

AGENDA

Planning and Zoning Meeting Municipal Court Building, 540 Civic Blvd January 08, 2024 at 6:00 PM

Call Meeting to Order

Approve Agenda

Approve Minutes

 Draft Minutes 11/13/23. Possible Vote to Approve Minutes from Previous Planning and Zoning Commission Meeting held November 13, 2023.

Meeting Procedures

Public Hearings

- **2. REZN 24-001.** Public Hearing and Possible Vote to Recommend the Approval of An Application to Change the Zoning Classification of Approximately Zero Point Two Nine (0.29) Acres, Located at 1167 North Oakwood Avenue from Agricultural (AG) to General Commercial (C-2).
- 3. REZN 24-002. Public Hearing and Possible Vote to Recommend the Approval of An Application to Change the Zoning Classification of Approximately 1.08 Acres, Located at 505 West Brookfield Street, from General Commercial (C-2) to Multi-Family (R-3).

Other Business

4. SUBD-PRE 24-001. Possible Vote to Recommend the Approval of a Preliminary Plat for Walker Heights, a Subdivision Consisting of Approximately 40.456 Acres Located at 7217 West Farm Road 182.

Citizen Participation

BUILDS Department Update

5. P&Z 101. The Planning and Zoning Commission is a state mandated body that performs a very important function. P&Z 101 is an opportunity for Commissioners and BUILDS Staff to better familiarize themselves with the purpose and powers of the Planning and Zoning Commission. Each month Staff will introduce a new topic and provide a brief summary to the Commission. Depending on the given topic certain materials, supporting statutes, ordinances, and adopted documents will be provided and covered.

This month's topic: Commission Duties

Comprehensive Plan Update

Adjournment

Individuals addressing the Board are asked to step to the microphone and clearly state their name and address before speaking. In accordance with ADA guidelines, if you need special accommodations to attend any city meeting, please notify the City Clerk's Office at 417-732-3101 at least three days prior to the scheduled meeting. All meetings are tape recorded for public viewing.



MINUTES

Planning and Zoning Meeting Municipal Court Building, 540 Civic Blvd November 13, 2023 at 6:00 PM

Call Meeting to Order

PRESENT
Chairman Ransom Ellis
Commissioner John Alexander
Commissioner Darran Campbell
Commissioner Brian Doubrava
Commissioner Jeff Hays
Commissioner Cynthia Hyder
Council Liaison Garry Wilson

ABSENT

Commissioner Michael Mann

Approve Agenda

Motion made by Commissioner Doubrava, Seconded by Commissioner Campbell.

Voting Yea: Chairman Ellis, Commissioner Alexander, Commissioner Campbell, Commissioner Doubrava,
Commissioner Hays, Commissioner Hyder

Approve Minutes

1. **Draft Minutes 10/2/23.** Possible Vote to Approve Minutes from Previous Planning and Zoning Commission Meeting held October 2, 2023.

Motion made by Commissioner Doubrava, Seconded by Commissioner Campbell. Voting Yea: Chairman Ellis, Commissioner Alexander, Commissioner Campbell, Commissioner Doubrava, Commissioner Hays, Commissioner Hyder

Meeting Procedures

Public Hearings

 REZN 23-007. Public Hearing and Possible Vote to Recommend the Approval of An Application to Change the Zoning Classification of Approximately 40.456 Acres, Located at 7217 West Farm Road 182, from Agricultural (AG) to Medium-Density Single-Family (R1-M).

Motion made by Commissioner Doubrava, Seconded by Commissioner Hays. Voting Yea: Chairman Ellis, Commissioner Alexander, Commissioner Campbell, Commissioner Doubrava, Commissioner Hays, Commissioner Hyder

Speakers in Support: David Messner; Dane Seiler Speakers in Opposition: George Kane; Michelle Gardner

3. REZN 23-008. Public Hearing and Possible Vote to Recommend the Approval of An Application to Change the Zoning Classification of Approximately 0.81 Acres, Located at 445 US Hwy 60 E, from Local Commercial (C-1) to General Commercial (C-2).



Motion made by Commissioner Doubrava, Seconded by Commissioner Hyder.

Voting Yea: Chairman Ellis, Commissioner Alexander, Commissioner Campbell, Commissioner

Doubrava, Commissioner Hays, Commissioner Hyder

Speakers in Support: Chris Wynn; Stan Kaufman

Speakers in Opposition: None

Other Business

4. SUBD-PRE 23-003. Possible Vote to Recommend the Approval of a Preliminary Plat for Olde Savannah Phase 3C, a Subdivision Consisting of Approximately 5.02 Acres Located at 6354 S Farm Road 89.

Motion made by Commissioner Campbell, Seconded by Commissioner Hyder.

Voting Yea: Chairman Ellis, Commissioner Alexander, Commissioner Campbell, Commissioner Doubrava, Commissioner Hays, Commissioner Hyder

Citizen Participation

BUILDS Department Update

5. P&Z 101. The Planning and Zoning Commission is a state mandated body that performs a very important function. P&Z 101 is an opportunity for Commissioners and BUILDS Staff to better familiarize themselves with the purpose and powers of the Planning and Zoning Commission. Each month Staff will introduce a new topic and provide a brief summary to the Commission. Depending on the given topic certain materials, supporting statutes, ordinances, and adopted documents will be provided and covered.

This month's topic: Commission Formation

Adjournment

Motion made by Commissioner Doubrava, Seconded by Commissioner Hays. Voting Yea: Chairman Ellis, Commissioner Alexander, Commissioner Campbell, Commissioner Doubrava, Commissioner Hays, Commissioner Hyder

Chris Tabor, Principal Planner	Ransom Ellis, Chairman	



Item 2.



EXHIBIT A

Project/Issue Name: REZN 24-001. Public Hearing and Possible Vote to Recommend the Approval

of An Application to Change the Zoning Classification of Approximately Zero Point Two Nine (0.29) Acres, from Agricultural (AG) to General Commercial (C-

2).

Submitted By: OR—Shamrock Richards LLC

Presented By: Chris Tabor, Principal Planner

Date: January 8, 2024

ISSUE IDENTIFICATION

Karen Cowan has applied on behalf of OR-Shamrock Richards LLC to change the Zoning Classification of approximately 0.29 acres of property located at 1167 North Oakwood Avenue from Agricultural (AG) to General Commercial (C-2).

DISCUSSION AND ANALYSIS

The 0.29 acre property subject to this Rezoning Application is located at 1167 N Oakwood Ave; the property is currently the site of one residential dwelling unit.

The following paragraphs contain brief analyses of present site conditions as well as the proposal's relationship to **adopted plans of the City.**

Consistency with the Comprehensive Plan

The City's Comprehensive Plan generally encourages the expansion of residential and commercial development through proactive Rezoning of land at appropriate locations. Appropriate locations are described generally throughout the Plan, with regard to the **relationship of land at particular locations to infrastructure capable of supporting various intensities and densities of uses.**

- **Infrastructure Coordination Goal 1:** Support new development that is well-connected to the existing community.
 - Objective 1B: Promote development aligning with current adopted plans of the City.
- Infrastructure Coordination Goal 2: Recognize potential infill sites as opportunities for development, while mitigating impacts to adjacent established properties.
 - Objective 2A: Support development of vacant parcels as opportunities for densification that is harmonious with surrounding development.

Item 2.



EXHIBIT A

The Rezoning of this parcel is consistent with City's Adopted Plans.

Compatibility with Surrounding Land Uses

The subject property is a newly annexed property that came into the City zoned Agricultural (AG).

This property is entirely surrounded by undeveloped land zoned General Commercial (C-2)

The requested zoning district, General Commercial (C-2), is consistent with use of adjacent property.

Capacity to Serve Potential Development and Land Use

Municipal Water and Sewer Service:

City Water and Sewer systems have capacity to serve this property if the application is approved.

The property has potential access to sewer through an 8" gravity sewer main across Oakwood Ave. Effluent would travel through gravity lines to the Shuyler Creek Lift Station before being pumped to the Wastewater Treatment Facility.

Water is currently available onsite through a 10" main along Oakwood Ave.

The water system, named Lift Stations, and Wastewater Treatment Facility currently have capacity to serve the intended use.

Transportation:

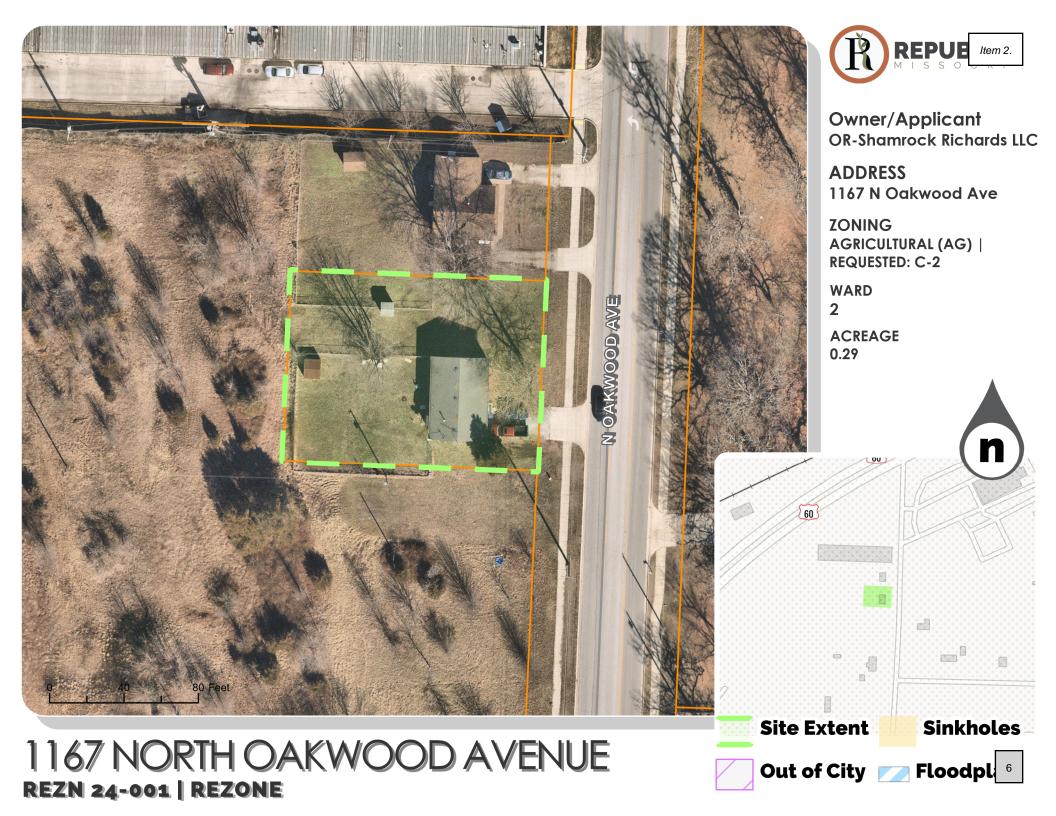
A Traffic Impact Study (TIS) was not required for the Rezoning Application, as the parcel does not meet the threshold for requiring such a study (1 acre). The waiving of the TIS is in line with City policy.

Floodplain: The subject parcel does not contain any areas of Special Flood Hazard Area (Floodplain).

<u>Sinkholes:</u> The subject property **does not** contain any <u>identified sinkholes</u>.

STAFF RECOMMENDATION

Staff considers the **proposed Zoning Map Amendment (Rezoning)** to be generally consistent with the **goals and objectives of the Comprehensive Plan**, consistent with the **trend of development in the vicinity of the site**, **compatible with surrounding land uses**, and **able to be adequately served by municipal facilities**. Based upon this analysis (performed without the benefit of evidence and testimony of a public hearing), **Staff recommends the approval of this application**.





Item 3.



EXHIBIT B

Project/Issue Name: REZN 24-002. Public Hearing and Possible Vote to Recommend the Approval

of An Application to Change the Zoning Classification of Approximately One Point Zero-Eight (1.08) Acres, Located at 505 W. Brookfield St., from General

Commercial (C-2) to Multi-Family Residential (R-3).

Submitted By: Apple Properties LLC

Presented By: Patrick Ruiz, Associate Planner

Date: January 8, 2024

ISSUE IDENTIFICATION

Apple Properties LLC has applied on behalf of the property owner, MARF Holdings LLC, to change the Zoning Classification of approximately 1.08 acres of property located at 505 W. Brookfield St. from General Commercial (C-2) to Multi-Family Residential (R-3).

DISCUSSION AND ANALYSIS

The property subject to this Rezoning Application consists of approximately 1.08 acres of land located at 505 W. Brookfield St.; the site is currently a vacant piece of property. The existing configuration of the lot was subdivided at the time of the West Brook Centre Final Plat back in 2005.

The following paragraphs contain brief analyses of present site conditions as well as the proposal's relationship to **adopted plans of the City.**

Consistency with the Comprehensive Plan

The City's Comprehensive Plan generally encourages the expansion of residential and commercial development through proactive Rezoning of land at appropriate locations. Appropriate locations are described generally throughout the Plan, with regard to the **relationship of land at particular locations to infrastructure capable of supporting various intensities and densities of uses.**

- Goal: Support market conditions to develop a greater variety of residential and commercial options.
 - Objective: Support a variety of housing developments and styles to ensure a range of options are available.
- Goal: Support new development that is well-connected to the existing community.
 - Objective: Encourage development that improves and expands upon existing infrastructure.
 - Objective: Promote development aligning with current adopted plans of the City.

Item 3.



EXHIBIT B

- **Goal:** Recognize potential infill sites as opportunities for development, while mitigating impacts to adjacent, established properties.
 - Objective: Support the development of vacant parcels as opportunities for densification that is harmonious with surrounding development.

The Rezoning of this parcel is consistent with City's Adopted Plans.

Compatibility with Surrounding Land Uses

The subject property is adjacent to General Commercial (C-2) zoned parcels bordering the east property line and south across Brookfield Street. It is also adjacent to Local Commercial (C-1) zoned parcels bordering the north and west property lines.

The Multi-Family Residential (R-3) Zoning District is intended to accommodate high density residential development on properties with direct access to arterial or collector streets. The general land uses of the area are commercial and multi-family residential in nature and such rezone would be compatible and harmonious with adjacent properties.

Capacity to Serve Potential Development and Land Use

Municipal Water and Sewer Service:

Development of the property will require connecting to existing municipal water and sewer mains located on or near the site.

One 6" water main is accessible to the subject property along Brookfield Street.

Three (3) gravity sewer mains are located at the subject property. One 8" sewer main is located at the southern edge of the property running parallel with Brookfield Street.; whereas two 18" sewer mains are running through the property. Effluent from the subject property would flow directly to the Wastewater Treatment Facility.

The water system and Wastewater Treatment Facility currently have capacity to serve the intended use.

Transportation:

The property will have access off Brookfield Street. A Traffic Impact Study (TIS) was not required for the Rezoning Application, due to the fact that the size of the developable area is under the one (1) acre threshold of requiring such study. The waiving of the TIS is in line with City policy.

Item 3.



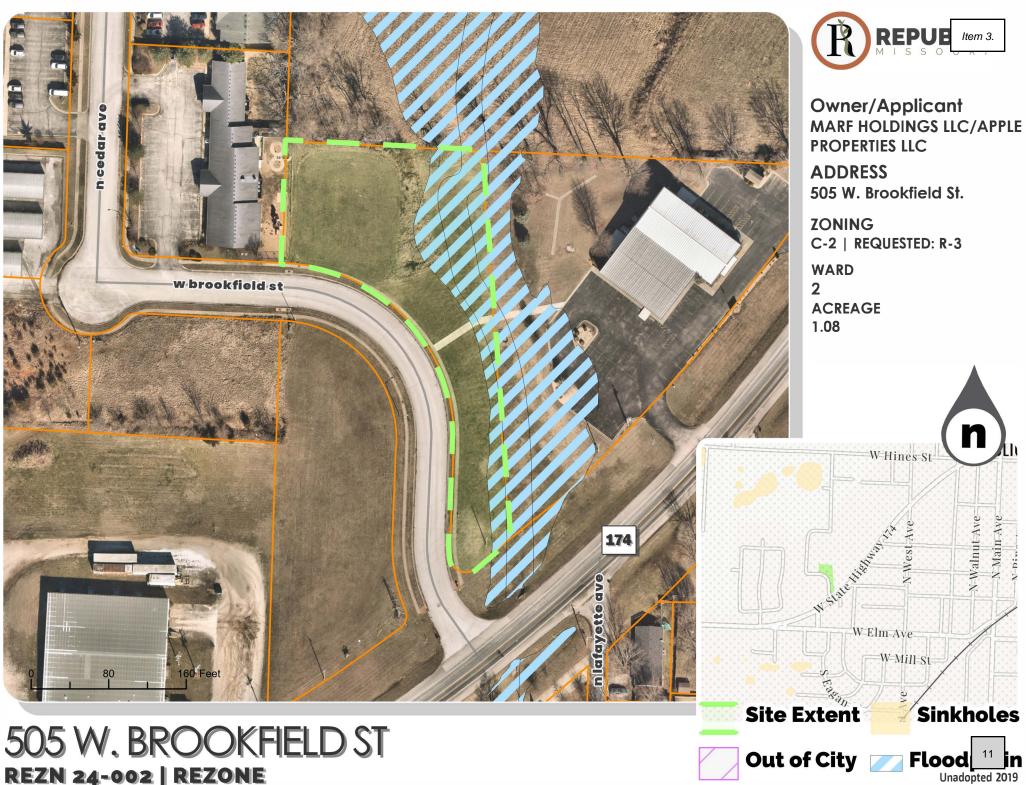
EXHIBIT B

<u>Floodplain:</u> The subject parcel **does** contain areas of <u>Special Flood Hazard Area (Floodplain).</u> Any future development on the lot will require compliance with the City's Floodplain Standards as regulated under Chapter 420 Flood Damage Prevention.

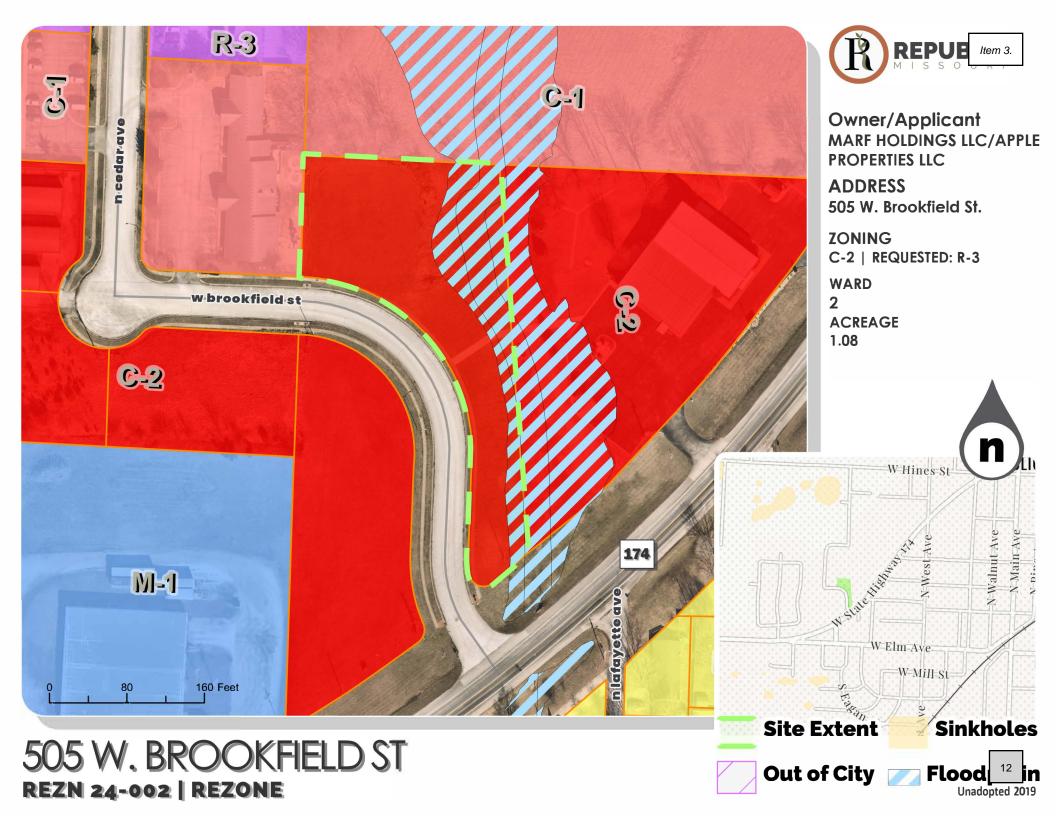
<u>Sinkholes:</u> The subject property **does not** contain an <u>identified sinkhole</u>.

STAFF RECOMMENDATION

Staff considers the **proposed Zoning Map Amendment (Rezoning)** to be generally consistent with the **goals and objectives of the Comprehensive Plan**, consistent with the **trend of development in the vicinity of the site**, **compatible with surrounding land uses**, and **able to be adequately served by municipal facilities**. Based upon this analysis (performed without the benefit of evidence and testimony of a public hearing), **Staff recommends the approval of this application**.



REZN 24-002 | REZONE



Item 4.



EXHIBIT C

Project/Issue Name: SUBD-PRE 24-001. Possible Vote to Recommend the Approval of an

Application for a Preliminary Plat for Walker Heights, a Residential Subdivision Consisting of Approximately Forty Point Four Six (40.46) Acres Located at the

7217 W FR 182.

Submitted By: Oak Hills LLC

Presented By: Chris Tabor, Principal Planner

Date: January 8, 2024

ISSUE IDENTIFICATION

Oak Hills LLC has requested review and approval of a Preliminary Plat of approximately 40.46 acres for Walker Heights, a subdivision consisting of 102 residential lots zoned Medium-Density Single-Family Residential (R1-M), streets, and infrastructure.

<u>Conformity with Preliminary Plat Review Criteria:</u> Preliminary Plats are reviewed for their conformance with the following review criteria to ensure the development, in the proposed location:

- (1) Will not endanger the public health or safety;
- (2) Will not injure the value of adjoining property or abutting property;
- (3) Will be in conformity with the Comprehensive Plan, Transportation Plan, Zoning Code, Water System Master Plan, Wastewater System Facility Plan, or other plans officially adopted by the City Council; and
- (4) Will be in harmony with the area in which it is located.

Preliminary Plats are reviewed by the City Planner and the City Engineer in conformance with the requirements of Chapter 410 of Republic's Municipal Code, the Comprehensive Plan, and all applicable City adopted codes and regulations.

DISCUSSION AND ANALYSIS

The subject property recently annexed into the City on XYZ and was subsequently rezoned from Agricultural (AG) to Medium-Density Single-Family Residential (R1-M) on October 3, 2023. The R1-M zoning district is appropriate for the proposed plat.

The proposed Preliminary Plat intends to retain two of the existing dwellings on the property, Lot 96 and Lot 101. These will be incorporated into the subdivision with access for Lot 96 off of Castleton Way and access for Lot 101 coming from Elsmore Lane.

Item 4.



EXHIBIT C

R1-M zoning allows for:

- Min. Lot Sizes of 9,000 square feet
- Max density of 4.84 lots per acre
- Setbacks

o Front: 25'

Side

Interior: 6'

■ Steet: 25′ – 15′; Dependent on street classification.

o Rear: 25'

The following paragraphs contain brief analyses of the application's conformity with the Preliminary Plat Review Criteria identified above.

Consistency with the Comprehensive Plan

The referenced Preliminary Plat contains 102 lots, each with a minimum lot size of 9,000 square feet and an average lot size of 13,707 square feet and a density of 2.52 lots per acre. The Preliminary Plat also consists of streets, open space, utility and drainage easements, and detention areas.

Transportation Plan

The Preliminary Plat proposes one new connection with Belmont Drive connecting to Farm Road 182. In addition, two previously planned connections will be built out. The stub-out of Clearview Drive will continue east to connect from Phase 1 of Iron Gate; The stub-out of Ark Avenue will continue south to connect out of Phase 1 of Highland Meadows.

The Preliminary Plat proposes five new streets:

- Fairfax Drive
- Avalon Place
- Belmont Drive
- Castleton Avenue
- Elsmore Lane

No lot will receive access to Farm Road 182.

Constructed streets would be dedicated to the city during the Final Platting Process.

A Traffic Impact Study (TIS) was required in connection with this project at the time of rezoning. The traffic study concluded that no new improvements would be required by the additional trips generated.

Item 4.



EXHIBIT C

Water and Wastewater Master Plan

The property has two separate gravity sewer mains onsite. A 15" main runs north-south on the east side of the property. A 10" main is present on the southwest corner of the site.

Effluent would travel through gravity lines to the Shuyler Creek Lift Station before being pumped to the Wastewater Treatment Facility.

Water is in proximity to the site from two points. A 6" water main is present along Ark Ave and terminates at the northern property line of the site. A second 6" water main approaches from the west running along Clearview Dr. A looped connection will be provided through the subdivision.

The water system, named Lift Stations, and Wastewater Treatment Facility currently have capacity to serve the intended use.

Zoning Code

The Preliminary Plat of Walker Heights has been platted for the construction of 102 single-family residential lots and associated infrastructure, including public streets and sidewalks, public water and sanitary sewer mains, and stormwater conveyance.

Floodplain: The subject parcel does not contain a Special Flood Hazard Area (SFHA/Floodplain).

Sinkholes: The subject parcel **does not** contain any identified sinkholes.

<u>Stormwater:</u> The Preliminary Plat proposes two Stormwater Detention Basin on the site, one in the southeast corner and one in the southwest corner. The detention area is designed to accommodate development of the subject parcel. Stormwater exits the site from each detention across Farm Road 182. The Stormwater Detention Area and all open space/common area will be maintained by a Homeowner's Association.

<u>Infrastructure Design:</u> The design of the streets, sidewalks, water and sanitary sewer systems, and stormwater detention will be reviewed and permitted during the Infrastructure Permitting process.

STAFF RECOMMENDATION

Staff considers the **proposed Preliminary Plat** in general conformity with the requirements for Preliminary Plats and is recommending approval of the application.

