1. Meeting Agenda (PDF)

   Documents: 07-12-2012 AGENDA (PDF).PDF
2. May 31, 2012 Minutes

   Documents: MAY 31, 2012 (PDF).PDF
3. Relinquish Easement 782 (PDF)

   Documents: RELINQUISH EASEMENT 782 (PDF).PDF
4. Z-10-2012 W/Conditional Overlay District No. 52

   Documents: Z-10-2012 W CONDITIONAL OVERLAY DISTRICT NO. 52 (PDF).PDF
5. Planned Development 340 (PDF)

   Documents: PLANNED DEVELOPMENT 340 (PDF).PDF
6. Arvest Corners (PDF)

   Documents: ARVEST CORNERS (PDF).PDF

Planning & Zoning Commission Agenda
July 12, 2012 - 6:30 p.m.

Members

Shelby Lawhon (Chair), Matt Edwards (Vice-Chair), Jay McClelland, Jim Hansen, Jason Ray, Gloria Roling, King Coltrin, Phil Young, Tom Baird, IV

Roll Call

Approval of Minutes: May 31, 2012

Communications

Finalization and Approval of Consent Items

(These consent cases will be approved by Commission unless a Commissioner or someone else wished to speak to them. If so, those cases will be moved to the appropriate place on the agenda and they may be spoken to, and voted on, at that time.)

Consent Items

1. Republic Road, LLC1. Relinquish Easement 782
   (2144 E Republic)

Hearings

Zoning

1. Campus Rentals, LLC2. Z-10-2012 w/Conditional Overlay District No. 52
   (1937 S South St)

planned Developments

1. Duane & Jeanette Hesterly3. Planned Development 340
   (6300 block S Farmers Branch Ave w/s)

Other Public Hearings

Preliminary plats

1. Rodney Shepard 4. Arvest Corners
   (4140 S Fremont)

Any Other Matters Under Commission Jurisdiction

For items for which the public may speak, the Commission Chairperson will invite anyone who wishes to speak to an item after staff makes its presentation. When you address Commission, please step to the microphone at the podium and state you name and address. All meetings are televised live and tape recorded. Please limit your remarks to five (5) minutes unless Commission allows a longer time. In accordance with ADA guidelines, if you need special accommodations when attending any City meeting, please notify the city Clerk's Office at 417-864-1443 at least three (3) days prior to the scheduled meeting.

MINUTES OF THE PLANNING AND ZONING COMMISSION

DATE: May 31, 2012
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 and staff in attendance: Shelby Lawhon, Chair; Jay McClelland, Jim Hansen, Phil Young, Tom Baird, Jason Ray, King Coltrin, Gloria Roling; Michael MacPherson, Principal City Planner; Thomas Rykowski, City Attorney; Sandy Goddard, Administrative Assistant. ABSENT: Matt Edwards.

ROLL CALL:

APPROVAL OF MINUTES:

The minutes of May 3, 2012 of the Planning and Zoning Commission were approved unanimously.

COMMUNICATIONS:

Mr. MacPherson told Commission that the Planning and Zoning meeting for June 14, 2012 has been cancelled as there are no agenda items. The suite at Hammons Field has been reserved for June 14, and it appears the majority of members of the Planning and Zoning Commission have graciously accepted the invitation to attend. Councilman Jerry Compton will also be in attendance. Secondly, we hope the conversion from paper to electronic device is working for each member and if there are any questions or the desire to develop the program further to contact myself, or Ms. Goddard and we will connect you with Mr. Michael Sparlin. He is more than happy and willing to help get PDF notes or other things that might assist the Board, and would encourage the Board to look at the PDF notes because you can highlight the items that you want to ask questions about, and also write notes to the side and specifically write the names of people who testify so you would remember their names in case you wanted to ask questions.

CONSENT ITEMS

1. Relinquish Easement 780 — Mid-Missouri Bank
   (3500 E Sunshine, s/s)

2. Relinquish Easement 781 — Wal-Mart Real Estate Business Trust
   (545 W. El Camino Alto)

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

OTHER BUSINESS:

Presentation:

3. College Street Redevelopment Plan
   Vern Morgan, Principal City Planner

Mr. MacPherson commented that there is a Video presentation that was taken in Australia. When Mr. Morgan and I viewed the video, we saw some significant similarities to the street in Australia and some of the things they are trying to do and some of the concepts about sustainability and energy conservation and green development occurred to us that might be a great concept for what we are proposing to do with the College Redevelopment; just the similarities of the street in general. Mr. Vern Morgan is a long term Principal Planner with the City of Springfield and he is the last of his type of planning person that we are not going to have any more. Where it all came to play was with Vision 20/20 and as he works through this process you will see a tremendous amount of public engagement and public participation that was involved in the development of this plan, whereby we did not go in with any pre-conceived notions and let the people paint the picture of what they wanted to see in their own neighborhood and on their properties.

Mr. Morgan thanked Commission for allowing him to present an overview of the College Street plan, adding he believes they will find it interesting as a Planning Commission. Staff will be coming back sometime this summer with the final proposal for review and the approval process. There are some elements in the video that the people that are interested in for College Street and the College Street stakeholders; they are interested in that sort of thing. It's good to see that those things do happen and can happen; we just need to set the right stage.

Mr. Morgan reviewed the Public Engagement Process Summary which described the process they went through; the actual engagement plan, the Web Site and press releases as well as the signs and the public meetings. They averaged 42 people per meeting and averaged more than 500 volunteer hours. A Vision Statement was created with West Central College Street becoming the western gateway to downtown, seamlessly integrated with West Meadows and will be a key element in overall Center City revitalization. College Street will be a safe environment, with a special identity and include a mixed use, appropriate scale environment which will invite people to participate and create a welcoming environment. Route 66 will be honored through art, graphics, signage and festivals. Open space will abound and a more sustainable environment will be created by designing for live/work, energy efficiency, water management, food production, landscaping and connection with the natural environment of the West Meadows. This is positioning the City of Springfield for the future growth and revitalization within the West Central Neighborhood, the future West Meadows expansion and the Western Gateway to Downtown.

Mr. Morgan reviewed the key findings of the background and analysis report, the development pattern and the actions steps that will happen in two stages. Blight conditions were addressed briefly and what the actions steps would be to remove the blight. This will allow for improvement in public facilities and services along College Street. Sustainable development measures were reviewed and the economic development incentives that would be available for interested developers. A strategic plan will be used to focus on the core issues and identify a guiding policy necessary to resolve the issues, which will be followed by a set of

specific, achievable actions, which result will require the allocation of manpower and financial resources toward resolving the key issues, and will, if successful, set the state for long-range improvement. Live/Work examples were presented with photographs of areas that have developed this type of plan. Proposed building forms and housing images were shown as well as Route 66 images and graphics.

Mr. Morgan talked about an open house celebration that is being planned for late June. There will be a web page, a Google Group and a news release to contact everyone. There will be a Route 66 Festival August 11, 2012, which will be sponsored by West Central Neighborhood Association. It will be an outside festival atmosphere if possible.

Mr. Lawhon commented that one of the elements he liked about this was permissive instead of restrictive. The City is trying to do a lot of things and they are all jumbled and mixed up together. You are not telling people that they can't do this or they can't do that, but we want to do this or that.

Mr. McClelland commented about the safety issues in the area.

Mr. Morgan said yes, there are issues to be dealt with. There are huge challenges here and we do not want to gloss over those, but the police were at every meeting and are very involved in this process.

Mr. Coltrin said it is nice to see the talk of creative instead of restrictive. It is an opportunity for the City to do a lot of pilot type things with different technologies and see how they work and work those into it. It is a pretty exciting thing to be able to do that. It behooves the City take that approach more broadly across all development, not just in particular pockets where we want to promote because nothing else is going to happen there without that encouragement. I think that is encouragement that should be promoted across the City. There are a lot of challenges there, but also a lot of opportunity also.

Mr. Young commented that this is an incredibly wonderful concept and idea and realizes there has been a lot of work that has gone into this and appreciates the effort. He said he has lived North of Commercial, went to school at Drury, and because you have referred to this as the West Entrance to downtown, commented that he has never used College Street as an entrance to downtown. He is curious if there are any plans or thoughts of taking Kansas and College Street connection or the intersection and using it as an area to show that you have arrived, go this way.

Mr. Morgan said it is a great point and there are proposed gateways at Grant and College, Broadway and College, and at Kansas. There would be some sort of announcement that this is the West Central College Street and downtown is that way. We would have public art in those gateways and that is part of the proposal.

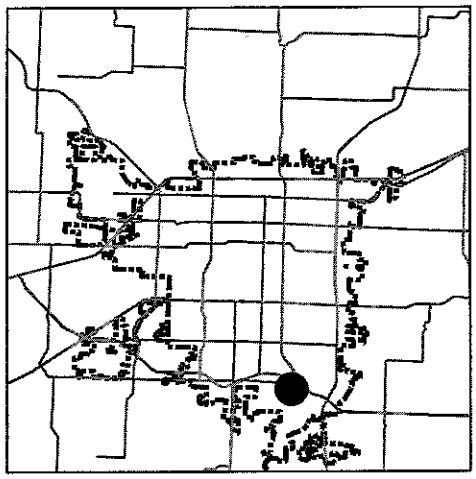
Mr. MacPherson commented that Commission has seen the presentation on Jordan Valley, and while there are barriers right now we own a lot of that land already, about 16 acres, and it's fairly close to being cleaned up. He commented that one of the things he has learned by attending these meetings is the future is now, and the neighborhood said to figure out a way to use what we have now. We are working to accomplish this and we are going to be successful with the Railroad on gaining access from the east end. We already have an access on the west end and its very close to linking up with the Trail system over at Main street, where we can get through to that as well as going south to the trail that goes to the dog park, so we are really close to making a tremendous link for this pedestrian trail. The Commission has brought up on occasion the question of a redevelopment plan for this area, and one example that comes to mind is

Galloway. The vision was we will get this one going and we will start another, but with the undertaking we have here, we don't have any resources to take on another redevelopment project until we get this well underway just like Commercial Street.

ANY OTHER MATTERS UNDER COMMISSION JURISDICTION:

There being no further business, the meeting was adjourned at approximately 7:51 p.m.

Michael MacPherson
Principal Planner



Zoning & Subdivision Report

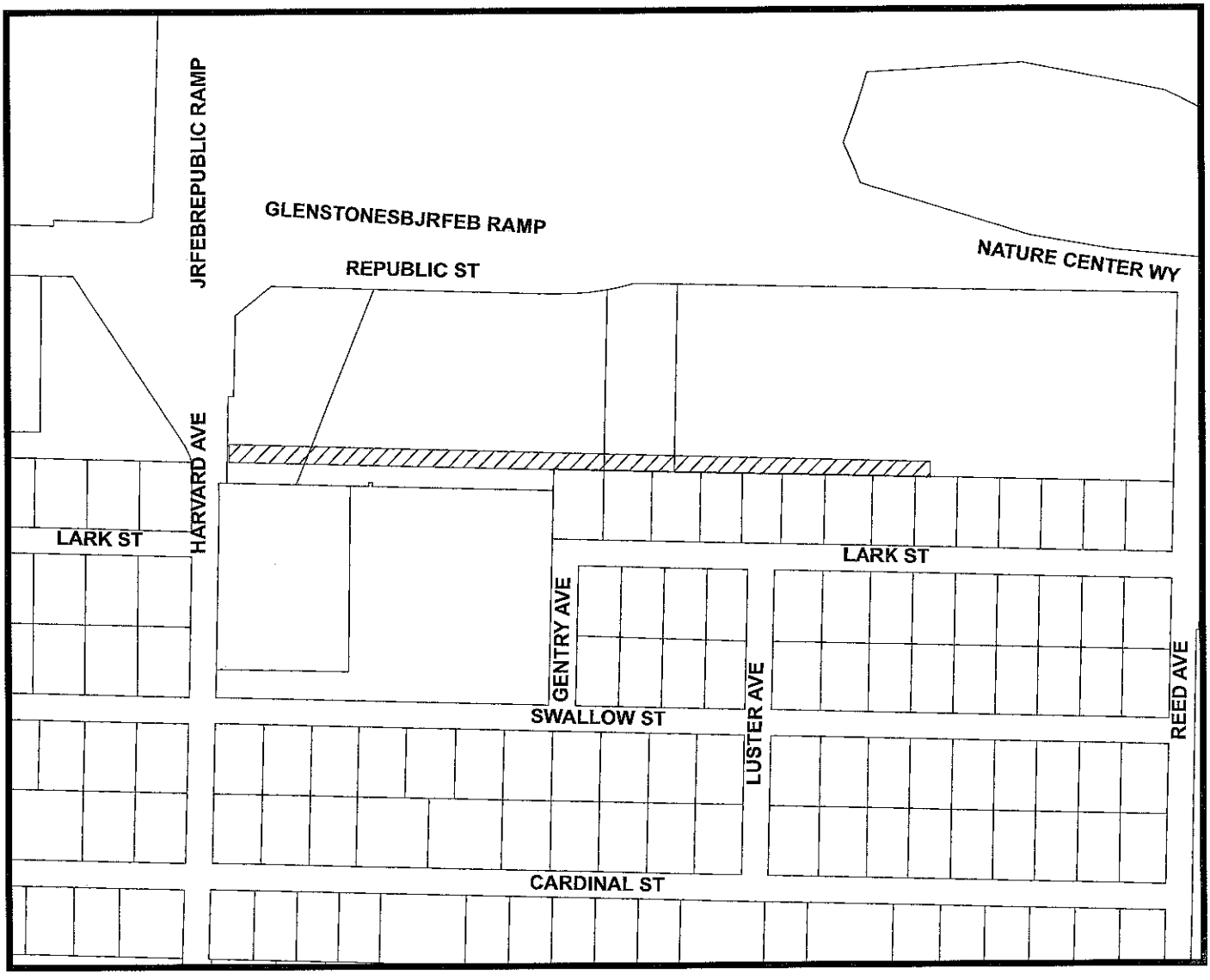
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Relinquish Easement Number 782

Location: 2144 E Republic Rd.

Current Zoning: GR, General Retail District

LOCATION SKETCH



Zoning & Subdivision Report

Planning & Development Department ~ 417/864-1611
840 Boonville Avenue ~ Springfield, Missouri 65801

REQUEST TO RELINQUISH EASEMENT NUMBER 782

DATE: August 27, 2012

PURPOSE: To relinquish a utility and sanitary sewer easement

LOCATION: 2144 E. Republic Rd.

APPLICANT: Republic Rd, LLC

RECOMMENDATION:

The request be **approved**.

FINDING:

The request meets the approval criteria listed in Attachment B.

STAFF CONTACT PERSON:

Michael Sparlin
Assistant Planner

Attachment A: Background report
Attachment B: Approval criteria
Exhibit 1: Legal description
Exhibit 2: Drawing

ATTACHMENT A
RELINQUISH EASEMENT NO. 782
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish a sanitary sewer easement and utility easement. Replacement easements for both the sanitary sewer and utility easement are being provided.

SANITARY SERVICES COMMENTS:

Sanitary Sewer has no objections to relinquishing the easement. A replacement easement has been provided.

CITY UTILITIES COMMENTS:

CU has no objection to the relinquishment of the easement in question. The replacement easement for the electric line to be relocated has been reviewed and is acceptable. The developer of the property has made payment to CU for the relocation of the electric facilities. CU is in the process of relocating the electric line at this time and the existing easement is no longer necessary.

STAFF COMMENTS:

1. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect public utilities.

2. AT&T has previously objected to relinquishing the utility easement. It has been reviewed and determined by City Law Department staff that AT&T has no legal standing to object to the easement. There are no other objections to relinquishing these easements.

3. City Utilities has the rights to the utility easement and have consented to relocating their facilities to the replacement easement. AT&T has facilities within the existing easement and operates there by a Joint Use Agreement with City Utilities.

ATTACHMENT B
RELINQUISH EASEMENT NO. 782
APPROVAL CRITERIA

In order to approve a relinquishment of a public easement, the Planning and Zoning Commission must make the following findings:

1. No one has objected to the relinquishment of this easement.

   STAFF RESPONSE:

   AT&T has previously objected to relinquishing the utility easement. It has been reviewed and determined by City Law Department staff that AT&T has no legal standing to object to the easement.

2. The appropriate City agency has filed with the Planning and Development Department a statement that the easement is no longer needed to provide utility service.

   STAFF RESPONSE:

   The sanitary sewer easement and the utility easement are no longer needed to provide service because replacement easements have been provided to maintain service.

3. That the retention of the easement no longer serves any useful public purpose.

   STAFF RESPONSE:

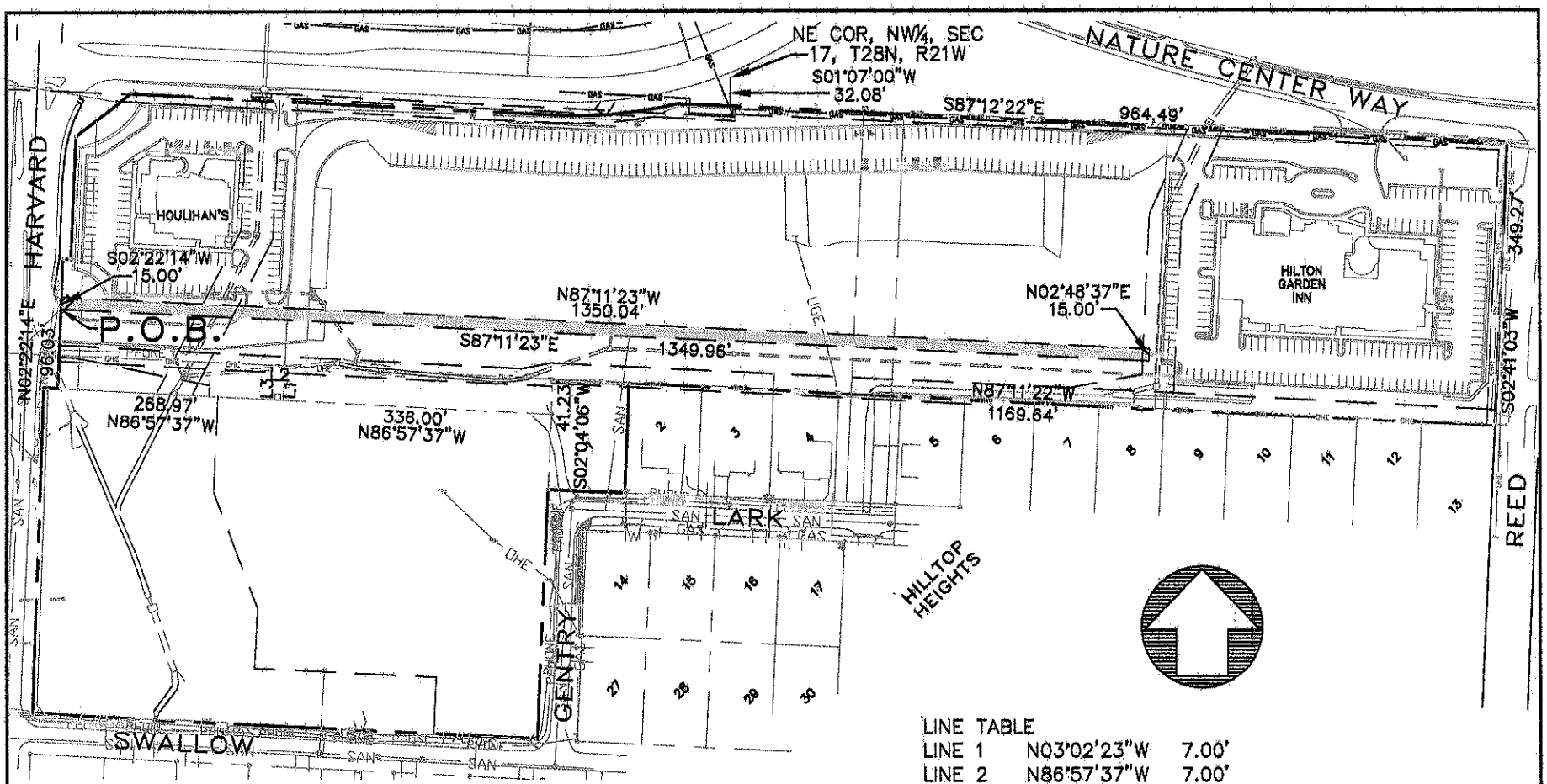
   Once the replacement easements are provided, the retention of the subject easements no longer serves a public purpose.

RELINQUISH EASEMENT NO. 782
EXHIBIT 1

SANITARY SEWER EASEMENT TO BE RELINQUISHED
(BOOK 2009 PAGE 6685-09)

A UTILITY EASEMENT ON, OVER, AND ACROSS A PARCEL OF LAND IN THE NORTHWEST AND NORTHEAST QUARTERS OF SECTION 17, TOWNSHIP 28 NORTH, RANGE 21 WEST IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI AND PART OF THE GRANTOR'S LAND AS DESCRIBED IN BOOK 2004, PAGE 059686-04 AT THE GREENE COUNTY RECORDER'S OFFICE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT AN ALUMINUM MONUMENT AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 28 NORTH, RANGE 21 WEST; THENCE S01°07'00"W, A DISTANCE OF 32.08 FEET TO THE SOUTH RIGHT-OF-WAY OF REPUBLIC ROAD AS IT NOW EXISTS; THENCE S87°12'22"E ALONG SAID SOUTH RIGHT-OF-WAY A DISTANCE OF 964.49 FEET TO A 100D NAIL MARKING THE NORTHEAST CORNER OF THE GRANTOR'S LAND; THENCE S02°41'03"W, A DISTANCE OF 349.27 FEET TO AN EXISTING 5/8" IRON PIN CAPPED LS267D MARKING THE NORTHEAST CORNER OF LOT 13 OF HILLTOP HEIGHTS; THENCE N87'11'22"W ALONG THE NORTH LINE OF SAID SUBDIVISION, A DISTANCE OF 1169.64 FEET TO AN EXISTING 3/8" IRON PIN MARKING THE NORTHWEST CORNER OF LOT 1 OF SAID SUBDIVISION; THENCE S02°04'06"W, A DISTANCE OF 41.23 FEET TO AN EXISTING 100 D NAIL ON THE SOUTH LINE OF GRANTOR'S LAND; THENCE N86°57'37"W, ALONG SAID SOUTH LINE, A DISTANCE OF 336.00 FEET; THENCE N03°02'23"E, A DISTANCE OF 7.00 FEET; THENCE N86°57'37"W, A DISTANCE OF 7.00 FEET; THENCE S03°02'23"W, A DISTANCE OF 7.00 FEET; THENCE N86°57'37"W, A DISTANCE OF 268.97 FEET TO THE WEST LINE OF GRANTOR'S LAND; THENCE N02°22'14"E ALONG SAID WEST LINE, A DISTANCE OF 96.03 FEET TO THE SOUTHWEST CORNER OF AN EXISTING SANITARY SEWER EASEMENT; THENCE S87°11'23"E, ALONG AND WITH THE SOUTH LINE OF SAID EASEMENT, A DISTANCE OF 415.97 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE S87°11'23"E, ALONG AND WITH SAID SOUTH LINE, A DISTANCE OF 281.72 FEET; THENCE, N02°48'37"E, LEAVING SAID SOUTH LINE, A DISTANCE OF 15.00 FEET TO THE NORTH LINE OF SAID EASEMENT; THENCE N87°11'23"W, ALONG AND WITH SAID NORTH LINE, A DISTANCE OF 281.72 FEET; THENCE S02°48'37"W, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING, CONTAINING 4,226 SQUARE FEET MORE OR LESS, ALL IN SPRINGFIELD, GREENE COUNTY, MISSOURI AND SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.

Sewer



LINE TABLE

LINE 1	N03°02'23"W	7.00'
LINE 2	N86°57'37"W	7.00'
LINE 3	S03°02'23"W	7.00'

NOTE:
THIS DRAWING HAS BEEN PREPARED ONLY AS AN EXHIBIT TO ILLUSTRATE NEW EASEMENTS TO BE DEDICATED BY RECORDED INSTRUMENTS AND IS NOT TO BE CONSTRUED TO REPRESENT A PROPERTY BOUNDARY SURVEY.

LEE Engineering & Associates, L.L.C.
2101 W. Chesterfield Blvd, Suite C202
Springfield, Missouri 65807
417-886-9100 (phone)
417-886-9336 (fax)

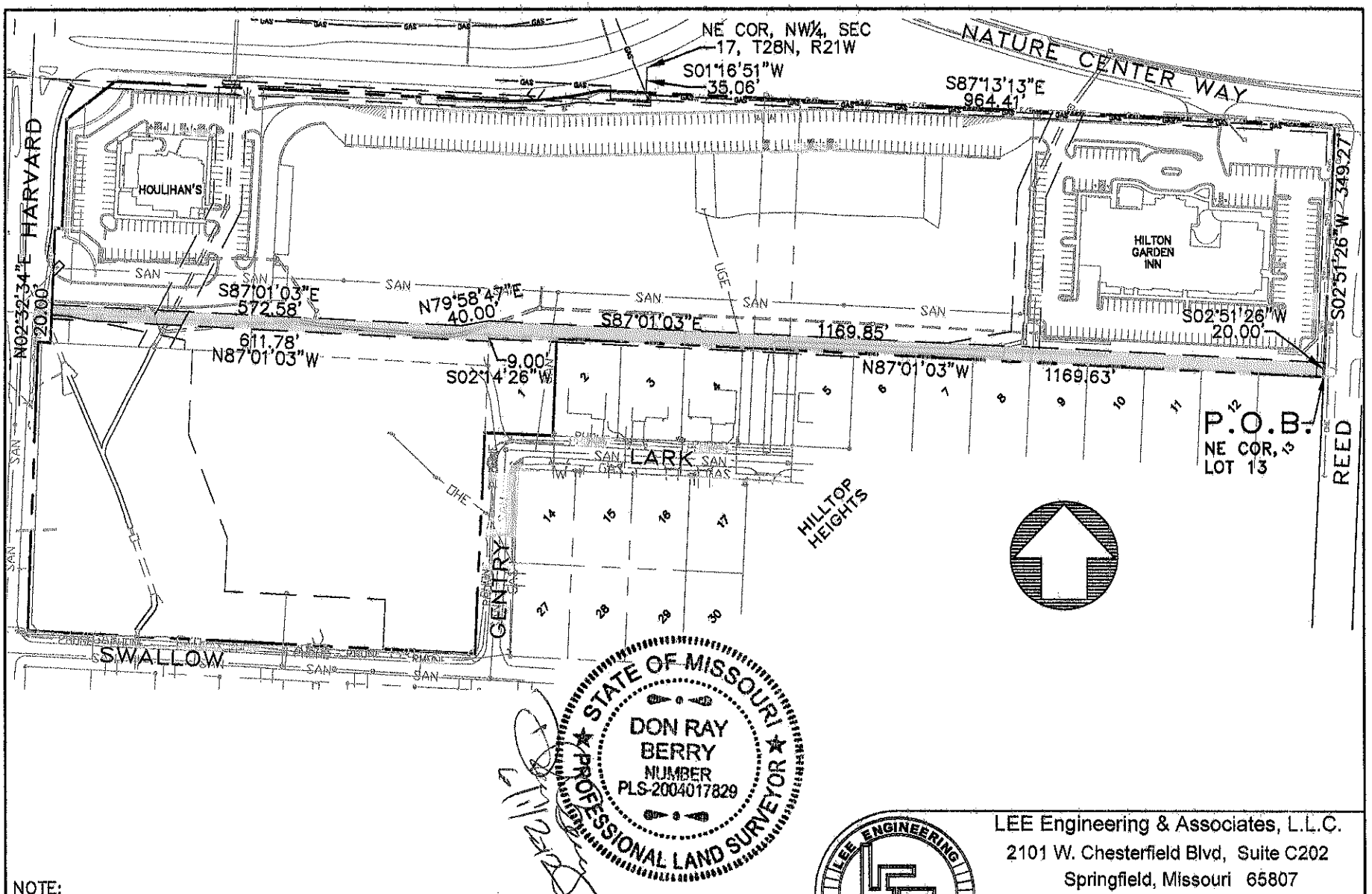
DATE: 05/30/2012	SHOPPES AT JAMES RIVER RELINQUISHMENT EXHIBIT	PROJECT NO.: 635

Missouri State Certificate of Authority
Engineering #2005015504
Land Surveying #2009026050

"Engineering with Integrity"

UTILITY EASEMENT TO BE RELINQUISHED
(BOOK 2007 PAGE 55442-07)

A UTILITY EASEMENT ON, OVER, AND ACROSS A PARCEL OF LAND IN THE NORTHWEST AND NORTHEAST QUARTERS OF SECTION 17, TOWNSHIP 28 NORTH, RANGE 21 WEST IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI AND PART OF THE GRANTOR'S LAND AS DESCRIBED IN BOOK 2004, PAGE 059686-04 AT THE GREENE COUNTY RECORDER'S OFFICE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT AN ALUMINUM MONUMENT AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 28 NORTH, RANGE 21 WEST; THENCE S01°16'51"W, A DISTANCE OF 35.06 FEET TO THE SOUTH RIGHT-OF-WAY OF REPUBLIC ROAD AS IT NOW EXISTS; THENCE S87°13'13"E ALONG SAID SOUTH RIGHT-OF-WAY A DISTANCE OF 964.41 FEET TO A 100D NAIL MARKING THE NORTHEAST CORNER OF THE GRANTOR'S LAND; THENCE S02°51'26"W, A DISTANCE OF 349.27 FEET TO AN EXISTING 5/8" IRON PIN CAPPED LS267D MARKING THE NORTHEAST CORNER OF LOT 13 OF HILLTOP HEIGHTS SUBDIVISION FOR A POINT OF BEGINNING; THENCE N87°01'03"W ALONG THE NORTH LINE OF SAID SUBDIVISION, A DISTANCE OF 1169.63 FEET TO AN EXISTING 3/8" IRON PIN MARKING THE NORTHWEST CORNER OF LOT 1 OF SAID SUBDIVISION; THENCE S02°14'26"W, A DISTANCE OF 9.00 FEET; THENCE N87°01'03"W, A DISTANCE OF 611.78 FEET; THENCE N02°32'34"E, A DISTANCE OF 20.00 FEET; THENCE S87°01'03"E, A DISTANCE OF 527.58 FEET; THENCE N79°58'47"E, A DISTANCE OF 40.00 FEET; THENCE S87°01'03"E, A DISTANCE OF 1169.85 FEET TO THE EAST LINE OF THE GRANTOR'S LAND; THENCE S02°51'26"W, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING, CONTAINING 35,805 SQUARE FEET MORE OR LESS ALL IN SPRINGFIELD, GREENE COUNTY, MISSOURI AND SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.



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Missouri State Certificate of Authority
Engineering #2005015504
Land Surveying #2009026050

"Engineering with Integrity"

DATE: 05/30/2012	SHOPPES AT JAMES RIVER RELINQUISHMENT EXHIBIT	PROJECT NO.: 635

Affected Agency Notified: Yes
Emergency Required: No
Budget Adjust. Required: No
Board Rec. Required: Yes
Public Hearing: July 30, 2012
Sponsor: Compton
Date: June 6, 2012

EXPLANATION TO COUNCIL BILL NO. 2012 -

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 0.21 acres, generally located at 1937 S. South Avenue from a R-SF, Single-Family Residential District to a HC, Highway Commercial District; and establishing Conditional Overlay District No. 52.

ZONING CASE NUMBER Z-10-2012/CONDITIONAL OVERLAY DISTRICT NO. 52

BACKGROUND INFORMATION:

The applicant is proposing to rezone approximately 0.21 acres of land from a R-SF, Single-Family Residential District to a HC, Highway Commercial District with a Conditional Overlay District No. 52 to restrict uses, restrict access, require additional buffering, require a lot combination with the surrounding properties within the proposed rezoning and require all stormwater runoff to be directed into the existing north – south drainage system traversing the property or a new drainage facility. This rezoning will have the same relevant conditions as the previous rezonings of the surrounding properties owned by Bass Pro in 2009 and 2012.

Exhibit C contains the requirements and standards for development within this proposed Conditional Overlay District.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on July 12th and recommended _____, by a vote of __ to __, of the proposed zoning on the tracts of land described on the attached sheet (see the attached Record of Proceedings).

The Planning and Development staff recommends **approval** of the proposed zoning with the requirements of Conditional Overlay District No. 52 (see the attached Zoning and Subdivision Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The Comprehensive Plan designates this area as an Activity Center and appropriate for high intensity retail, office and residential uses. The Highway Commercial District is one of the recommended zoning districts within an Activity Center.

2. The proposed conditional overlay district will mitigate the potential impact between the commercial and residential uses by restricting access to local residential streets, prohibiting potentially intrusive uses, and requiring additional buffering between uses. The proposed conditional overlay district will also restrict any additional stormwater runoff to the adjacent streets and neighborhood from these properties

3. The screening, fencing, bufferyard and lighting requirements of the Zoning Ordinance have been adopted to mitigate potential impacts between properties with differentiating uses. The Bulk and Intensity of Use Restrictions have been adopted within each zoning district to dictate appropriate intensity, height and setbacks adjacent to properties and uses.

4. The proposed zoning is consistent with the approved rezoning of surrounding properties owned by Bass Pro in 2009 and 2012.

FINDINGS FOR COMMISSION TO RECOMMEND DENIAL:

1. None

Submitted by:

Planning and Development

Approved by:

City Manager

EXHIBITS:
Exhibit A, Legal Description
Exhibit B, Record of Proceedings
Exhibit C, Conditional Overlay District Provisions
Exhibit D, Location Map

ATTACHMENTS:
Attachment 1, Background Report
Attachment 2, Neighborhood Meeting Summary and Sign-In Sheet
Attachment 3, 185 and 500 ft. Neighborhood and property owner list

EXHIBIT A
LEGAL DESCRIPTION
ZONING CASE Z-10-2012 & CONDITIONAL OVERLAY DISTRICT NO. 52

LOT FIVE (5), BLOCK "C", IN KILLIAN HOMES PLACE, AN ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK O PAGE 25 AND PLAT BOOK P PAGE 24.

EXHIBIT B
RECORD OF PROCEEDINGS
ZONING CASE Z-10-2012 & CONDITIONAL OVERLAY DISTRICT NO. 52

(The Record of Proceedings will be prepared for the City Council meeting)

EXHIBIT C
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-10-2012 & CONDITIONAL OVERLAY DISTRICT NO. 52

The requirements of *Section 4-3200* of the *Springfield Zoning Ordinance* shall be as modified herein for development within this district.

A. Use Limitations

1. No building permits shall be issued for development within this district until the property is combined with surrounding properties following the City's *Subdivision Regulations*.

2. All of the site stormwater runoff shall be directed into the existing north - south drainage system traversing the property or a new drainage facility as part of the redevelopment. Stormwater discharge (either above or below grade) to South Avenue or Washita Street shall not be permitted. Any development of the property shall satisfy the City's applicable stormwater design requirements at the time of development.

4. No vehicular ingress or egress from South Avenue shall be permitted.

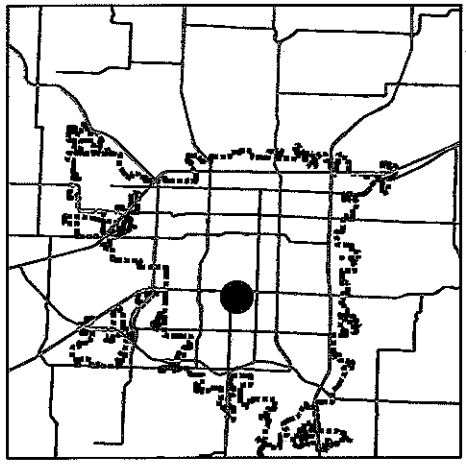
5. The bufferyard requirements along South Avenue shall utilize fencing and/or solid screening within Five (5) feet of the interior portion of the bufferyard area and required plantings in the bufferyard area adjacent to South Avenue.

6. The bufferyard requirements along South Avenue shall be Bufferyard F.

B. Prohibited Uses.

1. The following uses shall be prohibited within this district:

   a. Ambulance services;
   b. Cemeteries;
   c. Bus stations;
   d. Fairgrounds;
   e. Household resource recovery collection centers;
   f. Taxi dispatch yards and offices; and
   g. Transitional Service Shelters.



Zoning & Subdivision Report

Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

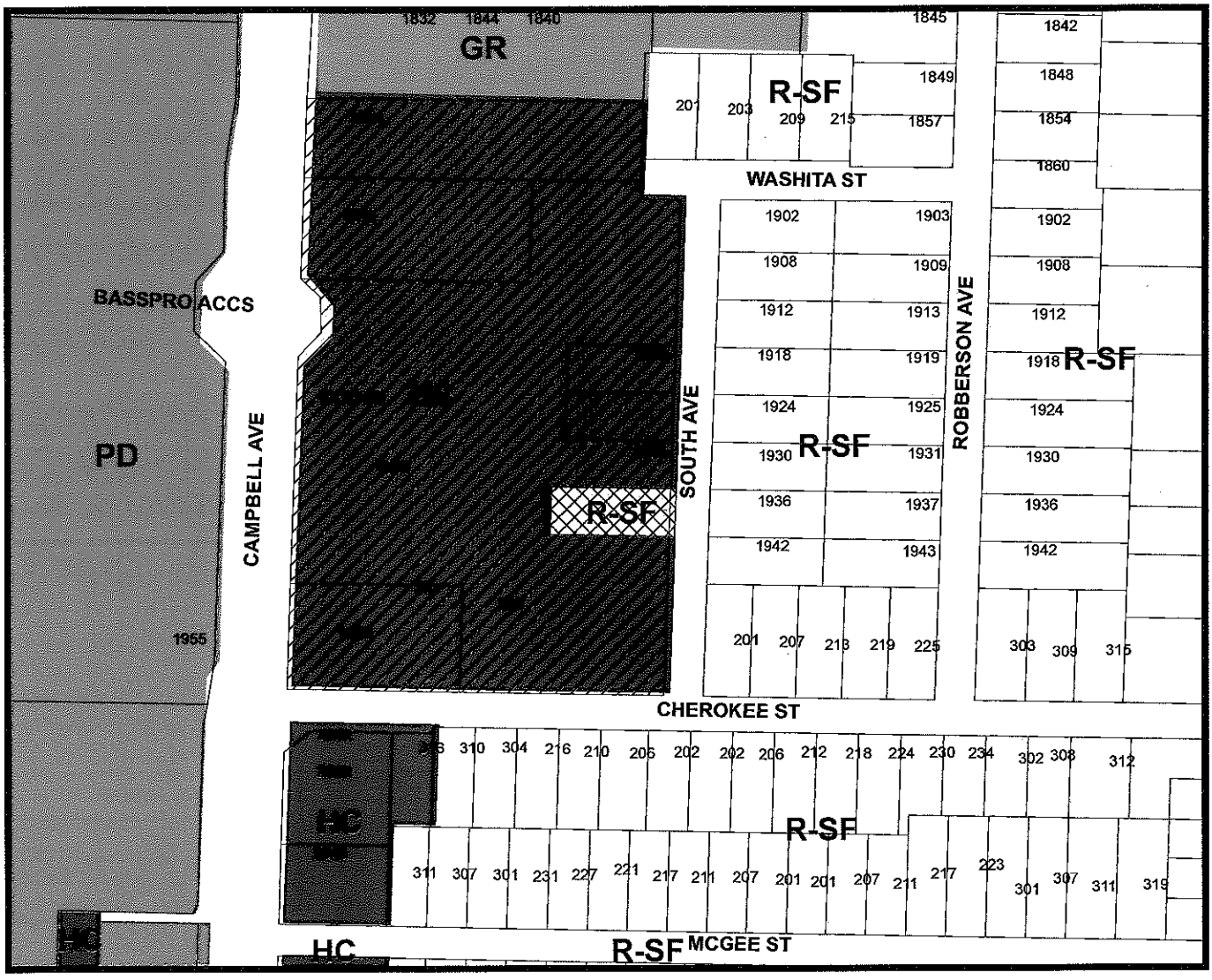
Z-10-2012 & Conditional Overlay District No. 52

Location: 1937 S. South Ave.

Current Zoning: R-SF, Single-Family Residential

Proposed Zoning: HC, Highway Commercial with COD No. 52

LOCATION SKETCH



N

R-SF - Area of Proposal

0 100 200 400 600 Feet

1 inch = 200 feet

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-10-2012 & CONDITIONAL OVERLAY DISTRICT NO. 52

DATE: June 6, 2012

LOCATION: 1937 S. South Ave.

APPLICANT: Campus Rentals, LLC

TRACT SIZE: Approximately 0.21 acres

EXISTING USE: Residential uses

PROPOSED USE: Highway Commercial uses

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	HC w/COD	Highway Commercial Uses
East	R-SF	Single-family residences
South	HC w/COD	Highway Commercial Uses
West	HC w/COD	Highway Commercial Uses

HISTORY:

The surrounding property was rezoned to Highway Commercial with a Conditional Overlay District No. 29 on October 12, 2009 by City Council (G.O. 5838) and another adjacent lot was rezoned to Highway Commercial with a Conditional Overlay District No. 47 on February 12, 2012 by City Council (G.O. 5970).

COMPREHENSIVE PLAN:

The Growth Management and Land Use Plan of the City's Comprehensive Plan designates this area as appropriate for high intensity retail, office and residential uses. This high-intensity category is located near Activity Centers where density and intensity is expected to be greater. Mixed and multiple land uses are encouraged with strong consideration given to creating attractive pedestrian spaces and streetscapes, shared or public open spaces and links to the greenways. The Growth and Land Use Plan recommends GR, General Retail or HC, Highway Commercial, Office, Medium- and High-Density Multi-Family Residential Districts in these areas.

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

1. South Avenue is classified as a local residential street which requires twenty (25) feet of right-of-way measured from the centerline. It appears that there is sufficient right-of-way.

2. A sidewalk will be required on the South Avenue frontage as part of the required lot combination.

3. The existing driveway must be closed and curb and gutter restored since vehicular ingress or egress from South Avenue is not allowed by the conditional overlay district.

4. The requested change in zoning would not cause a significant increase in number of trips generated by this property. No additional traffic study will be required.

STORMWATER COMMENTS:

1. No Stormwater issues with rezoning; however, please note:

a. Any increase in impervious area from 1983 aerial photo information will require the development to meet current detention and water quality requirements. Impervious surfaces in place prior to 1983 and currently in good condition can be credited as existing impervious surface.

b. A payment in lieu of construction of detention facilities would not be supported in this area without downstream drainage improvements being constructed.

c. Please be advised that the City of Springfield will have 12 months to prepare and implement a Stormwater Management Plan (SWMP) as part of its revised National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) stormwater permit. A public committee effort will be utilized to develop the SWMP, which will spell out specific requirements for new development and redevelopment projects. These requirements will be in addition to the current detention and water quality requirements, and may include such things as environmental site design and runoff reduction through infiltration, rainwater harvesting, etc.

SANITARY SERVICES COMMENTS:

No objection to rezoning. Public sewer and service lateral are currently available.

ADJACENT PROPERTY OWNER COMMENTS:

Eleven (11) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. No one has objected to date.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting for owners, residents and the neighborhood association within five hundred (500) feet of the subject property on June 19, 2012, at the White River Conference Center located at 600 W. Sunshine Street. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 0.21 acres of property from a R-SF, Single-Family Residential District to a HC, Highway Commercial District. The applicant has proposed to combine this lot with surrounding properties and redevelop the site with Highway Commercial uses. The applicant is requesting a conditional overlay district that will restrict and add requirements to the proposed rezoning.

2. The Growth Management and Land Use Plan of the City's Comprehensive Plan designates this area as appropriate for high intensity retail, office and residential uses. This high-intensity category is located near Activity Centers where density and intensity is expected to be greater. The Growth and Land Use Plan recommends GR, General Retail or HC, Highway Commercial, Office, Medium- and High-Density Multi-Family Residential Districts in these areas. The Highway Commercial District is intended for commercial uses which depend on high visibility, generate high traffic volumes, or cater to the traveling public. The district is also intended to be located along arterial classified streets like Campbell Avenue. Staff believes the proposed properties, if combined as required by the overlay district, meet the recommendation of the City's Comprehensive Plan and intent of the Highway Commercial District.

3. In response to concerns expressed at the neighborhood and Planning Commission meetings during the previous rezoning request in 2009, the applicant requested a conditional overlay district to restrict and require additional items. Conditional Overlay District No.52 reflects the same restrictions and reduces the impact of the proposed rezoning to the surrounding neighborhood and traffic circulation system. The condition for a lot combination of all rezoned properties will eliminate the possibility of any principal commercial access to South Avenue. The condition that requires all stormwater to be directed into the existing north-south drainage system traversing the property or a new drainage facility as part of the redevelopment will alleviate concerns that any additional stormwater runoff may have on the current condition of the adjacent stormwater system or street. The overlay district, also, restricts access to South Avenue. The applicant has requested a Bufferyard F which is additional landscaping and a fence

along South Avenue. The Bufferyard F contains more plantings (trees and shrubs) than what is required by the Zoning Ordinance and the required fence or screening is an additional requirement that the applicant has requested to address neighborhood concerns. The applicant has prohibited seven (7) permitted uses which include ambulance services, cemeteries, bus stations, fairgrounds, household resource recovery collection centers, taxi dispatch yards and offices and transitional service shelters. The conditional overlay district does not include a site plan or layout.

4. The original traffic study that was provided when the surrounding properties were rezoned in 2009 did not include this property; however, the requested property to be rezoned would not cause a significant increase in number of trips generated and would not have a significant impact on the original traffic study provided.

5. The Zoning Ordinance requires that all structures in the HC, Highway Commercial District, shall remain below a (30) degree bulk plane as measured from the boundaries of any residential districts.

FINDINGS FOR STAFF RECOMMENDATION:

1. The Comprehensive Plan designates this area as an Activity Center and appropriate for high intensity retail, office and residential uses. The Highway Commercial District is one of the recommended zoning districts within an Activity Center.

2. The proposed conditional overlay district will mitigate the potential impact between the commercial and residential uses by restricting access to local residential streets, prohibiting potentially intrusive uses, and requiring additional buffering between uses. The proposed conditional overlay district will also restrict any additional stormwater runoff to the adjacent streets and neighborhood from these properties

3. The screening, fencing, bufferyard and lighting requirements of the Zoning Ordinance have been adopted to mitigate potential impacts between properties with differentiating uses. The Bulk and Intensity of Use Restrictions have been adopted within each zoning district to dictate appropriate intensity, height and setbacks adjacent to properties and uses.

4. The proposed zoning is consistent with the approved rezoning of surrounding properties owned by Bass Pro in 2009 and 2012.

FINDINGS FOR COMMISSION TO RECOMMEND DENIAL:

1. None

RECOMMENDATION:

Staff recommends **approval** of this request with the requirements of Conditional Overlay District No. 52.

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

NEIGHBORHOOD MEETING SUMMARY

1. Development Application:

   June 4, 2012, Application for Zoning Classification Change submitted to the City of Springfield.

2. Meeting Date and Time:

   June 19, 2012
   4:30 pm to 6:00 pm

3. Meeting Location:

   White River Conference Center, 600 W. Sunshine, Springfield, Missouri
   Cave and Prairie Conference Room

4. Number of invitations that were sent: Approximately 119
   How was the mailing list generated? List furnished by the City of Springfield

5. Number of property owners in attendance (attach a sign-in sheet):

   Four (4) property owners attended the meeting and all attendees signed the Neighborhood Meeting Sign In sheet attached as Exhibit A.

6. List the verbal questions and comments and how you plan to address any issues:

   See the summary attached as Exhibit B.

7. List or attach the written comments and how you plan to address any issues:

   See the letter attached as Exhibit C.

NEIGHBORHOOD MEETING SIGN IN

Date: June 19, 2012

Location: White River Conference Center

Name	Address
Seminole Holland Neighborhood Association	925 E Seminole Ast Spfld mo 65807
Richard Tettenhorst	2022 S. Roanoke Spfld Mo 65807
JANET WREATH	626 E. Wayland Spfld Mo. 65807
VIVIAN RYE	2256 S. HAMPTON SPFLD MO 65807
CLUTTER, EDWARD ALLEN	1936 So. SCHIFF AVE SPFLD. MO 65807

2. Mr. Edward Allen Clutter shared pictures of 1937 S. South Avenue before and after the house on the property was leveled.

3. Mr. Clutter also read his letter to the other neighbors at the meeting. This letter is attached to Exhibit B of this Neighborhood Meeting Summary. In response to his letter we explained that there are no plans to extend the project area to the east of S. South Avenue.

4. Mr. Clutter expressed concern that the dirt and equipment present in the project area are an eyesore and that since all of the houses on the west side of S. South Avenue are gone the traffic noise from Campbell and the construction equipment noise is very loud. He explained that he has a recording studio in his house that he is no longer able to use due to the increase in volume of the noise. He indicated that it would be nice to have a buffer (instead of the fence) in place that would help to block the noise from the traffic and the construction equipment.

5. If there are no plans for redevelopment in the near future, the neighbors would like a better buffer to be installed (in place of the fence) and would be interested in the bufferyard area being used for a purpose that would better the area, such as a conservation area or a community garden that the neighborhood can help to cultivate.

Mr. Richard E. Walters

c/o Husch Blackwell

Sir:

This is in response to your letter concerning the zoning application of 1937 South Avenue, which is a "given,"-- just "going through the motions." I live at 1936, which is directly across the street, and I was asked by our neighborhood association to submit a letter of need, and/or my feelings about my neighborhood.

This used to be quite a busy street, but as houses that were defined rental, and "party houses," have been demolished by and for Bass Pro, it has become a very passive, and quiet neighborhood. I would wish it to stay that way.

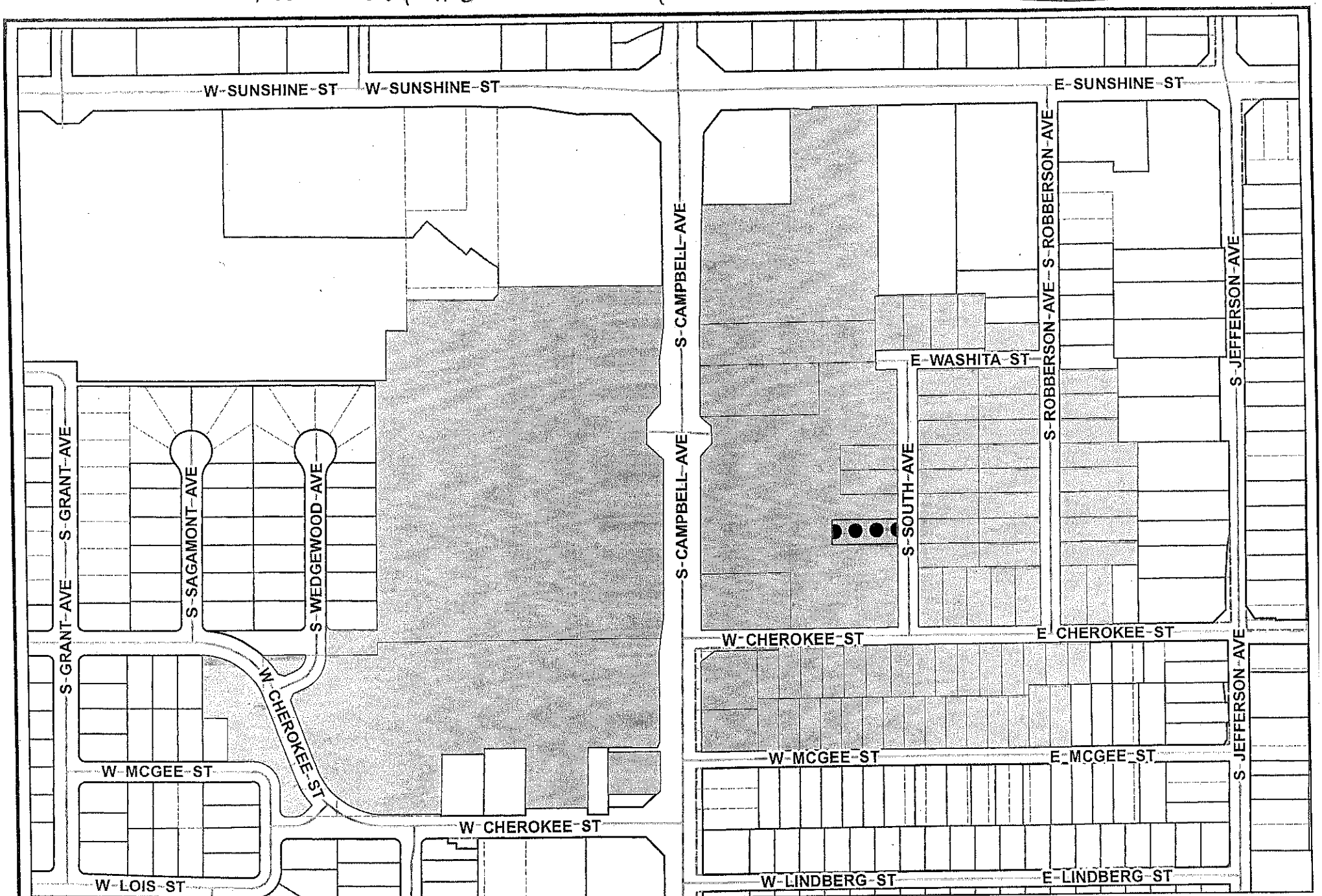
I am in my senior years, and I have worked in medicine for 45 years,....I plan to retire at the end of 2012, if all works out. It should be easier for me, because I am forever single with no dependents....*I do love my dog*!!

I have worked hard all of my life just to buy a house, and now I am watching a powerful big business move closer to me. It makes me wonder if and when it will impact my property. I want to live here for the rest of my life, and hopefully will, as it takes a certain amount of time for business or "city-driven" things to really happen. I am 65, but, I'm not ready to "punch the clock" yet. I still have many good years ahead of me; (One hopes)....my family genetics are good for a life of 85-90 years. We all just wish for the best. Of course, we *never* know,....but no one will leave this world alive!!

I love my home, and I fell in love with it the moment I walked into it the first time. These homes are well built and insulated. I was able to install new air and furnace, and make it as comfortable as I can on a limited income. I saved money for years to be able to buy this house, and would be very unhappy if "imminent domain" was created, or a large business encroached unfairly upon my life.

ATTACHMENT 2
NEIGHBORHOOD MEETING SUMMARY
ZONING CASE Z-10-2012 & CONDITIONAL OVERLAY DISTRICT NO. 52

1937 South Ave - Renters/owners list - 500' LIST



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1942 SOUTH AVE
SPRINGFIELD, MO 658072635

BARRETT, STEVEN FORD
1601 W CATALPA ST
SPRINGFIELD, MO 658071107

BLACK, CYNTHIA R
111 N CLAY ST
MARSHFIELD, MO 657061633

CAMPUS RENTALS LLC
2500 E KEARNEY ST
SPRINGFIELD, MO 658035048

CONRAD, DAVID
201 W MCGEE ST
SPRINGFIELD, MO 658072830

DANIELS, FRANK E
1857 S ROBBERSON AVE
SPRINGFIELD, MO 658072631

GREEN, CHARLES C
2805 W GRAYROCK DR
SPRINGFIELD, MO 658102015

HAUGHT, DORRANCE
209 E WASHITA ST
SPRINGFIELD, MO 658072638

JONES, CHRISTOPHER L
616 S SHUYLER ST
REPUBLIC, MO 657382198

KING, BRIAN M
3669 W MAPLEWOOD ST
SPRINGFIELD, MO 658075498

BAKER, JOYCE A TRUST
2248 E CAMBRIDGE ST
SPRINGFIELD, MO 658043929

BASS PRO OUTDOOR WORLD LLC
2500 E KEARNEY ST
SPRINGFIELD, MO 658980001

BURGIN, ANN
201 E MCGEE ST
SPRINGFIELD, MO 658072823

CHUN, YUE XIAO TR
350 HAMMONS PKWY
SPRINGFIELD, MO 658062505

CRAPENHOFT, RICHARD L
407 SETTLERS VALLEY DR
PFLUGERVILLE, TX 786604765

ELLIS, JAMES L
1924 S ROBBERSON AVE
SPRINGFIELD, MO 658072634

HANEY, SHAROLYN A
303 E CHEROKEE ST
SPRINGFIELD, MO 658072603

HOLTMAN, LOUIS
118 SILVER OAK WAY
REEDS SPRING, MO 657379270

JONES/LURVEY FAMILY TR
10335 ANNIE LN
SANTEE, CA 920712701

KNOT HOUSE LLC
RRT 2 BOX 646A
AVA, MO 65608

BANK OF AMERICA
475 CROSSPOINT PKWY
GETZVILLE, NY 14068

BATEY, ANDREA
6060 S FARM ROAD 249
ROGERSVILLE, MO 657428536

CAMPBELL, DAVID
2002 S CAMPBELL AVE
SPRINGFIELD, MO 658072850

CLUTTER, EDWARD A
1936 SOUTH AVE
SPRINGFIELD, MO 658072635

CREATIVE INV LLC
429 N PEARL AVE
JOPLIN, MO 64801

GIBSON, DON M
4533 S ALADDIN CT
SPRINGFIELD, MO 658047500

HARRELL, DONALD G
2225 S NEWTON AVE
SPRINGFIELD, MO 658072357

HUNT, OPAL M
1922 S SARATOGA AVE
SPRINGFIELD, MO 658042750

KING & SON PROP LLC
1857 S HOLLAND AVE
SPRINGFIELD, MO 658072615

LASSLEY, JANET S
504 W BELL ST
SPRINGFIELD, MO 658032404

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2422 W MT VERNON ST
NIXA, MO 657147209

MANARY, BETTE
2121 E BROADMOOR ST
SPRINGFIELD, MO 658043338

MITCHELL, HARRY L
1937 SOUTH AVE
SPRINGFIELD, MO 658072664

PETIFORD, KELLY L
1908 SOUTH AVE
SPRINGFIELD, MO 658072635

REAVIS-ALEMAN, JILL
2511 S VIRGINIA AVE
SPRINGFIELD, MO 658073049

ROPER, DAVID A ETAL
2069 S HOLLAND AVE
SPRINGFIELD, MO 658072860

SCHNEIDER, STACEY A
1936 S ROBBERSON AVE
SPRINGFIELD, MO 658072634

SMITH, TERESA GAIL
1918 S ROBBERSON AVE
SPRINGFIELD, MO 658072634

STILL, JENNIFER M
1903 S ROBBERSON AVE
SPRINGFIELD, MO 658072633

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MCDONALD, HOLLY HONEY
207 E MCGEE ST
SPRINGFIELD, MO 658072823

OWEN, KENNETH L
6076 S FARM ROAD 67
REPUBLIC, MO 657382637

PICKETT, JAMES A
PO BOX 8715
SPRINGFIELD, MO 658018715

REEL (BLAKELY), SHARYL L
218 E CHEROKEE ST
SPRINGFIELD, MO 658072602

SALVADOR, JENNY
1919 S ROBBERSON AVE
SPRINGFIELD, MO 65807

SECOND BELL TRUST
PO BOX 11111
SPRINGFIELD, MO 658081111

SNOW, BETH A
1937 S ROBBERSON AVE
SPRINGFIELD, MO 658072633

STOTTLE, CELES
1902 S ROBBERSON AVE
SPRINGFIELD, MO 658072634

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4821 ROANOKE PKWY
KANSAS CITY, MO 641121665

MINCKS, ELIZABETH A
309 E CHEROKEE ST
SPRINGFIELD, MO 658072603

PAGEL, TED
3806 E LOMITA ST
SPRINGFIELD, MO 658093710

REAR, FREDA ROSE
221 W MCGEE ST
SPRINGFIELD, MO 658072830

RESER, JACK TRUST
PO BOX 14835
SPRINGFIELD, MO 658140835

SCHELLHOUS, REBECCA M
1908 S ROBBERSON AVE
SPRINGFIELD, MO 658072634

SKILES, NICHOLAS B
1925 S ROBBERSON AVE
SPRINGFIELD, MO 658072633

SQUIBB, TIEN
207 E CHEROKEE ST
SPRINGFIELD, MO 658072601

TAYLOR, CHELSEY K
1909 S ROBBERSON AVE
SPRINGFIELD, MO 658072633

TEAGUE, KENNETH D TR
2905 S FARM ROAD 115
BROOKLINE STATION, MO 65619

WHITMARSH INV LLC
6096 LAWRENCE
MOUNT VERNON, MO 657126200

Current Resident
2011 S CAMPBELL AVE
SPRINGFIELD, MO 65807

Current Resident
1942 S ROBBERSON AVE
SPRINGFIELD, MO 65807

Current Resident
1912 S SOUTH AVE
SPRINGFIELD, MO 65807

Current Resident
1930 S SOUTH AVE
SPRINGFIELD, MO 65807

Current Resident
213 E CHEROKEE ST
SPRINGFIELD, MO 65807

Current Resident
1943 S ROBBERSON AVE
SPRINGFIELD, MO 65807

Current Resident
1900 S CAMPBELL AVE
SPRINGFIELD, MO 65807

Current Resident
1925 S SOUTH AVE
SPRINGFIELD, MO 65807

TOWNSEND, DON TERRY
3421 S PINEHURST CT
SPRINGFIELD, MO 658074530

WILSON PROP INC
PO BOX 65
CRANE, MO 656330065

Current Resident
1912 S ROBBERSON AVE
SPRINGFIELD, MO 65807

Current Resident
1902 S SOUTH AVE
SPRINGFIELD, MO 65807

Current Resident
1918 S SOUTH AVE
SPRINGFIELD, MO 65807

Current Resident
1936 S SOUTH AVE
SPRINGFIELD, MO 65807

Current Resident
219 E CHEROKEE ST
SPRINGFIELD, MO 65807

Current Resident
1931 S ROBBERSON AVE
SPRINGFIELD, MO 65807

Current Resident
1912 S CAMPBELL AVE
SPRINGFIELD, MO 65807

Current Resident
1919 S SOUTH AVE
SPRINGFIELD, MO 65807

WADLEY, AMBER
202 E CHEROKEE ST
SPRINGFIELD, MO 658072602

Current Resident
1909 S CAMPBELL AVE
SPRINGFIELD, MO 65807

Current Resident
1930 S ROBBERSON AVE
SPRINGFIELD, MO 65807

Current Resident
1908 S SOUTH AVE
SPRINGFIELD, MO 65807

Current Resident
1924 S SOUTH AVE
SPRINGFIELD, MO 65807

Current Resident
1942 S SOUTH AVE
SPRINGFIELD, MO 65807

Current Resident
225 E CHEROKEE ST
SPRINGFIELD, MO 65807

Current Resident
1913 S ROBBERSON AVE
SPRINGFIELD, MO 65807

Current Resident
1937 S SOUTH AVE
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1938 S CAMPBELL AVE
SPRINGFIELD, MO 65807

Current Resident
234 E CHEROKEE ST
SPRINGFIELD, MO 65807

Current Resident
212 E CHEROKEE ST
SPRINGFIELD, MO 65807

Current Resident
206 W CHEROKEE ST
SPRINGFIELD, MO 65807

Current Resident
304 W CHEROKEE ST
SPRINGFIELD, MO 65807

Current Resident
2018 S CAMPBELL AVE
SPRINGFIELD, MO 65807

Current Resident
227 W MCGEE ST
SPRINGFIELD, MO 65807

Current Resident
207 W MCGEE ST
SPRINGFIELD, MO 65807

Current Resident
223 E MCGEE ST
SPRINGFIELD, MO 65807

Current Resident
215 E WASHITA ST
SPRINGFIELD, MO 65807

Current Resident
1832 S CAMPBELL AVE
SPRINGFIELD, MO 65807

Current Resident
230 E CHEROKEE ST
SPRINGFIELD, MO 65807

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206 E CHEROKEE ST
SPRINGFIELD, MO 65807

Current Resident
210 W CHEROKEE ST
SPRINGFIELD, MO 65807

Current Resident
310 W CHEROKEE ST
SPRINGFIELD, MO 65807

Current Resident
301 W MCGEE ST
SPRINGFIELD, MO 65807

Current Resident
217 W MCGEE ST
SPRINGFIELD, MO 65807

Current Resident
211 E MCGEE ST
SPRINGFIELD, MO 65807

Current Resident
307 W MCGEE ST
SPRINGFIELD, MO 65807

Current Resident
1948 S CAMPBELL AVE
SPRINGFIELD, MO 65807

Current Resident
302 E CHEROKEE ST
SPRINGFIELD, MO 65807

Current Resident
224 E CHEROKEE ST
SPRINGFIELD, MO 65807

Current Resident
202 W CHEROKEE ST
SPRINGFIELD, MO 65807

Current Resident
216 W CHEROKEE ST
SPRINGFIELD, MO 65807

Current Resident
316 W CHEROKEE ST
SPRINGFIELD, MO 65807

Current Resident
231 W MCGEE ST
SPRINGFIELD, MO 65807

Current Resident
211 W MCGEE ST
SPRINGFIELD, MO 65807

Current Resident
217 E MCGEE ST
SPRINGFIELD, MO 65807

Current Resident
311 W MCGEE ST
SPRINGFIELD, MO 65807

Tettenhorst, Richard

2022 S Roanoke Ave

Springfield, MO 65807

Beahan, Dave

1038 E Cherokee

Springfield, MO 65807

Crabtree, Richard

920 E. Stanford St

Springfield, MO 65807

Havens, Bill
607 E. Berkley

Springfield, MO 65807

Rye, Vivian
2256 S Hampton St

Springfield, MO 65807

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ROGERSVILLE, MO 657428536

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SPRINGFIELD, MO 658035048

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SPRINGFIELD, MO 658072635

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PO BOX 305
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5617 S MICHIGAN AVE
SPRINGFIELD, MO 658102591

LUTZ, ANTONIA L
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SPRINGFIELD, MO 658072601

MITCHELL, HARRY L
1937 SOUTH AVE
SPRINGFIELD, MO 658072664

SQUIBB, TIEN
207 E CHEROKEE ST
SPRINGFIELD, MO 658072601

MITCHELL, HARRY L
1937 SOUTH AVE
SPRINGFIELD, MO 658072664

SQUIBB, TIEN
207 E CHEROKEE ST
SPRINGFIELD, MO 658072601

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NIXA, MO 65714

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SPRINGFIELD, MO 658102591

LUTZ, ANTONIA L
201 E CHEROKEE ST
SPRINGFIELD, MO 658072601

BATEY, ANDREA
6060 S FARM ROAD 249
ROGERSVILLE, MO 657428536

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SPRINGFIELD, MO 658072635

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SPRINGFIELD, MO 658072635

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EXPLANATION TO COUNCIL BILL NO. 2012 -

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 2.54 acres of property generally located at 6300 block of South Farmers Branch Avenue from Planned Development District No. 201 to Planned Development District No. 340.

PLANNED DEVELOPMENT DISTRICT NO. 340

BACKGROUND INFORMATION:

The applicant is proposing to rezone a portion of Planned Development District No. 201 on approximately 2.54 acres to a new Planned Development to adjust the permitted floor area ratio, from .35 to .65, to reduce the buffer on the east side of the property from 30 feet to 15 feet, and to move off-site detention on site.

FINDINGS FOR STAFF RECOMMENDATION:

1. The subject site is located on a primary arterial on the east boundary and is bordered by a freeway (US Highway 65) on the western boundary.
2. The intersection of Highway 65 and Evans Road and surrounding properties has been identified as an activity center and is designated for commercial development in the Comprehensive Development Plan in July of 2002, and was reconfirmed as an *"emerging activity center"* in 2006.
3. The area will be the eastern entranceway to the east-west arterial which will eventually connect US Highway 65 to Kansas Expressway.
4. The proposed use on the site, a hotel, will serve Mercy's Orthopedic Hospital, Millwood Golf and Racquetball Club, Highland Springs Country Club, and Fremont Hills Country Club, as well as the general traveling public on US Highway 65.
5. The area is currently underserved by motels, with the closest motel approximately 3 miles from this site.
6. This application is consistent with the intent of the existing Planned Development and is not expected to have any adverse impacts.
7. The bufferyard on the east boundary of the property has been reduced from thirty (30 feet, as was required in PD 201, to a proposed fifteen (15) feet in this proposal to accommodate an additional twenty (20) feet of right-of-way dedication. The dedication is necessitated by a change in the road classification of Farmers Branch to a primary arterial. There are no plans are funding in place to develop the additional right-of-way so it should remain as green space for a considerable time into the future.
8. The applicant has proposed a bufferyard of fifteen (15) feet with intense plantings, and a berm of 42 inches in height to mitigate noise, lighting, and any other impacts of the development on the surrounding neighborhood.

9. The plantings and berm will be consistent with the existing landscaping in the Millwood Development and will be complimentary to the existing landscape.
10. The height of the proposed structure is in conformance with the bulk plane requirements of Exhibit 1 of the ordinance. That requirement is stated as, *"All structures shall remain below a thirty (30) degree bulk plane as measured from the boundary of any residential district and shall not otherwise exceed the height required for the construction of a five (5) story structure."*

FINDINGS FOR COMMISSION TO RECOMMEND DENIAL:

1. The intensity of the proposed use is not appropriate for the site.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on July 12, 2012 and recommended , by a vote of to , of the proposed zoning on the tracts of land described on the attached sheet (see the attached Record of Proceedings).

The Planning and Development staff recommends the application be **approved** (see the attached Zoning and Subdivision Report).

Submitted by:

Approved by:

Planning and Development

City Manager

EXHIBITS:

Exhibit A, Legal Description
Exhibit B, Record of Proceedings

ATTACHMENTS:
Attachment 1, Background Report
Attachment 2, Neighborhood Meeting Summary

EXHIBITS:

Exhibit 1, Planned Development Ordinance Text
Exhibit 2, Preliminary Development Plan
Exhibit 3, Correspondence received

EXHIBIT A
LEGAL DESCRIPTION
PLANNED DEVELOPMENT 340

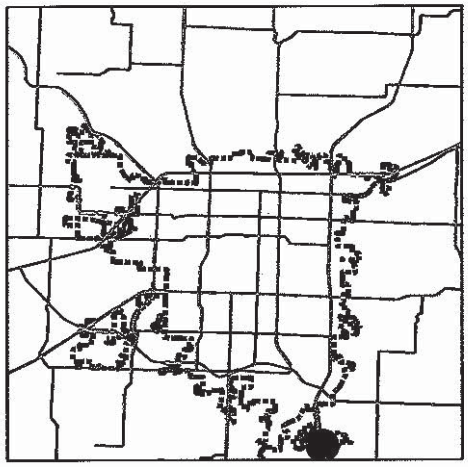
Property Description:

All the Northeast Quarter of the Southeast Quarter of Section 28, Township 28, Range 21, lying on West side of Springfield and Ozark Public Road in Greene County, Missouri, Except that part deeded to Loftis in Book 1174 at Page 495 and Except the North 655 feet thereof deeded in Book 1572 at Page 218 and Except any part deeded or used for New Highway 65.

Beginning at the Southwest corner of the Northeast Quarter of the Southeast Quarter of Section 28, Township 28, Range 21; running thence East to the West right-of-way line of U.S. Highway 65, as described in Book 462 at Page 79, thence North along the West right-of-way line of said Highway 396 feet; thence West to the West line of said Quarter Quarter section, thence South to the point of beginning, except any part for highway and except the South 315 feet and except any part used or deeded for New Highway 65 in Greene County, Missouri.

EXHIBIT B
RECORD OF PROCEEDINGS
PLANNED DEVELOPMENT 340

(The Record of Proceedings will be prepared for the City Council meeting)



Zoning & Subdivision Report

Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

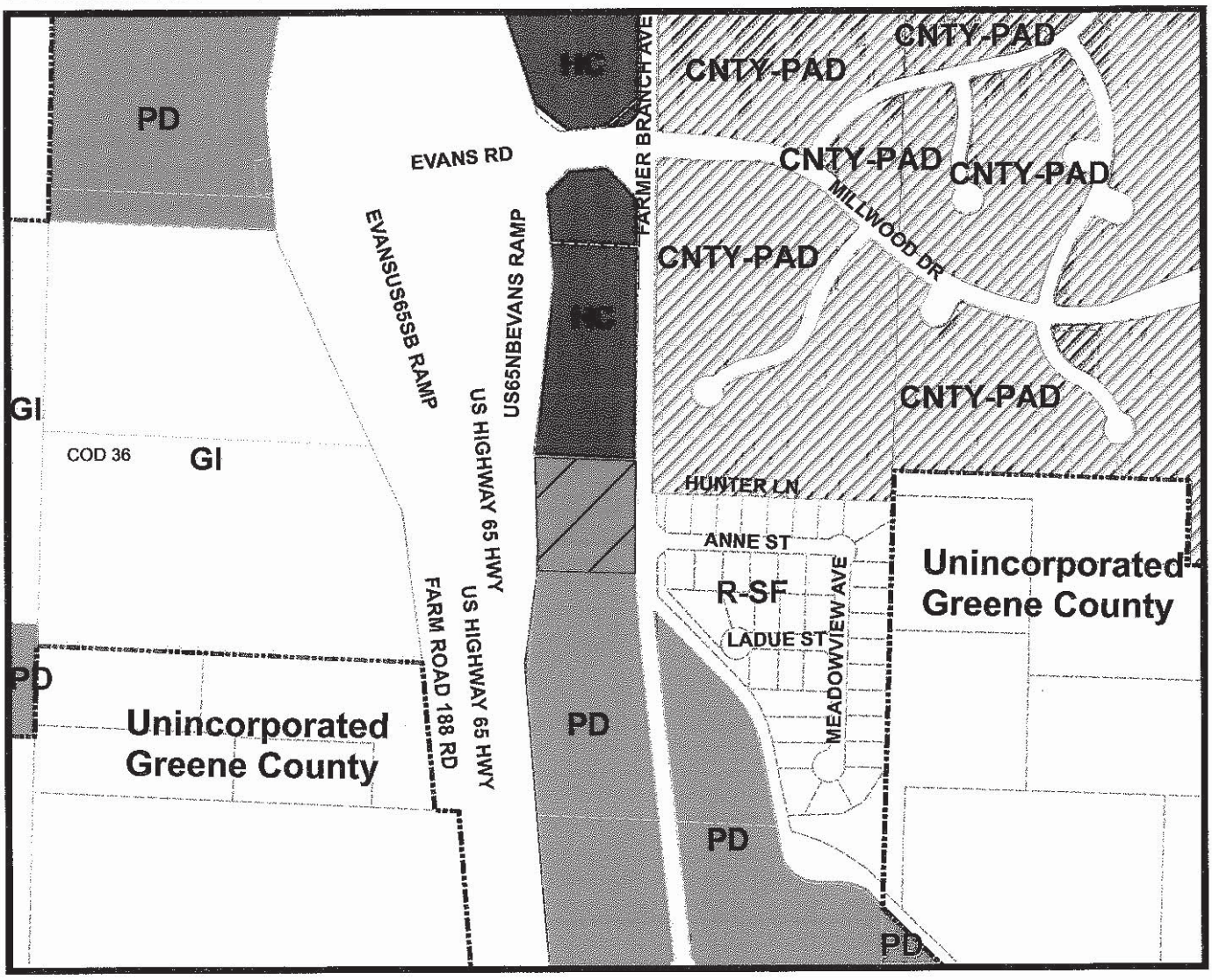
Planned Development 340

Location: 6300 block w/s S. Farmers Branch Ave.

Current Zoning: PD 201

Proposed Zoning: PD 340

LOCATION SKETCH



N

- Area of Proposal

0 250 500 1,000 1,500 Feet

1 inch = 500 feet

ATTACHMENT 1
BACKGROUND REPORT
PLANNED DEVELOPMENT 340

DATE: June 20, 2012

LOCATION: 6300 block of S. Farmers Branch Avenue

APPLICANT: Duane and Jeanette Hesterly

TRACT SIZE: Approximately 2.54 acres

EXISTING USE: Undeveloped land

PROPOSED USE: Motel

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	HC	Vacant land
East	R-SF	Residential Housing
South	PD 201	Undeveloped land
West	PD 201	US Highway 65

HISTORY:

The existing Planned Development 201 was approved by City Council on January 22, 1996. The Planned Development permits a mix of retail and office uses. The rezoning will allow for an expanded floor area ratio of .65 and provide for on-site detention. It will also reduce the eastern bufferyard from 30 feet to 15 feet to accommodate a requirement to dedicate 50 feet of right of way from the centerline of Farmers Branch Avenue. This is an increase of an additional 20 feet necessitated by the upgrade of the street classification of Farmers Branch Avenue to a primary arterial. The applicant proposes to build a motel on the site

TRAFFIC DIVISION COMMENTS:

The following is addressed in the PD language:

1. 50 feet of right of way is required from the centerline.
2. A left turn lane will be required to be constructed.

3. Sidewalks are required to be constructed along the property
4. Only one driveway approach will be allowed.

The following must be corrected in the PD language:

Item G in Required Improvements - the maximum width of a commercial driveway is 45 feet.

STORMWATER COMMENTS:

No Stormwater issues with rezoning from PD 201 to PD 340; however, please note:

a. Any increase in impervious area from 1983 aerial photo information will require the development to meet current detention and water quality requirements. Impervious surfaces in place prior to 1983 and currently in good condition can be credited as existing impervious surface.

b. The proposed percent of impervious surfacing must not exceed the maximum impervious surfacing allowed for site by zoning, platting, and/or previous stormwater reports. If site is located within a Planned Development District, stormwater requirements in PD language must be met.

SANITARY SERVICES COMMENTS:

1. Engineer has stated that flows should not exceed the existing system based upon the number of rooms.
2. Public sewer will have to be extended to the proposed site.
3. NOTE: TRUNKLINE CONNECTION FEE TO FARMER BRANCH / HUNT BRANCH TRUNK SEWER 0F $0.0075 PER SQUARE FOOT.

CITY UTILITIES COMMENTS:

CU has reviewed the proposed amendment to the PD and has no objections. All utility services are available on or near the property.

ADJACENT PROPERTY OWNER COMMENTS:

Eleven (11) property owners are within 185 feet of the subject property and were notified by mail of this request.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on April 19, 2012. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

Staff believes the proposed amendments in the zoning, at this site, are appropriate for a motel use for the following reasons:

1. The subject site is located on a primary arterial on the east boundary and is bordered by a freeway (US Highway 65) on the western boundary.
2. The intersection of Highway 65 and Evans Road and surrounding properties has been identified as an activity center and is designated for commercial development in the Comprehensive Development Plan in July of 2002, and was reconfirmed as an *"emerging activity center"* in 2006.
3. The area will be the eastern entranceway to the east-west arterial which will eventually connect US Highway 65 to Kansas Expressway.
4. The proposed use on the site, a hotel, will serve Mercy's Orthopedic Hospital, Millwood Golf and Racquetball Club, Highland Springs Country Club, and Fremont Hills Country Club, as well as the general traveling public on US Highway 65.
5. The area is currently underserved by motels, with the closest motel approximately 3 miles from this site.
6. This application is consistent with the intent of the existing Planned Development and is not expected to have any adverse impacts.
7. The bufferyard on the east boundary of the property has been reduced from thirty (30 feet, as was required in PD 201, to a proposed fifteen (15) feet in this proposal to accommodate an additional twenty (20) feet of right-of-way dedication. that dedication is necessitated by a change in the road classification of Farmers Branch to a primary arterial. There are no plans are funding in place to develop the additional right-of-way so it should remain as green space for a considerable time into the future.
8. The applicant has proposed a bufferyard of fifteen (15) feet with intense plantings, and a berm of 42 inches in height to mitigate noise, lighting, and any other impacts of the development on the surrounding neighborhood.
9. The plantings and berm will be consistent with the existing landscaping in the Millwood Development and will be complimentary to the existing landscape.
10. The height of the proposed structure is in conformance with the bulk plane requirements of Exhibit 1 of the ordinance. That requirement is stated as,

    "All structures shall remain below a thirty (30) degree bulk plane as measured from the boundary of any residential district and shall not otherwise exceed the height required for the construction of a five (5) story structure."

RECOMMENDATION:

Staff recommends **approval** of this request.

STAFF CONTACT PERSON:

Mike MacPherson, MPA
Principal Planner
864-1198

Draft of June 4, 2012

EXHIBIT 1

Requirements and Standards Applicable to

Planned Development District No. 340

Building or other permits may not be issued for development permitted by this planned development nor can any changes be made to this property until the Final Development Plan has been approved in the manner described at the end of this exhibit.

All requirements of the *Springfield Zoning Ordinance* shall apply unless modified by the requirements and standards that follow.

APPLICANT'S OVERALL CONCEPT OF PLANNED DEVELOPMENT:

The site was previously designated as Tract A in Planned Development District 201 which was approved by City Council on January 22, 1996. Under Planned Development District 201 permitted uses included Administrative and Professional Offices; Finance, Insurance and Real Estate Services; Medical and Medical Support Activities; Hospitals, Health Institutions and Clinics; Community Service Facilities; General Retail Services, Food and Beverage Sales, Convenience Sales and Personal Services, Eating and Drinking Establishments, Business Support Services; Hotels and Motels; and Motor Vehicle Sales. The purpose of this replacement Development Plan is to permit the Floor Area Ration to be increased to a level which would provide a financially successful business plan for a Hotel at this location. In doing so, it is recognized that, in order to meet current development requirements, Tract A will be subject to more stringent requirements than other parcels in Planned Development District 201.

DEFINITIONS: The definitions contained in the *Zoning Ordinance* shall apply to this ordinance. For purposes of this ordinance, the following definitions shall also apply.

Floor Area, Gross: The sum of the gross horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including parking or loading spaces for motor vehicles. The gross floor area shall include public or common areas such as public toilets, corridors, stairwells, elevators, machine and equipment rooms, lobbies or mall areas, whether closed or enclosed and shall also include all outdoor areas devoted to retail sales, storage, or other activities incidental to the building.

Floor Area Ratio (FAR): The gross floor area of all buildings on a lot divided by the lot area.

$$\text{FAR} = \frac{\text{Gross Floor Area}}{\text{Total Site Area}}$$

Impervious Surface: Any part of a lot that is covered by buildings, structures, parking areas, driveways, and any other surfaces which reduce or prevent absorption of storm water.

Impervious Surface Ratio (ISR): The proportion of the site covered by impervious surfaces, and shall be determined as follows:

$$ISR = \frac{\text{Area covered by impervious surfaces}}{\text{Total site area}}$$

Open Space: Any space on a lot that is unobstructed to the sky except for the ordinary projection of cornices and eaves. Open space shall not include areas covered by structures, decks, porches, parking areas, driveways, internal streets, and other forms of impervious surface.

Open Space Ratio (OSR): The proportion of a site covered by open space which shall be determined as follows:

$$OSR = \frac{\text{Area dedicated to open space}}{\text{Total site area}}$$

USES PERMITTED: The following uses shall be permitted:

Administrative and Professional Offices; Finance, Insurance and Real Estate Services; Medical and Medical Support Activities; Hospitals, Health Institutions and Clinics; Community Service Facilities; General Retail Services, Food and Beverage Sales, Convenience Sales and Personal Services; Eating and Drinking Establishments; Business Support Services; Hotels and Motels.

USE LIMITATIONS:

A. No dust, particulate matter, or noxious or toxic matter of any sort shall be emitted or discharged at any time.

B. All uses shall operate in accordance with the noise standards contained in Section 6-1500 of the *Springfield Zoning Ordinance.*

C. Storage may be maintained outside a building in side yards or rear yards is such storage area is screened from public streets, designated arterials, or greater street classifications, and from other property.

D. No use shall emit an odor that creates a nuisance as determined by *Chapter 2A, Article X, Springfield City Code.*

E. Screening and fencing shall be provided in accordance with Section 6-1000 of the *Springfield Zoning Ordinance.*

INTENSITY OF DEVELOPMENT: Development shall adhere to the following:

The floor area ratio shall not exceed 0.65.

BULK, AREA, AND HEIGHT REQUIREMENTS: Development shall adhere to the following:

A. OPEN SPACE. All open space and pedestrian facilities shall be situated in substantial conformance with Exhibit A.

B. MINIMUM SETBACKS.

1. Fifty (50) feet for structures and Fifteen (15) feet for vehicular use area adjacent from the new proposed right-of-way of Farmer Branch Avenue (Farm Road 181).

2. Fifteen (15) feet for structures and vehicular use areas adjacent to U.S. Highway 65.

C. IMPERVIOUS SURFACE. The impervious surface ratio shall not exceed 0.80.

D. BULK PLANE. All structures shall remain below a thirty (30) degree bulk plane as measured from the boundary of any residential district and shall not otherwise exceed the height required for the construction of a five (5) story structure.

E. MINIMUM AREA, WIDTH AND DEPTH. Should Tract A be subdivided at a future date, such subdivision shall be subject to the minimum requirements for area, width and depth as are in force at the time for the zoning category of Highway Commercial.

DESIGN REQUIREMENTS: Public and private improvements are necessary to adequately accommodate the intensity of development proposed in this District. The improvements shall be constructed prior to or concurrently with the development of the property. The applicant or subsequent owners shall include with the Final Development Plan(s) a schedule for completion of the required improvements. Prior to building permits being issued, the applicant or subsequent owners:

A. Shall construct the required public improvements; or

B. Provide assurances satisfactory to the Director of Public Works guaranteeing that all required improvements will be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department.

C. Storm water management improvements, however, must be constructed prior to the issuance of any building permit.

D. Building Facades. All sides of buildings visible to the public, whether viewed from the public right-of-way or a nearby property, shall display a similar level of quality and architectural finish. This shall be accomplished by integrating architectural variations and treatments such as windows and other decorative features into all sides of a building

design. Two or more of the following design elements shall be incorporated for each fifty (50) feet of a building facade or wall:

(1) Changes in color, texture and material

(2) Projections, recesses, and reveals expressing structural bays, entrances or other aspects of the architecture.

(3) Groupings of windows or fenestration.

E. Building materials and colors.

(1) Metal shall not be used as a primary exterior surface material. It may be used as a trim material covering no more than ten (10) percent of the facade or as a roof material.

(2) Facade colors shall have low reflectance. High-intensity, metallic, black or florescent colors are prohibited.

F. Service and Loading Area. Off-street loading shall be regulated in accordance with Section 5-1600 and 6-1302 of the Springfield Zoning Ordinance. The following requirements are supplementary.

(1) All service areas shall be located in the side or rear yard of buildings.

(2) Service and loading areas shall be designated so that the entire service and loading operations are conducted on the building site and shall be integrated into the building architecture. The visibility of service and loading from public streets shall be minimized or eliminated.

OPEN SPACE, LANDSCAPING AND SCREENING.

The landscaping and screening provisions are intended to improve the physical appearance of the District; to improve the environmental performance by contributing to the abatement of heat, glare and noise, by promoting natural percolation of stormwater, and improvement of air quality; to buffer potentially incompatible land uses from one another; and to conserve the value of adjoining property and neighborhoods.

A. Bufferyards.

(1) Bufferyard B, at least fifteen (15) feet deep, adjacent to the western boundary of Farmer Branch Avenue. The change to a bufferyard B from the previously required bufferyard F is a recognition of the increased right-of-way for Farmer Branch Avenue and therefore increased separation between the subject tract and the existing development to the east.

(2) Bufferyard S2, modified to at least fifteen (15) feet deep, but with the same planting intensity, adjacent to the eastern boundary of U.S. Highway 65.

(3) Required Bufferyard on the tract shall be installed when the tract is developed.

(4) Bufferyards shall be landscaped in conformance with the open space landscaping requirements listed below.

B. LANDSCAPING.

(1) Vehicular use areas: Interior landscaping islands shall be installed at a rate of one (1) for every thirty (30) vehicle parking places.

(2) Open areas: in all open space areas required by this District the following landscaping shall be planted and maintained for each five-hundred (500) square feet

of such open space area. Existing trees approved for preservation shall be counted toward this provision.

One (1) canopy tree or two (2) under story, ornamental or evergreen trees.
Six (6) scrubs.

(3) Landscaping Standards.

(a) Tree species, sizes and spacing shall be approved consistent with the City of Springfield's *Arborcultural Design Guidelines* on file with the Planning and Development Director.

(b) Tree preservation. Preservation of each healthy existing tree of an approved species that is at least four and one-half (4-1/2) inches in caliper shall count as two (2) trees toward fulfillment of the tree requirements of this District.

(c) Maintenance of required landscaping. Upon installation or preservation of required landscape materials, appropriate measures shall be taken to ensure their continued health and maintenance. Required materials that do not remain healthy shall be replaced consistent with this article.

(4) Screening.

(a) Refuse collection points, major machinery areas and other service areas shall be screened.

(b) Screening types. An opaque barrier at least six (6) feet in height shall be provided which visually screens the potentially offensive feature from less-intensive uses or districts as follows:

(1) A solid wood and/or masonry fence or wall at least six (6) feet in height.

(2) A hedge-like screen or a random or informal screen of evergreen or approved deciduous plant material, capable of providing a substantially opaque barrier and attaining a minimum height of six (6) feet within three (3) years of planting.

(3) A landscaped earth berm with a maximum slope of three (3) to one (1), rising no less than six (6) feet above the existing grade of the lot line of the less-intensive use or district.

(4) Any combination of these methods that achieves a cumulative six-foot-high screen.

EXTERIOR LIGHTING

The requirements and standards of Section 6-1400 of the *Springfield Zoning Ordinance*, in effect at the time of development shall apply.

ACCESS TO PUBLIC THOROUGHFARES: Access to the public street system shown on Exhibit 2 shall be governed by the existing standards of the City of Springfield for the applicable street classification. Development shall adhere to the following:

A. Access is not permitted to U. S. Highway 65.

B. Access to Farmer Branch Avenue shall be restricted to one drive to be located across from Hunter Lane.

OFF-STREET PARKING: Development shall adhere to the following:

A. Sections 5-1500, 5-1600, and 6-1300 from the *Springfield Zoning Ordinance* in effect at the time of development shall apply for vehicle parking. Section 5-1508 shall apply for bicycle parking.

SIGNS:

A. One detached, on-premise freestanding sign shall be allowed adjacent to U.S. Highway 65. It shall not be located within the fifteen (15) foot bufferyard adjacent to said right-of-way. It shall be a maximum of twenty-five (25) feet in height and have a maximum effective area of three hundred fifty (350) square feet.

B. Detached, on-premises monument signs may be located adjacent to Farmer Branch Avenue. It shall not be located within the required landscaped or bufferyard areas adjacent to that right-of-way. I may be a maximum of five (5) feet in height, ten (10) feet in width and have a maximum effective area of forty (40) square feet.

C. All other signage, exclusive of on-premises freestanding and monument signs, shall conform with the requirements of the City of Springfield sign code.

CERTIFICATES OF OCCUPANCY: No certificate of occupancy shall be issued for any structure within this district, or phase of the development, unless:

A. The required public improvements are completed prior to occupancy of the structures; or

B. The Director of Public Works has determined that such required improvements, if not completed, have little or no effect on the occupancy of the facility or conditions beyond the control of the contractor, *i.e.*, strikes, weather, etc., have delayed the completion of the improvements.

If one of these conditions occurs, the Director of Building Development Services may permit occupancy under conditions satisfactory to the Director of Public Works that the required improvements will be completed as required by this ordinance within a reasonable time.

REQUIRED IMPROVEMENTS: Improvements necessary to adequately accommodate the intensity of development in this District include the following:

A. All drives, parking areas, and pedestrian circulation facilities.

B. Water service and sanitary sewer facilities.
C. Storm water management, drainage improvements, and drainage easements.

D. Underground electrical service.

E. The developer shall dedicate additional right-of-way for Farmer Branch Avenue to provide fifty (50) feet of right-of-way on the western side of the existing centerline.

G. The developer shall design and construct a single drive approach, not to exceed forty-five (45) feet in width, whose centerline begins at the extension of the centerline of Hunter Lane.

H. The developer shall design and construct a left turn lane for traffic on Farmer Branch Avenue from the northern edge of Tract A to the southern edge of Tract A. This lane may be phased as determined by the Director of Public Works and shall meet the requirements and standards of the City of Springfield. At a minimum, however, this left turn lane shall be provided for each access from Farmer Branch Avenue to the adjoining planned development district when that access is proposed.

I. The developer shall design and construction a sidewalk along the full frontage on Farmer Branch Avenue, The sidewalk to be installed in a location acceptable to the Director of Public Works and generally as shown on Exhibit A.

EXTERIOR LIGHTING

The requirements and standards of Section 6-1400 of the *Springfield Zoning Ordinance*, in effect at the time of development shall apply.

CERTIFICATES OF OCCUPANCY: No certificate of occupancy shall be issued for any structure within this district, or phase of the development, unless:

A. The required public improvements are completed prior to occupancy of the structures; or

B. The Director of Public Works has determined that such required improvements, if not completed, have little or no effect on the occupancy of the facility or conditions beyond the control of the contractor, *i.e.*, strikes, weather, etc., have delayed the completion of the improvements.

If one of these conditions occurs, the Director of Building Development Services may permit occupancy under conditions satisfactory to the Director of Public Works that the required improvements will be completed as required by this ordinance within a reasonable time.

SIGHT-LINE REQUIREMENTS: Landscaped treatment shall not interfere with sight-line requirements at street or driveway intersections as required by sound planning.

FINAL DEVELOPMENT PLAN: A Final Development Plan, showing conformance with the requirements of this exhibit, shall be submitted to the Planning and Development Department and approved in the manner described below prior to the issuance of any building permits or prior to the commencement of any of the permitted uses or improvements permitted or required

by this exhibit. Development of this district shall be in accordance with the approved Final Development Plan.

The Administrative Review Committee is hereby authorized to approve the Final Development Plan provided such plan substantially conforms to the provisions of the ordinance. The Administrative Review Committee is hereby authorized, at its discretion, to approve minor adjustments and modifications to the site plan. Such authority shall not, however, be construed to permit:

a. Any uses within the district other than those specifically prescribed by the ordinance.
b. Any increase in the intensity of use permitted within the district.
c. Any deviation from the height and setback standards prescribed by the ordinance.
d. Any reduction in the required parking prescribed by the ordinance.

EXHIBIT II

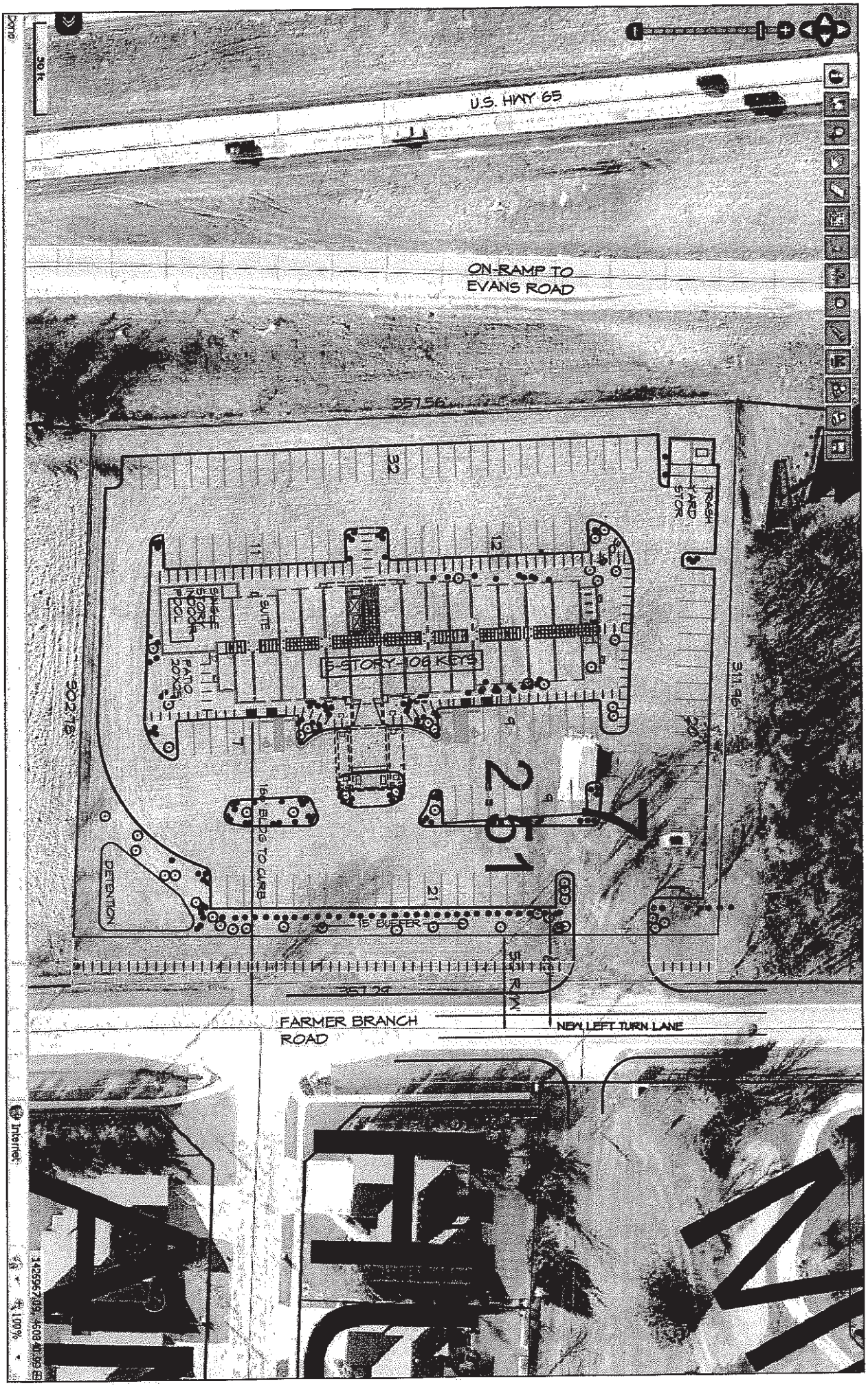

U.S. HWY 65
ON-RAMP TO
EVANS ROAD
35756
32
TRASH
LAND
STOR
11
5
SUITE
5 STORY 109 KEYS
FATO
POOL
302.78'
311.45'
2.01 AC
16' BLDG TO CURB
DETENTION
15' BUFFER
21
351.23'
FARMER BRANCH
ROAD
NEW LEFT TURN LANE

EXHIBIT 1
Requirements and Standards Applicable to
Planned Development District No.

DEFINITIONS: For purposes of this ordinance, the following definitions shall apply:

FLOOR AREA, GROSS: The sum of the gross horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including parking or loading spaces for motor vehicles. The gross floor area shall include public or common areas such as public toilets, corridors, stairwells, elevators, machine and equipment rooms, lobbies or mall areas, whether closed or enclosed and shall also include all outdoor areas devoted to retail sales, storage or other activities incidental to the building.

FLOOR AREA RATIO (FAR): The gross floor area of all buildings on a lot divided by the lot area.

$$\text{FAR} = \frac{\text{Gross Floor Area}}{\text{Total Site Area}}$$

IMPERVIOUS SURFACE RATIO (ISR): The proportion of the site covered by impervious surfaces, i.e. surfaces which do not absorb rainwater including buildings, roads, sidewalks, patios, parking areas and any other paved area.

$$\text{ISR} = \frac{\text{Area covered by impervious surfaces}}{\text{Total site area}}$$

TRACTS A, B & C: The following regulations shall apply to these tracts as identified by Exhibits A.

USES PERMITTED: The following uses shall be permitted:

1. Administrative and Professional. Offices of firms or organizations providing professional, management or administrative services. Typical uses include abstract services, advertising agencies, data processing services, travel agencies, law offices, architectural and engineering offices, and general business and administrative, corporate offices and artist and photographic studios.

2. Finance, Insurance and Real Estate Services: Establishments primarily engaged in the provision of financial, insurance, real estate, security brokerage and other similar activities. Drive-thru facilities designed to expedite customer service are permitted. Typical uses include banks, insurance agencies, real estate firms, securities brokerage establishments, savings and loan institutions and other similar uses.

3. Medical Offices and Medical Support Activities such as offices for doctors and dentists and medical laboratories along with incidental administrative activities.

4. Hospitals, health institutions and clinics offering both outpatient and inpatient services but excluding long-term, inpatient psychiatric care facilities.

5. Community Service Facilities such as day care centers, community centers, museums and libraries.

6. Retail Uses. For purposes of this ordinance, the following uses shall be classified as retail:

   a. General Retail Sales. Establishments involved in the onsite retail sales of goods and merchandise for personal or household use. Such activities are to be conducted within the confines of an enclosed structure with no permanent outdoor sales or storage. Typical uses include department stores, apparel stores, antiques shops, bicycle shops, bookstores, cosmetic shops, candy stores, confectionery stores, costume rental, dry goods stores, drugstores, florist or flower shops, furniture stores, garden supply shops, hardware stores, hobby shops, jewelry stores, pet stores, photographic supply stores, radio and television sales, show stores, sporting goods stores, stationery stores, toy shops, variety stores, wallpaper stores, wig shops and other similar retail sales.

   b. Food and Beverage Retail Sales. Establishments primarily engaged in the retail sale of food and beverages for off-site consumption. Such activities are to be conducted within the confines of an enclosed structure with no permanent outdoor sales or storage. Drive-thru facilities designed to expedite customer service are permitted. Typical uses include grocery stores and liquor stores.

   c. Convenience Sales and Personal Services. Establishments primarily engaged in the provision of frequently needed goods and services. Such activities are to be conducted within the confines of an enclosed structure with no permanent outdoor sales or storage. Drive-thru facilities designed to expedite customer service are permitted. Typical uses include barber shops, beauty shops, bakeries, delicatessens, pharmacies, dry cleaning and laundry establishments, self-service laundries, newsstands, repair shops and other similar uses.

   d. Motor Vehicle Sales: Establishments primarily engaged in the display, sale, and leasing of motor vehicles, which shall exclude trucks over one and a half (1 1/2) tons, buses, all-terrain vehicles, tractors, and other similar motor vehicles. Typical accessory uses, which shall be incidental to the sale of motor vehicles and which shall be entirely contained within enclosed structures, include the service and repair of motor vehicles, body repair and painting of motor vehicles, and other typical accessory uses. Typical uses include dealerships for the sale of new automobiles.

e. Eating and Drinking Establishments: Establishments or places of business primarily engaged in the sale of prepared foods and/or beverages for on-premise consumption. Drive-thru facilities designed to expedite customer services are permitted. Curb service facilities are prohibited. Typical uses include restaurants, cafeterias, coffee shops, bars and taverns.

f. Business Support Services: Establishments primarily engaged in the provision of services of a clerical, employment protective or processing nature to firms and individuals and where the storage of goods or equipment other than as samples or as necessary for daily operation is prohibited. Such activities are to be conducted within the confines of an enclosed structure with no outdoor sales or storage. Typical uses include secretarial services, telephone answering services, copying and blueprint services, drafting services, office supply stores, and computer sales and services.

g. Hotels and Motels: Establishments providing lodging available to the public on a daily basis. Typical uses include hotels and motels and activities normally accessory thereto such as incidental retail sales, offices, restaurants, bars, night clubs, recreation facilities intended for the convenience of guests, but shall not include accommodations for travel vehicles, recreational vehicles, tents, etc.

h. Specialty Retail: Small scale retail establishments engaging in the sale of specialty and personal items. Such activities are to be conducted within the confines of an enclosed structure with no permanent outdoor sales or storage. Drive-thru facilities designed to expedite customer service are permitted. Typical uses include book stores, card shops, jewelry shops, gift stores, clothing shops, flower shops, tobacco shops, arts and craft shops, sporting goods shops and photographic shops.

TRACT D: The following regulations shall apply to this tract as identified by Exhibits A.

USES PERMITTED: The following uses shall be permitted:

1. Administrative and Professional. Offices of firms or organizations providing professional, management or administrative services. Typical uses include abstract services, advertising agencies, data processing services, travel agencies, law offices, architectural and engineering offices, and general business and administrative, corporate offices and artist and photographic studios.

2. Finance, Insurance and Real Estate Services: Establishments primarily engaged in the provision of financial, insurance, real estate, security brokerage and other similar activities. Drive-thru facilities designed to expedite customer service are permitted. Typical uses include banks, insurance agencies, real estate firms, securities brokerage establishments, savings and loan institutions and other similar uses.

3. Medical Offices and Medical Support Activities such as offices for doctors and dentists and medical laboratories along with incidental administrative activities.

4. Hospitals, health institutions and clinics offering both outpatient and inpatient services but excluding long-term, inpatient psychiatric care facilities.

5. Community Service Facilities such as day care centers, community centers, museums and libraries.

6. Retail Uses. For purposes of this ordinance, the following uses shall be classified as retail:

   a. General Retail Sales. Establishments involved in the onsite retail sales of goods and merchandise for personal or household use. Such activities are to be conducted within the confines of an enclosed structure with no permanent outdoor sales or storage. Typical uses include department stores, apparel stores, antiques shops, bicycle shops, bookstores, cosmetic shops, candy stores, confectionery stores, costume rental, dry goods stores, drugstores, florist or flower shops, furniture stores, garden supply shops, hardware stores, hobby shops, jewelry stores, pet stores, photographic supply stores, radio and television sales, show stores, sporting goods stores, stationery stores, toy shops, variety stores, wallpaper stores, wig shops and other similar retail sales.

   b. Food and Beverage Retail Sales. Establishments primarily engaged in the retail sale of food and beverages for off-site consumption. Such activities are to be conducted within the confines of an enclosed structure with no permanent outdoor sales or storage. Drive-thru facilities designed to expedite customer service are permitted. Typical uses include grocery stores and liquor stores.

   c. Convenience Sales and Personal Services. Establishments primarily engaged in the provision of frequently needed goods and services. Such activities are to be conducted within the confines of an enclosed structure with no permanent outdoor sales or storage. Drive-thru facilities designed to expedite customer service are permitted. Typical uses include barber shops, beauty shops, bakeries, delicatessens, pharmacies, dry cleaning and laundry establishments, self-service laundries, newsstands, repair shops and other similar uses.

   d. Eating and Drinking Establishments: Establishments or places of business primarily engaged in the sale of prepared foods and/or beverages for on-premise consumption. Drive-thru facilities designed to expedite customer services are permitted. Curb service facilities are prohibited. Typical uses include restaurants, cafeterias, coffee shops, bars and taverns.

e. Business Support Services: Establishments primarily engaged in the provision of services of a clerical, employment protective or processing nature to firms and individuals and where the storage of goods or equipment other than as samples or as necessary for daily operation is prohibited. Such activities are to be conducted within the confines of an enclosed structure with no outdoor sales or storage. Typical uses include secretarial services, telephone answering services, copying and blueprint services, drafting services, office supply stores, and computer sales and services.

f. Specialty Retail: Small scale retail establishments engaging in the sale of specialty and personal items. Such activities are to be conducted within the confines of an enclosed structure with no permanent outdoor sales or storage. Drive-thru facilities designed to expedite customer service are permitted. Typical uses include book stores, card shops, jewelry shops, gift stores, clothing shops, flower shops, tobacco shops, arts and craft shops, sporting goods shops and photographic shops.

g. Funeral Homes: Facilities for the preparation of the deceased for burial, for the viewing of the deceased and for funerals but shall not include cemeteries or facilities for cremation.

TRACT E: The following regulations shall apply to this tract as identified by Exhibits A.

USES PERMITTED: The following uses shall be permitted:

1. Administrative and Professional. Offices of firms or organizations providing professional, management or administrative services. Typical uses include abstract services, advertising agencies, data processing services, travel agencies, law offices, architectural and engineering offices, and general business and administrative, corporate offices and artist and photographic studios.

2. Finance, Insurance and Real Estate Services: Establishments primarily engaged in the provision of financial, insurance, real estate, security brokerage and other similar activities. Drive-thru facilities designed to expedite customer service are permitted. Typical uses include banks, insurance agencies, real estate firms, securities brokerage establishments, savings and loan institutions and other similar uses.

3. Medical Offices and Medical Support Activities such as offices for doctors and dentists and medical laboratories along with incidental administrative activities.

4. Hospitals, health institutions and clinics offering both outpatient and inpatient services but excluding long-term, inpatient psychiatric care facilities.

5. Community Service Facilities such as day care centers, community centers, museums and libraries.

6. Retail Uses. For purposes of this ordinance, the following uses shall be classified as retail:

a. General Retail Sales. Establishments involved in the onsite retail sales of goods and merchandise for personal or household use. Such activities are to be conducted within the confines of an enclosed structure with no permanent outdoor sales or storage. Typical uses include department stores, apparel stores, antiques shops, bicycle shops, bookstores, cosmetic shops, candy stores, confectionery stores, costume rental, dry goods stores, drugstores, florist or flower shops, furniture stores, garden supply shops, hardware stores, hobby shops, jewelry stores, pet stores, photographic supply stores, radio and television sales, show stores, sporting goods stores, stationery stores, toy shops, variety stores, wallpaper stores, wig shops and other similar retail sales.

b. Food and Beverage Retail Sales. Establishments primarily engaged in the retail sale of food and beverages for off-site consumption. Such activities are to be conducted within the confines of an enclosed structure with no permanent outdoor sales or storage. Drive-thru facilities designed to expedite customer service are permitted. Typical uses include grocery stores and liquor stores.

c. Convenience Sales and Personal Services. Establishments primarily engaged in the provision of frequently needed goods and services. Such activities are to be conducted within the confines of an enclosed structure with no permanent outdoor sales or storage. Drive-thru facilities designed to expedite customer service are permitted. Typical uses include barber shops, beauty shops, bakeries, delicatessens, pharmacies, dry cleaning and laundry establishments, self-service laundries, newsstands, repair shops and other similar uses.

d. Eating and Drinking Establishments: Establishments or places of business primarily engaged in the sale of prepared foods and/or beverages for on-premise consumption. Drive-thru facilities designed to expedite customer services are permitted. Curb service facilities are prohibited. Typical uses include restaurants, cafeterias, coffee shops, bars and taverns.

e. Business Support Services: Establishments primarily engaged in the provision of services of a clerical, employment protective or processing nature to firms and individuals and where the storage of goods or equipment other than as samples or as necessary for daily operation is prohibited. Such activities are to be conducted within the confines of an enclosed structure with no outdoor sales or storage. Typical uses include secretarial services, telephone answering services, copying and blueprint services, drafting services, office supply stores, and computer sales and services.

f. Specialty Retail: Small scale retail establishments engaging in the sale of specialty and personal items. Such activities are to be conducted within the confines of an enclosed structure with no permanent outdoor sales or storage. Drive-thru facilities designed to expedite customer service are permitted. Typical uses include book stores, card shops, jewelry shops, gift stores, clothing shops, flower shops, tobacco shops, arts and craft shops, sporting goods shops and photographic shops.

g. Funeral Homes: Facilities for the preparation of the deceased for burial, for the viewing of the deceased and for funerals but shall not include cemeteries or facilities for cremation.

INTENSITY OF DEVELOPMENT: Development for each tract shall adhere to the following:

1. The floor area ratio for nonresidential uses shall not exceed 0.35 within each tract.

BULK, AREA AND HEIGHT REQUIREMENTS: Development for each tract shall adhere to the following:

1. The following minimum setbacks shall be required:

   a. Fifty (50) feet for structures and twenty-five (25) feet for parking adjacent to Farm Road #181 (Old Highway #65) and Farm Road #194.

   b. Fifteen (15) feet for structures and parking adjacent to U.S. Highway #65.

2. The impervious surface ratio shall not exceed 0.80.

3. Additional requirements may be set during the final development plan stage.

PUBLIC FACILITIES: Development shall adhere to the following:

1. All required public and private improvements shall be at the expense of the applicants or subsequent owners. Assurances satisfactory to the Director of Public Works such as executed contracts, escrows, guarantees or letters of credit guaranteeing that all required public improvements, will be constructed in accordance with the standards determined by the Director of Public Works shall be provided to the City prior to building permits being issued to the applicant or subsequent owners. Storm water drainage management improvements, however, must be constructed prior to the issuance of any building permit. The applicant or subsequent owners shall file with the Director of Public Works a schedule for completion of public improvements and shall provide assurances that improvements will be constructed within the time schedule. No certificate of occupancy shall be issued for any structure within this District unless the required public improvements are completed prior to occupancy of the structures or unless the Director of Public Works has determined that such public

improvements, if not completed, have little or no effect on the occupancy of the facility or conditions beyond the control of the contractor, i.e., strikes, weather, etc.. have delayed the completion of the improvements in which case the Director of Building Regulations may permit occupancy under conditions satisfactory to the Director of Public Works that the required public improvements will be completed as required by this ordinance within a reasonable time. Public improvements, as used in this paragraph shall include private, as well as public, improvements required by the planned development ordinance. Such improvements shall include:

a. All streets, drives, parking areas, and pedestrian circulation facilities;

b. Sanitary sewer facilities;

c. Storm water management and drainage improvements;

d. Public street improvements necessary for efficient and safe ingress and egress from the public thoroughfare system, such as widening, signalization and channelization;

e. All utilities such as gas, water, electric, telephone and television cable, shall be underground.

2. The following rights-of-way are required:

a. Farm Road #181 (Old Highway #65) shall have seventy (70) feet of right-of-way.

b. Farm Road #194 shall have thirty-five (35) feet of right-of-way from the centerline of Farm Road #194.

3. The developer is responsible for providing a left turn lane along Farm Road #181 (Old Highway #65) from the Christian County line to the northern boundary of tract "A" and along Farm Road #194 between tracts "D" and "E".

4. The following sight triangles shall be dedicated:

a. Thirty (30) feet at the proposed intersection of Farm Road #181 (Old Highway #65) and Farm Road #194.

ACCESS TO PUBLIC THOROUGHFARES: Development shall adhere to the following:

1. Access to the adjoining public thoroughfares shall be situated in substantial conformance with Exhibit A. Their location and design shall be determined at the final development plan stage.

OFF-STREET PARKING: Development shall adhere to the following:

1. The City's parking standards and requirements shall apply.

SIGNS: Development shall adhere to the following:

1. The following signage shall be permitted on Tract A:

   a. Detached sign shall be limited to one (1) and limited in height to twenty-five (25) feet. Effective sign area shall be limited to three hundred fifty (350) square feet. The two support columns shall be clad in brick. Location of sign shall be on west side of Tract A, adjacent to U.S. Hwy. #65. See exhibit C.

   b. Monument directional sign shall be limited to one (1) and limited in height to five (5) feet. Maximum width shall be ten (10) feet and maximum height shall be five (5) feet. Maximum effective sign height shall be four (4) feet and may be internally illuminated, front lighted, or both. The sign is required to have a planter area surrounding the sign base. See exhibit C.

2. The following signage shall be permitted on Tract B:

   a. Detached signs shall be limited to two (2) per Tract and limited in height to twenty-five (25) feet. Effective sign area shall be limited to three hundred fifty (350) square feet per sign. The support columns for each sign, shall be clad in brick. Location of signs shall be on west side of each tract adjacent to U.S. Hwy. #65. See exhibit C.

   b. Monument directional sign shall be limited to three (3) per Tract and limited in height to five (5) feet. Maximum width for each sign shall be ten (10) feet and maximum height shall be five (5) feet. Maximum effective sign height shall be four (4) feet and may be internally illuminated, front lighted, or both. Signs are required to have a planter area surrounding the sign base. See exhibit C.

3. The following signage shall be permitted on Tract C:

   a. Detached signs shall be limited to one (1) per Tract and limited in height to twenty-five (25) feet. Effective sign area shall be limited to three hundred fifty (350) square feet per sign. The support columns for each sign, shall be clad in brick. Location of signs shall be on west side of each tract adjacent to U.S. Hwy. #65. See exhibit C.

   b. Monument directional sign shall be limited to two (2) per Tract and limited in height to five (5) feet. Maximum width for each sign shall be ten (10) feet and maximum

height shall be five (5) feet. Maximum effective sign height shall be four (4) feet and may be internally illuminated, front lighted, or both. Signs are required to have a planter area surrounding the sign base. See exhibit C.

4. The following signage shall be permitted on Tract D and E:

   a. Monument directional sign shall be limited to two (2) per Tract and limited in height to five (5) feet. Maximum width for each sign shall be ten (10) feet and maximum height shall be five (5) feet. Maximum effective sign height shall be four (4) feet and may be internally illuminated, front lighted, or both. Sign are required to have a planter area surrounding the sign base. See exhibit C.

5. All other signage such as attached signs, wall signs, banner signs, vehicular signs, real estate signs, directional signs, etc. shall be regulated by current City sign ordinances.

6. Off-premise signs, as defined by the city sign code, are prohibited.

7. See exhibit C for approximate location of signs.

PERIMETER TREATMENT: Development shall adhere to the following:

1. The following bufferyards are required:

   a. Bufferyard F (Exhibit B), at least thirty (30) feet deep, is required on the eastern boundary of Tract A and B from the northern boundary line of Tract A to the northern corner of Tract E, and along the eastern boundary of Tract E and D. See exhibit B.

2. The following landscaped area are required:

   a. Bufferyard S2 (Exhibit B), at least fifteen (15) feet deep, is required along the western boundary of Tracts A, B and C and along the eastern boundary of Tract B and C, and along the western boundary and northern boundary of Tract D, and along the western boundary and southern boundary of Tract E. See exhibit B.

3. No structures, mechanical equipment, parking lots or drives (except those required to provide access to adjoining public thoroughfares) are permitted within these bufferyards. The surface of these bufferyards, or other required landscaped areas, shall be maintained with a living ground cover.

4. All utilities within required bufferyards shall be located underground.

5. Waste cans, dumpster units, or other forms of litter control and refuse disposal devices shall be placed within the district where they are least visible from a public street or adjoining properties. Screening of these devices, in the form of a sight-proof fence or wall, shall be provided.

6. A landscape plan, showing conformance with these requirements, shall be submitted with the final development plan.

EXTERIOR LIGHTING: Development shall adhere to the following:

1. Exterior lighting shall be designed, located and constructed to eliminate or significantly reduce glare and/or a general increase in lighting intensity within the adjoining existing or proposed residential area(s). All exterior lighting shall be so arranged and hooded so as to confine all direct light rays entirely within the boundaries of this district. The developer(s) shall submit a lighting plan with the final development plan demonstrating compliance with this section.

MAINTENANCE OF COMMON AREAS AND FACILITIES: Development shall adhere to the following:

1. The maintenance of common areas and facilities within the District shall remain the responsibility of the developer(s) or shall be assumed by a duly constituted property owners association meeting all legal requirements prescribed by the City Attorney.

PHASING: Development shall adhere to the following:

1. Development may be phased at the discretion of the developer(s) provided that all public improvements directly related to each phase are completed at the time of its development and that improvements serving the District as a whole and the adjoining area are competed in a sequence assuring full utility of the District as a whole and all areas within the District and so that future public improvements required by this ordinance or other applicable ordinances of the City are not compromised or rendered unduly difficult.

FINAL DEVELOPMENT PLAN: A final development plan, showing conformance with the requirements of this exhibit, shall be submitted to the Planning and Development Department and approved in the manner described below prior to the issuance of any building permits and prior to the commencement of any improvements permitted or required by this exhibit.

1. The Administrative Review Committee is hereby authorized to acting jointly, approve the final development plan(s) provided such plan substantially conforms to the provisions of the ordinance.

The Administrative Review Committee is hereby authorized, at its discretion, to approve minor adjustments and modifications to the site plan. Such authority shall not, however, be construed to permit:

a. Any uses within the district other than those specifically prescribed by the ordinance.

b. Any increase in the intensity of use permitted within the district.

c. Any deviation from the height and setback standards prescribed by the ordinance.

d. Any reduction in the required parking prescribed by the ordinance.

2. The final development plan shall be submitted to the Planning and Zoning Commission for review and recommendation to the City Council for final action. The uses permitted and the intensity of development as prescribed by this ordinance shall not be subject to review during the final development plan stage.

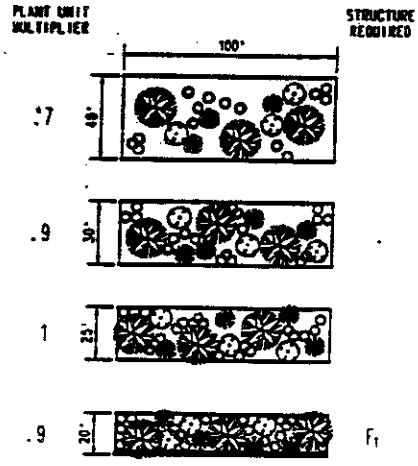
F. Bufferyard F.

Required Plantings per 100 Linear Feet

3	Canopy Trees
3	Understory Trees
4	Evergreen Trees
20	Shrubs

Required Structure

F_1	Six (6) foot solid wood fence or six (6) foot solid masonry/brick wall or six (6) foot solid evergreen hedge.



L. **Bufferyard S_2.**

Required Plantings per 100 Linear Feet

1	Canopy Tree
2	Understory Trees
4	Shrubs

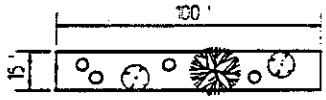
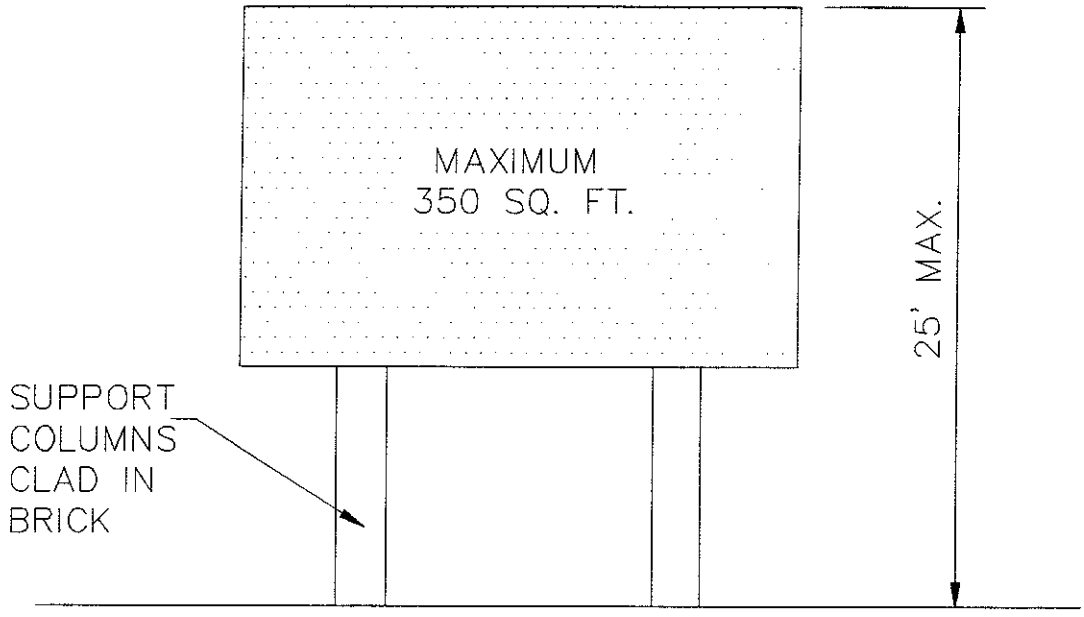
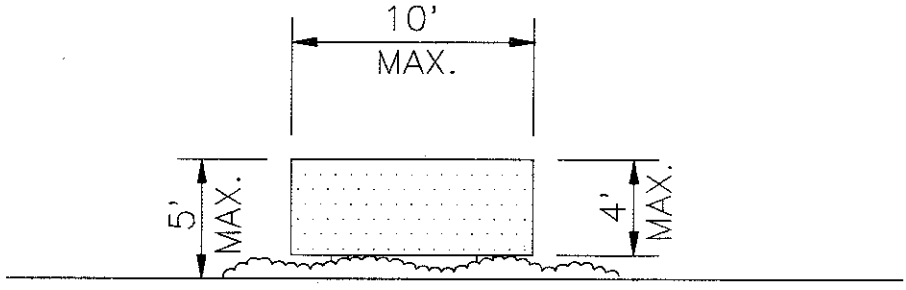


EXHIBIT B



DETACHED SIGN



MONUMENT DIRECTIONAL SIGN

EXHIBIT C

SCALE: 1/8" = 1'

ATTACHMENT 2

WILSON SURVEYING CO., INC.

Surveying / Engineering / Land Planning
2002 S. Stewart
Springfield, Missouri 65804
Phone: (417) 522-7870
Fax: (417) 522-7874
www.wilsurveyinc.com

June 8, 2012

Dear Recipient:

You are receiving this notice to insure you have been informed of a neighborhood meeting to be held on June 20, 2012 between 6:00 and 7:00 P.M. The meeting will be held at the Millwood Golf and Racquet Club located at 3700 E. Millwood Drive. The hearing is in preparation for a request to change the zoning of a 2.5 acre tract owned by Duane Hesterly amending a portion of Planned Development 201 by replacing it with Planned Development 340. The major changes are an increase in the Floor Area Ratio from 0.35 to 0.65 and to allow on site detention. Other amendments are to bring the site in compliance with current development requirements.

Springfield Planning & Zoning Commission will hear the case on July 12; City Council will hear the case on July 30 and rule on it on August 13.

You attendance is not mandatory, however all who attend will be able to hear the proposal for change and will be afforded an opportunity to voice their opinion.

Respectfully,

Rick Wilson
Wilson Surveying Co, Inc

NOTICE

Enclosed you have received a notice of a neighborhood meeting, submitted by the applicant to discuss a change in zoning status. In addition to the neighborhood meeting, Planning and Development Staff are available to meet with you or your neighborhood association representative(s) at City offices to discuss the proposed zoning changes, answer questions, and receive input directly from the neighborhood.

Staff submits a report with a recommendation to the Planning and Zoning Commission one week prior to the date of the Public Hearing before the Commission. If you have questions or desire to submit input for consideration we would request that you do so at the earliest opportunity so your views can be included in the staff report.

Cordially,

Mike MacPherson, Principal Planner
Development Review Division

6/20/12 6:00 PM
Millwood Golf and Racquet Club, 3700 E. Millwood Drive

The representative of the developer had, on display, the current site plan. His presentation included the changes being requested, an update from a 1994 PAD, approved by Greene County and PD 201, approved by the City of Springfield in 1996.
The property has been zoned for Hotel use since 1994, prior to the residential Millwood Park subdivision to the east of Farmers Branch.
The major issue is a desire to increase the FAR, an attempt to make the proposed project economically feasible. The on site water detention and request for donation of ROW has further challenged the developer's desire to improve the property.
When PD 201 was approved by the City, the .35 FAR was designated due to lack of water and sewer service to the property at that time, not necessarily assuming the capabilities/attributes of the property.

Comments from those that attended the Neighborhood meeting:

1. Concern over the height of the building.
2. Concern over the FAR.
3. Concern over decrease in property value.
4. Concern over "transients" walking the streets.
5. Concern over the negative impact of the "transients" that might negatively impact the children that play in the yards and streets.
6. Concern with individuals staying at the Hotel peering into front/back yards. The presentation of a panoramic picture taken from the equivalent of a fifth story room drew comments of....not our subdivision.
7. Concern over placement of the building. It was explained more than once the corners of the building had been staked and the building would be approximately 170' from the existing edge of Farmers Branch Road.
8. Concern with the additional traffic on Farmers Branch Road. It was explained Farmers Branch has been upgraded to a Primary Arterial by the OTO and adopted by the City. The explanation of how the ROW, center line of the road both sides, was relayed.

Though no one identified themselves, prior to speaking in the negative, they can be identified as: Stan Dyer, Carol Holleyman, Wayne and Mitzy Bowlin, Norbert and Lucille Laengrich, Forrest Elliott, Kye Young, Bob Davis, Mary Ann Strub, Terry Wolford. There may be some names missed.

Summary of those that spoke opposing the proposed Hotel on the site: They will not agree to any compromise.

Several ask questions, with no indication of their position.

Those that spoke favorably pointed out the existing zoning allowances and the future of the roadways relative to the Mercy development in progress on the west side of 65.

NEIGHBORHOOD MEETING

06/20/12

PROPOSED PLANNED DEVELOPMENT 340

NAME	ADDRESS	E-MAIL	PHONE NO.
Grace Daniel			379-9539
Gary May	gdmay44@gmail.com		470.224.1358
Sylvia Bowen	Sylviabowen1@gmail.com		
Lynda Quinn	Lddida@sbcglobal.net		877-9670
Bob & Carol Hollgman	Carol.Hollgman@Gmail.com		889 1277
Curt + Sherry Roseman	3443 E Anne St.	eesh9801@yahoo.com	
Kyle Young	3430 E Anne St		766-5276
Rebecca & Lucille Laengrich	3411 E. Anne St	nlaengrich@mchsi.com	882-7377
Nancy & Mel Gayer	3427 E Anne ST Ozark		889-0246
Eugene Bolin	3416 E Anne St Ozark		884-7105
Mitzy Bolin	3416 E Anne St Ozark		"
Toby Wolford	6416 Meadowview		
Brenda Wolford	6416 Meadowview		860-6738
Theresa Appleby	3451 E Anne St		887-2797
Steven Appleby	3451 E Anne St		887-2797
Dave Murray	3456 E Anne St		886-4668
Tom Murray	3456 E Anne St.	Tom@thomasRmurray.com	886-4668
Stephanie Stiger	6448 Meadowview		8865714
Stan Stiger	" " "	STYER762@SBCGLOBAL.net	8865714
Nancy Davis	3420 Anne St.		
Bob Davis	" " "		
Evan Smith	5637 E Sylvan		865-2520
Tom & Kathy Huster	6464 MEADOWVIEW		301 641-1077
Larry Meyer	6432 S. Meadowview	larrymeyer2@yahoo	
Robert L. Davis	3420 E. Anne		823-2147
Dana Davis	2718 E. Saffera Hills		881-6614
Jeannette Hostetler	6289 S. Meadowview		881-3510
Duane Hostetler	" "		881-3510
Mamana Smith	3467 E. Anne St.		849-3267
Forrest Elliott	3429 E. Ladue		830-5938
Rusty Bond	3585 E. Hunter Lane		889-4952
Caroline Bond	" " "		" "
Cameron Ray	3459 E Anne Ozark MO	camneee@mac.com	823-9034
Wendell E. Anderson	3446 E. Anne ST Ozark MO		724-1846
Tom Hoop	6519 Meadowview		883-7005
Sara Ray	3438 E Ladue		8834477

(40)

1 SITE PLAN
1" = 50'-0"

BUILDING DATA / ROOM MATRIX

BUILDING AREA (GROSS)	PARKING COUNT	ROOM COUNT

TOTAL KEYS - 106
TOTAL PARKING— 111
TOTAL ACREAGE-2.51

REVISIONS

PRELIMINARY NOT FOR CONSTRUCTION

PELLHAM PHILLIPS
ARCHITECTS
ENGINEERS

EARL STEINERT
PRELIMINARY PROJECT LAYOUT
FARMER BRANCH ROAD
SPRINGFIELD, MISSOURI

Project # 00000
Date: 1/1/2011

C100

EXHIBIT 111

MacPherson, Mike

From: Linda Bourg [llbourg@mchsi.com]
Sent: Friday, June 29, 2012 10:33 AM
To: MacPherson, Mike
Subject: Planned development 340

Michael,
We signed a petition regarding the Hampton Hotel, Planned Development 340. Unfortunately, we signed it before we had enough facts.
Please remove our name from the petition. Thank you.

Dale R Bourg and
Linda L Bourg
6217 Meadowview Drive

Sent from my iPad

MacPherson, Mike

From: Carl Jungers Jr. [cdjungersjr@msn.com]
Sent: Thursday, June 28, 2012 6:34 PM
To: MacPherson, Mike
Subject: zoning petition

Please remove both my wife's signature and mine from the petition opposing the rezoning at Evans and 65 HWY. Thank you.

Carl Jungers Jr.
Stephani Jungers

June 29, 2012

Dear Michael MacPherson,

I regards to the Planned Development 340 and as Trustee to the Doris Ellen Walz Trust owner of 6401 S Farmer Branch Rd adjoining the Hesterly property, we would like to offer our support for Planned Development 340. This would be a welcome addition to the community.

William F Walz Jr, Trustee
Doris Ellen Walz Trust
10905 Mueller Rd
St Louis, Mo 63123

July 1, 2012

To all Members
Planning & Zoning Commission
840 N. Boonville,
Springfield, Mo.

We have been Notified of a July 12, ~~th~~ Meeting regarding a Zoning change for Vacant Property Three feet from the Single (only) Entrance to our Millwood Park Subdivision. Our Home is at 3446 E. Anne St. and is titled to "The Anderson family Trust." Our daughter Cassie & Her Husband James Olson and our Grandchildren Saralyn & Andrew Olson have resided there Since 2005.

The Following list documents our Familys Strong Position to the Reject for this Zoning Change-

1. We Are Quite sure that there is little or No Precedent for this Broad Scope of Change- that Would result in a Five(5) Story Structure
2. When our Subdivision was Allowed Single family lots were Platted right up to the Street Without any Consideration for Gated Protection or Privacy. leaving No Options for us Now that we are faced with this Huge Building on our doorstep.
3. We are Presently dealing with (Solevation), a Very Difficult traffic Problem related to Services At The James River Assembly This Will be drastically Compounded If this Change is Approved.

The Following list is the Most Critical of Our Reasons to Oppose this Change

The Safety of Our Grandchildren and all the Children in Millwood Park.

1. The traffic on Farmers Branch is presently at a high danger level. (Large trucks from 3 Businesses just Yards from the Anne St. entrance) (James River Assembly Traffic) also. Now. Visualize: Hotel traffic missed the entrance, feet from Anne St. An obvious turnaround, then they encounter oncoming traffic on Farmers Branch and cannot "back out" into it. the only option drive into Millwood Park Where Our Children live & Play. We Cannot Describe a Large Red Flag

2. Please don't Criticize, Just Remember the time that we live in.

Not knowing the building Plan we Cannot determine how Many Rooms of the Hotel would face Anne St. It could be 20 twenty or More. Since Hotels serve Local, State, National and International Customers, 99% of them are Strangers of all Stripes. All of them will have A Clear View of our front and Back Yards in Some Cases Windows and Doorways. We Adamately oPPose this Zoning Change on the Basis of Sacrafising our Privacy to New Strangers every day.

Note: a Much More Serious Reason

on Page 5.

How about Our Safety?

I Suppose that You recall Dr. Martin Luther King Was Killed by a Single Gunshot from a Fleabag Boarding House Window, One of the few Windows that had a Clear View of Dr. King's Room. Not Multiple Windows 2, 3, 4, 5 Stories High.

Our Families deserve Privacy And Most assuredly Safety!

In today's Crazy World every Home in Millwood Park would be Vulnerable to this threat.

We are just one family that OPPose this Zoning Change. We feel that the reasons listed are Valid and Reasonable. there are others Not Mentioned but that is Very important is the impact on Property Value as aforementione we have owned the home At 3446 E. Anne for Seven (7) years It is Not for Sale but.. if it were this Hotel would No doubt Cause Us to sell at a Reduced Price.

Again we Voice our disapproval of this Re-Zoning Request we will be Prepared to Speak in Person at the July 12th Meeting.

Denver E. & Thelma L. Anderson

NORBERT AND LUCILLE LAENGRICH

3411 East Anne
Millwood Park – Springfield
USPS: Ozark, MO 65721

June 29, 2012

Springfield Planning and Zoning Commission
c/o Mr. Mike MacPherson, Principal Planner
Planning and Development
P.O. Box 8368
Springfield, Missouri 65801

Reference: PD340

Dear Commission Members,

We are writing in opposition to the rezoning of the 2.5 acres from PD 201 to PC340. We are mainly objecting to the large increase in allowed building density and the lack of protection of our privacy.

If the increase in density is allowed on this property, it will logically lead to the entire area covered by PD201 being zoned for high density development causing a major intrusion into the privacy and home values in both the Millwood Golf and Tennis Club and the Millwood Park residential developments.

We currently own and occupy one of the three (3) homes that directly affront the proposed development. The front door of the proposed Hampton Inn will directly face our home and be less than 300 feet from our front door –and the developer has proposed only a 15 ft wide by 4 ft. foot high buffer.

If developed as presented at the neighborhood meeting, the front door of the five-story motel will be approximately 175 feet from my property, 220 feet from my driveway, and 289 feet from our front door. Having a transient population this close to our home will significantly erode the privacy we enjoy today.

Together, these changes in zoning will have a major impact on the value of our property and it marketability. We trust that you will act to protect the affected homeowners from these major zoning changes.

Sincerely,

Norbert and Lucille Laengrich
3411 East Anne Street
Springfield, Missouri
(USPS: Ozark, MO 65721)
(417) 882-7377 – home
(417) 350-9446 - cell

MILLWOOD PARK HOMEOWNERS ASSOCIATION

3439 East Anne Street
Springfield, MO
USPS: Ozark, MO 65721

June 29, 2012

Springfield Planning and Zoning Commission
c/o Mr. Mike MacPherson, Principal Planner
Planning and Development
P.O. Box 8368
Springfield, Missouri 65801

Reference: PD340

Dear Commission Members,

I am writing this letter on behalf of the Millwood Park Homeowners Association to object to the rezoning of the property on Farmers Branch Road. This property is located directly in from of the entrance and exit of our housing development.

Over 90 percent of our members object to the zoning change. Homeowners contend that this change in zoning to allow a high-rise hotel development would significantly reduce their

- property values and marketability of homes,
- privacy,
- sense of safety,
- lifestyle, and
- views.

We are asking you to maintain the current lower density commercial zoning. We believe that the current zoning encourages the development of facilities and services that would benefit the adjacent residential neighbors. Such developments would enhance our property values and lifestyles.

We can see no justification for allowing the proposed five-story hotel to arise less than 200 feet from the entrance to our established upscale residential neighborhood. This development would lead to increased traffic, increased noise level, increased light pollution, presence of transients in our neighborhood, and a decrease in public safety.

Over 90 percent of the homeowners in Millwood Park have signed petitions objecting to this zoning change. Numerous homeowners in the adjoining Millwood Golf and Tennis Club development have joined them in signing these petitions. Thank you for considering our petitions and denying this zoning change.

Millwood Park Homeowners Association
Board of Directors
Norbert Laengrich, President
Tom Hester, Vice President
Carol Holleyman, Secretary/Treasurer

Letter in Support of PD 340

July 9, 2012

Hand-delivered to Sandy

Mr. Mike MacPherson, Principal Planner
City of Springfield
840 Boonville Avenue
Springfield, MO 65802

RE: Proposed Zoning PD 340

Dear Mr. MacPherson:

The undersigned are all residents of Millwood Golf and Racquet Club. Our neighbors, Gary and Joan Whitaker, shared their letter in support of PD 340 with us (a copy is attached). We wish to echo their support and encourage you to approve the requested zoning variance in PD 340.

We believe a new Hampton Inn at the proposed location will help set the stage for quality commercial development along the east side of Hwy 65 and across from our subdivision, rather than less desirable uses that are permitted under the existing zoning in PD 201.

Please deliver this letter of support to the Planning and Zoning Commission and forward it to City Council.

Sincerely,

Jim and Amanda Conley
6040 S. Natural Falls Dr.
Ozark, MO 65721

Dick and Anise Pendleton
6053 S. Natural Falls Dr.
Ozark, MO 65721

Ken and Teresa Schwab
3921 E. Knowlwood Dr.
Ozark, MO 65721

Mark and Nancy Yost
6029 S. Natural Falls Dr.
Ozark, MO 65721

417 MAGAZINE

2111 S. Eastgate
Springfield, MO 6
417-883-7417 (pho
417-889-7417 (fax
www.417mag.co

Shelby Lawhon
2118 Ridgewood Drive
Springfield, MO 65804-4501

Dear Shelby:

First I want to thank you for serving as Chair of the City of Springfield's Planning and Zoning Commission. I trust that it is usually a thankless volunteer position that earns the most attention when you're caught in the middle of competing interests. So, thank you.

My wife and I have been residents of Millwood Golf and Racquet Club since May 1997 and love our neighborhood. It offers both the beauty of a nearly rural setting, with the convenience of being minutes from work and endless shopping and entertainment options. The convenience, of course, is based on its location near the intersection of Evans Road and Highway 65. That locale also means our home is adjacent to a very attractive intersection for development; Mercy Orthopedic Hospital for example.

Next Tuesday July 12th, your commission will hear arguments for modifying zoning rules to allow for construction of a five story Hampton Inn just south of Highway 65 and Evans Road on Farmers Branch Road. Like many of my neighbors, I would prefer the green space between Farmers Branch and Highway 65 remain green. But unlike some of my neighbors, I recognize that it is valuable land, already zoned commercial and perfect for development. Development that will mean construction jobs in the immediate future, permanent jobs in the long run and positive growth for Springfield.

Please receive this letter as my recommendation FOR approving the zoning variance to allow for the five story construction of the hotel. I have no personal, financial or business interest in construction of the hotel. I just believe compromise and collaboration are necessary for smart growth. I welcome the Hilton-affiliated hotel, especially in light of other less desirable enterprises that may qualify with no variance required.

I will be unable to attend Tuesday night's hearing because it conflicts with the annual Shrimp Feed of my Springfield Southeast Rotary Club. However, I wanted you to hear from one Millwood family that understands that enjoying the convenience of living at a major intersection of a cross-county arterial (Evans Road) and a major highway (Highway 65) has to come with willingness to accept requests for accommodation from others who are attracted to that same location for legitimate and commercially positive reasons.

I encourage you to grant the variance.

Best wishes,

Gary and Joan Whitaker, owners
417 Magazine

Dear Sir!
My name is Reese
I am 7 years old.
If you build a hotel
I can't see the
sunset. Reese Whit

David Harper
& Associates
HOME BUILDERS/DEVELOPERS

3410 E. ANNE ST.

OZARK, MO 65721

417-883-7000
FAX 417-883-7082

7-7-12
Planning and Zoning Department
Springfield, Mo.
Re: Rezoning hearing Planned Development District No. 340

Greetings:

I am the developer of Millwood Park subdivision directly across the street from this property and still own lots in the subdivision. I am opposed to this rezoning as the project proposed is not allowable under the limitations set previously by Planning and Zoning and approved by City Council. This project will gain the developer a lower cost than he would have to pay on an appropriate lot at the expense of the neighboring homeowners.
It has been my belief through my 30 years as a developer in Springfield that if you can not improve the values of your neighbors properties the project should not be done. This is a quality of life issue for our community and the persons who live here, work here, and raise their families here.

David Harper

Mr. Mike MacPherson Principal Planner
Development Review Division
840 Boonville
Springfield, Missouri

Re: Rezoning Proposal of Planned Development 201

Dear Mr. MacPherson:

My husband, Bob, and I have been residents within Millwood Park for almost ten years. Please consider the following concerns we both have regarding the proposed Hamilton Inn to be constructed across the street from Millwood Park:

During last week's hearing the surveyor mentioned that as the zoning stands right now, the developer could build a ten-story hotel without needing any variances. After he mentioned that I quoted the existing Ordinance dated January 22, 1996, page Exl-4, "INTENSITY OF DEVELOPMENT: Development *shall* adhere to the following: 1. The floor area ratio for permitted nonresidential structures *shall not* exceed 0.35 per building lot." I explained that it was my understanding that the term *shall not* meant "not negotiable", and then I referenced the use of it in our City's "Fire Code" as being an example of that. The term *"shall not" is* not subject to interpretation and is used specifically to ensure that life and property are protected when referring to our Fire Code. The use of the term in Planning and Development cannot then have any other meaning. I then suggested that since it is not negotiable and since no one in Millwood Park wanted the zoning to change, what would the Planning Commission use as your basis for changing the zoning?

The owner of Millwood Golf Club spoke out and said that the residents of Millwood had received emails concerning the variance and no one seemed to be opposed to the variance, even though there is a vacant lot along the farm road that has not even been developed yet. It appeared that only a couple of residents from Millwood (other than the sellers) came to the meeting. One of them spoke out and said she never received any notice of the variance and that she was also against it. Since then we have learned from several Millwood residents that they had not been informed of the hearing.

A new resident of Millwood Park just bought the house located directly across the street from where the hotel is proposed to be built. He explained that the appearance of the hotel as well as the traffic and all that goes with having a hotel would be a detriment to his newly purchased property. We totally agree with him.

If all of us are against this and the rezoning still takes place, what assurances can we ever have when buying property in Springfield? That would send a message that the residents of Springfield would not be able to count on our Planning Commission to help protect our existing zoning if this happens. It creates a "good ol' boy" appearance.

Michael MacPherson
Principal Planner
Dept. of Planning and Zoning
840 Boonville Avenue
PO Box 8368
Springfield, Missouri

June 27, 2012

My wife and I have lived at our current address, 3456 E Anne St. for ten years and have thoroughly enjoyed the location for many reasons just to name a few: quality of neighbors, proximity to shopping using James River and Hwy 65. The overall feeling of security and lack of traffic.

We realize that the property in question was zoned before we bought our home, but never anticipated it being developed in such a contrasting manor as the development of a five story Hotel, blocking our view, creating a constant flow of traffic and the possibility of hotel guess invading our streets while our young children are playing and many other changes as a result of the proposed zoning changes to accommodate a five story hotel, when there are so many other uses that the current zoning would accommodate i.e. office buildings for Doctors, Attorneys, Insurance and etc, and the possibilities are endless that would not bring all of the negative effects that rezoning and building a Hotel bring.

We respect the right to develop the property and are encouraged that the safe guards are in place to protect the developments that precede the purposed changes that would adversely effect the current established sub-division effecting so many individuals and most certainly reducing there investment in their homes that the economy has already done to some extent.

We urge you to do your job, and reject the current proposal, but do all you can to approve future application that would either be neutral or enhance (compliment) the pre established development.

Sincerely,

Tom Murray

Faye Murray

Tom & Faye Murray

June 26, 2012

Michael MacPherson
Principal Planner
Dept. of Planning and Zoning
840 Boonville Avenue
PO Box 8368
Springfield, Mo 65801

Mike:

We're writing to you to express our opposition to the proposed re-zoning of the land West of Millwood Park. Thank you in advance for taking the time to read our letter and for considering our point of view.

We are residents of Millwood Park and proudly report that our family was the first to occupy the subdivision. We take great pride in our neighborhood and are willing to fight to protect the safety of our family, friends and neighbors. The decision to make Millwood Park Subdivision our home was deliberate based on location, zoning and safety. If the zoning is altered and a 5-story Hampton Inn is built on that small plot of land, then the safety and privacy of our family is automatically compromised. We don't want to see our property values diminished because a high rise is allowed to be built in an area that it clearly does not belong. A hotel on that property is of no benefit for the residents of the area. The property could be better utilized with a retail center, restaurant, or medical offices- something the residents of the area could support and obtain benefit from.

In a recent meeting, the land surveyor proudly showed residents of Millwood Park a panoramic view of what guests of the Hampton Inn would see from the 4th and 5th floors. The picture is taken when the neighborhood is quiet, probably taken midday when the kids are in school and adults are at work. Even though you cannot see us, we are there and we are real people who love where we live. The Surveyor may have provided you with a copy of that same picture, but what you don't see in the picture are the evening football games in our front yard; you don't see the neighborhood kids riding bikes or decorating driveways with sidewalk chalk; you don't see the school bus that stops in clear view from the proposed hotel site dropping off the neighborhood children; you don't see the neighbors working in their yards; you don't see the retired folks taking their evening stroll. What Hampton Inn guests on the East side of the 4th and 5th floors would see is our family's front yard, our driveway, our garage and our front door. **Every hour of every day for as long as we live in our home our family would be under surveillance.** It's sickening to think strangers could have a birds-eye view of our children letting themselves into our home after school. Unseen predators would know when we leave the house or go for an early morning run. Unseen predators would know if our teenage

daughter is alone in the yard and they would see our young son walking his dog. Unseen predators could check into the Hampton Inn for a few days, case our house, know our family's routine, and cause harm to us, our children or our neighbors. For $106 per night guests get a free breakfast and steal our quality of life on their way out of town.

We understand there are a handful people with money and influence who stand to make a great deal of money if the rezoning of this particular property is approved, but please know there are so many more people who will lose their quality of life if that happens. Please make the decision that protects the human interests and not the financial interests of those involved. Please do not approve the re-zoning of this land. Please help us protect our family and our home.

When you go to your home tonight, please stand in your own driveway and look 200 feet away then up 5 stories. Wonder what it would be like to know 40 people could be watching you...And tomorrow another 40 people... And the next day another 40 people... For as long as you live in your home... Every single day another 40 sets of eyes on *your* kids, *your* grandkids, *your* family and *your* home. Please do not approve the re-zoning of this land.

Sincerely,

Karl and Lynda Quinn

June 26, 2012

Dear Springfield City Council Members,

The reason for writing this letter is because of the Hampton Inn that could be built. I am only 13 yrs old and don't feel very comfortable with a hotel right across the street from my neighborhood. What scares me the most is that you can see our front yard from the hotel. It would make me uncomfortable and scared to think that someone could see us get on/off the bus and would know when we were home. Also, guests staying at the hotel would be able to see me and my family come and go from our house. Alot of people in the neighborhood have talked about moving. It makes sad to think about this neighborhood slowly falling apart. I have many close friends here and wouldn't want those friendships to end. Please take my thoughts and feelings into consideration. Sincerely,

Elizabeth

Mr. Mike MacPherson,

As I write this letter I wonder what can be said to help you change your mind about the proposed Hampton Hotel. After watching the KOLR interview, it was obvious that your mind is pretty much made up.

I was walking last night and stopped at the corner of Anne St. and wondered what I would be looking at in the near future. Our neighborhood is unique in the fact that we all know each other. We know each others kids, their habits, their dogs names and sometimes what they had for dinner.

As a child growing up we played in our neighborhood until after dark without fear. That is what our neighborhood is like. We walk our dogs, walk with our grandchildren and go from house to house without fear of being watched.

Join us some evening, stand on our corner, meet our kids and wonder who will be watching from the 5th floor of the Hampton

Donna Appleby
3451 E. Anne St
Ozark, MO 65721

Date: June 28, 2012

To: Springfield Zoning Commission

From: Dr. Larry H. & Nancy Roberts

Subject: Changes in zoning in property across from Meadowview Park

I want to thank the zoning commission for taking a moment to examine Nancy's and my concerns on potential changes in the zoning of property across from Meadowview Park. Unfortunately we will be unable to attend zoning meeting due to a previous commitment.

There are several concerns we would like to bring to your attention that have a direct bearing upon the present and future practicability of the construction of a hotel across from the Meadowview Park entrance.

- It is our understanding that the property would have to be rezoned to accommodate the hotel construction. This rezoning change in mid-stream would not only devalue property in the area now and the future, it would also illustrate to Springfield citizens that loyalty to them is subservient to outside business interests. Perhaps we now live in an era where loyalty to the citizens of our community no longer means much, that business is business from Wall Street to locally changing the rules to suit the interests of the few would be the new imperative.
- The traffic pattern for the whole area will change significantly creating a much higher flow of traffic in a residential area with a significant number of children. The safety of these children will be negatively impacted both from the stand point of automobile traffic but also pedestrian travel from the hotel in question. Joggers and walkers will have only two routes either Meadowview Park or Meadowview Country Club!
- Several years ago someone build a wonderful Hilton Hotel on the North side of town close to I-44, it was very impressive. IT WAS the HILTON what else could it have been but great! It started to go downhill, changed its name and continued to go downhill, will that happen here, most likely! There are many such cases in the history of the hotel business in the Springfield area.
- Short term potential benefits should never outweigh long term impact. We see no long term benefit for our Springfield community with a hotel being built. Projected negative factors will continue to grow expanding to encompass the entire property area not only with the hotel construction site but south of it.
- Property values will continue to decrease not because of the housing economy but due to the further eroding of values do to the hotel as well as other marginal business that the hotel will attract for the short term.

I want to thank the Zoning Commission for their consideration concerning the proposed changes in the zoning process. I humbly request that the commission rule in favor of the citizens of Meadowview Park and the Meadowview Country Club area to do otherwise would devastate the residential environment.

I would like to request that the commission read into or attach my letter of concern to the official minutes.

Dr. Larry H. & Nancy Roberts

6520 Meadowview Dr.

Ozark, Missouri 65721

Although we are legal residence of the City of Springfield, Missouri our address mailing address is in Ozark, Missouri.

Sincerely,

Larry H. Roberts

Nancy Roberts

6464 Meadowview Ave
Ozark, Mo 65721
(301) 641-1077

June 26, 2012

Dear Sirs

I am writing this letter to voice strong opposition to the proposal to change the zoning guidelines for property adjacent to our subdivision, Millwood Park. We retired and moved to the Springfield area in 2007 because of the country atmosphere and quality of life.

We now understand that an individual wants to change the zoning restriction to allow for a 5-story Hampton Inn to be built just outside our subdivision entrance. We strongly feel that this is an inappropriate site for such a tall structure overlooking our homes. With the transient nature of this business we are very apprehensive with regard to increased traffic and unknown guests who could end up in our neighborhood.

We have 3 young granddaughters who visit us and having this structure in the area would be of concern to us with regard to potential hazards emanating from this building.

In addition we are very concerned about the effect a property values having a 5 story building placed at this property.

Again, we are in total opposition to any change in zoning for this site

Thomas J. Hunter
Kathy A. Hunter
Elvira Lipson Kilroy

July 2, 2012

Springfield Planning and Zoning Commission
C/o Mr. Mike MacPherson, Principal Planner
Planning and Development
P.O. Box 8368
Springfield, Missouri 65801

In regard to PD340

Mr. MacPherson and Members of the Zoning Commission:

My husband and I purchased our home located at 3419 E. Anne in Millwood Park, April 2003. When we purchased our home we did so with the knowledge of the commercial zoning on the west side of Farmers Branch. We felt comfortable with the zoning, knowing that our Greene County Planning and Zoning Commission and our City Council had approved zoning that was and would be protective of our investment.

We are opposed to the rezoning of PD 201. Allowing a rezoning would be detrimental to our neighborhood by devaluation of our property, privacy, safety and our quality of life.

Please say no to the rezoning of PD 201.

Respectfully,

Wayne and Mitzy Bolin
3419 E. Anne St., Ozark, Mo

AREA PROTEST

TO THE CITY COUNCIL OF THE CITY OF SPRINGFIELD MISSOURI:

Please take notice that the undersigned, being residents or property owners in the vicinityof the property or district proposed to be rezoned by the Planning and Zoning Commission Case No. 340, Council Bill No. _____, do protest and object to said proposed rezoning.

Name	Address
Nancy Davis	3420 Anne St. Ozark, Mo
Robert L Davis	3420 Anne St. Ozark, Mo
Nancy Cooper	3427 E Anne St, Ozark, Mo
Melvin L. Cooper	3427 E. ANNE ST., Ozark, Mo
Jerry Wofford	6416 Meadowview Ave Ozark, Mo
Brooke Wofford	6416 Meadowview Ozark, Mo
Marilyn Estes	3467 E. Anne St, Ozark, Mo
John Templeton	3365 E. Bluff Point Dr. Ozark, Mo
Lou Ryan	3459 E. Anne St Ozark, Mo
[illegible]	3365 E BLUFF POINT DR OZARK
[illegible]	3459 E Anne Ozark, mo
Steven M. Grigsby	3451 E Anne OZARK, MO
Julie L. Whitt	6512 S. Meadowview Ozark, MO
Spencer A. Appleby	3451 E. Anne St. Ozark MO
[illegible]	3438 E. ANNE St. Ozark, MO
Sybil White	6512 S Meadowview Ozark MO
Larry Madden	6426 S Meadowview Ozark, Mo
Robert Weber	6426 S. Meadowview Ozark, Mo
Tracy Meyer	6432 S. Meadowview Dr. Mo
[illegible]	6432 S. Meadowview Ave.
Thomas J. Hudson	6464 S Meadowview Ave
Kathy D. Hudson	6464 S. Meadowview Ave.
Elyria Gipson Kilroy	6464 S. Meadowview Ave.
Melodie Clark	3429 E. Ladue
Carol Tolle	3428 E. Anne St
Lynda [illegible]	3438 E. ANNE ST
Tonya Murray	3456 E Anne St
Tonya Murray	3456 E Anne St 65721
Tonya Elliott	3429 E. Ladue Ozark, MO 65721
Barbara Myers	6448 Meadowview 65721
Stanley Myers	6448 Meadowview 65721
Kenneth Gray	3439 E ANNE ST 65721
Jamie Hagerman	" " "
Linda A Rossman	3443 E ANNE ST 65721
Sherry Rossman	" "

NANCY DAVIS – 3420 ANNE ST, OZARK, MO 65721
ROBERT L. DAVIS – 3420 ANNE ST, OZARK, MO 65721
NANCY GAYER – 3427 E ANNE ST, OZARK, MO 65721
MELVIN D. GAYER – 3427 E ANNE ST, OZARK, MO 65721
TERRY WOLFORD – 6416 MEADOWVIEW AVE, OZARK, MO 65721
BRENDA WOLFORD – 6416 E MEADOWVIEW, OAZRK, MO 65721
MARY ANN STRAUB – 3467 E ANNE ST, OZARK, MO 65721
JULIE TEMPLETON – 3365 E. BLUFF POINT DR (MILLWOOD), OZARK
LORI ROY – 3459 E. ANNE ST, OZARK, MO 65721
NIGEL TEMPLETON – 3365 E. BLUFF POINT (MILLWOOD) OZARK
CAMERON ROY – 3459 E ANNE ST, OZARK, MO 65721
STEVE M. APPLEBY – 3451 E ANNE ST, OZARK, MO 65721
JULIE A WHITT – 6512 S MEADOWVIEW, OZARK, MO
THERESA APPLEBY – 3451 E ANNET ST., OZARK, MO
KARL QUINN – 3438 E ANNE ST., OZARK, MO
BRANDON WHITT – 6512 S MEADOWVIEW, OZARK, MO
GARY M. WEBER – 6426 W MEADOWVIEW, OZARK, MO
JANET WEBER – 6426 S. MEADOWVIEW, OZARK, MO
TRACY MEYER – 6432 S MEADOWVIEW DR., OZARK, MO
LARRY MEYER – 6432 S. MEADOWVIEW AVE., OZARK, MO
THOMAS HUSTER – 6464 S. MEADOWVIEW AVE., OZARK, MO
KATHY D. HUSTER – 6464 S MEADOWVIEW AVE., OZARK, MO
ELVIRA UPSON KILROY – 6464 S MEADOWVIEW AVE., OZARK, MO
MELODY ELLIOTT – 3429 E. LADUE, OZARK, MO
CAROL ROLLINS – 3428 E. ANNE ST., OZARK, MO
LYNDA QUINN – 3438 E ANNE ST., OZARK, MO
FAYE MURRAY – 3456 E. ANNE ST., OZARK, MO
TOM MURRAY 3456 E. ANNE ST., OZARK, MO
FOREST ELLIOTT – 3429 E. LADUE, OZARK, MO 65721
BARBARA DYER – 6448 MEADOWVIEW, OZARK, MO 65721
STANLEY DYER – 6448 MEADOWVIEW, OZARK, MO 65721
ROBERT P HOLLEYMAN – 3439 E ANNE ST, OZARK, MO 65721
CAROL HOLLEYMAN – 3439 E ANNE ST., OZARK, MO 65721
CURTIS A AROSEMAN – 3443 E ANNE ST., OZARK, MO 65721
SHERRY ROSEMAN – 3443 E. ANNE ST., OZARK, MO 65721

AREA PROTEST

TO THE CITY COUNCIL OF THE CITY OF SPRINGFIELD MISSOURI:

Please take notice that the undersigned, being residents or property owners in the vicinityof the property or district proposed to be rezoned by the Planning and Zoning Commission Case No. 304, Council Bill No. _____, do protest and object to said proposed rezoning.

Name	Address
Omar Roz	6121 Meadowview Dr
Linda L Bourg	6217 Meadowview Dr.
Doyle R. Bourg	6217 Meadow View Dr
Catherine Clippard	6235 Meadowview Dr.
Nancy & Marty Hinds	6253 S Meadowview Dr.
Russell Hinds	6253 S Meadowview Dr
[illegible]	6286 Meadowview Dr
Shayne + Betty Brent	3366 E. Millwood DR
[illegible]	6126 S. San Rosa
Rick Hurlett	3430 E. Hunter Lane
Karen Hurlett	3430 E. Hunter Lane
Caroline Bond	3585 E. Hunter Lane
Kristie Mitchum	3585 E. Hunter Lane
[illegible]	3572 E. Hunter Lane
Denise R Moon	3572 E Hunter Lane
Bill [illegible]	3537 E. HUNTER LANE
Richard Bergmann	3581 E Hunter Lane, Ozark
[illegible]	3585 E HUNTER LANE OZARK

OMAR ROZ – 6121 MEADOWVIE DR.
LINDA L. BOURG – 6217 MEADOWVIEW DR
DALE R BOURG – 6217 MEADOWVIEW
CATHERINE CLIPPARD – 6235 MEADOWVIEW DR
NANCY HINDS – 6253 S MEADOWVIEW DR
RUSSELL HINDS – 6253 S MEADOWVIEW
J E DEANL – 6286 MEADOWVIEW DR
WAYNE AND BETTY BRENT – 3366 E MILLWOOD DR
DAVID LOSSE – 6126 S ROSA
RICH HUGHLETT – 3430 E HUNTER LANE
KAREN HUGHLETT – 3430 E HUNTER LANE
CAROLINE BOND – 3585 E HUNTER LANE
KRISTI MITCHUM – 3585 E HUNTER LANE
RANDALL MOORE – 3572 E HUNTER LANE
DENISE MOORE – 3572 E HUNTER LANE
BILL BERGMAN – 3537 E HUNTER LANE
BECKY BERGMAN – 3537 E HUNTER LANE, OZARK, MO
Russell Bond – 3585 E. Hunter Lane, Ozark, MO

AREA PROTEST

TO THE CITY COUNCIL OF THE CITY OF SPRINGFIELD MISSOURI:

Please take notice that the undersigned, being residents or property owners in the vicinityof the property or district proposed to be rezoned by the Planning and Zoning Commission Case No. _____, Council Bill No. _____, do protest and object to said proposed rezoning.

Name	Address
Delmar E. Anderson	3446 E Anne Ozark Mo 65721
Thelma L. Anderson	3446 E. Anne Ozark Mo. 65721
Jon Olson	3446 E Anne Ozark MO 65721
Cassie Olson	3446 E Anne Ozark MO 65721
CHARLES MURFIN	6102 S. SAN ROSA OZARK, MO 65721

AREA PROTEST

TO THE CITY COUNCIL OF THE CITY OF SPRINGFIELD MISSOURI:

Please take notice that the undersigned, being residents or property owners in the vicinityof the property or district proposed to be rezoned by the Planning and Zoning Commission Case No. 340, Council Bill No. _____, do protest and object to said proposed rezoning.

Name	Address
Debra A Simpson	6273 S. Evergreen Rd.
Bill Simpson	6273 S. Evergreen Rd

AREA PROTEST

TO THE CITY COUNCIL OF THE CITY OF SPRINGFIELD MISSOURI:

Please take notice that the undersigned, being residents or property owners in the vicinityof the property or district proposed to be rezoned by the Planning and Zoning Commission Case No. PD 340, Council Bill No. 78P, do protest and object to said proposed rezoning.

Name	Address
Sandy Woody	6348 Creekridge
Gary Woody	6348 Creekridge
[illegible]	6354 CREEKRIDGE

All of River Glen

AREA PROTEST

TO THE CITY COUNCIL OF THE CITY OF SPRINGFIELD MISSOURI:

Please take notice that the undersigned, being residents or property owners in the vicinityof the property or district proposed to be rezoned by the Planning and Zoning Commission Case No. 340, Council Bill No. _____, do protest and object to said proposed rezoning.

Name	Address
[signature]	6172 S. Riverglen Rd Ozark Mo 65721
[signature]	6229 S. RIVERGLEN OZARK MO
[signature]	6187 S. Riverglen Ozark MO 65721
[signature]	6315 Riverglen
[signature]	6329 S. Riverglen Rd
[signature]	6382 Riverglen
[signature]	6368 Riverglen

AREA PROTEST

TO THE CITY COUNCIL OF THE CITY OF SPRINGFIELD MISSOURI:

Please take notice that the undersigned, being residents or property owners in the vicinityof the property or district proposed to be rezoned by the Planning and Zoning Commission Case No. 3515, Council Bill No. _____, do protest and object to said proposed rezoning.

Name	Address
Mike Kelly	6207 S. Blatridge Ozark, Mo

AREA PROTEST

TO THE CITY COUNCIL OF THE CITY OF SPRINGFIELD MISSOURI:

Please take notice that the undersigned, being residents or property owners in the vicinityof the property or district proposed to be rezoned by the Planning and Zoning Commission Case No. 340, Council Bill No. _____, do protest and object to said proposed rezoning.

Name	Address
Rose M. McDonald	6254 S. Woodside Cir, Ozark, Mo 65721
James E. McDonald	6254 S. Woodside Circle, Ozark 65721
[illegible]	6223 S. Woodside Cir. Ozark, Mo. 65721
Mark & Mary	3464 E. Millwood Dr. Ozark 65721
Wayne Foote & Janice	6309 S. Stone Ridge Cir Ozark MO
[illegible]	6204 S Bluff Ridge Rd Ozark MO 65721
Maria Della Rosa	6152 S. Bluff Ridge Rd Ozark MO 65721

AREA PROTEST

TO THE CITY COUNCIL OF THE CITY OF SPRINGFIELD MISSOURI:

Please take notice that the undersigned, being residents or property owners in the vicinityof the property or district proposed to be rezoned by the Planning and Zoning Commission Case No. 340, Council Bill No. ____, do protest and object to said proposed rezoning.

Name	Address
Natalie Caudwell	3351 E. Bluff Point 65721
Jessica Dahl	3417 E Bluff Point
[illegible]	3431 E. [illegible]
Peggy Thomas	3402 E. Bluff Point 65724
Kelly Polino	3354 E. Bluff Pt. Dr 65721

AREA PROTEST

TO THE CITY COUNCIL OF THE CITY OF SPRINGFIELD MISSOURI:

Please take notice that the undersigned, being residents or property owners in the vicinityof the property or district proposed to be rezoned by the Planning and Zoning Commission Case No. 340, Council Bill No. _____, do protest and object to said proposed rezoning.

Name	Address
[illegible]	6520 Meadowview Dr. Ozark, Mo.
[illegible] E. ROBERTS	6520 S. MEADOWVIEW, OZARK, MO
[illegible] Paul Cyrus	6440 S. MEADOWVIEW AV. OZARK, MO
Donna M. Cyrus	6440 S. Meadowview Ozark,
Greg Ashlock	6504 S. Meadowview Dr. Ozark MO
Julia J Ashlock	6504 S Meadow View Dr. Ozark MO
[illegible]	6456 S. Meadowview Ave, Ozark MO
Stephanie Jones	3439 E Ladue St Ozark Mo 65721
[illegible]	3439 E Ladue Ozark, MO,
[illegible] PC Nelson	6456 S Meadowview Ave, Ozark MO.
[illegible]	3455 E. LADUE Ozark, MO
Brooke Adkins	3455 E Ladue Ozark, MO

Goddard, Sandy

From: MacPherson, Mike
Sent: Monday, July 09, 2012 3:10 PM
To: Goddard, Sandy
Subject: FW: Proposed Hotel Construction on Farmers Branch and Anne Street

Here is another.

From: Carol Rollins [mailto:carol@rollinsappraisal.net]
Sent: Monday, July 09, 2012 3:09 PM
To: MacPherson, Mike
Subject: RE: Proposed Hotel Construction on Farmers Branch and Anne Street

To: Mike MacPherson

RE: Proposed 5 story hotel construction at Farmer's Branch and Anne Street

Dear Mr. MacPherson,

I am writing in regards to the proposed 5 story hotel construction at Farmer's Branch and Anne Street. We have lived on Anne Street for the past 9 years and although, we were aware that the

Area on Farmer's Branch was commercially zoned, we had no idea that there could be a structure as large and as intrusive as this proposal. I have 3 children that I have watched over the years play

With neighborhood children along the street and great friendships have been bound in the neighborhood. Now we are in fear that a larger than originally zoned density commercial property could be

Built less than a block away. This structure will take away any privacy we have in our front and back yards. In addition we fear that the lighting will intrude our yards all evening. My children

Will loose any freedom they now limitedly have due to the transient nature of the hotel. As, a residential appraiser, I realize the property values will be effected as well, along with a lower market

acceptance. I am not aware of insurance liabilities, but in this difficult economy would not welcome any increases in costs of maintaining my property.

Thank you for your consideration and I pray that this can be resolved to the best decision involving our neighborhood.

Sincerely,

Carol J. Rollins
3428 E. Anne Street
Ozark, MO 65721

July 7, 2012

Mr. Mike MacPherson
Senior Planner
City of Springfield

Ms. Brenda Cirtin
City Clerk
City of Springfield

To whom it may concern:

Please find attached signatures of property owners in close proximity to PD 340, one of the issues before you.
A six million dollar project that will create 40 new jobs is one more step forward to continue financial viability for our community.
As a current Council member recently stated (relative to a separate issue), it is the "multiplier effect."

Respectfully submitted,

Sharon K. Hays	3446 E. Ladue
Jack L. Hays	3446 E Ladue
	3439 E Ladue
Stephen Jungers	3439 E. Ladue St.

July 7, 2012

Mr. Mike MacPherson
Senior Planner
City of Springfield

Ms. Brenda Cirtin
City Clerk
City of Springfield

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Respectfully submitted,

Sara Ray, 3438 E. Ladue, Millwood Park
SouthGate Homes Inc., 6467 S. Meadowview, Millwood Park
SouthGate Homes Inc., 6505 S. Meadowview, Millwood Park
SouthGate Homes Inc., 3823 E. Knollwood, Millwood
SouthGate Homes Inc., 6121 S. San Rosa, Millwood

Sara Ray Trust
Sara Ray, Pres. SG Homes, Inc.
7/7/12

July 6, 2012

Mr. Mike MacPherson, Senior Planner
City Planning and Zoning Commission
City Council
Springfield, Missouri

To whom it may concern:

We are residents of the Millwood Subdivision in the closest proximity to the proposed Hotel, also known as PD 340.

We support this project and our community progress.

Sincerely,

Goddard, Sandy

From: MacPherson, Mike
Sent: Tuesday, July 10, 2012 12:06 PM
To: Goddard, Sandy
Subject: FW: Farmers Branch

For Commission and website please.
Mike Mac

From: Terry Wolford [mailto:twolford@swtrucks.com]
Sent: Tuesday, July 10, 2012 11:43 AM
To: MacPherson, Mike
Cc: brendawolf@hotmail.com
Subject: Farmers Branch

Dear Michael MacPherson,

My Wife and I would like to express our concerns about the damage to our Neighborhood and surrounding Community that Rezoning PD201 would create. We believe that this location is the wrong location for such a tall structure. We strongly oppose Planned Development 340.

Terry & Brenda Wolford
6416 Meadowview
Ozark, Mo. 65721

Sparlin, Michael

From: MacPherson, Mike
Sent: Wednesday, July 11, 2012 3:07 PM
To: Goddard, Sandy
Cc: Sparlin, Michael; 'martin@murney.com'
Subject: FW: Re-zoning on Farmer's Branch Road

Please forward to Commission and place on website attached to PD 340 report

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From: Rebecca J. Martin [mailto:rmartin@murney.com]
Sent: Wednesday, July 11, 2012 3:00 PM
To: MacPherson, Mike
Subject: Re-zoning on Farmer's Branch Road

Rebecca Martin
3909 E. Knollwood
Ozark, MO 65721

To whom it may concern,

I am writing today to express my concern in regards to the possible re-zoning of Farmer's Branch Road just South of Millwood Golf & Racquet Club. I understand that a couple of meetings have been held for the benefit of Millwood Property Owner's. However, we were not made aware of the first meeting and were notified of the second meeting a few hours before it took place.

My husband and I have lived in Millwood for the past 15 years. We were aware that the land on Farmer's Branch was zoned commercial which makes sense due to its proximity to Highway 65. I was very surprised to hear that there is a possibility of a hotel in the area. The current traffic condition is not good and I can only imagine how much worse it would be with 100+ extra cars each day. It is not uncommon to have to wait for 3 or four cars each morning and afternoon at the 4 way stop at the front entrance to our neighborhood. How much time will be added to my commute to my office each day with the extra traffic that the hotel would bring. The infrastructure simply isn't there to support such a business. The addition of a turning lane will only help in one direction.

I understand that development is inevitable. However, I think there are other options for what the land could be used for. A bank, doctors office, insurance agency, etc. The hotel would have 100 rooms and employ roughly 40 people. There would be no benefit to the property owners around the property. The hotel would serve people traveling through or going to the hospital of course. The other options are businesses that the surrounding area could benefit from. Also the hotel is a 24 hour business and other businesses would be weekday's 8:00 am to 5:00 pm.

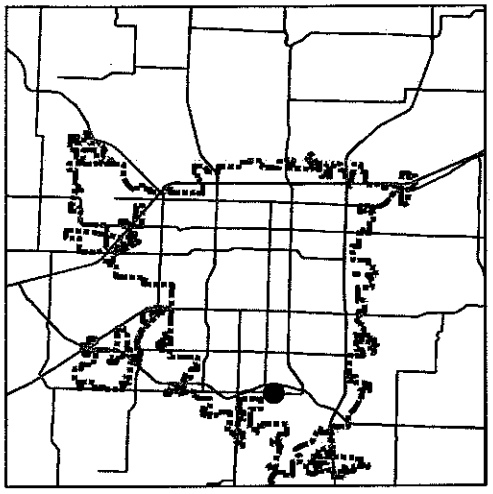
I am a Residential Realtor with Murney Associates. I definitely understand development but I also know how such development can impact property values. If the area is used for things like I listed above I think we would be relatively unaffected. If the hotel goes in, I think there could be a drop in property values. The hotel will look nice when it is first built. However, how about 5-10 years from now? Many hotels are not property maintained and after a few years start to show their age. At that time it would probably not still be a Hampton Inn but some other lesser quality hotel. We have watched this happen all over Springfield in the past few years. I simply want the development to be handled in such a way that it blends with the area around it. This is better for all the parties involved and is certainly better for the future of our area.

Sincerely,

Rebecca J. Martin, GRI, CRS

Murney Associates, Realtors
1625 E. Primrose
Springfield, MO 65804
417-823-2300 office
417-838-7681- mobile
417-823-9645 fax

E mail- **rmartin@murney.com**
Website- **rebeccamartinhomes.com**



Zoning & Subdivision Report

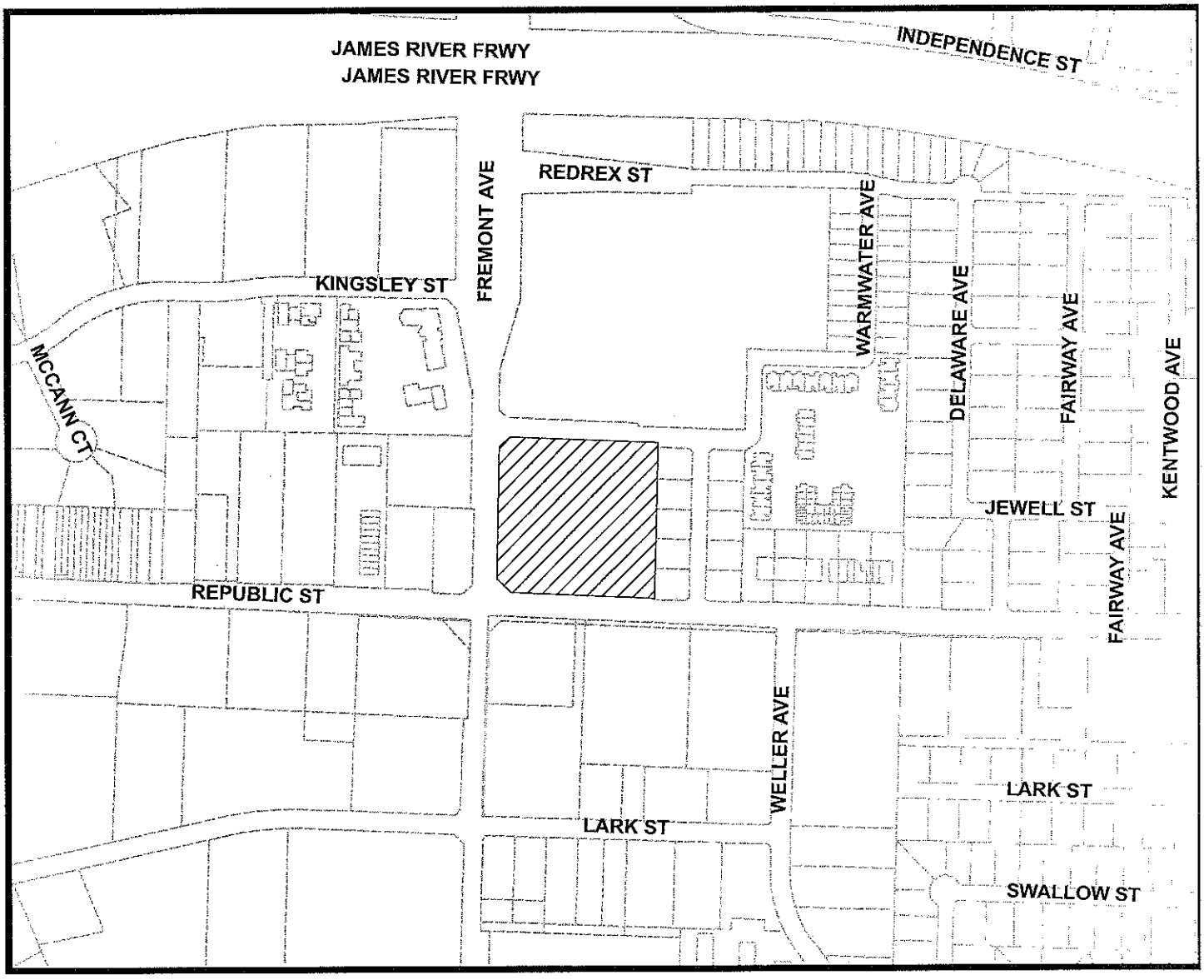
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Preliminary Plat of Arvest Corners

Location: 4140 South Fremont Avenue

Current Zoning: HC, Highway Commercial District

LOCATION SKETCH



N

- Area of Proposal

0 250 500 1,000 1,500 Feet

1 inch = 500 feet

Zoning & Subdivision Report

Planning & Development Department ~ 417/864-1611
840 Boonville Avenue ~ Springfield, Missouri 65802

PRELIMINARY PLAT – ARVEST CORNERS

DATE: July 2, 2012

PURPOSE: To approve a preliminary plat to subdivide 5.52 acres into a two (2) lot commercial subdivision, including one subdivision variance.

BACKGROUND:

LOCATION: 4140 South Fremont Avenue

APPLICANT: Arvest Bank

TRACT SIZE: Approximately 5.52 Acres

EXISTING USE: undeveloped land

PROPOSED USE: Uses permitted in the HC, Highway Commercial District

RECOMMENDATION:

The request be **approved**, provided that Planning and Zoning Commission finds that the standards for subdivision variance approval have been met and, if approved, the conditions listed below shall govern and control the subdivision of the land shown on Exhibit A. If Planning and Zoning Commission finds that the standards for subdivision variance approval have **not** been met, the plat needs to be revised.

FINDINGS:

1. The applicant's proposal, with the conditions listed below, is consistent with the City's Subdivision Regulations.

CONDITIONS:

1. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street,

sidewalk and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.

a. Stormwater detention shall be provided for on each lot at the time of development.

2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.

   a. Five (5) feet of additional right-of-way shall be dedicated for Republic Road as shown on the Preliminary Plat.

   b. A modified right-of-way triangle shall be dedicated at the intersection of Fremont Avenue and Republic Road as shown on the Preliminary Plat.

   c. Access shall be restricted to Fremont Avenue and Republic Road as shown on the Preliminary Plat.

3. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.

4. The developer shall be responsible for the relocation costs of any existing utility services and shall be responsible for clearing all utility easements of trees, brush and overhanging tree limbs.

5. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations.

If the request is recommended for denial by the Commission and the applicant requests City Council consideration, all the above conditions, plus any amendments made by the Planning and Zoning Commission, shall be included in the Council Bill.

STAFF CONTACT PERSON:

Alana D. Owen, AICP
Senior Planner

ATTACHMENT A
BACKGROUND REPORT
PRELIMINARY PLAT – ARVEST CORNERS

APPLICANT'S PROPOSAL:

The applicant proposes to subdivide approximately 5.52 acres into a two (2) lot commercial subdivision.

CITY UTILITIES COMMENTS:

The revised plat with the easements shown is acceptable to City Utilities.

TRAFFIC DIVISION COMMENTS:

The proposed preliminary plat is acceptable.

STORMWATER COMMENTS:

There are no stormwater issues with the proposed Preliminary Plat.

SANITARY SEWER COMMENTS:

The Preliminary Plat is acceptable.

FIRE DEPARTMENT COMMENTS:

No issues from the Fire Department regarding the proposed Preliminary Plat.

BUILDING DEVELOPMENT SERVICES:

Preliminary Plat is acceptable to Building Development Services.

STAFF COMMENTS:

1. The applicant's proposal is consistent with the City's *Subdivision Regulations* if the requested Subdivision Variance is approved. If approved, the preliminary plat will be active for two (2) years. All City Departments support the proposed subdivision as shown with conditions.

ATTACHMENT B
APPROVAL CRITERIA
PRELIMINARY PLAT – ARVEST CORNERS

The applicant is requesting a subdivision variance from Section 401(1) of the Subdivision Regulations which establishes the required right-of-way triangles at street intersections based on the classification of the streets. The applicant is requesting a variance to modify the required right-of-way triangle at the intersection of Fremont Avenue and Republic Road. Fremont Avenue is classified as a Secondary Arterial and Republic Road is a Primary Arterial. Based on the street classifications, a one-hundred (100) foot by one-hundred (100) foot right-of-way triangle is required at the intersection. The applicant is providing a modified right-of-way triangle as shown on the Preliminary Plat.

Section 106 of the Subdivision Regulations states in part:

Conditions of Variance Approval. No variance shall be granted unless it is found that:

(a) There are special and unusual circumstances affecting said property such that the strict application of the provisions of this Article would deprive the owner of the reasonable use of his land and is not the mere granting of a privilege, and

APPLICANT'S RESPONSE:

The intersection of Republic and Fremont has been recently improved. The City of Springfield took right-of-way from the intersection sufficient to construct the intersection. The right-of-way requirements are for a one-hundred (100) foot by one-hundred (100) foot triangle. This would prohibit significant development along the corner. Arvest Bank is currently under construction based on the right-of-way shown on the Preliminary Plat. This was approved by the Administrative Review Committee.

(b) The variance is necessary for the preservation and enjoyment of a substantial property right of the owner, and

APPLICANT'S RESPONSE:

This variance allows the site to be developed closer to the recently constructed intersection. This land was not needed by the Public Works Department to provide the recently constructed intersection.

(c) The granting of the variance would not be detrimental to the public safety, convenience or welfare or be injurious to other property in the vicinity.

APPLICANT'S RESPONSE:

The intersection construction has been completed. The City does not have any current plans to widen or further improve the intersection.

The Planning and Zoning Commission must first decide if all of these conditions are met before this variance can be approved.

PRELIMINARY PLAT
ARVEST CORNERS
ARVEST BANK
SPRINGFIELD, GREENE COUNTY, MISSOURI

recorder's information

OWNER/DEVELOPER
ARVEST BANK
75 N EAST AVENUE
FAYETTEVILLE, AR 72701

ALL UTILITIES TO BE PROVIDED BY:
CITY UTILITIES OF SPRINGFIELD
301 E. CENTRAL
SPRINGFIELD, MO 65802
(417)863-9000

(IN FEET)
1 inch = 40 ft.

BASIS OF BEARINGS:
BEARINGS ARE GRID NORTH BASED ON FINAL PLAT OF COPPERSTONE SQUARE SUBDIVISION

BUILDING SETBACKS:

Current Zoning	HC – Highway Commercial
Proposed Zoning	HC – Highway Commercial
Front	25'
Rear	0'
Side	0'

LOT INFORMATION:
Total Acreage – 5.52 Acres

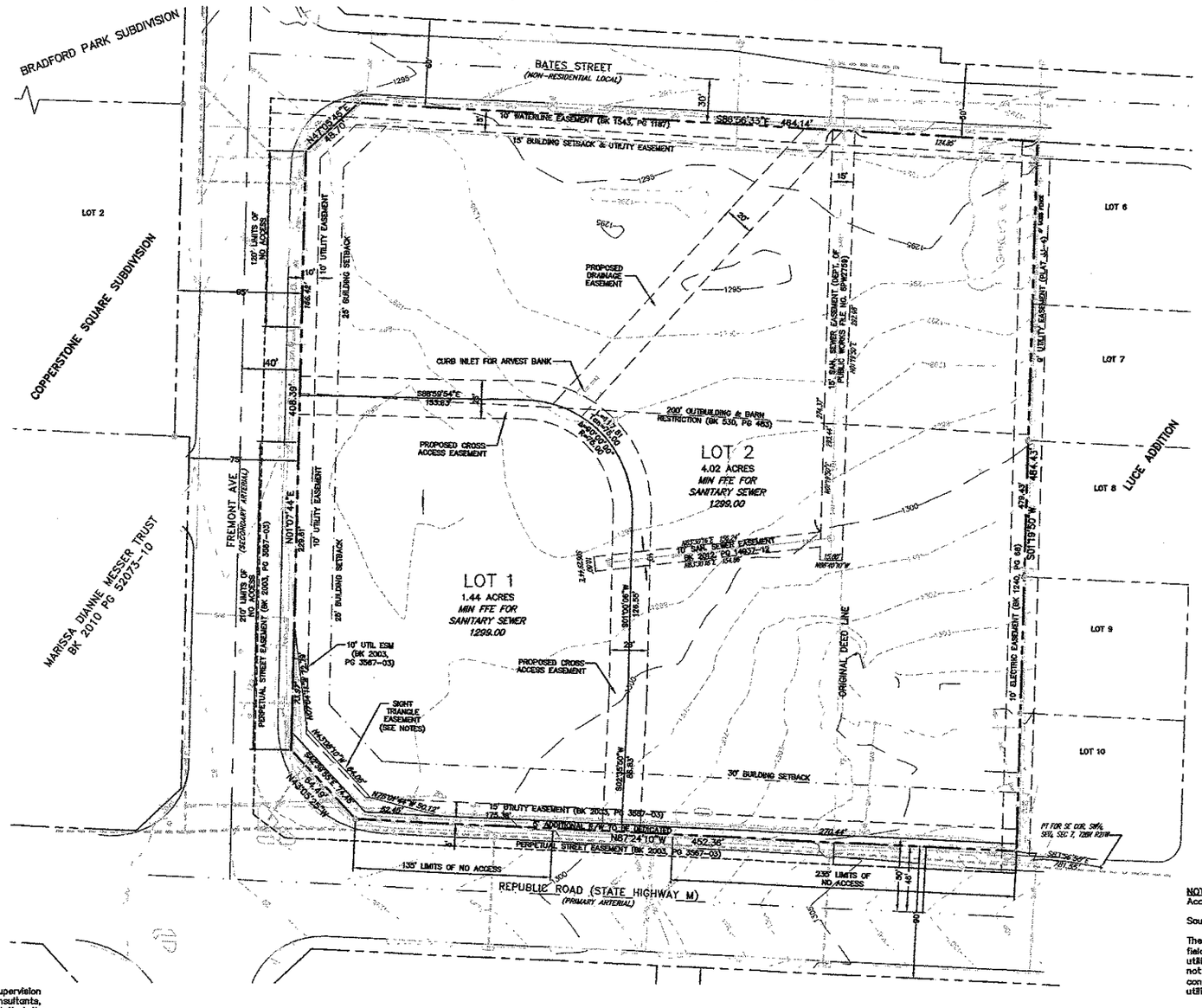
Total Lots –	2
Largest Lot	2 – 4.02 Acres
Smallest Lot	1 – 1.44 Acres

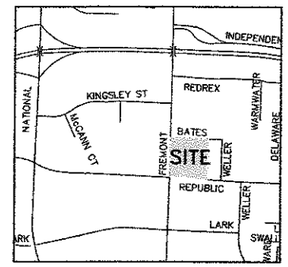
FLOOD NOTE:
This property lies in Flood Zone "X" (areas determined to be outside the 0.2% annual chance floodplain) according to Flood Insurance Rate Map Community Panel 29077C 0344 E, effective December 17, 2010.

BENCHMARK DATA:
Contour Interval = 1'. Elevations hereon are based on the rim elevation of Storm Sewer Inlet on the north side of Republic Road as shown on City Utilities plan at Station 10+30.

STORMWATER NOTE:
Stormwater will be provided on each lot at the time of development.

SIGHT TRIANGLE EASEMENT NOTE:
No landscaping greater than two (2) feet in height shall be allowed in the sight triangle easement at Republic Road and Fremont.





VICINITY MAP
NOT TO SCALE

LEGEND

- FOUND IRON PIN (⅝" IP UNLESS OTHERWISE NOTED)
- SET ⅝" IRON PIN STAMPED "LSC 2009028050"
- R/W MARKER
- BOUNDARY LINE
- R/W LINE
- EASEMENT LINE
- SETBACK LINE
- (M) MEASURED
- PLAT
- DEED
- RECORD
- LIGHT POLE
- SANITARY SEWER MANHOLE
- SANITARY SEWER CLEANOUT
- SANITARY SEWER LINE
- UTILITY POLE
- ELECTRIC METER
- OVERHEAD ELECTRIC
- UNDERGROUND ELECTRIC
- GUY WIRE
- TELEPHONE/COMMUNICATION MANHOLE
- TELEPHONE PEDESTAL
- PHONE/COMMUNICATION LINE
- FIBER OPTIC LINE
- WATER VALVE
- WATER METER
- WATER LINE
- FIRE HYDRANT
- GAS VALVE
- GAS METER
- GAS LINE
- FENCE LINE (AS NOTED)
- ROAD SIGN (STOP, SPEED LIMIT, ETC)

ABBREVIATIONS:

XFMR	TRANSFORMER
ICV	IRRIGATION CONTROL VALVE
CI	STORMWATER CURB INLET

MISSOURI ONE CALL SYSTEM, INC. 1-800-344-7483 STOP! CALL BEFORE YOU DIG!

SURVEYOR'S CERTIFICATE:
Know All Men By These Presents:

That I, Don Ray Berry, do hereby certify that this plat was prepared under my supervision from an actual survey of the land herein described, prepared by Development Consultants, Inc., dated November 15, 2010 and signed by Allen J. Young, LS 2004001337 and that the corner monuments and lot corner pins shown as set herein were placed under my personal supervision in accordance with the Missouri Minimum Standards for Property Boundary Surveys and Section 410.5 of the Subdivision Regulations, Article II, of the City of Springfield, Greene County, Missouri.

DATE PREPARED _____

SIGNATURE _____
DON RAY BERRY, P.L.S.
MISSOURI L.S. NO. 2004017829

PROPERTY DESCRIPTION:
Commencing at the Southeast corner of the Southwest Quarter of the Southeast Quarter of Section 7, Township 28 North, Range 21 West; thence N 83°56'50" W a distance of 781.55 feet to a point on the Current Northerly Right of Way of Republic Road (per Right of Way Deed at Bk 2003, Pg 3567-03), said point also being on the Westerly line of Lot 10 of Luce Addition at a distance of 2.67 feet North of the Southwest corner of said Lot 10, for the Point of beginning; thence S 01°19'50" W along the Westerly line of said Luce Addition, a distance of 15.00 feet to the Old Northerly Right of Way of Republic Road; thence N 87°24'09" W along the said Old Northerly Right of Way line of Republic Road, a distance of 522.31 feet to the Old Easterly Right of Way of Fremont Avenue; thence N 01°07'44" E along said Old Easterly Right of Way of Fremont Avenue, a distance of 503.69 feet to the Southerly Right of Way of Bates Street; thence S 86°56'33" E along said Southerly Right of Way of Bates Street, a distance of 524.19 feet to the Westerly line of Luce Addition; thence S 01°19'50" W along the said Westerly line of Luce Addition, a distance of 484.43 feet to the point of beginning, all in Greene County, Missouri. Less and except any part taken, used or deeded for road purposes.

NOTES:
Accuracy Standard: TYPE Urban Property

Source of Title: Book 2011, Page 1001-11

The utilities shown were compiled from existing mapping from City Services, field locates, and from other mapping/plans such as highway plans. The utilities shown are only to the extent of the available mapping and may not represent all utilities on site. Any particular areas that become of concern during design/planning should be researched further. All buried utilities shown are approximate only.

LEE Engineering & Associates, L.L.C.
2101 W. Chesterfield Blvd,
Suite C202
Springfield, MO 65807
417-886-9100 (phone)
417-886-9336 (fax)
Missouri State Certificate of Authority Engineering #2009021044 Land Surveying #2009028050
dlee@leeengineering.biz
"Engineering with Integrity"

DWG: Arvest Preliminary Plat.dwg
DATE: 06/21/2012
PROJECT NO.: 123

PRELIMINARY PLAT for ARVEST BANK

SECTION 7, TOWNSHIP 28N, RANGE 21W SPRINGFIELD, GREENE COUNTY, MISSOURI

SURVEY BY TSS	DESIGN DRB	SCALES	SHEET 1
FIELD BK	DRAWN TSS	HOR. 1"=40'	OF 1 SHEETS
LEVEL BK	CHECKED LEE	VERT. N/A	FILE NO.