

MINUTES OF THE PLANNING AND ZONING COMMISSION
Springfield, Missouri

The Planning and Zoning Commission met in regular session August 6, 2015, in the City Council Chambers. Vice-Chair White called the meeting to order.

Roll Call: Present: Gabrielle White (Vice-chair), Jason Ray, David Shuler, Randy Doennig, Melissa Cox, Cameron Rose and Andy Cline. Absent: Baird and Edwards.

Staff in attendance: Mary Lilly Smith, Director of Planning, Bob Hosmer, Principal Planner, Sarah Kerner, Assistant City Attorney, Matt Schaefer, Senior Planner, Dawne Gardner, Public Works Traffic Division, and Rodney Colson, Public Works Stormwater.

Minutes: The minutes of July 9, 2015 were approved unanimously with corrections.

Communications:

Mr. Hosmer reviewed City Council action from July 13, 2015. Mr. Hosmer stated the applicant for agenda item number 12, has requested the case be withdrawn from consideration.

Consent Agenda Items:

The Consent Agenda items were approved as presented.

Public Hearings:

Z-23-2015 w/Conditional Overlay District No. 94
Holdings Corp
(27001-2800 North Mulroy Road)

SRC

Mr. Hosmer stated this is a request to rezone approximately 59 acres of property at 2700 - 2800 block of North Mulroy Road from Planned Development 225 to an HM, Heavy Manufacturing District with Conditional Overlay District #94. This case was remanded back to Planning & Zoning Commission at City Council Meeting on July 13, 2015. At that meeting, they wanted to reevaluate the public improvements that were required for the project. A revised traffic study has been submitted and was approved by Public Works Traffic Division. The Growth Management and Land Use Plan of the Comprehensive Plan designates this area as appropriate for light industry, office, and office-warehouse. The Plan also shows this area as an emerging Activity Center of the I-44 and Mulroy Road as described in the plan. Mulroy Road is classified as a primary arterial. The Conditional Overlay District Provisions will restrict uses, require the dedication of additional right-of-way along Mulroy Road to avoid conflicts with an identified sinkhole, restrict driveway access to Mulroy Road and require the completion of public improvements to a portion of Mulroy Road. There will be limited access for fire trucks or emergency vehicles. Mr. Hosmer noted there will be a forty (40) foot bufferyard requirement along the property to the west that is zoned County A-R and A-1 and a

bufferyard requirement adjacent to the remaining portion of the PD 225. A Bufferyard "C" is required adjacent to the City Utilities property to the south that is zoned GI, Government Institutional. Mr. Hosmer reviewed the improvements to Mulroy Road. Staff recommends approval.

Ms. Cox asked if there were findings in the staff report about the actual differences between the previous traffic study and the current report adding that she was a bit confused about what was different between the they saw this previously to and what has changed now.

Mr. Hosmer noted he could not address the traffic study as far as the differences in the traffic study but Traffic Division can talk about the basic differences.

Ms. Gardner said on the previous case when looking at the rezoning the applicant did not provide a traffic study because they were agreeing to do the improvements that were already required in the previous PD approved in 1999. The applicant has come back and said this is what they want to do with this zoning; staff required them to do a traffic study showing what they thought was needed and that is how the improvements came about from the previous zoning.

Mr. Doennig questioned specific to the improvements to Mulroy Road, there is a plan to improve it from Station 100 to 110 and to grant an easement for future improvements to the south of that around the sinkhole area. In the original proposal, is the work being done on Mulroy Road more comprehensive in terms of the entire length of the property or what is the difference to the improvements on Mulroy now with the new traffic study.

Ms. Gardner stated that in the previous zoning case the property was required to improve Mulroy from Station 110 south to a three (3) lane section. Because they are not going to have any driveway access to Mulroy south of Station 110, they will not have any access to Mulroy; the applicant's driveway ends at Station 107, which is where their access is located. That is what generated the change in the improvements. South of Station 110 does not need to be improved to three lane section because neither development will be accessing that portion of Mulroy and all the traffic will be going north and not going any further than their driveway when they come from Kearney Street. The improvement would require the development of a right turn lane just south of the railroad into their driveway to accommodate the truck traffic coming from Kearney turning into their property.

Mr. Doennig stated this will not generate a significant amount of traffic going south on Mulroy Road, it will all go north.

Mr. Gardner said correct.

Mr. Hosmer pointed out the access points of the property stating only Fire Department would have access to the Knox Box.

Ms. White asked if there were requirements for additional notification of this case coming back to Commission.

Mr. Hosmer explained that the case was advertised, the property posted, and letters were sent to property owners for this meeting.

Ms. White opened the public hearing.

Mr. Geoff Butler, Butler, Rosenbury & Partners, 319 N. Main St., stated he is representing the applicant. Mr. Butler noted that as this case came forward, they did not have all the information necessary to determine what to do with the property. They did a sinkhole study and a report on bats at the property and they then evaluated the sinkhole study. It appears that a third of the property is sinkholes and unusable. They determined the only logical access they could take to the site for all the traffic was further north at Station 107.5. Mr. Butler stated he was available for questions.

Ms. White closed the public hearing.

Mr. Ray asked if access to the south would be blocked off completely.

Mr. Hosmer stated the street would not be blocked; there will be no driveway access for this property from Station 107.5 to the property line.

Mr. Ray asked about the realignment of the street; they would be required to relocate the street.

Mr. Hosmer said actually to dedicate the right of way.

Mr. Ray was concerned about residents driving over the road that is built on a sinkhole.

Mr. Hosmer stated it has been that way for some time.

Mr. Ray clarified that the responsibility is being transferred away from the developer, which was originally proposed, back to the City for a liability. Mr. Ray expressed his concern about that.

Mr. Hosmer noted the road is an existing road and has been there for quite some time.

Mr. Ray said if the city wanted to address a potential event in avoiding the road falling through into a sinkhole, the City would no longer have the right of way to address that with this proposal.

Mr. Hosmer clarified that the City is getting the right of way; for additional right of way. The applicant is dedicating land for the road to be realigned around the sinkhole. At some time in the future, the City will be able to reconstruct the road away from the sinkhole.

Mr. Cline confirmed that previously this was a county road, but with the annexation, it is now a City road. It now belongs to the taxpayers of the City.

Mr. Hosmer said that is correct.

Mr. Doennig clarified that the property was reposted for the change in the property; it was republished and letters were sent, but there was not a neighborhood meeting.

Mr. Hosmer said that is correct.

Mr. Doennig asked if that was the normal standard, so if there is a case that Commission visits, and then revisits it again after being remanded back by Council, there is not a neighborhood meeting requirement, just the publication, posting, and mailings.

Mr. Hosmer said yes, unless they are directed by Council to do otherwise. Normally they would not go through another neighborhood meeting.

Ms. Cox asked if the upper northeast corner is not part of this application. PD 225 is not part of this review.

Mr. Hosmer stated that is correct. That is the property of SRC; they own that but wanted to leave that in the original PD.

Mr. Doennig motioned to **approve** Z-23-2015 w/Conditional Overlay District No. 94. Mr. Rose **seconded** the motion. The motion **carried** as follows: Ayes: White, Ray, Cox, Shuler, Cline, Doennig, and Rose. Nays: None. Abstain: None. Absent: Baird and Edwards.

Z-26-2015 w/Conditional Overlay District No. 96

Positronic Industries, Inc

(300 West Tampa)

Mr. Hosmer noted this is a request to rezone approximately 1.68 acres of property generally located at 300 West Tampa Street from a GM, General Manufacturing District to a CC, Center City District and establishing Conditional Overlay District No. 96. This property is currently undeveloped. Approval of CC zoning on the subject property would be consistent with the existing CC zoning to the east and southeast and is consistent with City Council's approval of CC zoning on the property west of the subject property and other properties City Council has approved for CC zoning to assist in the downtown's revitalization. One access is allowed on Campbell Avenue and shall be located 150 feet from Tampa Street intersection. One access is allowed on Tampa Street and shall be 150 feet from Campbell Avenue intersection. Traffic Engineering shall evaluate any proposed development and if the estimated trip generation (using ITE trip generation rates) results in an increase of over 100 trip ends per peak hour or 1,000 trips ends per day, the City Traffic Engineer shall, at his discretion, require a Traffic Impact Study (TIS) be submitted. Any public improvements identified by the study as

necessary to provide a satisfactory level of service in the peak hour shall be addressed before approval of the development. Under this Conditional Overlay, a 30,000 square foot medical/dental clinic would be allowable with no TIS requirements.

Ms. White opened the public hearing.

Mr. Derek Lee, Lee Engineering, 2101 W. Chesterfield Blvd, commented he is representing the applicant. Jordan Valley Community Health Center is purchasing this land. It is their intent in the short term to build a parking lot; the reason it is being rezoned is that they are a medical clinic and medical clinics are not allowed in HM zoning. They want to change it to CC so if sometime in the future they want to put a clinic there they can.

Ms. White closed the public hearing.

Mr. Ray motioned to **approve** Z-26-2015 w/Conditional Overlay District No. 96. Mr. Cline **seconded** the motion. The motion **carried** as follows: Ayes: White, Ray, Cox, Shuler, Cline, Doennig, and Rose. Nays: None. Abstain: None. Absent: Baird and Edwards.

Z-27-2015

Arvest Bank

(1255 East Chestnut Expressway)

Mr. Hosmer stated this is a request to rezone approximately 1.62 acres of property generally located at 1255 East Chestnut Expressway from a GR, General Retail District with Conditional Overlay District No. 10 to an O-1, Office District. The subject property is located along Chestnut Expressway, which is classified as an expressway. Approval of O-1 zoning at this location is compatible with the existing zoning and development to the west of the subject property and at the other quadrants of the Chestnut Expressway and National Avenue intersection. Office zoning will result in a similar type of development as exists to the west and will provide for a further transition between the major intersection at Chestnut Expressway and National Avenue and the residential development to the east. The existing GR zoning with Conditional Overlay District No. 10 restricts the floor area ratio to 0.25, which would allow a maximum building size of approximately 17,600 square feet on the subject property. The applicant desires to construct an office building with approximately 20,000 square feet and is therefore requesting this rezoning to eliminate the floor area restriction. Development of the subject property will be required to meet all open space, parking and maximum height requirements for office development. If the rezoning were approved, it would have to comply with Section 4-2000, Office Districts, the Zoning Ordinance, and any other applicable city codes. Upon development of the subject property, a bufferyard will be required along the north property line of the subject property across from the single-family residential development to the north because the right-of-way width of Brower Street is less than seventy (70) feet. A bufferyard is not

required along the east property line because the right-of-way width of Prospect Avenue is greater than seventy (70) feet. This is a downzoning; going from a higher intensity GR to an office complex.

Mr. Ray asked if access to the property is already established through the neighboring property to the west.

Mr. Hosmer said yes.

Ms. White opened the public hearing.

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

Ms. White clarified that the intention is to build a larger structure than was originally contemplated, more square footage, but lower intensity.

Mr. Lee said yes. Under the current GR zoning they limited the square footage of the building so you could allow retail strip centers; it talked about taverns, restaurants, and it had specific requirements to limit those to different square footages. Because office use was not a specific requirement it was lumped in with the rest of it so they will have smaller traffic even though the building is bigger.

Ms. Cox clarified that it is not that Arvest Bank is building a bigger facility; the zoning is being changed to allow certain types of office uses in the adjoining lot.

Mr. Lee said yes. Arvest Bank is selling the property.

Ms. White closed the public hearing.

Mr. Ray motioned to **approve** Z-27-2015. Ms. Cox **seconded** the motion. The motion **carried** as follows: Ayes: White, Ray, Cox, Shuler, Cline, Doennig, and Rose. Nays: None. Abstain: None. Absent: Baird and Edwards.

Z-28-2015
(800 block South Waco, e/s)

City of Springfield

Mr. Hosmer explained this is a request to rezone approximately 0.84 acres of property generally located on the east side 800 block of South Waco Avenue from a Greene County R-1, Suburban Residence District to a city R-SF, Single Family Residential District. City Council initiated the annexation and rezoning of the subject property at their July 13, 2015 meeting. City Council is expected to vote on the annexation at their August 24, 2015 meeting. If the annexation is approved, this request would rezone the subject property from a Greene County R-1, Suburban Residence District to a City R-SF, Single-Family Residential District which is the most similar city zoning district. The subject property is owned by the same owner as the R-SF zoned property to the north. Approval of this rezoning will provide for consistent zoning on the

property under the same ownership.

Ms. White opened the public hearing. As there were no speakers to the issue, the public hearing was closed.

Mr. Rose asked if the City owns this property.

Mr. Hosmer stated the City does not own this property, but City policy is that when a property is annexed a recommendation is made to match the zoning as closely as possible to the county.

Mr. Ray motioned to **approve** Z-28-2015. Mr. Doennig **seconded** the motion. The motion **carried** as follows: Ayes: White, Ray, Cox, Shuler, Cline, Doennig, and Rose. Nays: None. Abstain: None. Absent: Baird and Edwards.

Z-29-2015
(5904 South Southwood Avenue)

City of Springfield

Mr. Hosmer noted that the City's policy is to match the City zoning to as close as possible to the Greene County zoning. The annexation request had requested an O-1, Office District to match up with the clinic land use, however, we were informed that Mercy does accept overnight stays and would not be a clinic but rather a hospital land use which needs a GI, Governmental and Institutional Land Use District zoning. The direct translation to an office district did not match up with what they need there. Mercy requested the zoning be withdrawn in an effort to come back with a more appropriate zoning. They will recommend a GI, which would allow hospital uses.

Mr. Doennig motioned to **withdraw** Z-29-2015 from consideration. Ms. Cox **seconded** the motion. The motion **carried** as follows: Ayes: White, Ray, Cox, Shuler, Cline, Doennig, and Rose. Nays: None. Abstain: None. Absent: Baird and Edwards.

Conditional Use Permit 416 *Joe E. & Patricia A. Jenkins & James C. and*
Doris Jean Jenkins
(4901 & 4939 West Chestnut Expressway)

Mr. Hosmer communicated this is a request to allow a truck stop within an HC, Highway Commercial District generally located at 4901 and 4939 West Chestnut Expressway. The subject property is located along Chestnut Expressway, an expressway, and is immediately adjacent to I-44, a freeway, to the west. The site is an appropriate location for a truck stop use, which depends on high visibility and caters to the traveling public. The proposed truck stop use is compatible with the type of development already existing in the area and is not expected to adversely affect surrounding properties or the adjacent street system. As part of the development of this property, the existing driveway/access road off Broadview Place is required to be closed. The development will be permitted to have driveways on Broadview Place as generally shown on the attached site plan. A truck stop is permitted in general conformance with Attachment 6. The property will have to be brought into conformance with the city's Subdivision

Regulations. When the property develops, all requirements of the HC, Highway Commercial District shall be met including off street parking, open space, interior, and perimeter landscaping. At the time of development a plan detailing the dimensions of the vehicular use area elements including truck/trailer turning must be provided.

Ms. White opened the public hearing.

Ms. Cox asked if there is any deviation from the site plan then what happens.

Mr. Hosmer stated that if there is substantial conformance, they would have to come back, and they changed the wording to say a truck stop is permitted in general conformance. The applicant would have to come back to Commission for approval of any other type of arrangement, such as increasing the site in any way. Any enlargement of the building or parking lot would require Commission approval, but if the building and parking lot are smaller than shown on site plan that would not have to come back to commission, that would be in general conformance to the attached site plan.

Mr. Michael Hamil, 5508 Lonas Drive, Knoxville, Tennessee, 37909, commented he represents the owner and would address any comments or questions.

Ms. White closed the public hearing.

Ms. Cox motioned to **approve** Conditional User Permit 416. Mr. Cline **seconded** the motion. The motion **carried** as follows: Ayes: White, Ray, Cox, Shuler, Cline, Doennig, and Rose. Nays: None. Abstain: None. Absent: Baird and Edwards.

Developer/Neighborhood Meeting Text Amendment
Springfield
(City-wide)

City of

Mr. Hosmer said the purpose of this request is to add a new Subsection 3-3809, Neighborhood Meetings that will incorporate the Developer/Neighborhood Meeting Policy into the Zoning Ordinance. City Council initiated amendments to incorporate the Developer/Neighborhood Meeting Policy into the Zoning Ordinance at their meeting on March 21, 2011. Staff proposes the Developer/Neighborhood Meeting Policy that was adopted by City Council in 2007 be reviewed and incorporated into the Zoning Ordinance. Staff believes that this policy has been an effective tool in opening a line of communication between the applicant and the surrounding neighborhood prior to the public hearing process. Staff is proposing some changes from the original policy to increase the effectiveness of the meetings. One of the few differences from the original policy is that a comment card will be required to be sent or given to each property owner within 500 feet of the subject property at the neighborhood meeting. This will allow neighbors the option of summarizing their concerns in their own words. Currently the applicant is required to provide the neighborhood-meeting summary. The applicant/developer will also be required to have the neighborhood meeting on-site or in the vicinity of the subject property or the case will automatically be tabled at Planning and Zoning Commission. Staff has added a list of minimum requirements for the

neighborhood-meeting letter that is sent out. All other changes are clarifications to the existing policy.

Mr. Ray asked about the comment card, asking if the City provides that or the developer. If there is an unforeseeable circumstance such a scheduling issue that fell through at the last moment for the neighborhood meeting, is there a way to deal with that or would it be automatically tabled.

Mr. Hosmer stated there would be a template included with the application. Mr. Hosmer stated there would be a letter explaining that and would be up to Commission to say that is acceptable within the confines of the area.

Ms. Cox asked about the return process for comment card

Mr. Hosmer stated there would be an address and phone number and e-mail address for the public to use in returning the comment cards.

Ms. Cox asked about contacting the public for letters that come back or where contact was not made.

Mr. Hosmer stated staff gets the mail list from the Greene County Assessor's Office and we get the most updated property owners information possible, adding that is the only way staff can get that information.

Ms. White opened the public hearing. As there were no speakers to the issue, the public hearing was closed.

Mr. Ray motioned to **approve** Developer/Neighborhood Meeting Text Amendment. Mr. Shuler **seconded** the motion. The motion **carried** as follows: Ayes: White, Ray, Cox, Shuler, Cline, Doennig, and Rose. Nays: None. Abstain: None. Absent: Baird and Edwards.

Lighting Standards Text Amendment
(City-wide)

City of Springfield

Mr. Hosmer stated this is a request to amend Subsection 6-1403, Exterior Lighting Standards, of the Zoning Ordinance to allow lighting spillover at the interior lot lines of multiple lots that function as a premise

Staff proposes modifying the Lighting Standards to consider multiple lots that are functioning as a premise to not restrict the light spill over at the interior lot lines. A premise is defined as having shared parking, common management, common identification, and common access or shared circulation. This will allow such developments to use lighting sources across the interior property lines and not restrict each lot to contain the lighting.

Ms. Cox had a question about shared premise.

Mr. Hosmer observed her question related to a Cooperative Parking Agreement, where they would share parking with adjacent properties.

Ms. White opened the public hearing. As there were no speakers to the issue, the public hearing was closed.

Mr. Doennig motioned to **approve** Lighting Standards Text Amendment. Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: White, Ray, Cox, Shuler, Cline, Doennig, and Rose. Nays: None. Abstain: None. Absent: Baird and Edwards.

Sidewalk for Commercial Redevelopment Text Amendment *City of*
Springfield
(City-wide)

Mr. Hosmer stated the purpose of this request is to add a new Subsection 5-3103.B.7., for Sidewalk/Pedestrian Walkways along Commercial Development in the Zoning Ordinance. The Zoning Ordinance was amended in January of 2014 to require sidewalks at the time of development for any commercial redevelopment involving site work. Staff has identified problems associated with the implementation of Section 5-3103 and are proposing amendments to address those concerns for commercial redevelopment. This section was adopted last year with the intent of requiring sidewalks at the time of development, not the time of zoning. The development community supported this change, but recent projects have revealed that the new policy had the unintended consequence of requiring extensive sidewalk construction for redevelopment or modification of an existing building or site, particularly when the site is very large. Staff does not want to discourage redevelopment of large sites within the City, so this amendment creates a process for obtaining a waiver of all or part of the required sidewalks when warranted by circumstances associated with redevelopment of or modifications to an existing building or site. This would go through the Director of Public Works for consideration to waive the sidewalk completely or require cash in lieu of sidewalks.

Ms. Cox asked how this is different from the waiver that is currently required.

Mr. Hosmer explained that they are paying cash in lieu of sidewalks; they still have to pay the fees for that construction. The waiver would not require a sidewalk.

Ms. Cox commented that if the applicant/developer feels that there is an unusual circumstance, which is similar, there might not be unusual circumstances, is what you are saying in the current way it is allowed. It may be that a sidewalk can be constructed but the applicant does not want to, they will pay for it not to be constructed.

Mr. Hosmer said that is different. This is an opportunity to waive it completely if it was not feasible because of grade or an incident of sidewalks being required to go up to I-44 from a church property. Under the strict interpretation of the code, a sidewalk is required, but is it feasible. The Director of Public Works will look at the unusual circumstances and make a ruling on the issue.

Mr. Doennig asked at what point the request for the waiver would occur. Would that come prior to Commission seeing a development request of some kind or a zoning change or afterwards.

Mr. Hosmer stated they have removed the sidewalk requirement at time of zoning. It has been moved to the time of development. A sidewalk will have to be built at time of development if there is not a sidewalk at that location that is required. The applicant can submit a letter to the Director of Public Works to waive the sidewalk requirement at time of development. It would not go through Commission.

Mr. Doennig asked if that would happen before Commission would see that or well after. In this particular case then the buck stops with the Director of Public Works, essentially, that he would have total control over that.

Mr. Ray commented the staff report noted that if the developer thought the Public Works Director had an arbitrary decision then they would bring it before the Planning and Zoning Commission.

Mr. Hosmer stated they would go to ARC and then it could go to the Planning and Zoning Commission if the Director denied it; the applicant would have an opportunity to appeal that decision.

Ms. White opened the public hearing. As there were no speakers to the issue, the public hearing was closed.

Mr. Cline asked Commission members to vote no on this request. If there is a problem with the code in allowing weird things to occur, then maybe that is what needs to be fixed. This lets them out of the fee, adding he is not sure that is a good thing. First, why should they get out of paying the fee. Secondly, this will burden Public Works and then, if it comes back to the Planning and Zoning Commission, does this body really want to be determining whether the Director of Public Works was arbitrary or capricious? Mr. Cline asked Commission if they really wanted to make that determination and adding that he does not believe so. Mr. Cline stated the other reason is that the City's procedures asking developers to build sidewalks are part of our better nature. Springfield Missouri has a poverty rate twice the national rate. The median family income is \$20,000.00 below the national average, we have many people out there walking around, and the city code at this time protects them by insuring that developers build sidewalks. Let us change the code, but let us not let the developer out of paying the fee and let us not burden Public Works and Commission with the deciding if the Director of Public Works is arbitrary or capricious.

Mr. Doennig directed his comments to Commission members stating that he struggles somewhat with the idea that this happens well after the Planning and Zoning process, but Commission is the body that the applicant is going to come back to, to get a determination that someone feels the Director of Public Works has made an inappropriate decision. However, if you think about that that is a one way street because

the appeal only occurs in the case the developer feels the Director's decision was not fair or equitable to them. So what about the converse of that, what about the process for the neighborhood or to come and say the Director of Public Works is letting all these developers out of their sidewalk requirements and why is that happening. There is no safety net to the other side of this. Mr. Doennig commented he does not know why that is being referred back to Commission for something that happens well after Commission's part of the process.

Mr. Rose agrees that if it comes before Commission for review and it is changed afterward; when Commission initially looks at a case, Commission believes that sidewalks are going to happen, stating he sees that as a problem.

Ms. Smith gave a real life example of why staff is brining this forward to Commission. The Loren Cook rezoning request Commission heard a month or so ago was a rezoning was to accommodate a seven thousand (7000) square foot building, but it was going to require them to build a half mile of sidewalks. Ms. Smith commented that seems unfair and seemed extraordinarily unfair to the applicant. Staff then began looking at a way to accommodate that because paying a fee in lieu on a half mile of sidewalks is extraordinarily expensive; it is fifteen (\$15) dollars a linear foot. Staff had no way within the current codes to grant them any relief on that and this all goes back to a change that was made in the Zoning Ordinance in 2014 that requires sidewalks be installed at the time of development instead of as part of a rezoning or a preliminary plat. The solution was this, that there will be those unique redevelopment type opportunities where the requirement for sidewalks is really an extraordinary burden; that is the background for why this proposal was brought to Commission tonight. Ms. Smith commented she believes that the City is pretty harsh on sidewalk requirements. It is seldom that the City would say that no sidewalks or no fee in lieu is required.

Mr. Rose asked if this goes to ARC or does it go to the Director of Public Works and then stop there.

Ms. Smith stated it goes to the Director of Public Works.

Ms. Gardner clarified it goes to the Director of Public Works and he decides if it warrants an ARC decision. The Director does not make the final decision if he thinks that circumstances are warranted, it will then go to ARC. He will only make the final decision if he does not think it is warranted to go further.

Mr. Rose asked if it always has to go to ARC; the Director decides yes or no and if he says yes, it goes to them.

Ms. Gardner stated that if the Director says yes unusual circumstances exist, it goes to ARC. If the Director says no, there is no unusual circumstance that exists, you have to pay the fee in lieu, or you have to build sidewalks period.

Mr. Rose clarified at which point the applicant can appeal that.

Ms. Gardner noted that if they go to ARC and it is denied or if the Director denies the unusual circumstance and it does not go to ARC, the applicant can appeal to Commission.

Ms. Cox asserted Loren Cook is adjacent to a residential area right now and sees no reason why the City would allow Loren Cook to not put sidewalks in, with the understanding that the zoning for that area is not necessarily zoned residential. That is not a reason to allow Loren Cook to waive constructing sidewalks. Ms. Cox said she does not understand how the back process, after it has already come to Commission, all the checks to get to the point where it might be decided that they don't need sidewalks, how that actually occurs. Ms. Cox stated she sees this allowance as being almost beyond what was already assumed to be approved; then on the back end decide it is an unusual circumstance when it should already be noted it as an unusual circumstance in the beginning.

Ms. Gardner explained that many of these cases Commission does not see because the property is already zoned so it will not come to Commission. The property is already developed and maybe they want to do a parking lot addition or building addition so Commission does not see that either. These cases are just redevelopment or development. Sidewalks are not required as part of zoning.

Ms. Cox noted that the applicant could yet come to Commission for the appeal for a non-rezoning situation. Ms. Cox commented she feels confused at the way it is written, stating she gets it but the appeal process is questionable.

Ms. Kerner, Assistant City Attorney, commented that in that regard Commission would be serving as a quasi-judicial board to actually review whether the ARC acted in an arbitrary or capricious manner. Commission would look and see what was presented to them and really the fact that Commission has not seen it before is a benefit because Commission is a neutral, in a judge type of position in this particular situation. Commission is serving as an appeal board.

Mr. Ray asked if Commission is given that type of power or would that go to the Board of Adjustment instead, since they are a quasi-judicial board and Commission is not.

Ms. Kerner said yes asserting that the Commission does rule on other appeals from ARC so staff felt it was an appropriate use of Commission authority.

Ms. White commented some of the permissiveness of the language troubles her. There is a lot of can, may, and not a lot of shall, with the understanding the idea here is to create flexibility for developers and to look at sites that are being redeveloped, that it doesn't work. However, if Commission is going to sit in judgment on can, shall, and may, Ms. White commented she is nervous about that. Ms. White stated she is hearing all the Commissioners say that, in that Commission typically does not function as the arbitrator of these kinds of decisions. It is possibly a situation where many developers might seize upon that as an avenue to get out of the development that Mr. Cline advocated. Commission understands the drive of the City to help find funds for sidewalks that the

City wants constructed, so there is some balance here as well, but maybe the language should be looked at.

Mr. Hosmer reviewed specific language in the Amendment with Ms. White for clarification.

Ms. White said that is just one indication of permissive language; the only place where there are absolutes is in the first paragraph where it says sidewalks shall be constructed. Commission is advocating for sidewalks and if nothing else for that to be a portion of the developers' burden of creating their new project and that is the way this goes forward and there is not issue with that. Sidewalks **may** be constructed at the time of development? There are certain places that are very specific and then the rest of the language is not as clear. It seems arbitrary that the Public Works Director **may** bring it forward to ARC. If staff is going to have Commission as a appeal position which, agreeing with Commissioner Ray, that might be a quasi-judiciary Board of Adjustment role, that may be a discussion to be had, but Ms. White stated she would be more comfortable with it if the language was tighter.

Ms. Smith commented when looking at this if the Director of Public Works determines unusual circumstances exist, application can be made to ARC. That is referring to the developer making application. It is the developer's choice.

Ms. White commented maybe the word developer can be clarified so it is clear in the language that it is not the Director of Public Works that can bring it to ARC, but the developer can choose to do so. Ms. White said that would make her more comfortable on who has the role of making a decision.

Ms. Smith reiterated, "Developer may apply to the ARC for approval of a reduction or waiver."

Ms. White commented should it also then state if the Director of Public Works or ARC denies, or should it say **and** ARC.

Ms. Smith and "or", because the director makes the first cut, the Director says it is not a legitimate request and the appeal at that point is to Planning and Zoning Commission, or he may say it is a legitimate request, you can apply to ARC and ARC denies, the appeal is to Planning and Zoning Commission.

Mr. Hosmer pointed out that prior to this that was the language that was already in the code, Section B, Commercial Development 1 - 6 is already in the code.

Mr. Doennig commented that if the language is being tightened up the last sentence is vague as well. It states "if Commission finds by an affirmative vote of five (5) which is a quorum, that the Director of ARC did act in an arbitrary and capricious fashion then a reduction or waiver of the sidewalk requirement or fee in lieu in constructing sidewalks may be granted by the Commission" which would lead Mr. Doennig to say that Commission could decide on a reduction but are there stated standards for that

reduction. Isn't that arbitrary. We could just arbitrarily reduce that.

Mr. Hosmer explained that would have to be in the letter of request or at the Public Works Director.

Mr. Doennig stated that the meat of the amendment is that Commission would be the sole decider of that reduction. Isn't that the way that it reads. Mr. Doennig stated that the Board of Adjustment is a better place for this, but if Commission does become the judge of that, there would need to be a lot more clarification about that because that seems very nebulous and allows for a very broad latitude that Mr. Doennig said he does not feel comfortable deciding in a reduction or fees being paid.

Mr. Cline stated that it is obvious this amendment needs work and so whether it is voted down or tabled, it needs to be kicked back to staff and staff do this rather than Commission trying to micro-manage this language themselves. That does not seem productive nor should Commission do it. Perhaps Commission should call the question.

Ms. Smith commented that if Commission's primary concern, acknowledging that this is not Commissioner Cline's primary concern, is having the appeal come to Commission and Commission would feel more comfortable with the appeal going to the Board of Adjustment as a quasi-judicial board, which is an acceptable change to staff as well.

Mr. Ray commented he agrees with Mr. Cline and looking at redevelopment opportunities, but also agrees with staff as well in not wanting to overburden development in the redevelopment activities areas they have looked at, but at the same time, we are retrofitting our community to fit what we have now and what our population is. Mr. Ray stated he still has uncertainties and questionable feelings about this and asked staff what they rather Commission would do, but recommended that staff take a second look at this.

Mr. Hosmer stated that if Commission would be more comfortable with this going to the Board of Adjustment as an appeal process, staff would be comfortable with that.

Ms. Cox said she is uncomfortable with the overall looseness of the wording not just that it would come to Commission or would go to the Board of Adjustment. They will have the same looseness of wording and arbitrary decision on what to reduce, sidewalk or waive the fee.

Ms. White stated she concurs with that statement because while the Board of Adjustment is a quasi-judiciary board and Commission is an advisory board, they are being presented with something they were not involved with in the decision making process either and maybe that is where Commission members are struggling. Neither one of these Boards see any of this in the zoning portion of it which is what Commission is in until they come to whatever site plans are presented if they even need Commission approval which they may not.

Mr. Hosmer noted that the Board of Adjustment rules on things they are not involved

with, on a regular basis. Both sides present their case such as a Variance or Special Exception and the Board makes a ruling, adding that it may be more appropriate for this issue to go to the Board of Adjustment because they are the appeal process.

Mr. Doennig motioned to **approve** Sidewalk for Commercial Redevelopment Text Amendment. Mr. Ray **seconded** the motion. The motion was **denied** as follows: Ayes: None. Nays: White, Ray, Cox, Shuler, Cline, Doennig, and Rose. Abstain: None. Absent: Baird and Edwards.

Escrow of Public Improvements in a Subdivision Text Amendment City of Springfield
(City-wide)

Mr. Hosmer noted the purpose of this request is to modify Section 303 of the Subdivision Regulations to clarify the public improvement escrow process. Revision to Section 303 is proposed to clarify which public improvements in subdivisions can be delayed by posting a security with the City and to update Section 303 to comply with state law regarding the amount of security to be posted and when a security must be released. The revision also clarifies the standard the Director of Public Works must apply to refuse to accept security for a public improvement in a subdivision. Additionally, the section has been reorganized to make it easier to read.

Ms. Cox stated she has an order of operations question for staff. On that note, it outlines language that is new or stricken verses moved to a different section asking for clarification.

Mr. Hosmer stated that is where it has been removed from that section or relocated.

Ms. Cox asked if it has been taken out completely, because stricken means the single line through it means that the whole part has been stricken even if it is double-underlined, meaning it would be moved.

Ms. White stated that she understood that the double-stricken language was moved to a different section and that the double underlined language was moved from another section into this

Mr. Hosmer said correct. Language to be added is underlined. Language to be deleted is stricken. Language to be moved to a different section is double-stricken. Language to be moved from another section is double-underlined.

Ms. Cox commented she appreciates the clarification because she was not certain something superseded something else. This again is in reference to specifically escrow amendments but it has to do with final plats so in other words if we are removing language that manages stormwater drainage or detention facilities those are stricken. Where does that go if it is stricken, if it is removed. Ms. Cox stated she realizes that public improvements could include those things.

Ms. Smith said public improvements include stormwater improvements and number eight (8), refers to deferring construction of stormwater improvements to the time of development. Currently the requirement is to construct prior to development. This allows the developer to defer that to the time of development, but it does not allow development without providing stormwater improvements.

Mr. Ray asked why the City would ever have language to be added be underlined, and then also double-stricken meaning that it's being moved to another section, so implying that it is being added and immediately moving it. Why wouldn't you just add it to the new section that it is being moved to instead of adding it, striking it, and moving it.

Mr. Hosmer stated he could not answer that.

Ms. Kerner stated she can only guess there were multiple drafts and maybe something was added that later was taken out or moved. That is just speculation.

Mr. Ray stated it makes it incredibly difficult to follow in making a decision. It would be incredibly difficult for a member of the community to follow what is going on here.

Mr. Doennig stated that even though this is incredibly confusing and plans to vote no on the proposed amendment, motioned to approve the Escrow of Public Improvements in a Subdivision Text Amendment.

Mr. Ray asked Mr. Doennig his reasoning in voting no.

Mr. Doennig stated that he would vote no because it's not very easy to follow what is being done here because language is added and stricken and moved and it seems that this could be presented to Commission in a much clearer fashion that would allow a reasonable person to read it and understand the ramifications of what changes are being made here. While all the changes may be valid, it is too difficult to follow what is being done. Mr. Doennig stated that staff needs to come back with a clearer presentation of the changes so Commission can reasonably understand in the end what they have.

Ms. Smith remarked that in future just as an instructive note, would it be helpful for staff to provide with both the redline version which Commission has showing which shows what has been removed and what has been added and a clean version that is what it will read if adopted. Would that be clearer for you.

Ms. White commented she would not speak for all Commissioners, but that would be a place to start if language is being moved, where is it going and she can then refer to the Ordinance especially stormwater issues.

Ms. Smith noted that everything that has been moved is moving within this same document. It is not being moved out of this document and placed elsewhere.

Ms. White stated that having a document that is not just lines, using possible redlines,

colors, where Commission can see where things are moved to the extent they can follow the document better, then they are much better educated Commissioners.

Mr. Rose stated he did not have a difficult time following this, but some of it is the wording particularly if you did not know in the Code that stormwater is now grouped in with public improvements. Showing what is being moved is a step too far; maybe if it was stricken and added it would be easier to follow in the future or a copy of the original and a final copy showing a clean copy of the final version.

Ms. White asked if there was anyone else to speak to the issue. The public hearing was closed.

Mr. Doennig motioned to **approve** Escrow of Public Improvements in a Subdivision Text Amendment. Mr. Ray **seconded** the motion. The motion was **denied** as follows: Ayes: Rose. Nays: White, Ray, Cox, Shuler, Cline, and Doennig. Abstain: None. Absent: Baird and Edwards.

Ms. Smith asked for clarification on how Commission would like to see this information specifically, but this effort was to make it easier to develop in Springfield. Right now people have to go out and build the stormwater detention before they can start the construction on their project. Ms. Smith stated that as was previously pointed out, sometimes that is counterintuitive; you may disturb the land or the detention that has already been constructed. Staff does not have a way to allow the developer to escrow some of those public improvements currently so staff is trying to make it easier to develop and a more business friendly community. Ms. Smith stated if Commission could help staff figure out how to present this information, or if there is a problem with the way the concept is presented, to clarify that. Ms. Smith asked if the denial is based on the way the information was presented or the concept.

Mr. Cline asserted it would be easier to see the final version in a clean document. Seeing the changes and then seeing the clean new version would be easier. Mr. Cline stated he did not vote against the idea at all; it sounded good to him, what he understood of it. It was a lot of work to go through the document and try to figure out what was going on.

Mr. Doennig stated his vote was not based on the concept at all, streamlining and making things easier is a great thing where it can be done appropriately; Mr. Doennig stated his vote was based strictly on the fact it is very confusing to read through this. The prior agenda item had colors to help in understanding what was being added and this document gave them nothing. Mr. Doennig stated that when you are making that many intense changes in a section of code to see all those changes is great, but in the end to have a final version to review and know what the final document will be would be very helpful.

Ms. Cox agreed that the document was hard to follow.

Mr. Shuler stated his preference would be to see the old language and the new

language.

Ms. White commented she believes that Commissioners are not objecting with the concept of what staff is trying to achieve, but knowing what it was verses what staff wishes it to be is work. Ms. White stated that they take changes in the zoning code very seriously and that is the reason for the questioning.

Ms. Smith stated they would be bringing this back to Commission at the next meeting with a clean copy as well as a redlined copy. Ms. Smith said in the future she hopes that if Commission has difficulty with the way the information is being presented that Commission contact staff prior to the meeting so that staff can provide Commission with additional information or provide it in a different format, apologizing for the confusion.

Ms. White stated that with the ability to understand the information Commission will be happy to take it back up.

Mr. Hosmer stated this would go forward to City Council with the denial.

Ms. Cox asked that City Council understands why Commission would deny the request, not that Commission is opposing the concept but because of not being able to understand the information.

Mr. Hosmer stated that it will be in the minutes that it was conceptually not understood adding that staff will do a better job of presenting the information to Council, making certain that the document is redlined and leave the current language, new language.

Villas at Hickory Hills Condo Final Plat
(3810 East Cherry Street)

Hickory Investors, LLC

Mr. Hosmer said this is a request to approve a final plat to subdivide approximately 19.61 acres into a condominium plat with common area. The proposed final plat cannot be approved administratively because it is not in substantial conformance to the approved final plat (2008) or administrative replat, condominium (2013). The original development was based on multi-family condominium units; however, the current developer is proposing thirty-five (35) single-family condominium units individually. Tonight is to review one unit, number twenty (20) in the development. Staff is following the review and approval process in Section 205 of the Subdivision Regulations that requires Planning and Zoning Commission to hold a public hearing when request for an administrative or minor subdivision is not approved by the Director of Planning and Development. The access to the condominium units shown on the Villas at Hickory Hills Phase 3 Condominium Final Plat are provided by a private drive which is not built to public street standards. The developer is required to apply for an administrative replat, condominium for any future units that are constructed. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department, and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk, and drainage

plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works, except for any standards modified by the applicant's request for a subdivision variance, if approved. Staff does recommend that the Planning and Zoning Commission approve the request with condition. Under the code, if this was approved, it would be recorded and staff does not want that to happen. Staff wants the final plat to be submitted for final review and departmental review to make certain that it meets all the requirements for a condominium plat and final plat.

Ms. White opened the public hearing.

Mr. Derek Lee, Lee Engineering, 2101 W. Chesterfield Blvd, commented he is representing the owner. Mr. Lee asked Commission to approve this request without the condition that the staff is asking for. The fundamental issue is whether it is in substantial conformance; all the public improvements have been built. The roads are in. The original plat has seventeen (17) units that have not been built that are quadplexes and instead of quadplexes that would allow sixty-eight (68) total units, seventeen (17) buildings. Mr. Lee stated they are not putting nearly as many units in, but they are just in a different format. Staff is in favor of the overall concept but they are asking that it go to City Council and there is a person already living in unit twenty (20). It is an issue with the person living there and the developer and they would like this not to go forward and be approved by Commission. Mr. Lee stated they feel it is in substantial conformance with the original plat.

Mr. Hosmer stated that under the City Code, it does require that the plat goes to the Planning and Zoning Commission and City Council for approval. What staff is recommending, or it is the City's condition, is that the final plat be submitted for review by staff prior to recording.

Mr. Lee stated it is his understanding in speaking with staff that this Board can say it is in substantial conformance and we can be done with this tonight if Commission chooses to do that.

Ms. Cox asked if this is going from multi-family to single family, inquiring about the person living in unit twenty (20)...

Mr. Hosmer stated the property is zoned as a Planned Development right now so it allows for multi-family and single family units so the use is allowable.

Mr. Lee stated it is a condominium; it is not zoned single family. This is a condominium plat so the original condo plat had quadplexes. This one has individual buildings.

Mr. Hosmer noted that currently four (4) units are four-plexes and the remaining would be single-family condominiums. What the City approved with the final development plan was to allow the single-family condominiums as well as a plat that only allows for the footprint of four-plexes. Staff cannot approve a condominium that shows four-plexes that is now being converted to single-family condominiums because they have to show the footprint of the building and where they are to be built. We are looking at a subdivision

now and not the zoning. The final plat on record does not match what is being presented for approval before Commission tonight.

Ms. White asked why this subsequent step that Mr. Lee is complaining about, is important to staff.

Mr. Hosmer stated it is in the subdivision regulations. Mr. Lee submitted an application for an administrative approval of a subdivision. Staff cannot administratively approve something that this body has to look at because there are changes to the plan; in essence, it is a new plan.

Ms. White asked if it always come back to staff after Council.

Mr. Hosmer stated in this case, this is an appeal and the way the subdivision code is written the applicant can record the plat after the City Council meeting unless there are conditions. Staff wants another look at this because there are issues with the description of unit twenty (20) which does not provide a bearings description of the property. It just has the square footage. There needs to be a bearings direction of the lot/ unit and it needs to be reviewed to make certain it is consistent with the subdivision regulations.

Mr. Lee stated that purpose was not communicated to them; they would have changed and added dimensions, adding the staff report states it is not in substantial conformance with the original plat.

Mr. Hosmer reiterated that staff wants to make certain that it meets all regulations, and all necessary departments have reviewed this, and everyone has signed off on the plat.

Mr. Lee stated Commission has already approved the zoning previously which is the same thing. Mr. Lee stated this is an undue burden on this developer based on what has been done on this project.

Ms. Kerner clarified that this request does have to go forward to City Council after Commission action tonight.

Mr. Doennig commented that what Mr. Lee is asking Commission to do is to approve this request without the condition that it go to Council and back to Staff for the final review.

Mr. Lee said yes, asking the Commission say this is in substantial conformance with the exiting plat that is there and that is consistent with what was voted on in the zoning process previously.

Mr. Doennig asked for clarification from staff in wanting to review this after Council; did staff not have enough time before this came to Commission to properly review this.

Mr. Hosmer stated that the subdivision regulations require this process. It goes to Planning and Zoning Commission for review, then City Council. The code states that it

can be recorded after that. Staff would like to have another look at it before it is recorded to make certain everything is in place. There are things in the plan that need to be addressed with an internal departmental review.

Mr. Doennig and Mr. Ray asked for clarification on the process and why.

Mr. Rose noted that what the applicant is asking Commission to do is not something Commission can do.

Mr. Hosmer stated it is not consistent with the subdivision regulations.

Mr. Doennig motioned to **approve** Villas at Hickory Hills Condo Final Plat **as presented**. Ms. Cox **seconded** the motion. The motion **carried** as follows: Ayes: White, Ray, Cox, Shuler, Cline, Doennig, and Rose. Nays: None. Abstain: None. Absent: Baird and Edwards.

Madison & Kimbrough Redevelopment Plan Amendment Bryan Properties
(800 block South Kimbrough Avenue)

Mr. Rose recused himself from the hearing.

Mr. Schaefer remarked this is a request to approve the Amended Redevelopment Plan for the Madison and

Kimbrough Redevelopment Area located on approximately 9.84 acres, located on two tracts of the land, the first of which is located at the northwest corner of the intersection of East Madison Street and South Kimbrough Avenue, and the second of which is bounded by East Madison Street to the north, East Grand Street to the south, South Kimbrough Avenue to the east, and South Roanoke Avenue to the west. Bryan Properties, LLC has filed an Amended Redevelopment Plan for the Madison and Kimbrough Redevelopment Area to expand the Area boundaries to accommodate additional redevelopment.

The original Redevelopment Plan was adopted by City Council on January 10, 2011(Special Ordinance Nos. 25853 and 28854). The Redevelopment Area consisted of two sub-areas - Area "A" and Area "B", which are generally located at the northwest corner and the southwest corner of the intersection of East Madison Street and South Kimbrough Avenue, respectively. The Plan proposed redeveloping Area "A" for multi-family residential use and Area "B" for multi-family residential and commercial mixed-use. Since the Redevelopment Plan was approved, Area "A" has been redeveloped into a 12-unit, four-story apartment building known as Beacon Commons, and Area "B" has been redeveloped into a multi-phased, 109-unit (300-bed) apartment development known as Bear Village Apartments. The applicant has recently acquired several properties abutting Area "B" and seeks to incorporate them into the Area in order to facilitate construction of additional phases to the Bear Village Apartments project.

The Amended Redevelopment Plan for the Madison and Kimbrough Redevelopment Area will expand the Area boundaries to include approximately 2.16 acres located at the

southeast corner of the intersection East Madison Street and South Roanoke Avenue and along the north side of East Grand Avenue between South Roanoke Avenue and South Kimbrough Avenue (Exhibit II). The Amended Plan proposes additional phases to the Bear Village Apartments, which could more than double the size of the project upon completion. Immediate plans include a 24-unit apartment building at the northeast corner of the intersection of East Madison Street and South Roanoke Avenue that will accommodate approximately 80 residents. Future plans include constructing up to three additional four-story multi-family structures, which may accommodate approximately 330 residents. The Plan also allows the option to incorporate commercial uses into project. Such uses may include restaurants, a grocery store, or other retail uses.

Mr. Ray clarified that the additional properties are already under the blight designation, they are being added into the redevelopment and confirming it is appropriate and in line with the Comprehensive Plan.

Mr. Schaefer said that is correct.

Ms. White opened the public hearing.

Mr. Kevin Hoffmeyer, 2144 E. Republic Road, Suite B-300, pointed out one item for clarification; the next phase would be at the southwest corner of Grand and Roanoke.

Mr. Ray asked if the retail portion of this would have to come back before Commission.

Mr. Hoffmeyer said yes, it would have to be rezoned.

Ms. White asked about the setbacks on the buildings; is that the whole redevelopment plan or were those individual builds.

Mr. Hoffmeyer commented he believes it was individual builds.

Mr. Schaefer stated that one of the plans Ms. White is referring to, did contemplate a reduced setback at that the time the redevelopment plan was submitted. Mr. Schaefer stated that if there was a change in setback requirements, it would have to go back through the review process.

Ms. Cox closed the public hearing.

Ms. Cox motioned to **approve** the Madison & Kimbrough Redevelopment Plan Amendment. Mr. Cline **seconded** the motion. The motion **carried** as follows: Ayes: White, Ray, Cox, Shuler, Cline, and Doennig. Nays: None. Abstain: Rose. Absent: Baird and Edwards.

*Rules of Procedure Planning & Zoning Commission Term Limits City of Springfield
(City-wide)*

Mr. Hosmer said staff is proposing to modify the Rules of Procedure for the Planning and Zoning Commission to change the length of terms of the Commission from 3 years to 4 years. It was brought to our attention that the Missouri State law, Zoning Ordinance and the City Charter are in conflict as to the terms of planning and zoning commissioners. State law requires 4 year terms. The Zoning Ordinance requires 3 year terms. The City Charter states that all our board and commission members shall serve three year terms. Staff will follow up with a zoning text amendment to change the zoning ordinance language. The City Charter changes will have to be grouped into any other proposed changes to the Charter through a vote of the citizens of Springfield. Staff has prepared a resolution to City Council on July 27, 2015, outlining the changes to the current members terms from 3 years to 4 years Staff has reviewed the proposed amendments to the Rules of Procedure with the Planning and Zoning Commission at the July 9, 2015 per Planning and Zoning Commission Rule of Procedure. Staff recommends approval.

Ms. White opened the public hearing. As there were no speakers to the issue, the public hearing was closed.

Mr. Ray motioned to **approve** Rules of Procedure Planning & Zoning Commission Term Limits. Ms. Cox **seconded** the motion. The motion **carried** as follows: Ayes: White, Ray, Cox, Shuler, Cline, Doennig, and Rose. Nays: None. Abstain: None. Absent: Baird and Edwards.

There being no further business, the meeting was adjourned at approximately 9:00 pm.

A handwritten signature in black ink, appearing to read 'Bob Hosmer', written over a horizontal line.

Bob Hosmer, AICP
Principal Planner