

August 11, 2022
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), Natalie Broekhoven, Bruce Colony, and Eric Pauly. Absent: Bill Knuckles, Kuleya Bruce, and Christopher Lebeck. Staff in attendance: Bob Hosmer, Planning Manager, Jill Burris, Assistant City Attorney, Susan Istenes, Planning Director

MINUTES: The minutes of July 14, 2022, were approved.

COMMUNICATIONS: Bob Hosmer reported on City Council meeting actions.

CONSENT ITEMS:

UNFINISHED BUSINESS:

Z-12-2022 w/COD #214

817 West El Camino Alto Drive

Applicant: The Ridge HZ 55+, LLC

Mr. Hosmer states that this is a request to rezone approximately 5.4 acres of property generally located at 817 W. El Camino Alto Drive from R-LD, Low-density multifamily residential district, with COD No. 200 to R-LD, Low-density multifamily residential district, with COD No. 214. The Growth Management and Land Use Plan designate this area as appropriate for Low Density Housing uses. In 2014 the property was rezoned to O-1, Office district, and then in 2021, to R-LD, Low-density multifamily residential district, with COD 200 for a maximum 11 dwelling units per acre, limiting residential structures to a maximum height of one-story. The Major Thoroughfare Plan classifies El Camino Alto Drive and Buena Vista Street as collector roadways. A Traffic Impact Study is not required. The property is not located in a FEMA designated floodplain, stream buffer or sinkhole area. Fee in-lieu of stormwater detention is allowed/proximity to floodplain. The proposed zoning and uses will not have a substantial impact on the public street system, public utilities, pedestrian traffic or impact traffic safety in the vicinity. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The Conditional Overlay District will:

- Limit residential density to 11 dwelling units per acre for a total 59 units on the subject property.
- Bufferyard C, with a six-foot solid wood privacy fence with an additional six evergreen trees, for a total of eight evergreens for every 100 feet.
- All structures within 100 feet of the west property line shall be limited to a maximum height of two stories above finished grade.
- Multi-family housing maximum height of three stories. Each dwelling unit must provide an entrance on the ground level, and such ground level of each dwelling unit may contain either garage or living space. No unit can be located over another unit.
- Within 100 feet of the west property line; No exterior second-floor balconies shall be permitted and no community amenities – including but not limited to pools, dog walks, trash dumpsters, or other common space intended for the overall residential development.

Staff recommends approval.

Mr. Bruce Colony asked if the previous problems have been worked out.

Mr. Hosmer noted that they have.

Mr. Doennig opened the public hearing.

Mr. Derek Lee, 1200 E. Woodhurst and here to answer any questions.

Mr. Bill Knuckles asked if they had worked out an agreement.

Mr. Lee noted that they had.

Mr. David, Hall, 4470 S. Quail Creek and neighborhood representative and have worked out the language agreement.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Colony motioned to **approve** Z-12-2022 w/COD #214 as presented by staff and excluding number 7 from the Conditional Overlay District (917 West El Camino Alto Drive). Mr. Knuckles seconded the motion. Ayes: Doennig, Jobe, Broekhoven, Colony, Pauly, Bruce, Knuckles, and Lebeck. Nays: None. Abstain: None. Absent: None.

Z-15-2022 w/COD #215

2801 West Bennett Street

Applicant: Wood Irrevocable Trust

Mr. Hosmer states that this is a request to rezone approximately 8 acres of property generally located at 2801 West Bennett Street from GM, General Manufacturing District to R-LD, Low-density Multi-Family Residential District and establishing Conditional Overlay District No. 215. The Growth Management and Land Use Plan designate this area as appropriate for Light Industrial, Office and Office Warehouse uses. Changes in area with MF zoning and property is located near recreational opportunities at Ewing Park and Jordan Creek Greenway trail area. Bennett Street is classified as a Collector roadway. This is consistent with the R-LD district intent to have access from collector or higher street. A Traffic Impact Study is not required. The property is not located in a FEMA designated floodplain, stream buffer or sinkhole area. Stormwater detention is required onsite. The proposed zoning and uses will not have a substantial impact on the public street system, public utilities, pedestrian traffic or impact traffic safety in the vicinity. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The Conditional Overlay District will:

- Limit residential density to 11 dwelling units per acre.

Staff recommends approval.

Mr. Knuckles asked about the apartment complex and its density.

Mr. Hosmer noted that the applicant can answer that question.

Mr. Doennig opened the public hearing.

Mr. Joe Carmichael, representing the owner and there are 31 units next to this project.

Mr. Colony asked about the Conditional Overlay District.

Mr. Hosmer says it is to limit the density to 11 du/acre.

Mr. Pauly asked about the green buffer and its location.

Mr. Carmichael envisions both green buffers in front and back and we are happy working with 8 acres and only doing 11 du/acre for more green space.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Knuckles motioned to **approve** Z-15-2022 w/COD #215 (2801 West Bennett Street). Ms. Bruce seconded the motion. Ayes: Doennig, Jobe, Broekhoven, Colony, Pauly, Bruce, Knuckles, and Lebeck. Nays: None. Abstain: None. Absent: None.

Conditional Use Permit 465
425 West Commercial Street
Applicant: OzMod 425, LLC

Mr. Hosmer states that the applicant requests to be postpone to the September 8, 2022, meeting.

COMMISSION ACTION:

Mr. Colony motioned to **postpone** Conditional Use Permit 465 (425 West Commercial Street). Mr. Pauly seconded the motion. Ayes: Doennig, Jobe, Broekhoven, Colony, Pauly, Bruce, Knuckles, and Lebeck. Nays: None. Abstain: None. Absent: None.

Subdivision Variance 354
2101 North Main Avenue
Applicant: Barrett Fisk Investments, LLC

Mr. Hosmer states that city staff requests this to be postpone to the September 8, 2022, meeting.

COMMISSION ACTION:

Mr. Knuckles motioned to **postpone** Subdivision Variance 354 (2101 North Main Avenue). Mr. Jobe seconded the motion. Ayes: Doennig, Jobe, Broekhoven, Colony, Pauly, Bruce, Knuckles, and Lebeck. Nays: None. Abstain: None. Absent: None.

PUBLIC HEARINGS:

Vacation 825
303 North Scenic Avenue
Applicant: Andorful Dynasty Real Estate

Mr. Hosmer states that this is a request to vacate a portion of the public right-of-way in the 300 block of North Scenic Avenue. The applicant is proposing to vacate 0.01 acres of excess public right-of-way that was dedicated with the Westport Subdivision in 1931. This vacation will allow the property owner to build duplexes on the R-TH zoned lots. The applicant is requesting to vacate these radii so they can construct duplexes. The applicant has submitted sight triangle and dedicating utility easements to protect any existing poles or overhead lines. The City supports this request and no longer needs the excess public right of way. The request for vacation meets the approval criteria. Any person objecting may petition the City Council by filing an appeal with the City Clerk Office within 15 days from the date the resolution was passed by the Planning and Zoning Commission. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Dave Bodeen, 304 W. Erie Street, noting a neighborhood meeting and said several people showed up and they talked about stormwater, traffic and privacy issues and here to answer any questions.

Ms. Ashley Hentz, 2736 W. Water Street, concerns are stormwater, privacy, and the impact on the neighborhood. This proposed property is on a hill, and it leads to flooding and what can be done to prevent flooding and noted the possible increased traffic. She also questioned the impact on her property by having duplexes overlooking into their backyards. At the neighborhood meeting the developer discussed a fee in lieu of stormwater detention and that won't help the flooding situation.

Ms. Hillary Walker, 2723 W. Olive Street and voiced her concerns about flooding and about them paying a fee in lieu of and this will not help with current flooding.

Mr. Lebeck asked about the flooding in the neighborhood and mentioned that staff notes no stormwater problems.

Ms. Walker stated that stormwater does flood the area and there is nowhere that water can go as there are no drainage ditches.

Mr. Doennig closed the public hearing.

Mr. Jobe stated that it has already been zoned Residential Townhouse District and this determination is regarding the right-of-way.

Mr. Doennig noted that the vacation of the ROW is part of the plan to build duplexes due to the square footage of the property.

Mr. Hosmer noted that the Vacation would need to be approved in order to have 4 duplexes on their 4 lots and it is in a stream buffer area.

Mr. Joe Codichini noted that the stream is in a box culvert and does not affect the development and in the 80's the stormwater detention was bought out and the developer is not required to build stormwater detention.

Mr. Colony asked about the flooding in the area (box culvert).

Mr. Codichini said that they have no reporting of flooding in the area, but further south about a mile but both streets are lacking in curb and gutters and will have some water run-off. The box culvert is on the un-funded needs list to be upgraded to today's standards.

Mr. Knuckles asked about the setback requirements and if they would affect the property.

Mr. Hosmer noted that they would be for front yard 25' and not affect the property.

Ms. Jill Burris said the standard is whether the vacation is consistent with the Master Plan and is what you are reviewing.

Ms. Bruce asked about the fee-in-lieu of.

Mr. Codichini said that a fee is paid in-lieu-of per cubic volume and the money goes to the local area for future stormwater improvements.

COMMISSION ACTION:

Mr. Knuckles motioned to **approve** Vacation 825 (303 North Scenic Avenue). Mr. Jobe seconded the motion. Ayes: Doennig, Jobe, Broekhoven, Colony, Bruce, Knuckles, and Lebeck. Nays: Pauly. Abstain: None. Absent: None.

Z-17-2022 w/COD #217

610 North Prospect Avenue

Applicant: The Sisters, LLC

Mr. Hosmer states that this is a request to rezone approximately 0.19 acre of property generally located at 610 North Prospect Avenue from Planned Development District No. 292 to HC, Highway Commercial District and establishing Conditional Overlay District No. 217. The Comprehensive Plan identifies this area as designates as appropriate for Low Density Housing however the existing mill/silos have been on the site since 1928 and zoned PD allows for office/ residential uses. The Transportation Plan classifies Prospect Avenue as local roadways. Sidewalks will be required. A Traffic Impact Study is not required. The property is located in a FEMA designated floodplain, but not in a stream buffer area (box culvert). There is not a sinkhole on the property. Stormwater detention will depend on more details at time of development. The proposed zoning and uses will not have a substantial impact on the public street system, public utilities, pedestrian traffic or impact traffic safety in the vicinity. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The COD will require sidewalks, survey of streets ROW and prohibit self-storage facilities. Staff recommends approval.

Mr. Doennig opened the public hearing.

Ms. Sheri Perkins, 6565 E. Red Oak Court, new owners of the property and looking to put in a small restaurant/retail space.

Commission members thanked the owners on taking on this development and are excited to see it get accomplished.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Knuckles motioned to **approve** Z-17-2022 w/COD #217 (610 North Prospect Avenue). Ms. Bruce seconded the motion.

Ayes: Doennig, Jobe, Broekhoven, Colony, Pauly, Bruce, Knuckles, and Lebeck. Nays: None. Abstain: None. Absent: None.

Z-19-2022 w/COD #218

2645 West Kearney Street

Applicant: EM & KM Investments, LLC

Mr. Hosmer states that this is a request to rezone approximately 6.8 acres of property generally located at 2645 West Kearney Street from R-TH, Residential Townhouse and HC, Highway Commercial to HC, Highway Commercial and establishing Conditional Overlay District No. 218. The Comprehensive Plan identifies this area as designates as appropriate for Medium or High-Density Housing. The COD will help mitigate. The Major Thoroughfare Plan classifies Kearney Street as a Primary Arterial and Fulbright Avenue as a Secondary Arterial roadway. A Traffic Impact Study will be submitted at time of development. The property is not located in a FEMA designated floodplain, stream buffer or sinkhole area. Stormwater detention is required. The proposed zoning and uses will not have a substantial impact on the public street system, public utilities, pedestrian traffic or impact traffic safety in the vicinity. A reasonably viable economic use of the subject property will not be precluded if the proposed rezoning is denied. The COD will require:

- Type F bufferyard 40 feet wide with 6 ft solid fence along the north property line. Buffer E adjacent to R-TH.
- Traffic Study at time of development,
- All existing and future vehicular use areas approved surfaces; concrete, asphalt or pervious pavers.

Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Jeff Wells, 3050 E. Battlefield, representing the owner and just trying to clean up the zoning and have an expansion on the south side only.

Mr. Colony asked about the gravel lot.

Mr. Wells noted that they will have to pave where there is any vehicular use.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Jobe motioned to **approve** Z-19-2022 w/COD #218 (2645 West Kearney Street). Mr. Colony seconded the motion. Ayes:

Doennig, Jobe, Broekhoven, Colony, Pauly, Bruce, Knuckles, and Lebeck. Nays: None. Abstain: None. Absent: None.

Conditional Use Permit 466

1306 West Sunshine Street

Applicant: 1821 Fort St., LLC

Mr. Hosmer states that the applicant requests this be postpone to the September 8, 2022, meeting.

COMMISSION ACTION:

Mr. Knuckles motioned to **postpone** Conditional Use Permit 466 (1306 West Sunshine Street). Ms. Bruce seconded the motion. Ayes: Doennig, Jobe, Broekhoven, Colony, Pauly, Bruce, Knuckles, and Lebeck. Nays: None. Abstain: None. Absent: None.

Preliminary Plat of Cherry Glen Subdivision
600 South Glenstone Avenue
Applicant: 600 S. Glenstone, LLC

Mr. Hosmer states that this is a request to approve a 2.55-acre preliminary plat for a two-lot commercial subdivision located at 600 South Glenstone Avenue. The property is currently zoned GR, General Retail. Transportation Plan classifies Glenstone as a Primary Arterial and Cherry as a Secondary roadway. A Traffic Study not required. ROW maybe required for Cherry and Glenstone. The property is not located in a FEMA designated floodplain, stream buffers required or sinkhole area. Stormwater detention/ Water quality will be required. 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. Derek Lee, 1200 E. Woodhurst, not asking for any variances and here to answer any questions.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Knuckles motioned to **approve** Preliminary Plat of Cherry Glen Subdivision (600 South Glenstone Avenue). Mr. Jobe seconded the motion. Ayes: Doennig, Jobe, Broekhoven, Colony, Pauly, Bruce, Knuckles, and Lebeck. Nays: None. Abstain: None. Absent: None.

OTHER BUSINESS:

Initiate zoning for property at
2000 West Thoman Street
Applicant: City of Springfield

Mr. Hosmer states that this is a request to initiate rezoning of approximately 0.5 acre of property generally located at 2000 West Thoman Street from GM, General Manufacturing District to R-SF, Residential Single-Family District.

Mr. Doennig opened the public hearing.

No Speakers

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Jobe motioned to **approve** Initiate zoning for property at 2000 West Thoman Street. Ms. Bruce seconded the motion. Ayes: Doennig, Jobe, Broekhoven, Colony, Pauly, Bruce, Knuckles, and Lebeck. Nays: None. Abstain: None. Absent: None.

ADJOURN: