

February 13, 2020
MINUTES OF THE PLANNING AND ZONING COMMISSION
Springfield, Missouri

The Planning and Zoning Commission met in regular session February 13, 2020 in the City Council Chambers.

Roll Call - Present: King Coltrin (Vice-Chairman), Cameron Rose, Britton Jobe, Melissa Cox, and Dee Ogilvy. Absent: Randall Doennig (Chairman), Nathalie Broekhoven, Joel Thomas, and David Shuler. Staff in attendance: Bob Hosmer, Planning Manager, Nicholas Woodman, Assistant City Attorney.

MINUTES: The minutes of January 9, 2020 were approved.

COMMUNICATIONS: Bob Hosmer reported on City Council meeting actions.

CONSENT ITEMS:

UNFINISHED BUSINESS:

Vacation 811

1500 blk North Sherman Avenue

Applicant: Springfield R-12 School District

Mr. Hosmer stated that this is a request to vacate right of way located in the 1500 block of North Sherman Avenue. The Springfield Public School District is requesting to vacate Sherman Avenue between Locust and Division Street, and an alley to the east. The School District owns all properties adjacent to the proposed vacation and intends to follow up with a lot combination in order to develop the site for a new school facility. All existing structures are planned to be demolished. Replacement easements are to be dedicated for existing sewer and gas lines within Sherman Avenue. City Utilities plans to retire or remove existing water lines and utility poles along the alley. The request for vacation meets the approval criteria. Any person objecting may petition the City Council to review the request to vacate by filing an appeal with the City Clerk's Office within 15 days from the date of the Planning and Zoning Commission passage. Staff recommends approval.

Mr. Coltrin opened the public hearing.

Mr. Derek Lee, 1200 E. Woodhurst, here representing Springfield Public Schools.

Ms. Ogilvy asked about the bus lane/route/path around the school and location where the parents will drop-off and pickup their children.

Mr. Lee noted the location of the alley and where the buses and parents will pickup and drop-off the students.

Mr. Bryan Saunders, 2774 W. Chatsworth, works for Springfield Public Schools gave information for the bus lane and route around the new school building as well as the location of the drop-off and pickup of the students.

Mr. Ogilvy asked about the traffic light at Sherman Avenue and Division Street.

Mr. Derek Estell stated that the traffic light at Sherman Avenue and Division will remain in place.

Mr. Carl Herd, 1621 N. Yates Avenue, not speaking against a new school, but against closing Sherman Avenue and gave out information regarding his travel in this area and is worried about stormwater run-off and gave out information on the stormwater detention requirements. He also noted that he believes that other plans for school construction (alternative) should be evaluated.

Mr. Coltrin closed the public hearing.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Vacation 811 (1500 blk North Sherman Avenue). Mr. Job seconded the motion. Ayes: Coltrin, Cox, Rose, and Jobe. Nays: Ogilvy. Abstain: None. Absent: Doennig, Broekhoven, Shuler and Thomas. MOTION failed due to insufficient votes (5).

PUBLIC HEARINGS:

Z-2-2020

2001 North Ramsey Avenue

Applicant: R.A.L. Property Management, LLC

Mr. Hosmer stated that this is a request to rezone approximately 0.16 acre of property generally located at 2001 North Ramsey Avenue from GM, General Manufacturing District to R-TH, Residential Townhouse District. The Comprehensive Plan identifies this area as an appropriate for Low Density Housing. The R-TH district is listed as an appropriate zoning district for this land use category. The Transportation Plan classifies Ramsey and Atlantic as a Local roadways. A Traffic Impact Study will not be required as the change in zoning did not increase the trip generations. A fee in lieu of on-site stormwater detention will not be allowed and the property is not located in a stream buffer. The request is consistent with the other properties located along North Ramsey Avenue. These properties are used residentially and a majority of them are zoned R-TH. Staff recommends approval.

Mr. Coltrin opened the public hearing.

Ms. Michele Lopez, 1031 W. Pacific Street, here representing the owner.

Mr. Clifford VanNatta, 1221 E. Thoman Street, has strong concerns regarding the traffic of large trucks around the area and noted the difficulties that they have getting into position to unload their load (requires forklifts). He also noted that the area/location is not suited for small children and traffic will increase significantly this spring and summer.

Mr. Coltrin closed the public hearing.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Z-2-2020 (2001 North Ramsey Avenue). Mr. Jobe seconded the motion. Ayes: Coltrin, Cox, Rose, Ogilvy, and Jobe. Nays: None. Abstain: None. Absent: Doennig, Broekhoven, Shuler and Thomas.

Conditional Use Permit 442

3510 West Sunshine Street

Applicant: Casey & Sheila Boaz

Mr. Hosmer stated this is a request to allow an automotive service garage within a GR, General Retail District generally located at 3510 West Sunshine Street. The Comprehensive Plan identifies this as an appropriate for Medium Intensity Retail, Office or Housing. The applicant is proposing to build a new Jiffy Lube store at this location. Automotive service garages require a Conditional Use Permit. The Transportation Plan classifies West Bypass and Sunshine as Expressways. A Traffic Impact Study was not required as the change did not increase the trip generations. A fee in lieu of on-site stormwater detention will not be allowed. The property is not located in a stream buffer area.

The CUP requirements are:

- An automotive service garage is permitted in conformance with the site plan.
- The automotive service garage shall comply with all the standards listed in Attachment 3.
- All other standards of the Zoning Ordinance and other applicable ordinances shall be adhered to.

Staff recommends approval.

Mr. Coltrin opened the public hearing.

Mr. Chris Johnson, 3108 S. W. Regency, Bentonville, Arkansas here to answer any questions.

Mr. Coltrin closed the public hearing.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Conditional Use Permit 442 (3510 West Sunshine Street). Mr. Rose seconded the motion. Ayes: Coltrin, Cox, Rose, Ogilvy, and Jobe. Nays: None. Abstain: None. Absent: Doennig, Broekhoven, Shuler and Thomas.

Conditional Use Permit 443

2851 West Republic Street

Applicant: 2851 W. Republic Rd, LLC

Mr. Hosmer stated the applicant's representative has asked that the conditional use permit request be withdrawn.

COMMISSION ACTION:

No action taken.

Preliminary Plat of Doling Landing

2520 North Bolivar Road

Applicant: Barbara Hall Trust

Mr. Hosmer stated that this is a request to approve a 4.78 acre 24-lot residential subdivision located at 2520 North Bolivar Road. The Comprehensive Plan identifies this area as appropriate for Medium Intensity Retail, Office or Housing. The Transportation Plan classifies Bolivar Road as a Local Street which supports the proposed development. The proposed plat will establish common area that will become the responsibility of a neighborhood association to maintain. Public improvement plans are required for the street and sidewalks improvements. The final plat cannot be approved until public improvement plans have been submitted, approved, and the improvements constructed or escrowed. The property is within a stream buffer area (NE corner). All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department. If Planning and Zoning Commission approves the preliminary plat, the plat will be forwarded to City Council for acceptance of public streets and easements. An approved preliminary plat is active for two (2) years. Staff recommends approval.

Mr. Coltrin opened the public hearing.

Mr. Mike Williams, 1855 S. Ingram Mills, here to answer any and questions and complimented the Planning staff on working together.

Mr. Coltrin closed the public hearing.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Preliminary Plat of Doling Landing (2520 North Bolivar Road). Mr. Rose seconded the motion. Ayes: Coltrin, Cox, Rose, Ogilvy, and Jobe. Nays: None. Abstain: None. Absent: Doennig, Broekhoven, Shuler and Thomas.

OTHER BUSINESS:

Landmarks Board Text Amendment

Citywide

Applicant: City of Springfield

Mr. Sparlin stated that this is a request from City Council initiated amendments to the Zoning Ordinance Sec. 36-353 and 36-404 on July 1, 2019 to address procedures with designation of Historic Sites, Historic Landmarks, and Historic Districts and any additional amendments. City staff has prepared amendments on the designation process, "housekeeping" items – aimed to improve clarity of processes and reflect current practices and aimed at improving the process by additional property owner notifications and seeking owner involvement earlier.

He noted the types of Historic Designation.

1. Historic Sites include:

- Individual properties, Most common designation - 150+ Historic Sites; and
 - Process – Landmarks Board, then City Council for final action; and
 - Regulation - Least protection:
 - Certificate of Appropriateness for exterior alterations that require a building permit; and
 - If a Certificate of Appropriateness is denied, applicant must wait 60 days then they are able to continue their alteration/demolition as planned.
2. Historic Landmarks include:
- Individual properties; and
 - Currently 5 properties are listed as Landmarks
 - Process
 - ✓ Landmarks Board, City Council declares their intent to designate, starts the rezoning process.
 - ✓ Planning & Commission hearing then City Council hearing, action.
 - Regulation
 - ✓ Certificate of Appropriateness for exterior alterations that require a building permit
 - ✓ If the Board denies the Certificate of Appropriateness, the decision may be:
 - appealed to the Board of Adjustment
 - apply for a Certificate of Economic Hardship
 - Demo permit – may wait 180 days then obtain permit. Council can extend the demolition delay an additional 120 days.
3. Historic Districts include:
- Commercial Street, East Walnut Street, and West Walnut Street
 - Process
 - ✓ 30% of owners within the proposed district must sign the petition
 - ✓ Landmarks Board, City Council declares their intent to designate, starts the rezoning process. Planning & Commission hearing then City Council hearing, action.
 - Regulation
 - ✓ Certificate of Appropriateness for exterior alterations that require a building permit
 - ✓ If the Board denies the Certificate of Appropriateness, the decision may be:
 - appealed to the Board of Adjustment
 - apply for a Certificate of Economic Hardship
 - Demo permit – may wait 180 days then obtain permit. Council can extend the demolition delay an additional 120 days.

This text amendment is aimed at the designation process and to improve the process by additional property owner notifications and seeking owner involvement earlier.

Mr. Coltrin asked if the owner can stop the process of nomination and commented on the problems the owner may have if placed on the registry.

Mr. Sparlin noted that they cannot stop the process, but they can sign a protest process and there is a two-third (2/3) appeal process.

Ms. Cox asked why the Landmarks Board is revising their text amendment and if other communities are using the same procedure proposed by Springfield.

Mr. Sparlin noted the problems in the past when submitting a nomination (i.e., 3535 South Lone Pine Avenue, etc., lack of earlier owner notification process) and other communities are using the proposed procedure.

Mr. Coltrin opened the public hearing.

Mr. Paden Chambers, 1693 E. Lombard Street (Landmarks Board Chair) noted that this is an improvement in the right direction believes this helps clear-up problems/questions that a nominee may have.

Mr. Coltrin closed the public hearing.

Mr. Jobe would like to see more owner notification on historic landmark nominations but will be supporting the change for the improvements in the nomination process.

Mr. Rose noted that he will not support the change due to the applicant of a nomination not being the owner of the property and this just being a recommendation and hopes that more notification is a better step forward.

Mr. Coltrin stated that he torn between the City of taking anything from the owner rights but does feel it is a tiny step in the right direction.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Landmarks Board Text Amendment (Citywide). Mr. Jobe seconded the motion. Ayes: Coltrin, Cox, Ogilvy, and Jobe. Nays: Rose. Abstain: None. Absent: Doennig, Broekhoven, Shuler and Thomas.

2020 Capital Improvements Program

Citywide

Applicant: City of Springfield

Mr. Whitman stated that this is the proposed 2020 Capital Improvements Program. The Capital Improvement Program is defined as:

- Cost \$100,000 or more
- Are significant, permanent, or have a useful life of six-years or more
- Located on City owned property, right of way or easements

Independent projects: construction of new streets, parks, storm water and sanitary sewer facilities, improvements to the landfill, airport and public facilities, grounds and buildings including acquisition.

Comprehensive programs: consolidate numerous smaller individual improvements that do not individually meet the \$100K threshold, such as sidewalk, storm water and sewer repair, signal enhancement and neighborhood improvement programs. Does not include funding for equipment, services, supplies, personnel or dangerous building demolition

Projects and Programs – (All Projects and Programs are vetted by City staff, includes of all planned projects and programs and the inclusion in the CIP does not guarantee implementation, and ensure transparency):

- 22 New Projects / Programs added to the 2020 CIP
- 13 New Projects / Programs will receive funding in 2019
- Planned Capital Improvements - 2020
 - 137 Projects / Programs are proposed for funding in 2020
 - Estimated Cost: \$108,768,315
- Planned Capital Improvements – 2021 to 2025
 - 164 Projects / Programs are proposed for funding
 - Estimated Cost: \$426,496,549
- Completed Capital Improvements – 2019
 - 28 Projects / Programs
 - Cost: \$43,245,361.02

Mr. Coltrin opened the public hearing.

Mr. Coltrin closed the public hearing.

COMMISSION ACTION:

Mr. Rose motioned to **approve** 2020 Capital Improvements Program (Citywide). Ms. Cox seconded the motion. Ayes: Coltrin, Cox, Rose, Ogilvy, and Jobe. Nays: None. Abstain: None. Absent: Doennig, Broekhoven, Shuler and Thomas.

Planning and Zoning commission members asked staff for clarification/notification when there is a project that requires five (5) votes for passage or denial and members are informed before the case is presented.

Mr. Hosmer and Mr. Woodman gave out information on rules of procedure and City Code on which cases require a simple majority (Vacation).