

July 16, 2020
MINUTES OF THE PLANNING AND ZONING COMMISSION
Springfield, Missouri

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

Roll Call - Present: Randall Doennig, (Chairman), King Coltrin (Vice-Chairman), Natalie Broekhoven, Britton Jobe, Dee Ogilvy, Melissa Cox, Joel Thomas, and Cameron Rose. Absent: David Shuler. Staff in attendance: Bob Hosmer, Planning Manager, Kyle Tolbert, Assistant City Attorney, and Mary Lilly Smith, Planning Director.

MINUTES: The minutes of June 4, 2020 were approved.

COMMUNICATIONS: Bob Hosmer reported on City Council meeting actions.

CONSENT ITEMS:

Relinquishment of Easement 902
1109 East Chestnut Expressway

Applicant: Community College District of Central Southwest Missouri

King Coltrin recused.

COMMISSION ACTION:

Ms. Cox motioned to **approve** consent item Relinquishment of Easement 902 (1109 East Chestnut Expressway). Mr. Jobe seconded the motion. Ayes: Doennig, Ogilvy, Cox, Rose, Jobe, Thomas, and Broekhoven. Nays: None. Abstain: None. Absent: Shuler. King Coltrin recused.

UNFINISHED BUSINESS:

Planned Development 374
3503, 3521, 3527, & 3535 South Lone Pine Avenue

Applicant: Elevation Enterprises, LLC

Mr. Hosmer stated that this is a request rezone approximately 4.2 acres of property generally located at 3503, 3521, 3527, and 3535 South Lone Pine Avenue from a R-SF, Single-family Residential and LB, Limited Business District and GR, General Retail District to Planned Development 374. The proposed Planned Development 374 is consistent with the Comprehensive Plan which identifies the south portion of the property as appropriate for medium intensity retail, office or housing and the north portion of property as appropriate for low-density housing. The property to the north has been zoned to a Planned Development for office/medical uses. The Transportation Plan classifies Lone Pine as a Secondary Arterial roadway. The Galloway Creek Greenway Trail and Sequiota Park entrance are across Lone Pine to the east of the property. The property is not in a FEMA floodplain. A fee in lieu of on-site stormwater detention will not be allowed. The property is located in a stream buffer area and a stream buffer easement is being granted by the owner (21,000 sf). The subject property is within the Galloway Redevelopment Policy Area (accepted by City Council October 21, 2019). Galloway Redevelopment Policy Area Recommendations Vision Statement, states that... "The Lone Pine corridor will be welcoming for living and commerce. It will emphasize use of human-scale design components typically embodied in a village environment. This includes high-quality development with distinctive architectural features that respect the area's historic context, sensitive to the surrounding developments, in harmony with nature, built into the topography, beautifully landscaped, colorful and offering many common areas for recreation and socializing. The corridor will continue to be a pedestrian-friendly environment where people can easily walk, bicycle, and drive. Private development will emphasize diverse small retail and service businesses, while employing best practices to protect the area's natural resources and amenities, particularly Galloway Creek, Sequiota Park, and the tree canopy." The surrounding uses to the north (PD 264) allow up 10,000 sf for medical and general office uses, to the south allows for general retail uses (multi-family) and to the west allows for single family/church uses. The proposed Planned Development is for a mixed-use development of multi-family and commercial uses (max 12,000 sf.). The Multi-Family Guidelines assessment resulted in a density of 27 dwelling units per acre; however, the applicant has elected to restrict the density to 25 dwelling units per acre

(proposed development is only for 23 du/ac or 100 units). The PD will preserve the existing Treadway Store, Purple Shamrock and Sequiota Bike Shop historic buildings and the applicant has agreed to follow the U.S. Secretary of Interior's Standards for rehabilitation and maintenance. The PD will restrict building heights to 45 feet within 60 feet of Lone Pine and a 60-foot max for other areas or a 45-degree bulk plane adjacent to R-SF (GR has no height restriction but does have 45-degree bulk plane from R-SF). A "Type C" bufferyard adjacent to R-SF to west (minimum of 15 feet wide with plantings). The PD is required to preserve all existing trees of 6" caliper or greater per site plan or replace with 2-inch caliper trees for at least 7 trees per acre. The PD is proposing similar uses per the GR, General Retail District and densities similar to the R-LD/R-MD Multi-Family Districts. GR has no density requirements. Amenities – The development will have a swimming pool, exercise room and resident clubhouse as shown on the site plan. The PD will require sidewalks to be built along Lone Pine per the site plan. The PD requires that Lone Pine Avenue be widened (5') for a northbound left-turn lane to the southern-most entrance to the development and a northbound left-turn lane of a minimum of 150-feet, no further than the railroad right-of-way OR a Traffic Impact Study is approved by the Public Works Department. Staff recommends approval.

Joel Thomas questioned about the Planned Development 264 to the north and asked what the bulk plain requirements were.

Mr. Hosmer was not sure at this time but believes it refers back to the code.

Mr. Doennig opened the public hearing.

Mr. Brent Stevens, representative of the owner and has a passion to develop Galloway and the enhancement of the area and is adopting the Galloway policy and is working with City staff and gave a brief overview.

Mr. Ryan Phillips, representative of the owner and states that they believe they are keeping within the feel of the area and will reuse the existing current buildings for a village feel of the area and enhanced streetscaping.

Ms. Jane Earnhart, representative of the owner, worked on the site design for a natural environment and will protect and preserve the stream buffer, terrain and maintain a majority of trees. The focus of the site design is public safety and the environment (tree canopy) and will have traffic calming on Lone Pine with open space with pervious areas.

Mr. Mitchell Jenkins, owner have used the Galloway policy to make any decisions and believes that it is a vision of a diverse community and creates additional tax revenue for the city.

Mr. Steven Bowen, 3811 S. Weller Avenue (Sam Coryell), has a vested interest in Galloway and questions if this fits the fabric of the community and the buildings along Lone Pine need to adhere to part of community.

Mr. King Coltrin what would they need to meet the fabric of the land.

Mr. Bowen does believe it may meet that fabric of the community but want whatever goes forward to meet those requirements.

Mr. Bryan Bevel, citizen has different view and believes this is a positive for the area and that the developers have listened to the concerns of the neighborhood.

Mr. Matt O'Reilly citizen stated that 24 du/ac is above the design guidelines requirements and is 25% higher than the Township 28 and more than double the 12 du/ac at Quarry Town. He went through information on dwelling units per acre and went over the height/evaluations of the buildings as well as removing a majority of the trees.

Ms. Cristina Bustamante, citizen went over dwelling units per acre and height of the proposed building and believes it exceeds the requirements of the design guidelines and went over the possible financial problems these building may have fiscally.

Mr. Joel Thomas asked for clarification on the rate of square foot.

Ms. Bustamante noted that market rates are 1.25 per square foot on multi-family.

Ms. Marcie Kirkup, citizen and president of the Galloway Neighborhood and believes it does not meet the Galloway policy of incompatible land uses, safety and traffic. She also noted that unknown damage to the park and waterways and needs more investigation on the waterway/neighborhood and traffic and is not opposed to future development.

Mr. Greg Horton, citizen wants the Galloway project and believes it will bring construction jobs and future amenities to the area.

Ms. Melanie Bach, citizen voiced her concerns for traffic issues and noted that the buildings that he wants to reuse/renovate were active businesses before they were sold to Mr. Jenkins.

Mr. Chad Cook, citizen believes the demand for more development and stated that Mr. Jenkins made numerous concessions to accommodate the neighbors and believes the project will continue the village feel and bring businesses.

Ms. Wendy Huscher, citizen expressed her concern for the development and went over all the obstacles they had in order to develop their photograph studio and is not opposed to development, just this development project.

Ms. Anne Baker, citizen 2240 South Lone Pine and owner of the Sequiota Bike Shop and believes Mr. Jenkins has worked with the neighbors and the design team to get a unique development.

Ms. Amy Haymes, citizen voice her concerns on the possible increase in traffic and that people would use the easement across her property to get to the proposed new development and that raises safety concerns.

Mr. Brandon Biskup, developer believes this is an appropriate scale of development along Lone Pine and went over the retaining wall height and believes this increases neighborhood walkability and an asset to the community.

Mr. Doennig closed the public hearing.

Ms. Melissa Cox asked about the monolith appearance and the 4th story buildings in the Galloway Policy.

Mr. Hosmer stated that the developers worked with City staff to meet the guidelines/policies of the Comp Plan and the Galloway Policy including the preservation of the trees and historic structures.

Mr. Joel Thomas noted that the buildings are very close to Lone Pine Avenue and if there are any future plans to widen Lone Pine.

Mr. Hosmer noted that there will be 5' of right-of-way for left turn lanes.

Mr. Derek Estell, Public Works there are dedicating additional ROW along Lone Pine for a total of 70' width

Mr. King asked when the improvements are scheduled.

Mr. Estell the ROW acquisition may be 6 to 12 months and noted the round-about to decrease traffic speed.

Ms. Cox confirmed about the round-about at Lone Pine and Galloway and voiced her concern on traffic (turn lanes) and for the 4-story buildings and that it is hard to vision but will vote in favor of the development.

Mr. Coltrin noted that the developer has made big improvements and advancement in the designs from 2018.

Ms. Broekhoven voiced her concerns about the development not sharing the same low density along the corridor and will be voting no.

Mr. Jobe noted that he is sensitive to the concerns of the neighbors, but believes the development is in line with the guidelines and will be in support.

COMMISSION ACTION:

Ms. Cox motioned to **approve** item Planned Development 374 (3503, 3521, 3527, & 3535 South Lone Pine Avenue). Ms. Ogilvy seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Cox, Jobe, Thomas, and Rose. Nays: Broekhoven. Abstain: None. Absent: Shuler.

Vacation 819

Crenshaw Road from Kissick Avenue to Ridgecrest Street

Applicant: City of Springfield

Mr. Hosmer stated that this is a request vacate right of way of Crenshaw Road between South Kissick Avenue and East Ridgecrest Street. The applicant, City of Springfield, is requesting the vacation. The City of Springfield owns all the property on both sides of the proposed vacated street. The City will not be required to dedicate any easements as part of the vacation. The request for vacation meets the approval criteria. Any person objecting may petition the City Council by filing an appeal with the City Clerk Office within 15 days from the date the resolution was passed by the Planning and Zoning Commission. Staff recommends approval.

Approval Criteria		Staff Response
1.	All property owners adjacent to the street, alley, or public way have access to another street, alley or public way.	All adjacent properties have access to other public streets and alleys.
2.	The owners of two-thirds of the property adjacent of the street, alley or public way to be vacated have given their consent to the vacation.	All adjacent property owners have consented to the vacation of the alley.
3.	That the retention of the street, alley, public way or subdivision serves no useful purpose.	It has been determined that the retention of the street is not necessary to the city street system.
4.	That the vacation will not affect the ability to use utilities, public or private.	There are no utilities within the proposed vacation area. Replacement easements will not be required.

Mr. Doennig opened the public hearing.

Mr. Steve Stodden, City Utilities gave his support and history of the area, noting vandalism at the closed James River power station and overpass.

Mr. Chris Jones, City Utilities also noted that vandalism has been occurring at the closed James River power station and believes closing the road will alleviate it.

Mr. Randall Doennig questioned why vacate Crenshaw due to lack of light and closure of the power plant.

Mr. Chris Jones noted that the facility no longer has any staff located there and the vandalism has become an issue.

Ms. Ruth Seboldt, 4410 Westwind Drive, Ozark uses Crenshaw Road has had several near close calls and noted the blind intersection and does not want road to be vacated.

Ms. Natalie Broekhoven asked if keeping Crenshaw open will mitigate accidents.

Ms. Ruth Seboldt stated that it would eliminate the dangerous intersection.

Mr. Randall Doennig asked if there are any streetlights and if it is adequate.

Ms. Ruth Seboldt stated that there are streetlights on the east side, but not adequate.

Mr. Douglas Hays, citizen has clients traveling that route to get to his clinic and stated that it has blind corners and when they had the road closed for maintenance it cause many problems.

Mr. Doennig closed the public hearing.

Mr. King would like the City to request City Utilities to make the intersection safer.

COMMISSION ACTION:

Ms. Cox motioned to **approve** item Vacation 819 (Crenshaw Road from Kissick Avenue to Ridgecrest Street). Mr. Jobe seconded the motion. Ayes: Coltrin, Rose, Cox, Jobe, and Thomas. Nays: Doennig, Ogilvy, and Broekhoven. Abstain: None. Absent: Shuler.

Z-12-2020

405 North Jefferson Avenue

Applicant: Missouri State Board of Governors and Vecino Group

Melissa Cox recused.

Mr. Hosmer stated that this is a request to rezone approximately 5.3 acres of property generally located at 410, 414 and 430 N. Boonville Avenue, 310 E. Phelps Street and 405 N. Jefferson Avenue from a HM, Heavy Manufacturing District to CC, Center City District. This application is consistent with the Comprehensive Plan, which identifies the subject property as appropriate for Greater Downtown uses. The Center City District is listed as an appropriate zoning district for this land use category. The adjacent properties are mostly zoned for Center City uses. In addition, the majority of these properties are utilized for commercial, office or industrial purposes which is consistent with the intent of the Center City District. The Transportation Plan classifies Jefferson Avenue as a Secondary Arterial roadway, Phelps Street as a Local roadway, and Boonville Avenue as Collector roadway. A Traffic Impact Study is required to be submitted. Any roadway improvements required will be defined in the Traffic Impact Study. The property is located in a FEMA designated floodplain. A fee in lieu of on-site stormwater detention is not applicable as the site is already built out. The property is not located in a stream buffer area. Staff recommends approval.

Mr. Doennig opened the public hearing.

Ms. Jane Earnhart, developer here to answer any questions.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Jobe motioned to **approve** item Z-12-2020 (405 North Jefferson Avenue). Mr. King seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Rose, Jobe, Thomas, and Broekhoven. Nays: None. Abstain: None. Absent: Shuler. Melissa Cox recused.

Z-13-2020 w/COD #186

3221 West Kearney Street

Applicant: The Agron H. Selencia & Lele L. Selenica Family Trust

Mr. Hosmer stated that this is a request to rezone approximately 10.41 acres of the full 14.78 acres of property generally located at 3221 W. Kearney Street from HC, Highway Commercial District to R-MD, Medium-Density Multifamily Residential District and establishing Conditional Overlay District No. 186. The Comprehensive Plan identifies the area to be rezoned as appropriate for medium- or high-density housing. The proposed R-MD, Medium-Density Multifamily Residential District is recognized as an appropriate zoning designation for this area. City's Transportation Plan classifies Kearney Street as a Primary Arterial roadway and Crethaven Avenue as a Collector roadway. There is a proposed future collector roadway on the northside of the property. A Traffic Impact Study was not required as the change in zoning did not generate an additional 1,000 trips per day or 100 trips during the am or pm peaks. The property is not located in a FEMA floodplain. A fee in lieu of on-site stormwater detention is not allowed. The property is not located in a stream buffer area. The proposed Conditional Overlay District will limit the multifamily development within the R-MD District to a maximum of 11 dwelling units per acre. The property shall be subdivided in compliance with the major subdivision process and conform to the proposed zoning district lines as depicted in Attachment 4. The applicant shall dedicate 50 feet of public right-of-way along the full length of the north property

line for the future construction of a collector street. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Derek Lee, developer, requesting down zoning for limited 11 du/ac and here to answer any questions.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Ms. Cox motioned to **approve** item Z-13-2020 w/COD #186 (3221 West Kearney Street). Ms. Ogilvy seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Cox, Rose, Jobe, Thomas, and Broekhoven. Nays: None. Abstain: None. Absent: Shuler.

PUBLIC HEARINGS:

Z-14-2020

1738 West Sunshine Street

Applicant: Sunshine TP, LLC

Cameron Rose and King Coltrin recused.

Mr. Hosmer stated that this a request to rezone approximately 1.04 acres of property generally located at 1738 West Sunshine Street from R-TH, Residential Townhouse District to LB, Limited Business District. This application is consistent with the Comprehensive Plan, which identifies the subject property as appropriate for Medium Intensity Retail, Office or Housing. The Transportation Plan classifies Sunshine Street as a primary arterial and Kansas Expressway as an Expressway. Lexington Avenue is classified as a local roadway. A Traffic Impact Study was not required as the change in the Trip Generation Rate did not exceed 100 trips in the am or pm peak or 1,000 trips daily. The property is not located in a FEMA designated floodplain. A fee in lieu of on-site stormwater detention is not allowed, and detention will be required. The property is not located in a stream buffer area. The LB district serves as a transition between the commercial uses across Sunshine Street and to the residential uses to the south and east. The LB district is the least intense commercial zoning district and requires a 30-degree bulk plane from the boundary of R-SF and R-TH districts. The LB district limits individual retail stores, personal services use to 5,000 square feet per use. Restaurants with a drive-in, pick-up window, or drive-thru facilities and financial institutions with an ATM or drive-through are not allowed unless approved by a Conditional Use Permit. A 15-ft bufferyard with plantings of one canopy tree, one understory tree, two evergreen trees and ten shrubs per one-hundred linear feet are required adjacent to R-SF properties to the south and west. Staff recommends approval.

Ms. Cox if it also excludes gas stations, drive-throughs, etc.

Mr. Hosmer stated that no drive-through is allowed.

Mr. Doennig opened the public hearing.

Mr. Christopher Wynn, representative, asking to rezone to limited business and stated that this is consistent with the Comprehensive Plan, noting that Kansas Expressway and Sunshine Road is the 6th busiest intersection in the City. All utilities and stormwater will be directed towards the north and will do a light test and noted that all neighbors noted their concerns regarding traffic in and out of the neighborhood.

Mr. Erick Henry, 1839 S. Lakeshore voiced his concerns and opposition to the rezoning noting the dangerous intersection and that it does not benefit the community.

Ms. Rebecca Welsh, 1806 W. Washita noted that this is a 90 year old subdivision with very old and mature trees, narrow lanes (streets) and voices her concern regarding the busy intersection and that traffic would be directed in and out of the neighborhood and would like it to remain Residential Townhouse District.

Mr. Stephen Allen, citizen stated that he lives in a 73-year old home and that the neighborhood is beautiful is opposed to the proposal and asked about having an impact study completed.

Mr. Biff Hansen, 1860 S. Lakeshore said that this is small neighborhood with no sidewalks or curbs and that Residential Townhouse District is appropriate for families and stated that there will be no east bound access.

Mr. Garry Warren, citizen went over neighborhood specifics and voiced his concern for the traffic problems.

Ms. Susan Goodman, citizen gave out neighborhood history and believes the development is ill planned and is in opposition.

Mr. Doennig closed the public hearing.

Ms. Cox asked about the length from South Lexington Avenue to the intersection.

Mr. Hosmer believes it is approximately 261' and that it only a driveway requires 200'.

Mr. Thomas noted that there is no site plan provided and if limited business can put in townhomes.

Mr. Hosmer noted that they could put in townhomes or multi-family.

Bob stated that this is straight rezoning, so they do not have to have a site plan.

Mr. Randall Doennig asked about Washita to Kansas Expressway.

Mr. Derek Estell stated that it is blocked off.

Mr. Randall Doennig voiced his concern about a pathway to an older neighborhood abutting against a major street and traffic into the neighborhood without sidewalks or curbs and will not support the project.

Ms. Dee Ogilvy stated that she will not support this project due to traffic concerns within the neighborhood.

Mr. Jobe stated that he will vote in support of the project and asked if the developer could resubmit with a Conditional Over District (COD).

Mr. Hosmer noted that there are restrictions within 6 months and could not apply for same business/zoning.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Jobe motioned to **approve** item Z-14-2020 (1738 West Sunshine Street). Ms. Broekhoven seconded the motion. Ayes: Jobe and Thomas. Nays: Doennig, Ogilvy, Broekhoven, and Cox. None. Abstain: None. Absent: Shuler. Cameron Rose and King Coltrin recused. **Motion failed.**

Z-15-2020

618 North Benton Avenue

Applicant: Advocates for a Healthy Community, Inc.

Mr. Hosmer stated that this a request to rezone approximately 1.08 acres of property generally located at 618 North Benton Avenue from HM, Heavy Manufacturing and GI, Governmental and Institutional Use District to CC, Center City. The Comprehensive Plan designates the subject property as appropriate for Community-Public land uses. Jordan Valley Community Health Clinic intends to build an expansion to the existing clinic. The CC district supports a mixed-uses as envisioned in the Idea Commons Plan and the Jordan Valley Park Concept Plan and Design Guidelines. Transportation Plan classifies Benton Avenue as a Secondary Arterial roadway, Chestnut Expressway as an Expressway roadway, and Jones

Avenue as a local roadway. The property is not located in a FEMA designated floodplain. A fee in lieu of on-site stormwater detention will be allowed. The property is not located in a stream buffer area. The rezoning will consolidate Jordan Valley Health Clinic facilities into one zoning district. Staff recommends approval.

Mr. Coltrin asked how this helps.

Mr. Hosmer stated that they want all the same zoning and expansion will not be allowed.

Mr. Doennig opened the hearing.

Mr. Derek Lee, 1200 E. Woodhurst noted that they want to consolidate and have more control over their property.

Mr. Doennig closed the hearing.

COMMISSION ACTION:

Ms. Cox motioned to **approve** item Z-15-2020 (618 North Benton Avenue). Ms. Broekhoven seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Cox, Rose, Jobe, Thomas, and Broekhoven. Nays: None. Abstain: None. Absent: Shuler.

Z-16-2020

3146 South Golden Avenue

Applicant: OIP Golden, LLC

Mr. Hosmer stated that this is a request rezone approximately 5 acres of property generally located at 3146 South Golden Avenue from GM, General Manufacturing to O-1, Office District and establishing Conditional Overlay District No. 188. This application is consistent with the Comprehensive Plan which designates the subject property as appropriate for Light Industrial, Office and Office-Warehouse. Manufacturing, assembly, office and warehousing activities are included in this category. The Transportation Plan classifies Golden Avenue as a secondary arterial. The property is not located in a FEMA designated floodplain. A fee in lieu of on-site stormwater detention is not allowed, and detention will be required. The property is not located in a stream buffer area. The O-1 district is designed to be a restrictive district for low intensity office or professional uses which may be located outside the center city adjacent to any of the residential districts, with appropriate buffers and landscaping so as not to create an adverse effect on adjacent residential areas. A Traffic Impact Study shall be submitted at the time of development based on the actual use of the property. Any improvements required based on the study will be required to be constructed or funds escrowed prior to the issuance of a building permit. Staff recommends approval.

Mr. Doennig opened the public hearing.

Derek Lee, 1200 E. Woodhurst Drive representing the owner, noted that churches are allowed, but not schools and the church and school want to share and there will be no change to the exterior and here to answer any questions.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Ms. Cox motioned to **approve** item Z-16-2020 (3146 South Golden Avenue). Mr. Jobe seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Cox, Rose, Jobe, Thomas, and Broekhoven. Nays: None. Abstain: None. Absent: Shuler.

Conditional Use Permit 444

423, 501 & 503 West Olive Street

Applicant: Ross Williams Architects

Cameron Rose recused.

Applicant has requested that Conditional Use Permit 444 be tabled to the next Planning and Zoning meeting on August 13, 2020.

COMMISSION ACTION:

Ms. Cox motioned to **TABLE** item Conditional Use Permit 444 (423, 501 & 503 West Olive Street). Mr. Jobe seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Cox, Jobe, Thomas, and Broekhoven. Nays: None. Abstain: None. Absent: Shuler. Cameron Rose recused.

Conditional Use Permit 445
2706 West Chestnut Expressway

Applicant: Pearstone, LLC

Mr. Hosmer stated that this is a request to allow a warehousing and storage facility within a CS, Commercial Service District generally located at 2706 West Chestnut Expressway. The Comprehensive Plan identifies this as an appropriate area for Medium-Intensity Retail, Office or Housing. City's Transportation Plan classifies Chestnut Expressway as an Expressway. A traffic study is not required. The property is not located in a FEMA designated floodplain. A fee in lieu of on-site stormwater detention is not applicable as the site is all built out. The property is not located in a stream buffer area. The applicant had an approved Conditional Use Permit for warehousing and storage facility but its expired November 13, 2017. Staff has reviewed the applicant's new request for a Conditional Use Permit and has determined that it satisfies the standards for Conditional Use Permits. Approval of this request will provide for the productive reuse of existing buildings on the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Billy Kimmons, representative noted that due to unforeseen issues the CUP had expired.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Ms. Cox motioned to **approve** item Conditional Use Permit 445 (2706 West Chestnut Expressway). Ms. Broekhoven seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Cox, Rose, Jobe, Thomas, and Broekhoven. Nays: None. Abstain: None. Absent: Shuler.

Preliminary Plat of Firestone Springfield Addition
216 East Weaver Road

Applicant: McKeen Trust, c/o Gene McKeen

Mr. Hosmer stated that this is a request to approve a two-lot commercial subdivision on 2.8 acres of property located at 216 East Weaver Road. The Comprehensive Plan identifies this as an appropriate area for High Intensity Retail, Office or Housing. The Transportation Plan classifies Campbell Avenue as an Expressway and Weaver Road as a Secondary Arterial which supports the proposed land use. The property is not located in a FEMA designated floodplain. A fee in lieu of on-site stormwater detention is not allowed, and detention will be required. The property is not located in a stream buffer area. The property is currently zoned GR, General Retail District. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department. If Planning and Zoning Commission approves the preliminary plat, the plat will be forwarded to City Council for acceptance of public streets and easements. An approved preliminary plat is active for two (2) years. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Bob Gage, representative wants to subdivide the access easement across the property and one west of Weaver Road.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Ms. Cox motioned to **approve** item Preliminary Plat of Firestone Springfield Addition (216 East Weaver Road). Ms. Broekhoven seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Cox, Rose, Jobe, Thomas, and Broekhoven. Nays: None. Abstain: None. Absent: Shuler.

Kansas at Grand Subdivision Variance
1720 West Grand Street

Applicant: College of the Ozarks

King Coltrin recused.

Mr. Hosmer stated that this is a request to approve a variance from the subdivision regulations section 36-0251(4) located at 1720 West Grand Street. The applicant is proposing to replat approximately 11.53 acres into a four-lot commercial subdivision. The applicant is requesting a variance from Section 36-251(4) of the Subdivision Regulations, which requires a minimum distance of 200 feet from the nearest right-of-way line of any intersection street to the edge of driveway, and from edge of driveway to edge of driveway, on Primary Arterials (Grand). The applicant wants to maintain the access point that is approximately 166 feet from the nearest right-of-way line of the intersection of Kansas and Grand. If approved; Staff recommends the following conditions of the variance:

- The re-design of the access point as a right-in/right-out access point shall be reviewed and approved by the Director of Public Works, or his designee.
- The access point will be temporarily closed until the right-in/right-out access point is constructed.
- The replat will remove the plat note stating, "No direct vehicular access permitted to Grand Avenue west of this point" and replaced with a note referencing the variance.
- All required improvements will be built or escrowed before the recording of this plat.

The conditions of the variance, if approved, must be satisfied within one year of its approval. Staff recommends approval.

Mr. Randall Doennig opened the public hearing.

Mr. Dane Seiler, representative noted that this was part of the plat one year ago and wants to close the entrance for full access.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Ms. Cox motioned to **approve** item Kansas at Grand Subdivision Variance (1720 West Grand Street). Mr. Jobe seconded the motion. Ayes: Doennig, Ogilvy, Cox, Rose, Jobe, Thomas, and Broekhoven. Nays: None. Abstain: None. Absent: Shuler. King Coltrin recused.