

MINUTES OF THE PLANNING AND ZONING COMMISSION

DATE: July 3, 2014

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 present: Matt Edwards (Chair), Tom Baird (Vice-Chair), Jason Ray, Gabrielle White, Melissa Cox, and David Shuler. Staff in attendance: Bob Hosmer, Principal Planner; Nancy Yendes, Assistant City Attorney; Sarah Kerner, Assistant City Attorney, Ron Colson, Public Works, Dawne Gardner, Public Works, Sandy Goddard, Administrative Assistant. Absent: Lawhon, Hansen, and Young.

ROLL CALL:

APPROVAL OF MINUTES: The minutes of June 5, 2014, were approved unanimously.

COMMUNICATIONS:

Mr. Hosmer noted there is a Planning and Zoning meeting scheduled on July 17, 2014 and July 31st, 2014. The July 31st meeting will be the August meeting. Mr. Hosmer stated that Ms. Nancy Yendes is leaving the City of Springfield and Ms. Sarah Kerner, Assistant City Attorney will be representing the Planning Department. Mr. Hosmer presented Ms. Yendes a notice of recognition for her twenty-five (25) years of service to the City.

CONSENT AGENDA ITEMS:

1. Request to Dispose 507 City Utilities of Springfield
(402 East Farm Road 84)

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

PUBLIC HEARINGS:

2. Z-12-2014 w/Conditional Overlay District No. 75 John Calvin Presbytery
(2150 West Republic Street)

Mr. Hosmer commented this is a request to rezone approximately 5.63 acres of property generally located at 2150 West Republic Road from an R-SF, Single-Family Residential District to an GR, General Retail District and establishing Conditional Overlay District No. 75. The Conditional Overlay District that accompanies this request requires the dedication of additional right-of-way for Cox Avenue and a turnaround for Shady Lake Avenue to the south. As an alternative, the applicant may extend Shady Lake Avenue as a public street through the subject property through the Major Subdivision process. The subject property is located at the southeast corner of Republic Road, a primary arterial roadway, and Cox

Avenue, a secondary arterial roadway which is an appropriate location for the requested zoning.

This request will provide for the redevelopment of this site that is consistent and compatible with the existing development to the north and is consistent with the City's policies to promote infill development and increased intensity where investments have already been made in public services and infrastructure.

Mr. Hosmer reviewed the requirements for development within the district: additional right-of-way shall be dedicated for Cox Avenue to total thirty-five (35) feet from the centerline. A turn around on Shady Lake Avenue is required to be constructed. This will require Public Improvement Plans. Driveway access from the development to the existing Shady Lake will not be allowed. If the developer desires to extend Shady Lake Avenue through the development as a public street, this will have to be approved through the major subdivision process. A Traffic Study shall be approved by the Traffic Division which may require additional public improvements. Staff is recommending approval.

Mr. Edwards opened the public hearing.

Mr. John Moore, 1223 Horse Creek Farm Road, Galena, Mo., commented he is representing the Presbytery in support of the request and would be available for questions.

Mr. Neil Stenger, 1615 E. Primrose, Springfield, noted he is a real estate agent for Murney Associates. Mr. Stenger stated the Church purchased the property in 1988 and is selling the property. Mr. Stenger reviewed the exhibits that were shown at the neighborhood meeting held on June 12, 2014. A summary of the meeting is in the staff report. The neighbors expressed concerns about stormwater runoff and traffic issues. Those issues will be dealt with at the time of development. They are requesting rezoning so they can identify the uses appropriate for the site. A traffic study was done and submitted to staff. At the time of development the City has reserved the right to request a second study if the actual development that is proposed is significantly different than the one they used at the neighborhood meeting.

Mr. Edwards closed the public hearing.

Mr. Ray motioned to **approve** Z-12-2014 w/Conditional Overlay District No. 75. Mr. Baird **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Baird, Ray, White, Cox, and Shuler. Nays: None. Abstain: None. Absent: Hansen, Young, and Lawhon.

3. Z-13-2014 w/Conditional Overlay District No. 76
(1333 East Briar Street)

Reed Properties, LLC

Mr. Hosmer said this is a request to rezone approximately 1.01 acres of property generally located at 1333 East Briar Street from an R-SF, Single-Family Residential District to an R-LD, Low-Density Multi-Family Residential District; and establishing Conditional Overlay District No. 76 to limit the density to 10 units per acre in order to construct multi-family one level 1,400 square feet retirement housing. Staff recommends approval.

Mr. Edwards opened the public hearing.

Mr. Bill Reed, 4906 S. Ashford, commented he is available for questions.

Mr. Edwards closed the public hearing.

Mr. Baird motioned to **approve** Z-13-2014 w/Conditional Overlay District No. 76. Ms. White **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Baird, Ray, White, Cox, and Shuler. Nays: None. Abstain: None. Absent: Hansen, Young, and Lawhon.

4. Z-14-2014 w/Conditional Overlay District No 74
(2118 South Eastgate Avenue)

Roman Catholic Diocese of Springfield

Mr. Hosmer stated this is a request to rezone approximately 3.7 acres of property generally located at 2118 South Eastgate Avenue from Planned Development 233 to an R-LD, Low-Density Multi-Family District; and establishing Conditional Overlay District No. 74. The developer is proposing a multi-family townhouse development for seniors. The multi-family use is not permitted in the current zoning district. The proposed Conditional Overlay District will restrict the residential intensity and require sidewalks to be constructed along Eastgate and Seminole. Staff recommends approval.

Mr. Edwards opened the public hearing.

Mr. Tyler Peck, 5051 S. National Avenue, with H-Design Group representing the developer of the property stated he is available for questions.

Mr. Edwards closed the public hearing.

Mr. Baird asked staff if the sidewalks connect with anything on any of the other properties; in this case it would seem to make more sense in this case to do a payment in lieu of sidewalks so they could be used elsewhere.

Mr. Hosmer commented that is an option for them to do, depending on connectivity of other property to the north and east that will be developed in future.

Mr. Ray motioned to **approve** Z-14-2014 w/Conditional Overlay District No 74. Mr. Baird **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Baird, Ray, White, Cox, and Shuler. Nays: None. Abstain: None. Absent: Hansen, Young, and Lawhon.

5. Z-15-2014
(900 West Commercial Street)

Lloyd Crosby

Mr. Hosmer stated the purpose of this request is to rezone approximately 0.36 acres of property generally located at 900 West Commercial Street from HC, Highway Commercial District to a CS, Commercial Services District. The applicant is proposing to rezone property from a HC, Highway Commercial zoning district to a CS, Commercial Services District for a food processing warehouse use. The HC zoning district does not permit wholesales use group, food processing uses. The Planning and Development staff recommends the application be **approved** with conditions:

Commercial Street and the Missouri Avenue do not meet current city standard ST-9 for two-way Commercial driveways. The driveway currently on Missouri Avenue for the residential portion of the property is too close to the driveway to the north. If the residential portion of the property is going to remain,

the commercial driveway on Missouri Avenue will need to become one way. The existing driveway on Commercial Street will need to be reconstructed to meet current city standard ST-9. Missouri Avenue is classified as a local/commercial street which requires 30 feet of right of way from the centerline. It appears approximately 10 feet is needed. The applicant has the option to appeal this requirement through the ARC. Staff is recommending approval.

Mr. Edwards opened the public hearing.

Ms. Clarissa Young, 838 E. Grafton Dr. Nixa said she is representing the owner as they are out of town and she would be happy to answer questions.

Mr. Edwards closed the public hearing.

Mr. Ray motioned to **approve** Z-15-2014. Mr. Baird **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Baird, Ray, White, Cox, and Shuler. Nays: None. Abstain: None. Absent: Hansen, Young, and Lawhon.

6. Planned Development 323 Amended
(1530 East Erie Street)

Samuel Coryell, Sr.

Mr. Hosmer stated this is a request to rezone approximately 18.61 acres of property generally located at 1530 East Erie Street from Planned Development District No. 323 to Planned Development District No. 323 Amended. The applicant is requesting to amend Planned Development District No. 323 to increase the total number of dwelling units within the development from three-hundred-fifty (350) dwelling units to three-hundred-seventy (370) dwelling units. This amendment also increases the maximum height for multi-family dwellings from three (3) stories to four (4) stories. The intent is to construct a new building on the southeast portion of the property. Mr. Hosmer noted staff is requiring one item in the Exhibit 1.b, be removed, residential condominiums; condominiums is not a use, it is actually the subdivision of the property so we are recommending removal from the exhibit. Staff recommends approval.

Mr. Edwards opened the public hearing.

Mr. Tyler Peck, 5051 S. National Avenue, with H-Design Group representing the owner. The proposed structure currently sits one hundred-fifty (150) feet away from the existing south property line and then the south face of the proposed building is going to be in line with the existing Abby south façade. Then from the building face to basically the closest neighbor is about two hundred-forty (240) feet distance wise from the buffer to give a guide that this building is not going to overshadow or create any harsh shadows on the neighboring residential neighborhood. Currently there is a property to the east that is a commercial property across the street from this site. The current site has enough parking for the proposed new building structure so there will be no new parking or impervious area added to the site. There will only be a slight traffic increase. It is thirty-six (36) units; they are all one bedroom units so basically thirty-six (36) additional cars to the site. The addition stormwater runoff for the new building, we will be putting a new water quality basin south of the structure just south of the existing south drive and then all the stormwater will be collected in the water quality basin and then be piped over to the existing regional detention basin that is on the west side of this property. The proposed building design will have no balconies on any side of the building. The south side of the building will have minimal windows; that's where the stair tower circulation tower is. There was some concern about the existing balconies at the Abby overlooking the neighborhood

to the south; this building will not have balconies and will not have many windows that face directly south. There will not be any new trash enclosures. The existing trash enclosures will act for this project. There was some concerns of noise of dumpsters and the owner is trying to address those with the existing facility and trying to make that better to minimize the noise criteria. The proposed four (4) story request over the three (3) stories is basically to allow a greater potential for financial return on the owners investment. They want to do an elevator on the project; it's a cost saving to have a four (4) story with an elevator for accessibility. Currently there was some concern that the existing building could be increased in number of stories; that is not the case. This building will max out with the apartment matrix for the current site and we are also at the maximum for parking so there will be no opportunity to do any additional building structures for this site. Mr. Peck stated he is available for questions.

Mr. Edwards asked what year the original PD was enacted for this site.

Mr. Hosmer stated he thinks it was 1992.

A member of the audience stated the first building opened in 1991.

Mr. Edwards opened the public hearing.

Mr. Jim Dean, 8859 North Farm Road 167, commented he is speaking in behalf of his mother Crystal Dean who resides at 3321 S. Winton Place. Single story residential right next to four (4) story multi-family is not right. Zoning laws allow for gradual contrast from one land use to the next. There is no buffer zone; there is no green space and there cannot be. The Southwest Power Administration has a high voltage transmission line between the properties. The Abby Apartments or home owners cannot plant trees between the projects, so when the neighbors walk out their backdoors, there is a four story structure apartment complex. The neighborhood sits eight (8) to ten (10) feet lower in elevation so this property will be fifty (50) to sixty (60) feet above the neighborhood. Mr. Dean distributed pictures for Commission to view. Property values will fall. The neighborhood is at risk. Quality of life is at risk.

Ms. Janet Wall, 1615 E. Walnut Lawn, Springfield, commented she is in opposition to the proposal with three concerns the neighborhood has, one being the noise, the privacy issue and the other issue is stormwater. The exhibits submitted to Commission state the stormwater is adequate, but if you live in the neighborhood, they are not. In the last five years in the neighborhood water has gotten into basements after the addition of the Abby. There is an error and omission in the exhibits submitted to the Commission because at the neighborhood meeting there were two ladies present who eloquently addressed the issues of floods of water coming down the street, underneath the fence from the Abby on the southern fence line. There is a creek that starts at Glenstone and meanders around, down Delaware, around to Prairie Creek through two houses and drains. In July of 2000 there was an enormous amount of rain in a short amount of time and there were at least ten (10) houses in this neighborhood that water in the basements up to the door handles; water in the crawl spaces almost into the houses and other homes that opened their back door and let the water flow through out the front door. The City did an improvement in the stormwater drainage however, it is not adequate. Ms. Wall stated she would like to ask Commission and City Council to address the issue of the new flooding issues that have recently happened as well as the old issue to come to their aid once again in a proactive and not reactive stance and help them with the flooding issues. Please consider placing this project on hold until a further study can be done to do the greatest good for the greatest number of people.

Mr. Baird asked staff for clarification on stormwater; when we are talking about stormwater and flooding, is this coming off the Abby property or down Delaware.

Ms. Wall stated there were two issues; yes it is coming off the Abby property.

Mr. Baird asked Ms. Wall to show him on the display how the property drains, where the water drains to.

Ms. Wall stated other members of the neighborhood would address that but she is aware that the streets in question were Welwood and Southlyn. The concern about the Abby actually being in the place where it is that with less green space and more concrete that water is still going to revert over to Delaware Street which again, meanders downstream.

Mr. Baird asked Ms. Wall about the noise concern.

Ms. Wall stated she is not equipped to answer that question. She lives far enough away from the Abby that the only problem from her property is the flooding issue.

Mr. Shuler asked for clarification on where the units will be located and the closest residence.

Ms. Cox asked Mr. Hosmer to point out the structure location clarifying that it is not within the circular location.

Mr. Hosmer stated it is one hundred-fifty (150) feet from the face of the building to the property line.

Mr. Shuler asked Mr. Hosmer if the property owner did a three story unit there, if there would be a need to change the zoning.

Mr. Hosmer stated they would have to for the density and the number of stories, however, that is something Commission and Council can look at to make the determination if three stories would be more appropriate.

Mr. Edwards asked Mr. Peck to elaborate more on the stormwater remediation.

Mr. Peck stated the parcel south of the driveway is where there will be a water quality basin.

Mr. Edwards asked if that is a new water quality basin so there will be the existing water detention and then you will add another.

Mr. Peck stated yes it would be a new water quality basin. A new water quality basin is a requirement of the City to catch the first phase of the water and then anything off their site he is assuming they will make them pipe downspouts, anything off the building down to that and then it goes underground over to the west existing detention basin.

Mr. Edwards asked for a general idea of the flow of water off the property.

Mr. Peck stated currently he would not be the expert; he believes the City is doing some things in the neighborhood to try and minimize the runoff issues that have occurred from prior developments. He cannot speak if something was done incorrectly or if it is the amount of surface water that is running back to there,

but the applicant wants to be a good neighbor to the existing neighborhoods. If there are issues on the property that need to be corrected, the developer would want to look at and consider that as long as there is not a large cost factor. Unfortunately, the existing property in its existing condition has created a lot of negative feelings towards trying to do anything new.

Mr. Edwards asked stormwater staff if they had any comment on any existing plans or anything they are doing right now for the area on stormwater.

Mr. Colson stated he is not aware that they have any plans right now to do any additional stormwater improvements in the area. Mr. Colson stated he feels they are stepping up to the plate by adding some more new detention on the site to take care of the additional runoff for what they are proposing so it won't make it worse than what it is now. Mr. Colson said he would look into the issue of the problems from five years ago and if it wasn't corrected properly at that time he will see if they can work with the developer to make those improvements also.

Mr. Edwards asked if there is any extra capacity here aside from just the new development amount of water; how is it in terms of the new development's runoff and what the new detention basin can handle, do we have any extra play in that.

Mr. Colson stated there is a big regional detention basin west of this property and it's sized for full development of the site to what the zoning allows just for detention, but it is an old detention pond that did not have water quality treatment included in the design so anytime they add new impervious surfacing we have been making them put in water quality basins in addition to the existing regional detention basin. It's a detention basin so we have been asking them to continually increase the amount of storage whenever they add more impervious area for water quality requirements for today's code.

Mr. Baird stated that what we are looking at there, referring to the display, the lime green rectangles, are those detention basins.

Mr. Colson said yes.

Ms. White asked about the reference to asking the new developers to put in significantly more retention; are the controls that you are putting in place today much more stringent than when the original development was done.

Mr. Colson said yes.

Ms. White noted that we are asking more from the developer than was asked the last time something was done, so perhaps there are some added assurances that there is going to be added water control for the neighbors who have flooding issues.

Mr. Colson pointed out a detention area in the southwest corner of the property, stating that is a water quality basin that was added five years ago when they did an addition at that time. Originally it was the one large basin to the west and that was only just detention based on old requirements. As they have come in and developed more, they have then added the other detention basin for water quality and if they want to come in and add more they are going to have to add more water quality detention.

Ms. Cox noted that she realized they are asking the developer to put in additional water quality control, but it seems the issue is quantity so has there been anything done to address potentially what could be done about quantity.

Mr. Colson stated the regional detention basin has been sized for quantity for what the zoning allows on the site. The water quality basin still acts like additional detention for the amount of water it is going to catch; it catches the smaller rain events and takes care of those. The really large rain events are supposedly taken care of in the regional detention basin.

Mr. Leon Earwood, 3315 S. Welwood asked to make certain he understands there will be another retention basin on the south east corner. In addition he thought he understood that the water from that detention will be channeled westward to the detention area on the west so all the water that is coming from that area is going where.

Mr. Colson stated it will go through an underground pipe system which drains through that water quality basin on the south west and then drains up north and then goes west into the main regional detention.

Mr. Earwood expressed concern that the channel on the south side will be able handle all the water that's draining from that parking lot when there is a heavy rain; it hasn't so far. Mr. Earwood stated that according to the staff report there is a statement from staff about the privacy issue and the additional stairwells. It says that the applicant indicates the new buildings will have an enclosed stairwell on the south side of the building that faces the residential properties to the south. There will be no new exterior balconies facing south; it doesn't say anything on here about the east side or west side having balconies. Mr. Earwood stated that as he reads this, there is nothing to prevent the proposed four story building from having balconies on the east and west side. He has seen people on their balconies with binoculars, telescopes or spotting scopes looking down at the neighborhood and it's not a good feeling. There is a dumpster from the Abby that is located within thirty (30) feet of his neighbor's garage, forty (40) yards from his house. It has been said it can't be moved because of the power lines; if that be the case, on the east side across Delaware to the apartment complexes, there is a dumpster setting under the power lines. Why can't they move the garbage dumpster more than ten (10) yards from the neighbors house. They don't load and unload dumpsters quietly. He is concerned about opening Welwood Avenue to through traffic. Mr. Coryell could possibly submit a request to open the street again.

Mr. Ray West, 3311 Southlyn Place commented his house backs up to the Abby Apartments. Because of the power line being there and the fact that it was R-1 zoned on the other side of the power line, he felt like he was protected, but that is not so because of the changes that have been made over the years. Mr. West commented on the loud cars and motorcycles that race up and down in the area as well as the loud noise from the carpet cleaning trucks. Mr. West provided a picture that showed white gravel that was used as a planter on the north side of the privacy fence. The gravel washed across the top of the curb that was supposed to catch the water and came down between his house and the house at 3310 Southlyn. The other picture you see is a deposit of mud and debris that is in his patio. The pictures were taken after the water had gone down. The issue here is the capacity of the conveyance of this stormwater. Mr. West noted he is a Consulting Engineer and has seen these kinds of issues come up. You can have collections systems and detention but you have to get it from point "A" to point "B" and the pictures you see here depict a lack of ability of the system, drop inlets, the curbs, the underground buried pipe that transfers it from one point to the other to be able to handle those heavy flows. Bringing more water from the new development

will be cause for additional concern. The water quality basins don't do much good for detention when you get the gully washers. They are designed for cleaning up the water so you don't put pollutants downstream during small rain events. Mr. West suggested someone needs to do an independent check of the drainage, the calculations of the amount of flow, the capacity of the pipes, and the capacity of the drop-inlets because he doesn't believe the capacity is there.

Mr. Hosmer asked for clarification of the fence in Mr. West's picture that separates his property from the Abby.

Mr. West stated the fence in the background is a seven (7) foot high wooden fence and the white gravel you see has washed under the fence into his garden spot. On the other side of the fence, the north side of the privacy fence is an area of ground cover that is basically that white rock. It may be creek gravel because he sees some of that washing under the fence. Mr. West reiterated there is an issue there.

Mr. Hosmer reviewed the regulations of the Planned Development for buffering; shrubs, trees, a fence.

Mr. West commented they may meet that requirement, but that doesn't do much to block the view.

Mr. Baird noted that he drove through the property today asking Mr. West how often there is a problem with drainage with the current structure that is there.

Mr. West said it happens when they get the real heavy rains. Mr. West stated that as he understands the water quality basin will flow into that same drainage pipe structure, and if it can't handle the water that is coming in there now, what will it be like when this additional water is brought in.

Mr. Baird stated that he knows there are a lot of plantings on the side of the Abby that looked nice and they do have a fence. Is the developer required to keep the bottom of the fence structurally sound so it doesn't allow gravel and debris to wash underneath the fence.

Mr. West stated he has had to pile up landscape timbers on the bottom of the fence to keep his dogs in his yard, there is that much of a gap.

Mr. Baird commented he would be concerned as well. With this development there will be added impervious surface and the water has to go somewhere.

Ms. Carol Coryell, 1531 East Bradford Parkway, commented she is one of the owners of the Abby. They do their best to maintain the appearance of the Abby and invest a lot of money in upkeep of the Abby. Ms. Coryell noted it is one of Springfield's premier properties, and they do want to be a good neighbor and will do whatever the engineers tell them to do as far as stormwater runoff, stating they depend on the experts to tell them that information. Ms. Coryell said she would be glad for the neighbors to report these things such as the fence to the Abby staff and then the maintenance crew will be alerted and it will be fixed. Ms. Coryell stated they have zero tolerance for noise and try to control it the best they can but there are a lot of people there. They have asked for the additional units, because they can already build a structure, but they have asked for the additional units so they can justify putting in an elevator, which they have in their existing building; to justify the extreme cost of the elevators, we have needed to add units to development that they already have approved. Ms. Coryell said these will be one bedroom units and there will be no balconies on any sides of the building. Ms. Coryell asked Commission to approve the plan as it's designed.

Mr. Baird noted that Ms. Coryell made a good point in that they can already build the building. Mr. Hosmer noted it is also allowing more density as well as more stories.

Mr. Coryell stated they could build nineteen (19) units and not change the current density. Mr. Sam Coryell, 1531 E. Bradford Pkwy, Springfield, commented he was not aware there was a problem with the garbage dumpster until they had the neighborhood meeting and he directed that that be changed. Whether that has been done or not he could not say. Addressing the concern of reopening Welwood Street, their water quality basin is located there and would have no reason to do that. Mr. Coryell stated they would address these issues and want to find out when things are not as they should be because they do not want to make anything worse.

Mr. David Giddings, 3310 S. Welwood, commented nothing good can come from this for eighty (80) plus households and families. The housing will be for college students who will come and go; some of these neighbors have lived most of their adult life in their homes. He expressed concern about public safety with the increase of traffic and the number of children in the neighborhood. The opening of Welwood is a concern, although they say that won't happen. When there is increased traffic, the logical place to relieve that would be open Welwood.

Mr. Dan Freiborg, 3333 S. Southlyn Place commented his objection is the four (4) story structure; where is the nearest four (4) story building to that property.

Mr. Edwards closed the public hearing.

Commission discussed the stormwater issues and the regional detention basin and the trouble of getting the runoff from the applicant property to the detention basin. It was asked if the owner of the regional detention basin should be involved in this discussion, agreeing that it is the responsibility of the applicant to get the water to the basin. It was noted that the detention basin was sized for full development for this piece of property, but noted that the current detention is not working. Commission members weighed in on this being infill on an existing piece of property which would be good use of the land. The bulk plane was discussed in reference to the proposed development. Comments were made on the dumpster issue and the neighbors' concerns regarding the height of the building. Ms. Yendes noted that Ordinance No. 5726 shows there is a restriction of three (3) stories in height of all structures on this property so there is not a bulk plane, but there is a height restriction. The Chairman acknowledged that last minute negotiations from their position on a situation like this are problematic. A member of Commission stated that the line was drawn at three (3) stories, and he has not heard a compelling reason to go beyond that. The applicant determined to table the case to the July 17th meeting for more information.

Mr. Baird **motioned to table** Planned Development 323 Amended at the request of the applicant to July 17, 2014 meeting. Ms. Cox seconded the motion. The motion carried as follows: Ayes: Edwards, Baird, Ray, White, Cox, and Shuler. Nays: None. Abstain: None. Absent: Hansen, Young, and Lawhon.

7. Maximum Bufferyard Area Amendments (City-Wide)

City of Springfield

Mr. Hosmer said this is a request to add a new *Subsection 6-1217, Maximum Bufferyard Area*, in the *Springfield Zoning Ordinance* to allow bufferyard reductions for small lots. City Council initiated

amendments at their meeting on May 12, 2014 to add sections to the Zoning Ordinance dealing with reductions in bufferyard requirements for small tracts of land in all zoning districts in response to a recent zoning case where bufferyards appeared to be excessive for a small lot. Staff is proposing to add a new subsection to the Zoning Ordinance that will allow a property owner to reduce their bufferyard requirements when the required bufferyard area is in excess of 20% of the total property area in districts where the minimum open space is 20% or greater and 15% of the total property area in districts where minimum open space is less than 20%. In these situations, a property owner can submit a request for review and approval to the Administrative Review Committee (ARC) to reduce the required bufferyards to 15% or 20% of the total property area depending on the open space requirements for the zoning district. The reductions will require a six (6) foot solid wood fence, masonry/brick wall or evergreen hedge to be constructed within the reduced bufferyard. The bufferyard width cannot be reduced below ten (10) feet and the plantings per 100 linear feet will be based on the most similar bufferyard standard width but not greater than the calculated width. For example, if a property of 40,000 square feet which is 200 feet by 200 feet in dimensions is zoned GM, General Manufacturing District and is completely surrounded by the R-SF, Single-Family Residential District, the property owner could calculate the amount of required bufferyard area for the site and if it exceeds the 15% required open space, then they can apply to the ARC for a reduced bufferyard width, however, not less than ten (10) feet. A six (6) foot solid wood fence, masonry/brick wall or evergreen hedge must be constructed within the reduced bufferyard(s) and the plantings will be based on the most similar bufferyard standard, but not greater than the calculated width. If an 18 foot bufferyard width is proposed, then the plantings for a 15 foot bufferyard may be approved by the ARC. Staff recommends approval.

Ms. Cox asked staff if this is a case by case basis or an allowance across the board.

Mr. Hosmer said it would be an allowance across the board as far as bufferyard requirements are concerned especially with multi-family adjacent to single family or the higher intensity uses.

Ms. Cox asked if there is a minimum or maximum size for what's considered a small lot.

Mr. Hosmer stated there would be an opportunity for them to reduce the open space but not below the ten (10) feet bufferyard requirement.

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

Mr. Baird motioned to **approve** Maximum Bufferyard Area Amendments. Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Baird, Ray, White, Cox, and Shuler. Nays: None. Abstain: None. Absent: Hansen, Young, and Lawhon.

8. Tarkio Street Place Subdivision
(500 South Miller Avenue)

Robert Mitchals

Mr. Hosmer stated the purpose of this request is to accept the dedication of the public streets and easements as shown on the Preliminary Plat of Tarkio Street Subdivision generally located at 500 South Miller Avenue. The applicant is proposing to subdivide approximately 4.85 acres into an 18 lot single-family residential subdivision. The property is currently zoned R-SF, Single-Family Residential District. Staff recommends approval.

Mr. Edwards opened the public hearing.

Mr. Matt Kelly, 702 Becky Street, Willard, Mo., commented he represents the owners and supports the recommendation for approval.

Mr. Edwards closed the public hearing.

Mr. Ray motioned to **approve** Tarkio Street Place Subdivision. Mr. Baird **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Baird, Ray, White, Cox, and Shuler. Nays: None. Abstain: None. Absent: Hansen, Young, and Lawhon.

There being no further business, the meeting was adjourned at approximately 8:20 p.m.

A handwritten signature in black ink, appearing to read 'Bob Hosmer', written over a horizontal line.

Bob Hosmer, AICP
Principal Planner