

March 9, 2017
MINUTES OF THE PLANNING AND ZONING COMMISSION
Springfield, Missouri

The Planning and Zoning Commission met in regular session March 9, 2017 in the City Council Chambers. Vice-Chairman King Coltrin called the meeting to order.

Roll Call - Present: King Coltrin (Vice-Chair), Natalie Broekhoven, Joel Thomas, Andrew Cline, Melissa Cox, and Cameron Rose. Absent: David Shuler, Randall Doennig, and Dee Ogilvy

Staff in attendance: Bob Hosmer, Principal Planner, Mary Lilly Smith, Director Planning and Development, Nicholas Woodman, Asst. City Attorney, Tom Rykowski, Asst. City Attorney, Dawne Gardner, Public Works Traffic Engineer, Julie Hawkins, Public Works Project Engineer.

Minutes: The minutes of February 23, 2017 were approved as amended.

COMMUNICATIONS :

Bob Hosmer reported on February City Council meeting actions.

UNFINISHED BUSINESS:

NEW BUSINESS:

CONSENT ITEMS :

Relinquishment Easement 847
1855 East Chestnut Expressway
Applicant: The Kitchen, Inc.

Relinquishment East 847 was approved as part of the consent agenda.

COMMISSION ACTION:

Mr. Cline motioned to **approve** Consent Agenda item - Relinquishment Easement 847 (1855 East Chestnut Expressway). Mr. Rose seconded the motion. Ayes: Coltrin, Cline, Rose, Broekhoven, Cox, and Thomas. Nays: None. Abstain: None. Absent: Doennig, Ogilvy, and Shuler.

PUBLIC HEARINGS:

Vacation 786
200 South Nettleton Avenue
Applicant: City of Springfield

Mr. Hosmer stated that this is a request to vacate right of way at 200 South Nettleton Avenue. This is a request to vacate a portion of the public right-of-way of Nettleton Avenue, south of College Street. The Public Works Department has initiated the vacation because they no longer have a purpose for the Nettleton right-of-way and it is not feasible to construct a bridge over the Jordan Creek channel that runs between College and Walnut Streets. The southern portion is being retained for stormwater improvements. Fourteen property owners are within 300 feet. All necessary easements to accommodate existing facilities within the subject rights-of-way will be retained as part of this vacation either by easement or license agreement. Staff recommends approval.

Mr. King opened the public meeting.

No speakers.

Mr. King closed the public meeting.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Vacation 786 (200 South Nettleton Avenue). Mr. Cline seconded the motion. Ayes: Coltrin, Cline, Rose, Broekhoven, Cox, and Thomas. Nays: None. Abstain: None. Absent: Doennig, Ogilvy, and Shuler.

Vacation 788

1800 blk South Stewart Avenue

Applicant: City of Springfield

Mr. Hosmer requests that this be tabled and presented at the Planning and Zoning meeting on May 4, 2017.

COMMISSION ACTION:

Mr. Cline motioned to **TABLE** Vacation 788 (1800 blk South Stewart Avenue) to May 4, 2017. Mr. Rose seconded the motion. Ayes: Coltrin, Cline, Rose, Broekhoven, Cox, and Thomas. Nays: None. Abstain: None. Absent: Doennig, Ogilvy, and Shuler.

Vacation 789

4500 blk West Madison Street

Applicant: Willard School District

Mr. Hosmer stated that this is a request to vacate right of way located in the 4500 Block of West Madison Street and the 800 block of South Fisk Avenue. West Madison Street and South Fisk Avenue are both unimproved streets. The applicant, Willard R-II School District, intends to develop a new school site on the north-side of Madison Street. The applicant held a neighborhood meeting on January 24, 2017. There are twenty-six (26) property owners within three hundred (300) feet. A protest petition has been received, but the property owner is not adjacent to the ROW. Staff recommends approval.

Mr. King opened the public meeting.

Mr. Jared Rasmusson, 550 St. Louis Street representing the applicant. The intent is to build a school and by vacating the ROW they can connect their two campus'.

Mr. King closed the public meeting.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Vacation 789 (4500 blk West Madison Street). Mr. Thomas seconded the motion. Ayes: Coltrin, Cline, Rose, Broekhoven, Cox, and Thomas. Nays: None. Abstain: None. Absent: Doennig, Ogilvy, and Shuler.

Z-11-2017 w/COD #123

1310 East St. Louis Street

Applicant: Miller Commerce, LLC

Mr. Hosmer stated that this is a request to rezone approximately 1.04 acres of property generally located at 1310 East St. Louis Street from a GR, General Retail to a R-HD, High-Density Multi-Family Residential District and establishing Conditional Overlay District No. 123.

The Growth Management and Land Use Plan identifies this as an appropriate area for Medium-Intensity Retail, Office or Housing. This mixed category indicates that a variety of office, commercial and/or mid-or high-density housing may be appropriate at major intersections or along certain roadway corridors. St.

Louis Street is classified as a Secondary Arterial roadway and Kickapoo Avenue is classified as a local roadway. The request is consistent with the recommendations of the Revised Multi-Family Development Location and Design Guidelines which will limit the development to thirty-two (32) dwelling units per acre. The Kickapoo Avenue access is currently allowed. St. Louis Street access will require an administrative replat of the property because the current plat restricts access to St. Louis Street. Stormwater buyout is not an option. Staff recommends approval.

Mr. King opened the public meeting.

Mr. Tyler Hellweg, 221 South Avenue representing the owner. I'm here to answer any questions.

Mr. King closed the public meeting.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Z-11-2017 w/COD #123 (1310 East St. Louis Street). Mr. Cline seconded the motion. Ayes: Coltrin, Cline, Rose, Broekhoven, Cox, and Thomas. Nays: None. Abstain: None. Absent: Doennig, Ogilvy, and Shuler.

Planned Development 356

800-836 South National Avenue

Applicant: Missouri Valley Operating Partners, LP

Mr. Hosmer stated that this is a request to rezone approximately 1.4 acres of property generally located between 800-836 South National Avenue from Planned Development No. 281, R-HD, High-Density Multi-Family Residential District and Rountree Urban Conservation District No. 2 Area D to a Planned Development District No. 356 and Rountree Urban Conservation District No. 2 Area D.

The Growth Management and Land Use Plan, Rountree Neighborhood Plan, and Rountree Urban Conservation District support the rezoning of the subject property. This area is located within the Missouri State University (Major) Activity Center. The MSU campus is a significant location of employment, housing, business and entertainment. The proposed rezoning will facilitate the development of the property for a mixed-use development with a restaurant, retail space and a 70-unit micro-efficiency studio apartment complex with a density of 53 dwelling units per acre. A micro-efficiency dwelling unit is a unit with a total floor area of 400 square feet or less.

If the R-HD was developed with 4 bedroom units there could be approximately 160 occupants on the proposed site. The applicant is proposing 70 micro-efficiency units which is far less than what the maximum density could be. A Traffic Study was prepared and submitted for the development. The development will not generate a significant amount of traffic that requires improvements to the existing system. The applicant is required to dedicate five (5) feet of right-of-way and five (5) feet of sidewalk easement along National Avenue for future street and sidewalk improvements. Due to its proximity to MSU, the PD permits reducing the number of parking spaces by 20% by providing bicycle parking spaces at a rate of two (2) bicycle spaces for each required off-street automobile parking space. Residents will not be allowed to participate in the Rountree Parking Permit program.

A bufferyard is required along the east property line adjacent to the R-SF, Single Family Residential zoned property. The bufferyard required is a Bufferyard "Type D" at least fifteen (15) feet wide. No portion of a multi-family dwelling shall be higher than allowed by a 45-degree bulk plane where the property adjoins an R-SF district. This proposal did require a Multi-Family Location and Design Guidelines assessment. General Retail uses are permitted as part of a mixed-use development; however, uses are limited to a maximum 1,950 square feet for retail sales uses and 2,950 square feet for eating and drinking establishment uses. The site plan has been submitted as well as some renderings. Staff recommends approval.

Mr. King asked if each bedroom is a separate unit or complete separate units.

Mr. Hosmer stated that they are separate units with 400' square feet of space.

Mr. Cline asked about the current and future parking and does this representing an increase in the amount of car that parking as the same or decrease/increase.

Mr. Hosmer stated that he believes that there will be more parking available then currently on the site.

Ms. Cox asked if there will be egress onto National and the side streets as well.

Mr. Hosmer stated that yes, there will be access from Madison and Page from National to the north.
Mr. King opened the public meeting.

Mr. Derek Lee, 1200 E. Woodhurst, representing the owner. The neighborhood did not want a swimming pool because of the noise and it has been removed and originally, we were going for GI zoning, but the neighborhood was against it and that been taken out. The neighborhood is concerned about parking and we are providing the required amount of parking, there is a 20% reduction and there is a mixed use. The neighborhood was very concerned with the traffic, some even requested that we close the access to National, however the City of Springfield would not allow that. A lot of the neighborhood concerns were also traffic going south on Kickapoo and concerns with access to Page and Madison, he then went through the traffic study.

Mr. Brian Kubik, 1435 E. Bradford, representing the owner. We took a lot of the neighborhood concerns into our approach to help facilitate the development. It is smaller than what the developer wanted to have, however it is appropriate for the area. We will be replacing two fraternity buildings and there are approximately 70 people living on the site and will have 94 parking spaces. The building will be 4-stories with mixed-use to be able to have a restaurant or retail. They are micro-studios and expect one person per unit.

Ms. Cox asked about the restaurant possibility and about the trash location.

Mr. Kubik stated that the neighbors did not bring up the trash location, however staff has recommended a trash location other than proposed.

Mr. King asked about any restrictions of having more than one person living in a micro-efficiency.

Mr. Kubik stated that he is not aware of any, however the space is very small.

Ms. Broekhoven asked if the tenants will have a dedicated a parking space.

Mr. Kubik stated that they could have dedicated parking, but not yet discussed.

Mr. King closed the public meeting.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Planned Development 356 (800-836 South National Avenue). Mr. Cline seconded the motion. Ayes: Coltrin, Cline, Rose, Broekhoven, Cox, and Thomas. Nays: None. Abstain: None. Absent: Doennig, Ogilvy, and Shuler.

Final Development Plan PD 84
1266 East Lark

Applicant: Zimmerman Properties Development

Mr. Hosmer stated that this is a request to approve a Final Development Plan of Planned Development No. 84, on approximately 6.26 acres of property generally located at 1266 East Lark Street for a sixty (60) unit age-restricted (55+) multi-family residential development.

A Final Development Plan, per Planned Development No. 84, requires review by Planning and Zoning Commission with a recommendation to City Council for final action. The applicant intends to remove the 15-foot platted bufferyard along the west property line that conflicts with the proposed development plan. Staff supports removing this bufferyard and notes that the removal of this bufferyard is required for the proposed Final Development Plan to be in substantial conformance. The Administrative Review Committee has reviewed the proposed Final Development Plan and found that it met the requirements of Planned Development 84. Staff recommends approval.

Mr. King asked about the driveway on the west side and wanted to know if it gets reconstructed.

Mr. Hosmer states that he believes it will be reconstructed up to certain point.

Mr. King opened the public meeting.

Mr. Michael Osbourn, 14700 W. 114th Terrace; Lenexa, KS representing the developer. Project will fit in with the area and get finished up.

Mr. King asked about the detention area and sidewalks.

Mr. Osbourn stated that they will improve the detention area with proper Best Management Practices (BMPs) that will meet current guidelines and there will not be any sidewalk along Lark Street, but will connect at National.

Mr. Thomas asked about the cross-access easement.

Mr. Osbourn stated that is where the current access point off from Lark Street is to line up with the access across the street.

Mr. King closed the public meeting.

COMMISSION ACTION:

Mr. Thomas motioned to **approve** Final Development Plan PD 84 (1266 East Lark). Ms. Cox seconded the motion. Ayes: Coltrin, Cline, Rose, Broekhoven, Cox, and Thomas. Nays: None. Abstain: None. Absent: Doennig, Ogilvy, and Shuler.

Text Amendment to the UCD Number 2 Area F
1451 & 1459 East Cherry Street
Applicant: Frankie Properties, LLC

Mr. Cameron Rose stepped down and took no part in the discussion and did not vote on item.

Mr. Hosmer stated that this is a request to amend the Rountree Urban Conservation District (UCD) No. 2, Area F Section 9 (C) generally located at the intersection of Cherry Street and Pickwick Avenue to allow micro-brewery and accessory tasting room uses with a conditional use permit.

The Growth Management and Land Use Plan designates this area as appropriate for Medium Intensity Retail, Office or Housing.

Cherry Street is classified as a secondary roadway in the Transportation which supports the proposed uses. The subject property was zoned LB, Limited Business District, Urban Conservation District Number 2, Area F by General Ordinance No. 3645 on July 22, 1985. The Rountree UCD No. 2 Area F District is also known as the Cherry/Pickwick Commercial Area. Area F is a compact, pedestrian-friendly

neighborhood commercial node that provides services to the surrounding residential area. The regulations in this UCD are intended to focus dense mixed-use redevelopment within a neighborhood activity center while preventing the encroachment of higher intensity uses into the surrounding single-family residential areas.

This request is to amend the UCD Area F District to allow a micro-brewery and tasting room, with an approved conditional use permit. The proposed conditional use permits will require a site plan review and meet the typical 21 standardized questions within the conditional use permit process as well as meeting the additional UCD conditional use permit use limitations to minimize the impact to the adjacent neighborhood.

- The proposed conditional use permit amendment will require micro-brewery and tasting rooms to have to have a valid alcohol production and alcohol beverage licenses from the State of Missouri which regulates micro-breweries and liquor sales. A micro-brewery use must include a tasting room.
- All production activities shall be located completely within the micro-brewery facility. All on-site storage shall be located within the micro-brewery facility.
- The hours of operation for outdoor activity between the hours of 7:00 AM to 12:00 AM.
- All outdoor activity shall cease at 12:00 AM.
- The micro-brewery and tasting room use shall not be open to the public, except for the following hours: 7:00 AM to 12:00 AM.
- Service trucks used for the purposes of loading and unloading materials, ingredients, products, and equipment shall be restricted to the hours of 8:00 AM - 6:00 PM; the use of service trucks for the purposes of loading and unloading materials, ingredients, equipment and finished product shall be prohibited on Sunday.
- A MB use may not exceed production of ten thousand (10,000) barrels per year.
- The purchase, consumption, tasting and sales of alcoholic beverages shall be permitted on site so long as production is occurring under any and all State and Federal licensing requirements.
- Ancillary retail sales shall be limited to only those retail items directly associated with the on-site MB facility and tasting room.
- The MB use or tasting room shall not charge an admission fee, cover charge or require a minimum purchase.
- No more than ten percent (10%) of the square footage of the inside face of exterior windows and transparent doors of the premises shall be allowed to bear advertising, signs or any other obstructions.

Staff recommends approval.

Mr. Cline asked how the proposed development will be different from the pizza and coffee/beer establishments.

Mr. Hosmer noted that they are restaurants and have alcohol sales as an accessory use and the proposed will only have alcohol sales with a micro-brewery and tasting room.

Mr. King opened the public meeting.

Mr. Curtis Marshall, 4003 W Eldorado Pl, Denver, CO. We are proposing to lease out the older building on 1459 E. Cherry to a business that will enhance and contribute to the current business district. The other building will be the micro-brewery and tasting room as well as a patio with seating on the southeast of the building. The neighborhood (242) responded to our survey that we had placed on our web page and the support was good, however some had a few concerns. 125 responded that they are in walking distance with various support of the brewery, only 2 did not support the brewery. Concerns were about it being a "bar" and the "noise," but probably be open from 9:00am to 10:00pm on weekdays and 11:00am to 12:00pm on the weekends.

Mr. John Melton, 707 S. Weller, fully supports this development.

Ms. Cox asked about Area F and could any of the buildings potentially be a micro-brewery?

Mr. Hosmer stated that anyone in Area F that came forward with an approved Conditional Use Permit could have a micro-brewery.

Mr. King closed the public meeting.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Text Amendment to the UCD Number 2 Area F (1451 & 1459 East Cherry Street). Ms. Broekhoven seconded the motion. Ayes: Coltrin, Cline, Broekhoven, Cox, and Thomas. Nays: None. Abstain: None. Absent: Rose, Doennig, Ogilvy, and Shuler.

Conditional Use Permit 429
1451 & 1459 East Cherry Street
Applicant: Frankie Properties, LLC

Mr. Cameron Rose stepped down and took no part in the discussion and did not vote on item.

Mr. Hosmer stated that this is a request to allow a micro-brewery and tasting room with an approved Conditional Use Permit in a LB, Limited Business District and Rountree Urban Conservation District Number 2, Area F generally located at 1451 and 1459 East Cherry Street.

The Growth Management and Land Use Plan of the Comprehensive Plan identifies this area as appropriate for Medium Intensity Retail, Office or Housing uses. This mixed-use category indicates that a variety of commercial and/or mid-or-high density housing may be appropriate at major intersections along certain road corridors. Cherry Street is classified as a secondary arterial roadway.

The applicant intends on using the existing structure at 1451 East Cherry Street for the micro-brewery and tasting room uses and the existing structure at 1459 East Cherry Street as possible future retail space.

The micro-brewery and tasting room will have a valid alcohol production and alcohol beverage licenses from the State of Missouri which regulates micro-breweries and liquor sales. A micro-brewery use must include a tasting room. All production activities shall be located completely within the micro-brewery facility. All on-site storage shall be located within the micro-brewery facility. There are 29 off-street parking spaces being provided (6 parking spaces are on the BNSF Railroad by a long-term easement arrangement). The UCD Area F allows the ARC to exempt off-street parking requirements to promote continued redevelopment of a traditional commercial node serving the neighborhood in a compact and pedestrian-friendly manner. Staff recommends approval.

Mr. King opened the public meeting.

Mr. Curtis Marshall, 4003 W Eldorado Pl, Denver, CO; here to answer any questions.

Mr. King closed the public meeting.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Conditional Use Permit 429 (1451 & 1459 East Cherry Street). Mr. Cline seconded the motion. Ayes: Coltrin, Cline, Broekhoven, Cox, and Thomas. Nays: None. Abstain: None. Absent: Rose, Doennig, Ogilvy, and Shuler.

OTHER BUSINESS:

None