

MINUTES OF THE PLANNING AND ZONING COMMISSION
Training Workshop
Springfield, Missouri

The Planning and Zoning Commission met in regular session May 21, 2015, in Busch Building fourth floor conference room. The meeting was called to order by Chairman Tom Baird.

Present: Tom Baird (Chairman), Gabrielle White (Vice-chair), Jason Ray, Melissa Cox, Randall Doennig, Andrew Cline and Cameron Rose. Absent: Matt Edwards and David Shuler

Staff in attendance: Mary Lilly Smith, Director of Planning, Bob Hosmer, Principal Planner, Sarah Kerner, Assistant City Attorney, Todd Wagner, Principal Engineer, Dawne Gardner, Public Works, Rodney Colson, Public Works and Sandy Goddard, Administrative Assistant.

Mr. Hosmer welcomed Commission members and introduced staff members that would be making presentations during the training.

I. Matrix - Development Review Cases
(Bob Hosmer, AICP, Principal Planner, Planning and Development)

Mr. Hosmer gave an overview of Development Review Cases from a Matrix provided to Commissioners, briefly reviewing the types of applications the Planning and Zoning Department receives which Commission reviews at meetings and the final authority on the cases and if a public hearing is required

II. Annual Report
(Bob Hosmer, AICP, Principal Planner, Planning and Development)

Mr. Hosmer provided information from the Annual Report on the number of cases submitted to the Development Review Office from 2006, and 2012 through 2014, which indicates an upward trend in cases.

III. Key Considerations for Zoning Cases
(Mary Lilly Smith, Director, Planning and Development)

Ms. Smith reviewed items that are considered during public hearings; reports and other materials are prepared by staff or consultants in connection with the application and made part of the public record and determine if it is consistent with the Springfield Comprehensive Plan and adopted goals, objectives and policies related to community development. Ms. Smith gave an overview of the Comprehensive Plan and how it is considered in relation to applicant requests for rezoning. Ms. Smith reviewed development policies and processes that assure quality development that protects the environment and provides infrastructure improvement, adding that developers are not

required to correct existing problems.

IV. Traffic Review of Development Cases
(Dawne Gardner, Transportation Planner, Public Works)

Ms. Gardner reviewed the requirements necessary for determining a traffic study; data consisting of traffic volumes and traffic patterns based on past current and future trends. Ms. Gardner explained the traffic study forecasts additional traffic associated with new development based on industry standards and accepted practices. Ms. Gardner noted staff uses a Trip Generation Manual published by the Institute of Transportation Engineers and is used to determine the effects that a particular development's traffic will have in the community. This helps to identify the improvements necessary to accommodate the new development. Ms. Gardner noted that if a traffic study is required, it can be done prior to zoning based on the highest, most intense use of the desired zoning and can be done at development based on the actual use; the study must be prepared by a qualified Professional Engineer registered in the State of Missouri. Ms. Gardner pointed out that the study must be reviewed and approved by City Traffic Engineer and based on the analysis of the traffic study, at times, many changes must be made.

V. Stormwater Review of Development Cases
(Todd Wagner, Principal Engineer, Public Works and Rodney Colsen, Storm Water Engineer, Public Works)

Mr. Wagner noted he would be discussing Urban Stormwater Management and reviewing where they are at currently, how they got to where they are now and where the City is going in Stormwater Management with requirements related to new development. Mr. Wagner noted that when a stormwater even hits the system it is directed to Jordan Creek or one of the other streams in the area. Springfield is on a plateau; water drains north to Stockton Lake and on up to the Missouri River. It drains to the south to Wilson's Creek and eventually into the White River Basin adding that what falls on the City of Springfield drains away from the City. Mr. Wagner asserted the City of Springfield takes stormwater management very seriously. Mr. Wagner pointed out the major water sheds and discussed stormwater law. Water quality law is statutory, which comes from the Clean Water Act. It is Federal, passed down to the States which are required to pass laws in compliance with the Clean Water Act. The City is then required to pass certain ordinances and requirements based on the Clean Water Act. That is what you see in Chapter 96 of the City Code which are laws relating to meeting the Statutory Law. Mr. Wagner briefly reviewed the National Flood Insurance Program so when dealing with a FEMA designated flood plane there are rules that have to be followed to stay in good standing for citizens to get flood insurance. The City is part of the National Flood Insurance Program and they enforce certain rules related to FEMA flood plains or flood hazard areas. There are specific ordinances that follow the National Flood Insurance Program rules. Flooding issues are based on case law from the state you are in which determines how to handle discharges and how to do detention. Mr.

Wagner noted that urbanized areas create more runoff and that's where the problems begin, with both flooding and water quality. Mr. Wagner went on to discuss flood control detention, water quality, low impact development, new flood plain ordinances and sinkholes.

Mr. Colson reviewed specific issues Commission looks at when reviewing cases. Mr. Colson reviewed stormwater buyout and new stormwater regulations which are making detention and water quality requirements better. There was discussion regarding pervious concrete maintenance.

Mr. Wagner noted that new developments are now required to sign agreements with the City on how they will maintain their stormwater management features; it is an EPA requirement.

- VI. Legal Matters (Sarah Kerner, Assistant City Attorney)
 - a. Ethics
 - b. Sunshine Law
 - c. Conflict of Interest

Ms. Kerner stated that in following the ethical rules, there are four (4) different sources of law; Missouri Statutes, City Charter, City Code and the Ethics Handbook that apply to the Planning and Zoning Commission Rules, Section 6. She mentioned ethical considerations of contracts and personal interests relaying the importance of avoiding the appearance of bias and conflict and citing confidentially in all issues. This can be a potential sunshine issue as well. Commission was reminded that its own rules require recusal if there is "some" financial interest in the item. Members were encouraged not to discuss zoning issues with the public outside of the meeting and are urged to call the city attorney with questions or clarifications. Ms. Kerner noted the Sunshine Law is about openness and transparency in Government. Ms. Kerner reviewed social media and how it may relate to ethics and Sunshine Law and conflict of interest issues. Be cautious and aware when forming relationships over social media that would give the impression that others have influence over you.

- VII. Upcoming Projects (Bob Hosmer and Dawne Gardner)
 - a. Planning & Zoning Commission Rules of Procedures Amendment (appeal process)
 - b. Neighborhood Meeting Process Codification
 - c. Group Homes Amendment
 - d. Major Thoroughfare Plan
 - e. East West Arterial Mapping

Mr. Hosmer noted there are several items coming before Commission for consideration and staff wanted to give everyone a heads up of what is going on. One of the items is to amend the Rules of Procedure for Planning and Zoning Commission which has the authority, with five (5) affirmative votes, to amend the rules of procedure; what is being

proposed is that items receiving commission recommendations, positive or negative, will be automatically forwarded to City Council for final authority.

Mr. Hosmer mentioned that another item coming forward for Commission review is the Group Homes Text Amendment. The State of Missouri passed a law that requires cities to allow any home in which 8 or fewer unrelated mentally or physically handicapped persons reside with up to two house parents in a single-family residential district. Mr. Hosmer reviewed the definition of Group Home and what the amendment will allow. The proposed amendments would add a clarifying statement to Group Home, Residential and Custodial by stating that "Persons on probation or parole are not permitted in residential/custodial group homes." Mr. Hosmer reviewed the bufferyard restrictions adding that a business license will need to be obtained annually and there will be a maximum occupancy.

Mr. Hosmer stated that they are looking the neighborhood meetings and where they are held; staff is looking at codifying the process and putting it in the City Code as a requirement. This is a way to provide the neighborhood a process to discuss issues of concern with the proposed development.0

Mr. Hosmer mentioned that staff will be coming forward with a proposal to update the Major Thoroughfare Plan and also mapping of Riverbluff Boulevard; the actual extension of that to Kissick.

Ms. Smith stated the East-West Arterial, which is on the Major Thoroughfare Plan, has a section in the City Charter that states after council has adopted the Major Thoroughfare Plan, the Planning and Zoning Commission shall have the power to make or cause to be made surveys of the exact location of the lines of new extended or widened streets. The City wants to go ahead and survey the actual limits of the East/West Arterial and staff will come to Commission with an action to have that done; then Council will pass an ordinance prohibiting any construction occurring in the East/West Arterial so we want to be sure to preserve that right of way and don't have construction occurring in that area.

The meeting was adjourned at approximately 10:00 pm.

Bob Hosmer, AICP
Principal Planner