The Planning and Zoning Commission met in regular session July 11, 2019 in the City Council Chambers. Chairman Randall Doennig called the meeting to order.

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

MINUTES: The minutes of June 6, 2019 were approved.

COMMUNICATIONS: Bob Hosmer reported on City Council meeting actions.

CONSENT ITEMS:

- Relinquishment of Easement 882
  3787 South Jefferson Avenue
  Applicant: Manuel Camejo and Brunilda Camejo Joint Trust

- Relinquishment of Easement 883
  4860 West Junction Street
  Applicant: Springfield Remanufacturing Center Corporation

- Relinquishment of Easement 884
  2915 South National Avenue
  Applicant: A-1 South Self Storage, c/o JoNell Beall & William C. Beall Jr. Trust

COMMISSION ACTION:

Ms. Cox motioned to approve consent item Relinquishment of Easement 882 (3787 South Jefferson Avenue), Relinquishment of Easement 883 (4860 West Junction Street), and Relinquishment of Easement 884 (2915 South National Avenue). Mr. Jobe seconded the motion. Ayes: Doennig, Coltrin, Shuler, Cox, Broekhoven, Rose, and Jobe. Nays: None. Abstain: None. Absent: Ogilvy and Thomas.

UNFINISHED BUSINESS:

- 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 August 15, 2019.

COMMISSION ACTION:


Z-13-2019 w/COD #174

- 1024 North West Bypass
  Applicant: Steve Eoff

King Coltrin recused himself.

Mr. Hosmer stated that this is a request to rezone approximately 18 acres of property located at 1024 West Bypass from R-SF, Residential Single-Family and GM, General Manufacturing District, to a HM, Heavy Manufacturing District and establishing Conditional Overlay District No. 174. 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 commercial and/or mid-or high-density housing...
may be appropriate at major intersections along certain road corridors. However, the subject property as well as a majority of the property on both sides of West Bypass have been zoned manufacturing. The Transportation Plan classifies West Bypass as an expressway and West Nichols as a collector roadway. The zoning change from R-SF and GM, uses to Heavy Manufacturing uses, did not increase the trip generation and a Traffic Study is not required for rezoning. However, if any future use exceeds trip generations; a Traffic Study shall be submitted at the time of development. A fee in lieu of on-site stormwater detention will not be allowed, and detention will be required. A stream buffer easement will also be required. The proposed Conditional Overlay District will require a sidewalk to be constructed along the frontage of Nichols, the vacation of Calhoun Street right-of-way, a lot combination, no driveway access allowed to Calhoun or Dickerson, a stream buffer easement and the dedication of additional right-of-way along Nichols Street. The applicant has also requested to prohibit junk yards and automobile wrecking yards as an allowable use. Staff recommends approval.

Ms. Cox asked about junk yards and if in the packet.

Mr. Hosmer noted that it is part of the Conditional Overlay.

Mr. Doennig opened the public hearing.

Mr. Jonathan Staats, 5051 S. National, representing the owner and here to answer any questions.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

PUBLIC HEARINGS:

Vacation 808
3005 West Chestnut Expressway
Applicant: Fred Wolter, Trustee of Revocale Trust
c/o John Lorenz

Mr. Britton Jobe recused himself.

Mr. Hosmer stated that this is a request to vacate a portion of the right of way at 3005 West Chestnut Expressway along Hillcrest Avenue. The applicant proposes to clean up the inconsistencies with the property deed and right-of-way vacation. This right-of-way has been determined to be of no public benefit. The existing building currently sits partially in the right of way. Vacating the strip will correct this issue. A sewer easement for existing infrastructure was requested by Environmental Services. The request for vacation meets the approval criteria. Any person objecting may petition the City Council to review the request to vacate by filing an appeal within 15 days with the City Clerk from the date the resolution was passed by the Planning and Zoning Commission.

Approval Criteria:
• All property owners adjacent to the street, alley or public way have access to another street, alley or public way.
• The owners of two-thirds of the property adjacent to the street, alley or public way to be vacated have given their consent to the vacation.
• That the retention of the street, alley, public way or subdivision serves no useful purpose.
• That the vacation will not affect the ability to use utilities, public or private.

Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Derek Lee, Lee Engineering, 1200 E. Woodhurst, representing the owner and here to answer any questions.
Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Vacation 809
Lyon Avenue north of Lakewood Street, South of Library Center
**Applicant:** RW Developments, LLC

Mr. Hosmer stated that this is a request to vacate a portion of public street right-of-way generally located in the 4600-4700 block of South Lyon/Campbell Avenue. The applicant is proposing to vacate right-of-way for a new development and will dedicate a new street system as part of the Ridge at Ward Branch Final Plat to relocate Lyon Avenue. The applicant is requesting conditions placed on the proposed vacation to allow future plans without making the necessary improvements at this time.

**Approval Criteria:**
- Any sanitary sewer or utility services shall be relocated or preserved with replacement easements. If relocation is necessary, then utilities are to be relocated at the developer’s expense.
- The Final Plat of The Ridge at Ward Branch and The Library Center are approved and recorded. This cannot be final platted until public improvements have been constructed or escrowed.
- A certificate of decision is recorded along with the aforementioned final plat(s) and any replacement easements.
- If these conditions are not met within three (3) years of City Council’s approval, the aforementioned vacation approval is null, and void and the public street and right-of-way shall remain.
- The request for vacation meets the approval criteria.
- Any person objecting may petition the City Council to review the request to vacate by filing an appeal within 15 days with the City Clerk from the date the resolution was passed by the Planning and Zoning Commission.
- The proposed conditions will require City Council to approve the vacation request (August 12, 2019).

Staff recommends approval with conditions.

Mr. Coltrin asked if their vote is contingent on the final plat.

Mr. Hosmer noted that they have 3 years and will be contingent on the final plat.

Mr. Doennig asked if the plat has to be approved or if the improvements have to be there.

Mr. Hosmer stated that it has to be improved or escrowed.

Mr. Doennig opened the public hearing.

Mr. Jared Rasmussen, 550 E. St. Louis Street, noted that the plat was submitted and here to answer any questions.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Vacation 810
Della Street east of Franklin Street
**Applicant:** Freeway Ministries, Inc.
Mr. Hosmer stated that this is a request to vacate a portion of the right of way of Della Street generally located in the 1000 block of West Della Street. The applicant owns both sides of the street and will retain the entire vacated portion of street right-of-way. The stubbed street is not planned to extend to the east. The applicant is providing replacement easements for utilities, sewer and access to the property to the east. The request for vacation meets the approval criteria. Any person objecting may petition the City Council to review the request to vacate by filing an appeal within 15 days with the City Clerk from the date the resolution was passed by the Planning and Zoning Commission.

Approval Criteria:
• All property owners adjacent to the street, alley or public way have access to another street, alley or public way.
• The owners of two-thirds of the property adjacent to the street, alley or public way to be vacated have given their consent to the vacation.
• That the retention of the street, alley, public way or subdivision serves no useful purpose.
• That the vacation will not affect the ability to use utilities, public or private.

Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Ed Kurtz, 206 S. Killingsworth, Bolivar, MO representing the application as their project architect and here to answer any questions.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:
Ms. Cox motioned to approve Vacation 809 (Lyon Avenue north of Lakewood Street, South of Library Center). Mr. Rose seconded the motion. Ayes: Doennig, Coltrin, Shuler, Cox, Broekhoven, Jobe, and Rose. Nays: None. Abstain: None. Absent: Ogilvy and Thomas.

Z-16-2019
2125 North Golden Avenue
Applicant: Doing Leasing & Equipment, LLC
c/o Tim Doing

Ms. Melissa Cox recused herself.

Mr. Hosmer stated that this is a request to rezone approximately 25.3 acres of property generally located in the 2200 Block of North Golden Avenue & 3200 Block of West Turner Street from LI, Light Industrial District to HM, Heavy Manufacturing District. The Comprehensive Plan identifies the subject property as appropriate for General Industry, Transportation and Utilities. for Medium Intensity Retail, Office or Housing. The applicant intends to continue operating as a steel fabrication facility. The Major Thoroughfare Plan classifies Golden Avenue as a Secondary 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.

This rezoning shall not become effective until the following conditions are met:
• Additional right-of-way shall be dedicated to providing thirty-five (35) feet from the established centerline of Golden Avenue or, in lieu of the dedication said right-of-way, receive approval from the Administrative Review Committee to reduce the required right-of-way as provided by City Code. The applicant shall remove or relocate any structures that encroach within the right-of-way or enter into an encroachment agreement pursuant to City Code.
• Sidewalk shall be constructed along the entire length of Golden Avenue or be approved for a fee paid in-lieu of constructing sidewalk by the Administrative Review Committee, pursuant to City Code.
• Remove current driveway approaches to meet 150-foot spacing requirement along Golden Avenue, a secondary arterial, or in a manner approved by the Director of Public Works.
• If these conditions are not met within two (2) years of City Council's approval of the petition for rezoning, then the rezoning approval is null and void and the subject property will remain zoned LI, Light Industrial.
Staff recommends approval with above conditions.

Mr. Doennig opened the public hearing.

Mr. Michael White, 222 Old Town Road, Billings, here to answer any questions.

Mr. Doennig closed the public hearing.

**COMMISSION ACTION:**

Z-17-2019
619 West Division Street
**Applicant:** Alfred and Sandra Muse

Mr. Hosmer stated that this is a request to rezone approximately 0.17 acre of property located at 613, 615 & 617 West Division Street from R-SF, Single-Family Residential District, to a LB, Limited Business District. There is currently one driveway access point onto the property from West Division Street that will need to be closed, as it does not meet the minimum spacing requirements from the alleyway/N. Main Avenue. 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 be allowed, and detention will not be required. Staff recommends approval.

Mr. Doennig opened the public hearing.

Ms. Sandra Mase, 1613 N. Golden, here to answer any questions.

Mr. Doennig closed the public hearing.

**COMMISSION ACTION:**

Conditional Use Permit 437
1551 East Portland Street
**Applicant:** Westminster Presbyterian Church

Mr. Hosmer stated that this is a request to approve an electronic message center sign in a R-SF, Residential Single-Family District located at 1551 East Portland Street. The request is to approve a Conditional Use Permit to allow Westminster Presbyterian Church to replace its existing sign-face with a digitally electronic message sign EMC. The Comprehensive Plan identifies this property as appropriate for community uses (churches). Portland Street is classified as a collector roadway. There are residential districts and uses adjacent to the property. However, the sign is not oriented towards the south, or towards the single-family homes. This application meets the approval standards for a Conditional Use Permit and is in conformance with the intent and purpose of standards for electronic message center (EMC) sign in a Single-Family Residential District. The EMC signs fronting on a local or collector street shall be subject to a conditional use permit for nonresidential uses, subject to the following limitations:

- Limited to static images only. Such static images shall hold on the display for a period of at least eight seconds before transitioning to another static image. The uses of frame effects and animation are prohibited.
- The use of flashing is specifically prohibited in all locations.
- Automatic dimming technology that automatically adjusts the sign's brightness in direct correlation with ambient light conditions.
- No such signs shall exceed a brightness level of 0.3 foot-candles above ambient light.
- The electronic message center portion of the detached sign shall not exceed 40% (percent) of the proposed sign copy area.

Staff recommends approval.

Ms. Melissa Cox asked how City staff insures that the sign (specs) is installed correctly.
Mr. Hosmer noted that there will be inspections during construction.

Mr. King Coltrin asked Mr. Hosmer to send out e-mails/correspondence directing them to current signs that are similarly proposed so that Commission members can see a sample.

Mr. Doennig opened the public hearing.

Mr. William Piston, 828 S. Delaware Avenue, representing Westminster Church and here to answer any questions.

Mr. Randall Doennig as about the settings on the old sign at night.

Mr. William Piston stated that he is not sure of the lumens and the new sign would only have the words lite up, versus the current sign that is entirely lit up.

Mr. Doennig closed the public hearing.

**COMMISSION ACTION:**

Extend Security Agreement 36
1630 West Republic Road
**Applicant:** Kerry Roving

Mr. Hosmer stated that this is a request to extend security agreement for Southland Subdivision located at 1630 West Republic Road. The applicant first obtained approval to subdivide and record the subject property by escrowing public improvements on September 19, 2018. The security agreement for the required public improvements will expire on September 19, 2019, if an extension is not approved. The request meets the approval standards. Staff recommends the extension be approved for another year from September 19, 2019 to September 19, 2020.

Mr. Doennig opened the public hearing.

Mr. Doennig stated that in the past items were tabled when no applicant is available to present their case.

Mr. Nick Woodman noted that it is a rule that the item be tabled.

**COMMISSION ACTION 1:**

Upon further discussion Mr. Woodman noted that it was not a zoning classification and is up the Commission to have it tabled or approve the case.

Mr. Randall Doennig asked the Commission members if they would like to change their vote.

**COMMISSION ACTION 2:**

**COMMISSION ACTION 3:**
Ms. Cox motioned to **approve** Extend Security Agreement 36 (1630 West Republic Road). Mr. Jobe seconded the motion. Ayes: Coltrin, Shuler, Broekhoven, Cox, and Jobe. Nays: Doennig and Rose. Abstain: None. Absent: Ogilvy and Thomas

**OTHER BUSINESS:**
Center City Sign Amendment
Citywide

**Applicant:** City of Springfield

Mr. Harlan Hill, Building Development Services Director stated that at the request of the Downtown Association we looked into the parameters at the increase of downtown signage which mainly affects Cantilever type of signs. Currently the ordinance allows 20-square feet on a building face, however some buildings may have more than one tenant and they would have to share the sign. The Downtown Associations requested we increased it to 30-square feet. We did survey benchmark cities (Republic, Kansas City, Waco, Memphis, and Joplin) and all of those cities had larger signs and the increase of signage should not be of any consequence as those signs will be constructed for wind, load, etc.

Ms. Cox asked how a larger sign will affect the living space light?

Mr. Hill noted that it has not caused any issues and only impact may be from the window view and automated signs have been prohibited and lumens do not change due to the larger sign.

Mr. Doennig asked about the benchmark cities and if staff had surveyed other cities.

Mr. Hill noted that some of the cities surveyed are in our region and not necessary benchmark cities.

**COMMISSION ACTION:**
Ms. Cox motioned to **approved** Center City Sign Amendment (Citywide). Mr. Jobe seconded the motion. Ayes: Doennig, Coltrin, Shuler, Broekhoven, Cox, Jobe, and Rose. Nays: None. Abstain: None. Absent: Ogilvy and Thomas