The Planning and Zoning Commission met in regular session June 6, 2019 in the City Council Chambers. Chairman Randall Doennig called the meeting to order.

Roll Call - Present: Randall Doennig (Chairman), Cameron Rose, Britton Jobe, Natalie Broekhoven, David Shuler, Joel Thomas, Melissa Cox, and Dee Ogilvy. Absent: King Coltrin (Vice-Chairman). Staff in attendance: Bob Hosmer, Principal Planner, Thomas Rykowski, Assistant City Attorney.

MINUTES: The minutes of May 9, 2019 were approved.

COMMUNICATIONS: Bob Hosmer reported on City Council meeting actions.

CONSENT ITEMS:

Relinquishment of Easement 881
1960 East Bergman Street
Applicant: Warren Davis Properties XXV, LLC

COMMISSION ACTION:

PUBLIC HEARINGS:

Vacation 807
700 blk North Benton Avenue
Applicant: Drury University
c/o Brandon Gammill

Mr. Hosmer stated that the representative asked this case to be TABLED and presented at the Planning and Zoning Commission meeting in July 11, 2019.

COMMISSION ACTION:
Ms. Cox motioned to TABLE Vacation 807 (700 blk North Benton Avenue). Mr. Thomas seconded the motion. Ayes: Doennig, Shuler, Cox, Ogilvy, Thomas, Broekhoven, Rose, and Jobe. Nays: None. Abstain: None. Absent: Coltrin.

Z-13-2019 w/COD #174
1024 North West Bypass
Applicant: Steve Eoff

Mr. Hosmer stated that the representative asked this case to be TABLED and presented at the Planning and Zoning Commission meeting on July 11, 2019.

COMMISSION ACTION:
Zoning and preliminary plat are combined.

Mr. Hosmer stated that this is a request to rezone approximately 8.4 acres of property located at 3145 South Campbell Avenue from Planned Development 25, 4th Amendment to HC, Highway Commercial District, and establishing Conditional Overlay District No. 175. The Comprehensive Plan identifies the subject property as appropriate for Medium Intensity Retail, Office or Housing. This application meets the intent of the HC district which is intended for commercial uses that depend upon high visibility, generate high traffic volumes, or cater to the traveling public. The Major Thoroughfare Plan classifies Campbell Avenue as a Primary arterial roadway. A Traffic Impact Study will not be required. The property is not located in a FEMA designated floodplain or a stream buffer area. A fee in lieu of on-site stormwater detention is not applicable since there is already an existing detention onsite. The proposed Conditional Overlay District will prohibit uses, add use limitations, bufferyard requirements, restrict intensity of development, exterior lighting and height. The Conditional Overlay District will not allow any conditional use permits, prohibit an outdoor public address system and require all activities and permitted uses, except off-street parking and loading facilities and vehicle storage, to be conducted inside a building. The intensity of development shall not exceed a floor area ratio, for permitted structures, of 0.5 for self-service storage facilities, and 0.25 of all other uses. No structure shall exceed the height of thirty-five (35) feet. A “Type F” at least twenty (20) feet wide shall be required; however, if the existing vegetation meets the planting requirements per the code then no additional plantings shall be required.

Mr. Hosmer stated that this is a request for a two-lot subdivision on 8.4 acres of property located at 3145 South Campbell Avenue. The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this as an appropriate area for Medium Intensity Retail, Office or Housing. Highway Commercial is an appropriate district for this classification. The Major Thoroughfare Plan classifies Campbell Avenue as a primary arterial roadway which supports the proposed land use. The proposed preliminary plat was reviewed by City departments with no objections. If Planning and Zoning Commission approves the preliminary plat, then the plat will be forwarded to City Council for acceptance of public streets and easements. An approved preliminary plat is active for two (2) years.

Mr. Doennig opened the public hearing.

Mr. Jared Rasmussen, 550 St. Louis, trying to do mini-storage and HC zoning allows that and here to answer any questions. The reason for the plat is to show that they have an interested user for the area to the south.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:
Mr. Jobe motioned to approve Z-14-2019 w/COD #175 (3145 South Campbell Avenue). Ms. Cox seconded the motion. Ayes: Doennig, Shuler, Cox, Ogilvy, Thomas, Broekhoven, Rose, and Jobe. Nays: None. Abstain: None. Absent: Coltrin.

COMMISSION ACTION:
Mr. Rose motioned to approve Preliminary Plat of South Campbell Addition (3145 South Campbell Avenue). Ms. Cox seconded the motion. Ayes: Doennig, Shuler, Cox, Ogilvy, Thomas, Broekhoven, Rose, and Jobe. Nays: None. Abstain: None. Absent: Coltrin.

Z-15-2019 w/COD #176
Northwest corner of South Campbell Avenue and West Weaver Road
Applicant: A. Daniel Pinheiro

Mr. Hosmer stated that is a request to rezone approximately 6.18 acres of property generally located in the 4900 Block of South Campbell Avenue from R-MD, Medium-density Multi-family Residential District with Conditional Overlay District No. 152 to O-2, Office District and establish Conditional Overlay District No. 176. The Comprehensive Plan which identifies this as an appropriate area for High Intensity Retail, Office or Housing. The Transportation plan classifies Campbell Avenue as an Expressway roadway and Weaver Road as a Secondary Arterial roadway which support the proposed land use. The requests for the O-2, Office District
allows a structure height to exceed the thirty-five (35) feet height limit in the O-1, Office district. A Traffic Impact Study will be required at the time of development. The property is located in a FEMA designated floodplain and a stream buffer area. A fee in lieu of detention will be allowed due to the proximity to the floodplain.

Mr. Doennig opened the public hearing.

Mr. Jared Rasmussen, 550 St. Louis, representing the developer and wants to do an office building and there will be no change of the pervious area.

Mr. Charles Dischinger, 702 W. Farm 178. Voiced his concerns of increased flooding and this area is within the FEMA’s floodplain and believes development would cause more problems. He also noted that he has talked with the City to purchase his property and said that he did not get adequate notification and would like this issue not voted on at this time.

Mr. Doennig ask if Mr. Dischinger has the original mailer that he had received.

Mr. Dischinger said that he believes he has it at home.

Mr. Rose asked Mr. Dischinger if he attended the neighborhood meeting.

Mr. Dischinger stated that he did attend the meeting.

Mr. Doennig closed the public hearing.

Mr. Doennig asked if the City did send out information to Mr. Dischinger and Bob Hosmer showed the mailing list with his name on it, however said that staff will look into it.

Mr. Tom Rykowski said that state law requires one public hearing and the City does provide extra notices and believes that Mr. Dischinger had enough notification to attend the neighborhood meeting and Commission meeting.

COMMISSION ACTION:
Mr. Rose motioned to approve Z-15-2019 w/COD #176 (Northwest corner of South Campbell Avenue and West Weaver Road). Ms. Cox seconded the motion. Ayes: Doennig, Shuler, Cox, Ogilvy, Thomas, Broekhoven, Rose, and Jobe. Nays: None. Abstain: None. Absent: Coltrin.

Planned Development 370
2915 South National Avenue
Applicant: William C. Beall, Jr., Trust

Mr. Hosmer stated that this is a request to rezone approximately 26.03 acres of property located at 2915 South National Avenue from R-SF, Residential Single-Family, PD 26, 26 1st Amendment and PD 51 to Planned Development 370. The Comprehensive Plan identifies the subject property as appropriate for High-intensity Retail, Office or Housing. The proposed Planned Development retains all of the existing Planned Development’s requirements except changes to the site plan and rezones R-SF property on the northside. The Major Thoroughfare Plan classifies National Avenue as a Primary Arterial roadway. A Traffic Impact Study will not be required. The property is not located in a FEMA designated floodplain or a stream buffer area, a fee in lieu of on-site stormwater detention will not be allowed, and detention will be required. The request would rezone a 40 feet strip of R-SF, Residential Single-Family property on the north of which half of that strip will be left as an open space/landscaped bufferyard. The PD will allow an existing structure on the westside adjacent to the R-SF property that is only 10 feet from the property line to remain if removed a full 20 feet Type F bufferyard would be required. Limit structures to 15 feet height or 30-degree bulk plane near R-SF.

Ms. Cox asked about the strip to the north and asked about the bufferyard.

Mr. Hosmer stated that there is a 40’ strip that they are acquiring and will have a bufferyard with plantings and a fence.

Mr. Doennig opened the public hearing.
Ms. Stephanie Ireland, 1908 E. Sunshine, representing the owner. The strip has never been developed and has no driveway access. The owner of the adjacent property purchased the strip and will combine the properties and is aware of the stormwater problems but plans to keep an open area as well as plantings. The owner has worked with City staff on the landscaping and will have additional green space in the back half.

Ms. Stacy Cardwell, 1063 E. Guinevere, stated that there are severe flooding issues and it has been a pre-existing problem and believes this may impact it more due to the property being at a higher elevation and has two pipes that run stormwater into the neighbor’s fence and causes flooding.

Ms. Sandra Pierce, 1160 E. Cambridge Street, has concerns of the flooding and icing in the winter as well as noise, lights and hours operation since it abuts against her fence. She also noted concerns for ingress/egress to the facility and the door bays to the storage units and will be directly behind her backyard and noted that she will incur costs to take out her fence because they are not removing the existing fencing.

Ms. Madelyne Brown, 2914 S. Lancelot Court, has had severe flooding into her backyard and believes that the current flooding problems needs to be corrected before they create more problems.

Mr. Doennig closed the public hearing.

Ms. Cox asked about the new detention that will address the new development.

Mr. Hosmer noted that nothing else is being done on the current pervious surfacing due to existing footprint.

Ms. Broekhoven asked about the existing detention in the corner.

Mr. Hosmer noted that it is a raised area to keep water from the leaving the site.

Ms. Hawkins noted that the dentition area is old in the corner and outlet pipes are very outdated and small and would not be allowed today.

Mr. Doennig asked about the existing development they are not required to fix what is already there but require them to add to what is the new development.

Ms. Cox about the non-conforming building on the southwest side, if anything happens to the current area, do they have to update any of the existing detention.

Mr. Hawkins believes that if they added any pervious area then they may have to work on the detention but believes that they are already built out and no more impervious can be added to that section.

COMMISSION ACTION:
Ms. Cox motioned to approve Planned Development 370 (2915 South National Avenue). Mr. Jobe seconded the motion. Ayes: Doennig, Shuler, Cox, Ogilvy, Thomas, Broekhoven, Rose, and Jobe. Nays: None. Abstain: None. Absent: Coltrin.

OTHER BUSINESS:
Mr. Hosmer told Commission Members that the training will now occur in July 2019 and remined the members about the joint workshop (Comprehensive Plan) with City Council on June 21, 2019.

Tom Rykowski noted that he will be moving to Public Works and Nick Woodman will be the new Planning and Zoning attorney.