

City of Springfield
Minutes
Planning and Zoning Commission

Dan Scott, Vice Chair
Helen Gunther
Christopher Lebeck
Betty Ridge

Randall Doennig, Chair

Bruce Colony
Eric Pauly
Bill Knuckles
Layne Hunton

May 8, 2025

6:30pm

**Regional Police-Fire Training Center
2620 West Battlefield Road
Room 101, 102, and 103**

ROLL CALL.

Present: Commissioner Doennig, Commissioner Layne, Commissioner Pauly, Commissioner Ridge, Commissioner Gunther, Commissioner Knuckles, Commissioner Scott, and Commissioner Lebeck. Absent: Commissioner Colony.

Staff in attendance: Justin Crighton, Planning and Development Assistant Director, Bob Hosmer, Planning Manager, Michael Sparlin, Senior Planner, and Chris Hoeman, Assistant City Attorney.

APPROVAL OF MINUTES.

The minutes of April 10, 2025 were approved.

COMMUNICATIONS.

City Council summary for April 2025 and possible 2nd meeting on May 22, 2025.

CONSENT ITEMS.

Relinquishment of Easement 948
3536 East Sunshine Street and 1955 South Bedford Avenue
Applicant: Connect 417 Properties, LLC

Relinquishment of Easement 958
3299 North Vernon Road
Applicant: Hulston Investments, Inc

Relinquishment of Easement 957
3299 North Vernon Road
Applicant: Hulston Investments, Inc.

Relinquishment of Easement 959
3299 North Vernon Road
Applicant: Hulston Investments, Inc

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Consent Items (Relinquishment of Easement 948, Relinquishment of Easement 957, Relinquishment of Easement 958, and Relinquishment of Easement 959); Commissioner Pauly seconded the motion. They **Passed** with the following vote: Ayes: Commissioner Doennig, Commissioner Ridge, Commissioner Scott, Commissioner Hunton, Commissioner Pauly, Commissioner Gunther, Commissioner Knuckles, and Commissioner Lebeck. Nays: None. Absent: Commissioner Colony. Abstain: None.

UNFINISHED BUSINESS.

Preliminary Plat of Hidden Gem Estates
6116 South Farm Road 175

Applicant: TAG Property Development, LLC

Mr. Chris Hoeman, Assistant City Attorney noted that under City Code Section 36-468, City Council has authority to approve any gates over private roads in addition to the normal dedication of streets and rights-of-way and that the council will consider following the approval of the Preliminary Plat. He also noted the 3 gates that would need specific recommendations for clarity.

Mr. Menke stated that this is a request to provide a recommendation on the acceptance of the right of way, easements, and gate for a preliminary plat. Planning & Zoning Commission approved the Preliminary Plat on March 13, 2025, City Council reviewed for the acceptance of streets, easements, and gates on April 7 & 21, 2025 and then City Council remanded recommendation of acceptance back to Planning & Zoning Commission since new information was introduced. City Council asked the applicant to discuss with the relevant party their concerns and find a solution.

Mr. Doennig opened the public hearing.

Mr. Lyndel Link, 1391 S. Shirley, representing the developer and here to answer any questions.

Mr. Knuckles noted that the staff report seemed confusing, and Mr. Link noted that the attorney for the applicant is here and able to answer any questions.

Mr. Scott asked about the programming of the entry control and asked what will be used for the gates and Mr. Link noted that he has nothing to do with programming the entry.

Mr. Hunton asked about the old entry from the east and was told that it was steep and not a road.

Mr. Patrick Platter, 2144 E. Republic Road, represents the property owners and went over what they are proposing, the gate on Ruby Court would be open 12 major holidays throughout the year and the gates would be programmed to automatically open and close. He noted that the family has not been able to come to an agreement and has had difficulty getting in touch with them.

Mr. Scott noted that he does not believe the 12 major holidays qualifies as reasonable access and Mr. Platter noted that he has not had the opportunity to speak with the family about his proposal.

Mr. Lebeck asked the city attorney about what is considered reasonable access, Mr. Hoeman noted that there is no definition in statute or in case law.

Mr. Dwayne Doran, 5147 W. Skyler Drive, noted that they have had problems with vandalism and have tried to communicate with the developer/attorney, but have not been successful.

Mr. Lee Doran, 872 E. Stonecrest, stated that he goes to the family cemetery monthly and that his family maintains it and it is not abandoned, giving examples of past experiences.

Commission members had general discussion about the vandalism, ingress/egress, maintenance, fencing, lot size, etc., and that the Department of Natural Resources has been contacted.

Commission members also asked the developer and the family if they can meet and negotiate this evening to get to a settlement.

Mr. Doennig closed the public hearing.

COMMISSION ACTION: #1

Planning and Zoning Commissioner Lebeck moved to postpone/move to 7.3 on the agenda Preliminary Plat of Hidden Gem Estates; Commissioner Knuckles seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Doennig, Commissioner Ridge, Commissioner Scott, Commissioner Hunton, Commissioner Pauly, Commissioner Gunther, Commissioner Knuckles, and Commissioner Lebeck. Nays: None. Absent: Commissioner Colony. Abstain: None.

Mr. Patrick Platter and Mr. Dwayne Doran came back to the podium as they noted that they had reached an agreement regarding the cemetery:

1. Access on Ruby Court shall be available on the 12 major holidays.
2. Access from Southwood on the eastside shall be year-round.
3. There shall be a fenced pathway to the cemetery from Southwood access.
4. There shall be a fence surrounding the cemetery and a sign replacing the old one (the black chain link fence has been ordered, and the sign has been delivered).
5. The contractor for the developer shall use its best efforts to minimize the slope of the terrain for the path on the eastside of the cemetery for access from Southwood.
6. Copies of cemetery records shall be sent to Ms. Herman.
7. During construction the path from the east shall remain open and the street access (Ruby Court) will not be open.

COMMISSION ACTION: #2

Planning and Zoning Commissioner Scott moved to approve with conditions (see above) Preliminary Plat of Hidden Gem Estates; Commissioner Lebeck seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Doennig, Commissioner Ridge, Commissioner Scott, Commissioner Hunton, Commissioner Pauly, Commissioner Gunther, Commissioner Knuckles, and Commissioner Lebeck. Nays: None. Absent: Commissioner Colony. Abstain: None.

PUBLIC HEARINGS.

COMMISSION ACTION: (combine presentation for Planned Development 391 and Preliminary Plat of Hulston Subdivision)

Planning and Zoning Commissioner Knuckles moved to combine presentations for Planned Development 391 and Preliminary Plat of Hulston Subdivision; Commissioner Pauly seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Doennig, Commissioner Ridge, Commissioner Scott, Commissioner Hunton, Commissioner Pauly, Commissioner Gunther, Commissioner Knuckles, and Commissioner Lebeck. Nays: None. Absent: Commissioner Colony. Abstain: None.

Planned Development 391

3299, 3373 & 3449 North Vernon Road (Farm Road 159)

Applicant: Hulston Investments, Inc., & Laura Hawkins-Morris, et al

Mr. Sparlin stated that this is a request to rezone approximately 104 acres of property and to subdivide approximately 64.19 acres of property into two (2) lots to facilitate the development of the site.

Mr. Scott asked about for verification on area E and it was noted that they are expected to be single family, but with a minimum lot size.

Mr. Lebeck asked why a Planned Development versus other zoning districts, and it was noted that they are using a Planned Development because of its uniqueness and convenience.

Mr. Knuckles noted his concerns of the intense layout with the 104-acre development.

Mr. Scott asked about density, i.e., units per acre and what are the exceptions made to make this typical and it was stated that there is a variety of housing types.

Mr. Hosmer noted that the developer is trying to align the Planned Development to with the new code as it would not work under the current code.

Mr. Lebeck asked about the smaller lots and was told that with the new code lots can be smaller.

Mr. Doennig opened the public hearing.

Mr. Derrick Estell, 1550 E. Republic Road representing the applicant noting that they are wanting to satisfy as many parts of the comprehensive plan as possible and that growth in city has made it harder to find larger tracts of land for development. He also noted that there will be major thoroughfare plan amendment to follow and at the neighborhood meeting one of the concerns was about cut-through traffic from the development and so some changes were made as a result.

Mr. Knuckles asked if this was to be a phased project and answered that it could potentially.

Mr. Scott asked if any improvements were to be made to the connection to Smith or Summit due to increase traffic and was told that there are plans for improvement based on the traffic impact study.

Ms. Stephanie Stenger, 5051 S. National Avenue stated that they had the neighborhood meeting and believes that most of their concerns were taken care of. She also noted that she does not believe rental housing brings in more crime as noted from some of their concerns and gave out examples of diversity.

Commission members went over examples of first-time buyers and renters.

Ms. Barbara Bentkowski, 964 E. Redbud Lane stating that she believes this development is too dense and won't attract any kind of permanent or long-term tenant and voiced her concerns regarding the increased traffic flow (1000 vehicles per day) and storm water runoff.

Mr. Scott asked where Ms. Bentkowski got her traffic information, and she replied that 500 units with two cars per unit makes it a rough estimate of 1000 vehicles per day.

Mr. Lebeck stated that he appreciates her concerns regarding the density and asked if this is about a 20% increase. Staff confirmed about 9.6 increase per acre from 8 which is about 20%.

Mr. Wayne Dering, 908 E. Snider Street stated that this development does not fit with the area and that the density is too intense and voiced his concerns over the increase in traffic. He also stated that he had not received notification about this development and staff noted that neighborhood notices and commission meeting notices were sent out to people living within 500' and 185' of the development.

Mr. Phillip Watts, 923 E. Camorene Street went over his opposition to the development gave out examples of increased density and spoke about the inclusion of apartment units in the proposal. He noted that the

comprehensive plan highlights strategic family multi-family development that would be better at those locations rather than this site. He went over his concerns for each area that was earlier presented by Mr. Sparlin.

Ms. Kim Armel, 814 E. Smith Street noted her concerns for traffic control and density and believes it may ruin the area where she currently lives.

Mr. Doennig closed the public hearing.

Mr. Pauly voiced his comments – “When we look at the development within the city of Springfield, this particular development as it was brought forward to us is a very interesting way to take a look at things. It does address a lot of the needs that we do have in the city of Springfield, but I do have to agree that this is too much, too fast, in the wrong place. I think with the idea of backing down from this a little bit is a way to look at it. I'm also concerned when we see a request like this come forward, where you've got a developer who's doing a very large grab at one time with the idea of asking for everything that they can get up front. And I always go back to the whole idea, and we've all heard it before, the idea of eating an elephant. Are they trying to eat the entire elephant in one bite or are they trying to take smaller bites? The way that I would approach this would be to take smaller bites. That is my comment for this evening.”

Ms. Ridge voice her comments – “Whenever the question comes up of rezoning land for a multi-family or apartments complex, the complex comments are always made that apartments or people who live in rental housing tend to be criminals or tend to be somehow undesirable. I always resent that because I feel like all of us have probably lived in an apartment or rented property at some point in our lives, no matter where we live now. So, I always kind of think, you know, I lived in a in apartments for several years and I never did go out and burglarize any anyone's house. But secondly, I don't have any problem with the concept of the planned development as such, but I feel that it's probably a decent enough plan but in the wrong place. I had not driven. I'd driven out on North on National before, but until this week I had not driven N on Vernon Street, and I was pleasantly surprised because the area to the left as I was driving north with some of the most beautiful land, I've seen in quite a long time. And often in this on this Commission, we don't talk about the aesthetic qualities of things. We talked about whether they meet all the little requirements from A-Z, but we don't say what they're going to do for our visual environment. And in this case, I think that it would not matter what an attractive development it may ultimately be if it were approved, I don't think it would contribute to would visually enhance that area or our community in general. So, I did want to make that comment about the aesthetic qualities of it.”

Mr. Knuckles voiced his comments – “As I stated before, I feel like it's a lot for this area. It's in my interpretation of what we're trying to get to in Springfield. It it's almost like a small community up in the semi-rural area and if it were in the area in closer to town, I think it would fit better. But I think it's just too dense and too much for this particular case and that's the only comments that I have.”

Mr. Scott voiced his comments – “I'll be bold enough to take an opposite stand from my colleagues. Yes, it's not a perfect plan. There are no perfect plans. I'm an architect. I can assure you there are no perfect plans. No laughing from the engineer to my left, please. But this is clearly compliant with the goals of the comprehensive plan. And the way I look at this is similar to way I measured against say the success of Chesterfield Village was built essentially in a rural area and now has become a very successful community with in itself that has commercial space. It has churches that were formerly movie theaters, has apartments, has townhomes, has single family, so very successful and sought after neighborhood. And I think that is what's trying to be created here. I understand the fact that change is difficult, so I have no problem with those who speak against it. I just see another vision as a as a person whose job is it to vision projects years in advance. I think this could be a wonderful asset for that end of the city. These people probably won't know the difference, but you will know. I used to live at on North Pickwick, just a few blocks from this area. It was a delightful area for me to live for a few years during high school, but that doesn't mean it has to stay that way. So, I believe this plan can work and I will be supporting it in part based on the fact that testimony that came via the ear of Mr. Hosmer from Michael

and you know an easy calculation if this were strictly strength single family as many have testified as a preference. The density that is being proposed is only a 22.5% increase with the judged against the entire development. It is not the extreme, you know, pack it in the bag density was testified to, but the difference between the 9.8 that Mister Hosmer put into testimony and the single-family zoning which allows 8 units per acre. That's a 22.5% increase for this development. So, I don't see the dire straits of density that are favored folks in the audience are saying that be the conclusion of my comments and I will be supporting it."

Mr. Hunton voiced his comments – "I went ahead and did some math on my own and just to add to your point, Mr. Scott, I, I think I think the 22% was actually a little low if, if the math is right based on the proposal from there, if we break it down and then put however many units per acre do that for each of the areas. I was coming out with 878 units total for 104 acres. Suffice to say I'm coming out to about 16% versus a make 104 acres 6000 square feet each. So, I would question that 22 might actually be higher than the point you just made, making your point slightly better you."

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Planned Development 391; Commissioner Scott seconded the motion. It **Failed** with the following vote: Ayes: Commissioner Doennig, Commissioner Scott, Commissioner Hunton, and Commissioner Lebeck. Nays: Commissioner Ridge, Commissioner Pauly, Commissioner Gunther, and Commissioner Knuckles. Absent: Commissioner Colony. Abstain: None.

Preliminary Plat of Hulston Subdivision
3373 & 3449 North Vernon Road
Applicant: Hulston Investments, Inc.

Please see minutes from Planned Development 391 (presentations were combined).

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Preliminary Plat of Hulston Subdivision; Commissioner Pauly seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Doennig, Commissioner Scott, Commissioner Hunton, Commissioner Pauly, Commissioner Gunther, Commissioner Knuckles, and Commissioner Lebeck. Nays: Commissioner Ridge. Absent: Commissioner Colony. Abstain: None.

OTHER BUSINESS.

Short-Term Rental Type 2 Appeal
3205 South Pinehurst Avenue
Applicant: Gloria Fuller

Mr. Hosmer stated that this is a request for an appeal to grant a Short-Term Rental Type 2 permit pursuant to Section 36-473 of the Zoning Ordinance in a R-SF, Single- Family Residential District.

Mr. Scott asked if there is enough of a track record on Type 2 rentals to know what the typical resident/renter might be. Mr. Hosmer noted that there are a lot of different people that may stay 3 or 4 nights, but the platform is like a hotel.

Mr. Knuckles as if these are limited Airbnb type of operations and Mr. noted that it would be Airbnb, VRBO, and other platforms.

Mr. Doennig opened the public hearing.

Ms. Gloria Fuller, 838 E. Deerfield Street (handed out information on the STR and her other properties to the Commission members). Gave out examples of her high standards for renters, noting a welcome letter and house rules that need to be followed and stated that she has other short-term rental properties.

Mr. Lebeck asked about how many guests she is allowing, and she stated that it has 3-bedrooms, so about 6 guests.

Mr. Hunton asked about stocking the property and stated that is why she only books for 3 nights or more due to the cleaning fees, etc., and this helps prevent college students from having a party house.

Mr. Tom Connor, 3211 S. Pinehurst voiced his concern for the STR property behind him stating that it licensed as a Type 1 but is a Type 2 and they have noise problems and believes that homeowner does not vet her rentals.

Commission members asked about the possible disagreement on the classification of the problem STR (not Gloria's) and about enforcement. Mr. Hosmer noted that complaints have been filed and will see if they are in violation and if not in compliance as a STR 1, they may be shutdown.

Ms. Susan Smith, 3221 S. Pinehurst stated that her concerns are with the STR 1 backing up to her backyard and she will see the owner on occasion, but she does not live there. She also rents out to people who bring their dogs and sometimes they are very aggressive, and this rental property seems to have a lot of party's that go on all night long with loud music.

Ms. Bridget Rasmussen, 3218 S. Danbury stated that the problems started about 5 years ago when the STR 1 was opened and since then the problems have gotten worse. She gave examples of what problems/difficulties have occurred and what they have done to help prevents some of them, i.e., security lights, etc.

Mr. Doennig closed the public hearing.

Mr. Lebeck voiced his comments – "I think it's unfair today to punish Gloria and her economic interest because we have clearly a bad apple that needs some strong investigation, needs better due diligence by the city to investigate this because we have a crowd of people here telling us this is going on. Do your due diligence and it sounds like maybe we need to do a better job. We need to do better there. So, because they have dogs, because they have rotating guests in that property, it has soured these fine citizens belief and desire for this type of a property in their neighborhood. But that's not Gloria's fault. That's not her issue. Doing a little bit of due diligence into her other properties, the one on the Niagara River in Buffalo, the wonderful beach house she has in Mexico, and also her other property in Springfield. I would not hesitate to have my family stay at any of these properties, having used Airbnb. So, I'm going to support this. I hope the citizens realize it has nothing to do. It has everything. Everything that you brought to our attention is not for this body. This is an enforcement action that the city simply needs to do better on. Simple as that."

Mr. Pauly voiced his comments – "I'll back up with Commissioner Lebeck had said as well that the city itself needs to do a much better job of enforcement on this, and I think that's very obvious with what we've heard this evening. It is unfortunate that an individual who does want to come in and do the right thing is painted with this brush, and we need to make sure that that is taken care of in order that we take care of the citizens of Springfield. So as Commissioner Lebeck had said, it's not our responsibility to do that. But I'm asking, I'm pleading for the city to go ahead and do the right things."

Mr. Knuckles voiced his comments – "And I guess adding to that, I would, it would really be nice to see that happen, Bob. I don't know what it takes if you've got to make some phone calls or what, but."

Mr. Hosmer noted that he will be in contact with Building Development Services to look at the STR 1.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Short-Term Rental Type 2 Appeal located at 3205 South Pinehurst Avenue; Commissioner Pauly seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Doennig, Commissioner Ridge, Commissioner Scott, Commissioner Hunton, Commissioner Pauly, Commissioner Gunther, Commissioner Knuckles, and Commissioner Lebeck. Nays: None. Absent: Commissioner Colony. Abstain: None.

Initiate Section 36-368 Publication and Posting of Notices Amendment
Citywide

Applicant: City of Springfield

Mr. Hosmer stated that this is a request from staff to review a text amendment of the public notices by state statutes. He noted that we previously only paid \$75.00 (flat fee) for advertisement but now want to bring into alignment with state statute and reduce the overall cost of advertising per application.

Mr. Doennig opened the public hearing.

No speakers.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Initiate Section 36-368 Publication and Posting of Notices Amendment; Commissioner Pauly seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Doennig, Commissioner Ridge, Commissioner Scott, Commissioner Hunton, Commissioner Pauly, Commissioner Gunther, Commissioner Knuckles, and Commissioner Lebeck. Nays: None. Absent: Commissioner Colony. Abstain: None.

ADJOURN.