

January 17, 2019
MINUTES OF THE PLANNING AND ZONING COMMISSION
Springfield, Missouri

The Planning and Zoning Commission met in regular session January 17, 2019 in the City Council Chambers. Chairman Randall Doennig called the meeting to order.

Roll Call - Present: Randall Doennig (Chairman), Dee Ogilvy, Britton Jobe, David Shuler, Natalie Broekhoven, and Cameron Rose. Absent: King Coltrin (Vice-Chairman), Melissa Cox, and Joel Thomas. Staff in attendance: Bob Hosmer, Principal Planner and Thomas Rykowski, Assistant City Attorney.

MINUTES: The minutes of December 6, 2018 were approved.

COMMUNICATIONS:

Bob Hosmer reported on City Council meeting actions.

CONSENT ITEMS:

Acquire 530
3204 North Kansas Avenue

Applicant: City Utilities

COMMISSION ACTION:

Ms. Broekhoven Cox motioned to **approve** consent item Acquire 530 (3204 North Kansas Avenue). Mr. Jobe seconded the motion. Ayes: Doennig, Broekhoven, Shuler, Rose, Ogilvy, and Jobe. Nays: None. Abstain: None. Absent: Coltrin, Cox, and Thomas.

UNFINISHED BUSINESS:

Planned Development 366
1403, 1405, 1409, 1411, 1415, 1425, & 1427 East Cherry Street and 527 South Pickwick Avenue

Applicant: Pickwick and Cherry, LLC

Natalie Broekhoven recused herself.

Mr. Hosmer stated that this is a request to rezone approximately 1.18 acres generally located at 1403, 1405, 1409, 1411, 1415, 1423, 1425 & 1427 East Cherry Street and 527 South Pickwick Avenue from a RH-D & LB within UCD No 2, Area E & F to Planned Development No. 366 within UCD No 2, Area E & F.

The Comprehensive Plan identifies this area for Medium-Intensity Retail, Office or Housing on the eastern half and Medium or High-Density Housing on the western half. The request is consistent with the recommendations of the current Urban Conservation District No 2 regulations and the recently adopted Rountree Neighborhood Plan. The Major Thoroughfare Plan classifies Cherry as a secondary arterial and Pickwick as a local roadway. The applicant is proposing a Planned Development with the intent of developing a mixed-use development (multi-family residential, offices and retail uses). The applicant is requesting a maximum residential density of 16 dwelling units per acre which the Multi-Family Guidelines supports. The permitted uses are like the LB, Limited Business District with no single use 7,500 sf; for a total of not more than 20,000 (No outside uses). A required Bufferyard Type B along western property line/ R-HD. Sidewalks and bicycle parking provided. Parking on and off-site, with dedication of right of way along Pickwick Avenue. Limited times garbage and delivery trucks shall not occur between 10:00pm to 7:00am. Materials not allowed vinyl siding, vinyl windows, metal wall panels with exposed fasteners, galvanized metal wall panels, plastic wall cladding, corrugated metal panels, thin stone veneer (commonly referred to as "lick and stick stone", manufactured panelized stone veneer, faux stone, or faux masonry). Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Dane Seiler, 5051 S. National, representing the applicant. The property has been cleaned up and we will be utilizing the other building to the east. We received positive feedback in the neighborhood on the Spanish Mission building type and this will not be student housing, but for multi-family and offices/retail use.

Mr. Andrew Wells, 2338 E. Berkeley Street, representing the applicant, showed concepts to fit into the neighborhood and commented on the original Spanish Mission style.

Ms. Laurel Bryant, 1014 S. Weller Avenue, on the Neighborhood Plan steering committee, president of the Rountree Neighborhood. Stated that the developers engaged the neighborhood and they like the pedestrian, walkability, and greenspace.

Mr. Paden Chambers, 1643 E. Lombard Street, on the Rountree Neighborhood and Landmarks Board. Stated that this development is appropriate for the historic perspective and would like this to be approved.

Mr. Jeff Barber, 746 S. Weller, stated that this is an important project and noted that the developers were in dialogue with the neighborhood at the beginning and stormwater concerns were addressed. Noted the need for public improvements to the alleyway.

Mr. Mike Brothers, 1016 S. Pickwick, on the Rountree Neighborhood, noting that the project complies with the neighborhood plan and that the neighborhood is excited and has been in contact the developer.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Jobe motioned to **approve** Planned Development 366 (1403, 1405, 1409, 1411, 1415, 1425, & 1427 East Cherry Street and 527 South Pickwick Avenue). Ms. Ogilvy seconded the motion. Ayes: Doennig, Shuler, Rose, Ogilvy, and Jobe. Nays: None. Abstain: None. Absent: Coltrin, Cox, and Thomas. Natalie Broekhoven recused herself.

Z-30-2018 w/COD #162

3411 South Kansas Avenue

Applicant: Project Collective, LLC

Mr. Hosmer stated that this is a request to rezone approximately 2.27 acres of property generally located at 3411 South Kansas Avenue from a R-LD, Low Density Multi-Family District COD No 145 to a R-LD, Medium-Density Multi-Family Residential District and establishing Conditional Overlay District No. 162. The Comprehensive Plan identifies this as an appropriate area for Low-Density Housing. However, the subject property was rezoned to R-LD, Residential Low-Density Multi-Family District with Conditional Overlay District No. 145 on March 26, 2018. The Major Thoroughfare Plan classifies Walnut Lawn as a secondary arterial roadway and Kansas Avenue is classified as collector roadway. Both support the proposed land use. The applicant is only requesting to change the site plan. Bufferyard along R-SF property. Density same 18 du/ac. No access to Kansas Avenue as shown in the attached site plan. Staff recommends approval.

Mr. Doennig asked about the egress/ingress and the detention area on the site plan.

Mr. Estell noted that it meets the requirements for the driveway and Ms. Hawkins noted that they do not need to show underground detention on the site plan and noted that additional studies had shown no sinkholes.

Mr. Doennig opened the public hearing.

Mr. Brent Stevens, 5039 S. National Avenue, the architect, noted that based on additional studies that there are no sinkholes, and this will be senior (55+) housing and noted that they are working with the natural grade and will have garages on the lower level.

Mr. Jason Finley, 2082 Terrell Valley, Republic, one of the developers. Had a GEO tech study on the property and there are no sinkholes.

Mr. Doennig closed the public hearing.

Mr. Jobe motioned to **approve** Z-30-2018 w/COD #162 (3411 South Kansas Avenue). Mr. Shuler seconded the motion. Ayes: Doennig, Broekhoven, Shuler, Rose, Ogilvy, and Jobe. Nays: None. Abstain: None. Absent: Coltrin, Cox, and Thomas.

PUBLIC HEARINGS:

Z-1-2019

529 West Division Street

Applicant: Springfield R-12 School District

Mr. Hosmer stated that this is a request to rezone approximately 1.59 acres of property located at 529 West Division from R-SF, Single-Family Residential District, to a GR, General Retail District. The Comprehensive Plan identifies this as an appropriate area for Low-Density Housing. The applicant is proposing development that is more intense than what is recommended by the Plan. The Plan states it is important to ensure that new land uses are not detrimental to residential areas and to recognize the vulnerability of residential areas to certain adverse impacts. Spacing requirements would not allow access to Division Street thus access would be taken from a residential local street. This would allow commercial traffic from the retail development onto a local street within a residential neighborhood. Commercial traffic is discouraged through a residential district. Staff is recommending denial; however, if Commission recommends approval, staff would recommend placing conditions on the rezoning to require a Traffic Impact Study (TIS) and other improvements be submitted and approved prior to the rezoning becoming effective, not to exceed two years.

Mr. Doennig opened the public hearing.

Mr. Michael White, 222 Old Towne Road, Billings, representing the owner and the developer. We are planning to demolish the building on the property and add a new store, which feels would be a good fit. There five neighbors who attended the meeting and 2 were in favor and 3 were not, siting traffic concerns.

Mr. Jeff Childs, 2808 S. Ingram Mill Road, here on behalf of the seller. We are sensitive to the neighborhood needs and believes that this will bring revitalization to the area.

Ms. Carol Embree, Deputy Superintend of Springfield Schools, 138 Park Central Square, and support the rezoning. The property was an old maintenance center as well as storage, however it does not have a useful purpose and want it taken out of inventory.

Ms. Lorraine Frazier, 1602 N. Main has concerns for light pollution as well as foot traffic and would like for it to be developed to similar development on Division Street.

Mr. Doennig closed the public hearing.

Ms. Broekhoven asked if a preliminary plat is required before development.

Mr. Hosmer stated that a preliminary plat or site plan is not required.

Mr. Doennig asked what extremes are allowed in GR Districts.

Mr. Hosmer noted convenience stores, gas pumps, and other intense retail uses.

Mr. Jobe commented that he will vote yes and believes that this is an opportunity for development on the northside.

Ms. Broekhoven stated that she will vote no due to being more sensitive to the surrounding uses and feels that blanket GR may cause problems.

Mr. Rose stated that he doesn't believe that this will be R-SF (Residential Single-Family), however would like to see a lower impact zoning.

Mr. Doennig stated that he would like the zoning to be narrower and recognizes that the City encourages development but feels that this is not responsible not to have restricting on the rezoning.

Ms. Ogilvy stated that this area needs development, but not this type of development and feels it is too broad of a zoning.

Ms. Broekhoven motioned to **approve** Z-1-2019 (529 West Division Street). Mr. Rose seconded the motion. Ayes: Jobe. Nays: Doennig, Broekhoven, Shuler, Rose, and Ogilvy. Abstain: None. Absent: Coltrin, Cox, and Thomas.

Z-3-2019 w/COD #165

1630 West Republic Road

Applicant: Southland Christian Church

Request to rezone approximately 6.99 acres of property generally located at 1630 West Republic Street from R-SF, Single-family Residential to GR, General Retail and establish Conditional Overlay District No. 165. Comprehensive Plan identifies the property as appropriate for Medium or High-Density Housing land uses. The Major Thoroughfare Plan classifies Republic Street as a primary arterial and Kansas Avenue as a collector. The subject property is located adjacent to GR, General Retail zoning to the west, commercial uses to the east and O-1, Office zoning to the south. R-SF, Single Family is not appropriate zoning district at this location. This rezoning would eliminate the requirement of a bufferyard on the property to the west. Churches are allowed in the GR District. The Conditional Overlay District will require a traffic impact study at the time of development. Improvements maybe required. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Geoff Butler, 319 N. Main, representing the applicant. Last year the property to the south and west was rezoned, and the church uses the property to the west for parking. The issue is the bufferyard requirement next to the parking area and the church does not want to lose any shared parking. At the present, the church has no plans to relocate and needs the entire parking area.

Mr. Doennig closed the public hearing.

Mr. Jobe motioned to **approve** Z-3-2019 w/COD #165 (1630 West Republic Road). Mr. Rose seconded the motion. Ayes: Jobe. Nays: Doennig, Broekhoven, Shuler, Rose, and Ogilvy. Abstain: None. Absent: Coltrin, Cox, and Thomas.

Z-4-2019 w/COD #166

3851 West Farm Road 148

Applicant: A&R Property Developers, LLC

Preliminary Plat of Opal Sunset Subdivision

3851 West Farm Road 148

Applicant: A&R Property Developers, LLC

Combined the presentation for zoning and preliminary plat.

Mr. Hosmer stated that this is a request to rezone approximately 9.3 acres of property located at 3851 West Farm Road 148/ University Street from County C-1, Neighborhood Commercial District to R-MD, Medium Density Multi-Family Residential District, and GR, General Retail District, and establishing Conditional Overlay District No. 166. Comprehensive Plan identifies this as an appropriate area for Medium or High-Density Housing. The application meets the intent of the R-MD district which is to serve as a transition between major streets or commercial areas and lower density residential areas. The Major Thoroughfare Plan classifies West University Street and McCurry Street as collector roadways which both support the proposed land uses. The property is currently zoned C-1, in Greene Co. and is proposed to be annexed as part of the proposed rezoning. The request is consistent with the Multi-Family Design Guidelines which will limit the development to 24 dwelling units per acre. The COD will require the developer to subdivide, perform a traffic study and make any necessary improvements, dedicate additional right-of-way and construct sidewalks along Farm Road 148/University Street. Must substantially conformance to the Multi-Family Guidelines and the site plan. Staff recommends approval.

Mr. Hosmer stated that this is a request for a two-lot subdivision on 9.3 acres located at 3851 West Farm Road 148/ University Street. The Comprehensive Plan identifies this as an appropriate area for Medium or High-Density Housing. The subject property is currently outside the City Limits in unincorporated Greene County and once annexed will be considered a tract of record Lot 1 is proposed to be zoned to GR, General Retail District with COD #166 which requires a bufferyard adjacent to the proposed R-MD. If Planning and Zoning Commission approves the preliminary plat, then 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 asked about the access between Farm Road 148 and Sunshine Street.

Mr. Hosmer stated that there is no access between Farm Road 148 and Sunshine Street, the access is off McCurry Street and will be connecting to West University.

Mr. Doennig opened the public hearing.

Mr. Rich Kramer, 8932 E. Riverview Drive, Rogersville, purchased the property a few years ago and hoping to improve the area and removed approximately 25 abandoned trailers.

Ms. Teresa Davison, 535 W. Battlefield, representative for the applicant. At the neighborhood meeting there were stormwater quality and retention questions as well as light concerns. The lights will be turned in towards the interior with a bufferyard and we also went with to the low end on medium density.

Mr. Dennis Perry, 3954 W. Portland, stating that this development (northside) backs up to his property and believes there is not enough of a bufferyard and voiced his concerns for privacy and how the apartments will be able to look directly into his backyard.

Mr. Michael Hampton, 1615 S. Delaware, architect of the project, noting that the northside units will be only two stories whereas the interior units are three stories and noted that they are trying to accommodate the neighbors and will keep the existing trees on the property edge.

Mr. Doennig asked about the height of the back buildings.

Mr. Hampton stated that the back buildings will be approximately 20' to 30' tall with 35' to the lot line.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Jobe motioned to **approve** Z-4-2019 w/COD #166 (3851 West Farm Road 148). Ms. Broekhoven seconded the motion. Ayes: Doennig, Broekhoven, Shuler, Rose, Ogilvy, and Jobe. Nays: None. Abstain: None. Absent: Coltrin, Cox, and Thomas.

COMMISSION ACTION:

Mr. Jobe motioned to **approve** Preliminary Plat of Opal Sunset Subdivision (3851 West Farm Road 148). Mr. Rose seconded the motion. Ayes: Doennig, Broekhoven, Shuler, Rose, Ogilvy, and Jobe. Nays: None. Abstain: None. Absent: Coltrin, Cox, and Thomas.

Planned Development 46 Final Development Plan
1400 blk West Elfindale Street

Applicant: Guaranty Bank

Mr. Hosmer stated that this is a request to approve the Final Development Plan for Planned Development 46 on approximately 0.46 acres of property generally located at 1400 block of West Elfindale Street. The Comprehensive Plan identifies this area as appropriate for Medium-intensity Retail, Office or Housing. The Planned Development 46 allows for parking lot construction but requires a final development plan approval by the Planning and Zoning Commission and City Council. The planned expansion of the parking lot will serve the existing Bank. The applicant intends to administratively combine the subject property with the property to the east. The Administrative Review Committee reviewed the proposed Final Development Plan and determined it to be consistent with the intent of the existing Planned Development 46 ordinance. The Final Development Plan requires both PZ and City Council approval by ordinance. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Mike Beaty, engineer for the project and will be replacing the parking with what is being taken away across the street.

Mr. Shawn Burke, 1341 W. Battlefield, applicant, just needing additional parking.

Mr. Doennig closed the public hearing.

Mr. Rose motioned to **approve** Planned Development 46 Final Development Plan (1400 blk West Elfindale Street). Ms. Broekhoven seconded the motion. Ayes: Doennig, Broekhoven, Shuler, Rose, Ogilvy, and Jobe. Nays: None. Abstain: None. Absent: Coltrin, Cox, and Thomas.

OTHER BUSINESS:

Signs in Public Areas Amendment
Citywide

Applicant: City of Springfield

Planning & Zoning initiated amendments to Section 36-454(3)(b) on December 12, 2018. Staff is requesting the amendment to clarify language allowing certain signage or markings on public right of way. The proposed amendment will modify language that signage or markings on public right of way will be allowed through the encroachment process. Currently, the ordinance allows only government or neighborhood identification signs on the public right of way with approval of the Public Works Director. Staff requests that Commission approve amendments to the Zoning Ordinance of the city code as specified.

Language to be added is underlined or ~~stricken~~.

(3) General sign provisions. The provisions of this section shall apply to all signs in the city, without regard to their location in a residential or commercial zoning district.

(a) General prohibition. All signs are prohibited except as allowed by this article.

(b) Public areas. No sign other than a government sign or a neighborhood identification sign reviewed and approved by the director of public works shall be allowed within or over public property or right-of-way. This section shall not be construed to prohibit the placement of signage and markings on encroachments authorized pursuant to Article VII of Chapter 98 of the City Code, provided that said signage and markings must comply with all other applicable provisions of this section. No such signs are allowed in the right-of-way of any thoroughfare designated as a part of the Federal Aid Urban (FAU) system. When the building is located on or within three feet of the right-of-way line and the director of public works grants consent, signs may project into the right-of-way as follows:

1. A horizontal separation of two feet from the inside curb line to the closest edge of the sign shall be maintained.
2. The sign shall be at least ten feet above the highest level of the ground under the sign's lowest point.
3. A license agreement shall be executed between the sign owner and/or the property owner and the City of Springfield.

Mr. Doennig opened the public hearing.

No speakers.

Mr. Doennig closed the public hearing.

Mr. Jobe motioned to **approve** Signs in Public Areas Amendment (Citywide). Mr. Rose seconded the motion. Ayes: Doennig, Broekhoven, Shuler, Rose, Ogilvy, and Jobe. Nays: None. Abstain: None. Absent: Coltrin, Cox, and Thomas.

Urban Service Area Exception
5800 blk of East Gatehouse Pearson Park Phase II
Applicant: Craft Masters Properties, LLC

Mr. Hosmer that the City is requesting to withdraw the Urban Service Area Exception in the 5800 blk of East Gatehouse from the January 17, 2019 Planning and Zoning meeting.

Ms. Broekhoven motioned to **withdraw** Urban Service Area Exception (5800 blk of East Gatehouse Pearson Park Phase II). Mr. Jobe seconded the motion. Ayes: Doennig, Broekhoven, Shuler, Rose, Ogilvy, and Jobe. Nays: None. Abstain: None. Absent: Coltrin, Cox, and Thomas.

**Elections 2019 Chair and Vice Chair
Citywide**

Mr. Doennig asked for the nominations for Chair. Mr. Rose nominated Randy Doennig as Chair.

Mr. Rose motioned to vote for Randy Doennig as Chair. The motion **carried** as follows: Ayes: Doennig, Broekhoven, Shuler, Rose, Ogilvy, and Jobe. Nays: None. Abstain: None. Absent: Coltrin, Cox, and Thomas.

Mr. Doennig asked for the nominations for Vice-Chair. Mr. Jobe nominated King Coltrin as Vice-Chair.

Mr. Jobe motioned to vote for King Coltrin as Vice-Chair. The motion **carried** as follows: Ayes: Doennig, Broekhoven, Shuler, Rose, Ogilvy, and Jobe. Nays: None. Abstain: None. Absent: Coltrin, Cox, and Thomas.