

February 10, 2021
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: Randall Doennig (Chairman), Britton Jobe (Vice-Chairman), Bill Knuckles, Bruce Colony, Kuleya Bruce, King Coltrin, and Christopher Lebeck. Absent: Natalie Broekhoven. Staff in attendance: Bob Hosmer, Planning Manager, Jill Burris, Assistant City Attorney, and Brendan Griesemer, Acting Planning Director.

MINUTES: The minutes of January 13 and January 27, 2022, were approved.

COMMUNICATIONS: Bob Hosmer reported on City Council meeting actions.

CONSENT ITEMS:

Relinquishment of Easement 922
6001 South Farm Road
Applicant: AP Developer, LLC

COMMISSION ACTION:

Mr. Knuckles motioned to **approve** Relinquishment of Easement 922 (6001 South Farm Road). Ms. Bruce seconded the motion. Ayes: Doennig, Coltrin, Knuckles, Colony, Bruce, Jobe, and Lebeck. Nays: None. Abstain: None. Absent: Broekhoven.

UNFINISHED BUSINESS:

PUBLIC HEARINGS:

Z-23-2021 w/COD #209
1218, 1226 & 1238 East Pacific Street
Applicant: John Oke-Thomas

Ms. Kuleya Bruce recused herself.

Mr. Hosmer stated that this is a request to rezone approximately 0.30 acres of property generally located at 1218, 1226 and 1238 East Pacific Street from GM, General Manufacturing to R-TH, Residential Townhouse and establishing Conditional Overlay District No. 209. The Comprehensive Plan identifies this area as Low-Density Housing. The Transportation Plan classifies Pacific Street as a Local-Residential roadway. A Traffic Impact Study is not required. The property is not located in a FEMA designated floodplain, sinkhole or stream buffer area. A fee in lieu of stormwater detention will be allowed.

The COD will limit require:

- Sidewalks along Pacific Street
- Pacific Street shall be extended

Staff recommends approval.

Mr. Coltrin asked about the sidewalk in the gap areas.

Mr. Hosmer noted that when it gets developed the sidewalks will fill in, but Public Works can answer.

Ms. Dawne Gardner noted that they have a new program (filling gaps on sidewalks), and this will be on that list.

Mr. Doennig opened the public hearing.

Mr. John Oke-Thomas, 1972 E. Chestnut, representing the owner and glad the City will fill in the gaps on the sidewalks. These are empty lots and try to create 3-bedroom residential houses and bring back the neighborhood to single family and would like to preserve the neighborhood around the church.

Mr. Colony asked about extending the street.

Mr. Oke-Thomas noted that they are extending the street.

Mr. Gary Reed, 1232 E. Pacific and owns a lot of the property around the area and believes that this will ruin his commercial property due to zoning over to Single Family Residential. He wants to build an auto-repair shop when he retires and with the houses constructed there, he cannot build the auto repair shop. He has had engineers out to review and they noted that there will be stormwater issues in the area.

Mr. Colony asked about the properties that are zoned General Manufacturing and if there are houses on them.

Mr. Reed said that there are houses on those lots and has bought lots in the area in order to build his auto repair shop and he also questioned about hooking up the sewer.

Mr. Doennig closed the public hearing.

Mr. Knuckles asked what are the bufferyard requirements between general manufacturing and residential.

Mr. Hosmer noted they qualify for reduced bufferyard requirements area of 5 feet.

Mr. Coltrin asked how and when it was zoned general manufacturing.

Mr. Hosmer noted that it was probably rezoned in 1995 and believes it was thought since it was next to a railroad that they believed it was best as general manufacturing.

COMMISSION ACTION:

Mr. Colony motioned to recommend **approval** for Z-23-2021 w/COD #209 (1218, 1226 & 1238 East Pacific Street). Mr. Jobe seconded the motion. Ayes: Doennig, Coltrin, Knuckles, Colony, Jobe, and Lebeck. Nays: None. Abstain: None. Absent: Broekhoven. K. Bruce recused herself.

Z-2-2022

3817 East San Poppi Court

Applicant: Kelly & Tamra Rhoades

Mr. Hosmer states that this is a request to rezone property generally located at 3817 E. San Poppi from County Plot Assignment District (PAD) No. 1014 to R-SF, Single-Family Residential District. The Comprehensive Plan identifies this area as Golf (Low-Density Housing). The Transportation Plan classifies San Poppi Court as a Local-Residential roadway. A Traffic Impact Study is not required. The property is not located in a FEMA designated floodplain, sinkhole area or stream buffer area. Stormwater detention is already provided. The intent of the rezoning application is to allow for the construction of a single-family residence. The current PAD requires a 20-foot rear yard setback while the R-SF zoning district only requires 10% of the lot depth which would be a 14-foot rear yard setback. Staff recommends approval.

Mr. Knuckles asked about the difference from County to City zoning and if the setback is different.

Mr. Hosmer noted that it is a Plot Assignment District (PAD) and they are mainly residential and the applicant wants to build out further than what the PAD allows.

Mr. Doennig opened the public hearing.

Mr. Kelly Rhoades, 2917 Woodbridge Creek Drive and wants to build a deck to the 20' setback, noting that the lot back ups to a common area/lake with a walkout.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Colony motioned to recommend **approval** for Z-2-2022 (3817 East San Poppi Court). Mr. Knuckles seconded the motion. Ayes: Doennig, Coltrin, Knuckles, Colony, Bruce, Jobe, and Lebeck. Nays: None. Abstain: None. Absent: Broekhoven.

Z-3-2022 w/COD #208

838 East Walnut Street

Applicant: Wenping Qiu

Mr. Hosmer states that this is a request to rezone approximately 0.29 acre of property from GI, Government and Institutional District to R-HD, High Density Multi-Family Residential District and establishing new Conditional Overlay District No. 208. The Comprehensive Plan identifies this area for School uses. Missouri State University recently sold this property to the applicant, and R-HD is consistent with area. The Transportation Plan classifies Walnut and John Q Hammons as collector roadway. A Traffic Impact Study is not required. The property is not located in a FEMA designated floodplain, sinkhole or stream buffer area. Stormwater detention is not required. The Conditional Overlay District will limit the residential density to 11 dwelling units per acre and allow the applicant to utilize the building for residential uses. Staff recommends approval.

Mr. Colony wanted to know if it will stay single family residential.

Mr. Hosmer noted that he believes it will stay single family.

Mr. Doennig opened the public hearing.

Mr. Billy Kimmons, 400 South Avenue here on behalf of the applicant and the house will stay single family residential. The Conditional Overlay helps prevent the home from turning into something it is not intended to be.

Mr. Jeff Radle, 519 S. Kimbrough is very familiar with the house and helped turn it into a student art gallery and noted that the house was sold by the Board of Governors and is asking for information on how this was legally sold and would like for a delay in moving forward to get more answers on the sale.

Mr. Colony asked if he was opposed to the rezoning?

Mr. Radle said it was for an art gallery and would like a delay.

Mr. Doennig closed the public hearing.

Mr. Knuckles mentioned residential single family and the proposed zoning is for residential high density.

Mr. Hosmer noted that the COD would prevent it from 11 du/ac which would be R-HD and that would limit it.

Mr. Coltrin asked for Mr. Kimmons to clarify the issue.

Mr. Kimmons noted that they surrounding area is R-HD and to maintain it and referenced back to a section of the code to allow uses for detached structures in special zoning district (in R-HD) but the single family use is permitted and this allows for lodgers/boarders.

Mr. Coltrin asked for clarity and if it can be apartments.

Mr. Kimmons noted that it can be apartments.

Ms. Bruce asked if there is any intention to use as individual units.

Mr. Kimmons noted that the new owner would like to offer boarding and lodging to foreign students as they are involved with international students.

Mr. Colony wanted to clarify that the owner is not to providing additional living spaces and if this is the only way for the owner to allow for foreign students boarding/lodging and if the house is on the historic register.

Mr. Kimmons noted that the this is the only way for lodging/boarding in a single family residential and the house is on the historic register.

Mr. Knuckles asked about the COD and the number of occupants that would be allowed for .3 acres.

Mr. Hosmer stated that it would be 3.

COMMISSION ACTION:

Mr. Colony motioned to recommend **approval** for Z-3-2022 w/COD #208 (838 East Walnut Street). Ms. Bruce seconded the motion. Ayes: Doennig, Coltrin, Knuckles, Colony, Bruce, Jobe, and Lebeck. Nays: None. Abstain: None. Absent: Broekhoven.

Preliminary Plat of Reed Avenue Cottages
4423 South Reed Avenue

Applicant: Katy A St. George Revocable Trust

Mr. Hosmer states that this is a request to approve a preliminary plat for a 22-lot residential subdivision located at 4423 South Reed Avenue. The applicant is proposing to subdivide 4.7 acres into a residential cluster development. The property is zoned R-SF Single Family Residential and will not change. Transportation Plan classifies Reed Ave as a collector and the proposed gated private Street for Old Ivy as a local roadway. The property is not located in a FEMA designated floodplain, stream buffer or sinkhole area and on-site stormwater detention will be required. The Comprehensive Plan identifies this area as Low-Density Housing.

Purpose of Cluster Developments:

- Improved living and working environments;
- Promote more economic subdivision layout;
- Encourage a variety of types of residential dwellings;
- Encourage ingenuity and originality in total subdivision and individual site design; and
- Preserve open space to serve recreational, scenic and public service purposes and other purposes, etc.

Cluster for R-SF Districts require lots sizes of at least 3,000. Modification of yard and lot requirements including minimum lot widths may be permitted. All such lot reductions shall be compensated for by an equivalent amount of land in open space or common area and a proposed trail and common area of 34%. Mr. Hosmer gave an example: 6,000 sf is min R-SF District lot size therefore if lots are reduced to 3,000 sf then 3,000 sf is required in open space (common area). If Planning and Zoning Commission approves the preliminary plat and the City Council accepts public streets and easements, then the preliminary plat will be active for two (2) years. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Jared Davis, representing the applicant and noted that the property has a drop off with a stream in the back and this will allow for open spaces by pushing the homes to the front and allow for open spaces for the cluster and believes this is a thoughtful development and feels that it meets the needs of the community and here to answer any questions.

Mr. Colony asked if this is for only a Preliminary Plat and not a rezoning.

Mr. Davis noted that it will only be only 11 building on 22 platted lots with zero lot lines that it would be a nice development and gated.

Mr. Colony thinks that it is a “weird” location for this development.

Ms. Bruce asked about the occupancy of the development.

Mr. Davis noted that they would be 2 car garage, but not sure of anything else.

Mr. Dan Losco, 4442 S. English Ivy Avenue and is against the development. Believes that the cluster development allows them to be able circumvent the restriction on the single-family homes and will turn into a swamp in the back because there will be no access to it. He has issues on parking if no garages, emergency vehicle access width and traffic issues, and stormwater issues (between Swallow and Lark) that will allow runoff down the hill to the stream that feeds into the area reservoir and this type of development does not fit in this area. He asked if any traffic and stormwater reports have been done and wants more answers from the builder before this goes forward.

Mr. Colony asked if they would present with more information and give the neighborhood a better if he would be against the development.

Mr. Losco said that there is not enough information and gave examples of possible problems.

Ms. Bruce mentioned the apartment complex in the area.

Mr. Losco noted that it is at the corner and Reed and Nature Way and if there is any rain there are problems, and against the homes in the cluster development.

Mr. Riley Shantz, 4462 S. Swedish Ivy Avenue is on the development team. The homes will be upscale patio homes with 2 car garages approximately 1500/1600 square feet and a nice compliment to the Olde Ivy subdivision and we will retain our own water detention. Believes the cluster development works due to the undevelopable land at the end and this will allow for green space and will have adequate setbacks.

Mr. Colony asked about it being a gated community and specific market type.

Mr. Shantz noted that he cannot speak to the specific market type at this time.

Mr. Eric Washburn, 2172 E. Cardinal Street stated that he did not get notification and so did no one else and is concerned that people are not aware that this happening. Opposes the development and asked if there was supposed to notification.

Mr. Hosmer noted that Preliminary Plats only needed to be posted, not a letter notification.

Mr. Craig Bills, 4441 Reed Avenue and lives next door and has concerns regarding the drop in the back and water detention and would like a hydraulic analysis on the area before any development and gave out examples of stormwater problems/damage in the neighborhood. He also mentioned that the area has an abundant of wildlife including deer, turkey, foxes, turtles, bats, hawks, birds and numerous native plants and grasses and believes this development is not compatible to the area and asks for expanded research and data collection for the wildlife (bats) and noted earlier development (Olde Ivy) and the oppositions that they had received.

Mr. Coltrin asked if Mr. Bills lived in the area before Olde Ivy was developed.

Mr. Bills stated that he was in the area when it was still dirt roads and trees.

Mr. David Baker, 4551 S. Reed Avenue and lives in the area. He voiced his concerns for the wildlife and believes that it is wrong development and asked about future cluster developments that may occur. His comments were on traffic, environment, storm water and the ecological destruction that this development may cause, and he also mentioned the 70' drop off from front

to the back of the proposed development and asked if the street would be widened. This cluster development is not compatible to the area and is the wrong project.

Mr. Doennig closed the public hearing.

Mr. Jobe asked for clarification on the development as a subdivision and not a rezoning and if the parcel of land would current zoning allow the density of the surrounding neighborhood.

Mr. Hosmer noted that it could be 34 lots instead of 22 lots at the current zoning.

Mr. Coltrin asked if they could combine a couple of lots if they decide not to do small lots and when do projects that come into the City for traffic, stormwater and sanitary sewer review.

Mr. Hosmer noted that they look at it during preliminary stages and then during the design process.

Mr. Colony noted that the City said the development meets the harmony of the plan and does the staff have a way to measure the “harmony” of the surrounding area.

Mr. Hosmer noted that from a diversity of housing in single-family housing (multifamily to the north), but nothing between multifamily and single and that it is a problem – missing middle housing between high density and low density in our community.

Mr. Colony noted that it may be a need for the City.

Ms. Bruce asked about the “missing middle” and adjacent properties and what provisions, increased bufferyard or vegetation between the properties.

Mr. Hosmer said this is single family to singly family and how it is looked at in the code.

Mr. Coltrin asked about E. Sunshine and Lone Pine and the houses on the small lots an dis that a cluster development.

Mr. Hosmer noted it may be a Planned Development but is not aware if it and noted the two cluster developments done in the City.

Mr. Lebeck noted section 36-361 and regarding the findings of the twelve elements and the staff has made determination that all have been met and staff has not found any concerns as 36-361 written and went over some of the determinations.

Mr. Hosmer noted that no concerns with staff report per 36-361 and verified with Mr. Lebeck’s reading the determinations.

Mr. Colony again noted that the development does checks all of the boxes, but nothing in the reference code or staff review that nothing is relevant in the area and the lack of notice provided and would like additional review (landscaping, bufferyard, etc).

Mr. Hosmer noted that as long as the criteria is met, then staff would look for approval.

Mr. Doennig noted that the Planning and Zoning Commission can recommend denial.

Mr. Colony asked Jared Davis to come forward and answer about postponing the plat.

Mr. Davis would not be in agreement with postponement.

Mr. Jobe noted that number 3 on attachment 3 that the City has noted that it has not found on the use any adverse effect to the adjacent properties per staff report and if this a correct statement.

Mr. Hosmer noted that it is a correct statement.

Mr. Colony noted that a lot of comments were submitted and that there is a valid argument regarding the effect on the surrounding area.

Mr. Lebeck is also in agreement with Mr. Colony and believes that the information is vague and if we can do a motion for postponement in order to get more information and a better feel.

Ms. Burris went over some the criteria and there is a provision in Section 36-361(5)(b) to request modifications.

Mr. Lebeck is asking for a postponement and cited Robert Rules.

Ms. Burris noted that the Commission members can request a postponement.

COMMISSION ACTION:

Mr. Lebeck motioned to **postpone** for Preliminary Plat of Reed Avenue Cottages (4423 South Reed Avenue) to the March 10, 2022, Planning and Zoning meeting. Mr. Colony seconded the motion. Ayes: Doennig, Knuckles, Colony, Bruce, and Lebeck. Nays: Coltrin and Jobe. None. Abstain: None. Absent: Broekhoven.

Initiate Storm Water Parking Reduction Amendments

Citywide

Applicant: City of Springfield

Mr. Hosmer states that this is a request to Amend Section 36-472, Stream Buffers. Current City Code Section 36-472 allows for reduction in parking and increases in building height when a site is limited by the stream buffer/water quality requirements. Staff is proposing amendments to Section 36-472, to allow for the same alternative design methods for the new water quality requirement for redevelopment. Staff requests that Commission initiate amendments to the Zoning Ordinance to consider modifications as specified. If approved, staff will prepare and draft changes to the Zoning Ordinance and schedule a public hearing at the next available date for both the Commission and the City Council.

Mr. Knuckles asked if this is a proposed amendment.

Mr. Hosmer noted that it is an existing amendment, and the water redevelopment regulations are going to City Council and want the same (allow same reductions in parking and building height if water quality issues).

Mr. Colony asked if the intent is to increase or clarify the area amount and if it stems from existing cases or driving issues from existing issues or just an increase in the protection of stormwater runoff.

Mr. Hosmer said it is for bufferyard and stormwater sites and said the Stormwater could clarify and gave examples and noted that it is a tradeoff for developers and environmental services.

Mr. Joseph Codichini noted that there are some developers that end up with a stream buffer on their property and that limits them on parking, etc., and if the businesses require a minimum amount of parking, etc., and this language makes if and this intent is to clarify the language.

Mr. Hosmer noted that this is the initiation.

Mr. Doennig opened the public hearing.

No speakers.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Colony motioned to recommend **approval** for Initiate Storm Water Parking Reduction Amendments (Citywide). Mr. Knuckles seconded the motion. Ayes: Doennig, Coltrin, Knuckles, Colony, Bruce, Jobe, and Lebeck. Nays: None. Abstain: None. Absent: Broekhoven.

OTHER BUSINESS:**ADJOURN:**