

June 8, 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-Chairperson), Bruce Colony, Bill Knuckles, Eric Pauly, Betty Ridge, Dan Scott, Christopher Lebeck, and Helen Gunther. Absent: None

Staff in attendance: Bob Hosmer, Planning Manager, Jill Burris, Assistant City Attorney, Michael Sparlin, Senior Planner, Kyle McGinnis, Senior Planner, and Daniel Neal, Senior Planner

MINUTES: The minutes of May 11, 2023, were approved.

COMMUNICATIONS: City Council actions for May 2023

COMMISSION ACTION:

Mr. Colony motioned to **suspend** the rules to reduce speaking time to 3 minutes for tonight's meeting. Mr. Knuckles seconded. Ayes: Jobe, Broekhoven, Colony, Knuckles, Lebeck, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: None.

COMMISSION ACTION:

Mr. Knuckles motioned to **postpone** Planned Development 382 Final Development Plan (1015 South Grant Avenue and 1012, 1020, & 1024 South Douglas Avenue) to the July 13, 2023, meeting. Ms. Broekhoven seconded. Ayes: Jobe, Broekhoven, Colony, Knuckles, Lebeck, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: None.

COMMISSION ACTION:

Mr. Knuckles motioned to **suspend** the rules and add Request to Acquire 541 (Old Route 65 Bridge) to the consent agenda. Ms. Broekhoven seconded. Ayes: Jobe, Broekhoven, Colony, Knuckles, Lebeck, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: None.

CONSENT ITEMS:

Request to Acquire 541
Old Route 65 Bridge

Applicant: Springfield-Greene County Park Board

Relinquishment of Easement 937
3745 South Broadway Avenue

Applicant: School District of Springfield R-12

Offer to Dedicate 109 (*requested to remove from consent agenda*)

1131 East Washita Street

Applicant: City of Springfield

Mr. Jobe noted that there was a request to remove Offer to Dedicate 109 from the consent agenda and it will be item 6.9 under public hearings.

COMMISSION ACTION:

Mr. Colony motioned to **approve** consent items Request to Acquire 541 (Old Route 65 Bridge) and Relinquishment of Easement 937 (3745 South Broadway Avenue) as identified in the staff reports. Ms. Broekhoven seconded the motion. Ayes: Jobe, Broekhoven, Colony, Knuckles, Lebeck, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: None.

UNIFINISHED BUSINESS:

Planned Development 386

1630 North Jefferson Avenue and 1635 North Benton Avenue

Applicant: Titus Williams, LLC and Historic Commercial Development, LLC

Mr. McGinnis stated that this is a request to rezone approximately 2.3 acres of property generally located at 1630 N. Jefferson Avenue and 1635 N. Benton Avenue from R-SF, Single-Family Residential District, CC, Center City District, and Urban Conservation District #3 to Planned Development No. 386. The applicant intends to demolish the existing structures to uniformly develop the land area for multifamily dwellings utilizing a townhouse style of construction.

Mr. Jobe opened the public hearing.

Mr. Jared Rasmussen, 550 E. St. Louis Street, noted that they had met with the neighborhoods and the density will be 72 units, down from 200 units that was the initial proposal. It is zoned Center City with 85 parking spaces (seventy would be an apartment style or in the garage portion with another 15 on the site) and there has been a traffic study completed. The changes from last month's public hearing: update to the exterior appearance, 900 square foot dog park to be replaced with a 900 square foot tot lot (includes on picnic table and communal grill/fire pit). He also mentioned that only two units may be used as short-term rentals.

Ms. Mary Jo Greer, 1520 N. Jefferson noted that they have done a fine job of accommodating the aesthetics, but her main concern is traffic and that it will be funneled into the neighborhood (Jefferson Avenue). She would like to see shrinkage for the traffic as well as the density of the project.

Mr. Ran Cummings, 619 E. Lynn, president of Midtown Neighborhood Association and is in favor of the development but has issues with the lack of parking availability.

Mr. Nick Schurk, 3100 S. National Avenue and project architect and said the neighborhood response seem positive and gave out changes from last presentation (double gables removed, low slope roofs and dormers have been introduced).

Ms. Christine Schilling, 307 E. Commercial is pleased with the design and wants to know if there can be a timeframe for the project due to Mr. Titus acquiring more buildings but not doing any of the promised projects.

Ms. Mary Collette, 1539 N. Washington, would like the process to continue of having meetings with the developer and is concerned regarding a 100-year-old tree and if it could be saved. She also noted that properties get demolished and then end up as vacant properties.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Knuckles motioned to recommend **approval** of Planned Development 386 (1630 North Jefferson Avenue and 1635 North Benton Avenue) as set forth in Exhibits 1 and 2 of the staff report. Mr. Colony seconded the motion. Ayes: Jobe, Broekhoven, Colony, Knuckles, Lebeck, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: None.

Conditional Use Permit Amendments

Citywide

Applicant: City of Springfield

Postponed to the July 13, 2023, Planning and Zoning meeting, received 48 hours in advance of the public hearing.

COMMISSION ACTION:

No action taken.

PUBLIC HEARINGS:

Z-2-2023

3518, 3526 & 3532 West Waddill Street

Applicant: Wilson Trust

Mr. Sparlin stated that this is a request to rezone approximately 1.1 acres of property from GM, General Manufacturing to HC, Highway Commercial.

Mr. Jobe opened the public hearing.

Mr. Nick Freund, 3518 W. Waddill, authorized representative and wanting the zoning change so each parcel has the same zoning classification.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Knuckles motioned to recommend **approval** of Z-2-2023 (3518, 3526 & 3532 West Waddill Street). Ms. Broekhoven seconded the motion. Ayes: Jobe, Broekhoven, Colony, Knuckles, Lebeck, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: None.

Z-8-2023 w/COD 228

901 South West Bypass

Applicant: Carleton Resources, LLC

Postponed to the July 13, 2023, Planning and Zoning meeting, received 48 hours in advance of the public hearing.

COMMISSION ACTION:

No action taken

Z-14-2023 w/COD 230

3538, 3550, 3616 West Division Street and 1353, 1409 & 1421 North West Bypass

Applicant: Demore Enterprises, Inc., James Hershel Demore and Robert Demore

Mr. Sparlin stated that this is a request to rezone approximately 25.92 acres from HC, Highway Commercial and GM, General Manufacturing to HM, Heavy Manufacturing.

Mr. Jobe opened the public hearing.

Mr. Lee Viorel, 901 E. St. Louis Street representing the owners and they are leasing out the premises and requesting to rezone to Heavy Manufacturing and feel that this will attract tenants. We have met with the neighbors, and they raised some issues, i.e., noise and hazardous waste, but we have mitigated those concerns through a Conditional Overlay District.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Colony motioned to recommend **approval** of Z-14-2023 w/COD 230 (3538, 3550, 3616 West Division Street and 1353, 1409 & 1421 North West Bypass) as listed in the staff report. Mr. Knuckles seconded the motion. Ayes: Jobe, Broekhoven, Colony, Knuckles, Lebeck, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: None.

Z-15-2023 w/COD 231

2035 West Kearney Street

Applicant: Craig and Lori Slater

Mr. Neal stated that this is a request to rezone approximately 1.1 acres of property from HC, Highway Commercial District to IC, Industrial Commercial District and establishing Conditional Overlay District No. 231.

Mr. Knuckles asked about limited storage of materials outside the building.

Mr. Neal stated that it would be a limited amount, but majority would be indoors.

Mr. Scott asked about outdoor storage and gave an example where there are several skids of granite onsite and outdoors and asked this company will be able to store all their product indoors.

Mr. Neal stated that the applicant is available to answer those questions.

Mr. Jobe opened the public hearing.

Ms. Lori Slater, 2035 W. Kearney Street stated that they are not the granite store that was mentioned earlier and will not use the premises to store/stack the product and will only order products and cut on demand.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Colony motioned to recommend **approval** of Z-15-2023 w/COD 231 (2035 West Kearney Street) as listed in the staff report.

Mr. Knuckles seconded the motion. Ayes: Jobe, Broekhoven, Colony, Knuckles, Lebeck, Pauly, Ridge, Scott, and Gunther.

Nays: None. Abstain: None. Absent: None.

Z-16-2023 w/COD 232

6401 South Farmers Branch Avenue

Applicant: William F. Walz Etal Trust

Mr. Sparlin stated that this is a request to rezone approximately 6.5 acres of property from Planned Development 201 to GR, General Retail and establishing Conditional Overlay District No. 232. He also noted that there is a request to amend the application that removes eating and drinking establishments use groups and replace with community gardens and prohibit building height over 45 feet.

Mr. Jobe opened the public hearing.

Mr. Daniel Richards 1200 E. Woodhurst, representing the owner as the civil engineer and noted that they had two neighborhood meetings and have addressed their concerns (no hotels/motels) and that the existing Planned Development allows medical offices. To accommodate any overnight clients the city recommends Short-Term Rental Type 3 for two units (STR3 are limited to maximum number of nights)

Mr. Jason Meyer, 6215 Riverglen Road, Vice President of Millwood Association and expressed his concern for traffic problems that are already there due to the church on Wednesday's and Sunday's and feels it will be unsafe for the neighborhood and did not get invited to the neighborhood meeting.

Mr. Pauly asked if they did get a neighborhood invitation and Mr. Meyer stated that they did not, but Millwood Park Association did.

Mr. Walt Cameron, 6097 Lookout Ridge, likes the county feel and stated that previous proposed developments had been defeated before and stated his concerns for traffic, sewer connection and what is compatible for the area.

Mr. Knuckles noted that there is sewer available to the south and that the area is primed for development.

Mr. Colony stated he has lived in the area years ago and understands the traffic concerns.

Mr. Doug Evans, 6172 Riverglen Road, lives in Millwood and believes the roads need improvement due to the heavy asphalt, gravel and concrete trucks that pass in front of the property daily and believes a multi-story building would not be suitable.

Ms. Wendy Woods, 3446 E. Anne Street, lives in Millwood Park and noted the good interactions with the developers/engineers and has concerns for the future that could change and infringe on their peaceful living environment.

Mr. Norbert Laengrich, 3411 East Anne Street, is a member of and speaking for Millwood Park Association and support the development and believe it is compatible with the neighborhood and trust the developer will be willing to work with the neighborhood and is glad for the prohibition on the building height.

Mr. Jobe closed the public hearing.

Mr. Knuckles asked the developer about the building height and being limited to 45 feet (matches Single Family Residential maximum building height).

Discussion what is being prohibited and the amended application and traffic concerns were discussed for peak times for the church as well as what would be appropriate development.

COMMISSION ACTION: #1

Ms. Broekhoven motioned to **amend** the application of Z-16-2023 w/COD 232 (6401 South Farmers Branch Avenue) to remove eating and drinking establishments from the prohibited use list and replace it with community gardens and add a required 45' building height limit. Mr. Knuckles seconded the motion. Ayes: Jobe, Broekhoven, Colony, Knuckles, Lebeck, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: None.

COMMISSION ACTION: #2

Mr. Colony motioned to recommend **approval** of Z-16-2023 w/COD 232 (6401 South Farmers Branch Avenue) as amended. Mr. Knuckles seconded the motion. Ayes: Jobe, Broekhoven, Colony, Knuckles, Lebeck, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: None.

Conditional Use Permit 471

411 West Commercial Street

Applicant: Dan Johnson & Associates, LLC

Mr. Sparlin stated that this is a request for a Conditional Use Permit to allow a development project greater than 10,000 square feet of total building floor area and a building greater than 3 stories in height.

Mr. Pauly asked about the number of residential units and Mr. Sparlin noted that it shows approximately be 42 units.

Mr. Jobe opened the public hearing.

Ms. Chelsea Davison, 305 W. Commercial, developer representing the owner and noted that it will be 42 units of affordable housing and believes it will be complimentary to Commercial Street. She also noted that they have received Landmarks and State Historic Preservation office approval and no issues were brought up at the neighborhood meeting.

Ms. Ridge asked if there will be any commercial spaces on the 1st floor. Ms. Davison noted that there will be commercial on the 1st floor – 5 commercial spaces.

Mr. Scott asked if this will be affordable housing and Ms. Davison clarified that it is.

Mr. Michael Muench, 315 W. Commercial Street noted the considerable issues around parking and would there be enough parking for an additional 42 units.

Ms. Mary Collette, 1539 N. Washington and believes it much larger than any existing buildings with four stories when only three stories are allowed and not providing parking space for the 42 units. She also noted that with \$11M tax dollars (gave out information on funds) they should be able to provide parking and just not district parking to meet their needs and is asking for the developer to “go back to the drawing board” mentioning that it is not fair that they are asking the neighborhood to support due to having parking issues in the district.

Ms. Christine Schilling, 307 E. Commercial and appreciates that the developer has reached out to the neighborhood, but said the problem is parking and she is not only talking for herself, but many of the other merchants and residents and would like them to provide parking for their new development.

Mr. John Oke-Thomas, 5168 South Nettleton is part of the design team and noted that the building does not require parking, but also understands the parking issues along Commercial Street, however, is willing to talk with the city and everyone to find a best alternative parking.

Mr. Jobe closed the public hearing.

Mr. Colony noted that parking is a concern and thinks someone needs to put a parking garage and start selling parking passes. Believes it is a great thing and will be in support of it.

Mr. Scott noted his similar concerns regarding parking and stated that subsurface of parking under the building in full or part of is not terribly difficult and most places only allow timed parking (i.e., 2 hours, etc.) and would like to see other options explored.

Mr. Pauly noted that parking is an issue and will continue to be an issue and needs to be addressed and commented on the current parking areas and would like the developer to go back and speak with the neighbors and come up with a better solution.

Commission comments/discussion:

Lack of parking.	Moving away from cars (less dependent).	Mixed use developments will continue to evolve.	Need to address the parking issue now.
Can easily walk three blocks to get to a location on Commercial Street.	Need to have a comprehensive parking strategy for Commercial Street.	Should not hold the developer hostage because he's the last guy in line looking for parking.	I'll walk a couple of blocks, but if I'm carrying bags of groceries, etc., I want to park close.

COMMISSION ACTION:

Mr. Knuckles motioned to **adopt** Conditional Use Permit 471 (411 West Commercial Street) of the staff responses in Attachment 2 as the findings of fact and recommend approval subject to the conditions listed in Attachment 1 to the staff report. Mr. Knuckles seconded the motion. Ayes: Jobe, Colony, and Knuckles. Nays: Broekhoven, Lebeck, Pauly, Ridge, Scott, and Gunther. Abstain: None. Absent: None. **Motion denied.**

Conditional Use Permit 474

4564 South Campbell Avenue

Applicant: Campbell-Buena Vista, LLC / VantEdge Auto T5

Mr. McGinnis stated that this is a request to permit an automobile service garage as a Conditional Use Permit within a GR, General Retail District.

Mr. Jobe opened the public hearing.

Mr. Derek Ziegelbein, 3213 S. West Bypass, here on behalf of the owner and noted that it is not automobile repair but a quick service for replacing fluids, wheel changes, etc.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Knuckles motioned to **adopt** Conditional Use Permit 474 (4564 South Campbell Avenue) of the staff responses in Attachment 2 as the findings of fact and recommend approval subject to the conditions listed in Attachment 1 to the staff report.

Mr. Lebeck seconded the motion. Ayes: Jobe, Broekhoven, Colony, Knuckles, Lebeck, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: None.

Conditional Use Permit 475
2000 North National Avenue

Applicant: 3 Best Friends, LLC

Mr. Neal stated that this is a request to permit residential uses on the first floor as a Conditional Use Permit within a GR, General Retail District. The applicant, 3 Best Friends, LLC, is requesting a Conditional Use Permit to convert the existing commercial structure into a single-family residence.

Mr. Scott asked if there is a goal of the city to convert this area to general retail and Mr. Neal stated that he does not believe that it will slow the general retail use and stating that there is a lot of residences along that section of National Avenue.

Mr. Jobe noted that is a conditional permit but rezoning and it is keeping general retail and asking about access to the property. Mr. Neal noted that the access will be Atlantic Street and traffic has reviewed.

Mr. Jobe opened the public hearing.

Mr. Brady Ghan, 840 Boonville Avenue, applicants representative and currently under contract to purchase the property and will be occupying the residence and gave out the history of the project.

Commission members appreciated of the commitments from the representative to rehab the building and not just have a vacant structure and/or parking lot.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Pauly motioned to **adopt** Conditional Use Permit 475 (2000 North National Avenue) of the staff responses in Attachment 2 as the findings of fact and recommend approval subject to the conditions listed in Attachment 1 to the staff report. Mr. Knuckles seconded the motion. Ayes: Jobe, Broekhoven, Colony, Knuckles, Lebeck, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: None.

Offer to Dedicate 109 (***requested to remove from consent agenda***)

1131 East Washita Street

Applicant: City of Springfield

Mr. Hosmer states that the applicant, Lester E. Cox Medical Centers, is offering to dedicate property as public right-of-way for an extension of Florence Avenue. The extension connects Florence Avenue to Washita Street.

Mr. Colony noted that this seems to be done backwards as the house is already demolished and the street already has been put in, questioning the timing.

Mr. Knuckles noted that he is glad that this one was cleaned up.

Mr. Jobe opened the public hearing.

No speakers.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Knuckles motioned to recommend **approval** of Offer to Dedicate 109 (1131 East Washita Street) as submitted in the staff report. Mr. Lebeck seconded the motion. Ayes: Jobe, Broekhoven, Colony, Knuckles, Lebeck, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: None.

OTHER BUSINESS:

Planned Development 382 Final Development Plan
1015 South Grant Avenue and 1012, 1020 & 1024 South Douglas Avenue
Applicant: GDL Enterprises

Applicant requests to postpone to the July 13, 2023, Planning and Zoning meeting.

COMMISSION ACTION:

Mr. Knuckles motioned to **postpone** Planned Development 382 Final Development Plan (1015 South Grant Avenue and 1012, 1020 & 1024 South Douglas Avenue) to the July 13, 2023, meeting. Ms. Broekhoven seconded the motion. Ayes: Jobe, Broekhoven, Colony, Knuckles, Lebeck, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: None.

Site Plan Review – ECO Flats
2955 East Allen Place
Applicant: Township28, LLC

Mr. Hosmer states that this is a request to approve a site plan application referred to the Planning and Zoning Commission for review and decision of such matters as remained unresolved between the Director of Building Development Services and the applicant per Section 36-360 (6) (c).

Mr. Jobe opened the public hearing.

Mr. Sam Coryell, 6144 Riverglen Road, noting that they have changed the site plan. Went over the changes, noting the density is the same, increased 5% of the maximum floor area, height was brought down from 52 feet to 42 feet and more open space and went from two buildings to one and all changes are 100% are driven by the economy.

Mr. Jobe closed the public hearing.

Mr. Knuckles questioned whether it complies with the site plan and believes it requires a new site plan to approved. Mr. Hosmer noted the standards for 36-360 and a determination was made by the Building Development Director to not approve the changes.

Mr. Colony asked staff what the developer needs to do to have the site plan approved.

Mr. Brock Rowe noted that his determination was based on what City Council had approved and this is contrary to what was submitted and mentioned Galloway Village also had input and they approved the original plan.

Staff commented that he needs to resubmit a new site plan (reapply) to amend/change the Conditional Overlay District (COD).

COMMISSION ACTION:

Mr. Colony motioned to recommend **approval** of Site Plan Review – ECO Flats (2955 East Allen Place) as listed in the staff report. Mr. Knuckles seconded the motion. Ayes: Gunther. Nays: Jobe, Broekhoven, Colony, Knuckles, Lebeck, Pauly, Ridge, and Scott. Abstain: None. Absent: None. **Motion denied.**

ADJOURN: 9:20pm