**MINUTES OF THE PLANNING AND ZONING COMMISSION**

**DATE**: May 2, 2013
**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: King Coltrin (Vice-Chair), Jay McClelland, Jim Hansen, Shelby Lawhon,Tom Baird, Jason Ray, and Gabrielle White; Absent: Edwards and Young. Staff in attendenance: Bob Hosmer, Principal Planner; Ralph Rognstad, Director, Nancy Yendes, City Attorney; Judy White, Executive Secretary.

**ROLL CALL:**

**APPROVAL OF MINUTES**: The minutes of April 18, 2013, were approved unanimously.

**COMMUNICATIONS:**

Mr. Hosmer told Commission that there will be a May 16, 2013 Planning and Zoning workshop meeting to discuss the Development Review Task Force Proposals, College Street Zoning District Proposal, the proposed Live/Work Overlay District and a presentation of the Planning and Zoning Conflict of Interest and Rules of Procedure which will be presented by Assistant City Attorney, Nancy Yendes. Mr. Hosmer commented that the schedule for May 30th meeting has a full agenda.

**CONSENT ITEMS:**

1. Relinquish Easement 791 — Advocates of Healthy Community, Inc.
   (500 block North Benton, w/s)

2. Subdivision Variance 343 — Wal-Mart Real Estate Business Trust
   (3536 West Mount Vernon)

3. Subdivision Variance 344 — EAS Investment Enterprises, Inc.
   (3370 East Montclair Street)

Mr. Baird motioned to **approve** the consent items. Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: Coltrin, McClelland, Hansen, Baird, Ray, Lawhon, and White. Nays: None. Abstain: Baird. Absent: Young and Edwards.

**HEARINGS:**

**Vacations:**

4. Vacation 756 — Missouri State University
   (600 block South Florence Avenue)

Mr. Hosmer commented that the applicant, Missouri State, has asked that this issue be tabled and continue the public hearing to the May 30, 2013 Commission meeting.

Mr. Hosmer stated the purpose of this request is to vacate South Florence Avenue and a north/south alley east of Florence Avenue between Harrison and Monroe Street. Staff recommends approval and will answer any questions.

Mr. Coltrin opened the public hearing. There were no speakers. Mr. Coltrin stated the public hearing will continue on May 30, 2013.

**Zoning**:

5. Z-05-2013 w/Conditional Overlay District No. 57 Macedonia Baptist Church
(3049 West Latoka Street)

Mr. Hosmer stated the purpose of this request is to rezone approximately 3.42 acres of property generally located at 3049 West Latoka Street from R-SF, Single Family Residential District to an O-1, Office District; and establishing Conditional Overlay District No. 57. This will facilitate the development of this site into a daycare center associated with Macedonia Baptist Church. The applicant is requesting a conditional overlay district that will restrict the permitted uses and gross building floor area. It will also require an administrative lot combination to be completed and sidewalks to be constructed or escrowed along Washita and Oxford. The standard requirements for bufferyards, noise, lighting, odor and signage will be covered by the Zoning Ordinance.

Mr. Coltrin opened the public hearing.

Ms. Lori Willadsen, 5328 S. Winsor Drive, Battlefield; Ms. Willadsen said she is the Director of the daycare and gave a brief overview of the forty (40) year history of the daycare. Ms. Willadsen stated they recevied a financial gift of $300,000 to begin construction of a new building. The daycare will have a new building which will also be used for children's ministry program. There is a desparate need in the community for child care. On Wednesday evenings, they are currently busing in thirty-five (35) to fifty (50) children from the Latoka and Washita area, who are at-risk kids. Ms. Willadsen stated that once they vacate the current building, her hope is they will be able to open up an at-risk program after school for those kids.

Mr. Baird asked how the pick-up and drop-off pattens and traffic flow will work as it is in a small residential area.

Ms. Willadsen said she said she does not see it as a problem as Oxford is not a high traffic road.

Mr. Brent Stevens, H-Design Group, 5051 S. National #7A, Springfield; commented that the church has been buying up the properties behind the church for some time as the residential houses have continued to deteiorate over the years. If they were expanding the church, they would not need to rezone, but because they are doing the daycare component back there, it requires a rezone. We have been working with staff because we know exactly what we want to do. We have allowed the conditional overlay and restrictions on square footage and such because there is a clear plan of what they want to do. The traffic pattern right now is that everyone comes down Oxford from Sunshine or down Washita and drops off into the existing daycare patterns. Mr. Stevens pointed out on the overhead display the pattern of the traffic flow currenlty

and the difference after construction.

Mr. McClelland asked about fencing for the safety of the children.

Mr. Stevens stated they will be putting enclosure fences around the playground. The bufferyard is not a requirement, but there is one proposed around the playground area.

Mr. Coltrin closed the public hearing.

Mr. McClelland motioned to **approve** Z-05-2013 w/Conditional Overlay District No. 57. Mr. Lawhon **seconded** the motion. The motion **carried** as follows: Ayes: Coltrin, McClelland, Hansen, Baird, Ray, Lawhon, and White. Nays: None. Abstain: Baird. Absent: Young and Edwards.

6. Z-06-2013 Aimee Plumlee
(1918 South Ingram Mill Road)

Mr. Hosmer stated the purpose of this request is to rezone approximately 0.76 acres of property generally located at 1918 Ingram Mill Road from an R-HD, High-Density Multi-Family Residentail District to an O-1, Office District. The subject property curretly has an existing office building and parking lot onsite. Prior to the adoption of the 1995 Zoning Ordinance, professional offices were an allowable use in the Multi-Family (R-3) District. With the adoption of the new 1995 Zoning Ordinance this property becase a nonconforming use with the new R-HD, High-Density Multi-Family Residentail District. The approval of O-1, Office District zoning on the subject property will allow the property to conform to the existing office use. Staff is recommending approval.

Ms. White abstained from the vote on the case.

Mr. Coltrin opened the public hearing.

Ms. Aimee Dixon-Plumlee, 210 Autumn Maple, Rogersville, MO, commented she is representing Dixon Properties. They have used the building for fifteen (15) years and are considering selling the property and would like it to be more clear to potential buyers what uses are permissable. There are no proposed changes to the building or the area.

Mr. McClelland asked about conditions referenced in the staff report, it mentions that the current driveway needs to meet the minimum of twenty-six (26) feet wide, and additional right-of-way dedicated to Ingram Mill Road to meet a standard of sixty (60) feet of right-of-way. In order for Commission to rezone this, doesn't this have to come into compliance before the property can be sold.

Ms. Plumlee stated they agree that they would have to do those things before the sale of the property. On the driveway they would like to change it to a one-way driveway. They have not done the signage for that, but that will require them to have a narrower driveway as it is currently. We understand there are some changes that have to be done.

Mr. Coltrin closed the public hearing.

Mr. McClelland asked staff how they will be in complicance if they approve the zoning; is it a matter of putting it in the record.

Mr. Hosmer stated this will be a condition in the Council Bill; we are limiting this to one year to complete the conditions.

Mr. Hansen motioned to **approve** Z-06-2013. Mr. Baird **seconded** the motion. The motion **carried** as follows: Ayes: Coltrin, McClelland, Hansen, Baird, Ray, and Lawhon. Nays: None. Abstain: White Absent: Young and Edwards.

7. Z-07-2013 w/Conditional Overlay District No. 59 — One Hundred Two Glenstone, Inc.
   (1126 East Cherokee)

Mr. Hosmer stated the purpose of this request is to rezone approximately 0.17 acres of property generally located at 1126 East Cherokee Street from an R-SF, Single Family Residential District to a GR, General Retail District; and establishing Conditional Overlay District No. 59. This will allow for this lot to be combined with the existing GR zoned property to the east to provide additional area for off-street parking for the development. The applicant is also requesting a conditional overlay district to require the construction of sidewalks along Cherokee Street. Staff recommends approval.

Mr. Coltrin opened the public hearing.

Mr. Derek Lee, Lee Engineering, 2101 W. Chesterfield Blvd, commented he is representing the owner and is available for questions.

Mr. Hansen asked if this will be part of the hotel development.

Mr. Lee said it is and provided a sketch, stating they are putting a parking lot on the property.

Mr. Coltrin closed the public hearing.

Mr. Lawhon motioned to **approve** Z-07-2013 w/Conditional Overlay District No. 59. Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: Coltrin, McClelland, Hansen, Baird, Ray, White, and Lawhon. Nays: None. Abstain: None. Absent: Young and Edwards.

8. Z-08-2013 w/Conditional Overlay District No. 58 — Great Southern Bank
   (1846 E. Cairo St. & 1847 & 1851 E. Walnut St)

Mr. Hosmer stated the purpose of this request is to rezone approximately 0.62 acres of property generally located at 1846 East Cairo Street and 1847 and 1851 East Walnut Street from an R-TH, Residential Townhouse District to a HC, Highway Commercial District and establishing Conditional Overlay District No. 58. The applicant is proposing to use the lots for parking for the Great Southern Bank Operations Facility to the north and in the future for office uses. The Conditional Overlay District will limit the uses within the HC, Highway Commercial District to only two uses; commercial off-street parking lots and the general office use group. Staff is recommending approval.

Mr. Baird asked if this would strand the long rectangular piece of land on the east side or is that part of the bank's property as well.

Mr. Hosmer stated this property is not owned by Great Southern Bank and would remain R-TH.

Mr. Rognstad stated that this is associated with the Great Southern Bank Operations Facility to the north; this is where the people would park who work for Great Southern Bank.

Mr. Coltrin opened the public hearing.

Mr. Tom Wood, Rio Contracting, stated he is representing Great Southern Bank and available for questions.

Mr. Coltrin closed the public hearing.

Mr. McClelland motioned to **approve** Z-08-2013 w/Conditional Overlay District No. 58. Ms. White **seconded** the motion. The motion **carried** as follows: Ayes: Coltrin, McClelland, Hansen, Baird, Ray, White, and Lawhon. Nays: None. Abstain: None. Absent: Young and Edwards.

**Preliminary Plat:**

9. Westwood Hills 3rd Addition Renewal — David Denton
   (900 block Southwest Bypass)

Mr. Hosmer stated this request is to approve a preliminary plat generally located on the west side of the 900 block South West Bypass and Grand, to subdivide 29.74 acres into a twenty-eight (28) lot single-family residential and commercial subdivision with common area. The property will extend Grand into the property of the commercial lot as well as provide access to Kay Point Boulevard and reqires a recreational easement for the Wilson Creek Greenway. Staff is recommending approval.

Mr. Coltrin asked if this is a plat they saw a couple of years ago.

Mr. Hosmer said yes, it is a renewal.

Mr. Coltrin opened the public hearing.

Mr. Jared Rasmussen, Olssen & Associates, 550 E. St. Louis Street, Springfield, commented he is representing the applicant and will answer any questions.

Mr. Hansen asked about the recreational easement asking if it gives access across the common area and if it will be designated as a corridor.

Mr. Rasmussen said yes it does. It is all one big common area, but a way to provide access to that southern eastern property line. It is common area to the overall development, so it has a legal strip to it and has been identified as a defined area.

Mr. Hansen asked if people would park along Grand if they choose to.
Mr. Rasmussen said this was added as a way for the community to get to the park, so the intent of that would be for the folks in the subdivision to walk to the park. It is not intended as a trailhead.

Mr. Rognstad pointed out on the display the location of the park and the greenway trail. This will allow the trail to extend to West Bypass so the trail can connect to the sidewalk system. It is access for the people living in the subdivision. People who are going to drive will drive to the park.

Ms. White asked if it is the intention to pave the area or leave it as grass, speaking of the easement.

Mr. Rasmussen said it will be dedicated as an easement and not the intent to build the trail.

Mr. Rognstad stated the City gets the easement and Greenways comes back and builds the trail.

Mr. Coltrin closed the public hearing.

Mr. Ray motioned to **approve** Preliminary Plat of Westwood Hills 3rd Addition Renewal. Mr. McClelland **seconded** the motion. The motion **carried** as follows: Ayes: Coltrin, McClelland, Hansen, Baird, Ray, White, and Lawhon. Nays: None. Abstain: None. Absent: Young and Edwards.

**ZONING TEXT AMENDMENTS:**

10. Residential Uses in HC District — City of Springfield
    (City-Wide)

Mr. Hosmer stated this is amend *Section 4-3200, Highway Commercial District,* in the *Springfield Zoning Ordinance* to allow residential uses. Planning and Zoning Commission initiated the Residential Uses in the Highway Commercial District Amendments at their meeting on March 7, 2013. Currently, the Office (O), Limited Business (LB), General Retail (GR), Center City (CC) and Commercial Street (COM) Districts allow residential uses provided such uses are located above the first floor or behind non-residential uses so as to create a continuous non-residential facade, on the first-floor level along all street frontages. This encourages mixed-use development which reduces auto dependency, roadway congestion and air pollution by co-locating multiple destinations while also providing more housing opportunities. Development Issues Input Group (DIIG), Urban Districts Alliance (UDA), Environmental Advisory Board (EAB), Commercial Club and all registered neighborhood associations were notified of these amendments and have made no objections to date. Staff recommends approval.

Mr. Coltrin opened the public hearing. As there was no one to speak to the matter, the public hearing was closed.

Mr. Baird motioned to **approve** Zoning Text Amendment Residential Uses in HC District. Mr. Lawhon **seconded** the motion. The motion **carried** as follows: Ayes: Coltrin, McClelland, Hansen, Baird, Ray, White, and Lawhon. Nays: None. Abstain: None. Absent: Young and Edwards

**OTHER PUBLIC HEARINGS:**

11. Street Name Change 73 — Missouri State University
    (Monroe St. between National and Kimbrough Avenue)

Mr. Hosmer stated the purpose of the request is to change the name of East Monroe Street between National and Kimbrough Avenues to Bear Boulevard; the 600 block of East Monroe Street. Approval of this street name change is expected to more appropriately identify the main entrance to the Missouri State University campus. Staff recommends approval.

Mr. McClelland asked who is responsible for paying for this when there is a street name change; all the street signs and the Emergency 911 address updates.

Mr. Hosmer stated the City will pay for the street signs and the addressing will be done with the Post Office.

Mr. Lawhon asked Police, Fire, Emergency 911, Postal Service are ok with this; they don't see any problem with this.

Mr. Hosmer said yes, that is correct.

Mr. Hansen asked if there was a public meeting held, asking if there objections to this request.

Mr. Hosmer stated that this is the public meeting.

Mr. Rognstad stated letters are sent to all property owners and tenants informing them of the public hearing.

Mr. Hansen asked if there had been any replies forthcoming.

Mr. Rognstad said no; most of it is the campus. They had originally proposed it end at Holland but we don't typically like to have street name changes at a local street. We would prefer for it to change in an arterial, like Kimbrough, so they extended it there. Those are probably student rentals and not long term residents.

Mr. Coltrin opened the public hearing.

Mr. Ken McClure, Vice-President for Administrative and Information Services at Missouri State University,1172 W. Woodhaven, Springfield, commented that he is in support of the application. As was indicated the University in the last several months has formally designated a main entrance to campus; they have not had that before. It is at National and Monroe. They wanted to name it something appropriate to the University and decided on Bear Boulevard. This is a key part, in their view, of the main entrance to campus. The original request was from National to Holland which is the end of the Universitys property. City Staff suggested it go to Kimbrough and we are in support of that. The University does own all the property between National and Holland. Mr. McClure stated they would be working with staff on the Emergency 911 and those types of things that need to occur, and would request support of this.

Mr. Baird stated that it has been indicated that Bear Boulevard would end Holland, but was extended to

South Kimbrough. Following the logic of not changing a street name in the middle a street, why would you not progress down to South Jefferson. It appears that it stops at Kimbrough.

Mr. Rognstad stated that typically that would be better, but we do have streets that change at the arterial. It would incorporate a lot more people into it. If they came back we might be willing to consider that. It is also somewhat specific to Missouri State.

Mr. Baird stated he understands that, but it seems logical you would go all the way down to Jefferson rather than having the east side of Kimbrough be addresses on Bear Boulevard and west side of Kimbrough; that doesn't make sense.

Mr. McClure stated they would be supportative of that, however, we don't want to delay it either.

Mr. Coltrin closed the public hearing.

Mr. Baird asked staff what the delay would be; is there any logic in not expanding this to Jefferson.

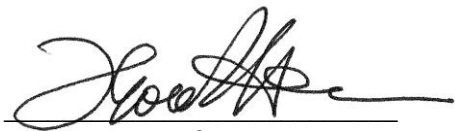
Mr. Rognstad stated there is a notification process; it would delay this a couple of months at least, by the time they did that. If there is an interest in that, Commission can certainly initiate that and we would send letters to the property owners. If we didn't get any objection we would proceed with it. Mr. Rognstad stated it can be a two part process.

Mr. Lawhon motioned to **approve** Street Name Change 73. Mr. Hansen **seconded** the motion. The motion **carried** as follows: Ayes: Coltrin, Hansen, Baird, Ray, White, and Lawhon. Nays: McClelland. Abstain: None. Absent: Young and Edwards.

Ms. Yendes asked Commission if they wanted to initiate the name change to Jefferson.

Mr. Baird motioned to initiate a new application for a Street Name Change to change the name of Monroe Street from Kimbrough to Jefferson to Bear Boulevard. Mr. Ray seconded the motion. The motion **carried** as follows: Ayes: Coltrin, McClelland, Hansen, Baird, Ray, White, and Lawhon. Nays: None. Abstain: None. Absent: Young and Edwards

There being no further business, the meeting was adjourned at approximately 7:15 p.m.



Bob Hosmer, AICP
Principal Planner