

March 23, 2023
MINUTES OF THE PLANNING AND ZONING COMMISSION
Springfield, Missouri

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

Roll Call - Present: Britton Jobe (Chairman), Bill Knuckles, Bruce Colony, Eric Pauly, Betty Ridge, and Helen Gunther.
Absent: Natalie Broekhoven (Vice-Chairman), Christopher Lebeck, and Dan Scott. Staff in attendance: Bob Hosmer, Planning Manager, Susan Istenes, Planning Director, Jill Burris, Assistant City Attorney, and Michael Sparlin, Senior Planner.

MINUTES: The minutes of March 9, 2023, were approved.

COMMUNICATIONS: None

CONSENT ITEMS:

Relinquishment of Easement 935
600 South Glenstone Avenue
Applicant: 600 S. Glenstone, LLC

Postponed to the April 6, 2023, Planning and Zoning meeting, received 48 hours in advance of the public hearing.

COMMISSION ACTION:
No action taken.

UNFINISHED BUSINESS:

Z-27-2022 w/COD #220
1739, 1745 & 1755 South National Avenue and 1111, 1119, 1133 & 1141 East Sunshine Street and 1138 East University Street
Applicant: BK&M, LLC

Postponed to the April 6, 2023, Planning and Zoning meeting, received 48 hours in advance of the public hearing.

COMMISSION ACTION:
No action taken.

Home Occupation Amendments
Citywide
Applicant: City of Springfield

Postponed to the April 6, 2023, Planning and Zoning meeting, received 48 hours in advance of the public hearing.

COMMISSION ACTION:
No action taken.

Conditional Use Permit Amendments
Citywide
Applicant: City of Springfield

Mr. Sparlin stated that this a request to amend section 36-363 and 36-368 to allow for City Council to add, modify or remove conditions to a Conditional Use Permit. The Growth and Development Advisory Committee (GDAC), Downtown Springfield

Association (DSA), Commercial Club, and all registered neighborhood associations were notified of these amendments and public hearing dates.

Mr. Jobe opened the public hearing.

Discussion with staff and commission members and 3 citizens speaking against certain changes.

Mr. Jobe closed the public hearing.

Discussion with staff and commission on possible postponement.

COMMISSION ACTION: #1

Mr. Colony motioned to **reopen the public hearing** for Conditional Use Permit Amendments (Citywide). Mr. Knuckles seconded the motion. Ayes: Colony, Knuckles, Pauly, Ridge, and Gunther. Nays: Jobe. Abstain: None. Absent: Broekhoven, Lebeck, and Scott.

Mr. Jobe opened the public hearing.

Discussion with staff and commission regarding postponement.

Mr. Jobe closed the public hearing.

COMMISSION ACTION: #2

Mr. Colony motioned to **postpone** Conditional Use Permit Amendments (Citywide) to April 20, 2023. Mr. Knuckles seconded the motion. Ayes: Colony, Knuckles, Pauly, Ridge, and Gunther. Nays: Jobe. Abstain: None. Absent: Broekhoven, Lebeck, and Scott.

Neighborhood Compatibility Amendments

Citywide

Applicant: City of Springfield

Mr. Hosmer stated that this a request for text amendments to sections in Chapter 36 of the Land Development Code relating to Neighborhood Compatibility. The Growth and Development Advisory Committee (GDAC), Downtown Springfield Association (DSA), Commercial Club, and all registered neighborhood associations were notified of these amendments and public hearing dates.

Mr. Knuckles asked about feedback from the groups that this information was sent to.

Mr. Hosmer stated that they received information from the Springfield Contractor's Association, and they asked for it to be postponed.

Mr. Pauly noted on item number 6 that it relies upon requiring screening, but none for maintenance/follow-up in the future and noted about the existing trees but doesn't require them to be maintained also.

Mr. Hosmer agrees that screening/landscaping has a problem of maintenance and will be proposing an inspection position to follow through with site plans and landscaping and being maintained (has code for replacement) and be more proactive.

Ms. Istenes noted that the requested position is new and will be part of the changes of the code and has been requested on the new budget year.

Mr. Jobe asked about one of the more significant code changes and it would be a requirement for a site plan for a rezoning. Questions on paragraph 3, section a though j/k – modify design requirements, etc., paragraph l says “may include” – the word optional.

Mr. Hosmer said it was written as such so if not adjacent, it would not be part of the neighborhood compatibility.

Mr. Jobe asked what else requires a site plan.

Mr. Hosmer noted that Planned Developments and Conditional Use Permits require a site plan.

Mr. Knuckles asked about the requirement for maintenance (landscaping, etc.), and Mr. Hosmer stated that it would be required as part of the new position.

Mr. Colony asked about the intent of the text amendments and Mr. Hosmer noted that we are going to have new code, and these are just stop-gap measures in the interim.

Mr. Colony noted that paragraph should read "shall include," instead of "may include" (site plan) and Mr. Hosmer gave out examples of the use where it may not be required.

Mr. Jobe wants to clarify requiring a site plan, "if it meets x, y, z for overlay district conditions" and Mr. Hosmer went over specific language that is included as part of the text amendment.

Further discussion on site plan requirements.

Mr. Pauly asked again about the possible new position for inspector and suggests it should be an advisor position, not complaint driven to be more proactive.

Mr. Donal Dumbar, 932 E. Kingsberry Street believes that 36-407 paragraph 2 strikes out landowners from the process as written and gave an example of might happen, i.e., someone who is not the owner to make changes to the land without landowner's knowledge.

Discussion about who can apply for a conditional overlay is governed by 36-367 which specifies interest in property. Applications also require an owner name and address, and which would require owner signed consent.

Mr. Jobe closed the public hearing.

Mr. Colony stated that he understands the point for ownership but believes staff would benefit before the new zoning ordinances are completed.

Ms. Istenes noted that this was also another text amendment requested to be held over/postponed by the Growth and Development Advisory Committee (GDAC).

Mr. Colony believes it should go forward and not postponed.

Mr. Jobe noted that it is consistent with Forward SGF but has a concern where a site plan should be required but doesn't think it should be mandatory and will not support the amendment.

COMMISSION ACTION:

Mr. Colony motioned to **approve** Neighborhood Compatibility Amendments (Citywide). Mr. Knuckles seconded the motion. Ayes: Colony, Knuckles, Pauly, Ridge, and Gunther. Nays: Jobe. Abstain: None. Absent: Broekhoven, Lebeck, and Scott.

Stand Alone Multi-Family in Commercial District Amendments
Citywide

Applicant: City of Springfield

Mr. Hosmer stated that this a request for text amendments to sections in Chapter 36 of the Land Development Code relating to Stand Alone Multi-Family in Commercial Districts. The Growth and Development Advisory Committee (GDAC), Downtown Springfield Association (DSA), Commercial Club, and all registered neighborhood associations were notified of these amendments and public hearing dates.

Mr. Colony wants clarification on what is being requested.

Mr. Hosmer said it is for new construction on underperforming land (not meeting potential) and someone now can build a standalone multifamily and this may only be a stop gap until we get the new code written.

Ms. Istenes noted that Forward SGF and “place types” are new with the Comprehensive Plan and this opens nonresidential areas to multifamily use.

Mr. Jobe opened the public hearing.

Ms. Melanie Bach, 3734 S. Elmview, president of the Galloway Village has concerns for this text amendment and are in the middle of a housing study and would like it not as aggressive as they believe there may be discoveries against additional multifamily housing as a positive solution. Gave out examples of what is in Galloway Village and believes that the multifamily matrix does not always benefit the neighborhood. She noted “residential above retail” and gave out examples and the difference and believes there is an unhealthy rental-ship rate and thinks it needs to be addressed and is also contrary to the Forward SGF spirit of neighborhood focus and cutting the neighborhood out of the process by not requiring new rezoning.

Mr. Jobe closed the public hearing.

Mr. Colony asked if it allows only multifamily and Mr. Hosmer said it had to be 3 units or more.

Mr. Colony asked if this new amendment circumvent the zoning process and Mr. Hosmer stated that they are already zoned commercial and taking out the requirement for residential above or behind to have multifamily use.

Ms. Istenes gave more examples of what can be established, and Mr. Hosmer also stated that they would have to meet the design requirements to set the density.

Mr. Jobe asked about the rearrangement of what already is allowed and if the density could increase and Mr. Hosmer stated that it can only be what is the highest density (40 du/ac) and goes down from there.

Mr. Colony asked again about informing the neighborhood and Mr. Hosmer gave out examples of what is currently permitted by what is written by code.

Mr. Pauly understands that staff wants to get underperforming commercial property active but believes that it just adds more to rental vs. owner occupied.

Mr. Jobe does not agree to the characterizing as rental is undesirable, but we need housing, and this is consistent with Forward SGF.

Mr. Colony agrees with Mr. Jobe and gave out examples of costs around Springfield.

COMMISSION ACTION:

Mr. Knuckles motioned to **approve** Stand Alone Multi-Family in Commercial District Amendments (Citywide). Mr. Pauly seconded the motion. Ayes: Jobe, Colony, Knuckles, and Ridge. Nays: Pauly and Gunther. Abstain: None. Absent: Broekhoven, Lebeck, and Scott.

PUBLIC HEARINGS:

OTHER BUSINESS:

2023 Capital Improvements Program
Citywide

Mr. Whitman stated that this is a schedule and strategy for funding and planning the construction, maintenance and replacement of the City's infrastructure and public facilities for the next six-years and noted the Animal Control Shelter that has been on the unfunded needs list for 17 years.

Mr. Colony asked about the unfunded needs and Mr. Whitman stated that every project has some funding identified but put on hold and still remains in the CIP.

Mr. Whitman said that there is an annual process each year.

Mr. Pauly wanted to commend staff on the neighborhood works project and hope they continue.

Mr. Knuckles noted that Mr. Whitman's statement is accurate and that all of the projects are all based on funding.

COMMISSION ACTION:

Mr. Colony motioned to **approve** 2023 Capital Improvements Program (Citywide). Mr. Knuckles seconded the motion. Ayes: Jobe, Colony, Knuckles, Pauly, Gunther, and Ridge. Nays: None. Abstain: None. Absent: Broekhoven, Lebeck, and Scott.

ADJOURN: 8:15pm