

MINUTES OF THE PLANNING AND ZONING COMMISSION

DATE: February 9, 2012

TIME: 6:30 pm

The regular meeting and public hearing of the Planning and Zoning Commission was held on the above date and time in City Council Chambers, third floor of City Hall with the following members and staff in attendance: Matt Edwards (Vice Chair), Jay McClelland, Jim Hansen, Gloria Roling, Thomas Baird, IV, Phil Young, Jason Ray, King Coltrin; Michael MacPherson, Principal Planner; Thomas Rykowski, City Attorney; Paula Brookshire, Engineer, Cody Marshall Engineer; Sandy Goddard, Administrative Assistant. ABSENT: Shelby Lawhon

ROLL CALL:

APPROVAL OF MINUTES:

The minutes of January 26, 2012 Planning and Zoning Commission were approved unanimously.

COMMUNICATIONS:

Mr. MacPherson commented that the applicant for item No. 1 on the consent agenda, Relinquish Easement 773, has been unable to provide the needed replacement easement to move the case forward, and has requested that the case be tabled until the February 23rd meeting.

Mr. Baird motioned to **table** Relinquish Easement 773. Mr. Young **seconded**. The motion **carried** as follows: Ayes: Matt Edwards, Jay McClelland, Jim Hansen, Gloria Roling, Thomas Baird, IV, Phil Young, Jason Ray, King Coltrin; Nays: None. Abstain: None. Absent: Shelby Lawhon.

CONSENT ITEMS:

2. Relinquish Easement 774 (415 South Golden Avenue)

National South, LLC

Mr. Coltrin motioned to **approve** Relinquish Easement No. 774. Mr. Ray **seconded**. The motion **carried** as follows: Ayes: Matt Edwards, Jay McClelland, Jim Hansen, Gloria Roling, Thomas Baird, IV, Phil Young, Jason Ray, King Coltrin; Nays: None. Abstain: None. Absent: Shelby Lawhon.

HEARINGS:

3. North Creek Industrial PH 2 FP (Jean E and Packer Road)

Derek Lee, Lee Engineering

Mr. Macpherson stated the purpose of the request is to approve the final plat for North Creek Industrial Park 1st Addition Phase 2 was approved by Commission on May 14, 2009 and accepted by City Council on June 15, 2009. The Preliminary Plat ordinance (Special Ordinance 25619) depicted a cul-de-sac (Meadowview Avenue) and proposed seven lots. The applicant has submitted a Final Plat that eliminated

the cul-de-sac and has a total of three lots. The Final Plat could not be administratively approved because the final plat is not in conformance with the approved preliminary plat, including the conditions of approval. The approved preliminary plat showed a cul-de-sac with seven (7) lots. The applicant has submitted a Final Plat that eliminates the cul-de-sac and subdivides the property into a total of three (3) lots. The applicant indicates there has been interest in larger lots for development rather than the smaller lots as approved on the Preliminary Plat. While the proposed Final Plat is different than the Preliminary Plat, eliminating the right-of-way and reducing the number of lots does not negatively impact the surrounding properties or adjacent street system.

The Planning and Zoning Commission review is to determine if the proposed Final Plat merits approval despite its lack of conformity to the approved Preliminary Plat. If the Planning and Zoning Commission finds that the proposed Final Plat merits approval, the Final Plat will complete the normal Final Plat review process. All conditions of the review of this proposed Final Plat must be satisfied prior to the recording of the Final Plat. Mr. MacPherson showed Commission two (2) exhibits, the original preliminary plat, pointing out the lots that are being referred to, that are going to change. He then showed the final plat, which eliminates the cul-de-sac and the street system is not altered and it offers it as one lot, as opposed to the four (4) that were originally in the cul-de-sac. The street system is in place and the turn-around for fire protection is also in place. The other items that are required will be approved by Public Works before the final plat can be approved. With that, Staff is recommending approval.

Mr. Hansen asked if the North/South Street on the east side of the development are the developers required to build half a street.

Mr. MacPherson commented that the streets that were shown are already in place, already constructed including the turn-around.

Mr. McClelland asked if due to the change of four (4) lots to one (1), will that change the drainage.

Mr. MacPherson referred the question to Cody Marshall, Public Works.

Mr. Marshall commented that the applicant has turned in a public improvement plan. They have a drainage channel that crosses from lot two (2), the larger lot, across to the west through lot one (1). It did not significantly change the drainage patterns.

Mr. Edwards opened the public hearing.

Mr. Derek Lee. Lee Engineering, Springfield. Mr. Lee commented that this is a marketing issue more than an engineering issue. There is interest from prospective buyers who would like larger lots and we would be unable to accommodate them with the four (4) smaller ones. That is the reason for the request to change. We anticipate selling the lot once the public improvements are finished and record the plat.

Mr. Edwards closed the public hearing.

Mr. Hansen motioned to **approve** North Creek Industrial Phase 2 Final Plat. Ms. Roling **seconded**. The motion **carried** as follows: Ayes: Matt Edwards, Jay McClelland, Jim Hansen, Gloria Roling, Thomas Baird, IV, Phil Young, Jason Ray, King Coltrin; Nays: None. Abstain: None. Absent: Shelby Lawhon.

OTHER BUSINESS:

4. Significant Case Review

City of Springfield

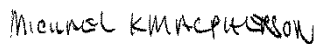
Mr. MacPherson reported to Commission that every year at the end of the calendar year, staff presents a case comparison of voting by the Planning and Zoning Commission and City Council, which is called a Significant Case Review. The report contrasts the votes of the Planning and Zoning Commission with the City Council to see how they compare. The Commission and Council voted similarly for the entire year with the exception of the zoning case at 1900 E. Republic Road.

Mr. Hansen commented on September 1, 2011 case when the Signs Amendment was voted on, Commission voted it down two (2) to six (6), and Council's vote was unanimous in approving it.

Mr. MacPherson said that from the time the Amendment left Commission, to the time it got to Council, the Department of Building Development Services made additional amendments to it; some of Commission had made recommendations with regard to the LED signage. It was removed from the sign ordinance and moved to the Task Force that is now under way to review the issue. Even though the votes don't match, staff responded to the things that Commission and the Customers stated that evening and it was more palatable to the Council and the sign companies.

ANY OTHER MATTERS UNDER THE COMMISSION JURISDICTION:

There being no further business, the meeting was adjourned at approximately 6:50 p.m.



Michael K. MacPherson
Principal Planner