neighborhood. The application meets the approval standards for the conditional use permit. Requirements for approval:

- Allows school and studio for art, dancing, drama, music, photography, interior decorating, or similar courses of study,
- Hours are limited to 7AM to 6PM Daily
- Detached sign limited to 20 sf and wall signs 10% of wall facade.

Staff recommends approval.

Mr. Knuckles asked if the lots will be combined or remain individual lots.

Mr. Hosmer noted that it is all one tract.

Mr. Doennig opened the public hearing.

Ms. Kate Baird, 806 S. Weller Avenue and here to answer any questions.

Ms. Janis Deveney, 1462 W. Atlantic and stated that she is next to the proposed artist school and asked for clarification on the Conditional Use Permit.

- Number 5 (noise) – stating that music lessons and poorly played instruments are annoying and if there will be any sound proofing.
- Number 7 (lighting) – questions regarding the light for signs and if any lights will be directed toward homes.
- Number 20 (existing structures) – noted that the applicant is getting a tax-free loan and this building has had mold problems and if opened 24/7, stating that this may cause problems. She also addressed any use of possible hazardous art materials and their disposal citing safety concerns and that if school does not prevail and if it could be made into high-density apartments/condos which she opposes.

Mr. Hosmer addressed her concerns that the hours will be enforced as well as the lighting and noise standards will have to be met.

Ms. Ogilvy stated that she is in favor of these types of buildings and is very happy with proposed development.

Mr. Colony also noted his favorable opinion on the development.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Colony motioned to **approve** Conditional Use Permit 456 (1423 West Atlantic Street). Ms. Bruce seconded the motion.

Ayes: Doennig, Coltrin, Ogilvy, Knuckles, Colony, Bruce, Jobe, and Broekhoven. Nays: None. Abstain: None. Absent: Lebeck.

Conditional Use Permit 457

211 West Battlefield Road

Applicant: Choong Properties, LLC

Mr. Hosmer states that this is a request to permit an automobile washing business as a Conditional Use Permit within a GR, General Retail District generally located at 211 West Battlefield Road. The Comprehensive Plan identifies the property as Medium Intensity Retail, Office, or Housing. The Transportation Plan classifies Battlefield as a Primary Arterial roadway and a Traffic Impact Study is not required. The property is not located in a FEMA designated floodplain, stream buffer or sinkhole area and on-site stormwater detention will be required. The CUP will allow a car wash in compliance with the approved site plan. Driveways must comply with PW Design Standards. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Aaron Hargrave, 3213 S. West Bypass and here to answer any questions.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Knuckles motioned to **approve** Conditional Use Permit 457 (211 West Battlefield Street). Mr. Jobe seconded the motion.

Ayes: Doennig, Coltrin, Ogilvy, Knuckles, Colony, Bruce, Jobe, and Broekhoven. Nays: None. Abstain: None. Absent: Lebeck.

Conditional Use Permit 458

1825 West Kingsley Street

Applicant: Alcancia, Elpidio Y Rev Inter Vivos Trust

Mr. Hosmer states that this is a request to permit a body, fender repair and paint shop as a Conditional Use Permit within a HC, Highway Commercial District generally located at 1825 West Kingsley Street. The Comprehensive Plan identifies the property as High-Intensity Retail, Office, or Housing. The property is located in the James River Freeway and Kansas Expressway Activity Center. The Transportation Plan classifies Kingsley as a Local roadway and a Traffic Impact Study is not required. The property is not located in a FEMA designated floodplain, stream buffer or sinkhole area and on-site stormwater detention is provided. The CUP will allow a body and fender repair and paint shop in compliance with the approved site plan. The application meets the approval standards for the conditional use permit. Staff recommends approval.

Mr. Colony asked if there will be any car storage and Mr. Hosmer stated that will not be any car storage.

Mr. Doennig opened the public hearing.

Mr. Aaron Hargrave, 3213 S. West Bypass and here to answer any questions.

Mr. Colony asked if there will be any additional screening or landscaping.

Mr. Hargrave was not sure for any additional screening or landscaping, but something for security.

Mr. Doennig closed the public hearing.

Mr. Jobe asked if they currently could have a car repair/paint shop in its current Highway Commercial zoning and how the CUP would deviate from what is permitted under Highway Commercial to what purpose.

Mr. Hosmer stated that they could have a car repair/paint shop in Highway Commercial zoning only by the allowable use of a CUP which includes a site plan in each district.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Knuckles motioned to **approve** Conditional Use Permit 458 (1825 West Kingsley Street). Ms. Bruce seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Knuckles, Colony, Bruce, and Broekhoven. Nays: Jobe. Abstain: None. Absent: Lebeck.

Interstate Highway Commercial Sign District Amendments

Citywide

Applicant: City of Springfield

Mr. Hosmer states that this is a request to amend the Interstate Highway Commercial Sign District Requirements Section 36-454 (19). The purpose of the "Interstate Highway Commercial Sign District" is to permit detached signs in proximity to the intersection of qualifying major commercial streets with an interstate highway. Larger and taller detached signs are deemed appropriate in these areas due to the orientation of the commercial activity located at these intersections. On premise freestanding signs within the district are permitted to increase their height ranging from 40 to 50 and 70 feet and their total effective area ranging from 400 to 450 to 600 square feet. The maximum sign height for commercial signs in other areas is 40 feet high with a maximum of 400 square feet total effective area.

Locations:

- Property within a 660-foot radius from the intersection of:
- Interstate 44 and Kansas Expressway;
- Kearney Street and Schoolcraft Freeway (U.S. 65);
- Sunshine Street and Schoolcraft Freeway (U.S. 65); and
- The southwest quadrant of Chestnut Expressway and Schoolcraft Freeway.

Property with frontage on Glenstone Avenue between the northern right-of-way of Kearney Street and 100 feet north of the northern right-of-way of McClernon Street, plus property within an 1,800-foot radius from the center of the intersection of the rights-of-way of Interstate 44 and Glenstone Avenue. Property at the southwest quadrant of Interstate Highway 44 and U.S. Highway 65 within an 1,800-foot radius from the center of the intersection of the rights-of-way of these two highways. This subsection of the Sign Code was written in 1986 and last amended in 2008 and needed modifications. Interstate 44 (I-44) and Mulroy Road has been identified as an emerging activity center that could use additional sign height for commercial businesses. Staff also realized that since this section has been amended several times it needed to be re-organized to provide more clarity for interpretations and enforcement. Staff is proposing to rename this subsection of the Sign Code as the "Freeway Commercial Sign District" since U.S. Highway 65 is not an interstate. I-44 and US 65 are classified as a Freeway's by the City. Staff recommends approval of the amendments.

Mr. Colony noted that they are adding Mulroy Road along I-44 into this classification and asked if they are maintaining the same criteria for signs of height and area for businesses.

Mr. Hosmer stated that it is same criteria for signs as the other areas.

Mr. Jobe asked if the language (Section 36-454) will expand to other sign districts.

Mr. Hosmer noted for clarification that it does not include freeways within the scenic corridors and that Mulroy Road is only being added.

Mr. Knuckles asked about examples of difficulties of existing language.

Mr. Hosmer gave examples and wants to consolidate all the language, location, and exemptions.

Mr. Doennig opened the public hearing.

No speakers.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Jobe motioned to **approve** Interstate Highway Commercial Sign District Amendments (Citywide). Ms. Bruce seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Knuckles, Colony, Bruce, Jobe, and Broekhoven. Nays: None. Abstain: None. Absent: Lebeck.

OTHER BUSINESS:

Approval of 2022 Planning and Zoning Calendar

Applicant: City of Springfield

COMMISSION ACTION:

Mr. Knuckles motioned to **approve** the 2022 Planning and Zoning Calendar. Ms. Bruce seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Knuckles, Colony, Bruce, Jobe, and Broekhoven. Nays: None. Abstain: None. Absent: Lebeck.