

July 13, 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, Eric Pauly, Betty Ridge, Dan Scott, and Helen Gunther. Absent: Bill Knuckles and Christopher Lebeck

Staff in attendance: Bob Hosmer, Planning Manager, Jill Burris, Assistant City Attorney and Michael Sparlin, Senior Planner.

MINUTES: The minutes of June 8, 2023, were approved.

COMMUNICATIONS: City Council actions for June 2023 and stated changes to the traffic study wording and placement and request to amend the report as submitted that is on-line/before you (Z-13-2023 w/COD 229, Z-17-2023 w/COD 223, and Z-18-2023 w/COD 234).

CONSENT ITEMS:

Request to Acquire 540 (*requested to remove from consent agenda*)
3207 East Pythian Street

Applicant: School District of Springfield R-12

Request to Acquire 542
601 North Brown Avenue

Applicant: City of Springfield

Mr. Jobe noted that there was a request from Mr. Scott to remove Request to Acquire 540 from the consent agenda and it will be item 6.4 under public hearings.

COMMISSION ACTION:

Ms. Ridge motioned to **approve** consent item Request to Acquire 542 (601 North Brown Avenue). Ms. Broekhoven seconded the motion. Ayes: Jobe, Broekhoven, Colony, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: Lebeck and Knuckles.

UNFINISHED BUSINESS:

Conditional Use Permit Amendments
Citywide

Applicant: City of Springfield

Postponed to the August 10, 2023, Planning and Zoning meeting, received 48 hours in advance of the public hearing.

COMMISSION ACTION:

No action taken.

Z-8-2023 w/COD 228
901 South West Bypass

Applicant: Carleton Resources, LLC

Postponed to the August 10, 2023, Planning and Zoning meeting, received 48 hours in advance of the public hearing.

COMMISSION ACTION:

No action taken.

PUBLIC HEARINGS:

Z-13-2023 w/COD 229
4808 East Parallel Lane
Applicant: Tina Patel

Mr. Hosmer stated that this is a request to rezone approximately 10.6 acres of subject property generally located at 4808 E. Parallel Lane from County M-1, Light Manufacturing District to IC, Industrial Commercial District and establishing a new Conditional Overlay District No. 229 and noting that the property is currently being annexed and will run concurrently.

Mr. Scott would like to discuss a better definition or design guideline on how metal siding is defined and make it more enforceable so everyone can understand.

COMMISSION ACTION: (amend)

Ms. Broekhoven motioned to **amend** Z-13-2023 w/COD 229 (4808 East Parallel Lane) as submitted in the current staff report. Ms. Colony seconded the motion. Ayes: Jobe, Broekhoven, Colony, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: Lebeck and Knuckles.

Mr. Jobe opened the public hearing.

Mr. Caleb Freeland, 1501 W. Meadowmere and here to answer any questions.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Colony motioned to **approve** Z-13-2023 w/COD 229 (4808 East Parallel Lane). Ms. Broekhoven seconded the motion. Ayes: Jobe, Broekhoven, Colony, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: Lebeck and Knuckles.

Z-17-2023 w/COD 223
3520 East Olive Street
Applicant: In-Out, LLC

Mr. Sparlin stated that this is a request to rezone approximately 2.43 acres of property generally located at 3500 Block of East Olive from Planned Development 298 to GR, General Retail and establishing Conditional Overlay District No. 233.

COMMISSION ACTION: (amend)

Ms. Broekhoven motioned to **amend** Z-17-2023 w/COD 223 (3520 East Olive Street) to the final version of the staff report as presented. Mr. Scott seconded the motion. Ayes: Jobe, Broekhoven, Colony, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: Lebeck and Knuckles.

Mr. Jobe opened the public hearing.

Mr. Geoff Butler, 319 N. Main representing the applicant and this zoning case does two things. One it adds a singular use to what was previously approved in the Planned Development and second it gets rid of the Planned Development which will save the trouble of a doing a Final Development Plan and here to answer any questions.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Ms. Ridge motioned to **approve** of Z-17-2023 w/COD 223 (3520 East Olive Street). Mr. Colony seconded the motion. Ayes: Jobe, Broekhoven, Colony, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: Lebeck and Knuckles.

Z-18-2023 w/COD 234
5500 East Farm Road 104
Applicant: Jerry M. Tolbert Trust and HWH Strategy, LLC

Mr. Sparlin stated that this is a request to rezone approximately 28 acres of property generally located at 5500 East Farm Road 104 from County A-1 to City HC, Highway Commercial District and establishing Conditional Overlay District No. 234.

COMMISSION ACTION: (amend)

Ms. Broekhoven motioned to **amend** Z-18-2023 w/COD 234 (5500 East Farm Road 104) as submitted in the final staff report. Mr. Scott seconded the motion. Ayes: Jobe, Broekhoven, Colony, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: Lebeck and Knuckles.

Mr. Jobe opened the public hearing.

Mr. Geoff Butler, 319 N. Main noting that it is just east of Buc-ee's (Beaver Road/Mulroy Road), and the applicant wants to build a truck sales and service dealership. He also indicated that the applicant may not use all 28 acres currently but may hold the rest for expansion and here to answer any questions.

Mr. Colony noted that Mulroy Road is now Beaver Road.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Colony motioned to **approve** of Z-18-2023 w/COD 234 (5500 East Farm Road 104) as presented by staff. Mr. Pauly seconded the motion. Ayes: Jobe, Broekhoven, Colony, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: Lebeck and Knuckles.

Request to Acquire 540 (*requested to remove from consent agenda*)

3207 East Pythian Street

Applicant: School District of Springfield R-12

Mr. Hosmer stated that this a request to property generally located at 3207 East Pythian Street for the site of the new Pipkin Middle School. Springfield Public Schools is proposing to acquire property and the Land Use & Development chapter of the Forward SGF Comprehensive Plan, identifies this area as appropriate for the Business Flex placetype and currently there are no structures on the subject property. Staff recommends denial as it does not meet the criteria for approval.

Mr. Pauly asked about Goal #4 and Theme #3 and if there is any study or data that shows the number of students who may be impacted by the move to the proposed location.

Mr. Hosmer noted that the school district should have the information being requested by Mr. Pauly.

Ms. Broekhoven asked how far the school is into the acquisition.

Mr. Hosmer noted that the school district representatives should be able to answer that question.

Mr. Jobe asked to confirm what Commission members should be looking at (role) and evaluating whether the acquisition should occur and if compatible with the Comprehensive Plan.

Mr. Hosmer stated that the Commission should approve the proposal to acquire real-estate property and the proposal to construct a public building and structure.

Further discussion on what is/should the Commission review and if consistent with the Master Plan.

Mr. Jobe opened the public hearing.

Mr. Travis Shaw, 1359 E. St. Louis and the Deputy Superintendent of Operations and noted that Springfield Public Schools (SPS) is finalizing the purchase of the undeveloped property. He noted that this was unanimously approved by the SPS Board of Education and went over the history of the task force process of acquiring the property.

Mr. Colony asked if was appropriate for the school to be located on a dead-end and bounded by a rail line and noted that there are long freight trains that occasionally stop and block traffic and if there is any other access to the proposed school.

Mr. Shaw believes that the city is working on a grant with the railroad to begin a drive over Division Street and is part of a 2006 study and noted that they are waiting for the grant funding but stated that will not happen anytime soon.

Mr. Colony noted access is not currently available and questions the location as suitable for a school.

Mr. Pauly asked about Goal #4 and Theme #3 and if there is any study or data that shows the number of students who may be impacted and when the property went under contract.

Mr. Shaw noted that Pipkin is one of the higher poverty rate and lowest socioeconomic schools and transportation is a challenge, however this helps allow approximately 80% to 85% of students be bus eligible and it went under contract March 2023 (one week before the election).

Mr. Pauly noted that the location was only available until 5 days before the election and has concerns regarding if the public wasn't given adequate notification.

Ms. Ridge stated her concern about accessibility when a train is on the tracks and if there is a need for a massive response.

Mr. Scott also voiced his comments regarding the lack of information and believes this is a "lousy" situation from a safety concern and talked about neighborhood cohesion and extracurricular activities closer to home.

Mr. Colony stated that he noticed a two-acre parcel and eight-acre parcel for sale from the same owner which has better access and if other options have been explored.

Ms. Broekhoven asked if they have spoken with emergency services and what approvals if any has responded.

Mr. Travis noted that he met with Chief Pennington and they looked at options.

Further discussion regarding access points for emergencies.

Mr. Jeff Childs, 6639 S. Farm Road 128 gave out Pipkin School District boundaries and looked at options to keep it downtown and have done extensive research and the current site is the one with the best opportunities and what was available.

Commission discussed other locations/options.

Mr. Jobe closed the public hearing.

Mr. Scott noted that this does not meet the Comprehensive Plan and will not be voting for it.

Mr. Pauly stated his concern for the students and noted that it runs counter to Forward SGF and noted the railroad and manufacturing plant location and believes that they can come up with a better location and will not be supporting it.

Ms. Ridge does not believe the school would fit in and has concerns for the limited access in an emergency.

Ms. Broekhoven would like an in-depth discussion between Springfield Public Schools and Planning and Zoning and would like a development team to put together opportunities that meet all the requirements rather than trying to fix this piece of property to accommodate students.

Mr. Hosmer noted that Springfield Public Schools is exempt from zoning districts.

Mr. Jobe noted that the school district is bound by the district boundaries and do not have the luxury of green space, redevelopment, and preferred areas that a typical developer would have and is not in the business of second guessing the school board, elected official decisions and discussions. He also stated that he believes this is consistent enough with the Comprehensive Plan under the circumstances and will be voting in favor.

COMMISSION ACTION:

Mr. Colony motioned to **approve** of Request to Acquire 540 (3207 East Pythian Street). Ms. Broekhoven seconded the motion. Ayes: Jobe. Nays: Broekhoven, Colony, Pauly, Ridge, Scott, and Gunther. Abstain: None. Absent: Lebeck and Knuckles.
Motion denied.

OTHER BUSINESS:

Initiate Landmarks Board Membership Amendment

Citywide

Applicant: City of Springfield

Mr. Sparlin states that this to initiate amendments to the Zoning Ordinance Section 36-353 (2) Landmarks Board membership. Staff is requesting amendments to the Zoning Ordinance to expand membership eligibility while maintaining historic preservation knowledge and interest.

Mr. Scott wanted clarification about the initiation.

Mr. Sparlin noted that problem is the Landmarks Board retaining/recruiting members.

COMMISSION ACTION:

Mr. Colony motioned to **approve** Initiate Landmarks Board Membership Amendment (Citywide) as presented. Mr. Pauly seconded the motion. Ayes: Jobe, Broekhoven, Colony, Pauly, Ridge, Scott, and Gunther. Nays: None. Abstain: None. Absent: Lebeck and Knuckles.