

March 12, 2020
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), King Coltrin (Vice-Chairman), Cameron Rose, Britton Jobe, Dee Ogilvy, Nathalie Broekhoven, Joel Thomas, and David Shuler. Absent: Melissa Cox. Staff in attendance: Bob Hosmer, Planning Manager, Nicholas Woodman, Assistant City Attorney, and Mary Lilly Smith, Planning Director.

MINUTES: The minutes of February 13, 2020 were approved.

COMMUNICATIONS: Bob Hosmer reported on City Council meeting actions.

CONSENT ITEMS:

Relinquishment of Easement 896
900 blk North Hampton Avenue

Applicant: Community College District of Central Southwest Missouri

Relinquishment of Easement 897
3145 West Reese Street

Applicant: Golden Avenue Development, LLC

COMMISSION ACTION:

Mr. Rose motioned to **approve** consent items Relinquishment of Easement 896 (900 blk North Hampton Avenue) and Relinquishment of Easement 897 (3145 West Reese Street). Mr. Jobe seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Broekhoven, Shuler, Thomas, and Rose. Nays: None. Abstain: None. Absent: Cox.
(Britton Jobe recused)

UNFINISHED BUSINESS:

PUBLIC HEARINGS:

Vacation 815
900 blk East Pythian Street

Applicant: Ozarks Technical Community College and Junior College of Central Southwest Missouri and Community College District Central SW

(King Coltrin and Britton Jobe recused)

Mr. Hosmer stated that this is a request to vacate right of way located in the 900-1000 Block of East Pythian Street. The applicant, Ozarks Technical Community College, is requesting to vacate an unused right of way. The cul-de-sac is a remnant that is no longer needed due to the realignment of Central to Pythian roundabout. All adjacent property owners have given consent to the vacation. 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 within 15 days with the City Clerk from the date the resolution was passed by the Planning and Zoning Commission. Staff recommends approval.

Mr. Doennig opened the public hearing.

Jonathan Staats, 5051 S. National, here to answer any questions.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Thomas motioned to **approve** Vacation 815 (900 blk East Pythian Street). Ms. Broekhoven seconded the motion. Ayes: Doennig, Ogilvy, Broekhoven, Shuler, Thomas, and Rose. Nays: None. Abstain: None. Absent: Cox.
(King Coltrin and Britton Jobe recused)

Z-3-2020

900 and 1000 blk East Pythian Street

Applicant: Ozarks Technical Community College and Junior College of Central Southwest Missouri and Community College District Central SW

(King Coltrin and Britton Jobe recused)

Mr. Hosmer stated that this is a request to rezone approximately 6 acres of property generally located in the 900 and 1000 Block of East Pythian Street from R-SF, Single-family Residential District, R-TH, Residential Townhouse District and CS, Commercial Services District to GI, Government and Institutional Use District. The Comprehensive Plan identifies the southern area as appropriate for Medium Intensity Retail, Office or Housing and the northern portion of the property as Low Density Housing. The OTC Zoning and Land Use Element of their 2010 Master Plan recommends this area as part of the proposed expansion of the OTC campus. (Council Bill No. 2010-129). The Transportation Plan classifies Pythian as a Local roadway. A Traffic Impact Study has been submitted for review. Improvements will be determined at each phase of development of the Master Plan. A fee in lieu of on-site stormwater detention will not be allowed, and the property is not located in a stream buffer. The proposed zoning will consolidate the property owned by OTC south of Pythian Avenue into one zoning district which is consistent with their Master Plan. Staff recommends approval.

Mr. Doennig opened the public hearing.

Jonathan Staats, 5051 S. National, stated that OTC is continuing to rezone due to expansion of the campus and here to answer any questions.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Thomas motioned to **approve** Z-3-2020 (900 and 1000 blk East Pythian Street). Ms. Ogilvy seconded the motion. Ayes: Doennig, Ogilvy, Broekhoven, Shuler, Thomas, and Rose. Nays: None. Abstain: None. Absent: Cox.

(King Coltrin and Britton Jobe recused)

Z-4-2020

3245 West Sunshine Street

Applicant: Russell L. & Minnie Black Trust

Mr. Hosmer stated that this is a request to rezone approximately 1.86 acres of property generally located at 3245 West Sunshine Street from County C-2, General Commercial District to HC, Highway Commercial District. The Comprehensive Plan identifies this area as an appropriate for Medium-Intensity Retail, Office or Housing. The HC district is listed as an appropriate zoning district for this land use category. The property is within the West Bypass and Sunshine Street Activity Center. The Transportation Plan classifies West Sunshine Street as an expressway and South Farm Road 133/Moore Road as a collector roadway. 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. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Nate DeGraff, 3245 W. Sunshine, stated that the business is growing and here to answer any questions.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Jobe motioned to **approve** Z-4-2020 (3245 West Sunshine Street). Mr. Coltrin seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Broekhoven, Shuler, Thomas, Rose, and Jobe. Nays: None. Abstain: None. Absent: Cox.

Z-5-2020 w/COD #184

2401 East Sunshine Street

Applicant: Southwest Missouri Investments, Inc.

Mr. Hosmer stated that this is a request to rezone approximately 43 acres of property generally located at 2401 East Sunshine Street from HM, Heavy Manufacturing to IC, Industrial Commercial and establish Conditional Overlay District No. 184. The Comprehensive Plan identifies this area as an appropriate for General Industry, Transportation and Utilities. The IC district is intended to allow industrial operations and activities in combination with commercial uses. The Transportation Plan classifies Sunshine Street primary arterial, Lone Pine Avenue as a secondary arterial and Enterprise Avenue as a Collector roadway. A traffic study will be submitted and approved by MoDOT to identify possible roadway improvements to accommodate the future land uses. A fee in lieu of on-site stormwater detention will not be allowed. The property is not located in a stream buffer. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Christopher Swan, 319 N. Main, here to answer any questions.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Jobe motioned to **approve** Z-5-2020 w/COD #184 (2401 East Sunshine Street). Mr. Coltrin seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Broekhoven, Shuler, Thomas, Rose, and Jobe. Nays: None. Abstain: None. Absent: Cox.

Z-6-2020

3859 West Maple Street

Applicant: DW Daniel Inc.

Mr. Hosmer stated that this is a request to rezone approximately 13.28 acres of property generally located at 3859 W. Maple Street from Planned Development No. 263 to R-MHC, Manufactured Home Community District. The Comprehensive Plan identifies this area as an appropriate for Medium or High-Density Housing. The R-MHC district is listed as an appropriate zoning district for this land use category. The R-MHC district is consistent with other nearby properties along Orchard Crest Avenue, Eldon Avenue, Duke Avenue and Dexter Avenue. The current Planned Development allows for multifamily residential dwellings, day care homes or group homes, and transitional housing for multifamily use. City's Transportation Plan classifies Maple Street as a Local roadway. 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. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Aaron Hargrave, 3213 S. West Bypass, here to answer any questions.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Jobe motioned to **approve** Z-6-2020 (3859 West Maple Street). Mr. Thomas seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Broekhoven, Shuler, Thomas, Rose, and Jobe. Nays: None. Abstain: None. Absent: Cox.

Z-8-2020

4912 West Chestnut Expressway

Applicant: City of Springfield

Mr. Hosmer stated that this is a request to rezone approximately 4 acres of property generally located at 4912 West Chestnut Expressway/State Highway 266 from County M-1, Light Manufacturing District to HC, Highway Commercial District. The Comprehensive Plan identifies this area as an appropriate for Medium-Intensity Retail, Office or Housing. The HC district is listed as an appropriate zoning district for this land use category. The subject property is within the I-44 and Chestnut Expressway Activity Center which the Plan encourages higher intensity. The owner is constructing a convenience store with gas pumps and will

be annexed into the City. The Transportation Plan classifies West Chestnut Expressway as an expressway; South Farm Road 115/Haseltine Road as a collector roadway and Interstate Highway 44 is as a freeway. 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. The property is not located in a stream buffer. Staff recommends approval.

Mr. Doennig opened the public hearing.

No speakers.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Jobe motioned to **approve** Z-8-2020 (4912 West Chestnut Expressway). Ms. Ogilvy seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Broekhoven, Shuler, Thomas, Rose, and Jobe. Nays: None. Abstain: None. Absent: Cox.

Commercial Street Design Guidelines
Citywide

Applicant: City of Springfield

Mr. Michael Sparlin presented the Commercial Street Historic District Design Guidelines.

1. How and why the original design guidelines were created: Commercial Street Historic District, 400 block of West Commercial to 500 block of East Commercial, Between Lyon Avenue (West) and Washington Avenue (East).
Dual Designation: Designated on the Springfield Historic Registry, July 1978. Listed on the National Register of Historic Places, May 1983. The Commercial Street Historic District Development Plan was completed in July 1982.
2. How they are used: The 10 Standards are the main review criteria the Board uses to evaluate exterior alterations. –
 - a. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
 - b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
 - c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
 - d. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
 - e. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
 - f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
 - g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
 - h. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
 - i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
 - j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The Design Guidelines, along with the Secretary of Interior's Standards, provide the basis for decisions by the Landmarks Board regarding exterior alterations to historic properties located within the District. The guidelines are used by applicants and their architects and contractors to submit project proposals for evaluation and approval. The guidelines serve to both preserve the historic significance and character of the District and to facilitate economic revitalization.
3. Project to update the guidelines:
 - The Landmarks Board initiated the update in late 2016.
 - Historic Preservation Fund (HPF) Grant through the State Historic Preservation Office (SHPO) to hire a historic architect.

- City Council allocated grant match in FY 2017.
 - September 2018 – awarded the grant.
 - Entered into a grant agreement which detailed timeline and public outreach would be conducted.
 - In March 2019, H3 Studio was hired to assist the City and Landmarks Board.
 - “Workgroup” was formed – 8 members.
 - Three workgroup meetings and three public meetings.
 - Postcards, Press releases and City Webpage.
 - SHPO oversaw that grant-funded project and reviewed the design guidelines.
 - Compliance to the grant agreement – timeline and public outreach.
 - Compliance with the Secretary’s Standards.
4. Key areas of the updated guidelines (New Guidelines)
- Windows
 - Storefronts
 - Sustainability and Energy
 - Periods of Significance

Mr. Doennig opened the public hearing.

No speakers.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Jobe motioned to **approve** Commercial Street Design Guidelines (Citywide). Mr. Rose seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Broekhoven, Shuler, Thomas, Rose, and Jobe. Nays: None. Abstain: None. Absent: Cox.

Tiny Home Amendments

Citywide

Applicant: City of Springfield

Mr. Daniel Neal presented the Tiny Homes, Tiny Home Communities and Campground and RV Park Amendments.

Background information

- June 3, 2019 – Referred to City Council’s Plans and Policies Subcommittee.
- July 25, 2019 – Plans and Policies topic overview and direction.
- November 21, 2019 – Plans and Policies review of draft amendments.
- February 20, 2020 – Plans and Policies review and recommendation of draft amendments.
- November 2019-February 2020 – Review proposed amendments with Neighborhood Advisory Council (NAC), Growth and Development Advisory Council (formerly DIIG) and Eden Village.

Current Zoning Ordinance

- Does not define tiny home, tiny home communities, recreational vehicles, campgrounds and recreational vehicle parks.
 - ✓ Park Model RVs do not meet Zoning Ordinance definitions of manufactured, modular, or mobile homes or common language definition of recreational vehicle.
- Does not dictate the minimum size of a home.
 - ✓ A single-family home must be built on minimum lot size of 6,000 square feet in the R-SF District.

Building Code

- A single-family home must meet International Residential Code (IRC) for minimum size of approximately 170 sq. ft.
- Homes require a code compliant foundation that meets IRC building codes.
- New IRC 2018 (recently adopted) has requirements for tiny houses (400 sq. ft. or less).
- Manufactured homes, mobile homes, and Park Model RVs have separate building code certifications (third party certification, i.e. HUD, RVIA, etc.).

Comprehensive Plan

- Growth Management and Land Use Plan Objective No. 17 recommends that Springfield should work to ensure a wide range of choice in living arrangements throughout the urbanized area through the promotion and protection of lands of suitable characteristics and environmental quality.
- Actions include:
 - ✓ Encourage the development of a variety of housing types that would enable developers to compete more effectively and to provide a greater choice for our residents.
 - ✓ Adopt appropriate design standards that can assure compatibility of different housing types and densities within existing neighborhoods.

Staff Recommendations

- Amend Zoning Ordinance to define
 - ✓ Tiny Home
 - ✓ Tiny Home Community (within new Section 36-475)
 - ✓ Campground and Recreational Vehicle Park
 - ✓ Recreational Vehicle including Tiny Home on Wheels
 - ✓ Park Model Recreational Vehicle (PMRV)
- Modify Zoning Ordinance Definitions of:
 - ✓ Mobile Home
 - ✓ Manufactured Home
 - ✓ Modular Home

Mr. Rose asked about the 180-day limit on recreational vehicle occupancy.

Staff noted that recreational vehicles are not designed as permanent dwellings, and the City has found that travel trailers, 5th wheel, etc., are no longer able to move due to having the tires removed and this will force them to move.

Mr. Coltrin noted his concern for the 180-day limitation and would like the City Council to look at the Travel channel and are tiny homes allowed in Residential Single-Family.

Mr. Neal stated that tiny homes are allowed in Residential Single-Family.

Mr. Jobe discussed multiple homes on a R-MHC, Residential – Manufactured Home Community District or specific PD, Planned Developments.

Mr. Doennig opened the public hearing.

Mr. Nate Schlueter, 2400 E. Latoka, noted that Eden Village is very interested in working with the City and is worried about people getting displaced and limited development to Residential – Manufactured Home Community District.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Jobe motioned to **approve** Tiny Home Amendments (Citywide). Mr. Thomas seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Broekhoven, Shuler, Thomas, and Jobe. Nays: Rose. Abstain: None. Absent: Cox.

Landscaping Material Amendments

Citywide

Applicant: City of Springfield

Mr. Hosmer stated that this is a proposed text amendment for Landscaping Material Amendments. The Fire Department has had multiple instances of structure fires resulting from combustible landscaping material in direct contact with commercial structures. The proposed amendments will modify the Zoning Ordinance to allow the Springfield Fire Department to enforce new regulations pertaining to combustible landscaping materials near commercial structures. The Growth and Development Advisory Council (GDAC), Downtown Springfield Association (DSA), Commercial Club and all Registered Neighborhood Associations were notified of these amendments and public hearing dates. After review of best practices from other municipalities, the Fire Department has prepared amendments to the Zoning Ordinance and Fire Code.

The proposed text amendments are: Note: Language to be added is underlined or removed is ~~stricken~~.

Sec. 36-321. – Definitions.

Landscaping materials: Landscape materials include lawns, trees, plants, and other natural and decorative features. In addition, it can include, but are not limited to, non-living materials such as mulch, brick, concrete, stone cobbles, wood blocks, gravel, and sand. Combustible landscaping materials include, but are not limited to, the following: mulch, wood chips, pine needles, leaves, shredded rubber and grass clippings.

Sec. 36-482. – Landscaping and bufferyards.

(7) General standards. The following criteria and standards shall apply to landscape materials and installation. More specific criteria and standards are contained in the arboricultural design guidelines of the City of Springfield.

(i). The place of combustible landscaping materials shall be in compliance with Section 320 of the adopted International Fire Code (IFC) as amended.

The significant modifications to the Fire Code are as follows:

- a. Combustible landscaping material/mulch shall be maintained so that there is not less than 18 inches (457 mm) of horizontal clearance between landscape mulch plots and combustible building materials. A minimum of 18 inches (457 mm) of vertical height must be maintained between combustible landscaping material/mulch and combustible building materials. Non-combustible landscaping material is allowed at any proximity.
- b. Combustible landscaping materials/mulch shall be maintained to form a perimeter of not less than 18-inch (457 mm) radius around gas meters. Non-combustible landscaping material is allowed at any proximity.
- c. Receptacles shall be placed not closer than 18" (457 mm) from combustible landscape material/mulch plots.
- d. Receptacles for the disposal of smoking materials shall be regularly emptied.

Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Kevin Trogon, Division Fire Chief will be looking at this change during the plan review process.

Mr. Jobe asked about the fire department for the Residential Single-Family.

Mr. Trogon noted that the fire department is not changing the ordinance for Residential Single-Family, just commercial for new buildings or remodels.

Mr. King wants to know if this makes all the current commercial buildings in Springfield that do not meet the requirements are considered non-conforming and believes this is a terrible idea.

Mr. Hosmer stated that they would be non-conforming.

Ms. Broekhoven asked about the heat source.

Mr. Trogon noted the original design was combustible construction (restaurants, etc.,) however pertains to all construction types and the heat sources are usually cigarettes being tossed out.

Mr. Thomas questioned the bufferyard requirements.

Mr. Trogon stated that it would be reviewed in the plan review process as well as the final inspection for them to meet the final requirements.

Mr. Doennig closed the public hearing.

Mr. Coltrin asked staff about getting a vote from the chamber (old DIIG) when something like this comes up, however will keep that in mind for the future.

Ms. Smith noted that she goes to the meetings and noted they expressed no objections to this change.

COMMISSION ACTION:

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