

December 15, 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: Britton Jobe (Vice-Chairman), Bruce Colony, Christopher Lebeck, Natalie Broekhoven, Eric Pauly, Betty Ridge, Helen Gunther, and Dan Scott. Absent: Bill Knuckles. Staff in attendance: Bob Hosmer, Planning Manager, Susan Istenes, Planning Director, Jill Burris, Assistant City Attorney

MINUTES: The minutes of November 17, 2022, were approved.

COMMUNICATIONS: Bob Hosmer reported on City Council meeting actions and introduced new members of the Commission.

Move agenda item #11 (Z-27-2022 w/COD #220) to item #8 (Christopher Lebeck recused himself).

Z-27-2022 w/COD #220

1739, 1745, 1755 South National Avenue and 1111, 1119, 1133, and 1141 East Sunshine Street and 1138 East University Street

Applicant: BK&M, LLC

COMMISSION ACTION:

Mr. Colony motioned to **move** Z-27-2022 w/COD #220 (1739, 1745, 1755 South National Avenue and 1111, 1119, 1133, and 1141 East Sunshine Street and 1138 East University Street) from #11 to #8 on the agenda. Ms. Broekhoven seconded the motion. Ayes: Jobe, Colony, Broekhoven, Pauly, Ridge, Gunther, and Scott. Nays: None. Abstain: None. Absent: Knuckles. Christopher Lebeck recused himself.

CONSENT ITEMS:

Relinquishment of Easement 932

304 West Weaver Road

Applicant: HGW Properties, LLC

COMMISSION ACTION:

Mr. Colony motioned to **approve** Relinquishment of Easement 932 (304 West Weaver Road). Ms. Broekhoven seconded the motion. Ayes: Jobe, Colony, Broekhoven, Pauly, Lebeck, Ridge, Gunther, and Scott. Nays: None. Abstain: None. Absent: Knuckles.

UNFINISHED BUSINESS:

PUBLIC HEARINGS:

Z-27-2022 w/COD #220

1739, 1745, 1755 South National Avenue and 1111, 1119, 1133, and 1141 East Sunshine Street and 1138 East University Street

Applicant: BK&M, LLC

Applicant has requested to postpone this to the January 12, 2023, Planning and Zoning meeting. (Mr. Lebeck has recused himself)

COMMISSION ACTION:

Ms. Broekhoven motioned to **postpone** Z-27-2022 w/COD #220 (1739, 1745, 1755 South National Avenue and 1111, 1119, 1133, and 1141 East Sunshine Street and 1138 East University Street) to January 12, 2023. Mr. Colony seconded the motion. Ayes: Jobe, Colony, Broekhoven, Pauly, Ridge, Gunther, and Scott. Nays: None. Abstain: None. Absent: Knuckles. Christopher Lebeck recused himself.

Z-28-2022

6621 South Innovation Avenue

Applicant: Kenneth L & Helen Stoddard Et Al

Mr. Hosmer stated that this is a request to rezone approximately 27.05 acres of property generally located at 6621 S. Innovation Avenue from Greene County A-1 to GI, Government and institutional use district as part of the proposed annexation of this property (A-01- 2023). Staff recommends approval.

Mr. Scott asked about considering the right-of-way on the east side.

Mr. Hosmer noted that it will happen during the subdivision activity.

Mr. Jobe opened the public hearing.

Mr. Ricky Haase, 550 E. St. Louis noted that there were no attendees at the neighborhood meeting and one in-favor comment, and this will require a cul-de-sac.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Colony motioned to **approve** Z-28-2022 (6621 South Innovation Avenue). Mr. Lebeck seconded the motion. Ayes: Jobe, Colony, Broekhoven, Pauly, Lebeck, Ridge, Gunther, and Scott. Nays: None. Abstain: None. Absent: Knuckles.

Z-29-2022

4121 South Cox Avenue

Applicant: The Harold E. Johnson Companies, Inc.

Mr. Hosmer stated that this is a request to rezone approximately 1.15 acres of property generally located at 4121 S. Cox Avenue from GR, General retail district to CS, Commercial service district and establishing Conditional Overlay District No. 221. Staff recommends approval.

Mr. Scott asked about spot zoning and noted that it is discouraged in other cities.

Mr. Hosmer stated that this is not spot zoning, will still be commercial, however more intense, just different uses.

Mr. Jobe opened the public hearing.

Mr. Daniel Richards, 1200 E. Woodhurst Drive, representing the owner and this property will be leased to a company that leases hospital beds.

Mr. Larry Moore, 15220 N. Rt. U, property owner and here to answer any questions.

Mr. Colony asked if it is the owner's intent to lease the property.

Mr. Moore noted that they are leasing the property.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Colony motioned to **approve** Z-29-2022 (4121 South Cox Avenue). Ms. Broekhoven seconded the motion. Ayes: Jobe, Colony, Broekhoven, Pauly, Lebeck, Ridge, Gunther, and Scott. Nays: None. Abstain: None. Absent: Knuckles.

Z-30-2022

830 North Benton Avenue

Applicant: Drury University

Mr. Hosmer stated that this is a request to rezone approximately 0.45 acres of property generally located at 830 N. Benton Avenue from GR, General Retail District to GI, Government and institutional use district. Staff recommends approval.

Mr. Scott asked about the possible demolition of the building (church) and if it can be prevented.

Mr. Hosmer stated that there is a 60 day of cooling for demolition but believes that the building is safe, and they want to rehab it to be ADA approved.

Ms. Ridge noted she would like the building to be preserved.

Mr. Jobe opened the public hearing.

Mr. Daniel Richards, 1200 E. Woodhurst Drive, representing Drury and they want to bring it into conformity by preserving the church (was given to Drury University) and will be ADA compliant and here to answer any questions.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Colony motioned to **approve** Z-30-2022 (830 North Benton Avenue). Ms. Broekhoven seconded the motion. Ayes: Jobe, Colony, Broekhoven, Pauly, Lebeck, Ridge, Gunther, and Scott. Nays: None. Abstain: None. Absent: Knuckles.

OTHER BUSINESS:

Preliminary Plat of Porters Crossing Subdivision

543 West Old Weaver Road

Applicant: Burning Tre Consulting, LLC

Mr. Hosmer stated that this is a request to approve a two-lot commercial plat on approximately 3.68 acres of land generally located at 543 West Old Weaver Road. Staff recommends approval.

Mr. Colony asked about storage facilities.

Mr. Hosmer noted that there was just a zoning case, and this is just the plat to divide the property.

Mr. Jobe opened the public hearing.

Mr. Daniel Richards, 1200 E. Woodhurst Drive noted that this was part of a zoning case in 2014 and now wanting to subdivide approximately 3.68 acres into two lot subdivisions and here to answer any questions.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Colony motioned to **approve** Preliminary Plat of Porters Crossing Subdivision (543 West Old Weaver Road). Ms. Broekhoven seconded the motion. Ayes: Jobe, Colony, Broekhoven, Pauly, Lebeck, Ridge, Gunther, and Scott. Nays: None. Abstain: None. Absent: Knuckles.

Preliminary Plat of Campbell Acres Subdivision
3543 South Campbell Avenue

Applicant: South Campbell, LLC

Mr. Hosmer stated that this is a request to approve a three-lot commercial/residential plat on approximately 15.07 acres of land generally located at 3525, 3543, and 3553 South Campbell Avenue. Staff recommends approval.

Mr. Pauly asked about sinkholes on the property.

Mr. Chris Dunnaway noted that it is located on a sinkhole water shed, but not on the site

Mr. Scott asked about the lot lines and possible non-confirming use.

Mr. Hosmer noted that the lot line is already there and has been reviewed by Fire, Building Development Services, etc.

Mr. Chad Zickefoose noted to clarify that the 3 existing lot lines run depth of the property.

Mr. Jobe opened the public hearing.

Mr. Daniel Richards, 1200 E. Woodhurst Drive noted that the property was never formally subdivided, the three lot lines are remaining, but are planning on selling off the north part of the property.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Ms. Broekhoven motioned to **approve** Preliminary Plat of Campbell Acres Subdivision (3543 South Campbell Avenue). Mr. Pauly seconded the motion. Ayes: Jobe, Colony, Broekhoven, Pauly, Lebeck, Ridge, Gunther, and Scott. Nays: None. Abstain: None. Absent: Knuckles.

Street Name Change 81

West 3100 blk through east 3600 blk of Republic Street

Applicant: City of Springfield

Mr. Hosmer stated that this is a request to address the west 3100 block through the east 3600 block of Republic Street to Road. (Between Golden Avenue and Highway 65). Staff recommends approval. Mr. Hosmer also noted that the presentation (graphics) shown had errors and corrected as he presented.

Mr. Jobe opened the public hearing.

No speakers.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Colony motioned to **approve** Street Name Change 81 (West 3100 blk through east 3600 blk of Republic Street). Ms. Broekhoven seconded the motion. Ayes: Jobe, Colony, Broekhoven, Pauly, Lebeck, Ridge, Gunther, and Scott. Nays: None. Abstain: None. Absent: Knuckles.

Initiate Comprehensive (recreational) Marijuana Amendments

Citywide

Applicant: City of Springfield

Mr. Hosmer stated that this is a request to Initiate Text Amendments to sections in Chapter 36 of the Land Development Code relating to the Missouri Constitution allowing comprehensive (recreational) marijuana. Staff recommends approval.

Mr. Jobe opened the public hearing.

No speakers.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Mr. Colony motioned to **approve** Initiate Comprehensive (recreational) Marijuana Amendments (Citywide). Mr. Pauly seconded the motion. Ayes: Jobe, Colony, Broekhoven, Pauly, Lebeck, Ridge, Gunther, and Scott. Nays: None. Abstain: None. Absent: Knuckles.

2023 Planning and Zoning Commission Calendar

Applicant: City of Springfield

Mr. Hosmer presented the 2023 Planning and Zoning Commission calendar.

Mr. Jobe opened the public hearing.

No speakers.

Mr. Jobe closed the public hearing.

COMMISSION ACTION:

Ms. Broekhoven motioned to **approve** 2023 Planning and Zoning Commission Calendar. Mr. Lebeck seconded the motion. Ayes: Jobe, Colony, Broekhoven, Pauly, Lebeck, Ridge, Gunther, and Scott. Nays: None. Abstain: None. Absent: Knuckles.