

May 7, 2020
MINUTES OF THE PLANNING AND ZONING COMMISSION
Springfield, Missouri

The Planning and Zoning Commission met in regular session and Zoom video conferencing in the City Council Chambers.

Roll Call - Present: Randall Doennig, (Chairman), King Coltrin (Vice-Chairman), Cameron Rose, Britton Jobe, Dee Ogilvy, Melissa Cox, Joel Thomas, and David Shuler. Absent: Nathalie Broekhoven. Staff in attendance: Bob Hosmer, Planning Manager, Kyle Tolbert, Assistant City Attorney, and Mary Lilly Smith, Planning Director.

MINUTES: The minutes of March 12, 2020 were approved.

COMMUNICATIONS: Bob Hosmer reported on City Council meeting actions.

CONSENT ITEMS:

Relinquishment of Easement 899
2845 South Morningway Drive
Applicant: Marsha D. Slight Revocable Trust

COMMISSION ACTION:

Ms. Cox motioned to **approve** consent item Relinquishment of Easement 899 (2845 South Morningway Drive). Mr. King seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Cox, Shuler, Jobe, Thomas, and Rose. Nays: None. Abstain: None. Absent: Broekhoven.

UNFINISHED BUSINESS:

PUBLIC HEARINGS:

Z-7-2020 w/COD #183
851 West Farm Road 182
Applicant: Burning Tree Consulting, LLC

(Britton Jobe recused)

Mr. Hosmer stated that this is a request to rezone approximately 9.84 acres of property generally located at 851 West Farm Road 182 from County R-1, Suburban Residence District to R-LD, Low Density Multifamily Residential District and establish Conditional Overlay District No. 183. The Comprehensive Plan identifies the northeast part of the property as appropriate for Medium or High-Density Housing and southwest part of property as appropriate for Low Density Housing. The Plan encourages residential developments to provide for a variety of housing types. The Transportation Plan classifies Farm Road 182/Plainview Road as a Secondary Arterial roadway. A Traffic Impact Study was not required, as the change in zoning did not increase the trip generation. A fee in lieu of on-site stormwater detention will not be allowed, and detention will be required. A stream buffer easement will be required. The proposed R-LD district is intended for densities up to 18 dwelling units per acre. However, the applicant has limited the subject property to eleven (11) dwelling units per acre. The standard bufferyards of 15 ft/plantings between property to the north and west and requires a 45-degree bulk plane/height restriction. Staff recommends approval.

Mr. Doennig opened the public hearing.

Jared Davis, applicant representative, here to answer any questions. Traffic study was not required due to not changing the trip generation and with the growth management plan we fall beneath the density and have reduced to low density and lowered density from 18 to 11 du/ac.

Ms. Cox asked about the artist rendering.

Mr. Jared Davis noted that it is from the architect and there to help the neighbors visualize the project.

Mr. Titus Williams, 1414 E. Primrose, developer/owner and went through the process previously through the county and went through the neighborhood concerns. A group of individuals were interested in the property and so we pulled the project from the county, however the negotiations did not proceed and now we are going through the City with a lower density and here to answer any questions.

Mr. Joel Thomas asked if they are 2 story duplexes and about a potential road to the north.

Mr. Titus noted that they are 2 stories duplexes set in a park like setting. The road to the north and looking to make an emergency access to the east, not the north.

Mr. Ronald Greenway, 961 W. Shadowlawn Street is in strong opposition and has concerns regarding traffic, noise pollution, public safety (lack of sidewalk for school kids) and believes that a traffic study is warranted. He noted the severe backup of traffic during peak hours on Plainview Road, and commented on storm water problems stating damage to the common area.

Mr. Ryan Jones, 988 W. Parkhill Circle stated his concerns regarding the density of the development and wants it to be lower du/ac and commented on issues of trespassers and vandalism from the area apartment complexes. He also noted his concerns of storm water problems and picks up the trash that flows through his property after storms. Sent in a letter asking for amendments to the conditional overlay for lower density with greater setbacks and more bulk plain restrictions.

Ms. Shannon Underwood, 909 West Farm Road 182 and here to speak on behalf of my family and surrounding families. We strongly opposed this project and we opposed the project when presented through the Greene County Planning and Zoning Commission which failed and noted concern on storm water, decreased property values, and traffic issues and would like it to remain Single-Family Residential zoning.

Mr. Ken Clarkston, 901 West Farm Road 182 noted his concerns on the access on the north (his front yard and will not sale), storm water problems, decreased property values, increased traffic, overcrowding of schools, safety of children walking to school on sidewalk next to busy road, potential increase of crime and stated that Single-Family Residential should remain.

Mr. Patrick Platter, 2144 E. Republic Road representing the Underwood family and stated his concerns of a possible 3 story duplexes and 11 du/ac causing traffic concerns (880-day trips), noting that annexation still remains to completed before the property can be rezoned. He noted that there was not a regular neighborhood meeting (Covid-19) per the emergency conditions.

Mr. King asked about what would Mr. Platter would propose for development on this property.

Mr. Platter stated that are several options for development that would fit with step-down zoning, however, would need more information and again noting that a regular neighborhood meeting was not held.

Ms. Anita Cotter read off a list of individuals who submitted written comments/testimony which are reflected with the staff report.

Richard Coder	Jennifer Yanders	Stephen Whisler
Alan Cummins	Stephen Johnson	Brad & Stephanie Brotherton
Kyle & Ashtyn Evans	Andrew Tasset	David & Stephanie Fessenden
Ken & Holly Clarkson	Dr. Andrew Post	LeeAnne Wallace
Derrick & Shannan Underwood	Jake & Tisha Joplin	Jim Roebuck
Ronald & Casey Greenway	Brian & Melissa Gelner	Don Simpson
Darrell Riemann	Ron & Lori Morgan	Ryan & Amanda Jones
Mary Henderson	Victor & Deanne Wilson	Stephanie Hesser

Mr. Doennig closed the public hearing.

Ms. Cox asked about Residential Townhouse development as being appropriate step-down.

Mr. Hosmer noted that the applicant originally wanted Medium-Density Residential, but staff recommended 11 du/ac because Residential Townhouse would require individual lots and streets.

Mr. Thomas asked about a traffic study and noted the traffic problems in that area about lack of regular neighborhood meetings.

Mr. Hosmer stated that the regular neighborhood was waived due to the Covid-19 and noted Public Works would have more information.

Mr. Derek Estell, Public Works noted that Farm Road 182 is still in Greene County and will stay in Greene County after annexation and rezoning and noted existing subpar conditions are not the responsibility of the developer that they only have to address the concerns with their development. This potential development would only generate 49 more trips in the AM peak hours and 59 more trips in the PM peak hours for a total of approximately 705 trips per weekday and do not exceed trips allowed thresholds. The possible extension off of Sycamore and Bryant street requires connection through adjacent land through someone property.

Mr. Coltrin ask for clarification regarding Residential Low-Density with the overlay is to equate it to Residential Townhouse in order forgo the platting process.

Mr. Hosmer noted that it is correct.

Ms. Cox asked for clarification on Residential Townhouse and Residential Low-Density.

Mr. Hosmer noted that Residential Low-Density is not required to build individuals streets.

Ms. Ogilvy noted that she understands about not having a regular neighborhood meeting during Covid-19 but will be voting nay and hopes that the developer will meet with the neighborhood to discuss on what they all can agree upon.

Mr. Doennig asked if north side of Farm Road 182 has a sidewalk and will remain

Mr. Hosmer stated that it has a sidewalk and it will remain.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Z-7-2020 w/COD #183 (851 West Farm Road 182). Ms. Ogilvy seconded the motion. Ayes: Coltrin, Thomas, and Rose. Nays: Doennig, Ogilvy, Cox, and Shuler. Abstain: None. Absent: Broekhoven. (Britton Jobe recused). **(MOTION FAILED)**

Preliminary Plat of Troy Acres 1st Addition
500 blk South Troy Avenue
Applicant: Crawford-Mace Properties, LLC

Mr. Hosmer stated that this is a request to approve a 1.13 acre six-lot residential subdivision located in the 600 Block of South Troy Avenue. The Comprehensive Plan identifies this area as appropriate for Low-Density Housing. Single-Family residential developments are an appropriate land use for this designation. The Major Thoroughfare Plan classifies Troy Avenue as a Local Street which supports the proposed land use. The property is zoned R-SF. The minimum lot size for the R-SF District is 6,000 square feet. The proposed subdivision will have lot sizes between 7,895 to 8,477 sf. Public improvement plans are required for the street and sidewalks improvements. The final plat cannot be approved until public improvement plans have been submitted, approved, and the improvements constructed or escrowed. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department. If Planning and Zoning Commission approves the preliminary plat, 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. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Jerry Crawford, developer, here to answer any questions.

Mr. John Shinpoch, 505 South Troy and is in opposition to the proposed preliminary plat. He voiced his concern for the number of homes proposed (6), however would not object to the normal amount of homes (3) for that size and noted that Troy Avenue width reduces in size and there are no drains along the street so all the storm water goes right into the proposed development and does cause problems. He also noted that his neighborhood is a stabilized area and that starter houses are not a good fit for this area.

Ms. Anita Cotter read off a list of individuals who submitted written comments/testimony which are reflected with the staff report.

Chris Scott	Dennis Whiteside	James Gilmore	Randall Willoughby
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Mr. Doennig closed the public hearing.

Mr. Thomas asked about minimum square foot per lot per Residential Single-Family

Mr. Hosmer noted that the zoning code does not legislate the size of the home itself, but the lot. The minimum lot is 6000' and those lots average 7000' to 8000'.

Mr. Coltrin asked confirming lots that exist.

Mr. Hosmer stated that the subdivision codes meet the standards, and if some neighbors do not want those type of people in the neighborhood, we would not get involved

COMMISSION ACTION:

Mr. King motioned to **approve** Preliminary Plat of Troy Acres 1st Addition (500 blk South Troy Avenue). Ms. Ogilvy seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Shuler, Jobe, Thomas, and Rose. Nays: None. Abstain: None. Absent: Broekhoven and Cox.

Preliminary Plat of Degraffenreid-Woods
2001 West Walnut Lawn Street

Applicant: Wood Holdings, LLC & Glenn Degraffenreid

(Britton Jobe recused)

Mr. Hosmer stated that this is a request to approve a 11.62 acre 2-lot commercial and residential subdivision located at 2001 West Walnut Lawn Street. The Comprehensive Plan identifies this area as appropriate for Medium or High-Density Housing. However, the current zoning allows commercial (GR) uses and PD (MF and SF) uses. The Transportation Plan classifies Kansas Expressway, Walnut Lawn Street as a Secondary Arterial and Cox Road as a Collector roadway. A stream buffer easement is required (90 feet on each side measured from the top of bank) and a sinkhole report will be required with final plat. The property owners have created an illegal lot split with the sale of the property to the west prior to the recording of the final plat. The preliminary plat and final plat will bring the property into compliance. The width of the sidewalk along Cox Road should be 5 feet. The plat needs a note stating that the driveway approach on lot 1 will need to be moved west to meet current city spacing requirements which is 150 feet from the intersection of Kansas Expressway at the time of redevelopment of lot 1. Cox Avenue is a classified as a collector and requires 30 feet of right of way from the centerline. It appears an additional 10 feet is needed. Public improvement plans are required for the street and sidewalks improvements. The final plat cannot be approved until public improvement plans have been submitted, approved, and the improvements constructed or escrowed. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department. If Planning and Zoning Commission approves the preliminary plat, 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. Staff recommends approval.

Mr. Doennig opened the public hearing.

Ms. Teresa Davison, applicant representative stated that this is a point of clarification from 1993 and reinstated the staff recommendations and here to answer any questions.

Mr. Patrick Platter, 2144 E. Republic Road, representing the owners and the only issue here is the right-of-way that has been worked out and they will dedicate 10' on Cox Road and the right-of-way on Walnut Lawn is not an issue and will work out the final plat with staff.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. King motioned to **approve** Preliminary Plat of Degraffenreid-Woods (2001 West Walnut Lawn Street). Ms. Ogilvy seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Shuler, Thomas, and Rose. Nays: None. Abstain: None. Absent: Broekhoven and Cox. (Britton Jobe recused)

Vacation 818

Portion of platted alley south of the 400 blk East Pacific Street

Applicant: Historical Commercial Development, LLC & Titus Williams, LLC

Mr. Hosmer stated that this is a request to vacate a portion of a platted alley adjacent to 1630 North Jefferson Avenue and south of the 400 block of East Pacific Street. The applicant is requesting to vacate an alley right of way for the development of the property. All adjacent property owners have given consent to the vacation. The request 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. Staff recommends approval.

Mr. Doennig opened the public hearing.

Jared Davis, applicant representative stated that they are doing the vacation for potential development and here to answer any questions.

Mr. Titus Williams, 1414 E. Primrose, developer/owner, here to answer any questions.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Jobe motioned to **approve** Vacation 818 (Portion of platted alley south of the 400 blk East Pacific Street). Mr. Coltrin seconded the motion. Ayes: Doennig, Coltrin, Jobe, Ogilvy, Shuler, Thomas, and Rose. Nays: None. Abstain: None. Absent: Broekhoven and Cox.

Planned Development 373

6320 South Creeksedge Drive

Applicant: DW Daniel Inc.

(David Shuler recused)

Mr. Hosmer stated that this is a request to approve Planned Development 373 generally located at 6320 South Creeksedge Drive. The Comprehensive Plan identifies this area as appropriate for Low Density Housing uses. The applicant is proposing to rezone the subject property from Planned Development 318, to Planned Development No. 373 to allow for a patio home construction within a condominium subdivision. Planned Development 318 only allows for single family homes. Planned Development 209 located south of the subject property does allow for patio homes. The property was illegally split down the middle of a single-family constructed house on October 26, 2018. The application for a Planned Development and concurrent administrative subdivision will bring the property into compliance with the Zoning Ordinance and the Subdivision Regulations. Staff recommends approval.

Mr. Doennig opened the public hearing.

Jared Davis, applicant representative, here for clean-up and follow with a replat and here to answer any questions.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Coltrin motioned to **approve** Planned Development 373 (6320 South Creeksedge Drive). Ms. Ogilvy seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Jobe, Thomas, and Rose. Nays: None. Abstain: None. Absent: Broekhoven and Cox.

(David Shuler recused)

Z-9-2020

303 North Scenic Avenue & 2711 West Olive Street

Applicant: Parker Realty and Development, LLC & Michael C. Carlson Properties, LLC

Mr. Hosmer stated that this is a request to rezone approximately 1 acre of property generally located at 303 North Scenic Avenue and 2711 West Olive Street from HC, Highway Commercial District and R-SF, Single-Family Residential District to R-TH, Residential Townhouse District. The Comprehensive Plan identifies this area as an appropriate for Low Density Housing. R-TH is consistent with this category. The Transportation Plan classifies Scenic Avenue as a Secondary Arterial and Olive Street and Water Street as a Local roadways. A Traffic Impact Study was not required, as the change in zoning did not increase the trip generation. A fee in lieu of on-site stormwater detention will not be allowed, and detention will be required. The property is located in a stream buffer area. A fee in lieu of on-site stormwater detention will not be allowed, and detention will be required. The property is located in a stream buffer area. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Brent Parker, applicant/owner, wants to rezone for possible purchase to Residential Townhouse.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Jobe motioned to **approve** Z-9-2020 (303 North Scenic Avenue & 2711 West Olive Street). Mr. Coltrin seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Shuler, Jobe, Thomas, and Rose. Nays: None. Abstain: None. Absent: Broekhoven and Cox.

Vacation 816

700-800 blk North Drury Lane & 500-600 blk East Bob Barker Boulevard

Applicant: Drury University

Mr. Hosmer stated that this is a request to vacate Drury Lane between Central Street and Chestnut St and to vacate Bob Barker Boulevard between Drury Lane and an alley located approximately 215 feet to the west. The applicant, Drury University, is requesting to vacate the right-of-way consistent with the Campus Master Plan, which was adopted by the City of Springfield on April 2, 2001. All adjacent property owners have given consent to the vacation. A utility easement will be dedicated to the City to accommodate existing infrastructure. 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. Staff recommends approval.

Ms. Ogilvy has a question regarding emergency vehicle access.

Mr. Hosmer noted that there will be private access for emergency vehicles

Mr. Thomas asked with Drury needs to have a permit or approval.

Mr. Hosmer stated that a private university would have to work with city staff.

Mr. Doennig opened the public hearing.

Mr. Derek Lee, 1200 E. Woodhurst and wants to improve the street and not take it out, Drury will own both sides and put enhanced vegetation in and brick pavers for visual appeal for a new building.

Ms. Ogilvy asked about potential access.

Mr. Lee stated that it would not be blocked off, but will be more attractive for the University and their planned new building.

Mr. Thomas asked the jurisdiction of the street for University and the utilities.

Mr. Hosmer stated that the City is still retaining the easements.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Coltrin motioned to **approve** Vacation 816 (700-800 blk North Drury Lane & 500-600 blk East Bob Barker Boulevard). Ms. Ogilvy seconded the motion. Ayes: Doennig, Coltrin, Jobe, Ogilvy, Shuler, Thomas, and Rose. Nays: None. Abstain: None. Absent: Broekhoven and Cox.

Vacation 817

800 blk East Division Street & 800 blk East Locust Street

Applicant: Springfield Public Schools

Mr. Hosmer stated that this is a request to vacate right of way located in the 800 Block of East Division Street and in the 800 Block of Locust Street. Applicant, SPS is requesting to vacate an alley for the development of the new Berry Elementary School. The alley will be split between adjacent property owners; Springfield Public Schools owns all property on the east side of the alley. A utility and sewer easement will be dedicated to the City to accommodate existing infrastructure. 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. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Derek Lee, 1200 E. Woodhurst, representing the construction for Berry Elementary and they are requiring more space and here to answer any questions.

Ms. Ogilvy asked about a neighbor's fence.

Mr. Lee noted that they will be constructing a new fence for them.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Coltrin motioned to **approve** Vacation 817 (800 blk East Division Street & 800 blk East Locust Street). Ms. Ogilvy seconded the motion. Ayes: Doennig, Coltrin, Jobe, Ogilvy, Shuler, Thomas, and Rose. Nays: None. Abstain: None. Absent: Broekhoven and Cox.

Z-10-2020

2001 East Commercial Street

Applicant: Superior Solvents and Chemicals, Inc.

Mr. Hosmer stated that this is a request to rezone approximately 2.16 acres of property generally located at 2001 E. Commercial Street from GM, General Manufacturing District to HM, Heavy Manufacturing District. The Comprehensive Plan identifies this area as an appropriate for Low-Density Housing, with a small portion of the property's southern half as appropriate for Medium Intensity Retail, Office or Housing. However, the surrounding property is zoned either GM, General Manufacturing or HM, Heavy Manufacturing District. The Transportation Plan classifies Commercial Street and Nias Avenue as local roadways. A Traffic Impact Study was not required. A fee in lieu of on-site stormwater detention will not be allowed, and the property is not located within a stream buffer area. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Geoff Butler, 319 N. Main noted that the property is in the area of heavy manufacturing and they want to expand their operation and here to answer any questions.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Coltrin motioned to **approve** Z-10-2020 (2001 East Commercial Street). Ms. Ogilvy seconded the motion. Ayes: Doennig, Coltrin, Jobe, Ogilvy, Shuler, Thomas, and Rose. Nays: None. Abstain: None. Absent: Broekhoven and Cox.

Z-11-2020

2607 North Mulroy Road

Applicant: SRC Holdings Corp.

Mr. Hosmer stated that this is a request to rezone approximately 68 acres of property generally located at 2607 N. Mulroy Road from Planned Development 225 and HM, Heavy Manufacturing with COD #94 to IC, Industrial Commercial District and establishing Conditional Overlay District No. 185. The Comprehensive Plan identifies this area as an appropriate area for light industry, office or office-warehouse. This area is also within the emerging Activity Center of I-44 and Mulroy Road as described in the Plan. The Transportation Plan classifies Kearney St./State Highway OO, Mulroy Road and Farm Road 112 as primary arterial roadways. A Traffic Impact Study has been submitted and will require improvements for access to Mulroy Road. A fee in lieu of on-site stormwater detention will not be allowed, and the property is not located in a stream buffer area. The proposed rezoning will not significantly increase the intensity of uses or development on the site. Staff recommends approval.

Mr. King asked why not straight Industrial Commercial and why the overlay.

Mr. Hosmer noted that there are other conditions.

Mr. Doennig opened the public hearing.

Mr. Geoff Butler, 319 N. Main stated that this was rezoned to Planned Development, however the Planned Development does not allow what SRC needs and the Industrial Commercial is a better fit to commerce and this area has several sink holes.

Mr. King asked why a conditional overlay, why not straight Industrial Commercial zoning.

Mr. Butler noted that there are requirements to the Planned Department and Heavy Manufacturing zoning which are the improvements to North Mulroy Road and the right turn lane, and they will be done in a few weeks.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Coltrin motioned to **approve** Z-11-2020 (2607 North Mulroy Road). Mr. Jobe seconded the motion. Ayes: Doennig, Coltrin, Jobe, Ogilvy, Shuler, Thomas, and Rose. Nays: None. Abstain: None. Absent: Broekhoven and Cox.

Planned Development 192 FDP

1619 East Independent Street

Applicant: Mid-Missouri Bank

Mr. Hosmer stated that this is a request to approve the Final Development Plan for Planned Development 192 on approximately 1.64 acres of property located at 1619 E. Independence Street. The Comprehensive Plan identifies this area as appropriate for High Intensity Retail Office or Housing uses. The applicant applied for and received the approval of a building permit and begin construction of a multi-story office building in 2019, without the approval of a Final Development Plan. All plans provided during the permit process were found to comply with the requirements prescribed by Planned Development 192. The Planning and Zoning Commission is to review and take final action on this proposal. The proposed final development plan was reviewed by all City departments without any issues. Requires Planning and Zoning Commission only approval. Requires 5 voting members to approve. Staff recommends approval.

Mr. Doennig opened the public hearing.

No speakers.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Coltrin motioned to **approve** Planned Development 192 FDP (1619 East Independent Street). Ms. Ogilvy seconded the motion. Ayes: Doennig, Coltrin, Jobe, Ogilvy, Shuler, Thomas, and Rose. Nays: None. Abstain: None. Absent: Broekhoven and Cox.

Conditional Use Permit 443
2851 West Republic Road
Applicant: 2851 W. Republic Rd., LLC

(King Coltrin recused)

Mr. Hosmer stated that this is a request to allow an automotive service garage within a GR, General Retail District generally located at 2851 West Republic Road. The Comprehensive Plan identifies this as an appropriate for High Intensity Retail, Office or Housing. General Retail uses are appropriate. The applicant is proposing to build a new automotive service garage at this location. Automotive service garage requires a Conditional Use Permit. The Major Thoroughfare Plan classifies Republic Road as a Primary Arterial roadway. A Traffic Impact Study was not required as the change in zoning did not increase the trip generations. A fee in lieu of on-site stormwater detention will not be allowed. The property is not located in a stream buffer area. The CUP would allow an automotive service garage in conformance with the site plan and 21 standards in Attachment 3 and 5. No outside activities. It does not permit automobile body and fender repair or paint shops. Between the GR and R-TH to the north there is a required 15 feet landscaped Type S2 bufferyard and a perimeter landscaping along the street, however, the site is already fully developed and would be considered a legal nonconforming use. A 30-degree bulk plane is provided from the R-TH District. The CUP will require:

- Lighting to be significantly reduced during non-operational hours,
- Must meet the Sign standards and,
- Comply with the attached site plan.

Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Dane Seiler, 5051 S. National, applicant's representative, had a neighborhood meeting in January and mentioned possible noise concerns, but they were addressed, and others had questions regarding an autobody shop, but they will not be allowed to have an autobody parts shop.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Jobe motioned to **approve** Conditional Use Permit 443 (2851 West Republic Road). Ms. Ogilvy seconded the motion. Ayes: Doennig, Jobe, Ogilvy, Shuler, Thomas, and Rose. Nays: None. Abstain: None. Absent: Broekhoven and Cox.

(King Coltrin recused)

Preliminary Plat of East Sunshine Property Group
1750 South Campbell Avenue
Applicant: East Sunshine Property Group, LLC

(King Coltrin and Joel Thomas recused)

Mr. Hosmer stated that this is a request to approve a 1.53 acre 2-lot commercial subdivision located at 1750 South Campbell Avenue. The Comprehensive Plan identifies this area as appropriate for High Intensity Retail, Office or Housing. The Transportation Plan classifies Sunshine Street and Campbell Avenue as Primary Arterials which support the proposed land use. Current zoning district is General Retail. A Traffic Impact Study was not required. Proposed lots meet all zoning and subdivision requirements. Mr. Doennig opened the public hearing. Public improvement plans are required for the street and sidewalks improvements. The final plat cannot be approved until public improvement plans have been submitted, approved, and the improvements constructed or escrowed. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department. If Planning and Zoning Commission approves the preliminary plat, 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. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Dane Seiler, 5051 S. National, applicant's representative cleaned up the area is looking into dividing into lots and here to answer any questions.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Jobe motioned to **approve** Conditional Use Permit 443 (2851 West Republic Road). Ms. Ogilvy seconded the motion. Ayes: Doennig, Jobe, Ogilvy, Shuler, and Rose. Nays: None. Abstain: None. Absent: Broekhoven and Cox. (King Coltrin and Joel Thomas recused)