

MINUTES OF THE PLANNING AND ZONING COMMISSION

DATE: September 5, 2013

TIME: 6:30 pm

The regular meeting and public hearing of the Planning and Zoning Commission was held on the above date and time in City Council Chambers, third floor of City Hall with the following members: Matt Edwards (Chair), King Coltrin (Vice-Chair), Jay McClelland, Jim Hansen, Tom Baird, and Gabrielle White; Staff in attendance: Bob Hosmer, Principal Planner; Ralph Rognstad, Director, Nancy Yendes, City Attorney; Dawne Gardner and Ron Colson, Public Works; Sandy Goddard, Administrative Assistant. Absent: Shelby Lawhon, Jason Ray, and Phil Young.

ROLL CALL:

APPROVAL OF MINUTES: The minutes of July 25, 2013 and August 8, 2013 were approved unanimously.

COMMUNICATIONS:

Mr. Hosmer noted that the applicant for Z-17-2013, item number 7 on the agenda, late this afternoon requested to table the case due to concerns of the citizens in the area. The applicant intends to look at the site plan and look at less density, conduct another public neighborhood meeting and get more input from the neighborhood. They have requested this be tabled to the October 31, 2013 meeting. Mr. Hosmer pointed out item number 8 on the agenda, zoning case Z-18-2013, has been tabled to the date of October 3, 2013.

Ms. Yendes stated that since the request to table was less than a 48 hour notice, Commission determines whether or not to table it under their rules. It Commission believes that it is a good cause that the applicant intends going back out to the neighborhood to reduce the intensity then it would be appropriate to table it.

Mr. Edwards communicated to the public that the hearing will come back to Commission and they will have the opportunity to voice their opinions.

Mr. McClelland **motioned** to table Z-17-2013 w/Conditional Overlay District No. 62 and LWO#1 to the October 31, 2013 meeting. Mr. Coltrin **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, White, Baird, and Hansen. Nays: None. Abstain: None. Absent: Lawhon, Ray and Young.

Mr. Edwards commented they do not have a procedure to accept questions from the audience on tabled items, but would refer members of the audience to a staff member, Mr. Hosmer.

A member of the audience asked, since the 31st of October is Halloween and they have children and grandchildren, a lot of those in attendance at the meeting tonight will be unable to come back and since there is a lot of opposition to this, if the meeting could be rescheduled to another date.

Ms. Yendes noted that it is up to Commission to decide what date the issue is tabled to. If someone who voted in the affirmative, which all of Commission did, could move for reconsideration and take it to another meeting date.

Mr. Edwards asked if the developer was in attendance at the meeting and was told they are not.

Mr. McClelland motioned to **amend** the **previous motion** to table Z-17-02013 w/Conditional Overlay District No. 62 and LWO#1 from October 31, 2013 to November 14, 2013. Mr. Hansen **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, White, Baird, and Hansen. Nays: None. Abstain: None. Absent: Lawhon, Ray and Young.

CONSENT ITEMS:

1. Relinquish Easement 795 Griswald Enterprises
(5200 block South Michigan)
2. Acquire 499 Laurie Luna
(4134-4136 W Farm Road 34)
3. Preliminary Plat Kum & Go # 489 Tomar Properties Registered, LLLP
(4020 West Battlefield Road)

Mr. Baird motioned to **approve** the consent agenda items. Mr. McClelland **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, White, Baird and Hansen. Nays: None. Abstain: None. Absent: Young, Ray, and Lawhon.

V. PUBLIC HEARINGS:

4. Vacation 762 Advocates of a Healthy Community Inc.
(400 block East Tampa)

Mr. Hosmer stated the purpose of this request is to vacate the 400 block of East Tampa Street. The Planning and Zoning Commission is typically the final authority on requests for the vacation of public right-of-way. However, if there are requirements that must be met before the vacation becomes effective, the request must then be forwarded to City Council, as is the case with the subject property. The applicant must dedicate an emergency access easement for access to the east side of the facility that meets the requirements of the Fire Department. The off-street parking lot that serves the Jordan Valley Community Health Center is located on the north side of existing Tampa Street and the clinic is located on the south side of the street and the applicant is requesting to vacate Tampa Street in this area to provide for a safer entrance to the facility. The Fire Department has requested the applicant to show access to the east side of the facility. The applicant will need to submit an emergency access easement that meets the requirements of the Fire Department. In addition replacement utility easements will need to be dedicated. The proposed vacation meets the approval criteria for vacating right-of-way and staff recommends approval.

Mr. Hansen asked about the access between the building and the via-duct toward the back, if it is private or public.

Mr. Hosmer stated it is public.

Mr. Hansen asked if that is included in the vacation.

Mr. Hosmer said it is his understanding that it would be access down and around.

Mr. Hansen asked if there would still be access to the alleyway going north and the one south, beside the building.

Mr. Hosmer asked if he was talking about the east side.

Mr. Hansen said on the west side of the building.

Mr. Hosmer commented that there is not an alley there now.

Mr. Hansen stated there is an alley there.

Mr. Rognstad said there is a drive there, not an alley.

Mr. Hansen asked if it is not public then.

Mr. Hosmer said there is nothing public.

A citizen stated that it is a public road.

Mr. Hosmer stated that the City's records do not show there is an alleyway there, but ascertained that might not be accurate; our database does not show that there is an alleyway to the south in between the building on the west side.

Ms. White asked if the vacation is granted, who will have the maintenance responsibilities for the area; will that be the Health Center.

Mr. Hosmer said yes, but there will be easements that will be retained and emergency access.

Mr. Baird asked staff if there is a need to determine the actual validity of the alley before proceeding with the vacation.

Ms. Yendes concluded Commission can move forward if they choose because staff assumed there wasn't an alley; whether there is an alley there or not they still want the emergency access agreement across there and the utility easement will need to be provided where it is being vacated.

Mr. Hansen asked Ms. Yendes if the entry or the portal to that alley was included in the vacation; is it going to be blocked or not or do we know at this time.

Ms. Yendes remarked that if we vacate it, they could put up some type of traffic control device because it will be their street.

Mr. Hansen said he was talking about the access on the west alley.

Mr. Hosmer questioned Mr. Hansen if he was asking if the vacation would block the access to the alley.

Ms. Yendes said the survey on page ten (10) of the staff report stops just short of taking in the alley and then it shows the southern part which people from the audience has indicated is open now; it is showing that as part of the Health Center's property.

Mr. Coltrin asked traffic staff if they don't have a problem with this; if you turn south on Benton, this is your last chance to get across there and you are doing some crazy maneuvers to figure out you went the wrong way.

Ms. Gardner said they do not have a problem with this.

Mr. Edwards opened the public hearing.

Mr. Derek Lee, Lee Engineering, 2101 West Chesterfield Blvd, commented he is representing the owner; the alley to the north on their survey shows that it is still an alley and it even shows it as an alley on the front page.

Mr. Hosmer clarified south of Tampa, the alley has been vacated.

Mr. Lee pointed out the alley, stating it is a public property and they are not blocking it. The survey they provided shows that they are stopping short of that. There is an alley, pointing out the alley on the map, and they are not blocking the public portion of that. A portion of the alley is on Jordan Valley's property and a portion on public property. They will keep it the way it is, they are not going to close anything off. The portion that is on the public property, they are stopping their legal description short of that so they are not blocking anything that is public now. Their intention is for that to be a drop off area, and right now they are currently constructing a building, and their site plan shows that as a drop-off area for patients.

Mr. Lee disclosed the reason they are asking for this is when you drive by during regular business hours people are parking on Tampa blocking the street where you cannot get through. There is a median in the center, currently, and the cars are lining up there and this has become a safety issue. The public has to cross through parked cars and vehicles going around and it has become a safety concern. Their intention is to turn this into a green space and put some benches and trees and an entrance into that where you come off the parking lot and you don't have to cross a road to get into the hospital.

Mr. Baird asked when the vacation is complete, and in dropping someone off at the facility, will they have to be coming south on Benton and make a jog to get to the drop off area or how is that traffic flow going to work.

Mr. Lee remarked they do not have final plans for this which is why it is going forward to City Council. The current plan is to utilize the current entryway drive and that drive will be a straight shot down to the drop off area. This is to provide access for emergency vehicles, fire apparatus turn around movement. Some of the plans have a fire truck access which hasn't been approved yet, but that is why we are asking to vacate the street.

Mr. Hansen asked if access to the patient drop off will be entirely on the Health Center property.

Mr. Lee said yes. There will be a drive aisle that will run parallel to Benton. The reason we don't want to keep this open is because this alley has no space between the via-duct. They are going to close those down so you don't have movements so close to the intersection that they are really dangerous. When you want to go north on Benton and south on the alley, it doesn't work. That is why they want to close that off and tie it into the current parking lot driveway.

Mr. Hansen clarified that is the reason you are going to close it off so people can turn by accident from north bound onto that and find that they are blocked.

Mr. Lee said they won't be blocked, they will turn in and come straight down; the only movement they are going to block is the street in front of the health center.

Mr. Hansen stated he had some concerns about the via-duct where there are rails and they can't see and they turn into Tampa and they have nowhere to go.

Mr. Lee pointed out where the street would be blocked and where the entryway would be.

Mr. Hansen asked about the west alley asking if that will still have access to Tampa.

Mr. Lee commented that is not a public alley, it is a private drive and that will remain open as it now with the same access as before.

Mr. Coltrin asked if the curbs were painted red and put up signs that said no parking, if that would remove the parking problem along that section of the road.

Mr. Lee said that in his experience that people tend to ignore red curbs.

Mr. Coltrin asked if there was a no parking zone with fines attached to it; not a fire lane, a no parking lane.

Mr. Lee stated there are other options, and that may be an option, but they have fought this for awhile. That is a public street and it appears obvious to him that people want to drive through, but in his opinion that won't work. If you are willing to stop in a public street where no one can get through, which is what he has seen routinely, and what Jordan Valley has seen on a daily basis, the fact that you put a sign there will not be a deterrent. People don't care, even with a line of cars behind them.

Mr. Coltrin asked if Mr. Lee would say that the site was not properly laid out to begin with.

Mr. Lee said absolutely. This is a building they have tried to turn into something useful and it wasn't perfect when they bought it, so you are right.

Mr. Coltrin asked Mr. Lee if the fire station at Traffic Way and Benton still in operation, asking where the nearest fire house is. He asked if the fire trucks would come north on Benton to get to this area. Mr. Coltrin stated that if they travel north bound on Benton, looking at the aerial picture, and they try to make a left turn into that parking lot they won't make that turn and hit that drive alley.

Mr. Baird commented he believes they would have more of a chance of making the left hand turn if the proposed changes are made; certainly now they couldn't do it.

Mr. Coltrin stated they are not proposing to change the parking lot to his understanding.

Mr. Baird stated his thought is that north of Tampa Street they will make an entrance and connect the parking lot into that alley way; they will bring it across Tampa, is that correct.

Mr. Lee said that is correct. The alley on the east will not allow a fire truck to turn right now. They are moving the entry up to the current parking lot driveway so the turn can be made. Some of the current parking spaces will be removed so they will have a full turn around and it will be the standard fire department access requirement.

Mr. Coltrin stated in the current plan it does not show the parking being changed except extent the drive aisle, but if you take the parking spaces, then you create enough room for that turn. You are losing spaces in the middle of the parking lot.

Mr. Lee stated yes, and stated they are required on what Commission will be voting on to provide the fire department the easements for access.

Mr. Floyd Horton, owner of Horton Supply Company, 518 N. Jefferson, Springfield. Mr. Horton stated the City came to him and he gave them permission to open the alley/street back up when they build Jordan Valley, adding it was closed for more than thirty (30) years. Mr. Horton commented that if people are going to park and block a public road that is what police department enforcement is for. They can make money by writing tickets. This is not people unloading people, this is vendors unloading their product or selling their products. They allow 18 wheelers to park in the street and leave their trucks for 30 minutes or more. Mr. Horton stated that is not his fault and likes Tampa being open because it's easier access for his customers; if they close Tampa his customer will have to go up to Chestnut Expressway and make a big u-turn to get to his business. He believes there is not a need to close the street. Enforce the law and people would not park there and it would not be an issue.

Ms. White asked Mr. Horton the nature of his business.

Mr. Horton relayed it is a quarry and mining supply business.

Ms. White asked who is primarily coming to his business.

Mr. Horton said customers and trucks for pick up and trucks delivering merchandise all day long and a lot come down Tampa Street.

Ms. White asked if those are 18 wheeler trucks, pick-up and delivery trucks.

Mr. Horton said both.

Mr. Baird asked Mr. Horton what percentage of his business, be it your vehicles or your customer's vehicles would you say use Tampa Street.

Mr. Horton stated forty (40) to fifty (50) percent of them do.

Mr. Steve Vestal, owner of Moore Printing Company, 610 N. Jefferson, commented that his concerns are the same as Mr. Horton's as far as traffic access. When they built Jordan Valley and put the median there, it started blocking traffic. At one time he believes there were no parking signs on both sides and they took them out. There are a lot of people stopping there because they don't know that they can or can't. As far as assisting the pedestrians getting from the parking lot to the entrance of Jordan Valley they have the right-of-way with the traffic, there are eight (8) signs that give them notification of that right-of-way and the traffic does a good job of stopping for the foot traffic. As Mr. Horton said, it is as much vendors as it is patients that are stopping there, and that needs to be addressed which would alleviate the problem as far as keeping traffic flowing. Jefferson is one way which after forty-nine (49) years no one has figured out so we don't dare make it two-way again. If we do anything, we need to take the median back out and build some type of circular parking drive in front of the clinic for handicap. Closing Tampa Street is going to cause a lot of problems for local businesses down town; a lot of business traffic goes through Tampa. He doesn't know what the traffic count is. With Chestnut Street being adjusted the way it was several years ago, you can't use that for all intents to get anywhere off Benton or Jefferson so you have to go to the traffic light at Chestnut Expressway and he figured it is six (6) extra blocks anyway you go for his customers to get away from the downtown area. Closing off Tampa is going to create more of an issue than just opening it back up and give the public a better place to park. Parking in the current parking lot is already at critical mass; they are having their employee's park at the parking garage down by US Bank, and Municipal Court's parking area and in his parking lot just because they don't know any better or don't want to go anywhere else. To take more parking spaces away to allow for emergency access will create an even bigger problem. Mr. Vestal stated he believes this is going the wrong direction; he has been in business for forty-three (43) years and feels they have a good feel for how traffic flows there. They have a lot of trucks that go to the backside of their building which is the alley to the north they are talking about and any big trucks that turn onto Tampa and it is blocked off they are going to have to try and go down one of the alley's and it cannot be accomplished with a trailer either direction. There is a building on the northwest corner and a generator type structure on the southwest corner of these alleys; once a truck turns there they are committed to backing into traffic on a one way street. Mr. Vestal reiterated he believes they are creating more problems than solutions.

Mr. Curtis Looney, who owns a business at 619 N. Jefferson, which is at the end of Tampa, across the street on Jefferson. There are nine (9) office employees and twenty (20) field employee's and Tampa is the main access, to the east and north side of town. We use the street several times a day with employees leaving for home or running errands; there is a storage yard behind the facility with heavy equipment that uses that street. There is no other access unless you go to Tampa to the west which is not much wider than an alley so we do not use that street with their equipment. It would be a big burden for their business. He does empathize and understand Jordan Valley's challenge with their foot traffic there, and he does not have an answer for them, but blocking the street will not solve the problem for the rest of the businesses.

Mr. Hansen asked Mr. Looney the type of business he has.

Mr. Looney said construction. If we pull any type of equipment to go east, they have to travel to Traffic Way.

Mr. Hansen asked about using Tampa to the west.

Mr. Looney said they cannot with their trucks and equipment, it is too narrow. The next street is Boonville and there is a building on the corner and the visibility to turn is very tight and does not believe that Public Work would not like to see have heavy truck access. He is not certain what the traffic count is on Tampa, but they use it a lot and see a lot of other people use the street. A traffic study should be done to see what the traffic volume is daily before determining to close the street.

Mr. John Reynolds, 635 N. Jefferson, with All-night Recovery and Towing, just north of the location of the last speaker. Mr. Reynolds stated they offer towing to the general public but they cater to law enforcement; SPD, Greene County and MSHP Troop D, uses them exclusively in the county and zone. They do so because of their response time. We are the fastest towing company in town. Approximately three years ago, they responded to an accident where a woman died; his truck was hung up on Tampa Street for three to four minutes behind a delivery truck unloading candy and pop to supply Jordan Valley's vending machines. Mr. Reynolds stated that he doesn't know if that would have made a difference or not; yes it was a situation where eight (8) or ten (10) fireman could have rolled the vehicle, but rolling a vehicle off a body creates a pinching effect and sometimes it needs to be lifted straight off of the person. At least once a day MSHP Troop D asks them to expedite. He leaves his office and the area of Tampa that is proposed to be vacated is his only route north or east. As you can see on the picture, the other stretch of Tampa to the west is half the width and Robberson is nothing but a glorified alley. His tow truck is approximately forty (40) feet long and if he is towing a car behind, he can get to fifty (50) or sixty (60) feet long and he doesn't know where he can go. Mr. Reynolds said he uses Tampa many times a day. This parking problem on Tampa in front of the clinic; he doesn't feel the clinic is innocent in this situation. He has discussed this with them and asked for help with this issue and it doesn't stop. The reason he says they are not innocent is because they have an on duty security office and that security officer comes out to the street and helps people out of their vehicles while parked on the street. Something that has not been mentioned is they also have a parking lot to the west of the building that is handicap and for non ambulatory traffic, so all the foot traffic crossing Tampa is not necessary; the non-ambulatory and handicap could use the sidewalk which goes directly to the front door of their building. The cross walk is well marked; he differs with Mr. Lee that no other medical facilities require foot traffic to cross the street. St. Johns is one of the biggest hospitals in town and you have to walk across Cherokee. A well marked crosswalk does its job. It has been suggested that he speak with someone about no parking signs at the site. He is not certain how effective no parking signs are, but he knows it hasn't been tried in this area and given the fact that a lot of the vendors park there and the administration at the clinic is condoning it by accepting their supplies through the front door and not the back door and their own security officer is out there getting people in and out of vehicles while they are sitting there on the street blocking it is not doing their part.

Mr. Reynolds stated that the tow trucks are not commonly thought of as emergency vehicles, but we are an emergency vehicle so the concept with the fire truck apparatus and needing area access he understands. He wants access to be available wherever they need to go but we are talking about an "what if" situation here. Mr. Reynolds said his business operates on a daily basis as an emergency responder.

Mr. Hansen clarified that the only access for Mr. Reynolds to go north is Tampa to Benton.

Mr. Reynolds said that is correct which takes him directly to Chestnut Expressway. Tampa to the west is too narrow with his truck if he is loaded. He guarantees Troop D twenty (20) minutes response time anywhere in the county and those minutes are sometimes a life or death situation.

Mr. Edwards said his question is for staff because this appears to be going against what we normally do with the connectivity policy on keeping streets open and why this has not been flagged as an issue with traffic or planning in general.

Mr. Rognstad commented they relied on Traffic for their analysis of how it would impact the street system.

Ms. Gardner stated they looked at it from a safety perspective and the traffic counts, and the traffic counts were low and the pedestrian counts were extremely high. There is not a lot of traffic compared to the rest of the system, but the pedestrian count was high so from the safety perspective it made sense. There is a traffic count from 2007 which is the most current they have.

Mr. Edwards closed the public hearing.

Mr. Coltrin stated that as we think and vote on this issue, think carefully because he will expect Commission to apply the same logic to a private developer that comes in and asks you to give him their land. If you are asking to take and close a convenience to the public of Springfield, it seems like a critical path that shouldn't be shut down for this reason. It looks like the facility has plenty of parking on the same side of the building and possibly they have put too much into a building that should not have put this much into it, but that doesn't warrant the inconvenience from everybody west of this area all the way across. Mr. Coltrin stated he uses Tampa often. Be consistent, because if you do it for one, you have to do it for all.

Mr. Hansen commented that he was struck by how tight the turns are and he can see why that would be a really good solution for the clinic, but it is going to put a burden on the existing businesses there. It is not an exaggeration on how hard it is to get out of there so he believes there could be a better solution to the clinic than to cut off access.

Mr. McClelland agreed with Mr. Hansen, there is a better solution than closing a city street.

Mr. Edwards stated that this is a serious enough problem that they have come to us and asked us to review a serious issue here; and while he empathizes with what the clinic wants to do and admiration of what the clinic does every day, but the policy he has always understood since he has been on Commission is that the City connects streets for emergency traffic and we have railroaded streets through neighborhoods to maintain that policy. Clearly this is a special situation with the alleys and the one way traffic and we have just got ourselves blocked into a bad situation. Mr. Edwards stated he agrees with the previous speakers that blocking this road will create more problems than it will solve. Something else needs to be figured out, because he cannot support the request.

Mr. Hansen motioned to **approve** Vacation 762. Mr. Baird **seconded** the motion. The motion **failed** as follows: Ayes: None. Nays: Edwards, Coltrin, McClelland, White, Baird and Hansen. Abstain: None. Absent: Young, Ray, and Lawhon.

5. Vacation 763
(3100 East Farm Road 188, Evans Road)

City of Springfield

Mr. Hosmer commented that the purpose of this request, by the City, is to vacate a portion of 3100 block of East Farm Road 188 (Evans Road). The adjacent property private property to the west is being redeveloped by Mercy Hospital. If approved, the vacated right-of-way will be combined with the private

property as part of the redevelopment of the site. Access by property owners to the south of the proposed vacation will access the new east west arterial Riverbluff Boulevard by taking Anne Street to Southwood Avenue and then north to Riverbluff Boulevard. Staff is recommending approval.

Mr. Edwards opened the public hearing. As there were no speakers, Mr. Edwards closed the public hearing.

Mr. Coltrin motioned to **approve** Vacation 763. Mr. McClelland **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, White, Baird and Hansen. Nays: None. Abstain: None. Absent: Young, Ray, and Lawhon.

6. Z-15-2013
(1601 East Republic Road)

Wayne Wilson

Mr. Hosmer stated the applicant is requesting to rezone approximately 0.53 acres of property generally located at 1601 East Republic Street from an O-1, Office District to an LB, Limited Business District. There is an existing office use on the property and the applicant would like to add retail uses. The LB District is designed to function as a transition between more intense commercial uses and residential neighborhoods. The subject property is located along Republic Street which is classified as a Primary Arterial roadway. The property on the south side of Republic Street is zoned HC, Highway Commercial. Approval of LB zoning on the subject property would provide the transition from the more intense zoning on the south side of Republic Street and the residential development to the north. This request is not expected to have any additional impact over the existing development. The amount of retail use will be limited due to the limited amount of off-street parking available on site to serve the development. Approval of this request will allow the applicant to expand the uses offered at this location and with the requirements and restrictions of the LB District is not expected to negatively impact the surrounding street system or residential properties. The types and intensity of uses permitted in the LB, Limited Business District would allow a retail boutique as the applicant desires and other low intensity retail uses without negatively impacting the surrounding street system or residential properties. Staff recommends approval.

Mr. Hansen inquired if additional lighting restrictions are required for an office district that limited business would not.

Mr. Hosmer stated they will not have any light spill-over into the residential according to the regulations.

Mr. Rognstad commented that Office and Commercial are the same when adjacent to residential.

Mr. Edwards opened the public hearing.

Ms. Lisa O'Dell, 1003 W. Parkhill Circle, commented she is representing Wayne Wilson and stated the business is mainly office, but there is a small space on the west end of the building which currently is being used for storage which Ms. O'Dell wants to convert into a small retail boutique with approximately seven (700) square feet. The business is currently located in Nixa and will be moving to Springfield.

Mr. Edwards closed the public hearing.

Mr. Hansen motioned to **approve** Z-15-2013. Mr. Baird **seconded** the motion. The motion **carried** as

follows: Ayes: Edwards, Coltrin, McClelland, White, Baird and Hansen. Nays: None. Abstain: None. Absent: Young, Ray, and Lawhon.

7. Z-17-2013 w/Conditional Overlay District #62, Live/Work District #1
(1225 S. Ingram Mill & 3302 E. Catalpa)

CSN Properties, LLC

Mr. McClelland motioned to **amend** the **previous motion** to table Z-17-02013 w/Conditional Overlay District No. 62 from October 31, 2013 to November 14, 2013. Mr. Hansen **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, White, Baird, and Hansen. Nays: None. Abstain: None. Absent: Lawhon, Ray and Young.

8. Z-18-2013
(400-500 block E. Sunset Street)

Brent Stevens

9. Micro Efficiency Dwelling Unit Text Amendments
(City-Wide)

City of Springfield

Mr. Hosmer stated the purpose of this request is to add a definition to *Section 2-1100, Definitions*, and amend the off-street parking requirements in *Section 5-1500, Off-Street Parking Requirements* in the *Springfield Zoning Ordinance*. Planning and Zoning Commission initiated amendments to the off-street parking requirements regarding micro efficiency dwelling units at their meeting on August 8, 2013. The *Zoning Ordinance* currently requires 1.5 parking spaces for efficiency and one-bedroom apartments. The proposed amendments define an efficiency and micro-efficiency dwelling unit and establishes off-street parking requirement of one space for micro-efficiency dwelling units. It is currently possible to build a micro-efficiency dwelling unit, but 1.5 off-street parking spaces must be provided. Normally, one person will reside in units of 400 square feet or less but requiring 1.5 parking spaces. Staff is proposing reducing this to only 1 space per unit. The City's Housing Code requires a minimum floor area of 150 square feet for a dwelling unit where one person resides. The Development Issues Input Group (DIIG), Urban Districts Alliance (UDA), Environmental Advisory Board (EAB), Commercial Club and all registered neighborhood organizations were notified of these amendments and have made no objections to date.

Mr. Hansen asked staff what the impetus was for this change, because it seems to him there are not nearly enough parking places in that area as it is.

Mr. Hosmer stated this is City-wide.

Mr. Hansen commented he was thinking of the University Combining District; but it's all the same. All around downtown there is not enough parking so who wants less parking.

Mr. Hosmer explained that around the university where this is student population using mass transit and biking to promote density in the downtown area with the restriction of four-hundred (400) square feet or less units they would be allowed to do this.

Mr. Rognstad stated there are two (2) projects, one near Drury and the other Missouri State and are targeted for students. They felt they could handle the population of the units with one parking space.

Mr. Hansen commented they may be able to handle it, but who will handle all the extra cars looking for parking outside their place, the spill over. It would seem that to encourage bicycling and mass transit use those things would be expanded instead of cutting off parking. It seems like a negative way to encourage mass transit use.

Mr. Edwards commented this would not apply to Center City because those standards don't exist in Center City District in the first place. Downtown doesn't have parking requirements the same as the rest of town.

Mr. Hosmer stated that with the limited living space you are not going to have that many more people which would limit one person with one car or no car.

Mr. Rognstad stated they try to create a balance between how much parking has to be provided privately so we do minimize the economic impact but at some point it becomes a market decision if you don't have adequate parking. We do have businesses that will put in much more parking than what the City requires because they feel like their business cannot success with the minimum that the City has. So we try to look at what the minimum could be and they always have the opportunity to add more. In some complexes there will be vacant units and some people will not have a car and they are not typically full. We believe if you are going to build these smaller units and they are in proximity to where people can walk then there may be people who do not have cars and you will be able to deal with visitors that come.

Mr. Hansen said that people are going to build their micro-efficiency apartments with one parking space per unit and can't imagine how some of these are going to have more than one in them; that's just the way of the world now. Seems like everybody has a car and it appears it's going to make a bad problem worse.

Mr. McClelland motioned to **approve** the Zoning Text Amendment Micro Efficiency Dwelling Unit Text Amendments. Mr. Coltrin **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, White, and Baird. Nays: Hansen. Abstain: None. Absent: Lawhon, Ray and Young

10. University Combining District Text Amendments
(City-Wide)

City of Springfield

Mr. Hosmer stated the purpose of this request is to amend the off-street parking requirements in *Subsection 4-2200, UN -University Combining District*, of the *Springfield Zoning Ordinance*. (Staff recommends approval). Planning and Zoning Commission initiated amendments to the off-street parking requirements in the UN, University Combining District at their meeting on August 8, 2013. The *Zoning Ordinance* currently permits a ten percent (10%) reduction in off-street parking spaces if additional bicycling parking is provided. The proposed amendments would allow, only for the UN District, an additional ten percent reduction for a total reduction of 20 percent if additional bicycle parking is provided. There are only two UN Districts currently mapped and both are adjacent to Missouri State University: 1) the area bounded by Grand Street, Kimbrough Avenue, Harrison Street, and Holland Avenue; and 2) along both sides of Elm Street between National Avenue and John Q. Hammons Boulevard. This amendment is being proposed in response to the increasing number of students, particularly foreign students, who do not own cars and live near Missouri State University campus. Staff believes this trend will continue due to increasing costs of education and car ownership, improved transit in the center city area and the increased opportunities to shop and work in the center city area. The proposed amendment will allow developers to determine the best mix of auto and bicycle parking to serve the residents they want to attract while ensuring that at least 80% of the typically required parking is provided. The Development Issues Input Group (DIIG), Urban Districts Alliance (UDA), Environmental Advisory Board (EAB), Commercial Club and all registered

neighborhood organizations were notified of these amendments and have made no objections to date. Missouri State University staff did express a concern that if adequate parking is not provided, there will be an increased demand in on-street parking in an area where on-street parking is already tight supply.

Mr. Hansen asked if someone puts in a bike rack they can reduce their parking spaces.

Mr. Hosmer stated that the City currently does that with development across the city. This is for the districts near the Universities where there will be students that are not going to have vehicles. They will be more likely to have bicycles or walk.

Mr. Hansen asked if everywhere else in town it is ten (10) percent in reduction and you want to reduce it by twenty (20) percent.

Mr. Hosmer said that is correct and but only for these two districts around the MSU area.

Mr. Rognstad pointed out the area on the display map.

Mr. Hansen commented that two areas have parking problems as is.

Mr. Rognstad commented they are aware there is already tight street parking, but again, we believe the market can take care of it. A developer can come in and take a look at what they believe they need to do and if they can cater to a market that doesn't need cars, they have an option to do that.

Mr. Edwards asked if it is being said there is a need for housing and because of the parking requirements they can't build houses right now that they would like to and if we do this that would allow more flexibility to put housing where it's needed and skirt the otherwise requirement for parking.

Mr. Rognstad stated there is a need for housing but the argument was made to the City that the market they are catering to particularly with these micro efficiencies for don't have cars, and that we are providing an excess of parking for the people who would be living there.

Mr. Edwards commented that currently they can still get a ten (10) reduction on the bike rack situation.

Mr. Rognstad said that is correct; they would not be able to build as many units.

Mr. Edwards asked the number of parking spaces they are talking about.

Mr. Rognstad stated the one unit they were talking about was under one hundred (100) units total. Then it would be a reduction of twenty parking spaces total.

Mr. Hansen remarked that the previous amendment changed that from 1.5 parking spaces to one (1) parking space. If you had one hundred (100) units then that would be fifty (50) less or fewer parking spaces.

Mr. Rognstad said that is correct, but this one is a mix. It is not all micro efficiency units.

Mr. Hansen commented that this would be a twenty (20) percent reduction on top of that in a place where there is not parking anyway. That seems counterproductive to require developers to provide fewer parking spaces and burden the public street with the excess.

Mr. Rognstad said right, if there is an excess the developers argument is that the market that is there now...

Mr. Hansen said there will always be an excess and it's not going away. There is going to be more demand for parking with expansion with MSU.

Ms. White commented that we are only talking about private parking, off street parking with a development. We are not talking about anyway changing the problem with parking on the street. That's a given. The private parking we are talking about reducing is really not available to anybody that doesn't live in the development already. I know people poach parking places all the time, but want to be clear that only in this development this person builds can they reduce parking in any way, and they can choose to continue to have 1.5 parking places if they think that is a better situation.

Mr. Hosmer said yes; they can build as many parking spaces as the site would allow. But if the developer's business plan allows one space and they choose to have reduction even further with the bicycle rack down to the twenty (20) percent, but that is only on their site.

Ms. White stated right, but it also allows them to build more units. Where do you put people who don't live there.

Mr. Rognstad said that will always be an issue. Being in the college area, guests may walk f

Mr. Edwards opened the public hearing. As there were no speakers to the issue, the public hearing was closed.

Mr. Coltrin said that in the limited area they are talking about having a positive effect on, perhaps we are not going to cause a terrible disturbance and hopefully this area will be monitored to see if we need to change it. Mr. Coltrin said he would go for the experiment and see what happens with the comment that he hopes the city is watching this and parking starts to back up and things start to happen badly, that we undo it.

Mr. Baird commented he will have to recommend approval on this simply because he believes the market will dictate the success of this venture.

Mr. Hansen commented he does not feel good about voting on something to make life easier for two prospective developments, that's not what he came here for. They will fight and poach for parking spaces and will cause grief and he does not see any reason to change it from what it is now.

Mr. Baird motioned to **approve** the Zoning Text Amendment University Combining District Text Amendments. Mr. Hansen **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, White, and Baird. Nays: Hansen. Abstain: None. Absent: Lawhon, Ray and Young

Mr. Hosmer stated the purpose of this request is to amend the setback and height requirements in *Subsection 4-4405, Industrial Commercial District*, of the *Springfield Zoning Ordinance*. (Staff recommends approval). Planning and Zoning Commission initiated amendments to the setback and height requirements in the IC, Industrial Commercial District at their meeting on August 8, 2013. Currently, commercial zoning districts (GR, General Retail, HC, Highway Commercial and CS, Commercial Services) require a thirty (30) degree bulk plane adjacent to R-SF and R-TH and no side or rear yard setbacks other than required bufferyards. The IC, Industrial Commercial District, is intended to allow industrial operations and activities in combination with commercial uses. Staff believes that the IC District with commercial and industrial uses should be develop or redevelop similar to the commercial zoning districts. Staff is proposing to modify the setback and height requirements to the IC District because the permitted uses are similar to the permitted uses in these commercial districts. The Development Issues Input Group (DIIG), Urban Districts Alliance (UDA), Environmental Advisory Board (EAB), Commercial Club and all registered neighborhood organizations were notified of these amendments and have made no objections to date.

Mr. Edwards opened the public hearing. As there were no speakers, the hearing was closed.

Mr. McClelland motioned to **approve** the Setback & Height Regulations in the IC District Text Amendments. Mr. Hansen **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, White, and Baird. Nays: Hansen. Abstain: None. Absent: Lawhon, Ray and Young

There being no further business, the meeting was adjourned at approximately 8:00 p.m.



Bob Hosmer, AICP
Principal Planner