

**July 7, 2016**  
**MINUTES OF THE PLANNING AND ZONING COMMISSION**  
Springfield, Missouri

The Planning and Zoning Commission met in regular session July 7, 2016 in the City Council Chambers. Chairman Jason Ray called the meeting to order.

Roll Call: Present: Jason Ray, (Chair), Randy Doennig (Vice Chair), David Shuler, Andrew Cline, Melissa Cox, King Coltrin, Dee Ogilvy, Matthew Edwards, and Cameron Rose. Absent: None

Staff in attendance: Bob Hosmer, Principal Planner, Tom Rykowski, Asst. City Attorney, Nicholas Woodman, Asst. City Attorney, Dawne Gardner, Public Works Traffic Engineer and Chris Dunnaway, Public Works Stormwater, Principal Engineer.

Minutes: The minutes of June 9, 2016 were approved unanimously.

**COMMUNICATIONS**: Request to move item number 11 (Conditional Use Permit 423) after item number 8 (Z-9-2015) since both are the same address and attached with each other.

**COMMISSION ACTION:**

Ms. Cox motions that we approve the modified agenda (moving item number 11 (Conditional Use Permit 423) after item number 8 (Z-9-2015)). Mr. Edwards seconded the motion. The motion **carried** as follows: Ayes: Ray, Doennig, Shuler, Cline, Cox, Coltrin, Ogilvy, Edwards, and Rose. Nays: None. Abstain: None. Absent: None

**UNFINISHED BUSINESS:**

**NEW BUSINESS :**

**CONSENT ITEMS :**

Request to Dispose 517  
301 West McDaniel Street

**Applicant:** City Utilities

**COMMISSION ACTION:**

Mr. Edwards motions that we approve the consent item Request to Dispose 517 (301 West McDaniel Street). Ms. Cox seconded the motion. The motion **carried** as follows: Ayes: Ray, Doennig, Shuler, Cline, Cox, Coltrin, Ogilvy, Edwards, and Rose. Nays: None. Abstain: None. Absent: None.

**PUBLIC HEARINGS:**

Z-9-2016  
2420 East Sunshine Street

**Applicant:** D.L. Rogers Corp

Mr. Hosmer states that this is a request to rezone approximately 0.62 acres of property generally located at 2420 East Sunshine Street from a Planned Development 136 to a GR, General Retail District.

The Growth Management and Land Use Plan of the Comprehensive Plan designate this area along the Sunshine Street corridor as appropriate for medium-intensity retail, office and residential uses. General Retail is one of the zoning districts recommended in these areas. The intent of this application is to rezone the subject property for a new automotive service garage. A conditional use permit is required to allow an automotive service garage. Use Permit 423. A traffic study was not warranted. There are no bufferyards

required adjacent to PD 136 Amended since the permitted uses are similar to the GR, General Retail District. Staff recommends approval

Mr. Ray opened the public hearing.

Mr. Derek Lee, Lee Engineering, 1200 E. Woodhurst Drive, stated that they are turning a Sonic Drive-In into a tire store. Conditional Use Permit 423 has the site plan.

Mr. Ray closed the public hearing.

**COMMISSION ACTION:**

Mr. Edwards motions that we approve item Z-9-2016 (2420 East Sunshine Street). Mr. King seconded the motion. The motion **carried** as follows: Ayes: Ray, Doennig, Shuler, Cline, Cox, Coltrin, Ogilvy, Edwards, and Rose. Nays: None. Abstain: None. Absent: None.

Conditional Use Permit 423  
2420 East Sunshine Street

**Applicant:** D.L. Rogers Corp

Mr. Hosmer states that this is a request to allow an automotive service garage on property located at 2420 East Sunshine Street in a GR, General Retail District.

A conditional use permit is required to allow an automotive service garage in a GR, General Retail District. The Growth Management and Land Use Plan of the Comprehensive Plan designate this area as appropriate for medium-intensity retail, office and residential uses. There are 21 standards for a Conditional Use Permit in the Zoning Ordinance. An automobile service garage site plan has been reviewed by staff and is in substantial conformance with these standards. The Conditional Use Permit is valid for 18 months or until a building permit or occupancy permit is issued. The Conditional Use Permit shall adhere to the attached site plan. This application meets the approval standards for a Conditional Use Permit. GR, General Retail District does not allow outside storage. Staff recommends approval.

Mr. Ray opened the public hearing.

Mr. Derek Lee, Lee Engineering, 1200 E. Woodhurst Drive stated that this is the site plan for Z-9-2016.

Mr. Edwards asked about the storage of the tires regarding the possibility of the Zika (mosquito) problem.

Mr. Hosmer stated that there are regulations on storing tires, they have to be store inside to prevent them from getting wet and have them removed them from the premises.

Ms. Cox asked about the site plan showing an area that looks like it may be outside of the building.

Mr. Lee noted that it shows an existing building (Sonic Drive-In) on the site plan that will not be part of the new building. The plans are for the waste tire enclosure to be inside the building.

Mr. Hosmer requests a new site plan to only show the planned site and not the existing conditions before it goes to City Council.

Mr. Ray closed the public hearing.

**COMMISSION ACTION:**

Ms. Cox motions that we approve Conditional Use Permit 423 (2420 East Sunshine Street) with modifications to remove the existing conditions and only show the planned site. Mr. Edwards seconded

the motion. The motion **carried** as follows: Ayes: Ray, Doennig, Shuler, Cline, Cox, Coltrin, Ogilvy, Edwards, and Rose. Nays: None. Abstain: None. Absent: None.

Z-10-2016 w/COD #109  
2263 East Cherry Street

**Applicant:** O'Reilly Automotive Stores, Inc.

Mr. Hosmer states that this is a request to rezone approximately 0.41 acres of property generally located at 2263 East Cherry Street from a R-MD, Medium density Multi-family District to an HM, Heavy Manufacturing District and establishing Conditional Overlay District No.

Commission and City Council approved COD No. 34 which prohibits all other uses except commercial off-street parking lots and structures along Cherry Street and COD No. 106 prohibits all other uses except commercial off-street parking lots and structures and office uses. The Growth Management and Land Use Plan Element of the Comprehensive Plan identify this area as appropriate for General Industry, Transportation, and Utilities land uses. The intent is to rezone the property for commercial off-street parking lots and structures consistent with COD #34. No traffic study is required. Must dedicate right-of-way to meet 35 feet from the centerline of Cherry Street. The property shall be combined with the property to the North (455 South Patterson Avenue). Bufferyards are required adjacent to R-MD District. Staff recommends approval.

Mr. Ray opened the public hearing.

Mr. Jared Davis, 2045 W. Woodland, Anderson Engineering, representing the owners.

Mr. Ray closed the public hearing.

**COMMISSION ACTION:**

Ms Cox motions that we approve item Z-10-2016 (2263 East Cherry Street). Mr. Doennig seconded the motion. The motion **carried** as follows: Ayes: Ray, Doennig, Shuler, Cline, Cox, Coltrin, Ogilvy, Edwards, and Rose. Nays: None. Abstain: None. Absent: None.

Planned Development No. 351  
4018 & 4022 South Lone Pine Avenue

**Applicant:** Kaonashi, LLC and Lone Projects, LLC

Ms. Melissa Cox recused herself from the current item.

Mr. Hosmer states that this is a request to rezone approximately 10.8 acres of property generally located at 4018 and 4022 South Lone Pine Avenue from R-SF, Residential Single-Family District, GR, General Retail District and GM, General Manufacturing District to a Planned Development District No. 351.

The Growth Management and Land Use element of the Comprehensive Plan designates a portion of this area as Medium Intensity Retail, Office or Housing and as well as Low Density Housing. The Redevelopment Plan and Blight Study for the Galloway Redevelopment Area adopted by City Council, May 12, 2014, supports the proposed uses. The Southeast Springfield Development Study accepted by City Council on November 4, 2002 supports allowing mixed use developments within this area. The proposed development is within proximity to the US 65/60 Development (Planned Development 330 amended) which is a proposed 500 acre mixed use development approved by City Council in 2011 (to the east of the property). The subject property is located along South Lone Pine Avenue which is classified as a secondary arterial and Allen Drive which is classified as a local roadway. The proposed project is within walking and bicycling distance of the Sequota Park and Greenway Trail. This proposal will provide for a mixed-use development with opportunities for employment and living in the area with the benefit of internal circulation to allow people to live, work and shop in the same location. The project will consist of office, commercial and residential (tract A), 100 Multi-family units/ office/ self-storage (tract C), and 22 single-family/ duplex units (tract B). The Multi-Family Development Location and Design Guidelines were evaluated and the request is consistent with Guidelines. The applicant is requesting a maximum density of

12 dwelling units per acre within the development. A traffic study is required based on the proposed uses. Lone Pine Avenue is classified as a secondary arterial which will require a left turn lane to be constructed; Allen Drive is classified as a local street and must be improved and widened to accommodate on-street parking. Sidewalks required along both streets. A box culvert is required to be constructed for stormwater from the development to the creek on the west side of the BNSF railroad tracks. The project will provide for 30% open space. The project will provide water quality according to the proposed changes to Chapter 10 Stormwater Design Criteria as attached. The proposed planned development will mitigate the potential impact between the permitted uses and the adjacent R-SF property to the east with a bufferyard type C which includes plantings and 6 feet wood fence. The planned development will allow parking adjacent to a public right-of-way on private property and will be allowed to back onto a public street. There will be landscaped islands provided within the right-of-way of South Lone Pine Avenue, however, the maintenance will be the responsibility of the developer through a license agreement. The development is permitted to reduce the overall parking by 10% per bicycle parking reduction standards provided in the zoning ordinance. The applicant is requesting to reduce the overall parking requirements by an additional 10% for Tracts A and C. This additional 10% reduction is requested due to the mixed uses on-site and reduced parking needs i.e., Greenway Trails walking and biking and internal trip captures. Staff recommends approval.

Mr. Coltrin asks about the reference in Exhibit 1 to "recreational district" since we do not have a zoning district called "recreational district" and will this be taken out of the Planned Development.

Mr. Hosmer stated that the applicant had requested that we look at this district holistically, do an overlay district or corridor study, but that never happened. However we are leaving this option open to possibly having a corridor study or overlay district that would have a holistic look because this was a village a long time ago.

Mr. Coltrin stated that he cannot vote on something that does not exist and not knowing what it is stating that most Planned Developments have to be clearly defined to be processed.

Mr. Edwards asked why this project was proposed as a Planned Development.

Mr. Hosmer noted that this is an unique situation such as being in a flood plain and a large tract of 10 acres that couldn't meet conventional type of zoning.

Mr. Ray opened the public hearing

Mr. Derek Lee, Lee Engineering, 1200 E. Woodhurst Drive representing the owner, agrees that "recreational district" should be removed from Exhibit 1.

Mr. Barrett Fisk, 1918 E. Meadowmere, property owner of 2960 E. Allen Street asking for assistance with the current proposal. The current proposal is only giving a 10' bufferyard from my single family residential to the proposed commercial property. Mr. Fisk passed out an e-mail from the developers agent and quoted, "I would advise considering this offer, as it is my belief that your property value, or at very least any marketability will go down once construction begins and there is a giant fence on one side of the property and a trailer park on the other. My client has advised me to tell you that his offer would also either go down or go away." He voiced concerns about his property being devalued, however he is for the development, but in a way to be fair to the property owners in the area. He stated that he is very concerned about the beautiful old trees on the west side of his property because they are planning on removing them and putting in a fence. He would like to have a 30' or 35' natural border as part of the bufferyard requirements by leaving the trees. He believes that the developer can shift the multi-family structures closer to the corner.

Mr. Doennig asked Mr. Fisk if this is his primary residence and about the trees on the property, stating that they look like they are on his property.

Mr. Fisk replied that it is not his primary residence and uses it as a rental and most of the trees are on the developers property but most the canopy from the trees do fall on his property. He would like to keep the trees and not build a fence for a more natural bufferyard.

Mr. Edwards asked if Mr. Fisk is in current negotiations to sell the property.

Mr. Fisk stated that he tried to sell the property and that the developer offered him \$75,000 but declined to sell.

Mr. Coltrin asked about the current proposed 10' bufferyard.

Mr. Fisk stated that he did not feel that the 10' bufferyard is adequate and does not want a fence but a larger bufferyard.

Mr. Ray closed the public hearing.

Mr. Edwards ask Mr. Lee if there could be an accommodation regarding the trees and the fence.

Mr. Lee stated that the applicant would be fine with leaving the trees, but the bufferyard is the standard city bufferyard. The 10' bufferyard is critical to the plans due to the steep rock bluff to the west and there not enough room to allow a 35' bufferyard.

Mr. Edwards stated that he hopes that the developer and staff will work on keeping the trees.

Mr. Coltrin asked about the bufferyard to the south of Mr. Fisk's property.

Mr. Lee stated that they can allow a 15' bufferyard instead of the 10' bufferyard.

Mr. Coltrin agrees with Mr. Edwards about working with the developer and keeping the current trees as the bufferyard.

Mr. Hosmer stated that we will need two motions, one to strike out "recreational district" wording from the planned development and one for the bufferyard changes.

**COMMISSION ACTION: 1**

Mr. Coltrin motions that we remove/strike "recreational district" wording from Planned Development No. 351 (4018 & 4022 South Lone Pine Avenue). Mr. Edwards seconded the motion. The motion **carried** as follows: Ayes: Ray, Doennig, Shuler, Cline, Coltrin, Ogilvy, Edwards, and Rose. Nays: None. Abstain: Melissa Cox. Absent: None.

**COMMISSION ACTION: 2**

Mr. Edwards motions that we amend the text in Planned Development No. 351 (4018 & 4022 South Lone Pine Avenue) by removing/striking the proposed fence and keeping the natural growth bufferyard barrier along the north/south (common property line) and the east/west (common property line) and extending the east/west bufferyard to 15'. Mr. Coltrin seconded the motion. The motion **carried** as follows: Ayes: Ray, Doennig, Shuler, Cline, Coltrin, Ogilvy, Edwards, and Rose. Nays: None. Abstain: Melissa Cox. Absent: None.

**COMMISSION ACTION: 3**

Mr. Doennig motions that we approve Planned Development No. 351 (4018 & 4022 South Lone Pine Avenue) as amended. Mr. Rose seconded the motion. The motion **carried** as follows: Ayes: Ray, Doennig, Shuler, Cline, Coltrin, Ogilvy, Edwards, and Rose. Nays: None. Abstain: Melissa Cox. Absent: None.

**OTHER BUSINESS :**

Initiate Residential Off-Street Parking Surface Amendments  
Citywide

**Applicant:** City of Springfield

Mr. Hosmer states that this is a request to initiate amendments to Section 36-483. - Off-street parking and loading area design standards for single-family detached, single-family semi-detached, duplex, townhouse and mobile homes.

Staff is requesting amendments to the design standards of surfacing material for off-street parking areas for single-family detached, single-family semi-detached, duplex, townhouse and mobile homes. The current requirements do not allow these residential uses to utilize pervious pavers, permeable pavement or other alternative methods to reduce impervious surfaces. The current requirements, however, do allow multi-family, commercial and industrial uses to utilize pervious or porous pavers.

Staff is proposing to modify the Off-street parking and loading area design standards section (36-483.) of the Zoning Ordinance to allow all uses to utilize this alternative to constructing off-street parking surfaces. This will provide an alternative to reducing impervious surface areas and stormwater runoff. Staff requests that Commission initiate amendments to the Zoning Ordinance to consider modifications as specified. If approved Staff will prepare and draft changes to the Zoning Ordinance and schedule a public hearing at the next available date for both the Commission and the City Council. Staff recommends approval

**COMMISSION ACTION:**

Ms Cox motions that we approve Initiate Residential Off-Street Parking Surface Amendments (Citywide). Mr. Rose seconded the motion. The motion **carried** as follows: Ayes: Ray, Doennig, Shuler, Cline, Cox, Coltrin, Ogilvy, Edwards, and Rose. Nays: None. Abstain: None. Absent: None.