December 10 , 2015
MINUTES OF THE PLANNING AND ZONING COMMISSION
Springfield, Missouri

The Planning and Zoning Commission met in regular session December 10, 2015, in the City Council Chambers. Chairman Tom Baird called the meeting to order.

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

Staff in attendance: Bob Hosmer, Principal Planner, Mary Lilly Smith, Director of Planning and Development, Tom Rykowski, Asst. City Attorney, Nicholas Woodman, Asst. City Attorney, Dawne Gardner, Public Works Traffic Division, and Rodney Colson, Public Works Stormwater.

Minutes: The minutes of November 5, 2015 were approved unanimously.

Communications:

Mr. Hosmer stated that this is the last meeting for Mr. Thomas Baird and Ms. Gabriella White. Mr. Baird will continue with the meetings until the positions have been filled. Staff presented an award of recognition to Mr. Baird. Mr. Baird thanked the staff.

Mr. Hosmer stated that City Council approved Z-34-2015 w/COD 100 was approved and 2 annexations that were approved also, property around Menards on West Sunshine.

Mr. Hosmer also stated that zoning and subdivision codes are moving to Municode, which is a national service that provides municipal codes online.

Mr. Hosmer stated that staff is requesting that three items to be tabled, item number 11 (Z-37-2015, 2736 West Republic Street), item number 13 (Z-39-2015 COD #103 at 604, 608, 614 & 618 West Mt. Vernon Street), and item number 18 (Conditional Use Permit 417 at 506 West Edgewood Street).

Mr. Baird requests that all three items be put together and have one motion for the three items.

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

Consent Items:

Request to Acquire 515 2800 South Farm Road 97 **Applicant:** City Utilities	Relinquishment of Easement 828 506 West Edgewood Street **Applicant:** Mark Hunter, LLC	Subdivision Variance 352 3900 East Chestnut Expressway **Applicant:** Hickory Land Co, LLC

COMMISSION ACTION:
Mr. Edwards motioned to **approve** the consent items. Mr. Doenning **seconded** the motion. The motion **carried** as follows: Ayes: Baird, Ray, Cox, Edwards, Doennig, Edwards, Shuler and Rose. Nays: None. Abstain: None. Absent: White

UNFINISHED BUSINESS:

Z-35-2015 COD #101
6000 South Southwood Avenue
Applicant: City of Springfield

Mr. Hosmer stated that this item was tabled at the November 5, 2015 commission meeting and it is a request to rezone approximately 12 acres of property generally located at 5904 South Southwood Avenue from a Greene County O-2, Office District to a City GI, Governmental and Institutional Use District with a Conditional Overlay District No. 101. Growth Management Plan designates this area appropriate for low density housing. We are requesting a COD that would limit the permitted uses on this property to a GI with an overlay district only allowing hospital uses and accessory uses and structures that are allowed in the GI. Staff recommends approval.

Mr. Baird opened the public hearing.

No speakers as the City is the applicant.

Mr. Baird closed the public hearing.

COMMISSION ACTION:
Mr. Ray motioned to **approve** Z-35-2015 w/COD #101. Mr. Edwards **seconded** the motion. The motion **carried** as follows: Ayes: Baird, Ray, Cox, Edwards, Doennig, Edwards, Shuler and Rose. Nays: None. Abstain: None. Absent: White

PUBLIC HEARINGS:

Z-38-2015 COD #104
1209 East Holiday Street
Applicant: BBH South Development Holding, LLC

Mr. Hosmer stated that this is a request to rezone approximately 5.52 acres of property generally located at 1209 East Holiday Street from an O-1, Office District to a GR, General Retail District with Conditional Overlay District No. 104. The Growth Management and Land Use Plan Element of the Comprehensive Plan identifies the National Avenue and Holiday Street area as appropriate for Medium Intensity Retail, Office or Housing land uses. The property would be limited to a maximum 11,500 sq ft. for retail and restaurant uses and 69,000 sq ft. for office use. If the maximum density of the floor areas over exceeds, then a traffic study will be submitted and be approved. U pon development of the property a buffer yard is required along the north property line adjacent to the Planned Development residential property. The normal buffer yard required between GR and Multi-family zoning would be a Buffer yard "Type C" of at least fifteen (15) feet wide. The minimum fifteen (15) foot wide buffer yard with plantings for

each one-hundred (100) linear feet of buffer yard would be one (1) canopy tree, one (2) understory tree, two (3) evergreen trees and ten (10) shrubs.

Mr. Baird opened the public hearing.

Mr. Derek Lee, Lee Engineering, 1200 E. Woodhurst. The owner's intentions are to have a multi-story structure with retail and possibly restaurants on the bottom with office in the upper floors. The neighborhood meeting seemed to be generally supportive.
Mr. Baird closed the public hearing.

COMMISSION ACTION:
Mr. Ray motioned to **approve** Z-38-2015 COD #104. Ms Cox **seconded** the motion. The motion **carried** as follows: Ayes: Baird, Ray, Cox, Edwards, Doennig, Edwards, Shuler and Rose. Nays: None. Abstain: None. Absent: White

Z-40-2015 COD #102
202 East Walnut Lawn & 3410 South Campbell Avenue
Applicant: Westport Management, LLC and St. John's Regional Health Center

Mr. Hosmer stated that this is a request to rezone approximately 10.63 acres of property generally located at 3410 South Campbell Avenue and 202 East Walnut Lawn Street from Planned Development 261, 1st Amendment and Planned Development 30, 1st Amendment to a HC, Highway Commercial District with Conditional Overlay District No. 102. The Growth Management and Land Use Plan Element of the Comprehensive Plan identifies the Campbell and Walnut Lawn Street area as appropriate for Medium Intensity Retail, Office or Housing land uses.

The existing uses on this property are a Youngblood KIA car lot, which is on Campbell and Walnut Lawn corner; it is also vacant property that was the Mercy Recreational facility.

The property at Campbell is zoned PD216, which allows for a mixture of GR and HC uses and the property on Walnut Lawn is zoned a PD30 which allows only recreational facilities. The property is located at Campbell Avenue, which is a primary arterial; Walnut Lawn is a collector roadway. There are R-TH zoned properties on the east and RS-F properties on the north across Walnut Lawn. The church property to the east has a pending zoning case, Z-42-2015 presented tonight to go to an Office use. If approved, this request will prohibit a number of uses that would normally have been permitted in the HC district. However, these uses would only be limited to the eastern portion of the property located approximately 392 feet from the R-TH zoned property on the east. This line is similar to the GR, General Retail zoning district line to the north of the subject property. The property at 3410 South Campbell Avenue and approximately 160 feet of the property at 202 East Walnut Lawn Street would allow all the permitted uses in the HC district. The applicant is also proposing to limit the total square footage of retail sales space to 14,000 square feet of which 7,000 square feet can be utilized for eating and drinking establishments in the eastern portion of the subject property. They are a 25 feet Type E buffer yard with four (4) high earthen berm along the north property line adjacent to Walnut Lawn Street. Normally, there would not be a buffer yard or even a

Type S1 buffer yard requirement for a parking lot adjacent to a street across from any residential zoned property since the Walnut Lawn Street is wider than 70 feet.

The owner will keep all existing driveway locations and no new driveway locations would be permitted. A Traffic study would be required for the property at 202 East Walnut, if it exceeds the fitness center uses.

No vehicular garage door openings on any building shall be located within 200 feet of any residential district and no motor vehicle repair or maintenance work shall take place outdoors within one-hundred fifty (150) feet of the boundary of any residential district.

The applicant had two neighborhood meetings, at the first meeting they talked about some issues and resolved those at the second meeting. Staff recommends approval with the COD district and the provisions.
Ms. Cox asked why Z-40-2015 w/COD 102 and Z-42-2015 are not combined and presented as one zoning case.

Mr. Hosmer replied that if there was a formal protest we would like for them to be separated and with an overlay district there has to be a separate ordinance.

Mr. Baird opened the public hearing.

Mr. Derek Lee, 1200 E. Woodhurst, representing Kia Youngblood, they currently service their vehicles on the west side of Campbell and they would like to service their vehicles on the dealership lot. They will need to expand their dealership. Mr. Youngblood plans on selling the remaining property. The HC zoning is the only zoning that allows a car dealership. At the 1st neighborhood meeting was well attended and a there were a lot of comments, there were two neighborhood meetings. At the 1st neighborhood meeting, they were primarily concerned, i.e., too much traffic and we looked at is fitness center it allows for a high traffic count use, another concern was a list of items the neighborhood did not want was eliminated. The service center has the door facing away from the neighborhood and has put restrictions with distances and also agreed to keep the 4' berm that is along the fitness center and the buffer yard is 25' wide.

Mr. Baird asked if the owner's intention is to sell the area/land to the east of this property.

Mr. Lee acknowledged that it is correct.

Mr. Baird's concerns are that HC zoning that will impact the neighborhood. Mr. Lee states that they have reduced the retail and restaurant portions down to the bottom floor of the existing building.

Mr. Lee states that the commercial real estate developer thinks that the highest and best use for this building is an office.

Mr. Baird requested to hear the neighborhood concerns.

Mr. Lee stated that another comment were the lights. Neighbors concerned with

spotlights shining in their direction. I referred them to the existing light ordinances that requires the lights to shine down and not to have spill over. There were a number of people who were concerned about the fence, it had fallen into disrepair. The fence has been fixed. The last concern was the location of the entrances. The owner will keep the existing entrance locations. No new entrances will be permitted.

Patricia Scott, 3252 S. Ridgewood Court. I own a property near this location and have two concerns. I have an issue of 10 acres of HC zoning when Mr. Youngblood only wants the west half of the property. She passed out photos and mentions that the back of Don Wessel is also HC zoning and one pictures shows a drainage issue. She states that there is a huge drainage problem in the area or Mercy would have expanded their fitness center years ago. Walnut Lawn serves Kickapoo High School, Cox Hospital as well as a dozen streets. The traffic is horrendous, 25 to 30 cars are backed up going west. The City's plan going on Walnut Lawn, there will be a right turn added to take you north on Campbell and a right turn that will take you east on Walnut Lawn.

Mr. Baird closed the public hearing.

Mr. Hosmer wanted to clarify that the applicant is reducing or pulling out approximately 18 uses of the HC district.

Mr. Baird asked Ms. Scott to come back up to the podium.

Mr. Baird asked Ms. Scott as to what she is specially concerned with on the uses or are their other specific uses that Ms. Scott may have with this being rezoned or just the potential of what could develop with HC commercial.

Ms. Scott wanted to state that 10 acres are being rezoned HC and we don't know what may become of the other 8 acres. There are concerns with the drainage issue and would like these issues be addressed later on how they would use the property.

Mr. Carson addressed storm water / drainage issues. Any increase in impervious area will require the development to meet current detention and water quality requirements. Payment in lieu of construction of detention facilities is not an option for this site due to existing downstream flooding problems. If detention/water quality basin as previously constructed to serve the development, it must be shown that any new development proposed is in conformance with the original design of the basin. If runoff from the proposed development exceeds the original design criteria, additional detention and water quality must be provided based on current requirements. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or a drainage easement.

Mr. Doenning asked if the developer will have a 25' buffer yard across the north line of the entire of the property, i.e., all the way down Walnut Lawn?

Mr. Hosmer said that it would be from the driveway into Mercy fitness center and then continuing east to the property line. There will be landscaping and plantings in those areas to meet the requirements.

COMMISSION ACTION:
Mr. Ray thanked Mr. Lee and Mr. Youngblood with working with the neighborhood and motioned to **approve** Z-40-2015 COD #102. Ms Cox **seconded** the motion. The motion **carried** as follows: Ayes: Baird, Ray, Cox, Edwards, Doennig, Edwards, Shuler and Rose. Nays: None. Abstain: None. Absent: White

Z-42-2015
216 East Walnut Lawn
Applicant: St. John's Regional Health Center
Mr. Hosmer stated that this is to rezone approximately 0.88 acres of property generally located at 216 East Walnut Lawn Street from R-TH, Residential Townhouse District to an O-1, Office District. The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this as an appropriate area for low density housing uses. However, this property is surrounded by Medium or High Density Housing and Medium Intensity Retail, Office or Housing. This area is also adjacent to the James River Freeway and Campbell Activity Center as described in the plan. The requested office zoning can be used as a transition and buffer between higher intensity uses such as commercial and residential developments. The property is located on Walnut Lawn Street which is classified as a collector roadway. Direct driveway accesses are discouraged on collector roadways. Office uses are an appropriate use along collectors and create a buffer between R-TH uses and more intense non-residential uses. Staff recommends approval.

Mr. Baird opened the public hearing.

Neither the applicant or their representative were present. The Commission exercised its discretion and call for public comment. No one spoke in favor or against the change. The commission continued the matter for one meeting to allow the applicant an opportunity to comment.

During Z-43-2015, the next agenda item, the applicant's representative returned and moved the matter be removed from the table. The Commission removed the matter from the table and thereafter Mr. Derek Lee, 1200 E. Woodhurst spoke on behalf of the owner.

Mr. Ray asked a question regarding a fence that was brought up for Z-40-2015 wCOD #105.

Mr. Lee stated that the fence was repaired.

COMMISSION ACTION:
Mr. Edwards motioned to **approve** Z-42-2015 Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: Baird, Ray, Cox, Edwards, Doennig, Edwards, Shuler and Rose. Nays: None. Abstain: None. Absent: White

Z-43-2015
1300 & 1332 East Republic Road
Applicant: John & Rosa Lee Haik

Mr. Hosmer stated that this is to rezone approximately 4.05 acres of property generally located at 1300-1332 East Republic Street from a Planned Development No. 84 to an HC, Highway Commercial District. The Growth Management and Land Use Plan of the Comprehensive Plan identifies this as an appropriate area for medium-intensity retail, office or housing. The requested HC, Highway Commercial zoning is consistent with the recommendation. Approval of this application will facilitate redevelopment of this property and promote infill development and increased intensity where investments have already been made in public services and infrastructure. These properties are located near the James River Freeway and National Avenue area which is identified as a Community Activity Center. The Plan recommends these areas be developed with greater intensity. Approval of this request will result in a similar type of development as what could be achieved under the existing zoning however, it will provide for a more streamlined process for development of the property. A traffic study was not warranted by Public Works Traffic Division since the rezoning from PD 84 to the HC District will not generate a significant amount of
additional traffic between uses permitted in the PD to the uses permitted in the HC district. Staff recommends approval.

Mr. Baird opened the public hearing.

Mr. Jared Rasmussen, 550 St. Louis Street. This is a zoning case that matches across the street and kind of existing uses that are to the east and west. It is not out of line with the Growth Management states and what existing uses surrounding it.

Mr. Baird closed the public hearing.

COMMISSION ACTION:
Mr. Edwards motioned to **approve** Z-43-2015 and Ms. Cox **seconded** the motion. The motion **carried** as follows: Ayes: Baird, Ray, Cox, Edwards, Doennig, Edwards, Shuler and Rose. Nays: None. Abstain: None. Absent: White

Z-44-2015
1329 East Lark Street
Applicant: St. John's Regional Health Center
Mr. Hosmer stated that this is to rezone approximately 3.28 acres of property generally located at 1329 East Lark Street from a Planned Development No. 84 to a GR, General Retail District. The Growth Management and Land Use Plan of the Comprehensive Plan identifies this as an appropriate area for medium-intensity retail, office or housing. The requested GR, General Retail zoning is consistent with the recommendation. Approval of this request will result in a similar type of development as what could be achieved under the existing zoning, however, it will provide for a more streamlined process for development of the property. Approval of this application will facilitate development of this property and promote infill development where investments have already been made in public services and infrastructure.

Mr. Baird opened the public hearing.

Mr. James McDonald, 1730 E. Republic Road representing Wilhoit Properties. This property is under contract and the intention is to build a new office for relocation.

Mr. Baird closed the public hearing.

COMMISSION ACTION:
Mr. Doenning motioned to **approve** Z-44-2015 and Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: Baird, Ray, Cox, Edwards, Doennig, Edwards, Shuler and Rose. Nays: None. Abstain: None. Absent: White

OTHER BUSINESS
Approval of the 2016 calendar with the removal of the November 24 and December 22, 2016 dates

Mr. Cline motioned to **approve** the 2016 Planning and Zoning Calendar with the removal of November 24 and December 22, 2016 and Mr. Doenning **seconded** the motion. The motion **carried** as follows: Ayes: Baird, Ray, Cox, Edwards, Doennig, Edwards, Shuler and Rose. Nays: None. Abstain: None. Absent: White