

April 20, 2023
MINUTES OF THE PLANNING AND ZONING COMMISSION
Springfield, Missouri

The Planning and Zoning Commission met in regular session in the City Council Chambers.

Roll Call - Present: Britton Jobe (Chairman), Natalie Broekhoven (Vice-Chairman), Bruce Colony, Bill Knuckles, Eric Pauly, Betty Ridge, Dan Scott, and Helen Gunther. Absent: Christopher Lebeck. Staff in attendance: Brendan Griesemer, Assistant Planning Director, Susan Istenes, Planning Director, Jill Burris, Assistant City Attorney, and Michael Sparlin, Senior Planner.

MINUTES: The minutes of April 6, 2023, were approved.

COMMUNICATIONS: None

CONSENT ITEMS:

Relinquishment of Easement 935
600 South Glenstone, LLC
Applicant: Boing US Holdco, Inc

COMMISSION ACTION:

Mr. Colony motioned to **approve** consent item Relinquishment of Easement 935 (600 South Glenstone, LLC). Ms. Broekhoven seconded the motion. Ayes: Jobe, Broekhoven, Colony, Knuckles, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: Lebeck.

UNFINISHED BUSINESS:

Z-27-2022 w/COD #220
1739, 1745 & 1755 South National Avenue and 1111, 1119, 1133 & 1141 East Sunshine Street and 1138 East University Street
Applicant: BK&M, LLC

Public hearing closed on April 6, 2023. Commission discussion and vote only.

Mr. Scott noted that these types of projects/cases will be coming more and more in the future and the city needs redevelopment and if this is the area that needs redevelopment. He noted that the original public renderings are not what will be proposed and does not have the same comfort level with the vagueness of the general retail rezoning and the highest and best use and will not be supporting the motion.

Ms. Broekhoven went over the Vision 20/20 language and stated that University Heights is a beloved neighborhood and a benchmark of success (private reinvestment, walkability, density, etc.,) and believes that the property can be rezoned in alignment with Vision 20/20 and can create a gateway from the residential crossroads along National Avenue and Sunshine Street to the commercial blocks. She also noted that the intensity of the rezoning is nothing more than a speculative idea of what could be the highest and best use.

Ms. Gunther believes the rezoning encroaches too much into the neighborhood (1138 S. University Street). Stated that she is okay with rezoning National Avenue and Sunshine Street but rezoning on University Street would cause additional commercial traffic (trash trucks, etc.,) coming through the neighborhood and will not support it.

Ms. Ridge gave a brief history of living in Springfield when she was a child and noted the changes over the years and hopes that the area can have a happy compromise.

Mr. Colony voiced his concerns that it is not a Planned Development which allows for uncertainty at a high cost to the neighborhood and see plenty of areas that need to be redeveloped and does not believe that this is one of them and it also will not compliment the neighborhood, so he will not support it.

Mr. Pauly also mentioned Vision 20/20 and that neighborhoods need to exhibit some sense of identity and University Heights is mature and its identity has already been established a long time ago and plans to deny the request by following Vision 20/20 and supporting the neighborhood and their sense of identity.

Mr. Knuckles believes this area will eventually be developed but thinks the houses will maintain their value and gave an example of adjusting to increased traffic. Stated there is too much vagueness in the rezoning proposal and said that the developer chose a method to accommodate tenants and that was how the site was going to be developed and would like a more definitive development before being able to support it.

Mr. Jobe talked about arterial roadways framing a single-family neighborhood stating that the plan encourages development in transitional corridors and land uses that effect low intensity uses adjacent to high intensity uses. He noted that the plans encourage neighborhoods to scale down transitions (step down zoning) and believes the Conditional Use District addresses the potential conflict aspects and plans to support it.

Mr. Colony stated that neighborhoods are to be protected and this is a perfect place for an activity center, but we don't really know what is being developed and talked about neighborhoods next to arterial roadways and high-end intensity development and has not changed his mind to not support it.

Mr. Scott wants to encourage the neighborhood and developer to work together to get beyond the "no and heck no stage" noting that Springfield continues to age and redevelop and find the middle ground and be an example for future development.

Ms. Ridge noted that larger cities have older/larger homes existing along busy streets/boulevards and are doing well and believes it can happen here if handled right. This area makes Springfield unique and would like for it to continue.

Mr. Pauly noted that Springfield is unique, and it is one of the building blocks that helps decide how the future looks and believes economic development is going on around the city and has pushed residents to the outside areas.

Ms. Broekhoven stated that she drives past the proposed development twice a day and hopes the neighborhood and developer can find a compromise and that 1755 South National has sat vacant for a long time demonstrating that it is no longer the highest and best use of that property.

Commission talked about why the house at 1755 S. National sat vacant for a long time (cost, rehab, city had purchased it to make intersection improvements, but no one was willing to purchase it) and talked about what was proposed there a few years ago.

COMMISSION ACTION:

Mr. Colony motioned to **approve** Z-27-2022 w/COD #220 (1739, 1745 & 1755 South National Avenue and 1111, 1119, 1133 & 1141 East Sunshine Street and 1138 East University Street). Ms. Broekhoven seconded the motion. Ayes: Jobe.

Nays: Broekhoven, Colony, Knuckles, Pauly, Ridge, Scott, and Gunther. Abstain: None. Absent: Lebeck. **Motion Failed**

Z-10-2023

718 West Grant Street

Applicant: Lakeland Hospital Acquisition

Mr. Sparlin stated that this is a request to rezone approximately 4.8 acres of property generally located at 2323 West Grand Street from O-1, Office district to G1, Government, and institutional use district. Staff recommends approval.

Mr. Knuckles asked what the current use is, and Mr. Sparlin noted it is a residential treatment facility and owned by Lakeland Hospital and fits as hospital use and adjusting the zoning to comply with the existing use.

Mr. Jobe opened the public hearing.

Mr. Damon Longworth, 440 S. Market Avenue, noting that they are not going to change the use and here to answer any questions.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Knuckles motioned to **approve** Z-10-2023 (718 West Grant Street). Mr. Pauly seconded the motion. Ayes: Jobe, Broekhoven, Colony, Knuckles, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: Lebeck.

Planned Development 379 FDP

1616 East Bradford Parkway

Applicant: EWR Springfield Cambium, LLC

Mr. Sparlin stated that this is a request to approve the final development plan of Planned Development No. 379, on approximately 10.53 acres of property generally located at 1616 East Bradford Parkway and 3811 South Weller Street without a footbridge that the Administrative Review Committee cannot approve due to its lack of conformity to the approved planned development but which merits approval despite this lack of conformity. Staff recommends approval notwithstanding such lack of conformity.

Mr. Colony questioned the Army Corps of Engineers jurisdiction.

Mr. Codichini, Public Works and yes, it is part of the Army Corps of Engineers jurisdiction and basically the starting point heading downstream.

Mr. Colony asked about the width of the stream buffer on site.

Mr. Codichini said it is approximately 100 feet wide (50' on each side) and gave out additional information on stormwater and stream buffers.

Mr. Colony asked about Administrative Review Committee (ARC) and why they did not approve the site plan.

Mr. Sparlin noted that in this case it lacks conformity (bridge is omitted), and they did not have the authority to approve it.

Mr. Knuckles asked about the 404 and the Corps jurisdiction and Mr. Codichini noted where they no longer have jurisdiction (east side of Weller Avenue).

Commission asking more questions regarding nonconformity and staff went over the Administrative Review Committee (ARC) process and the multifamily matrix and sharing amenities.

Mr. Jobe opened the public hearing.

Mr. Harlan Hill, 3811 S. Weller Avenue, representing the owner and believes it does meets conformity and gave out information on what has changed on the site plan (reducing units and height of the building). Noted that they have exceeded the open space requirements and then discussed omitting the footbridge. Has repeatedly tried to contact the Corps and only was able to have contact after 5 months, but trying to meet deadlines with the developer, so requesting the footbridge be removed as criteria for getting a building permit and providing a direct connection to a public sidewalk. He also noted the amenities that are being provided.

Mr. Colony asked if the bridge was going to be put in later and Mr. Hill asked that the Commission not make it a condition of the development and does not know what the Corps of Engineers flexibility allows.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Knuckles motioned to **approve** Planned Development 379 FDP (1616 East Bradford Parkway). Ms. Broekhoven seconded the motion. Ayes: Jobe, Broekhoven, Colony, Knuckles, Ridge, Scott, and Gunther. Nays: Pauly. Abstain: None. Absent: Lebeck.

Home Occupation Amendments

Citywide

Applicant: City of Springfield

Postponed indefinitely and received 48 hours in advance of the public hearing.

COMMISSION ACTION:

No action taken

Conditional Use Permit Amendments

Citywide

Applicant: City of Springfield

Mr. Sparlin stated this is a request to amend section 36-363 and 36-368 to allow City Council to add, modify or remove conditions to a Conditional Use Permit. Staff recommends approval.

Mr. Jobe asked if this would allow City Council to impose additional or remove existing requirements without having to remand back for consideration and if this is typical of other municipalities.

Ms. Istenes stated that it is not uncommon, and they looked at other municipalities.

Mr. Scott asked if this was to streamline the development process.

Ms. Sparlin noted that it came by the request of the Plans and Policy committee and that council initiated the amendment.

Mr. Jobe opened the public hearing.

Mr. Jobe closed the public hearing.

COMMISSION ACTION: #1

Mr. Knuckles motioned to **approve** Conditional Use Permit Amendments (Citywide). (No second). No vote.

Mr. Colony does not believe this is a good idea and noted that the Commission is here for a reason and already had situations where cases were approved that we have recommended denial.

Mr. Jobe appreciates the intent of the amendment to streamline the process but believes it does not require this extreme measure and takes away from the Commission's function and will be voting to deny it.

Ms. Burris stated that City Council cannot remove conditions, but can impose conditions, safeguards and restrictions.

Mr. Colony read the section where it said, "allow City Council to add, modify or remove conditions to a conditional use permit."

Ms. Burris went over page 7, section 6 where it says, "the Council may grant or deny a conditional use permit application," "Council shall consider any conditions, safeguards, or restrictions recommended by the Planning and Zoning Commission, but

may independently impose any conditions, safeguards, and restrictions upon the premises benefited that it believes necessary to comply with the standards.” She noted that it does not say about “removing.”

Mr. Scott asked about postponing until the language of the staff report correlates with the proposed text amendment.

Mr. Knuckles asked that his motion be considered, and the proposal come back in another form.

Mr. Jobe suggest a motion be made for postponement or a second motion (Mr. Knuckles motion).

More discussion on matching/reconciling the language (staff report/text amendment) with staff and commission.

COMMISSION ACTION: #2

Mr. Scott motioned to **postpone** Conditional Use Permit Amendments (Citywide) for clarity on the language (correlate with text amendment and staff report) to the next Planning and Zoning meeting on May 11, 2023. Mr. Colony seconded. Ayes: Jobe, Broekhoven, Colony, Knuckles, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: Lebeck.

PUBLIC HEARINGS:

OTHER BUSINESS:

ADJOURN: 7:51pm