

1. Meeting Agenda (PDF)

Documents: [11-01-2012 MINUTES \(PDF\).PDF](#)

2. October 4, 2012 Minutes (PDF)

Documents: [OCTOBER 4, 2012 \(PDF\).PDF](#)

3. October 18, 2012 Minutes (PDF)

Documents: [OCTOBER 18, 2012 \(PDF\).PDF](#)

4. Relinquish Easement 785 (PDF)

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5. Relinquish Easement 786 (PDF)

Documents: [RELINQUISH EASEMENT 786 \(PDF\).PDF](#)

6. PD 84 And PD 84 2nd, Amended, Final Development Plan (PDF)

Documents: [PD 84 AND PD 84 2ND, AMENDED, FINAL DEVELOPMENT PLAN \(PDF\).PDF](#)

7. Subdivision Variance No. 340 (PDF)

Documents: [SUBDIVISION VARIANCE NO. 340 \(PDF\).PDF](#)

8. Z-14-2012 (PDF)

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9. Z-16-2012 (PDF)

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10. Pawn Shop Amendments (PDF)

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11. COM, Commercial Street District (PDF)

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12. Capital Improvements Program (PDF)

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13. Major Thoroughfare Plan Amendment (PDF)

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MINUTES OF THE PLANNING AND ZONING COMMISSION

DATE: November 1, 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); Matt Edwards (Vice-Chair), Tom Baird, Jim Hansen, Jason Ray and Phil Young; Ralph Rognstad, Director of Planning & Development; Michael MacPherson, Principal Planner; Thomas Rykowski, City Attorney; Ann Razer, Principal Planner; Dawne Gardner, Transportation Planner, Public Works; Cody Marshall, Professional Engineer, Public Works; Sandy Goddard, Administrative Assistant; Absent: Jay McClelland, King Coltrin, and Gloria Roling.

ROLL CALL:

APPROVAL OF MINUTES: The minutes of October 4, 2012 and October 18, 2012 were approved unanimously.

COMMUNICATIONS: None.

CONSENT ITEMS:

1. Relinquish Easement 785 AGI Acquisition IV, LLC
(1220 E. Republic Road)
2. Relinquish Easement 786 Battlefield Plaza, LLC
(313 East Republic Road)
3. PD 84 & PD 84 2nd, Amended, Final Development Plan Missouri CVS Pharmacy, LLC
(1220 East Republic Road)
4. Subdivision Variance No. 340 Jewell Schweitzer & Jack Frederick Family Trust
(South side 2100 block East Sunshine)

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

HEARINGS:

5. Z-14-2012 Springfield Underground, Inc.
(3610 East Kearney)

Mr. MacPherson said the purpose of this request is to rezone approximately sixty-seven (67) acres of property generally located at the 3610 E Kearney from Planned Development 229 amended, to a HM, Heavy Manufacturing District. This rezoning will allow the proposed surface to be used for manufacturing, warehousing, and production of asphalt-based materials, and for continued industrial development. The applicant held a neighborhood meeting on October 6, 2012, and there were no objections voiced at the meeting, nor has staff received any objections to the case. The applicant is in the process of working out a cost sharing agreement with Public Works for street

improvements on Le Compte Avenue to support the development. As this moves forward through Council the two bills will be joined together and at the time they are finished at Council, staff anticipates that the cost sharing agreement ordinance and the zoning case will be heard concurrently. Finding for staff recommendation are the request is consistent with the recommendations of the Comprehensive Plan, which identifies this area as an appropriate location for light industrial, office and warehousing use. The proposed zoning is consistent with surrounding non-residential uses and zoning along E. Kearney Street and Le Compte Avenue. The applicant and City will enter into a cost-sharing agreement to fund improvements to Le Compte Avenue and the proposed condition will provide for significant infrastructure improvement on Le Compte Avenue to serve the subject property and staff recommends approval of the case.

Mr. Lawhon opened the public hearing.

Mr. James Jeffries, Lathrop and Gage, 1845 S National, stated he is representing Springfield Underground and is available for questions.

Mr. Lawhon closed the public hearing.

Mr. Edwards motioned to approve Z-14-2012. Mr. Ray seconded the motion. The motion carried as follows: Ayes: Lawhon, Edwards, Baird, Ray, Young and Hansen. Nays: None. Abstain: None. Absent: McClelland, Coltrin, and Roling.

6. Z-16-2012
(510 & 514 West Mt Vernon Street)

Grace Assembly of God of Springfield

Mr. MacPherson stated the purpose of this request is to rezone approximately three-tenths (.30) of an acre of property generally located at 510 and 514 W. Mount Vernon from an R-LD, Residential Low Density District to a CC, Center City District. The property adjacent to the Grace Assembly of God Church is to be used for additional parking. The lot will be combined as part of the process and all the property will be zoned CC, Center City. There would be conditions associated with the zoning and the applicant is aware of that and if these conditions, if approved, the new zoning would not be effective till the lots are combined into one (1) lot. If the conditions are not complete within one year from City Council's approval, then that approval is null and void and the zoning will remain R-LD, Residential Low Density. The applicant held a meeting on October 6, 2012, and there were no objections stated at the meeting to the proposal nor has Staff received any objections with regard to this particular case. Findings for Staff recommendation are as follows; churches are a permitted use in all zoning districts and the zoning classification change and the lot combinations will result in Center City zoning for all of the property. Staff is recommending approval of the request.

Mr. Hansen asked if this request is rezoned to Center City, can it be built on out to Center City setbacks.

Mr. MacPherson said yes, but to bear in mind that they will have to meet bufferyard requirements between the Center City Zoning District and the Residential District. The intent is not to build on to the church, but rather use one of the lots for parking at this current time and one of the houses will be used for a rectory or other similar church features as an accessory use for the time being.

Mr. Lawhon opened the public hearing.

Reverend Owen C. Carr, 1545 E. Erie Street, # 306, commented he is Pastor of the church and available for questions.

Mr. Hansen asked Mr. Carr asked what connection he had with the church.

Reverend Carr stated that he and his son co-pastor the church.

Mr. Hansen asked if there is one house that will be torn down.

Reverend Carr stated that is their intention, with parking on one lot and maintain the other house for the time being.

Mr. Lawhon closed the public hearing.

Mr. Young motioned to approve Z-16-2012. Mr. Ray seconded the motion. The motion carried as follows: Ayes: Lawhon, Edwards, Baird, Ray, Young and Hansen. Nays: None. Abstain: None. Absent: McClelland, Coltrin, and Roling.

Zoning Text Amendments:

7. Pawn Shop Amendments (City-Wide)

City of Springfield

Mr. MacPherson commented that the purpose of this proposed Text Amendment is to amend Section 1-2000, Use Groups, Section 4-3200, Highway Commercial District, 4-3500, Commercial Street District, in the Springfield Zoning Ordinance. In 2010 the City amended the Zoning Ordinance to allow use groups in our Zoning Ordinance, including general retail, offices, entertainment and others. This was done because it is difficult to identify and list every potential use specifically in a zoning district that would be appropriate for that district. Consequently, as Staff, Commission and Council we are not permitting some uses that were consistent with other allowed uses just because the proposed uses were not specifically listed in the district. Because of this, many business owners were forced to request to rezone their properties for business ventures that were appropriate and consistent with the specifically allowed uses in the district. For a business owner that meant time and money. Staff and the Planning and Zoning Commission recommended and Council approved the implementation of use groups into each zoning district to eliminate this delay and expense to business owners. As a result of that, many individual uses were removed and replaced with the use group's category to provide for a more flexible interpretation of the zoning ordinance. The use-groups have been in place for two years and no issues have emerged and they have been used quite regularly. Pawn shops was one of the uses that was removed from the permitted uses list in GR, CS, CC, IC zoning districts, and replaced with the retail use groups to accommodate that use. We missed removing pawn shops from the Highway Commercial District at the time. This oversight has created the problem. If a use is specifically listed in a district but not another BDS, Building Development Services, interprets that district as the only place where the use can occur. In fact pawn shops have been allowed in GR, CS, CC, and IC for many years. BDS has requested that we propose this amendment to eliminate that conflict, and City Council has initiated that request. This amendment does not expand the use of pawn shops in any district. It merely returns to the status quo. It does not impact existing businesses, nor does it expand pawn shops into any other districts. We also did not implement the use groups in the Commercial Street Zoning District because it was a new district that had just been developed. This amendment is to correct that oversight in both the Highway Commercial and Commercial Street Districts and it would remove the pawn shop as an individual use and replace that with the retail use groups. One member of the Chamber of Commerce expressed concern with regard to pawn shops being in the general retail areas; however they have been there for years. The Springfield Police Department was notified of these amendments and there were no objections. Building Development Services has indicated to staff that seventy-five (75) percent or more of the business that occurs in the modern day pawn shops is of the general retail nature anyway, and they support the proposed amendment. The finding are that the proposed amendments will correct an oversight regarding pawn shops from the Use Group Amendments in 2012 where the retail use groups were not added to Commercial Street and did not remove pawn shops from Highway Commercial. The proposed amendments will enhance the flexibility of retail uses to locate in the COM District. Staff is recommending approval of the text amendment.

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

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

8. COM, Commercial Street District
(City-Wide)

City of Springfield

Mr. MacPherson stated the purpose of this proposed text amendment is to amend *Section 4-3500, COM, Commercial Street District*, in the *Springfield Zoning Ordinance* to add uses to the District as Conditional Uses, amend *Section 6-1200, Landscaping and Bufferyards*, to add the COM District to the Table of Bufferyard Requirements and amend *Section 5-1500, Off-Street Parking Requirements*, to exempt parking requirements in the COM District. City Council approved General Ordinance 5866 for the purpose of establishing the COM, Commercial Street District in March 2010. The district is intended to be a mixed-use district that accommodates a variety of residential, commercial and light industrial uses. Two (2) sub-zones were established in the COM District. The COM-1 District is designed to permit new construction that is more compatible with the existing historic buildings within the Landmarks District along Commercial Street. The COM-2 District is designed to allow new construction that is consistent with more recent commercial development along Commercial Street. This is where you see the highest intensity of the buildings all together and what we would refer to as the Commercial Street Historical District and that is Zone One (1). The other zone was on either end of Commercial Street and those particular cases prior to the rezoning were zoned HM, Heavy Manufacturing and IC, Industrial Commercial and they have a significant different type of use than the historical district and some of these amendments distinguish between those. First, this proposal would amend Section 4-3500, Commercial Street District to add "Any manufacturing, production, processing, cleaning, servicing, testing, repair or storage of materials, goods or products which is not allowed as a permitted use" as a Conditional Use within the district. This use was permitted in the previous CC, Center City district zoning on the COM-1 area and is the use that permits the brewery and chocolate factory as conditional uses. The use was inadvertently left out of the COM District when it was created.

This amendment would also add "Construction equipment storage yards or other outdoor storage" as a Conditional Use within the COM-2 district. This would allow an existing business to expand within the district while providing the opportunity for public review of the proposal through the Conditional Use Permit process. During the Conditional Use Permit process, screening and site design can be evaluated to determine if it is appropriate for the request. The properties included in the easternmost section of the COM-2 District were previously zoned HM, Heavy Manufacturing and the properties in the westernmost COM-2 District were previously zoned HM, Heavy Manufacturing and HC, Highway Commercial. Both of these districts permit outdoor activity and Staff believes it is appropriate to offer an amendment to add that use back in because there is a significant difference between that and the Historical District itself, which would be subject to a use permit that would have to go through intense scrutiny in protection of the community. In the COM District all activities and permitted uses must be conducted entirely within a building with some exceptions for outdoor eating and drinking facilities, off-street parking, street vendors and a few other uses. Approval of this amendment would restore the ability to have limited outdoor storage in these areas under certain conditions with approval of a Conditional Use Permit. The Zoning Ordinance requires off-street parking for uses in all districts except the CC, Center City and GI, Government and Institutional Use Districts. This amendment will add the COM-1 District to the districts that are exempt from the off-street parking requirements. The reason staff is recommending that is because it was formerly zoned Center City and has the characteristics of Center

City. As mentioned above, the COM-1 District was previously zoned CC which did not require off-street parking. This amendment will bring the COM District into conformance with the intent for the District. The District is adequately served by on-street parking and public parking lots and the provision of off-street parking for uses in the COM-1 District is not feasible or desired with the existing development. Finally, when the COM District was created in 2010 the District was inadvertently left out of the Table of Bufferyard Requirements which lists all of the zoning districts and outlines the bufferyard, if any, that is required when developed adjacent to another zoning district. The COM District was modeled after the CC, Center City District and will mimic the bufferyard requirements for that district.

Mr. MacPherson commented that Staff findings are that the proposed amendments will make the COM, Commercial Street District more consistent with the previous CC, Center City District zoning on the property and will clarify the bufferyard and off-street parking requirements within the COM District and afford the opportunity for those that were formally zoned HM, and HC, to seek conditional use permits to use certain areas for outdoor storage. Staff is recommending approval of the text amendment.

Mr. Lawhon opened the public hearing. There being no speaker, Mr. Lawhon closed the public hearing.

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

OTHER BUSINESS:

9. Capital Improvements Program (City-Wide)

City of Springfield

Ms. Ann Razer, Principal Planner with the City of Springfield commented that every other year, the City of Springfield adopts a Capital Improvements Program (CIP), which is a plan which indicates how the City departments intend to fund Capital Program projects over the following six years. Because it is a plan, Staff comes to the Planning and Zoning Commission for any comments on the list of projects provided in the packet. The CIP is an implementation tool for planning purposes. It is based on plans which have been adopted by City Council or are in process. The intent of the Capital Programs is to protect the life, health, and public safety of the community, to improve the existing infrastructure and to construct infrastructure ahead of growth. To qualify to be in the CIP a project has to have one or more of the following things; it needs to be a major improvement to a physical facility, a cost of \$100,000 or more and a duration of at least six (6) years and a funding source is required, either known or anticipated. Ms. Razer stated she was asked how many of the projects are funded out of the General Fund of the City and there is only one, so these projects get a lot of federal funding, but there are one-hundred-fifty (150) different funding sources. There are one-hundred-fifty-seven (157) projects that continue from the previously adopted CIP, and there are forty-nine (49) new projects. Ms. Razer briefly reviewed the list of projects for 2013 – 2018. There are 8 projects from the Airport, which is federal funding. The equipment projects are also for the Airport. There are improvements to municipal buildings and grounds. There is money set aside for neighborhood projects and a number of sewer and solid waste projects, sixteen (16) street improvements, which Public Works has the bulk of these projects. There are four (4) projects that deal with traffic management or signals. After Staff receives any comments Commission may have, then the next step is to finalize the draft CIP and go to City Council on December 17 for a vote. Ms. Razer stated she would answer any questions.

Mr. Lawhon asked what the Commission's role is in the Capital Improvements Program.

Mr. MacPherson stated that Commission is asked to determine if the CIP Plan is consistent with the Comprehensive

Development Plan of the City of Springfield and to make comments on any particular projects you may or may not think are important or want to highlight to the City Council.

Mr. Lawhon opened the public hearing. With there being no speakers, the public hearing was closed.

Mr. Edwards said the projects that stands out to him as most important are dealing with sanitary, sewer, and stormwater, which come before the Commission often and residents have the most issue with.

Mr. Baird motioned to forward the Capital Improvements Program to City Council which is in agreement with the Comprehensive Plan for the City and recommend City Council consider the Plan Projects. Mr. Hansen seconded the motion. The motion carried as follows: Ayes: Lawhon, Edwards, Baird, Ray, Young and Hansen. Nays: None. Abstain: None. Absent: McClelland, Coltrin, and Roling.

10. Major Thoroughfare Plan Amendment
(East Republic Road Connector)

City of Springfield

Mr. Baird recused himself from hearing the case.

Ms. Dawne Gardner, Transportation Planner from the Public Works Department stated that City Staff is requesting an amendment to the Major Thoroughfare Plan realigning a portion of East Republic Road from Glenstone to just west of U.S. 65. A future corridor has been mapped for this area since 1929 showing a local road showing a road through a portion of this area, basically an east/west corridor. The current major thoroughfare plan shows a future collector through this area. City Staff is requesting an update to the current Major Thoroughfare Plan to upgrade what is currently mapped to a primary arterial with realignment of the route from Glenstone to just west of U. S. 65 to be able to serve future property development. Three alternatives are proposed, Alternative A, B, and C. These three (3) alternatives were presented at a neighborhood meeting on January 19, 2010. At that meeting fifteen (15) people handed in comment forms choosing Alternative A, ten (10) people preferred Alternative C, and Alternative A was also expressed as the desired alternative in conversations between those in attendance and the staff that were present. Another public meeting was held on October 16, 2012. Approximately fifty (50) people were in attendance. Three people handed in completed comment forms that evening and others were faxed in. The results were similar to the comments received at the 2010 meeting; if they had to choose, Alternative A would be the preferred alternative. City Staff also received a letter from Linda and Gene Walker opposing all three alternatives and each of Commission received a copy of that letter. One hundred-forty-seven (147) signed forms from property owners in the area were received which stated "I reject all east Republic Road connector alternative alignments and take a position against any East Republic Road major thoroughfare connector alternatives from James River Freeway to U.S. 65 Freeway", were hand delivered to City Staff. Fifteen of those were from some of the same people that had previously faxed in forms choosing Alternative A if they had to choose, which Commission received in their packet. To allow property owners to plan for future usage of their property and for the City to be able to preserve the right-of-way if properties along the proposed alignment subdivide or rezone, the City is requesting an amendment to the Major Thoroughfare Plan recommending alternative A as a future primary arterial and realignment of Republic Road east of Glenstone to U.S. 65. Ms. Gardner stated she would answer any questions.

Mr. Lawhon asked why this stops at U.S. 65, when they plan on starting to build this road, what the trigger would be for this road to actually be built and what would dictate this as a two, three, or four lane road.

Ms. Gardner stated the City's interest is to US 65; the county's interest is necessary to go east of U.S. 65. Ms. Gardner said the City has no funding, no plans for construction; this will strictly be developer driven. If any of the properties develop, and traffic studies will be required, or are rezoned, it will depend on the intensity of the development they want to put in. Ms. Gardner stated it would depend on how it develops. If it is all residential single-family, it would probably stay as a collector. Again that will be dictated by what the traffic study states.

Mr. Hansen asked if there is development along this corridor will the developer be required to build the street and asked if the rest of the road would be up to the City.

Ms. Gardner said yes, the developer will be required to build the portion of the street that their property is impacting and the road would be strictly developer driven.

Mr. Rognstad stated that typically the way this works is the City lays out the major thoroughfare plan and establishes where the corridors are and the roads are build by the developers. There have been some cases where there was a section that the City ended up building because there was development south and the City was north and the City felt it needed that connection, so in some cases the City does end up building segments of road. Generally it happens where the developer puts it in and as Ms. Gardner stated it depends on the intensity of the development. The zoning case that was approved for 60/65, which would allow the interchange for potential commercial development, which planned development, does require them to build the road down to Lonepine. The City would have the road built that far and there would be a wait till something happened with the quarry to do the rest of it. That being said something could happen where we see a lot of development and a change in traffic patterns or maybe the City decides to construct Republic on the rest and connect it because that is in the best interest of the City. We do try to get as much developer participation as possible.

Mr. Lawhon asked Ms. Gardner to detail the advantages and/or disadvantages of the three (3) alternatives.

Ms. Gardner stated that Alternative A affects the least properties; one (1) business and four (4) homes. Alternative B affects ten (10) properties, displaces four (4) houses and forty-two mobile homes. Alternative C displaces ten (10) permanent homes. Alternatives B and C are shorter and more direct. Alternative A is the longest and least direct alternative but has the least impact on homes, businesses, and Galloway Village.

Mr. Hansen asked how this would affect the houses in direct line of this and if it would displace some of the houses.

Ms. Gardner stated the analysis was done in 2010 and asked Mr. Rognstad if it would be right-of-way.

Mr. Rognstad stated it would be acquired right-of-way on some of the properties.

Ms. Gardner stated it would not displace the homes but the City would need the right-of-way. Ms. Gardner stated it would not affect ten (10) properties, but it displaces four (4) permanent homes and said the City would have to purchase those homes when the road is put in, but not until that time.

Mr. Hansen commented the owners would be free to sell and they would have to provide disclosure on the purchase agreement.

Ms. Gardner said that would be correct; which is why they are recommending Alternative A, because it is not as many homes.

Mr. Hansen commented alternative A doesn't displace as any houses.

Ms. Gardner said it displaces four (4) houses and one (1) business, whereas Alternative B displaces two (2) businesses, four (4) houses and forty-two mobile homes. It goes right through the middle of the Colony Cove mobile home community that is there.

Mr. Lawhon commented that the certainty that is being sought for the home owners, is at least mapping one alternative, so in future a person would know where it is going to be, the number of lanes being uncertain, so the certainly would be in knowing what the route would be. The uncertainty is not having any idea when it would be built. The necessity for that road is going to be developer driven.

Ms. Gardner said that is correct.

Mr. Hansen asked if all the alternatives ended up at the interchange.

Ms. Gardner stated they all end up where the interchange was proposed so if that eventually does move forward the interchange can be built where it was proposed and move east.

Mr. Hansen asked if it would dead-end at the State's right-of-way.

Ms. Gardner said yes.

Mr. Rognstad commented that he wanted to make certain that Commission recognizes there is a corridor already designated through there. It is not as specific as what we are talking about here. If someone came and stated they want to develop their property, then it would have to become more specific and that may delay moving forward on the development because there would have to be a determination made as to where to put it. It is generalized because no environmental has been done and Alternative A may shift somewhat because there may be some environmental issue which might require moving it.

Mr. Hansen asked where this is designated at.

Mr. Rognstad stated it is designated on the Major Thoroughfare Plan right now and referred to the map pointing out the existing roads and proposed connector and how it would need to connect to an arterial.

Mr. Lawhon stated that what these potential alternatives do is to refine that to be more specific about the route it would take.

Mr. Hansen asked what implications this road would have when it is developed for Galloway area and the access, asking if Galloway would become an activity center.

Mr. Rognstad said the proposal that has been discussed is the new corridor would actually go over Lonepine and over the railroad track, but there would be a connector that would come down to Lonepine, and is not certain it would become an activity center but there might be more commercial potential particularly if the interchange were to be built and there were better access and more traffic could get in and out. If the quarry is ever completely dug out and there is the thought of redeveloping that where there is more population, it is really the local population that is going to generate more commercial development than traffic.

Mr. Hansen asked what the access would look like theoretically, and if the road is a residential street if it would be on grade level and the bridge over Lonepine and the length of the elevation.

Mr. Rognstad showed where the potential interchange would be and discussed how the alternative routes could be laid out and the connections. Mr. Rognstad pointed out on the map the bridge and that it might be longer, but basically it would just be the portion over Lonepine and then it would come back to grade. At the interchange there will be development potential because both sides are commercial and then it goes to moderate density residential. There may be the opportunity to have higher density residential than the single family.

Mr. Hansen asked about the filling to raise the bridge over Lonepine and the railroad because the valley is fairly flat across there.

Mr. Rognstad stated that is all engineering questions.

Mr. Hansen stated that a residential street on grade through there might be a pleasant thing, whereas if there were a big thoroughfare there it would be a much more imposing structure in the neighborhood.

Mr. Rognstad stated that if it ended up being a four (4) lane it would be a much larger structure.

Mr. Lawhon asked if they will be entertaining option A, B, or C or none of the above, and make some recommendation that would then go to City Council.

Mr. Rognstad said correct.

Mr. Rognstad opened the public hearing.

Mrs. Linda Walker, 3766 S Oak, stated she is the one who wrote the letter and when they received notice about the hearing, her husband called the City and spoke with Fred Marty and Mr. Marty told her husband that the reason this was brought up is Steve Johnson, Sequiota Investments, requested that Alternative A be chosen so he could decide what he could do with his property. Mr. Johnson has a court case against the City of Springfield and Mr. Johnson said that the judge said that he could not decide the case until the City picked an alternative route. Mr. Walker commented you can see what she is getting at in coming back to do this for one person. The neighborhood has lived for years with the City doing favors for this one family and the neighborhood is tired of it, wondering what they are going to have to fight next. Mrs. Walker said she hopes that Commission read the letter she wrote and got the idea of what they have been through out there. As a neighborhood, they have had no representation from the City while Sequiota Investments has had recommendation from the City and Mrs. Walker stated they are depending on Commission to not pick an alternative for one person. Mrs. Walker stated they have been assured repeatedly that this is not going to happen, there is no money, it is way in the future and if a person wants to develop their land they can do so in the zoning that it is which is single family. The rest of us develop our land according to the zoning and for once these folks could too.

Mr. Edwards asked Mrs. Walker if this proposal was to happen, as obviously it has been on the map for a long time, if she would mind stating for the record what alternative she would find least repugnant.

Mrs. Walker stated she would pick the one that goes through the mobile home park and stated she would do that because they have had so many favors. If that were done it might right the wrongs that have been done a little bit. She added she would like to see it go up Highway M, Republic Road. That would be the most direct route and that displaces more homes from what she understands.

Mr. Dwayne Johnson, 3766 S Bradley, stated he has spoken with a lot of the neighbors and business owners in Galloway after the neighborhood meeting last week adding he helped get petitions signed against the proposal. Mr. Johnson stated that almost one-hundred (100) percent of the people he has spoken with are completely against this corridor. The businesses up and down Lonepine don't want this big bridge going over Lonepine. It is going to destroy Galloway Village as it is if this does happen. If there is any improvement done in Galloway, work on Mentor Road, from Sequiota School all the way down. There is a lot of traffic that goes by the school and the road needs to be addressed and fixed. They tried to talk about this when they tried to expand the mobile home park and Republic Road needs to be addressed and that would be the best corridor; it can be widened. Everyone would be in favor or that. If you come down to Mentor, where it makes the curve, if you wanted to access a bridge over 65 you could go from that corner up to where the proposal is, there are no houses from that corner to 65 and that would have the least impact on Galloway. James River and Glenstone needs to be worked on. Mr. Johnson stated that the City spent fifty-seven million (\$7,000,000) down the road, and he doesn't understand how anyone can spend the millions of dollars it will take to get a road from there and an overpass over Lonepine to go to a dead end, and stated they do not want it on the map and asked Commission to not choose an alternative.

Ms. Melanie Bach, 3734 S Elmview Avenue, commented that while she has many concerns regarding the

construction of a new major thoroughfare connection from James River to Highway 65 in any manner, she will limit her comments to those affected by the current plan under consideration. As proposed the new connector road would effectively end at Mentor Avenue. Although the proposed connector might ease traffic from Mentor to South Glenstone, there will inevitably be drivers who seek to travel to Battlefield Road instead to possibly visit businesses in that area or any other reason. Mentor Avenue is not equipped to handle more traffic or even the traffic already present on a daily basis. Sequiota Elementary drop-off and pick up bring all traffic on Mentor Avenue to a halt twice a day, five days a week. The road is extremely narrow and has a sidewalk on only one side near the school. This presents a danger for children who are walking to and from school in this normally quiet neighborhood. Adding more traffic would certainly increase the danger to pedestrians not only on Mentor but also on Oak and South Elmview between Gasconade and Beaumont which have no sidewalks on either side where frustrated drivers would quickly figure out that they could cut through in order to bypass Mentor during times it is impassable. Adding traffic to Mentor Avenue would also potentially endanger those cyclists taking advantage of the bike route which crosses Mentor at Gasconade. The goal of easing traffic between Mentor and South Glenstone could just as easily be accomplished by reinstalling the left green turn arrow at Republic and South Glenstone, which was removed in the last couple of years and is not certain why. The removal of that left turn arrow has increased the traffic difficulties at the South Glenstone and Republic Road interchange dramatically. Planning for future development seems silly for too many reasons to discuss here, but some include the fact that Sequiota Elementary is already at full capacity, there are numerous newly built vacant homes between the school and highway 65 and most importantly, the uncertainty of homeowners and potential buyers in this neighborhood will be forced to endure until some decision is made with regard to the new development, if ever? Homeowners wishing to sell may be forced to disclose this possible thoroughfare to potential buyers thereby reducing the appeal and likely decreasing the price of affected homes will bring at sale which we are already suffering in home value. In fact, some interested home buyers looking at this neighborhood have already gone elsewhere because they have heard of these plans and do not want to buy a home in an area that could be viewed as unstable. Other major concerns are the noise level this road would bring to what has always been a quiet neighborhood. Since you have not done all the land studies, she would disagree with the statement that it only needs to be raised in one area. There are some other major dips between Lonepine and the mobile home park that would have to be raised and they would be almost directly over many residential homes. Because grading will be a major obstacle, portions of the road will be air born, increasing the noise and serious accident potential. If we are to trust that these issues will be dealt with properly, then we must ignore the City's past practice of failing to address these types of problems such as the ongoing lack of compliance of Colony Cove Mobile home stormwater retention system, repair of the major sinkhole near Mentor and Republic and the inexcusable lack of sidewalks on the majority of the streets in this area. For all these reasons and more, Ms. Bach asks, along with the one-hundred-forty-six (146) other neighbors who signed petitions already submitted to this Commission, that this thoroughfare plan be postponed indefinitely or until such time as a decision is reached regarding the possibility of a new interchange across Highway 65. If, and only then, should we quite literally, cross that bridge when we come to it.

Mr. Gene Walker, 3766 S Oak, commented that he will be referring to exhibit A of his wife's letter in this presentation. In the late 1980's and early 1990's, the Springfield Missouri City Staff joined in the conspiracy with Colony Cove Mobile Home Park. Since that time, Staff has represented the interests of the Park as their partner and their agent in all matters. Mr. Walker stated that Colony Cove tells the staff what to do and the staff then sets out to see that the Park's interests come to reality. The Park regulates the City; the City does not regulate the Park. This is about what is in the best interest of the Park and the staff is again representing their interest as being in the best interest of the City. It is not. Note that on the map; in his wife's letter in 1988 Colony Cove Mobile Home Park did not own the fifteen (15) acres shown on the map colored in green, where this new road is supposed to go. It does show that they wanted to put mobile homes on the fifteen (15) acres in 1988. The record shows that Ralph Rognstad and Andrew Furedy wrote a mobile home land use ordinance in the time period, early 1990's; the RMHC Ordinance was designed to deliver Colony Cove their wish to put fifteen (15) trailers on the fifteen (15) acres or green area next to his home and to expand beyond what they were at the time. When citizens and Commission, at that time, asked about the effect of RMHC on Colony Cove Mobile Home Park, staff gave false and misleading information. They said it would not affect it. The text of the RMHC Ordinance was written for Colony Cove Mobile Home Park and the text was passed by the City on April 12, 1993. Mr. Walker produced a warranty deed that showed Sequiota Investments

bought the track in green filled with mobile homes on 10/04/1993, or six (6) months later. This is created an investment backed expectation that the City would rezone this for trailers based on the fact that Colony Cove and only Colony Cove knew that the ordinance would be used and interpreted by Furedy and Rognstad to allow the Colony Cove development they had asked for in 1988. Note, Colony Cove told them five (5) years before that they wanted a plan and they started working it out. The lawsuit Colony Cove Mobile Home Park has against the City states in paragraph twenty-four (24) that, "City employees determined that the best use of Colony Cove Mobile Home Park land and neighboring fifteen (15) acres was expansion of the mobile home park." At paragraph fifty-nine (59) it states, "the City actions harmed investment backed expectations," which it did. If they had done it right in the first place that would not have happened.

Mr. Lawhon notified Mr. Walker that he had one minute left and asked if he had anything to say about the alternatives.

Mr. Walker stated that he is asking that the Commission choose none of the alternatives because there is no reason to pick an alternative except for Colony Cove Mobile Home Park and this lawsuit. Mr. Walker asked if he could finish. The untimely choosing of this road course is an attempt of the City staff to placate Colony Cove Mobile Home Park with some future deal that you don't know what it is and he doesn't know what it is and will not know till the deal gets here. This is for Colony Cove Mobile Home Park's business interest and this meeting was called for a road decision for Colony Cove at their request. Mr. Walker asked that Commission do nothing, that the road goes nowhere; the 60/65 development is as dead as the development of Heer's. What staff is asking is not related to the City's needs or budget or remotely defensible except for Colony Cove Mobile Home Park. Remember that in the past, false and misleading information was given to Commission, Council and citizens, in most all matters related to the Park by staff. There is no reason to believe that tonight will be any different.

Mr. Lawhon closed the public hearing.

Mr. Edwards asked staff if there could be a rebuttal where the impetus for this project and alignment request has come from staff point of view to get that out in the open and flush that out.

Mr. Rognstad said that his understanding is there is a court case between Sequiota Investments and the City and they have requested the City establish what the alignment will be for the corridor and the City would do that for any property owner who asks and staff would look at it. When the mobile home community district was adopted it was part of the total revamp of the zoning ordinance in 1993. The zoning maps weren't adopted till 1995 and then they did come back and ask for rezoning of the additional acreage which Council ultimately turned down. Mr. Rognstad stated he has not had any conversations about it; the request came through the Law Department to Public Works who had been working on the alignments earlier and then that was put on hold when the County had some concerns about the eastern extension. The eastern extension of the road was taken off their agenda.

Mr. Lawhon asked the nature of the law suit.

Mr. Rykowski said he handled litigation for the City in 2005 till beginning in 2011 when he came over to do Planning and Zoning so he can speak to the status of the case as of the end of 2010. After the rezoning a permit was issued to allow to either expand a detention or to directly allow the expansion of the mobile home park. That permit was withdrawn. The lawsuit was filed by Sequiota Investments against the City claiming damages as a result of the withdrawal of the permit. That litigation has been pending. The measure of damages in that case rest on certain principals. The City propounded discovery, interrogatories, and request for production to have the Plaintiffs establish and provide documentation of their damages. That is where it is at, at this time. Mr. Rykowski stated he is not aware of any recent communications from the court regarding this matter that perhaps Mr. Marty is privy to, but the case that is pending is because Sequiota Investments are mad that the City did not let them expand. The City has been on a couple of trial dockets and the Plaintiffs have requested continuances.

Mr. Lawhon asked to what extent, if any, this lawsuit has pushed the thoroughfare plan amendment.

Mr. Rykowski stated that to his knowledge there is no connection, and he has not been privy to any discussion regarding that relationship.

Mr. Lawhon asked, speculatively, if Sequiota Investments had not filed this suit, would Commission still be talking about this Major Thoroughfare Plan Amendment.

Mr. Rykowski said he has no idea.

Mr. Hansen commented that he doesn't know whether this pending lawsuit has anything to do with this issue or not, and it is not for Commission to judge, but we are here tonight to decide whether this is an appropriate action. As far as he is aware, the impetus for this corridor designation came out of the defunct development at U.S. 65 that was going to generate an interchange there and other things that evaporated into thin air. Mr. Hansen stated there is not a pressing need that he can determine for a grand corridor plan. This is only good only for designating some nebulous future that stands a good possibility of never happening. There is a certainty right now of doubt for these people in Galloway because they are affected as long as this corridor plan is turned down. If it is approved, no matter what alternative is determined, Galloway area and neighborhood is going to be traumatically effected by this whether is ever gets done or not. Every property in that area is going to be under the cloud of some future possibility of this potential development. Mr. Hansen commented since there is no plan or very little possibility for development at U.S. 65, Commission should reject the corridor plan and set these people's minds at ease, unencumber their properties and added he will be voting for none of the proposed alternatives.

Mr. Edwards said he agrees with Mr. Hansen, but for different reasons. He was in favor of the Planned Development at 60/65 and voted for the development. It is still a good idea adding he would like to see it happen, but the funds are not available. One day this road will very likely be built. It has been on the map for a very long time, however at this time, he feels Commission is being asked to pick something that could do damage without actually achieving any goal which is why he feels it should be tabled indefinitely until there is more of a concrete idea of what needs to happen. If they pick an alternative here, Commission is not in the position to say which is the best road in terms of how it will be built, how it will be serviced and how it will affect the community. If this is truly developer driven, when it is determined what that development will be, Commission can make a better informed decision on how that road needs to go through. It will be completely different for single family homes than a huge mall or commercial development and that makes a difference on how it will impact the community. We need to be very specific about it. He would rather wait so people have a few more options to sell their property without having to disclose that there is a road that is going to be built through there that may never be built. It may be changed. We could pick an alternative tonight and in thirty (30) or forty (40) years when it actually gets built they would do something completely different and we have put these people in a bad position. What Ms. Bach said really gets to the heart of it, that we should cross that bridge when we get to it. As far as the issue with the mobile home park, Mr. Edwards commented that he does not want to have anything to do with it adding he would vote that Commission table this indefinitely.

Mr. Lawhon clarified with Mr. Edwards asking if he is more inclined to table indefinitely than deciding none of the above right now.

Mr. Edwards said he is because none of the above is a non answer to the question. We are not actually doing anything. One of these alternatives could be a road someday and everyone needs to realize that; if those funds do come through one day those plans have been approved already, any one of them, and whatever the best road at the time to be built will probably be the one to go through. Mr. Edwards said he doesn't want to say no to any of those alternatives, but does not want to choose one right now with a deficit of information.

Mr. Hansen said he agrees with Mr. Edwards conclusion except that if we table this, the neighborhood is still under the onus of that, whereas if we vote to do away with that corridor plan, it can still be brought up again in the future but until then they know that there is no plan even on the table that would affect them.

Mr. Edwards stated that was a fair point, but he would note that the corridor plan is already there. The line is on the map, but he is not sure either way is making a difference.

Mr. Rognstad stated that the ultimate decision lies with Council. Commission needs to make a recommendation and then send it on to them. You cannot table it indefinitely.

Mr. Hansen said they want to send a reasonable recommendation to Council and that is why it needs to be decided whether to recommend they forget about it or postpone it, kick the can down the road again.

Mr. Young said they he would have to agree with all the statements that have been made by Commission, but as a designer himself and master plans for businesses and city governments and communities, in order to move forward there has to be a plan. Plans have to be amended often as the years go on and as times change. Usually there is a means to the end that you see the light at the end of the tunnel, but in this tunnel he does not see a light so he would have to agree that the plan, with the line that is already there, is enough satisfy the City for right now. As Mr. Edwards said, the damage would be too great for these people to put them in such a bad situation and commented to not recommend any of the alternatives.

Mr. Lawhon stated he lives close to this general area and one thing he tries to do when come to Commission meeting is be very opened minded, but at the same time, there is the human aspect. Mr. Lawhon said he tries to come with at least the beginnings of some kind of opinion of what he thinks about this, but open minded to hear what other Commissioners and staff have to say and members of the public that comment on this. His opinion has been changed by what he read from the neighbors, what he heard them say tonight and what he has heard from the other Commissioners, but a couple of comments before he gets to the heart of what he has to say. He appreciates Ms. Bach and the other comments about Mentor Avenue, which is a whole different issue. The preference of Alternative B as a method of punishing someone is personally repugnant. On the other hand, as far as a plan goes, as Mr. Young discussed, a plan is an important thing for any public entity to have; to have an idea of where they are and here is where they may be in future, what road map would they take to achieve whatever end that may be. Mr. Lawhon said they do not know is going to happen with the U.S. 65 project even when it was brought before Commission, it was with some fanfare, there is a grand plan of what is to be accomplished but they were also told it could be many, many years before it came to fruition. The timing was not good in general economic terms, but when reviewing that a reasonable person would say something is going to happen there sometime and that is where the road comes in and the uncertainty of not knowing what it is going to be or when it would happen. There is the general thoroughfare plan which personally he does not see any need at this time to amend it and would be in favor of none of the above.

Mr. Ray stated that he agrees with staff that Alternative A would have been the best choice given that, it would displace the amount of people and hearing comments that this kind of shroud of uncertainty where this road was going to go was deterring development and people moving into the area, that sent up a red flag. However, eventually something is going to happen here and we should wait to make a decision until a development worthy of making a decision for, approaches Commission and brings it to their attention, so for those reasons he will agree with the members of Commission.

Mr. Edwards asked, as a point of clarification, if staff believes that that will send the appropriate message to Council on the way Commission feels about this issue.

Mr. Rognstad said yes and they will get the record of proceedings.

Mr. Hansen motioned to approve the Major Thoroughfare Plan Amendment. Mr. Edward seconded the motion. The motion failed as follows: Ayes: None. Nays: Lawhon, Edwards, Hansen, Ray, and Young. Abstain: Baird. Absent: McClelland, Roling, and Coltrin.

ANY OTHER MATTERS UNDER COMMISSION JURISDICTION:

Mr. Young commented that he has been presented an opportunity to teach at Drury University; one class which he was pursuing because classes were initially scheduled for Monday/Wednesday, 6:30 to 8:00 p.m. The class is actually Tuesday/Thursday, 6:30 to 8:00 p.m., and he cannot be teaching there and at Commission. He is asking Commission for a possible leave of absence for the Spring Semester, sixteen (16) weeks. He stated he presented this to staff earlier and staff stated to ask Commission for their opinion. The students are asking to change the time for the class, so it may not be an issue and it does not have to be decided until January, but he will find out on Monday what the schedule will be. Mr. Young said he is asking Commission to consider the request.

Mr. Hansen asked how many Commission meeting this would affect.

Mr. Young said approximately eight (8) meetings, January 22 through May.

Mr. Edwards suggested they wait and find out what the actual details end up being, asking Mr. Lawhon when his term ended wondering about the number of people who would be returning after the new year.

Mr. Lawhon stated he has two (2) more years. He plans on staying on Commission but does not wish to be Chairman. Mr. Lawhon commented he has enjoyed the last two years, it has been a privilege to be appointed to Commission and an honor to be Chair, but the Chair isn't about him. It's about the Commission and developing the other Commissioners in their leadership and giving members a heads up to consider who they would like to have sitting in the position of Chairman next year.

Mr. Rognstad commented that it is Thomas Baird and Gloria Roling whose terms expire, but they can be reappointed.

Mr. MacPherson stated City Attorney Dan Wichmer stated it is not a staff decision, but a decision to be made by Commission, and it can be made for a good reason and is subject to Commission interpretation.

Mr. Young said he would send out an e-mail on Monday to let staff and members know the details.

There being no further business, the meeting was adjourned at approximately 8:15 p.m.

ANY OTHER MATTERS UNDER COMMISSION JURISDICTION:

Michael MacPherson
Michael MacPherson
Principal Planner

MINUTES OF THE PLANNING AND ZONING COMMISSION

DATE: October 4, 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); Matt Edwards (Vice-Chair), Tom Baird, Gloria Roling, Jim Hansen, Jason Ray and King Coltrin; Ralph Rognstad, Director of Planning; Michael MacPherson, Principal Planner; Thomas Rykowski, City Attorney; Cody Marshall, Public Works; Dawne Gardner, Public Works; Sandy Goddard, Administrative Assistant; Absent: Jay McClelland, Jim Hansen, and King Coltrin.

ROLL CALL:

APPROVAL OF MINUTES: Minutes of the September 6, and September 20, 2012 were approved unanimously.

COMMUNICATIONS:

Mr. MacPherson gave Commission a health update of their fellow Commission member Mr. McClelland. Mr. MacPherson stated that in the essence of time tonight, he would ask that Commission consider the Preliminary Plat of Washita Subdivision and the Zoning case Z-12-2012 w/Conditional Overlay District No. 53 together. There would be a joint presentation as they are interrelated and vote on each one of them separately.

CONSENT ITEMS:

1. Acquire 493 City Utilities
(generally located North of W. College Street at and west of Main Avenue)
2. Relinquish Easement 784 Connie McKeen, Revocable Living Trust
(5353 S Campbell)

Ms. Roling recused herself from the vote.

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

HEARINGS:

Zoning:

3. Z-12-2012 w/ COD# 53 & Washita Subdivision Jewell Schweitzer & Jack Frederick Family Trust
(South side 2100 block East Sunshine)

Mr. MacPherson stated he would begin with the Preliminary Plat and the request is to approve a preliminary plat to subdivide 10.52 acres into a one (1) lot subdivision generally located in the 2100 block of East Sunshine Street and will highlight the distinguishing issues with the plat. The detention and water requirements will have to be met based upon a preliminary engineering report submitted in August of 2012, it appears that the hydrologic impacts on the downstream sinkhole can be reasonably mitigated with a combination of infiltration and/or compensatory storage, even if the entire site is graded to drain to the east. The following conditions will need to be met: 1) need to show no increase in the WSE or peak discharge, in any frequency event, for the sinkhole along Seminole Street, and 2) provide on-site detention and water quality. The public improvements shall be escrowed or constructed, inspected, approved and operational prior to recording the final plat. All required street rights-of-way, drainage and utility easements and limitation of access shall be dedicated on the final plat and those will include approximately five (5) feet of right-of-way is required along Washita Street to meet current standards. No access to Washita is permitted from the subject property. A public Improvement Plan will be needed to convey off-site stormwater across the site, along with a drainage easement, sized per the City of Springfield drainage easement requirements shown in the Drainage Criteria Manual. The easement dimensions shall be determined per the final plans and reflected on the final plat and a ten (10) foot utility easement shown on north and south lot lines are required. Sidewalks are required along the frontages of Washita and Sunshine. With those conditions, Staff would recommend approval of the Preliminary Plat.

Mr. MacPherson commented that this Zoning case is at the same location and the request is to rezone from R-SF, Single-Family Residential District to a GR, General Retail District and establishing Conditional Overlay District No. 53. Mr. MacPherson referred Commission to page nine (9) of the staff comments to review. The applicant is requesting a conditional overlay district that will restrict access and increase the required bufferyard along Washita Street. The applicant is also applying for a preliminary plat of Washita Subdivision which accompanies this rezoning. The Plat will also restrict access to Washita and accept the dedication of right-of-way along both Washita and Sunshine. The Growth Management and Land Use Plan of the Comprehensive Plan designate this area along the Sunshine Street corridor as appropriate for medium-intensity retail, office and residential uses. General Retail (GR) is one of the zoning districts recommended in these areas. The proposed grocery store and convenience store would be considered a Community-Scale Commercial Center as described in the Comprehensive Plan. These commercial areas should be sited in areas that are well served by transportation facilities: major roads, bicycle and pedestrian facilities, and transit. The proposed improvements to Sunshine Street and the existing CU bus line on Sunshine Street support the proposed development at this location. The General Retail District is intended for uses that provide community-wide personal and business services, shopping centers and specialty shops. The need for community-wide accessibility dictates that this district be located along or at the intersection of two or more arterial or higher classification streets. Staff believes the subject site with the proposed preliminary plat and overlay district meet the recommendation of the City's Comprehensive Plan and intent of the General Retail District. In response to concerns expressed at the neighborhood meeting, the applicant has requested a conditional overlay district to restrict access and require additional buffering along Washita Street. The overlay district restricts vehicular access to Washita Street which is classified as a residential local street and does not meet current City standards. An access break for pedestrians and maintenance is permitted. Staff believes that a pedestrian access is needed to allow the adjacent neighborhood access to grocery and convenience store services. This will allow people to walk or bike, rather than, drive which will put more traffic onto Sunshine Street. The existing Kum & Go convenience store along Sunshine Street and adjacent to the neighborhood has removed several boards from their solid fence because customers were making their own entrances to their business. This is one example that shows there is a demand in the area for pedestrian access between the residential neighborhood and the

commercial services along Sunshine Street. The applicant has, also, requested a wider bufferyard than required along Washita Street with a solid fence, berm, or hedge. The additional buffering (comparable to the Bufferyard F) contains more plantings (trees and shrubs) than what is required by the Zoning Ordinance (see comment #6 for more details) and the required fence or screening is an additional requirement that the applicant has requested to address neighborhood concerns. The conditional overlay district does not include a site plan or layout. A traffic impact study, which included a requirement for a traffic signal at Sunshine and Luster and removal of the flashing signal at Fire Station No. 7, for the subject site was submitted by CJW for review and accepted by MODOT and the City. Sunshine Street is under the jurisdiction of MoDOT. It is currently classified as a primary arterial. The Traffic Study prepared by CJW show three access points from the development to Sunshine St. The easternmost and westernmost access points are each controlled by a stop sign. The center access point at Luster Avenue will be controlled by a signal and is projected to carry the most traffic in and out of the development. The spacing between the west drive and the drive at Luster Ave. is approximately 340 feet. The spacing between the east drive and Luster is approximately 330 feet. This meets MoDOT spacing requirements. All access points provide good sight distance.

Mr. MacPherson discussed the bufferyard requirements. The proposed grocery and convenience store will be required to meet the bufferyard requirements between adjacent lesser intense zoning districts. The Zoning Ordinance requires a Bufferyard "F" between the General Retail District and adjacent R-SF, Single-Family Residential districts (west, southwest and southeast). The Bufferyard "F" requires a minimum open space of twenty (20) feet wide with the following plantings per one hundred (100) linear feet: three (3) canopy trees, three (3) understory trees, four (4) evergreen trees and twenty (20) shrubs. A six foot solid wood fence, masonry wall, solid evergreen hedge or earthen berm is required along the property boundary if a twenty (20) foot bufferyard is used. If a twenty-five (25) foot bufferyard is utilized then a fence, wall or hedge is not required. The bufferyard requirement between the GR and adjacent O-1, Office District, is a Bufferyard C. The Bufferyard "C" requires a minimum open space of fifteen (15) feet wide with the following plantings per one hundred (100) linear feet: one (1) canopy tree, two (2) understory trees, two (2) evergreen trees and ten (10) shrubs. There are no required structures (i.e. solid fence, wall or hedge) in the Bufferyard "C". The maximum floor area ratio of the GR District is a 0.4 (forty (40) percent of the lot area of the property can be utilized as buildings) and the maximum height of any structure is limited by the thirty (30) degree bulk plane as measured from the boundaries of any residential districts. The approximate building wall height for the proposed grocery store at the south and southeast side facing the R-SF is between 20 and 24 feet high. The thirty (30) degree bulk plane would allow a structure to be as tall as forty-nine (49) feet from the south and fifty-eight (58) feet from the east. The proposed grocery store will be approximately half the maximum height permitted by the district's bulk plane permits. The findings are as follows: The Comprehensive Plan designates this area as appropriate for medium-intensity retail, office and residential uses. The General Retail District is one of the recommended zoning districts. The proposed conditional overlay district will mitigate the potential impact between the commercial and residential uses by restricting vehicular access from Washita Street; increasing the width of the required bufferyard along Washita Street; and requiring a fence, berm or hedge in the bufferyard along Washita Street. The developer will make necessary improvements to mitigate the impacts on Sunshine Street as proposed in their approved traffic study. The standard development requirements in the proposed GR District are otherwise adequate for mitigating potential impacts of the proposed grocery store, or other potential GR uses, on the adjoining residential properties. The findings for Commission to recommend denial are that the intensity of the proposed use is not appropriate for the site but staff believes we do not have any evidence to support that finding. Staff is recommending approval of this request.

Mr. Lawhon referred to the explanation given by Mr. MacPherson in the Staff Report by clarifying that what was presented are the pertinent facts, related to the primary concerns that Commission is to consider in their decision to approve this request or not. The findings to recommend denial really isn't a recommendation on behalf of staff, it is just an element to consider in the decision making process.

Mr. MacPherson commented that they try to cover all options available for consideration.

Mr. Baird asked about item number four (4) on page nine (9) of the staff report, the elimination of the flashing signal at Fire Station No. Seven, is the Fire Department concerned about that or are they ok with that being removed.

Mr. MacPherson commented they have been consulted in regard to this. The problem is if you have the signal and the fire signal together, they may be too close and cause confusion. Ms. Gardner from Traffic may want to elaborate further on that.

Ms. Gardner stated that MoDOT did consult with the Fire Department and they are fine with the flashing signal being removed. They will be able to trip the signal that is being put in at Luster and Sunshine for any type of emergency.

Mr. Lawhon opened the public hearing and commented to the public audience that he would call for the applicant or representative first and then other people who wish to speak to this case may do so. Mr. John Heitz, who is here on behalf of the neighbors, to speak in opposition to this, asked for additional time to speak, which is appropriate.

Mr. Pete Hosch, 632 5th Street, West Des Moines, IA, commented that he is with Hy-Vee Corporate offices. Mr. Hosch thanked City Staff for their professionalism throughout the application process and commented that they are great stewards of a forward thinking Zoning Code, which is appropriate for circumstances such as this. It looks at ways to mitigate situations such as this and provide adequate buffers, provide means by which development can take place. This property that has not been developed and it is a situation where Hy-Vee is able to add to the tax base while not adding to any infrastructure requirements through the City. It is not extending the scope and reach of what city services need to do to allow for development so they are truly utilizing existing infrastructure to come in the community with their second facility. They have presented a site plan and are willing to discuss the specifics of the site plan. They have geared this around the concerns of the residents and had the layout set in place prior to the neighborhood meeting where there was a lot of questions and concerns raised. The focus here is to allow an adequate buffer as mentioned, and they have agreed to and are imposing requirements upon themselves to increase the buffer yard requirements to go with the more intensive plantings along the south and west property lines and include the fence on the south property line as additional buffer to try and mitigate the concerns of the residents on the south side of the road. As you can see from the site plan, all the service is oriented on the northeast corner of the property. The south elevation or south façade of the building is really an inactive façade and they did provide an access point for fire escape on that south elevation. There is not public access to that facility from the south side. There will be a fence in between, so we want to get all the traffic, any issues with noise, away from the residential area and allow the buffer to work appropriately. It is a single story facility so you will see on the elevations that it appears to be two story windows in the dining area, but that is to allow more natural light into the facility. There is no visual ability for the customers and patrons to see over the fence from within the facility. Their focus is to keep everything on their site, in the parking lot. The progressive code is going to apply here and we are abiding by all stormwater

requirements. There have been a lot of questions and concerns with respect to the impact of this development and as you are aware, they have to approach this development as if it is undeveloped. They have to provide detention and release as if the property was not developed and we are working within the constraints of the system and we are quite confident the report has shown we can do that and it is not going to be a burden on the system. They are utilizing the new system and improvements that were installed by the City several years ago so there shouldn't be any concern with respect to storm water. They have agreed to more than what is required regarding the buffer and went to the effort to retain the additional strip so that it ends up being two parcels from separate owners to allow and make sure they can provide an adequate buffer on the south elevation. There are issues and concerns with respect to lighting. The City has, again, an aggressive code with respect to light pollution and we will abide by that and with the additional buffers on top of that, there should be no issues or concerns from residents on the south side. Mr. Hosch stated he is available for questions.

Mr. Hansen asked about the pedestrian access to the store.

Mr. Hosch commented he is fine with creating a stipulation where there is no pedestrian access, but they are confident they will be a good neighbor and the concerns will go away after construction. It is a nice amenity to access a facility like this; maybe a percentage of neighborhood residents who choose to ask for that access point. They are fine with not providing an access till they are asked by the majority of the residents who would be impacted and would look to the Commission for any suggestions.

Mr. Edwards inquired about the bufferyard on the southern border and how they envision that.

Mr. Hosch stated they heard differing requests from the neighborhood and a concern regarding maintenance of the area on the south side if the bufferyard was on the residence side. They can go either way. They would need access to the area to maintain it rather than driving around into the neighborhood. The plan is currently showing to put the fence on what is the right-way line so there is an open ditch and grass on the south controlled by the City and then the buffer or plantings would be on the inside of the property which should technically provide more of a sound barrier. They would need to review the stormwater management on site.

Mr. Edwards asked if a fence is what they had in mind not a berm or masonry wall.

Mr. Hosch commented the neighborhood has asked for the fence.

Mr. Hansen asked if there was a contour drawing for the stormwater that goes across the site now.

Mr. MacPherson stated they do not because the property will be graded and changed, but deferred the question to Mr. Marshall from Public Works, and he is prepared to answer those questions.

Mr. Marshall said currently there is a part of the site that does flow to the west and after discussion with the designer they found it would actually be better to redirect that flow to the south east. The City recently put in a forty-two (42) inch pipe to handle flows from this area. All of the stormwater detention from their site will be directed to the south east corner where their detention facility will be placed. They provided a preliminary study that shows they can control the peak runoff coming from their site. They also looked downstream at the receding sinkhole and they believe, which is in accordance with their drainage study, that there will be modifications needed to provide additional volume within the sinkhole to essentially

provide an additional detention effect within the sinkhole.

Mr. Hansen asked if the detention would be on the park property or the applicant's property.

Mr. Marshall said both. There will be detention provided on site but additionally it appears some compensatory storage provided within the sinkhole downstream.

Mr. Hansen asked if the detention area that is proposed on the preliminary plat is not sufficient to catch all the additional runoff.

Mr. Marshall said no, the concern is the water surface elevation within the sinkhole further downstream to make sure that no complications are created by any development on that sinkhole.

Mr. Hansen asked the location of the sinkhole, if it is in the park, so there wouldn't be development on that, right.

Mr. Marshall said it is further south along Seminole Street and the City would require a public improvement plan to do the work within that sinkhole area. Again, that is additional to what they would have to do on site.

Mr. Hansen asked if Hy-Vee would then be paying to modify the sinkhole area and what form would that take; another berm within the park.

Mr. Marshall said yes. At this point there are no final plans, but it would be more realistic to look at excavation within the park area and sinkhole area to create additional storage.

Mr. Hansen asked upstream from the sinkhole.

Mr. Marshall said it would be within the sinkhole area or immediately upstream.

Mr. Hansen asked about the new stormwater runway the City built a couple of years ago. From there up three blocks or so, doesn't that have any detention capability.

Mr. Marshall said the pipe and system was designed for the entire watershed and to handle a fully developed condition within the watershed so it took into account this property being fully developed.

Mr. Hansen asked if that same study showed that you would need additional storage within the sinkhole area.

Mr. Marshall said that study at that time did not, but the study that is involved with the development of the Hy-Vee Store did.

Mr. Hansen asked if it was because it was totally covered with pavement.

Mr. Marshall said yes.

Mr. Hosch said it may be two separate things. The pipe was designed to allow for full development, depending on what took place for development not only at this property but at other properties within the

area. There are means within the City Code, what you need to look at, you need a full study on the impact of the downstream travel of the water and we have done that study and there is methods built within the code that you can make those improvements whether it's development at this property or elsewhere. As you add to that system then they do new calculations and essentially say here is what your impact is, here is what we need to do to mitigate that because the City doesn't want to go out and modify that sinkhole are until it's necessary.

Mr. Hansen asked why there would be an increased velocity and would assume that's what the downstream modifications would take care of.

Mr. Marshall said it is actually an additional volume of water instead of velocity.

Mr. Hansen asked if there is not enough volume in the detention on the property itself to handle

Mr. Marshall said again that is looking at the impacts on the sinkhole downstream of the property and the effects that runoff from the site would have on the receiving sinkhole downstream. We look at the property itself and then at the sinkhole as how it acts to the run off being conveyed to the sinkhole from the site.

Mr. Hansen asked what the question was of infiltration in the sinkhole. Was that to try and mitigate stuff from the parking lot washing down into the sinkhole.

Mr. Marshall said he believes that was part of the water quality requirement, yes it related to handling of flushing of pollutants from the site.

Mr. Hansen asked how that is done.

Mr. Marshall said the most common form that they see with development in the City of Springfield is extended detention, allowing for pollutants to settle out over a twenty-four (24) to forty-eight (48) hour period of time which captures most of those pollutants before they can ever leave the site. Trash would be collected within the detention facility. Generally they regulate the outflow from the detention facility with an outlet structure that captures those low flows and most studies have shown that pollutants are carried by the half-inch to one-inch rainfalls.

Mr. Hansen asked who collects that trash that's combed out of the stream.

Mr. Marshall said onsite that will be the responsibility of the development.

Mr. Hansen said he meant in the sinkhole area.

Mr. Marshall said this would be captured before it ever gets to the sinkhole.

Ms. Roling asked to be shown on the display where the sinkhole is located that is being referenced.

Mr. Marshall stated the sinkhole to the west is not associated with this sinkhole, it is in another drainage area.

Mr. Lawhon directed comments to Mr. Heitz as well as the other neighbors that are here, stating that Mr.

Heitz had approached Mr. Lawhon before the meeting asking for extra time to speak on behalf of the neighbors opposed to this. Mr. Lawhon said he told Mr. Heitz that would be fine. The only caveat to that are the others of you who are here in opposition, this is your spokes person for that, so hopefully it is acceptable to you that he speak on your behalf.

Mr. John Heitz, 2204 E Washita, Springfield commented he has several comments to address from the staff report. First, he does not know of any neighbors who have removed any boards from any privacy fences so they could crawl through and get to Kum-N-Go. Secondly, the issue of Lonepine; the street is very narrow and at the four-way-stop at Seminole the traffic is backed up from approximately 4:30 p.m. till 5:30 p.m. through the week. Third, how can anyone think that a Hy-Vee Store is a medium intensity use because they don't see it. Mr. Heitz commented on his background of being in Real-Estate in Springfield for forty-five years, developed property and sold more than four-thousand pieces of property in Springfield. They are not opposed to the development of the site, but the neighborhood wants continuity with everything else on Sunshine Street. The zoning has always been office and they would like to keep that zoning in harmony.

All property on east and west side of this property and across the street is zoned office. When the Kim-N-Go, Sonic, Auto-Zone, and Lucy's Restaurant were built on east Sunshine, the Planning and Zoning Commission at that time, Madrid Street was put in, and they built offices, and that office was a buffer to keep the commercial property on Sunshine away from the neighbors on Washita. Mr. Heitz gave copies of pictures to Commission of office buildings on Sunshine. If you start at Sunshine and Glenstone and go down, there is nothing but office space, adding there is one retail center, Plaza East, and detailing the other types of developments in the area. Mr. Heitz discussed the Hy-Vee on West Battlefield and the storage units behind the store stating they act as a buffer. The Hy-Vee is a liquor store, restaurant, deli, meeting room, coffee shop, floral shop, butcher shop, photo shop, and pharmacy all open twenty-four (24) hours a day plus they want to put a twenty-four (24) hour gas station and convenience store in there. The average Hy-Vee store is eighty-thousand square feet, so let's compare that to the average Wal-Mart store, ninety-seven-thousand square feet. If I was standing before you and said Wal-Mart wants to come in on this location, you all would think someone had lost their head. The site is not the kind of site that you want to put a high-density grocery store in. Mr. Heitz commented that the Hy-Vee building is facing west because there is not enough room on the site for the building to face Sunshine. How many grocery stores do you know of in Springfield that are facing sideways to a major street; none. The only way they can make this work is to turn the building sideways and added he wanted to show Commission how tight their site plan is. There is a little buffer owned by the Fredericks Family which extends from five (5) feet to ten (10) feet. Hy-Vee even had to require that little buffer to make their site work. Mr. Heitz gave Commission a picture of what the building would look like from Washita Street, which showed the side of a building, stating that it is higher than the Greene County Jail or the Medical Center, and that's how large the building is. The width of the building is half of a football field wide, fifty (50) yards. They just talked about putting a building with a minimum height of twenty-four (24) feet and run that fifty (50) yards along Washita Street and they discussed putting a few trees in and a fence. There is no way to possibly hide the Hy-Vee with that large wall that is there. It is a solid brick wall. Mr. Heitz discussed how the store gets rid of their trash, showing a picture of crushers. There are three (3) crushers at the Hy-Vee on Battlefield and if you ever want to hear something noisy, pull around back, and this will be on Washita, and listen to the crushers go. They go twenty-four (24) hours a day and compact all the trash from the store. Mr. Heitz then compared the sites. The current store is at Battlefield and Kansas Expressway, which is a good location. The new location will be on Sunshine and Link Drive. Link isn't Battlefield or Kansas Expressway. Mr. Heitz then produced pictures of the intersection of Kansas Expressway and Battlefield and pictures of Link Drive for comparison. The traffic on Sunshine backs up between 4:30 and 6:00 p.m., from US Highway 65 past the Dillons store.

There will be more traffic on Sunshine because of the store. Mr. Heitz stated there are people living on Washita that bought these houses that have loans against these houses and commented that with his forty-five years of experience in the real-estate business, as soon as the Hy-Vee goes in, the property values are going to go down. There are going to be many people living in that area that are going to be under water because their house isn't going to worth what the mortgage is. Mr. Heitz stated he would be happy to answer any questions.

Ms. Joan L Bondra, 1824 N. Link Avenue commented that she and her husband purchased their home less than a year ago. The twenty-four (24) hour gas station is not medium intensity. When people pull in to park their headlights will be facing her kitchen window. The report does not address the impact the development will have on Link Avenue. At the neighborhood meeting there were no handouts and she remembers the representative stating there would be two entrances; one for the delivery on the east side of Sunshine and one at Luster where there will be a new traffic light. From the diagram given to them at the neighborhood residents meeting, it appears there will be another driveway into the gas station/convenience store area behind the houses on Link Avenue with parking also directly behind the houses with headlights shining into their house. There was no mention of a berm on Link Avenue in the report that she read. There is no mention in the report of the dumpster locations, traffic access, loading docks, sloping lot for drainage into the retention area and much more that has not been heard yet. The bufferyard along Washita in the report says a minimum space of twenty (20) feet. In the meeting with Hy-Vee Representative verbally said there would be more. She does not feel that the Planning and Zoning Commission have all the information to go forward with this. With all the information the neighborhood residents found, Ms. Bondra is asking that Commission deny the zoning or table the issue till unanswered questions can be addressed by the developers and the staff of Hy-Vee gives adequate reports on how it will impact their neighborhood. In addition, there was a grocery store down the road that went out of business on Sunshine this year. Ms. Bondra commented they have a lovely home and wonderful neighbors.

Mr. Lawhon asked where the trash compactors would be located and where the trash trucks would enter and exit the site.

Mr. Hosch indicated that behind the projection on the east elevation, north of that, are the compactors and the loading docks. We run on a normal trash schedule and do not operate the compactors in the evening hours. The convenience store is not a twenty-four (24) hour operation; it is from 6:00 a.m. to 11:00 p.m. This is the identical site plan that was prepared and shown at the neighborhood meeting and the zoning does not require they show a site plan and they did that to be upright on what they plan to build on the site so the three access points were always on the plan, adding he is concerned about some of the comments that are not representative of what they shared.

Mr. Jim Gray, 2214 E. Washita, commented he is the victim most impacted by this plan because he is the house closest to the building. Mr. Gray asked if he could ask a couple of questions to Mr. MacPherson before presenting his brief remarks.

Mr. Lawhon said yes.

Mr. Gray asked if the report include both tracts as he understands it. There is a description in the report of one tract and his question is if both of the tracts are included in the description.

Mr. Rognstad said yes.

Mr. Gray asked if he could be shown on the display where the Frederick tract is located. He asked for a description of the tract and the Schweitzer separately.

Mr. Rognstad said they have that.

Mr. Gray expressed thanks for the assistance and commented that this is something personal to him. He has lived fifty (50) years on Washita Street and has found it to be a very pleasant and peaceful place to reside. The building will be right in his face at 2214 and the building is going to be on the other side. He expressed his hope that attention was paid to what Mr. Heitz said because he covered the issues very well. Mr. Gray commented that he had previously submitted a written memorandum which should be in the staff report. There is one point he would like to stress that in a case such as this to protect residents and their residential properties. There used to be a rule against spot zoning. There should be a buffer, which has been discussed, and in this particular case the tract where Hy-Vee wants to build, is surrounded on three (3) sides by residences. Those are houses where people live, where he lives. It is their home. He does not believe it is fair and appropriate to fix it that way and that is not a buffer; twenty-five (25) or fifty (50) feet with a fence and plantings. For the reasons he has mentioned, he is opposed to the request.

Mr. Coltrin commented to Mr. Gray that this property has been sitting there for a long time, asking what he thought would be appropriate with all his years of experience, to be developed on the property.

Mr. Gray commented that it would be his opinion, but right next door to the east is the Commerce Terrace Building, which they put close to Sunshine and behind it they put the parking lot. It is relatively quiet and at night there is no action over there at all, so maybe a building similar to Commerce Terrace with parking in the back.

Mr. Coltrin commented that that tract is smaller than the site being discussed.

Mr. Gray said not on depth.

Mr. Coltrin commented that proportionately if you were going to put office on this tract of land it would be quite a bit bigger than that office building on Commerce Terrace, so if something like down toward Glenstone on the north side of the road came in, which is a big office complex, what would your opinion of that be.

Mr. Gray said he was glad Mr. Coltrin mentioned that as he was the first tenant that went into that building in 1980, and added that would be alright.

Mr. Coltrin asked if it was the use more than the size.

Mr. Gray said for him it would be a suitable buffer that would be effective, not just in saying it's going to be a buffer, it would really be a buffer. He does not believe anyone in the room would want to live in his home when they build that store. He lives in his home because he enjoys it.

Mr. Mark Putman, 1971 S Luster Avenue, commented on two items related to staff's report earlier. On arterial Sunshine, there are not sidewalks, pedestrian access, from the first block east of Glenstone to past Lonepine on either the north or south side of the street. There are not sidewalks on Link where increased

traffic would be cutting through the neighborhood. There are no sidewalks on Lonepine, which is a secondary arterial according to the report. The reason there is so much traffic at the four-way-stop on Lonepine is because of the school around the corner and children are walking to school.

Nell Ellsaesser, 1814 S Link, commented she is opposed to the request. They are aware that this property will be developed at some point and their request would be that close to the residential properties there would be some sort of office building. Currently when exiting Link Avenue to Sunshine, there may be a space you can get out. With a stoplight at Luster, the difficulty will increase in crossing the street.

Mr. Baird asked Ms. Ellsaesser her views on the proposed bufferyard since she will be impacted by this since the back of her home faces the site.

Ms. Ellsaesser said entirely insufficient to have a gas and convenience store that close to her back yard.

Mr. Baird said the applicant is putting in more bufferyard than what is required, with the Conditional Overlay, asking if that has made any impact on her or the other residents to the likeability of this development going in.

Ms. Ellsaesser said no.

Mr. Don Bracey commented that he owns property across the street on Luster. He stated he has a private drive across the street at Luster going up to the apartments and the office buildings. He expressed concerns about the merging lanes. When people come out of the apartment complex will they be able to come out in the center turn lane. He hopes staff will look at this if the project is approved.

Mr. Baird asked Mr. Bracey if he is for or against the development.

Mr. Bracey said that piece of property would have to hold an office building financially like they have at Corporate Center and the parking lot would be bigger.

Mr. Baird asked if the stoplight at the intersection benefit his residents at his apartments.

Mr. Bracey said yes and no. It is difficult to exit. He has five-hundred (520) residents that live in Columns and one-hundred-sixty-three that live in Viking so yes it would benefit with the stoplight there.

Mr. Baird asked if there are any plans to put any turn lanes along Sunshine or improvements to be done to Sunshine in order to facilitate the development.

Ms. Gardner referred the question to CJW. Staff has not seen any plans yet. With the traffic signal there should be a left turn lane.

Mr. Seiler commented that the stoplight would be located across from the Four Columns access point which would allow for egress and ingress to the drive to the north. In addition, Hy-Vee is installing a right turn lane off of Sunshine coming into Hy-Vee property. That would be the only additional geometric improvement, turn lane improvement that they would make. The signal would utilize the existing two-way left turn lane and that would be eliminated and turn those into left turn lanes for the signal. The signal will control all four approaching intersections so it will control the Columns entrance to the north along with the

Hy-vee access to the south and then the east and west bound directions on Sunshine Street. Mr. Seiler said they could make a northbound right out and head east, answering Mr. Bracey's question.

Mr. Bracey asked how wide the proposed driveway is.

Mr. Seiler said they made it thirty-six feet. They have a north bound out and then a left turn lane out and then a dedicated in, so three (3) lanes wide is about thirty-six (36) feet.

Ms. Cindy Busby, 2224 E Washita St, commented she has lived at that address for twenty-three (23) years. Ms. Busby stated when the residents purchased their homes they knew the wooded area was zoned as residential. They expected one day to have homes across from their homes, but did not expect a development of this magnitude. Ms. Busby reviewed the comments from the staff report of the four findings for staff recommendation and the one finding for Commission to recommend denial and read the statement regarding the recommendation for denial. They wrote that but are still recommending rezoning this site to support five-hundred (500) parking spaces, a twenty-four hour convenience store and gas station, and an eighty-five-thousand (85,000) square foot grocery store. They were made aware of the proposed plan on September 13th, three weeks ago. The impact on the adjacent and nearby home owners appears minimal on paper, the residents believe it is naive to think their home values and quality of life in their neighborhoods will not suffer if this rezoning passes. The project they are proposing is a high-intensity business, better suited to an area near other high- intensity retail businesses. This project does not belong adjacent to long established and quite neighborhoods. Hy-Vee does not fit in their neighborhood.

Mr. Ken Blankenship, 2315 E Washita, commented about the forty-two (42) inch pipe and the water has to go through several twelve-inch (12) pipes on driveways to get to the forty-two (42) inch pipe; he lives just a little way down the street from there, right behind the Missouri Bank. When they purchased their home, there was not a bank or a Kum-N-Go, or Sonic, it was trees. They are now faced with this project; they live next to Kum-N-Go and know something about light pollution and the traffic is terrible. Mr. Blankenship stated he knows what is coming for the residents living on Luster and Link, they will get the full effect of the traffic coming into the parking lot. The bank was kind enough to build them a ten (10) foot fence behind their home, but it is still not high enough to cut out the light pollution and the noise. Mr. Blankenship stated he is opposed to the project.

Mr. Chuck Busby, 2224 E Washita, commented he wanted to draw the Commissions attention to something in the Springfield Zoning Ordinance, Section 4-3106, Open Space Requirements, under the General Retail Section and quoted from paragraph B. Mr. Busby drew Commissions attention to a copy of an overlay of the proposed site colored in red all of the impervious surfaces outlined by the Ordinance asking if the Planning Development Department confirmed that the red highlighted areas do not exceed the eighty (80) percent total area, because from this drawing it appears that it does exceed the eight (80) percent.

Mr. Rognstad commented they would not look at that at this point. The site plan has not been approved by this Board. Building Development Services would receive a site plan with the building permit and at that point they would confirm it was only eighty (80) percent coverage. If this exceeds that, then it would have to be cut back.

Mr. Busby commented that they do not know what this final development will look like, it is still in process and there is a decision to be made on this, but we don't know what it will look like. Mr. Busby referred to the backyard boundaries of the residents, and stated that if you continue that line all the way across the

development, there is a protrusion of this huge development in a residential neighborhood. It is unlike anything around it, twenty-four (24) hours a day, seven days a week, eighty-five-thousand (85,000) square foot store, hundreds of people coming in and going out, lots of light and noise in a very quiet residential neighborhood. They would be looking at that thirty (30) foot wall every day outside his window and asked Commission if they would want to look at that every day. Mr. Busby stated that this high-intensity development does not belong in this residential neighborhood.

Ms. Sherri Potts, 1815 S Link, spoke in opposition to the proposed Hy-Vee and expressed concern about property values and as a parent of a twelve year old child, the safety of their child as well as the neighborhood children. Ms. Potts presented to Commission pictures of office buildings and expressed concern about the foot traffic as well.

Mr. Bob Pulley, 2213 East Latoka, commented that Hy-Vee is giving more bufferyard than required, and that doesn't really amount to anything. Mr. Pulley asked about required parking spots for the project referring to a picture he had.

Mr. Baird had a copy and commented that four-hundred-twenty-five (425) parking stalls required and five-hundred-six (506) parking stalls provided.

Mr. Pulley expressed his concern about the additional eighty (80) parking stalls and the water issue that existed at his home and his understanding of detention areas are to absorb the water, but not release it any faster, more volume, than it would be coming off the property now without being developed.

Mr. Marshall commented that is correct, the rate will be equal to or slower, volume divided by time.

Mr. Pulley asked why they are going down stream and adding capacity to the area down to Seminole. It sounds like there is not enough capacity in the existing detention area. The eighty additional parking spaces could be used for other things. Mr. Pulley discussed the sinkhole area and increasing the capacity at Seminole if the detention is designed correctly.

Mr. Hansen asked Mr. Pulley what the stormwater looks like currently when there is a three (3) inch rain.

Mr. Pulley stated he does not have to watch the water rise underneath his home because the City has fixed the problem.

Mr. Curtis Jared, 2870-A, South Ingram Mill Road, commented he has the strip to the west end there, commented he is not speaking for or against, he would like a clarification about the property to get it zoned Commercial and then do a variance for a Variance. Is this zoning theirs Commercial and keeping his residential or do they have to be done at the same time.

Mr. Rognstad commented they are only rezoning the Schweitzer tract, the other tract would remain residential.

Mr. Jared asked if they are considered one tract stating the City told him that when he met with the City.

Mr. Rognstad stated he did not know he would have to look at it.

Mr. Kelly Short, 5051 South National, stated he is the engineer working with Hy-Vee and many questions have come up about the detention and the sinkhole and he wanted to shed some additional light on those questions. There are two different City Ordinances they are dealing with, one is with Development and detention requirements and those requirements specify that your release rates leaving the site can't exceed the pre-development rates, like cubic feet per second, miles per hour, how fast it is going would be what you have to regulate coming off the site. Since we drain to a sinkhole watershed there is another ordinance that protects surrounding properties around a sinkhole which where the detention doesn't match volume rates, so an example of that is if the amount of cars going down the street, even though they are going the same speed, you have more cars going down. You are having more volume of water coming off the site, that's why the off-site improvements are required if that makes sense. The parking lot requirements are part of Hy-Vee's internal requirements for the number of spaces for the grocery store while there would be additional for the Convenience Store. They ran into the problem at the other store location of not having enough parking that's why the additional spaces are there.

Mr. Hansen stated that he does not understand how there would be more water coming off than what your own detention could take care of.

Mr. Short stated because of the parking lot and the impervious surface, it creates the water to run off the site differently than it would if it was wooded and grass. That is why if you did not have a detention basin, it would run off at a greater rate and a greater volume coming off the site. The detention basin function is to reduce the rate that it comes off. You still have the same volume that comes off from the parking lot and this is the same with any development; you have an increased volume that comes off the site but the detention holds it back, creating a volume to where that pond can fill up and then it meters the flow out to match the pre-development rates. You still have a greater volume of water and you are just releasing it out over a longer period of time. That is where the volume comes into account. The car analogy is the closest he can get to explaining it simply. You have a speed limit on your road of forty-five (45) miles an hour, and after development you want to keep it at forty-five (45) miles an hour, but you have a hundred extra cars so you have this long train of cars going forty-five (45) miles an hour; that volume effects the sinkhole because the sinkhole it is experiencing the volume of effect, not the peak flow rate effect.

Mr. Hansen asked if what Mr. Short is saying is that the sinkhole has a limited capacity overall to handle more volume, because if you discharge it at the same rate as it always has it seems like the sinkhole would be able to handle it as it always has.

Mr. Short stated this sinkhole is a unique situation because it overtops Seminole at a lower rate storm, so like the twenty-five year storm, the sinkhole over flows Seminole, so it has an outlet so the impact of the volume is really minimal. We are talking about fractions of an inch. It is the overall volume in the water surface and you are looking to protect the neighbors around the sinkhole to keep that water surface in the sinkhole just to make sure they are protected as well and they don't see a difference after this development.

Mr. Hansen commented that water does over top Seminole Street in a not very big rain event.

Mr. Short said there is not a culvert underneath Seminole at all, so once that sinkhole fills up it does over top Seminole.

Mr. Hansen stated that when you add ten (10) acres of pavement, it's going to over top Seminole more

often and with more water.

Mr. Short said yes it would if we didn't do the offsite improvements in the park. That is where they are looking at excavating out a portion of that to provide the additional volume in the sinkhole flooding area. It will not be the entire park, but they will work with the Parks Department and with Public Works to find the best way to excavate that volume out. They are basically meeting the rate requirements from the site with the detention basin, discharging it into the forty-two inch pipe the City put in three (3) years ago, it is a direct connection into that system, and then downstream they handle the volume portion as well in the sinkhole. Every aspect of the stormwater system is protected for any surrounding neighborhood and that is something Hy-Vee is doing completely at their cost. They are not asking for City funds or matching funds in this development or required improvements. It will be seeded and brought back to park like conditions, only lower.

Mrs. Caroline Batten, 2309 East Washita, commented that she wanted to address the fence behind Kum-N-Go; it was not a matter of neighbors or people wanting to go through to the store, it was vandalism and the businesses left them down because people would kick them down anyway.

Mr. Hansen asked what the consensus is of the neighbors as far as a pedestrian access to the proposed development.

Ms. Batten said they do not want access to Hy-Vee. They want their neighborhood kept like it is where people can't be coming and going and interrupting their lifestyle.

Ms. Lori Shaklee, 2304 East Washita, commented she is asking Commission to vote against the rezoning of the property located on her residential street. The property in question was zoned as residential then as it is zoned currently. The concern is having an eleven (11) acre site developed for a twenty-four (24) hour, seven day a week grocery store, cafeteria, gas station and liquor store and the impact it will have on her property value. It will destroy the peaceful neighborhood with the lights, noise, delivery trucks, air conditioning units, as well as the volume of water runoff contaminated water with oil and gasoline. There is the concern of the traffic flow on Lonepine. How can anyone consider this large high retail establishment to be medium intensity and has Hy-Vee asked for a tax abatement. The decrease in property values surely is not in line with a long term goals of city government.

Mr. Lawhon asked if this request is approved and Hy-Vee is built, will they pay property tax.

Mr. MacPherson said yes.

Mr. Tim Rosenbury, 2522 S Brentwood, commented he is personally and professionally in support of the proposal, commenting that he was asked to speak on, or to advocate this on behalf of Hy-Vee. Comments have been made that are more true than others and some have come to recent conclusions that aren't necessarily so. Mr. Rosenbury reviewed previously expressed public comments and addressed them. Mr. Rosenbury stated that with the fence on three (3) sides, the lights into the neighborhood will be effectively managed, not totally managed, but effectively managed. The issue is whether this zoning proposal with the conditional overlay is an appropriate use and has been effectively buffered for the neighborhood. The change is being proposed because of the economic growth and the desirability of the Springfield market.

Mrs. Diana Blankenship, 2315 East Washita commented her and her husband drove by the property site

when it was raining and the water was flooding out of that area and if that were all asphalt they could not imagine what it would be like. There are many grocery stores in Springfield right now and there are so many other places in Springfield that Hy-Vee could build. There are many locations for sale. Why don't they consider being away from residential areas and propose they build elsewhere.

Mr. Jim Shaklee, 2304 East Washita, commented on the decline of property values and other possible locations for the proposed store.

Mr. Andrew Luehrs, 2218 E Latoka Street commented that the proposal asks to adequately use the land for an appropriate purpose and is it adequately buffered. The description he read, at the neighborhood meeting, stated that the City plan describes this as being appropriate for a medium intensity use. He asked Commission to consider their homes and ask if across the street a six (6) foot fence, some trees that will reach maturity in ten (10) years and is a buffer you would want between your home and the parking of that store on a Saturday afternoon when everyone has come to purchase their groceries.

Mr. Lawhon closed the public hearing.

Mr. Baird stated that he has a couple of questions for Mr. Hosch asking for clarification on the hours of operation for the facility. Is the height of the proposed store the same height as the store on Kansas.

Mr. Hosch said the food store would be open twenty-four (24) hour, seven (7) day a week operation, primarily for overnight stocking of shelves. The convenience store operating hours are from 6:00 a.m. to 11:00 p.m., and sometimes more limited to that depending on traffic. Mr. Hosch stated the height of the south facing wall should be between twenty (20) and twenty-four (24) feet depending on where you look at the projection. There are some grade issues, but from finished floor to top of parapet technically they would be the same. This is more of an at grade construction where Kansas Expressway sets down substantially lower than the food store depending where on where the picture was taken from or even the rear elevation sits down lower so it would appear to be taller.

Mr. Baird asked about the bufferyard, primarily on the west side and the south side, what they anticipate the fence being constructed of, wood or masonry or is there a plan for that yet.

Mr. Hosch stated they are researching it and are looking at a composite, heavy duty with a wire mesh interior so it is stable and durable and it doesn't wear and tear as much as a wood fence and that is the material they are looking for in that respect. The buffer on the west elevation, there is a strip of land that is approximately fifty (50) foot that is already wooded which will remain in place and then they add the twenty-five (25) foot of additional bufferyard with the plantings, so really that is a seventy-five (75) foot bufferyard.

Mr. Baird commented that one of the primary concerns of the neighborhood is the foot traffic into the facility. Do you feel that will be an adequate fence to keep people out.

Mr. Hosch commented that if it is the desire of the Commission to not have pedestrian access, they may have a maintenance access point that could be locked, the fence will be more of a solid panel type of construction so it appears like a wood fence but it is not slats that can be kicked out.

Mr. Edwards asked if the site plan is pretty much what they are envisioning where that building will be placed, up against the corner.

Mr. Hosch said yes, and as part of the rezoning you are not required to show a site plan but they want to show the neighbors where they intend to build the structure and the design is to get the service area up on Sunshine so it is as far away from the residents as possible and to make the south facade of the facility inactive. It is not a functioning side of the facility.

Mr. Coltrin asked to be shown the main entrance of the grocery store.

Mr. Hosch pointed out the two entrances on the display and discussed the parking.

Mr. Hansen asked if the twenty foot buffer all they can afford.

Mr. Hosch stated their intention is to purchase the additional strip of land to make certain there is an adequate buffer. Along the building façade, it is not twenty feet, technically it is approximately forty-five (45) feet because their building sits off of what is that spite strip property line. Currently, where they are showing the parking it is approximately twenty-five (25) feet from the five (5) foot of right-of-way they dedicated to the City. It is approximately a sixty (60) foot right-of-way so you are eighty-five (85) feet from the resident's property line. They need to make this economically viable to make this achievable project based on the purchase price of the ground based on the site improvements they are making; the fences are not cheap, the extensive landscaping, we need to build a facility they know how to operate and that is this facility.

Mr. Edwards stated that as a Commission they deal with these types of issues, some recently, which have been similar issues where you are going into a neighborhood and changing things that perhaps from Commission perspective the neighbors should have been aware of. The thing that comes to mind is that if you didn't want that field to turn from a wooded area into a building you should have bought it and that is something that is not often said, but it is something people should think about. Mr. Edwards continued by stating that he always tries to explain himself and his vote to people adding that he usually has a list of why he would vote to put this facility in their neighborhood, but tonight he wants to give a couple of thoughts on why he will vote again this proposal which is not something that he normally does. As far as the general retail and use and the medium intensity and water he is ok with that. He does not have a problem with putting a Hy-Vee on this site, but what is the deal breaker here is the three or four houses that will be right there parked behind that building. It is fair to say that an office complex could come in there or even a grocery store, perhaps even this store if it were smaller, if it were orientated different, if some of the parking spaces were used to create a larger buffer zone, if the Convenience store were eliminated. There are many ways he could see voting for this project but right now with that building being in front of those three or four houses or maybe more, it would not be fair at all to do that to those people because given that this was a residentially zoned previously, putting something that close to their houses, that large, is just beyond the expectations and tonight he is not comfortable with that building right there.

Mr. Hansen commented that he would concur with Mr. Edwards. As far as their expectations of big giant vacant lot that they have enjoyed for years and years, they are forced to often remember how much it was enjoyed after it is developed. In this case, the intensity of the development is greatly multiplied over what the present zoning is and the neighbors who own property all around this have an expectation that they would have at least similar neighborhood afterwards as they did before. This proposal as drawn intrudes into the heart of this neighborhood and commented he is not comfortable with the detention they are talking about that is taking advantage of City property to handle the runoff from this proposed site. If there was

more detention on site that they care for themselves and if there was more of a separation from the main building and the neighboring homes, he could vote for this proposal as well. There are many advantages to having a superstore like this, the convenience. But on the other hand a large super store like this is a real weight on a residential area around it. As this is drawn and platted, he would have to vote against it.

Mr. Baird commented that he appreciates all the comments and the people that have come to speak to this tonight. He is on the opposite side of the fence from those who have spoke before him from Commission. He is not certain why the Schweitzer's didn't develop the east side of the property to square it up to finish the residential street and for whatever reason that path was not taken. It appears that Hy-Vee has done more than their fair share to try and eliminate, or mitigate, the concerns of the neighbors with the bufferyards, with the establishment of the overlay district. One of the issues that has not been discussed is the jobs this will bring into this area. Yes Hy-Vee as a corporation would benefit. This store would offer jobs to the citizens in and around our area who would then in return spend their money here. Mr. Baird stated he would be voting for the development.

Mr. Lawhon stated they are not here because this is easy, but because it is important. Often they discuss two things that are very near and dear to their hearts, property and family, and those are involved in a lot of the cases Commission hear and ultimately in the decisions they make. What he has heard from folks are what he refers to as the big "five", which occur frequently with zoning requests, traffic, noise, stormwater, buffers and property values. There is very little that the applicant can do about property values and there is a lot that can be done for traffic, noise, stormwater and buffers. The applicant has made a very good faith effort in trying to mitigate all those things and make it a better fit for the neighborhood. It ultimately comes down to a zoning case and if this is an appropriate zoning request for this area, and he believes it is, and that is why he intends to vote in favor of the proposal. If this is passed and this store is run like the Kansas location, it will be a good neighbor in his opinion. As with any other development they approve, these people need to be held accountable to live up the conditional overlays they themselves have requested be included with this zoning request.

Mr. Coltrin stated that Commission listens to these difficult cases and there is nothing easy about them, and tries to view them in a similar light of, is this the proper zoning for that tract of land. They don't ask if it is a perfect zoning for that tract of land, it is a piece of property sitting on a Springfield arterial and the developer is footing the bill for improvements to handle the traffic and the stormwater. There is a little more buffer to the west than what we are looking at in this plan because of the additional land. Commission is not required to see what is displayed on the screen right now, the proposed site plans, so he cannot hold against the developer what he has gone above and beyond to show on the screen. Mr. Coltrin commented he cannot look at that and say because of what he sees or does not see, he is voting for or against it. He has to evaluate that one question of is this a proper zoning for that piece of land. In his mind, it is a proper zoning for that site where it is situated, and for that reason he will be voting to support the proposal.

Mr. Baird motioned to approve Z-12-2012 with Conditional Overlay District No. 53. Ms. Roling seconded the motion. The motion carried as follows: Ayes: Lawhon, Ray, Coltrin, Baird and Roling. Nays: Edwards and Hansen. Abstain: None. Absent: Young and McClelland.

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

Mr. Lawhon clarified that the next City Council hearing is October 22, 2012 with a public hearing. Mr. Lawhon commented that there is sometimes the perception that Commission all walk in step with each other and just rubber stamp what the Planning Department brings to Commission and hopes that tonight has changed that perception or reinforced the perception that Commission does want to hear what the public has to say and listen to what is said. It is meaningful to Commission members. Commission may not always vote the way people want, but appreciate the discussion that they have and the openness.

4. Z-13-2012
(1400 West Battlefield Road)

Little Zippos II, LLC

Mr. MacPherson stated the purpose of this request is to rezone approximately one (1) acre of property generally located at the 1400 West Battlefield Road from Planned Development 122 Amended to a GR, General Retail District. The applicant is proposing to rezone approximately one (1) acre of land from a Planned Development 122 Amended to a GR, General Retail District. This rezoning will allow the existing building that was previously a video rental store to be converted to a pawn shop. The existing PD does not list pawn shops as a permitted use. A text amendment to the Zoning Ordinance modifying the pawn shop use will follow this rezoning to clarify that pawn shops are permitted in the Retail Sales Use Group which is permitted in the GR. As a condition of the rezoning, the applicant is proposing to dedicate a cross-access easement to the adjacent property owner for future access onto Battlefield Road.

The Growth Management and Land Use Plan of the Comprehensive Plan designate this area along the Battlefield corridor as appropriate for high-intensity retail, office and residential uses. General Retail (GR) is one of the zoning districts recommended in these areas. The General Retail District is intended for uses that provide community-wide personal and business services, shopping centers and specialty shops. Commercial uses permitted in this district are generally required to conduct business activities indoors. The need for community-wide accessibility dictates that this district be located along or at the intersection of two or more arterial or higher classification streets. This request is consistent with the recommendations of the Comprehensive Plan, which identifies this area as an appropriate location for high-intensity retail, office or housing. The proposed zoning is consistent with surrounding non-residential uses and zoning along Battlefield Road in this area. The proposed condition will provide for better cross access between adjoining properties and safer access to Battlefield Rd. in the future. The neighborhood meeting went well and there was no opposition and Staff has not received any comments. Staff is recommending approval of the request.

Mr. Hansen questioned if the cross access easement is to eliminate a driveway to Battlefield.

Mr. MacPherson said yes, they are proposing an access easement to the property line whereby in the future if redevelopment occurs on the adjoining property they can use the joint access off Battlefield.

Mr. Lawhon opened the public hearing.

Mr. Cory Loftis, 1812 W Lennox Drive, commented he is leasing the building and as Mr. MacPherson stated, it is a matter of permitted use. There will not be any physical development changes and they have the retail business license already. The zoning request will allow them to get a pawn brokers license and do loans and merchandise as well as buy and sell.

Mr. Floyd Malone, 1136 W Battlefield, commented he is in favor of the rezoning.

Mr. Lawhon closed the public hearing.

Mr. Ray motioned to approve Z-13-2012. Mr. Edwards seconded the motion. The motion carried as follows: Ayes: Lawhon, Edwards, Hansen, Roling, Baird, Coltrin, and Ray. Nays: None. Abstain: None. Absent: McClelland and Young.

HEARINGS:

Conditional Use Permit:

5. Conditional Use Permit 401
(North side 2400 block East Elm)

Midwest Family Broadcast Group

Mr. MacPherson stated the purpose of the request is to approve a Conditional Use Permit to allow a radio broadcast tower to exceed one-hundred (100) feet in height within an LI, Light Industrial District. The proposed tower is one-hundred-fifty-five (155) feet tall. . Approval of a use permit is required for any tower other than wireless facilities exceeding one-hundred (100) feet in height in the LI District. The proposed tower meets the approval standards for a conditional use permit for towers exceeding one-hundred feet in height. Staff recommends approval of this application for the following reasons: The tower meets all setback requirements from adjoining residential-zoned property, public property and streets. The proposed tower is located more than three-hundred (300) feet from residentially zoned property. In addition, the tower will be setback at least one-hundred-fifty-five (155) feet from all property lines. Based on the height of the proposed tower, a setback of one-hundred-five (105) feet is required by the Zoning Ordinance. The proposed tower shall have the least practicable adverse visual effect on the environment. The Zoning Ordinance states that every attempt should be made to place the tower so that the building is located between the tower and adjoining street. The proposed tower will be located behind the office building and an eight (8) foot retaining wall on the southeast side of the tower. The tower will be constructed of galvanized steel and will not be artificially lighted. Traffic associated with the facility will not adversely impact the adjoining street system. Traffic is not expected to have any additional impact over other development in the area. All off-street parking required by the zoning ordinance will be provided. Staff has reviewed the applicant's request for a Conditional Use Permit and has determined that it satisfies the standards for Conditional Use Permits outlined in Section 3-3310 of the Zoning Ordinance. The findings are as follows: The proposed tower will be situated so as not to impact any nearby residential properties. The landscaping is being provided to screen the tower site from Elm Street and the residential uses on the south side of Elm Street. This application meets the approval standards for a Conditional Use Permit and is in conformance with the Comprehensive Plan. At the neighborhood meeting there was one individual who expressed some concerns about flooding which were relevant to the O'Reilly project and not to this particular project. The regulations and standards on the attached Exhibit I shall govern and control the use and development of the land in Use Permit Number 401 in a manner consistent with Exhibit III, except as modified by Exhibit I, and except any changes made by the Planning and Zoning Commission. Staff is recommending approval of the request.

Mr. Lawhon opened the public hearing.

Mr. Rod Nichols, 2805 S Ingram Mill Road, with the Law Firm of Carnahan, Evans, Cantwell and Brown,

stated he represents the applicant, MWSpringmo, Inc. for the Conditional Use Permit. MWSpringmo, Inc. does business as Mid-West Family Broadcast Group. They operate four (4) radio stations locally. Mr. Nichols referred to the display board showing the location of the proposed site. They will be constructing a new office and broadcast studio. The tower will be right behind the facility to minimize the loss of signal. The application for the Conditional Use Permit relates only to the construction of the broadcast tower. The setback of the tower base is going to be more than is required by the Zoning Ordinance and the reason they are proposing the one-hundred-fifty-five (155) feet is so in the unlikely event that there is ever a failure of the tower that it will fall completely on the site, not on any adjoining property. The base of the tower is going to be more than three-hundred (300) feet from any residentially zoned property. It will be buffered to the north by a Burlington-Northern Railway Spur which also has a significant tree line growing along the property. The tower base will be buffered to the east by another tree line along the property boundary, to the south the location of the facility itself will buffer a fair amount of the view of the tower base to the south and then looking to the east there is going to be a buffer by a trash receptacle and landscaping if need be. The tower will not be painted as it will be galvanized steel, gray in color. It will not be artificially lighted and there will not be any lighting on the tower. At the neighborhood meeting, no one expressed opposition to the construction of the tower.

Mr. Hansen asked if the tower would have guide wires.

Mr. Nichols said no it will be free standing.

Mr. Lawhon closed the public hearing.

Mr. Baird commented that for this piece of property, this seems to be the perfect use for this.

Ms. Roling motioned to approve Conditional Use Permit 401. Mr. Hansen seconded the motion. The motion carried as follows: Ayes: Lawhon, Edwards, Hansen, Roling, Baird, Coltrin, and Ray. Nays: None. Abstain: None. Absent: McClelland and Young.

OTHER PUBLIC HEARINGS:

7. Airport Master Plan (City-Wide)

City of Springfield

Mr. MacPherson commented that there are three (3) representatives from the Airport which include Shawn Schroeder, Brian Weiler, and Joe Pestka who are going to talk about the Airport Master Plan. Commission needs to find that it is consistent with the Comprehensive Plan of the City and make a recommendation to City Council to adopt the updated Airport Master Plan.

Mr. Lawhon opened the public hearing.

Mr. Brian Weiler, 4907 S Clay Court, commented that he is the Director of Aviation for the City and would like to discuss what he feels is a very important project for the airport. They will give an overview of the plan and answer any questions Commission might have. Mr. Weiler said that this is an important planning project for the airport that insures they meet the Air Transportation needs of the region and also important in securing state and federal grants which are used to maintain and improve the airport on a regular basis and added that the airport is in good shape. Mr. Weiler and Mr. Pestka reviewed the power point

presentation with Commission.

Mr. Hansen asked about the project and White Chapel Cemetery.

Mr. Weiler commented that they are in ownership of those easements, but some parts of the Runway Protection Zone that would be over the Cemetery.

Mr. Baird asked if AVCRAD would be expanding and if they work together and how they affect the Master Plan and if they get funds from the Military.

Mr. Weiler stated they had a representative from AVCRAD on the plan. The Military is a very important part of the airport and the operation and they have recently completed a major expansion and additional expansion plans and those have been taken into consideration and incorporated into the Master Plan. Mr. Weiler stated that because they are on airport property, they do receive ground lease for that and the military aircraft do buy fuel and use other things, so yes, they are tenants like other tenants.

Mr. Lawhon closed the public hearing.

Mr. Edwards motioned to recommend to City Council that the Airport Master Plan is in conformance with the Comprehensive Plan and recommends **approval**. Ms. Roling **seconded** the motion. The motion carried as follows: Ayes: Lawhon, Edwards, Hansen, Roling, Baird, Coltrin, and Ray. Nays: None. Abstain: None. Absent: McClelland and Young.

OTHER BUSINESS:

8. Initiate Zoning Text Amendments for the COM, Commercial Street District City of Springfield (City-Wide)

Mr. MacPherson commented that City Council approved General Ordinance 5866 for the purpose of establishing the COM, Commercial Street District in March 2010. The district is intended to be a mixed-use district that accommodates a variety of residential, commercial and light industrial uses. Two (2) sub-zones were established in the COM District. The COM-1 District is designed to permit new construction that is more compatible with the existing historic buildings within the Landmarks District along Commercial Street. The COM-2 District is designed to allow new construction that is consistent with more recent commercial development along Commercial Street.

Subsequent to the creation of the COM District, staff has determined that some modifications need to be made relating to the District. Staff is requesting that Planning and Zoning Commission initiate a Zoning Text Amendment regarding the following items:

- Amend Section 6-1200, Landscaping and Bufferyards, to add the COM, Commercial Street District to the Table of Bufferyard Requirements.
- Amend Section 5-1500, Off-Street Parking Requirements, to exempt parking requirements in the COM, Commercial Street District.
- Amend Section 4-3500, COM, Commercial Street District, to add "Any manufacturing, production, processing, cleaning, servicing, testing, repair or storage of materials, goods or products which is

not allowed as a permitted use.”

- Amend Section 4-3500, COM, Commercial Street District to add “Construction equipment storage yards” as a Conditional Use within the COM District.

Approval of this request will not amend the *Zoning Ordinance*, but only begins the process of review and recommendations by staff and Planning and Zoning Commission and City Council. Staff will return to Planning and Zoning Commission and City Council for a public hearing at a later date.

ANY OTHER MATTERS UNDER COMMISSION JURISDICTION:

There being no further business, the meeting was adjourned at approximately 9:55 p.m.

Michael MacPherson
Principal Planner

MINUTES OF THE PLANNING AND ZONING COMMISSION

DATE: October 18, 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); Matt Edwards (Vice-Chair), Tom Baird, Gloria Roling, Jim Hansen, and King Coltrin; Michael MacPherson, Principal Planner; Thomas Rykowski, City Attorney; Sandy Goddard, Administrative Assistant; Absent: Jay McClelland, Jason Ray, and Phil Young.

ROLL CALL:

APPROVAL OF MINUTES:

COMMUNICATIONS:

Mr. Hansen, Ms. Roling and Mr. Coltrin attended the Bi-State APA Conference in Kansas City, Missouri on October 10th through the 12th. Mr. Hansen, Ms. Roling and Mr. Coltrin conveyed their appreciation to the City for the opportunity to attend the conference. Mr. Hansen said this was an opportunity for him to meet professional Planners who are peering into the future to prepare their cities and regions for what's to come. The keynote speaker, Mr. Mitchell Silver, President of the American Planners Association, presented an eye opening presentation on the emerging trends and challenges in the twenty-first century and how Planners could lead and innovate as we move forward. There are only three things that bring in new or additional wealth to your town; industry, agriculture and tourism. Mr. Hansen stated they learned a lot and feels better equipped and certainly better informed for their duties as Commission members.

Ms. Roling stated that she recognized the importance of collaboration and believes that Springfield does a great job of doing this with other agencies and businesses and the importance of structure in the operation of the Springfield Planning and Zoning Commission.

Mr. Coltrin commented that it is enlightening to see the things that are going on and find out what is going on in other cities. You might think that Springfield, a mid-major town is behind these big cities when you look at what they are doing and discover that what is being done in Springfield already, you find that we are in good shape. There were interesting walking tours down main street and seeing how they are trying to utilize the resources they have. Another interesting seminar showed a planning process in which they take neighborhoods that are looking at doing complete streets; they will block off the street and bring in plants and paint stripping and turn the whole street into the vision of what it would be like when it's done. They then open it up to a block party for the neighbors and businesses to see what it would be like and how things would operate and build collaboration between everyone that lives in the area. It seemed to bring people together and whether they liked it or didn't like it, it allowed them to visualize something that is hard ordinarily to figure out.

Mr. MacPherson expressed his appreciation of their participation and added this might be a great strategy working on the College Street Corridor.

HEARINGS:

Conditional Use Permit:

1. Conditional Use Permit 399
(661 South New)

Robert Ross

Mr. MacPherson stated the purpose of this request is to approve a Conditional Use Permit to permit a non-profit community center within an R-SF, Single Family Residential District. As you will recall some four or five years ago we made a text amendment to the Zoning Ordinance which would allow for a Conditional Use Permit for adaptive reuse because in many of the older neighborhoods there were smaller old grocery stores that were no longer viable to be operated as grocery stores and in many instances they were vacant and they were becoming a blight on the neighborhood. The approach to that and other similar type of buildings in the neighborhoods that were not being used to their maximum potential and the idea was then to create an opportunity to adopt a new use that would make it fit within the community.

City Council approved Special Ordinance 25804 on August 9, 2010 for a Conditional Use Permit (UP 389) for the adaptive use of a non-residential structure within an R-SF, Single Family Residential District for a semi-precious gem retailer and residential use on the subject property. The gem retailer operated at this site for only a short time. When the gem store closed, the property owner spoke with Planning staff regarding options for the structure. Conditional Use Permit 389 was very specific in the uses that it permitted and the owner was concerned that a new Conditional Use Permit would need to be approved each time a new user was found for the building. Planning staff told the owner that if another use of similar intensity as the gem retailer was interested in locating there that the Administrative Review Committee could review the proposed use and make an interpretation to allow the use. Planning staff was not contacted about another use of the building following that discussion.

Staff became aware of the church use after a complaint was received from a nearby property owner. The church is illegal non-conforming because the site does not have adequate off-street parking for the church use. The property owner worked with Building Development Services staff to determine if there was a way to continue the existing use of the building. The non-profit community center was suggested as an option because religious services are permitted to be held within a community center and community centers do not require any off-street parking. A community center is defined as "A place, structure, area, or other facility for social, educational, and recreational activities of a neighborhood or community or subdivision, provided any such use is not operated for commercial gain." . Non-profit community centers are not required to provide off-street parking because the intent is that they are located in the immediate areas they serve and many of those served by the facility will walk or ride bikes. With the approval of this use permit the community center could offer meeting space or other activities or services for the neighborhood and community groups but it would not be required. Religious services would also be permitted to be held in the community center. The existing, or any other, church could hold services there regularly without the need to provide the necessary parking. Planning and Zoning Commission held a public hearing on this application at their September 6, 2012 meeting and recommended the applicant meet with the neighboring property owners and staff to develop some limits on hours of operation and occupancy to address the noise complaints and possible future parking issues. Mr. Perry Elkins, the neighbor who spoke at the September 6, 2012 Commission meeting and some hours of operation for the church use were agreed on. The operation hours for the church include service times on Sunday morning (9:00 a.m. and 11:00 a.m.) and Sunday evening service two times at month (6:00 p.m.). In addition, the office hours for the church are set from 10:00 a.m. to 5:00 p.m. on Tuesday and Friday and Wednesday from 10:00 am. to 12:00 p.m. The facility will have operational hours at various other times including a Bible study and prayer time on Tuesday evening from 7:00 p.m. to 9:00 p.m., Wednesday from 12:00 p.m. to 2:00 p.m. and Friday from 6:00 p.m. to 9:00 p.m. Music lessons at the facility would be limited to Tuesday, Friday and Saturday between 11:00 a.m. and 1:30 p.m. There would be other various special events held throughout the year on a limited basis. In addition to the limited hours of operation proposed in this application the noise standards in the Zoning Ordinance apply to the site as well. In addition to the noise concerns expressed at the public hearing, there was concern from Commission that while the lack of off-street parking is not a problem at this time because of the availability of on-street parking that it could become an issue as the congregation grows. Based on the size of the structure and the limited toilet facilities the maximum occupancy at this time is approximately fifteen (15) people. The maximum occupancy of the building would significantly increase should additional restroom facilities be added. Staff is recommending the occupancy of the building be restricted to a maximum of fifty (50) people to reduce the potential

for parking and congestion issues to arise. Staff had previously recommended against this application due to concern of the potential impact on the surrounding neighborhood. With the conditions that are proposed regarding the hours of operation and restriction on the occupancy of the building staff is recommending approval of this application. Approval of this application will provide the opportunity for the productive use of this existing structure which could otherwise deteriorate and become a blight on the neighborhood. In addition to the religious services that are planned, the facility will provide a place for neighborhood serving activities. City Council approved an ordinance (GO 5882) in July 2010 to allow non-profit community centers as a conditional use within all residential zoning districts. At that time the amendment was processed to accommodate a youth facility near McGregor School to provide after school services. Staff recommends that City Council initiate a Zoning Text Amendment to better define a non-profit community center and to determine if off-street parking should be required for this use.

Mr. MacPherson concluded the findings for staff recommendation are as follows: The building is currently being used as a church which is illegal non-conforming because the off-street parking requirements are not met for the use. Approval of a non-profit community center use would permit the continued use of the structure for religious services. Other uses would also be permitted including social, educational and recreational activities. Approval of this request provides the opportunity for productive use of this existing building which could otherwise deteriorate and become a blight on the neighborhood. The proposed restrictions on the hours of operation and the occupancy of the structure will help to reduce the potential for negative impacts on the surrounding neighborhood due to noise, parking and congestion.

Mr. Hansen asked if this non-profit community center pay taxes.

Mr. MacPherson deferred the question to the applicant's representative.

Mr. Baird asked if there was a need for another public hearing or neighborhood meeting since these restrictions have been placed on the proposed facility.

Mr. MacPherson stated they require one (1) neighborhood meeting and if the proposed use were being expanded at the site, then they would require a second neighborhood meeting. But when City is further restricting what was originally proposed to, then there is not another meeting.

Mr. Lawhon opened the public hearing.

Mr. John Ross, 6505 Callie Road, Rogersville, 65714; commented he is representing his brother Robert Ross.

Mr. Hansen asked if whether this property pays property tax or not.

Mr. Ross stated they always have.

Mr. Edwards expressed his appreciation to staff and the neighborhood and the applicants for working this out. It was a pretty reasonable agreement that everyone has come to and it's nice to see flexibility on some of these buildings to get people in them and in use and if they are paying taxes all the better.

Mr. Lawhon closed the public hearing.

Mr. Baird motioned to approve Conditional Use Permit No. 399. Mr. Hansen seconded the motion. The motion carried as follows: Ayes: Lawhon, Hansen, Roling, Baird, Coltrin, and Edwards. Nays: None. Abstain: None. Absent: McClelland, Ray, and Young.

OTHER PUBLIC HEARINGS:

2. The Frisco Redevelopment Plan (309 North Jefferson)

City of Springfield

Mr. Matt Schaefer stated the purpose of this request is to approve the Redevelopment Plan for the Frisco Redevelopment Area located at the northwest corner of North Jefferson Avenue and East Olive Street. The Frisco Redevelopment Corporation has filed an application requesting partial real property tax abatement pursuant to Chapter 353, Missouri Revised Statutes (RSMo) for a proposed redevelopment project. Mr. Schaefer reviewed the Urban Redevelopment Corporation Law. The application included a redevelopment plan, which the Springfield Planning and Zoning Commission shall review for conformance to the Springfield-Greene County Comprehensive Plan. The Frisco Redevelopment Area consists of a single 1.49 acre parcel that encompasses the site of the Landmark Building. The Landmark Building is a locally-designated historic site and is currently used as a multi-tenant commercial office building. For several years the building has had limited occupancy and is in need of major rehabilitation. The developer proposes to redevelop the Landmark into an affordable housing development that would be marketed to low income tenants. The Redevelopment Plan proposes to rehabilitate and convert the building into a 68-unit affordable housing development that will be known as the "The Frisco." The development will incorporate universal design in all 68 units, and will be entirely accessible to individuals with disabilities. The project will include community gathering spaces, an outdoor pool, and covered on-site parking in an adjacent garage. Exterior renovations will include tuck pointing the existing masonry and replacing doors and windows in accordance with the *Secretary of the Interior's Standards for Rehabilitating Historic Properties*. The Landmark Building was originally constructed in 1910 as the Frisco Office Building, which served as the Springfield communication and operations headquarters for the Frisco Railway. In 1966, the Railway relocated its offices to a new building (currently known as the Frisco Building on East Chestnut Street near US 65). The vacated building was later renamed the Landmark Building and has since served as a multi-tenant office building. The Landmark Building has had limited occupancy as an office building for several years and is in need of major rehabilitation. There is also a surface parking lot and a parking garage located within the Redevelopment Area containing a total of seventy-seven (77) on-site parking spaces. The exterior of the parking garage will be painted and the surface lot will be repaired and restriped. This project will be taking advantage of State and Federal Historic Tax credits, the building will be rehabilitated consistent with the Secretary of Interior Standards for Rehabilitation of Historic Property. The implementation of this Redevelopment Plan will facilitate the City in restoring a blighted historical landmark and filling a shortage of accessible housing by transforming the Redevelopment Area into an attractive location for low income tenants to reside. This will also help to create additional interest and activity in Greater Downtown. Additionally, the rehabilitation of the Redevelopment Area will increase the taxable revenues to the City, while placing a greater portion of Greater Downtown in congruence with the visions of the Center City Plan Element discussed above. Mr. Schaefer commented Staff supports this project added he is available for questions.

Mr. Hansen asked if all the units are low income or is it mixed.

Mr. Schaefer stated he believes it will be low income. The project will be utilizing low income housing tax credits and the Developers representative can elaborate further.

Mr. Coltrin said his question is directed more to the program this is working under and whether or not it allows for a mixing of incomes asking in general does Springfield have any facilities that have mixed income levels.

Mr. Schaefer commented he is uncertain and would have to check on that.

Mr. Lawhon opened the public hearing.

Ms. Sarah Wilson, 901 St. Louis Street, commented she is representing the applicant.

Mr. Hansen asked if all the units are going to be low income or a mixture.

Ms. Wilson stated that to her knowledge they will all be low income because with low income housing tax credits they are restricted for up to twenty-five years at those rates and that is something they work out with the Missouri Housing Development Commission.

Mr. Lawhon asked about the exterior renovation.

Ms. Wilson said they will be doing tuck-pointing and replacing the windows and doors in accordance to the historical standards to keep the historical nature of the building.

Mr. Lawhon asked if there is demand for this.

Ms. Wilson commented there is a demand study in the Developers Application and there is a need in Springfield for low income market housing.

Ms. Roling asked if there would be an on-site manager living at the facility.

Ms. Wilson stated that she understands there will be an office, but not certain if they will be there full time, but they can check into that and let them know.

Mr. Lawhon closed the public hearing.

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

Mr. Coltrin asked Mr. Schaefer to find out if Springfield does have any facilities that have mixed income in it and also to see the State doesn't promote that in light of all the recent talk of diversity.

Mr. Edwards stated that the new Springfield Field Guide has in the housing chapter some information about that and which does look to promote diversity of mixed income housing through neighborhoods and developments and may be a resource to look at.

Mr. MacPherson stated that Mr. Schaefer will do some research and provide a memo to the Commission with his findings.

OTHER BUSINESS:

3. Initiate Zoning Text Amendments for the COM, Commercial Street District City of Springfield (City-Wide)

Mr. MacPherson stated that City Council approved General Ordinance 5879 in July 2012 for the purpose of establishing Use Groups within the Zoning Ordinance. As part of the ordinance that was approved to establish the Use Groups, several of the Zoning Districts were revised to strike individual uses that would be categorized with the new use groups. The intent was to maintain the uses that were already permitted in each district while providing more flexibility and a systematic approach for the assignment of future uses. It was recently discovered that prior to the approval of the use group amendment, restaurants, taverns and cocktail lounges were permitted in the CS, Commercial Service District and were removed as part of the text amendment. However, the Eating and Drinking Establishments Use Groups which permits these uses was inadvertently left out of the CS District. Staff is recommending Planning and Zoning Commission initiate a Zoning Text Amendment to add the "Eating and Drinking Establishments Use Group" as a permitted use within the CS, Commercial Service District. Approval of this request

will not amend the Zoning Ordinance, but only begins the process of review and recommendations by staff and Planning and Zoning Commission and City Council. Staff will return to Planning and Zoning Commission and City Council for a public hearing at a later date.

Mr. Coltrin motioned to approve to Initiate Zoning Text Amendment for the CS, Commercial Service District. Mr. Hansen seconded the motion. The motion carried as follows: Ayes: Lawhon, Hansen, Roling, Baird, Coltrin, and Edwards. Nays: None. Abstain: None. Absent: McClelland, Ray, and Young

ANY OTHER MATTERS UNDER COMMISSION JURISDICTION:

There being no further business, the meeting was adjourned at approximately 9:55 p.m.

Michael MacPherson
Principal Planner

EXPLANATION TO COUNCIL BILL NO. 2012 -

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To relinquish a detention easement.

BACKGROUND INFORMATION:

RELINQUISH EASEMENT NUMBER 785

The applicant is requesting to relinquish a detention easement in order to accommodate construction of new retail. A replacement drainage/detention easement will be provided by the applicant at a later time.

FINDINGS FOR STAFF RECOMMENDATION:

1. The Planning and Zoning Commission does not have the authority to approve this request due to conditions being set forth by the applicant. The relinquishment of this easement is contingent upon the City receiving an acceptable replacement drainage/detention easement and those public improvements being constructed.
2. This relinquish easement request is currently being coordinated with a Final Development Plan and an administrative re-plat. In order for the improvements to be coordinated with the administrative re-plat and to facilitate the timing of this development, the applicant and City staff are recommending conditions that would allow the relinquishment and administrative re-plat to occur simultaneously.
3. This request must be forwarded to City Council for approval.

CONDITIONS:

If approved, the relinquishment of this easement is not effective until:

1. An acceptable replacement drainage/detention easement is provided.
2. The applicant completes the public improvements to the proposed drainage easement area.

If these conditions are not completed within one (1) year from City Council's approval, then that approval is null and void and the detention easement requested to be relinquished will remain.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on November 1, 2012 and recommended, by a vote of to, that this request be forwarded to Council with a

recommendation for approval. Commission could not approve the request because of the conditions being set forth.

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

Submitted by:

Approved by:

Planning and Development

City Manager

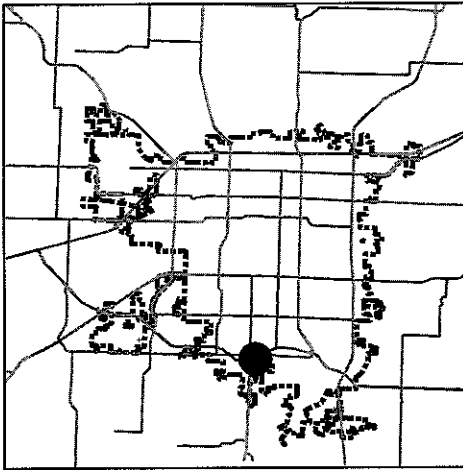
Attachment A: Background report

Attachment B: Approval criteria

Exhibit 1: Legal description

Exhibit 2: Drawing

Exhibit 3: Conditions of relinquish easement



Zoning & Subdivision Report

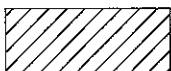
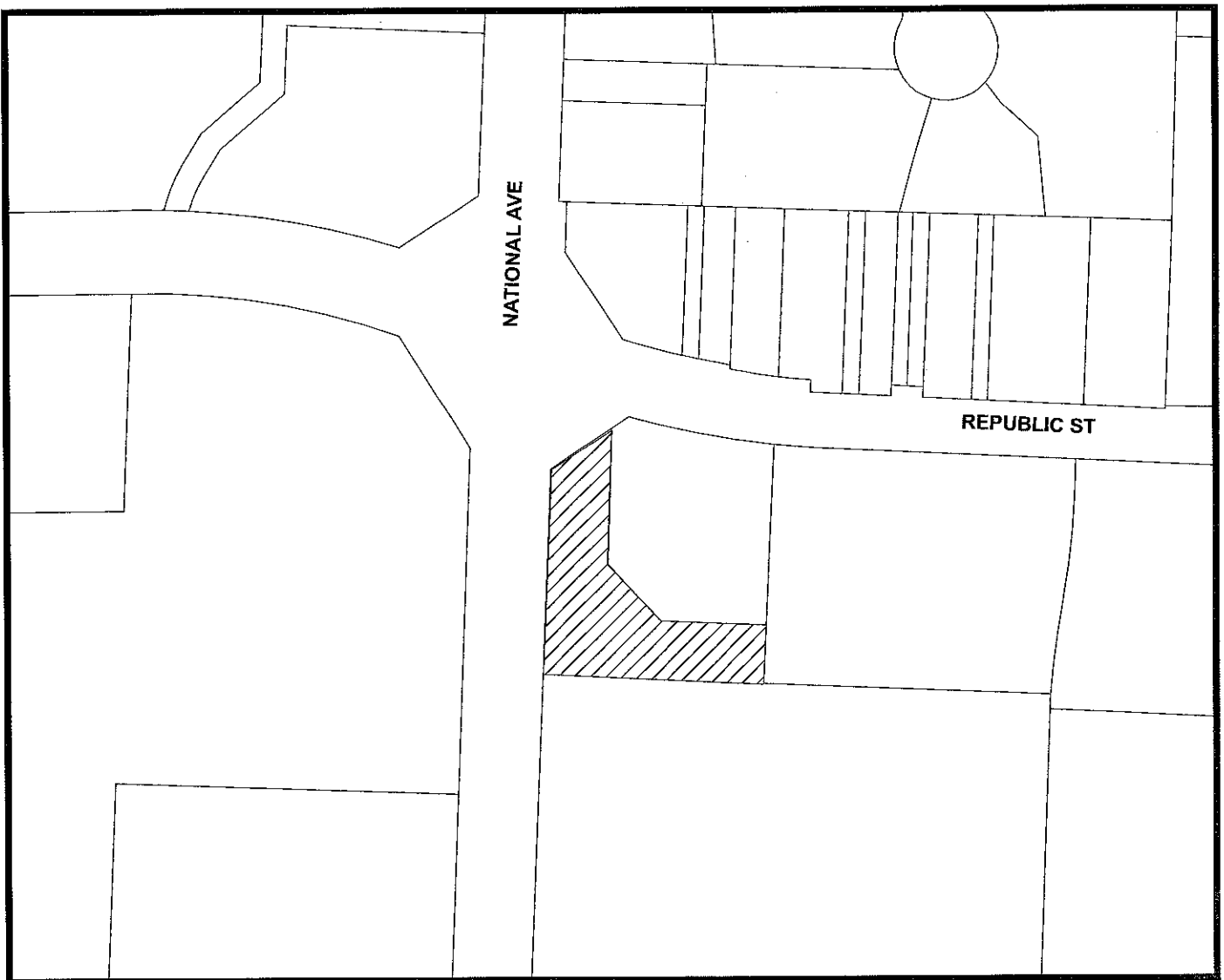
*Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802*

Relinquish Easement No. 785

Location: 1220 E. Republic Rd.

Current Zoning: Planned Development 84, 2nd amendment

LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

Zoning & Subdivision Report

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

REQUEST TO RELINQUISH EASEMENT NUMBER 785

DATE: October 22, 2012

PURPOSE: To relinquish a detention easement

LOCATION: 1220 E. Republic Rd.

APPLICANT: AGI Acquisition IV, LLC

RECOMMENDATION:

The request be approved and that recommendation be forwarded to City Council

FINDINGS:

1. The Planning and Zoning Commission does not have the authority to approve this request due to conditions being set forth by the applicant. The relinquishment of this easement is contingent upon the City receiving an acceptable replacement drainage/detention easement and those public improvements being constructed.
2. This relinquish easement request is currently being coordinated with a Final Development Plan and an administrative re-plat. In order for the improvements to be coordinated with the administrative re-plat and to facilitate the timing of this development, the applicant and City staff are recommending conditions that would allow the relinquishment and administrative re-plat to occur simultaneously.
3. This request must be forwarded to City Council for approval.

CONDITIONS:

If approved, the relinquishment of this easement is not effective until:

1. An acceptable replacement drainage/detention easement is provided.
2. The applicant completes the public improvements to the proposed drainage easement area.

If these conditions are not completed within one (1) year from City Council's approval, then that approval is null and void and the detention easement requested to be relinquished will remain.

STAFF CONTACT PERSON:

Michael G. Sparlin
Assistant Planner

Attachment A: Background report
Attachment B: Approval criteria
Exhibit 1: Legal description
Exhibit 2: Drawing
Exhibit 3: Conditions of relinquish easement

ATTACHMENT A
RELINQUISH EASEMENT NO. 785
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish a detention easement in order to accommodate construction of new retail. A replacement drainage/detention easement will be provided by the applicant at a later time.

STORMWATER ENGINEERING COMMENTS:

Stormwater is okay with the relinquishment of the existing detention easement contingent upon the City receiving a replacement drainage/detention easement. The replacement easement will need to be sized per the City's Drainage Criteria Manual with the proposed underground detention storage to be constructed and inspected as a public improvement. The relinquishment of the existing detention easement shall not become effective until the applicant completes the public improvements to the proposed drainage easement area to replace the detention storage capacity currently being provided by the portion of the detention easement being relinquished.

STAFF COMMENTS:

1. No one has objected to this request to date.
2. The relinquishment of easement cannot take place until the replacement detention improvements been constructed and approved by the City.
3. Since the detention basin is currently being used by adjacent lots, the applicant must construct the new detention facilities prior to relinquishing the existing easement.
4. The applicant would like the ability to relinquish the easement immediately after the new facilities are constructed and approved by the City.

ATTACHMENT B
RELINQUISH EASEMENT NO. 785
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:

No one has objected to relinquishing the detention easement to date.

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

STAFF RESPONSE:

All responsible City agencies have stated that the easement that will be relinquished is no longer needed contingent upon the City receiving an acceptable replacement drainage/detention easement.

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

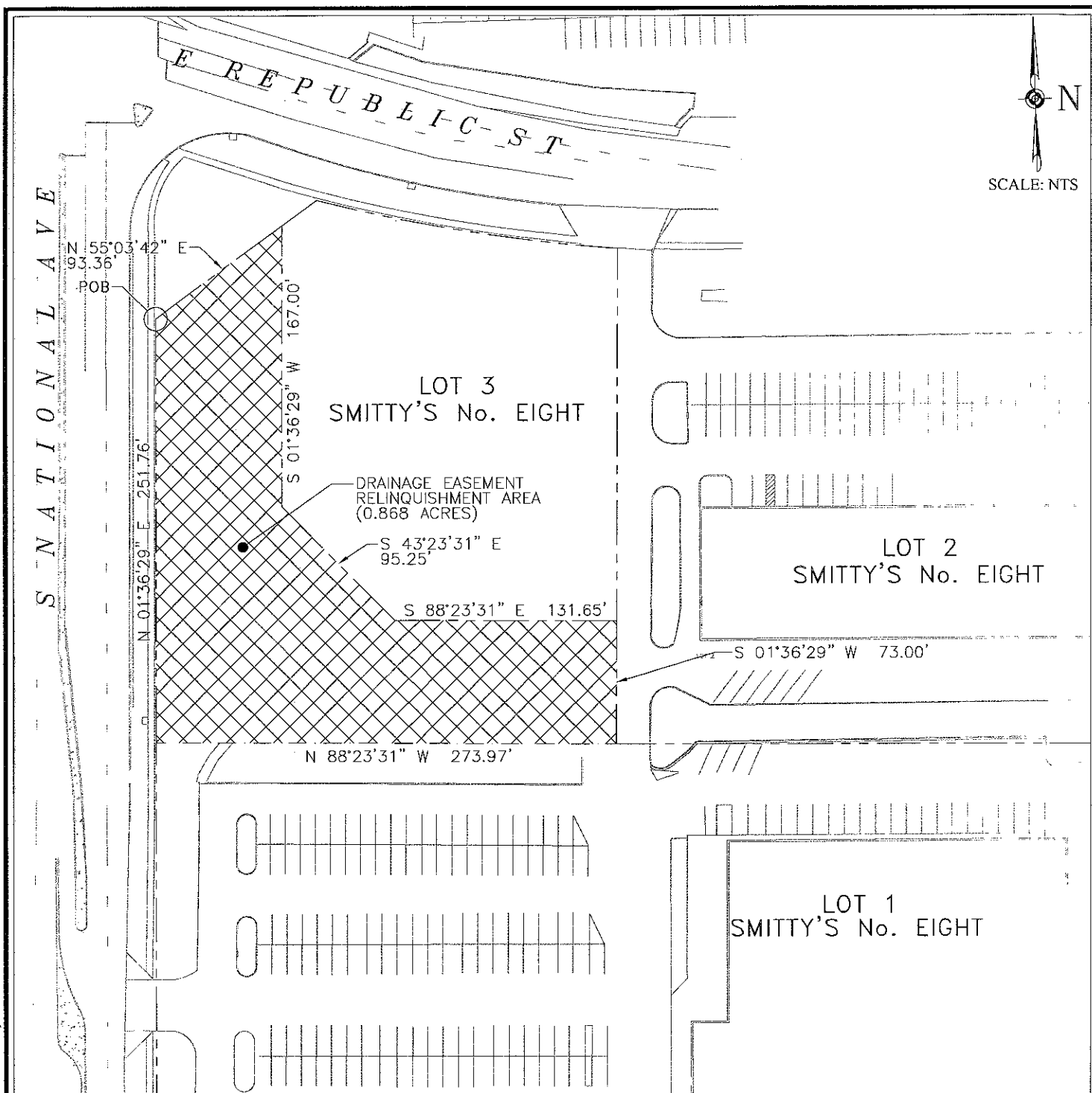
STAFF RESPONSE:

Once the replacement easement has been provided and construction of the public improvements has been constructed, the retention of this easement will no longer serve a public purpose.

RELINQUISH EASEMENT NO. 785
EXHIBIT 1

A tract of land located in a portion of Lot 1, Smitty's No. Eight Subdivision, City of Springfield, Greene County, Missouri, being more particularly described as follows:

Beginning at the Northwest corner of Lot 1 of Smitty's No. Eight Subdivision, said point also lying on the East right-of-way of National Avenue; thence S 01°36'29" W along said East right-of-way, a distance of 251.76 feet; thence S 88°11'06" E a distance of 273.97 feet to the Southwest corner of Lot 2, Smitty's No. Eight Subdivision; thence N 01°46'15" E along the West line of said Lot 2 a distance of 73.08 feet to the Southeast corner of Lot 3, Smitty's No. Eight Subdivision; thence N 88°10'31" W along the South line of said Lot 3 a distance of 131.65 feet; thence N 43°22'33" W along the Southwesterly line of said Lot 3 a distance of 95.25 feet; thence N 01°36'32" E along the West line of said Lot 3 a distance of 167.17 feet to the Northwest corner of said Lot 3; thence S 55°14'32" W along the Northwesterly line of said Lot 3 a distance of 93.38 feet to the point of beginning. Containing 0.868 acres.



DESCRIPTION OF DRAINAGE EASEMENT RELINQUISHMENT AREA - 0.868 ACRES

COMMENCING AT THE NORTHWEST CORNER OF THIS EASEMENT, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 1 OF SMITTY'S No. EIGHT SUBDIVISION & THE POINT OF BEGINNING OF THIS DRAINAGE EASEMENT RELINQUISHMENT AREA HEREIN DESCRIBED; THENCE N 55°03'42" E A DISTANCE OF 93.36 FEET TO A POINT; THENCE S 01°36'29" W A DISTANCE OF 167.00 FEET TO A POINT; THENCE S 43°23'31" E A DISTANCE OF 95.25 FEET TO A POINT; THENCE S 88°23'31" E A DISTANCE OF 131.65 FEET TO A POINT; THENCE S 01°36'29" W A DISTANCE OF 73.00 FEET TO A POINT; THENCE N 88°23'31" W A DISTANCE OF 273.97 FEET TO A POINT; THENCE ALONG AN EAST RIGHT-OF-WAY LINE OF NATIONAL AVE N 01°36'29" E A DISTANCE OF 251.76 FEET TO THE POINT OF BEGINNING, CONTAINING 0.868 ACRES.

LEGEND



- DRAINAGE EASEMENT RELINQUISHMENT AREA

**SEC - REPUBLIC & NATIONAL
SPRINGFIELD, MISSOURI**

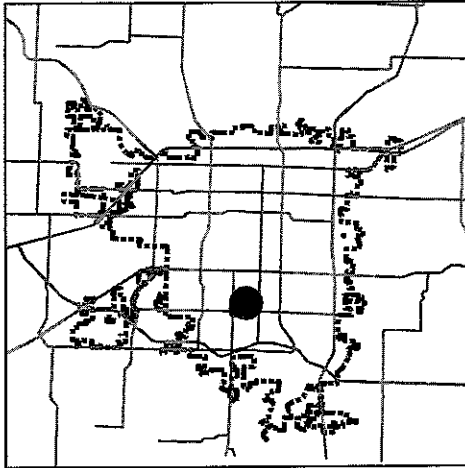
**DRAINAGE EASEMENT RELINQUISHMENT
SEPTEMBER 19, 2012**

EXHIBIT 3
RELINQUISH EASEMENT NO. 785
CONDITIONS OF RELINQUISH EASEMENT

If approved, the relinquishment of this easement is not effective until:

1. An acceptable replacement drainage/detention easement is provided.
2. The applicant completes the public improvements to the proposed drainage easement area.

If these conditions are not completed within one (1) year from City Council's approval, then that approval is null and void and the detention easement requested to be relinquished will remain.



Zoning & Subdivision Report

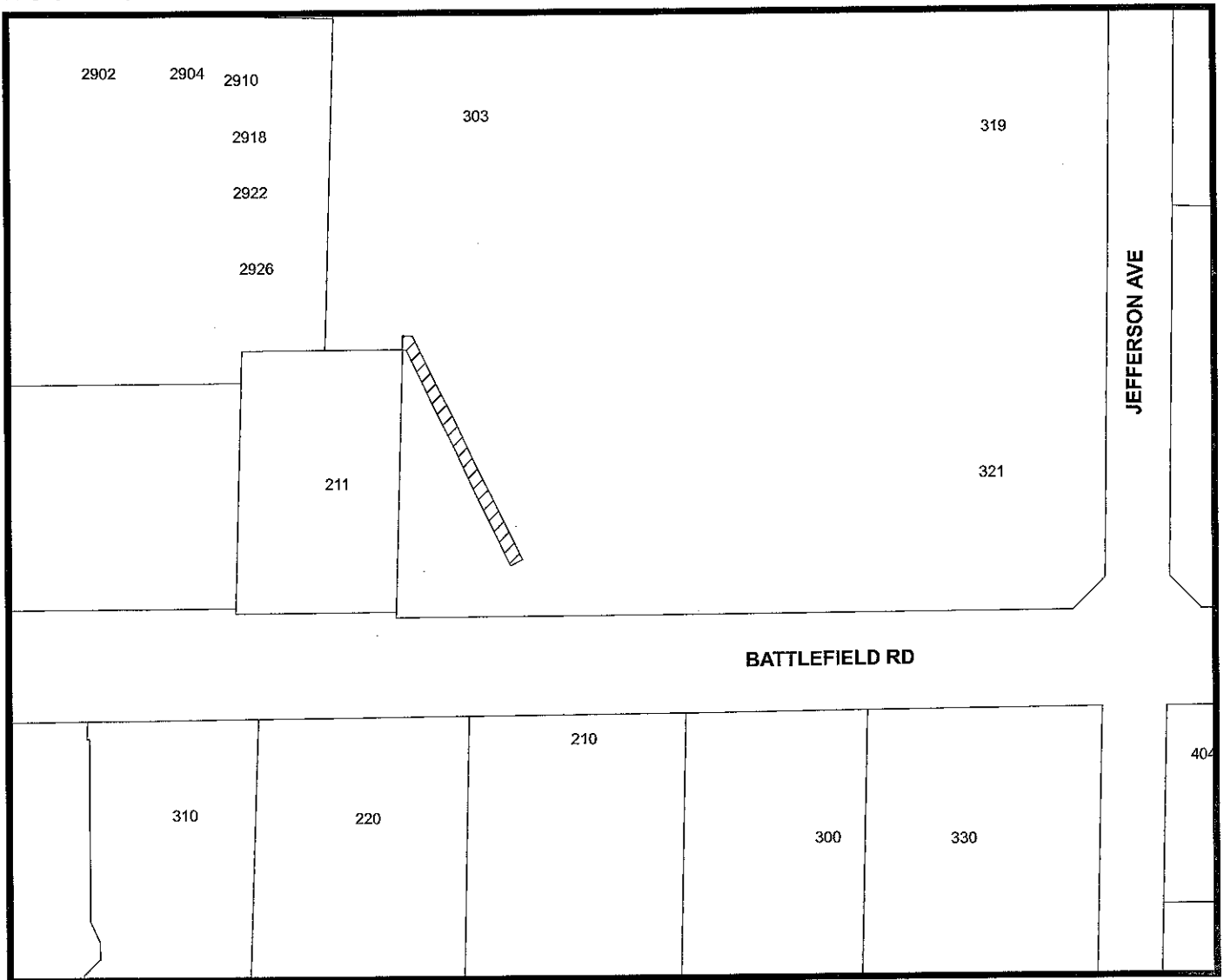
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Relinquish Easement 786

Location: 300 Block of East Battlefield

Current Zoning: GR, General Retail

LOCATION SKETCH



- Area of Proposal



1 inch = 150 feet

Zoning & Subdivision Report

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

REQUEST TO RELINQUISH EASEMENT NUMBER 786

DATE: October 22, 2012

PURPOSE: To relinquish a sanitary sewer easement

LOCATION: 313 E. Battlefield

APPLICANT: Battlefield Plaza, LLC

RECOMMENDATION:

The request be **approved**.

FINDING:

The request meets the approval criteria listed in Attachment B.

STAFF CONTACT PERSON:

Michael G. Sparlin
Assistant Planner

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

ATTACHMENT A
RELINQUISH EASEMENT NO. 786
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish a sanitary sewer easement in order to build in this location. A replacement easement has been provided by the applicant.

SANITARY SERVICES COMMENTS:

No issues with relinquishment of this easement. Construction of public improvements are complete and have been accepted as of 10-17-2012.

STAFF COMMENTS:

1. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect public utilities.
2. The existing easements are not being used and any future public utilities will be provided with replacement easements. All utility providers have responded and have no objections.
3. No one has objected to this request to date.

ATTACHMENT B
RELINQUISH EASEMENT NO. 786
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:

No one has objected to relinquishing the utility easement to date.

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

STAFF RESPONSE:

The sanitary sewer easement is no longer need to provide service because a replacement easement has been provided.

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

STAFF RESPONSE:

The retention of the subject easement no longer serves a public purpose.

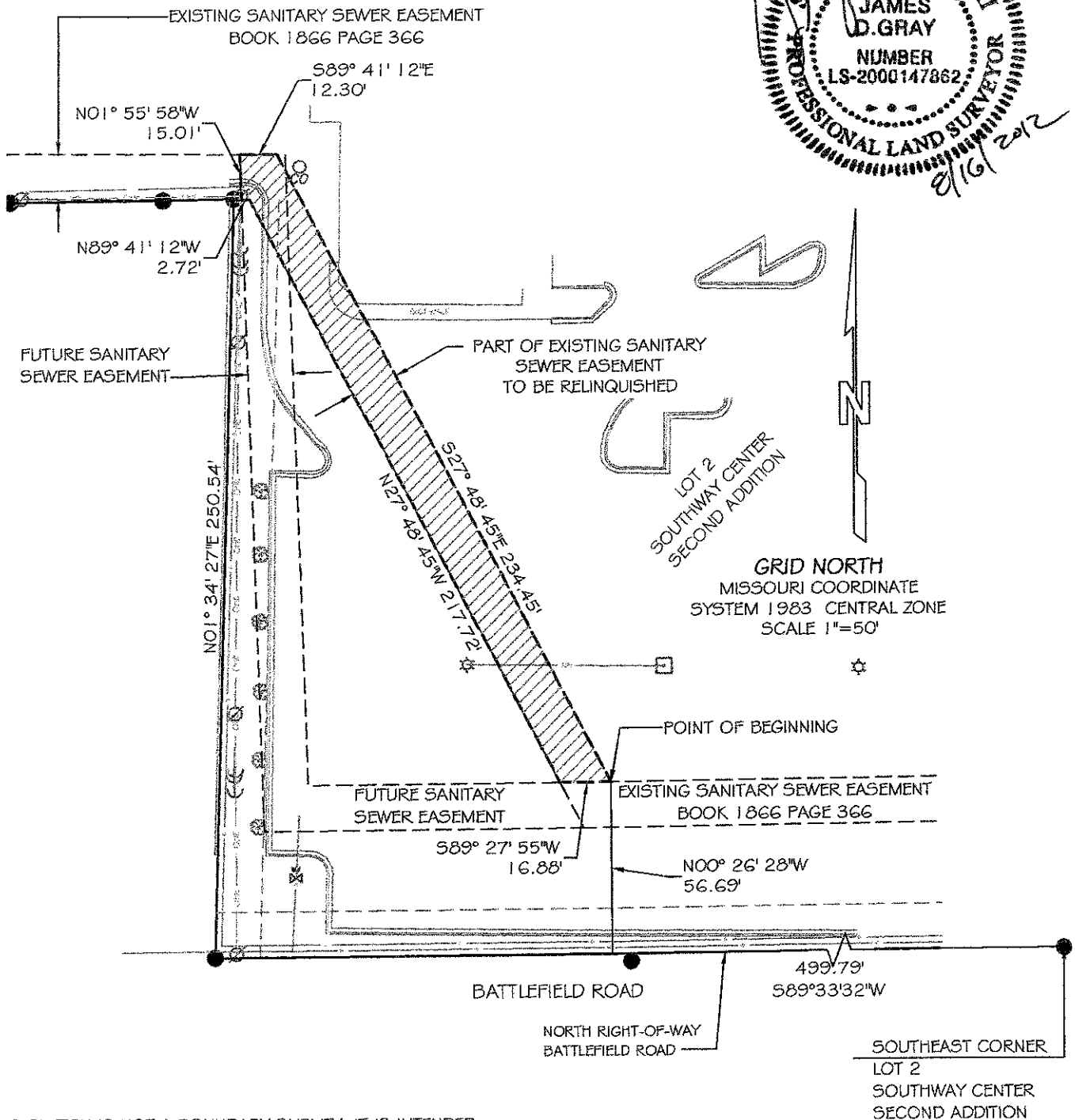
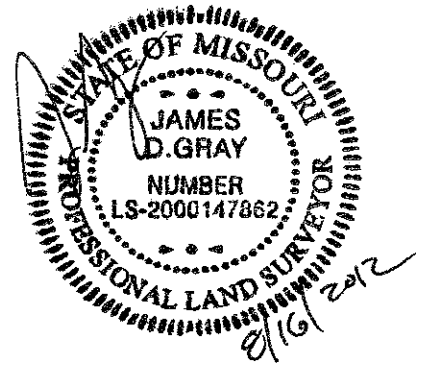
RELINQUISH EASEMENT NO. 786
EXHIBIT 1

SANITARY SEWER TO BE RELINQUISHED:

A PORTION OF A SANITARY SEWER EASEMENT RECORDED IN BOOK 1866, PAGE 366 TO BE RELINQUISHED:

BEING A PART OF LOT 2 OF SOUTHWAY CENTER SECOND ADDITION, A RECORDED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, LYING IN THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 28 NORTH, RANGE 22 WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 2, SOUTHWAY CENTER SECOND ADDITION, SAID POINT LYING ON THE NORTH RIGHT-OF-WAY LINE OF BATTLEFIELD ROAD; THENCE S89°33'32"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, 499.79 FEET; THENCE N00°26'28"W, LEAVING SAID NORTH RIGHT-OF-WAY LINE, 56.69 FEET FOR A POINT OF BEGINNING. THENCE S89°27'55"W, 16.88 FEET; THENCE N27°48'45"W, 217.72 FEET; THENCE N89°41'12"W, 2.72 FEET; THENCE N01°55'58"W, 15.01 FEET; THENCE S89°41'12"E, 12.30 FEET; THENCE S27°48'45"E, 234.45 FEET TO THE POINT OF BEGINNING. CONTAINING 3,503.83 SQUARE FEET OR 0.08 ACRES.



THIS SKETCH IS NOT A BOUNDARY SURVEY. IT IS INTENDED TO SHOW THE CONFIGURATION OF A SANITARY SEWER EASEMENT TO BE ABANDONED. IT SHOULD NOT BE USED TO LOCATE PROPERTY LINES AND DOES NOT MEET THE MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

SKETCH EXHIBIT "B"

FOR

BATTLEFIELD PLAZA, LLC

SANITARY SEWER EASEMENT RELINQUISHMENT
PART OF LOT 2 FINAL PLAT OF SOUTHWAY CENTER SECOND ADDITION
& PART OF THE NW 1/4 OF S 1, T 28 N, R 22 W
CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI

5051 S. National Avenue
Springfield, MO 65810
Tel: 417.889.3400
Fax: 417.889.3402

CJW Transportation Consultants, L.L.C.
www.GoCJW.com

CJW PROJECT No. 1270

EXPLANATION TO COUNCIL BILL NO. 2012 -

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To approve the Final Development Plan for Planned Development 84 and Planned Development 84, 2nd amendment on approximately 1.838 acres of property generally located at 1220 East Republic Road for a CVS Pharmacy.

BACKGROUND INFORMATION:

FINAL DEVELOPMENT PLAN FOR PLANNED DEVELOPMENT 84 & PLANNED DEVELOPMENT 84, 2ND AMENDMENT

A Final Development Plan, Per Planned Development 84, requires review by Planning and Zoning Commission with a recommendation to City Council for final action. The applicant is proposing to construct a CVS Pharmacy on approximately 1.838 acres.

FINDINGS FOR STAFF RECOMMENDATION:

1. The Final Development Plan was determined to be consistent with the intent of the existing Planned Development ordinances.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on November 1, 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

ATTACHMENTS:

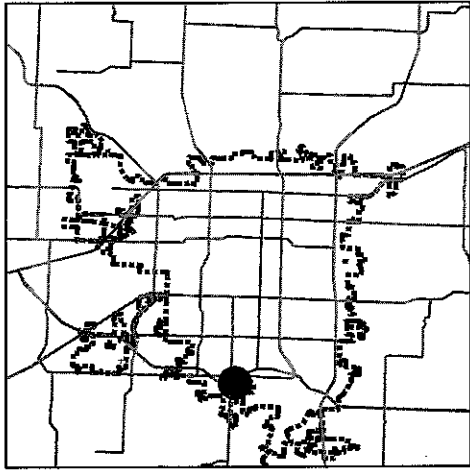
Attachment A, Background Report

EXHIBITS:

Exhibit 1, Requirements and Standards to Planned Development No. 84

Exhibit 2, Requirements and Standards to Planned Development No. 84, 2nd
amendment

Exhibit 3, Development Plans



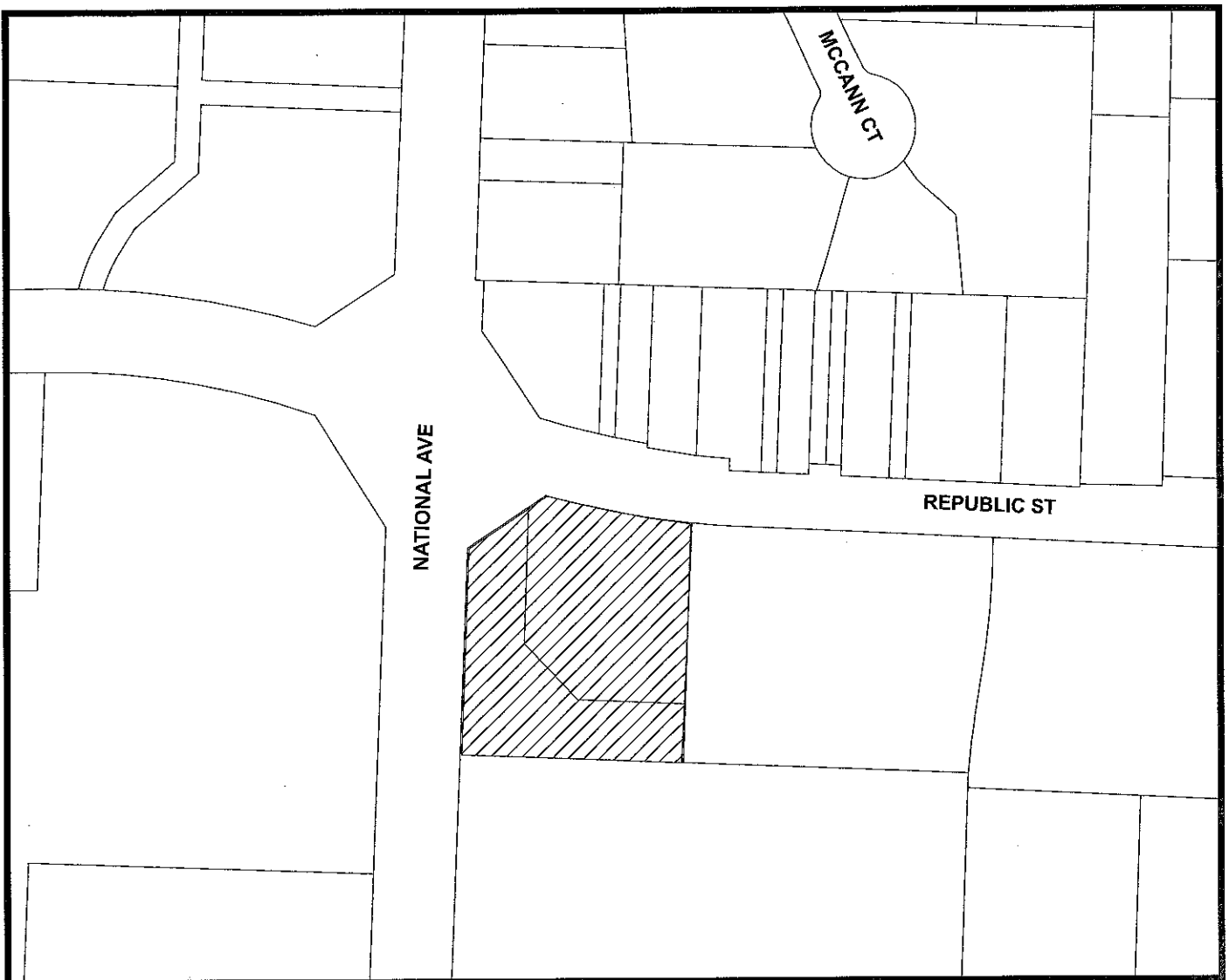
Zoning & Subdivision Report

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

Final Development Plan - CVS Pharmacy Planned Development 84 & Planned Development 84, 2nd Amendment

Location: 1220 E. Republic Rd.

LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

Zoning & Subdivision Report

*Planning & Development Department ~ 417.864.1180
840 Boonville Avenue ~ Springfield, Missouri 65801*

FINAL DEVELOPMENT PLAN – PLANNED DEVELOPMENT 84 & PLANNED DEVELOPMENT 84 2ND AMENDMENT (CVS PHARMACY)

DATE: October 22, 2012

PURPOSE: To review and approve the final development plan for a new retail establishment as required by the approved planned development ordinances.

LOCATION: 1220 E. Republic Rd.

APPLICANT: Missouri CVS Pharmacy

RECOMMENDATION

The request be **approved**.

FINDINGS FOR THE STAFF RECOMMENDATION:

The final development plan meets all requirements of the approved planned development ordinances.

STAFF CONTACT PERSON:

Michael G. Sparlin
Assistant Planner

ATTACHMENT A
BACKGROUND REPORT
FINAL DEVELOPMENT PLAN-
PLANNED DEVELOPMENT 84 & PLANNED DEVELOPMENT 84 2ND AMENDMENT

HISTORY:

Planned Development 84 was approved by City Council in December 1987. Planned Development 84, 2nd amendment was approved by City Council in September 2000. The requirements and standards for Planned Development 84 and Planned Development 84, 2nd amendment are attached (Exhibits 1 and 2). Planned Development 84 requires any final development plans to be reviewed and approved by Planning and Zoning Commission.

STAFF COMMENTS:

1. The final development plan is located within both Planned Development 84 and Planned Development 84 2nd amendment.
2. Planned Development 84 requires any final development plan to be reviewed and approved by Planning and Zoning Commission provided it is in substantial conformance with the approved Planned Development ordinance.
3. Planned Development 84 2nd amendment only requires the final development plan to be reviewed and approved by the Administrative Review Committee.
4. Staff determined that the final development plan would need to be approved by Planned Development 84 requirements, which require Planning and Zoning Commission approval, because a large portion of the development is located within the ordinance.
5. The Administrative Review Committee has reviewed the proposed Final Development Plan (Exhibit 3) and found that it met the requirements of Planned Development 84 and Planned Development 84, 2nd amendment.

Requirements and Standards Applicable to
Planned Development District No. 84

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

Condominium: A building, group of buildings or property in which units are owned individually and the structure, common areas and facilities are owned by all the owners on a proportional, undivided basis.

Density: The number of dwelling units per unit of land normally expressed as dwelling units per acre. Gross density includes all the land within the boundaries of the particular area including land that may eventually be devoted to streets, public lands and common area. Net density excludes streets, public lands and common area and its calculation shall generally be based on a tract(s) of record satisfying the requirements of Chapter 36, Article II, Subdivision Regulations, Code of the City of Springfield.

Dwelling Unit: One or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household.

Dwelling, Attached: A one-family dwelling attached to two or more one-family dwellings by common vertical walls.

Dwelling, Detached: A dwelling which is not attached to any other dwelling by any means.

Dwelling, Multifamily: Attached dwellings, involving no horizontal subdivision of land, shall be treated as multifamily dwellings.

Dwelling, Single-family Detached: A dwelling which is designed for and occupied by not more than one family and is surrounded by open space or yards and which is not attached to any other dwelling by any means.

Dwelling, Two-family: A structure on a single lot containing two dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall except for a common stairwell exterior to both dwelling units. These units are also referred to as duplexes.

Dwelling, Semi-detached: A one-family dwelling attached to one other one-family dwelling by a common vertical wall and each dwelling located on a separate lot. These units are also referred to as twinhouses or patio homes.

Dwelling, Patio Home: A one-family dwelling on a separate lot with open space setbacks on three sides and a court. Patio homes may be attached to similar homes on adjacent lots and still satisfy this definition. Also known as zero lot line homes.

Dwelling, Townhome: A one-family dwelling in a row of at least three (3) such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common walls.

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.

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

TRACTS A THROUGH D. The following regulations shall apply to these tracts as identified by Exhibits A and B.

USES PERMITTED: The following uses shall be permitted:

1. Administrative and Professional Offices. 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. Educational and religious institutions and facilities offering academic or vocational training or providing facilities for religious activity. Typical uses include schools, colleges, universities, nursing schools, vocational training schools and churches.
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 on-site 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, shoe 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. Automotive Service Stations and Service Centers: Establishments primarily engaged in on-site sale of petroleum products, tires, batteries and other automotive replacement and accessory items, and in the provision of services and minor repairs such as lubrication, tune-ups and the installation of replacement parts. Typical uses include automobile service stations and service centers but do not include truck stops, truck terminals, automobile sales either new or used, auto storage, or major automotive repair defined as any body repair or painting or major disassembly or dismantling of the engine, transmission or other drive components.

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. Commercial Entertainment and Recreation Facilities: Establishments providing entertainment and/or recreational activities open to the general public on a commercial basis. Such activities shall be entirely conducted within an enclosed structure. Typical uses include movie theaters, bowling alleys, skating rinks, billiard parlors, indoor tennis and racketball facilities, athletic clubs, health spas and other similar activities.

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, art shops and photographic shops.

i. Retail Activities Incidental to Institutional, Office

and Residential Uses provided such retail activities (a) shall not occupy more than five (5) percent of the gross floor area of the structure in which it is located, (b) shall be entirely contained within the building or buildings utilized primarily for institutional, office or residential uses, (c) shall not be visible from any public street, and (d) shall have no signs or other advertising devices visible from any public street. Typical uses include pharmacies, flower shops, gift shops, newsstands, restaurants, cafeterias, barber and beauty shops, and other similar uses primarily serving building occupants.

7. Noncommercial Entertainment and Recreation Facilities. Establishments providing entertainment and/or recreational activities open to the general public on a noncommercial basis or available on a membership arrangement. Typical uses include athletic clubs, tennis courts, racketball courts, basketball courts, ball fields, golf courses with accessory club facilities, health spas and other similar activities but shall not include outdoor amphitheaters, drive-in movie theatres, bowling alleys, skating rinks, amusement parks, miniature golf courses, water slides, go-cart tracks, golf driving ranges except as accessory to golf courses, commercial softball complexes and other similar activities.

8. Residential Uses:

- a. Single family detached dwellings.
- b. Semi-detached dwellings, such as patio homes.
- c. Two-family dwellings, such as duplexes.
- d. Attached dwellings such as townhouses.
- e. Residential condominiums.
- f. Multifamily dwellings.

INTENSITY OF DEVELOPMENT: Development shall adhere to the following:

1. The floor area ratio for nonresidential uses shall not exceed 0.35 within each tract.
2. The following are the maximum development densities and intensities are permitted:

Exhibit A:

<u>Tract</u>	<u>Max. Floor Area</u>	<u>Max. Retail</u>	<u>Max. Res.</u>
		<u>Floor Area</u>	<u>Dwelling Units</u>
A	144,000 sq ft	103,000 sq ft	285
B	214,000 sq ft	150,000 sq ft	423
C	120,000 sq ft	50,000 sq ft	336
D	90,000 sq ft	65,000 sq ft	177
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Exhibit B:

<u>Tract</u>	<u>Max. Floor Area</u>	<u>Max. Retail</u>	<u>Max. Res.</u>
		<u>Floor Area</u>	<u>Dwelling Units</u>
A	165,000 sq ft	118,000 sq ft	324
B	215,000 sq ft	154,000 sq ft	423
C	121,000 sq ft	48,000 sq ft	237
D	90,000 sq ft	65,000 sq ft	177

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3. Retail floor area may be transferred between Tracts A, B and D by the developer at the final development plan stage provided the maximum floor area for each of these tracts is not exceeded.
4. Development intensity for mixed-use projects, i.e. developments involving combinations of residential and nonresidential uses, shall be calculated by the following formula:

Total site area (acres) =

$$\frac{\text{Number of dwelling units (du's) proposed}}{\text{Maximum net residential density allowed (du's/acre)}}$$

$$+ \frac{\text{Gross floor area proposed (square feet)}}{\text{Floor area ratio (FAR) X 43,560 square feet/acre}}$$

BULK, AREA AND HEIGHT REQUIREMENTS: Development 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 National Avenue and Republic Street.
 - b. Twenty-five (25) feet for structures and parking adjacent to Fremont Avenue, Lark Street and any internal street.
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. See the General Provisions Section for requirements.

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

1. See the General Provisions Section for requirements.

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

1. See the General Provisions Section for requirements.

SIGNS: Development shall adhere to the following:

1. See the General Provisions Section for requirements.

PERIMETER TREATMENT: Development shall adhere to the following:

1. See the General Provisions Section for requirements.

EXTERIOR LIGHTING: Development shall adhere to the following:

1. See the General Provisions Section for requirements.

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

1. See the General Provisions Section for requirements.

PHASING: Development shall adhere to the following:

1. See the General Provisions Section for requirements.

FINAL DEVELOPMENT PLAN. The following requirements shall be met:

1. See the General Provisions Section for requirements.

TRACTS E THROUGH G. The following regulations shall apply to these tracts as identified by Exhibits A and B.

USES PERMITTED: The following uses shall be permitted:

1. Administrative and Professional Offices. Offices of firms or organizations providing professional, management or administrative services. Typical uses include abstract ser-

vices, 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. Educational and religious institutions and facilities offering academic or vocational training or providing facilities for religious activity. Typical uses include schools, colleges, universities, nursing schools, vocational training schools and churches.
5. Community and recreational facilities incidental to residential development designed for and available to residents but not open to the public on a commercial basis. Typical uses include community centers, swimming pools, tennis and basketball courts, health clubs, etc.
6. Noncommercial Entertainment and Recreation Facilities. Establishments providing entertainment and/or recreational activities open to the general public on a noncommercial basis or available on a membership arrangement. Typical uses include athletic clubs, tennis courts, racketball courts, basketball courts, ball fields, golf courses with accessory club facilities, health spas and other similar activities but shall not include outdoor amphitheaters, drive-in movie theatres, bowling alleys, skating rinks, amusement parks, miniature golf courses, water slides, go-cart tracks, golf driving ranges except as accessory to golf courses, commercial softball complexes and other similar activities.
7. Community Service Facilities such as day care centers, community centers, museums and libraries.
8. Retail Activities Incidental to Institutional, Office and Residential Uses provided such retail activities (a) shall not occupy more than five (5) percent of the gross floor area of the structure in which it is located, (b) shall be entirely contained within the building or buildings utilized primarily for institutional, office or residential uses, (c) shall not be visible from any public street, and (d) shall

have no signs or other advertising devices visible from any public street. Typical uses include pharmacies, flower shops, gift shops, newsstands, restaurants, cafeterias, barber and beauty shops, and other similar uses primarily serving building occupants.

9. Residential Uses:

- a. Single family detached dwellings.
- b. Semi-detached dwellings, such as patio homes.
- c. Two-family dwellings, such as duplexes.
- d. Attached dwellings such as townhouses.
- e. Residential condominiums.
- f. Multifamily dwellings.
- g. Group homes

10. Accessory uses incidental to residential development designed for and available to residents but not open to the public on a common basis. Typical uses include administrative offices for project management not exceeding one thousand (1000) square feet, model units, carports, garages, maintenance buildings, and gate houses.

INTENSITY OF DEVELOPMENT: Development shall adhere to the following:

1. The floor area ratio for nonresidential structures shall not exceed 0.35 within each tract.
2. The following are the maximum development densities and intensities are permitted:

Exhibit A:

<u>Tract</u>	<u>Max. Floor Area</u>	<u>Max. Res.</u>
		<u>Dwelling Units</u>
E	168,000 sq ft	220
F	346,000 sq ft	681
G	174,000 sq ft	381

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Exhibit B:

<u>Tract</u>	<u>Max. Floor Area</u>	<u>Max. Res.</u>
		<u>Dwelling Units</u>
E	168,000 sq ft	220
F	253,000 sq ft	498
G	278,000 sq ft	546

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3. Development intensity for mixed-use projects, i.e. developments involving combinations of residential and nonresidential uses, shall be calculated by the following

formula:

Total site area (acres) =

$$\frac{\text{Number of dwelling units (du's) proposed}}{\text{Maximum net residential density allowed (du's/acre)}}$$

$$+ \frac{\text{Gross floor area proposed (square feet)}}{\text{Floor area ratio (FAR) X 43,560 square feet/acre}}$$

BULK, AREA AND HEIGHT REQUIREMENTS: Development 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 National Avenue.
 - b. Twenty-five (25) feet for structures and parking adjacent to Fremont Avenue, Lark Street and any internal street.
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. See the General Provisions Section for requirements.

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

1. See the General Provisions Section for requirements.

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

1. See the General Provisions Section for requirements.

SIGNS: Development shall adhere to the following:

1. See the General Provisions Section for requirements.

PERIMETER TREATMENT: Development shall adhere to the following:

1. See the General Provisions Section for requirements.

EXTERIOR LIGHTING: Development shall adhere to the following:

1. See the General Provisions Section for requirements.

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

1. See the General Provisions Section for requirements.

PHASING: Development shall adhere to the following:

1. See the General Provisions Section for requirements.

FINAL DEVELOPMENT PLAN. The following requirements shall be met:

1. See the General Provisions Section for requirements.

GENERAL PROVISIONS. The following regulations shall also apply to all tracts within this district.

PUBLIC FACILITIES: Development shall adhere to the following:

1. All required public and private improvements shall be at the expense of the applicant or subsequent owner(s). 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;
2. The following rights-of-way are required:
- a. Republic Road shall have forty-five (45) feet south of the section line.
 - b. Fremont Avenue shall have thirty (30) feet west of the quarter section line.
3. The developer is responsible for the construction of either the two (2) southbound or northbound lanes of National Avenue plus the transition to four (4) lanes at the Republic Road intersection plus the median (see Exhibit D). These improvements shall be constructed from Republic to the southern district boundary. The remaining two lanes will be constructed by the City when warranted by traffic counts and upon the availability of funding.
4. Republic Road shall be constructed by the developer to three lanes from National Avenue to Fremont Avenue whenever any access is desired from either Tracts B, C or D to Republic.
5. If access to Republic Road is permitted from Tract A, Republic shall be constructed by the developer to three lanes from National Avenue to the west edge of Tract A at the time that access is approved.
6. Fremont Avenue shall be constructed by the developer to three lanes from Republic Road to a point south of Lark as specified by the Department of Public Works to accommodate a northbound left turn lane on to Lark.
7. The following sight triangles shall be dedicated:

- a. One hundred (100) feet at both the National and Fremont Avenue intersections with Republic Road.
- b. Thirty (30) feet at both the National and Fremont Avenue intersections with Lark Street.

- 8. Four (4) foot wide sidewalks are required on that side of National Avenue built by the developer; adjacent to Republic Road and Fremont Avenue, and; on one side of Lark Street.
- 9. The above described public improvements are determined to be the minimum public improvements required at the time of passage of this ordinance. In the event the City of Springfield should adopt, after the passage of this ordinance, public improvement standards that would, if applied to this project, require additional public improvements then the greater standard shall apply unless the developer has filed a final plat prior to the adoption of the new standard.

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

- 1. A single point of access may be permitted from Tract A to Republic Road at the final development plan stage only upon the developer satisfying the Director of Public Works that all of the concerns raised in their memo dated September 24, 1987 (Exhibit E) have been satisfactorily addressed by the developer.
- 2. A maximum of five (5) points of access shall be permitted to Republic Street between National and Fremont Avenues. No drive shall be located closer than two-hundred fifty (250) feet to either the National or Fremont right-of-way. All access to Republic shall be approved by the Missouri State Highway Department.
- 3. A maximum of five (5) points of access shall be permitted to National Avenue from property on the west side of that street and a maximum of four (4) points of access shall be permitted from property on the east side of that street. No drive shall be located closer than two-hundred fifty (250) feet from the Republic Street right-of-way nor closer than one-hundred fifty (150) feet, unless one is directly opposite, to the Lark Street rights-of-way.
- 4. A maximum of three (3) points of access shall be permitted to Fremont Avenue. No drive shall be located closer than two-hundred fifty (250) feet from the Republic Street right-of-way nor closer than one-hundred fifty (150) feet to the Lark Street rights-of-way.
- 5. Access to Lark Street will 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 developer(s) may submit a signage plan at the final development plan stage. Otherwise, the City's sign codes for the appropriate development type shall apply.

PERIMETER TREATMENT: Development shall adhere to the following:

1. Bufferyard F (Exhibit C), at least fifty (50) feet deep, is required on the southern boundary of Tract E, on the southern and western boundaries of Tract F as shown on Exhibit A or B, and on that portion of the southern boundary of Tract G that is not adjacent to the golf course.
2. No structures, 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. A landscape plan, showing conformance with these requirements, shall be submitted with the final development plan.
3. All other areas not shown as buildings or other form of impervious surface on Exhibit A and which are not designated as a bufferyard shall be required to be maintained with a living ground cover.
4. 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.

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). 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 as-

sociation 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 completed 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. The following requirements shall be met:

1. 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.

Requirements and Standards Applicable to
Planned Development District No. 84 - 2d Amendment

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No building or other permits may 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.

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

Floor Area, Gross: The sum of the gross horizontal areas of the a building treasured from the exterior face of from the centerline of a wall separating two 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:

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

Open Space: Any occupied 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:

$$\text{OSR} = \frac{\text{Area covered by open space}}{\text{Total site area}}$$

Vehicular Use Area: That portion of a lot that is used by vehicles for access, circulation, parking and loading and unloading. It comprises the total of circulation areas, loading and unloading areas, and parking areas.

USES PERMITTED: The following uses shall be permitted:

1. Administrative and Professional Offices. 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. 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. Educational and religious institutions and facilities offering academic or vocational training or providing facilities for religious activity. Typical uses include schools, colleges, universities, nursing schools, vocational training schools and churches.
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, shoe 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. Automotive Service Stations and Service Centers: Establishments primarily engaged in onsite sale of petroleum products, tires, batteries and other automotive replacement and accessory items, and in the provision of services and minor repairs such as lubrication, tune-ups, the installation of replacement parts and the washing of cars and those trucks with a capacity of one ton or less. Typical uses include automobile service stations, service centers and car washes but do not include truck stops, truck terminals, automobile sales either new or used, auto storage, or major automotive repair defined as any body repair or painting or major disassembly or dismantling of the engine, transmission or other drive components.

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. Commercial Entertainment and Recreation Facilities: Establishments providing entertainment and/or recreational activities open to the general public on a commercial basis. Such activities shall be entirely conducted within an enclosed structure. Typical uses include movie theaters, bowling alleys, skating rinks, billiard parlors, indoor tennis and racquetball facilities, athletic clubs, health spas and other similar

activities.

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, art shops and photographic shops.

i. Retail Activities Incidental to Institutional, Office and Residential Uses provided such retail activities (a) shall not occupy more than five (5) percent of the gross floor area of the structure in which it is located, (b) shall be entirely contained within the building or buildings utilized primarily for institutional, office or residential uses, (c) shall not be visible from any public street, and (d) shall have no signs or other advertising devices visible from any public street. Typical uses include pharmacies, flower shops, gift shops, newsstands, restaurants, cafeterias, barber and beauty shops, and other similar uses primarily serving building occupants.

j. Temporary Uses as permitted in the General Retail District by Section 5-1200 in the *Springfield Zoning Ordinance*. The structure used for the temporary use shall be a temporary structure, as defined by the building code, to be dismantled and removed from the property at the end of the temporary use time period.

7. Noncommercial Entertainment and Recreation Facilities. Establishments providing entertainment and/or recreational activities open to the general public on a noncommercial basis or available on a membership arrangement. Typical uses include athletic clubs, tennis courts, racquetball courts, basketball courts, ball fields, golf courses with accessory club facilities, health spas and other similar activities but shall not include outdoor amphitheaters, drive-in movie theaters, bowling alleys, skating rinks, amusement parks, miniature golf courses, water slides, go-cart tracks, golf driving ranges except as accessory to golf courses, commercial softball complexes and other similar activities.

8. Residential Uses:

- a. Single family detached dwellings.
- b. Semi-detached dwellings, such as patio homes.
- c. Two-family dwellings, such as duplexes.
- d. Attached dwellings such as townhouses.
- e. Residential condominiums.
- f. Multifamily dwellings.

INTENSITY OF DEVELOPMENT: Development shall adhere to the following:

1. The floor area ratio for nonresidential uses shall not exceed 0.35 on any buildable

tract.

2. Development intensity for mixed-use projects, i.e. developments involving combinations of residential and nonresidential uses, shall be calculated by the following formula:

Total site area (acres) =

$$\frac{\text{Number of dwelling units (du's) proposed}}{\text{Maximum net residential density allowed (du's/acre)}} \\ + \frac{\text{Gross floor area proposed (square feet)}}{\text{Floor area ratio (FAR) X 43,560 square feet/acre}}$$

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

1. The following minimum setbacks are required:
 - a. Fifty (50) feet for structures and twenty-five (25) feet for parking adjacent to National Avenue and Republic Street.
 - b. Twenty-five (25) feet for structures and parking adjacent to Lark Street and any other internal street.
2. The impervious surface ratio shall not exceed 0.80.
3. Additional requirements may be set during the final development plan stage.

REQUIRED IMPROVEMENTS. 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. If the development of the property is phased, the construction of the improvements may also be phased provided there is a logical relationship between each phase of the development and the construction of the required improvements. 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 to the applicant, or subsequent owners:

- A. The required improvements shall be constructed; or
- B. 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 shall be provided to the City.

No certificate of occupancy shall be issued for any structure within this District, or phase of the development, unless:

- A. The required 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 occur, 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.

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

- 1. Republic Road shall have forty-five (45) feet of right-of-way south of the section line.
- 2. The following sight triangles shall be dedicated:
 - a. One Hundred (100) feet at the National Avenue intersection with Republic Road.
 - b. Thirty (30) feet at the National intersection with Lark Street.
- 3. Four (4) foot wide sidewalks are required on National Avenue, Republic Road and on one side of Lark Street.

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

- 1. Access to the adjoining public thoroughfares shall be situated in conformance with Exhibit A.

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

- 1. The City's off-street parking requirements, off-street loading requirements as well as the off-street parking and loading area design standards, Sections 5-1500, 5-1600 and 6-1300 from the *Springfield Zoning Ordinance* in effect at the time of development shall apply.

SIGNS: Development shall adhere to the following:

- 1. The City's sign codes for the appropriate development type from Section 5-1400 of the *Springfield Zoning Ordinance* in effect at the time of development shall apply.

//

2. Off-premise signs, as defined by the City sign code, are prohibited.

PERIMETER TREATMENT: Development shall adhere to the following:

1. The surface of required landscaped areas shall be maintained with a living ground cover. A landscape plan, showing conformance with these requirements, shall be submitted with the final development plan.
2. All other areas not shown as buildings or other form of impervious surface on Exhibit A and which are not designated as a bufferyard shall be required to be maintained with a living ground cover.
3. 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.

EXTERIOR LIGHTING: Development shall adhere to the following:

The purpose of this section is to regulate the spillover and glare on operators of motor vehicles, pedestrian and land uses in the proximity of the light source. With respect to motor vehicles in particular, safety considerations form the basis of the regulations contained herein. In other cases, both the nuisance and hazard aspects of glare are regulated. This section is not intended to apply to public street lighting, signs or seasonal displays.

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

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:

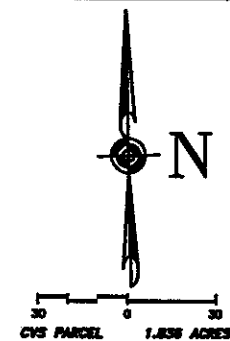
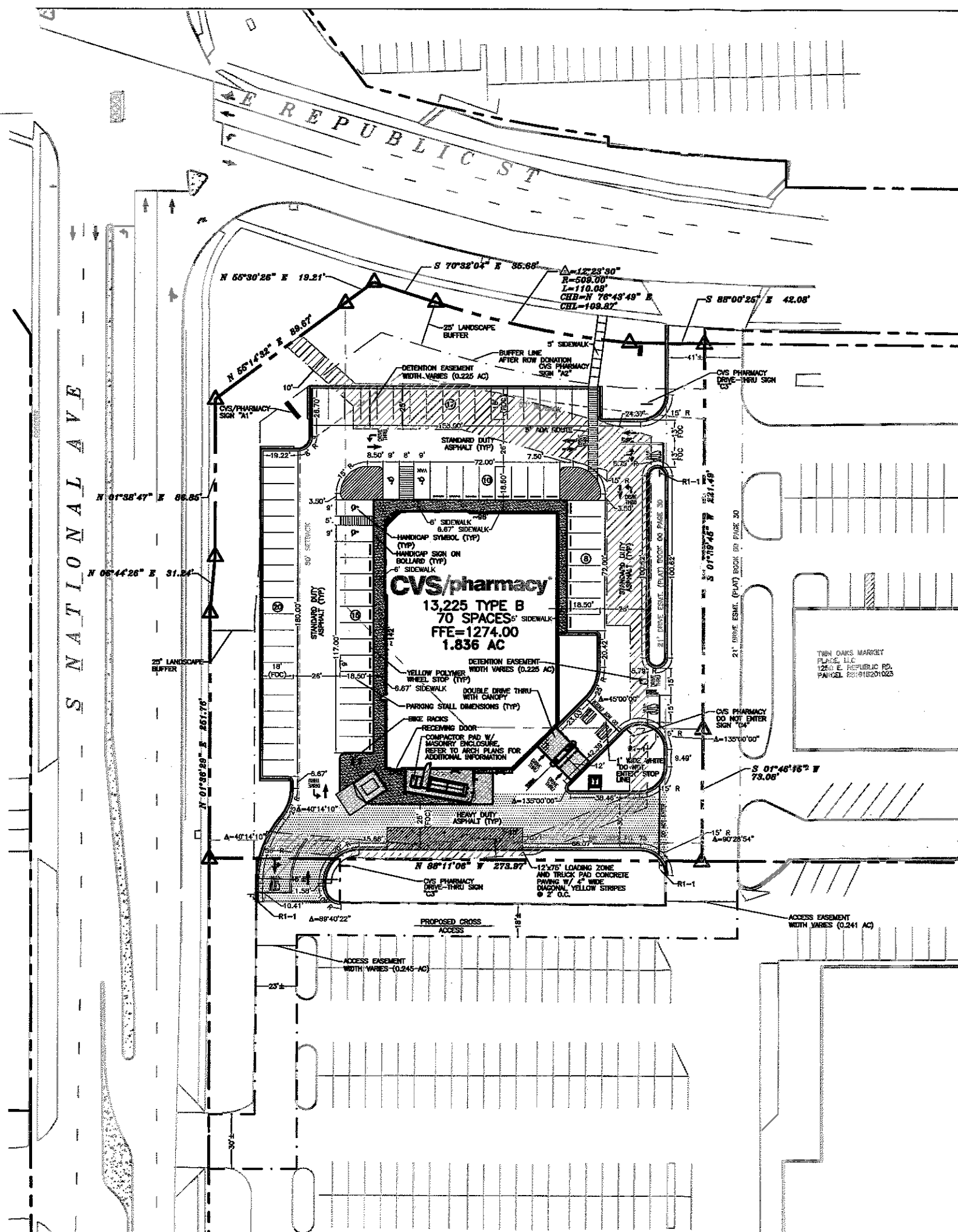
1. Development may be phased at the discretion of the developer(s) provided that all public improvements directly related to each phase are completed at the time of its development and that improvements serving the District as a whole and the adjoining area are completed in a sequence assuring full utility 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 or prior to the commencement of any of the permitted uses or 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.



LEGEND

- PROPERTY LINE
- HEAVY DUTY ASPHALT
- TRUCK PAD CONCRETE
- BUILDING SIDEWALK
- ARCHITECTURAL CONCRETE
- DETENTION EASEMENT
- PIPE BOLLARD
- HANDICAP PARKING SYMBOL
- 6" RAISED CONCRETE CURB
- PAINTED TRAFFIC ISLAND
- CUSTOMER PARKING COUNT
- SIGN
- SINGLE SOLID WHITE LINE
- DOUBLE SOLID YELLOW LINE
- SINGLE SOLID YELLOW LINE
- FACE OF CURB
- CVS/PHARMACY PYLON SIGN
- SAWCUT LINE

CVS SITE DATA	
SITE AREA	1.836 ACRES (79,988 SF)
IMPROVED AREA	13,225 SF (303,211 SF)
IMPROVED PERVIOUS AREA	13,225 SF (303,211 SF)
BUILDING AREA	13,225 SF (303,211 SF)
BUILDING DENSITY	13,225 SF (303,211 SF) = (16.63%)
IMPROVED BUILDING DENSITY	13,225 SF (303,211 SF) = (16.63%)
STREETS (REQUIRED)	20
STREETS (PROPOSED)	20
IMPROVED LAND USE	COMMERCIAL

FLOOR AREA RATIO (FAR) TABLE			
NEW LOT	TOTAL ACRES	BUILDING SF	FAR
EXISTING LOT	1.836	13,225	1.7
PROPOSED LOT	1.836	13,225	1.7

* DATA COLLECTED FROM GREENE COUNTY BEACON WEBSITE

CVS

pharmacy

NORTHERN-13225-RIGHT
CHAMFER DRIVE-THRU

STORE NUMBER: 1015

SEC - E REPUBLIC ST & S NATIONAL AVE

SPRINGFIELD, MO

PROJECT TYPE FEE FOR SERVICE

DEAL TYPE LAND PURCHASE

CS PROJECT NUMBER: 65592

ARCHITECT OF RECORD

719 Griswold Street
Suite 1000
Detroit, MI 48226
www.norr.com

NORR

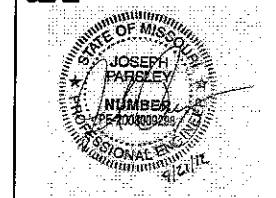
CONSULTANT:

CARLSON
CONSULTING
ENGINEERS, INC.
7068 Ledgestone Commons
Bartlett, TN 38134
Phone (615) 384-0404
Fax (615) 384-0710

DEVELOPER:

ORANGE
DEVELOPMENT
1200 CORPORATE DRIVE
SUITE G-50
BIRMINGHAM, AL 35242
P.O. (205) 408-3443

SEAL:



REVISIONS:

CVS PROJECT MANAGER: R. SMART

DRAWING BY: M. DEDMAN

DATE: 21 SEPTEMBER 2012

JOB NUMBER:

TITLE:

SITE PLAN

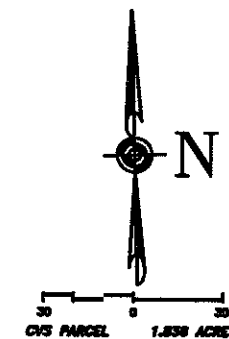
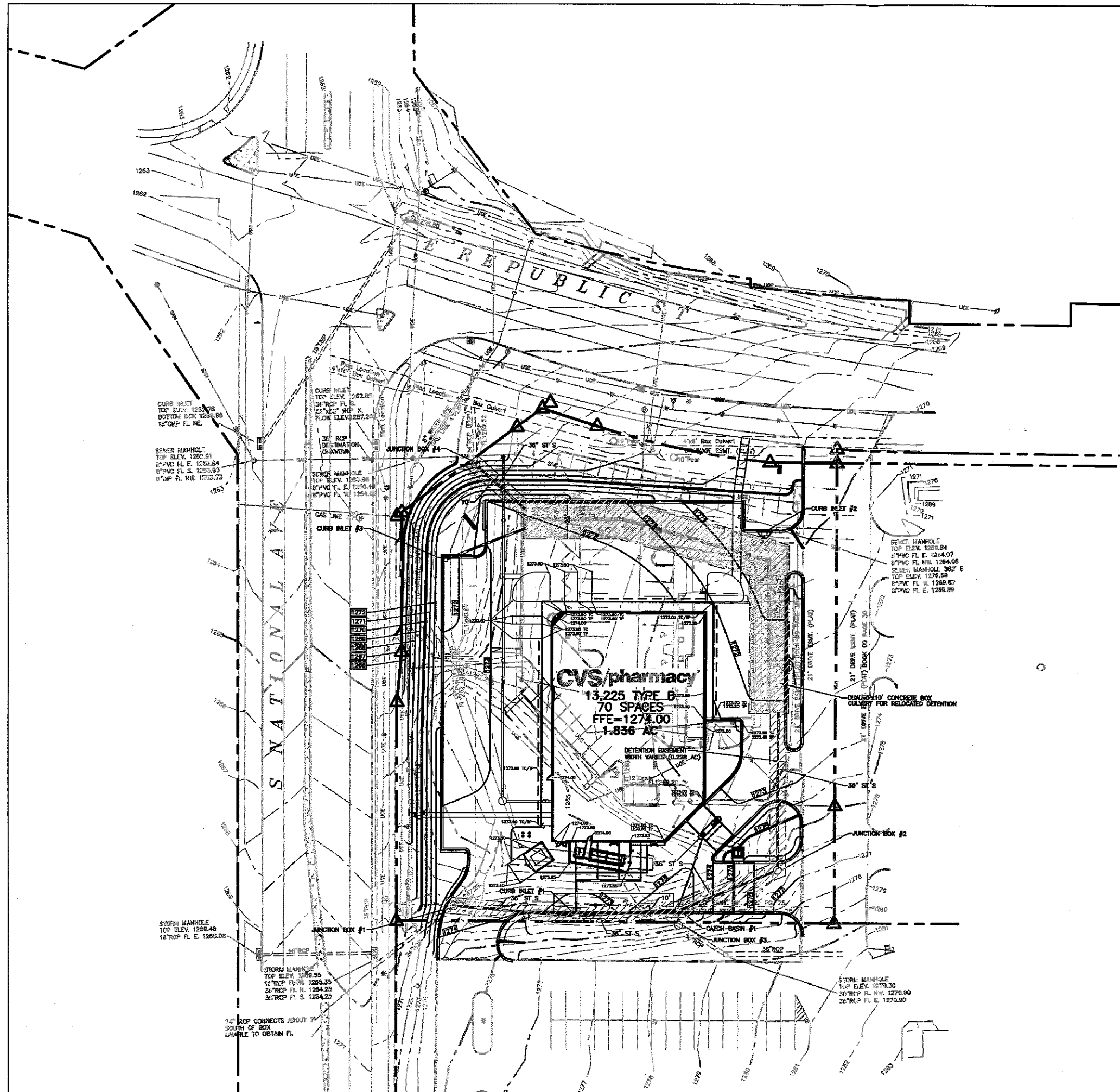
SHEET NUMBER:

01 OF 02

COMMENTS:

CAUTION - NOTICE TO CONTRACTOR

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED UPON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES, APPURTENANCES AND IMPROVEMENTS WHICH CONFLICT WITH THE IMPROVEMENTS SHOWN BY THESE PLANS.



- LEGEND**
- SAWCUT LINE
 - 0000.00 TO --- TOP OF CURB ELEVATION
 - 0000.00 TO --- TOP OF PAVEMENT ELEVATION
 - 0000.00 TO --- TOP OF GRASS
 - 0000.00 TO --- TOP OF SIDEWALK
 - DETENTION EASEMENT

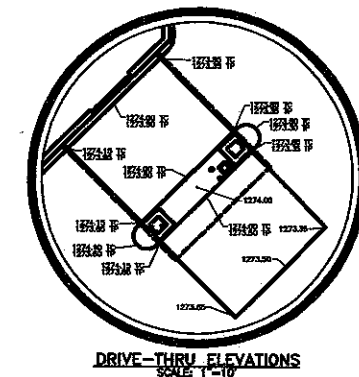


Exhibit 3
Sheet 2 of 5

CAUTION - NOTICE TO CONTRACTOR
 THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED UPON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES, APPURTENANCES AND IMPROVEMENTS WHICH CONFLICT WITH THE IMPROVEMENTS SHOWN BY THESE PLANS.



NORTHERN-13225-RIGHT CHAMFER DRIVE-THRU
STORE NUMBER 1015
 SEC - E REPUBLIC ST & S NATIONAL AVE
 SPRINGFIELD, MO
PROJECT TYPE FEE FOR SERVICE
DEAL TYPE LAND PURCHASE
CS PROJECT NUMBER 65502

ARCHITECT OF RECORD

719 Griswold Street
 Suite 1000
 Detroit, MI 48226
 www.norr.com



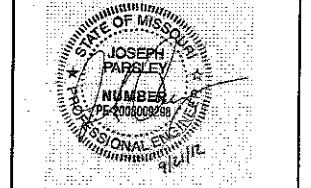
CONSULTANT:

CARLSON CONSULTING ENGINEERS, INC.
 7068 Leighton Commons
 Bartlett, TN 38133
 Phone (601) 384-2404
 Fax (601) 384-0710

DEVELOPER:

ORANGE DEVELOPMENT
 1200 CORPORATE DRIVE
 SUITE G-50
 BIRMINGHAM, AL 35242
 PH. (205) 408-3443

SEAL:



REVISIONS:

CVS PROJECT MANAGER: R. SMART

DRAWING BY: M. DEDMAN

DATE: 21 SEPTEMBER 2012

JOB NUMBER:

TITLE: **GRADING PLAN**

SHEET NUMBER:

02 OF 02

COMMENTS:

PLANT SCHEDULE

NOTE: ALL SIZES AND CONDITION OF NURSERY STOCK SHALL MEET THE STANDARDS ESTABLISHED IN THE LATEST EDITION OF "AMERICAN STANDARD FOR NURSERY STOCK" PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERMEN.

QTY	SYM	BOTANICAL NAME	COMMON NAME	INSTALLED SIZE	SPACING	CONDITION	REMARKS
TREES:							
3	⊙	AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE'	'AUTUMN BRILLIANCE' APPLE SERVICEBERRY	1-1/2" - 2" C / 7' - 8' HT	AS SHOWN	B&B/CONT	FULL HEAD W/ UNIFORM GROWTH, MULTI-TRUNK, 3-5 CANES (1-1/2" - 2" C TOTAL)
4	⊙	ACER RUBRUM x 'OCTOBER GLORY'	'OCTOBER GLORY' RED MAPLE	2" - 2-1/2" C / 12' - 14' HT	AS SHOWN	B&B/CONT	FULL HEAD w/ UNIFORM GROWTH
6	⊙	CORNUS KOUSA	KOUSA DOGWOOD (MULTI-TRUNK)	1-1/2" - 2" C / 10' - 12' HT	AS SHOWN	B&B/CONT	FULL HEAD w/ UNIFORM GROWTH, MULTI-TRUNK, 3-5 CANES (1-1/2" - 2" C TOTAL)
2	⊙	GINKGO BILOBA 'AUTUMN GOLD'	'AUTUMN GOLD' GINKGO	2" - 2-1/2" C / 12' - 14' HT	AS SHOWN	B&B/CONT	FULL HEAD w/ UNIFORM GROWTH
3	⊙	LIQUIDAMBER STYRACIFLUA 'ROTUNDOLOBA'	'ROTUNDOLOBA' SWEETGUM	2" - 2-1/2" C / 12' - 14' HT	AS SHOWN	B&B/CONT	STRONG CHT LEADER, EVENLY BRANCHED
2	⊙	MAGNOLIA GRANDIFLORA 'BRACKEN'S BROWN BEAUTY'	'BRACKEN'S BROWN BEAUTY' SOUTHERN MAGNOLIA	2" - 2-1/2" C / 8' - 10' HT	AS SHOWN	B&B/CONT	FULL HEAD w/ UNIFORM GROWTH
9	⊙	PICEA GLAUCA 'VENSATA'	BLACK HILLS SPRUCE	8' - 8' HT, 6" - 8" SPD.	AS SHOWN	B&B/CONT	FULL HEAD w/ UNIFORM GROWTH
SHRUBS:							
24	⊙	FORSYTHIA INTERMEDIA 'SPRING GLORY'	'SPRING GLORY' FORSYTHIA	24" - 30" HT / 5 GAL	36" O.C.	CONT	ROUNDED, FULL, UNIFORM GROWTH
10	⊙	JUNIPERUS HORIZONTALIS 'BAR HARBOR'	'BAR HARBOR' JUNIPER	18" - 24" SPD / 5 GAL	30" O.C.	CONT	NUMEROUS RUNNERS, SPREADING, FULL
21	⊙	ROSA 'RADIKO' PP# 16202	DOUBLE KNOCK OUT ROSE 'RADIKO'	24" - 30" HT / 5 GAL	36" O.C.	CONT	ROUND, FULL HEAD - UNIFORM SHAPE
GROUND COVER:							
51	⊙	EUROPE SPICATA	CREeping LILY TURF	6" HT / 1 GAL	12" O.C.	CONT	3 BIR MIN, FULL PLANT
FULL AREA	⊙	FESTUCA ARUNDINACEA	TURF TYPE TALL FESCUE SOD	SOLID SOD	SOLID	SLAB/ROLL	WEED FREE & ACTIVELY GROWING
FULL AREA	⊙	4" MINIMUM OF SHREDDED HARDWOOD MULCH					

NOTE: SYMBOLS SHOWN IN TABLE ABOVE ARE FOR SPECIES IDENTIFICATION ONLY. PLANT SIZE SHOWN IN THE TABLE IS NOT INTENDED TO BE REPRESENTATIVE OF THE PLANT AT EITHER INSTALLATION OR MATURITY. SIZE OF SYMBOL SHOWN IN TABLE ABOVE MAY VARY FROM THOSE SHOWN ON PLANS.

NOTE: NO SUBSTITUTIONS OF PLANT MATERIALS ARE ALLOWED WITHOUT THE PRIOR APPROVAL OF THE LANDSCAPE ARCHITECT.

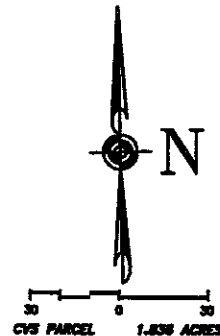
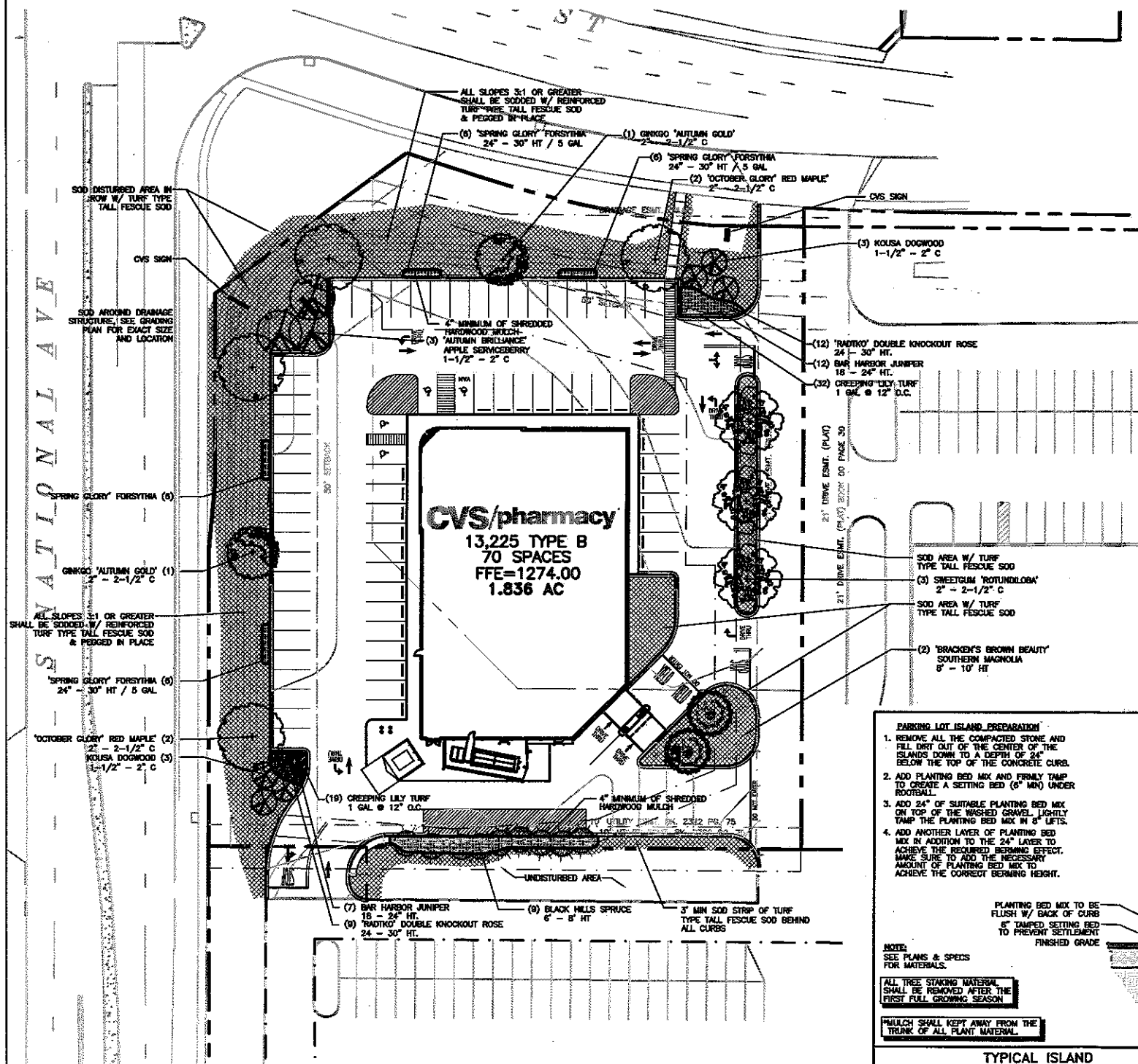


Exhibit 3
Sheet 3 of 5



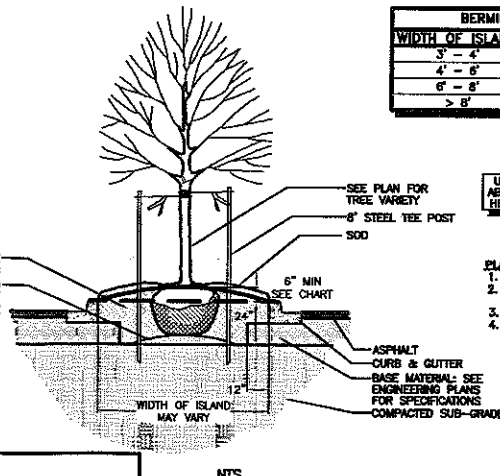
- PARKING LOT ISLAND PREPARATION**
1. REMOVE ALL THE COMPACTED STONE AND FILL DIRT OUT OF THE CENTER OF THE ISLANDS DOWN TO A DEPTH OF 24" BELOW THE TOP OF THE CONCRETE CURB.
 2. ADD PLANTING BED MIX AND FINELY TAMP TO CREATE A SETTING BED (6" MIN) UNDER ROOTBALL.
 3. ADD 24" OF SUITABLE PLANTING BED MIX ON TOP OF THE FINISHED GRAVEL. LIGHTLY TAMP THE PLANTING BED MIX IN 6" LIFTS.
 4. ADD ANOTHER LAYER OF PLANTING BED MIX IN ADDITION TO THE 24" LAYER TO ACHIEVE THE REQUIRED BERMING EFFECT. MAKE SURE TO ADD THE NECESSARY AMOUNT OF PLANTING BED MIX TO ACHIEVE THE CORRECT BERMING HEIGHT.

NOTE: SEE PLANS & SPECS FOR MATERIALS.

ALL TREE STAKING MATERIAL SHALL BE REMOVED AFTER THE FIRST FULL GROWING SEASON.

MULCH SHALL BE KEPT AWAY FROM THE TRUNK OF ALL PLANT MATERIAL.

TYPICAL ISLAND



BERMING CHART	
WIDTH OF ISLAND	BERM HEIGHT
3' - 4'	6"
4' - 6'	6"
6' - 8'	12"
> 8'	1-1/2' / 1'-0" WIDTH

USE THE BERMING CHART ABOVE TO CALCULATE BERM HEIGHTS FOR EACH ISLAND.

- PLANTING BED MIX:**
1. 20% OF EXISTING SOIL
 2. 15% PEAT MOSS, HUMUS, OR SOIL CONDITIONER
 3. 40% SAND
 4. 25% TOPSOIL

MAINTENANCE REQUIREMENT
GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL INSTALLED LANDSCAPING, INCLUDING GRASS MOWING, UP TO THE CVS STORE GRAND OPENING.

PROPOSED CVS PARCEL

MINIMUM OPEN SPACE REQUIREMENTS. ALL PROPERTY SHALL COMPLY WITH THE MINIMUM OPEN SPACE REQUIREMENTS OF THE DISTRICT IN WHICH THE PROPERTY IS LOCATED, EXCEPT AS EXEMPTED BY SUBSECTION 6-1215.
TOTAL SITE = 81,985 SF
20% = 16,397 SF REQUIRED OPEN SPACE
21,818 SF (26.6%) OPEN SPACE PROVIDED

6-1209. MINIMUM REQUIREMENTS FOR OFF-STREET PARKING AND VEHICULAR USE AREAS

THE INTERIOR AND PERIMETER OF PARKING LOTS AND VEHICULAR USE AREAS, FOR USES REQUIRING SITE PLANS, SHALL BE LANDSCAPED IN ACCORDANCE WITH THE FOLLOWING CRITERIA:

A. INTERIOR LANDSCAPING. IN ALL DISTRICTS EXCEPT THE CC, CENTER CITY DISTRICT, SITES CONTAINING PARKING AND VEHICULAR USE AREAS TOTALING THIRTY (30) OR MORE PARKING SPACES OR THE GROSS AREA IS TWELVE THOUSAND (12,000) OR MORE SQUARE FEET SHALL PROVIDE INTERIOR LANDSCAPING A MINIMUM OF FIVE (5) PERCENT OF THE PARKING OR VEHICULAR USE AREA SHALL BE DEVOTED TO LIVING LANDSCAPING.

PARKING AREA = 50,293 SF
5% = 2,515 SF REQUIRED INTERIOR LANDSCAPED AREA
3,912 SF (7.7%) INTERIOR LANDSCAPED AREA PROVIDED

THE FOLLOWING ADDITIONAL CRITERIA SHALL APPLY TO THE INTERIOR OF PARKING AND VEHICULAR USE AREAS:

3. THERE SHALL BE A MINIMUM OF TWO (2) UNDERSTORY TREES OR ONE (1) CANOPY TREE PLANTED FOR EACH THIRTY (30) PARKING SPACES OR TWELVE THOUSAND (12,000) SQUARE FEET OF PARKING OR VEHICULAR USE AREA OR FRACTION THEREOF. 70 PARKING SPACES ARE PROVIDED.
70 SPACES / 1 TREE PER 30 SPACES = 3 CANOPY OR 6 UNDERSTORY TREES REQUIRED
2 CANOPY TREES ('ROTUNDOLOBA' SWEETGUMS) SHALL BE INSTALLED IN THE INTERIOR OF THE PARKING AREA.

4. INTERIOR AREAS OF PARKING AND VEHICULAR USE AREAS SHALL CONTAIN PLANTING ISLANDS LOCATED SO AS TO BEST RELIEVE THE EXPANSE OF PAVING. INTERIOR PLANTING AREAS SHALL BE A MINIMUM OF ONE HUNDRED (100) SQUARE FEET FOR EACH.

THE INTERIOR PLANTING ISLANDS MEET OR EXCEED THESE REQUIREMENTS. THE SMALLEST ISLAND IS 900 SQUARE FEET WHICH EXCEEDS THESE REQUIREMENTS.

B. PERIMETER LANDSCAPING. (G.O. 5127, 10/29/01)

2. PERIMETER LANDSCAPING. AREAS SHALL CONTAIN ONE (1) CANOPY TREE, ONE (1) UNDERSTORY, ORNAMENTAL, OR EVERGREEN TREE AND FOUR (4) SHRUBS PER HUNDRED (100) LINEAR FEET. WHERE UTILITY LINES, EASEMENTS, THE BIRTH OF THE LANDSCAPE AREA OR OTHER CONDITIONS NOT UNDER THE CONTROL OF THE DEVELOPER WOULD NOT ALLOW CANOPY TREES, EACH REQUIRED CANOPY TREE MAY BE REPLACED BY TWO (2) UNDERSTORY, ORNAMENTAL, OR EVERGREEN TREES. THE REMAINING AREA SHALL BE LANDSCAPED WITH GRASS OR OTHER GROUND COVER.

THERE IS 530 LF OF PERIMETER, 6 CANOPY TREES, 6 ORNAMENTAL OR EVERGREEN TREES AND 22 SHRUBS ARE REQUIRED.

8 CANOPY TREES, (2 OCTOBER GLORY MAPLES AND 2 AUTUMN GOLD GINKGOS), 6 ORNAMENTAL/EVERGREEN TREES, (6 KOUSA DOGWOODS) AND 24 SHRUBS, ('SPRING GLORY' FORSYTHIA) ARE PROVIDED.

6-1211. BUFFERYARDS. (G.O. 5127, 10/29/01)

A. BUFFERYARDS SHALL BE REQUIRED AS SHOWN ON THE TABLE OF BUFFERYARD REQUIREMENTS WHERE DIFFERENT ZONING CLASSIFICATIONS ADJUT OR ARE SEPARATED BY AN ALLEY.

THE CVS PARCEL IS ZONED PD AND THE ADJACENT PROPERTY TO THE SOUTH IS ZONED PD, WHICH REQUIRES NO BUFFERYARDS.

CVS PARCEL

ALTERNATIVE METHOD FOR DETERMINING OPEN SPACE AND LANDSCAPE REQUIREMENTS (GENERAL RETAIL = 200 POINTS)	POINTS ALLOWED	POINTS AWARDED
EACH 1% OF LOT AREA IN OPEN SPACE UP TO 10% 20% TOTAL SITE OPEN SPACE PROVIDED 10 PERCENT OPEN SPACE X 8 POINTS = 80 POINTS AWARDED	8	80
EACH ADDITIONAL 1% OF LOT AREA IN OPEN SPACE UP TO 20% 20% TOTAL SITE OPEN SPACE PROVIDED 20 PERCENT OPEN SPACE X 6 POINTS = 120 POINTS AWARDED	6	120
EACH 1% OF INTERIOR LANDSCAPED AREA 3.8 % INTERIOR OPEN SPACE PROVIDED 3.8 X 2 POINTS = 0 POINTS AWARDED	2	0
EACH UNDERSTORY TREE PER 30 PARKING SPACES OR 12,000 SF OF PARKING / VEHICULAR USE AREA (8 UNDERSTORY, ORNAMENTAL, OR EVERGREEN TREES / 30 SPACES OR 12,000 SF OF VEHICULAR USE AREA MAX) 6 UNDERSTORY TREES X 4 POINTS = 24 POINTS AWARDED	4	24
EACH 5' OF WIDTH ALONG THE FRONT YARD 25' OF WIDTH ALONG FRONT YARD = 30 POINTS AWARDED	6	30
EACH 5' OF WIDTH ALONG THE SIDE AND REAR YARD 5' OF WIDTH ALONG REAR YARD = 4 POINTS AWARDED	4	4
EACH UNDERSTORY TREE PER 100' OF STREET FRONTAGE (500 LF OF STREET FRONTAGE, (6 UNDERSTORY, ORNAMENTAL, OR EVERGREEN TREES / 100' OF STREET FRONTAGE MAX) 6 UNDERSTORY TREES X 4 POINTS = 24 POINTS AWARDED	4	24
EACH 4 SHRUBS PER 100' OF STREET FRONTAGE (500') (4 SHRUBS / 100' OF STREET FRONTAGE MAX) 24 SHRUBS MAX / 4 = 6 GROUPS OF SHRUBS 6 GROUPS OF SHRUBS X 2 POINTS = 12 POINTS AWARDED	2	12
TOTAL POINTS AWARDED		294

CVS
pharmacy

NORTHERN-13225-RIGHT
CHAMFER DRIVE-THRU

STORE NUMBER: 1015

SEC - E REPUBLIC ST & S NATIONAL AVE

SPRINGFIELD, MO

PROJECT TYPE: FEE FOR SERVICE

DEAL TYPE: LAND PURCHASE

C8 PROJECT NUMBER: 05592

ARCHITECT OF RECORD

719 Griswold Street
Suite 1000
Detroit, MI 48226
www.norr.com

NORR

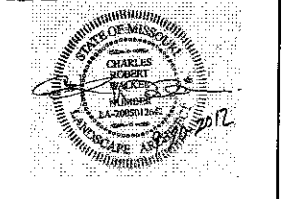
CONSULTANT:

CARLSON
CONSULTING
ENGINEERS, INC.
7068 Ledgestone Commons
Bartlett, TN 38103
Phone (601) 384-0404
Fax (601) 384-0710

DEVELOPER:

ORANGE
DEVELOPMENT
1200 CORPORATE DRIVE
SUITE G-50
BIRMINGHAM, AL 35242
PH. (205) 408-3443

SEAL:



REVISIONS:

CVS PROJECT MANAGER: R. SMART

DRAWING BY: M. DEDMAN

DATE: 21 SEPTEMBER 2012

JOB NUMBER:

TITLE: **LANDSCAPE PLAN**

SHEET NUMBER:

16 OF 02

COMMENTS:

COMMENTS:

NOT RELEASED FOR CONSTRUCTION

* Z = LUMINAIRE MOUNTING HEIGHT A.F.G.

Luminaire Location Summary						
LumNo	Label	X	Y	Z *	Orient	Tilt
1	C	475	233	33	0	0
2	C	475	288	33	0	0
3	C	550	399	33	270	0
4	C	629	399	33	270	0
5	MD4s	642	208.8	18	45	0
6	MD4s	643.5	214.1	18	90	0
7	MD8s	599.2	329.2	18	0	0
8	MD8s	643.5	324.1	18	90	0
9	MD8s	546	277.7	18	90	0
10	MD8s	620.8	187.7	18	45	0
11	MD8s	626.4	193.3	18	45	0
12	MD8s	632.1	199	18	45	0
13	MD8s	637.8	204.6	18	45	0
14	MD8s	643.5	316.1	18	90	0
15	MD8s	643.5	308.1	18	90	0
16	MD8s	643.5	300.1	18	90	0
17	MD8s	643.5	292.1	18	90	0
18	MD8s	643.5	284.1	18	90	0
19	MD8s	643.5	276.1	18	90	0
20	MD8s	643.5	268.1	18	90	0
21	MD8s	643.5	260.1	18	90	0
22	MD8s	643.5	252.1	18	90	0
23	MD8s	643.5	244.1	18	90	0
24	MD8s	643.5	236.1	18	90	0
25	MD8s	643.5	228.1	18	90	0
26	MD8s	643.5	220.1	18	90	0
27	MD8s	607.2	329.2	18	0	0
28	MD8s	615.2	329.2	18	0	0
29	MD8s	623.2	329.2	18	0	0
30	MD8s	631.2	329.2	18	0	0
31	MD8s	639.2	329.2	18	0	0
32	MD8s	546	261.7	18	90	0
33	MD8s	546	269.7	18	90	0
34	MD8s	546	253.7	18	90	0
35	MD8s	546	245.7	18	90	0
36	MD8s	546	237.7	18	90	0
37	MD8s	546	229.7	18	90	0
38	MD8s	546	221.7	18	90	0
39	MD8s	546	213.7	18	90	0
40	MD8s	546	205.7	18	90	0
41	MD8s	546	197.7	18	90	0
42	MD8s	546	189.7	18	90	0
43	OBx	647	193	9.33	45	0
44	OBx	643	197	9.33	45	0
45	OBx	639	201	9.33	45	0
46	OCx	540.7	325.6	18	0	0
47	WPx	558.0	185.6	12	270	0
48	WPx	583.6	185.6	12	270	0
49	WPx	608.6	185.6	12	270	0

* HUBBELL IS NOT RESPONSIBLE FOR THE PERFORMANCE OF LUMINAIRE MANUFACTURED BY OTHERS

Luminaire Schedule										
Symbol	Label	Qty	Description	Arrangement	Total Watts	Lumens/Lamp	LLD	LDD	BF	LLF
	C	4	MSVxH1K-V4F_FGGS2 (Hubbell Ltg)	SINGLE	4320	110000	0.873	0.950	0.950	0.788
	MD8s	36	QTY 2 - C 1 32 MVOLT GEB10S	GROUP	2304	N.A.	N.A.	N.A.	N.A.	0.752
	MD4s	2	C 1 32 MVOLT GEB10S	SINGLE	64	3100	0.950	0.900	0.880	0.752
	OBx	3	2GT8 2 32 A12 120 ADDE	SINGLE	174	3100	0.950	0.900	0.880	0.752
	OCx	1	AH 70MHC 6AR	SINGLE	94	5700	0.720	0.950	0.950	0.650
	WPx	3	WFL2 70M FT	SINGLE	285	6000	0.740	0.950	0.950	0.668

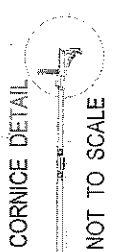
Calculation Summary

Label	Description	Units	Avg	Max	Min	Avg/Min	Max/Min
50 FT RADIUS	3.0 FC MINIMUM	Fc	7.30	14.3	2.9	2.52	4.93
CVS PARKING	1.5 FC MINIMUM	Fc	7.30	14.8	1.8	4.06	8.22

POLE SPEC FOR MSV FLATGLASS:

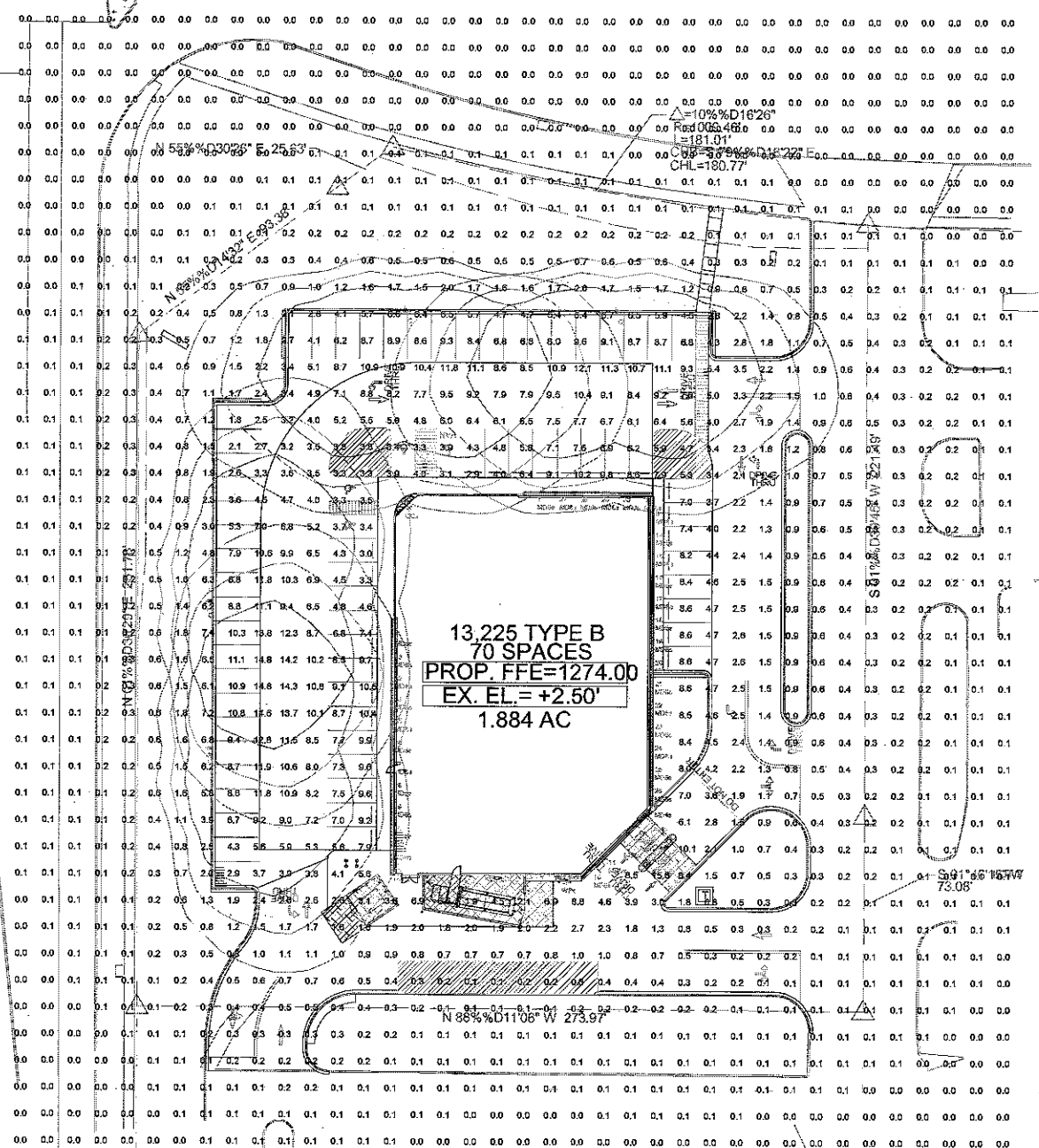
SINGLE FIXTURE
SSS-XX-XX-X-A6-XX

TWIN FIXTURE 180 DEGREE APART
SSS-XX-XX-X-C6-XX



FOR PRICING CONTACT

Weidenbach-Brown Co., Inc.
315 Norwood Park South
Norwood, MA 02062
Tel: 781-769-9868
Fax: 781-769-9832
E-Mail: CVSSUPPORT@WBLIGHT.COM



NOT A CONSTRUCTION DOCUMENT - FOR DESIGN PURPOSES ONLY

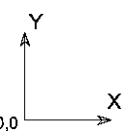
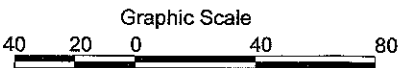


Exhibit 3
Sheet 5 of 5



1. THIS LIGHTING DESIGN IS BASED ON LIMITED INFORMATION SUPPLIED BY OTHERS TO HUBBELL LIGHTING. SITE DETAILS PROVIDED HEREON ARE REPRODUCED ONLY AS A VISUALIZATION AID. FIELD DEVIATIONS MAY SIGNIFICANTLY AFFECT PREDICTED PERFORMANCE. PRIOR TO INSTALLATION, CRITICAL SITE INFORMATION (POLE LOCATIONS, ORIENTATION, MOUNTING HEIGHT, ETC.) SHOULD BE COORDINATED WITH THE CONTRACTOR AND/OR SPECIFIER RESPONSIBLE FOR THE PROJECT.

2. LUMINAIRE DATA IS TESTED TO INDUSTRY STANDARDS UNDER LABORATORY CONDITIONS. OPERATING VOLTAGE AND NORMAL MANUFACTURING TOLERANCES OF LAMP, BALLAST, AND LUMINAIRE MAY AFFECT FIELD RESULTS.

3. CONFORMANCE TO FACILITY CODE AND OTHER LOCAL REQUIREMENTS IS THE RESPONSIBILITY OF THE OWNER AND/OR THE OWNER'S REPRESENTATIVE.

REVISED FROM DRAWING NUMBER(S) TITLE

X	
---	--

CVS #10115
SPRINGFIELD, MO

HUBBELL
Hubbell Lighting, Inc.
701 MILLENNIUM BLVD
GREENVILLE, SC
29607

SCALE
1" = 40'
DATE
9/20/2012
DWN
ADC
DRAWING NO.
1261072

ZONING & SUBDIVISION REPORT

PLANNING & DEVELOPMENT DEPARTMENT ~ 417-864-1611
840 BOONVILLE AVENUE ~ SPRINGFIELD, MISSOURI 65801

SUBDIVISION VARIANCE NUMBER 340

DATE: October 24, 2012

PURPOSE: The applicant is requesting a variance from Section 410(6)(a) of the Subdivision Regulations so that a payment may be made in lieu of constructing a sidewalk along a portion of Washita Street.

BACKGROUND:

LOCATION: 2100 block s/s E. Sunshine Street
APPLICANT: Jewell Schweitzer and Jack Fredrick Trust
TRACT SIZE: Approximately 10.52 acres
EXISTING USE: Undeveloped land
PROPOSED USE: Grocery & convenience store

RECOMMENDATION:

Staff recommends the subdivision variance be **approved**.

FINDINGS:

1. The requested subdivision variance satisfies the conditions for variance approval outlined in Section 106(3) of the Subdivision Regulations.

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner

ATTACHMENTS:

Attachment A – Staff Background Report
Attachment B – Approval Criteria
Attachment C – Preliminary Plat of Washita Subdivision

ATTACHMENT A
BACKGROUND REPORT
SUBDIVISION VARIANCE NUMBER 340

APPLICANT'S PROPOSAL:

The applicant is requesting a subdivision variance to pay a fee-in-lieu of constructing sidewalks along Washita Street.

HISTORY:

The Preliminary Plat of Washita Subdivision was approved by Planning and Zoning Commission on October 4, 2012, along with the Zoning Case Z-12-2012/COD #53. The conditions of the preliminary plat included the requirements for sidewalks along Sunshine and Washita Streets. City Council held a public hearing for the preliminary plat and rezoning case on October 22, 2012. As a result, the neighborhood did not want a pedestrian connection to the proposed grocery/convenience store development.

TRAFFIC ENGINEERING COMMENTS:

The applicant has requested to pay a fee in lieu of constructing sidewalks along the property frontage of Washita Street. Several existing trees act as a buffer between this property and the neighborhood. To avoid taking out these trees with construction of a sidewalk, the sidewalk would then be located in the existing swale. An easement would be required to avoid the swale. Therefore, Traffic is in support of a fee in lieu of constructing sidewalks at this location.

STORMWATER ENGINEERING COMMENTS:

Public Works Stormwater Division supports this request. If the sidewalk was built, some type of conveyance would be required if the swale capacity is decreased.

STAFF COMMENTS:

1. The applicant is proposing a one (1) lot preliminary plat called Washita Subdivision that was approved by Planning and Zoning Commission on October 4th. The *Subdivision Regulations* require sidewalk on one (1) side of all local streets where the density is five (5) dwelling units or less per net acre. A sidewalk was required along Washita Street as part of the subdivision plat.
2. After further review, the applicant has requested that a fee-in-lieu of constructing sidewalks because the location of the sidewalks would interfere with the existing stormwater conveyance system (drainage ditch) and vegetation along Washita Street. The proposed sidewalk would not connect to any adjacent sidewalks or pedestrian facilities. Staff believes the sidewalk improvements can be placed in a more appropriate location. The sidewalk fees will go to a fund that will be used for future sidewalk projects benefiting elementary schools in the area.

ATTACHMENT B
APPROVAL CRITERIA
SUBDIVISION VARIANCE NUMBER 340

Section 106 of the Subdivision Regulations states in part:

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

1. 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;

Applicant's Response:

During the applicant's neighborhood meeting and the public hearings at Planning and Zoning Commission and City Council, the neighboring residents did not want a sidewalk installed along the frontage of Washita Street. Linwood Heights 4th Addition, the neighboring subdivision to the south, was developed during the 1950's prior to the City's sidewalk requirements. The existing streets within the subdivision do not currently have sidewalks. The closest sidewalk to this location is located approximately 1500 feet to the east along Lone Pine Avenue.

2. The variance is necessary for the preservation and enjoyment of a substantial property right of the owner, and;

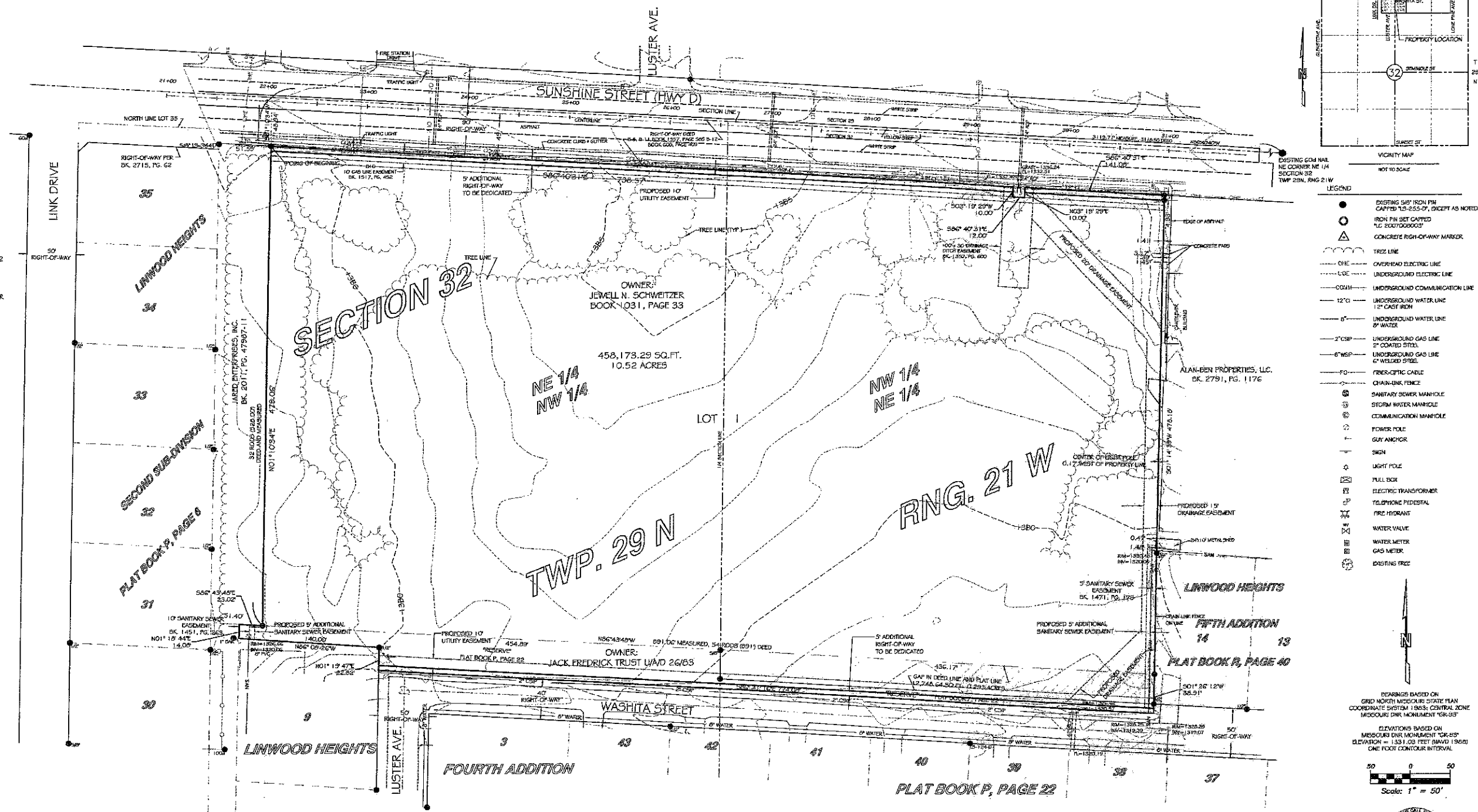
Applicant's Response:

This variance will allow the owner to subdivide the property in a manner that would sustain the development. The standard location of the sidewalks (one (1) foot inside the right-of-way) would place this sidewalk in the existing roadside ditch. The existing drainage conveyance location would require the sidewalk to be located outside of the proposed right-of-way within a sidewalk easement. This northerly location would require the re-grading and removal of existing vegetation (trees and shrubs) that has been specifically requested by the neighbors to be retained and maintained by the developer.

3. 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 granting of this variance will not be detrimental to the public safety, convenience or welfare or be injurious to other property in the vicinity.



GENERAL NOTES:

1. DATE OF SUBMITTAL - SEPTEMBER 26, 2012
2. PROPOSED WASTEWATER DISPOSAL FACILITIES - MUNICIPAL SEWER SYSTEM (CITY OF SPRINGFIELD)
3. PROPOSED WATER SUPPLY - MUNICIPAL WATER SUPPLY (CITY UTILITIES)
4. NATURAL GAS TO BE PROVIDED BY CITY UTILITIES
5. CURRENT ZONING - "R-S1" RESIDENTIAL SINGLE FAMILY DISTRICT
6. PROPOSED ZONING - "GR" GENERAL RETAIL DISTRICT WITH CONDITIONAL OVERLAY
7. TOTAL ACREAGE = 458,173.29 SQ. FT. (10.52 ACRES)
8. TOTAL NUMBER OF LOTS - 1
9. EASEMENTS SHOWN HEREON ARE FROM FIELD INSPECTION OR RECORD AND MAY NOT BE ALL INCLUSIVE.
10. ACCORDING TO FEMA COMMUNITY-PANEL NUMBER 29077C03A2E DATED DECEMBER 17, 2010 THE PROPERTY IS LOCATED IN ZONE X (AREA DETERMINED TO BE OUTSIDE THE 0.2% CHANCE FLOODPLAIN).
11. NO EXISTING BUILDINGS ON SUBJECT PROPERTY
12. THE LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND AS PLOTTED OUT OR MAPPED BY UTILITIES PERSONNEL. LOCATIONS AND SIZES OF UNDERGROUND UTILITIES/STRUCTURES MAY BE DISCREPANT. BURIED UTILITIES/STRUCTURES SHOWN HEREON MAY NOT EXIST. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO FIND OR VERIFY BURIED UTILITIES LOCATIONS.
13. VEHICULAR ACCESS TO WASHITA STREET IS STRICTLY PROHIBITED.

DEED DESCRIPTION:

ALL OF THE WEST 54 RODS OF THE FOLLOWING: BEGINNING AT A POINT ON THE SECTION LINE IN THE CENTER OF SCHWEITZER ROAD 50 RODS WEST OF THE NORTHEAST CORNER OF SECTION THIRTY-NO (32), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-ONE (21), GREENE COUNTY, MISSOURI, THENCE WEST WITH SAID SECTION LINE, 139 RODS; THENCE SOUTH WITH THE HEDGE FENCE 32 RODS; THENCE EAST WITH A HEDGE FENCE 139 RODS TO A POINT SOUTH OF THE BEGINNING POINT; THENCE NORTH 32 RODS TO THE BEGINNING, IN GREENE COUNTY, MISSOURI.

ALSO,

ALL OF THE "RESERVE" TRACT IN THE AMENDED PLAT OF LINWOOD HEIGHTS FOURTH ADDITION,
A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

SURVEYORS DESCRIPTION:

A PARCEL OF LAND LOCATED IN PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER AND PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 29 NORTH, RANGE 21 WEST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 32, THENCE NORTH 66°40'40" WEST, AND ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 32, 31,919.7 FEET; THENCE SOUTH 01°10'54" WEST, 48.94 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAUGHINNE STREET AS IT NOW DISPOSES FOR A POINT OF BEGINNING; THENCE SOUTH 66°40'51" EAST, AND ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAUGHINNE STREET, 1,000.00 FEET; THENCE SOUTH 03°12'28" WEST, 1,000.00 FEET; THENCE SOUTH 66°40'51" EAST, 12.00 FEET; THENCE NORTH 08°19'28" EAST, 140.00 FEET; THENCE SOUTH 66°40'51" EAST, 141.00 FEET; THENCE, LEAVING SAID SOUTH RIGHT-OF-WAY LINE, SOUTH 01°11'43'59" WEST, 476.10 FEET TO A POINT ON THE WEST LINE OF LOT 14, LARWOOD HEIGHTS FIRST ADDITION; THENCE SOUTH 01°26'12" WEST, ALONG AND WEST LINE OF ITS EXTENSION, 38.91 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAUGHINNE STREET; THENCE NORTH 86°41'16" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, 774.06 FEET; THENCE NORTH 01°19'47" EAST, LEAVING SAID NORTH RIGHT-OF-WAY LINE, 22.82 FEET; THENCE NORTH 66°08'26" WEST, 140.00 FEET; THENCE NORTH 01°18'44" E, 14.08 FEET; THENCE SOUTH 66°43'48" EAST, 23.02 FEET; THENCE NORTH 01°03'45" EAST, 479.06 FEET TO THE POINT OF BEGINNING, ALL BEING IN THE SEVERAL LOTS, BLOCKS AND SUBDIVISIONS OF THE NORTHEAST QUARTER OF SECTION 32, BEING SUBJECT TO ALL EASEMENTS OF RECORD AND ANY EASEMENTS BEING USED FOR ROADWAY PURPOSES.

OWNERS

JEWELL SCHWEITZER
2550 S. LUSTER AVE.
SPRINGFIELD, MO 65804

JACK FREDRICK TRUST W/AD 9/26/83
1520 BATES ST.
SPRINGFIELD, MO 65804

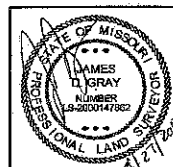
DEVELOPER

HY-VEE, INC.
5820 WESTOWN PARKWAY
WEST DES MOINES, IA 50266

PRELIMINARY PLAT
WASHITA SUBDIVISION

SECTION 32, TWP. 29N, RNG. 21W
CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI

SHEET
OF 1

[illegible]

5051 S. National Avenue
Suite 4-110
Springfield, MO 65810
Tel: 417.889.3400
Fax: 417.889.3402
www.GoCIW.com

SURVEY BY	C/W
DESIGN	N/A
DRAWN	RAM
CHECKED	JDC
DATE	09-26-2012
SCALES HOR.	1"=50'
SCALES VERT.	N/A
DWG	PREPLAT

PRELIMINARY PLAT
WASHITA SUBDIVISION
SECTION 32, TWP. 29N, R1NG. 21W
CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI

EXPLANATION TO COUNCIL BILL NO. 2012 -

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately sixty-seven (67) acres of property generally located at the 3610 E. Kearney from Planned Development 229 amended, to a HM-Heavy Manufacturing District.

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-14-2012

The applicant is proposing to rezone approximately sixty-seven (67) acres of land from a Planned Development 229 amended to a HM, Heavy Manufacturing District. This rezoning will allow the proposed surface to be used for manufacturing, warehousing, and production of asphalt-based materials, and for continued industrial development

FINDINGS FOR STAFF RECOMMENDATION:

1. This request is consistent with the recommendations of the *Comprehensive Plan*, which identifies this area as an appropriate location for light industrial, office and warehousing use.
2. The proposed zoning is consistent with surrounding non-residential uses and zoning along E. Kearney Street and LeCompte Avenue.
3. The applicant and City will enter into a cost-sharing agreement to fund improvements to Le Compte Avenue.
4. The cost-sharing agreement will provide for significant infrastructure improvement on Le Compte Avenue to serve the subject property.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on November 1, 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

Exhibit C, Location Map

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Neighborhood Meeting and 185 foot Property Owners List

Attachment 3, Affidavit of Sign Posting

EXHIBIT A
LEGAL DESCRIPTION
ZONING CASE Z-14-2012

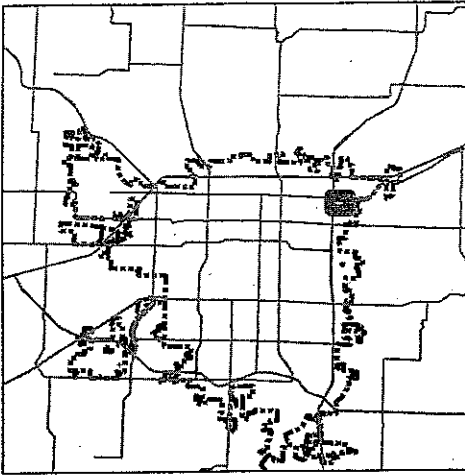
All that part of the Northwest Quarter (NW 1/4) of Section 10, Township 29, Range 21, Greene County, Missouri, lying north of the right-of-way of the St. Louis-San Francisco Railway Company, EXCEPT the part thereof legally described as follows:

A part of the West 1/2 of the N.W.1/4 of Sec. 10, T-29-N., R-21-W., described as follows:

Beginning at a point on the South right of way line of U.S. Highway No. 66, which point is 924.1 feet East and 40 feet South of the N.W. Corner of said Section 10, thence West along said right of way line 107.4 feet, thence Southwesterly with an interior angle of $185^{\circ} 50'$, 275.73 feet; thence Southwesterly along said right of way line, with an interior angle of $180^{\circ} 21'$, 225.5 feet, thence Southwesterly along said right of way line, with an interior angle of $140^{\circ} 07'$, 69.2 feet to a point which is also on the Easterly right of way line of Proposed U.S. Highway No. 65; thence Southwesterly along the right of way line of said proposed Highway No. 65, with an interior angle of $146^{\circ} 29'$, 641.6 feet; thence Southerly along said right of way line, with an interior angle of $166^{\circ} 56'$, 400 feet; thence Southeasterly along said right of way line, with an interior angle of $174^{\circ} 17'$, 201 feet; thence Southerly along said right of way line, with an interior angle of $185^{\circ} 43'$, 496.7 feet to the intersection of the Easterly right of way line of Proposed U.S. Highway No. 65 and the Northerly right of way line of a spur or switch track of the St. Louis-San Francisco Railway Co., thence Northeasterly along the right of way line of said railroad spur, on a curve to the left having a radius of 583.8 feet, a distance of 501.8 feet; thence Northwesterly, perpendicular to said railroad right of way 19.5 feet to a point 5 feet West of the Westerly slope of a drainage channel, thence Northerly and Northeasterly 5 feet westerly from and parallel with said drainage channel a distance of 1649.5 feet to a point 16 feet South of the point of beginning, thence North to the point of beginning, as shown on a survey made by the Greene County Surveyor, dated September 27, 1965 and filed in Greene County Surveyor's Record Book No. 45 at page 101. Said tract containing 11.39 acres more or less, subject to all easements now of record.

EXHIBIT B
RECORD OF PROCEEDINGS
ZONING CASE Z-14-2012

(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

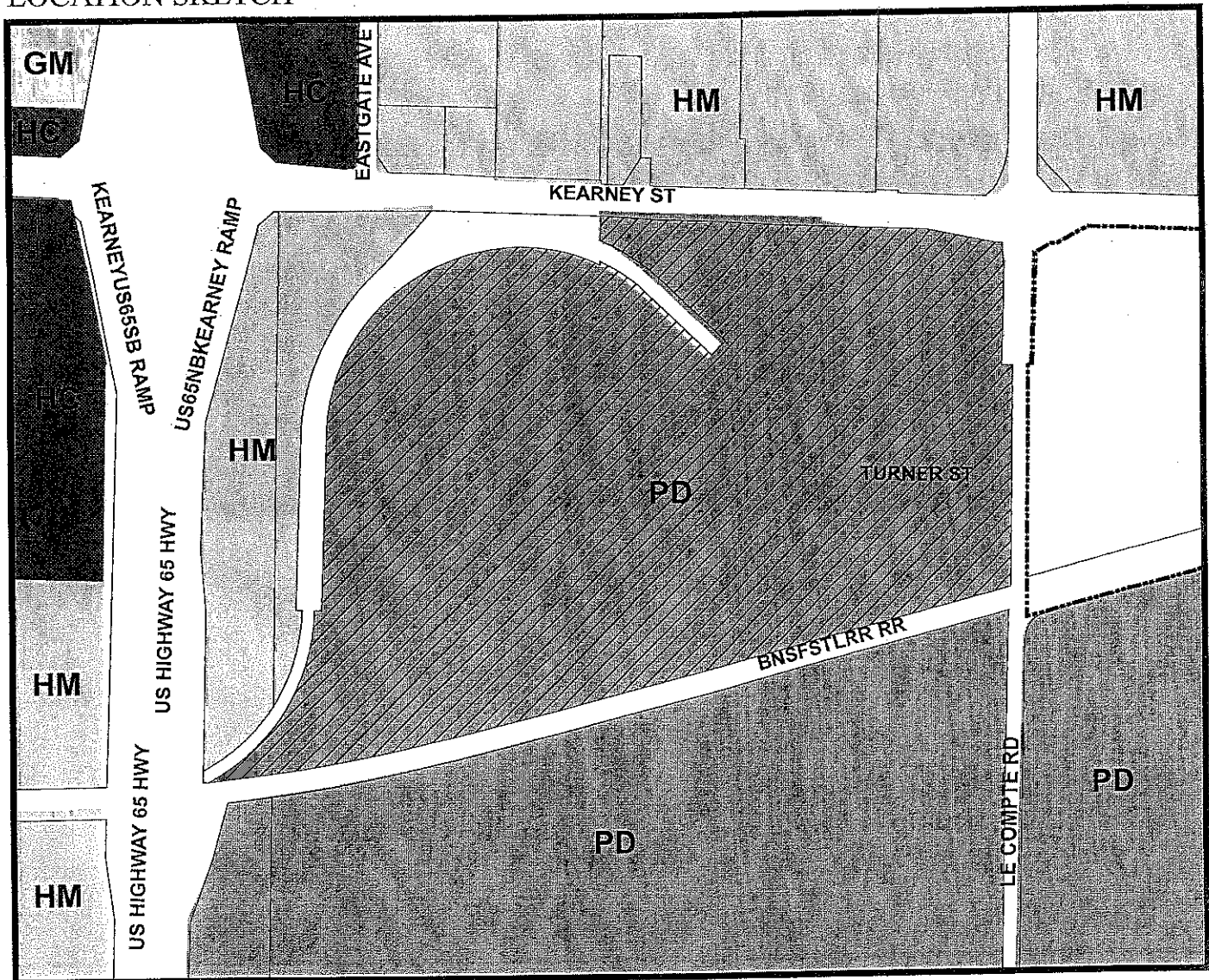
Z-14-2012

Location: 3610 E. Kearney St.

Current Zoning: Planned Development 229

Proposed Zoning: HM, Heavy Manufacturing

LOCATION SKETCH



- Area of Proposal

0 500 1,000 Feet

1 inch = 500 feet

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-14-2012

DATE: September 26, 2012

LOCATION: 3610 E. Kearney

APPLICANT: Springfield Underground, Inc

TRACT SIZE: Approximately 67 acres

EXISTING USE: PD 229 uses

PROPOSED USE: Production of asphalt-based materials

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	HM	Industrial uses
East	County	Industrial uses
South	PD 229	PD uses
West	HM and HC	Trucking, undeveloped land and interstate

COMPREHENSIVE PLAN:

This request is consistent with the recommendations of the *Comprehensive Plan*, which identifies this area as an appropriate location for light industrial, office and warehousing use.

BUILDING DEVELOPMENT SERVICES COMMENTS:

No BDS issues with rezoning to HM.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

Public Works management has been working with the developer on this project and both have identified the improvements needed and will be cost sharing on those improvements. Improvements consist of a three lane section that ties into the current five lane section of LeCompte and Kearney. A right turn lane into the Springfield

Underground property will also be constructed. Traffic has no objections to this rezoning.

STORMWATER COMMENTS:

1. There are no stormwater issues with rezoning this property.
2. Drainage patterns for any runoff currently flowing across the site must not be blocked or altered by any future construction.
3. Detention for complete development is currently provided for this property.

SANITARY SERVICES COMMENTS:

No objection to the rezoning as long as the property is not subdivided.
Property is currently connected to public sewer.

MEDIACOM COMMENTS:

No issues from Mediacom.

ADJACENT PROPERTY OWNER COMMENTS:

Seven (7) property owners are located within one hundred eighty-five (185) feet of the subject property and were notified by mail of this request. No one has objected to this request to date.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on October 6, 2012, on the conference room of the Frisco Building between 3 and 6 p.m. Twenty-one (21) property owners were notified. A neighborhood meeting summary is attached and marked Attachment 2.

STAFF COMMENTS:

1. This request is consistent with the recommendations of the *Comprehensive Plan*, which identifies this area as an appropriate location for light industrial, office and warehousing use.
2. A cost-sharing agreement between the applicant and the City will provide resources to make infrastructure improvements to LeCompte Avenue to serve the increased intensity of use at the site.

FINDINGS FOR STAFF RECOMMENDATION:

1. This request is consistent with the recommendations of the *Comprehensive Plan*, which identifies this area as an appropriate location for light industrial, office and warehousing use.
2. The proposed zoning is consistent with surrounding non-residential uses and zoning along E. Kearney Street and LeCompte Avenue.
3. The applicant and City will enter into a cost-sharing agreement to fund improvements to Le Compte Avenue.

RECOMMENDATION:

Staff recommends **approval** of this request.

STAFF CONTACT PERSON:

Michael K. MacPherson, MPA
Principal Planner
864-1198

LATHROP & GAGE^{LLP}

JAMES H. JEFFRIES
DIRECT LINE: 417.877.5927
EMAIL: JJEFFRIES@LATHROP&GAGE.COM
WWW.LATHROP&GAGE.COM

1845 S. NATIONAL
P.O. BOX 4288
SPRINGFIELD, MISSOURI 65808-4288
PHONE: 417.886.2000
FAX: 417.886.9126

September 24, 2012

VIA REGULAR US MAIL

Re: **Rezoning of 3610 E. Kearney**
Matter No. 379863

Dear Property Owner:

This letter is to invite you to attend a neighborhood meeting regarding the proposed rezoning of the above-referenced property. This property is located in the vicinity of the intersection of Kearney Street and U.S. Highway 65.

The owner of this property, Springfield Underground, Inc., is proposing a change in the existing zoning from Planned Development District to HM – Heavy Manufacturing. The owner believes that this classification change will be consistent with other development in the area, and will be of benefit to overall development in the vicinity.

The meeting will take place between 3:00 p.m. and 6:00 p.m. on Thursday, October 4, 2012, in the Frisco Building Conference Room, 3253 E. Chestnut Expressway, Springfield, Missouri. At that time you will be able to meet with representatives of the owner and ask any questions which you may have.

If you have any questions in the meantime, please feel free to contact the undersigned at 417-886-2000.

Very truly yours,

LATHROP & GAGE^{LLP}

By: 
James H. Jeffries

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

~~END~~ 3610 E KEARNEY - 185' LIST

OWNER_NAME	OWNER_ADDR	OWNER_CITY	OWNER_STAT	OWNER_ZIPC
ACTION SALES & RENTAL INC	3950 E KEARNEY ST	SPRINGFIELD	MO	658038318
HFB INC	8201 NE PARVIN RD	KANSAS CITY	MO	641619553
JERRY BENNETT MASONRY CONTRACTOR INC	2441 N LE COMPTE RD	SPRINGFIELD	MO	65803
JOINT APPRENTICESHIP COMMITTEE	3605 E KEARNEY ST	SPRINGFIELD	MO	658035704
LEO JOURNAGAN CONSTRUCTION CO INC	3003 E CHESTNUT EXPY	SPRINGFIELD	MO	65802
MISSOURI INTERSTATE INV LLC	309 S NATIONAL AVE	SPRINGFIELD	MO	658023420
ST LOUIS SAN FRANCISCO RR CO	906 OLIVE FRISCO BUILDING	SAINT LOUIS	MO	63101

3610 E KEARNEY - 500' LIST

OWNER_NAME	OWNER_ADDR	OWNER_CITY	OWNER_STAT	OWNER_ZIPC
ACTION SALES & RENTAL INC	3950 E KEARNEY ST	SPRINGFIELD	MO	658038318
ARC KGSPFMO008 LLC	106 YORK RD	JENKINTOWN	PA	190463233
BOARD OF TRUSTESS	PO BOX 1576	SPRINGFIELD	MO	65801
FALK, RICHARD R	4320 E AMBROSE DR	SPRINGFIELD	MO	658022425
HFB INC	8201 NE PARVIN RD	KANSAS CITY	MO	641619553
ICT II LLC	2023 S GLENSTONE AVE	SPRINGFIELD	MO	658042427
JERRY BENNETT MASONRY CONTRACTOR INC	2441 N LE COMPTE RD	SPRINGFIELD	MO	65803
JOINT APPRENTICESHIP COMMITTEE	3605 E KEARNEY ST	SPRINGFIELD	MO	658035704
L&B INVESTORS TR	2905 S NATIONAL AVE	SPRINGFIELD	MO	65804
LEO JOURNAGAN CONSTRUCTION CO INC	3003 E CHESTNUT EXPY	SPRINGFIELD	MO	65802
MISSOURI INTERSTATE INV LLC	309 S NATIONAL AVE	SPRINGFIELD	MO	658023420
SLH INVESTMENTS LLC	3811 E KEARNEY ST	SPRINGFIELD	MO	658035721
SPARKS REAL EST INV LLC	1900 E DALE ST	SPRINGFIELD	MO	658034636
ST LOUIS SAN FRANCISCO RR CO	906 OLIVE FRISCO BUILDING	SAINT LOUIS	MO	63101
Current Tenant	3958 E KEARNEY ST	GREENE COUN	MO	65803
Current Tenant	3345 E KEARNEY AVE	SPRINGFIELD	MO	65803
Current Tenant	3535 E KEARNEY ST	SPRINGFIELD	MO	65803
Current Tenant	3637 E KEARNEY ST	SPRINGFIELD	MO	65803
Current Tenant	3525 E KEARNEY ST	SPRINGFIELD	MO	65803
Current Tenant	3659 E KEARNEY ST	SPRINGFIELD	MO	65803
Current Tenant	2432 N EASTGATE AVE	SPRINGFIELD	MO	65803

Zoning Case Z-14-2012
Neighborhood Meeting Summary

Meeting Date and Time: October 4, 2012 3-6 p.m.
Meeting Location: Frisco Building Conference Room, 3253 E. Chestnut Expressway

The 500' mailing list generated by City staff included 21 neighbors, and invitations were sent to all parties on the list.

Two people attended the neighborhood meeting. See the attached sign-in sheet.

Ms. Zerr attended as a representative of the Partnership Industrial Council. She asked general questions regarding the nature of the project, and indicated that she received sufficient information to report back to the Council. She stated no objections and had no unanswered questions.

Mr. Heyle attended as a representative of Missouri Interstate Investors. He asked about differences between the zoning that had been proposed in 2008. He was informed that there was no conditional overlay in the present zoning application because Kearney Street had already been improved and a cost sharing agreement would be put in place for LeCompte improvements. He stated no objections and had no unanswered questions.

No written comments have been received by the applicant.

October 4, 2012

Record of Attendance

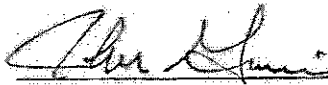
[illegible]

AFFIDAVIT OF SIGN POSTING

(attach photo here)

(sign lettering must be legible in photo)

I, John Griesemer (print name of owner, agent, attorney), attest that the above sign was posted 10 days before the public hearing on 10/15/2012 (month/day/year) and in accordance with given posting requirements.



(signature of person completing sign posting)

JOHN GRIESMER, VP SPRINGFIELD UNDERGROUND, INC.
(printed name of person completing sign posting)





EXPLANATION TO COUNCIL BILL NO. 2012 -

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately .30 of an acre of property generally located at 510 and 514 W. Mount Vernon from an R-LD, Residential Low Density to a CC, Center City District.

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-16-2012

The applicant is proposing to rezone approximately three-tenths (.30) of an acre of property adjacent to the Grace Assembly of God Church to be used for additional parking. The lots will be combined as part of the process and all of the property will be zoned CC, Center City.

FINDINGS FOR STAFF RECOMMENDATION:

1. Churches are a permitted use in all zoning districts.
2. The zoning classification change and the lot combinations will result in Center City zoning for all of the property.

CONDITIONS:

If approved, the new zoning is not effective until the lots are combined.

If these conditions are not completed within one (1) year from City Council's approval, then that approval is null and void and the zoning will remain R-LD, Residential Low Density.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on November 1, 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** with conditions (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

Exhibit C, Conditions of Rezoning

Exhibit D, Site Location Map

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Neighborhood Meeting and 185 foot Property Owners List

Attachment 3, Affidavit of Sign Posting

EXHIBIT A
LEGAL DESCRIPTION
ZONING CASE Z-16-2012

TRACT I:

BEGINNING ONE HUNDRED (100) FEET WEST OF THE SOUTHWEST CORNER OF MT. VERNON AND MARKET STREETS IN THE CITY OF SPRINGFIELD, MISSOURI; THENCE WEST FORTY (40) FEET; THENCE SOUTH ONE HUNDRED SIXTY (160) FEET; THENCE EAST FORTY (40) FEET; THENCE NORTH ONE HUNDRED SIXTY (160) FEET TO THE PLACE OF BEGINNING.

TRACT II:

BEGINNING TWENTY (20) FEET SOUTH AND THIRTY (30) POLES 46.5 FEET WEST OF THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF SECTION TWENTY-THREE (23), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-TWO (22); THENCE WEST FORTY (40) FEET MORE OR LESS; THENCE SOUTH ONE HUNDRED SIXTY (160) FEET; THENCE EAST FORTY (40) FEET; THENCE NORTH ONE HUNDRED SIXTY (160) FEET TO THE BEGINNING IN THE CITY OF SPRINGFIELD GREENE COUNTY, MISSOURI.

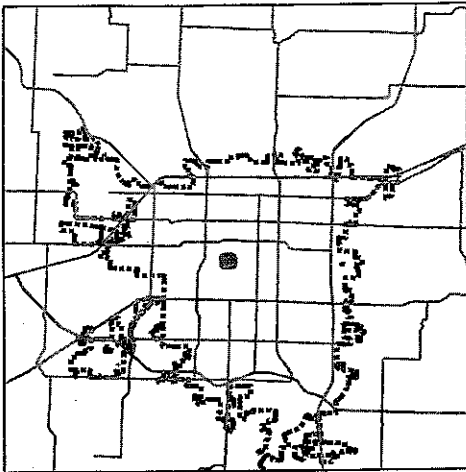
EXHIBIT B
RECORD OF PROCEEDINGS
ZONING CASE Z-16-2012

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

EXHIBIT C
Z-16-2012
CONDITIONS OF REZONING

If approved, the new zoning is not effective until the lots are combined.

If these conditions are not completed within one (1) year from City Council's approval, then that approval is null and void and the zoning will remain R-LD, Residential Low Density.



Zoning & Subdivision Report

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

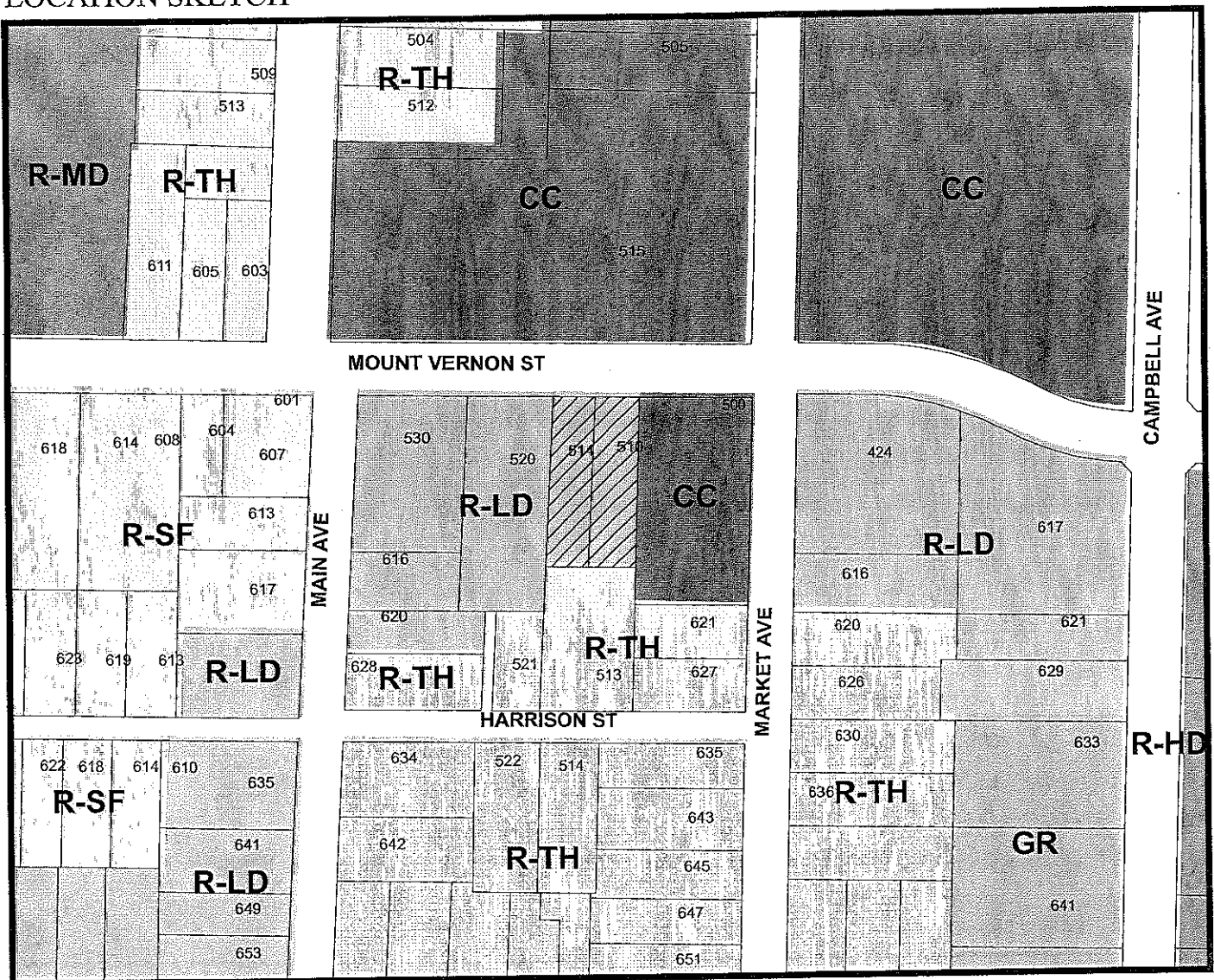
Z-16-2012

Location: 510 & 514 W. Mount Vernon

Current Zoning: R-LD, Low Density Multi-Family Residential

Proposed Zoning: CC, Center City

LOCATION SKETCH



- Area of Proposal



1 inch = 150 feet

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-16-2012

DATE: September 26, 2012

LOCATION: 510 & 514 West Mount Vernon

APPLICANT: Grace Assembly of God Church

TRACT SIZE: Approximately .30 acres

EXISTING USE: Residential use

PROPOSED USE: Church

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	CC	Public housing
East	CC	Church
South	R-TH	Residential
West	R-LD	Residential

BUILDING DEVELOPMENT SERVICES COMMENTS:

No objections to rezoning however we have the following comments;

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

510 & 514 W Mt Vernon

P&Z

PLN2012-00273

The request is to change zoning from R-LD to CC.

Sidewalks already exist along the property frontage. Mount Vernon Street is classified as a collector in which 60 feet of right of way is required, 30 feet from the centerline. No additional right of way is required. The requested zoning would not cause a significant

increase in number of trips generated by this property. A Traffic Study is not required. Traffic has no objection with this request.

Traffic Generation	Area (acres)	Daily Trips		AM Peak		PM Peak	
Zoning		Rate	Trips	Rate	Trips	Rate	Trips
Existing zoning (R-LD)	0.3	120	36	9	2.7	11	3.3
Proposed zoning (CC)	0.3	1600	480	110	33	160	48
Change			444		30.3		44.7

Street Right-of-way and Traffic Conditions						
Street	Classification	Right-of-Way width from CL		Traffic Volume		
		Required	Existing	Daily	AM Peak	PM Peak
Mount Vernon	Collector	30	30			

STORMWATER COMMENTS:

1. There are no stormwater issues with rezoning this property; however, please note that development (or re-development) of the subject property will be subject to the following conditions at the time of development:

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.

SANITARY SERVICES COMMENTS:

No objections to rezoning however we have the following comments;

1. 500-510 W Mt. Vernon does not have direct access to sewer. Both properties should be combined with 514 which does have direct access.

ADJACENT PROPERTY OWNER COMMENTS:

Thirty-six (36) property owners are located within one hundred eighty-five (185) feet of the subject property and were notified by mail of this request. No one has objected to this request to date.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on October 6, 2012, on the subject property at 1:30 p.m.. One hundred fifty (150) property owners were notified. A summary of the neighborhood meeting is attached and is marked Attachment 2.

STAFF COMMENTS:

The applicant is proposing to rezone approximately three-tenths (.30) of an acre of property adjacent to the Grace Assembly of God Church to be used for additional parking. The lots will be combined as part of the process and all of the property will be zoned CC, Center City.

FINDINGS FOR STAFF RECOMMENDATION:

1. Churches are a permitted use in all zoning districts.
2. The zoning classification change and the lot combinations will result in Center City zoning for all of the property.

CONDITIONS:

If approved, the new zoning is not effective until:

If these conditions are not completed within one (1) year from City Council's approval, then that approval is null and void and the zoning will remain R-LD, Residential Low Density.

RECOMMENDATION:

Staff recommends **approval** of this request with conditions.

STAFF CONTACT PERSON:

Mike MacPherson, MPA
Principal Planner
864-1198

Grace Assembly of God
500 W. Mt. Vernon St.
Springfield, MO 65806
(417) 865-3114

September 21, 2012

To Whom It Concerns:

There will be a public meeting concerning changes in the zoning of property at 510 W. Mt. Vernon and 514 W. Mt. Vernon (properties are connected by a shared driveway.) It will be held at 514-A W. Mt. Vernon on Saturday, October 6, 2012, at 1:30 p.m.

The purpose of the meeting is to receive comments from the neighboring community regarding the proposed rezoning. The property, currently zoned Low-Density Multi-Family would be changed to Center City.

Grace Assembly of God intends to vacate the property at 510 W. Mt. Vernon and construct additional parking for the church. The usage of 514 W. Mt. Vernon will continue as is at this time.

You are invited to attend.

Sincerely,

A handwritten signature in cursive script, appearing to read "A. David Carr".

Pastor | Grace Assembly of God | Springfield, Missouri

10-6-12 Please Sign In !
1:30 P.m.

1. A. David Carr
2. ~~Paul Weaver~~ ^{And} V. Wheeler WPV LLC
3. Patty Wyoohie
4. Matt + Penelope DeWeerd
5. Lavene Kindred
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.
- 15.
- 16.
- 17.
- 18.
- 19.
- 20.
- 21.
- 22.
- 23.
- 24.
- 25.
- 26.
- 27.

NEIGHBORHOOD MEETING SUMMARY

1. Application was made by Grace Assembly of God on September 24, 2012, to the City of Springfield Planning & Development Department requesting a zoning classification change from Low-Density Multi-Family Residential to Center City for the property at 510 & 514 W. Mt. Vernon St.
2. The required neighborhood meeting was held on Saturday, October 6, 2012 at 1:30 PM. The meeting was scheduled for that day and time, being the most viable option due to conflicting prior engagements.
3. The location of the neighborhood meeting was 514-A W. Mt. Vernon Street, which is the office building for the church.
4. About 158 letters were mailed out to surrounding neighbors inviting them to attend the public meeting. Twenty-one of the letters were returned as undeliverable or unable to forward. The mailing list was provided by the Planning & Development Department.
5. Four neighbors attended the public meeting hosted by S. David Carr, Pastor of Grace Assembly. Also in attendance was Laverne Kindred, secretary of Grace Assembly. The sign-in sheet is attached.
6. Verbal Comments (C = Comment and R = Reply):
 - C: Not clear on what the zoning change would mean
 - R: Center City allows for building from boundary to boundary. It would not allow for a more dense population. Center City means we don't have to park "off-street".
 - C: Do you plan to keep this building (514 W. Mt. Vernon) as is for now?
 - R: Yes, and we hope to raze the other building (510 W. Mt. Vernon).
 - C: Are you going to have to fence the lot? With no fence it's a little more open and there are people coming through at all times, day and night.
 - R: We have not found out yet, but I suspect the city will require it.
 - C: These two buildings (510 & 514) are on the same property, right?
 - R: They were sold as one property.
 - C: I am in favor of razing the 510 building. It is the neighborhood eyesore.
 - R: Planning has said it is best to do one step at a time – get zoning change first and go from there.
 - C: Are you combining the church building (500 W. Mt. Vernon St.) and this property all as one?
 - R: That is the plan.

C: Any clarification of surplus land? (Referring to 15 ft. not on survey of this or adjoining property)

R: The boundary is not correct, but someone has been caring for it and it is theirs.

C: I'd like to replace that fence.

R: We didn't break it – it was that way when we got it.

C: I think we are all in favor for the zone change.

R: We appreciate each of you being here. We want to remain good neighbors and want to keep the property looking as nice as we can. Some painting needs to be done.

Meeting was adjourned at 2:00 PM.

7. One written comment was received: "Sounds good to me! No more apartments – Yeah!"
Letter with comment is attached.

Grace Assembly of God
500 W. Mt. Vernon St.
Springfield, MO 65806
(417) 865-3114

September 21, 2012

To Whom It Concerns:

There will be a public meeting concerning changes in the zoning of property at 510 W. Mt. Vernon and 514 W. Mt. Vernon (properties are connected by a shared driveway.) It will be held at 514-A W. Mt. Vernon on Saturday, October 6, 2012, at 1:30 p.m.

The purpose of the meeting is to receive comments from the neighboring community regarding the proposed rezoning. The property, currently zoned Low-Density Multi-Family would be changed to Center City.

Grace Assembly of God intends to vacate the property at 510 W. Mt. Vernon and construct additional parking for the church. The usage of 514 W. Mt. Vernon will continue as is at this time.

You are invited to attend.

Sincerely,

A. David Carr

Pastor | Grace Assembly of God | Springfield, Missouri

Sounds Good to me!
Carol Mackbar
417-779-9180
No more apartments - yesh!

510 & 514 W. MOUNT VERNON ISS' LIST

OWNER_NAME	OWNER_ADDR	OWNER_CITY	OWNER_STAT	OWNER_ZIPC
COLLINS, MARY E	512 E COZY ST	SPRINGFIELD	MO	658071620
COVINGTON, PAMELA G TR	7003 W 157TH TER	OVERLAND PARK	KS	662233592
CSN PROPERTIES LLC	97 CHIGGER LN	LAMPE	MO	656817412
FRIENDS REAL EST LLC	530 W MOUNT VERNON ST	SPRINGFIELD	MO	658062038
GIBSON, DON M	4533 S ALADDIN CT	SPRINGFIELD	MO	658047500
GRAY, BRAD	PO BOX 1506	SPRINGFIELD	MO	658011506
GREEN, CHARLES C	2805 W GRAYROCK DR	SPRINGFIELD	MO	658102015
HATHCOCK, JONATHAN P	706 E SHORE LINE DR	OZARK	MO	657214249
HOUSING AUTHORITY OF SPFD	421 W MADISON ST	SPRINGFIELD	MO	658062999
JOHNSON, JEFFERY DOW	4034 E WHITEHALL ST	SPRINGFIELD	MO	658900001
KENDRICK PROP LLC	1703 WINDMILL WAY	REPUBLIC	MO	657382622
KNM INVESTMENTS LLC	525 S GLENSTONE AVE	SPRINGFIELD	MO	658023203
LEW RAUCH D SC N INC	PO BOX 9825	SPRINGFIELD	MO	65801
PFEIFER, WILLIAM	628 S MAIN AVE	SPRINGFIELD	MO	658062908
PIERCE, ERNEST N	615 SOUTH AVE	SPRINGFIELD	MO	658063109
SILVER, DENNIS	155 MAE ANNE AVE	RENO	NV	895239705
WEATHERMAN, DEBORAH JEAN ETAL	634 S MAIN AVE	SPRINGFIELD	MO	658062943
WILLIAMSON, FRANK A	621 S MARKET AVE	SPRINGFIELD	MO	658062909

570 & 514 W. MOUNT VERNON 500' LIST

OWNER_NAME	OWNER_ADDR	OWNER_CITY	OWNER_STAT	OWNER_ZIPC
417 RENTALS LLC	5759 W US HIGHWAY 60	BROOKLINE	MO	656199438
AFFORDABLE HOUSING ACTION BOARD	422 E BROWER ST	SPRINGFIELD	MO	65802
AG INVESTMENTS LLC	219 W STATE ROUTE 72	ROLLA	MO	654014102
ALLIED ROOFING SYSTEMS LLC	655 S CAMPBELL AVE	SPRINGFIELD	MO	658062901
ANDERSON, BRIAN	1420 E LIVINGSTON ST	SPRINGFIELD	MO	658034323
APPEGATE, NORMAN E	617 S MAIN AVE	SPRINGFIELD	MO	658062907
BCL RENTALS LLC	901 E SAINT LOUIS ST	SPRINGFIELD	MO	658062592
BEAUCHAMP, GENE L	3220 W MEADOWLARK CIR	SPRINGFIELD	MO	658101925
BENECKE, MARK T	303 THURMAN LAKE RD	CUBA	MO	654538288
BLACKARD DEV LLC	1020 E CAMORENE ST	SPRINGFIELD	MO	658033708
BLEVINS, LEE TRUSTEE	833 S LINK AVE	SPRINGFIELD	MO	658023069
CAUDLE, BRADLEY R	922 N LONE PINE AVE	SPRINGFIELD	MO	658022360
COLLINS, MARY E	512 E COZY ST	SPRINGFIELD	MO	658071620
COVINGTON, PAMELA G TR	7003 W 157TH TER	OVERLAND PARK	KS	662233592
CSN PROPERTIES LLC	97 CHIGGER LN	LAMPE	MO	656817412
CURTIS, NYSSA	944 ELIZABETH RD	GEPP	AR	725389512
DOWNTOWN STORAGE LLC	707 S CAMPBELL AVE	SPRINGFIELD	MO	658062936
DOWNTOWN STORAGE, LLC	707 S CAMPBELL AVE	SPRINGFIELD	MO	658062936
ENGELBRECHT, KURT	425 W STATE ST	SPRINGFIELD	MO	658062911
FRIENDS REAL EST LLC	530 W MOUNT VERNON ST	SPRINGFIELD	MO	658062038
GIBSON, DON M	4533 S ALADDIN CT	SPRINGFIELD	MO	658047500
GRASSMUCK, MICHAEL D	16438 SUNDANCE CREEK CT	CHESTERFIELD	MO	630057021
GRAY, BRAD	PO BOX 1506	SPRINGFIELD	MO	658011506
GREEN, CHARLES C	2805 W GRAYROCK DR	SPRINGFIELD	MO	658102015
GREENE COUNTY TRUST NUMBER 1874	PO BOX 1412	SPRINGFIELD	MO	65801
GUGGIANA, ALEXANDRA	2146 S BARCLIFF AVE	SPRINGFIELD	MO	658042804
GULLEY, DEBORAH J	3037 E BEAUMONT ST	SPRINGFIELD	MO	658044838
HARRIS, REX SR	PO BOX 2666	SPRINGFIELD	MO	658012666
HATHCOCK, JONATHAN P	706 E SHORE LINE DR	OZARK	MO	657214249
HENDERSON, HANNAH J	2006 MILAN ST	NEW ORLEANS	LA	701155400
HOMETOWN PROP INV LLC	2175 E CARLETON CT	SPRINGFIELD	MO	658048001
HOUSING AUTHORITY OF SPFD	421 W MADISON ST	SPRINGFIELD	MO	658062999
HOYT PROP LLC	9239 SILVERCREST DR	SAINT LOUIS	MO	631262135
JOHNSON, JEFFERY DOW	4034 E WHITEHALL ST	SPRINGFIELD	MO	658900001
KACZYNSKI, DANIEL	2054 E LON ST	SPRINGFIELD	MO	658034808
KARM PROP LLC	5059 E HACKBERRY ST	SPRINGFIELD	MO	658098901
KENDRICK PROP LLC	1703 WINDMILL WAY	REPUBLIC	MO	657382622
KLEBOFSKI, ALAN R	605 W MOUNT VERNON ST	SPRINGFIELD	MO	658062039
KNM INVESTMENTS LLC	525 S GLENSTONE AVE	SPRINGFIELD	MO	658023203
KORANI, RAJWAN	PO BOX 6002	CORONA	CA	928786002
LAKELAND HOSPITAL ACQUISITION CORP	440 S MARKET AVE	SPRINGFIELD	MO	65806
LAWRENCE, GARY W	3938 W MAGNOLIA DR	BATTLEFIELD	MO	656199727
LEW RAUCH D SC N INC	PO BOX 9825	SPRINGFIELD	MO	65801
MARTIN, DENNIS W	1220 E LOREN ST	SPRINGFIELD	MO	658040042
MAYHEW, SOON OK	4518 S ZANE CT	SPRINGFIELD	MO	658044349
MCCALL, RAY O	RT 1 BOX 89	MOUNTAIN GROVE	MO	65711
NORMAL PROP LLC	3239 W ERIE ST	SPRINGFIELD	MO	658078205
NORRID, WILLIAM T III	633 S CAMPBELL AVE	SPRINGFIELD	MO	658062901
NORTH, CRAIG	515 W STATE ST	SPRINGFIELD	MO	65806
OPPIDAN DEV LLC	1024 N MAIN AVE	SPRINGFIELD	MO	658023907
PATRICK, PEGGY J	619 W HARRISON ST	SPRINGFIELD	MO	658062905
PFEIFER, WILLIAM	628 S MAIN AVE	SPRINGFIELD	MO	658062908
PIERCE, ERNEST N	615 SOUTH AVE	SPRINGFIELD	MO	658063109

PROPERTY BROKERS INC	2359 W FARM ROAD 76	SPRINGFIELD	MO	658038137
PUGH, JON G ETAL	730 W WALNUT ST	SPRINGFIELD	MO	658061847
SIBLEY, NICK L	1665 E DELMAR ST	SPRINGFIELD	MO	658040207
SILVER, DENNIS	155 MAE ANNE AVE	RENO	NV	895239705
SILVER, DENNIS J	155 MAE ANNE AVE	RENO	NV	895239705
SPANNAUS, FRANKIE H	5641 S CLAY AVE	SPRINGFIELD	MO	658102909
SPFD REAL EST FUND 2009 LLC	2847 S INGRAM MILL RD	SPRINGFIELD	MO	658044009
SPFD SCHOOL DIST R-12	1359 E ST LOUIS ST	SPRINGFIELD	MO	658023409
SPRINGFIELD SCHOOL DIST	940 N JEFFERSON AVE	SPRINGFIELD	MO	65802
SUTHERLAND, PHILLIP & ROBIN TR	909 E FARM ROAD 80	SPRINGFIELD	MO	658038644
TURNER RESIDENTIAL PROP LLC	5189 S NETTLETON AVE	SPRINGFIELD	MO	65810
VAIL, NICK L	645 S MARKET AVE	SPRINGFIELD	MO	658062942
VANEVERY, JONATHAN L	300 JOHN Q HAMMONS PKWY	SPRINGFIELD	MO	65806
WEATHERMAN, DEBORAH JEAN ETAL	634 S MAIN AVE	SPRINGFIELD	MO	658062943
WILLIAMS, KENT	611 W MOUNT VERNON ST	SPRINGFIELD	MO	658062039
WILLIAMS, PATRICIA M	604 W MT VERNON ST	SPRINGFIELD	MO	65808
WILLIAMSON, FRANK A	621 S MARKET AVE	SPRINGFIELD	MO	658062909
WPV LLC	PO BOX 2903	SPRINGFIELD	MO	65801
Current Resident	419 W STATE ST	SPRINGFIELD	MO	65806
Current Resident	421 W STATE ST	SPRINGFIELD	MO	65806
Current Resident	603 W MT VERNON ST	SPRINGFIELD	MO	65806
Current Resident	651 S MARKET AVE	SPRINGFIELD	MO	65806
Current Resident	636 S MARKET AVE	SPRINGFIELD	MO	65806
Current Resident	647 S MARKET AVE	SPRINGFIELD	MO	65806
Current Resident	614 W HARRISON ST	SPRINGFIELD	MO	65806
Current Resident	517 W STATE ST	SPRINGFIELD	MO	65806
Current Resident	622 W HARRISON ST	SPRINGFIELD	MO	65806
Current Resident	635 S MAIN AVE	SPRINGFIELD	MO	65806
Current Resident	641 S MAIN AVE	SPRINGFIELD	MO	65806
Current Resident	649 S MAIN AVE	SPRINGFIELD	MO	65806
Current Resident	653 S MAIN AVE	SPRINGFIELD	MO	65806
Current Resident	657 S MAIN AVE	SPRINGFIELD	MO	65806
Current Resident	618 W HARRISON ST	SPRINGFIELD	MO	65806
Current Resident	635 S MARKET AVE	SPRINGFIELD	MO	65806
Current Resident	620 S MARKET AVE	SPRINGFIELD	MO	65806
Current Resident	514 W HARRISON ST	SPRINGFIELD	MO	65806
Current Resident	613 W HARRISON ST	SPRINGFIELD	MO	65806
Current Resident	641 S CAMPBELL AVE	SPRINGFIELD	MO	65806
Current Resident	S MARKET AVE	SPRINGFIELD	MO	65806
Current Resident	530 W MT VERNON ST	SPRINGFIELD	MO	65806
Current Resident	627 S MARKET AVE	SPRINGFIELD	MO	65806
Current Resident	613 S MAIN AVE	SPRINGFIELD	MO	65806
Current Resident	514 W MT VERNON ST	SPRINGFIELD	MO	65806
Current Resident	510 W MT VERNON ST	SPRINGFIELD	MO	65806
Current Resident	521 W HARRISON ST	SPRINGFIELD	MO	65806
Current Resident	643 S MARKET AVE	SPRINGFIELD	MO	65806
Current Resident	625 S MAIN AVE	SPRINGFIELD	MO	65806
Current Resident	512 S MAIN AVE	SPRINGFIELD	MO	65806
Current Resident	615 W STATE ST	SPRINGFIELD	MO	65806
Current Resident	626 S MARKET AVE	SPRINGFIELD	MO	65806
Current Resident	535 W STATE ST	SPRINGFIELD	MO	65806
Current Resident	608 W MT VERNON ST	SPRINGFIELD	MO	65806
Current Resident	515 W MT VERNON ST	SPRINGFIELD	MO	65806
Current Resident	514 S MAIN AVE	SPRINGFIELD	MO	65806

Current Resident	525 S CAMPBELL AVE	SPRINGFIELD	MO	65806
Current Resident	618 W MT VERNON ST	SPRINGFIELD	MO	65806
Current Resident	520 W MT VERNON ST	SPRINGFIELD	MO	65806
Current Resident	460 S MAIN AVE	SPRINGFIELD	MO	65806
Current Resident	629 S CAMPBELL AVE	SPRINGFIELD	MO	65806
Current Resident	616 S MARKET AVE	SPRINGFIELD	MO	65806
Current Resident	605 W MT VERNON ST	SPRINGFIELD	MO	65806
Current Resident	620 S MAIN AVE	SPRINGFIELD	MO	65806
Current Resident	616 S MAIN AVE	SPRINGFIELD	MO	65806
Current Resident	642 S MAIN AVE	SPRINGFIELD	MO	65806
Current Resident	443 S MARKET AVE	SPRINGFIELD	MO	65806
Current Resident	500 N MAIN AVE	SPRINGFIELD	MO	65806
Current Resident	504 S MAIN AVE	SPRINGFIELD	MO	65806
Current Resident	424 W MT VERNON ST	SPRINGFIELD	MO	65806
Current Resident	630 S MARKET AVE	SPRINGFIELD	MO	65806
Current Resident	513 S MAIN AVE	SPRINGFIELD	MO	65806
Current Resident	454 S MAIN AVE	SPRINGFIELD	MO	65806
Current Resident	621 S CAMPBELL AVE	SPRINGFIELD	MO	65806
Current Resident	627 W HARRISON ST	SPRINGFIELD	MO	65806
Current Resident	513 W HARRISON ST	SPRINGFIELD	MO	65806
Current Resident	511 W STATE ST	SPRINGFIELD	MO	65806
Current Resident	464 S MAIN AVE	SPRINGFIELD	MO	65806
Current Resident	607 S MAIN AVE	SPRINGFIELD	MO	65806
Current Resident	522 W HARRISON ST	SPRINGFIELD	MO	65806
Current Resident	525 W STATE ST	SPRINGFIELD	MO	65806
Current Resident	505 W STATE ST	SPRINGFIELD	MO	65806
Current Resident	519 S MAIN AVE	SPRINGFIELD	MO	65806
Current Resident	467 S MAIN AVE	SPRINGFIELD	MO	65806
Current Resident	509 S MAIN AVE	SPRINGFIELD	MO	65806
Current Resident	506 S GRANT AVE	SPRINGFIELD	MO	65806
Current Resident	531 W STATE ST	SPRINGFIELD	MO	65806
Current Resident	623 W HARRISON ST	SPRINGFIELD	MO	65806
Current Resident	611 W STATE ST	SPRINGFIELD	MO	65806
Current Resident	611 W MT VERNON ST	SPRINGFIELD	MO	65806
Current Resident	617 S CAMPBELL AVE	SPRINGFIELD	MO	65806
Worley, Rusty	807 W. Walnut	SPRINGFIELD	MO	65806
Ehlers, John	703 S. Douglas	SPRINGFIELD	MO	65806
Robbins, Shirley	1114 W. Walnut	SPRINGFIELD	MO	65806

AFFIDAVIT OF SIGN POSTING

(attach photo here)

(sign lettering must be legible in photo)

I, S. David Carr (print name of owner, agent, attorney), attest that the above sign was posted 10 days before the public hearing on Nov 1, 2012 (month/day/year) and in accordance with given posting requirements.

S. David Carr
(signature of person completing sign posting)

S. David Carr
(printed name of person completing sign posting)

Zoning Case Z-16-2012

Purpose: Expand Church footprint/add parking

Location: City Council Chambers, 6:30 P.M.

Planning and Zoning Commission: November 1, 2012

City Council: November 19, 2012

City Council Chambers 6:30 P.M.

02/04/2007

EXPLANATION TO COUNCIL BILL NO: 2012-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To amend *Section 1-2000, Use Groups, Section 4-3200, Highway Commercial District, 4-3500, Commercial Street District*, in the *Springfield Zoning Ordinance*. (Staff recommends approval).

BACKGROUND INFORMATION:

ZONING ORDINANCE TEXT AMENDMENT – PAWN SHOP AMENDMENTS

City Council approved a resolution (Res. 9998) on October 8, 2012, to initiate amendments to the Zoning Ordinance allowing pawn shops in the Retail Sales Use Group.

Staff is proposing to correct an oversight regarding pawn shops in the Zoning Ordinance. When Use Groups were added to the Zoning Ordinance in 2010, the pawn shop use was removed from the GR, General Retail, CS, Commercial Services, CC, Center City and IC, Industrial Commercial zoning districts, however, unintentionally left in the HC, Highway Commercial District. This creates an enforcement issue when interpreting the permitted uses in a particular zoning district. If a use such as pawn shops are listed in one zoning district and not another, then the pawn shop use is only allowed in the particular district where it's listed. Staff is proposing to remove the pawn shop use from the Highway Commercial District and COM District and allow them within the Retail Sales Use Group as intended with the Use Group Amendments.

The COM District, currently, does not allow the Retail Sales Use Group so staff is also proposing to add the Retail Sales Use Group to the COM District as part of these amendments. Including the Retail Sales Use Group in the COM District allows the following specifically listed retail uses to be removed from the COM district: automobile parts and accessory stores, convenience stores, furniture and appliance stores, package liquor stores, pawn shops and retail establishments for the following types of uses: bakery, package liquor, books, candy, dairy products, drugs, groceries, flowers, gifts, jewelry, hobby materials, meat, fish, and poultry, newsstands, wearing apparel, shoes, clothing, toys pipe and tobacco and video rental uses.

The purpose of the Use Group concept is to allow the City greater flexibility in permitting uses that meet the common functional, product or physical characteristics of the Zoning Districts. Use groups allow for uses that have the same function and have the same

potential impacts to locate in the same Zoning Districts without the need to list each use specifically.

The Springfield Police Department, Development Issues Input Group (DIIG), Urban Districts Alliance (UDA), Commercial Club and Environmental Advisory Board (EAB) were notified of these amendments and had no objections to date.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on November 1, 2012, and recommended _____, by a vote of ___ to ___, of the proposed changes to the Zoning Ordinance described in _____ (see the attached Record of Proceedings).

The Planning and Development Staff recommends **approval** of the proposed amendments on Attachment A (see the attached Zoning and Subdivision Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The proposed amendments will correct an oversight regarding pawn shops from the Use Group Amendments in 2010.
2. The proposed amendments will enhance the flexibility of retail uses to locate in the COM District.

Submitted by:

Mike MacPherson, Principal Planner

Greg Burris, City Manager

ATTACHMENTS:

Attachment A, Amendment Language

ATTACHMENT A
PROPOSED PAWN SHOP AMENDMENTS

New text is underlined and deleted text is ~~overstruck~~

1-2006. **Commercial and Services Use Groups.**

A. **Retail Sales Use Group.**

1. **Characteristics.** Retail Sales firms are involved in the sale lease or rent of new or used products to the general public. They may also provide personal services or entertainment or provide product repair or services for consumer and business goods.
2. **Accessory uses.** Accessory uses may include offices, storage of goods, manufacture or repackaging of goods for on-site sale, and parking. Restricted production and repair of goods sold on site or similar goods is also permitted as an accessory use.
3. **Examples.** Examples include, but are not limited to, pawn shops, stores selling, leasing or renting consumer, home, and business goods, including art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware, home improvements, household products, jewelry, pets, pet food, pharmaceuticals, plants, printed material, stationary, and videos; food sales, and sales or leasing of consumer vehicles including passenger vehicles, motorcycles, light and medium trucks, and other recreational vehicles if outdoor activities are permitted by the district.
4. **Exceptions.**
 - a. Lumber Yards and other building material sales that sell primarily to contractors and do not have a retail orientation are classified as Wholesale Sales.
 - b. Sales, rental, or leasing of heavy trucks and equipment is classified as Wholesale Sales.

Section 2-1100. Definitions.

Pawn Shop: Any establishment that loans money on deposit of personal property or deals in the purchase or possession of personal property on condition of selling the same back again to the pledger or depositor, or loans or advances money on personal property by taking chattel mortgage security thereon, and takes or receives such personal property. This classification does not include secondhand motor vehicles, parts, or accessories. (G.O. 5585, 07/24/06)

Section 4-3200. HC - Highway Commercial District.

4-3202. Permitted Uses. (G.O. 5879, 7/26/10)

- E. Auction sales and flea markets entirely within enclosed buildings, ~~pawn shops,~~ and second hand stores. (5585, 07/24/06)

Section 4-3500. COM – Commercial Street District. (G.O. 5866, 3/22/10)

4-3501. Purpose. This district is intended to be a mixed-use district that accommodates a variety of residential, commercial, and light industrial uses. It is intended for the older commercial and light industrial areas fronting and adjacent to Commercial Street that tend to accommodate a wide variety of uses. This area initially developed early in the city's history and does not display the characteristics typical of modern suburban development. The City has approved a Commercial Street Redevelopment plan and has approved financing mechanisms to implement that plan. Uses proposed in this district are consistent with the redevelopment strategy. This area is experiencing rehabilitation and redevelopment. This district is intended to accommodate the transition that must occur if this area is to contribute to the vitality of the city while protecting the historic character of the area.

Two (2) sub-zones are established by this section. The uses permitted in the two districts are the same, but they differ in the design requirements. The COM-1 District is designed to permit new construction that is more compatible with the existing historic buildings within the Landmarks District along Commercial Street. The COM-2 District is designed to allow new construction that is consistent with more recent commercial development along Commercial Street.

4-3502. Permitted Uses.

A. The following uses are permitted on any floor unless the development project is greater than ten thousand (10,000) square feet in total floor area, which requires a conditional use permit.

1. Accessory Uses, as permitted by *Section 5-1000, Accessory Structures and Uses*.
2. Athletic clubs, fitness centers, and indoor sports facilities.
3. Auction sales and flea markets entirely within enclosed buildings.
4. ~~Automobile parts and accessory stores, including service and repair, when entirely within enclosed buildings.~~
- ~~5.4.~~ Banks and financial institutions, including automatic teller machines.
- ~~6.5.~~ Catering businesses.
- ~~7.6.~~ Colleges, universities, and business colleges.

- 8-7. Commercial amusements, including bowling alleys, dance halls, video game arcades, billiard parlors, roller skating and ice skating arenas, and motion picture theaters, excluding drive-in theaters.
9. Convenience stores.
- 10-8. Day care centers in accordance with Chapter 36, Article XI, Springfield City Code.
- 11-9. Educational, cultural, public, or nonprofit institutions such as museums, art galleries, and libraries, but not including elementary and secondary schools and correctional institutions.
- 12-10. Emergency shelters and soup kitchens legally conforming at the time of the passage of said ordinance provided that a use permit is obtained for any expansion of said use.
13. Furniture and appliance stores.
- 14-11. Glass and mirror sales.
- 15-12. Governmental buildings and uses.
- 16-13. Offices, administrative, business, finance, and professional.
- 17-14. Offices, medical and dental.
18. Package liquor stores.
- 19-15. Pawn shops and second-hand stores.
- 20-16. Personal service establishments including beauty parlors, barber shops, dry cleaning and laundry pick-up window, shoe repair, self-service laundromats, express or mailing offices and hearing aid and eye glass shops. (G.O. 5881, 7/26/10)
- 21-17. Pet stores and pet grooming.
- 22-18. Police and fire stations.
- 23-19. Recording studios.
- 24-20. Restaurants, excluding drive-in, vehicular pick-up window, and drive-thru facilities. (G.O. 5881, 7/26/10)
- 25-21. Retail establishments for the following types of uses: Bakery, package liquor, books, candy, dairy products, drugs, groceries, flowers, gifts, jewelry, hobby materials, meat, fish, and poultry, newsstands, wearing apparel, shoes, clothing, toys, pipe and tobacco and video rental. Retail Sales Use Group excluding convenience stores with gas pumps.

145
146 | ~~26.22.~~ Schools and studios for art, dancing, drama, music, photography, interior
147 | decorating, or similar courses of study.

148
149 | ~~27.23.~~ Schools, business.

150
151 | ~~28.24.~~ Taverns and cocktail lounges.

152
153 | ~~29.25.~~ Temporary uses, as permitted by *Section 5-1200, Temporary Uses*.

154
155 B. The following uses are only permitted above the first floor or in the second layer
156 | of the first floor unless the development project is greater than ten-thousand
157 | (10,000) square feet in total floor area, which requires a conditional use permit
158 | for the use set out in this subsection. The first layer of the first floor is the first
159 | fifty (50) feet of lot depth measured from the front of the lot. The second layer is
160 | located behind the first fifty (50) feet of lot depth measured from the front of the
161 | lot. An entrance and hallway through the first layer to provide access to the
162 | second layer or upper floors is permitted.

163
164 1. Any commercial establishment that provides supplies and/or services
165 | primarily to commercial customers, such as janitorial services, sign
166 | shops, packaging or shipping service, locksmith or printing,
167 | lithographing, engraving, photocopying, blueprinting, publishing and
168 | binding establishments.

169
170 2. Bed and breakfasts.

171
172 3. Commercial off-street parking lots and structures.

173
174 4. Community center, nonprofit.

175
176 5. Cultural centers.

177
178 6. Medical and dental clinics.

179
180 7. Medical and dental laboratories and research facilities, not including the
181 | manufacture of pharmaceutical or other products for general sale or
182 | distribution, provided no toxic substances, explosives, radioactive
183 | material, highly flammable substances or other materials that pose a
184 | threat to public health and safety, due to their quantities or location, are
185 | utilized in the research operations.

186
187 8. Office equipment repair.

188
189 9. Private clubs and lodges.

190
191 10. Repair shops, home appliance.

192
193 11. Residential uses.

- 195 12. Restricted production and repair establishments (for retail sale on the
196 premises only), including the following types of activities: Custom
197 tailoring and alteration of clothing, jewelry from precious metals,
198 watches, dentures, and optical lenses.
199

200 4-3503.

Conditional Uses.

- 201
202 A. The following conditional uses may be permitted provided they meet the
203 provisions of, and a conditional use permit is issued pursuant to, *Section 3-3300,*
204 *Conditional Use Permits*, of this Article and the requirements of this *Subsection*
205 *4-3503.*
206

- 207 1. Automobile service garages.
208
209 2. Automobile service stations.
210
211 3. Awning and canvas sales and rental.
212
213 4. Banks and financial institutions, including automatic teller machines,
214 with drive-thru facilities.
215
216 5. Boarding, rooming, and lodging houses.
217
218 6. Bus stations.
219
220 7. Churches and other places of worship, including parish houses, and
221 Sunday schools.
222
223 8. Convenience stores with gas pumps.
224
225 9. Floor area ratio greater than 3.0.
226
227 10. Funeral homes and mortuaries.
228
229 11. Group homes, custodial.
230
231 12. Hospitals with ambulance services as accessory uses.
232
233 13. Hotels, motels, and inns.
234
235 14. Household resource recovery collection centers, screened from all
236 residential districts and public rights of way in conformance with *Section*
237 *6-1000, Screening and Fencing.*
238
239 15. Public service and public utility uses, as follow:
240
241 a. Tier I wireless facilities in accordance with *Section 5-2600,*
242 *Telecommunication Towers.*
243

- b. Tier III wireless facilities in accordance with *Section 5-2600, Telecommunication Towers*, provided wireless towers sixty (60) feet or greater in height allow collocation of at least one (1) additional provider's facilities.
- c. Tier IV wireless facilities in accordance with *Section 5-2600, Telecommunication Towers*, provided wireless towers are setback from any residential district at least two (2) feet for every one (1) foot of tower height and allow collocation of at least one (1) additional provider's facilities or at least two (2) additional providers' facilities if the tower height is one hundred twenty (120) feet or greater. Repair shops, home appliance, located in the first layer of the floor of buildings that front on Commercial Street and Boonville Avenue.
- d. Tier V wireless facilities in accordance with *Section 5-2600, Telecommunication Towers*.
16. Restaurants with drive-in, vehicular pick-up window, and drive-thru facilities. (G.O. 5881, 7/26/10)
17. Schools or development centers for persons with handicaps or development disabilities.
18. Structures greater than three (3) stories in height.
19. Substance abuse treatment facilities for fifty (50) or fewer residents, provided the facility:
- a. Is located at least two thousand (2000) feet from any other substance abuse treatment facility, or two thousand (2000) feet from any emergency shelter, soup kitchen, transitional service shelter or community corrections facility, as measured from property lines; and
- b. A plan of operation, including but not limited to: Administration contact information, patron access requirements, hours of operations and security measures, is on file with the City of Springfield Planning and Development Department.
20. Television and radio studios with transmitting facilities.
21. Towers, other than wireless facilities, and related facilities, in accordance with *Subsection 3-3310.B.1*.
22. Transitional service shelter.
23. Warehouses, storage and distribution centers.

24. The following uses located in the first layer of the first floor of buildings that front on Commercial Street and Boonville Avenue:
- a. Any commercial establishment that provides supplies and/or services primarily to commercial customers, including janitorial services, sign shops, packaging or shipping service, locksmith or printing, lithographing, engraving, photocopying, blueprinting, publishing and binding establishments.
 - b. Bed and breakfasts.
 - c. Cultural centers.
 - d. Medical and dental clinics.
 - e. Medical and dental laboratories and research facilities, not including the manufacture of pharmaceutical or other products for general sale or distribution, provided no toxic substances, explosives, radioactive material, highly flammable substances or other materials that pose a threat to public health and safety, due to their quantities or location, are utilized in the research operations.
 - f. Office equipment repair.
 - g. Private Clubs and lounges.
 - h. Residential uses.
 - i. Restricted production and repair establishments (for retail sale on the premises only), including the following types of activities: custom tailoring and alteration of clothing, jewelry from precious metals, watches, dentures, and optical lenses.
25. Any use allowed in the district and involved in development projects greater than ten thousand (10,000) square feet of total building floor area, whether new construction, rehabilitation of an existing structure or a combination of new construction and rehabilitation. A development project is typically a development where the property is under single ownership or management. A development project may include a single use or multiple uses and may be in a single building or multiple buildings, on one (1) lot or multiple lots. The ARC shall determine if a development project with multiple uses meets the criteria to require a conditional use permit. Expansion of a development project, existing at the date of adoption of this district, shall not require a conditional use permit provided the expansion does not involve more than two thousand (2,000) square feet of total building floor area.
- B. In addition to all other requirements for review and approval of a conditional use permit, the following shall apply.

1. The proposed use shall generally conform to the goals and policies of the *Commercial Street Strategy for Success* and any other plans or policies in place at the time of approval of the conditional use permit.
2. For development projects greater than ten thousand (10,000) square feet, the applicant shall submit plans to provide parking and security for customers / occupants of the development project. City Council may waive the requirement for one or both plans, at the time of approval, if one or both plans are deemed unnecessary.
3. The following organizations, and similar organizations that may be formed in the future, shall be notified of a conditional use permit application in conformance with the notification requirements of *Section 3-3800, Publication and Posting of Notices*.
 - a. Commercial Club
 - b. Commercial Street Community Improvement District Board
 - c. Midtown Neighborhood Association
 - d. Grant Beach Neighborhood Association
 - e. Woodland Heights Neighborhood Association
 - f. Urban Districts Alliance

4-3504. **Use Limitations.**

- A. All activities and permitted uses except for the following shall be conducted entirely within a completely enclosed building.
 1. Automobile servicing, but not repair.
 2. Drive-in, pick-up window, or drive-thru facilities. (G.O. 5881, 7/26/10)
 3. Occasional sidewalk sales.
 4. Off-street parking and loading facilities.
 5. Outdoor eating and drinking facilities.
 6. Outdoor live or amplified music provided a permit for such activity has been obtained from the City Manager pursuant to Chapter 2, Article I, Section 2-10, Permits for Outdoor Music and any regulations promulgated by the City Manager and on file with the City Clerk.
 7. Playgrounds associated with a school or day care center.

393 8. Street vendors licensed by the City of Springfield.
394
395 B. No vibration, glare, or heat shall be detectable at the lot line.
396
397 C. No dust, particulate matter, or noxious or toxic matter of any sort shall be emitted
398 or discharged at any time.
399
400 D. All uses shall operate in accordance with the noise standards contained in *Section*
401 *6-1500, Noise Standards*.
402
403 E. All flammable petroleum products and petrochemicals shall be stored in a
404 fireproof enclosure and no more than fifty (50) gallons of such products shall be
405 so stored except at automobile service stations.
406
407 F. No use shall emit an odor that creates a nuisance as determined by *Chapter 2A,*
408 *Article X, Springfield City Code*.
409
410 G. Uses on parcels not served by public water and public sewer shall meet the
411 requirements of *Subsection 1-1322*.
412

EXPLANATION TO COUNCIL BILL NO. 2012 –

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To adopt an ordinance to amend *Section 4-3500, COM, Commercial Street District*, in the *Springfield Zoning Ordinance* to add uses to the District as Conditional Uses, amend *Section 6-1200, Landscaping and Bufferyards*, to add the COM District to the Table of Bufferyard Requirements and amend *Section 5-1500, Off-Street Parking Requirements*, to exempt parking requirements in the COM District . (Staff recommends approval)

ZONING ORDINANCE TEXT AMENDMENT – COM, COMMERCIAL STREET DISTRICT AMENDMENTS

BACKGROUND INFORMATION:

The Planning and Zoning Commission initiated amendments to the COM, Commercial Street District at their October 4, 2012 meeting.

City Council approved General Ordinance 5866 for the purpose of establishing the COM, Commercial Street District in March 2010. The district is intended to be a mixed-use district that accommodates a variety of residential, commercial and light industrial uses. Two (2) sub-zones were established in the COM District. The COM-1 District is designed to permit new construction that is more compatible with the existing historic buildings within the Landmarks District along Commercial Street. The COM-2 District is designed to allow new construction that is consistent with more recent commercial development along Commercial Street.

Subsequent to the creation of the COM District, staff has determined that some modifications need to be made relating to the District.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on November 1, 2012, and recommended _____, by a vote of __ to __, of the proposed changes to the Zoning Ordinance described in Attachment A (see the attached Record of Proceedings).

The Planning and Development Staff recommends approval of the proposed amendments (see the attached Zoning and Subdivision Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The proposed amendments will make the COM, Commercial Street District more consistent with the previous CC, Center City District zoning on the property and will clarify the bufferyard and off-street parking requirements within the COM District.

Submitted by:

Preparer's Name, Title

Authorized Dept Head, Title

Greg Burris, City Manager

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

ZONING ORDINANCE AMENDMENT: COM, COMMERCIAL STREET DISTRICT

DATE: October 23, 2012

PURPOSE: To amend *Section 4-3500, COM, Commercial Street District, Section 5-1500, Off-Street Parking Requirements* and *Section 6-1200, Landscaping and Bufferyards*, in the *Springfield Zoning Ordinance*.

STAFF COMMENTS:

The Planning and Zoning Commission initiated these amendments to the COM, Commercial Street District at their October 4, 2012 meeting.

City Council approved General Ordinance 5866 for the purpose of establishing the COM, Commercial Street District in March 2010. The district is intended to be a mixed-use district that accommodates a variety of residential, commercial and light industrial uses. Two (2) sub-zones were established in the COM District. The COM-1 District is designed to permit new construction that is more compatible with the existing historic buildings within the Landmarks District along Commercial Street. The COM-2 District is designed to allow new construction that is consistent with more recent commercial development along Commercial Street.

Subsequent to the creation of the COM District, staff has determined that some modifications need to be made relating to the District.

First, this proposal would amend Section 4-3500, Commercial Street District to add “Any manufacturing, production, processing, cleaning, servicing, testing, repair or storage of materials, goods or products which is not allowed as a permitted use” as a Conditional Use within the district. This use was permitted in the previous CC, Center City district zoning on the COM-1 area and is the use that permits the brewery and chocolate factory as conditional uses. The use was inadvertently left out of the COM District when it was created.

This amendment would also add “Construction equipment storage yards or other outdoor storage” as a Conditional Use within the COM-2 district. This would allow an existing business to expand within the district while providing the opportunity for public review of the proposal through the Conditional Use Permit process. During the Conditional Use Permit process, screening and site design can be evaluated to determine if it is appropriate for the request. The properties included in the easternmost section of the COM-2 District were previously zoned HM, Heavy Manufacturing and the properties in the westernmost COM-2 District were previously zoned HM, Heavy Manufacturing and HC, Highway Commercial. Both of these districts permit

outdoor activity. In the COM District all activities and permitted uses must be conducted entirely within a building with some exceptions for outdoor eating and drinking facilities, off-street parking, street vendors and a few other uses. Approval of this amendment would restore the ability to have limited outdoor storage in these areas under certain conditions with approval of a Conditional Use Permit.

The Zoning Ordinance requires off-street parking for uses in all districts except the CC, Center City and GI, Government and Institutional Use Districts. This amendment will add the COM-1 District to the districts that are exempt from the off-street parking requirements. As mentioned above, the COM-1 District was previously zoned CC which did not require off-street parking. This amendment will bring the COM District into conformance with the intent for the District. The District is adequately served by on-street parking and public parking lots and the provision of off-street parking for uses in the COM-1 District is not feasible or desired with the existing development.

Finally, when the COM District was created in 2010 the District was inadvertently left out of the Table of Bufferyard Requirements which lists all of the zoning districts and outlines the bufferyard, if any, that is required when developed adjacent to another zoning district. The COM District was modeled after the CC, Center City District and will mimic the bufferyard requirements for that district.

Staff notified the Development Issues Input Group (DIIG) as well as the Commercial Club, Urban Districts Alliance (UDA), Environmental Advisory Board (EAB), Mid-Town Neighborhood Association, Grant Beach Neighborhood Association and Woodland Heights Neighborhood Association regarding these proposed amendments. Staff received a phone call from a member of Commercial Club and she was generally supportive of the proposed amendments.

RECOMMENDATION: Staff recommends **approval**.

STAFF CONTACT PERSON:

Alana D. Owen, AICP
Senior Planner

ATTACHMENT A
COM, COMMERCIAL STREET DISTRICT
AMENDMENTS

New text is underlined and deleted text is ~~overstruck~~

4-3503. **Conditional Uses.**

A. The following conditional uses may be permitted provided they meet the provisions of, and a Conditional Use Permit is issued pursuant to, *Section 3-3300* of this Article and the requirements of this *Subsection 4-3503*.

1. Any manufacturing, production, processing, cleaning, servicing, testing, repair, or storage of materials, goods or products which is not allowed as a permitted use.

2.~~1.~~ Automobile service garages.

3.~~2.~~ Automobile service stations.

4.~~3.~~ Awning and canvas sales and rental.

5.~~4.~~ Banks and financial institutions, including automatic teller machines, with drive-thru facilities.

6.~~5.~~ Boarding, rooming, and lodging houses.

7.~~6.~~ Bus stations.

8.~~7.~~ Churches and other places of worship, including parish houses, and Sunday schools.

9. Construction equipment storage yards or other outdoor storage in Com-2 District only.

10.~~8.~~ Convenience stores with gas pumps.

11.~~9.~~ Floor area greater than 3.0.

12.~~10.~~ Funeral homes and mortuaries.

13.~~11.~~ Group homes, custodial.

14.~~12.~~ Hospitals with ambulance services as accessory uses.

44
45 15.13. Hotels, motels, and inns.
46

47 16.14. Household resource recovery collection centers, screened from all
48 residential districts and public rights of way in conformance with
49 Section 6-1000.
50

51 17.15. Public service and public utility uses, as follow:
52

53 a. Tier I wireless facilities in accordance with Section 5-2600.
54

55 b. Tier III wireless facilities in accordance with Section 5-
56 2600 provided wireless towers sixty (60) feet or greater in
57 height allow collocation of at least one (1) additional
58 provider's facilities.
59

60 c. Tier IV wireless facilities in accordance with Section 5-
61 2600 provided wireless towers are setback from any
62 residential district at least two (2) feet for every one (1)
63 foot of tower height and allow collocation of at least one
64 (1) additional provider's facilities or at least two (2)
65 additional providers' facilities if the tower height is one-
66 hundred-twenty (120) feet or greater. Repair shops, home
67 appliance, located in the first layer of the floor of buildings
68 that front on Commercial Street and Boonville Avenue.
69

70 d. Tier V wireless facilities in accordance with Section 5-
71 2600.
72

73 18.16. Restaurants with drive in, vehicular pick up, and drive thru
74 facilities.
75

76 19.17. Schools or development centers for persons with handicaps or
77 development disabilities.
78

79 20.18. Structures greater than three (3) stories in height.
80

81 21.19. Substance abuse treatment facilities for fifty (50) or fewer
82 residents, provided the facility:
83

84 a. Is located at least two thousand (2000) feet from any other
85 substance abuse treatment facility, or two thousand (2000)
86 feet from any emergency shelter, soup kitchen, transitional

87 service shelter or community corrections facility, as
88 measured from property lines; and
89

- 90 b. A plan of operation, including but not limited to:
91 Administration contact information, patron access
92 requirements, hours of operations and security measures, is
93 on file with the City of Springfield Planning and
94 Development Department.
95

96 ~~22.20.~~ Television and radio studios with transmitting facilities.
97

98 ~~23.21.~~ Towers, other than wireless facilities, and related facilities, in
99 accordance with *Subsection 3-3310.B.1.*
100

101 ~~24.22.~~ Transitional service shelter.
102

103 ~~25.23.~~ Warehouses, storage and distribution centers.
104

105 ~~26.24.~~ The following uses located in the first layer of the first floor of
106 buildings that front on Commercial Street and Boonville Avenue:
107

- 108 a. Any commercial establishment that provides supplies
109 and/or services primarily to commercial customers,
110 including janitorial services, sign shops, packaging or
111 shipping service, locksmith or printing, lithographing,
112 engraving, photocopying, blueprinting, publishing and
113 binding establishments.
114
115 b. Bed and breakfasts.
116
117 c. Cultural centers.
118
119 d. Medical and dental clinics.
120
121 e. Medical and dental laboratories and research facilities, not
122 including the manufacture of pharmaceutical or other
123 products for general sale or distribution, provided no toxic
124 substances, explosives, radioactive material, highly
125 flammable substances or other materials that pose a threat
126 to public health and safety, due to their quantities or
127 location, are utilized in the research operations.
128
129 f. Office equipment repair.
130

- 131 g. Private Clubs and lounges.
132
133 h. Residential uses.
134
135 i. Restricted production and repair establishments (for retail
136 sale on the premises only), including the following types of
137 activities: custom tailoring and alteration of clothing,
138 jewelry from precious metals, watches, dentures, and
139 optical lenses.
140

141 ~~27.25.~~ Any use allowed in the district and involved in development
142 projects greater than ten-thousand (10,000) square feet of total
143 building floor area, whether new construction, rehabilitation of an
144 existing structure or a combination of new construction and
145 rehabilitation. A development project is typically a development
146 where the property is under single ownership or management. A
147 development project may include a single use or multiple uses and
148 may be in a single building or multiple buildings, on one (1) lot or
149 multiple lots. The ARC shall determine if a development project
150 with multiple uses meets the criteria to require a conditional use
151 permit. Expansion of a development project, existing at the date of
152 adoption of this district, shall not require a conditional use permit
153 provided the expansion does not involve more than two-thousand
154 (2,000) square feet of total building floor area.
155

156 5-1501. **Applicability.** In all zoning districts except the CC, ~~and~~ GI and COM-1 districts, all
157 uses established after the effective date of this Article shall provide off-street parking
158 solely for the parking of motor vehicles in operating condition of patrons, occupants,
159 or employees in accordance with the following regulations. In all zoning districts, all
160 uses, unless otherwise exempted in *Subsection 5-1508*, shall provide facilities for the
161 parking of bicycles. When an existing structure or use is expanded, or an existing use
162 is changed to a new use, off-street parking shall be provided in accordance with the
163 following regulations for the area or capacity of each expansion. (G.O. 5412,
164 10/18/04) (G.O. 5829, 07/13/09)
165
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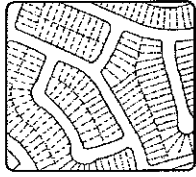
Table of Bufferyard Requirements

Zoning District	Adjacent Zoning District																				
	of Proposed Development	R-SF	R-TH	R-MHC	R-LD	R-MD	R-HD	O-1	O-2	GI	LB	GR	HC	CS	CC	COM	RI	LI	GM	HM	IC
R-SF	(D)	(C)	(C)	(C)	(C)	(B)	(B)	*	*	*	*	*	*	*	*	*	*	*	*	*	*
R-TH	A,(D)	(C)	(C)	(C)	(C)	(B)	(B)	*	*	*	*	*	*	*	*	*	*	*	*	*	*
R-MHC ¹	B	(C)	(C)	(C)	(C)	(B)	(B)	*	*	*	*	*	*	*	*	*	*	*	*	*	*
R-LD	B	B	(C)	(C)	(C)	(B)	(B)	*	*	*	*	*	*	*	*	*	*	*	*	*	*
R-MD	C	B	B	B	B	(B)	(B)	*	*	*	*	*	*	*	*	*	*	*	*	*	*
R-HD	D	C	C	C	B	B	(B)	*	*	*	*	*	*	*	*	*	*	*	*	*	*
O-1	C	B	B	B	B	B	B	*	*	*	*	*	*	*	*	*	*	*	*	*	*
O-2	D	D	D	C	C	B	B	B	*	*	*	*	*	*	*	*	*	*	*	*	*
GI	D	D	C	C	C	B	B	B	*	*	*	*	*	*	*	*	*	*	*	*	*
LB	D	C	C	C	B	B	B	*	*	*	*	*	*	*	*	*	*	*	*	*	*
GR	F	E	E	E	C	C	C	C	B	B	B	*	*	*	*	*	*	*	*	*	*
HC	F	E	E	E	C	C	C	C	B	B	C	B ²	*	*	*	*	*	*	*	*	*
CS	G	F	F	F	D	D	D	D	C	C	D	B ²	B ²	*	*	*	*	*	*	*	*
CC	J	J	J	J	J	J	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
COM	J	J	J	J	J	J	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
RI	F	E	E	E	C	C	C	C	B	B	B	*	*	*	*	*	*	*	*	*	*
LI	G	F	F	F	D	D	D	D	C	C	D	B	B	*	*	*	*	*	*	*	*
GM	H	H	H	H	H	H	G	G	G	C	D	B	B	*	*	*	*	*	*	*	*
HM	I	I	I	I	I	I	H	G	G	C	D	B	B	B	*	*	*	*	*	*	*
IC	G	F	F	F	D	D	D	D	C	C	D	B	B	*	*	*	*	*	*	*	*

() Bufferyard required when permitted nonresidential use locates adjacent to residential use or vacant land.

* No bufferyard required.

For mobile home subdivisions, bufferyard requirements of the R-TH district shall apply.



Zoning & Subdivision Report

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

2013-2018 CAPITAL IMPROVEMENTS PROGRAM

DATE: October 16, 2012

PURPOSE: For the Planning and Zoning Commission to comment on the list of projects for the 2013-2018 Capital Improvements Program (list attached).

RECOMMENDATION:

The City Charter charge for the Planning and Zoning Commission is to: "Review and recommend proposed capital improvements which in the opinion of the commission are necessary or desirable to be constructed." Recommendations for projects can be made by individual Commissioners or by the Commission as a whole.

BACKGROUND:

Every other year the City of Springfield adopts a Capital Improvements Program (CIP) which is a plan for the City of Springfield's capital expenditures for the next six years. In the past, the CIP was done each year but in 2009 a decision was made to change from an annual to a biennial CIP. This is the second biennial CIP. To be included in the CIP, projects must have a value of at least \$100,000 and must have a life of at least six years. Replacement equipment cannot be included in the CIP. Replacement equipment is considered to be a capital asset.

The CIP is a plan, not a budget document. The CIP does not authorize any expenditure of funds. It does, however, establish the city's priorities for public projects based on available and projected financial resources and project criteria.

The Planning and Zoning Commission reviews the list of projects included in the CIP as part of its oversight of city plans. Staff will consider the commissioners comments before finalizing the CIP document and sending it to City Council. The list of CIP projects is also sent to the presidents of neighborhood organizations in Springfield and they are invited to submit their questions or comments.

Projects in the Capital Improvements Program either have a committed funding source or an anticipated funding source that depends on a vote of the citizens or on action by City Council. For example, CIP documents include projects that could be funded by future initiatives such as the ¼ cent capital improvements sales tax, the 1/8 cent transportation sales tax, the ¼ cent parks capital improvements sales tax, the level property tax, or grants from various agencies.

STAFF COMMENTS:

The Capital Improvements Program is an implementation tool for planning purposes. It is based on plans which have been adopted by City Council or are in process. Because the CIP establishes the City's priorities for public projects, no major capital improvement should be undertaken unless it is included in the adopted CIP.

After the list of CIP projects has been completed, that list is sent to the presidents of the City's neighborhood organizations. This year staff received calls from two neighborhood organizations. One call requested more copies of the list (which were provided by email). The second caller had specific questions about sidewalks and was connected to the appropriate person in Public Works. There were no comments on the list of CIP projects.

Attached for Commission's information is the preliminary list of projects for the 2013- 2018 Capital Improvements Program. There are a total of 206 projects. Forty-nine are new projects.

Staff contact:

Ann Razer

Planning and Development Department

2013-2018 Capital Improvements Program

Preliminary List of New and Continuing Projects

Attachment A

Airport

Construct Apron for Glycol Collection - Cargo Apron

Design/Construct Glycol Containment, Storage Facilities and Deicing Pads - Cargo Apron

Construct Apron for Glycol Collection - Commercial Apron

Design/Construct Glycol Containment, Storage Facilities and Deicing Pads for the Commercial Apron

Construct Apron for Glycol Collection - General Aviation Apron

Design/Construct Glycol Containment, Storage Facilities and Deicing Pads - General Aviation Apron

Construct General Aviation Apron Phase 1

New area to be opened up to service demands for corporate/general aviation hangars.

Construct General Aviation Apron Phase 2

New area to be opened up to service demands for corporate/general aviation hangars.

Construct Taxiway "W" from Taxiway "U" to Taxiway "S"

Construct Taxiway "W" from Taxiway "U" to Taxiway "S"

Construct Taxiway to Fuel Facility

Construct taxiway to general aviation fuel facility.

Environmental Assessment / Initial Design - General Aviation Development

Design phase of General Aviation apron reconstruction and development.

Extend Runway 2/20 to 8,000 feet

Increase length of Runway 2/20 to a total of 8,000 feet.

General Aviation Complex Improvements

Expand and remodel General Aviation Complex.

Pavement Condition Study

Pavement condition study.

Rehabilitate / Widen Taxiway "N" South of Runway 14/32

Rehabilitate and Widen Taxiway "N" to 75 feet south of Runway 14/32 to Taxiway "S".

Replace Fencing

Replacement of approximately 7,000 feet of 6-foot fence with 8-foot fence and three strands of barbed wire.

Resurface and Reconstruct Airport Perimeter Road

Resurfacing and reconstruction of perimeter road.

Equipment

Acquire Snow Removal Equipment

Acquire replacement snow removal equipment.

Add Third Baggage Claim Device

Expand baggage claim system by adding a third baggage claim device.

Replace / Rehabilitate Airport Beacon

Rehabilitation and replacement of airport beacon.

Fire Stations

Northeast Fire Station Development

The first phase of this project provides for the acquisition of land and the design for future fire station location in Northeast Springfield. The second phase will include the construction, equipment, and staffing of the station. Phase II will not occur until after 2016.

2013-2018 Capital Improvements Program

Preliminary List of New and Continuing Projects

Municipal Buildings and Grounds

Creamery Driveway and Drainage Improvements

Design and construct parking, driveway and drainage improvements north and east of the Creamery Arts Center. Improvement could include resurfacing, striping, a horseshoe-type driveway, and stormwater drainage.

Fire Alarm Panel Replacement - Busch Building & Historic City Hall

Replace outdated fire alarm equipment and monitoring systems in the Busch Building and in Historic City Hall.

Fire Sprinkler Systems at 9 Fire Stations

Install new fire sprinkler systems in Fire Stations #2, 3, 4, 5, 6, 7, 9, 10 & 11.

Generators at Sewer Maintenance and Traffic Signal Buildings

Install new emergency generators for the sewer maintenance and traffic signals buildings, including all piping, electrical connections and modifications to existing facilities to accommodate the new generators.

Government Plaza Municipal Parking / Landscape Improvements

Construct parking, lighting, pedestrian, and landscaping improvements for the west half of the Government Plaza parking areas, to include paving and striping of the lots.

Health Department Lobby Renovation

Remove existing carpet in the Health Department lobby and replace it with soundproof quarry tile.

Historic City Hall Asbestos & Lead Paint Removal

Locate and remove or encapsulate asbestos insulation and materials containing lead paint from all floors of Historic City Hall, using the "hand & glove bag" method. Repair all wall and ceiling surfaces. Paint all interior walls, including Council Chambers.

Historic City Hall HVAC Replacement/Upgrade Phase 3

Continue upgrade of Historic City Hall's HVAC. This project will address HVAC and electrical requirements on the first, second and third floors and install a master control to link City Hall with other government plaza control systems.

Historic City Hall Lead Paint Removal and Painting

Remove lead based paint in public corridors, the rotunda, stairs and Council Chambers in Historic City Hall. Project will also include sealing and repainting affected areas.

Historic City Hall Renovation Phase 2

Continue the exterior renovation of Historic City Hall. Project will include demolition of the wood framed structure at the southeast corner of the building, restoration of the building facade, new entrance doors, upgrading electrical services, sidewalk improvements, exterior lighting and landscaping.

Municipal Facilities Improvements - Ph 3

Renovate and improve municipal facilities to enhance their appearance, preserve historical value, protect the City's investment and meet ADA requirements. Improvements could include upgrading electrical capabilities, upgrading security, lighting, HVAC, roof repairs, window replacements, exterior cleaning and/or painting, tuckpointing and waterproofing, landscaping and customer parking improvements.

Police Headquarters Expansion

1st and 2nd floor expansion at police headquarters

Police Headquarters Roof Replacement

Remove and replace approximately 150 squares of roofing on the Police Headquarters Building. Project will also include replacement of edge flashing, equipment flashing and roof penetrations on all roof levels.

Police Indoor Firing Range

Design and construct a new 16 lane indoor firing range and multi-purpose space to be used as a community tornado shelter.

Public Works Operations Complex Phase 2

Continue improvements at the Public Works Operations Complex. Project will include renovating several existing buildings, including the Traffic Building and Service Center Garage, constructing a Service Island Building, installing gates and fences at the perimeter of the complex, and improving lighting throughout the complex.

2013-2018 Capital Improvements Program

Preliminary List of New and Continuing Projects

Park Improvements

Doling Indoor/Outdoor Aquatics Facility Phase I and II

Phase I-Construction of an indoor/outdoor aquatic facility to include water play elements, therapeutic swim, lap lanes and similar features. Project is expected to be completed in 2013. Future Phase II-Construction of a competitive pool addition is currently unfunded.

Fassnight, Grant Beach, Silver Springs, Westport Aquatic Facility Renovations

Renovate facilities to include water play elements, shade structures, pool house repairs and filter improvements.

Floodplain for Greenway Corridors

Acquire properties in floodplains as part of the Vision 20/20 Greenway Plan and to preserve valuable riparian corridors for water quality protection.

Greenway Design and Development Program

Continuation of design and development of conservation/recreation corridors generally within flood plains and wetlands of area creeks. Activities include construction of trail improvements, planning or design, and purchase of land or easements. The corridors will be developed with hiking and biking trails (also possibly equestrian), open space, and natural and wildlife habitat areas.

Japanese Garden Entrance Road & Parking Improvements

Design and develop an improved and expanded parking lot and road improvements to accommodate two way traffic and additional parking for park and festival use as well as tour buses, lighting and site design improvements for the entry at the Japanese Garden located in Nathanael Greene/Close Park and repair lakes in the garden.

Jenny Lincoln Park Playground Project

Accessible playground and accompanying infrastructure at Jenny Lincoln Park will be completed in 2013.

Jordan Valley Area - Land Acquisition

Identify and acquire key properties in the Jordan Valley Area for proposed , public use and development to support the JVP Concept Plan, and/or for stormwater management along the Jordan Creek in support of the Creek Renewal project and Corps of Engineers Study. Approximately 40 properties remain to be acquired. Examples of properties previously acquired include, MFA Mill, Springfield Mortuary, BINVE, a portion of Willow Brook Foods Warehouses, and Springfield Mill and Lumber.

Jordan Valley Maintenance Facility Concessions Enhancement

Installation of concessions operation for maintenance facility and Jordan Valley Park and Trail area patrons.

Killian, Meador and Ewing Softball Complex Renovations

Killian Softball Complex improvements for the field house, ball fields, offices, concessions and stadium seating were completed in 2010. Meador Softball Complex improvements to lighting, bleachers, dugouts, scoreboards, ticket booths and restrooms were completed in 2012. Ewing Softball Complex includes renovating the existing softball complex.

Lost Hill Natural Resource Area Park Development Phase II

Phase II development will generally consist of an interpretative shelter, recreational facility, public restrooms or other park amenities. Future improvements include additional trails highlighting the several significant geological features of the site, prairie establishment, and wildlife habitat.

Mediacom Ice Park Emergency Backup Generator

Install emergency backup generator system for facility operations and for community disaster response needs.

Park Infrastructure Development

Renovate and restoration of park infrastructure including installation of play equipment, picnic tables, benches and pavilions. Construct, repair or replace tennis courts, playfields and basketball courts. Construct and/or improve community centers, parking lots and park property. Includes the development of new properties, administrative sites and infrastructure improvements.

Park Reforestation and Irrigation Program

Plant trees annually and provide maintenance and replacement of the trees throughout the Parks system including golf courses and to provide irrigation where needed.

2013-2018 Capital Improvements Program

Preliminary List of New and Continuing Projects

Sanitary Sewers

Clean Water Services Maintenance Facility

Design and construct a maintenance facility building to support additional sewer operations personnel and equipment.

Copper Mill Trunk Sewer

Construct approximately 3,600 feet of gravity sanitary sewer line from the Pierson Creek Trunk Sewer northeasterly to Copper Mill Estates Lift Station.

Haseltine Road & I-44 Trunk Sewer

Design and construct 3,700 feet of 10 and 12-inch sewer line from Deer Lake Trunk Sewer northerly to Route 266, paralleling Haseltine Road and crossing under I-44.

Hunt Branch Trunk Sewer

Construct a gravity sanitary sewer trunk line along Hunt Branch from Farm Road 189 easterly 12,960 feet to Farm Road 205, south of U.S. Highway 60.

James River Trunk & U.S. Highway 60 Sewer Line

Construct a gravity sanitary sewer line from the James River Trunk Sewer, along the north side of U.S. Highway 60, eastward 2,800 feet. Project may include an inverted sewer under the James River.

MM/I-44 Lift Station & Force Main

Construct a lift station at the I-44 and MM Interchange. Construct a force main from the new lift station to the Deer Lake Trunk Sewer, along Farm Road 140 (Grand Street).

River Breeze Trunk Sewer

Construct approximately 4,700 feet of gravity sanitary sewer line, extending from the James River Trunk Line northeasterly to the River Breeze Lift Station near 5700 S. Fairway Avenue.

Rotary Drum Thickener

Design and install a rotary drum thickener at the Northwest Wastewater Treatment Plant to reduce the volume of bio-solids transported from the Northwest Wastewater Treatment Plant to the Southwest Wastewater Treatment Plant for processing.

Sanitary Sewer District Construction Program - 2005

This project will complete the effort to provide sanitary sewer service to all remaining houses within the city which are not currently served by sewer. In order to encourage sewer hook-up, property owners are able to amortize costs over 15 years at the ten year Treasury Note rate through a special assessment.

Sanitary Sewer Overflow Control Program Sewer Rehabilitation - Group 1

Identify and rehabilitate public sanitary sewers that are sources of inflow and infiltration in the following sanitary sewer basins: Jordan Creek 05, 22, 23 and 30, Ranier Creek 02 and Upper Wilson Creek 10 and 12.

Sanitary Sewer Overflow Control Program Sewer Rehabilitation - Group 2

Identify and rehabilitate public sanitary sewers that are sources of inflow and infiltration in the following sanitary sewer basins: Pea Ridge 06, 10 and 15, Jordan Creek 10 and 25, Upper Wilson Creek 01 and 09 and South Creek 07.

Sanitary Sewer Overflow Control Program Sewer Rehabilitation - Group 3

Identify and rehabilitate public sanitary sewers that are sources of inflow and infiltration in the following sanitary sewer basins: Jordan Creek 08, 15 and 21, Fassnight Creek 04, 13 and 14 and South Creek 12.

Shared Cost Sanitary Sewer Construction - Developer Agreements

Construct or expand sanitary sewers in cooperation with private sector to encourage economic development.

SWTP - Administrative and Maintenance Facility Improvement

Construct or remodel facilities to consolidate storage, maintenance and administrative offices at the Southwest Wastewater Treatment Plant.

SWTP - Clarifiers Protective Coating

Coat the exterior of metal equipment inside the clarifiers at the Southwest Wastewater Treatment Plant with an epoxy material to prevent corrosion.

2013-2018 Capital Improvements Program

Preliminary List of New and Continuing Projects

Special Facilities

Jordan Valley Redevelopment - The Commons - Quarry

Develop a community multipurpose gathering place in conjunction with the Jordan Valley Park development. This project is scheduled in phases over several years. Phase 1 is complete and includes a gateway feature, a Sister Cities Plaza and community gathering place. Phase 2 will include a greenway trail, childrens play area, additional SS Plaza elements, additional landscaping, and potentially a multi-story development.

Municipal Court Building

Design and construct a new Municipal Court facility to fully comply with the Criminal Justice Code and municipal building codes to replace the current Municipal Court Building at the corner of Chestnut Expressway and Benton which has no holding cells and no screening area.

Partnership Industrial Center West Development

Develop infrastructure for a new industrial park. Construct streets, stormwater and sanitary sewer facilities within the park as necessary.

Regional Police - Fire Training Facility - Police Driving Range

Develop a driver trainer course simulating an urban environment and a skid pad area. Land will need to be purchased or acquired.

Regional Police-Fire Training Facility - Phase II Practical Fire Facility

This project will include the paving of the land just south of the current fire station. It will also include the construction of a 6 story burn building, a flammable liquids burn prop, a vehicle fire burn prop, a dumpster fire burn prop, a drafting/pump testing pit, and an open, hard surface area for practice drills and extrication training.

Regional Police-Fire Training Facility - Phase II Practical Police Facilities

Develop a regional police fire range and shoot house with simulated urban environment. It will include multiple buildings simulating commercial/residential environments to conduct scenario training for police responding to and investigating domestic violence calls, robberies, property crimes, etc.

The Link

Multi-modal and sustainable transportation improvements to connect business, educational and medical institutions, governmental agencies with neighborhoods.

West Wye Railroad Connector

Provide a direct connection between the Fort Scott and Cherokee Sub rail lines and replace the existing Wye located in the West Meadows portion of the Jordan Valley Park area. Facilitate delivery and turn around capacity for increased demand for Southwest Power Plant bound coal trains.

Storm Water

2010 - 2013 Floodplain Acquisition

Acquire and remove structures that cannot be feasibly protected from flooding by constructing stormwater improvements. Acquisition will be on a voluntary basis from willing sellers. Properties will be converted to floodplain or a detention area.

Catalpa Oak Grove Neighborhood Drainage Improvement

Design and construct stormwater drainage improvements to include inlets pipes or channels to reduce neighborhood flooding near Catalpa and Oak Grove.

City/County Stormwater Partnership Projects

Construct various drainage projects in cooperation with Greene County to address flooding concerns in areas of new development and potential annexation. Project is contingent upon property owners' cooperation. Improvements south of Republic Road could be partially funded from this program.

Data Collection & Illicit Discharge Elimination

Inspect and collect data at various locations to identify and correct illegal discharge into the City's stormwater drainage system.

Edgewood and Kings Phase 1 Stormwater Improvements - Zone 4

Design, acquire right-of-way and construct stormwater drainage improvements to address neighborhood flooding. Project could include channels, pipes and inlets, or creation of a detention area.

2013-2018 Capital Improvements Program

Preliminary List of New and Continuing Projects

Storm Water

Stormwater Best Management Practices Implementation

Acquire floodplain along major streams, restore riparian corridors, construct regional wetlands and stabilize stream banks to enhance water quality. Improvements to Ward Branch, and a detention area on Blackman Road were funded from this program and have been shown separately as Accomplishments. Campbell/Olive Surface Lots, Nettleton Division/Nichols and Washita Drainage were partially funded from this program and also have been reported separately as Accomplishments. Ravenwood South is funded from this program and is shown separately. The City match for the Springfield Greene County Urban Watershed Stewardship Grant (Section 319) is also funded from this program.

Stormwater Improvements - Miscellaneous Small Projects

Construct miscellaneous stormwater drainage improvement projects. This is an annual program and is dependent on the availability of stormwater detention buyout funds. These smaller projects can be designed in-house and constructed by street maintenance staff. Projects are contingent upon property owners' cooperation.

Various Stormwater Drainage Improvements

Acquire right-of-way and construct stormwater improvements to prevent structural and street flooding, restore floodplains and enhance water quality. Project is contingent upon property owners' cooperation.

Street Improvements

2010-2013 Center City Development/Streetscapes/Sidewalks

Design and construct streetscapes, sidewalk improvements and signage improvements for Center City to include the Downtown City Center, Commercial Street area and Walnut Street area.

2010-2013 Economic Development/Street Concept Design

Develop street conceptual design for major road improvements as locations and/or economic development warrants. Projects could include improvements for existing streets or new street construction.

2010-2013 Street Stabilization and Major Repaving

Stabilize or upgrade structurally deficient local streets. Project also includes high priority resurfacing on the major thoroughfare system to protect and preserve significant transportation assets (i.e. Campbell Avenue, National Avenue, Sunshine Street, Division Street and Battlefield Road).

2013-2016 1/4 Cent Capital Improvements Sales Tax Program

Design, acquire right-of-way, and construct various improvements at locations to be determined. Examples of projects could be the continuation of traditional projects such as: Sidewalk Reconstruction, School Sidewalks, Traffic Calming, Street Stabilization, Metro Signs and Markings, Reforestation, Stormwater Permit Compliance & Flood Control, Street Concept Design, Center City Development and Shared Cost/Economic Development. Continuing projects may include improvements at Primrose/Campbell Intersection, Republic Road from Campbell to Kansas, and Mt. Vernon from Suburban to Orchard Crest. New design/partial right-of-way projects could include: Kearney/Packer Intersection, Primrose from South Avenue to Kings Avenue and Republic Road from Monastery Street to Campbell Avenue.

2013-2017 Bridge Replacement Program

Design and construct improvements to repair or replace bridges in the City. Locations that have been identified include the Main Avenue bridge over Jordan Creek and the Barton Street bridge over Galloway Creek.

2013-2017 Major Street Resurfacing & Rehabilitation Program

This is a continuing annual program to stabilize or upgrade local streets, resurface the major thoroughfare system or upgrade residential streets to collector standards with stormwater control, lighting and sidewalk improvements as necessary.

2013-2017 Turn Lane Improvements

Design, acquire right-of-way, and construct turn lane improvements at various intersections in the City as changes in traffic flows warrant.

2013-2018 Capital Improvements Program

Preliminary List of New and Continuing Projects

Street Improvements

Conceptual Designs - Intersection Improvements

Develop conceptual road design to determine the impact of proposed improvements at the following locations: Battlefield Road and Fremont - lane addition and widening of Fremont between Battlefield and Sunset; Sunset and National - alignment of left turn lanes on the east, west and south approaches; Walnut Lawn and Campbell - northbound separate right turn lane and westbound lane addition east of Campbell. Some design may be done in-house. Additional locations may be designed if funding is available.

Eastgate Avenue/Mill Street Intersection Improvement

Design and construct improvements to the intersection of Eastgate Avenue and Mill Street (Farm Road 132) east of the Chestnut Expressway/US 65 Interchange to include rerouting Eastgate south of Mill Street to a point approximately .14 miles east of its current location. Rerouting Eastgate will align it with new development on the north side of Mill Street. Project may include traffic signal.

Glenstone Corridor Widening Battlefield Road to James River Freeway

Design, acquire right-of-way and construct improvements to widen South Glenstone Avenue Corridor from Battlefield Road south to James River Freeway. Project will include relocating Independence to meet Luster and E. Republic Road and will also include signal and turn lane modifications, stormwater improvements and street lighting.

Grand Street Kimbrough to National Improvements Phase 1 & 2

Design, acquire right-of-way and construct improvements on Grand Street between National Avenue and Kimbrough Avenue. Improvements will widen Grand to four lanes with landscaped median and left turn lanes at Kings Avenue and John Q. Hammons Parkway. Project will also make improvements to the existing pedestrian underpass, and includes sidewalks, ADA ramps, signals and lighting. Phase 1 will widen Grand between Holland and JQH Parkway. Phase 2 will require voter and City Council approval of a future 1/4 Cent Sales Tax Program.

Intermodal Connectivity Enhancements

Design and construct intermodal connectivity improvements such as pedestrian overpasses, sidewalks, trails or pedestrian corridors to improve biking and pedestrian connectivity throughout the City, with emphasis on connections to transit stops along Glenstone, Chestnut Expressway, and Kansas Expressway. Seven locations on Chestnut have been identified for possible improvements. They include: Boonville, Benton, Grant, Jefferson, Campbell, Main and Fremont.

Kansas Expressway & James River Freeway Diverging Diamond Interchange

Design, acquire right-of-way and construct a diverging diamond interchange at James River Freeway and Kansas Expressway. Project will include lighting, stormwater drainage and traffic signals.

LeCompte Road Widening Division to Kearney Phase 1 & 2

Design and construct improvements to widen LeCompte Road to 32 feet from Division Street north to Kearney, by adding approximately 12 feet to the width of the existing roadway and reworking roadside ditches as necessary. Phase 1 will construct improvements from the RR tracks north to Kearney. Phase 2 is currently unfunded and will construct improvements from the RR tracks south to Division and will require voter and City Council approval of a future 1/4 cent sales tax program.

Main Avenue Streetscape

Design and construct a streetscape on both sides of Main Avenue between Phelps Street and College Street. Project could include decorative sidewalks, landscaping and irrigation, lighting, crosswalks and ADA curb ramps.

McDaniel Street Streetscape Jefferson to South

Design and construct a streetscape on McDaniel Street between Jefferson Avenue and South Avenue. The project includes ADA sidewalks and lighting.

Mill Street Streetscape

Design and construct streetscape improvements along the north side of Mill Street for approximately 300 feet west of Boonville Avenue. Project will include lighting, ADA ramps, sidewalks and landscaping.

Mt. Vernon & Orchard Crest Intersection Improvements

Design, acquire right-of-way and construct improvements at the intersection of Mt. Vernon Street and S. Orchard Crest Avenue. Project will include left turn lanes in all directions.

2013-2018 Capital Improvements Program

Preliminary List of New and Continuing Projects

Street Improvements

Shared Cost/Economic Development/Transportation

Construct or expand the scope of existing infrastructure improvements in cooperation with inter-governmental or private sector entities to encourage economic development. Continuation of 1/4 cent funding for this project beyond 2013 will require voter and City Council approval of a future 1/4 cent Capital Improvements Sales Tax program. Continuation of 1/8 cent funding for this project beyond 2017 will require voter and City Council approval of a future 1/8 cent Transportation Sales Tax program. Private investment amounts are future estimates and are not based on existing cost share agreements.

Sunshine Street and Blackman Road Intersection

Design and construct improvements at the intersection of Sunshine Street and Blackman Road. Project will include adding a right turn lane, eastbound to southbound, and modifying traffic signals.

Transportation - Alternative Connectivity

Design and construct infrastructure projects to improve the interconnectivity of bicycle routes, sidewalks and transit routes, including bus stops and rail crossings.

U. S. 65 and Battlefield Road Diverging Diamond Interchange

Design, acquire right-of-way and construct a diverging diamond interchange at Route 65 and Battlefield Road. Project will include replacing deficient twin bridges over Route 65 and extending the northbound ramp at Battlefield to connect with the ramp at Sunshine (Route D). Project will also include widening Battlefield to a point east of the interchange, stormwater drainage conveyance, sidewalks, and street lighting.

U.S. 65 & Chestnut Expressway Interchange Improvements

Design, acquire right-of-way and reconstruct the interchange at Chestnut Expressway (Business Route 65) and Highway U.S. 65 as a diverging diamond interchange with free left turn lanes onto U.S. 65 on-ramps.

Weaver Road Widening National Place Boulevard to Campbell

Design, acquire right-of-way and reconstruct Weaver Road between National Place Boulevard and Campbell Avenue. Project will widen Weaver Road to a 42 foot wide street with curb and gutter, sidewalks and stormwater capacity.

Widen Republic Road - James River Freeway Bridge to Fremont Phase 1

Design, acquire right-of-way and construct improvements to widen Republic Road to five lanes from a point west of Fremont to a point east of the bridge crossing James River Freeway west of National. Project will also reconstruct Republic Road and National Avenue intersection with dual left turn lanes in all directions.

Targeted Neighborhood Program

Commercial Street Redevelopment

A Private/Public partnership to revitalize and redevelop the Commercial Street Redevelopment Area. Public investment for key public improvement projects will provide incentives for private redevelopment investment. Public projects will be financed by funds generated by the approved Tax Increment Financing (TIF) Redevelopment Plan. Private sector redevelopment will not include any funds generated through the TIF.

Minor Neighborhood Improvements

Construct minor infrastructure improvements in each Council zone. Examples include additional turn lanes, railroad crossing improvements, sidewalks, drainage, short extensions of streets for connectivity, etc. Potential project activities will be identified through neighborhood planning processes or through neighborhood input during the review and approval process for rezoning and subdivision applications. Continuation of this project beyond 2013 will require voter and City Council approval of a future 1/4 cent Capital Improvements Sales Tax Program.

Neighborhood Assessment Program

This project provides funding for neighborhood priorities as identified by residents of each Neighborhood Service Area. Examples of project activities include stormwater, traffic calming improvements, bus shelters, street and signal improvements, streetscape enhancements, gateway signage and other aesthetic enhancements.

2013-2018 Capital Improvements Program

Preliminary List of New and Continuing Projects

Traffic Management/Traffic Signals

Traffic Signals at Grant/Walnut and at Grant/College

Construct replacement traffic signals at the intersections of Grant Avenue/Walnut Street and Grant Avenue/College Street. Project will include decorative traffic signal poles and ADA pedestrian signals and ramps.

Turn Lane Improvements

Design, acquire right-of-way and construct turn lane improvements at various intersections within the City. Improvements could include lengthening existing turn lanes or constructing new or additional turn lanes at selected intersections. Improvements have been completed at Battlefield and Glenstone and are scheduled for Chestnut Expressway and Sherman. Additional intersections will be considered as funding becomes available.

Zoo

Dickerson Park Zoo - Additional Public Restrooms

Add companion restrooms, which allows more privacy for those with children and accessible needs. Restrooms are to be located on the west side of Zoo.

Dickerson Park Zoo - African Primate Exhibit

Indoor/outdoor exhibit for one species of African primates to be located in the African themed area of the zoo.

Dickerson Park Zoo - Hippo Exhibit Renovations

Replace the existing facility with a new building and display area.

Dickerson Park Zoo - Miscellaneous Infrastructure Improvements

A variety of repairs and improvements such as fencing, walkways, shelters, support facilities, plumbing, HVAC, electrical and a hay barn at the Zoo. Including repair and/or replacement of the bird and mammal service/holding facility. Pavilion completed spring 2012.

Dickerson Park Zoo - Passenger Train Ride

Completed the purchase of a new train to run on the current track in 2008. Phase II of this plan includes constructing a new tunnel and other features for the train to ride through to increase customer appeal and add a maintenance/storage shed.

Dickerson Park Zoo - Playground Enhancements

Add a playground area that would include a climbing feature, possibly a small cave and other structures to be located within the Asian themed area of the Zoo.

Dickerson Park Zoo - Snack Bar

Construct a small snack bar in the Asian themed section of the Zoo.

REQUEST TO AMEND THE MAJOR THOROUGHFARE PLAN

DATE: October 23, 2012

PURPOSE: To amend Springfield's Major Thoroughfare Plan to show the preferred alignment for the East Republic Road Connector between Glenstone Avenue and U.S. 65.
(Staff recommends approval.)

BACKGROUND INFORMATION:

A public meeting to discuss possible alternative alignments for the extension of East Republic Road to US 65 was held January 19, 2010. Citizens were shown maps of the area and were asked to comment on three possible alignments presented by city staff. Citizens were also asked to suggest other alternatives.

In 2010, the Springfield Planning & Zoning Commission approved a request to amend Springfield's Major Thoroughfare Plan to show a future realignment of Republic Road beginning at Glenstone Ave and extending west of US 65 based on input received at the public hearing. This alignment included a new interchange at US 65. The proposal was removed from City Council Agenda and did not go any further.

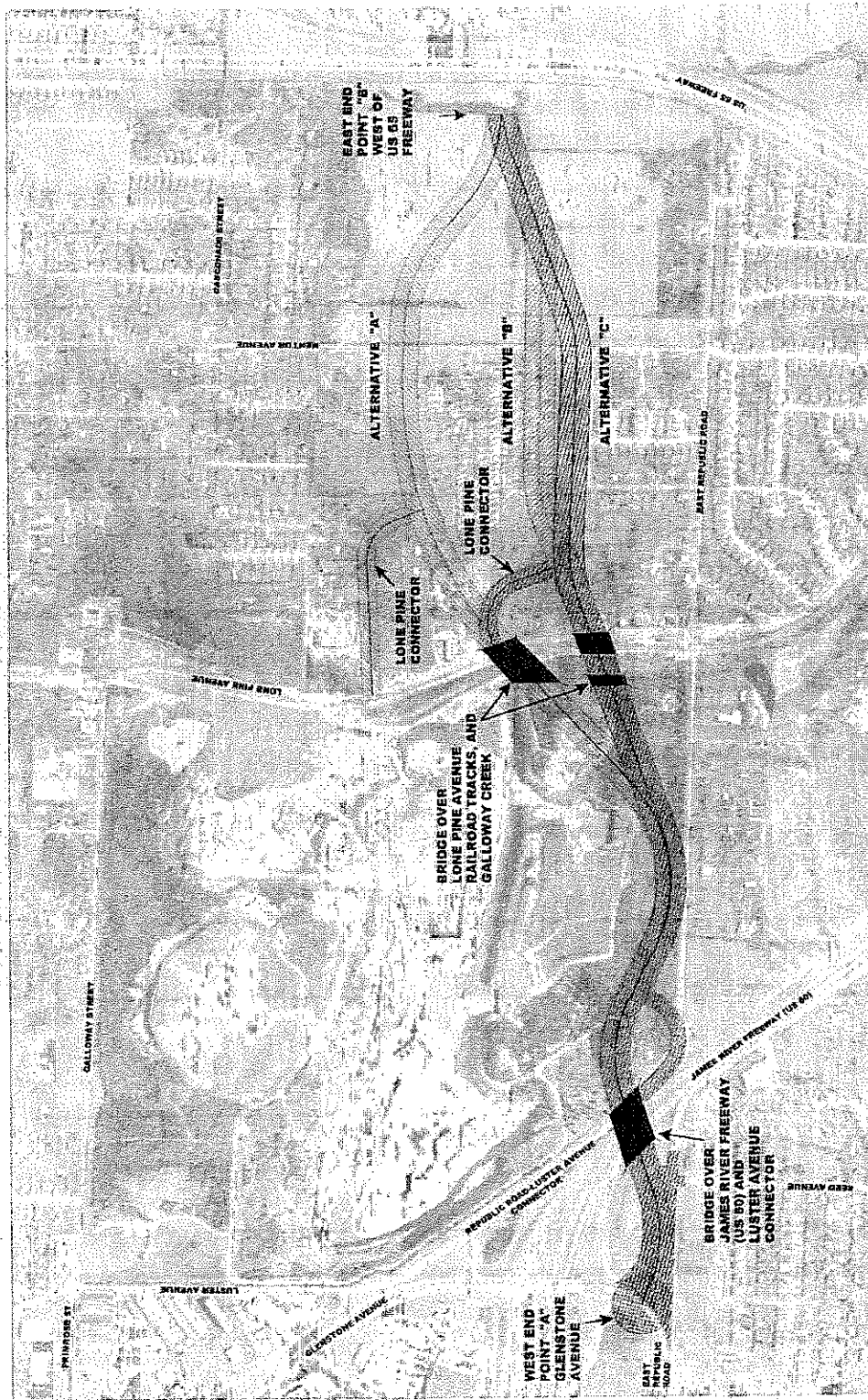
This case again appeared before the Planning & Zoning Commission on September 6, 2012. At that time, the case was tabled to allow staff to gather additional information and take additional public comment. A public meeting was held on October 16, 2012. Citizens were shown maps of the area and were asked to comment on three possible alignments presented by city staff.

Development inquiries have been made from property owners within the alignment of the future corridor. Property owners need to know how to plan for future usage of their property and the city needs to be able to preserve the right of way if properties along the proposed alignment subdivide or rezone. Therefore, the city felt it was necessary to prepare a revised amendment to the Major Thoroughfare plan and move forward with defining this future corridor.

This amendment does not include the proposed interchange nor does it extend east of US 65, but it does still reflect the preferred alternative based on comments received at the public meeting in 2010. The proposed alignment for the major arterial street starts at Glenstone Avenue (which is the nearest major arterial street to the west) south of the James River Freeway bridge, and ends just west of US 65. The new alignment should cross the railroad, Galloway Creek, and Lone Pine on a separate grade (overpass structure). Alternatives A, B, and C meet these criteria (see Exhibit A).

EAST REPUBLIC ROAD CONNECTOR ALTERNATIVE ALIGNMENTS

EXHIBIT A



EAST REPUBLIC ROAD CORRIDOR MAJOR
THOROUGHFARE PLAN AMENDMENT
PUBLIC MEETING – OCTOBER 16, 2012

COMMENT FORM

(Please indicate your specific concerns regarding the proposed additional lanes at the intersection. What would you suggest be done to improve the conceptual plan? You may continue comments on other side.)

This project is not needed. ~~There~~ I feel
there are much more important opportunities.
The 60/65 interchange has been completed
in the time of this proposal.

The proposal serves the interest of developers
and not the public. Truly a road to no where.
Republic was already rerouted to highway 60 and to Glenstone.

Name: Ian R. Flanders

- ☐ Residential Property Owner or Resident
☐ Representing Business

If representing a business, give name of business:

Address: 3124 E. Swallow

☒ Home

☐ Business

Telephone: 417 839 -8011

☒ Home

☐ Business

Email: irflanders@gmail.com

THANK YOU FOR YOUR COMMENTS.

Place in Comment Box. If returning by mail, send to: Martin Gugel, P.E., Traffic Engineer, City of Springfield, P.O. Box 8368, Springfield, MO 65801
Fax no. 417-864-1983

**EAST REPUBLIC ROAD CORRIDOR MAJOR
THOROUGHFARE PLAN AMENDMENT
PUBLIC MEETING – OCTOBER 16, 2012**

COMMENT FORM

(Please indicate your specific concerns regarding the proposed additional lanes at the intersection. What would you suggest be done to improve the conceptual plan? You may continue comments on other side.)

Having lived in the Brentwood neighborhood for over 5 years, I
do not support any of the proposed options for expanding republic road.
The Galloway area is a great space for the community.

However, of the proposed options, I prefer alternative A.

Name: Matthew Townsend

- ☐ Residential Property Owner or Resident
☒ Representing Business

If representing a business, give name of business:

Classy Llama

Address: 4064 S Lone Pine, Springfield MO 65804

- ☐ Home ☒ Business

Telephone: _____

- ☐ Home ☐ Business

Email: mat.townsend@classyllama.com

THANK YOU FOR YOUR COMMENTS.

Place in Comment Box. If returning by mail, send to: Martin Gugel, P.E., Traffic Engineer, City of Springfield, P.O. Box 8368, Springfield, MO 65801
Fax no. 417-864-1983

**EAST REPUBLIC ROAD CORRIDOR MAJOR
THOROUGHFARE PLAN AMENDMENT
PUBLIC MEETING - OCTOBER 16, 2012**

COMMENT FORM

(Please indicate your specific concerns regarding the proposed additional lanes at the intersection. What would you suggest be done to improve the conceptual plan? You may continue comments on other side.)

First I want to state that I am not in favor of any of the proposed options. However I realize that as a city grows, it needs to expand its infrastructure. I am most in favor of alternative A. Alternatives B and C affect the greatest number of people and either of those options (B or C) would bring the new road right by my office. Our office is in a beautiful part of town, the historic Galloway Village. If Alternative B or C is selected Galloway Village would be negatively impacted. I urge you to select Alternative A.

Name: Erik Hansen

Both: ☒ Residential Property Owner or Resident
☒ Representing Business

If representing a business, give name of business:

Classy Llama

Address: 4064 S Lone Pine, Springfield MO 65809

☒ Home 4123 S Mavor, 65804 ☒ Business

Telephone: 417-838-8667

☒ Home

☐ Business

Email: erikpallhansen@gmail.com

THANK YOU FOR YOUR COMMENTS.

Place in Comment Box. If returning by mail, send to: Martin Gugel, P.E., Traffic Engineer, City of Springfield, P.O. Box 8368, Springfield, MO 65801
Fax no. 417-864-1983

**EAST REPUBLIC ROAD CORRIDOR MAJOR
THOROUGHFARE PLAN AMENDMENT
PUBLIC MEETING – OCTOBER 16, 2012**

COMMENT FORM

(Please indicate your specific concerns regarding the proposed additional lanes at the intersection. What would you suggest be done to improve the conceptual plan? You may continue comments on other side.)

I work at Classy Llama at 4064 S Lone Pine Ave and I don't see the need to build a thoroughfare through this nice quiet area, but if it has to be done, I would prefer Alternative A, as it would be least disruptive to the area. The building I work in is a very nice property, with wild life such as fox and wild turkey regularly seen crossing the yard outside of our building. Alternatives B & C appear to go directly over our building, or immediately next to it, and would totally ruin what we value in this long sought after location. At the very least, I hope that this project is delayed until the need is more evident. It would really be just as easy to use James River and 65 to get to this area on 65 that the thoroughfare is seeking to connect. I would much prefer that the city spend the money on building a fast way through the center of Springfield. Thank you.

Name: Joshua Courville

- ☐ Residential Property Owner or Resident
☒ Representing Business

If representing a business, give name of business:

Classy Llama

Address: 4064 S Lone Pine, Springfield MO 65804

- ☐ Home ☒ Business

Telephone: 417-866-8887 ext. 101

- ☐ Home ☒ Business

Email: josh@classyllama.com

THANK YOU FOR YOUR COMMENTS.

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Fax no. 417-864-1983

EAST REPUBLIC ROAD CORRIDOR MAJOR
THOROUGHFARE PLAN AMENDMENT
PUBLIC MEETING - OCTOBER 16, 2012

COMMENT FORM

(Please indicate your specific concerns regarding the proposed additional lanes at the intersection. What would you suggest be done to improve the conceptual plan? You may continue comments on other side.)

First of all I question the need for this connector project at this time. There seem to be many other needs within the area that should be addressed first.

If the connector were to go forward, I prefer option A. This option will serve the purpose with the least impact on citizens.

Name: Gino Nanningo

- ☐ Residential Property Owner or Resident
☒ Representing Business

If representing a business, give name of business:

Classy Llama

Address: 4064 S Lone Pine, Springfield MO 65804

- ☐ Home ☒ Business

Telephone: 417-866-8887 x 108

- ☐ Home ☒ Business

Email: packnanningo@gmail.com

THANK YOU FOR YOUR COMMENTS.

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Fax no. 417-864-1983

EAST REPUBLIC ROAD CORRIDOR MAJOR
THOROUGHFARE PLAN AMENDMENT
PUBLIC MEETING - OCTOBER 16, 2012

COMMENT FORM

(Please indicate your specific concerns regarding the proposed additional lanes at the intersection. What would you suggest be done to improve the conceptual plan? You may continue comments on other side.)

I think that "Alternative A" is the best choice, primarily because it is the least intrusive to Springfield residences and businesses. Also because Alternatives "B" and "C" would directly affect my office in a negative way.

Name: Wesley Noble

- ☐ Residential Property Owner or Resident
☒ Representing Business

If representing a business, give name of business:

Classy Llama

Address: 4064 S Lone Pine, Springfield MO 65804

- ☐ Home ☒ Business

Telephone: (417) 866-8887

- ☐ Home ☒ Business

Email: Wesley.Noble@classyllama.com

THANK YOU FOR YOUR COMMENTS.

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Fax no. 417-864-1983

EAST REPUBLIC ROAD CORRIDOR MAJOR
THOROUGHFARE PLAN AMENDMENT
PUBLIC MEETING - OCTOBER 16, 2012

COMMENT FORM

(Please indicate your specific concerns regarding the proposed additional lanes at the intersection. What would you suggest be done to improve the conceptual plan? You may continue comments on other side.)

FIRSTLY, I APPRAISE THE CITY FOR STRIVING TO BUILD ROADS AND INTERCHANGES FOR NEW DEVELOPMENT, HOWEVER I MUST CONDEMN YOU FOR TRYING TO PASS IT OFF AS A METHOD OF CONGESTION RELIEF FOR S. GLENSTONE. IF THAT WAS YOUR TRUE MAIN OBJECTIVE, YOU WOULD BE CREATING AN OUTLET NORTH OF US60/GLENSTONE EXIT. REGARDING THAT IN MIND, "ALTERNATIVE A" IS BY FAR THE BEST CHOICE FOR THE COMMUNITY. AS A LOCAL BUSINESS THAT BRINGS REVENUE FROM OUT OF THE STATE INTO SPRINGFIELD, THE OTHER OPTIONS ARE UNACCEPTABLE DUE TO THE LEVEL OF FOCUS AND CONCENTRATION REQUIRED TO DO OUR JOBS. GALLINWAY IN ITS CURRENT STATE IS IDEAL FOR OUR COMPANY. SO CHOICE 1 FOR ME IS NO CHANGE. IF THAT IS NOT POSSIBLE, "ALTERNATIVE A" THE LEAST OF THE EVILS.

Name: AARON HARDINGER

- ☐ Residential Property Owner or Resident
☒ Representing Business

If representing a business, give name of business:

Classy Llama

Address: 4064 S Lone Pine, Springfield MO 65804

- ☐ Home ☒ Business

Telephone: (620) 635-6341

- ☒ Home ☐ Business

Email: AARON.HARDINGER@GMAIL.COM

THANK YOU FOR YOUR COMMENTS.

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Fax no. 417-864-1983

EAST REPUBLIC ROAD CORRIDOR MAJOR
THOROUGHFARE PLAN AMENDMENT
PUBLIC MEETING – OCTOBER 16, 2012

COMMENT FORM

(Please indicate your specific concerns regarding the proposed additional lanes at the intersection. What would you suggest be done to improve the conceptual plan? You may continue comments on other side.)

I greatly prefer option A. This would displace fewer people and would not go through our office.

Name: Jonathan Hodges

- ☐ Residential Property Owner or Resident
☒ Representing Business

If representing a business, give name of business:

Classy Llama

Address: 4064 S Lone Pine, Springfield MO 65804

- ☐ Home ☒ Business

Telephone: (518) 307-9885

- ☒ Home ☐ Business

Email: jonathan@classyllama.com

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Fax no. 417-864-1983

**EAST REPUBLIC ROAD CORRIDOR MAJOR
THOROUGHFARE PLAN AMENDMENT
PUBLIC MEETING - OCTOBER 16, 2012**

COMMENT FORM

(Please indicate your specific concerns regarding the proposed additional lanes at the intersection. What would you suggest be done to improve the conceptual plan? You may continue comments on other side.)

I would prefer no modifications to the current roads in this area. It doesn't take very long to get from the current end of Republic Road to the proposed interchange site on US 65, especially considering recent interchange improvements at 60065 and Glenstone @ 60. I think the extra traffic noise in the area this change would add is unnecessary. The few benefits this road might bring would not be enough to offset the annoyance of extra noise. With all of that said, if the road must be built, I would choose option A. It seems this option provides the least disruption to residents and businesses already in the area.

Name: Jordan Phillips

- ☐ Residential Property Owner or Resident
☒ Representing Business

If representing a business, give name of business:

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Address: 4064 S Lone Pine, Springfield MO 65804

- ☐ Home ☒ Business

Telephone: 417-866-8887 x105

- ☐ Home ☒ Business

Email: jordan@classyllama.com

THANK YOU FOR YOUR COMMENTS.

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Fax no. 417-864-1983

EAST REPUBLIC ROAD CORRIDOR MAJOR
THOROUGHFARE PLAN AMENDMENT
PUBLIC MEETING – OCTOBER 16, 2012

COMMENT FORM

(Please indicate your specific concerns regarding the proposed additional lanes at the intersection. What would you suggest be done to improve the conceptual plan? You may continue comments on other side.)

I am not in favor of this plan. However if I were to choose, Option "A" would
least effect me. My work would be affected by the other two options.

Name: Shawn Palmer

- ☐ Residential Property Owner or Resident
☒ Representing Business

If representing a business, give name of business:

Classy Llama

Address: 4064 S Lone Pine, Springfield MO 65804

- ☐ Home ☒ Business

Telephone: (767) 512-4845

- ☒ Home ☐ Business

Email: shawn.d.palmer@gmail.com

THANK YOU FOR YOUR COMMENTS.

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Fax no. 417-864-1983

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THOROUGHFARE PLAN AMENDMENT
PUBLIC MEETING - OCTOBER 16, 2012**

COMMENT FORM

(Please indicate your specific concerns regarding the proposed additional lanes at the intersection. What would you suggest be done to improve the conceptual plan? You may continue comments on other side.)

I don't see this as a wise expenditure of taxes ~~money~~. The only possible true motive of this project is to fill the pockets of a few wealthy commercial real estate businessmen. Traffic control would be a fairly thin excuse to spend money. If I had to choose the "better of three evils" I would choose route A because it limits the effects on personal property.

Name: Kyle Theobald

- ☐ Residential Property Owner or Resident
☒ Representing Business

If representing a business, give name of business:

Classy Llama

Address: 4064 S Lone Pine, Springfield MO 65804

- ☐ Home ☒ Business

Telephone: _____

- ☐ Home ☐ Business

Email: _____

THANK YOU FOR YOUR COMMENTS.

Place in Comment Box. If returning by mail, send to: Martin Gugel, P.E., Traffic Engineer, City of Springfield, P.O. Box 8368, Springfield, MO 65801
Fax no. 417-864-1983

Goddard, Sandy

From: Rognstad, Ralph
Sent: Tuesday, October 23, 2012 9:56 AM
To: MacPherson, Mike; Gardner, Dawne; Goddard, Sandy
Cc: Gugel, Martin; Brookshire, Paula; Smith, Mary Lilly
Subject: RE: Staff Report - Republic Road Major Throughfare Plan Amendment

At this time all we are doing is drawing a line on the Major Thoroughfare map. When a property owner wants to develop their property, we will require, as part of the subdivision, dedication of ROW and construct of the street to a standard that supports the proposed development. During the subdivision review, we will determine the exact alignment of the street. If they attempt to rezone without a subdivision, we should recommend denial because increased intensity is not appropriate without the street. We are not holding them in limbo any more than other property owners that have property where a future street is planned. We do not have the financial resources to proactively do the environmental to determine the exact street alignment and then buy the ROW for every street we have planned. The plan is implemented incrementally based on private development.

I think property owners in this area are currently waiting to see what is going to happen with the interchange and commercial development. If something does not happen in the next few years, they may give up on it and we will see single-family development. I would not bet on the interchange and commercial development. I think the development financing model that is necessary to make it work is no longer viable. Developers are going to have to put more real money into projects up front and they are going to have longer absorption periods. In the past developers have been able to spread financial risk to others and get out of projects relatively quickly. It makes large projects like this more difficult to accomplish. We may get back to that model, but not any time soon.

Ralph Rognstad Jr., Director
Planning & Development Department
City Of Springfield
P.O. Box 8368
Springfield, MO 65802
(417)864-1031 (417)864-1030 (fax)
springfieldmo.gov
Birthplace of Route 66

From: MacPherson, Mike
Sent: Tuesday, October 23, 2012 8:47 AM
To: Gardner, Dawne; Goddard, Sandy; Rognstad, Ralph
Cc: Gugel, Martin; Brookshire, Paula
Subject: RE: Staff Report - Republic Road Major Throughfare Plan Amendment

If we select one of the alternatives what happens next? What should people expect to happen to their properties? Are we going to buy the right-of-way? If not how long can we hold them in limbo before we do something? I expect we better have some answers for these questions.

Mike Mac

From: Gardner, Dawne
Sent: Tuesday, October 23, 2012 8:29 AM
To: Goddard, Sandy
Cc: MacPherson, Mike; Gugel, Martin; Brookshire, Paula
Subject: Staff Report - Republic Road Major Throughfare Plan Amendment

Sandy --

Please let me know if you need anything else!

Dawne