

1. Meeting Agenda (PDF)

Documents: [03-29-2013 AGENDA \(PDF\).PDF](#)

2. Relinquish Easement 790 (PDF)

Documents: [RELINQUISH EASEMENT 790 \(PDF\).PDF](#)

3. Subdivision Variance No. 342 (PDF)

Documents: [SUBDIVISION VARIANCE 342 \(PDF\).PDF](#)

4. Vacation 752 (PDF)

Documents: [VACATION 752 \(PDF\).PDF](#)

5. Z-01-2013 (PDF)

Documents: [Z-01-2013 \(PDF\).PDF](#)

6. Z-02-2013 W/Conditional Overlay No. 55 (PDF)

Documents: [Z-02-2013 W CONDITIONAL OVERLAY NO. 55 \(PDF\).PDF](#)

7. Conditional Use Permit No. 403 (PDF)

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

8. Existing Residential Dwelling In Industrial District (PDF)

Documents: [EXISTING RESIDENTIAL DWELLING IN INDUSTRIAL DISTRICT \(PDF\).PDF](#)

9. Veterinary Clinics In CC And COM Districts (PDF)

Documents: [VETERINARY CLINICS IN CC AND COM DISTRICTS \(PDF\).PDF](#)

10. Pioneer School Addition (PDF)

Documents: [PIONEER SCHOOL ADDITION \(PDF\).PDF](#)

11. Initiate Zoning Text Amendment, Residential Uses In HC District (PDF)

Documents: [INITIATE ZONING TEXT AMENDMENT FOR RESIDENTIAL USES IN HC DISTRICT \(PDF\).PDF](#)

Planning & Zoning Commission Agenda

March 7, 2013 - 6:30 p.m.

Members

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

Roll Call

Approval of Minutes

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 Agenda:

- | | |
|---|----------------------------|
| 1. Relinquish Easement 790
(2522 E. German Ivy St.) | Olde Ivy Development, LLC |
| 2. Subdivision Variance 342
(2701 & 2705 E Galloway) | All Saints Anglican Church |

Hearings:

Vacations:

- | | |
|---|------------------------|
| 3. Vacation 752
(200 block N. Hayden Avenue and adjacent alleys) | Cherry Properties, LTD |
|---|------------------------|

Zoning:

- | | |
|---|------------------------|
| 4. Z-01-2013
(225 East Primrose Street) | Joni Mashburn |
| 5. Z-02-2013 w/ Conditional Overlay No. 55
(2833-35 East Battlefield Road) | Ridgeview Complex, LLC |

Conditional Use Permit:

- | | |
|--|--------------|
| 6. Conditional Use Permit 403
(2314 West Kingsley Street) | NGO Property |
|--|--------------|

Zoning Text Amendments:

- | | |
|--|---------------------|
| 7. Existing Residential Dwelling in Industrial District
(City-Wide) | City of Springfield |
| 8. Veterinary Clinics in CC and COM Districts
(City-Wide) | City of Springfield |

Preliminary Plat:

9. Pioneer School Addition
(211-223 North Main)

City Utilities

Other Business:

10. Initiate Zoning Text Amendment
Residential Uses in HC District
(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 your 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.

Zoning & Subdivision Report

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

REQUEST TO RELINQUISH EASEMENT NUMBER 790

DATE: February 26, 2013

PURPOSE: To relinquish a sanitary sewer easement

LOCATION: 2522 E. German Ivy St.

APPLICANT: Michael Pulscher

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. 790
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting the sanitary sewer easement be relinquished. This request is in combination with a lot line adjustment. The lot line adjustment and relinquishment of this easement will increase the buildable area of the lot to be developed.

SANITARY SERVICES COMMENTS:

No effect on sanitary sewer. No issues with relinquishing easement.

CITY UTILITIES COMMENTS;

No objection to relinquishment.

STAFF COMMENTS:

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

ATTACHMENT B
RELINQUISH EASEMENT NO. 790
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 sanitary sewer 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.

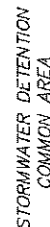
STAFF RESPONSE:

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

RELINQUISH EASEMENT NO. 790
EXHIBIT 1

DESCRIPTION OF EASEMENT TO BE RELINQUISHED

A STRIP OF LAND 10 FEET IN WIDTH ALONG THE WESTERLY SIDE OF LOT 91 OF OLDE IVY SUBDIVISION, A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 92 OF OLDE IVY SUBDIVISION; THENCE N23°43'40"W ALONG THE LINE COMMON TO LOTS 91 AND 92, A DISTANCE OF 11.18 FEET TO THE NORTH LINE OF A 10-FOOT UTILITY AND SANITARY SEWER EASEMENT, AS SHOWN ON THE FINAL PLAT OF OLDE IVY SUBDIVISION, FOR THE POINT OF BEGINNING; THENCE CONTINUING N23°43'40"W ALONG THE LINE COMMON TO LOTS 91 AND 92, A DISTANCE OF 173.92 FEET TO THE SOUTHERLY LINE OF A 10-FOOT UTILITY EASEMENT AS SHOWN ON THE FINAL PLAT OF OLDE IVY SUBDIVISION; THENCE NORTHEASTERLY ALONG THE SOUTHERLY LINE OF SAID 10-FOOT UTILITY EASEMENT, THROUGH A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 02°43'53", A RADIUS OF 210.00 FEET AND A CHORD BEARING OF N69°11'33"E, AN ARC DISTANCE OF 10.01 FEET; THENCE LEAVING SAID SOUTHERLY LINE, S23°43'40"E, 171.32 FEET TO A POINT LYING 10.00 FEET NORTHWESTERLY AT A RIGHT ANGLE FROM THE SOUTHERLY LINE OF LOT 91; THENCE S50°19'15"W, PARALLEL WITH THE SOUTHERLY LINE OF LOT 91, A DISTANCE OF 9.37 FEET; THENCE N87°12'25"W, PARALLEL WITH THE SOUTH LINE OF LOT 92, A DISTANCE OF 1.10 FEET TO THE POINT OF BEGINNING.



HERESBY DECLARE TO MICHAEL L. PULSCHER THAT THE INFORMATION SHOWN HEREON IS BASED ON AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED AND THAT SAID SURVEY WAS PERFORMED UNDER MY PERSONAL SUPERVISION, TO THE BEST OF MY KNOWLEDGE AND BELIEF, IN ACCORDANCE WITH THE CURRENT MISSOURI MEASUREMENT STANDARDS FOR PROPERTY BOUNDARY SURVEYS (10 CSR 300-2).

BRIAN D. WELLS, PLS U.S.-2472 DATE 8

LOTS 91 AND 92 OF OLDE WY SUBDIVISION
IN SPRINGFIELD GREENE COUNTY MISSOURI

GRA
GREAT RIVER
ASSOCIATES
1820 S. INGRAM AVE., SPRINGFIELD, MO 65804
PHONE: (417) 682-7171 FAX: (417) 685-7551
www.graallbiz.com

Great Flyer Associates, Inc. • 215 East First • Columbus of All Things Museum

File

1

C1 $\Delta = 18^{\circ}34'54''$
 $R = 200.00'$
 $L = 64.86'$
 $C = 64.58'$
 $CB = 183^{\circ}30'07''$

C2 $\Delta = 22^{\circ}30'39''$
 $R = 200.00'$
 $L = 78.00'$
 $C = 77.50'$
 $CB = 183^{\circ}02'21''$

C3 $\Delta = 03^{\circ}26'16''$
 $R = 200.00'$
 $L = 12.00'$
 $C = 12.00'$
 $CB = 172^{\circ}29'32''$

C4 $\Delta = 02^{\circ}43'53''$
 $R = 210.00'$
 $L = 10.01'$
 $C = 10.01'$
 $CB = 169^{\circ}11'33''$

0' 0' 30'

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

SCALE: 1 INCH = 30 FEET

LEGEND

FOUND 5/8" IRON PIN
SET 5/8" IRON PIN CAPPED
"GREAT RIVER 2000D11475"

NOTES

1. CLASSIFICATION OF SURVEY: TYPE URBAN PROPERTY

2. BEARINGS ARE BASED ON THOSE SHOWN ON THE FINAL PLAT OF OLDE IVY SUBDIVISION (GRID NORTH, MISSOURI COORDINATE SYSTEM OF 1983)

3. SOURCES OF TITLE: BOOK 2907, PAGE 793 (LOT 91)
BOOK 2907, PAGE 019424-07 (LOT 92)

4. PARCEL AREAS: LOT 91 - 16,724 SQUARE FEET
LOT 92 - 34,454 SQUARE FEET
NEW PARCEL A - 27,565 SQUARE FEET
NEW PARCEL B - 23,308 SQUARE FEET

3. CURRENT ZONING (SUBJECT PROPERTY AND ADJACENT AREA):
RESIDENTIAL SINGLE FAMILY DISTRICT

PROPERTY DESCRIPTIONS

EXISTING LOTS:

ALL OF LOT 81 OF OLDE IVY SUBDIVISION, A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI ACCORDING TO THE RECORDED PLAT THEREOF.

ALL OF LOT 92 OF OLD IVY SUBDIVISION, A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI ACCORDING TO THE RECORDED PLAT THEREOF.

THE NEW YORK PUBLIC LIBRARY

[illegible]

NEW PARCEL "B":

[illegible]

ZONING & SUBDIVISION REPORT

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

SUBDIVISION VARIANCE NUMBER 342

DATE: March 1, 2013

PURPOSE: The applicant is requesting variances from Section 403(2), (6) and (15), of the *Subdivision Regulations* to allow a higher percentage of street grades along Inman Street, no street connection to Inman from the west and a permanent street and cul-de-sac longer than eight hundred (800) feet.

BACKGROUND:

LOCATION: 2701 E. Galloway St.

APPLICANT: All Saints Anglican Church

TRACT SIZE: Approximately 17.05 acres

EXISTING USE: Undeveloped land

PROPOSED USE: Single-family residential subdivision

RECOMMENDATION:

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

FINDINGS:

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

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner

ATTACHMENTS:

Attachment A – Staff Background Report

Attachment B – Approval Criteria

Exhibit 1 – Preliminary Plat of Cottages At All Saints

Exhibit 2 – Sketch of Paving Improvements for Cottages At All Saints

ATTACHMENT A
BACKGROUND REPORT
SUBDIVISION VARIANCE NUMBER 342

APPLICANT'S PROPOSAL:

The applicant is requesting multiple subdivision variances to allow for the development of residential lots in the Cottages at All Saints Subdivision.

TRAFFIC ENGINEERING COMMENTS:

Traffic Engineering supports the request as submitted.

FIRE DEPARTMENT COMMENTS:

The maximum allowed grade for a Fire Department access is 10%. This is at the maximum allowable grade. Anything that can be done to decrease the grade would be preferred.

STAFF COMMENTS:

1. The applicant is requesting multiple subdivision variances to allow for the development of residential lots in the Cottages at All Saints Subdivision. The applicant is requesting variances from Section 403(2), (6) and (15), of the Subdivision Regulations to allow a higher percentage of street grades along Inman Street, no street connection to Inman from the west and a permanent street and cul-de-sac longer than eight hundred (800) feet.
2. Section 403(2) of the *Subdivision Regulations* require any new subdivisions to provide the continuation of existing streets in adjoining areas and Section 403(15) requires all street grades to be in accordance with specifications set forth in the City of Springfield Design Standards for Public Improvements. After review of the grading plans for the subdivision, the proposed connection to Inman Street on the existing preliminary plat (Exhibit A) created street grades that were much too steep to meet Public Works Design Standards. The applicant has proposed removing the connection to Inman Street (Exhibit B) which allows for more acceptable street grades from Public Works and Fire Departments perspective. Section 403(6) requires any new dead-end or cul-de-sac streets to be less than eight hundred (800) feet in length. This improves traffic circulation and emergency access to the site. With the proposed gate, traffic circulation was limited and the Fire Department said that the fire department access around the church/Weaver house was an acceptable turnaround for access to the northern phase of the subdivision.
3. The Fire Department and Public Works Traffic Division support the proposed subdivision variances.
4. The preliminary plat of Cottages at All Saints Subdivision was approved by City Council on September 10, 2012. A final plat in substantial conformance to the preliminary plat is required to be submitted within two (2) years of City Council's approval.

ATTACHMENT B
APPROVAL CRITERIA
SUBDIVISION VARIANCE NUMBER 342

Section 106 of the Subdivision Regulations states in part:

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

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

Applicant's Response:

Section 403 (2) Relation to Adjoining Street System

All Saints and Inman in the plat and plans for Cottages at All Saints have been designed to be private streets and gated. It has been the desire of the neighbors on the west for traffic from the subdivision to NOT travel through their subdivision. Several complaints were filed before the connection to Galloway Street could be made and Inman was being used by the members of the church on Sundays. We believe it is in the best interest of the neighbors and the best interest of the future owners to not provide this connection. In meetings with the Fire Department, since there will be turn-a-rounds provided at the ends of Inman and Sequiota and in public rights-of-way, the connections were not a concern.

The topography of the area and other development to the east of the area would prevent any future connection of either street to Lone Pine.

The lack of connection will provide the residents along Sequiota and Inman Streets the status quo on their streets and the security desired by the Cottages community. Fire code does not require a second point of connection for less than 50 residential units. This development will be less than half that amount.

Section 403 (6) Dead-end Street or Cul-de-sac

All Saints Court has been constructed and inspected from Galloway Street to the northern drive which now encircles the former Weaver home. The home as been remodels and functions today as the temporary quarters for All Saints Anglican Church. A new church has been started on adjoining property with the plan to use the building as a school once the new church is completed.

While the distance from Galloway Street to the cul-de-sac at the end of All Saints is greater than the 800 feet allowed, the distance from the north drive around the now church (future school) is less than 800 feet. It has be our understanding from the fire

department and traffic engineering that it would be acceptable to measure from the nearest intersection, the north drive and All Saints.

Section 403 (15) Street Grades

The grades from All Saints along the short section of Inman Court cannot provide for 100 feet of leveling at 3%. The ground grade along this path is 10%. We propose to mitigate this lack of compliance with a shorter 5% section which will differentially level into the cul-de-sac which will have a cross grade of 5%. Five (5) percent grades are commonly used in commercial parking lots for extended lengths. This short piece of road will be readily navigable and will not create a danger to the residents nor their visitors.

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

Applicant's Response:

Five of the residential lots will take access from Inman Street. It is a short section of street which will be driven slowly by the residence with a minimum of outside traffic. Since the street cannot be built to meet the leveling requirement, these lots could not exist and the right to develop and enjoy this location would be denied.

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

Applicant's Response:

The impact of this isolated steeper than normal intersection of two private streets will have no impact on the surrounding developments since they will not have access to them. Eliminating the connection with the existing streets to the West will not be detrimental to the public safety, convenience or welfare or injurious to other property in the area.

PRELIMINARY PLAT COTTAGES AT ALL SAINTS

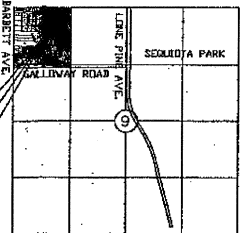
A 17.05 ACRE TRACT LOCATED IN THE NW1/4, NW1/4 OF SEC. 9
T.28 N., R.21 W., GALLOWAY, GREENE COUNTY, MO.

DEVELOPER:
NN LAND DEVELOPMENT L.L.C.
8439 S. FARM ROAD 205
ROGERSVILLE, MISSOURI 65742
PHONE: (417) 818-8384
CONTACT PERSON: BRIAN BECKER

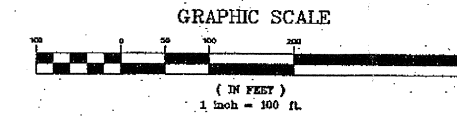
OWNER:
ALL SAINTS ANGLICAN CHURCH
1309 E. MONTCLAIR STR.
SPRINGFIELD, MISSOURI 65804
PHONE: (417) 889-5800

GRID NORTH DETERMINED BY
MISSOURI STATE PLANE
COORDINATE SYSTEM 1983
MISSOURI CENTRAL ZONE
GEOGRAPHIC REFERENCE MARKER:
GR-37 TO GR-37A-2

SITE



LOCATION MAP
SECTION 9
TOWNSHIP 28 RANGE 21
APPROX. SCALE: 1"=2000'



- LEGEND**
- EXISTING IRON PIN EXCEPT AS NOTED
 - 5/8" IRON PIN SET CAPPED "15-2670"
 - STONE
 - POWDER POLE
 - LIGHT POLE
 - GAS METER
 - GAS VALVE
 - WATER METER
 - WATER VALVE
 - FIRE HYDRANT
 - SEWER MANHOLE
 - SIGN
 - BUSH
 - DECIDUOUS TREE
 - CONIFER TREE
 - RAIL SEWER LINE
 - GAS LINE
 - WATER LINE
 - ELECTRIC LINE
 - TELEPHONE LINE
 - CHAIN-LINK FENCE
 - WIRE FENCE
 - WOOD FENCE
 - ASPHALT
 - CONCRETE
 - GRAVEL

PROPERTY DESCRIPTION

ALL OF THAT PART BEING IN BOOK 2011 AT PAGE 32919 IN THE RECORDER'S OFFICE, GREENE COUNTY, MISSOURI TO ALL SAINTS ANGLICAN CHURCH AND BEING MORE PARTICULARLY DESCRIBED WITH BEARINGS LISTED AS GRID NORTH AS DETERMINED BY STATE PLANE MINORITIES GR-37 AND GR-37A AS FOLLOWS:

BEGINNING AT AN EXISTING STONE AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 9, TOWNSHIP 28, RANGE 21, THENCE SOUTH 89°13'14" W, ALONG THE EAST LINE OF SAID QUARTER-QUARTER, A DISTANCE OF 845.14 FEET TO AN EXISTING IRON PIN THENCE NORTH 71°49'14" W, A DISTANCE OF 466.94 FEET TO AN EXISTING IRON PIN THENCE SOUTH 89°13'14" W, A DISTANCE OF 327.36 FEET TO AN EXISTING IRON PIN THENCE SOUTH 89°13'14" W, A DISTANCE OF 99.96 FEET TO AN EXISTING IRON PIN THENCE SOUTH 89°13'14" W, A DISTANCE OF 134.97 FEET TO AN EXISTING IRON PIN AT THE NORTH RIGHT-OF-WAY LINE OF GALLOWAY ROAD THENCE NORTH 71°49'14" W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 95.56 FEET TO AN EXISTING IRON PIN MARKING THE EAST LINE OF THE WEST ONE (W1/2) OF AFORESAID QUARTER-QUARTER THENCE NORTH 89°13'14" W, ALONG SAID EAST LINE AND LEAVING SAID RIGHT-OF-WAY, A DISTANCE OF 125.01 FEET THENCE NORTH 89°13'14" W, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 642.63 FEET TO THE EAST RIGHT-OF-WAY LINE OF BARRETT AVENUE, A DISTANCE OF 320.58 FEET TO AN EXISTING IRON PIN THENCE SOUTH 87°28'56" E, LEAVING SAID RIGHT-OF-WAY, A DISTANCE OF 275.16 FEET TO AN EXISTING IRON PIN THENCE NORTH 89°13'14" W, A DISTANCE OF 150.16 FEET TO AN EXISTING IRON PIN THENCE NORTH 89°13'14" W, A DISTANCE OF 48.01 FEET TO AN EXISTING IRON PIN THENCE NORTH 89°13'14" W, A DISTANCE OF 65.08 FEET TO AN EXISTING IRON PIN THENCE SOUTH 87°28'56" E, A DISTANCE OF 320.58 FEET TO THE EAST LINE OF THE AFORESAID WEST ONE-HALF (W1/2) THENCE NORTH 89°13'14" W, ALONG SAID WEST LINE, A DISTANCE OF 261.61 FEET TO THE SOUTH LINE OF THE EXCEPTED IN SEQUOIA HILLS SUBDIVISION, A SUBDIVISION IN SPRINGFIELD, GREENE COUNTY, MISSOURI THENCE SOUTH 87°41'33" W, ALONG THE SAID SOUTH LINE, A DISTANCE OF 642.72 FEET TO THE SOUTHEAST CORNER OF SAID SUBDIVISION THENCE NORTH 89°13'14" W, ALONG THE EAST LINE OF THE AFORESAID SUBDIVISION, A DISTANCE OF 244.97 FEET TO THE SOUTHEAST CORNER OF LOT 25 OF THE SAID SEQUOIA HILLS SUBDIVISION THENCE NORTH 89°13'14" W, ALONG THE SOUTH LINE OF SAID LOT 25, A DISTANCE OF 5.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 25 THENCE NORTH 89°13'14" W, A DISTANCE OF 40.08 FEET TO THE NORTHWEST CORNER OF SAID LOT 24 THENCE NORTH 89°13'14" W, A DISTANCE OF 5.00 FEET TO THE NORTHEAST CORNER OF LOT 24 OF THE AFORESAID SEQUOIA HILLS SUBDIVISION THENCE NORTH 89°13'14" W, A DISTANCE OF 5.00 FEET TO THE NORTHEAST CORNER OF LOT 24 THENCE NORTH 89°13'14" W, A DISTANCE OF 116.29 FEET TO AN EXISTING IRON PIN AND THE NORTHEAST CORNER OF THE AFORESAID SEQUOIA HILLS SUBDIVISION AND THE SOUTH LINE OF VALLEY PARK SUBDIVISION, A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI THENCE SOUTH 87°10'46" E, ALONG THE SOUTH LINE OF SAID VALLEY PARK SUBDIVISION, A DISTANCE OF 658.06 FEET TO THE POINT OF BEGINNING, ALL BEING THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, CONTAINING 17.05 ACRES (742,694 SQ. FT.) AND,

A 4.96 ACRE TRACT OF LAND, BEING DESCRIBED IN BOOK 2011, AT PAGE 32919-21 AND LOCATED IN THE NW1/4 OF THE NW1/4 OF SECTION 9, T.28 N., R.21 W., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL BEGINNING AT THE NORTHEAST CORNER OF THE NW1/4 OF THE NW1/4 OF SECTION 9, T.28 N., R.21 W., THENCE SOUTH 138°18'1/2 FEET MORE OR LESS TO THE NORTH LINE OF GALLOWAY ROAD FOR A BEGINNING POINT THENCE WEST 467 FEET THENCE NORTH 462 1/2 FEET THENCE EAST 467 FEET THENCE SOUTH 462 1/2 FEET TO THE POINT OF BEGINNING, ALL BEING IN SPRINGFIELD, GREENE COUNTY, MISSOURI.

NOTES:

1.) PROPERTY IS SUBJECT TO THE TERMS AND CONDITIONS OF A SEWER EXTENSION RECOVERY AGREEMENT RECORDED IN BOOK 2006 AT PAGE 36707-08

SOURCE OF DESCRIPTION

BOOK 2011 PAGE 32919-21
BOOK 2011 PAGE 28795-11

RESOURCE MATERIALS USED FOR BOUNDARY DETERMINATION

SURVEY BY WILSON SURVEYING DATED 1/27/1991
SURVEY BY WILSON SURVEYING DATED 5/12/1994
SURVEY BY DRENNAN SURVEYING DATED 5/24/2010
SURVEY BY WILSON SURVEYING DATED 7/20/2011
FINAL PLAT SEQUOIA HILLS
DEEDS AS SHOWN

PREPARED BY

WILSON SURVEYING CO., INC.

SURVEYING/ENGINEERING/LAND PLANNING
(417)-522-7870

2002 S. STEWART AVENUE
Springfield, Missouri 65804
DRAWING NO.: WD-104-346-7

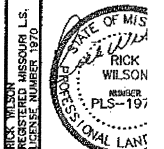
JOB NO.: 11145-7

DRAWN BY: REG

DATE: JULY 18, 2012

SCALE 1" = 100'

AREA
22.01 ACRES
958,752 SQ. FT.



BENCHMARKS

CITY BENCHMARK NO. 160
BARRETT AND CRAIGMONT
SE QUADRANT 2.0' SOUTH OF WALK
ELEV. 1296.27

TEMPORARY BENCHMARK NO. 1
EXISTING IRON PIN CAPPED "LS1640"
NEAR SOUTHWEST CORNER OF PROPERTY
ELEV. 1278.24

TEMPORARY BENCHMARK NO. 2
TOP RIM EXISTING MANHOLE 14.6' E.
OF END OF SEQUOIA STR. ON SITE
ELEV. 1268.50



CAUTION:

INFORMATION ON THIS DRAWING CONCERNING TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATION AS TO THE TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO.

THE SURVEY SHOWN HEREON WAS PERFORMED TO MEET OR EXCEED THE REQUIREMENTS FOR URBAN CLASS PROPERTY.

THE PROPERTY SHOWN HEREON LIES IN A FLOOD ZONE X ACCORDING TO FLOOD INSURANCE MAP 29077C0363E, EFFECTIVE DECEMBER 17, 2010.

SHEET INDEX

- 1.) PRELIMINARY PLAT - 100 SCALE
- 2.) PRELIMINARY PLAT - 50 SCALE
- 3.) PRELIMINARY PLAT - 50 SCALE

LOT SUMMARY

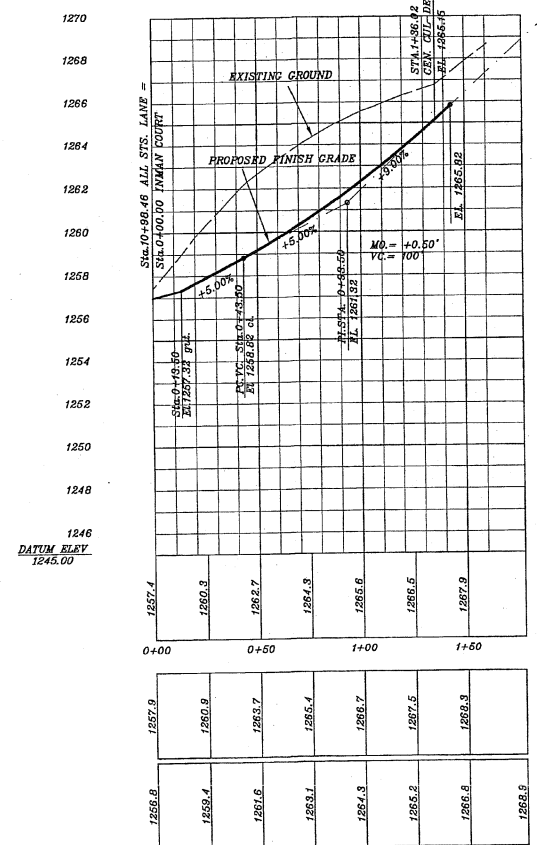
TOTAL AREA = 958,752 SF. (22.01 AC)
TOTAL LOTS = 14
LOT 1 = 215,307 SF. LARGEST LOT
LOT 6 = 7,461 SF. SMALLEST LOT
COMMON AREA = 359,681 SF. (8.26 AC)

PHASING SCHEDULE

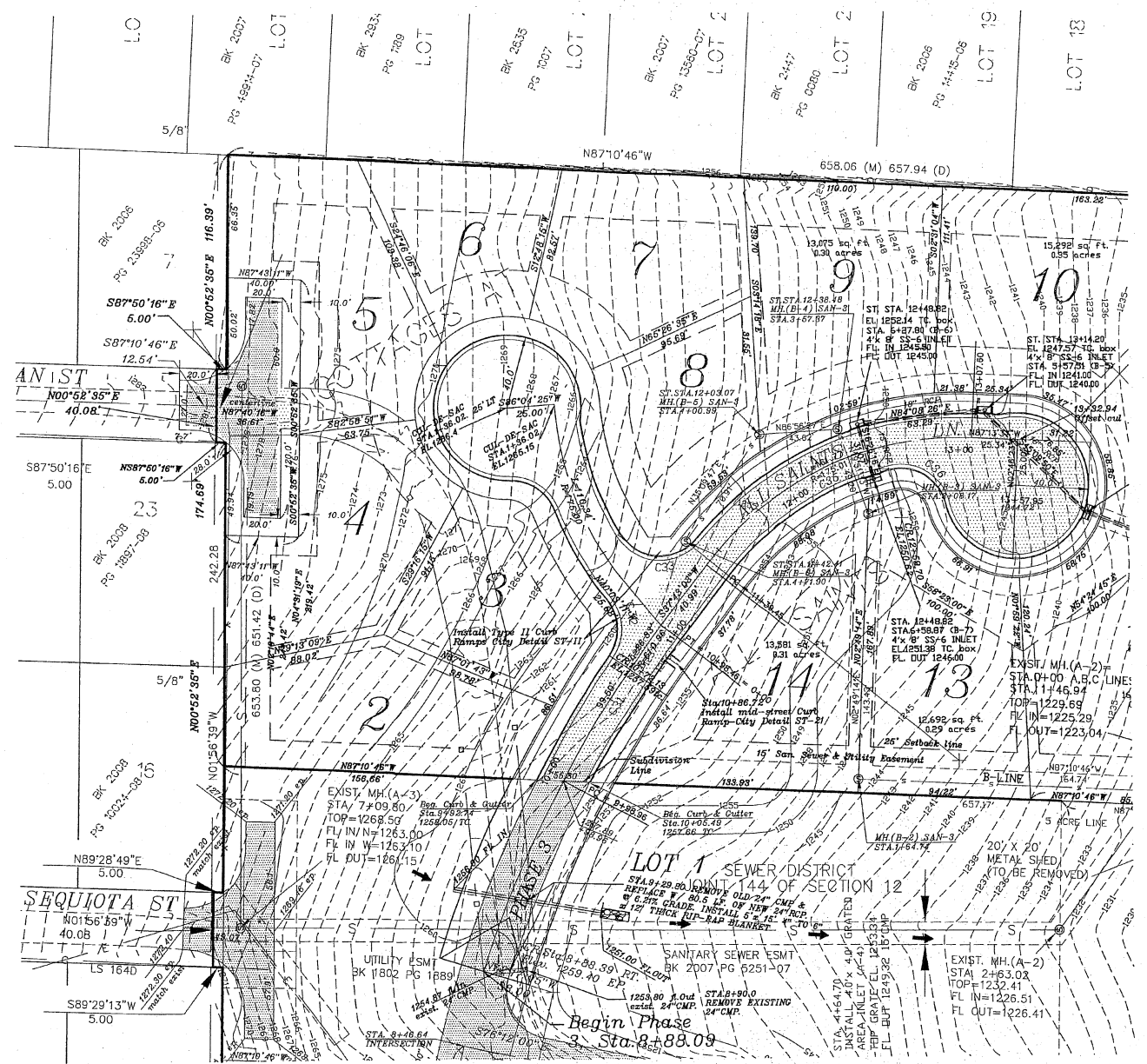
- PHASE I - LOTS 2 THROUGH 14
- PHASE II - LOT 1

- LEGEND**
- = EXISTING IRON PIN EXCEPT AS NOTED
 - = 5/8" IRON PIN SET CAPPED "LS-2870"
 - = STONE
 - = POWER POLE
 - = LIGHT POLE
 - = GAS METER
 - = GAS VALVE
 - = WATER METER
 - = WATER VALVE
 - = FIRE HYDRANT
 - = SEWER MANHOLE
 - = SIGN
 - = BUSH
 - = DECIDUOUS TREE
 - = CONIFER TREE
 - = SAN. SEWER LINE
 - = GAS LINE
 - = WATER LINE
 - = ELECTRIC LINE
 - = TELEPHONE LINE
 - = CHAIN-LINK FENCE
 - = WIRE FENCE
 - = WOOD FENCE
 - = ASPHALT
 - = CONCRETE
 - = GRAVEL

GRID NORTH DETERMINED BY MISSOURI STATE PLANE COORDINATE SYSTEM 1983. MISSOURI CENTRAL ZONE. GEOGRAPHIC REFERENCE MARKER: GR-37 TO GR-37A-2



PHASE 3 - INMAN COURT (A PRIVATE STREET)



PHASE 3 - INMAN COURT (A PRIVATE STREET)
Scale: 1" = 40'

BENCHMARKS
CITY BENCHMARK NO. 160
BARBETT AND CRAIGMONT
SE QUADRANT 2.0' SOUTH OF WALK
ELEV. 1296.27

TEMPORARY BENCHMARK NO. 1
EXISTING IRON PIN CAPPED "LS1640"
NEAR SOUTHWEST CORNER OF PROPERTY
ELEV. 1278.24

TEMPORARY BENCHMARK NO. 2
TOP RIM EXISTING MANHOLE 14.6' E.
OF END OF SEQUOTA STR. ON SITE
ELEV. 1268.50

EXHIBIT DRAWING ONLY



CAUTION:
INFORMATION ON THIS DRAWING CONCERNING TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATION AS TO THE TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO.

FILED
IN THE OFFICE OF THE
DIRECTOR OF PUBLIC WORKS
DATE
SIGNED

NO.	DATE	REVISION	DESCRIPTION	BY
WILSON SURVEYING CO., INC. Surveying / Engineering / Land Planning 429 S. Jefferson, Springfield, Missouri 65808 TELEPHONE: (417) 522-7870 FAX: (417) 522-7874				
DEPARTMENT OF PUBLIC WORKS SPRINGFIELD, MISSOURI				
NN LAND DEVELOPMENT L.L.C. PHASE 3 PAVING IMPROVEMENTS INMAN COURT (A PRIVATE STREET) STA.0+00.00 TO STA.1+36.02				
APPROVED BY _____ DATE _____ DIRECTOR OF PUBLIC WORKS				
SURVEY BY WILSON SURVEYING	DESIGN REG.	REG.	SCALES HOR. 1"=40' VERT. 1"=4'	SHEET 4 OF 7 FILE NO. 2012PWO058T

EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To adopt an ordinance to vacate a portion of Hayden Avenue and adjacent alleys generally located at the 200 block North Hayden Avenue. (Staff recommends approval with conditions).

BACKGROUND INFORMATION:

VACATION NO. 752

The Planning and Zoning Commission is typically the final authority on requests for the vacation of public right-of-way. However, if there are requirements that must be met before the vacation becomes effective, the request must then be forwarded to City Council, as is the case with the subject property.

The applicant is requesting to vacate a portion of Hayden Avenue and adjacent alleys generally located at the 200 block N. Hayden Avenue. The vacation will require replacement easements to be dedicated before the property can be vacated. The proposed vacation meets the approval criteria for vacating right-of-way with the required conditions.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on March 7, 2013, and recommended _____, by a vote of ___ to __, of the proposed vacation with conditions described in _____ (see the attached Record of Proceedings).

The Planning and Development Staff recommends **approval** of the proposed vacation with conditions as described on Exhibit A.

FINDINGS FOR STAFF RECOMMENDATION:

1. The proposed vacation meets the approval criteria for vacating public right-of-way with conditions.

Submitted by:

Mike MacPherson, Principal Planner

Greg Burris, City Manager

Zoning & Subdivision Report

*Planning & Development Department ~ 417/864-1031
840 Boonville Avenue ~ Springfield, Missouri*

VACATION #752

DATE: February 25, 2013

PURPOSE: To vacate a portion of Hayden Avenue and adjacent alleys.

BACKGROUND:

LOCATION: 200 block N. Hayden Ave.

APPLICANT: Cherry Properties, LTD, SWDFOR, LLC, JM EC LORE, LLC and
Marguerite Lee Trust and The Kitchen, Inc.

RECOMMENDATION:

Staff recommends **approval** of this request with the following condition:

CONDITIONS:

A Final Plat is recorded which includes all necessary replacement easements.

If this condition is not met within two (2) years of City Council's approval, then that approval is null and void and the property is not vacated.

FINDINGS FOR STAFF RECOMMENDATION:

The requested Vacation #752 meets the approval criteria listed in Attachment B. The proposed condition will require this to be forwarded to City Council for review and approval.

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner

ATTACHMENTS:

Attachment A - Background Report
Attachment B - Approval Criteria
Exhibit A - Legal Description
Exhibit B - Location Map & Sketches

ATTACHMENT A
BACKGROUND REPORT
VACATION #752

APPLICANT'S PROPOSAL:

The applicant is requesting to vacate a portion of Hayden Avenue, a public street, and adjacent public alleys. This will facilitate the redevelopment of the site into a new CU bus transfer station.

TRAFFIC ENGINEERING COMMENTS:

Traffic does not oppose the vacation. A turn around will need to be provided on Hayden Avenue per city standard ST-20.

AT&T COMMENTS:

Pending customer reimbursed cost of removal of copper and fiber facilities on property. Conduit or easements will need to be provided for future access to structure as needed.

CITY UTILITIES COMMENTS:

Any necessary easements will need to be replaced as part of the final plat of the property.

STORM WATER COMMENTS:

Okay with vacations shown contingent upon the following actions occurring with the platting process:

1. Must provide public improvement plans and construct or escrow public improvements to convey offsite drainage across the new bus transfer facility lot. This includes flows from the existing east-west alley, the printing press company lot, and Hayden Ave.
2. Drainage easements must be provided for any conveyance systems (pipes, channels, etc) conveying public stormwater across lot lines or from offsite across any lot. These easements must be sized to carry the 100 year peak flow rates.

POLICE DEPARTMENT:

The Police Department does not have any issues with this request.

SANITARY SERVICE:

The vacation cannot take place before the final plat is filed to maintain easements for the existing sewer unless conditions are placed on the vacation stating that it will not be effective until after the final plat is filed.

ADJACENT PROPERTY OWNER COMMENTS:

Twenty-two (22) property owners are within three hundred (300) feet of this site and have been notified of this action. No one has objected to date.

STAFF COMMENTS:

1. The applicant is requesting to vacate a portion of Hayden Avenue, a public street, and adjacent public alleys. This will facilitate the redevelopment of the site into a new CU bus transfer station. The preliminary plat of Pioneer School Addition accompanies this vacation and a final plat will need to be recorded at the same time as the vacation.
2. The proposed vacation meets the approval criteria for vacating the right-of-way. The proposed condition will require City Council to approve this vacation. The applicant is requesting a condition that will require a final plat to be recorded with any necessary replacement easements. If this condition is not met within two (2) years of City Council's approval, then that approval is null and void and the property is not vacated.

ATTACHMENT B
APPROVAL CRITERIA
VACATION #752

In order to approve the vacation of a public street or alley, the Planning and Zoning Commission must make the following findings.

1. All property owners adjacent to the street, alley or public way have access to another street, alley or public way.

STAFF RESPONSE:

All adjacent properties have access to other public streets after the final plat has been recorded.

2. The owners of two-thirds of the property adjacent to the street, alley or public way to be vacated have given their consent to the vacation.

STAFF RESPONSE:

All three (3) of the adjacent property owners are requesting the vacation.

3. That the retention of the street, alley, public way or subdivision serves no useful purpose.

STAFF RESPONSE:

With the reconfiguration of these lots into one, Hayden Avenue or the adjacent alleys serve no useful purpose.

4. That the vacation will not affect the ability to use utilities, public or private.

STAFF RESPONSE:

The proposed vacation will not adversely affect properties the ability to use utilities, public or private. All necessary utilities will be protected or replaced in easements as part of the final plat.

EXHIBIT A
LEGAL DESCRIPTION
VACATION #752

AREA TO BE VACATED:

HAYDEN AVENUE VACATION:

A TRACT OF LAND AS LYING IN PHELPS 2ND ADDITION AS DESCRIBED IN PLAT BOOK A, PAGE 81 AND LYING IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 29 NORTH, RANGE 22 WEST AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 27 OF PHELPS 2ND ADDITION AS DESCRIBED IN PLAT BOOK A, PAGE 81; THENCE ALONG THE WEST RIGHT-OF-WAY OF HAYDEN AVENUE AND ALONG THE EAST LINE OF LOTS 27, 28, 29 AND 30 OF PHELPS 2ND ADDITION, NORTH 04°15'31" WEST, 208.20 FEET TO A POINT LYING ON THE CENTER OF A VACATED ALLEY AS DESCRIBED IN ORDINANCE NUMBER 5989 DATED OCTOBER 29, 1910; THENCE LEAVING SAID WEST RIGHT-OF-WAY AND ALONG SAID CENTER LINE, SOUTH 87°33'22" EAST, 50.12 FEET TO A POINT LYING ON THE EAST RIGHT-OF-WAY OF HAYDEN STREET; THENCE LEAVING SAID CENTER LINE AND ALONG SAID EAST RIGHT-OF-WAY, SOUTH 04°11'04" EAST, 208.53 FEET; THENCE LEAVING SAID EAST RIGHT-OF-WAY, NORTH 87°08'49" WEST, 49.89 FEET TO THE POINT OF BEGINNING. ALL LYING IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 29 NORTH, RANGE 22 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE. DATE OF ADJUSTMENT 2000.

CONTAINING 10,344 SQUARE FEET OR 0.237 ACRES AND 209 LINEAR FEET, MORE OR LESS.

SOUTH ALLEY VACATION:

A TRACT OF LAND AS LYING IN PHELPS 2ND ADDITION AS DESCRIBED IN PLAT BOOK A, PAGE 81 AND LYING IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 29 NORTH, RANGE 22 WEST AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 27 OF PHELPS 2ND ADDITION AS DESCRIBED IN PLAT BOOK "A", PAGE 81 SAID POINT ALSO LYING ON THE WEST RIGHT-OF-WAY OF HAYDEN AVENUE; THENCE ALONG SAID WEST RIGHT-OF-WAY, SOUTH 04°15'31" EAST, 15.12 FEET TO A POINT LYING ON THE SOUTH LINE OF A PLATTED 15.00 FOOT WIDE ALLEY; THENCE LEAVING SAID WEST RIGHT-OF-WAY AND ALONG SAID SOUTH LINE, NORTH 87°08'49" WEST, 174.82 FEET TO A POINT LYING ON THE WEST LINE OF SAID ALLEY; THENCE LEAVING SAID SOUTH LINE AND ALONG SAID WEST LINE, NORTH 03°33'35" WEST, 15.09 FEET TO A POINT LYING ON THE NORTH LINE OF SAID ALLEY; THENCE LEAVING SAID WEST LINE AND ALONG SAID NORTH LINE, SOUTH 87°08'49" EAST, 174.64 FEET TO THE POINT OF BEGINNING. ALL LYING IN

THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 29 NORTH, RANGE 22 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE. DATE OF ADJUSTMENT 2000.

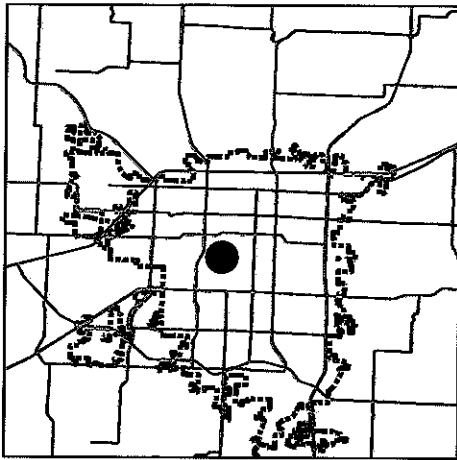
CONTAINING 2,621 SQUARE FEET OR 0.060 ACRES AND 175 LINEAR FEET, MORE OR LESS.

LOT "A" VACATION

A TRACT OF LAND AS LYING IN PHELPS 2ND ADDITION AS DESCRIBED IN PLAT BOOK A, PAGE 81 AND LYING IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 29 NORTH, RANGE 22 WEST AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 27 OF PHELPS 2ND ADDITION AS DESCRIBED IN PLAT BOOK "A", PAGE 81; THENCE ALONG THE NORTH LINE OF A 15.00 FOOT PLATTED ALLEY, NORTH 87°08'49" WEST, 7.55 FEET TO A POINT LYING ON THE WEST LINE OF LOT "A"; THENCE LEAVING SAID NORTH LINE AND ALONG SAID WEST LINE, NORTH 03°33'35" WEST, 206.67 FEET TO A POINT LYING ON THE CENTER OF A VACATED ALLEY AS DESCRIBED IN ORDINANCE NUMBER 5989, DATED OCTOBER 10, 1910; THENCE ALONG SAID CENTERLINE, SOUTH 87°33'22" EAST, 7.54 FEET; THENCE LEAVING THE CENTER OF SAID ALLEY AND ALONG THE EAST LINE OF LOT "A", SOUTH 03°33'35" EAST, 108.50 FEET; THENCE LEAVING SAID EAST LINE, AND ALONG THE NORTH LINE OF A DEED EXCEPTION FOR STREET PURPOSE AS DESCRIBED IN BOOK 2003, PAGE 085634-03, ALSO BEING THE NORTH LINE OF LOT 28, SOUTH 87°33'09" EAST, 10.00 FEET; THENCE LEAVING SAID NORTH LINE AND ALONG THE EAST LINE OF SAID DEED EXCEPTION, SOUTH 03°33'35" EAST, 50.48 FEET TO A POINT LYING ON THE SOUTH LINE OF LOT 28; THENCE ALONG SAID SOUTH LINE, NORTH 87°33'09" WEST, 10.00 FEET TO A POINT LYING ON THE EAST LINE OF THE AFOREMENTIONED LOT "A"; THENCE ALONG SAID EAST LINE, SOUTH 03°33'35" EAST, 47.75 FEET TO THE POINT OF BEGINNING. ALL LYING IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 29 NORTH, RANGE 22 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE. DATE OF ADJUSTMENT 2000.

CONTAINING 2,055 SQUARE FEET OR 0.047 ACRES AND 207 LINEAR FEET, MORE OR LESS.



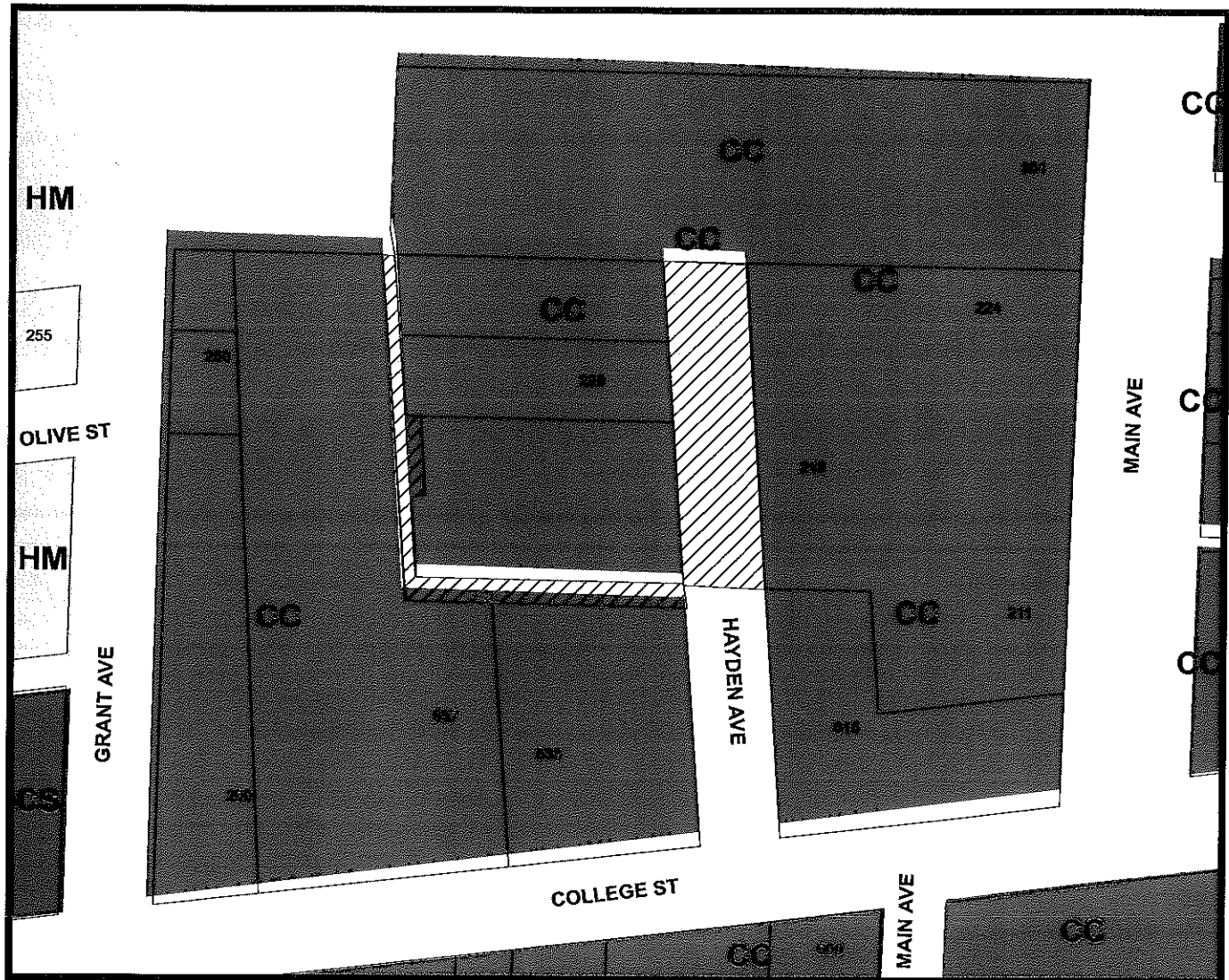
Zoning & Subdivision Report

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

Vacation 752

Location: 200 block N. Hayden Ave. and adjacent alleys
Current Zoning: CC, Center City

LOCATION SKETCH

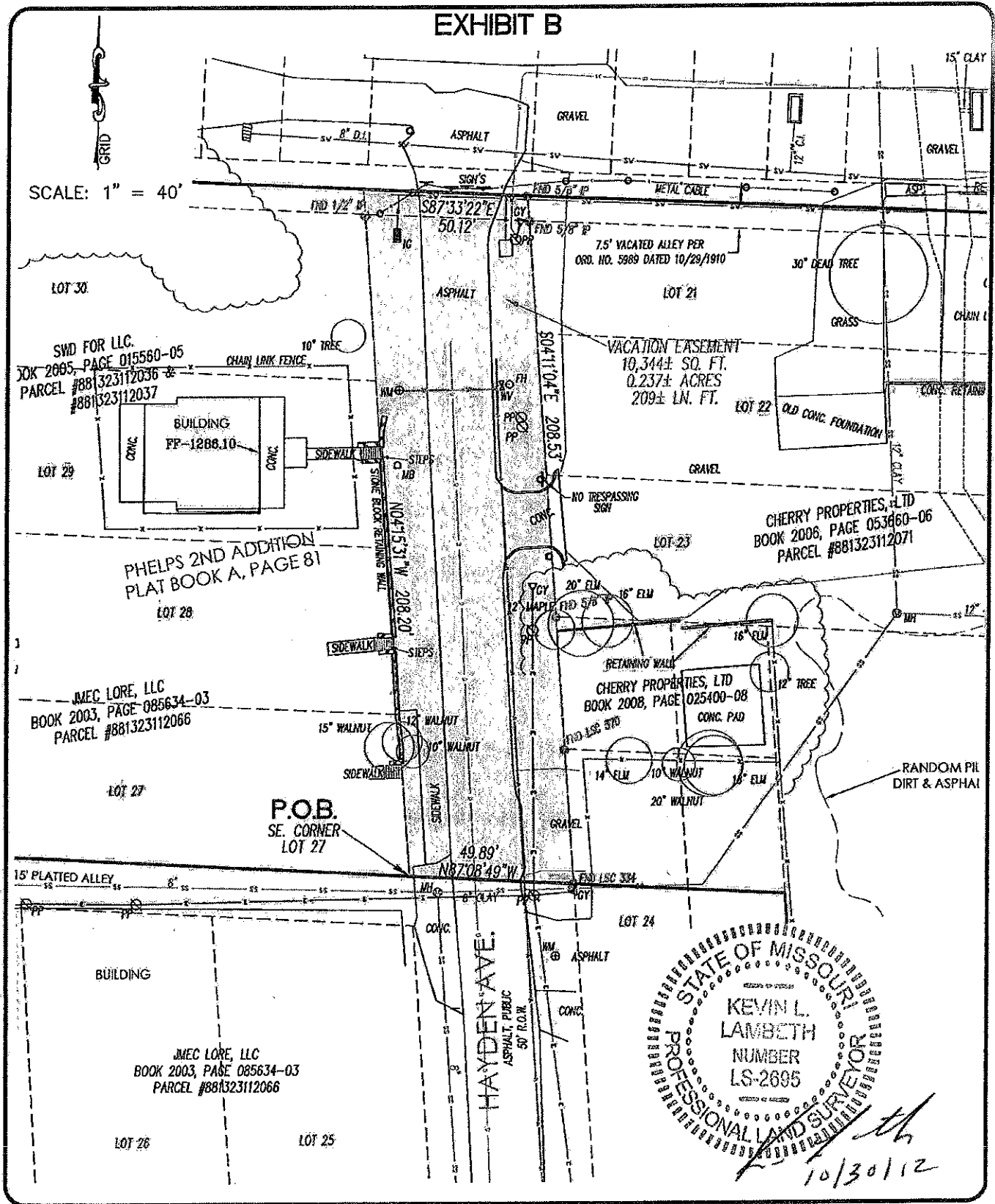


- Area of Proposal



1 inch = 100 feet

EXHIBIT B



ANDERSON ENGINEERING, INC.

ENGINEERS • SURVEYORS • LABORATORIES • DRILLING
2045 W WOODLAND • SPRINGFIELD, MISSOURI 65807 • PHONE (417) 896-2741

CITY UTILITIES OF SPRINGFIELD
VACATION
EASEMENT SKETCH
COLLEGE AVE. & HAYDEN AVE., SPRINGFIELD, MO.

109547.DWG

DRAWN BY:

BAC

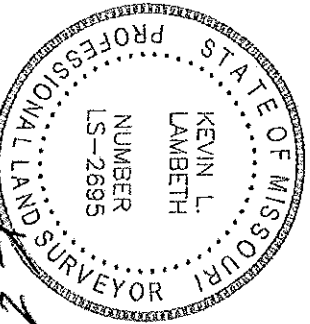
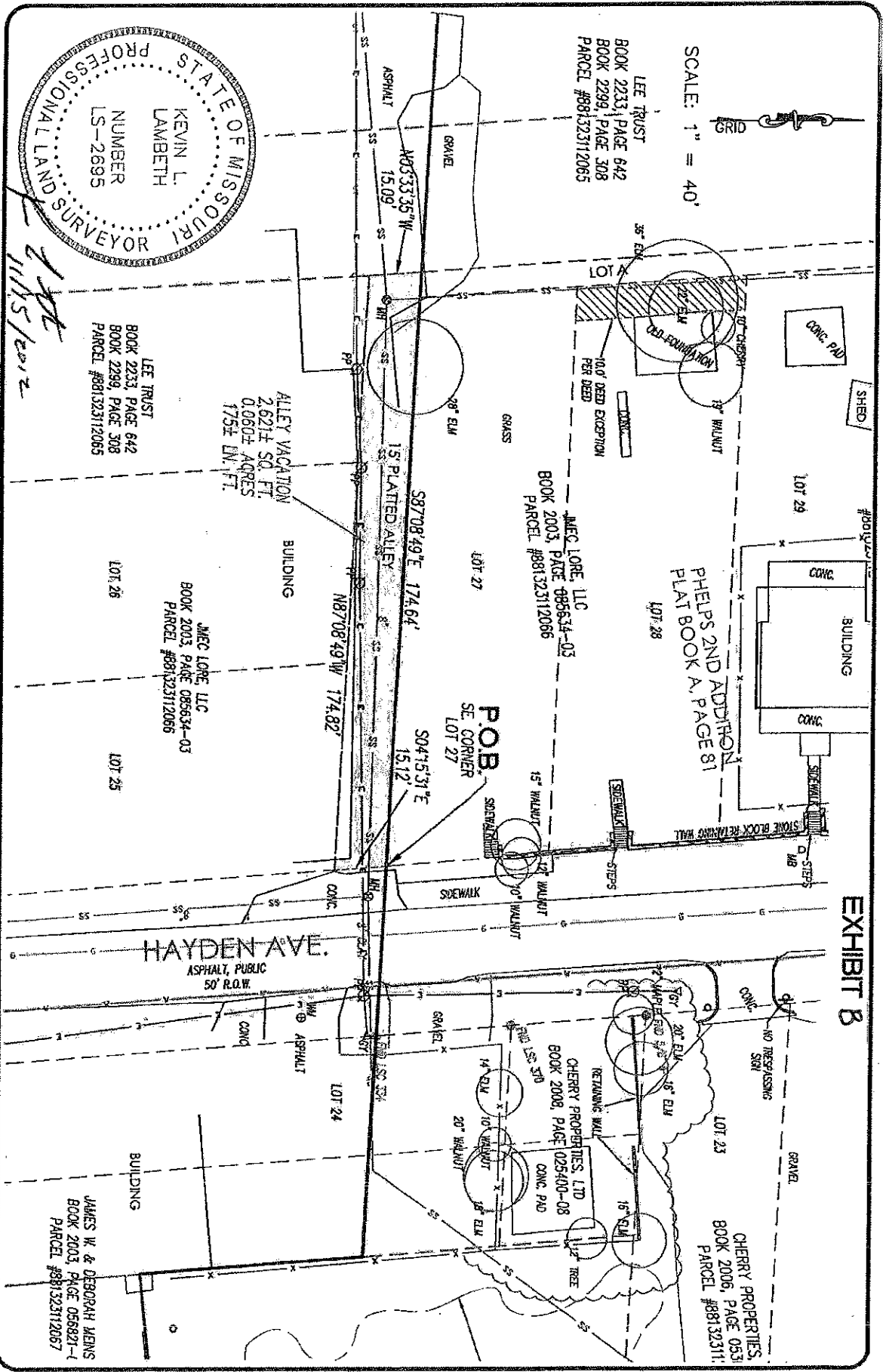
DATE:

10-29-2012

CLIENT NO:

30161-12

EXHIBIT B



11/15/2012

ANDERSON ENGINEERING, INC.
ENGINEERS - SURVEYORS - LABORATORIES - DRILLING
2345 W. WOODLAND - SPRINGFIELD, MISSOURI 65807 - PHONE (417) 866-5741

CITY UTILITIES OF SPRINGFIELD
ALLEY VACATION SKETCH

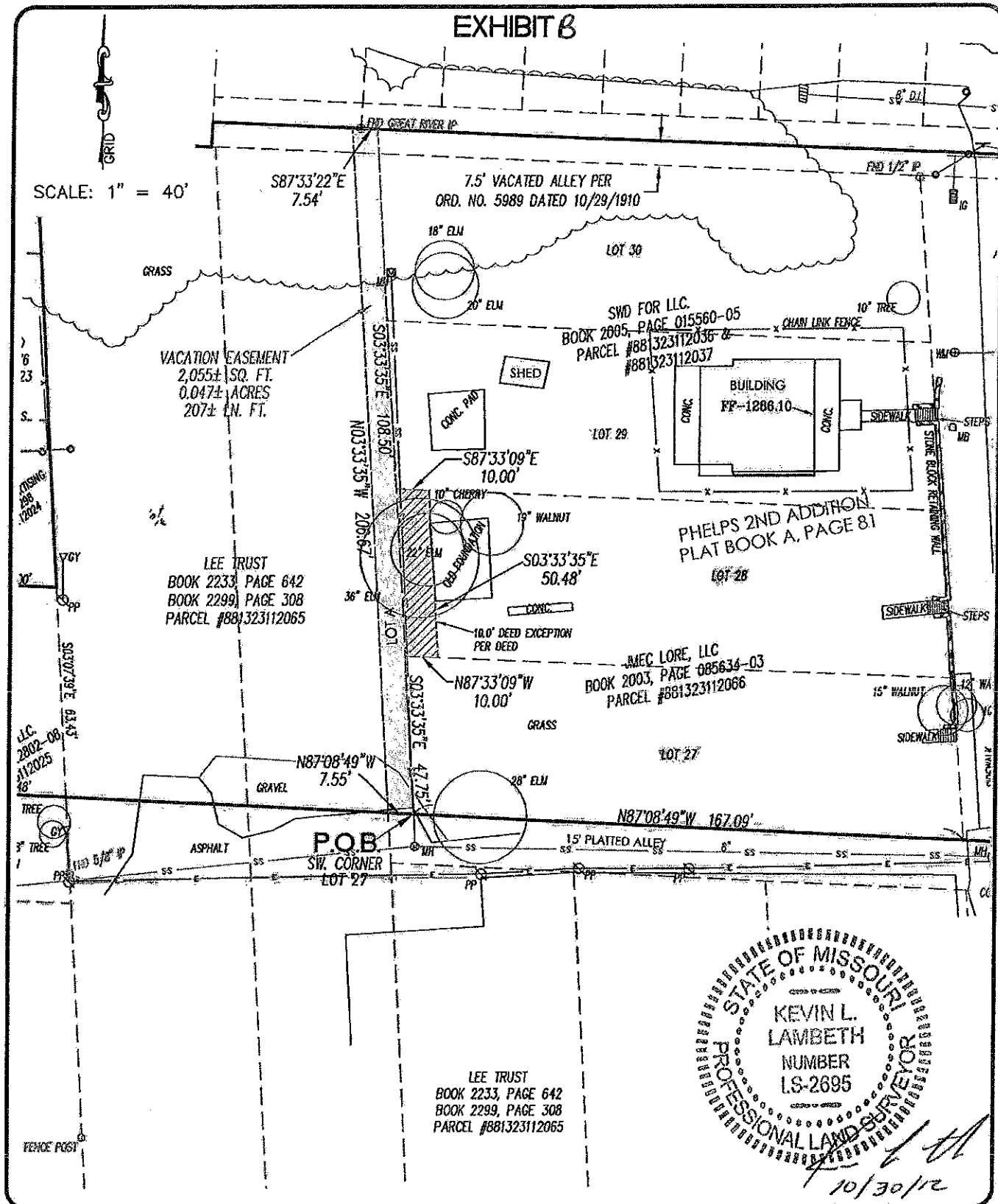
COLLEGE AVE. & GRANT ST., SPRINGFIELD, MO.

DRAWN BY:	BAC	FIELD BY:	KP
DATE:	11-12-2012	FIELD BK:	-
CLIENT NO:	30161-12	DRAWING NO:	109547.DWG

JAMES W. & DEBORAH MENS
BOOK 2003, PAGE 056821-1
PARCEL #881323112067

EXHIBIT B

SCALE: 1" = 40'



10/30/12

ANDERSON ENGINEERING, INC
ENGINEERS • SURVEYORS • LABORATORIES • DRILLING
 2045 W. WOODLAND • SPRINGFIELD, MISSOURI 65807 • PHONE (417) 656-2741

CITY UTILITIES OF SPRINGFIELD
VACATION EASEMENT SKETCH
 COLLEGE AVE. & GRANT ST., SPRINGFIELD, MO.

109547.DWG
 DRAWN BY: BAC
 DATE: 10-29-2012
 CLIENT NO: 30161-12

EXPLANATION TO COUNCIL BILL NO. 2013-_____

Filed: dddd

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 0.87 acres of property generally located at 225 East Primrose Street from an O-1, Office District, to a GR, General Retail District. (Planning and Zoning Commission recommends and Staff recommends approval).

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-1-2013

The applicant is proposing to rezone approximately 0.87 acres of land from an O-1, Office District to a GR, General Retail District. The subject property currently has a building and parking lot that the applicant is proposing to convert to GR, General Retail uses.

FINDINGS FOR STAFF RECOMMENDATION:

1. The Growth Management and Land Use Plan of the Comprehensive Plan designates this area at the northeast corner of South Avenue and Primrose as appropriate for medium-intensity retail, office and residential uses. General Retail (GR) is one of the zoning districts recommended in these areas.
2. The subject property, located at the intersection of Primrose Street, a secondary roadway and South Avenue, a collector roadway, is an appropriate location for GR, General Retail zoning.

FINDINGS FOR COMMISSION TO RECOMMEND DENIAL:

1. None

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on March 7, 2013 and recommended , by a vote of to , of the proposed zoning. The City Council will hold a public hearing on this case on March 25, 2013.

Prepared by:

Bob Hosmer, AICP Senior Planner

Submitted by:

Planning and Development

Approved by:

City Manager

EXHIBITS:

Exhibit 1, Legal Description

Exhibit 2, Record of Proceedings

Exhibit 3, Location Map

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Neighborhood Meeting Summary and Sign-In Sheet

Attachment 3, 185 feet property owners list

EXHIBIT 1
LEGAL DESCRIPTION
ZONING CASE Z-1-2013

All of Lots Twenty-One (21), Twenty-Two (22), and Twenty-Three (23) in the amended final plat of Town Square Addition, in the City of Springfield, Greene County, Missouri³i.

EXHIBIT 2
RECORD OF PROCEEDINGS
ZONING CASE Z-1-2013

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

Zoning & Subdivision Report

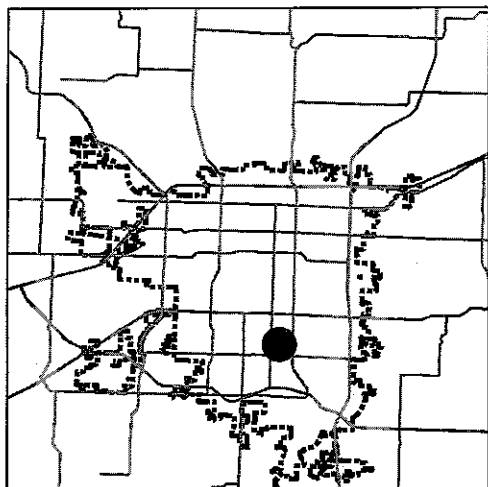
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Zoning Case Z-1-2013

Location: 225 East Primrose Street

Current Zoning: Office 1

Proposed Zoning: GR, General Retail



LOCATION SKETCH



- Area of Proposal

0 100 200 400 600
Feet

1 inch = 324.94213 feet

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-1-2013

DATE: February 20, 2013

LOCATION: 225 East Primrose Street

APPLICANT: Bradley C. Beall

TRACT SIZE: Approximately 0.87 acres

EXISTING USE: Office Building

PROPOSED USE: Uses permitted in the GR, General Retail District

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	O-I	Office and vacant land
East	O-1 and R-SF	Vacant land and Kickapoo High School
South	PD	Offices
West	GR and HC	US Bank, K-Mart and other Retail Uses

COMPREHENSIVE PLAN:

The Growth Management and Land Use Plan of the City's Comprehensive Plan designates this area as appropriate for medium-intensity retail, office and residential uses. The subject property is located at the northeast corner of South Avenue, a collector roadway and Primrose Street, a secondary arterial roadway which are appropriate for GR, General Retail uses.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

1. Traffic has no issues with this rezoning. The right of way and sidewalks are adequate along Primrose Street and South Avenue
2. No traffic study is required

STORMWATER COMMENTS:

1. The site is already fully developed and a drainage system exists immediately adjacent to the site.

SANITARY SERVICES COMMENTS:

1. No issues with rezoning.

ADJACENT PROPERTY OWNER COMMENTS:

Eight (8) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request (Attachment 3).

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting for owners and residents within five hundred (500) feet of the subject property on February 19, 2013. A summary of the Neighborhood meeting is attached (Attachment 2).

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 0.87 acres of property from an O-1 District to a GR, General Retail District. The Growth Management and Land Use Plan of the Comprehensive Plan designates the area at the northeast corner of South Avenue and Primrose as appropriate for medium-intensity retail, office and residential uses. General Retail (GR) is one of the zoning districts recommended in these areas. The subject property currently has a building and parking lot that the applicant is proposing to convert to GR, General Retail uses.
2. The subject property is located at the northeast corner of South Avenue, a collector roadway and Primrose Street, a secondary arterial roadway. The approval of GR zoning on the subject property will expand the existing GR zoning at the northeast corner of Campbell and Primrose Street and provide for an increased intensity in this area where investment has already been made in public services and infrastructure.

FINDINGS FOR COMMISSION TO RECOMMEND DENIAL:

1. None

RECOMMENDATION:

Staff recommends **approval** of this request.

STAFF CONTACT:

Bob Hosmer, AICP Senior Planner

ATTACHMENT 2

NEIGHBORHOOD MEETING SUMMARY

1. Development Application: Zoning Case Z-01-2013 – 225 E. Primrose, Springfield, MO 65807
2. Meeting Date and Time: February 19, 2013 – 4:00pm to 6:30pm
3. Meeting Location: 225 E. Primrose, Springfield, MO 65807
4. Number of invitations that were sent: 17
How was the mailing list generated? Greene County Assessor
5. Number of neighbors in attendance (sign-in sheet attached): 0
6. List the verbal comments and how you plan to address any issues: n/a
7. List or attach the written comments and how you plan to address any issues: n/a

225 E. Primrose, Springfield, MO 65807
Neighborhood Meeting - P&Z Rezoning Request
February 19, 2013 - 4:00pm to 6:30pm

[illegible]

ATTACHMENT 3

BEALL, WILLIAM C JR TR
2921 S NATIONAL AVE
SPRINGFIELD MO 65804

C&M REALTY INC
% US BANK CORPORATION REAL ESTATE
PO BOX 2176
SPRINGFIELD MO 65801

CAMEJO, MANUEL
1110 N FARM ROAD 193
SPRINGFIELD MO 65802

GILLENWATERS DEVELOPERS INC
2674 S GLENSTONE AVE
SPRINGFIELD MO 65804

JOHNSON, HAROLD E CO INC
1101 HUTCHENS DR
COLUMBIA MO 65203

KMART CORPORATION
%PROPERTY TAX COMPLIANCE
PO BOX 927000
HOFFMAN ESTATES IL 60179

RMDMSGF LLC
% MAPLE PROPERTIES LLC
PO BOX 627
SPRINGFIELD MO 65801

WOOD & HUSTON BANK
%MARK THOMPSON
PO BOX 40
MARSHALL MO 65340

EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 5.3 acres of property generally located at 2833-35 East Battlefield Road from Planned Development 140, 2nd Amendment to an O-1, Office District; and establishing Conditional Overlay District No. 55.

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-2-2013/CONDITIONAL OVERLAY DISTRICT NO. 55

The applicant is proposing to rezone the property from Planned Development 140, 2nd Amendment to an O-1, Office District. This will increase the number of permitted uses allowed on the property. This will also allow Soleus Spa to remain which is considered a personal service use and not permitted in the existing PD. The applicant's letter to the neighborhood gave the specific uses that would be allowed in the Office District compared to the existing PD. Currently, PD 140, 2nd Amendment only allows administrative and professional offices, finance, insurance and real estate services and medical offices and medical support activities. The applicant is also requesting a conditional overlay district that will apply any restrictive elements of existing PD to the O-1 District.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on March 7, 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).

FINDINGS FOR STAFF RECOMMENDATION:

1. The Comprehensive Plan designates this area as appropriate for medium-intensity retail, office and residential uses. The Office District is one of the recommended zoning districts.
2. The proposed conditional overlay district will mitigate the potential impact between the commercial and residential uses by retaining the existing bulk, area, height, bufferyard and design requirements as exists in the PD 140, 2nd Amendment.

3. The standard development requirements in the O-1 District are otherwise adequate for mitigating potential impacts of the office uses on the adjoining residential properties.

Submitted by:

Approved by:

Planning and Development

City Manager

EXHIBITS:

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

ATTACHMENTS:

Attachment 1, Background Report
Attachment 2, Neighborhood Meeting Summary and Sign-In Sheet
Attachment 3, Neighborhood List, 185 ft. Property Owners List & Posting Affidavit
Attachment 4, PD 140, 2nd Amendment Exhibit 1 & 2

EXHIBIT A
LEGAL DESCRIPTION
ZONING CASE Z-2-2013 & CONDITIONAL OVERLAY DISTRICT NO. 55

All of Lot One (1), Final Plat of Ridgeview Heights Subdivision, a subdivision in Springfield, Greene County, Missouri.

EXHIBIT B
RECORD OF PROCEEDINGS
ZONING CASE Z-2-2013 & CONDITIONAL OVERLAY DISTRICT NO. 55

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

EXHIBIT C
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-2-2013 & CONDITIONAL OVERLAY DISTRICT NO. 55

The requirements of *Section 4-2000* of the *Springfield Zoning Ordinance* shall be as modified herein for development within this district.

A. Use Limitations.

1. The Maximum Floor Area Ratio shall not exceed 0.25.
2. No structure shall exceed a height of two (2) stories above grade. Additionally, no structure shall exceed the height of a ratio of 2:1 feet from the northern property line (one foot of height for every two feet of distance from the northern property line).
3. All structures, located within two-hundred (200) feet from the north property line of Lot 1 of Ridgeview Heights Subdivision, shall have sloped roofs and the exterior walls shall be constructed with brick; masonry or acrylic stucco; or other materials which are compatible with the residential nature of the area to the North.
4. Any drive-thru facility designed to expedite customer service that is associated with any permitted use shall be located not less than two-hundred (200) feet from the north property line of Lot 1 of Ridgeview Heights Subdivision to provide a buffer to the adjacent residential housing.
5. A bufferyard at least forty (40) feet wide is required adjacent to the northern district boundary line. The following plantings are required within the bufferyard per one-hundred (100) linear feet: three (3) canopy trees, three (3) understory trees, four (4) evergreen trees and twenty (20) shrubs. If any parking is permitted within sixty (60) feet of this property line, this bufferyard shall also include a six (6) foot tall solid wood fence or masonry wall.
6. A maximum of one access point is permitted at the existing driveway to Battlefield Road from Lot 1 of Ridgeview Heights Subdivision.

Zoning & Subdivision Report

Planning & Development - 417/864-1031

840 Boonville - Springfield, Missouri 65802

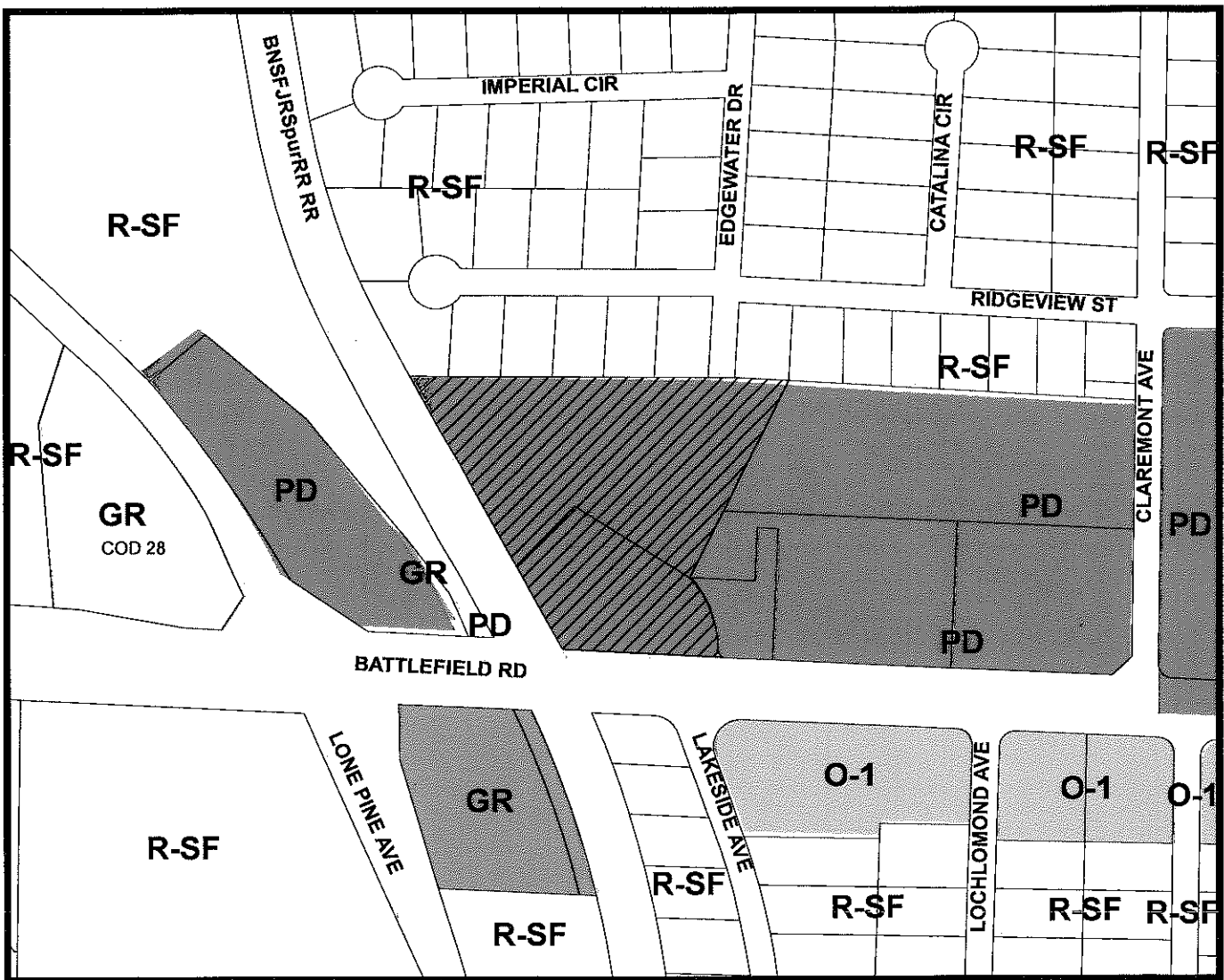
Z-2-13 and Conditional Overlay District No. 55

Location: 2833-35 E. Battlefield Rd.

Current Zoning: Planned Development 140, 2nd Amendment

Proposed Zoning: O-1, Office, and COD No. 55

LOCATION SKETCH



- Area of Proposal



1 inch = 300 feet

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-2-2013 & CONDITIONAL OVERLAY DISTRICT NO. 55

DATE: February 27, 2013

LOCATION: 2833-35 E. Battlefield Rd.

APPLICANT: Magers Ridgeview Complex, LLC

TRACT SIZE: Approximately 5.3 acres

EXISTING USE: Bank and office uses

PROPOSED USE: Bank, office and personal service uses

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF	Single-family residences
East	PD 140	General Retail and Office uses
South	R-SF & O-1	Residential and office uses
West	Railroad & R-SF	Greenways trail and railroad tracks

COMPREHENSIVE PLAN:

The Growth Management and Land Use Plan of the City's Comprehensive Plan designates this area as appropriate for medium-intensity retail, office and residential uses. These commercial areas should be sited in areas that are well served by transportation facilities; major roads, bicycle and pedestrian facilities, and transit. Where commercial areas are concentrated, development should be sited and designed to have a minimal effect on adjacent lower-intensity development and the environment. The Growth and Land Use Plan recommends LB, Limited Business, GR, General Retail or HC, Highway Commercial, Office, Medium- and High-Density Multi-Family Residential Districts in these areas.

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

Provide a copy of the cross access easement between the two lots. If one does not exist, a cross access easement will need to be provided.

STORMWATER COMMENTS:

The site is fully developed and the detention area exists as part of the original subdivision for the property.

SANITARY SERVICES COMMENTS:

No objections to rezoning. Lots are currently served by public sewer.

ADJACENT PROPERTY OWNER COMMENTS:

Seventeen (17) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. Staff has received one phone call regarding the request. No one has objected to date.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting for owners and residents (approximately 127 invitations) within five hundred (500) feet of the subject property on January 29, 2013 at The Second Baptist Church (3111 E. Battlefield Rd.). No one attended the meeting that was held between 4-6:30 p.m. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. The applicant is proposing to rezone the property from Planned Development 140, 2nd Amendment to an O-1, Office District. This will increase the number of permitted uses allowed on the property. This will also allow Soleus Spa to remain which is considered a personal service use and not permitted in the existing PD. The applicant's letter to the neighborhood gave the specific uses that would be allowed in the Office District compared to the existing PD. Currently, PD 140, 2nd Amendment only allows administrative and professional offices, finance, insurance and real estate services and medical offices and medical support activities. The applicant is also requesting a conditional overlay district that will apply any restrictive elements of existing PD to the O-1 District.
2. The Growth Management and Land Use Plan of the Comprehensive Plan designates this area along the Battlefield Road corridor as appropriate for medium-intensity retail, office and residential uses. Office is one of the zoning districts recommended in these areas. The O-1 District is designed to be a restrictive district for low intensity office or professional uses which may be located outside the center city adjacent to any of the residential districts, with appropriate buffers and landscaping so as not to create an adverse effect on adjacent residential areas. Staff believes the subject site with the

overlay district meet the recommendation of the City's Comprehensive Plan and intent of the Office District.

3. The applicant is requesting a conditional overlay district that will restrict the floor area ratio, height, design, bufferyard, building setbacks and access of the site with similar restrictive language as in PD 140, 2nd Amendment. The standard requirements for noise, lighting, odor and signage will be covered by the Zoning Ordinance.
4. After a comparative review, staff has found all of the restrictions of the existing PD except the permitted uses to be included in the conditional overlay district. The Office District will add the following permitted uses to the property: Accessory uses, Churches, Colleges, Community Centers (nonprofit), Community Gardens without retail or wholesale sales on-site, Day Care Centers, Educational, Religious, Cultural, Public or Nonprofit Institutions, Entertainment-oriented Use Group, General Office Use Group, Medical Office Use Group, Nursing and Retirement homes, Personal Services Use Group (this will allow Soleus Spa to remain, Police and Fire Stations, Public and Private Parks, Retail Sales Use Group in an office building to not exceed ten (10) percent of the gross floor area, Business Schools, Elementary and Secondary Schools and Schools or Development Centers for persons with handicaps or disabilities. The Entertainment-oriented Use Group, Personal Service Use Group, nursing and retirement homes, and business school uses appear to be the most intense additions to the district because many of the other proposed uses are permitted in the least intense districts like R-SF.

FINDINGS FOR STAFF RECOMMENDATION:

1. The Comprehensive Plan designates this area as appropriate for medium-intensity retail, office and residential uses. The Office District is one of the recommended zoning districts.
2. The proposed conditional overlay district will mitigate the potential impact between the commercial and residential uses by retaining the existing bulk, area, height, bufferyard and design requirements as exists in the PD 140, 2nd Amendment.
3. The standard development requirements in the O-1 District are otherwise adequate for mitigating potential impacts of the office uses on the adjoining residential properties.

RECOMMENDATION:

Staff recommends **approval** of this request with the requirements of Conditional Overlay District No. 55.

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

LEE ENGINEERING AND ASSOCIATES, L.L.C.

CIVIL ENGINEERING & DESIGN

2101 W. CHESTERFIELD BLVD.

SUITE C202

SPRINGFIELD, MO 65807

dlee@leeengineering.biz

TELEPHONE: (417) 886-9100

FACSIMILE: (417) 886-9336

Neighborhood Meeting Report

January 30, 2013

Use Change to O1 with Conditional Overlay

2833 E. Battlefield

Springfield, Missouri

The neighborhood meeting was held, Tuesday, January 29, 2013 between 4:00 and 6:30pm at The Second Baptist Church, 3111 E. Battlefield, Springfield, Mo. In attendance were Derek Lee and Leslie Chrystal with Lee Engineering.

The number of invitations that were sent out was 122, with 5 being returned as not deliverable from the post office. No one from the neighborhood attended the meeting..

A copy of the property owner's list generated by The City of Springfield and a copy of the neighborhood meeting notification letter to the property owners are attached.

Sincerely,



Leslie K. Chrystal
Office Manager

LEE ENGINEERING AND ASSOCIATES, L.L.C.

CIVIL ENGINEERING & DESIGN

2101 W. CHESTERFIELD BLVD.

SUITE C202

SPRINGFIELD, MO 65807

dlee@leeengineering.biz

FACSIMILE: (417) 886-9336

TELEPHONE: (417) 886-9100

January 16, 2013

Re: Use Change to Planned Development No. 140

Dear Property Owner:

A zoning change application has been submitted to the City of Springfield which will allow Soleus Spa (2833 E. Battlefield, Suite B102) to remain in the office buildings which are located behind the Metropolitan National Bank. The existing zoning for the office building (PD140) allows some office uses, but does not allow personal service establishment uses or other typical uses permitted in office zoning.

A list of the existing uses allowed by PD 140 is provided below:

1. Administrative and Professional Offices: Offices of firms or organizations providing professional, management or administrative services. Typical uses include abstract services, advertising agencies, data processing services, travel agencies, law offices, architectural and engineering offices, and general business and administrative, corporate offices and artist and photographic studios.
2. Finance, Insurance and Real Estate Services: Establishments primarily engaged in the provision of financial, insurance, real estate, security brokerage and other similar activities. Drive-thru facilities designed to expedite customer service are permitted but the square footage devoted to drive-thru's for either banks or savings and loan institutions shall be deemed as retail floor area and count towards the total permitted amount of retail floor area. Typical uses include banks, insurance agencies, real estate firms, securities brokerage establishments, savings and loan institutions and other similar uses.
3. Medical Offices and Medical Support Activities such as offices for doctors and dentists and medical laboratories along with incidental administrative activities.

A list of the additional office uses which are being requested is provided below:

- A. Accessory Uses, as permitted by the City of Springfield Zoning Ordinance, Accessory Structures and Uses.
- B. Churches and other places of worship, including parish houses and Sunday Schools.
- C. Colleges, universities, and business colleges.
- D. Community centers, nonprofit.

- E. Community Gardens without retail or wholesale sales on-site in accordance with the performance standards of the City of Springfield Zoning Ordinance.
- F. Day care centers.
- G. Educational, religious, cultural, public, or nonprofit institutions such as churches, museums, art galleries and libraries, but not including correctional institutions or hospitals.
- H. Entertainment-oriented Use Group
- I. General Office Use Group
- J. Medical Office Use Group
- K. Nursing and retirement homes.
- L. Personal Services Use Group (this will allow Soleus Spa to remain).
- O. Police and fire stations.
- P. Public and private parks, playgrounds.
- Q. Retail Sales Use Group located in an office building provided the total floor area of such uses does not exceed ten (10) percent of the gross floor area of all the office buildings on the same lot.
- R. Schools, business.
- S. Schools, elementary and secondary.
- T. Schools or development centers for persons with handicaps or development disabilities.

A neighborhood meeting will be held Tuesday, January 29, 2013 to discuss changes to Planned Development No.140. The neighborhood meeting will be held at the Second Baptist Church, 3111 E. Battlefield, in Room 211 from 4 to 6:30pm. You will need to enter through the doors where the circle drive is, go through atrium and up to the 2nd floor. There are elevators available for your convenience. The owner's representatives will be present to answer any questions you may have. Please feel free to come and go, anytime between 4 and 6:30pm.

If you have any questions, please feel free to contact our office. Thank you.

Best Regards,



Leslie K. Chrystal
Office Manager

Attachment 3 185 ft. prop. list

OWNER_NAME	OWNER_ADDR	OWNER_CITY	OWNER_STAT	OWNER_ZIPC
BATTLEFIELD OFFICE BLDG LLC	2776 S CAMPBELL AVE	SPRINGFIELD	MO	658073506
BATTLEFIELD STATION LLC	1650 E BATTLEFIELD ST	SPRINGFIELD	MO	658043733
BATTLEFIELD TOWERS LLC	4319 S NATIONAL	SPRINGFIELD	MO	65810
FULDNER ENT LLC	1440 W REPUBLIC RD	SPRINGFIELD	MO	658075703
HALF-A-HILL INV LLC	1675 E SEMINOLE	SPRINGFIELD	MO	65804
HAMPTON, KELLY S	2808 E RIDGEVIEW CIR	SPRINGFIELD	MO	658044011
HUMPHREYS, MELVIN	2826 E RIDGEVIEW CIR	SPRINGFIELD	MO	658044011
KD CONCEPTS LLC	1531 BRADFORD PL	SPRINGFIELD	MO	658046539
KENSINGTON PLACE DEV GROUP LLC	2040 N ALLIANCE AVE	SPRINGFIELD	MO	65803
MCCAFFERTY, MARTHA A ETAL	2836 E RIDGEVIEW CIR	SPRINGFIELD	MO	658044011
MOOTS, DEAN O TR	2801 E RIDGEVIEW CIR	SPRINGFIELD	MO	658044011
ROHWEDDER, ROBERT R TRUST	2816 E RIDGEVIEW CIR	SPRINGFIELD	MO	658044011
WALLEN, RICKY R	2916 E RIDGEVIEW ST	SPRINGFIELD	MO	658044012
WANN, FRANK GEORGE JR	2926 E RIDGEVIEW ST	SPRINGFIELD	MO	658044012
WEBB, GUY B	2906 E RIDGEVIEW ST	SPRINGFIELD	MO	658044012
WILLIAMS, BARRY H	2846 E RIDGEVIEW CIR	SPRINGFIELD	MO	658044011
WORSHAM, LARRY A	2804 E RIDGEVIEW CIR	SPRINGFIELD	MO	658044011

ACKER, MARK
1549 E GREENBRIDGE RD
OZARK, MO 657217668

ANDERSON, RICHARD N
3031 S LOCHLOMOND DR
SPRINGFIELD, MO 658044725

BAILEY, BRUCE
2832 S CATALINA CIR
SPRINGFIELD, MO 658044001

BATTLEFIELD OFFICE BLDG LLC
2776 S CAMPBELL AVE
SPRINGFIELD, MO 658073506

BATTLEFIELD STATION LLC
1650 E BATTLEFIELD ST
SPRINGFIELD, MO 658043733

BATTLEFIELD TOWERS LLC
4319 S NATIONAL
SPRINGFIELD, MO 65810

BLEVINS, DAVID R
3037 S LAKESIDE AVE
SPRINGFIELD, MO 658044721

CAMPBELL, CECIL
3031 S KISSIMEE AVE
SPRINGFIELD, MO 658044717

CAREFREE PROP LLC
1316 N FENCHURCH LN
SPRINGFIELD, MO 65802

CARLTON & CO LLC, ETAL
1531 E BRADFORD PKWY
SPRINGFIELD, MO 658046539

CARSON, CHESTER P JR
PO BOX 667
SPRINGFIELD, MO 658010667

CHAMBERLIN, JONATHAN
2946 E RIDGEVIEW ST
SPRINGFIELD, MO 658044012

CLARK, THOMAS C III
2824 S CATALINA CIR
SPRINGFIELD, MO 658044001

COMPTON, J C
2815 E RIDGEVIEW CIR
SPRINGFIELD, MO 658044011

CONOVER, CHARLES A
3045 S LAKESIDE AVE
SPRINGFIELD, MO 658044721

COX, MARIAN LYNN
2742 E IMPERIAL CIR
SPRINGFIELD, MO 658044074

CRAYCROFT, DUNCAN K
2825 S CATALINA CIR
SPRINGFIELD, MO 658044001

CSN PROPERTIES LLC
97 CHIGGER LN
LAMPE, MO 656817412

DAVES, DONNIE G TR
2870 S EDGEWATER DR
SPRINGFIELD, MO 658044025

FAIRLEIGH, PAUL D ETAL TR
3041 LOCHLOMOND DR
SPRINGFIELD, MO 658044725

FERGUSON, LISA M
2806 E IMPERIAL CIR
SPRINGFIELD, MO 658044075

FRANCIS, JILL S
2851 S CATALINA CIR
SPRINGFIELD, MO 658044001

FRIZELL, MICHAEL ETAL
2824 S CLAREMONT AVE
SPRINGFIELD, MO 658044003

FULDNER ENT LLC
1440 W REPUBLIC RD
SPRINGFIELD, MO 658075703

GANNAWAY, LELAND L
4270 E WINDY HILL LN
SPRINGFIELD, MO 65807

GARRAD, RICHARD C
2865 S EDGEWATER DR
SPRINGFIELD, MO 658044044

HALF-A-HILL INV LLC
1675 E SEMINOLE
SPRINGFIELD, MO 65804

HAMMONS, EVA C
2840 S CLAREMONT AVE
SPRINGFIELD, MO 658044003

HAMPTON, KELLY S
2808 E RIDGEVIEW CIR
SPRINGFIELD, MO 658044011

HENDERSON, DAVID R
2222 S MEADOWVIEW AVE
SPRINGFIELD, MO 658043445

HORNBECK, CLYDE
3040 S LOCHLOMOND DR
SPRINGFIELD, MO 658044726

HUMPHREYS, MELVIN
2826 E RIDGEVIEW CIR
SPRINGFIELD, MO 658044011

INDUSTRIAL PARK PLAZA INC
PO BOX 579
BRANSON, MO 656150579

JULIAN, SUSAN KAY
2825 S CLAREMONT AVE
SPRINGFIELD, MO 658044002

JUSTIS, JAMES HENRY ETAL TR
2854 S EDGEWATER DR
SPRINGFIELD, MO 658044025

KASTNER, JEFFREY S
3026 S LAKESIDE AVE
SPRINGFIELD, MO 658044722

KD CONCEPTS LLC
1531 BRADFORD PL
SPRINGFIELD, MO 65804

KENSINGTON PLACE DEV GROUP LLC
2040 N ALLIANCE AVE
SPRINGFIELD, MO 65803

KERNER, MATTHEW P
2807 E RIDGEVIEW CIR
SPRINGFIELD, MO 658044011

KING, RUSSELL P ETAL TR
2850 S CATALINA CIR
SPRINGFIELD, MO 658044001

MAGERS PROP I LLC
2776 S CAMPBELL AVE
SPRINGFIELD, MO 658073506

MAGERS RIDGEVIEW COMPLEX LLC
2835 E BATTLEFIELD ST
SPRINGFIELD, MO 658044014

MAGERS, RANDALL
PO BOX 3049
SPRINGFIELD, MO 658083049

MAGERS, RIDGEVIEW COMPLEX LLC
2776 S CAMPBELL AVE
SPRINGFIELD, MO 658073506

MAMMEN, HOWARD D ETAL TR
3039 S KISSIMEE AVE
SPRINGFIELD, MO 658044717

MARSHALL FAMILY TRUST
2964 E RIDGEVIEW ST
SPRINGFIELD, MO 658044012

MARTIN, JAMES R ETAL TR
2825 E RIDGEVIEW CIR
SPRINGFIELD, MO 658044011

MARTIN, WILLIAM P
2855 S EDGEWATER DR
SPRINGFIELD, MO 658044044

MCADOO, CARYN
2822 E IMPERIAL CIR
SPRINGFIELD, MO 658044075

MCCAFFERTY, MARTHA A ETAL
2836 E RIDGEVIEW CIR
SPRINGFIELD, MO 658044011

MCDOWELL FAMILY TRUST
3032 E IMPALA CT
SPRINGFIELD, MO 658044004

MEANS, JOHN ANTHONY
2841 S CLAREMONT AVE
SPRINGFIELD, MO 658044002

MEANS, PATRICIA ANNE
2851 S CLAREMONT AVE
SPRINGFIELD, MO 658044002

MERTENS, OWEN J ETAL
3021 S KISSIMEE AVE
SPRINGFIELD, MO 658044717

MFS BUILDING LLC
2960 E BATTLEFIELD ST
SPRINGFIELD, MO 658044016

MILLER, DIANE M
3036 S LAKESIDE AVE
SPRINGFIELD, MO 658044722

MILNES, RANDY L
2862 S EDGEWATER DR
SPRINGFIELD, MO 658044025

MOOTS, DEAN O TR
2801 E RIDGEVIEW CIR
SPRINGFIELD, MO 658044011

MORELOCK-ROSS PROP INC
722 W OLIVE ST
SPRINGFIELD, MO 65806

NICHOLS, JACK L
2850 S CLAREMONT AVE
SPRINGFIELD, MO 658044003

NORMAN, LARRY D
2750 E IMPERIAL CIR
SPRINGFIELD, MO 658044074

NURNBERG, JAMES CLINTON
2844 S EDGEWATER DR
SPRINGFIELD, MO 658044025

OESER, JULIE K
2835 S CATALINA CIR
SPRINGFIELD, MO 658044001

OLSEN, REED N
3020 S LOCHLOMOND DR
SPRINGFIELD, MO 658044726

OSTERLOH, KEITH
2832 S CLAREMONT AVE
SPRINGFIELD, MO 658044003

P&B PROPERTIES LLC
528 W BATTLEFIELD ST
SPRINGFIELD, MO 658074122

PADDOCK, JOEL W
2840 S CATALINA CIR
SPRINGFIELD, MO 658044001

PI SPFD LLC ETAL
2471 LACLEDE STA
ST LOUIS, MO 631431848

PUGH, ADAM
2800 E IMPERIAL CIR
SPRINGFIELD, MO 658044075

REGENCY CTR LLC
2776 S CAMPBELL AVE
SPRINGFIELD, MO 658073506

ROHWEDDER, ROBERT R TRUST
2816 E RIDGEVIEW CIR
SPRINGFIELD, MO 658044011

SECOND BAPTIST CHURCH OF SPFD THE
3111 E BATTLEFIELD RD
SPRINGFIELD, MO 65804

STEVENS, DENNIS R
3030 S LOCHLOMOND DR
SPRINGFIELD, MO 658044726

STITH, STEVEN L
2845 S EDGEWATER DR
SPRINGFIELD, MO 658044044

STUART D INV LLC
4839 E FARM ROAD 144
SPRINGFIELD, MO 658092411

SUMMERS, A LAWRENCE JR
4620 E KENTBROOK DR
SPRINGFIELD, MO 658027532

TAUNT, LARRY D ETAL TR
3021 S LOCHLOMOND DR
SPRINGFIELD, MO 658044725

TBM PROPERTIES LLC
3010 E BATTLEFIELD ST
SPRINGFIELD, MO 658044018

WALKER, ROBERT B
2960 E RIDGEVIEW ST
SPRINGFIELD, MO 658044012

WALLEN, RICKY R
2916 E RIDGEVIEW ST
SPRINGFIELD, MO 658044012

WAMPLER-PASSANISE BLDG LLC
5261 S STONEHAVEN DR
SPRINGFIELD, MO 658094632

WANN, FRANK GEORGE JR
2926 E RIDGEVIEW ST
SPRINGFIELD, MO 658044012

WEBB, GUY B
2906 E RIDGEVIEW ST
SPRINGFIELD, MO 658044012

WILLIAMS, BARRY H
2846 E RIDGEVIEW CIR
SPRINGFIELD, MO 658044011

WITHERS, AARON R
2841 S CATALINA CIR
SPRINGFIELD, MO 658044001

WORSHAM, LARRY A
2804 E RIDGEVIEW CIR
SPRINGFIELD, MO 658044011

Current Resident
2936 E RIDGEVIEW CIR
SPRINGFIELD, MO 65804

Current Resident
2910 E BATTLEFIELD RD
SPRINGFIELD, MO 65804

Current Resident
2731 E BATTLEFIELD RD
SPRINGFIELD, MO 65804

Current Resident
3030 E BATTLEFIELD RD
SPRINGFIELD, MO 65804

Current Resident
2720 E BATTLEFIELD RD
SPRINGFIELD, MO 65804

Current Resident
3034 S KISSIMEE AVE
SPRINGFIELD, MO 65804

Current Resident
3041 S LOCHLOMOND DR
SPRINGFIELD, MO 65804

Current Resident
2937 S CLAREMONT AVE
SPRINGFIELD, MO 65804

Current Resident
2835 E RIDGEVIEW CIR
SPRINGFIELD, MO 65804

Current Resident
2800 E BATTLEFIELD RD
SPRINGFIELD, MO 65804

Current Resident
2833 S CLAREMONT AVE
SPRINGFIELD, MO 65804

Current Resident
2915 E BATTLEFIELD RD
SPRINGFIELD, MO 65804

Current Resident
2925 E BATTLEFIELD RD
SPRINGFIELD, MO 65804

Current Resident
3033 E RIDGEVIEW ST
SPRINGFIELD, MO 65804

Current Resident
3031 E RIDGEVIEW ST
SPRINGFIELD, MO 65804

Current Resident
3041 E RIDGEVIEW ST
SPRINGFIELD, MO 65804

Current Resident
3043 E RIDGEVIEW ST
SPRINGFIELD, MO 65804

Current Resident
3025 E RIDGEVIEW ST
SPRINGFIELD, MO 65804

Current Resident
3027 E RIDGEVIEW ST
SPRINGFIELD, MO 65804

Current Resident
2835 E BATTLEFIELD RD
SPRINGFIELD, MO 65804

Current Resident
2833 E BATTLEFIELD RD
SPRINGFIELD, MO 65804

Current Resident
2964 E RIDGEVIEW CIR
SPRINGFIELD, MO 65804

Current Resident
2960 E BATTLEFIELD RD
SPRINGFIELD, MO 65804

Current Resident
2816 E IMPERIAL CIR
SPRINGFIELD, MO 65804

Current Resident
3021 S PARKVIEW AVE
SPRINGFIELD, MO 65804

Current Resident
2715 E BATTLEFIELD RD
SPRINGFIELD, MO 65804

Current Resident
2931 E BATTLEFIELD RD
SPRINGFIELD, MO 65804

Current Resident
3020 E BATTLEFIELD RD
SPRINGFIELD, MO 65804

Current Resident
3026 E IMPALA CT
SPRINGFIELD, MO 65804

Current Resident
3010 E BATTLEFIELD RD
SPRINGFIELD, MO 65804

Current Resident
2960 E RIDGEVIEW CIR
SPRINGFIELD, MO 65804

Current Resident
2916 E RIDGEVIEW CIR
SPRINGFIELD, MO 65804

Current Resident
2974 E BATTLEFIELD RD
SPRINGFIELD, MO 65804

Current Resident
2926 E RIDGEVIEW CIR
SPRINGFIELD, MO 65804

Current Resident

2906 E RIDGEVIEW CIR
SPRINGFIELD, MO 65804

Susan Hansen

2020 S. Arlington
SPRINGFIELD, MO 65804



label size 1" x 2 5/8" compatible with Avery®5160/8160
Étiquette de format 25 mm x 67 mm compatible avec Avery®5160/8160



label size 1" x 2 5/8" compatible with Avery®5160/8160
Étiquette de format 25 mm x 67 mm compatible avec Avery®5160/8160

AFFIDAVIT OF SIGN POSTING



I, Don Ray Berley (print name of owner, agent, attorney), attest that the above sign was posted 10 days before the public hearing on 3/7/13 (month/day/year) and in accordance with given posting requirements.

Don Ray Berley, PLS
(signature of person completing sign posting)

Don Ray Berley, PLS
(printed name of person completing sign posting)

AFFIDAVIT OF SIGN POSTING



I, Don Ray Berley (print name of owner, agent, attorney), attest that the above sign was posted 10 days before the public hearing on 3/7/13 (month/day/year) and in accordance with given posting requirements.

Don Ray Berley, PLS
(signature of person completing sign posting)

Don Ray Berley, PLS
(printed name of person completing sign posting)

EXHIBIT 1
Requirements and Standards Applicable to
Planned Development District No. 140, Second Amendment

APPLICATION:

No building or other permits may be issued for development permitted by this planned development nor can any changes be made to this property until the final development plan has been approved in the manner described at the end of this exhibit.

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

INTENT:

The intent of this amendment is to revise the regulations for Tract 1 in Planned Development District No. 140. The amendments permit banks and other financial institutions with drive-thru facilities to locate on Tract 1. The structure design standards are also no longer required for structures located more than two-hundred feet from the north property line of Tract 1.

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

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

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

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

Tract 1: The real property described as all of Lot 1, Ridgeview Heights, a subdivision of the City of Springfield, Greene County, Missouri, per the recorded plat thereof.

USES PERMITTED: The following uses shall be permitted in Tract 1:

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

2. Finance, Insurance and Real Estate Services: Establishments primarily engaged in the provision of financial, insurance, real estate, security brokerage and other similar activities. Typical uses include banks, insurance agencies, real estate firms, securities brokerage establishments, savings and loan institutions and other similar uses.
3. Medical Offices and Medical Support Activities such as offices for doctors and dentists and medical laboratories along with incidental administrative activities.

USE LIMITATIONS: Development shall adhere to the following:

1. Any drive-thru facility designed to expedite customer service that is associated with any permitted use shall be located not less than two-hundred (200) feet from the north property line of Tract 1 to provide a buffer to the adjacent residential housing.
2. All structures, located within two-hundred (200) feet from the north property line of Tract 1, shall have sloped roofs and the exterior walls shall be constructed with brick; masonry or acrylic stucco; or other materials which are compatible with the residential nature of the area to the north.

INTENSITY OF DEVELOPMENT: Development shall adhere to the following:

1. The Floor Area Ratio for permitted structures in Tract 1 shall not exceed 0.25.

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

1. There will be a fifty (50) foot building setback and a twenty five (25) foot parking lot setback along Battlefield Road.
2. No structure shall exceed a height of two (2) stories above grade. Additionally, no structure shall exceed the height of a ratio of 2:1 feet from the northern property line (one foot of height for every two feet of distance from the northern property line).
3. The impervious surface ratio shall not exceed 0.80.

PUBLIC FACILITIES: Development shall adhere to the following:

All required public and private improvements shall be at the expense of the applicant or subsequent owner(s). Assurances satisfactory to the Director of Public Works, such as executed contracts, escrows, guarantees or letters of credit, guaranteeing that all required public improvements will be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department shall be provided to the City prior to building permits being issued to the applicant or subsequent owners. Storm water drainage management improvements, however, must be constructed prior to the issuance of any building permit. The

applicant or subsequent owners shall file with the Director a schedule for completion of public improvements and shall provide assurances that improvements will be constructed within the time schedule. No certificate of occupancy shall be issued for any structure within the District unless the required public improvements are completed prior to occupancy of the structures or unless the Director of Public Works has determined that such public improvements, if not completed, have little or no effect on the occupancy of the facility or conditions beyond the control of the contractor, i.e., strikes, weather, etc. have delayed the completion of the improvements in which case the Director of Building Regulations may permit occupancy under conditions satisfactory to the Director of Public Works that the required public improvements will be completed as required by this ordinance within a reasonable time. Public improvements, as used in this paragraph, shall include private, as well as public, improvements required by the planned development ordinance. Such improvements shall include the following.

1. Public street improvements necessary for sufficient and safe ingress and egress from the public thoroughfare system, such as widening, signalization and channelization,, specifically:
 - A. An additional five (5) feet of right-of-way for Battlefield Street and a thirty (30) foot by thirty (30) foot triangle at the intersection of Battlefield and Claremont shall be dedicated to the public.
2. All drives, parking areas, and pedestrian circulation facilities.
3. Sanitary sewer facilities.
4. Storm water management and drainage improvements, specifically:
 - A. The stormwater which traverses the site from the northeast corner running southwest to the drainage way in the center of the site shall be channelized as it enters the site and carried across the site to the existing drainageway. This channel shall be designed to contain the flow of the offsite originated water within the channel under normal storm conditions. The channel shall move the water directly to the drainageway and not allow the water to back up onto the residential areas to the north.
 - B. The location of the channel shall be on the southernmost portion of the required forty foot landscaped bufferyard where the topography allows the channel to do so. The channel shall not use more than fifteen feet of the bufferyard. The continuation of the channel as it no longer can freely flow west in the bufferyard shall be routed at the discretion of the developer to the south and west.
 - C. The bufferyard deciduous trees which cannot be located in the bufferyard due to the channel shall be distributed throughout the balance of the bufferyard (avoiding conflict with CU powerlines). The upper sides of the channel shall be planted with a groundcover which is capable of spreading along the upper edge and down into the lower portions of the channel.

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

A maximum of one access point is permitted at the existing driveway to Battlefield Road.

OFF-STREET PARKING: The City's off-street parking requirements, off-street loading requirements as well as the off-street parking and loading area design standards, Sections 5-1500,

5-1600 and 6-1300 from the *Springfield Zoning Ordinance*, in effect at the time of development, shall apply.

SIGNS: Development shall adhere to the following:

A maximum of two (2) freestanding signs shall be permitted on the Battlefield Road frontage with a minimum of one hundred fifty (150) feet of separation between each sign and those on the adjoining properties. Each sign shall not exceed one-hundred-fifty (150) square feet of effective area nor shall be taller than twenty (20) feet. All other provisions of the City's sign codes shall apply to these signs.

LANDSCAPE AND BUFFERYARDS: Development shall adhere to the following:

1. A bufferyard at least forty (40) feet wide is required adjacent to the northern district boundary line. The following plantings are required within the bufferyard per one-hundred (100) linear feet: three (3) canopy trees, three (3) understory trees, four (4) evergreen trees and twenty (20) shrubs. If any parking is permitted within sixty (60) feet of this property line, this bufferyard shall also include a six (6) foot tall solid wood fence or masonry wall.
2. No structures, mechanical equipment, parking lots or drives are permitted within these bufferyards. The surface of these bufferyards, or other required landscaped areas, shall be maintained with a living ground cover with the exception that a channelized drainage way may be permitted within the required bufferyard if the purpose of the bufferyard is not compromised, that all plantings required by the bufferyard standard are provided and that the design of the channel is approved during the final development plan.
3. All canopy trees, and other plantings as designated by the City, whether required by this ordinance or not, shall be planted no closer than twenty five (25) feet, as measured horizontally, from any overhead power line.
4. All other areas which will not be buildings or other form of impervious surface and which are not designated as a bufferyard shall be maintained with a living ground cover.
5. Waste cans, dumpster units, or other forms of litter control and refuse disposal devices shall be placed within the district where they are least visible from a public street or adjoining properties. Screening of these devices, in the form of a sight-proof fence or wall, shall be provided.
6. Screening and fencing, and landscaping requirements for off-street parking and vehicular use areas is required in accordance with *Sections 6-1000 and 6-1200 of the Springfield Zoning Ordinance* in effect at the time of development.
7. Existing trees that are to remain within bufferyards or other required open space shall be protected with appropriate fencing, and other methods, to prevent damage to those trees during construction. This protection shall be shown on the required landscape plan.

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

EXTERIOR LIGHTING: Development shall adhere to the following:

1. The purpose of this section is to regulate the spillover and glare on operators of motor vehicles, pedestrian and land uses in the proximity of the light source. With respect to motor vehicles in particular, safety considerations form the basis of the regulations contained herein. In other cases, both the nuisance and hazard aspects of glare are regulated. This section is not intended to apply to public street lighting, signs or seasonal displays.
2. The light source or luminaire for all exterior lighting shall have a cutoff so that the bare light bulb, lamp or light source is completely shielded from the direct view of an observer at ground level at a property line adjacent to a public right-of-way or adjacent property zoned residential or, if a bufferyard is required, at the interior bufferyard line. In addition, all exterior lighting shall be limited in intensity to a maximum of 0.5 footcandle when measured at the planned development district boundaries.
3. No flickering or flashing lights shall be permitted.
4. Light sources or luminaries shall not be located within bufferyard areas except on pedestrian walkways.
5. The developer(s) shall submit a lighting plan with the final development plan demonstrating compliance with this section.

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

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

PHASING: Development shall adhere to the following:

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

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

prior to the commencement of any of the permitted uses or improvements permitted or required by this exhibit.

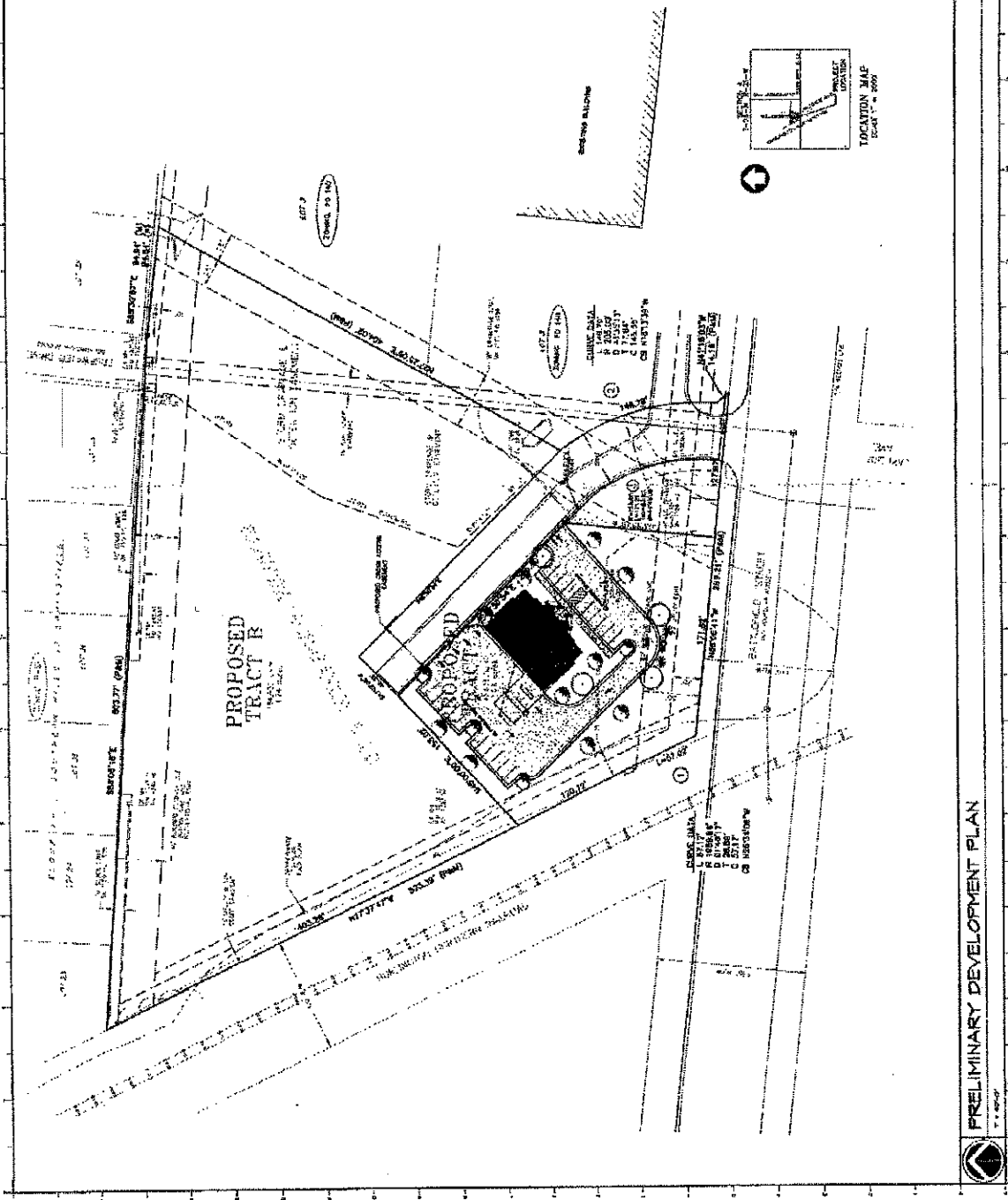
1. The intent of Exhibit 2 is to establish the location of access to public streets, the approximate location of Tracts A and B within Tract 1, and the location and intensity of uses.
2. A final development plan shall only be approved if it is in substantial conformance with Exhibit 2 as defined by Subsection 4-2509.C of the *Springfield Zoning Ordinance*.
3. The Administrative Review Committee is hereby authorized to, acting jointly, approve the final development plan(s) provided such plan substantially conforms to the provisions of the ordinance. The Administrative Review Committee is hereby authorized, at its discretion, to approve minor adjustments and modifications to the site plan. Such authority shall not, however, be construed to permit:
 - A. Any uses within the District other than those specifically prescribed by the ordinance.
 - B. Any increase in the intensity of use permitted within the District.

EXHIBIT 2

28 of 28



NEW BANK BRANCH FACILITY FOR
METROPOLITAN NATIONAL BANK
PD 140, AMENDMENT 2
6. BATTLEFIELD STREET
ST. LOUIS, MO 63101
A.I.O.



PRELIMINARY DEVELOPMENT PLAN



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

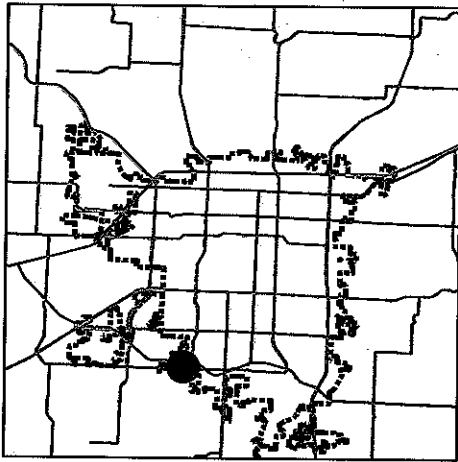
EXHIBIT A
LEGAL DESCRIPTION
CONDITIONAL USE PERMIT 403

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

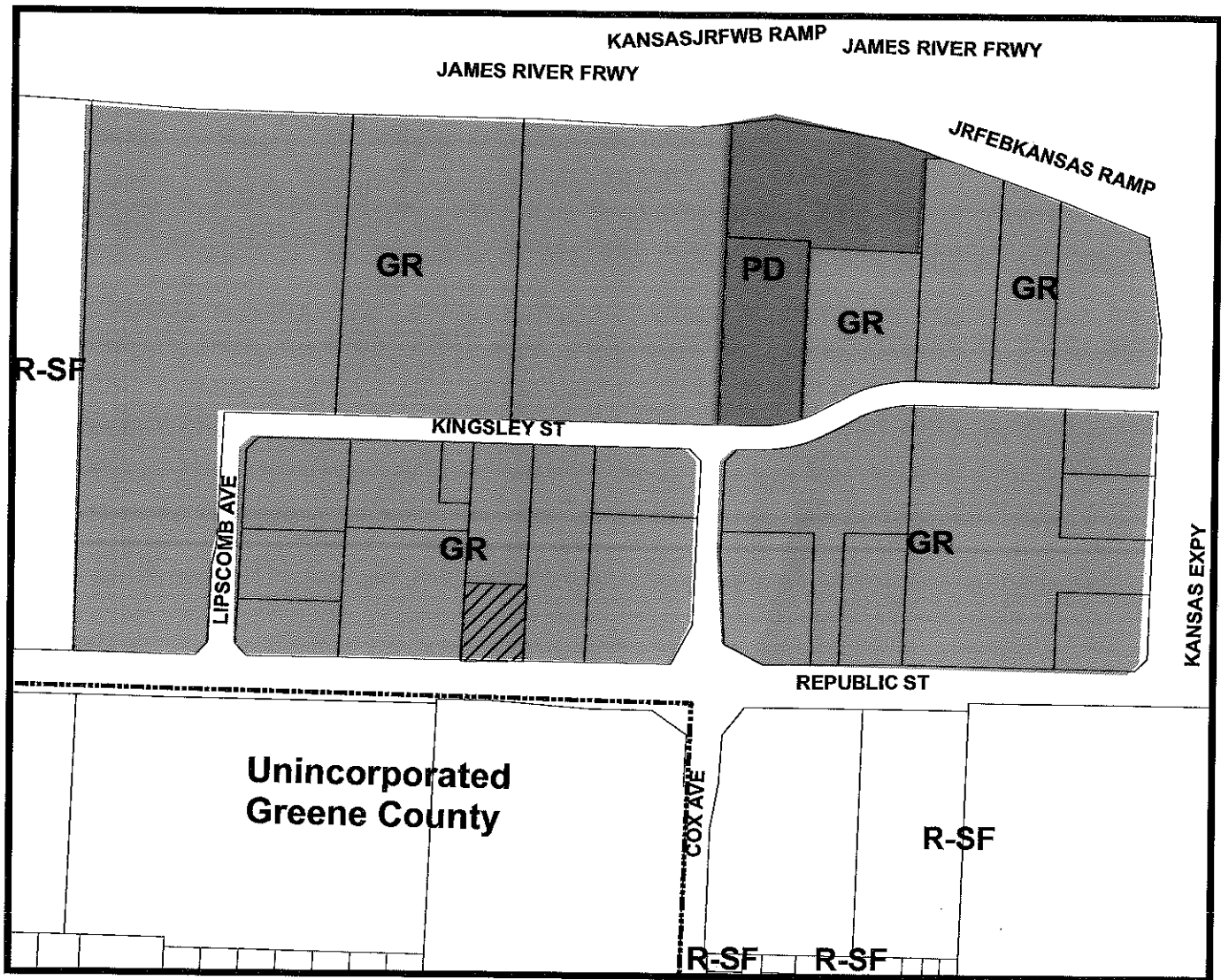
Use Permit 403

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
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	

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:

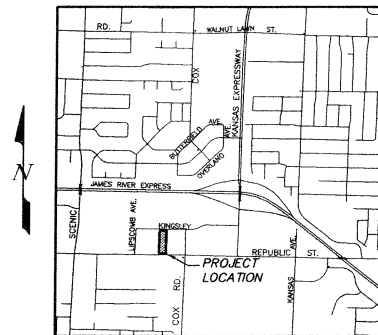
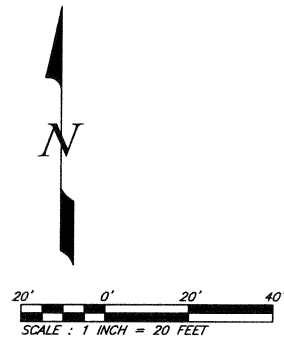
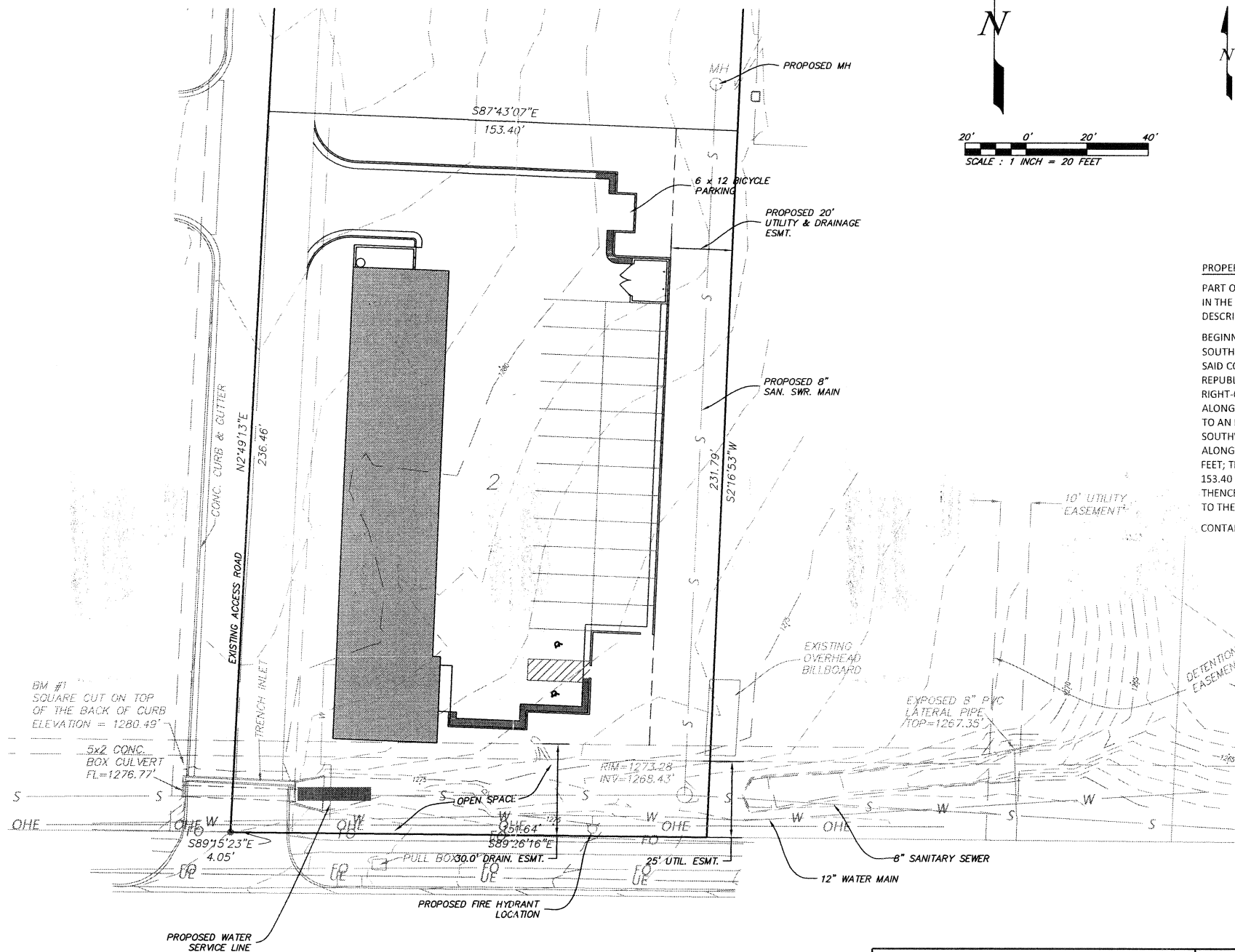
25' FRONT
0' SIDE
0' REAR

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

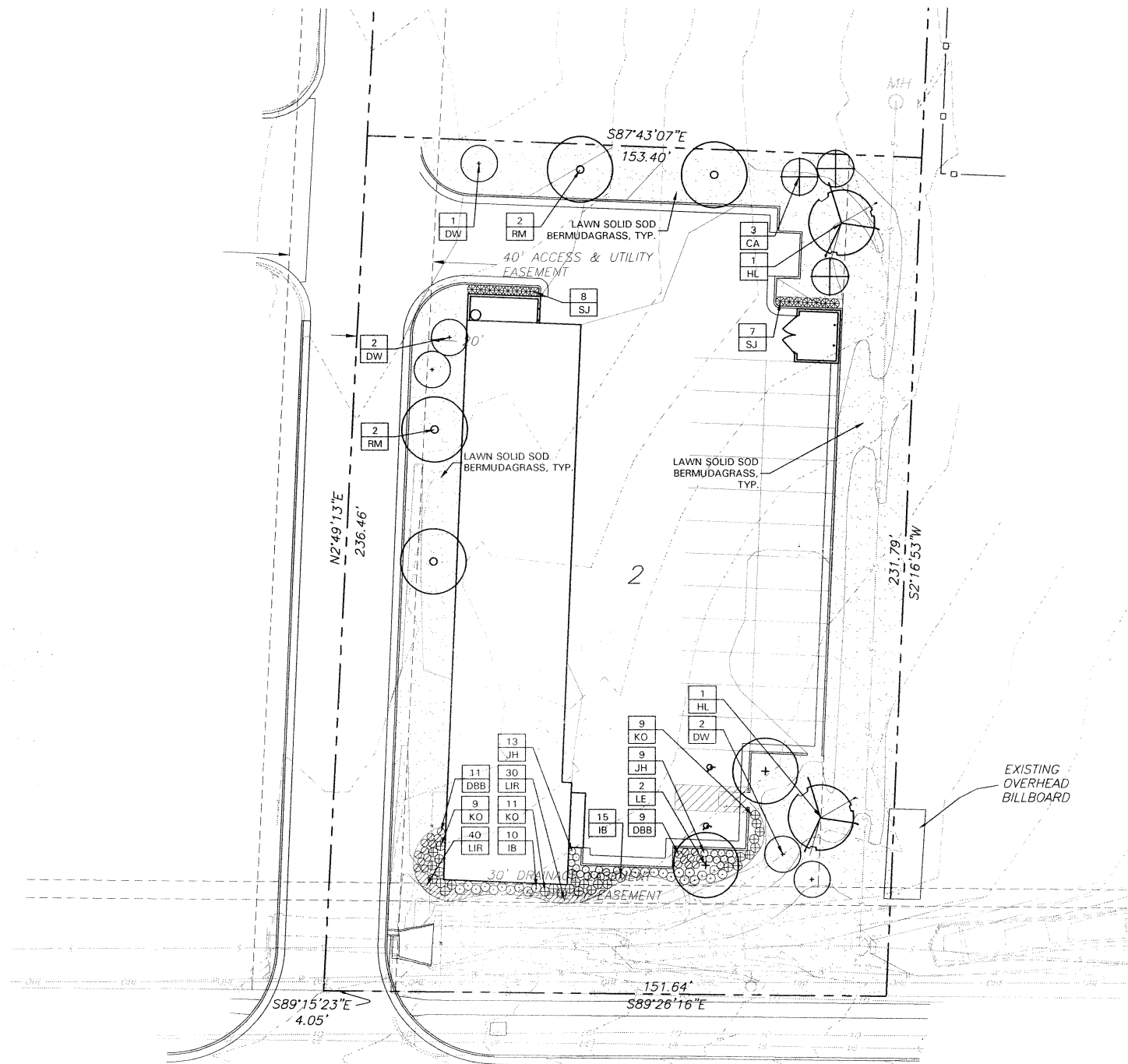
- LEGEND
- EXISTING SANITARY SEWER MANHOLE
 - EXISTING WATER
 - EXISTING SANITARY SEWER
 - OVERHEAD ELECTRIC
 - FIBER OPTIC
 - UNDERGROUND ELECTRIC



2826 S. INGRAM MILL ROAD
SPRINGFIELD, MO 65804
www.greatriv.com
PHONE: 417-886-7171 FAX: 417-886-7591

No.	Revision/Issue	Date
△		
△		
△		
△		

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



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.

GENERAL LAWN NOTES

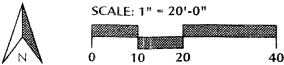
1. CONTRACTOR SHALL COORDINATE OPERATIONS AND AVAILABILITY OF EXISTING TOPSOIL WITH ON-SITE CONSTRUCTION MANAGER.
2. CONTRACTOR SHALL LEAVE 4" OF SLAB EXPOSED AT BUILDING AND LEAVE LAWN AREAS 1" BELOW FINAL FINISHED GRADE PRIOR TO TOPSOIL INSTALLATION.
3. CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED ON CIVIL PLANS. ADJUST CONTOURS TO ACHIEVE POSITIVE DRAINAGE AWAY FROM BUILDINGS. PROVIDE UNIFORM ROUNDING AT TOP AND BOTTOM OF SLOPES AND OTHER BREAKS IN GRADE. CORRECT IRREGULARITIES AND AREAS WHERE WATER MAY STAND.
4. ALL LAWN AREAS SHALL BE FINE GRADED, IRRIGATION TRENCHES COMPLETELY SETTLED AND FINISH GRADE APPROVED BY THE OWNER'S CONSTRUCTION MANAGER OR LANDSCAPE ARCHITECT PRIOR TO LAWN INSTALLATION.
5. CONTRACTOR SHALL REMOVE ALL ROCKS 3/4" DIAMETER AND LARGER, DIRT CLODS, STICKS, CONCRETE SPOILS, ETC. PRIOR TO PLACING TOPSOIL AND LAWN INSTALLATION.
6. CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS UNTIL FINAL ACCEPTANCE. THIS SHALL INCLUDE, BUT NOT BE LIMITED TO: MOWING, WATERING, WEEDING, CULTIVATING, CLEANING AND REPLACING DEAD OR BARE AREAS TO KEEP PLANTS IN A VIGOROUS, HEALTHY CONDITION.
7. CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF ACCEPTABLE TURF AREA AND SHALL PROVIDE REPLACEMENT FROM LOCAL SUPPLY IF NECESSARY.

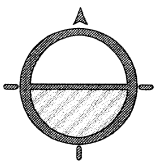
SOLID SOD NOTES

1. PLANT SOD BY HAND TO COVER INDICATED AREAS COMPLETELY. ENSURE EDGES OF SOD ARE TOUCHING. TOP DRESS JOINTS BY HAND WITH TOPSOIL TO FILL VOIDS.
2. ROLL GRASS AREAS TO ACHIEVE A SMOOTH, EVEN SURFACE, FREE FROM UNNATURAL UNDULATIONS.
3. WATER SOD THOROUGHLY AS SOD OPERATION PROGRESSES.
4. IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1 AND MARCH 1, OVER-SEED BERMUDAGRASS SOD WITH WINTER RYEGRASS, AT A RATE OF FOUR (4) POUNDS PER ONE THOUSAND (1000) SQUARE FEET.

REPUBLIC ROAD

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





GRA
GREAT RIVER
ASSOCIATES
2826 S. INGRAM MILL ROAD
SPRINGFIELD, MO 65804
www.greatriver.com
PHONE: 417-866-7171 FAX: 417-886-7591



No.	Revision/Issue	Date
1	Revised Site Plan	02.11.13
2		
3		
4		

DEPARTMENT OF PUBLIC WORKS
SPRINGFIELD, MISSOURI

LANDSCAPE PLAN
CHRISTIAN BROTHERS AUTOMOTIVE

APPROVED _____ DATE _____
DIRECTOR OF PUBLIC WORKS

SURVEY BY	DESIGN	KAH	SCALES	SHEET
JOB NO.	DRAWN	KAH	HOR. 1"=20'	OF 4 SHEETS
DATE	CHECKED	KAH	VERT. 1"=20'	FILE NO.

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 while 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.

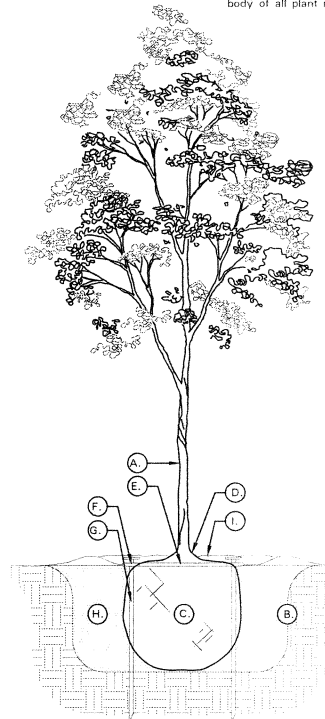
- Do not install steel edging along sidewalks or curbs.

- 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.

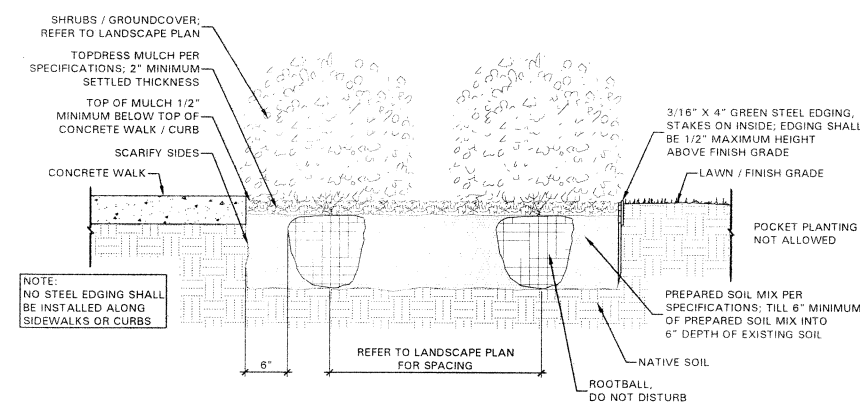
END OF SECTION



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.



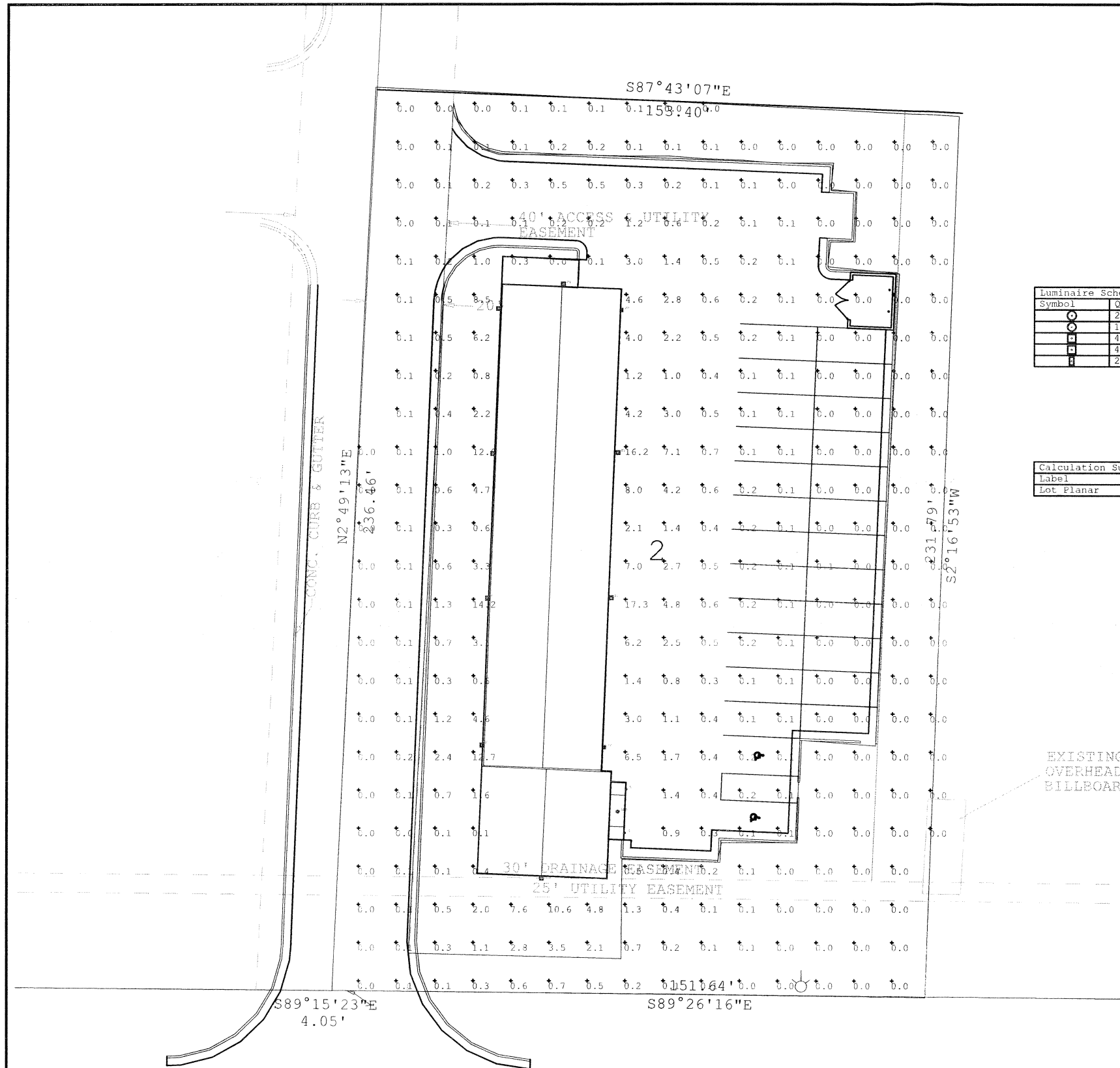
02 SHRUB / GROUNDCOVER DETAIL
NOT TO SCALE



No.	Revision/Issue	Date
1	Revised Site Plan	02.11.13
2		
3		
4		

GRA
GREAT RIVER ASSOCIATES
2826 S. INGRAM MILL ROAD
SPRINGFIELD, MO 65804
www.greatriv.com
PHONE: 417-886-7171 FAX: 417-886-7501

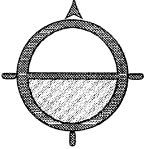
DEPARTMENT OF PUBLIC WORKS SPRINGFIELD, MISSOURI			
LANDSCAPE SPECS AND DETAILS			
CHRISTIAN BROTHERS AUTOMOTIVE			
APPROVED _____		DATE _____	
DIRECTOR OF PUBLIC WORKS			
SURVEY BY	DESIGN	KAH	SCALES
JOB NO.	DRAWN	KAH	SHEET
DATE	CHECKED	KAH	FILE



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.

1 SITE LIGHTING PLAN
Not To Scale



GRA
GREAT RIVER
ASSOCIATES
2626 S. INGRAM MILL ROAD
SPRINGFIELD, MO 65804
www.gradriv.com
PHONE: 417-866-7171 FAX: 417-866-7591

DEPARTMENT OF PUBLIC WORKS
SPRINGFIELD, MISSOURI

SITE LIGHTING PLAN
CHRISTIAN BROTHERS AUTOMOTIVE

DATE	PROJECT	DATE
BY	BY	BY
CHECKED	CHECKED	CHECKED
APPROVED	APPROVED	APPROVED



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 adopt an ordinance to amend the permitted uses subsections of all industrial districts in the *Zoning Ordinance* to add existing residential dwellings as conforming uses. (Staff recommends approval).

BACKGROUND INFORMATION:

**ZONING ORDINANCE TEXT AMENDMENT – EXISTING RESIDENTIAL DWELLINGS
IN INDUSTRIAL DISTRICTS AMENDMENTS**

City Council approved a resolution (Res. 9998) on October 8, 2012, to initiate the Existing Residential Dwellings in Industrial Districts Amendments to the Zoning Ordinance.

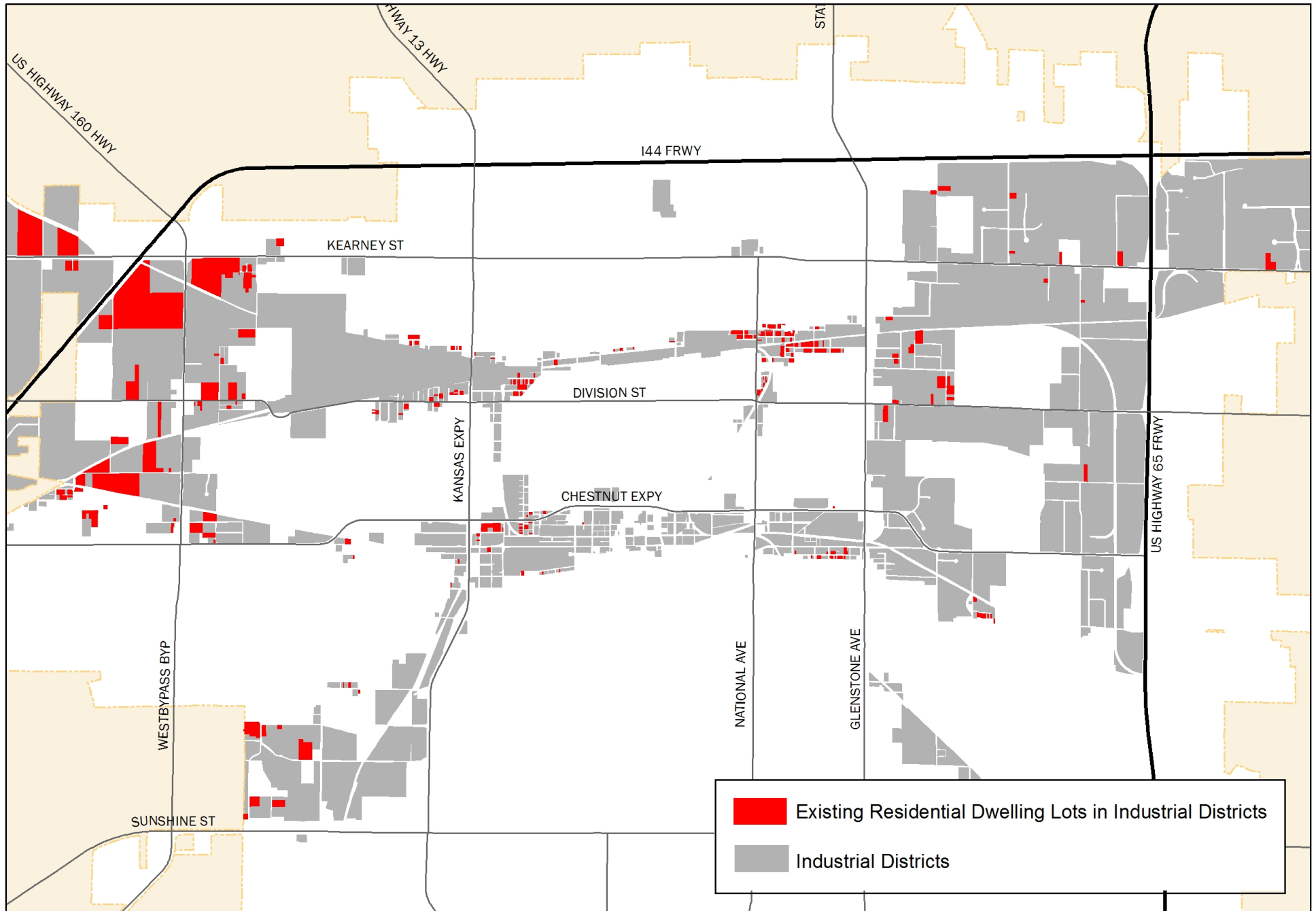
Staff is proposing to add language to all Industrial Districts to allow residential dwellings that existed prior to being rezoned to the RI, LI, GM, HM or IC Districts to be expanded or rebuilt within eighteen (18) months, if destroyed. This provision is currently permitted in most commercial districts, because many residential dwellings were rezoned to commercial districts during the city-wide rezoning in 1995. In the event the dwelling is converted, demolished or destroyed without being replaced within eighteen (18) months, then the residential use cannot be re-established and only permitted uses in that district can replace it.

Staff has observed in the last few years that lending institutions have increasingly focused on conformity of land use relative to the Zoning Ordinance in their approval process, and do not lend to nonconforming uses, as they once did. In some cases it is more appropriate for the property owner to rezone; however, many times the rezoning to a residential district is incompatible with surrounding districts and uses. Staff believes that these amendments will provide property owners with the ability to expand or sell their homes.

Conversely, there could be conflicts with residential dwellings in the middle or immediately next to an industrial use. The noise, odor, bulk plane and bufferyard requirements cannot be used to protect these homes because the requirements are only applied between non-residential and residential zoning districts. Staff submits that this amendment allowing property owner the ability to expand or sell properties outweighs any negative consequence.

Staff has prepared a map (Attachment B) that shows all lots in the City that contain a residential dwelling in an industrial district.

Existing Residential Dwellings in Industrial Districts



City of Springfield, Missouri

0 1,350 2,700 5,400 8,100 10,800 Feet

SCALE: 1:58,000



DISCLAIMER: All information included on this map or digital file is provided "as-is" for general information purposes only. The City of Springfield, and all other contributing data suppliers, make no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of the data for any particular use. Furthermore, the City of Springfield, and all other contributing data suppliers, assume no liability whatsoever associated with the use or misuse of the data.

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

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on February 7, 2013, and recommended _____, by a vote of ___ to ___, of the proposed changes to the Zoning Ordinance described in _____ (see the attached Record of Proceedings).

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

FINDINGS FOR STAFF RECOMMENDATION:

1. The proposed amendments will allow homeowners in Industrial Districts the ability to expand or sell their existing homes in the future.

Submitted by:

Mike MacPherson, Principal Planner

Greg Burris, City Manager

ATTACHMENT A
PROPOSED RESIDENTIAL DWELLINGS IN INDUSTRIAL DISTRICTS AMENDMENTS

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

Subsection 4-4002. Permitted Uses.

(RI, Restricted Industrial)

- A. Accessory Uses, as permitted by *Section 5-1000, Accessory Structures and Uses*.
- B. Any manufacturing, production, processing, cleaning, servicing, testing, repair or storage of materials, goods or products, and business and sales offices accessory thereto.
- C. Any residential dwellings existing at the time the district is mapped. As a conforming use, such a dwelling can be expanded or, if destroyed, replaced with another dwelling of the same type within eighteen (18) months of being destroyed.
- ~~C.D.~~ Auction sales, flea markets, and swap meets.
- ~~D.E.~~ Automobile service garages including body and fender repair and paint shops. (G.O. 5127, 10/29/01)
- ~~E.F.~~ Awning and canvas sales and rental.
- ~~F.G.~~ Cemeteries.
- ~~G.H.~~ Churches and other places of worship, including parish houses and Sunday schools, but excluding emergency shelters. (G.O. 4519, 06/12/95) (G.O. 5471, 06/27/05)
- ~~H.I.~~ Commercial off-street parking lots and structures. (G.O. 5758, 06/02/08)
- ~~I.J.~~ Commercial Gardens and/or Farmers Markets with retail and/or wholesale sales on-site. (G.O. 5843, 11/09/09) (G.O. 5880, 7/26/10)
- ~~J.K.~~ Day care centers in accordance with Chapter 36, Article XI, Springfield City Code.
- ~~K.L.~~ Entertainment-oriented Use Group.
- ~~L.M.~~ Funeral homes, mortuaries, and crematoriums.
- ~~M.N.~~ General Office/Retail Sales/Warehouse combinations provided not more than twenty-five (25) percent of the gross building floor area shall be used for retail activities.
- ~~N.O.~~ General Office Use Group.

45 | ~~O.P.~~ Household resource recovery collection centers, screened from all residential
46 | districts and public rights-of-way in conformance with *Section 6-1000, Screening*
47 | *and Fencing*, (non-household resource recovery collection centers are permitted
48 | by C above).
49 |

50 | ~~P.Q.~~ Pest control services.
51 |

52 | ~~Q.R.~~ Police and fire stations.
53 |

54 | ~~R.S.~~ Public and private parks, playgrounds, and golf courses, including miniature golf
55 | courses and driving ranges.
56 |

57 | ~~S.T.~~ Public service and public utility uses, as follow: (G.O. 5094, 07/09/01)
58 |

- 59 | 1. Tier I wireless facilities in accordance with *Section 5-2600,*
60 | *Telecommunication Towers.*
- 61 |
- 62 | 2. Tier III wireless facilities in accordance with *Section 5-2600,*
63 | *Telecommunication Towers*, provided wireless towers sixty (60) feet or
64 | greater in height allow collocation of at least one (1) additional
65 | provider's facilities.
66 |
- 67 | 3. Tier IV wireless facilities in accordance with *Section 5-2600,*
68 | *Telecommunication Towers*, provided wireless towers are setback from
69 | any residential district at least two (2) feet for every one (1) foot of tower
70 | height and allow collocation of at least one (1) additional provider's
71 | facilities or at least two (2) additional providers' facilities if the tower
72 | height is one hundred twenty (120) feet or greater.
73 |
- 74 | 4. Water reservoirs, water standpipes, and elevated and ground-level water
75 | storage tanks.
76 |

77 | ~~T.U.~~ Retail Sales Use Group provided the sale of products is related to the principal
78 | use and provided that the gross amount of floor area devoted to sales and display
79 | does not exceed twenty-five (25) percent of the gross floor area of the structure
80 | or ten thousand (10,000) square feet, whichever is less. Products related to the
81 | principal use include products produced, distributed or sold wholesale on-site by
82 | the principal use.
83 |

84 | ~~U.V.~~ Schools or development centers for persons with handicaps or development
85 | disabilities.
86 |

87 | ~~V.W.~~ Schools, industrial and business. (G.O. 5585, 07/24/06)
88 |

89 | ~~W.X.~~ Self-service storage facilities.
90 |

91 | ~~X.Y.~~ Swimming pool sales and display.
92 |

93 | ~~Y.Z.~~ Taxidermists.
94 |

95 | ~~Z.AA.~~ Temporary uses, as permitted by *Section 5-1200, Temporary Uses.*
96 |

~~AA-BB.~~ Towers other than wireless facilities, less than one hundred (100) feet in height, and related facilities. (G.O. 5094, 07/09/01)

~~BB-CC.~~ Upholstery shops. (G.O. 5127, 10/29/01)

~~CC-DD.~~ Veterinary clinics, animal hospitals, and kennels, with no outside activities.

~~DD-EE.~~ Warehouses, storage and distribution centers.

~~EE-FF.~~ Wholesale Sales

Subsection 4-4102. Permitted Uses.

(LI, Light Industrial)

A. Accessory Uses, as permitted by *Section 5-1000, Accessory Structures and Uses*.

B. Any manufacturing, production, processing, cleaning, servicing, testing, repair or storage of materials, goods or products, and business and sales offices accessory thereto.

C. Any residential dwellings existing at the time the district is mapped. As a conforming use, such a dwelling can be expanded or, if destroyed, replaced with another dwelling of the same type within eighteen (18) months of being destroyed.

~~C-D.~~ Auction sales, flea markets, and swap meets.

~~D-E.~~ Automobile service garages including body and fender repair and paint shops. (G.O. 5127, 10/29/01)

E-F. Cemeteries.

F-G. Churches and other places of worship, including parish houses and Sunday schools, but excluding emergency shelters. (G.O. 5471, 06/27/05)

~~G-H.~~ Commercial off-street parking lots and structures. (G.O. 5758, 06/02/08)

~~H-I.~~ Commercial Gardens and/or Farmers Markets with retail and/or wholesale sales on-site. (G.O. 5843, 11/09/09) (G.O. 5880, 7/26/10)

I-J. Construction equipment storage yards. (G.O. 5127, 10/29/01)

J-K. Day care centers in accordance with Chapter 36, Article XI, Springfield City Code.

~~K-L.~~ Entertainment-oriented Use Group.

L-M. Funeral homes, mortuaries, and crematoriums.

M.N. General Office Use Group.

N.O. Household resource recovery collection centers, screened from all residential districts and public rights-of-way in conformance with *Section 6-1000, Screening and Fencing*, (non-household resource recovery collection centers are permitted by C above).

O.P. Pest control services.

P.Q. Police and fire stations.

Q.R. Public and private parks, playgrounds, and golf courses, including miniature golf courses and driving ranges.

R.S. Public service and public utility uses, as follow: (G.O. 5094, 07/09/01)

1. Tier I wireless facilities in accordance with *Section 5-2600, Telecommunication Towers*.
2. Tier III wireless facilities in accordance with *Section 5-2600, Telecommunication Towers*, provided wireless towers sixty (60) feet or greater in height allow collocation of at least one (1) additional provider's facilities.
3. Tier IV wireless facilities in accordance with *Section 5-2600, Telecommunication Towers*, provided wireless towers are setback from any residential district at least two (2) feet for every one (1) foot of tower height and allow collocation of at least one (1) additional provider's facilities or at least two (2) additional providers' facilities if the tower height is one hundred twenty (120) feet or greater.
4. Water reservoirs, water standpipes, and elevated and ground-level water storage tanks.

S.T. Retail Sales Use Group provided the sale of products is related to the principal use and provided that the gross amount of floor area devoted to sales and display does not exceed twenty-five (25) percent of the gross floor area of the structure or ten thousand (10,000) square feet, whichever is less. Products related to the principal use include products produced, distributed or sold wholesale on-site by the principal use.

T.U. Schools, industrial and business. (G.O. 5585, 07/24/06)

U.V. Self-service storage facilities. (G.O. 5127, 10/29/01)

V.W. Substance abuse treatment facilities for fifty (50) or fewer residents, provided the facility: (G.O. 5343, 1/12/04)

1. Is located at least two thousand (2000) feet from any other substance abuse treatment facility, or two thousand (2000) feet from any emergency shelter, soup kitchen, transitional service shelter or community corrections facility, as measured from property lines; and

2. A plan of operation, including but not limited to: administration contact information, patron access requirements, hours of operations and security measures, is on file with the City of Springfield Planning and Development Department.

~~W-X.~~ Swimming pool sales and display.

~~X-Y.~~ Temporary uses, as permitted by *Section 5-1200, Temporary Uses*.

~~Y-Z.~~ Towers other than wireless facilities, less than one-hundred (100) feet in height, and related facilities. (G.O. 5094, 07/09/01)

~~Z-AA.~~ Upholstery shops (G.O. 5127, 10/29/01)

~~AA-BB.~~ Veterinary clinics, animal hospitals and outdoor kennels provided that at the time the use is established any outdoor activities are clearly accessory to the primary use and provided that no outdoor activities are located closer than a three hundred (300) foot radius from a building used for a church, school, hotel, motel, or restaurant, or from a property zoned residential or a building used for residential purposes. (G.O. 4570, 11/27/95) (G.O. 5471, 06/27/05)

~~BB-CC.~~ Warehouses, storage and distribution centers.

~~CC-DD.~~ Wholesale sales and distribution. (G.O. 5864, 03/08/10)

~~DD-EE.~~ Wholesale Sales Use Group.

Subsection 4-4202. Permitted Uses.

(GM, General Manufacturing)

A. Accessory Uses, as permitted by *Section 5-1000, Accessory Structures and Uses*.

B. Airports.

C. Any manufacturing, production, processing, cleaning, servicing, testing, repair or storage of materials, goods or products, and business and sales offices accessory thereto.

D. Any residential dwellings existing at the time the district is mapped. As a conforming use, such a dwelling can be expanded or, if destroyed, replaced with another dwelling of the same type within eighteen (18) months of being destroyed.

~~D-E.~~ Auction sales, flea markets, and swap meets.

~~E-F.~~ Automobile service garages including body and fender repair and paint shops. (G.O. 5127, 10/29/01)

~~F-G.~~ Bus garages.

249 | ~~G.H.~~ Cemeteries.
 250 |
 251 | ~~H.I.~~ Churches and other places of worship, including parish houses and Sunday
 252 | schools, but excluding emergency shelters. (G.O. 4519, 06/12/95) (G.O. 5471,
 253 | 06/27/05)
 254 |
 255 | ~~I.J.~~ Commercial off-street parking lots and structures. (G.O. 5758, 06/02/08)
 256 |
 257 | ~~J.K.~~ Commercial Gardens and/or Farmers Markets with retail and/or wholesale sales
 258 | on-site. (G.O. 5843, 11/09/09) (G.O. 5880, 7/26/10)
 259 |
 260 | ~~K.L.~~ Commercial Outdoor Recreation Use Group.
 261 |
 262 | ~~L.M.~~ Construction equipment storage yards. (G.O. 5127, 10/29/01)
 263 |
 264 | ~~M.N.~~ Emergency shelters or transitional service shelters for fifty (50) or fewer
 265 | residents, or soup kitchens, and located at least five hundred (500) feet from a
 266 | residential district, as measured from property lines provided that no emergency
 267 | shelter, transitional service shelter or soup kitchen may locate within two
 268 | thousand (2000) feet of any other emergency shelter, transitional service shelter,
 269 | soup kitchen, substance abuse treatment facility or community corrections
 270 | facility as measured from property lines. (G.O. 4763, 12/15/97) (G.O. 4792,
 271 | 04/13/98) (G.O. 5343, 01/12/04) (G.O. 5516, 01/23/06)
 272 |
 273 | ~~N.O.~~ Entertainment-oriented Use Group.
 274 |
 275 | ~~O.P.~~ Feed stores.
 276 |
 277 | ~~P.Q.~~ General Office Use Group.
 278 |
 279 | ~~Q.R.~~ Heliports.
 280 |
 281 | ~~R.S.~~ Household resource recovery collection centers, screened from all residential
 282 | districts and public rights-of-way in conformance with *Section 6-1000, Screening*
 283 | *and Fencing* (non-household resource recovery collection centers are permitted
 284 | by D above).
 285 |
 286 | ~~S.T.~~ Motor freight terminals.
 287 |
 288 | ~~T.U.~~ Pest control services.
 289 |
 290 | ~~U.V.~~ Police and fire stations.
 291 |
 292 | ~~V.W.~~ Public and private parks, playgrounds, and golf courses, including miniature golf
 293 | courses and driving ranges.
 294 |
 295 | ~~W.X.~~ Public service and public utility uses, as follow: (G.O. 5094, 07/09/01)
 296 |
 297 | 1. Tier I wireless facilities in accordance with *Section 5-2600*,

Telecommunication Towers.

2. Tier III wireless facilities in accordance with *Section 5-2600, Telecommunication Towers* provided wireless towers sixty (60) feet or greater in height allow collocation of at least one (1) additional provider's facilities.
3. Tier IV wireless facilities in accordance with *Section 5-2600, Telecommunication Towers* provided wireless towers are setback from any residential district at least two (2) feet for every one (1) foot of tower height and allow collocation of at least one (1) additional provider's facilities or at least two (2) additional providers' facilities if the tower height is one hundred twenty (120) feet or greater.
4. Water reservoirs, water standpipes, and elevated and ground-level water storage tanks.

~~X.Y.~~ Recycling centers.

~~Y.Z.~~ Retail Sales Use Group provided the sale of products is related to the principal use and provided that the gross amount of floor area devoted to sales and display does not exceed twenty-five (25) percent of the gross floor area of the structure or ten thousand (10,000) square feet, whichever is less. Products related to the principal use include products produced, distributed or sold wholesale on-site by the principal use.

~~Z.AA.~~ Schools, industrial and business. (G.O. 5585, 07/24/06)

~~AA-BB.~~ Self-service storage facilities. (G.O. 5127, 10/29/01)

~~BB-CC.~~ Substance abuse treatment facilities for fifty (50) or fewer residents, provided the facility: (G.O. 5343, 01/12/04)

1. Is located at least two thousand (2000) feet from any other substance abuse treatment facility, or two thousand (2000) feet from any emergency shelter, soup kitchen, transitional service shelter or community corrections facility, as measured from property lines; and
2. A plan of operation, including but not limited to: Administration contact information, patron access requirements, hours of operations and security measures, is on file with the City of Springfield Planning and Development Department.

~~CC-DD.~~ Swimming pool sales and display.

~~DD-EE.~~ Temporary uses, as permitted by *Section 5-1200, Temporary Uses*.

~~EE-FF.~~ Towers other than wireless facilities, less than one-hundred (100) feet in height, and related facilities. (G.O. 5094, 07/09/01)

~~FF-GG.~~ Upholstery shops. (G.O. 5127, 10/29/01)

~~GG-HH.~~ Vehicle rental, towing and storage services.

~~HH-II.~~ Veterinary clinics, animal hospitals and outdoor kennels provided that at the time the use is established any outdoor activities are clearly accessory to the primary use and provided that no outdoor activities are located closer than a three hundred (300) foot radius from a building used for a church, school, hotel, motel, or restaurant, or from a property zoned residential or a building used for residential purposes. (G.O. 4570, 11/27/95) (G.O. 5471, 06/27/05)

~~II-JJ.~~ Warehouses, storage and distribution centers.

~~JJ-KK.~~ Wholesale Sales Use Group.

Subsection 4-4302. Permitted Uses.

(HM, Heavy Manufacturing)

A. Accessory Uses, as permitted by *Section 5-1000, Accessory Structures and Uses.*

B. Airports.

C. Any manufacturing, production, processing, cleaning, servicing, testing, repair or storage of materials, goods or products, and business and sales offices accessory thereto.

D. Any residential dwellings existing at the time the district is mapped. As a conforming use, such a dwelling can be expanded or, if destroyed, replaced with another dwelling of the same type within eighteen (18) months of being destroyed.

~~D-E.~~ Auction sales, flea markets, and swap meets.

~~E-F.~~ Automobile service garages including body and fender repair and paint shops. (G.O. 5127, 10/29/01)

~~F-G.~~ Battery recycling and reprocessing.

~~G-H.~~ Bulk storage of flammable liquids for wholesale, subject to the provisions of the City and State Fire Codes.

~~H-I.~~ Bus garages.

~~I-J.~~ Cemeteries.

~~J-K.~~ Central mixing plants for cement, asphalt, or paving material.

~~K-L.~~ Churches and other places of worship, including parish houses, and Sunday schools. (G.O. 5471, 06/27/05)

~~L-M.~~ Commercial off-street parking lots and structures. (G.O. 5758, 06/02/08)

~~M-N.~~ Commercial Gardens and/or Farmers Markets with retail and/or wholesale sales

400 on-site. (G.O. 5843, 11/09/09) (G.O. 5880, 7/26/10)
 401
 402 | ~~N.O.~~ Commercial Outdoor Recreation Use Group.
 403
 404 | ~~O.P.~~ Construction equipment storage yards. (G.O. 5127, 10/29/01)
 405
 406 | ~~P.O.~~ Electric and steam power plants.
 407
 408 | ~~Q.R.~~ Emergency shelters or transitional service shelters for fifty (50) or fewer
 409 residents, or soup kitchens, and located at least five hundred (500) feet from a
 410 residential district, as measured from property lines provided that no emergency
 411 shelter, transitional service shelter or soup kitchen may locate within two
 412 thousand (2000) of any other emergency shelter, transitional service shelter, soup
 413 kitchen, or substance abuse treatment facility or community corrections facility
 414 as measured from property lines. (G.O. 4763, 12/15/97) (G.O. 4792, 04/13/98)
 415 (G.O. 5343, 01/12/04) (G.O. 5516, 01/23/06)
 416
 417 | ~~R.S.~~ Entertainment-oriented Use Group.
 418
 419 | ~~S.T.~~ Feed stores.
 420
 421 | ~~T.U.~~ General Office Use Group.
 422
 423 | ~~U.V.~~ Grain elevators.
 424
 425 | ~~V.W.~~ Heliports.
 426
 427 | ~~W.X.~~ Household resource recovery collection centers, screened from all residential
 428 districts and public rights-of-way in conformance with *Section 6-1000, Screening*
 429 *and Fencing*, (non-household resource recovery collection centers are permitted
 430 by D above).
 431
 432 | ~~X.Y.~~ Junk yards and automobile wrecking yards (No limitation on floor area for retail
 433 sales), in accordance with *Section 5-2200, Scrap, Salvage, Junk and Automobile*
 434 *Wrecking Yards*.
 435
 436 | ~~Y.Z.~~ Manufacturing and production of paving, roofing and other construction
 437 materials, using asphaltic and petroleum based coatings and preserving materials.
 438
 439 | ~~Z.AA.~~ Motor freight terminals.
 440
 441 | ~~AA-BB.~~ Pest control services.
 442
 443 | ~~BB-CC.~~ Police and fire stations.
 444
 445 | ~~CC-DD.~~ Primary and secondary metal industries that manufacture, produce, smelt or
 446 refine ferrous and non-ferrous metals.
 447
 448 | ~~DD-EE.~~ Public and private parks, playgrounds, and golf courses, including miniature golf

courses and driving ranges.

~~EE~~FF. Public service and public utility uses, as follow: (G.O. 5094, 7/9/01)

1. Tier I wireless facilities in accordance with *Section 5-2600, Telecommunication Towers*.
2. Tier III wireless facilities in accordance with *Section 5-2600, Telecommunication Towers*, provided wireless towers sixty (60) feet or greater in height allow collocation of at least one (1) additional provider's facilities.
3. Tier IV wireless facilities in accordance with *Section 5-2600, Telecommunication Towers*, provided wireless towers are setback from any residential district at least two (2) feet for every one (1) foot of tower height and allow collocation of at least one (1) additional provider's facilities or at least two (2) additional providers' facilities if the tower height is one-hundred-twenty (120) feet or greater.
4. Water reservoirs, water standpipes, and elevated and ground-level water storage tanks.

~~FF~~GG. Railroad terminals, railroad switching and classification yards, and railroad cars and locomotive repair shops.

~~GG~~HH. Recycling centers.

~~HH~~II. Retail Sales Use Group provided the sale of products is related to the principal use and provided that the gross amount of floor area devoted to sales and display does not exceed twenty-five (25) percent of the gross floor area of the structure or ten thousand (10,000) square feet, whichever is less. Products related to the principal use include products produced, distributed or sold wholesale on-site by the principal use.

~~II~~JJ. Schools, industrial and business. (G.O. 5585, 07/24/06)

~~JJ~~KK. Scrap and salvage yards, in accordance with *Section 5-2200, Scrap, Salvage, Junk and Automobile Wrecking Yards*.

~~KK~~LL. Self-service storage facilities. (G.O. 5127, 10/29/01)

~~LL~~MM. Stockyards or feed lots.

~~MM~~NN. Substance abuse treatment facilities for fifty (50) or fewer residents, provided the facility: (G.O. 5343, 01/12/04)

1. Is located at least two thousand (2000) feet from any other substance abuse treatment facility, or two thousand (2000) feet from any emergency shelter, soup kitchen, transitional service shelter or community corrections facility, as measured from property lines; and

2. A plan of operation, including but not limited to: Administration contact information, patron access requirements, hours of operations and security measures, is on file with the City of Springfield Planning and Development Department.

~~NN.OO.~~ Swimming pool sales and display.

~~OO.PP.~~ Temporary uses, as permitted by *Section 5-1200, Temporary Uses*.

~~PP.QQ.~~ Towers other than wireless facilities, less than one-hundred (100) feet in height, and related facilities. (G.O. 5094, 07/09/01)

~~QQ.RR.~~ Upholstery shops. (G.O. 5127, 10/29/01)

~~RR.SS.~~ Vehicle rental, towing and storage services.

~~SS.TT.~~ Veterinary clinics, animal hospitals and outdoor kennels provided that at the time the use is established any outdoor activities are clearly accessory to the primary use and provided that no outdoor activities are located closer than a three hundred (300) foot radius from a building used for a church, school, hotel, motel, or restaurant, or from a property zoned residential or a building used for residential purposes. (G.O. 4570, 11/27/95) (G.O. 5471, 06/27/05)

~~TT.UU.~~ Warehouses, storage and distribution centers.

~~UU.VV.~~ Wholesale Sales.

~~VV.WW.~~ Wood preserving operations using formulations of Chrome-Copper-Arsenate (CCA), pentachlorophenol (PENTA), creosote, and related chemicals.

Subsection 4-4402. Permitted Uses.

(IC, Industrial Commercial)

A. Accessory Uses, as permitted by *Section 5-1000, Accessory Structures and Uses*.

B. Ambulance services.

C. Any manufacturing, production, processing, cleaning, servicing, testing, repair or storage of materials, goods or products, and business and sales offices accessory thereto.

D. Any residential dwellings existing at the time the district is mapped. As a conforming use, such a dwelling can be expanded or, if destroyed, replaced with another dwelling of the same type within eighteen (18) months of being destroyed.

~~D.E.~~ Auction sales, flea markets, and swap meets.

~~E.F.~~ Automobile service garages including body and fender repair and paint shops. (G.O. 5127, 10/29/01)

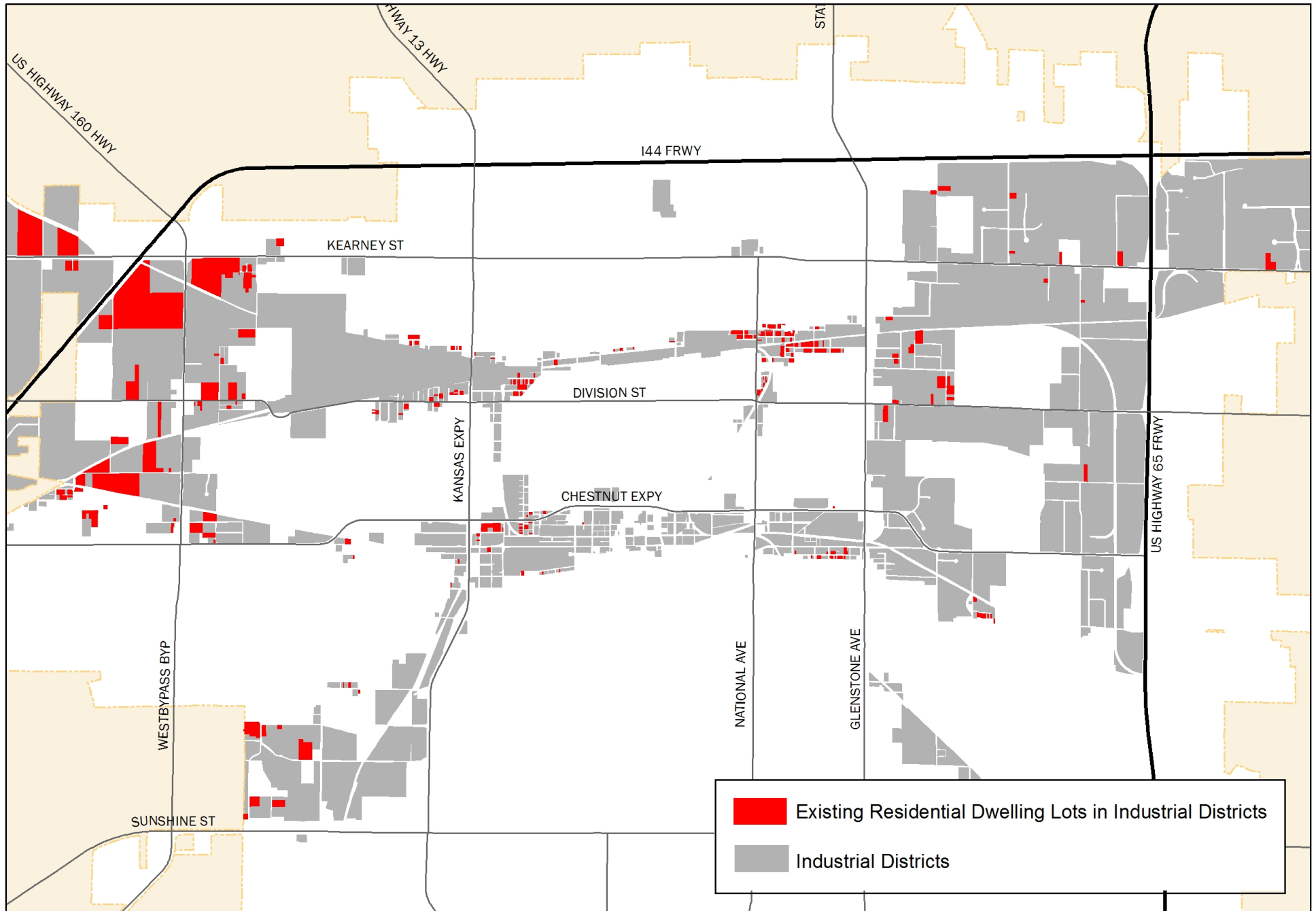
551 | F.G. Automobile service stations.
 552 |
 553 | G.H. Automobile washing businesses, including automatic, coin-operated, and
 554 | moving-line facilities.
 555 |
 556 | H.I. Awning and canvas sales and rental.
 557 |
 558 | I.J. Bus stations.
 559 |
 560 | J.K. Catering businesses. (G.O. 5585, 07/24/06)
 561 |
 562 | K.L. Cemeteries.
 563 |
 564 | L.M. Churches and other places of worship, including parish houses, Sunday schools,
 565 | and emergency shelters. (G.O. 4852, 11/23/98)
 566 |
 567 | M.N. Commercial Gardens and/or Farmers Markets with retail and/or wholesale sales
 568 | on-site. (G.O. 5843, 11/09/09) (G.O. 5880, 7/26/10)
 569 |
 570 | N.O. Commercial off-street parking lots and structures.
 571 |
 572 | O.P. Commercial Outdoor Recreation Use Group.
 573 |
 574 | P.Q. Construction equipment storage yards. (G.O. 5127, 10/29/01)
 575 |
 576 | Q.R. Day care centers in accordance with Chapter 36, Article XI, Springfield City
 577 | Code.
 578 |
 579 | R.S. Eating and Drinking Establishments Use Group.
 580 |
 581 | S.T. Entertainment-oriented Use Group.
 582 |
 583 | T.U. Funeral homes, mortuaries, and crematoriums.
 584 |
 585 | U.V. General Office Use Group.
 586 |
 587 | V.W. Household resource recovery collection centers, screened from all residential
 588 | districts and public rights-of-way in conformance with *Section 6-1000, Screening*
 589 | *and Fencing*, (non-household resource recovery collection centers are permitted
 590 | by C above).
 591 |
 592 | W.X. Manufactured housing (mobile home) and trailer sales, leasing and service with
 593 | no storage
 594 |
 595 | X.Y. Nurseries, greenhouses and garden stores.
 596 |
 597 | Y.Z. Upholstery shops. (G.O. 5127, 10/29/01)
 598 |

599 | ~~Z~~.AA. Personal Services Use Group.
 600 |
 601 | AA.~~BB~~. Pest control services.
 602 |
 603 | ~~BB~~.CC. Police and fire stations.
 604 |
 605 | ~~CC~~.DD. Private clubs and lodges.
 606 |
 607 | ~~DD~~.EE. Public and private parks, playgrounds, and golf courses, including miniature golf
 608 | courses and driving ranges.
 609 |
 610 | ~~EE~~.FF. Public or private vehicle and boat storage garages, yards, or lots.
 611 |
 612 | FF.GG. Public service and public utility uses, as follows: (G.O. 5094, 07/09/01)
 613 |
 614 | 1. Tier I wireless facilities in accordance with *Section 5-2600*,
 615 | *Telecommunication Towers*.
 616 |
 617 | 2. Tier III wireless facilities in accordance with *Section 5-2600*,
 618 | *Telecommunication Towers*, provided wireless towers sixty (60) feet or
 619 | greater in height allow collocation of at least one (1) additional
 620 | provider's facilities.
 621 |
 622 | 3. Tier IV wireless facilities in accordance with *Section 5-2600*,
 623 | *Telecommunication Towers*, provided wireless towers are setback from
 624 | any residential district at least two (2) feet for every one (1) foot of tower
 625 | height and allow collocation of at least one (1) additional provider's
 626 | facilities or at least two (2) additional providers' facilities if the tower
 627 | height is one-hundred-twenty (120) feet or greater.
 628 |
 629 | 4. Water reservoirs, water standpipes, and elevated and ground-level water
 630 | storage tanks.
 631 |
 632 | GG.HH. Retail Sales Use Group.
 633 |
 634 | HH.II. Schools, professional, commercial, industrial and trade.
 635 |
 636 | H.JJ. Schools or development centers for persons with handicaps or development
 637 | disabilities.
 638 |
 639 | H.KK. Self-service storage facilities.
 640 |
 641 | KK.LL. Swimming pool sales and display.
 642 |
 643 | LL.MM. Taxi dispatch yards and offices.
 644 |
 645 | MM.NN. Taxidermists.
 646 |
 647 | NN.OO. Temporary Lodging Use Group.
 648 |
 649 | OO.PP. Temporary uses, as permitted by *Section 5-1200, Temporary Uses*.

650
651 | ~~PP-OO.~~ Towers other than wireless facilities, less than one hundred (100) feet in height,
652 | and related facilities. (G.O.5094, 07/09/01)
653
654 | ~~QQ-RR.~~ Upholstery shops.
655
656 | ~~RR-SS.~~ Veterinary clinics, animal hospitals and outdoor kennels provided that at the time
657 | the use is established any outdoor activities are clearly accessory to the primary
658 | use and provided that no outdoor activities are located closer than a three
659 | hundred (300) foot radius from a building used for a church, school, hotel, motel,
660 | or restaurant, or from a property zoned residential or a building used for
661 | residential purposes. (G.O. 5471, 06/27/05)
662
663 | ~~SS-TT.~~ Warehouses, storage and distribution centers.
664

665 | ~~TT-UU.~~ Wholesale Sales Use Group.
666

Existing Residential Dwellings in Industrial Districts



City of Springfield, Missouri

0 1,350 2,700 5,400 8,100 10,800 Feet

SCALE: 1:58,000



DISCLAIMER: All information included on this map or digital file is provided "as-is" for general information purposes only. The City of Springfield, and all other contributing data suppliers, make no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of the data for any particular use. Furthermore, the City of Springfield, and all other contributing data suppliers, assume no liability whatsoever associated with the use or misuse of the data.

EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To amend *Sections 4-3400, Center City District and 4-3500, Commercial Street District*, in the *Springfield Zoning Ordinance*. (Staff recommends approval).

BACKGROUND INFORMATION:

ZONING ORDINANCE TEXT AMENDMENT – VETERINARY CLINICS IN CC AND COM DISTRICTS AMENDMENTS

Planning and Zoning Commission initiated the Veterinary Clinics in CC and COM Districts Amendments at their meeting on February 21, 2013.

Planning and Development staff has recently received inquiries where veterinarians have expressed interest in locating in the Center City (CC) and Commercial Street (COM) Districts.

Veterinary clinics are defined as an establishment where animals are admitted for examination and treatment by one or more veterinarians and where animals are not lodged overnight. Currently, veterinary clinics are permitted in the General Retail (GR), Highway Commercial (HC), Commercial Services (CS) with supervised outdoor activities, enclosed and screened spaces and located more than twenty-five (25) feet away from any residential use or district. Staff is proposing that this same use be permitted in the CC and COM Districts. Staff believes that these services are consistent with these districts and with the restrictions on outdoor use can be compatible with certain areas of the downtown and Historic Commercial Street.

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

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on March 7, 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. The veterinary clinic use with similar restrictions is consistent with other commercial districts that permit the same use.

Submitted by:

Mike MacPherson, Principal Planner

Greg Burris, City Manager

ATTACHMENT A
VETRINARY CLINICS IN CC AND COM DISTRICTS AMENDMENTS

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

Section 4-3400. CC - Center City District.

4-3402. Permitted Uses. (G.O. 5879, 7/26/10)

SS. Veterinary clinics. Facilities may have supervised outside activities, which are defined as having a single animal under the physical control of an individual. All outside activity spaces shall be fully enclosed and screened from adjacent residential uses, districts and all public rights-of-way with a six (6) foot tall barrier that is in conformance with Subsection 6-1003. No outside activity spaces shall be located within twenty-five (25) feet of any residential use or district, and all animal waste shall be collected and disposed of on a daily basis.

TT. Wholesale Sales

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

4-3502. Permitted Uses.

A. The following uses are permitted on any floor unless the development project is greater than ten thousand (10,000) square feet in total floor area, which requires a conditional use permit. (G.O. 6025, 12/17/12) (G.O. 6026, 12/17/12)

25. Veterinary clinics. Facilities may have supervised outside activities, which are defined as having a single animal under the physical control of an individual. All outside activity spaces shall be fully enclosed and screened from adjacent residential uses, districts and all public rights-of-way with a six (6) foot tall barrier that is in conformance with Subsection 6-1003. No outside activity spaces shall be located within twenty-five (25) feet of any residential use or district, and all animal waste shall be collected and disposed of on a daily basis.

Zoning & Subdivision Report

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

PRELIMINARY PLAT – PIONEER SCHOOL ADDITION

DATE: February 27, 2013

PURPOSE: To approve a preliminary plat to subdivide 4.12 acres into a five (5) lot subdivision, including three (3) subdivision variances

BACKGROUND:

LOCATION: 211-223 N. Main Ave.

APPLICANT: Cherry Properties, LTD, SWDFOR, LLC, Superior Outdoor Advertising Company, Inc., Nouvelle Realty, LLC, JM EC LORE, LLC and Marguerite Lee Trust

TRACT SIZE: Approximately 4.12 Acres

EXISTING USE: Industrial and commercial uses, undeveloped land

PROPOSED USE: Industrial and commercial uses, CU bus transfer station

RECOMMENDATION:

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

FINDINGS:

1. The applicant's proposal, with the conditions listed below and approval of the subdivision variances, is consistent with the City's Subdivision Regulations.
2. The proposed reconfiguration and assemblage of properties will facilitate the construction of the new City Utilities bus transfer facility.

CONDITIONS:

1. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless

approved by the Director of Public Works. All required sanitary sewer, street, sidewalk and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.

- a. Before the final plat can be filed, the sewer line in Lot A that serves 229 N Hayden will need to be capped outside the manhole in the east/west alley. The sewer main cannot be abandoned if the structure is still using the main. It could be capped when the demolition permit is obtained.
 - b. Review of detention and water quality requirements will be made upon the land development plan.
2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. Regarding the vacation and platting of Hayden Ave, the intent at this time is for the existing electric, gas and water facilities to be retired---thus a replacement easement is not necessary at this time. However, the AT & T facilities serving the property to the north will need to be addressed before the electric can be retired.
 - b. Drainage easement over existing culvert is identified, might be modified based on capacity of the system and the flooding anticipated from the 100 year storm.
3. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.
4. It is determined that the public interest requires assurance concerning adequate maintenance of common space areas and improvements. The restrictive covenants, rules and bylaws creating the common ownership must therefore provide that if the owners of the Property Owners Association shall fail to maintain the common areas or improvements in reasonable order and condition in accordance with the approved plans, the City may, after notice and hearing, maintain the same and assess the costs against the units or lots, per the Common Open Space and Common Improvement Regulations section of the Zoning Code.
5. The developer shall be responsible for the relocation costs of any existing utility services and shall be responsible for clearing all utility easements of trees, brush and overhanging tree limbs.
6. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations.

All required improvements shall be the sole responsibility of the subdivider. As prescribed by Section No. 300 of the Subdivision Regulations, the improvements shall be made or guaranteed by means of bond or escrow agreement. Release of the final plat for recording shall be withheld until the subdivider has complied with this section.

Section No. 206 of the Subdivision Regulations requires that a final plat be submitted within two years of City Council's acceptance of the public streets and easements.

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner

ATTACHMENT A
BACKGROUND REPORT
PRELIMINARY PLAT – PIONEER SCHOOL ADDITION

APPLICANT'S PROPOSAL:

The applicants propose to subdivide approximately 4.12 acres into a five (5) lot subdivision. The subdivision will facilitate the construction of the new City Utilities bus transfer facility. A vacation of a portion of Hayden Avenue and some adjacent alleys are also being requested to assemble the proposed subdivision.

BUILDING DEVELOPMENT SERVICES COMMENTS:

Need to complete vacation of Hayden Avenue and adjacent alleys.

CITY UTILITIES COMMENTS:

Add a utility easement for the overhead electric in the alley north of lots 3 and 4. This is a replacement easement for the alley to be vacated. Regarding the vacation and platting of Hayden Ave, the intent at this time is for the existing electric, gas and water facilities to be retired---thus a replacement easement is not necessary at this time. However, the AT & T facilities serving the property to the north will need to be addressed before the electric can be retired.

TRAFFIC DIVISION COMMENTS:

1. As stated in the Pre-Subdivision comments, Grant Avenue is classified as Primary Arterial and requires fifty (50) feet of public right-of-way from the centerline. It appears that about twenty (20) feet of right-of-way should be dedicated. College is a secondary arterial and requires thirty (35) feet from the centerline. It appears that about ten (10) feet would need to be dedicated, however an existing building is already in the current right-of-way. A variance would be supported by Traffic for both of these right of way requirements.
2. A 20 ft. x 20 ft. sight triangle is required at the intersection of Grant & College. Traffic would support a variance for this requirement.
3. Portions of Hayden Ave and the alley are in the process of being vacated. This needs to be shown on the final plat if the vacation is complete when the final plat is submitted.

AT&T COMMENTS:

Pending customer reimbursed cost of removal of copper and fiber facilities on property. Conduit or easements will need to be provided for future access to structure as needed.

STORMWATER COMMENTS:

1. Review of detention requirements will be made upon the land development plan.

2. Drainage easement over existing culvert is identified, might be modified based on capacity of the system and the flooding anticipated from the 100 year storm.

SANITARY SEWER COMMENTS:

Before the final plat can be filed, the sewer line in Lot A that serves 229 N Hayden will need to be capped outside the manhole in the east/west alley. The sewer main cannot be abandoned if the structure is still using the main. It could be capped when the demolition permit is obtained.

STAFF COMMENTS:

1. The applicant is proposing a five (5) lot subdivision that will facilitate the construction of the new City Utilities bus transfer facility. An application for vacation of Hayden Avenue and adjacent alleys has been submitted with the preliminary plat and will be forwarded to City Council for review and approval with conditions.
2. Staff supports all three (3) requested variances as explained in each request (Attachment B).
3. If Planning and Zoning Commission approves the preliminary, then the plat will be forwarded to City Council for acceptance of public streets and easements. An approved preliminary plat is active for two (2) years.

ATTACHMENT B(1)
APPROVAL CRITERIA
PRELIMINARY PLAT – PIONEER SCHOOL ADDITION

The applicants (Nouvelle Realty, LLC, JM EC LORE, LLC, Marguerite Lee Trust and Superior Outdoor Advertising Company, Inc.) are requesting a subdivision variance from Section 401(1) and 403(9) and (10) of the Subdivision Regulations which establishes the required right-of-way widths and triangles at street intersections based on the classification of the streets. The applicant is requesting a variance to not dedicate the required right-of-way widths along Grant Avenue and College Street and right-of-way triangle at the intersection of Grant Ave. and College St. Grant Avenue is classified as a Primary Arterial and College Street is a Secondary Arterial. Based on the street classifications, fifty (50) feet of right-of-way along Grant Avenue, thirty-five (35) feet of right-of-way along College Street and a twenty (20) foot by twenty (20) foot right-of-way triangle is required to be dedicated at the intersection. This right-of-way and intersection is on the edge of the downtown street classification boundary which exempts properties within the downtown area from providing additional right-of-way because expansion would interfere with the existing public and private buildings and infrastructure along these corridors. The acquisition of properties for the CU Bus Transfer Station is not feasible if the remaining properties have existing buildings and infrastructure along College and Grant that would be adversely affected by the dedication of additional right-of-way. This area is expected to be a part of future College Street streetscape project where additional right-of-way, easements and driveway modifications will be addressed. Staff supports the request.

Section 106 of the Subdivision Regulations states in part:

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

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

APPLICANT'S RESPONSE:

Right of way widths of seventy (70) and one hundred (100) feet for secondary and primary arterials, respectively, would reach beyond existing improvements (buildings) and /or result in unusable lots.

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

APPLICANT'S RESPONSE:

Properties could not be used as they currently are for existing businesses.

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

APPLICANT'S RESPONSE:

Sidewalks and/or other public improvements already exist within the current right of way and will remain to serve the public.

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

ATTACHMENT B(2)
APPROVAL CRITERIA
PRELIMINARY PLAT – PIONEER SCHOOL ADDITION

The applicants (Nouvelle Realty, LLC, JM EC LORE, LLC and Marguerite Lee Trust) are requesting a subdivision variance from Section 411(3) and (4) of the Subdivision Regulations which limits driveway access onto primary and secondary arterials. The applicant is requesting a variance to allow existing driveways to remain “as is” along Grant Avenue and College Street and add an additional driveway along College Street that will not be shared for the CU Bus Transfer Facility. Grant Avenue is classified as a Primary Arterial and College Street is a Secondary Arterial. These streets and intersection are expected to be a part of a future College Street streetscape project where additional right-of-way, easements and driveway modifications will be addressed. Staff supports the request.

Section 106 of the Subdivision Regulations states in part:

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

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

APPLICANT’S RESPONSE:

The layout of the proposed bus transfer station site does not lend itself to joint driveways as required by the Subdivision Regulations; and some of the properties are too small to move the driveways the required distance from intersections. The driveways along Grant and College will be addressed when remaining properties redevelop.

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

APPLICANT’S RESPONSE:

The variance will facilitate the redevelopment of a portion of the properties into a new CU bus transfer station.

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

APPLICANT’S RESPONSE:

The layout of the proposed bus transfer station site does not lend itself to joint driveways as required by the Subdivision Regulations; and some of the properties are too small to move the driveways the required distance from intersections. The driveways along Grant and College will be addressed when remaining properties

redevelop.

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

ATTACHMENT B(3)
APPROVAL CRITERIA
PRELIMINARY PLAT – PIONEER SCHOOL ADDITION

The applicant (Superior Outdoor Advertising Company, Inc.) is requesting a subdivision variance from Section 110, 304(1) and 410(3) of the Subdivision Regulations which requires public sewer access to all new lots. The applicant is requesting a variance to allow Lot 2 of the Preliminary Plat of Pioneer School Addition to be created without public sewer access. Currently, the Superior Outdoor Advertising Co. tract does not have any public sewer access and by slightly expanding the tract to encompass the entire billboard, the public sewer situation does not change. Staff supports the request.

Section 106 of the Subdivision Regulations states in part:

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

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

APPLICANT'S RESPONSE:

The tract of land at 200 N. Grant, containing a billboard, is being voluntarily acquired in conjunction with adjacent tracts for the bus transfer station. The billboard tract will not initially be a part of the same tract for the station, and will be platted as a separate lot.

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

APPLICANT'S RESPONSE:

The billboard tract would essentially be "landlocked" by the proposed bus station development; it is too small to be developed as a separate tract and essentially cannot have its own access. Thus, a variance is being requested to waive the requirement for extending services -- particularly sanitary sewer -- to this lot.

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

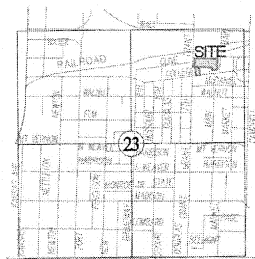
APPLICANT'S RESPONSE:

At some point in the future, the tract at 200 N. Grant may be combined with the transfer station tracts (Lot 1, Pioneer School Addition Plat).

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

PIONEER SCHOOL ADDITION

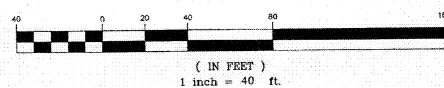
PRELIMINARY PLAT
NORTHWEST CORNER OF COLLEGE AVENUE AND MAIN STREET
NE 1/4 OF THE NE 1/4 OF SECTION 23, T-29-N, R-22-W
CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI



LOCATION SKETCH
SEC. 23, T-29-N, R-22-W
SCALE: 1"=2000'



GRAPHIC SCALE



NOTES

- 5 PROPOSED LOTS
LOT 2: 0.06 ACRES (SMALLEST LOT)
LOT 1: 2.674 ACRES (LARGEST LOT)
LOT 1 STORMWATER REQUIREMENTS WILL BE ADDRESSED AT LOT DEVELOPMENT STAGE.
PERIMETER BOUNDARY = 179,365.1 SQUARE FEET (4.124 ACRES).
LOT 2 IS AN UNBUILDABLE LOT AND THAT SEWER WILL NOT BE PROVIDED TO IT.
BILLBOARD ON LOT 2 IS AN EXISTING NON-CONFORMING LOT-PREMISE SIGN.
THE VACATION OF A PORTION OF HAYDEN AVENUE (PUBLIC STREET) AND ADJACENT ALLEYS WAS RECORDED IN BOOK _____ AT PAGE _____.

UTILITY NOTE:

THIS SURVEY REFLECTS ABOVE GROUND INDICATIONS OF UTILITIES AND INFORMATION AVAILABLE FROM UTILITY COMPANIES. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. LOCATE NUMBERS 121251130, 121251031, 121250837, 121250844 & 121250800.

LEGEND

SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
CP	CONTROL POINT	—	PROPERTY LINE
IP	FOUND IRON PIN	—	LOT LINE
SP	SET IRON PIN	—	SANITARY SEWER
RWM	RIGHT-OF-WAY MARKER	—	STORM SEWER
PP	POWER POLE W/ GUY	—	UNDERGROUND TELEPHONE
MH	MANHOLE	—	GAS LINE
SICO	SEWER CLEANOUT	—	WATER LINE
GM	GAS METER	—	ELECTRIC LINE
LP	LIGHT POLE	—	UNDERGROUND ELECTRIC
WM	WATER METER	—	FENCE LINE
WV	WATER VALVE	—	RETAINING WALL
GV	GAS VALVE	—	MEASURED
FH	FIRE HYDRANT	—	DEED
TR	TELEPHONE RISER	—	100' M
POST	POST	—	100' D
GI	GRATE INLET	—	
		—	TREELINE
		—	BUSH
		—	CR ELECTRICAL SIGNAL
		—	TS TRAFFIC SIGNAL BOX
		—	MB MAIL BOX

FLOOD NOTE

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE X OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 200720333E, WHICH BEARS AN EFFECTIVE DATE OF DECEMBER 17, 2010 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS.

DATE OF FIELD SURVEY MAY 11, 2012

P.O.C.
NORTHEAST CORNER OF
SEC. 23, T-29-N, R-22-W

PERIMETER DESCRIPTION

A PARCEL OF LAND AS LYING IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 29 NORTH, RANGE 22 WEST AND ALSO BEING A PART OF LOTS 21, 22, 23, 24, 27, 28, 29, 30 AND LOT "A" OF PHELPS SECOND ADDITION, AS DESCRIBED IN PLAT BOOK A PAGE 81, ALSO TRACT 1 OF AS-6854 AS DESCRIBED IN BOOK 2012, PAGE 053197-12 AND SAID PARCEL MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 29 NORTH, RANGE 22 WEST; THENCE ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, NORTH 88°44'18" WEST, 719.22 FEET; THENCE LEAVING SAID NORTH LINE, SOUTH 02°02'50" WEST, 628.34 FEET TO THE POINT OF BEGINNING SAID POINT ALSO LYING ON THE WESTERLY RIGHT-OF-WAY OF MAIN STREET; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY, SOUTH 02°02'50" WEST, 263.71 FEET; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY, SOUTH 04°02'46" WEST, 110.70 FEET TO A POINT LYING ON THE EAST FACE OF A WALL; THENCE ALONG SAID EAST FACE OF WALL, NORTH 07°21'23" WEST, 3.60 FEET TO A POINT LYING ON THE NORTH FACE OF WALL; THENCE LEAVING SAID EAST FACE OF WALL AND ALONG SAID NORTH FACE OF WALL, SOUTH 85°43'50" WEST, 4.90 FEET; THENCE NORTH 04°21'23" WEST, 62.07 FEET; THENCE NORTH 87°08'49" WEST, 115.00 FEET; THENCE SOUTH 04°15'31" EAST, 153.92 FEET TO A POINT LYING ON THE SOUTHERLY RIGHT-OF-WAY OF COLLEGE AVENUE; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY, SOUTH 83°19'30" WEST, 343.48 FEET TO A POINT LYING ON THE EASTERLY RIGHT-OF-WAY OF GRANT STREET; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY AND ALONG SAID EASTERLY RIGHT-OF-WAY, NORTH 01°49'16" EAST, 322.00 FEET; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY, SOUTH 88°03'25" EAST, 40.67 FEET; THENCE NORTH 03°07'39" WEST, 84.64 FEET; THENCE SOUTH 87°33'09" EAST, 53.50 FEET TO A POINT LYING ON THE SOUTH LINE OF A VACATED ALLEY AS DESCRIBED IN ORDINANCE NUMBER 5989; THENCE LEAVING SAID SOUTH LINE, NORTH 02°14'33" EAST, 7.50 FEET; THENCE SOUTH 87°33'22" EAST, 428.08 FEET; THENCE NORTH 00°16'59" EAST, 7.51 FEET; THENCE SOUTH 87°45'13" EAST, 46.45 FEET TO THE POINT OF BEGINNING. ALL LYING IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 29 NORTH, RANGE 22 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, CONTAINING 4.12 ACRES MORE OR LESS. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE. DATE OF ADJUSTMENT 2000. SUBJECT TO ALL EASEMENTS, COVENANTS, RESTRICTIONS AND RESERVATIONS OF RECORD. CONDITIONS AND MONUMENTS ARE AS SHOWN ON ANDERSON ENGINEERING, INC. DRAWING NUMBER WB 109-594.

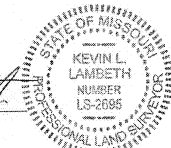
SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, KEVIN L. LAMBETH, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED PREPARED BY ANDERSON ENGINEERING, INC. DATED OCTOBER 29, 2012, AND SIGNED BY KEVIN L. LAMBETH, PLS NO. 2695, AND THAT THE PERIMETER CORNER MONUMENTS WERE FOUND OR SET AS SHOWN AND THE LOT CORNER PINS WERE SET WITHIN ONE (1) YEAR OF THE FILING OF THE PLAT, AND THE LOT AND OF BOUNDARY CORNERS WERE OR WILL BE SET UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH SECTION 410.5 OF THE SUBDIVISION REGULATIONS, ARTICLE 10, CHAPTER 35, OF THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, DATE OF LAST REVISION FEBRUARY 22, 2013.

ANDERSON ENGINEERING, INC. LC 02 BY

KEVIN L. LAMBETH, PLS 2695

2-22-2013
DATE PREPARED

ZONING DATA

SUBJECT PROPERTY IS ZONED CC (CENTER CITY DISTRICT).

MAXIMUM STRUCTURE HEIGHT: NONE.

MINIMUM YARD REQUIREMENTS:

FRONT YARD: NONE.

SIDE YARD: NONE.

REAR YARD: NONE.

HOWEVER, IN NO EVENT MAY A STRUCTURE BE ERRECTED CLOSER TO THE CENTERLINE OF AN EXISTING OR PLANNED STREET THAN AS PRESCRIBED BELOW.
STREET CLASSIFICATION
DOWNTOWN STREET
PRIMARY ARTERIAL
SECONDARY ARTERIAL
REQUIRED SETBACK FROM RIGHT-OF-WAY CENTER LINE
REQUIRED YARD SETBACK FROM R.O.W. LINE (PART OF COLLEGE AVE., HAYDEN ST., & MAIN AVE.)
50 FEET PLUS REQUIRED YARD SETBACK (GRANT ST.)
35 FEET PLUS REQUIRED YARD SETBACK (PART OF COLLEGE ST.)

OWNERS & DEVELOPERS

CHERRY PROPERTIES, LTD
1010 E. ELM ST. SUITE 3
SPRINGFIELD, MO. 65806
SWOOFER, LLC
1617 E. MEADOWCREST ST.
SPRINGFIELD, MO. 65804
LEE, MARQUETTE
PO BOX 50627
SPRINGFIELD, MO. 65805

JM FC LORE, LLC
2023 S. GLENSTONE AVE.
SPRINGFIELD, MO. 65804
NOVIELLE REALTY LLC
2023 S. GLENSTONE AVE.
SPRINGFIELD, MO. 65804
SUPERIOR OUTDOOR
ADVERTISING CO. INC.
315 S. FARM ROAD 183
SPRINGFIELD, MO. 65809

PREPARED BY

KEVIN LAMBETH
ANDERSON ENGINEERING
PHONE: (417) 866-2741
FAX: (417) 866-2778

ANDERSON **AE**
ENGINEERING, INC.
ENGINEERS • SURVEYORS • LABORATORIES • DESIGN

2045 W. WOODLAND
SPRINGFIELD, MISSOURI 65807
PHONE (417) 866-2741

FIELD: KP
DRAWN: BAC
CHECKED: KLL

DATE: 12-10-2012
FIELD BK:
JOB NO: 30161-12

WB 109-594
SHT. 1 OF 1 REV.

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

DATE: February 28, 2013

TO: Planning and Zoning Commission

FROM: Daniel Neal 
Senior Planner

SUBJECT: Initiate Residential Uses Above and Behind in the HC District

Currently, the Office (O), Limited Business (LB) and General Retail (GR), Center City (CC) and Commercial Street (COM) Districts allow for residential uses located above and behind non-residential uses. They permit residential uses provided such uses are located above the first floor or behind non-residential uses so as to create a continuous non-residential facade, on the first-floor level along all street frontages. This encourages mixed use development which reduces auto dependency, roadway congestion and air pollution by co-locating multiple destinations while also providing more housing opportunities.

Staff requests that Commission initiate amendments to the Zoning Ordinance to permit residential uses above the first floor and behind non-residential uses in the HC District.