

October 8, 2020
MINUTES OF THE PLANNING AND ZONING COMMISSION
Springfield, Missouri

The Planning and Zoning Commission met in regular session and Zoom video conferencing in the City Council Chambers.

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

MINUTES: The minutes of September 10, 2020 were approved.

COMMUNICATIONS: Bob Hosmer reported on City Council meeting actions.

CONSENT ITEMS:

Relinquishment of Easement 904
2880 & 2885 South Morningway Drive
Applicant: Hill at Lone Pine, LLC

COMMISSION ACTION:

Mr. Jobe motioned to **approve** item Relinquishment of Easement 904 (2880 & 2885 South Morningway Drive). Ms. Cox seconded the motion. Ayes: Doennig, Ogilvy, Shuler, Rose, Broekhoven, Cox, Thomas, and Jobe. Nays: None. Abstain: None. Absent: Coltrin.

PUBLIC HEARINGS:

Planned Development 375
1452 North Eastgate Avenue
Applicant: Eastgate Office, LLC

Britton Jobe recused himself

Mr. Hosmer stated that this is a request to rezone approximately 1.9 acres of property generally located at 1452 North Eastgate Avenue from O-1, Office District with Conditional Overlay District No. 128 to Planned Development No. 375. The application is not consistent with the Comprehensive Plan which designates this property as appropriate for low-density housing. However, the property has been rezoned to an Office District which is a good transition between residential/commercial. The Transportation Plan classifies Division Street as a Primary Arterial roadway and Eastgate Avenue as a Collector roadway. The new alignment of Eastgate has split the property into its current configuration. A Traffic Impact Study is not required. The property is not in a FEMA floodplain or a stream buffer area. A fee in lieu of on-site stormwater detention is not applicable since a regional detention and water quality has been provided to the south. The proposed Planned Development would allow several permitted uses that are considered to potentially have higher environmental impacts in terms of noise, dust and odor which make them incompatible with the adjacent neighborhood. The proposed Planned Development does not adequately maintain provisions of the current Conditional Overlay District No. 128 that would minimize the adverse impacts on adjacent residential property owners. The PD proposes off-street parking standards for Office uses that are less than required by the Zoning Ordinance. The PD proposes a parking ratio of 1 space per each 300 sf for the office uses area only where the code requires a parking ratio 1 space for each 350 sf for the entire building. The storage areas would be counted separately (1 per employee plus 1 per each car kept on the premise). The PD proposes "Automobile detailing services limited to washing, waxing and detailing cleaning of motorized vehicles." The Zoning Ordinance first allows this use by right in the HC, Highway Commercial District. This district is a more intense commercial zoning district not compatible with adjacent residential. The PD proposes "General office use group with ancillary storage area." The applicant does not provide definitions or standards to define what materials would be stored. The PD proposes "retail sales use group provided the sale of products is related to the principal use. Products related to the principal use include products produced, distributed or sold on-site by the principal use." This could potentially be more intense than what the current O-1 District zoning would allow. The PD proposes a

fifty (50) foot bufferyard along the east property line with plantings per 100 foot. There is an existing masonry fence belonging to Cooper estates. The Zoning Ordinance would normally require a bufferyard type F with a minimum of twenty (20) foot width, fence/berm with more plantings per 100 linear feet.

	Canopy	Understory	Evergreen	Shrubs	Fence/Berm	Width
PD	3	3	3	0	0	50ft
Code	3	3	4	20	Existing Fence	20ft

Staff recommends denial.

Mr. Doennig opened the public hearing.

Mr. Geoff Butler, 319 N. Main Avenue stating that this property has been rezoned several times and would like it to be zoned as a Planned Development due to interest to open an auto detail shop. He noted that it would be one story with no openings in the back, no noise, low intensity, 40%+ green space with a large bufferyard, low foot traffic, stating it is better than the standard office building and cited the Comprehensive Plan for the history of the location.

Mr. Greg McKinney, representative of Cooper Estates HOA, noted his concerns for the entire 254 residences and believes this is the wrong type of development and will incur noise and light pollution and would like the zoning to remain current. He also noted that he believed not all residences received notification of the rezoning.

Ms. Cox asked about the notices sent out.

Mr. Bob Hosmer noted that notices were sent out to the people living within 500' and 185' of proposed development.

Mr. Bryan Fisher, attorney for Cooper Estates, stated that there are three reasons to deny this request. One, the proposed planned development is consistent with the Comprehensive Plan and; two Cooper Estates would like it to remain O-1 zoning that operates 8am to 5pm; and three believes that it would have more intense use if rezoned.

Mr. Randall Doennig closed the public hearing.

Mr. Joel Thomas asked what were not allowed uses.

Bob gave out a list of uses not allowed.

Ms. Cox asked Geoff Butler what they are willing to compromise?

Mr. Geoff Butler stated that they have compromised with a 50' bufferyard, no windows or openings on the back of the building, 30' bulk plain, lower intensity and 42% green space and gave example of other developments that would be allowed and it would involve higher intensity, i.e., plumbing office, etc.

Mr. Randall Doennig asked about the 50' bufferyard.

Mr. Hosmer stated that it a larger area, but insufficient on the shrubs, evergreens, etc.

Ms. Melissa Cox stated she has no problem with the site plan and ideas for retail but does not see why the development cannot remain O-1 and will not support it.

COMMISSION ACTION:

Ms. Cox motioned to **approve** item Planned Development 375 (1452 North Eastgate Avenue). Ms. Ogilvy seconded the motion. Ayes: None. Nays: Doennig, Ogilvy, Shuler, Rose, Broekhoven, Cox, and Thomas. Abstain: None. Absent: Coltrin. Britton Jobe recused himself. **Motion Failed.**

Home Occupation Food Preparation Amendments (Initiation only)

Citywide

Applicant: City of Springfield

Mr. Bob Hosmer stated that this is a request to Initiate Home Occupation Amendments preparation of food for sale Section, 36-451. Staff is proposing amendments to the Home Occupation section of the Zoning Ordinance to allow certain non-potentially hazardous processed foods to be prepared and sold to the end consumer such as breads, cookies, fruit pies, jams, jellies, preserves, fruit butters, honey, sorghum, cracked nuts, packaged spices and spice mixes, dry cookie, cake, bread, and soup mixes. The current ordinance prohibits the preparation of food for sale as a home occupation. Staff realizes that certain commercial businesses like restaurants and catering should be strictly prohibited from being allowed in residential areas and is proposing to develop conditions at which food preparation will be allowed in a small-scale home business while meeting state and local health codes. 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.

COMMISSION ACTION:

Ms. Cox motioned to **approve** item Home Occupation Food Preparation Amendments (Initiation only) – (Citywide). Ms. Broekhoven seconded the motion. Ayes: Doennig, Jobe, Ogilvy, Shuler, Rose, Broekhoven, Cox, and Thomas. Nays: None. Abstain: None. Absent: Coltrin.