

City of Springfield
Minutes
Planning and Zoning Commission

Bill Knuckles, Vice Chair
Helen Gunther
Christopher Lebeck
Betty Ridge

Natalie Broekhoven, Chair

Bruce Colony
Eric Pauly
Dan Scott
Randall Doennig

October 10, 2024

6:30pm

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

ROLL CALL.

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

Staff in attendance: Justin Crighton, Planning and Development Assistant Director, Daniel Neal, Andrew Menke and Michael Sparlin, Senior Planners, and Laura Vales, Assistant City Attorney.

APPROVAL OF MINUTES.

The minutes of September 12, 2024, were approved after amendment to the correct date on agenda.

COMMUNICATIONS.

City Council summary for September 2024.

CONSENT ITEMS.

None

UNFINISHED BUSINESS.

Vacation 838
2300 blk of West Lynn Street
Applicant: City of Springfield

Mr. Neal states that this is a request to vacate a portion of public right-of-way along the 2300 block of West Lynn Street per the last meeting the area to the west have been removed from the vacation request,

Mr. Knuckles asked about the portion being vacated and the zoning.

Mr. Neal stated zoning case (Z-15-2024) is going forward to City Council and they will be rezoned to Residential Townhouse District (R-TH).

Mr. Roger Dunlap, 2858 N. Farm Road 209 noted that they are for the vacation, and it will square up their property and be back legal again.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Colony moved to approve Vacation 838; Commissioner Knuckles seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Broekhoven, Commissioner Ridge, Commissioner Pauly, Commissioner Knuckles, Commissioner Doennig and Commissioner Colony. Nays: None. Absent: Commissioner Lebeck, Commissioner Scott and Commissioner Gunther. Abstain: None.

Z-25-2024 COD 260

509 West Whiteside and 2120 South Wedgewood Avenue

Applicant: Hughlett Trust

Request to postpone to the November 7, 2024 Planning and Zoning meeting, received 48 hours in advance of the public hearing.

PUBLIC HEARINGS.

Z-26-2024 COD 261

817 West El Camino Alto Drive

Applicant: Ridge HZ55, LLC

Mr. Colony recused himself.

Mr. Neal stated that this is a request to rezone approximately 5.4 acres of property from R-LD, Low-Density Multi-Family Residential District with COD 214 to O-1, Office District and establishing Conditional Overlay District No. 261.

Mr. Dave Bodeen 304 W. Erie stated that this was originally denied (Z-17-2024) when presented at City Council on August 19, 2024 due to questions regarding buffer yards, however they have reapplied. He noted that they had 9 households attending the neighborhood meeting and the majority where in favor of the rezoning.

Mr. Pauly asked if he knows why City Council denied the original zoning application and about the maintenance of the buffer yard.

Mr. Bodeen noted that they had absent members on the Council, and one Council member objected to how buffer yards are maintained in general, and the zoning request did not have enough votes to pass council. He stated that this developer wants to provide a quality product and will maintain the upkeep of the property.

Mr. Knuckles asked about voting, the majority and quorum.

Ms. Vales stated that the legal department has interpreted that as the majority of the entire board, and that was how it was interpreted at city council, however if there were any concerns she would look into that issue.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Z-26-2024 COD 261; Commissioner Doennig seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Broekhoven, Commissioner Ridge, Commissioner Pauly, Commissioner Knuckles, and Commissioner Doennig. Nays: None. Absent: Commissioner Lebeck, Commissioner Scott and Commissioner Gunther. Abstain: None. Mr. Colony recused himself.

Z-27-2024

1910 West Division Street and 1455 North Wabash Avenue

Applicant: David Rensch

Request to postpone to the November 7, 2024 Planning and Zoning meeting, received 48 hours in advance of the public hearing.

COMMISSION ACTION: (Combine presentations for Vacation 839, 840 and 841)

Planning and Zoning Commissioner Doennig moved to combine the presentations for Vacation 839, 840 and 841 though with individual votes, Commissioner Pauly seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Broekhoven, Commissioner Ridge, Commissioner Pauly, Commissioner Knuckles, Commissioner Doennig and Commissioner Colony. Nays: None. Absent: Commissioner Lebeck, Commissioner Scott and Commissioner Gunther. Abstain: None.

Vacation 839

431 & 435 West Hovey Street and 1475 North Campbell Avenue

Applicant: General Council of Assemblies of God

Mr. Menke stated that this is a request to vacate a portion of an east/west alley between Hovey Street and Division Street. This is to facilitate the development of the new Pipkin Middle School at this location.

Mr. Will Hoey, 550 St. Louis Street here on behalf the general council of Assemblies of God and the school district and here to answer any questions.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Vacation 839; Commissioner Doennig seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Broekhoven, Commissioner Ridge, Commissioner Pauly, Commissioner Knuckles, Commissioner Doennig and Commissioner Colony. Nays: None. Absent: Commissioner Lebeck, Commissioner Scott and Commissioner Gunther. Abstain: None.

Vacation 840

1475 North Campbell Avenue

Applicant: General Council of Assemblies of God

Mr. Menke stated that this is a request to vacate a portion of right-of-way between Hovey Street and Division Street. This is to facilitate the development of the new Pipkin Middle School at this location.

Mr. Will Hoey, 550 St. Louis Street here on behalf the general council of Assemblies of God and the school district and here to answer any questions.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Vacation 840; Commissioner Pauly seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Broekhoven, Commissioner Ridge, Commissioner Pauly, Commissioner Knuckles, Commissioner Doennig and Commissioner Colony. Nays: None. Absent: Commissioner Lebeck, Commissioner Scott and Commissioner Gunther. Abstain: None.

Vacation 841

400 blk of West Hovey Street

Applicant: General Council of Assemblies of God

Mr. Menke states that this is a request to vacate the 400 block of West Hovey Street. This is to facilitate the development of the new Pipkin Middle School at this location.

Mr. Will Hoey, 550 St. Louis Street here on behalf the general council of Assemblies of God and the school district and here to answer any questions.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Doennig moved to approve Vacation 841; Commissioner Pauly seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Broekhoven, Commissioner Ridge, Commissioner Pauly, Commissioner Knuckles, Commissioner Doennig and Commissioner Colony. Nays: None. Absent: Commissioner Lebeck, Commissioner Scott and Commissioner Gunther. Abstain: None

OTHER BUSINESS.

Rountree UCD Regulation Subarea A & D - Text Amendment

1200 blk to 1400 blk of East Cherry Street and East Elm Street, 600 blk to 800 blk of South National, east-side

Applicant: City of Springfield

Mr. Sparlin stated that this is a request to amend the Rountree Urban Conservation District (UCD) in subarea B and D. Amendment to subarea B: build-to-line from 30 feet to 15 feet on the primary street and Amendment to subarea D: Add "General Office, conversion" as a permitted use in subarea D and proposes use specific standards.

Mr. Pauly asked about the parking space (required spaces for non-residential).

Mr. Sparlin noted that if it is under 7500 square feet there is no off-street parking required, but more than 7500 square feet there is one off street parking space required.

Mr. Knuckles noted that it did not look like there were existing housing structures that had more than 7500 square feet.

Mr. Sparlin noted that there are small lots that may apply.

Ms. Broekhoven closed the public hearing.

COMMISSION ACTION:

Planning and Zoning Commissioner Knuckles moved to approve Rountree UCD Regulation Subarea A & D Text Amendment; Commissioner Colony seconded the motion. It **Passed** with the following vote: Ayes: Commissioner Broekhoven, Commissioner Ridge, Commissioner Pauly, Commissioner Knuckles, Commissioner Doennig and Commissioner Colony. Nays: None. Absent: Commissioner Lebeck, Commissioner Scott and Commissioner Gunther. Abstain: None.

Short Term Rental Revised Text Amendment

Citywide

Applicant: City of Springfield

Mr. Neals states that this is a request to amend the original 2019 Short-Term Rental regulations. Short-Term Rental Ordinance was approved by City Council and went into effect January 28th, 2019. On February 26, 2024, City Council referred the review of the Short-Term Rental ordinance to Plans and Policies Committee.

Mr. Colony asked about the rentals in limbo, if the amendments will reduce the staff load, and if the majority of concerns and comments have been resolved or addressed.

Mr. Neal noted that they are not in limbo, but the total number processed, i.e., community fluctuations and not continuing their business license and that this amendment would help with the staff load on the amount of time and he noted that they believe that they have addressed the concerns and comments. We did receive comments about Short-Term Rental Type 3 from the Lodging Association about changing to allow for a percentage.

Mr. Crighton noted that we have received a letter from the Lodging Association, however we did not have time to address it, but feel that staff does not have a strong opinion on type-3 rentals and so if this body chooses to amend it, staff would be fine.

Mr. Colony noted that he does not agree with the Lodging Association and asked about the 500-foot distance and how to define neighbor.

Mr. Neal stated that it is meant to be very broad, just like a zoning case.

Mr. Pauly asked about code comparisons between different areas/cities noting that we are hitting some higher numbers and how does city view alleyways regarding adjacent properties.

Mr. Neal explained that some cities have opened-up short term rentals versus some cities have reduced the opportunity for them and gave example of Kansas City is being more restrictive and alleyways are considered to be adjacent.

Further discussion on short term rentals and home occupation statues, i.e., front yard parking and back yard parking and differentiation between regulating the home as a STR, as a home occupation and regulation on what can be done on the lot.

Mr. Pauly also asked about potential changes to platforms, i.e., Airbnb, VRBO, etc. and who would be responsible for any violations in the future.

Mr. Neal stated that Building Development Services would be responsible for enforcement.

More discussion on type-3 STR's and currently there are 56 of them and mostly in the downtown area don't foresee a potential influx as stated.

Mr. Pauly noted that he believes this is heading in the right direction but has concerns raising the objection level from 30% to 45%.

Mr. Neal noted that some type of standards for appeals might be considered important.

Mr. Doennig asked if the staff looked at a more linear approach along streets rather than drawing a 500-foot radius.

Mr. Neal noted that they were looking into consideration for the easiest way to apply a separation requirement and gave the history of it how it was implemented.

Ms. Broekhoven asked if Plans and Policies/Planning and Zoning looked at the changes to type-1 STR's and if it was compared to the recent text amendment that was done for business licensing and if STR-1 have more freedom to operate throughout the city than compared to business licenses that are operating out of single-family residences.

Mr. Neal noted that he could not speak to anything specific, but the changes for STR-1 are to bring them in line on how the city is enforcing any home occupation or occupant occupation.

Ms. Broekhoven questioned how the city is hearing back on objections and noted that it sounds like "regrets only" RSVP and has concerns that the individual may not comprehend or understand what is being presented to them as an option.

Mr. Neal went over the staff process of an appeal to City Council, i.e., letter to adjacent owners that have not consented, letters of objection to the mailing list (500-feet). He also noted that it hard to get people to respond but so there will be more appeals if they can't get the required consents.

Further discussion on different scenarios for clarification.

Mr. Colony asked if these scenarios are a different from regular rentals and Mr. Neal stated that it is more isolated to the short-term rental process.

Mr. Doennig noted again about the 500-foot radius and noted that even if their property had a tiny edge in the radius that would be excluded, and Mr. Neal noted that it is correct.

COMMISSION ACTION:

Planning and Zoning Commissioner Doennig moved to approve including staff comments for Short Term Rental Revised Text Amendment, Commissioner Colony seconded the motion. It **Passed** with the following vote:
Ayes: Commissioner Broekhoven, Commissioner Ridge, Commissioner Knuckles, and Commissioner Colony.
Nays: Commissioner Pauly and Commissioner Doennig. Absent: Commissioner Lebeck, Commissioner Scott and Commissioner Gunther. Abstain: None.

ADJOURN.