

MINUTES OF THE PLANNING AND ZONING COMMISSION

DATE: July 11, 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: Matt Edwards (Chair), King Coltrin (Vice-Chair), Jay McClelland, Jim Hansen, Tom Baird, Jason Ray, Shelby Lawhon and Gabrielle White; Staff in attendance: Bob Hosmer, Principal Planner; Ralph Rognstad, Director, Nancy Yendes, City Attorney; Dawne Gardner and Ron Colson, Public Works; Sandy Goddard, Administrative Assistant.

ROLL CALL:

APPROVAL OF MINUTES: The minutes of May 30, 2013, were approved unanimously.

COMMUNICATIONS:

Mr. Hosmer introduced Storm Water Engineer Rodney Colson as the newest member of City Staff to the Board members.

HEARINGS:

1. Vacation 757
(1540 South Enterprise Avenue)

Bob Norton

Mr. Hosmer stated the purpose of this request is to vacate a portion of a cul-de-sac generally located on the east side of the 1500 block of South Enterprise Avenue. The vacation would facilitate the construction of a new addition onto the west side of the existing laundry facility. The sidewalk has been reconstructed and grass restored at the proposed new right of way line. City Utilities will retain the easements in that area. Staff is recommending approval.

Mr. Baird asked if they review this previously.

Mr. Hosmer said yes, the applicant did not finish the project and there was additional right-of-way acquired and that is why this is being heard again.

Mr. Edwards opened the public hearing.

Mr. Steve Mumert, Olsson Associates at 550 St. Louis Street, stated he representing the applicant and is available for questions.

Mr. Hansen clarified that the only addition to this request is the strip of property at the north end.

Mr. Mumert stated that part was not vacated previously and is being addressed tonight as one unit this time.

Mr. Edwards closed the public hearing.

Mr. Lawhon motioned to **approve** Vacation 757. Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, Hansen, Baird, Ray, Lawhon, Young, and White. Nays: None. Abstain: None. Absent: None.

Zoning

2. Z-12-2013 w/Conditional Overlay District No. 61 (777 East Battlefield Road)

Todd Johnson

Mr. Edwards recused himself from the case. Mr. Coltrin, Vice-Chair, continued the hearing.

Mr. Hosmer said the purpose of this request is to rezone approximately 1.44 acres of property generally located at 777 East Battlefield Road from an O-1, Office District to a GR, General Retail District and establishing Conditional Overlay District #61. Existing use is an office building and parking lot. This application includes a Conditional Overlay District to prohibit certain uses including the entertainment-oriented use group, funeral homes and mortuaries, household resource recovery centers and private clubs and lodges and provide for additional right-of-way on adjacent streets and provide for additional plantings within the bufferyard along the north property line. The proposed development is a convenience store with fuel pumps, however any use permitted in the GR district could be located on the site unless prohibited by the Conditional Overlay District. The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this as an appropriate area for high intensity retail, office or housing. General Retail (GR) district is one of the zoning districts recommended in these areas. The proposed convenience store would be considered a Neighborhood-Scale Business as described in the Comprehensive Plan. Staff believes the subject site with the proposed Conditional Overlay District and requirements and restrictions contained within the GR district including those for buffering and building height meet the recommendations of the City's Comprehensive Plan and intent of the General Retail District. The approval of GR zoning will expand the GR zoning to the northeast corner of this intersection as the southeast and southwest quadrants are currently zoned GR. Approval of this request will provide for increased intensity in this area where investment has already been made in public services and infrastructure. This development will provide goods and services to the adjacent residential and commercial areas. Additional requirements include right of way on Kimbrough must be 30 feet from centerline. It appears approximately 5 feet will be needed. Right of way on Battlefield must be 50 feet from the centerline. It appears between 5 feet and 8 feet will be needed. Sidewalk already exists on both Kimbrough and Battlefield. A 30 feet X 30 feet right of way sight triangle is required at the intersection of Kimbrough and Battlefield. Access on Battlefield can remain, but cannot be shifted any closer to Kimbrough. Access on Kimbrough can remain. It must not be shifted any closer than 100 feet to Battlefield. A Traffic Study is not required. Public Works Storm Water division does not have any concerns regarding this application. Fourteen (14) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. Staff has received several phone calls and visits from nearby property owners expressing concern over the request. In addition to the required bufferyards, all structures developed on this property must remain below a thirty (30) degree bulk plane measured from the boundary of the R-SF district to the north. As part of the redevelopment of this site, additional green space will be provided. The existing site has approximately 0.27 acres, or seventeen (17) percent of the site, of green space. The applicant plans to add approximately 0.25 acres of green space for a total of 0.52 acres or thirty-three (33) percent of the site. The GR district requires a minimum of twenty (20) percent

open space. This request for GR zoning will provide for the redevelopment of this site and is consistent with the City's policies to promote infill development and increased intensity where investments have already been made in public services and infrastructure. The proposed Conditional Overlay District will restrict uses, provide for additional right-of-way on adjacent roadways and provide for additional plantings along the north property line. Staff is recommending approval. Additional information has been provided to Commission by the neighborhood summary meeting as well as comments from the Police Department who has some concerns about the convenience store across the street. Mr. Hosmer stated he would answer any questions.

Mr. Hansen asked Mr. Hosmer about the content of the phone calls received from the public; what their concerns were.

Mr. Hosmer stated they expressed concerns about the uses, the convenience store and hours of operation.

Mr. Hansen asked if they expressed any specific objections, stating he did not see anything in the staff report regarding that information.

Mr. Hosmer said objections to the site, yes. They objected to the rezoning.

Mr. McClelland asked what the allowable distance of selling alcoholic beverages near a school; Kum & Go will be selling closed beverages; are there any footage requirements.

Mr. Hosmer stated it is two hundred feet and Council can grant exception.

Mr. McClelland commented the school exceeds the two hundred feet distance so it is not an issue.

Mr. Coltrin opened the public hearing.

Mr. Josh House, representing Kum & Go, LLC, 6400 Westown Parkway, West Des Moines, IA, 50266, commented that he had provided packets of information to give general information and the proposed design of the store. They are currently in the process of rebuilding multiple stores within the City and have completed one at National and Division and ready to break ground on Kimbrough and Elm. This will be a replacement store for a current store located to the east off of Jefferson and Battlefield. Mr. House stated this opportunity presented itself with a great location and commented he would be available for questions.

Mr. Baird referenced neighborhood and police concerns for noise and security asking Mr. House how their organization responds to those concerns and how they will address that situation in this location.

Mr. House stated that neighborhood concerns were the noise and the visibility of the store from the neighborhood and they take extra care in blocking the property from the neighborhood, so there will be a six (6) foot tall fence as well landscape plantings, trees and shrubs toward the rear of the property to help shield the business from the adjacent neighborhood. This is a common practice for Kum & Go. There are security cameras placed all the way around their existing buildings and well lit sites to emphasize safety to customers which is how they address the security issue.

Mr. Baird asked if the privacy fence will be wood, if the fence will be located on the north and east boundary and if there will be a cut-through in the fence for the apartments and neighborhood behind.

Mr. House stated the fence will be solid wood and referred to pictures of a current store on National and Division. It will be located on the north and east boundary and commented they have not gotten that far in the design process, but as they work with City staff, if that is a request per the neighborhood, they would be willing to accommodate that; if not, they would not make that accessible to the store. The fence would be like a cedar plank fence that runs the expanse of the property to block any views of the store from the neighborhood.

Mr. Lawhon asked about the sidewalk along the west side of the property; will the side walk remain.

Mr. House said yes.

Mr. Baird commented there appears to be a sidewalk on the north side as well...

Mr. House stated the sidewalk is not on their property, lying outside the property line to the north. The connection from the cul-de-sac to Kimbrough is actually not on the property.

Ms. Kathleen Irmen, 809 East Guinevere, Springfield; Ms. Irmen stated she is one of the property owners within one hundred eighty-five feet of the proposed store. The walkway that lies outside the property goes in back of where the parking lot to this property is now and all the neighborhood kids walk to school along that route to get to Cowden Elementary. Right across the street from where this proposed store is located is Cowden Park which is a large playground with nice equipment with children always present. There is not a fence on the Kimbrough side at this point although there was one put in on the Battlefield side. With the new proposed store, concerns are the increased traffic, the noise and the lighting even with the six (6) foot privacy fence, increased possibility of more crime and the proximity to the elementary school. Ms. Irmen asked if Springfield Public Schools had been notified because if they had, she would be surprised if they had no objections to the convenience store. Ms. Irmen commented it has always been a nice quiet neighborhood and she would like it to stay that way.

Mr. Coltrin asked staff if the school had been notified.

Mr. Hosmer stated they had been notified as they are within the one hundred eighty-five feet area. Mr. Hosmer stated staff has received no objections from the school at this time.

Mr. William Cheek, 705 East Cambridge, Springfield, stated he is located up the street from the proposed convenience store area. Mr. Cheek feels if the zoning change is allowed, it will adversely impact the adjacent residential area, and would emphasize two areas in his opposition in asking for denial of the proposed zoning change. First, the proposed change to GR, General Retail is less than appropriate for this particular property than the current office zoning. The property in question is adjacent to existing residential on the east and north and across the street from an existing park and school as was pointed out. This will be an isolated retail location. The existing income producing office classification and use is a more appropriate land use adjacent to single-family residential than the proposed general retail zoning. It is mentioned in the staff report, more than once, that the current office zoning is an appropriate use for this type of intersection in question. The current office building has served as an appropriate transition from the concentrated retail development along the south side of Battlefield and the existing residential area to the north for a number of years. The existing residential area has existed for decades, long before the more recent development south of Battlefield. Mr. Cheek reviewed the permitted uses in the overlay district

and what future uses might be used if the owner should change his mind regarding use. There are currently six (6) convenience stores, four which are owned and or operated by Kum & Go within one road mile of this property. It is doubtful the nearby residents will suffer should another one not be built. The second reason for opposition concerns the provision of the overlay listed as quote, "adequate for mitigating potential impacts on the proposed development on adjoining properties". Mr. Cheek said those provisions are not adequate and provided a few examples. Mr. Cheek discussed the stormwater comments from the staff report and the current runoff of from the area during heavy storms and discussed the buffering between the proposed use and adjacent properties and green space. The residential area would see the backside of a wood fence, not additional plantings. Part of the City's efforts is to maintain and enhance existing neighborhoods and asked Commission to deny the request.

Mr. Hansen asked Mr. Cheek what would be more amenable than the proposed stockade fence.

Mr. Cheek asked if it is the best design to have the fence directly at the property line, so the residents that you are supposedly protecting with the fence, actually see that backside of a wood fence.

Mr. Edward House, 911 South 12 Avenue, Ozark, commented he is not related to the previous Mr. House that spoke. Mr. House stated he is in opposition to the request, adding he is representing Eagle Stop Convenience Store, a resident of the area, who will be adversely affected by approval of the rezoning. Mr. House stated many of the reasons for opposition to the request were stated earlier, noise and light pollution, traffic and security; he is asking Commission to support local businesses. Eagle Stop is a chain of convenience stores with ownership located in Missouri with the corporate headquarters being located to East Republic Road. With that, they bring additional jobs and have and will continue to heavily invest in the local area, adding they are asking for the support of the Commission as a local company. Kum & Go is not a local company and the dollars spent by the residents of Springfield residents and visitors do not stay in Springfield. Mr. House commented he is available for questions.

Mr. Lawhon asked Mr. House if he could be specific in what the adverse effects would be on the Eagle Stop.

Mr. House stated he has not put that to pen and paper but with obviously with a large station directly across the street having another station on the other side of Battlefield would obviously have some adverse affects; while they feel like they are positioned to compete with Kum & Go, it would affect the business as it would any other industry with a competitor going across the street.

Mr. Brad Thessing, 8410 Interlochen Dr, Nixa, Missouri, commented he represents the current land owner and landlord of the property, commented he wanted to address the lighting which will be much better than it currently is today and referred to the current fencing located there today. The office located there currently is fifty (50) percent leased and Battlefield is becoming more of a retail destination more than an office destination. There will be security cameras in place at the proposed store that surround the whole property that are not there today.

Mr. Coltrin closed the public hearing.

Mr. Baird asked staff or the Kum & Go representative if there is data available for the number of trips that will be generated northbound on Kimbrough. With the north being a residential neighborhood and the school, he is concerned about the kids getting across the street.

Ms. Gardner stated the applicant was not required to provide a traffic study, which means that the use that they are proposing will not generate enough traffic to invoke a traffic study from the uses there currently; adding staff does not have an exact of the number of the trips. Ms. Gardner stated she can get that information.

Mr. Hosmer asked to clarify an issue on the question about the alcohol; they are within two hundred (200) feet, the school park is owned by the school.

Mr. McClelland asked what that does for the liquor sales.

Mr. Hosmer stated the applicant would have to go before City Council to get approval for liquor sales.

Mr. Coltrin asked if the issue of the north fence and the green space, this being an overlay, gives the flexibility then to set where we would like that fence and the layout of the planting.

Mr. Hosmer stated that is correct.

Mr. Hansen stated this is a more intense use than what exists now and is a real consideration for him. The blank fence verses a nice landscaping border is a concern as well. There are repeated police calls to the convenience store across the street, which would lead him to believe that there will be increased police to this corner if made into a convenience store. There is nothing around this property that is anything like a c-store; it is residential and park. Mr. Hansen stated there is not a compelling need for another c-store across the street from one, so as this stands right now, he would not be in favor of the rezoning.

Mr. Young asked where the closest crosswalk is for the students.

A member of the public stated the crosswalk is at Woodland.

Mr. Baird asked where the kids from the apartment complex along Battlefield, Guinevere and Cambridge cross the street. Mr. Baird referred to the picture showing the current fence asking Ms. Irmen the benefit of the privacy fence and the plantings.

Ms. Irmen asked if that would be enough to convince her that building it is a good idea; no. Ms. Irmen commented she agrees with Mr. Hansen the need to have another convenience store at that location. You don't have to travel very far to purchase a variety of goods from a variety of places for your needs.

Mr. Baird referred to point number five (5) under Stormwater comments of the staff report, to try and direct some runoff into the drainage system on Battlefield Road in-lieu of draining all runoff directly onto Kimbrough Avenue. It appears there are some neighborhood concerns about stormwater in this area asking staff to speak address that.

Mr. Colson commented they spoke to the engineer in reference to the comment and they had some concerns that the system on Battlefield wouldn't carry the one hundred (100) year storm event, but we told them that it would be better to put more stormwater into that system and have less on Kimbrough and we let the applicant know we want them to do that.

Mr. Baird asked if the impervious area would increase or decrease with the construction of this facility.

Mr. Colson stated they were going to decrease the amount of impervious area which will decrease the total amount of runoff while still maintaining the existing detention that is on site.

Mr. Lawhon commented the current building is in rapid decline; the dilapidated fence is one tangible example of that. One of the reasons why some of the tenants have left the building is in anticipation of what is before Commission tonight, figuring this would be approved. If the building is left alone it will become just another vacant building on Battlefield. The wisdom of having two convenience stores across the street from each other is beyond his area of expertise, but that is what the customers would decide. There are some misgivings about the lights and traffic, but the kids already have the sidewalks available to get to school and one actually controlled by a crossing guard so that is not an issue for the kids getting to and from school. This is a zoning issue and this is a positive addition to the neighborhood. It meets the zoning requirements of the Comprehensive Plan and he supports the request.

Mr. McClelland stated the gentleman representing Eagle Stop confused him because he pointed out the issues that will happen if Kum & Go builds there with the same issues they have currently at Eagle Stop. Possibly if another store is built across the street from them it might lower the number of problems at his place. We are here to determine if this request falls within the guidelines of the City's codes. Mr. McClelland said staff has recommended approval and all guidelines have been met so he is in favor of the zoning request.

Mr. Young stated that as a member of Commission, the information presented comes through a filter from a design perspective which is who he is and what he does. As he looks at this through the zoning ordinances and the Comprehensive Plan, he looks through his life experiences of design. We are trying to approve a zoning request to change an Office District to a General Retail District in this one location. We have this throughout the City in many locations; it doesn't mean it's good or right and this is a concern to him as a designer having residential next to gas stations especially with the lights. This has always been a concern, and it is a concern here. Mr. Young said with the police issues at the Eagle Stop, maybe it may solve some problems having another convenience store located here, but that is speculative. He is concerned about the vacation of the building; rehabbing where you are currently at would be a better use of what is going on as you can demo that and make it work and from a design position, it would be a better use of that building so that one doesn't sit vacant. Mr. Young stated he is not in support of this request.

Mr. Coltrin commented they are not here to choose if this is proper or improper, we are here to look at the zoning case and if this is an appropriate zoning use sitting on the frontage of Battlefield. It is always bad when it backs up to a neighborhood and we have the same issues; at the same time if you have been on this property and water falls on this property, it goes nowhere but off this property. This property is asphalt. Any green space brought to this property by the new development is more green space than what it has today. Our job is not to decide if this business will hurt that business. Commission is to decide if this site and the zoning requested a proper use or issue for this zoning. In order to be consistent, this sits on Battlefield Road, which is a major arterial. Mr. Coltrin stated he supports this request.

Mr. Lawhon motioned to **approve** Z-12-2013 w/ Conditional Overlay District No. 61. Mr. McClelland **seconded** the motion. The motion **carried** as follows: Ayes: Coltrin, McClelland, Baird, Ray, Lawhon, and White. Nays: Young and Hansen. Abstain: Edwards. Absent: None.

ZONING TEXT AMENDMENTS:

1. Official Zoning Map and Zoning Certificate Amendments (City-Wide)

City of Springfield

Mr. Hosmer stated this request is to amend *Sections 1-1600*, Official Zoning Map and Rules for Interpretation, and *3-1200*, Zoning Certificate, in the Springfield Zoning Ordinance. City Council initiated amendments to the official zoning map and zoning certificates at their meeting on March 21, 2011. The processes for adopting the official zoning map and preparing zoning certificates need to be updated to reflect the current practices and to provide greater convenience to the general public.

The zoning certificate section of the ordinance will be modified to remove the language that makes the Director of Building Development Services responsible for certifying zoning. Instead, as currently practiced, the Director of Planning and Development, or their designated representative, will process zoning certification applications. This will allow the zoning certification process to be expedited since both Directors are currently required to sign the application. The Official Zoning Map section in the Zoning Ordinance will be modified to provide for an official adoption process and to allow the utilization of our digital GIS mapping database as a resource for staff to provide zoning information to the general public. The Development Issues Input Group (DIIG), Urban Districts Alliance (UDA), Environmental Advisory Board (EAB), Commercial Club and all registered neighborhoods were notified of these amendments and have made no objections to date. Staff recommends approval.

Mr. Hansen asked who the Secretary of the Planning and Zoning Commission is.

Mr. Hosmer stated Ralph Rognstad. It is in the by-laws and the City Charter as well.

Mr. Baird asked if this responsibility being transferred from the BDS to Planning and Development.

Mr. Hosmer stated the application would now be processed by the Planning Department in conjunction with Building Development Services Department.

Mr. Edwards opened the public hearing. As there were no speakers to the issue, the public hearing was closed.

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

2. Live/Work Overlay District Amendment (City-Wide)

City of Springfield

Mr. Rognstad stated this is a proposed new Zoning District that would be added to the existing Zoning Districts. This establishes the ability to rezone property to this overlay district and this is the result of a proposal by the Woodland Heights Neighborhood to establish the Moon City Creative District. The neighborhood is currently working on a strategic plan that would encourage artists to live in the neighborhood by allowing them to have small art galleries in their homes where they can sell their work. There is a section in the Building Code specifically for Live/Work Units. It has standards set for Live/Work

Units. Because of size limitations the building code requirements are less than what would be required for a normal commercial type business. We do have live/work situations but currently they tend to be in Commercial areas and you can do this in a Commercial area, and that is a big difference. Mr. Rognstad went on to explain how this would work. This amendment creates the proposed overlay district that would be used in combination with the underlying residential zoning district. Additional public hearings will be required to zone specific areas of the city. A neighborhood or developer will have to prepare a plan for an area or property that will be the basis for the specific uses and development criteria adopted for their overlay district. The uses are not limited to artist studios. Each overlay district will probably be unique in terms of uses permitted and the development criteria. When an area is set up, the first thing to determine is what particular uses would be allowed in that district. Attachment B is an example of the provisions for an overlay district used in combination with a single-family residential zoning district. Live/work units can be established in existing dwellings or specifically constructed structures. With a home occupation you cannot have employees, and you can't have a sign, while being limited on the work area. You can also do some conditional uses and it would go through the same criteria and in that case we just put that no additional conditional uses are permitted while adding use limitations. Mr. Rognstad reviewed parking requirements, signage, and the design standards for the Live/Work District. Mr. Rognstad stated he is available for questions.

Mr. Coltrin asked for clarification on the number of employees.

Mr. Rognstad stated that in the Building Code it is the number on site at the time.

Mr. McClelland asked how this will be tracked; will this be when they come back to rezone.

Mr. Rognstad stated yes, it will be put on the Zoning Map, like a regular zoning district and this would be included as an overlay district. It may require a permit or not depending on what they are going to do. They would have to have a business license so we would know from the permit they have a business there.

Mr. Edwards asked about if there was some background information Mr. Rognstad could provide as to where they may have gotten the ideas to draft this concept.

Mr. Rognstad stated they did not look at any other ordinances because when looking at the building code, it was pretty clear. There is a live/work area in Phoenix; they are doing some stuff in Paducah; Eureka Springs has the artist areas and a lot of them are art oriented. We had to work within the structure of our ordinance because what you are doing is modifying the residential districts. Mostly we listened through the meetings with Woodland Heights about the concerns people had so we could figure out where we need to be able to address different issues; for example, signage or parking.

Mr. Edwards opened the public hearing.

Ms. Phyllis Ferguson, 1920 N. Robberson, Springfield. Ms. Ferguson stated this is in the proposed Moon City Creative District and Woodland Heights neighborhood adding they are very excited and support the work that staff done on the overlay district. Mr. Ferguson stated they have met several times with City Staff and neighbors at neighborhood meetings, Facebook chats and other forms of communication and 99.7 percent of the neighborhood is excited and supportive of the overlay district. Ms. Ferguson stated she is available for questions about what they see as the vision and what they will be bringing back to

Commission as the Strategic Plan.

Mr. McClelland asked if the group that is currently meeting aware this will raise their taxation thirty-three (33) percent.

Ms. Ferguson stated she does not know if they have looked specifically at those numbers, but if they are generating revenue from that residence, she would expect that they would.

Mr. McClelland stated he called Mr. Kessinger's office and the business portion of this proposal is taxed at thirty-two (32) percent and the residential is taxed at nineteen (19) percent. That is about a thirty-three (33) percent increase and these people need to know this.

Ms. Ferguson stated they are not finished talking because it is a neighborhood issue but you might understand if you've done much driving through Woodland Heights that a three thousand (3000) square foot house is pretty palatial in the neighborhood. The bungalows tend to be somewhere more in the twelve hundred (1200) to fifteen (1500) hundred square foot range so what we are potential looking at is one room in someone's house that they would be using.

Mr. Edwards asked why the neighborhood decided they needed this and how this will work with Commercial Street; this will meld them together if this happens.

Ms. Ferguson stated she knew the area needed some revitalization and there are some really good maintained properties and some that are not as committed to that, so we looked at some different things to do to make the neighborhood a better, safer healthier place to live. She has heard many ideas about new development and we can't build anything new in Woodland Heights because there is no vacant land. What we can do is take what we have and try and do some reinvention with it. We saw a strong development in Commercial Street area during lean economic times; we see a strong collaboration with Historic C-Street and think of the Jefferson Avenue footbridge as a hinge for a great opportunity for both districts. Ms. Ferguson stated one of thing they see as a very real and tangible interest of having the district is that if you look at the ninety plus districts that are scattered throughout the United States, it shows in many of them that having a creative district creates a safer neighborhood because you have folks coming into the neighborhood, not vacating it during the day, and more eyes on what is going on.

Mr. Edwards closed the public hearing.

Mr. Coltrin stated that this is a great opportunity for Woodland Heights area to get together and make something great out of the neighborhood. It's nice to see someone doing something for themselves instead of looking to the City to do something for them, adding he commends everyone for the hard work this proposal has required.

Mr. Edwards stated he would like to echo Mr. Coltrin's thoughts; looking back at what downtown was like fifteen (15) years ago or so and now it has spread across downtown and he has always felt that artists and those types of communities are the groundwork for development to bring people in. We have seen that in downtown; it's starting to happen in C-Street albeit challenges through the recession, but this seems to go so well with what we are trying to do there and there is not a better neighborhood group than Woodland Heights. They represent themselves very well no matter what the issue. Mr. Edwards stated he would be supporting this proposal and looking forward to the presentation on the district.

Mr. Ray motioned to **approve** Live/Work Overlay District Amendment. Mr. Lawhon **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, Hansen, Baird, Ray, Lawhon, Young, and White. Nays: None. Abstain: None. Absent: None.

OTHER PUBLIC HEARINGS:

3. Street Name Change 74

City of Springfield

(East Monroe, between Kimbrough and Jefferson Avenue)

Mr. Hosmer stated the purpose of this request is to change the name of East Monroe Street between Kimbrough and Jefferson Avenues to Bear Boulevard generally located at the 400 – 500 blocks of East Monroe Street. The segment to the east came before Commission and it was a recommendation of Commission to rename the remaining portion between Jefferson and Kimbrough to Bear Boulevard. Mr. Hosmer stated he would answer any questions.

Mr. Baird clarified that this would extend Bear Boulevard from Jefferson all the way to National, is that correct.

Mr. Hosmer stated correct; it would make it one continuous name all the way through the University.

Mr. Hansen asked if there have been comments from the neighborhood between Kimbrough and Jefferson and if there was notification of the neighborhood.

Mr. Hosmer stated no comments have been received from the neighborhood.

Mr. Edwards opened the public hearing. As there were no speakers, the public hearing was closed.

Mr. McClelland motioned to **approve** Street Name Change No. 74. Mr. Baird **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, Hansen, Baird, Ray, Lawhon, Young, and White. Nays: None. Abstain: None. Absent: None.

Subdivisions

4. Holly Ridge Subdivision

Diversity Commercial Investments, LLC

(2157 East Grand Street)

Mr. Hosmer stated the purpose of this request is approve a preliminary plat to subdivide 0.83 acres into a five (5) lot residential subdivision including two subdivision variances generally located at 2157 East Grand Street. The applicant is Diversity Commercial Investments. The applicant's proposal, with conditions listed and approval of the subdivision variance is consistent with the City's Subdivision Regulations. The first requested variance (Attachment B (1)) will reduce the amount of right-of-way dedicated for Belmont Street to prevent creating a non-conforming structure and the other variance (Attachment B (2)) will allow residential driveways onto Barnes Avenue, a collector street. Currently the Code does not allow driveways along collector streets. Staff and Public Work Traffic are in support of this variance to allow each lot a

driveway access, but the access needs to be at least fifty (50) feet away from the intersection. Staff supports the request.

Mr. Edwards asked the driveways on collector streets. There are a lot of driveways on that street, so how did they get there.

Mr. Hosmer stated possibly before the ordinance was in place.

Ms. Gardner stated they allow driveways on collectors, but it is the spacing between the driveways they are looking at. The spacing between the driveways was the variance.

Mr. Edwards opened the public hearing.

Mr. Wayne Diebold, 2404 State Hwy 248, Suite 4, Branson, Missouri; commented he is the engineer representing the developer for this project.

Mr. Edwards asked if they were the ones who recently built the house on the lot to the north.

Mr. Diebold stated yes it is the same developer.

Mr. Edwards closed the public hearing.

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

Mr. Hosmer clarified with Commission that there were two Variances that were part of the request they were approving.

Mr. Edwards stated that since they were not listed, he assumed they were part of the Subdivision.

OTHER BUSINESS:

7. Initiate Zoning Text Amendment Medical Offices in IC District (City-Wide)

City of Springfield

Mr. Hosmer stated that currently, all commercial zoning districts including the office district allow the Medical Office Use Group. The IC, Industrial Commercial District, is intended to allow industrial operations and activities in combination with commercial uses. This was an oversight. Staff believes that allowing Medical Office use group in the IC District perfect sense.

Staff proposes that the IC District with its concentration on high-intensity uses should have the same ability to develop or redevelop as medical offices as any other commercial zoning district. Staff believes that amendments to the Zoning Ordinance, to permit medical office uses, should be initiated to facilitate discussion and consideration of these changes.

Mr. Edwards asked if there was a request for this.

Mr. Hosmer stated there are several people who are requesting to have medical offices in the IC district and have run into problems.

Mr. Hansen clarified this is to initiate this amendment.

Mr. Hosmer stated that is correct. This is not a public hearing just an initiation. The public hearing will be held on August 8.

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

There being no further business, the meeting was adjourned at approximately 8:00 p.m.

Bob Hosmer, AICP
Principal Planner

