

April 14, 2016
MINUTES OF THE PLANNING AND ZONING COMMISSION
Springfield, Missouri

The Planning and Zoning Commission met in regular session April 14, 2016 in the City Council Chambers. Vice Chairman Randall Doennig called the meeting to order.

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

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

Minutes: The minutes of March 3, 2016 and March 31, 2016 were approved unanimously.

Communications:

Mr. Hosmer stated that there are two City Council agendas that have been presented from the March 21 and April 4, 2016 City Council meetings.

Consent Items: NONE

UNFINISHED BUSINESS:

Conditional Use Permit 417
506 West Edgewood Street
Applicant: Mark Hunter, LLC

Mr. Hosmer states that this is a request to allow a self-service storage facility within a GR, General Retail District generally located at 506 West Edgewood Street. The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this area as appropriate for medium intensity retail, office or housing. The conditional use permit procedure is designed to provide the Planning and Zoning Commission and the City Council with an opportunity for discretionary review of uses permitted only by CUP. If the CUP is approved a 5 foot buffer yard is required along the western property line adjacent to the R-TH, Residential Townhouse District zoned property to the west. Staff has reviewed the applicant's request and has determined that it satisfies the standards for Conditional Use Permits outlined in Section 36-363 of the Zoning Ordinance. The regulations and standards listed on the site plan shall govern and control the use and development of the land.

A self-service storage facility is permitted in general conformance with the site plan. When the property develops, all requirements of the GR, General Retail District shall be met including off-street parking, open space, interior and perimeter landscaping. The development of the property shall meet all requirements of the Fire Code including fire lanes and access, Knox switch on the electric gate and the provision of any necessary fire hydrants. An Administrative Re-plat shall be approved to remove the platted setback along the north property line. All other standards of the Zoning Ordinance and other applicable ordinances shall be adhered to. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Rick Wilson, Wilson Surveying, 2012 S. Stewart, stated that this has been a difficult site to plan a development and is a small lot at the end of a private drive. Property has been commercially designated since its annexation and there is a 30 degree bulk plane requirement because of the residential properties to the west. This property has been vacant for several years.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Edwards motions that we approve the Conditional Use Permit 417 (506 West Edgewood Street). Mr. Baird seconded the motion. The motion **carried** as follows: Ayes: Doennig, Baird, Shuler, Cline, Rose, Edwards, and Cox. Nays: None. Abstain: None. Absent: Ray

East West Arterial Mapping
Evans Road and US Highway 65
Applicant: City of Springfield

Mr. Doennig states that he has conflict of interest on the East West Arterial Mapping (Evans Road and US Highway 65) and will need to recuse himself and appoint a temporary chair and he nominated Commissioner Baird. Mr. Cline seconded the motion. The motion **carried** as follows: Ayes: Baird, Shuler, Cline, Rose, Edwards, and Cox. Nays: None. Abstain: Doennig. Absent: Ray

Mr. Hosmer states that this a request to approve the East West Arterial Mapping from U.S. Highway 65 and Riverbluff Boulevard to Kissick Avenue (Farm Road 169). The City Charter (section 11.11) gives the Planning and Zoning Commission the ability to make surveys for the exact location of new streets that have been previously included in the Major Thoroughfare Plan. When Commission certifies to the City Council that they have made such a survey; the City may by ordinance map the subject street on the official street map. The general location of the East-West Arterial was identified as a future primary arterial in the City of Springfield-Greene County Comprehensive Plan Transportation Plan Element which was adopted on June 11, 2001 and updated March 3, 2016. The City Planning and Zoning Commission approved the preparation of preliminary designs for the alignment of the East West Arterial at their meeting on June 4, 2015.

A more detailed survey has been completed showing the exact alignment of the East-West Arterial corridor (Attachment 2 and 3). The timing of the street will depend on the development in the area. The adoption of a mapped street shall not, in and of itself, constitute or be deemed to constitute the opening or establishment of any street or the taking or acceptance of any land for street purposes. The City Council may provide by general ordinance that no permit shall be issued for any buildings or structures or any part thereof on any land located between the mapped lines of a street as shown on the official map.

The public can view the exact alignment plans in the City of Springfield Public Works Department. Staff recommends approval.

Commission members asked if there was a public hearing or a public notice and if there have been inquiries and what interactions were done with the current landowners.

Mr. Hosmer states that there was notification and that there have been a few inquiries, but no objections to the plan. He also stated that inquiries have been on the general location and how it was going to be funded, built and the timeline.

Mr. Baird opened the public hearing.

Mr. Topper Glass, 4922 S. Clay Court representing Steve Hartley and family who own a portion of the property (15 acre tract) that is affected by the mapping. Asked about the affect of the mapping on future use of the property and noted that the City cannot commit or know when the arterial would start or be completed. He asked who would be responsible to cancel the project if the construction would not take place in the foreseeable future and stated that without a foreseeable timeline it encumbers the property and places restrictions on the owner. He also asked about the arterial being moved south as opposed to the original path.

Mr. Hosmer stated that the old alignment of the centerline was adopted in 2001 and stated that the new alignment was adopted at the last meeting on March 3, 2016 and shows an exact survey of the location with the Major Thoroughfare Plan.

Staff stated that the commission adopted the current Transportation Plan on March 3, 2016 and a survey was completed showing the alignment and a change in the design of the road was due to engineering of a multi-million dollar creek crossing. To cancel the project (or un-map the road) or change the current proposed location would require an action from City Council. The East West Arterial is part of future growth and will eventually connect from Highway 65 to Campbell Avenue providing a corridor for Southern Greene County.

Mr. Baird closed the public hearing.

Commission members asked what is the City's obligation to the landowner for compensation.

Staff noted that the City will pay for the right-of-way when ready to build, but there is no immediate compensation. However, the City will do market studies at the time of the building, employ real estate professionals and get a fair market value and make the owners an offer.

Mr. Baird had concerns regarding the arterial's new location versus the old location and how it will affect the current landowners.

Mr. Edwards stated that he appreciates the need to plan, however feels that there should be a better process and hopes that City Council notes that inaction is irresponsible on behalf of the City and if the City wishes to encumber this property they have a responsibility to move forward to the landowners. He states that long-term planning is important, however needs to have action ready when a decision is made and not to leave citizens in limbo.

Commission members asked about the landowner notification and expressed concerns regarding any future plans that were approved at the March 3, 2016 meeting and what is the difference since it has been surveyed.

Mr. Hosmer stated that there has been 2 public meetings as well letters sent, newspaper notifications and that the commission approved the Major Thoroughfare Plan Map Amendment which had 37 changes at various locations throughout the City of Springfield.

Dawne Gardner, Public Works Traffic Engineer noted that the East West Arterial is not a new road; it has been on the Major Thoroughfare Plan since 2001. What was presented at the March 3, 2016 was a five year update to the Major Thoroughfare Plan with changes. The East West Arterial corridor is a project that needed more than just a line on a map because it was surveyed long before the Major Thoroughfare Plan was adopted last month. The City needed to know more of where it should exactly be located in case of development and with it being an arterial it became more critical that the City do a detailed survey so the City knows exactly where it is going to be placed.

Mr. Edwards motions that we approve the East West Arterial Mapping (Evans Road and US Highway 65). Ms. Cox seconded the motion. The motion **carried** as follows: Ayes: Baird, Shuler, Cline, Rose, and Edwards. Nays: Cox. Abstain: None. Absent: Ray

Vacation 784
1245 East Republic
Applicant: David Mires

Mr. Hosmer states that this is a request to vacate approximately 13 feet of Republic Road right-of-way at 1245 & 1247 East Republic Road. The right-of-way was obtained by the City to make intersection improvements to the Republic Road and National Avenue intersection. The intersection improvements have been completed and the subject right-of-way is no longer needed for public use. All necessary easements within the subject rights-of-way vacation have been obtained in the existing platted subdivision. There are 13 property owners within three hundred (300) feet of the subject area and have been notified of this action. Staff has not received any comments. The applicant held a neighborhood meeting on March 7, 2016 regarding the vacation request. The requested vacation meets the approval criteria. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Ted Johnson, 4945 S. Pratt, representing the client, stated that when Republic Road and National Avenue on the northeast corner was widened it was agreed upon that if additional right-of-way to the west was given, the City would agree to support the vacation of the driveway that was constructed and approved at that time.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Edwards motions that we approve Vacation 784 (1245 East Republic). Ms. Cox seconded the motion. The motion **carried** as follows: Ayes: Doennig, Baird, Shuler, Cline, Rose, Edwards, and Cox. Nays: None. Abstain: None. Absent: Ray

Z-3-2016

6323 South Creeksedge Court

Applicant: Dogwood Ventures, LLC

Mr. Hosmer states that this a request to rezone approximately 0.45 acres of property generally located at 6323 & 6327 South Creeksedge Court from a Planned Development 209 to a R-SF, Residential Single-family District. The Growth Management and Land Use Plan Element of the Comprehensive Plan identifies this area as appropriate for Low-Density Housing. The proposed R-SF district is an appropriate zoning district for this land use category. The current Planned Development only allows semi-detached and attached dwellings, such as patio court homes or townhouses. The applicant proposes to develop single-family detached dwellings on the two (2) undeveloped lots. City Council approved Planned Development 318 in April 2007 rezoning property in this area to allow for development of single-family detached homes. This PD is across the street to the east.

Approval of this application will allow for the development of single-family detached dwellings. This use is compatible with the existing patio court homes and townhomes. Staff recommends approval.

Mr. Doennig opened the public hearing.

Ms. Peggy Resz, 1612 E. Powell, representing the applicant and just changing from patio homes and townhouses to single family homes.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Cline motions that we approve Z-3-2016 (6323 South Creeksedge Court). Mr. Baird seconded the motion. The motion **carried** as follows: Ayes: Doennig, Baird, Shuler, Cline, Rose, Edwards, and Cox. Nays: None. Abstain: None. Absent: Ray

Z--5-2016

3026-3156 North Oakland Avenue

Applicant: Spring Meadow Estates, LTD

Mr. Hosmer states that this is a request to rezone approximately 3.74 acres of property generally located at 3026-3156 North Oakland Avenue from a R-LD, Low-Density Multi-Family Residential District to a R-SF, Single-Family Residential District. The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this as an appropriate area for medium- or high-density housing. Townhouses and all various forms of apartment buildings are included in this category. The request is consistent with the adjacent R-SF zoning to the west along Oakland Avenue and in the Spring Meadows Subdivision. The Transportation Plan classifies Oakland Avenue as a local street which supports the proposed land use. The proposed properties will need to be re-platted to comply with the R-SF, Single-Family Residential District bulk area and height requirements. Staff recommends approval.

Ms. Cox asked about the buffer and what is currently there and if there is any retroactive buffer required and asked what was Lowe's previous buffer requirement was when it was constructed.

Mr. Hosmer stated that the buffer yard would be on the general retail side and if the site was redeveloped then they would have to meet the requirements.

Mr. Baird asked if the buffer yard would take effect only if Lowe's would redevelop their site.

Mr. Hosmer stated yes, only if Lowe's redevelop their site and the landscaping would be on Lowe's property. Lowe's original requirement did not require landscaping, possibly due to an drainage easement.

Mr. Doennig opened the public hearing.

Mr. James Wehr, 1680 H. South Bradford Parkway is the developer of this subdivision and it was acquired in 2007 and would like to see it changed to single family residential because they are not selling as multi-family units. He stated that he had a commitment from someone to buy if they are changed to single family residential.

Mr. Baird asked if this subdivision was developed prior to Lowe's.

Mr. Wehr stated that Lowe's was already there.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Ms. Cox motions that we approve Z-5-2016 (3026-3156 North Oakland Avenue). Mr. Edwards seconded the motion. The motion **carried** as follows: Ayes: Doennig , Baird, Shuler, Cline, Rose, Edwards, and Cox. Nays: None. Abstain: None. Absent: Ray

Z-6-2106 w/COD #106

500 Block South Barnes Avenue

Applicant: O'Reilly Automotive Stores, Inc.

Mr. Hosmer states that this is a request to rezone approximately 2.6 acres of property, located in the 500 block of South Barnes Avenue from a HM, Heavy Manufacturing with Conditional Overlay District No. 34 to a HM, Heavy Manufacturing District with a Conditional Overlay District No 106. The Growth Management and Land Use Plan of the Comprehensive Plan identifies this property as an appropriate area for General Industry, Transportation and Utilities land uses. City Council on May 5, 2010 approved Ordinance No. 5872 to rezone the subject property to a Conditional Overlay District No. 34 which prohibits all other uses except off-street commercial parking lots and structures. The applicant is requesting to change a portion of Conditional Overlay District No. 34 and enact a new Conditional Overlay District No. 106 which will

prohibit all other uses except general offices and off-street commercial parking lots and structures. The rezoning request will retain the Conditional Overlay District No 34 requirements for the property at the intersection of Barnes Avenue and Cherry Street which prohibits all other uses except off-street commercial parking lots and structures. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Paul Engel, Anderson Engineering representing O'Reilly Automotive. At the neighborhood meeting 4 individuals attended, one requesting that we limit to general office and it was agreed upon.

Mr. Doennig closed the public hearing.

Mr. Edwards asked if there are any storm water concerns.

Rodney Colson, Public Works Storm Water stated that the developer would have to provide detention and water quality for any increase of the impervious area to meet code.

COMMISSION ACTION:

Ms. Cox motions that we approve Z-6-2016 (500 Block South Barnes Avenue). Mr. Baird seconded the motion. The motion **carried** as follows: Ayes: Doennig, Baird, Shuler, Cline, Rose, Edwards, and Cox. Nays: None. Abstain: None. Absent: Ray

Conditional Use Permit 421
1141 East Elm Street
Applicant: City of Springfield

Mr. Hosmer states that this is a request to allow a reduction of the front yard setback along Elm Street within an R-HD, High-Density Multi-Family Residential District and UN, University Combining Overlay District generally located at 1141 East Elm Street.

The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this area as appropriate for medium- or high-density housing. The property is within a University Combining District which permits dormitories, fraternities and sororities. The City is requesting to reduce the front yard setback along Elm Street, a collector roadway, from twenty-five (25) feet to ten (10) feet. The reduced setback will allow the existing sorority building to be in conformance with the building setback requirements. A reduced setback brings activity to the street and an edge along the sidewalk that promotes pedestrian activity and safety. The proposed setback does not create any sight or safety issues for travelers on adjacent roadways. City Council has approved other similar requests for reduced front yard setbacks near the MSU campus specifically along Elm, Kimbrough Avenue and Bear Boulevard.

Development of this site will comply with all of the requirements of the Zoning Ordinance for the R-HD, High-Density Multi-Family Residential and UN, University Combining District other than the change to the setback being requested with this application. All requirements for parking, open space, buffer yards and height will be met with the development of this property. Staff has reviewed the applicant's request for a Conditional Use Permit and has determined that it satisfies the standards for Conditional Use Permits outlined in Section 36-363(10) of the Zoning Ordinance. Staff recommends approval.

Mr. Doennig asked about the setback lines.

Mr. Hosmer stated that the City has building setbacks and to be consistent along with right-of-way. A lot of the setbacks along Kimbrough Avenue are at 10 to 15 feet.

Mr. Baird asked about the standards for conditional use permits and if they are proposing a new building or is the setback just changing for their existing facility.

Mr. Hosmer stated that this building has already been constructed and is not currently in compliance. The conditional use permit will bring the building into compliance by allowing the second story porch.

Mr. Doennig questioned whether they had approved a previous type of variance for the same builder and wondered if the problem was lack of understanding with the City staff.

Mr. Hosmer stated that the City did look at this incorrectly as far as interpretation of the code.

Mr. Doennig opened the public hearing.

No speaker spoke.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Cline motions that we approve the Conditional Use Permit 421 (1141 East Elm Street). Mr. Baird seconded the motion. The motion **carried** as follows: Ayes: Doennig, Baird, Shuler, Cline, Rose, Edwards, and Cox. Nays: None. Abstain: None. Absent: Ray

Preliminary Plat Western Meadows
800 South Waco Avenue and Miller Avenue
Applicant: Mary Ann Moore Trust

Mr. Hosmer states that this is a request to approve a preliminary plat to subdivide approximately 5 acres into a 28 lot single-family residential subdivision with common area located at 800 Block of South Waco Avenue and Miller Avenue. The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this as an appropriate area for Low-Density Housing uses. The applicant is also requesting a subdivision variance to allow one driveway per lot onto a collector street (Miller). There are 11 lots on Miller. Per zoning code 36-471, sidewalk is required to be constructed along the property frontage on Waco, Madison, Miller.

Storm water management will be a low impact development that encourages infiltration through the use of grass swales and a dry detention basin. Staff recommends approval.

Mr. Cline asked if the collector street would be similar to Fremont Avenue which has many driveways directly on it.

Mr. Hosmer stated that it is correct however, the City does not encourage driveways on collector streets.

Mr. Edwards questioned why staff would support it.

Mr. Hosmer stated that the arrangement of the platting and otherwise the developer would not be able to plat as many lots as he wants.

Ms. Dawne Gardner, Public Works Traffic Engineer stated that normally residential single family homes are not on a collector road, so that is why the code states that, but in this area, it acts more of a residential single family area and it does have a lower traffic count.

Ms. Cox asked about the storm water and the density and if there is an allowance for a higher density for streets coming out onto arterial area for the proposed low-density housing and if this is being utilized as a green storm water infrastructure and other types of storm water management or only to meet City storm water management.

Mr. Rodney Colson, Public Works Storm Water, the developer went through a very preliminary drainage design procedure and made sure that the detention basin that they are proposing will provide adequate storm water detention and water quality for the development so there will not any drainage issues. Low impact development (LID) is where the City is trying to implement with infill areas where there is no drainage system for them to connect to and this will get detention and water quality on site through infiltration into the ground.

Mr. Baird asked about communications with the school and navigating for children walking along Waco Street.

Mr. Hosmer stated that there have not been any communication, however the property was posted and the development requires sidewalks.

Mr. Doennig opened the public hearing.

Mr. Rick Wilson, Wilson Surveying, 2012 S. Stewart, representing the owner stated that this is an old plat. Plat was generated around 1927 or 1928 with through and through lots going from Waco Street to Miller Avenue which are double frontage lots. We are proposing to divide into smaller lots to be more compatible with the affordable housing that is in the area and with a 5' sidewalk. We have studied the storm water management for approximately 6 months and think that we can handle most of the storm water with infiltration and will have a shallow detention pond which will be discharged into Miller Avenue. We are

bringing sanitary sewer to this site and will reconstruct the ditch along Miller Avenue that will be adequate to carry the storm water discharge.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Edwards motions that we approve the Preliminary Plat Western Meadows (800 South Waco Avenue and Miller Avenue). Mr. Baird seconded the motion. The motion **carried** as follows: Ayes: Doennig, Baird, Shuler, Cline, Rose, Edwards, and Cox. Nays: None. Abstain: None. Absent: Ray

Preliminary Plat South Creek Crossing
2620 South Campbell Avenue

Applicant: South Creek Crossing, LLC

Mr. Hosmer states that this is a request to approve a preliminary plat to subdivide approximately 8 acres into a three lot subdivision located at 2620 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. The applicant is also requesting a subdivision variance to allow lots without full frontage on a public street. No additional access allowed to Campbell and they must utilize existing shared access with property to the north. Since the site is located in the floodplain, storm water detention has been bought-out for Lots 1 & 2 and will be bought-out for Lot 3 at the time of development. A regional water quality basin has been constructed to serve Lots 1, 2 & 3. Staff recommends approval.

Commission members asked for a brief description because of the water concerns next to a stream.

Mr. Rodney Colson, Public Works Storm Water, stated that some of the proposed area is in the 100 year floodplain. They are not able to development in the floodway and can't allow rise, but can develop in the floodplain. In a 100 year flood a detention basin would under water so the City does buyouts on the detention portion of the requirements, it allows the water to pass into the existing stream channels fast so it won't hold water upstream and cause flooding. We require them to do water quality because in the lower storm events we want to keep the discharge coming off the property clean because it will go into the creek in order to meet federal requirements.

On this type of development we allow buyouts on the detention, we required water quality to be constructed onsite to protect the creek and this is what the developer has done. The developer will be required to raise their finished floor elevation to a minimum of 2' higher than the 100 year flood elevations. The 100 year flood term is the 1 percent annual chance flood, means that there is 1 percent chance in a year or 1 time in a hundred years.

Mr. Doennig opened the public hearing.

Ms. Jane Earnhart, Olsen Associates, 550 St. Louis Street, representing the developer, we did have to go through the floodplain development permit and the engineers have made certain that it will meet the regulations that are required.

Mr. Doennig asked about the rain water based upon the design presented.

Ms. Earnhart stated that the property slopes from north to south, and the parking lots will allow rain water to flow to the south and the water quality is along the south side. All the water has to go through the green belt before it is allowed to go through the outlet structure and out into the creek area and the water quality basin will do the filtering. The water will discharge through the berm between the water quality basins and will go underneath the trail.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Edwards motions that we approve the Preliminary Plat South Creek Crossing (2620 South Campbell Avenue). Mr. Baird seconded the motion. The motion **carried** as follows: Ayes: Doennig, Baird, Shuler, Cline, Rose, and Edwards. Nays: None. Abstain: None. Absent: Ray (Cox did not cast a vote)

Preliminary Plat Battlefield Business Center Number 12
2000 West Sunset Street

Applicant: Battlefield Business Center II, LLC

Mr. Hosmer states that this is a request to approve a preliminary plat to subdivide approximately 3.64 acres into a 2 lot manufacturing subdivision located in the 2000-2100 block W. Sunset Street. The original preliminary plat of Battlefield Business Center was approved by City Council in 2000 and extended by the approval of final plats until 2011, when the preliminary plat expired. The remaining un-platted lots must be brought into conformance with the Subdivision Regulations prior to building permits being issued. The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this as an appropriate area for Business Park uses. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" The applicant's proposal is consistent with the City's Subdivision Regulations. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Rick Wilson, Wilson Surveying, 2012 S. Stewart, these are two lots that did not get final platted. The developer had concerns that the economy was changing and did not want to pay higher taxes; however we now want to complete the development.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Baird motions that we approve the Preliminary Plat Battlefield Business Center Number 12 (2000 West Sunset Street). Ms. Cox seconded the motion. The motion **carried** as follows: Ayes: Doennig, Baird, Shuler, Cline, Rose, Edwards, and Cox. Nays: None. Abstain: None. Absent: Ray

Initiate Retaining Wall Amendments
Citywide

Applicant: City of Springfield

Mr. Hosmer states that this is a request Initiate Retaining Wall Amendments Subsection 36-453(5)(a)5. The current requirements do not permit any retaining or solid masonry wall in all required yards above two and one half feet (30 inches) in height. Staff is proposing to modify the Permitted projections and structures in required yards section of the ordinance to permit retaining walls in any required yard regardless of height. This will allow for more flexibility and eliminate the need for a zoning variance when new or existing lots are created on steep or sloping terrain. Staff requests that Commission initiate amendments to the Zoning Ordinance to consider modifications as specified. If Commission approves, staff will bring text language back the Planning and Zoning Commission for consideration and approval.

COMMISSION ACTION:

Mr. Baird motions that we approve the Initiate Retaining Wall Amendments (Citywide). Mr. Edwards seconded the motion. The motion **carried** as follows: Ayes: Doennig, Baird, Shuler, Cline, Rose, Edwards, and Cox. Nays: None. Abstain: None. Absent: Ray

Initiate Conditional Use Permit Amendments
Citywide

Applicant: City of Springfield

Staff has recently found that section 36-363(5) conditional use permits is referring to the wrong subsection of the Zoning Ordinance. The subsection referenced should not be (6) but rather subsection (10) which is the standards subsection in the Zoning Ordinance. Staff requests that Commission initiate amendments to the Zoning Ordinance to consider correcting this section of the code. If Commission approves, staff will bring text language back the Planning and Zoning Commission for consideration and approval.

COMMISSION ACTION:

Ms. Cox motions that we approve the Initiate Conditional Use Permit Amendments (Citywide). Mr. Baird seconded the motion. The motion **carried** as follows: Ayes: Doennig, Baird, Shuler, Cline, Rose, Edwards, and Cox. Nays: None. Abstain: None. Absent: Ray