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3. Relinquish Easement 778 (PDF)

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4. Planned Development 341 (PDF)

Documents: [PLANNED DEVELOPMENT 341 \(PDF\).PDF](#)

5. Conditional Use Permit No. 403 (PDF)

Documents: [CONDITIONAL USE PERMIT 403 \(PDF\).PDF](#)

6. Liquor License Amendments (PDF)

Documents: [LIQUOR LICENSE AMENDMENTS \(PDF\).PDF](#)

7. Master Sign Plan - Oasis Inn (PDF)

Documents: [MASTER SIGN PLAN - OASIS INN \(PDF\).PDF](#)

8. Washita Subdivision Final Plat (PDF)

Documents: [WASHITA SUBDIVISION FINAL PLAT \(PDF\).PDF](#)

9. Initiate Zoning Text Amendment, Flea Market And 2nd Hand Store (PDF)

Documents: [INITIATE ZONING TEXT AMENDMENT, FLEA MARKET AND SECOND HAND STORE \(PDF\).PDF](#)

Planning & Zoning Commission Agenda

January 10, 2013 - 6:30 p.m.

Members

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

Roll Call

Approval of Minutes: December 6, 2012

Communications

Finalization and Approval of Consent Items

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

Consent items:

- | | |
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| 1. Relinquish Easement 778
(2546 N. Glenstone Avenue) | Campus Inc. |
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Hearings:

Planned Developments

- | | |
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| 2. Planned Development 341
(2300 E. Division Street) | Alpha House of Springfield Inc. |
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Conditional Use Permits:

- | | |
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| 3. Conditional Use Permit 403
(2314 W Kingsley) | NGO Property |
|--|--------------|

Other Public Hearings:

Zoning Text Amendments

- | | |
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| 4. Liquor License Amendments
(City-Wide) | City of Springfield |
|---|---------------------|

Master Sign Plan

- | | |
|---|-------------|
| 5. Master Sign Plan - Oasis Inn
(2546 N. Glenstone Avenue) | Campus Inc. |
|---|-------------|

Final Plat

- | | |
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| 6. Washita Subdivision Final Plat
(2100 block East Sunshine Street) | Jewell Schweitzer6 |
|--|--------------------|

Other Business:

7. Initiate Zoning Text Amendment
Flea Market and Second Hand Store
(City-Wide)

City of Springfield

Any Other Matters Under Commission Jurisdiction

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

MINUTES OF THE PLANNING AND ZONING COMMISSION

DATE: December 6, 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); Tom Baird, Jim Hansen, Jason Ray, Phil Young, King Coltrin and Gloria Roling; Ralph Rognstad, Director Planning & Development; Michael MacPherson, Principal Planner; Thomas Rykowski, City Attorney; Judy White, Executive Secretary. Absent: Jay McClelland, Matt Edwards

ROLL CALL:

APPROVAL OF MINUTES: The minutes of November 15, 2012, were approved unanimously.

COMMUNICATIONS: None.

CONSENT ITEMS:

1. Relinquish Easement 777
(851 N. Belcrest)

Dwayne Holden

Commission Action:

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

HEARINGS:

2. Z-17-2012 w/Conditional Overlay District No. 54
(444 W. Grand; 417, 733, 441, 501, 505, 509, & 515 West Normal)

Calvary Temple Assembly of God

Mr. MacPherson stated that this request is to rezone two (2) tracts from High Density Multi-Family Residential and four (4) tracts from Single-Family Residential to General Retail with Conditional Overlay District. The Conditional Overlay District contains restrictions and provides screening of loading/unloading areas adjacent to Normal Street. Campbell Avenue and Grant are classified as primary arterials and Normal Street is classified as residential. Dedication of additional right-of-way and sidewalk construction is required. The construction of a west bound turn lane off of Grand is also required. The proposed use is a Wal-Mart Neighborhood Market and out lot for other General Retail uses. Mr. MacPherson reviewed the display of the general layout of the site plan, showing the access of Grand Avenue with a limited right in and access off of Campbell Avenue that will require the development of a median and cross access easement with the adjoining property in order to accommodate the median. There is one access point off of Normal Street into the parking area. Mr. MacPherson described the orientation of the store to the east, and the screened area where the trucks will be coming in to serve the store and provide access to the out lot.

The Comprehensive Plan encourages increased development densities at major intersections which takes advantage of transportation investments and provides employment opportunities and services to the adjacent neighborhoods. The City, does not involve itself in the market feasibility of proposed projects, but rather reacts to the developer's request in terms of whether or not the proposed land use is appropriate. The comprehensive Plan also encourages compact, infill development. This project would provide employment and services closer to where people live. During the past two (2) years three-hundred thirty-eight (338) new student housing units that have been constructed on the west side of MSU campus. Infill development also provides an opportunity to use existing Fire and Police services, and infrastructure. Staff submits this rezoning case is consistent with the City's Comprehensive Development Plan. This development case must meet all the development standards; such as the floor area ratio that is required in a General Retail District will be adhered to; building height will be limited as measured by the bulk plane and the Zoning Ordinance will have to have the amount of open space that is required and certainly the buffering is a key element. All requirements will be met and the design plan must be in compliant with the regulations prior to the issuance of a building permit. With regard to stormwater, the development must meet all the development standards such as volume and rate release. A large majority of this site was already impervious surface in terms of the church facilities, residential housing and a huge parking lot, so staff does not believe there will be a significant increase of impervious surface, but Mr. Marshall can review how that can be addressed and what will be expected of the development as the project does occur. Any development of this property will comply with the same stormwater requirements which will include conveyance and water quality itself. It does not matter if the development is residential or office or commercial. Mr. MacPherson commented that on Normal Street traffic, one driveway is permitted to Normal Street, which is not expected to substantially increase traffic on the street. Drivers from outside the neighborhood typically use arterial streets. A traffic study was conducted to predict the impact the development would have on the surrounding streets. On Normal Street, for example, at the peak traffic hour of the day, you study predicts an increase in traffic of approximately one car per minute. , There has been a considerable amount of discussion about competition and marketability with regard to this proposed project, Mary Lilly Smith, the Economic Development Director will highlight the tax impacts and respond to questions and concerns.

Ms. Smith stated that as you can see on the screen there are no economic development incentives that have been requested for this project and we have not offered any. Typically, Commission does not get involved in economic incentives except where you are looking at redevelopment plans for blighted areas. Certainly we could make a case that part of this area qualifies for blight; some of the commercial area has been vacant for a while and the church has suffered from some neglect, but there are no incentives involved with this project. Ms. Smith said the real property taxes generated currently are approximately thirty-six hundred (\$3600) dollars and while it is a large tract of land, churches are generally tax exempt as are the other properties they own. We are dealing with eight (8) parcels, five (5) tracts being taxable and three (3) being tax exempt. There are probably personal taxes being paid on vehicles, but nothing for furniture, fixtures, equipment, and things like that and of course jobs are minimal. The Walmart Neighborhood Market is anticipating a four million (4,000,000) dollar investment, three (3) million of that in real property and one (1) million in personal property with taxes being generated at over seventy (70,000) thousand dollars. They also estimate they will be hiring between eighty (80) to one-hundred (100) full time and part time associates and Ms. Smith said her understanding is from Walmart, they look at their applicant pool, the way the store operation stabilizes and that dictates the number of full time and part time employees. Ms. Smith reviewed the impact on taxing jurisdiction which showed the individual breakdown of each jurisdiction. Ms. Smith said she would answer any questions on the economic standpoint.

Mr. MacPherson concluded by saying that staff is recommending approval of the request and would entertain any questions.

Mr. Lawhon opened the public hearing.

Mr. Keith Hazelwood, 200 North Third, St. Charles, Missouri commented that there with him this evening are several other professionals who are assisting Walmart with this project and he would like to introduce them. Some of them will make comments and others will be available to answer questions. Elliott Reed is the civil Engineer. Lee Cannon is the Traffic consultant; Jeff Clayton is the Real Estate Agent and also you will hear from Pastor Tom Cedarblom from Calvary Temple Assembly of God. Then available to answer any operational questions is Jeff Bernard, the Market Manager, who is responsible for the Springfield Market. There are five (5) Walmarts here, four (4) neighborhood Markets and Jeff is responsible for those nine (9) retail establishments and with him is Doug Moon, who is the Store Manager for one of the Neighborhood Markets. Mr. Hazelwood commented they have had a good experience with the Staff at the City and wanted to express he appreciation and thanks. There is a program used by the staff called Project-Docs; it's the most outstanding thing he has ever dealt with in terms of real estate development work. Mr. MacPherson expressed many of the thoughts he had so he will shorten his comments. It seems that at the Grand and Campbell site, the City is trying to create this infill and create density. Mr. Hazelwood said he does not know of anyone who would go to this trouble, adding he would suspect there are tens of millions of dollars of public investment in that area in terms of infrastructure and streets, sewer, water, stormwater, electric and so forth. To the extent it is underutilized, that is a real shame, and the City it seems is trying to take these areas, Center City being one, but in this case, Grand and Campbell and your trying to freshen it up and trying to do it with private sector money. Mr. Hazelwood commented he would offer to Commission the notion that this application from Walmart accomplishes all of those goals. He would mention to commission from the Walmart perspective, it is trying to introduce this neighborhood market concept into these more dense areas and it's trying to do what it can to bring low cost food to these area. This is the first opportunity to do it in Springfield and frankly, it is the first opportunity for Walmart to do it in the entire state and thanked Commission for their consideration of the application.

Mr. Elliott Reed, Cochran Engineering, 530 A East Independence Dr., Union, Missouri stated he wanted to briefly review the site plan. Staff went over it fairly in detail, but he wanted to hit a couple of high points. It is a forty-one thousand foot neighborhood market which is mostly grocery store. There are approximately one-hundred sixty-five (165) parking spaces for 4.0 parking ratio; there are two (2) main access drives along Grand which would replace five (5) to six (6) access points along Grand. We are proposing a right-in and right-out along Campbell which has four (4) access points right now and we are proposing one access point on Normal. This site plan has gone through much iteration through the process here meeting with Walmart, meeting with City Staff. The first go around with the site plan actually had three (3) entrances on Normal, one for the truck dock in the rear of the store and two (2) connecting into the parking lot. It was realized that the truck dock access would not be beneficial to the neighborhood to the south, so we removed that. The trucks will access off Grand Avenue. We removed one more access on Normal so now we are down to one. That was a hug point of contention in the neighborhood meeting held. We went back to Walmart, met with city Staff and honestly, as far as the parking lot goes, the site plan presented at the neighborhood meeting for the parking lot had one access on Grand, a full access on Campbell and a full access on Normal. For the operation of the store we feel it is critical to have the accesses we have now. As was pointed out in the n staff report there is not enough right-of-way length along Campbell to have a full access, so it we were to not have the access on Normal, we would be down to one full access for the parking lot, so that is why we are showing the Normal Street access. The right-in, right-out on Campbell will

still require a Variance through the City. The first go around of the site plan did not have any improvements on Grand. We completed a traffic study; the traffic study recommended a left turn lane be added for the main entrance into the parking lot. Staff requested that we extend the left turn lane to the west to meet the truck access which we did, and the length of it now is long enough for a two-way left turn lane which will help some of the people coming out of Market to be able to get into that lane as well as you proceed on to Grand. There is a small stormwater detention basin shown in the rear of the site. As was discussed in the staff report, most of the site is paved so that is why it is so small. We may need a small amount of detention so that will be back there. The access point that currently exists on the very west side of the development in the parking lot now will be removed so the access into the outlet will be through the rear truck access there at Grand. Mr. Reed stated he would be happy to answer any questions.

Mr. Hansen asked if the outlot is a part of the church and if it will remain paved.

Mr. Reed said the big parking lot you see next to the church is the outlot; they will probably take it out and seed it for the time being while demolition is done on the site. It would make sense to tear that parking lot out rather than leave half a parking lot.

Mr. Baird asked Mr. Reed to explain his last point, before the question from Mr. Hansen, as far as the access to the outlot; and if they would expect at some point that the outlot would be developed.

Mr. Reed stated City staff had requested that the access point that is there now, on the very west side of the development, be a right-in, right-out, and that we extend the median coming up from Grant to make it a right-in, right-out. There aren't any uses for that outlot right now and instead of expending the funds to make it a right-out, we just took it out so we will only have that one full access on to Grand. Mr. Reed commented that yes it would be developed but he could not state a time frame; who ever would be interested in it.

Mr. Young questioned what kind of precautions or steps have been taken to prevent big trucks access back in the neighborhood area; if there would be signs of some type. Are there power lines along Normal that would be affected if the trucks were to go down that street.

Mr. Reed advised there would be signs at the entrances directing trucks to the rear access drive and as far as someone missing the site completely and having to circle back around, and the power lines, he couldn't answer to that.

Mr. Lawhon stated his understanding is that the stormwater would be no worse than it is right now.

Mr. Reed said yes, that is a requirement by code and enforced by City staff.

Mr. Baird commented that the assumption here is that not a lot of traffic would enter or exit from Campbell, is that correct and if more people use that than anticipated and it became an issue, what the City's recourse for dealing with that is.

Ms. Gardner said most of the traffic would enter and exit from Grand and with it being a right-in and right-out, they do not anticipate that.

Mr. Baird commented that coming north on Campbell towards Grand you would not be able to make a left,

but with the volume of traffic on Campbell and the draw of Walmart, it seems like that would be an issue to turn north and then left on Grand and another left into Walmart.

Ms. Gardner stated if you are going north on Campbell it would be anticipated that you would turn on to Normal and use the Normal entrance.

Mr. Baird qualified that there is anticipated traffic growth on Normal Street then.

Ms. Gardner said yes, but very little.

Mr. Lawhon qualified that staff does not anticipate a significant increase in traffic on to the lot on Campbell because of the right-in and right-out.

Ms. Gardner said that is correct and based on the traffic study and where the traffic generalization numbers are showing, Grand is going to be the main...

Mr. Lawhon asked about the median.

Ms. Gardner stated the median will have to be constructed on Campbell for there to be a right-in and right-out on Campbell.

Mr. Baird asked steps necessary in order for a signal at Normal Street if traffic concerns become too great for Normal Street.

Ms. Gardner said there would have to be significant improvements to Normal. We have not looked at a signal at Normal because the traffic study did not indicate the necessity of such.

Ms. Roling questioned information from the traffic study; traffic would increase one car per minute, is that correct.

Ms. Gardner replied yes, during the peak hour.

Mr. Lawhon qualified that that is only on Normal Street.

Ms. Gardner commented that was just to give an idea of how many cars it would increase and the p.m. peak hour is from 4:30 to 5:30 p.m. The number of cars would increase one per minute during that peak period on Normal.

Ms. Roling asked if there was a breakdown for an increase of traffic on Campbell and Grand.

Ms. Gardner indicated that the generated traffic on Campbell during p.m. Peak is an increase of ten (10) cars going left on Grand; twenty (20) cars going left onto Normal; sixty (60) cars turning left in and sixty-five (65) turning right from Grand.

Mr. Young asked if traveling north on Grand why could there could not be a left into the parking lot and take Normal out of the equation; is it too close to the intersection.

Ms. Gardner said it does not meet the spacing standards. Both Campbell and Grand are primary arterials and the spacing standard is two-hundred fifty (250) feet from an intersection.

Mr. Lee Cannon, Traffic Engineer, 1830 Craig Park Court, St. Louis, Missouri and commented he was going to discuss traffic issues, but City Staff did a fine job and sharing some of the information that was provided in the impact study. He would like to point out that Grand is a significant arterial roadway in the City of nearly twenty thousand (20,000) cars a day. That is why the neighborhood market wants to go here; it wants to be able to serve existing traffic flows in existing neighborhood. Also Grant and Campbell as the City Staff mentioned are arterial roadways so you are surrounded, the site is surrounded by arterial roadways and there is generally no better use of property on an arterial than high density types of commercial property verses homes. Generally people don't want to live on a high volume street, but because of the restrictions in traffic flows this site needs additional access beyond that access it can get directly from Grand. In that access was initially proposed to be full access on Campbell, the City requested that be restricted to right-in and right-out, which does have it merits when we provide a median on Campbell; but with that it also provides some restrictions in the fact that you can't turn northbound left into the site so Normal does provide for that alternative. The other thing that Normal Street provides is an option for access so that for instance a left out of the site onto Grand instead of doing that you could go out to Normal and then use Grant or Campbell to make a much safer left onto the higher volume street. The traffic volumes on Normal are very low today as one would expect. I believe they are on the range of fewer than forty cars per hour; a little bit over one car per minute at the intersection of Normal and Campbell at this time. They are lower than that at Grant and Normal and this site would only be expected to add approximately as was mentioned one car per minute on average to that flow. That roadway has a substantial amount of surplus capacity and those volumes while they will be volumes from a commercial site will not in any way, shape, or form impact the operations of Normal or its intersections at Grant and Campbell. Our calculations show that both intersections at Grant and Campbell at Normal will operate just fine. Specifically there was a question raised at the neighborhood meeting which the development team mentioned to him, a concern about cut through traffic and based on the volumes if turns from and to Normal at right around forty (40) cars per hour at the peak hour then it is obviously not a lot if any through traffic on that street at this time. Mr. Cannon stated he would answer any questions.

Mr. Coltrin asked for clarification on what he thought he heard Mr. Cannon say; did you say that if your access to Normal is not allowed that it causes your traffic to fail for the project.

Mr. Cannon said he wouldn't say that the traffic fails; from the owners perspective they want that access in order to be able to provide convenient ingress and egress to their site. From the traffic perspective what he will say is that it provides a positive option for those people that come out, that otherwise might have to turn left out directly at Grand. So does the intersection at Grand, opposite Market fail, by a traffic engineering definition level of service F, no. But does it provide a positive option if you do have the access to Normal to get signalized access to Grand, yes, he does consider that a benefit.

Mr. Lawhon asked how the traffic data is gathered, what sort of methodology is used to arrive at traffic flows, counts, numbers and particular times of the day in layman's terms. I

Mr. Cannon commented generally there is a group call ITE, the institute of Transportation Engineers. It's our governing body as a professional traffic engineer, adding that he is certified as a Professional Traffic Operations Engineer. That means he knows a lot about traffic. He doesn't know a lot about other civil engineering things that go on with site development. But as traffic engineers go they have a standard

practice; our methodologies and the impact study follows that standard practice. The general five (5) step method, or the short version of what a traffic study is, is we go count the cars that are there. We physically go and count left through and right turns at the intersections to develop a base level understanding of the traffic volumes. Then we use computer software and we load the physical characteristics, the traffic lanes, the signal timing, the volumes that we collected and we build a model. We use our observations to take a look at our model. Then we apply what is called trip generation characteristics. Estimates of traffic flows based on land uses from ITE that tell them what a grocery store use per size would be intended to generate as far as traffic, so we have about forty thousand (40,000) square foot store. That's going to generate about three-hundred fifty (350) trips in the peak hour. We also have the outlot which we assumed as a high traffic generator in the traffic study, so our traffic study assumes that that outlot is developed. The numbers we quoted assume that it is developed and they are built into all the numbers that have been quoted here so far tonight. Not just the neighborhood market. Then we re-analyze to determine if there are any impacts that require mitigation and it is important if there are impacts that require mitigation we make those recommendations. One of those recommendations that we made was the left turn on Grand. Another recommendation that the City asked us to consider was changing to right-in and right-out only instead of full access on Campbell and through the process we considered the benefits of that. But one clarification he would like to make is that as a traffic engineer I attempt to identify recommendations that must be implemented to make the site successful, not identify whether it works or not; to identify the improvements required to make it work and those are included in the traffic study and also have been reviewed and assuming recommended for approval by the City Staff.

Mr. Hansen asked where the Normal Street drive lines up as far as Market Street.

Mr. Cannon referred to the site map and showed where the streets line up.

Mr. Hansen clarified Normal Street drive will be east of Market Street. On Grand the west entrance would be across from Market Street.

Mr. Cannon said that is correct. There is no connection between the parking or the outlot here. Those are separate areas of access.

Mr. Hansen asked if there was no vehicle access between the west entrance and the east parking lot.

Mr. Cannon said that is correct.

Mr. Hansen asked if only truck traffic would be in and out the west location.

Mr. Cannon said trucks can come in at this location, referencing the overhead site plan, and how the trucks can turn around and the access and their exit. There is no connection to Normal Street for trucks. There is no capability for Market or Grand or trucks to come through the store to get to Normal Street.

Mr. Coltrin asked if the ITE has comments or statements on offset intersections and the safety thereof.

Mr. Cannon said in general, yes.

Mr. Coltrin stated that their comment is they are recommended or not.

Mr. Cannon commented that in general you try to avoid them where you can; you either line them up or you offset them and with the respect to the decision as to how important it is; volume is a big consideration and visibility.

Mr. Coltrin asked about their traffic projections for this grocery store; did you compare that with your actual traffic from other neighborhood markets known data.

Mr. Cannon stated that at the time they started this process he is not sure there were many stores, if any, that were actually open. There were some that were under construction but a neighborhood market is effectively Walmart's version of a grocery store, so yes, we have a lot of data on grocery stores. A typical grocery store, in St. Louis, is probably a little bigger; sixty thousand square feet, depending on the markets, but this is a smallish supermarket.

Mr. Lawhon asked if this footprint would be similar to the one on Bennett and Glenstone.

Mr. Reed said that if he remembered correctly, Glenstone and Bennett was thirty-nine thousand (ish) square feet where we are at forty-one thousand square feet, so yes and the exterior of the stores are very similar as well.

Mr. Jim Lee, 1120 West Portland, stated he is a member of the Fassnight Neighborhood Association and in the Fassnight Neighborhood Assessment Program done several years ago by the City we talked about our Price Cutter. Within walking distance of this intersection he counted twelve grocery stores which include convenience stores. There is an entrance on Grand and an entrance on Normal. The second entrance on Grand is specifically for trucks only. Campbell Avenue heading south there is not a dedicated left turn to Grand Street heading west and can see a huge traffic jam there. There is a certain amount of irony in the fact that the Church's website talks about social justice and serving the school children and the believers and pre-believers of the area and they are selling out to Walmart which has a reputation for not being very sociably to workers, but he didn't question this as this is zoning to rezone this property from single-family, multiple-family, to general retail and once this process is done tonight does that mean it's good to go for Walmart.

Mr. Lawhon stated they are here this evening to hear and make a decision on this zoning application.

Mr. Lee clarified it is Walmart's application so if this is affirmative Walmart and approved by City Council, Walmart builds, they do not have to come back and get separate zoning variances to do this.

Mr. Lawhon said no, but there is a permitting process also.

Mr. MacPherson said there is a City Council process; Commission will make some type of recommendation, forwarded to the City Council, who will hold a public hearing. As the process unfolds there was discussion about a subdivision variance as part of the development process for the right-in, right-out. It will have to go through a final development plan phase where it goes back to staff for permitting to make sure it meets all the requirements as were discussed.

Mr. Lee said that during the power point presentation, Mr. MacPherson kept saying that compliance will be determined after the building permit is reviewed so we really don't know if they are in compliance or not so actually they are saying give us the pig and we will tell you whether it fits in the poke or not, from his

perspective. The right-in and right-out looks to him like a tremendous traffic problem. Coming west on Grand making a left turn on Campbell to get into the Walmart is going to back up traffic. He does not believe there are enough entrances or exits to make it viable. Great Southern on South Campbell has a right-in, right-out, which is a mess. The traffic study, the delivery trucks; City zoning had a deal about a bakery transfer point out on West Chestnut Expressway into traffic some time past. This is a twenty-four hour market. Do we have any guarantee that trucks will be limited to daylight hours or what about the early morning hours. Walmart is not locally owned and it doesn't matter how much money they spend on employment, the bulk of the funds still go to Bentonville, Arkansas, not to Springfield, Missouri. Price Cutter is employee owned; the Bistro Market is employee owned as is Mama Jeans; all these markets are locally owned and frankly we feel if Walmart wants it, by golly we are going to give it to them. There are a lot of us that have had it with Walmart. Mr. Lee expressed his opinion that this is not a good plan and does not want a Walmart in his neighborhood. He has not talked to anyone who wants a Walmart in their neighborhood. Mr. Lee said he would take questions.

Mr. Coltrin asked Mr. Lee to show him where he lives on Portland.

Mr. Lee said he said he is south of the map here. He owns property at Grand and Portland. This is considered part of the Fassnight Neighborhood and he lives in that neighborhood.

Eric Honeycutt, 1018 South New, stated in case you are wondering that is four blocks to the West from Grant and three houses south of Grand. We already have a neighborhood market in that location and its call Fassnight Creek Farms. It is located on South Fort. Walmart is not a neighborhood market. The audacity of naming your business that takes the vast majority of its profits; it's a nationwide business. It's the largest corporation in the world. How is that anything to do with neighborhoods, anywhere? Normal Street is narrow. There is no way the street can hold an increase in traffic. There is no massive overflow of capacity there, it's a tiny street. It's in close proximity to downtown; a downtown, unless he is mistaken, the City of Springfield has spent millions of dollars and multiple years developing from local businesses that are now flourishing in the downtown area. Walmart kills local businesses. It's a fact. For every two jobs Walmart creates, it kills three local jobs, because of the companies it runs out of town. Smillies, a local grocery store that has been here forever, knew he couldn't compete with Walmart so he closed his doors before construction of the new Walmart even started. Do we want Mama Jeans to close their doors, or any of the local businesses that have been attracted to developing and beautifying the downtown area to leave Springfield because Walmart gets a foothold close to the downtown area. Mr. Honeycutt said that personally, he does not want that.

Mr. Don Underwood, 1060 S Market Avenue, which is one half of a block from this development, stated he will be directly affected by this project. Mr. Underwood commented that he is not here to make a political statement about Walmart. That's for another forum he believes. At the neighborhood meeting they had the Walmart Engineer and majority of the people in that room strongly felt that there should not be an entrance off of Normal. The engineer promised them that that would be addressed; but he sees that the entrance is still on the table. Those streets are narrow; there are children who play along the. Mr. Underwood believes that the one car per minute estimate is a severe underestimate for the amount of traffic there. If you figure three-hundred fifty visits per hour during the peak, that works to over two (2) cars per minute. He does not believe it can handle even one car per minute because the street is breaking up, it's not wide enough, and there is not enough drainage on Normal. Cars will not go to Grant to get back out to go south. They will go to Market. They will make a left turn onto Market. They will go down Catalpa and Meadowmere to get back on to Campbell. His street is definitely not wide enough to handle that volume of traffic. That is his basic

concern, is the entrance on Normal. It really shouldn't be there. Either that, or close Normal just to the West of that entrance to eliminate any traffic coming down those little local residential streets. At Grand and Campbell, there are a lot of changes that need to be made there. Any proposals need to be thought out far in advance and those changes need to be made before construction begins here. This piece of property will be a very high cost for a private developer to change. The church is in poor condition. There is graffiti and broken windows that are visible from his home. He would like to see it redeveloped into something, into something permanent and well maintained. Most local developers cannot financially afford to redevelop this property based on the cost of the demolition of the church, the asbestos abatement and any other costs associated with developing the property; including another church. He would like to recommend that Commission put a stipulation of some sort on there that there be no exit on to Normal and signage for no trucks at Catalpa and at both ends of Normal.

Mr. Young stated to Mr. Underwood that if your requests are accepted or granted, if Normal Street is cut off would he be ok with this development coming in to the neighborhood.

Mr. Underwood commented that he would not be opposed to the development if that access is closed. If the access to Normal remains open, he would then be opposed to it. The reason he keeps saying Normal is because it will affect his street directly.

Mr. Baird stated that Mr. Underwood made a very valid point as far as people cutting south on Market and down to either Lauren or Catalpa. Ms. Gardner, have any of the traffic studies looked at that to see what kind of impact that will have on those streets.

Ms. Gardner commented she does not believe it did. The traffic is minimal going south; according to what they looked at they are going to go to Grant or Campbell when they come out on Normal.

Mr. David Patrick, 865 South Market Avenue, commented that he is a home owner and lived at this location for fifteen (15) years and would like to thank Commission for allowing him to express his opinion. He is neutral as far as what commercial development happens at this property, but whatever commercial development happens, the intersection at Market and Grand is the issue, which area has not been discussed yet. It is north of where the store would be located. He lives two blocks north of Grand on Market Avenue. The neighborhood has been bottled in and Market is really the main feeder street for that entire neighborhood from Grand to Madison, Grant to Campbell. The reason being Campbell becomes one way north at Grand so there is no way to come back south from that neighborhood except coming down through Market and making a left turn onto Grand and go east on Grand or continue south on Campbell which is the main feeder street at that location. He has a couple of congenial conversations with Mr. Hazelwood about this and he did tell him that there has been a decision made but no infrastructure or traffic light would be needed at Market and Grand. He is not a proponent of adding more traffic signals in Springfield because we have enough already, however, he is even more concerned tonight after seeing an indication of a left turn lane on to Grand going into the store. He is not so concerned with the increase of traffic on Grand, but concerned with the increase in distractions turning left onto Grand from Market. Grand is a fairly busy street most of the time, day and evening and from personal experience it is a tricky turn left onto Grand and his concern is having another layer of distractions directly across the street of cars turning left and right out of that or from the other egress/ingress further to the east. He is concerned with the left turn lane because then you have not traffic that is slowing down and stopping and blocking your ability to turn left at that intersection. Then you have two choices, going north to Madison, West to Grant, back around to Grand and then a left onto Grand which is about a mile out of your way when you do that entire circuit, or you can take

a right onto Madison, go to South Avenue, if you are going to go to Campbell, and take a right. If you want a traffic light to go east on Grand, you have to go all the way to Jefferson which requires stopping at three different intersections where there is not traffic light. The suggestions he has made is either put a traffic light in at this location, which is a more expensive option; the cheaper option would be to pull two way traffic further north on Campbell up to State or Mt. Vernon Street, and then what would happen is those people in that neighborhood where he lives then have a very close, within two to three blocks that they are able to go to Campbell, take a right and go south on Campbell or go to the light at Campbell and continue east on Grand. I think Walmart might be interested in that option because at this point it is going to be very difficult for people in his neighborhood to get across Grand to the store, which means they do have the option of going up to Madison and making a mile trip one way or the other to get back to the store. If you could turn right on Campbell and come south on Campbell from State or Mt. Vernon, then you come up immediately up to the intersection and go whatever direction you want to go.

Mr. Hansen discussed what he felt was an exception to that with Mr. Patrick.

Mr. Patrick said if you are heading west on Grand from the intersection, if traffic is heavy, hopefully they are not going to stop at that first left turn because that means traffic is going to back up in that middle lane so most people are going to go all the way down to the Market and take a left there so they don't block traffic and back it up at the intersection.

Mr. Hansen stated it won't do them any good to go to the market driveway because it doesn't go into the store.

Mr. Patrick asked if you cannot take a left from Grant onto...

Mr. Hansen said you can but it doesn't communicate with the store, it's only for trucks.

Mr. Patrick said that he thought that entrance was for trucks and traffic coming in which makes him even more concerned about traffic backing up into the intersection of Campbell and Grand then because that is a very short distance from the intersection if you have a lot of cars coming in.

Mr. Hansen stated good point.

Mr. Baird asked Ms. Gardner if she has the distance between the first main vehicle entrance on Grand and the intersection of Grand and Campbell.

Ms. Gardner said she does not, but would check on it.

Mr. Coltrin said he is familiar with the neighborhood, commenting it is a mess. He would like to see the City make Campbell a two-way up to Madison.

Mr. Patrick stated if you are looking at infrastructure, you are looking at four traffic signals at Market and Grand and you are looking at another traffic light, you have one signal that you need to do for south bound traffic on Campbell and a few lane stripes and some signs and that's all it takes. It would greatly benefit his neighborhood to have the new accessibility in and out of the neighborhood. The one way at that point is through a residential area and all it serves at this point is to allow the speed of traffic to go ten (10) to fifteen (15) miles per hour over the speed limit. It's a race track from Grand to Mr. Vernon where there is usually

policeman located for speeding vehicles.

Ms. Gardner stated it is three-hundred (300) feet from Campbell to the first entrance on Grand. Ms. Gardner confirmed the standard is two-hundred fifty (250) feet on a primary arterial.

Mr. Monte Wiggin, 940 S Newton, Springfield, commented that his concern is the sidewalks. He is a runner. Many people run, walk, walk their animals and the foot traffic is going to increase which will slow traffic up as those people cross the street. When you come off of Grand going south on Campbell, the distance from Normal to Grant is not far. If you put an entrance between Normal and Grand and people are slowing down to turn, it is going to cause a back up. People already run that light to try and get through. If you heading north on Campbell and you want to go to Walmart, you are going to cut down Normal and go in the back way, which mean the possibility of accidents will increase there because people are going to try and outrun someone else to get in quickly as they are in a hurry. Traveling north on Grant during peak hours, Grant and Grand is a busy intersection. He runs during that time and he sees it. Traffic in the neighborhood will increase which will cause danger to children, walkers and runners. He does not shop at Walmart. He supports his community by shopping locally owned businesses. We like what the City is doing in revitalizing downtown. Walmart will come in and encroach on take business away from the very businesses the City has encouraged to come there. There will be job loss, pedestrian/car accidents and will be a mess and stated he does not see the benefit to Springfield of having one more Walmart in the town; they have flooded the market.

Mr. Scott Youngkin, 802 W. Seminole, commented that he has been a Springfield resident for more than forty (40) years and an employee in the West Central Neighborhood, he is opposed to the construction of the Walmart market in the Center City area. Walmart does not contribute to the local economy, and hires part time employees with no health benefits. He has a study of fifty reviews done across the country regarding Walmart and Mr. Youngkin reviewed some of the findings of the study and provided the link for Commission to review. He reviewed findings from the staff report and found a section titled "Findings for Commission to recommend denial" empty of content. A study should be pursued of the impact of Walmart on Center City conducted by third party researchers. Student housing does not correspond to the increase in students. There are currently four to five other grocery stores in the vicinity that are properly managing the population in the area. There is no study backing the information of increased population as a need for another grocery store. The Public Works traffic division he believes has failed to address the traffic concerns to the north of this proposed development. Neighborhood residents will experience increased traffic on residential streets that are not designed to handle the traffic. On Market, north of this is a park where kids play. The City of Springfield in general has failed to address the existing hazards of sidewalks along Campbell that butt up again the curbing there especially with the increase of pedestrian traffic. These extend from Grand south to Fassnight Park. A workshop was conducted by Fassnight Neighborhood Association in 2004 and this issue was ignored by the City. With the proposed rezoning this issue of the sidewalks becomes more hazardous and needs to be addressed. A facebook group has been formed called "Stand Up to Walmart", with a current membership of over one-hundred members from Springfield who oppose this Walmart in our Center City area. We stand with the West Central Neighborhood Association in that we prefer to have local companies locate there that are more vested in the neighborhoods such as Downtown Market, and Price Cutter, who have served the residents in that area for many years and viewed them as an asset to the neighborhoods. We also strive for our City to focus on our local economy and our local food production from this point on. A left turn lane on Campbell Street onto Grand is going to be a problem unless the street is widened and if there is a left turn lane with a median how is that all going to work. The left turn onto Normal off Campbell, how is that going to work with

a left turn lane there. There is not enough room.

Mr. Baird asked Mr. Youngkin if he is opposed to any development here or a grocery store; a lot of concerns addressed were traffic concerns, yet the data as far as traffic and traffic counts and how many cars it's going to have per minute or per day has to do with general retail or grocery store data, so are you opposed to any development of a grocery store here or Walmart specifically or both.

Mr. Youngkin stated Walmart specifically. He is not against general retail as long as the traffic is looked at properly, which he believes has not been done.

Mr. Hansen suggested to Mr. Youngkin that he get the studies he discussed to the City Council before hand.

Mr. Youngkin said that he does not feel the public is not being adequately informed when these type of things come about. You put up a few public notice signs on Grand Street and that's it.

Mr. Hansen asked about the comments Mr. Youngkin made regarding the sidewalks between Grand and Fassnight being dangerous.

Mr. Youngkin stated they are very narrow and right up against the road. Both Mr. Youngkin and Mr. Lee both spoke to the Vision 20/20 Neighborhood reports and the two areas of concern in Fassnight were the sidewalks on Campbell Street and Fort Street.

Mr. Baird asked Mr. MacPherson to explain the steps taken to notify the public and posting of notices.

Mr. MacPherson stated for the record, once we get a zoning case we require the applicant to post the site and provide the City with an affidavit and photograph to demonstrate that it has been posted. We advertise in the Daily Events, a local publication, and announce public hearing both at the Planning and Zoning Commission and City Council. We require the applicant to hold a neighborhood meeting and notify by mail everyone that is located, property owner or renter, within five-hundred (500) feet of any spot or any district boundary of the proposed development. Finally, we also require a letter to be sent to people within one-hundred eighty-five (185) feet of the district and those people have the ability to petition.

Ms. Jessi Honeycutt, 1018 S. New Avenue, said she is a professional at a local hospital and has watched Springfield grow during her lifetime here. She is proud of the arts program created in the last five years in the area that have added value to downtown. The neighborhood she lives in is beautiful with Maple Park Cemetery directly across from the proposed area is beautiful in fall. The traffic in the area is congested. The light pollution from the proposed site would cause the romance of that cemetery to be lost at night. This is an intimate and sweet little area and a business like Walmart just doesn't fit. The gifted program does programs with their children where they walk to Fassnight Park, they study the creek, the wildlife, the water and all that would have to be affected by adding more parking lot, and traffic and noise.

Mr. Wayne Rader, 427 S Grant, Springfield, stated he is a member of the Board for the West Central Neighborhood Alliance and a small business owner in Springfield, wanting to express his concern about the small business owners in the area and how Walmart will affect their business. Its kind of a trickle effect of our local businesses; they buy their groceries locally here in Springfield from AG, which creates jobs; his understanding is, Walmart does not do that, so what happens to those people when they quit selling jobs

through AG. What about the insurance person who loses a policy with a small business owner that cannot survive any longer in the Community. The small business owner needs to be supported because they do support the community and pay taxes. Traffic and congestion is an issue. Look at the overall picture of who this is going to effect.

Mr. Mike Schilling, 1027 S. New, Springfield, commented he has been there for thirty (30) years and has watched Grand go from a two lane, sort of horse and buggy street so to speak, to a race track in that time. As people have pointed out, the intersection is jammed up constantly and it's hard to get across Broadway during rush hours. He would call what's happening here more like a Walmart Neighborhood Traffic Jam than a market. He would recommend Commission table this issue till there is an independent traffic study; a full layout, of which people has discussed tonight. He does not believe they have an in-depth look at what could happen here. We may be increasing business, taxes, and maybe some jobs, but are we looking at the human quality of life improvement; he does not see it happening with this particular development.

Mr. Rusty Worley, 807 W Walnut, Springfield, stated he is proud to be a resident of West Central tonight. This is not the same conversation we would have been having five or ten years ago. It shows the development and maturity of this area. On behalf of the Board of Directors of the West Central Neighborhood Alliance, he would like to share some thoughts and observations we've had over the last few weeks from those who live and work near this proposed project. First, we support the commercial development of this area. These are busy thoroughfares at Grand and Campbell. They are designed to have commercial uses and we support that. We are fans of density, but we do have concerns about how that density occurs and working with the City to maximize that efficiently for the impacts of others and you heard quite a bit of that tonight. Second, we want to acknowledge and express appreciation to Walmart for the public meeting they had. They opened that up and they listened to everyone who wanted to voice their concerns and were brave and gracious in conducting that public forum and would commend them for that. The third, in the public meeting and the subsequent discussions that we have had as a Board, we have heard several residents' comment they feel the area is adequately served by grocery stores with the Downtown Market three blocks away, and then the three Price Cutters within a mile and you heard some of those comments. Scott Gayer, who is here tonight, is the owner of Downtown Market. He is the current chair of the West Central Neighborhood Watch and has worked extensively with the police to improve the area of Campbell which, historically, has been a problem area. Police know him very well and has been a great asset to their efforts and he has also helped us with our "Neighborhood Night Out", and other West Central events. Price Cutter has recently opened an urban concept called the Bistro Market; they have two stores within a mile of this intersection, one at Kansas and Grand and the other at Campbell and Sunshine. They invest considerably in a myriad of community events in Center City with our Universities, the Springfield Cardinals, and the Price Cutter Charity Championship. The Walmart Neighborhood Store will create new jobs but how many of them will come at the expense of those who are already working in those nearby stores. We know this is outside your prevue but we feel like it is important to mention. Finally, the West Central Neighborhood has logistical concerns about the impact of traffic; they raised them earlier in some of their comments and they have borne themselves out tonight in several difference variations and he will not repeat them, but we echo those traffic concerns especially for the residents who are in that area of Normal Street. That was the overwhelming concern at the public meeting and Walmart representatives at the neighborhood meeting reassured the group there that they would close that access to Normal and I know their reasons for doing that, but that was an important concession they made that night and we still feel it is a very important question out there. Based on the preference for local businesses and the concerns for the potential traffic issues at the Campbell intersection and for the residents of Normal Street

the West Central Neighborhood Alliance Board of Directors opposes the proposed development.

Mr. Hansen asked Mr. Worley what neighborhoods the Alliance represents.

Mr. Worley said this is the West Central Neighborhood Alliance; the neighborhood is bounded by Grand, Kansas, Chestnut Expressway, and South Avenue, and stated he is speaking in a private capacity, not the UDA job.

Ms. Linda Kelly, 629 W. Normal, commented they are at the west end of Normal Street and Mr. Worley just addressed one of the big concerns we had at the Neighborhood meeting; we were assured that they would look at closing Normal, that that was important to us, but it seems like there is an issue of credibility that it wasn't really that important. It is more important for Walmart to have the access than for us to have protection. Ms. Kelly said her concern is at her end of Normal Street, one car per minute would be outrageous. Five cars an hour would be a huge increase, we can't get that much traffic down there. If we had even one semi-truck coming down the street it would not be good, it does not have the capacity. To the west of Grant Street there is a vacant parking area where currently trucks park now overnight; sometimes they leave their engines running. They do not want this to become a place to park semi-trucks. Another concern is the development of the outlot; will there be a buffer around that area. Where will the trucks come in and out and what will the traffic be like at that time.

Mr. Robert Buchanan, 480 E. Lombard, stated he owns the property at 509 West Normal; his understanding is that this hearing is to determine the best and highest use of this land. While there are many personal agendas and issues with Walmart and traffic, there is also the property upkeep of the structures and the church being able to maintain them. Some of the houses along Normal are not in good condition including the rental home he owns. With that in mind, the disrepair of the homes, the alleyway behind the church and the streets, commercial development will improve this area significantly and help the neighborhood and he is in favor of the request.

Mr. Lawhon closed the public hearing.

Mr. Coltrin asked if there are improvements planned for Campbell and Grand; anything increasing the north bound to west turn lane.

Ms. Gardner said Traffic has been looking and working on improvements for Campbell and Grand. There is not a time line, but they are working on a design for a right turn lane from Grand to Campbell; she is not aware of anything increasing the north to west turn lane.

Mr. Lawhon asked about the access on Normal, if that is a make or break issue.

Mr. Hazelwood commented that they are told by the Real Estate Manager it is make or break. When they had the neighborhood meeting we had the comments that you have heard this evening about the concerns in the neighborhood to the south. He does not remember the words that were used, but Ms. Kelly said that she understood that we would look into that matter and we did. As of October 29th, we did not have the traffic study, so we waited for that to get whatever input that would have with the respect to consideration of that access point on Normal. There was a point in time where we weren't sure there was going to be any access on Campbell so if Normal access point went away, Campbell access went away, there was a real

public safety consideration at that time. What happens if there is an accident in front of the one access point on Grand; as we added it all up we did come back with a response that said we have to have the access point on Normal. There are going to be customers come out way from that neighborhood to the south and we want to make it convenient for them. This access point would do that. It was described by Mr. Buchanan earlier, there are going to be some folks who are cautious drivers and they are going to want to get to a signalized intersection to get onto Grand, so they would take Normal and work their way to the west to Grant. The Real Estate Manager has asked a very good question; his position is there must be as much access as possible. There are impacts on other aspects here that if you close off Normal, those would start to have their own ripple effect.

Mr. Cannon said he wants to make clear that the access plan shown here and the traffic study, we actually looked at Campbell being proposed as full access at that time. Making any one decision about what access point changes the traffic at the other access point. You have heard different individuals here tonight tell you about their personal opinions about each access point. The reason the traffic study is promoting, recommending for approval, this access plan is because it is a balance, it does provide options and it does a good job with safety. This is not to say there will be no traffic increase on Normal, but those traffic increases will be lighter.

Mr. Hazelwood stated to conclude their reaction to this, he believes there has been some questioning; if you want commercial development, how are you going to get around these problems, it is inherent in a situation. When you go back to do redevelopment in densely urbanized area stuff has to change. If you don't like what is there, stuff has to change. Mr. Hazelwood stated he appreciates very much Commission's approach on this Walmart discussion. If you limit the conversation to the land use issues, you would be having this conversation with any local grocery chain, any national grocery chain, any non-grocery chain. These discussions are built into what exists there now.

Mr. Coltrin said they have always taken into consideration the protection of the neighborhoods adjoining. As far as he can remember, they have not granted a general retail access to a neighborhood behind. We have put a lot of discussion into these things; we have looked a lot at tough decisions of what should or should not be, with a lot of neighbors here telling how bad it will be, knowing that general retail for a particular piece of property is probably the best use for that piece of property. But always when you go home at night, you have the assurance that you have not put a major impact to the houses and properties adjoining the development. When he looks at the Normal access, there is the awareness of what will happen there. Normal Street is not in good condition. It is a residential street; it is not a residential collector. The traffic that is going to be put on that street with cars backing out of driveways is not good. Mr. Coltrin stated he is for infill and development, but cannot say in good conscience; this is good general retail use with access to Normal Street.

Mr. Young stated he can attest to all the comments on traffic in the area and poor sidewalks. The cemetery is a great place. Mr. Young said he is all for redevelopment. This area has been an eyesore in the community for a while. To take something like this and clean it up, reuse it instead of having urban sprawl is a good thing. There were many comments made tonight about nice little neighborhoods and people living in the area for thirty plus years. What makes a neighborhood a neighborhood are many things; churches, schools, good sidewalks, and grocery stores. It was pointed out there is all of that already there, discounting sidewalks. Mr. Young commented that he does not see how this is going to benefit the our community as a whole in the grander scheme of things, adding he is not certain this is a good spot for a grocery store, possibly a business retail. It was pointed out there are several grocery stores located in the

area. We are a Commission that tries to help plan the community. The access, as Mr. Coltrin pointed out to Normal Street, and I am in agreement with him, has to go away. There has to be some way to have access to expand; turn the building, have the building face Grand and have access on the east/west. Something can be done to eliminate the Normal Street access.

Mr. Baird said this is an issue of concern that a lot of Commission has spent a lot of time on as well as everyone here tonight has. These decisions are not made lightly and we have to look at all the items presented to them and make the best decision. Mr. Baird stated he tends to agree with Mr. Hazelwood that in certain circumstances when there is proposed development of pieces of land to prevent urban sprawl, that already have infrastructure, you have to make exceptions and believes this is one of those times and will be voting in favor of the proposal.

Mr. Lawhon stated there was considerable Walmart bashing which he personally discounts all together. During his visit to Sam's Club on Sunshine, he noticed there were replicas of checks for financial contributions that have been made to the community. There has been a lot of talk about competition and how it affects the community. There was concern about the Dillon's store across the street when the HyVee was developed. Well, Dillon's is still in business and they seem to be doing just fine. In general, he is a proponent of competition and that it can make things better. HyVee's introduction into the community for example has made some changes in things that have happened at Price Cutter; more positive things like the deli atmosphere HyVee has created, is just one example of how competition can have a positive effect. Traffic has been discussed a lot and he has to rely on the professionals to be ethical and honest in what they say. On the one hand there is Mr. Cannon from Walmart, but there is Ms. Gardner with the City and they were in what he perceived to be in substantial agreement about what impact this store would have on the traffic in the general area. Price Cutter did not seize this opportunity. The one item that does bother him is the access on Normal Street, but again, he feels he has to rely on the professionals and their judgment and objective findings they have made that it will not be a substantial increase in traffic on Normal. Given all those things and having driven by the site, to him, it seems like an appropriate use and an appropriate zoning case with the conditional overlay and plans on voting for it.

Mr. Hansen commented that initially he was in support of the proposed use, but after hearing the traffic situation on Normal, it seems the path from Grant onto Normal to the store is a natural path and believes it will greatly increase the traffic on Normal pass neighborhood homes and does not feel he can support this now.

Mr. Hansen motioned to **approve** Z-17-2012 w/Conditional Overlay District No. 54. Ms. Roling **seconded** the motion. Motion **failed** as follows: Ayes: Lawhon, Roling, & Baird. Nays: Coltrin, Ray, Young, & Hansen. Abstain: None. Absent: McClelland & Edwards.

Mr. Rognstad stated the applicant can appeal to go forward to City Council or they can allow it to end here. If it goes on to City Council, it will be after the first of the year, January 14th, 2013.

Conditional Use Permits:

3. **Conditional Use Permit No. 402**
(624 West Commercial)

Thomas L. Dunivant

Mr. MacPherson stated the purpose of this request is to approve a Conditional Use Permit to allow a construction equipment storage yard at 624 West Commercial Street within a COM-2, Commercial Street District. Commercial Street District has two zones; Zone one (1) is the center of the Historic District and encompasses the historical buildings in that area and there are certain design requirements and development standards that are more stringent than Zone 2, which does not have the design standards applicable to it. City Council is expected to vote on a text amendment to permit construction equipment storage yard or other outdoor storage within the Commercial Street District with the approval of a Use Permit at the December 17th meeting. You will recall we discussed a text amendment about this particular case previously and that text amendment is moving forward because of this particular case. The prospective buyer of the property (Reeds Plumbing) has an existing business across the street on the north side of Commercial Street at 611 West Commercial. If approved, the buyer intends to use the property for equipment and material storage associated with the existing business across the street. Staff recommends approval of this application for the following reasons: Approval of this request will allow the existing business to expand without having to relocate to another location. In addition, approval will provide for the productive use of this property which has been vacant and unused for many years. Prior to the approval of COM-2 zoning on the subject property in 2010, the property was zoned HM, Heavy Manufacturing which permits construction equipment storage yards. Approval of this request will restore the ability to have the limited outdoor storage on the subject property. The applicant is proposing to store vehicles inside this fenced structure. The fence provides security and we are proposing the fence would not have to be slatted for visibility because visibility through the fence would provide additional security. The Commission could add an amendment to this that would require some screening ability of other materials. Staff would recommend instead of galvanized steel to use a black plastic coating type of cover because it tends to blend more into the environment. Those are some things to consider, after you talk to the applicant, if you feel further protection would be necessary for the district you might consider. As part of this request, the applicant is required to reconstruct driveways to meet current spacing requirements and standards or one driveway must be closed and the remaining driveway reconstructed to meet current standards. The resulting driveway(s) on Commercial Street and driveway on Pacific will be gated to provide for security of the site. 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. Mr. MacPherson reviewed the requirements for the Use Permit (Exhibit D) outlined in the staff report with Commission. Findings for staff recommendation are the approval of this use will allow the expansion of an existing use so that the use will not have to relocate to another location to expand the business, this request will restore the ability to have limited outdoor storage on the subject property which was permitted on the property under the previous HM, Heavy Manufacturing zoning and this application meets the approval standards for a Conditional Use Permit and is in conformance with the Comprehensive Plan. Mr. MacPherson referred to a letter submitted by Commercial Club requesting black wrought iron fencing to be required since this was a gateway to the District. Mr. MacPherson advised the Commission that they could add additional conditions to the Use Permit if they felt it was necessary to protect the District. Mr. MacPherson also stated that he asked Mr. Collins to respond to the letter submitted by Commercial Club.

Mr. Lawhon asked if it is a vacant lot and asked the location of the business.

Mr. Lawhon opened the public hearing.

Mr. Bart Collins, 1625 E Primrose, Springfield, representing both the land owner and the buyer. Mr. Collins stated there is an error in the staff report; it was amended afterwards, but the requirement both drives be closed is incorrect. The Code does read that you can have two (2) drives, the spacing is correct; however

the applicant does intend to close one drive. Mr. Collins stated he does not want that in the record in case the applicant does change his mind. He had spoken with Ms. Owen and that was supposed to be amended. Mr. Collins reviewed the history of the location and stated the use is consistent with the lot and prior zoning would have allowed this had they come to terms earlier on this. At the neighborhood meeting, there were two (2) people who showed up in support of the use. Comments on the screening and a vinyl fence of some sort came up from a letter that was submitted; it is unfortunate that Commercial Club didn't talk to the owner or to Mr. Collins himself and they did not show up at the neighborhood meeting. Both the applicant and the user are out of town. Mr. Reed would do the black vinyl fencing after a discussion about some sort of solid fence or putting the slats in the fence and past experience shows when they do that on sites, vandals mess with them, the wind blows them out, they are hard to maintain. They look good for a little while but they are not a permanent solution. They had planned on doing galvanized fencing on all four (4) sides; Mr. Collins commented that he believes he would do black on the front. Mr. Collins stated that wrought iron fencing was too expensive.

Mr. Hansen asked if the owner or a representative of Reed's was there; he said he visited the area and feels this area, Grant and Commercial intersection, is the gateway to historic Commercial Street. It appears to be a fairly clean area through there and has tried to visualize the chain link fence in the middle of that.

Mr. Collins said the owner lives out of state.

Mr. Hansen commented he hopes they try and use a combination to minimize the visual impact.

Mr. Collins commented the neighbors want the security the fence will provide. They want this area closed off and to be used and there will be security cameras as well.

Mr. Baird commented that there are other fences in the area with barbed wire; if they put just the chain link fence it would blend with things further east. Anytime you shroud or cover a fence you can't see what's happening on the other side and that would be a huge security concern for Reed's as well as other property owners.

Mr. Charles Goss, 1628 W Main, commented Mr. Reed keeps his place clean and this would be an asset to take this property, clean it up and use it for his equipment. Right now it is an eyesore. He does not see how the fence is going to affect anything. It will be better to see the fence and the area cleaned up than see what they have today. With all the trash on the lot, something needs to be done, so he is in favor of Mr. Reed's request.

Mr. Rusty Worley, 304 W McDaniel, commented he was at the Commercial Club meeting on Tuesday evening and wanted to say Mr. Reed has been a part of Commercial Street and has been a good neighbor. Jeff and the Sonic are a great part of Commercial Street District. They have not had time to work through some of the ideas of how they could treat the fences and some suggestions were thrown out in the letter. Mr. Worley said from his standpoint, given the caliber of the folks involved this could be passed and then our staff with Donnie Rogers working with Mr. Collins and the owners representatives, the City, we could talk through some of the long term treatments of the storage areas as far as fencing and how they address the street but do this voluntarily moving forward. He does not see a risk in their proposed use at this time. It is going to be an improvement.

Mr. Lawhon closed the public hearing.

Mr. Lawhon asked if this use permit was for vehicles only.

Mr. Rognstad said no, it is for storage. It could be limited to vehicles

Mr. Lawhon said the intention right now is vehicles but it could be other things; wire transformers or other equipment.

Mr. Rognstad said it could be limited to vehicles but that is not what the applicant has requested.

Mr. Lawhon commented that as it has been presented to them it is not limited to vehicles, it is just equipment is the word that is used.

Mr. Rognstad said right.

Mr. Lawhon asked in this Conditional Use Permit what it says specifically about the fence; does it really say anything.

Mr. MacPherson said they would have to substantially conform to the exhibit presented so any kind of dimensions and how it fits on the lot, that's what they use as a standard.

Mr. Hansen commented this is a good use of the lot and hopes everyone will work together for an amicable agreement regarding the fence.

Commission Action:

Ms. Roling motioned to **approve** the Conditional Use Permit No. 402. Mr. Young **seconded** the motion. The motion **carried** as follows: Ayes: Lawhon, Baird, Ray, Young, Coltrin, Roling, and Hansen. Nays: None. Abstain: None. Absent: McClelland & Edwards.

HEARINGS

ZONING TEXT AMENDMENTS:

4. Commercial Services District Amendments
(City-Wide)

City of Springfield

Mr. MacPherson said when the use groups were created in July, 2010 Staff inadvertently left out eating and drinking establishments in the Commercial Service District which was a mistake. It was meant for that to be in there, it was in there before, this would restore the way it was previously and Staff is recommending approval of this text amendment to replace that "Eating and Drinking Establishments Use Groups" as part of the Commercial Services Zoning District.

Commission Action:

Mr. Coltrin motioned to **approve** the Zoning Text Amendment, Commercial Services District Amendments. Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: Lawhon, Baird, Ray, Young, Coltrin,

Roling, and Hansen. Nays: None. Abstain: None. Absent: McClelland & Edwards.

5. Residential Front yard Setbacks Amendments
(City-Wide)

City of Springfield

Mr. MacPherson commented that Commission initiated the Residential Front Yard Amendments at their meeting on November 21st, 2012. This follows through with what was done in some of the commercial districts and industrial buildings which allowed these buildings to set closer to the public street and promote pedestrian safety and parking behind buildings. Mr. MacPherson cited a previous case with the Board of Adjustment regarding a request for a zoning variance, with the Board of Adjustment asking for City staff to pursue amendments to the front yard setbacks in residential districts similar to the provisions in commercial and industrial districts. This will still require a Conditional Use Permit for the setback which will give an opportunity to do that in the Zoning Ordinance and will be handled on a case by case basis. Staff recommends approval.

Mr. Lawhon opened the public hearing.

Commission Action:

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

SUBDIVISIONS:

Preliminary Plats:

6. Fox Grape 9th Addition
(3300 – 3400 block E. Manitoo, n/s)

Fox Grape, LLC

Mr. MacPherson said the purpose of this request is to approve a preliminary plat to subdivide 8.5 acres into a twenty-six (26) lot residential subdivision. It is located at the 3300-3400 blocks of East Manitoo Street. This plat was approved earlier by Planning and Zoning Commission in 2008 and it expired in 2010 as a final plat was never filed due to recession or other matters. The applicant resubmitted the plan and expanded it from twenty-three lots to twenty-six lots. It has been reviewed by the Administrative Review Committee and made some amendments to it and it does meet the subdivision regulation requirements and staff is recommending approval.

Mr. Hansen asked if all the new lots are squished together.

Mr. Rognstad said some of the lots were made smaller to accommodate the additional lots.

Mr. Lawhon opened the public hearing.

Ms. Lisa Carlson asked if these homes were going to be the same quality and structure as the existing homes as this is the first she has heard of this.

Mr. MacPherson commented this is not a zoning case it is a preliminary plat. Fox Grape is a Planned Development and the requirements and limitations of the development are set out in the Planned Development and those remain unchanged.

Mr. Baird asked if this is an indication of development going to happen or is this something that is being cleaned up to keep it fresh and who is the applicant.

Mr. MacPherson said he does not know that information, but the applicant had to spend money to do this so hopefully this is an indication of something to happen. The applicant is Fox Grape, LLC, with Rita Baron as contact.

Mr. Lawhon closed the public hearing.

Commission Action:

Mr. Coltrin motioned to **approve** Preliminary Plat of Fox Grape 9th Addition. Mr. Hansen **seconded** the motion. The motion **carried** as follows: Ayes: Lawhon, Baird, Ray, Young, Coltrin, Roling, and Hansen. Nays: None. Abstain: None. Absent: McClelland & Edwards.

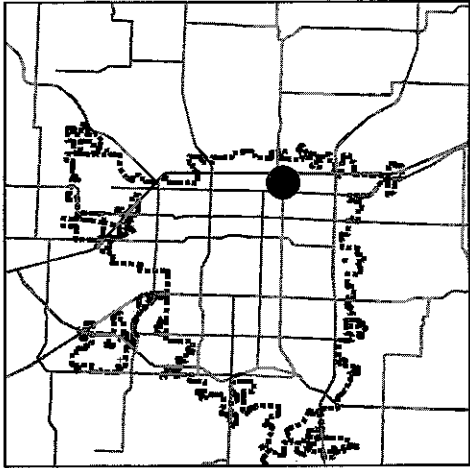
ANY OTHER MATTERS UNDER COMMISSION JURISDICTION:

Mr. Lawhon commented on the minutes contained in the meeting packet were for the November 1st, 2012 meeting. The minutes that were approved were correct in the sense those were the written minutes in

There being no further business, the meeting was adjourned at approximately 9:32 p.m.

Michael K MacPherson

Michael MacPherson
Principal Planner



Zoning & Subdivision Report

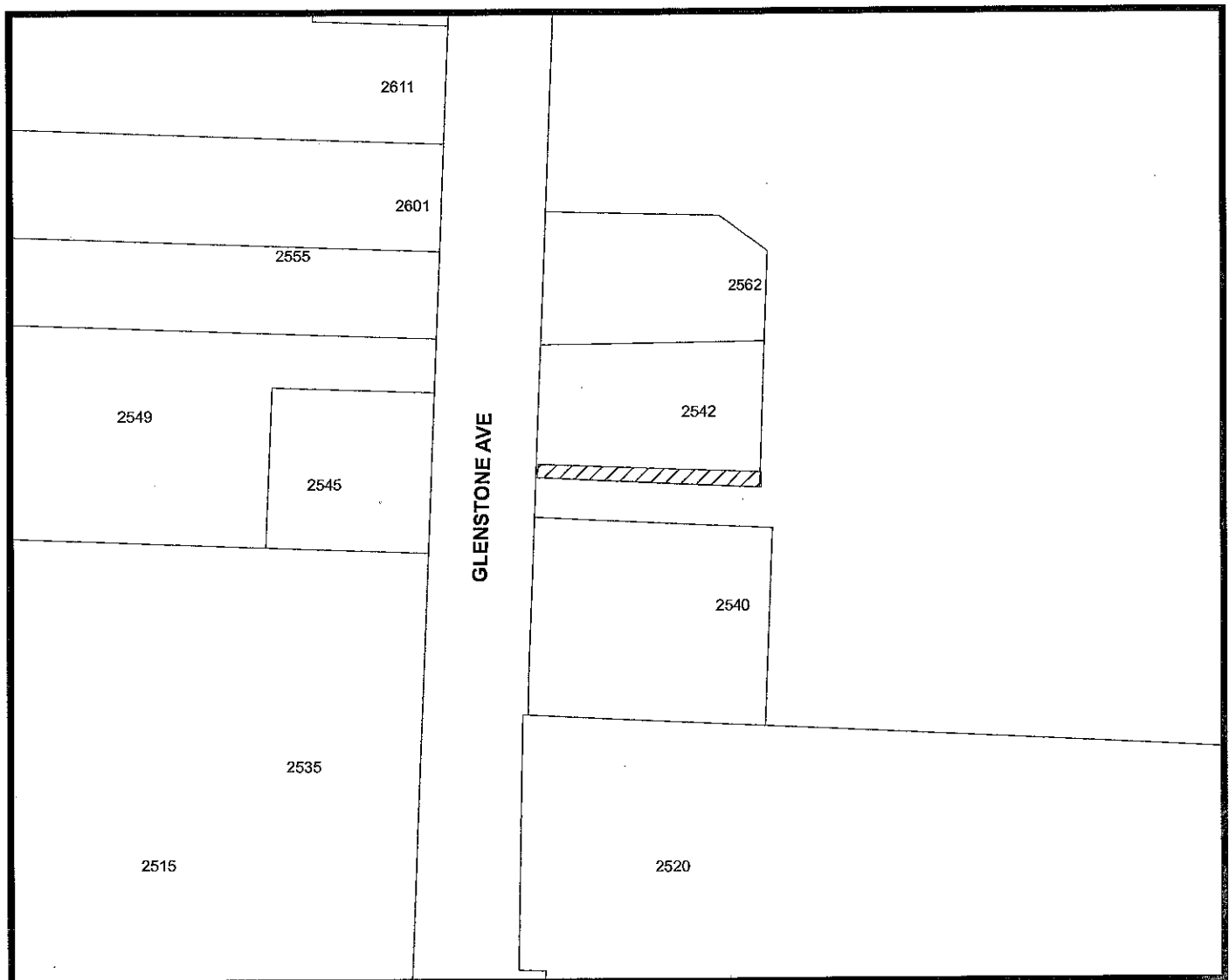
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Relinquish Easement 788

Location: 2542 N. Glenstone

Current Zoning: HC, Highway Commercial

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 788

DATE: December 31, 2012

PURPOSE: To relinquish a cross access easement

LOCATION: 2542 N. Glenstone Ave.

APPLICANT: Campus Inc.

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. 788
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting the cross access easement be relinquished to allow for landscaping property. A replacement access easement has been provided and will serve as access to the adjacent gas station.

TRAFFIC ENGINEERING COMMENTS:

No issues with relinquishing this cross access easement.

STAFF COMMENTS:

1. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect public utilities.
2. No one has objected to this request to date.

ATTACHMENT B
RELINQUISH EASEMENT NO. 788
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:

All interested City agencies have filed a statement and do not object to the relinquishment of the subject easement.

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

STAFF RESPONSE:

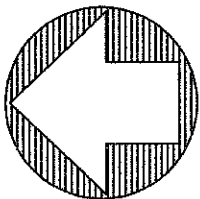
The retention of the subject easement no longer serves a public purpose.

RELINQUISH EASEMENT NO. 788
EXHIBIT 1

CROSS ACCESS EASEMENT TO BE RELINQUISHED

A tract of land being a part of a platted 12-foot ingress-egress easement in Mack-Leb First Addition in the City of Springfield, Greene County, Missouri being more particularly described as follows:

All of the South Twelve feet of Lot 1 of Mack-Leb First Addition, being more particularly described as follows: BEGINNING at the Southwest corner of Lot 1 of Mack-Leb First Addition to the City of Springfield, Greene County, Missouri; thence, North 02°01'21" East, along and with the West line of said Lot 1, a distance of 12.00 feet to the North line of the existing easement; thence, South 87°57'45" East, along and with the North line of said easement, a distance of 200.00 feet to the East line of said Lot 1; thence, South 02°00'18" West, along and with said East line, a distance of 12.00 feet to the Southeast corner of said Lot 1; thence, North 87°57'45" West, along and with said South line, a distance of 200.00 feet to the POINT OF BEGINNING, containing 2,400 square feet or 0.06 acres, more or less.



SCALE 1" = 40'

GLENSTONE AVE

TRACT A
AS-5223
(GREAT SOUTHERN BANK)

LOT 1
MACK-LEB 1ST
ADDITION

PROPOSED
NEW DRIVE

TRACT B
AS-5223
AREA = 0.63 AC.
NO BUILDINGS
(CAMPUS, INC.)

S02°00'18"W
12.00'

S87°57'45"E 200.00'

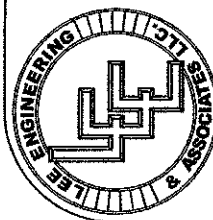
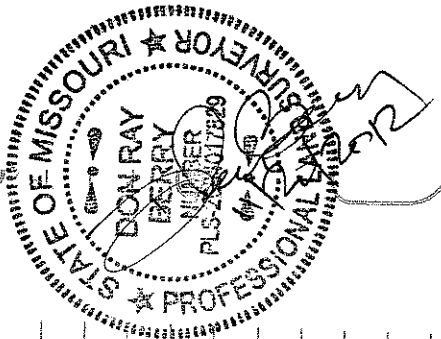
N87°57'45"W 200.00'

N02°01'21"E
12.00'

P.O.C.
SW COR,
LOT 1
MACK-LEB
FIRST ADD

LOT 2
MACK-LEB 1ST
ADDITION
(CAMPUS, INC.)

LOT 2
MACK-LEB 1ST
ADDITION
(CAMPUS, INC.)



LEE Engineering & Associates, L.L.C.

2101 W. Chesterfield Blvd, Suite C202

Springfield, Missouri 65807

417-886-9100 (phone)

417-886-9336 (fax)

dlee@leeengineering.biz

Missouri State Certificate of Authority
Engineering #2003015604
Land Surveying #2000026050

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

DATE: 11/20/2012
12' ACCESS EASEMENT
RELINQUISHMENT EXHIBIT
PROJECT NO.:
602

"Engineering with Integrity"

EXPLANATION TO COUNCIL BILL NO. 2012 -

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 1.59 acres of property generally located at the 2300 block of East Division from a HM-Heavy Manufacturing District to Planned Development District No. 341.

PLANNED DEVELOPMENT DISTRICT NO. 341

BACKGROUND INFORMATION:

The applicant is proposing to rezone its property to Planned Development 341 to allow for an expansion of its facility to 62 beds, and to incorporate the existing permitted uses in heavy manufacturing, to provide for flexibility in future development.

FINDINGS FOR STAFF RECOMMENDATION:

1. The proposed planned development provides for the expansion of a transitional service shelter that transitions federal prisoners back into society. The service is important to the community and provides a needed and valued service.
2. The proposed planned development provides for new office development and 10 additional beds for a total of 60. The proposed expansion will not have an impact on the surrounding neighborhood.
3. The proposed planned development proposes the inclusion of HM-Heavy Manufacturing uses should the shelter relocate to another location in the future. The HM uses are consistent with adjacent properties.
4. The Alpha House (aka Airport Building) is a registered local historic site and any exterior changes will require Landmarks Board review and approval prior to any building permits being issued.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on January 10, 2013 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:

Michael K Macpherson

Planning and Development

Approved by:

City Manager

EXHIBITS:

Exhibit A, Legal Description
Exhibit B, Record of Proceedings
Exhibit C, Site Location Map

ATTACHMENTS:

Attachment 1, Background Report
Attachment 2, Neighborhood Meeting Summary
Attachment 3, Posting affidavit

PLANNED DEVELOPMENT 341 EXHIBITS:

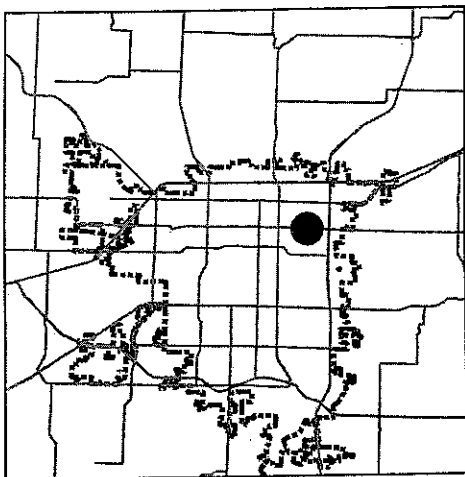
Exhibit 1, Planned Development Ordinance Text
Exhibit 2, Preliminary Development Plan

EXHIBIT A
LEGAL DESCRIPTION
PLANNED DEVELOPMENT 341

Beginning 20.0' south and 502.5' west of the N.E. corner of the N.W. 1/4 of the N.E. 1/4 of Sec. 17, Township 29, Range 21, thence south 225.0'; thence west 226.1'; thence north 225.0'; thence east 226.1' to the point of beginning, all being in the City of Springfield, Greene County, Missouri.

EXHIBIT B
RECORD OF PROCEEDINGS
PLANNED DEVELOPMENT 341

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



Zoning & Subdivision Report

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

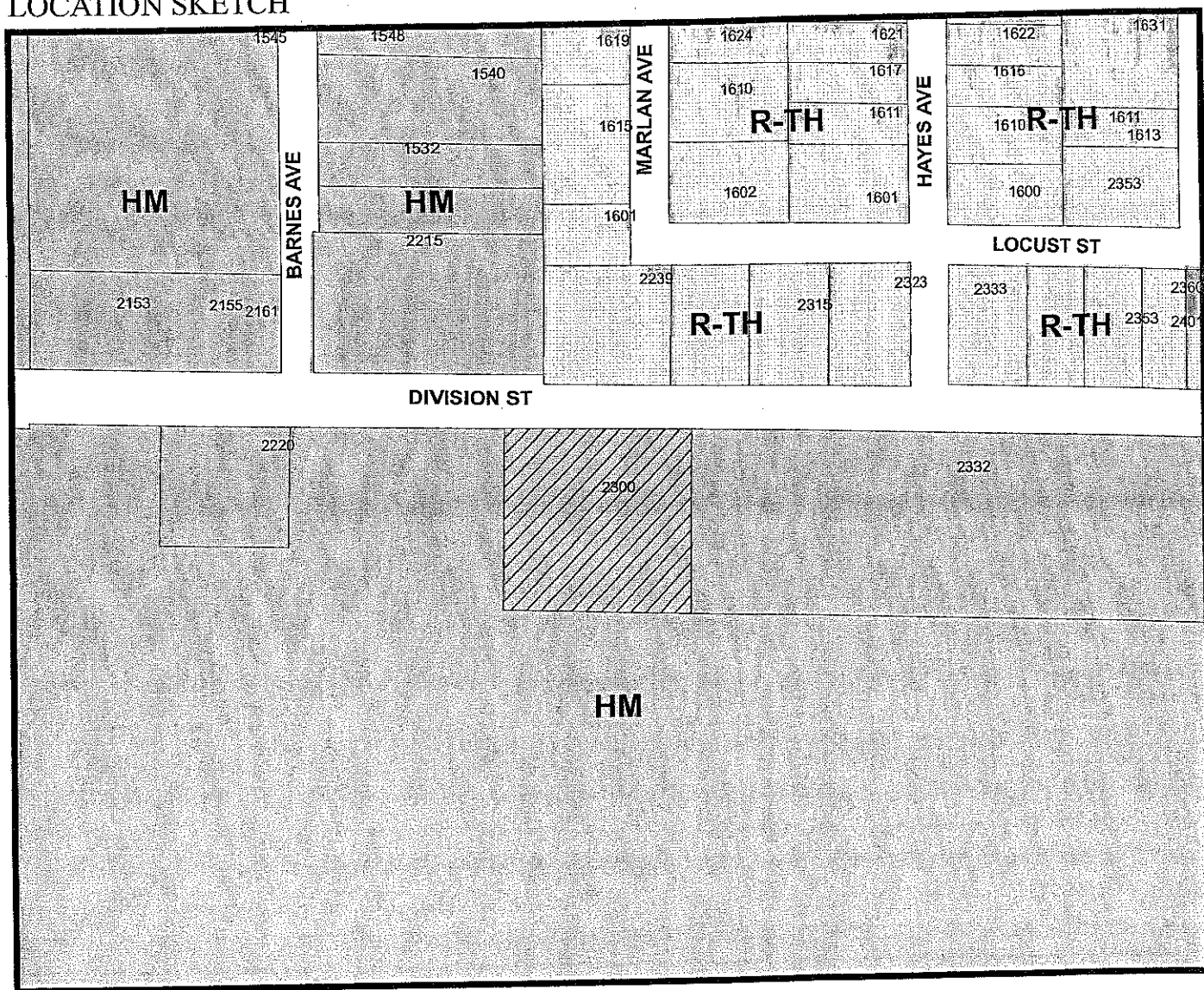
Planned Development 341

Location: 2300 East Division Street

Current Zoning: HM, Heavy Manufacturing

Proposed Zoning: Planned Development 341

LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

ATTACHMENT 1
BACKGROUND REPORT
PLANNED DEVELOPMENT 341

DATE: November 26, 2012

LOCATION: 2300 block of E. Division Street

APPLICANT: Alpha House

TRACT SIZE: Approximately 1.59 acres

EXISTING USE: Transitional Shelter Facility

PROPOSED USE: Transitional Shelter Facility

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-TH	Residential
East	HM	Manufacturing
South	HM	Old City Airport
West	HM	Old City Airport

TRAFFIC DIVISION COMMENTS:

No comments

BUILDING DEVELOPMENT SERVICES COMMENTS:

Revised exhibit 2 is acceptable.

STORMWATER COMMENTS:

1. There are no Stormwater issues with rezoning this property; however, please note that 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.

b. Payment in lieu of construction of detention facilities may be approved on a case by case basis, depending on downstream and other conditions. Cost of downstream improvements may be credited towards the payment in lieu of constructing detention. If this option is pursued, then part of the application will require the site to study the adequacy/capacity of the channel along Division Street.

SANITARY SERVICES COMMENTS:

Approved

CITY UTILITIES COMMENTS:

CU has no objections to the proposed changes in the PD. As previously explained, the customer will be responsible for the cost of any relocation due to the expansion. Normal connection fees and policies will also come into play.

MEDIACOM COMMENTS:

We have no issues with proposed Planned Development 341.

ADJACENT PROPERTY OWNER COMMENTS:

Six (6) property owners are within 185 feet of the subject property and were notified by mail of this request.

NEIGHBORHOOD MEETING:

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

STAFF COMMENTS:

1. The proposed planned development provides for the expansion of a transitional service shelter that transitions federal prisoners back into society. The service is important to the community and provides a needed and valued service.
2. The proposed planned development provides for new office development and 10 additional beds for a total of 60. The proposed expansion will not have an impact on the surrounding neighborhood.

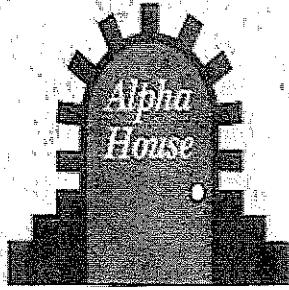
3. The proposed planned development proposes the inclusion of HM-Heavy Manufacturing uses should the shelter relocate to another location in the future. The HM uses are consistent with adjacent properties.
4. The Alpha House (aka Airport Building) is a registered local historic site and any exterior changes will require Landmarks Board review and approval prior to any building permits being issued.

RECOMMENDATION:

Staff recommends **approval** of this request.

STAFF CONTACT PERSON:

Mike MacPherson, MPA
Principal Planner
864-1198



**Alpha House of Springfield, Inc.
Residential Re-Entry Center (RRC)**

2300 E. Division

Office of the Executive Director

Springfield, MO 65803

November 12, 2012

417 Rentals LLC
5759 W. US Highway 60
Brookline, MO 65619-9438

RE: PUBLIC MEETING FOR ALPHA HOUSE REZONING REQUEST

Dear 417 Rentals LLC:

The Alpha House of Springfield, Inc., located at 2300 E Division, is having a public meeting to discuss our upcoming request for rezoning to a Planned Development Zoning with our neighbors. **The meeting will be on Monday evening November 26th from 4:00 PM to 6:30PM.** This will be an **Open House type meeting** so just come by and visit with us and the project design team.

We will be available to answer your questions about our exciting project and the Planned Development rezoning case.

Forms will be available at the meeting if you wish to write down your comments. The comments collected on these forms will be turned into the City of Springfield Planning Department for their review and use during the rezoning hearing.

If you have any questions please call David Lundstrom with Great River Associates at 886-7171.

I hope to see you here.

Sincerely,

Marty C. Anderson,
Executive Director

The Alpha House of Springfield
Doorway to a new beginning...

ALPHA HOUSE OF SPRINGFIELD, INC.
OFFICIAL VISITORS LOG

[illegible]

NEIGHBORHOOD MEETING SUMMARY

ALPHA HOUSE REZONING REQUEST

1. Development Application: December 3, 2012
2. Meeting Date and Time: November 26, 2012, 4:00PM to 6:30PM
3. Meeting Location: Alpha House, 2300 E. Division
4. Number of invitations that were sent: 40
How was the mailing list generated? By the City of Springfield
5. Number of neighbors in attendance (attach a sign-in sheet): 3
6. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction, however, the developer must explain why the issues cannot be resolved)

No verbal comments were made in opposition to any part of the proposal.

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

No written comments were made by any of the attendees and no forms were taken with an attendee for future comment.

AFFIDAVIT OF SIGN POSTING ALPHA HOUSE REZONING



I, KING COLTRIN (print name of owner, agent, attorney), attest that the above sign was posted 10 days before the public hearing on DECEMBER, 19, 2012 (month/day/year) and in accordance with given posting requirements.



(signature of person completing sign posting)

King Coltrin

(printed name of person completing sign posting)

EXHIBIT 1

Requirements and Standards Applicable to Planned Development District No.

A. APPLICATION

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

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

If there is a conflict between the Springfield Zoning Ordinance and this Planned Development the planned development shall take precedence over the Springfield Zoning Ordinance.

B. INTENT

The Alpha House of Springfield, Inc. is a transitional service shelter serving Southwest Missouri. Alpha House has operated at its current location since 1977. Our mission is to assist its residents in their transition back into the community. Services include housing and meals, job service counseling, an on-site journaling program, and substance abuse counseling.

Alpha House plans to update our facilities by constructing new office and dormitory space. A part of the new construction will be removing four existing temporary structures.

Alpha House currently operates under a conditional use permit which is limited to 50 residents on-site. We have a need to increase our number of residents on-site to 60.

The Intent of this Planned Development is to provide for this needed expansion of the facilities and allow for the 60 on-site residents.

After meeting with the City staff and evaluating all other zoning options and their restrictions or requirements it was decided that the Planned Development zoning provided the project with the best fit.

This Planned Development will also allow for the City of Springfield's Heavy Manufacturing zoning uses which will match the HM zoning (Section 4-4300) that surrounds the property today.

C. DEFINITIONS

The definitions contained in the *Zoning Ordinance* shall apply to this ordinance.

1. **Transitional Service Shelter**- A shelter that assists its residents in their transition back into the community. Services may include housing and meals, job service counseling, an on-site journaling program, substance abuse and other counseling.

D. USES PERMITTED

1. Transitional Service Shelters with on-site residents numbering 60 or less and all permitted uses listed in Section 4-4300 HM- Heavy Manufacturing.
2. Accessory uses as permitted by Section 5-1000 shall also be permitted.
3. The following temporary uses:
 - a. Contractor's office and equipment sheds (containing no sleeping or cooking accommodations) accessory to a construction project are permitted only during the duration of such project and shall be located on the same property or on property in a district in which the use being constructed is allowed.
 - b. Mixing plants for cement, asphalt or paving material, staging areas and materials storage areas subject to the following restrictions.
 1. The temporary use is accessory to a project for the construction of streets or other public improvements.
 2. The temporary use is located on the same property or right-of-way, or directly adjacent to the same property or right-of-way, as the construction project.
 3. The temporary use shall be removed upon completion of the construction project.

E. USE LIMITATIONS

1. All uses shall operate in accordance with the noise standards contained in *Section 6-1500* of the *Springfield Zoning Ordinance*.
2. No use shall emit an odor that creates a nuisance as determined by *Chapter 2A, Article X, Springfield City Code*.

F. INTENSITY OF DEVELOPMENT

Alpha House planned development shall adhere to the following standards.

1. Maximum Floor Area Ratio: 3.0
2. Maximum impervious surface for this property is 85%

G. BULK, AREA AND HEIGHT REQUIREMENTS

Alpha House development shall adhere to the following standards.

- A. Maximum Height : None
- B. Front, Side and Rear yard requirements are: None
- C.

H. DESIGN REQUIREMENTS

1. All uses shall operate in accordance with the standards contained in Section 4-4307 of the Springfield Zoning Ordinance except as specified in this planned development.

- A. The exterior of the Alpha House main new building may be pre-stressed concrete panels with a sand blast finish. The appearance of the pre-stressed concrete panels may be a soft gray/buff color which would work well with the existing building.

The connecting link between the existing building and a new building may be mostly glass enclosed with flush aluminum-skinned panels for spandrel use, fascias and canopies.

This same material may also be used on the south end of the building for a second floor sunroom which could provide overhead shelter to the south, ground floor exit doors.

Membrane roofs with low pitch that are not visible from the ground are acceptable. Parapet walls may extend above the roof on the north, south and west elevations of a new addition.

Refuse storage areas shall be screened from view in accordance with Section 6-1000.

Because possible additions to this existing facility might be located on the existing building's sides locating a service entrance on the side of the building is not feasible and therefore not required under this planned development.

Service and Loading Areas. A new addition may use the existing entry that is tucked back 10' into the north facade of the existing building and under a canopy as an access. This may become the main entry in the connection between the existing Alpha House building and a new addition if located on the east side of Alpha House.

Because of the site size limitations this property is limited as to the ability to provide access to large deliveries trucks that service this facility or future facilities. Therefore nontraditional loading areas such as at the northeast corner of the front parking lot will be allowed to be used by this Planned Development property.

B. Exterior materials allowed in this Planned Development include but are not limited to:

1. Wood siding
2. Metal and corrugated metal
3. Concrete and concrete block
4. Brick

and other materials appropriate to industrial manufacturing uses or in HM zoning.

I. OPEN SPACE, LANDSCAPING & SCREENING

1. Open space requirements. No interior landscaping is required.

All uses shall operate in accordance with the standards contained in *Section 4-4306* of the *Springfield Zoning Ordinance (HM)*.

- a. There shall be zero (0) interior parking landscaping requirements for this property as shown on Exhibit 2.

2. Screening.

The Alpha House Planned Development shall not require screening from the side yards or back yard as these properties are also HM zoning. The existing parking lot on the north (front) side of Alpha House has been in existence for over thirty years with no parking lot screening for head lights. Therefore this planned development does not require parking lot screening or landscape buffering of this north parking lot.

J. EXTERIOR LIGHTING

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

K. ACCESS TO PUBLIC THOROUGHFARES

Access to the public street system shown on Exhibit 2 shall be governed by the existing standards of the City of Springfield for the applicable street classification. This Planned Development shall have two access driveways to Division Street at all times unless agreed to by the owner at the time of development. The eastern driveway is to be an egress only and the western driveway is to be ingress only. The driveways will be a maximum of 22' wide as measured at the future right of way line of Division Street. Improved radii will be allowed to facilitate truck movements in and out of the property.

L. OFF-STREET PARKING

Parking shall be in accordance with Exhibit 2. Future development of this property would follow the City standards in place at the time of the development.

M. SIGNS

The requirements and standards of *Section 5-1400* of the *Springfield Zoning Ordinance*, in effect at the time of development shall apply.

N. REQUIRED IMPROVEMENTS

1. Public improvements to be completed. Public and private improvements necessary to adequately accommodate the intensity of development proposed in this District shall be constructed prior to or concurrently with the development of the property. The development may be phased, and with each phase the Administrative Review Committee will make a determination as to the improvements that would be necessary to support the phase. Prior to building permits being issued, the applicant or subsequent owners shall:
 - a. construct the required improvements; or
 - b. provide assurances satisfactory to the Director of Public Works guaranteeing that all required improvements will be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department shall be provided to the City.
2. Certificate of occupancy. 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:
 - (1) any incomplete required improvements have little or no effect on the occupancy of the facility; or
 - (2) conditions beyond the control of the contractor, *i.e.*, strikes, weather, etc., have delayed the completion of the improvements.

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

3. Required improvements. The following improvements are required for full development of the subject property:
 - a. Street improvements.
 - (1) Additional right-of-way shall be dedicated on Division Street to total forty (40) feet south of the centerline of Division Street.

The Final Dedication of this right of way will occur at the time of the widening of Division Street. An irrevocable consent to dedicate the additional right of way or any other method the City of Springfield deems acceptable shall be signed at the time of the approval of this Planned Development.

The intent of this "consent to dedicate" is to allow this property to continue to utilize the existing parking spaces that reside in the future right of way until such time as the City of Springfield has the need for the additional right of way to facilitate the widening of Division Street.

b. Sanitary sewer facilities.

Public sanitary sewer shall be extended onto this property to serve this project. Easements will be created and granted to the City of Springfield for these lines. Once on the property private sewers will be extended from the public main to serve the buildings. If the property is subdivided, public sanitary sewer shall be extended to each lot in accordance with the City's Subdivision Regulations.

c. Storm water management facilities.

Storm water controls shall be constructed in accordance with the City's Subdivision Regulations if the subject property is platted as a subdivision or in accordance with the City's Building Codes if the subject property is developed as a single lot. All design and construction will be in accordance with the City of Springfield ordinances.

Current detention and water quality requirements must be met prior to development. All runoff from the site must drain to a detention basin. The detention basins must discharge to a public right-of-way, drainage easement or certified natural channel having sufficient capacity. Runoff must be contained within the downstream conveyance system.

If approved by City of Springfield storm water engineer this property may utilize a detention buy out in lieu of constructing a detention facility. Determination of storm water management requirements will be made at construction plan phase.

4. Improvement Standards.

Improvements shall conform to the following standards.

- b. All utility services lines and utility connections shall be located underground, including, but not limited to, electrical and telephone cables, security and other telecommunication systems and wires, unless utility easements providing for overhead service exist or are obtained in the future. Transformers, meters of any type (including electric, gas or other meters), or other apparatus shall be adequately screened and landscaped.

O. MAINTENANCE OF COMMON AREAS AND FACILITIES

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.

P. PHASING

Development may be phased 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. The improvements required to accommodate each phase shall be determined at the final development plan stage.

Q. FINAL DEVELOPMENT PLAN

A final development plan, showing conformance with the requirements of this Exhibit 1, 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 final development plan may be submitted in the form of a preliminary plat or plans, provided the plat or plans are prepared in accordance with the requirements, standards, and intent of this Exhibit 1. Development of this District shall be in accordance with the approved final development plan.

1. The intent of Exhibit 1 and Exhibit 2 is to show in sufficient detail how the subject property is going to develop, so that approval of the Final Development Plan may be given by the ARC committee without returning to Planning and Zoning or City Council for review. A final development plan shall only be approved if it is in substantial conformance with Exhibit 1 and Exhibit 2 as defined by *Subsection 4-2509. C* of the *Springfield Zoning Ordinance*.
2. The final development plan shall be submitted to the Administrative Review Committee for review. The Administrative Review Committee is hereby authorized, at its discretion, to approve minor adjustments and modifications. 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.

EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To adopt an ordinance to approve an automotive service garage at 2314 West Kingsley Street within a GR, General Retail District (Staff recommends approval).

BACKGROUND INFORMATION:

CONDITIONAL USE PERMIT 403

The applicant is requesting approval of a Conditional Use Permit to allow an automotive service garage within the GR, General Retail District. This will facilitate the construction of a new Christian Brothers Automotive service garage along Republic Road.

No conditional use permit shall be valid for a period longer than eighteen (18) months from the date on which the City Council grants the conditional use permit, unless within such eighteen (18) months period:

- A. A building permit is obtained and the erection or alteration of a structure is started; or
- B. An occupancy permit is obtained and the conditional use commenced.

The City Council may grant one (1) additional extension not exceeding eighteen (18) months, upon written application, without notice or hearing. No additional extension shall be granted without complying with the notice and hearing requirements for an initial application for a conditional use permit.

FINDINGS FOR STAFF RECOMMENDATION:

1. This application meets the approval standards for a Conditional Use Permit and is in conformance with the Comprehensive Plan.
2. The proposed zoning is consistent with surrounding non-residential uses and zoning along Republic Road in this area.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on March 7, 2013, and recommended **approval**, by a vote of ___ to ___, of the proposed conditional use permit on the tract of land described on the attached, "Exhibit A" and if approved, the regulations and standards on the attached "Exhibit D" shall govern and control the use and development of the land in Use Permit No. 403 in a manner consistent with "Exhibit G" (see the attached Record of Proceedings). The City Council will hold a public hearing on this case on March 25, 2013.

The Planning and Development staff recommends **approval** of the proposed use permit (see the attached Zoning and Subdivision Report).

Submitted by:

Approved by:

Mike MacPherson, Principal Planner

Greg Burris, City Manager

Exhibits

Exhibit A – Legal Description

Exhibit B – Record of Proceeding

Exhibit C – Location Sketch/Background Report

Exhibit D - Requirements for Conditional Use Permit

Exhibit E - Standards for Conditional Use Permit

Exhibit F - Applicant's response to Standards

Exhibit G - Site Plan

Exhibit H - Summary of Public Meeting and Posting Requirements

Exhibit I - Applicant's Letter of Intent

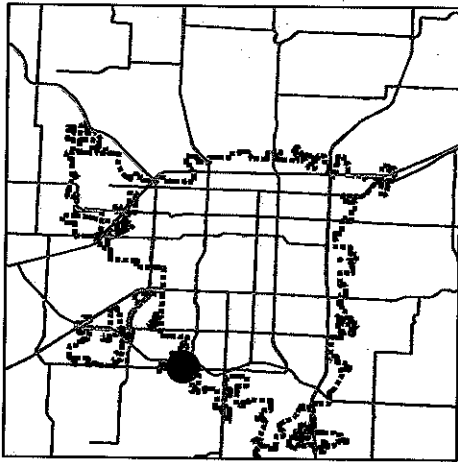
EXHIBIT A
LEGAL DESCRIPTION
CONDITIONAL USE PERMIT 403

GREENE COUNTY, MISSOURI, DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING 1/2" IRON PIN AT THE SOUTHEAST CORNER OF LOT 6 IN CHERSTERFIELD CROSSING, SAID CORNER BEING ON THE NORTH RIGHT-OF-WAY LINE OF REPUBLIC ROAD; THENCE N89°26'16"W ALONG SAID NORTH RIGHT-OF-WAY LINE, 151.64 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N89°15'23"W, 4.05 FEET TO AN EXISTING CROSS CUT IN CONCRETE AT THE SOUTHWEST CORNER OF SAID LOT 6; THENCE N02°49'13"E ALONG THE WEST LINE OF LOT 6, A DISTANCE OF 236.46 FEET; THENCE LEAVING SAID WEST LINE, S87°43'07"E, 153.40 FEET TO A POINT ON THE EAST LINE OF LOT 6; THENCE ALONG SAID EAST LINE S02°16'53"W, 231.79 FEET TO THE POINT OF BEGINNING. CONTAINING 36,172 SQUARE FEET (MORE OR LESS)

EXHIBIT B
RECORD OF PROCEEDING
CONDITIONAL USE PERMIT 403

(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

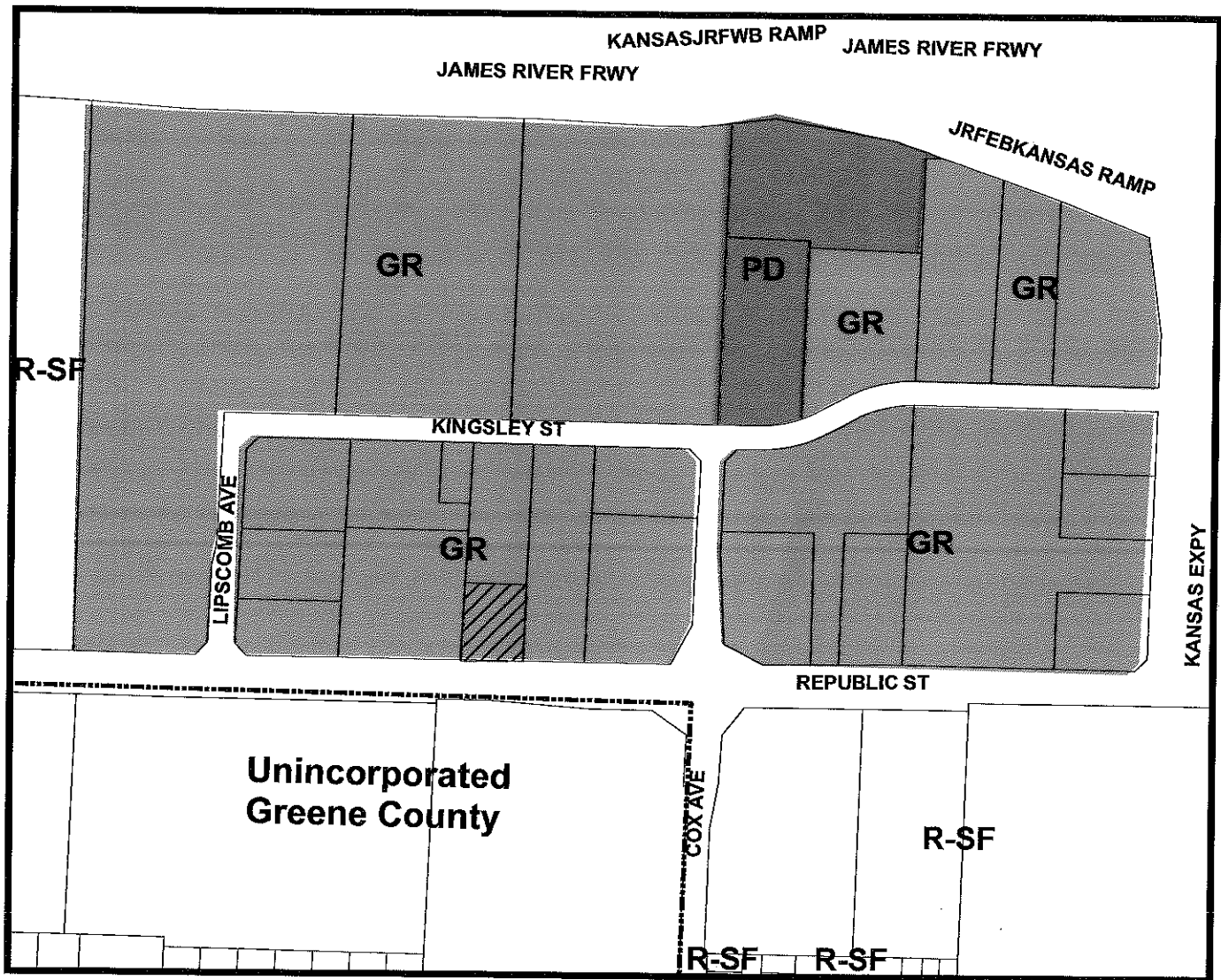
Use Permit 403

Location: 2314 W. Kingsley St.

Current Zoning: GR, General Retail

Proposed Zoning: GR, General Retail with a CUP for an automotive service garage

LOCATION SKETCH



- Area of Proposal



1 inch = 400 feet

EXHIBIT C
BACKGROUND REPORT
CONDITIONAL USE PERMIT 403

DATE: February 20, 2013

LOCATION: 2314 W. Kingsley St.

APPLICANT: NGO Property, LLC

TRACT SIZE: Approximately 0.83 acre

EXISTING USE: Undeveloped land

PROPOSED USE: Automotive Service Garage

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	GR	Undeveloped land
East	GR	Undeveloped land & Detention basin
South	County R-1	Church
West	GR	Bank

ZONING ORDINANCE REQUIREMENTS:

1. The conditional use permit procedure is designed to provide the Planning and Zoning Commission and the City Council with an opportunity for discretionary review of requests to establish or construct uses or structures which may be necessary or desirable in a zoning district, but which may also have the potential for a deleterious impact upon the health, safety and welfare of the public. In granting a conditional use, the Planning and Zoning Commission may recommend, and the City Council may impose such conditions, safeguards and restrictions upon the premises benefited by the conditional use as may be necessary to comply with the standards set out in the Zoning Ordinance to avoid, or minimize, or mitigate any potentially adverse or injurious effect of such conditional uses upon other property in the neighborhood. The general standards for conditional use permits are listed in Exhibit E.
2. No conditional use permit shall be valid for a period longer than eighteen months from the date City Council grants the conditional use permit, unless within this eighteen months:
 - a. A building permit is obtained and the erection or alteration of a structure is started; or

- b. An occupancy permit is obtained and the conditional use is begun.

BUILDING DEVELOPMENT SERVICES COMMENTS:

BDS has no issues with rezoning to GR. ARC addressed bufferyard issue.

FIRE DEPARTMENT COMMENTS:

No comments.

TRAFFIC COMMENTS:

No comments.

STORMWATER COMMENTS:

No comments.

SANITARY SERVICES COMMENTS:

No issues with the use permit. Sewer still needs to be extended to site.

CITY UTILITIES COMMENTS:

CU has no objection to approval of the conditional use permit. Normal connection and extension fees will apply at the construction phase.

ADJACENT PROPERTY OWNER COMMENTS:

Eleven (11) 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 November 29, 2012, on the subject property from 4-6:30 p.m. Twenty-nine (29) property owners were notified. Five (5) neighboring property owners were in attendance and no verbal comments were made in opposition to the proposal.

STAFF COMMENTS:

1. The applicant is requesting approval of a Conditional Use Permit to allow an automotive service garage within the GR, General Retail District. Since the Planning and Zoning Commission reviewed and recommended approval in January, the applicant has made changes to the site plan to and has moved the building to the west side and parking to the east of the site. Staff is currently processing an administrative re-plat to subdivide the existing lot that fronts on

both Kingsley and Republic. This will facilitate the construction of a new Christian Brothers Automotive service garage along Republic Road.

2. 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.

FINDINGS FOR STAFF RECOMMENDATION:

1. This application meets the approval standards for a Conditional Use Permit and is in conformance with the Comprehensive Plan.
2. The proposed zoning is consistent with surrounding non-residential uses and zoning along Republic Road in this area.

CONDITIONS:

The regulations and standards on the attached Exhibit G shall govern and control the use and development of the land in Use Permit Number 403 in a manner consistent with Exhibit E, except as modified by Exhibit D, and except any changes made by the Planning and Zoning Commission.

RECOMMENDATION:

Staff recommends **approval** of this request.

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

EXHIBIT D
REQUIREMENTS FOR CONDITIONAL USE PERMIT 403

1. An automotive service garage is permitted on the subject property as shown on Exhibit G (site plan).
2. No outdoor storage of vehicles or related automotive parts overnight is permitted.
3. Sanitary sewer shall be extended to the site.

EXHIBIT E
STANDARDS FOR CONDITIONAL USE PERMITS
CONDITIONAL USE PERMIT 403

An application for a conditional use permit shall be granted only if evidence is presented which establishes the following: (see attached Exhibit G for the applicant's response)

1. The proposed conditional use will be consistent with the adopted policies in the Springfield Comprehensive Plan;
2. The proposed conditional use will not adversely affect the safety of the motoring public and of pedestrians using the facility and the area immediately surrounding the site;
3. The proposed conditional use will adequately provide for safety from fire hazards, and have effective measures of fire control;
4. The proposed conditional use will not increase the hazard to adjacent property from flood or water damage;
5. The proposed conditional use will not have noise characteristics that exceed the sound levels that are typical of uses permitted as a matter of right in the district;
6. The glare of vehicular and stationary lights will not affect the established character of the neighborhood, and to the extent possible such lights will be visible from any residential district, measures to shield or direct such lights so as to eliminate or mitigate such glare as proposed;
7. The location, lighting and type of signs and the relationship of signs to traffic control is appropriate for the site;
8. Such signs will not have an adverse effect on any adjacent properties;
9. The street right-of-way and pavement width in the vicinity is or will be adequate for traffic reasonably expected to be generated by the proposed use;
10. The proposed conditional use will not have any substantial or undue adverse effect upon, or will lack amenity or will be incompatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, traffic

conditions, parking utility facilities, and other matters affecting the public health, safety and general welfare.

11. The proposed conditional use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. In determining whether the proposed conditional use will so dominate the immediate neighborhood, consideration shall be given to:
 - a. The location, nature and height of buildings, structures, walls and fences on the site; and
 - b. The nature and extent of landscaping and screening on the site;
12. The proposed conditional use, as shown by the application, will not destroy, damage, detrimentally modify or interfere with the enjoyment and function of any significant natural topographic or physical features of the site;
13. The proposed conditional use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance;
14. The proposed conditional use otherwise complies with all applicable regulations of the Article, including lot size requirements, bulk regulations, use limitations and performance standards;
15. The proposed conditional use at the specified location will contribute to or promote the welfare or convenience of the public;
16. Off-street parking and loading areas will be provided in accordance with the standards set out in 5-1500, 5-1600 and 6-1300 of this Article, and such areas will be screened from any adjoining residential uses and located so as to protect such residential uses from any injurious effect.
17. Adequate access roads or entrance or exit drives will be provided and will be designed so as to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.
18. The vehicular circulation elements of the proposed application will not create hazards to the safety of vehicular or pedestrian traffic on or off the site, disjointed vehicular or pedestrian circulation paths on or off the site, or undue interference and inconvenience to vehicular and pedestrian travel.

19. The proposed use, as shown by the application, will not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way;
20. In the case of existing structures proposed to be converted to uses requiring a conditional use permit, the structures meet all fire, health, building, plumbing and electrical requirements of the City of Springfield, and;
21. The proposed conditional use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services.



December 3, 2012

3-3310 A. Standards for all Conditional Use Permits

1. This Conditional Use will be consistent with the Springfield Comprehensive Plan as it is a retail development within an area that is already zoned General Retail and an Automotive Service Garage is listed as a Conditional Use within this Zoning.
2. This Conditional Use will not adversely affect the safety of the motoring public or pedestrians using the facility because the site uses gentle slopes across the lot and provides ADA compliant parking and access.
3. This Conditional Use will adequately provide for safety from fire hazards as it is easily accessed by fire vehicles and this development will provide a new fire hydrant within the site that will be serviced by a 12" water main.
4. This Conditional Use will not increase the hazard to adjacent properties of flood or water damage by capturing the on-site runoff in a on-site swale and directing the storm water to an existing 30' drainage easement that then conveys the storm water to an existing regional detention basin that has been sized for this property's development. This development will also be upgrading the existing ditch within the storm water easement that is currently greatly eroded to one that both looks and functions better than it currently does.
5. This Conditional Use will not have noise characteristics that exceed the sound levels that are typical of uses permitted. A noise study was conducted at a Christian Brothers Automotive (same building and set up) in Allen, TX. At a distance of 54 feet from the bay door (still within the property) the average noise level was 51-54 db(A). This is less than normal conversation at 3' (<http://www.gcaudio.com/resources/howtos/loudness.html>). In the event that an air hammer or air chisel is used the sound level at 24' from the bay door was shown to be 72 db(A). When this device is used the bay doors will be closed for the duration.
6. This Conditional Use will only use lighting attached to the building. This will not cause substantial glare or negatively affect the established character of the neighborhood. (See attached lighting plan) No residential areas are near this site, so this is not a concern of this Conditional Use.
7. This Conditional Use will meet all requirements of Section 5-1400 of the Springfield Zoning Ordinance with regards to signage and lighting of signs.
8. This Conditional Use is located in a General Retail zoned area, the signage for the business will meet requirements of Section 5-1400 of the Springfield Zoning Ordinance and will be consistent with signage of adjacent properties.

9. This Conditional Use anticipates servicing 15-20 vehicles per business day. This is well within the capabilities of the adjacent roadways as they currently exist.
10. This Conditional Use will provide a structure that is all masonry block construction with a pleasing look to the neighborhood. The parking area will only be used during business hours. Any vehicles that will remain on-site over night will be stored within the service bays.
11. This Conditional Use will be constructing a single story building as with the adjacent properties. The building will be all masonry block with landscaping that exceeds the requirement of the City Zoning Ordinance. No fences are planned for this site and the trash enclosure will also be constructed of matching masonry block. The aesthetics will be similar to exceeding the adjacent properties. (see attached exhibit)
12. This Conditional Use is located on a relatively flat parcel that currently exists of grass cover. The site will undergo only modest grading for the construction of the building and parking area.
13. This Conditional Use will not destroy or damage any natural, scenic, or historic feature of significant importance as none are known on this parcel.
14. This Conditional Use complies with all requirements as set forth in the Springfield Zoning Ordinance for General Retail Zoning with regard to Lot size, bulk regulations, use limitations and performance standards.
15. This Conditional Use will contribute to the use and convenience of the public by providing a service for southwest Springfield that can serve a large residential population that is within a short drive to this location.
16. This Conditional Use has provided off-street parking and loading areas that are consistent with Sections 5-1500, 5-1600, and 6-1300 of the Springfield Zoning Ordinance. Screening from residential areas is not necessary as none are adjoining this parcel.
17. This Conditional Use is providing two driveways with on-site circulation to accommodate adequate ingress and egress from the facility and to prevent congestion off of the existing access drive.
18. This Conditional Use has driveways that are accessed from a shared access drive that extends between W. Republic Road and Kingsley. The driveways are also located away from the sidewalk located along W. Republic Road. Both of these items will assist in mitigating potential hazards or interference from vehicular and pedestrian travel.
19. This Conditional Use works with all existing easements and does not interfere with any existing easements or rights-of-way.
20. There are no existing structures to be considered as part of this Conditional Use.
21. This Conditional Use is served by adequate roads, electric, water, sewer, gas, and communication utilities. Fire and Police access is adequate. Storm water management will be as stated in Item #4 above. Refuse disposal can easily be accommodated with

the proposed site layout as shown. Parking is provided per Springfield Zoning Ordinance and will meet ADA requirements for access.



Adverse affect on development or use of neighboring property:

Development and use of neighboring property will not be impaired or adversely affected by this Conditional Use as the development of this property utilizes an existing access road that is intended to be shared by this and neighboring properties to the north and west. This development is the southern portion of a property subdivision that will leave a vacant property to the north. This development is providing a sanitary sewer main extension that will serve this remaining property/new lot. This creates an opportunity for future development of this property.

Potential Adverse Affects of this Conditional Use:

This development as an Automotive Service Garage could have many potential adverse affects, however we feel we have addressed all of the potential concerns.

1. Immobile vehicles stored in parking lot – All vehicles that will remain on site during non-working hours will be stored in the bays inside the building. No vehicles will remain in the parking lot overnight.
2. Used Contaminants – Used contaminants are stored on-site in approved containers with spill protection basins beneath. The floor of the service bay area is covered with an epoxy material that is nonporous. Any dirt, fluids, or contaminants are cleaned up using a Zamboni style machine and emptied into approved vessels. Floor drains located just inside the bay doors are placed to catch any potential runoff from leaving the bay and captured in a below grade sand/oil separator tank. All used contaminants are picked up by a contract company who actually pays the shop for their used fluids.
3. Noise – A noise study was conducted at a Christian Brothers Automotive (same building and set up) in Allen, TX. At a distance of 54 feet from the bay door (still within the property) the average noise level was 51-54 db(A). This is less than normal conversation at 3' (<http://www.gcaudio.com/resources/howtos/loudness.html>). In the event that an air hammer or air chisel is used the sound level at 24' from the bay door was shown to be 72 db(A). When this device is used the bay doors will be closed for the duration.
4. Proximity to Residential Areas – This parcel is located in an area zoned General Retail and no residential areas are adjoining this parcel.

NEIGHBORHOOD MEETING SUMMARY

CHRISTIAN BROTHERS AUTOMOTIVE

CONDITIONAL USE PERMIT REQUEST

1. Development Application: December 3, 2012
2. Meeting Date and Time: November 29, 2012, 4:00PM to 6:30PM
3. Meeting Location: Chesterfield Family Center, 2511 W. Republic Road
4. Number of invitations that were sent: 29
How was the mailing list generated? By the City of Springfield
5. Number of neighbors in attendance (attach a sign-in sheet): 5
6. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction, however, the developer must explain why the issues cannot be resolved)

No verbal comments were made in opposition to any part of the proposal.

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

One form was taken by Mr. Frees of the Wooten Company. The form has not been received back as of this submission. Mr. Frees has until December 20, 2012 to return the form.

CHRISTIAN BROTHERS

(2)

AUTOMOTIVE

NEIGHBORHOOD MTG

11/29/12

NAME

ADDRESS

Don Greene

IPA Educational
Supply

2404 W. Kingsley

Scott Spreland

Scott Spreland
Insurance

2332 W. Kingsley
65807

Dwight &
Kara Amstutz

Hometown Veterinary Hospital

2151 W. Republic Rd
Springfield, MO 65807

MARK FREES

The Wooten Co, LLC

1675 E. Schumaker St., STE. B
SPRINGFIELD, MO 65804

AMSTUTZ, GARY D JR 3150 W FARM ROAD 102 SPRINGFIELD, MO 658037900	ARVEST, BK 1435 E BRADFORD PKWY SPRINGFIELD, MO 658046563	CC7 PROPERTIES LLC 5396 E PLEASANT VALLEY LN SPRINGFIELD, MO 658093175
CHESTERFIELD SELF STORAGE LLC 3159 W REPUBLIC RD SPRINGFIELD, MO 658075476	D & A PROPERTIES LLC 1915 E CANTERBURY ST SPRINGFIELD, MO 658047705	FULL CIRCLE PROP LLC 6220 MEADOWVIEW DR OZARK, MO 657217252
GSF ENTERPRISES LLC PO BOX 8 AVA, MO 656080008	MIDWEST EVENTS CTR LLC 3850 S NATIONAL AVE SPRINGFIELD, MO 65807	NGO PROPERTIES LLC 4768 S ELIZABETH AVE SPRINGFIELD, MO 658101410
RIDGECREST BAPTIST CHURCH OF SPFD 2210 W REPUBLIC RD SPRINGFIELD, MO 65807	ROMAN CATHOLIC DIOCESE OF SPFD 601 S JEFFERSON AVE SPRINGFIELD, MO 65806	

AMSTUTZ, GARY D JR 3150 W FARM ROAD 102 SPRINGFIELD, MO 658037900	ARVEST, BK 1435 E BRADFORD PKWY SPRINGFIELD, MO 658046563	CC7 PROPERTIES LLC 5396 E PLEASANT VALLEY LN SPRINGFIELD, MO 658093175
CHESTERFIELD SELF STORAGE LLC 3159 W REPUBLIC RD SPRINGFIELD, MO 658075476	D & A PROPERTIES LLC 1915 E CANTERBURY ST SPRINGFIELD, MO 658047705	FULL CIRCLE PROP LLC 6220 MEADOWVIEW DR OZARK, MO 657217252
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RIDGECREST BAPTIST CHURCH OF SPFD 2210 W REPUBLIC RD SPRINGFIELD, MO 65807	ROMAN CATHOLIC DIOCESE OF SPFD 601 S JEFFERSON AVE SPRINGFIELD, MO 65806	

Exhibit G(1)

OWNER:
NGO PROPERTY
4768 S. ELIZABETH
SPRINGFIELD, MO 65810

DEVELOPER:

CHRISTIAN BROTHERS AUTOMOTIVE
15995 N. BARKERS LANDING SUITE 145
HOUSTON, TEXAS 77079

PROPERTY ADDRESS:

2314 W. KINGSLEY

CURRENT ZONING: GR
PROPOSED ZONING: GR

CUP USE: AUTOMOTIVE SERVICE GARAGE

TOTAL NUMBER OF LOTS - 1

LOT TYPES: GENERAL RETAIL

GENERAL AREAS:

SITE AREA: 36,172 SQUARE FEET (.83 ACRES)

HEIGHT OF NEW BUILDING (1) STORY, APPROXIMATELY 25'

AREA OF NEW BUILDING 4,940 SQUARE FEET

AREA OF OPEN SPACE 14,211 SQUARE FEET (.33 ACRES) -
(39% OPEN SPACE)

BUFFER YARD:
15' NORTH SIDE
15' EAST SIDE

INTENSITY OF DEVELOPMENT

FLOOR AREA RATIO: .14

BUILDING USE:

AUTOMOTIVE SERVICE GARAGE

PARKING:

(22) 9'x20' 20 SERVICE/STAGING SPACES
(2) 9'x20' PARKING SPACES (CUSTOMER)
(2) 10'x20' VAN ACCESSIBLE PARKING SPACES (CUSTOMER)
(26) TOTAL

BICYCLE PARKING:

PROVIDED NORTHEAST CORNER OF PROPERTY

SETBACKS:

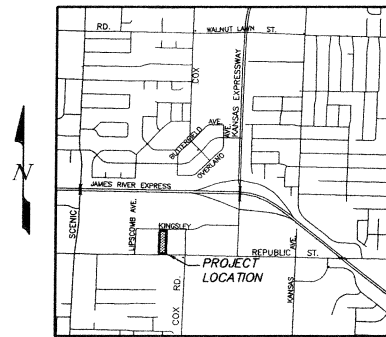
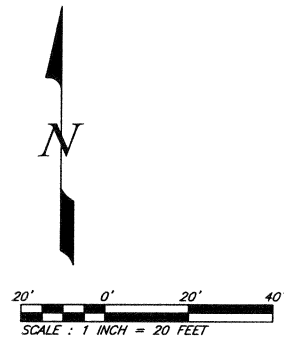
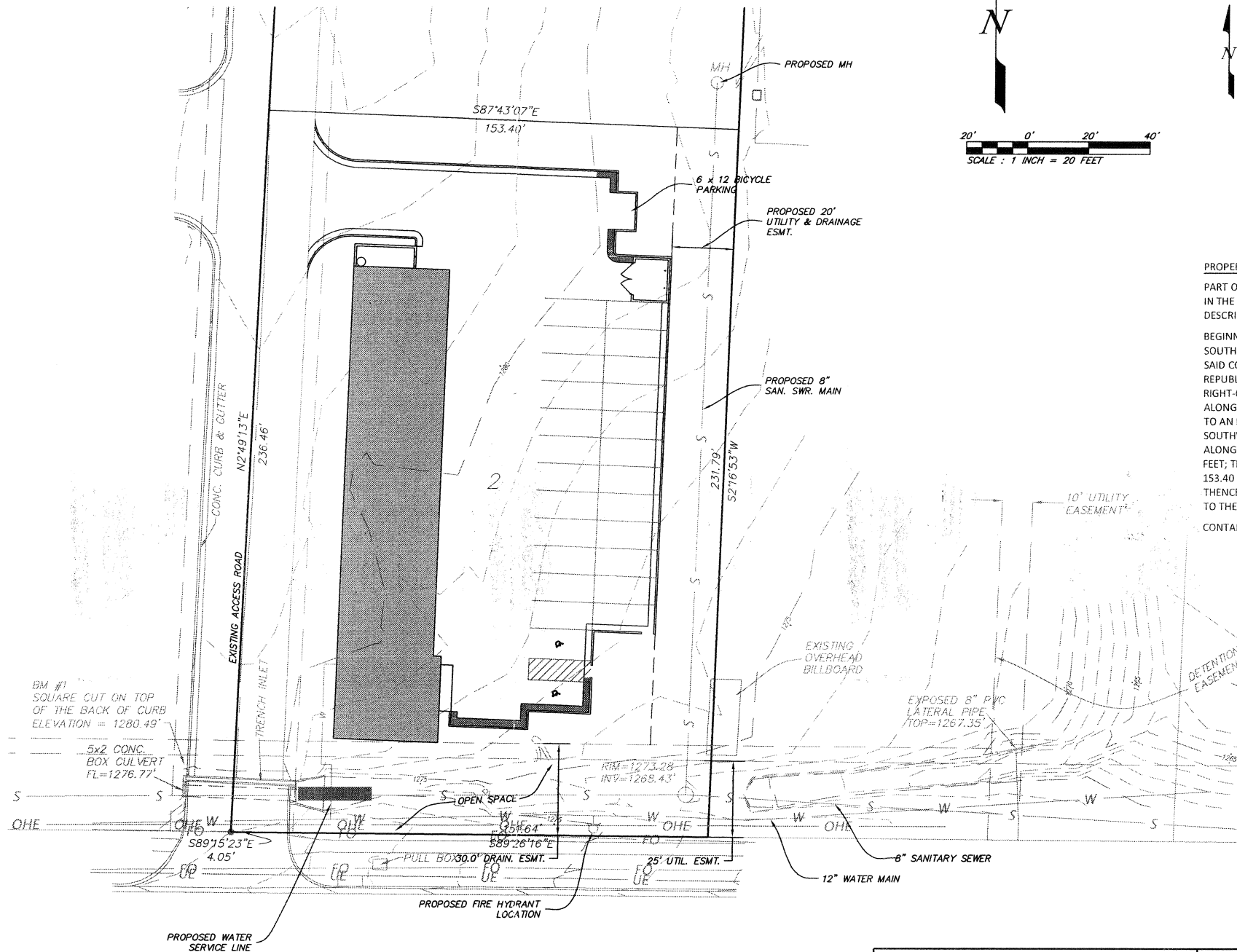
25' FRONT
0' SIDE
0' REAR

SIGNAGE:

CITY STANDARDS SECTION 5-1400 OF THE SPRINGFIELD
ZONING ORDINANCE IN EFFECT AT THE TIME OF
DEVELOPMENT SHALL APPLY.

ACCESS:

THERE WILL BE ONE DRIVEWAY
AT NORTH END OF PROPERTY



LOCATION MAP
SECTION 10, TOWNSHIP 28, RANGE 22
SCALE: 1"=2000'

PROPERTY DESCRIPTION

PART OF LOT 6 IN CHESTERFIELD CROSSING, A SUBDIVISION
IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI,
DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING 1/2" IRON PIN AT THE
SOUTHEAST CORNER OF LOT 6 IN CHESTERFIELD CROSSING,
SAID CORNER BEING ON THE NORTH RIGHT-OF-WAY LINE OF
REPUBLIC ROAD; THENCE N89°26'16"W ALONG SAID NORTH
RIGHT-OF-WAY LINE, 151.64 FEET; THENCE CONTINUING
ALONG SAID RIGHT-OF-WAY LINE N89°15'23"W, 4.05 FEET
TO AN EXISTING CROSS CUT IN CONCRETE AT THE
SOUTHWEST CORNER OF SAID LOT 6; THENCE N02°49'13"E
ALONG THE WEST LINE OF LOT 6, A DISTANCE OF 236.46
FEET; THENCE LEAVING SAID WEST LINE, S87°43'07"E,
153.40 FEET TO A POINT ON THE EAST LINE OF LOT 6;
THENCE ALONG SAID EAST LINE S02°16'53"W, 231.79 FEET
TO THE POINT OF BEGINNING.

CONTAINING 36,172 SQUARE FEET (MORE OR LESS)

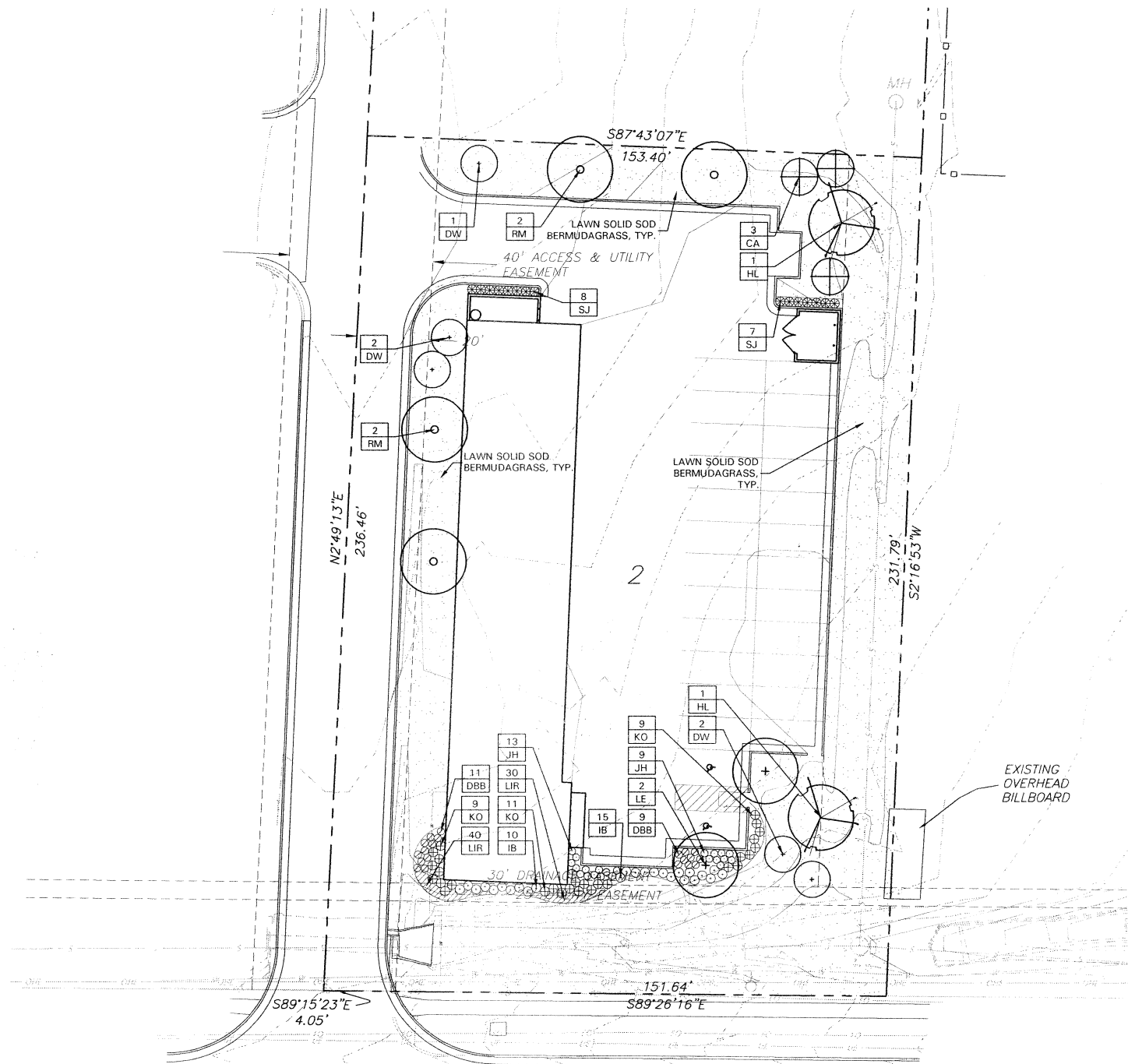
REPUBLIC ROAD

- LEGEND
- EXISTING SANITARY SEWER MANHOLE
 - EXISTING WATER
 - EXISTING SANITARY SEWER
 - OVERHEAD ELECTRIC
 - FIBER OPTIC
 - UNDERGROUND ELECTRIC



GRA GREAT RIVER ASSOCIATES 2826 S. INGRAM MILL ROAD SPRINGFIELD, MO 65804 www.greatriv.com PHONE: 417-886-7171 FAX: 417-886-7591		
No.	Revision/Issue	Date
1		
2		
3		
4		

DEPARTMENT OF PUBLIC WORKS SPRINGFIELD, MISSOURI		
SITE PLAN CHRISTIAN BROTHERS AUTOMOTIVE		
APPROVED _____		DATE _____
DIRECTOR OF PUBLIC WORKS		
SURVEY BY _____	DESIGN _____	SCALES _____
JOB NO. 12-3166	DRAWN _____	HOR. 1"=20'
DATE 11-2-12	CHECKED _____	VERT. _____
		SHEET 1 OF 1 SHEETS FILE 2012PW0065



REPUBLIC ROAD

LANDSCAPE TABULATIONS
THE CITY OF SPRINGFIELD, MO

INTERIOR LANDSCAPE

1. A minimum of 5% of parking or vehicular use area shall be devoted to living landscape.
2. There shall be a minimum of two (2) understory trees or one (1) canopy tree planted per twelve thousand square feet of parking or vehicular use area.

Total Parking Area: 12,721 s.f.	
Required 636 s.f. (5%) (1) canopy tree	Provided 695 s.f. (5%) (1) canopy tree

PERIMETER LANDSCAPE / BUFFERYARDS

1. All districts shall contain one (1) canopy tree, one (1) understory, ornamental or evergreen and six (6) shrubs per one hundred (100) linear feet

Republic Road: 151 l.f.	
Required (2) canopy trees (2) ornamental trees (9) shrubs	Provided (2) canopy trees (2) ornamental trees (72) shrubs

North Property Line: 154 l.f.	
Required (2) canopy trees (2) ornamental trees (9) shrubs	Provided (2) canopy trees (2) ornamental trees (15) shrubs

East Property Line: 232 l.f.	
Required (2) canopy trees (2) ornamental trees (14) shrubs	Provided (2) canopy trees (2) ornamental trees (14) shrubs

West Property Line: 236 l.f.	
Required (2) canopy trees (2) ornamental trees (14) shrubs	Provided (2) canopy trees (2) ornamental trees (18) shrubs

LANDSCAPE NOTES

1. CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED SITE ELEMENTS AND NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS.
2. CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES AND NOTIFY LANDSCAPE ARCHITECT OF ANY CONFLICTS. CONTRACTOR SHALL EXERCISE CAUTION WHEN WORKING IN THE VICINITY OF UNDERGROUND UTILITIES.
3. CONTRACTOR SHALL PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL STRUCTURES AND SHALL LEAVE 4" OF SLAB EXPOSED AT BUILDING.
4. CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL FINISHED GRADE IN PLANTING AREAS AND 1" BELOW FINAL FINISHED GRADE IN LAWN AREAS.
5. ALL PLANTING BEDS AND LAWN AREAS SHALL BE SEPARATED BY STEEL EDGING. NO STEEL EDGING SHALL BE INSTALLED ADJACENT TO BUILDINGS, WALKS, OR CURBS. CUT STEEL EDGING AT 45 DEGREE ANGLE WHERE IT INTERSECTS WALKS AND CURBS.
6. TOP OF MULCH SHALL BE 1/2" MINIMUM BELOW THE TOP OF WALKS AND CURBS.
7. ALL LAWN AREAS SHALL BE SOLID SOD BERMUDAGRASS, UNLESS OTHERWISE NOTED ON THE DRAWINGS.
8. ALL REQUIRED LANDSCAPE AREAS SHALL BE PROVIDED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM WITH RAIN AND FREEZE SENSORS AND EVAPOTRANSPIRATION (ET) WEATHER-BASED CONTROLLERS AND SAID IRRIGATION SYSTEM SHALL BE DESIGNED BY A QUALIFIED PROFESSIONAL AND INSTALLED BY A LICENSED IRRIGATOR.
9. CONTRACTOR SHALL PROVIDE BID PROPOSAL LISTING UNIT PRICES FOR ALL MATERIAL PROVIDED.
10. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED LANDSCAPE AND IRRIGATION PERMITS.

MAINTENANCE NOTES

1. THE OWNER, TENANT AND THEIR AGENT, IF ANY, SHALL BE JOINTLY AND SEVERALLY RESPONSIBLE FOR THE MAINTENANCE OF ALL LANDSCAPE.
2. ALL LANDSCAPE SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER AT ALL TIMES. THIS SHALL INCLUDE: MOWING, EDGING, PRUNING, FERTILIZING, WATERING, WEEDING AND OTHER SUCH ACTIVITIES COMMON TO LANDSCAPE MAINTENANCE.
3. ALL LANDSCAPE AREAS SHALL BE KEPT FREE OF TRASH, LITTER, WEEDS AND OTHER SUCH MATERIAL OR PLANTS NOT PART OF THIS PLAN.
4. ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IS APPROPRIATE FOR THE SEASON OF THE YEAR.
5. ALL PLANT MATERIAL WHICH DIES SHALL BE REPLACED WITH PLANT MATERIAL OF EQUAL OR BETTER VALUE.
6. CONTRACTOR SHALL PROVIDE SEPARATE BID PROPOSAL FOR ONE YEAR'S MAINTENANCE TO BEGIN AFTER FINAL ACCEPTANCE.

PLANT LIST

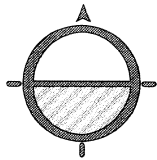
SYMBOL	BOTANICAL NAME	COMMON NAME	QTY	SIZE	REMARKS
TREES					
CA	<i>Malus spp. 'Spring Snow'</i>	'Spring Snow' Crabapple	3	6' ht.	WB, 8' ht., 4' spread min., 4' branching ht.
DW	<i>Cornus kousa</i>	Kousa Dogwood	5	6' ht.	WB, 4' spread min., 4' branching ht.
HL	<i>Gleditsia triacanthos 'Skyline'</i>	'Skyline' Honey Locust	2	3" cal.	WB or B&B, 12' ht., 4' spread, 4' branching ht., matching
LE	<i>Ulmus parvifolia 'Sempervirens'</i>	Lacebark Elm	2	3" cal.	WB or B&B, 12' ht., 4' spread, 4' branching ht., matching
RM	<i>Acer rubrum 'Sunset'</i>	Red Maple 'Sunset'	4	3" cal.	WB or B&B, 12' ht., 4' spread, 4' branching ht., matching
SHRUBS/GROUND COVER					
DBB	<i>Euonymus alatus 'Compactus'</i>	Dwarf Burning Bush	20	5 gal.	container full, 20" spread, 24" o.c.
IB	<i>Ilex glabra 'Shamrock'</i>	Inkberry	25	5 gal.	container full, 20" spread, 30" o.c.
JH	<i>Ilex crenata 'Hollari'</i>	Japanese Holly	22	5 gal.	container full, 20" spread, 24" o.c.
KO	<i>Rosa hybrida 'Radiko'</i>	Double Knock Out Rose	20	5 gal.	container full, 20" spread, 30" o.c.
LIR	<i>Liriope muscari 'Big Blue'</i>	Liriope 'Big Blue'	70	1 gal.	container full, 12" o.c.
SJ	<i>Juniperus chinensis 'Sea Green'</i>	Sea Green Juniper	15	5 gal.	container full, 20" spread, 30" o.c.

NOTE: ALL TREES SHALL HAVE STRAIGHT TRUNKS AND BE MATCHING WITHIN VARIETIES.
PLANT LIST IS AN AID TO BIDDERS ONLY. CONTRACTOR SHALL VERIFY ALL QUANTITIES ON PLAN.
ALL HEIGHTS AND SPREADS ARE MINIMUMS. ALL PLANT MATERIAL SHALL MEET OR EXCEED REMARKS AS INDICATED.

DEPARTMENT OF PUBLIC WORKS
SPRINGFIELD, MISSOURI

LANDSCAPE PLAN
CHRISTIAN BROTHERS AUTOMOTIVE

APPROVED _____ DATE _____		DIRECTOR OF PUBLIC WORKS	
SURVEY BY _____	DESIGN KAH	SCALES	SHEET L1.01
JOB NO. _____	DRAWN KAH	HOR. 1"=20'	OF 4 SHEETS
DATE 11-28-12	CHECKED KAH	VERT. 1"=20'	FILE NO.

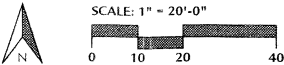


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GREAT RIVER
ASSOCIATES

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www.greatriver.com
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LANDSCAPE ARCHITECT:
KORI ANN HAUG, ALISA
4245 N. Central Expy
Suite 230
Dallas, Texas 75205
214.865.7192



SECTION 32 9300 - LANDSCAPE

PART 1 - GENERAL

1.1 REFERENCED DOCUMENTS

- A. Refer to Landscape Plans, notes, details, bidding requirements, special provisions, and schedules for additional requirements.

1.2 DESCRIPTION OF WORK

- A. Work included: Furnish all supervision, labor, materials, services, equipment and appliances required to complete the work covered in conjunction with the landscaping covered in these specifications and landscaping plans, including:

- Planting (trees, shrubs and grasses)
- Bed preparation and fertilization
- Notification of sources
- Water and maintenance until final acceptance
- Guarantee

1.3 REFERENCE STANDARDS

- A. American Standard for Nursery Stock published by American Association of Nurserymen: 27 October 1980, Edition; by American National Standards Institute, Inc. (Z60.1) - plant material
- B. American Joint Committee on Horticultural Nomenclature: 1942 Edition of Standardized Plant Names.
- C. Missouri Association of Nurserymen, Grades and Standards
- D. Hortis Third, 1976 - Cornell University

1.4 NOTIFICATION OF SOURCES AND SUBMITTALS

- A. Samples: Provide representative quantities of sandy loam soil, mulch, bed mix material, gravel and crushed stone. Samples shall be approved by Owner's Authorized Representative before use on the project.

1.5 JOB CONDITIONS

- A. General Contractor to complete the following punch list: Prior to Landscape Contractor initiating any portion of landscape installation, General Contractor shall leave planting bed areas three (3") inches below final finish grade of sidewalks, drives and curbs as shown on the drawings. All lawn areas to receive solid sod shall be left one (1") inch below the final finish grade of sidewalks, drives and curbs. All construction debris shall be removed prior to Landscape Contractor beginning any work.
- B. Storage of materials and equipment at the job site will be at the risk of the Landscape Contractor. The Owner cannot be held responsible for theft or damage.

1.6 MAINTENANCE AND GUARANTEE

- A. Maintenance:
- The Landscape Contractor shall be held responsible for the maintenance of all work from the time of planting until final acceptance by the Owner. No trees, shrubs, groundcover or grass will be accepted unless they show healthy growth and satisfactory foliage conditions.
 - Maintenance shall include watering of trees and plants, cultivation, weeding, spraying, edging, pruning of trees, mowing of grass, cleaning up and all other work necessary of maintenance.
 - A written notice requesting final inspection and acceptance should be submitted to the Owner at least seven (7) days prior to completion. An on-site inspection by the Owner's Authorized Representative will be completed prior to written acceptance.
- B. Guarantee:

- Trees, shrubs and groundcover shall be guaranteed for a twelve (12) month period after final acceptance. The Contractor shall replace all dead materials as soon as weather permits and upon notification of the Owner. Plants, including trees, which have partially died so that shape, size or symmetry have been damaged, shall be considered subject to replacement. In such cases, the opinion of the Owner shall be final.

- a. Plants used for replacement shall be of the same size and kind as those originally planted and shall be planted as originally specified. All work, including materials, labor and equipment used in replacements, shall carry a twelve (12) month guarantee. Any damage, including ruts in lawn or bed areas, incurred as a result of making replacements shall be immediately repaired.

- b. At the direction of the Owner, plants may be replaced at the start of the next year's planting season. In such cases, dead plants shall be removed from the premises immediately.

- c. When plant replacements are made, plants, soil mix, fertilizer and mulch are to be utilized as originally specified and re-inspected for full compliance with the contract requirements. All replacements are to be included under "Work" of this section.

- The Owner agrees that for the guarantee to be effective, he will water plants at least twice a week during dry periods and cultivate beds once a month after final acceptance.

- The above guarantee shall not apply where plants die after acceptance because of injury from storms, hail, freeze, insects, diseases, injury by humans, machines or theft.

- Acceptance for all landscape work shall be given after final inspection by the Owner provided the job is in a complete, undamaged condition and there is a stand of grass in all lawn areas. At that time, the Owner will assume maintenance on the accepted work.

- C. Repairs: Any necessary repairs under the Guarantee must be made within ten (10) days after receiving notice, weather permitting. In the event the Landscape Contractor does not make repairs accordingly, the Owner, without further notice to Contractor, may provide materials and men to make such repairs at the expense to the Landscape Contractor.

1.7 QUALITY ASSURANCE

- A. General: Comply with applicable federal, state, county and local regulations governing landscape materials and work.

- B. Personnel: Employ only experienced personnel who are familiar with the required work. Provide full time supervision by a qualified foreman acceptable to Landscape Architect.

- C. Selection of Plant Material:
- Make contact with suppliers immediately upon obtaining notice of contract acceptance to select and book materials. Develop a program of maintenance (pruning and fertilization) which will ensure the purchased materials will meet and / or exceed project specifications.

- Substitutions: Do not make plant material substitutions. If the specified landscape material is not obtainable, submit proof of non-availability to Landscape Architect, together with proposal for use of equivalent material. At the time bids are submitted, the Contractor is assumed to have located the materials necessary to complete the job as specified.

- Landscape Architect will provide a key identifying each tree location on site. Written verification will be required to document material selection, source and delivery schedules to site.

- Measurements: Measure trees with branches and trunks or canes in their normal position. Do not prune to obtain required sizes. Take caliper measurements six inches above ground for trees up to and including 4" caliper size, and twelve inches above ground for larger sizes. Measure main body of all plant material of height and spread dimensions,

do not measure from branch or root tip-to-tip.

- Owner's Authorized Representative shall inspect all plant material with requirements for genus, species, cultivar / variety size and quality.

- Owner's Authorized Representative retains the right to further inspect all plant material upon arrival to the site and during installation for size and condition of root balls and root systems, limbs, branching habit, insects, injuries and latent defects.

- Owner's Authorized Representative may reject unsatisfactory or defective material at any time during the process work. Remove rejected materials immediately from the site and replace with acceptable material at no additional cost to the Owner. Plants damaged in transit or at job site shall be rejected.

1.8 PRODUCT DELIVERY, STORAGE AND HANDLING

A. Preparation:

- Balled and Burlapped (B&B) Plants: Dig and prepare shipment in a manner that will not damage roots, branches, shape and future development.

- Container Grown Plants: Deliver plants in rigid container to hold ball shape and protect root mass.

B. Delivery:

- Deliver packaged materials in sealed containers showing weight, analysis and name of manufacturer. Protect materials from deterioration during delivery and white stored on site.

- Deliver only plant materials that can be planted in one day unless adequate storage and watering facilities are available on job site.
- Protect root balls by heeling in with sawdust or other approved moisture retaining material if not planted within 24 hours of delivery.

- Protect plants during delivery to prevent damage to root balls or desiccation of leaves. Keep plants moist at all times. Cover all materials during transport.

- Notify Owner's Authorized Representative of delivery schedule 72 hours in advance job site.

- Remove rejected plant material immediately from job site.

- To avoid damage or stress, do not lift, move, adjust to plumb, or otherwise manipulate plants by trunk or stems.

PART 2 - PRODUCTS

2.1 PLANTS

- A. General: Well-formed No. 1 grade or better nursery grown stock. Listed plant heights are from tops of root balls to nominal tops of plants. Plant spread refers to nominal outer width of the plant, not to the outer leaf tips. Plants will be individually approved by the Owner's Authorized Representative and his decision as to their acceptability shall be final.

- B. Quantities: The drawings and specifications are complimentary. Anything called for on one and not the other is as binding as if shown and called for on both. The plant schedule is an aid to bidders only. Confirm all quantities on plan.

- C. Quality and size: Plant materials shall conform to the size given on the plan, and shall be healthy, symmetrical, well-shaped, full branched and well rooted. The plants shall be free from injurious insects, diseases, injuries to the bark or roots, broken ranches, objectionable disfigurements, insect eggs and larvae, and are to be of specimen quality.

- D. Approval: All plants which are found unsuitable in growth, or are in any unhealthy, badly shaped or undersized condition will be rejected by the Owner's Authorized Representative either before or after planting and shall be removed at the expense of the Landscape Contractor and replaced with acceptable plant as

specified at no additional cost to the Owner.

- Trees shall be healthy, full-branched, well-shaped, and shall meet the minimum trunk and diameter requirements of the plant schedule. Balls shall be firm, neat, slightly tapered and well wrapped in burlap. Any tree loose in the ball or with a broken root ball at time of planting will be rejected. Balls shall be ten (10") inches in diameter for each one (1") inch of trunk diameter, measured six (6") inches above ball. (Nomenclature conforms to the customary nursery usage. For clarification, the term "multi-trunk" defines a plant having three (3) or more trunks of nearly equal diameter.)

- Pruning: All pruning of trees and shrubs, as directed by the Landscape Architect prior to final acceptance, shall be executed by the Landscape Contractor at no additional cost to the Owner.

2.2 SOIL PREPARATION MATERIALS

A. Sandy Loam:

- Friable, fertile, dark, loamy soil, free of clay lumps, subsoil, stones and other extraneous material and reasonably free of weeds and foreign grasses. Loam containing Dallisgrass or Nutgrass shall be rejected.

- Physical properties as follows:
 - Clay - between 7-27 percent
 - Silt - between 15-25 percent
 - Sand - less than 52 percent

- Organic matter shall be 3%-10% of total dry weight.

- If requested, Landscape Contractor shall provide a certified soil analysis conducted by an approved soil testing laboratory verifying that sandy loam meets the above requirements.

- B. Organic Material: Compost with a mixture of 80% vegetative matter and 20% animal waste. Ingredients should be a mix of course and fine textured material.

- C. Sharp Sand: Sharp sand must be free of seeds, soil particles and weeds.

- D. Mulch: Double Shredded Hardwood Mulch, partially decomposed, dark brown.

- E. Organic Fertilizer: FertiLaid, Sustane, or Green Sense or equal as recommended for required applications. Fertilizer shall be delivered to the site in original unopened containers, each bearing the manufacturer's guaranteed statement of analysis.

- F. Commercial Fertilizer: 10-20-10 or similar analysis. Nitrogen source to be a minimum 50% slow release organic Nitrogen (SCU or UF) with a minimum 8% sulfur and 4% iron, plus micronutrients.
- G. Peat: Commercial sphagnum peat moss or partially decomposed shredded pine bark or other approved organic material.

2.3 MISCELLANEOUS MATERIALS

- A. Steel Edging: 3/16" x 4" x 16' - dark green, DURAEDGE® steel landscape edging manufactured by The J.D. Russell Company under its trade name DURAEDGE Heavy Duty Steel.

- B. Staking Material for Shade Trees: refer to details.

- C. Gravel: Washed native pea gravel, graded 1 inch to 1-1/2 inch.

- D. Filter Fabric: 'Mirafi Mirascape' by Mirafi Construction Products or approved equal.

- E. River Rock: 'Colorado' or native river rock, 2" - 4" dia.

- F. Decomposed Granite: Base material shall consist of a natural material mix of granite aggregate not to exceed 1/8" diameter in size and shall be composed of various stages of decomposed earth base.

PART 3 - EXECUTION

3.1 BED PREPARATION & FERTILIZATION

will usually be root bound, if so follow standard nursery practice of "root scoring".

- J. Do not wrap trees.

- K. Do not over prune.

- L. Mulch the top of the ball. Do not plant grass all the way to the trunk of the tree. Leave the area above the top of the ball and mulch with at least two (2") inches of specified mulch.

- M. All plant beds and trees to be mulched with a minimum settled thickness of two (2") inches over the entire bed or pit.

- N. Obstruction below ground: In the event that rock, or underground construction work or obstructions are encountered in any plant pit excavation work to be done under this section, alternate locations may be selected by the Owner. Where locations cannot be changed, the obstructions shall be removed to a depth of not less than three (3') feet below grade and no less than six (6') inches below the bottom of ball when plant is properly set at the required grade. The work of this section shall include the removal from the site of such rock or underground obstructions encountered at the cost of the Landscape Contractor.

- O. Trees and large shrubs shall be staked as site conditions require. Position stakes to secure trees against seasonal prevailing winds.

- P. Pruning and Mulching: Pruning shall be directed by the Landscape Architect and shall be pruned in accordance with standard horticultural practice following Fine Pruning, Class I pruning standards provided by the National Arborist Association.

- Dead wood, suckers, broken and badly bruised branches shall be removed. General tipping of the branches is not permitted. Do not cut terminal branches.

- Pruning shall be done with clean, sharp tools.

- Immediately after planting operations are completed, all tree pits shall be covered with a layer of organic material two (2") inches in depth. This limit of the organic material for trees shall be the diameter of the plant pit.

Q. Steel Curbing Installation:

- Curbing shall be aligned as indicated on plans. Stake out limits of steel curbing and obtain Owners approval prior to installation.

- All steel curbing shall be free of kinks and abrupt bends.

- Top of curbing shall be 1/2" maximum height above final finished grade.
- Stakes are to be installed on the planting bed side of the curbing, as opposed to the grass side.

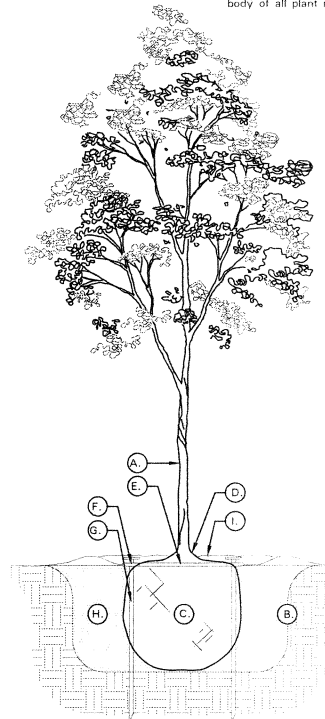
- Do not install steel edging along sidewalks or curbs.

- Cut steel edging at 45 degree angle where edging meets sidewalks or curbs.

3.3 CLEANUP AND ACCEPTANCE

- A. Cleanup: During the work, the premises shall be kept neat and orderly at all times. Storage areas for all materials shall be so organized so that they, too, are neat and orderly. All trash and debris shall be removed from the site as work progresses. Keep paved areas clean by sweeping or hosing them at end of each work day.

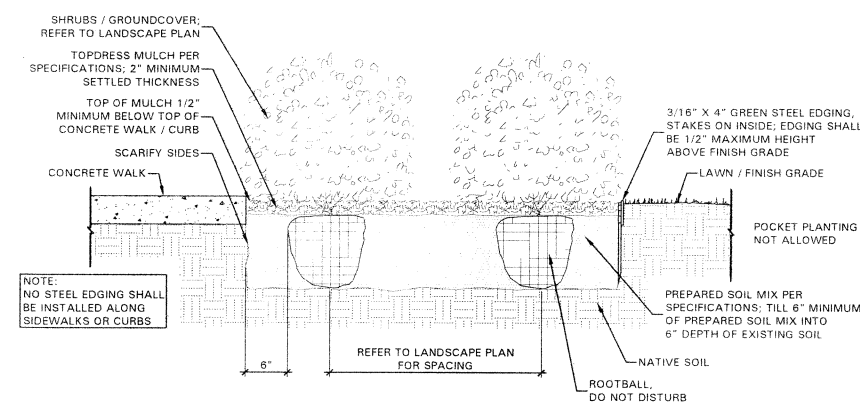
END OF SECTION



01 TREE PLANTING DETAIL
NOT TO SCALE

TREE PLANTING DETAIL LEGEND AND NOTES

- A. TREE: TREES SHALL CONFORM WITH LATEST AMERICAN STANDARD FOR NURSERY STOCK. www.anla.org
- B. TREE PIT: WIDTH TO BE AT LEAST TWO (2) TIMES THE DIAMETER OF THE ROOT BALL CENTER TREE IN HOLE & REST ROOT BALL ON UNDISTURBED NATIVE SOIL.
- C. ROOT BALL: REMOVE TOP 1/2" BURLAP AND ANY OTHER FOREIGN OBJECT; CONTAINER GROWN STOCK TO BE INSPECTED FOR GIRDLING ROOTS.
- D. ROOT FLARE: ENSURE THAT ROOT FLARE IS EXPOSED, FREE FROM MULCH, AND AT LEAST TWO INCHES ABOVE GRADE. TREES SHALL BE REJECTED WHEN GIRDLING ROOTS ARE PRESENT & ROOT FLARE IS NOT APPARENT.
- E. ROOTBALL ANCHOR RING: REFER TO MANUFACTURER'S GUIDELINES FOR SIZING. PLACE ROOTBALL ANCHOR RING ON BASE OF ROOTBALL. TRUNK SHOULD BE IN THE CENTER OF THE RING.
- F. 'U' BRACKET.
- G. 30" - 36" NAIL STAKE: INSTALL NAIL STAKE WITH HAMMER OR MALLET FIRMLY INTO UNDISTURBED GROUND. DRIVE NAIL STAKES FLUSH WITH "U" BRACKET ADJACENT TO ROOTBALL (DO NOT DISTURB ROOTBALL).
- H. BACKFILL: USE EXISTING NATIVE SOIL (no amendments) WATER THOROUGHLY TO ELIMINATE AIR POCKETS.
- I. MULCH: DOUBLE SHREDDED HARDWOOD MULCH 2 INCH SETTLED THICKNESS, WITH 2" HT. WATERING RING; ENSURE THAT ROOT FLARE IS EXPOSED. BELOW GROUND STAKE SHOULD NOT BE VISIBLE.
- J. TREE STAKES: TREE STAKE SOLUTIONS 'SAFETY STAKE' BELOW GROUND MODEL AVAILABLE FROM: www.treestakesolutions.com (281) 723-9081
- K. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN A COPY OF THE MANUFACTURER'S SPECIFICATIONS PRIOR TO INSTALLATION OF TREE STAKES. CONTRACTOR SHALL ADHERE TO MANUFACTURER'S INSTALLATION GUIDELINES, SPECIFICATIONS, AND OTHER REQUIREMENTS FOR TREE STAKE INSTALLATION.



02 SHRUB / GROUNDCOVER DETAIL
NOT TO SCALE

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No.	Revision/Issue	Date
△	Revised Site Plan	02.11.13
△		
△		
△		

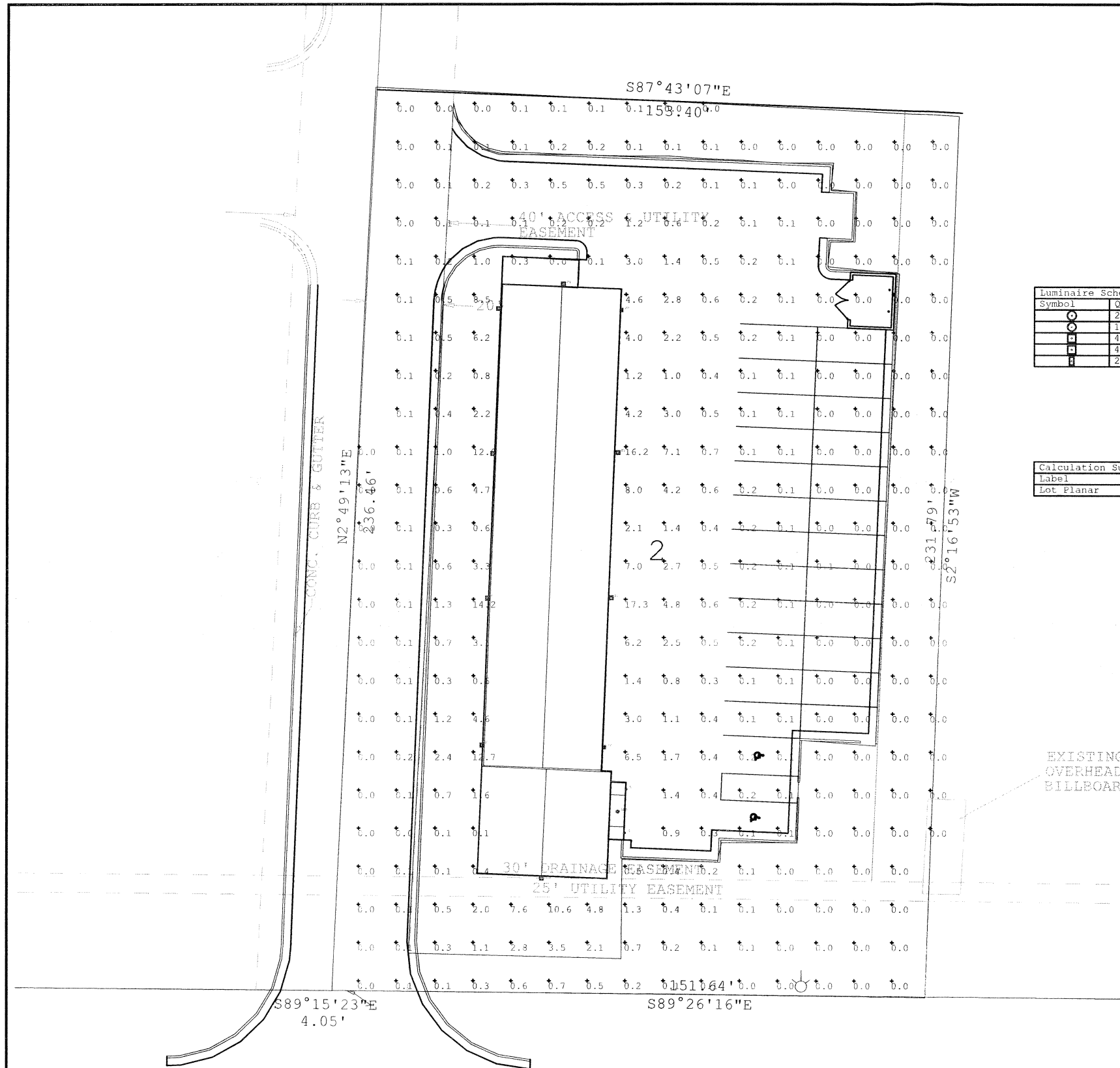
LANDSCAPE ARCHITECT:
KORI HAUG, CLARB, ALSA
4245 N. Central Expy
Suite 230
Dallas, Texas 75205
214.865.7192

DEPARTMENT OF PUBLIC WORKS
SPRINGFIELD, MISSOURI

LANDSCAPE SPECS AND DETAILS

CHRISTIAN BROTHERS AUTOMOTIVE

APPROVED _____ DATE _____			
DIRECTOR OF PUBLIC WORKS			
SURVEY BY	DESIGN	KAH	SCALES
JOB NO.	DRAWN	KAH	SHEET <u>L1.02</u>
DATE <u>11-28-12</u>	CHECKED	KAH	OF <u>4</u> SHEETS
			FILE NO.

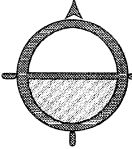


Luminaire Schedule						
Symbol	Qty	Label	Arrangement	Total Lamp Lumens	LLF	Description
	2	G	SINGLE	1280	1.000	20 watt Coach Light
	1	LEM	SINGLE	6400	1.000	PD8-HW232E-8HLIC
	4	F	SINGLE	3800	1.000	MPIP-C-50 Coated Lamp
	4	F1	SINGLE	8100	1.000	MPIP-C-100 Coated Lamp
	2	F2	SINGLE	6400	1.000	CFIP-C-84-E

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Lot Planar	Illuminance	Fc	0.87	17.3	0.0	N.A.	N.A.

REPUBLIC ROAD

1 SITE LIGHTING PLAN
Not To Scale



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DEPARTMENT OF PUBLIC WORKS
SPRINGFIELD, MISSOURI

SITE LIGHTING PLAN
CHRISTIAN BROTHERS AUTOMOTIVE

DATE	PROJECT	BY	CHECKED
11/1/13	CHRISTIAN BROTHERS AUTOMOTIVE	J. E. B.	J. E. B.
11/1/13	CHRISTIAN BROTHERS AUTOMOTIVE	J. E. B.	J. E. B.
11/1/13	CHRISTIAN BROTHERS AUTOMOTIVE	J. E. B.	J. E. B.



Christian Brothers

AUTOMOTIVE

From: Christian Brothers Automotive Corporation
15995 N. Barkers Landing, #145
Houston, TX 77079

To: Our Neighbors in Springfield, MO

RE: Letter of Intent - Christian Brothers Automotive

It is our hope that following your review of our intent we will be granted permission to continue the development process. Thank you for your time and consideration.

Architecture:

All plans, specifications, and uses will be in compliance with local code, ordinances and are in keeping with the neighboring developments or higher in standard. Variances will be addressed on case by case basis with City Staff and Reviewing Agencies.

The artist's rendering below is an exact representation of our standard prototype.



Nice difference.



Christian Brothers

AUTOMOTIVE

This finished store is 100% representative of our standard prototype.



Hours of Operation and Standard Procedures

Unlike most other light automotive service facilities, Christian Brothers keep a more conservative schedule. We open at 7 am and close no later than 7 pm, Monday through Friday. All vehicles left overnight are stored within our secure bays for customer peace of mind and insurance parameters. We do not do tire work or body repair. These two activities are major noise and storage generators and are not a component of our scope of work.

Additionally, work designated as Heavy Vehicle Services are not a major component of our scope of work, comprising less than 1% of all work performed. Typically this level of service is only offered if a vehicle is brought to us in an unsafe or otherwise terminal condition. In the majority of cases, the customer will be referred to a specialist auto repair facility.

Nice difference.



Christian Brothers

AUTOMOTIVE

The business is manned by 3 to 4 employees and the owner / franchisee.

The City of Springfield will find that we operate our stores to the highest possible standards. Our shop floors are cleaned with a Zamboni style machine and no pollutants are ever released into the environment. All automotive fluids are contained in federal and state compliant EPA containment vessels.

Working Interior Photos



Nice difference.



Christian Brothers

AUTOMOTIVE

Office Interior



Summary:

Based on architecture alone, we are essentially a small cottage with a nine car garage. Our footprint is very non-intrusive and fits well with any neighboring residential. We truly believe our development brings a unique experience to the automotive repair arena. Since our lobby and reception more closely resemble something you would find in a doctor's office, the maintenance and conditioning process becomes less threatening to people of all walks of life.

It is our hope that our Springfield neighbors will truly appreciate our presence and will find us to be a valued member of the community.

Thank you,

Jonathan Wakefield
CBAC Director, New Store Development

Nice difference.

EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To amend *Section 5-1900, Special Regulations for Retail Liquor Sales*, to reduce the distance requirements that trigger public hearings for liquor licenses when adjacent to residential and planned development districts; provide for limited exceptions to hearings; and remove language inconsistent with state law, in the *Springfield Zoning Ordinance*. (Staff recommends approval).

BACKGROUND INFORMATION:

ZONING ORDINANCE TEXT AMENDMENT – LIQUOR LICENSE AMENDMENTS

The Finance and Administration Committee at their meeting on December 16, 2011 unanimously recommended amending the liquor license requirements from two hundred (200) feet to one hundred (100) feet.

City Council initiated the Liquor License Amendments at their meeting on December 17, 2012.

Missouri state law provides for a minimum distance of one hundred (100) feet between a place granted a license to sell intoxicating liquor and any school, church or other building regularly used as a place of religious worship, unless consent is obtained from the governing body of the city, town, or village. State law allows this distance to be increased to up to 300 feet by local ordinance. Currently, the City has a 200-foot distance.

The City of Springfield Zoning Ordinance also imposes certain notice and public hearing requirements when the property is within 200 feet of the following zoning districts: R-SF, Single-Family Residential; R-TH, Townhouse Residential District; R-MHC, Manufactured Home Community, and PD, Planned Development Districts. The proposed text amendments will reduce this distance from 200 feet to 100 feet to maintain consistency with proposed changes to Chapter 10 of the City Code (Alcoholic Beverages), will reduce the number of required hearings, and will remove language that could be considered inconsistent with state law regarding improper delegation of Council authority.

Staff is proposing changes to who posts the notice as found in *Subsection 5-1904*. This is consistent with the posting requirements for zoning map amendments that were adopted last year, moving the task from the City to the applicant. Procedures under *Section 3-3800* that have been adapted for zoning cases provide the outline for these notices. Licensing already has a "poster" form and the other forms for applicants. Staff is also proposing to allow for publication in a newspaper other than one having the largest paid circulation to an official newspaper or a newspaper of general circulation as

permitted by state statute. Staff understands there is a significant difference in price between various publications that would qualify under this language.

Staff has retained a modified protest provision that previously acted as a complete prohibition to the granting of the license in *Subsection 5-1905*. Since the state statute removed this power from churches and schools, staff believes that this veto power is questionable. Staff is proposing to address Council's obvious concern that neighbors be notified of this "use", and that the Council be advised of objections. Since the statute vests the final power with City Council the proposed revision retains the protest clause, but only to the extent that it then triggers Council review to grant or deny the license.

Staff has added an exemption to posting and publication requirements in new *Subsection 5-1906*. This would provide that in the event one hundred (100) percent of the eligible protesting properties do not oppose the license, then the applicant is not required to post or publish.

The proposed amendments will be coordinated with amendments to the City Code regarding similar issues.

Development Issues Input Group (DIIG), Environmental Advisory Board (EAB) and all registered neighborhood associations were notified of these amendments and have made no objections to date.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on January 10, 2013, and recommended _____, by a vote of ___ to ___, of the proposed changes to the Zoning Ordinance described in Attachment A.

The Planning and Development Staff recommends **approval** of the proposed amendments on Attachment A.

FINDINGS FOR STAFF RECOMMENDATION:

1. City Council's Finance and Administration Committee recommended changes to the Zoning Ordinance and City Code regarding liquor license requirements.
2. The proposed amendments would eliminate conflicts with state statutes.
3. The proposed amendment will reduce the City's vehicle expense and staff time and may allow the applicant to reduce their notification and application submission expense as well.

Submitted by:

Mike MacPherson, Principal Planner

Greg Burris, City Manager

ATTACHMENT A
PROPOSED LIQUOR LICENSE AMENDMENTS

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

Section 5-1900, Special Regulations for Retail Liquor Sales, is hereby amended, as follows:

1 5-1902. **Location with Regard to R-SF, R-TH, R-MHC, or PD Districts.** Whenever any
2 application shall be received by the City for the establishment of a place for the
3 sale of intoxicating liquor at retail in any form, it shall be determined by the
4 officer charged with the responsibility of issuing such licenses whether or not the
5 proposed establishment is located within ~~two hundred (200)~~ one hundred (100)
6 feet of any property zoned R-SF, R-TH, R-MHC or designated for single-family
7 or two-family residential use in a PD district under this Article. In the event there
8 shall be no such property within ~~two hundred (200)~~ one hundred (100) feet from
9 the proposed location and the application shall otherwise be appropriate and
10 authorized by the laws of the City, then the license may be issued.

11
12 5-1903. **Application Fee.** If the proposed establishment is within ~~two hundred (200)~~ one
13 hundred (100) feet of property zoned R-SF, R-TH, R-MHC, or designated for
14 single-family or two-family residential use in a PD district, then the person
15 charged with the responsibility of accepting applications for such establishments
16 on behalf of the City shall require to be filed therewith a fee of One Hundred
17 Seven Dollars (\$107) plus the actual costs of publication for legal notices required
18 by law for the processing of said application, which fee is in addition to the
19 license fee required by ordinances of the City. The additional fee shall be for the
20 costs of processing the application.

21
22 5-1904. **Public Notice.** Thereupon, the City ~~applicant~~ shall cause to be posted in four (4)
23 places in the vicinity of the property which is so zoned R-SF, R-TH, R-MHC or
24 designated for single-family or two-family residential use in a PD district, and
25 which is within ~~two hundred (200)~~ one hundred (100) feet of the proposed
26 establishment a notice setting forth the proposed application and advising that
27 persons within said ~~two hundred (200)~~ one hundred (100) feet owning property
28 zoned R-SF, R-TH, R-MHC or designated for single-family or two-family
29 residential use in a PD district, shall have the right within fifteen (15) days from
30 the date that the notice shall first be posted in which to protest the granting of a
31 license for the establishment and the use of the land therefore. In addition, the
32 said notice shall be advertised in a ~~daily paper published~~ official newspaper or a
33 newspaper of general circulation in the City of Springfield, Missouri, having the
34 ~~largest paid circulation in said community~~, said notice to be given for at least five
35 (5) straight consecutive issues and the time to protest shall commence with the
36 date of the first said publication and shall terminate on the fifteenth day thereafter.

38 5-1905.

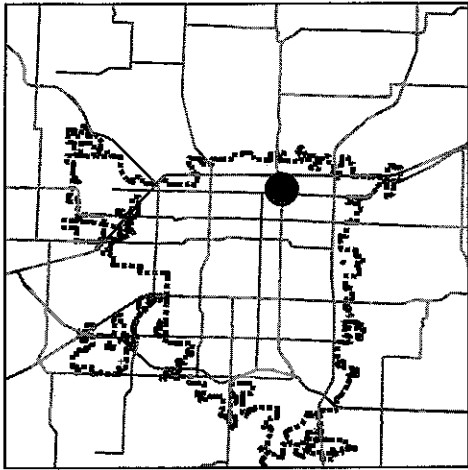
39 **Protest Requirements.** If within the fifteen (15) days aforesaid there shall be filed
40 with the officer of the City charged with receiving applications for liquor licenses
41 a protest to granting the license for the proposed establishment signed by at least
42 fifty (50) percent of the owners of the land so zoned R-SF, R-TH, R-MHC or
43 designated for single-family or two-family residential use in a PD district, and
44 located within two hundred (200) one hundred (100) feet of the proposed
45 establishment, then ~~no license shall issue for such establishment nor shall any~~
46 ~~additional application for said establishment be accepted or application for any~~
47 ~~establishment upon the same tract of land be accepted for a period of at least one~~
48 ~~(1) year from the date of the original application. the application shall be~~
49 forwarded to city council for its resolution in favor or against said application. If,
50 however, no such protest shall be filed within fifteen (15) days or if the same shall
51 be insufficient, thereupon the license may issue, all other requirements of the law
52 of the City of Springfield having been met and complied with.

53 The official of the City of Springfield charged with the responsibility of accepting
54 applications for licenses for the sale of intoxicating liquor at retail shall have the
55 authority from time to time to prepare forms to implement this section including
56 protest forms, application forms, forms for notice, forms for proof of ownership,
57 and other appropriate requirements. Forms of protest shall in any event be
58 acknowledged by some person other than a protesting owner located within the
59 ~~two hundred (200)~~ one hundred feet (100) feet area acknowledging the signatures
60 of the persons contained thereon to be the free act and deed of the persons so
61 signing. In determining those persons entitled to be counted in such protest, only
62 those persons who are owners of the land of record on the date that the application
63 shall have been filed shall be entitled to protest.

64
65 Notwithstanding the provisions of this section, the Director of Finance may issue
66 a license for the same location to any purchaser of a retail liquor establishment
67 which was duly licensed at the time of the purchase providing the purchaser
68 makes proper application and is qualified and eligible to hold a license and
69 providing that the provisions of ~~Section 3-12.2, Springfield City Code~~ 10-36
70 Springfield City Code shall have been complied with; nor shall the provisions of
71 this section prohibit the reissuance of licenses for previously existing duly
72 licensed establishments.

73
74 5-1906

75 **Exemption from notice.** The applicant shall be exempted from the notice and
76 publication requirements herein, and only those requirements, if 100% of all
77 owners of residential property as set forth herein, file a notarized waiver of protest
78 setting forth the case or license number, address of establishment, and indicating
79 they have no opposition to the proposed use, and the license may issue providing
80 the applicant has complied with all other applicable requirements.
81



Zoning & Subdivision Report

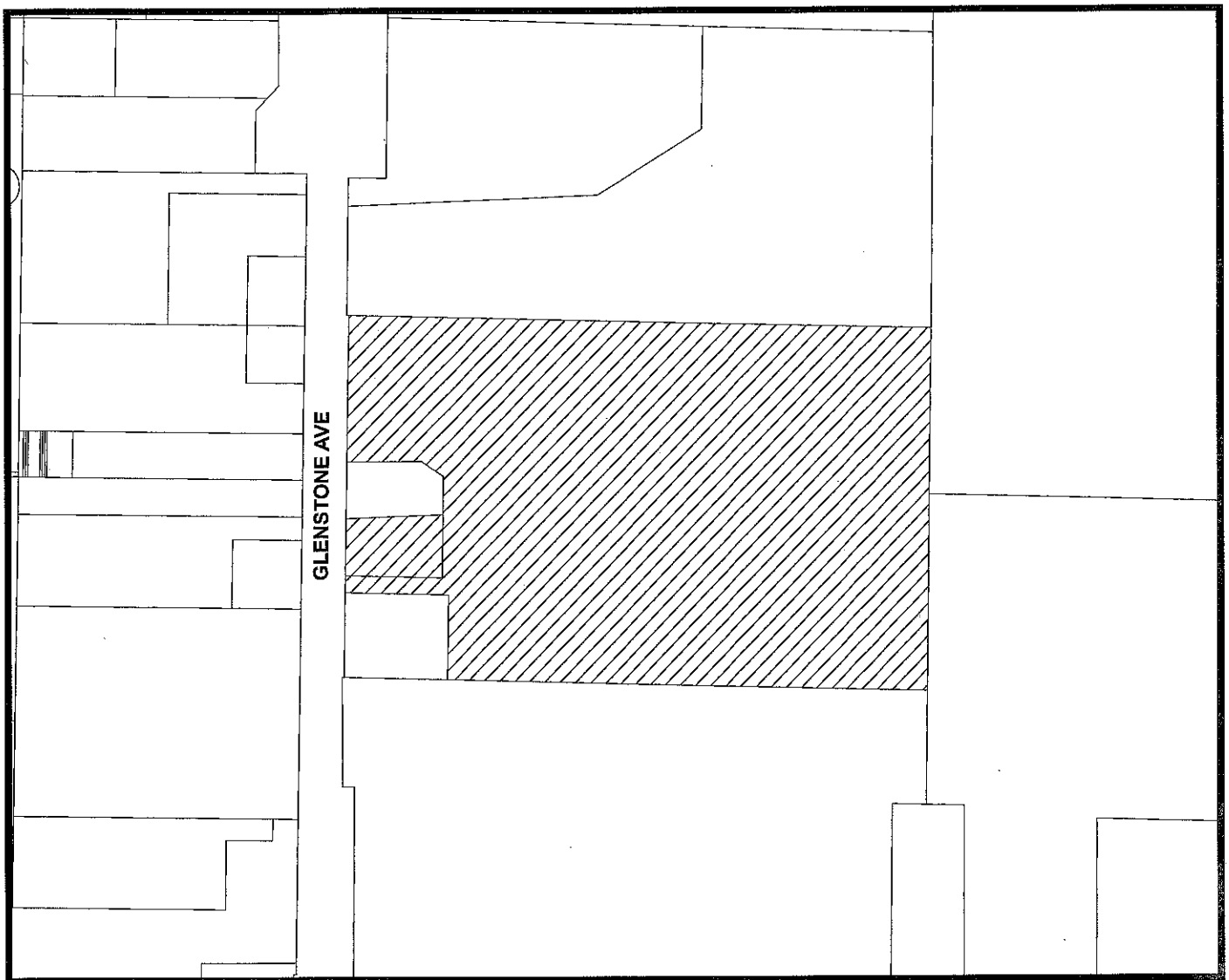
*Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802*

Master Sign Plan - Oasis Inn & Convention Center

Location: 2546 N. Glenstone Ave.

Current Zoning: HC, Highway Commercial

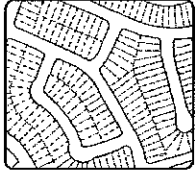
LOCATION SKETCH



- Area of Proposal

0 100 200 400 600 800
Feet

1 inch = 350 feet



Zoning & Subdivision Report

Planning & Development Department ~ 417/864-1611

840 Boonville Avenue ~ Springfield, Missouri 65801

MASTER SIGN PLAN – Oasis Inn & Convention Center

DATE: December 31, 2012

PURPOSE: To approve a master sign plan for Oasis Inn & Convention Center

BACKGROUND:

LOCATION: 2546 N. Glenstone Ave.

APPLICANT: Campus Inc.

TRACT SIZE: Approximately 21.27 acres

EXISTING USE: HC, Highway Commercial

PROPOSED USE: Same

RECOMMENDATION:

The request be **approved**.

FINDINGS FOR STAFF RECOMMENDATION:

1. This application meets the requirements for establishment of a Master Sign Plan.
2. Approval of this Master Sign Plan will allow for development signage to be dispersed throughout the site with three (3) smaller signs rather than two (2) larger signs.

CONDITIONS:

1. The approval of a Master Sign Plan application shall not authorize the erection, placement, reconstruction, structural alteration or moving of any sign, but shall merely authorize the preparation, filing and processing of applications for any permits or approvals, which may be required by the codes and ordinances of the City, including, but not limited to, a building or sign permit. The signs shall be required to have a separate permit.
2. All provisions of *Section 5-1411* of the Springfield Zoning Ordinance shall be met

STAFF CONTACT PERSON:

Michael G. Sparlin
Assistant Planner

ATTACHMENT A
MASTER SIGN PLAN – Oasis Inn & Convention Center

APPLICANT'S PROPOSAL:

The applicant seeks to establish a Master Sign Plan for Oasis Inn & Convention Center.

HISTORY:

The subject premise is the site of a Hotel, Convention Center and a restaurant and bar. The applicant has applied for a Master Sign Plan to allow additional signage to advertise and identify development on the property, as well as disperse the development signage throughout the site.

ZONING ORDINANCE REQUIREMENTS:

A Master Sign Plan application may be approved for the purpose of establishing consistent, logical and equitable signage for: Multiple uses on a single lot; a building group of a single use or multiple uses that may involve multiple properties; or a large tract that contains a single use with multiple services.

The main intent of a Master Sign Plan is to provide clarity of communications regarding tenants and services to users of the premise or building group. A Master Sign Plan is not intended to provide special or additional signage allowance in terms of total effective area than would otherwise be permitted by Section 5-1400 of the Zoning Ordinance.

BUILDING DEVELOPMENT SERVICES COMMENTS:

The International Highway Commercial Sign District (Section 5-1408) will be used in determining the overall allowable effective area, which allows an on-premise detached sign to be a maximum of 600 sq. ft. versus 350 sq. ft. The calculation for effective area is based upon the property frontage along a public right of way.

The site plan indicates the property frontage along Glenstone Ave. for the proposed Master Sign Plan to be 486.64'. Section 5-1400 allows an on-premise detached sign for every 425' of frontage or fraction thereof. Based upon the property frontage, this premise is allowed two on premise detached signs. Each sign is allowed 600 sq. ft. of effective area; therefore, all of the on-premise detached signs within this MSP cannot exceed 1200 sq. ft. of effective area in total.

Although the existing sign exceeds 600 sq. ft. in effective area, permits were obtained from BDS for the sign as shown, therefore, BDS has determined to allow the sign to remain with the understanding that modifications will not be permitted to allow the effective area to increase from the existing condition, and if modifications are proposed at a future date, the effective area must be brought into compliance at that time.

It is the determination of BDS that the effective area for Exhibit C2 dated 1-2-2013 be calculated as follows: $7' \times 10' = 70$ sq. ft. of effective area. This calculation is based upon the understanding that signage cannot be placed upon the Left Wing or Right Wing as shown to be decorative walls in the artwork of the sign.

The effective area for Exhibit C1, dated 11-28-2012 is calculated as follows: 10' 5" x 19' = 197.98 sq. ft. The 19' dimension takes into account the flame design at the bottom portion of the sign.

Existing sign = 716.99

Fire and Ice = 197.98

Oasis = 70.00

Total = 984.97

There are two signs within 300' of each other. (The Fire and Ice sign and the Oasis monument) One of these signs cannot exceed 40' in height and the other cannot exceed 20' in height. These both look to be in compliance with this provision.

STAFF ANALYSIS:

1. The applicant is seeking to create a Master Sign Plan to allow a total of three (3) signs within this development. The signs will be dispersed throughout the property to identify uses and for increased visibility. There are currently two (2) existing pylon signs on the subject property. One of the signs will remain and the other will be removed to allow for a new pylon sign and a monument sign. The existing pylon to remain has an effective area of approximately seven-hundred-seventeen (717) square feet and forty-two (42) feet in height. The proposed "Fire and Ice" pylon sign has an effective area of approximately one-hundred-ninety-eight (198) square feet and a height of twenty-five (25) feet. The proposed "Oasis" monument sign has an effective area of seventy (70) square feet and a height of eight feet, seven inches (8'7"). The total effective area for the combined sign of the property is approximately nine-hundred-eighty-five (985) square feet. This is within the allowed one-thousand-two-hundred (1,200) square feet for on-premise detached signs on the property.
2. Building Development Services has determined that the International Highway Commercial Sign District is applicable for this location and will be used to determine the overall allowable effective area of one-thousand-two-hundred (1,200) square feet for on-premise detached signs on the property.
3. The subject property has been recently combined through an Administrative Lot Combination. This Master Sign Plan will allow for equitable signage for multiple uses on a single lot.
4. Approval of this Master Sign Plan does not constitute approval of a sign permit. Prior to the placement of the proposed signs, a sign permit must be obtained and all other applicable codes and ordinances met.

EXHIBIT 1
REQUIREMENTS FOR MASTER SIGN PLAN – Oasis Inn & Convention Center

The following signs are permitted in conformance with Exhibits A through C:

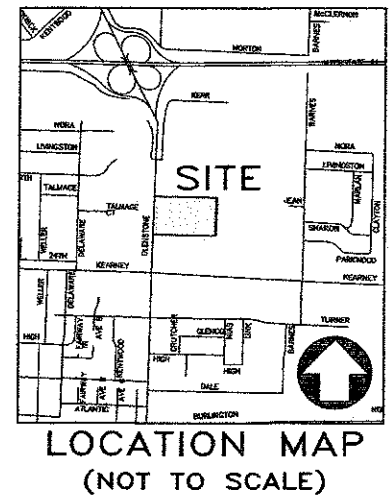
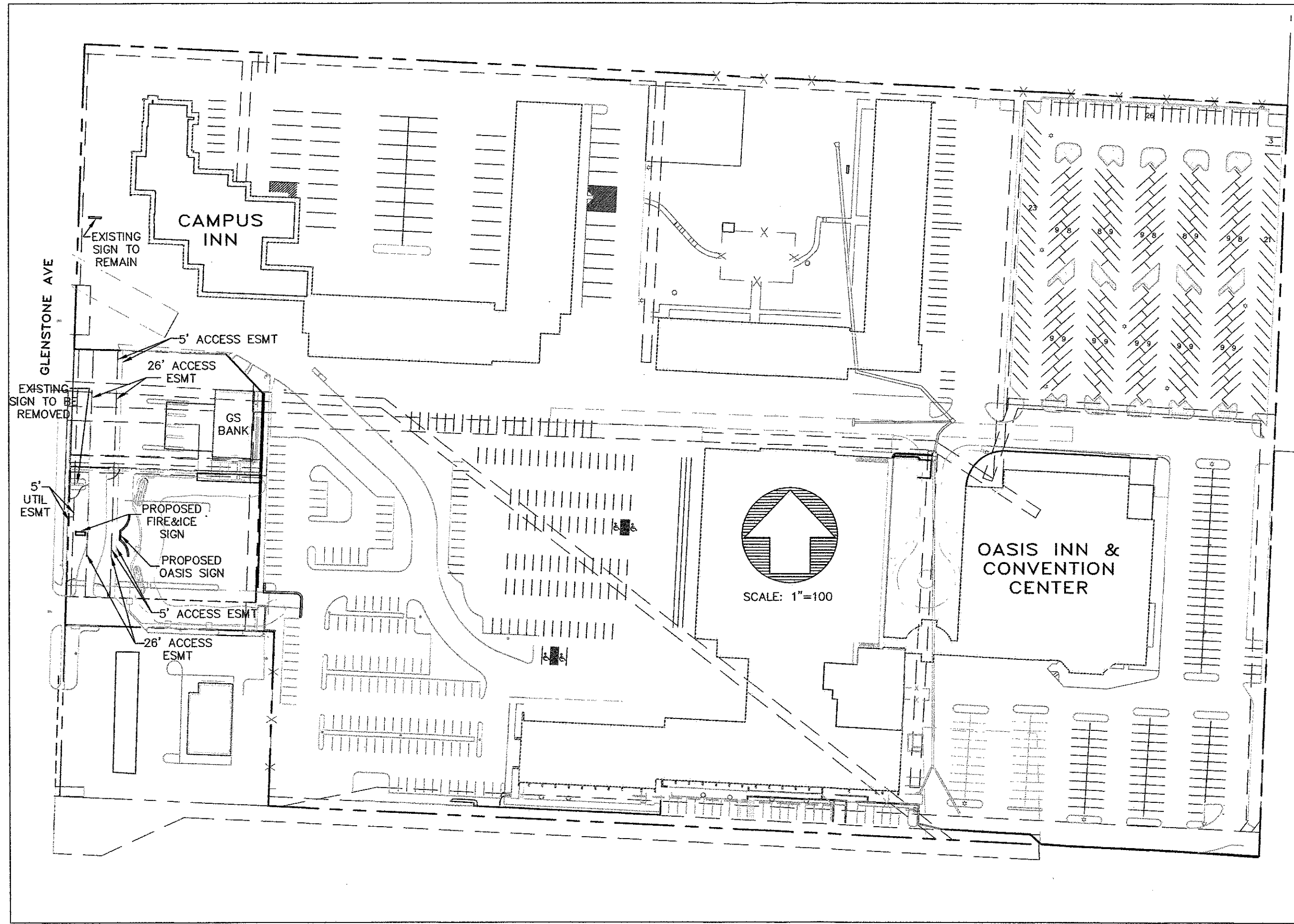
- A. Site plan of premise and location of existing pylon sign, proposed pylon sign and proposed monument sign.
- B. Distance between said signs and property frontage on Glenstone Ave.
- C. Proposed pylon sign, height of sign
Height of sign: twenty-five (25) feet
Effective area: one-hundred-ninety-eight (198) square feet
- D. Proposed monument sign, height of sign
Height of sign: eight feet, seven inches (8'7").
Effective area: seventy (70) square feet
- E. Existing pylon sign, height of sign
Height of sign: forty-two (42) feet
Effective area: seven-hundred-seventeen (717) square feet
- F. Petitioner's argument on behalf of Master Sign Plan on Exhibit F.

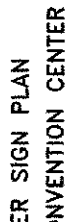
EXHIBIT 2
STANDARDS FOR MASTER SIGN PLANS
Oasis Inn & Convention Center

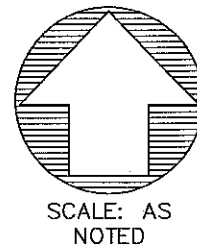
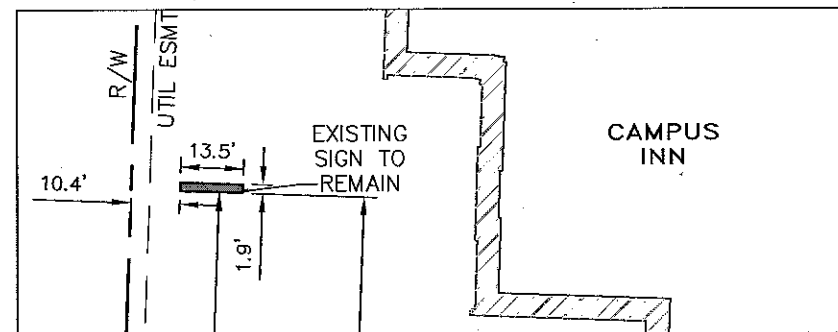
NOTE: See Exhibit F for the Applicant's response to the following.

An application for a master sign plan shall be granted only if evidence is presented which establishes the following:

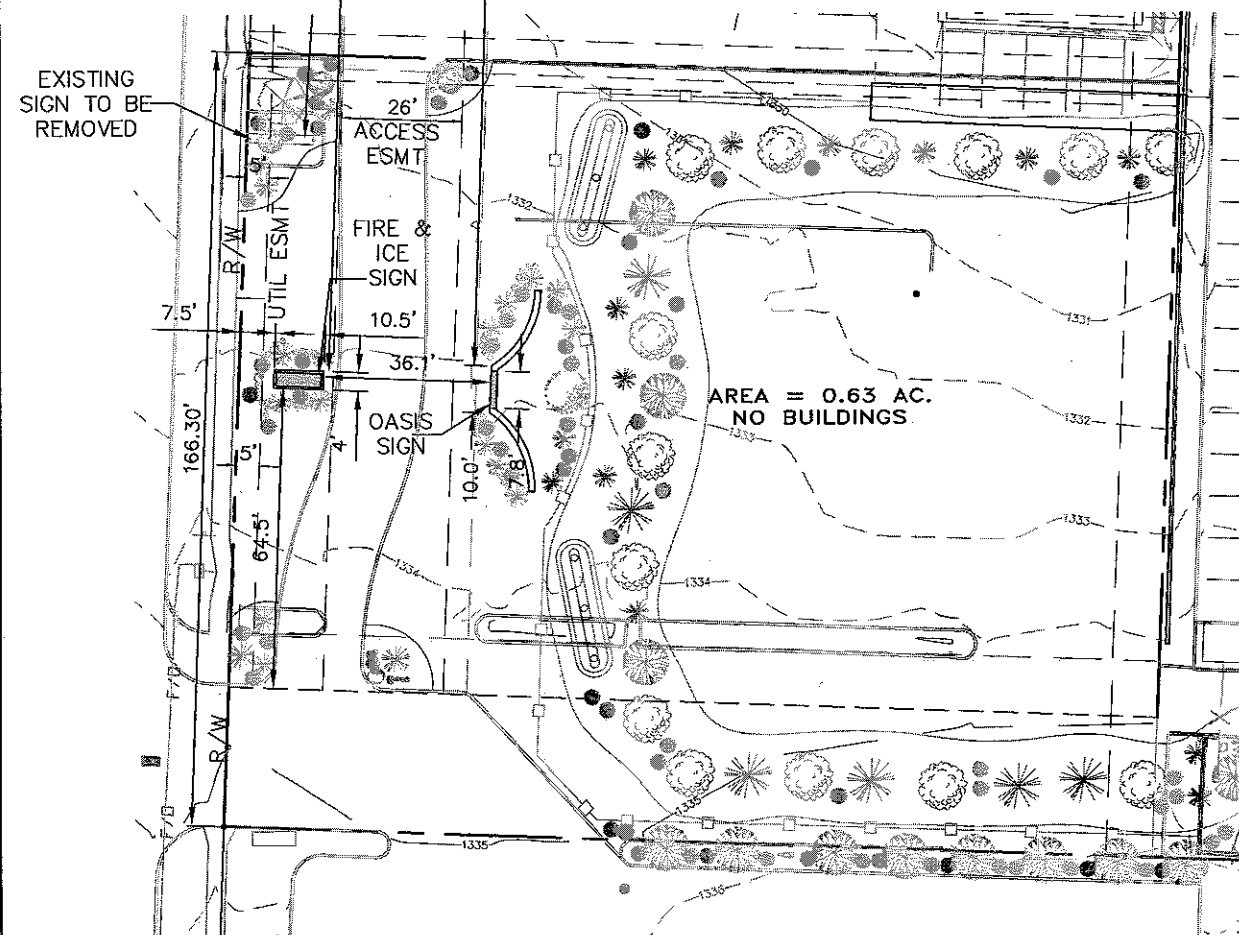
1. The proposed Master Sign Plan will be consistent with the adopted policies in the Springfield Comprehensive Plan;
2. The proposed Master Sign Plan has the potential to improve the safety and convenience of the motoring public and of pedestrians using the property and the area immediately surrounding the property;
3. The location, lighting and type of signs proposed and the relationship of signs to traffic control is appropriate for the property;
4. The proposed signs will be constructed , arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations;
5. The proposed signs, as shown by the application, will not destroy, damage, detrimentally modify or interfere with the enjoyment and function of any significant natural topography or physical features of the site;
6. The proposed signs will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance;
7. The proposed signs, as shown by the applicant , will not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way; and
8. The proposed signs will not have any substantial or undue adverse effect upon, or will lack amenity or will be incompatible with, the use or enjoyment of adjacent or surrounding property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public, safety and general welfare.



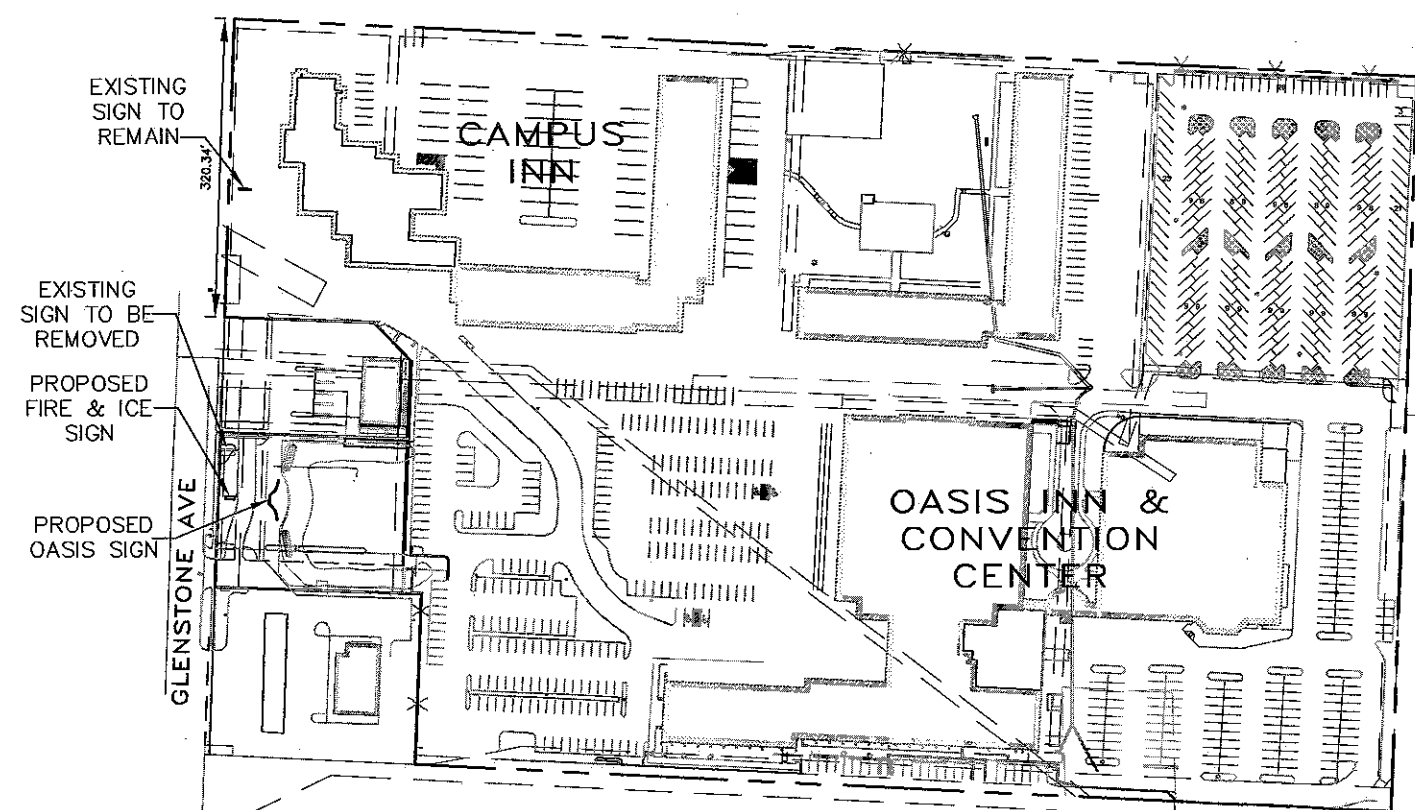
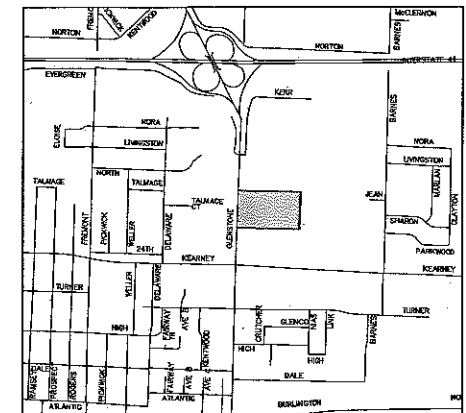
		LEE Engineering & Associates, L.L.C. 2101 W. Chesterfield Blvd, Suite C202 Springfield, MO 65807 417-886-9100 (phone) 417-886-8336 (fax) dlee@leeengineering.biz		"Engineering with integrity" Missouri State Certificate of Authority Engineering #2005015504 Land Surveying #2009028050		PROJECT NO.: 602					
DWG: OASIS_SIGN_EXHIBIT.DWG		DATE: 11/30/2012		SURVEY BY TS		DESIGN LEE		SCALES		SHEET 1	
				FIELD BK		DRAWN DRB		HOR. 1"=100'		OF 1 SHEETS	
				LEVEL BK		CHECKED LEE		VERT. N/A		FILE NO. 602	
PROPOSED MASTER SIGN PLAN OASIS INN & CONVENTION CENTER				Mack-Lab First Addition Springfield, Greene County, Missouri							



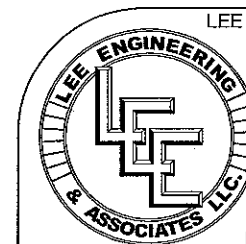
EXISTING SIGN
SCALE 1"=40'



PROPOSED SIGNS
SCALE 1"=40'



SITE OVERVIEW
(NOT TO SCALE)



LEE Engineering & Associates, L.L.C.
2101 W. Chesterfield Blvd,
Suite C202
Springfield, MO 65807
417-886-9100 (phone)
417-886-9336 (fax)
dlee@leeengineering.biz
"Engineering with integrity"
Missouri State Certificate of Authority
Engineering #2005015504
Land Surveying #2009028050

DWG: Oasis Sign Exhibit.dwg
DATE: 11/30/2012

PROJECT NO.: 602

PROPOSED MASTER SIGN PLAN
OASIS INN & CONVENTION CENTER

Mack-Leb First Addition
Springfield, Greene County, Missouri

SURVEY BY	DESIGN LEE	SCALES	SHEET 1
FIELD BK	DRAWN DRB	HOR. AS NOTED	OF 1 SHEETS
LEVEL BK	CHECKED LEE	VERT. N/A	FILE NO. 602

SIGN 1 OPTION 1B

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SIDE A & SIDE VIEW - DAY

SCALE: 1/4" = 1'



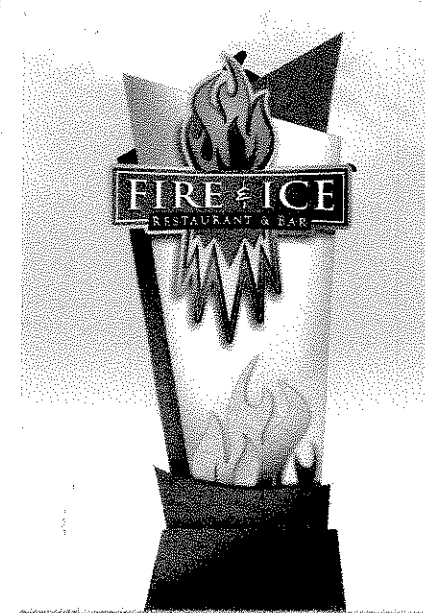
SIDE A & SIDE VIEW - NIGHT

SCALE: 1/4" = 1'



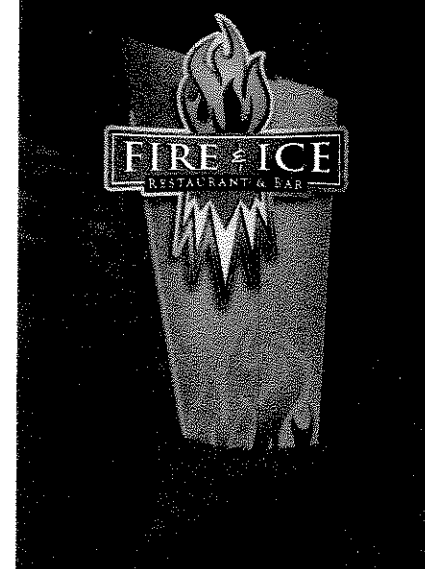
SIDE B - DAY

SCALE: 1/8" = 1'



SIDE B - DAY

SCALE: 1/8" = 1'



SIGN SPECIFICATIONS

D/F ILLUMINATED PYLON SIGN. FIRE & ICE CABINET IS ILLUMINATED PUSH THRU LETTERS & LOGOS WITH FULL COLOR DIGITAL PRINT OVERLAYS. SILVER METALLIC BACKER PANEL IS CONVEX FACED WITH BLUE ACCENT LIGHTING. BLACK METALLIC BASE AND CENTER BLACK PANELS ARE FLAT FACED. LOWER METALLIC FRAME AND FIRE & ICE CABINET TRIM ARE GUNMETAL GRAY METALLIC. CABINET SQUARE FOOTAGE: 10'-5" X 12'-6" = 130.21 SQ. FT.

FILE PATH: ART 2012/4TH QUARTER/FIRE & ICE

COLOR SPECIFICATIONS

CURVED FRONT & BACK PANELS
MP-46638 PLATA METALLIC

BASE & MIDDLE PANEL
MP-19952 BLACK HOLE METALLIC

FIRE & ICE CABINET & LOWER FLAME
MP-18214 GREY PATINA METALLIC

*SCALE AND COLORS NOT REPRESENTATIVE FROM EMAIL ATTACHMENTS.
*ALL MEASUREMENTS ARE APPROXIMATE.

CLIENT

FIRE & ICE

SALESPERSON

DAVE SCHRIDDE

DATE

11/28/2012

SCALE

VARIES

AO #

16016

DESIGNED BY

J WILSON

REVISION HISTORY

OPT-1B DETAILS - 11/28/12

APPROVED BY

DATE

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This is an artistic rendition and final colors / sizes may vary from that depicted herein.

environmentally responsible

BUILDING IMAGES
THAT BUILD BUSINESS

Springfield
SIGN & NEON
2531 N. Patterson Springfield, MO 65803

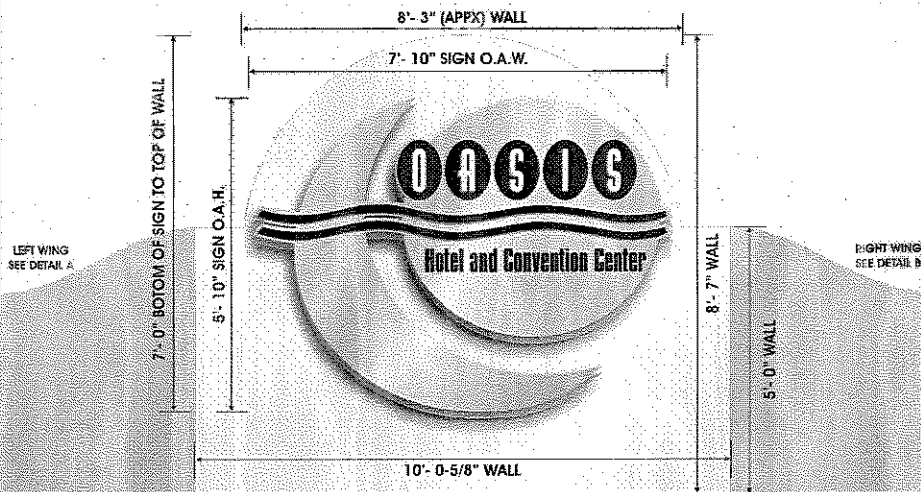
SIGNHIT
SIGNHIT.COM

UL
LISTED

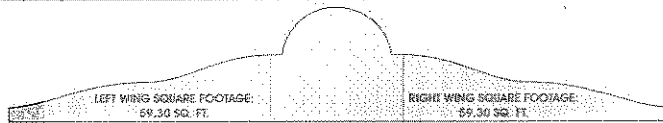
Exhibit D

SIGN 1 OPTION 2 - SIZING

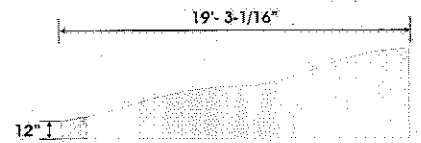
FRONT WALL - SCALE: $3/8" = 1'$



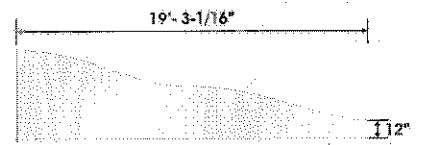
WING SQUARE FOOTAGE - SCALE: $3/16" = 1'$



LEFT WING - SCALE: $1/8" = 1'$



RIGHT WING - SCALE: $1/8" = 1'$



FILE PATH: ART 2012/4TH QUARTER/RAMADA OASIS

*SCALE AND COLORS NOT REPRESENTATIVE FROM EMAIL ATTACHMENTS.
*ALL MEASUREMENTS ARE APPROXIMATE.

CLIENT

▶ RAMADA OASIS

SALESPERSON

▶ DAVE SCHRIDDE

DESIGNED BY

▶ J WILSON

REVISION HISTORY

DATE

▶ 1/02/2013

SCALE

▶ VARIES

AD #

▶ 15509

APPROVED BY

▶

DATE

▶

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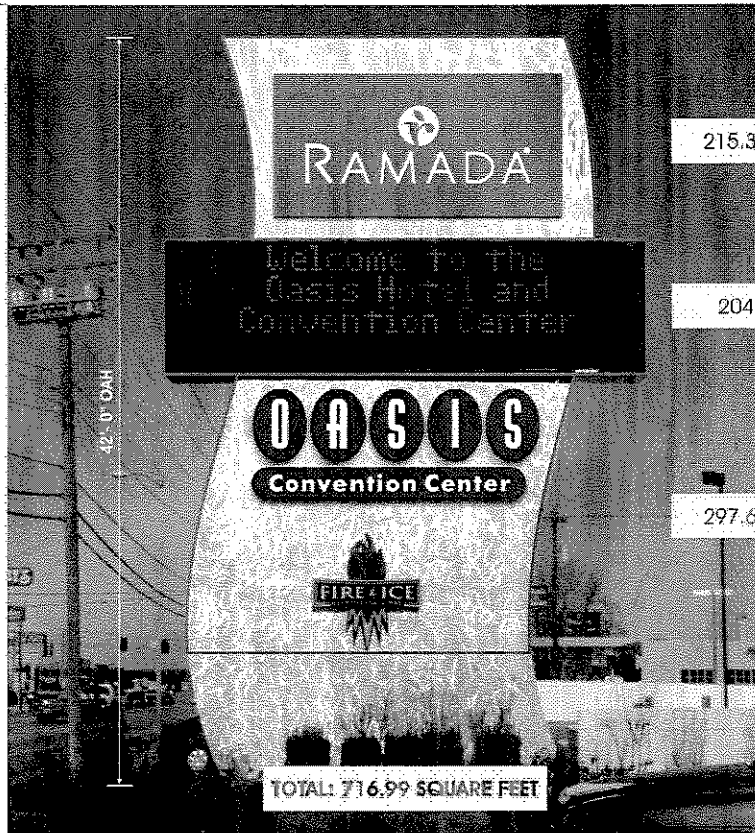
environmentally responsible

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Exhibit E

EXISTING PYLON SQUARE FOOTAGE - REVISED

WWW.SIGNHIT.COM



CLIENT
RAMADA OASIS - FIRE & ICE

SALESPERSON
DAVE SCHRIDDE

DATE
1/02/2013

SCALE
1/8" = 1'

AO #
16016

DESIGNED BY
J WILSON

REVISION HISTORY

NO.	DATE	DESCRIPTION

APPROVED BY

DATE

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This is an artistic rendition and final colors & sizes may vary from that depicted herein.

FILE PATH: ART 2012/4TH QUARTER/FIRE & ICE

*SCALE AND COLORS NOT REPRESENTATIVE FROM EMAIL ATTACHMENTS.
*ALL MEASUREMENTS ARE APPROXIMATE.



BUILDING IMAGES
THAT BUILD BUSINESS



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EXHIBIT F

Petitioner's argument on behalf of Master Sign Plan

1. The proposed Master Sign Plan will be consistent with the adopted policies in the Springfield Comprehensive Plan;

A Master sign plan is consistent with the Springfield Comprehensive Plan. This lot is located near Interstate 44 and Glenstone. The lot is in a highly commercial fully developed area.

2. The proposed Master Sign Plan has the potential to improve the safety and convenience of the motoring public and of pedestrians using the property and the area immediately surrounding the property;

The existing lot on which the new signs will be located is a vacant retail lot. The lot has old slabs and gravel/asphalt parking areas. The lot will be updated with green space, fountains and decorative paving. The new signs will help direct traffic to the Oasis Ramada Inn, Convention Center and Fire and Ice Restaurant. The entrance is just North of these destinations.

3. The location, lighting and type of signs proposed and the relationship of signs to traffic control is appropriate for the property;

The proposed location, lighting and type of signs match the existing sign at the entrance. The signs are appropriately located to help people get onto the Oasis Property without causing traffic problems.

4. The proposed signs will be constructed , arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations;

The proposed signs are located far enough away from the neighboring property as to not dominate their uses.

5. The proposed signs, as shown by the application, will not destroy, damage, detrimentally modify or interfere with the enjoyment and function of any significant natural topography or physical features of the site;

There are no significant natural topography or physical features of the site. It is a flat commercial site.

6. The proposed signs will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance;

There are not natural, scenic or historic features. The lots adjoining the new signs are a bank and a gas station.

7. The proposed signs, as shown by the applicant , will not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way;

The proposed signs are located outside of the easements, roadways, rail lines, utilities, and public right of way.

8. The proposed signs will not have any substantial or undue adverse effect upon, or will lack amenity or will be incompatible with, the use or enjoyment of adjacent or surrounding property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public, safety and general welfare.

The signs match the existing Oasis sign on Glenstone. The adjacent properties are a bank and Gas Station which have their own signs. The proposed signs are attractive and will replace an existing older less attractive sign. The property is located on Glenstone which has many other similar signs. The signs will not interfere with parking, utility facilities and should not affect the public welfare.

Zoning & Subdivision Report

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

FINAL PLAT – WASHITA SUBDIVISION

DATE: January 2, 2013

PURPOSE: To approve the final plat for Washita Subdivision that could not be approved administratively due to its lack of conformity to the approved preliminary plat, including conditions of approval.

BACKGROUND

LOCATION: 2100 block s/s E. Sunshine Street

APPLICANT: Jewell Schweitzer

RECOMMENDATION:

The request be **approved** as submitted.

CONDITIONS:

All conditions that result from the staff review of the Final Plat must be met before the final plat can be recorded.

FINDINGS FOR STAFF RECOMMENDATION:

1. The final plat lacks substantial conformity to the Preliminary Plat including the conditions of approval because the proposed Final Plat does not include the reserve tract in Linwood Heights 4th Addition currently owned by the Jack Fredrick Trust.
2. The proposed Final Plat is acceptable because it the proposed change does not negatively impact the surrounding property or the adjoining infrastructure system.

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner

ATTACHMENT A
BACKGROUND REPORT
FINAL PLAT -
WASHITA SUBDIVISION

HISTORY:

The Preliminary Plat for Washita Subdivision was approved by Commission on October 4, 2012 and easements accepted by City Council on November 5, 2012. The Preliminary Plat ordinance (Special Ordinance 26155) showed a small reserve tract (0.44 acre) in Linwood Heights 4th Addition being combined with the larger tract (10.08 acres) along Sunshine Street. The applicant has submitted a Final Plat that eliminates the aforementioned reserve tract.

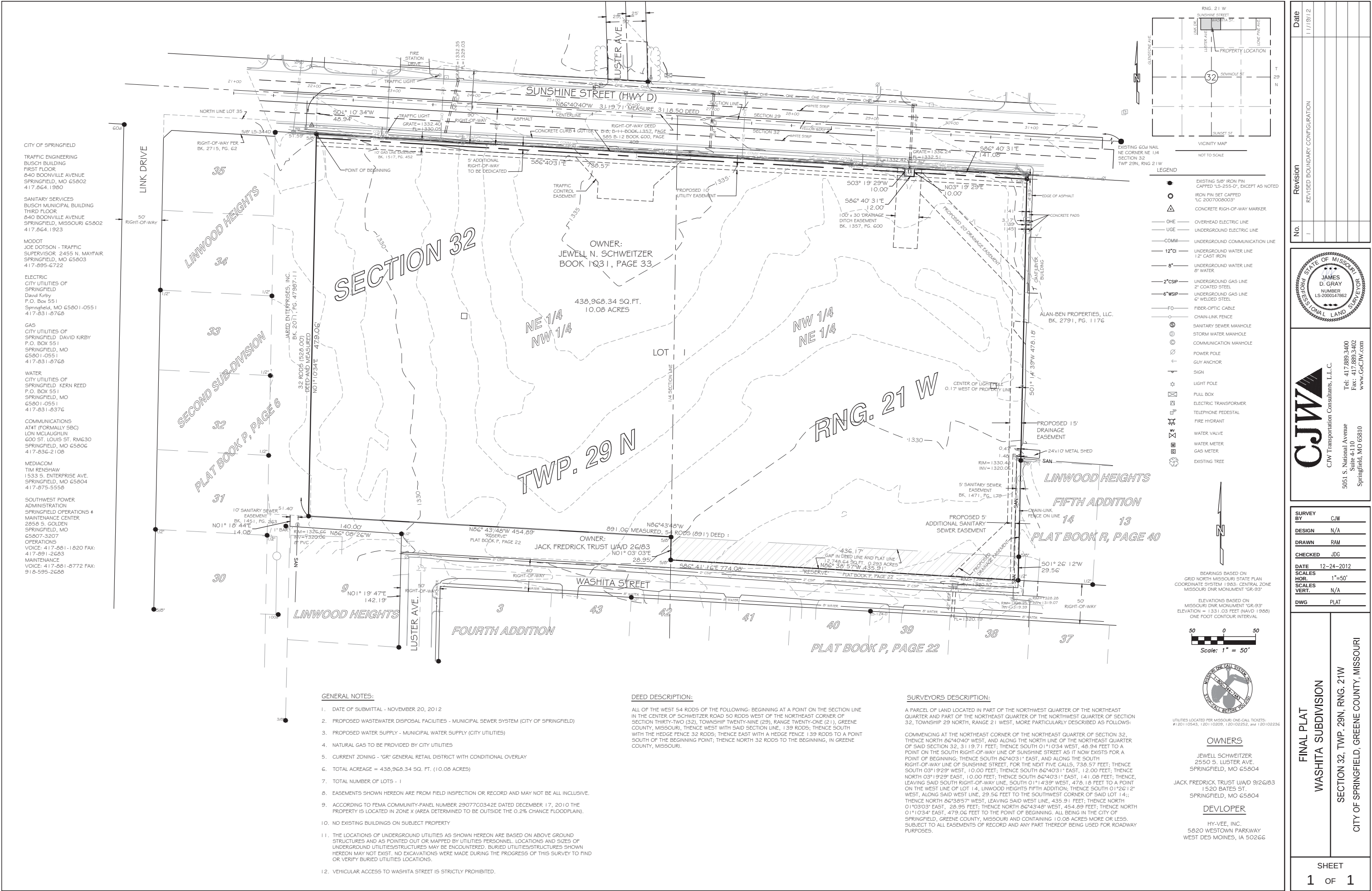
SUBDIVISION REGULATIONS:

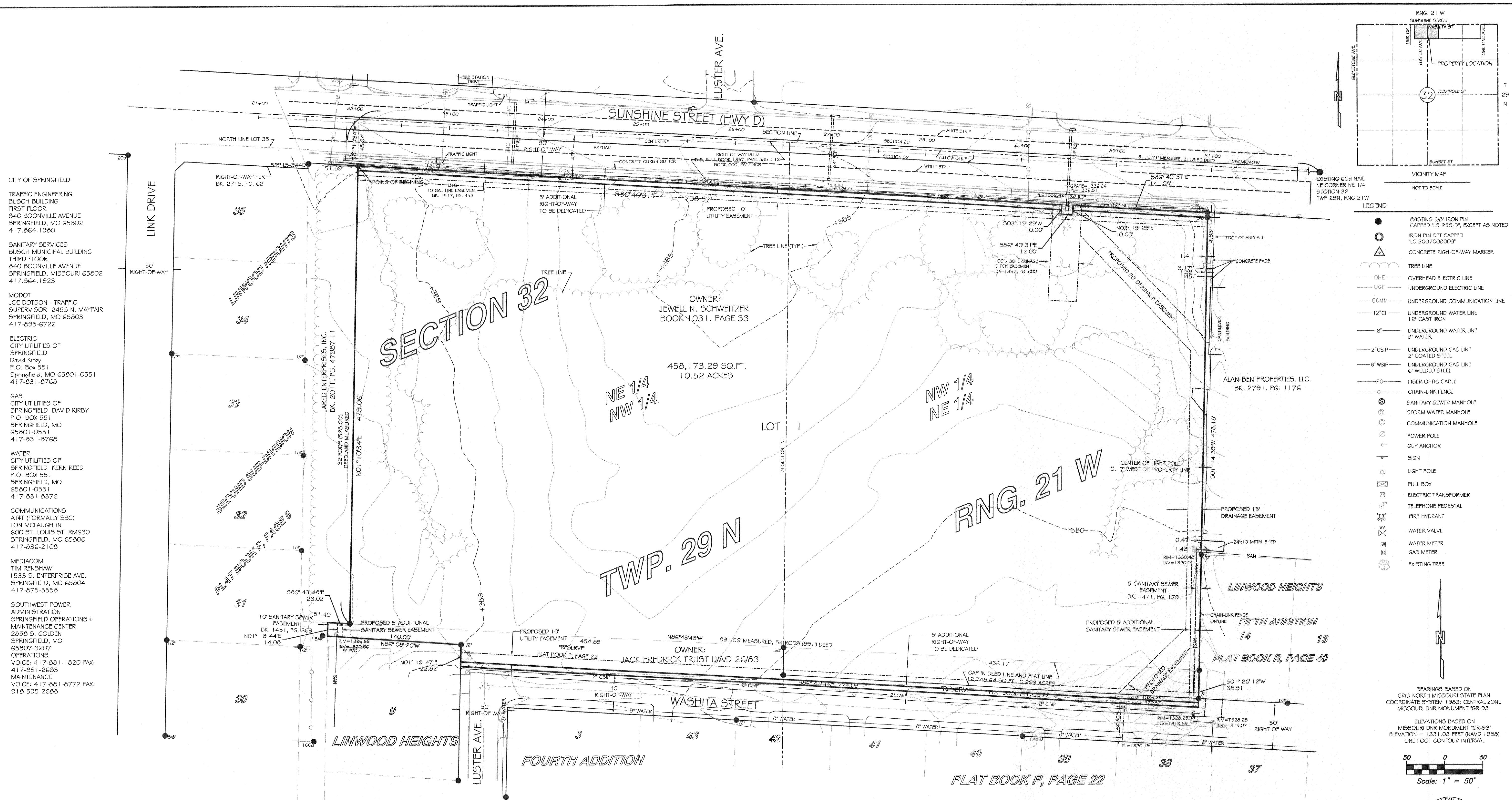
Section 206.(4) (d) and (e) state in part:

In the event the Director determines that the Final Plat does not substantially conform to Preliminary Plat, including the conditions of approval, the Director shall reject the plat. The applicant may appeal such decision to the Commission. The Commission shall review the Final Plat and supporting material, the recommendations of the Director of Planning and Development, recommendations from agencies or officials and testimony and exhibits submitted at the public hearing to determine if the Final Plat substantially conforms to the Preliminary Plat.

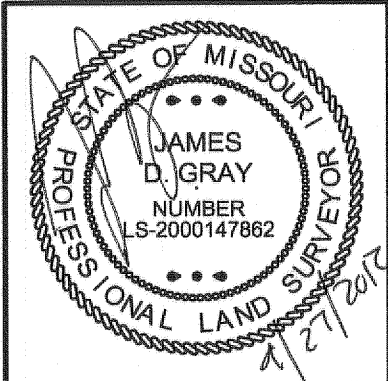
STAFF COMMENTS:

1. The applicant is proposing a Final Plat of Washita Subdivision (Exhibit A) that does not substantially conform with the preliminary plat (Exhibit B). The applicant had previously included a strip of land along Washita Street in the original preliminary plat, but discovered a restrictive covenant that limited that property to residential purposes. The applicant is proposing to separate their interests by only platting the Jewell Schweitzer property (10.08 acres) and leaving the strip of land along Washita Street (0.44 acre) as a reserve area in Linwood Heights 4th Addition. This property will be used for a bufferyard and kept in separate ownership from the Schweitzer property. The General Retail Zoning District and Conditional Overlay District #53 requirements will continue to control the development of the site. The applicant intends to develop the site into a new grocery and convenience store.
2. The Final Plat could not be administratively approved because the final plat is not in conformance with the approved preliminary plat, including the conditions of approval. The Preliminary Plat ordinance showed a small reserve tract (0.44 acre) in Linwood Heights 4th Addition being combined with the larger tract (10.08 acres) along Sunshine Street.
3. The Planning and Zoning Commission review is to determine if the proposed Final Plat merits approval despite its lack of conformity to the approved Preliminary Plat. If the Planning and Zoning Commission finds that the proposed Final Plat merits approval, the Final Plat will complete the normal Final Plat review process. All conditions of the preliminary plat and of the review of this proposed Final Plat must be satisfied prior to the recording of the Final Plat.





No.	Revision	Date
		Date



CJW
CJW Transportation Consultants, L.L.C.

5051 S. National Avenue
Suite 4-110
Springfield, MO 65810

Tel: 417.889.3400
Fax: 417.889.3402
www.CoCJW.com

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

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

**PLANNING AND DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW SERVICES
MEMORANDUM**

DATE: December 21, 2012

TO: Planning and Zoning Commission

FROM: Daniel Neal
Senior Planner

SUBJECT: Initiate Flea Market and Second Hand Store Amendments

In November of 2012, Planning and Zoning Commission and City Council reviewed and approved amendments to remove pawn shops as a specifically listed use and add it to the Retail Sales Use Group. Staff is requesting similar considerations be given to the flea market and second hand store uses which are also specifically listed in a few commercial districts, but not all. Staff submits that these uses fit within the Retail Sales Use Group and that the limitations of each district will restrict whether the size or outdoor activities are permitted.

Planning has recently received several land development inquiries where flea markets or second hand stores have expressed interest in locating in a General Retail (GR) District. The Highway Commercial (HC) District specifically lists flea markets and second hand stores as permitted uses, and other commercial districts do not have them listed as permitted uses. Staff submits that flea markets and second hand stores are consistent with other uses listed in the Retail Sales Use Groups. Staff believes that amendments to the Zoning Ordinance, to include flea markets and second hand stores in the Retail Sales Use Groups should be initiated to facilitate discussion and consideration of amending the ordinance.