

November 5, 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), King Coltrin (Vice-Chairman), Dee Ogilvy, Natalie Broekhoven, Melissa Cox, Britton Jobe, and Cameron Rose. Absent: David Shuler and Joel Thomas. Staff in attendance: Bob Hosmer, Planning Manager, Kyle Tolbert, Assistant City Attorney, and Mary Lilly Smith, Planning Director.

MINUTES: The minutes of October 8, 2020 were approved.

COMMUNICATIONS: Bob Hosmer reported on City Council meeting actions.

CONSENT ITEMS:

PUBLIC HEARINGS:

Z-20-2020 w/COD #190

2009 West Kingsley Street

Applicant: Housing Authority of Springfield

Applicant is requesting Z-20-2020 w/COD #190 be tabled to the next Planning and Zoning Commission meeting on December 17, 2020.

COMMISSION ACTION:

Ms. Cox motioned to **TABLE** item Z-20-2020 w/COD #190 (2009 West Kingsley Street). Ms. Ogilvy seconded the motion.

Ayes: Doennig, Coltrin, Ogilvy, Rose, Broekhoven, Cox, and Jobe. Nays: None. Abstain: None. Absent: Thomas and Shuler.

Preliminary Plat of Kramer West 2nd Addition

3638 West Division Street

Applicant: Kramer Enterprises Division, LLC

Mr. Hosmer stated that this is a request to approve a three-lot manufacturing subdivision on 12.45 acres of property located at 3638 West Division Street. The application is consistent with the Comprehensive Plan which identifies this property as appropriate for Medium Intensity Retail, Office or Housing. The property is currently zoned GM, General Manufacturing. The Transportation Plan classifies Division Street as a Primary Arterial roadway which supports the proposed land use. The property is not located in a FEMA designated floodplain or a stream buffer area. The existing detention will need to be shown in a common area. 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. Doennig opened the public hearing.

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

Mr. Coltrin asked if the detention includes lot 2.

Mr. Hargrave stated that lot 2 is in the common area and there will be no additional development.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Ms. Cox motioned to **approve** item Preliminary Plat of Kramer West 2nd Addition (3638 West Division Street). Mr. Jobe seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Rose, Broekhoven, Cox, and Jobe. Nays: None. Abstain: None. Absent: Thomas and Shuler.

Preliminary Plat of Green Corners
4625 South Biloxi Avenue

Applicant: Robert Green

Mr. Hosmer stated that this is a request to approve a two-lot residential subdivision on 1.7 acres of property located at 4625 South Biloxi Avenue. The application is consistent with the Comprehensive Plan which identifies this property as appropriate for Low Density Housing. The property is zoned R-SF, Single Family Residential District. The Major Thoroughfare Plan classifies Amory Street as a Collector Street and Biloxi Avenue as a Collector street which supports the proposed land use. Approximately, 5 feet of additional right of way and sidewalks will be required to be constructed. The property is not located in a FEMA designated floodplain or in a stream buffer area. A fee in lieu of on-site stormwater detention is allowed. 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. Doennig opened the public hearing.

Mr. Michael Green, 4625 S. Biloxi Avenue, owner and wants to flip the lot to be able to build on the north and here to answer any questions.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Ms. Cox motioned to **approve** item Preliminary Plat of Green Corners (4625 South Biloxi Avenue). Mr. Jobe seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Rose, Broekhoven, Cox, and Jobe. Nays: None. Abstain: None. Absent: Thomas and Shuler.

Preliminary Plat of Scott-Farmer Addition
1633 West Scott Street

Applicant: RAL Property Management, LLC

Mr. Hosmer stated that this is a request to approve a two-lot residential subdivision on 0.39 acres of property located at 1633 West Scott Street. The application is consistent with the Comprehensive Plan which identifies this property as appropriate for Low Density Housing. The property is zoned R-SF, Single Family Residential District. The Transportation Plan classifies Scott Street as a Local Street and Farmer Avenue has a Local street which support the proposed land use. Sidewalk is required to be constructed along the entire length on Farmer Avenue and approximately 9 feet of additional right-of-way needs to be dedicated along Farmer Avenue, as well as a 10-foot by 10-foot right-of way sight triangle at the corner of Scott and Farmer. The property is not located in a FEMA designated floodplain or a stream buffer area. A fee in lieu of on-site stormwater detention is allowed. 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. Doennig opened the public hearing.

Mr. Randy Lopez, owner of the property and is currently renovating the property by adding additional Residential Single Family and believes there is enough space.

Mr. David McDonald, citizen, neighbor to the addition and noted that a house across from the proposed addition just burned and see problems in the area and believes it is not appropriate at this time and would like for the burned houses to be replaced and taken care of before any new development.

Mr. Clayton Lamb, 1701 W. Scott, noted that the sidewalk in this area have homeless sleeping on them and since they installed the sidewalk's he has had flooding problems. He also notes that any additional rental property will cause the neighborhood to continue to decline and that the houses are not maintained.

Mr. Doennig closed the public hearing.

Ms. Cox asked if this is a zoning change.

Mr. Hosmer noted that it is a different process and that the administrative standards meets that section of the code.

COMMISSION ACTION:

Mr. Jobe motioned to **approve** item Preliminary Plat of Scott-Farmer Addition (1633 West Scott Street). Mr. Rose seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Rose, Broekhoven, Cox, and Jobe. Nays: None. Abstain: None. Absent: Thomas and Shuler.

Home Occupation Food Preparation Amendments

Citywide

Applicant: City of Springfield

Mr. Hosmer stated that this is a request to propose Text Amendment: Home Occupation Preparation of food for sale Section, 36-451.

Planning and Zoning Commission initiated the proposed amendments to the Home Occupation section of the Zoning Ordinance at the October 8, 2020 meeting. The current ordinance prohibits the preparation of food for sale as a home occupation. This amendment would 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. 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 approve amendments to the Zoning Ordinance of the city code as specified.

Note: Language to be added is underlined or stricken.

(n) Preparation of food for sale, operating in compliance with the Springfield-Greene County Health Department and adopted Missouri Food Code with the following restrictions:

1. Only non-potentially hazardous processed food may be sold, sampled, or served, including, but not limited to 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, but excluding low acid canned and/or acidified foods as specified in the Code of Federal Regulations Title 21 Part 113 and 114 respectively;
2. Only the individual actually producing the food, or an immediate family member residing in the producer's household with extensive knowledge about the food, may sell, sample or serve food;
3. Food may only be sold, sampled or served directly to the end consumer;
4. All processed packaged foods shall bear a label stating the name and address of the manufacturer/processor preparing the food, common name of the food, name of all the ingredients in the food in order of predominance, the net weight of the food in English or metric units, and a statement that the product is prepared in a kitchen that is not subject to inspection by the Springfield-Greene County Health Department. It is recommended that honey manufacturers/processors include this additional statement to their product label: "Honey is not recommended for infants less than twelve (12) months of age"; and

5. The consumer is informed by a clearly visible placard at the sales or service location that the food is prepared in a kitchen that is not subject to inspection by the Springfield-Greene County Health Department if the foods specified in Section 36-451(3)(n)1., are sold, sampled or served in unpackaged, individual portions. The Springfield-Greene County Health Department shall have the final authority in determining whether a food is non-potentially hazardous and may enjoin individuals who violate the provisions of this subparagraph from selling, sampling or serving these foods.

Ms. Cox asked about paragraph 2. (Only the individual actually producing the food, or an immediate family member residing in the producer's household with extensive knowledge about the food, may sell, sample or serve food;) and if any other person beside immediate family can participate.

Mr. Hosmer noted that it for the individual in the home for consistency and sold directly to the consumer – no cross over to catering and preparing for self and consumer.

Mr. Doennig opened the public hearing.

Mr. Eric Marcol, Greene County Health Department, here to answer any questions.

Ms. Cox asked about the health and safety of maintaining the home environment.

Mr. Marcol stated that family would know better, i.e., pets, prepared with knowledge of allergies, etc.

Ms. Cox asked about if a sibling outside of the home could prepare the food and believes it feels restrictive.

Mr. Marcol stated that only people residing in the home may prepare the food and the verbiage was pulled from the Missouri Food Code.

Mr. Hosmer stated that the individuals are being licensed by the City.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

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

English Village Urban Service Area Exception

2001, 2005, 2007, 2009-2019 North Michael Lane and 1894 North State Hwy CC (Christian County)

Applicant: City of Springfield

Mr. Hosmer states this is a request to approve Urban Service Area Exception the English Village located in the 2000 block of State Highway CC on 13.4 acres of property in Christian County. The Springfield's Urban Service Area (USA) Policy was established in April 1984. The Comprehensive Plan states that "the Urban Service Area concept should continue to be used by Springfield and Greene County to indicate the areas in which municipal sanitary sewer will be available. The intent of the geographic boundary and policy is to provide for sewer services as available resources allow. Amendments to the Urban Service Area Policy must be reviewed by the Springfield PZ Commission, the Greene County Planning and Zoning Board and the Watershed Committee of the Ozarks and must be approved by a 2/3 vote of the Springfield City Council and the Greene County Commission. The Department of Environmental Services requested the proposed exception to the Urban Service Area to allow a portion of a development outside of the Urban Service Area to be served by an existing trunk line where public sanitary sewer is already available. Staff recommends approval.

Mr. Randall Doennig asked if this was to extend the sewer service.

Mr. Hosmer noted that it proposes to extend the sewer service.

Mr. Doennig opened the public hearing.

Mr. Ron Petering, Environmental Services noted that the City would require and consent payment to connect and hold into future with the city and this extends service to an area not currently being served but will allow them in the future. He also noted that this allows the area to be developed.

Ms. Cox asked about the City of Nixa.

Mr. Petering noted that Nixa has no desire to extend their services and has no issue with Springfield going forward.

Mr. Coltrin asked about direction of the drain.

Mr. Petering stated that it takes a natural route through gravity to a pumping station.

Mr. Doennig asked about the 2003 exception to area in Christian County.

Mr. Petering stated that proposed service area is outside of Nixa.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Ms. Cox motioned to **approve** item English Village Urban Service Area Exception (2001, 2005, 2007, 2009-2019 North Michael Lane and 1894 North State Hwy CC (Christian County)). Ms. Broekhoven seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Rose, Broekhoven, Cox, and Jobe. Nays: None. Abstain: None. Absent: Thomas and Shuler.

2021 Planning and Zoning Calendar
Citywide

Applicant: City of Springfield

Mr. Hosmer stated that 2021 calendar is ready to be reviewed and approved.

COMMISSION ACTION:

Mr. Coltrin motioned to **approve** the 2021 Planning and Zoning Calendar (Citywide). Ms. Broekhoven seconded the motion. Ayes: Doennig, Coltrin, Ogilvy, Rose, Broekhoven, Cox, and Jobe. Nays: None. Abstain: None. Absent: Thomas and Shuler.