

City of Springfield
Minutes
Planning and Zoning Commission

Britton Jobe, Chair

Natalie Broekhoven, Vice Chair
Helen Gunther
Christopher Lebeck
Betty Ridge

Bruce Colony
Bill Knuckles
Eric Pauly
Dan Scott

November 9, 2023

6:30pm

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

ROLL CALL.

Present: Commissioner Broekhoven, Commissioner Knuckles, Commissioner Gunther, Commissioner Lebeck, Commissioner Scott, Commissioner Ridge, Commissioner Colony, Commissioner Pauly. Absent: Britton Jobe

Staff in attendance: Brendan Griesemer, Interim Planning Director, Bob Hosmer, Planning Manager, Chris Hoeman, Assistant City Attorney, Daniel Neal and Andrew Menke, Senior Planners.

APPROVAL OF MINUTES.

The minutes of October 5, 2023 were approved.

COMMUNICATIONS.

City Council summary for October 2023.

Bob Hosmer noted the City Council summary for October and that Planned Development 387 and Z-27-2022 w/COD 220 have been postponed to December 14, 2023.

CONSENT ITEMS.

Relinquishment of Easement 933
2835 North Oak Grove Avenue
Applicant: A & R Property
Developers, LLC

Relinquishment of Easement 939
2000 North Lyon Avenue
Applicant: Springfield School R-12
District

Request to Acquire 544
2000 North Lyon Avenue
Applicant: Springfield School R-12
District

Planning and Zoning Commission Board Member Knuckles moved to approve CONSENT ITEMS (Relinquishment of Easement 933 (2835 North Oak Grove Avenue), Relinquishment of Easement 939 (2000 North Lyon Avenue), and Request to Acquire 544 (2000 North Lyon Avenue)) and Commissioner Member Lebeck seconded the motion and **passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Scott, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Britton Jobe. Abstain: None.

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

Request to postpone to the December 14, 2023 Planning and Zoning meeting, received 48 hours in advance of the public hearing.

Planning and Zoning Commission Board Member Knuckles moved to postpone Z-27-2022 w/COD 220 to December 14, 2023 and Commissioner Scott seconded the motion and it was **postponed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Scott, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Britton Jobe. Abstain: None.

Conditional Use Permit Amendments

Citywide

Applicant: City of Springfield

Mr. Hosmer stated that 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.

Mr. Knuckles asked what had changed.

Mr. Hosmer noted that it didn't state clearly that City Council has the authority to change, alter, or recommend different conditions or impose new conditions, noting that the Planning and Zoning Commission can make a recommendation and this text amendment clarifies the change.

Mr. Lebeck talked about an analogy to zoning but said that City Council has the authority to change that zoning.

Mr. Hosmer said that they can reject or modify it as long as it is within the same district. The commission and staff discussed different scenarios/situations on what City Council can do (make significant changes/refer back to the Planning and Zoning Commission).

Mr. Colony believes the process should not be changed and not a good idea and voiced his concerns that members of the public may or may not have the opportunity to come back if City Council could recommend a change.

Mr. Hosmer read what the substantial conformity for a planned development is and noted that if it is significantly altered and not consistent with the plan then, it must come back to the Commission and City Council.

Mr. Scott noted that he is uncomfortable with diluting the purpose and power of the Commission with this change and suggested an amendment.

Mr. Colony asked what is being improved and what is wrong with the current way it is now.

Mr. Griesemer noted that if City Council would like to add conditions, safeguards and/or restrictions, then they can do that without sending it back and doesn't delay the process.

Mr. Colony again noted his objections and gave out examples.

Mr. Lebeck asked how many times a Conditional Use Permit has been sent back in the last four years and Mr. Hosmer noted that it has happened approximately one or twice and is very infrequent.

Further discussion with staff and commission on what a Conditional Use Permit is and examples given.

Ms. Broekhoven closed the public hearing.

Planning and Zoning Commission Board Member Lebeck moved to postpone Conditional Use Permit Amendments to December 2024 and Commissioner Colony seconded the motion and it was **postponed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Scott, Commissioner Lebeck, Commissioner Colony. Nays: Commissioner Knuckles. Absent: Britton Jobe. Abstain: None.

PUBLIC HEARINGS.

Z-30-2023 w/COD 243

2555 North Neergard Avenue

Applicant: Barbara Lorenz

Mr. Daniel Neal stated that this is a request to rezone approximately 0.68 acres of property from GM, General Manufacturing District to IC, Industrial Commercial District and establish a Conditional Overlay District No. 243.

Mr. Knuckles noted that it seems odd that landscaping requirements are required, and Mr. Neal noted that Neergard is a collector roadway and part of the new Comprehensive Plan is charged with enhancing some of the corridors.

Mr. Lebeck clarified about the number of shrubs and trees required and Mr. Neal noted that approximately one canopy tree, one understory, ornamental or evergreen tree and 4 shrubs per 100 linear feet of street frontage.

Ms. Barbara Lorenz, 3182 W. Kob Hill Street and here to answer any questions.

Natalie Broekhoven closed the public hearing.

Planning and Zoning Commission Board Member Knuckles moved to approve Z-30-2023 w/COD 243 and Commissioner Pauly seconded the motion, and it was **passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Scott, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Britton Jobe. Abstain: None.

Z-31-2023 w/COD 244

1650 South Ingram Mill Road

Applicant: J&M Tillman, LLC

Mr. Hosmer stated that this is a request to rezone approximately 1.70 acres of property from GR, General Retail District to a CS, Commercial Service District with Conditional Overlay District No. 244.

Mr. Knuckles asked what they could do on the site within the zoning classification.

Ms. Stephanie Ireland, 1908 E. Sunshine Street and representing the owner. The items that are left in the zoning are general office/warehouse combination as long as the warehouse is not over 85% of the gross building floor plan and went over the items.

Natalie Broekhoven closed the public hearing.

Planning and Zoning Commission Board Member Lebeck moved to approve Z-31-2023 w/COD 244 and Commissioner Colony seconded the motion, and it was **passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Scott, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Britton Jobe. Abstain: None.

Planned Development 387

1137 & 1141 East Delmar Street

Applicant: MSU Housing, LLC and Faucett & Bates Properties, LLC

Request to postpone to the December 14, 2023 Planning and Zoning meeting.

Planning and Zoning Commission Board Member Knuckles moved to postpone Planned Development 387 to December 14, 2023 and Commissioner Lebeck seconded the motion and it was **postponed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Scott, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Britton Jobe. Abstain: None.

Vacation 829
2000 North Lyon Avenue
Applicant: Springfield School R-12 District

Mr. Hosmer stated that this is a request to vacate a portion of public alley right-of-way in the 2000 block of North Lyon Avenue.

Mr. Knuckles asked about vacating an alley where the lots are still individual lots and also did not see a requirement for the sewer to be placed in an easement.

Mr. Hosmer noted that Environmental Services has requested that a portion of the sewer be abandoned.

Mr. Pauly asked about the owners of lots 2036 and 2037 and Mr. Hosmer noted that those lots belong to the school district.

Mr. Will Hoey 550 St. Louis Street here to answer any questions and, regarding the sewer easement, there has been an easement created and filed with the city.

Natalie Broekhoven closed the public hearing.

Planning and Zoning Commission Board Member Knuckles moved to approve Vacation 829 and Commissioner Lebeck seconded the motion and it was **passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Scott, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Britton Jobe. Abstain: None.

Preliminary Plat of Patel Subdivision
4808 East Parallel Lane
Applicant: Tina Patel

Mr. Menke stated that this is a request to approve a preliminary plat for a 6-lot subdivision.

Mr. Caleb Freeland, 1501 N. Meadowmere Street, applicants representative and looking to subdivide into six industrial commercial lots.

Natalie Broekhoven closed the public hearing.

Planning and Zoning Commission Board Member Knuckles moved to approve Preliminary Plat of Patel Subdivision and Commissioner Ridge seconded the motion and it was **passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Scott, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Britton Jobe. Abstain: None.

OTHER BUSINESS.

Final Development Plan of Planned Development 12, 12th Amendment
1249 East Kingsley Street
Applicant: East Wichita Development, LLC

Mr. Neal stated that this is a request to approve the Final Development Plan of Planned Development No. 12, Amendment 12, on approximately 1.8 acres of property for a new five- story hotel.

Mr. Geoff Butler, 4449 E. Valley Road, is the location of the closed Zio's restaurant and wants to build a hotel on the site.

Natalie Broekhoven closed the public hearing.

Planning and Zoning Commission Board Member Knuckles moved to approve Final Development Plan of Planned Development 12, 12th Amendment and Commissioner Pauly seconded the motion, and it was **passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Pauly, Commissioner Scott, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: None. Absent: Britton Jobe. Abstain: None.

Subdivision Variance 355

1007, 1019 & 1027 East Kearney Street

Applicant: Conan Li and Hiland Dairy Foods Company, LLC

Mr. Menke stated that this is a request to approve a variance from Section 36-251(4) of the Subdivision Regulations, Section 98-118(3) of City Code, and Public Works Design Standards Chapter 10.

Mr. Knuckles asked for the history of the current location and building, and Mr. Menke noted that the driveways were up to current standards.

Mr. Bruce Gorman noted that the standards would have changed from that time, and this is in MoDot's jurisdiction.

Mr. Colony asked about the entrance from East Avenue and Mr. Gorman noted another approach from Kearney Street and that the two smaller approaches would be closed.

Mr. Rick Wilson, 1835 S. Stewart Avenue and representing the two owners. He noted that there is a bare piece of ground that only gets mowed and does not have any other purpose and one of the owners is willing to sell it and Hiland Dairy is interested in expanding their parking and wants to resub-divide to two lots instead of four.

Mr. Colony asked if the parking lot entrance would serve the Cox clinic and Mr. Wilson reaffirmed it will be parking for the clinic with fencing between the lots.

Mr. Knuckles asked what would happen if the variances went away, what kind of access would be allowed, and Mr. Wilson said that the building would need to be demolished so the site could be served and meet regulations.

Natalie Broekhoven closed the public hearing.

Planning and Zoning Commission Board Member Knuckles moved to approve Subdivision Variance 355 and Commissioner Gunther seconded the motion and it was **passed** with the following vote: Ayes: Commissioner Ridge, Commissioner Broekhoven, Commissioner Gunther, Commissioner Scott, Commissioner Lebeck, Commissioner Colony, Commissioner Knuckles. Nays: Commissioner Pauly. Absent: Britton Jobe. Abstain: None.

ADJOURN.