

1. Meeting Agenda (PDF)

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3. Vacation 755 (PDF)

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4. Z-03-2013 W/Conditional Overlay District No. 56 (PDF)

Documents: [Z-03-2013 W CONDITIONAL OVERLAY DISTRICT NO. 56 \(PDF\).PDF](#)

5. Z-04-2013 (PDF)

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6. Degraffenried-Wood 3rd Addition (PDF)

Documents: [DEGRAFFENREID-WOOD 3RD ADDITON \(PDF\).PDF](#)

7. Springfield Plaza Renewal (PDF)

Documents: [SPRINGFIELD PLAZA RENEWAL \(PDF\).PDF](#)

8. In And Out Subdivision (PDF)

Documents: [IN AND OUT SUBDIVISION \(PDF\).PDF](#)

9. Woodruff Redevelopment Plan (PDF)

Documents: [WOODRUFF REDEVELOPMENT PLAN \(PDF\).PDF](#)

Planning & Zoning Commission Agenda

April 4, 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: March 7, 2013

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.)

Vacations:

- | | |
|--|----------|
| 1. Vacation 755
(North side of 305 E. Walnut St.) | MBH, LLC |
|--|----------|

Zoning:

- | | |
|--|---------------------------------------|
| 2. Z-03-2013 w/ Conditional Overlay District No. 56
(424 E Monastery) | Roman Catholic Diocese Of Springfield |
| 3. Z-04-2013
(2001 W. Walnut Lawn) | Bobby Dean Wood |

Preliminary Plat:

- | | |
|---|------------------------|
| 4. Degraffenreid-Wood 3rd addition
(2001 W. Walnut Lawn) | Bobby Dean Wood4 |
| 5. Springfield Plaza Renewal
(3800 West Sunshine) | Springfield Plaza, LLC |
| 6. In and Out Subdivision
(2233 N. Glenstone Avenue) | Glen Ray Atkinson |

Other Business:

- | | |
|---|------------------------------------|
| 7. Woodruff Redevelopment Plan
(331 & 333 East Park Central) | Woodruff Redevelopment Corporation |
|---|------------------------------------|

Any Other Matters Under Commission Jurisdiction

For items for which the public may speak, the Commission Chairperson will invite anyone who wishes to speak to an item after staff makes its presentation. When you address Commission, please step to the microphone at the podium and state you name and address. All meetings are televised live and tape recorded. Please limit your remarks to five (5) minutes unless Commission allows a longer time. In

accordance with ADA guidelines, if you need special accommodations when attending any City meeting, please notify the city Clerk's Office at 417-864-1443 at least three (3) days prior to the scheduled meeting.

MINUTES OF THE PLANNING AND ZONING COMMISSION

DATE: March 7, 2013

TIME: 6:30 pm

The regular meeting and public hearing of the Planning and Zoning Commission was held on the above date and time in City Council Chambers, third floor of City Hall with the following members and staff in attendance: Matt Edwards (Chair); King Coltrin (Vice-Chair), Jay McClelland, Tom Baird, Jason Ray, Shelby Lawhon, Gabrielle White; Michael MacPherson, Principal Planner; Nancy Yendes, City Attorney; Dawne Gardner, Public Works, Todd Wagner, Public Works, Sandy Goddard Administrative Assistant. Absent: Phil Young and Jim Hansen

ROLL CALL:

APPROVAL OF MINUTES: The minutes of February 28, 2013, were approved unanimously.

COMMUNICATIONS:

Mr. MacPherson reported item number 3, Vacation 752 and item number 9, Pioneer School Addition are both cases that are focused on the same piece of property and part of the same project and staff would like to hear them jointly.

Mr. McClelland motioned to hear agenda items number 3 and number 9 together. Mr. Lawhon **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, McClelland, Ray, Lawhon, White, and Baird. Nays: None. Abstain: Coltrin. Absent: Young and Hansen.

CONSENT ITEMS:

1. Relinquish Easement 790
(2522 E. German Ivy Street)

Olde Ivy Development, LLC

2. Subdivision Variance 342
(2701 & 2705 E Galloway)

All Saints Anglican Church

Mr. Coltrin recused himself from the hearing.

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

HEARINGS:

Vacations:

3. Vacation 752

Cherry Properties, LTD

(200 block N. Hayden Avenue & adjacent alleys)

Mr. MacPherson stated that he would begin with agenda item number 9, Pioneer School Addition. The purpose of the application is to approve a preliminary plat to subdivide 4.12 acres into a five (5) lot subdivision, including three (3) subdivision variances. 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, which will be forwarded to City Council for review and approval with conditions. If Planning and Zoning approves the Preliminary Plat then the Plat will be forwarded to City Council for acceptance of the public streets and easements. A Preliminary Plat is active for two (2) years after approval. One of the first variances the applicant is requesting is a right-of-way variance which establishes 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. 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, which is part of the old historical Route 66 study that is underway, where additional right-of-way, easements and driveway modifications will be addressed. Staff supports this variance from the Subdivision Regulations. The second variance 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. 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. Lot two will be a non-buildable tract of property. Staff findings are that the applicant's proposal, with the conditions listed below and approval of the subdivision variances, is consistent with the City's Subdivision Regulations. The proposed reconfiguration and assemblage of properties will facilitate the construction of the new City Utilities bus transfer facility. Mr. MacPherson stated that these two cases will be voted on separately, but to get the whole picture he will move on with the Vacation, which is item number three (3). The purpose of this request is to adopt an ordinance to vacate a portion of Hayden Avenue and adjacent alleys generally located at the 200 block North 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. Because the conditions will not be finalized at this point then it will move forward to City Council. The vacation of the north portion of Hayden and those alleyways is to facilitate the bus flow of the new City Utilities Bus Transfer Station. There is a representative from City Utilities who can elaborate on that process if you wish. Mr. MacPherson stated he is available for questions.

Mr. Edwards opened the public hearing.

Mr. Chris Haller, City Utilities, 301 E. Central stated he is available to answer any questions.

Mr. McClelland asked about the grade elevation and leveling the property.

Mr. Haller stated there would be some grading from Hayden to the brick home that was mentioned.

Mr. Edwards closed the public hearing.

Mr. Coltrin motioned to **approve** Vacation 752. Mr. McClelland **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, Ray, Lawhon, White, and Baird. Nays: None. Abstain: None. Absent: Young and Hansen.

Mr. Lawhon motioned to **approve** Pioneer School Addition Preliminary Plat. Mr. Baird **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, Ray, Lawhon, White, and Baird. Nays: None. Abstain: None. Absent: Young and Hansen.

Zoning:

4. Z-01-2013
(225 East Primrose Street)

Joni Mashburn

Mr. MacPherson stated the purpose of this request is 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 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. 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. The applicant held a neighborhood meeting for owners and residents within five hundred (500) feet of the subject property on February 19th, 2013, and from a summary of the meeting, no one showed up for the meeting. In addition to that, eight (8) property owners within one-hundred-eighty-five (185) feet of the subject property were notified by mail of this request and staff has had one call, but staff has had no objections to the zoning request. Staff is recommending approval.

Mr. Edwards opened the public hearing.

Ms. Joni Mashburn, 2921 S National Avenue, with the Bill Beal Company representing the owner Brad Beal stated they are rezoning to make the property more marketable.

Mr. Edwards closed the public hearing.

Mr. Baird motioned to **approve** Z-01-2013. Mr. Coltrin **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, Ray, Lawhon, White, and Baird. Nays: None. Abstain: None. Absent: Young and Hansen.

5. Z-02-2013 w/Conditional Overlay District No. 55
(2833-35 East Battlefield Road)

Ridgeview Complex, LLC

Mr. MacPherson stated the purpose of this request is 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. 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. Mr. MacPherson directed Commission attention to page 5, Exhibit C, of the staff report, and reviewed the conditional overlay district and the restrictions on the zoning. 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. The applicant held a neighborhood meeting for owners and residents and sent approximately one hundred twenty-seven (127) invitations within five hundred (500) feet of the subject property on January 29th, 2013. The meeting was held at the Second Baptist Church at 3111 East Battlefield. No one attended the meeting that was held between 4:30 p.m and 6:00 p.m., and a summary of the meeting is attached. 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 and that was not in the form of an objection, merely what the restrictions are in the PD and compare those with the restrictions that are have been transferred from the Planned Development to the conditional overlay district. We sent that information and never received any further comment. Mr. MacPherson discussed the letter from Lee Engineering to the property owners discussing the potential uses they are asking for in this zoning change. 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. 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. 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. Staff is recommended approval of this zoning request.

Mr. Coltrin asked about the why the applicant has a steeper bulk plane than the standard thirty (30) degree.

Mr. McPherson stated that he believes it was worded differently in the PD at that time. This is what was in the original PD.

Mr. Edwards opened the public hearing.

Mr. Derek Lee, Lee Engineering, 2101 W. Chesterfield Blvd, stated the owner has no intentions of building anything new or changing what is there. The purpose for the change is to allow more uses to go in the office buildings that have already been built. They are trying to lease the space and it has been a challenge. Mr. Lee said he is available for questions.

Mr. Robert Robwedder, 2816 E. Ridgeview commented that he is concerned about the noise and light pollution. Mr. Robwedder referred to the letter from Lee Engineering and line "H"; entertainment-oriented use group. He said that he called and was told it could be just about anything; a skating rink, a bowling alley...his concern is the traffic and noise and lights on weekends.

Mr. Melvin Humphries, 2826 E. Ridgeview Circle said they are concerned about the noise, traffic and small children and what items he sees listed there, he is not certain what that allows you to do. It is a nice neighborhood right now and there is nothing going on in the office buildings on the weekend so it makes it a nice family place.

Mr. Edwards asked about the distance requirements if a drinking establishment were here and if this would apply if there is not a church or school here.

Mr. MacPherson said that is not the type of entertainment use groups they are talking about here. These are like "jumpin' joey's". That would be in GR, not office. The entertainment uses are bound by FAR, floor area ratio, so when you talk about the larger uses in the entertainment use group, they are very much restricted.

Mr. Edwards closed the public hearing.

Mr. Coltrin motioned to **approve** Z-02-2013 w/Conditional Overlay District No. 55. Mr. Baird **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, Ray, Lawhon, White, and Baird. Nays: None. Abstain: None. Absent: Young and Hansen.

Conditional Use Permit:

6. Conditional Use Permit 403
(2314 West Kingsley Street)

NGO Property

Mr. Coltrin and Ms. White recused themselves from the hearing.

Mr. MacPherson stated this particular case may look familiar as Commission has looked at it before. The purpose of this request is to adopt an ordinance to approve an automotive service garage at 2314 West Kingsley Street within a GR, General Retail District. 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. The applicant had received Planning and Zoning Commission approval in January, but made changes to the

site plan prior to the City Council public hearing which included moving the building to the west side and parking to the east side of the site. There was a substantial change and staff recommended they resubmit the project which they have done. 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. 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. This application meets the approval standards for a Conditional Use Permit and is in conformance with the Comprehensive Plan. The proposed zoning is consistent with surrounding non-residential uses and zoning along Republic Road in this area. There will be no outdoor activity with this as all work to be done will be conducted inside an enclosed structure. Staff is recommending approval of the request.

Mr. Lawhon asked if all the conditions, other than flipping the facility and parking lot, are the same as what was entertained previously.

Mr. MacPherson stated they are the same.

Mr. Baird asked if the applicant had not submitted a drawing and building plan and come in with a blank slate, would they have had to go through this process.

Mr. MacPherson stated that with a conditional use permit application we require a sketch because it has to be measured against the twenty-one (21) standards or criteria, which is relevant.

Mr. Edwards opened the public hearing.

Mr. Jonathan Wakefield, 15995 N. Barkers Landing, Houston, Texas, 77079 commented he is the New Store Development Director for Christian Brothers Automotive. Mr. Wakefield gave a brief explanation of why they flipped the building; it came down to signage and in this case affected the site plan.

Mr. McClelland asked if it would be a drive in-back out bay.

Mr. Wakefield said yes.

Mr. Baird asked how access would be given to the property on the north side.

Mr. Wakefield said they are not certain as there has not been a sketch plan from the owners.

Mr. Edwards closed the public hearing.

Mr. McClelland motioned to **approve** Conditional Use Permit 403. Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, McClelland, Ray, Lawhon, and Baird. Nays: None. Abstain: Coltrin and White. None. Absent: Young and Hansen.

Zoning Text Amendments:

7. Existing Residential Dwelling in Industrial District (City-Wide)

City of Springfield

Mr. MacPherson commented the purpose of this request is 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. 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. Mr. MacPherson stated that on several occasions we have been about to collect a neighborhood of properties and assemble them together and rezone those properties with some of these issues, but there are cases where someone has some type of industrial use and they don't want to give up that use or they just think the value of their property is more valuable as a manufacturing use than if zoned residential. Staff has prepared a map (Attachment B) that shows all lots in the City that contain a residential dwelling in an industrial district. 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. 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. Staff recommends approval of the request.

Mr. Edwards opened the public hearing. As there was no one to speak to the issue, the public hearing was closed.

Mr. Lawhon motioned to **approve** Existing Residential Dwelling in Industrial District Zoning Text Amendment. Mr. McClelland **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, Ray, Lawhon, White, and Baird. Nays: None. Abstain: None. Absent: Young and Hansen.

8. Veterinary Clinics in CC and COM Districts (City-Wide)

City of Springfield

Mr. MacPherson said the purpose of this request is to amend *Sections 4-3400, Center City District and 4-3500, Commercial Street District*, in the *Springfield Zoning Ordinance*.

Planning and Zoning Commission initiated the discussion of the Veterinary Clinics in CC and COM Districts Amendments at their meeting on February 28, 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.

Mr. Edwards opened the public hearing. As there was no one to speak to the issue, the public hearing was closed.

Mr. McClelland motioned to **approve** Veterinary Clinics in CC and COM Districts Amendment. Ms. White **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, Ray, Lawhon, White, and Baird. Nays: None. Abstain: None. Absent: Young and Hansen.

OTHER BUSINESS:

10. Initiate Zoning Text Amendment for Residential Uses in HC District

City of Springfield

Mr. MacPherson stated that currently the Office, Limited Business, General Retail, Center City and Commercial Street Districts allow for residential uses located above and behind non-residential uses. They permit residential uses provided that such uses are located above the first floor or behind non-residential uses so as to promote continuous non-residential uses 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 providing more housing opportunities. It is another method of working towards infill. Staff requests the Commission initiate amendments to the Zoning Ordinance to permit residential uses above the first floor and behind nonresidential uses in the Highway Commercial District. By approving this bill Commission does not change anything in the ordinance but initiate the discussion that would be followed up with further staff reports for continuing discussion. Staff is recommending approval.

Mr. Edwards opened the public hearing. As there was no one to speak to the issue, the public hearing was closed.

Mr. Ray motioned to **approve** to initiate Zoning Text Amendment for Residential Uses in HC District. Mr. Baird **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, Ray, Lawhon, White, and Baird. Nays: None. Abstain: None. Absent: Young and Hansen.

Mr. MacPherson noted that there are no new cases for the March 21, 2013 meeting and the meeting will be cancelled. Mr. MacPherson thanked Commission for meeting two weeks in a row to catch up after the delays with weather.

Mr. MacPherson reminded Commission members about the joint Commission/City Council luncheon on March 12, 2013 at noon in the 4th floor Busch Building Conference room. There will be discussion about connectivity, but more importantly, we seem to have conflicts when there is development along primary arterial corridors where they are adjacent or abutting a residential neighborhoods. There will be some discussion about infill development using existing infrastructure and development along corridors and how we deal with the conflict with the neighborhoods.

Mr. Edwards asked if there will be a copy of the Growth Management and Land Use Plan available for Council members to review. They have not ratified the field guide yet, but this is addressed thoroughly in that under the Activities Centers and he feels it may be useful.

Mr. MacPherson said they can have that available adding that they have a power point presentation that has a map included that has the activities centers located along the corridors.

There being no further business, the meeting was adjourned at approximately 7:25 p.m.

Michael MacPherson

Michael MacPherson
Principal Planner

Zoning & Subdivision Report

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

VACATION #755

DATE: March 25, 2013

PURPOSE: To vacate a portion of public alley width measuring nineteen feet, eight inches (19'8") wide.

BACKGROUND:

LOCATION: 305 East Walnut Street

APPLICANT: MBH LLC

RECOMMENDATION:

Staff recommends **approval** of this request.

FINDINGS FOR STAFF RECOMMENDATION:

The requested Vacation #755 meets the approval criteria listed in Attachment B.

STAFF CONTACT PERSON:

Michael G. Sparlin
Assistant Planner

ATTACHMENTS:

Attachment A - Background Report
Attachment B - Approval Criteria
Exhibit A - Legal Description
Exhibit B - Location Maps & Alley Vacation Sketch

ATTACHMENT A
BACKGROUND REPORT
VACATION #755

APPLICANT'S PROPOSAL:

The applicant is requesting to vacate the southern portion of public alley width measuring nineteen feet, eight inches (19'8") wide generally located at 305 East Walnut Street. Twenty (20) feet of alley will remain as public right-of-way. The proposed vacation of the portion of alley will accommodate for building expansion.

TRAFFIC ENGINEERING COMMENTS:

Traffic supports the vacation of this alley.

CITY UTILITIES COMMENTS:

An agreement regarding City Utilities work, scope of work by the contractor, timing and dedication of a replacement easement between the applicant and City Utilities is currently being negotiated. City Utilities is in favor of the alley vacation as long as this agreement has been finalized by the Commission hearing on April 4th, 2013. Staff will need written verification that an agreement has been finalized before the April 4th, 2013 Commission meeting. If an agreement is not finalized by April 4th Commission meeting the vacation of the alley will be tabled for the April 18th Commission hearing.

MEDIACOM COMMENTS:

An agreement with the applicant is currently being negotiated. Staff will need written verification that an agreement has been finalized before the April 4th, 2013 Commission meeting.

AT&T COMMENTS:

No issues with vacation. Relocation of the facilities will need final inspection by AT&T.

STORM WATER COMMENTS:

No stormwater issues with vacation of alley.

POLICE DEPARTMENT COMMENTS:

The vacation will have no impact on police services.

FIRE DEPARTMENT COMMENTS:

This vacation will have no impact on the Fire Department services. The remaining 20 foot right-of-way is acceptable.

SANITARY SERVICE:

No public sewer within proposed vacation.

BUILDING DEVELOPMENT SERVICES:

No issues with vacation of this alley.

ADJACENT PROPERTY OWNER COMMENTS:

Thirty-six (36) 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 alley was deeded to the City in 1907 shown in Public Alley Book 248 page 248. The proposed vacation will not adversely affect public or private utilities and serves no useful purpose to the public as the alley is wide enough to allow for this vacation and still have twenty (20) feet of public alley to maintain public access.
2. Twenty (20) feet of alley will remain as public right-of-way. The existing alley is thirty-nine and eight inches (39'8") wide. The proposal is to vacate the southern-most portion of this alley measuring nineteen feet, eight inches (19'8") wide.
3. The proposed vacation meets the approval criteria for vacating right-of-way.

ATTACHMENT B
APPROVAL CRITERIA
VACATION #755

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 property has access to other public access ways.

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 adjacent property owners have signed their consent to the vacation.

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

STAFF RESPONSE:

The proposed vacation should have no impact to vehicular traffic patterns.

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

STAFF RESPONSE:

The proposed vacation will not adversely affect the ability to use utilities, public or private. A legal agreement has been made between the applicant and utilities providers to relocate facilities in the area to be vacated.

EXHIBIT A
LEGAL DESCRIPTION
VACATION #755

Alley Vacation Description

A strip 19.7 feet wide, North and South, the entire width of 80 feet lying North of and adjoining the following described tract:

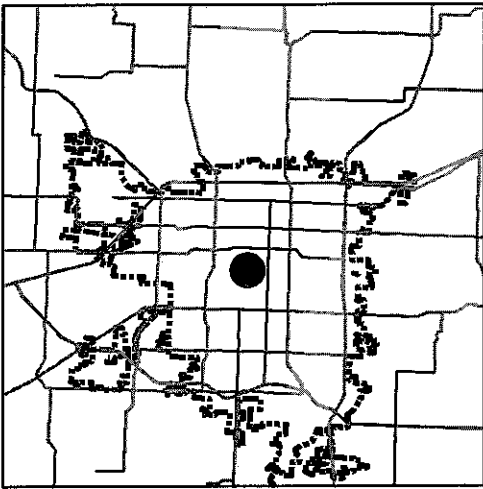
Beginning at the Northeast corner of Walnut Street and Peach Alley (now Robberson Avenue) which point is the Southwest corner of Lot 55, Block 15 Original Plat of Springfield, Missouri, thence East along the North line of Walnut Street Eighty (80) feet, thence North One hundred twenty five (125) feet, thence West Eighty (80) feet to Peach Alley, thence South One hundred twenty five (125) feet to the place of beginning, being the South One hundred twenty five (125) feet of the West Eighty (80) feet of Lot 55, Block 15 of the Original Plat of Springfield, Missouri.

Zoning & Subdivision Report

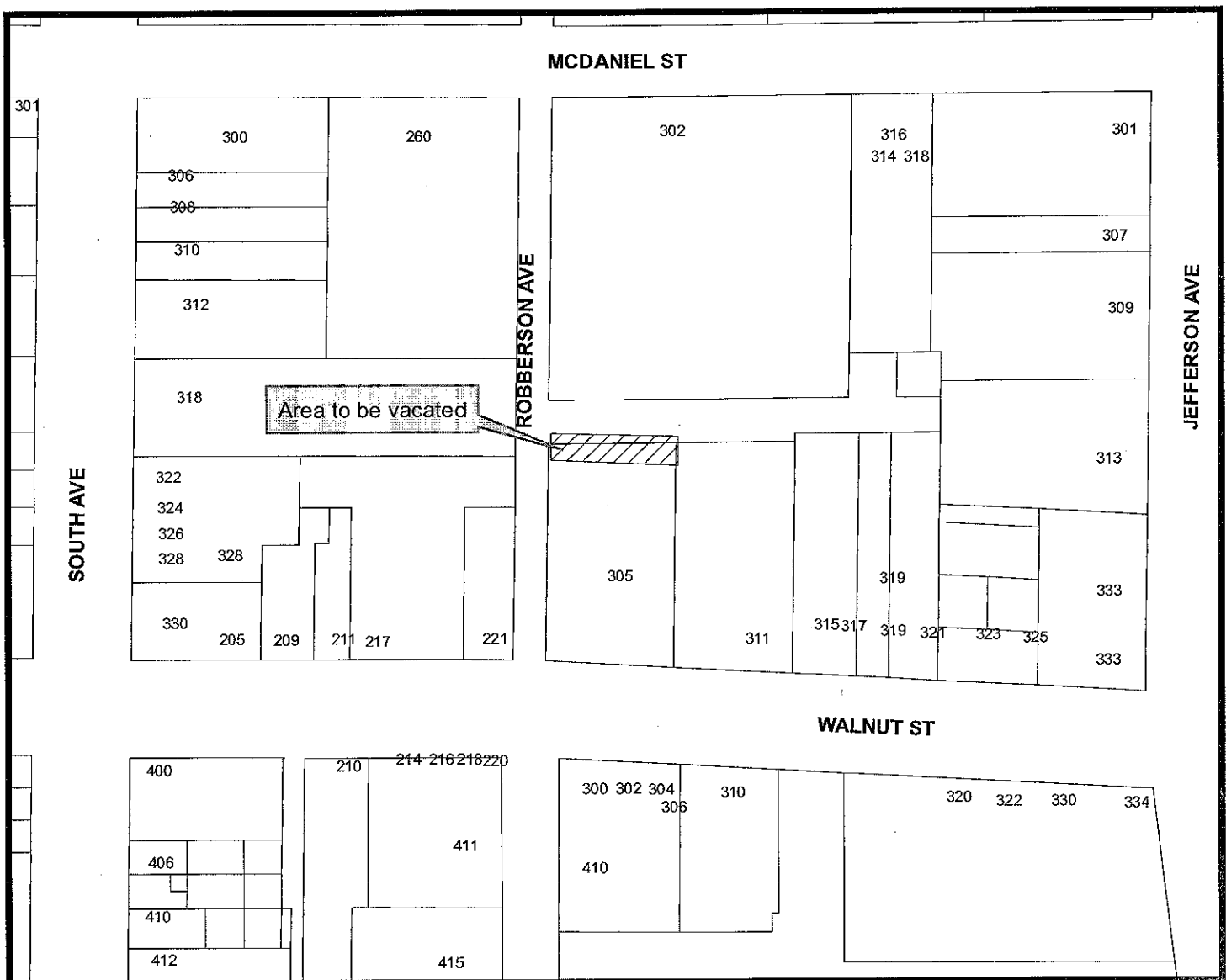
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Vacation 755

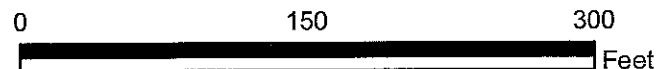
Location: North side of 300 block of East Walnut



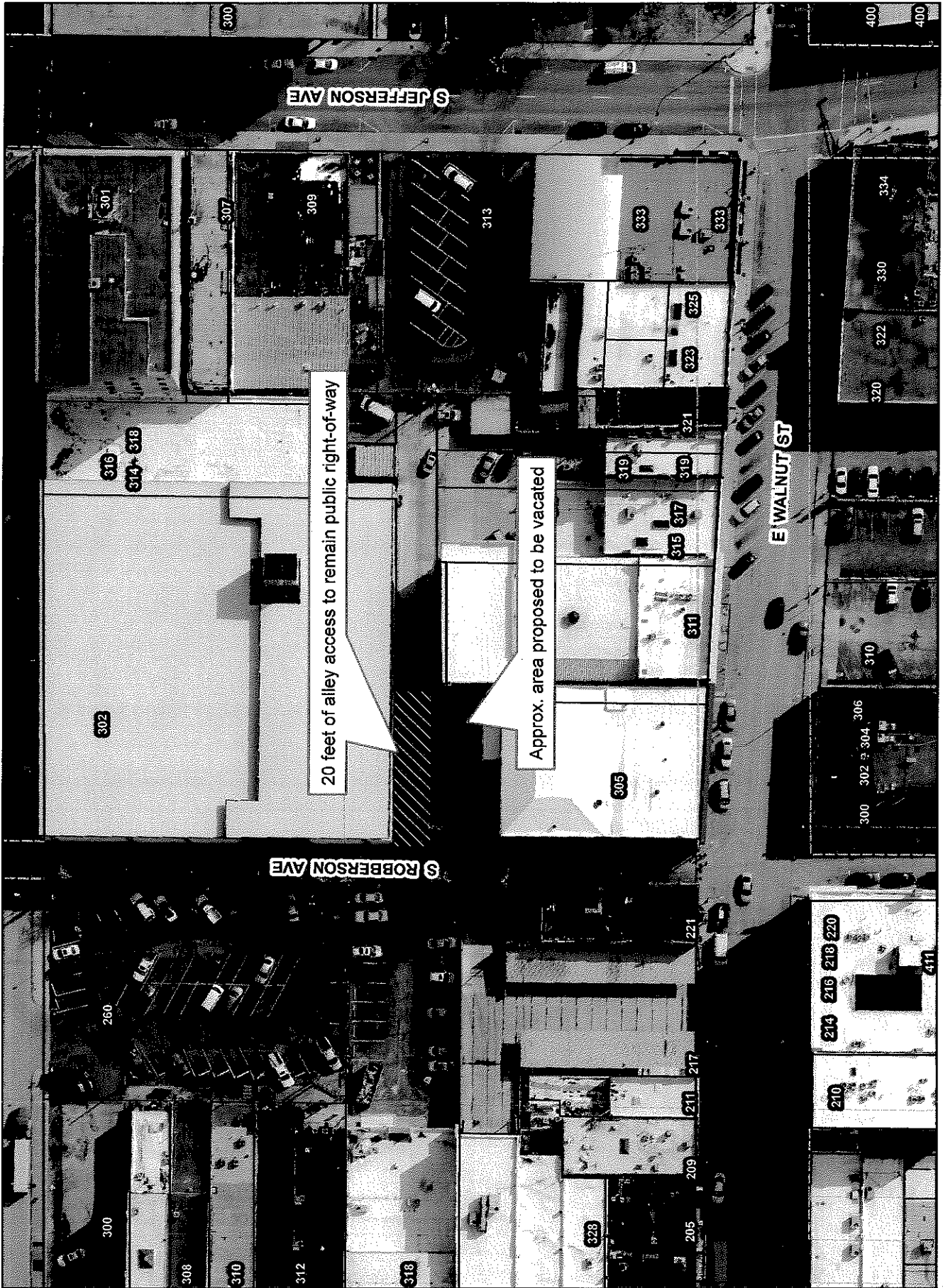
LOCATION SKETCH



- Area of Proposal



1 inch = 100 feet



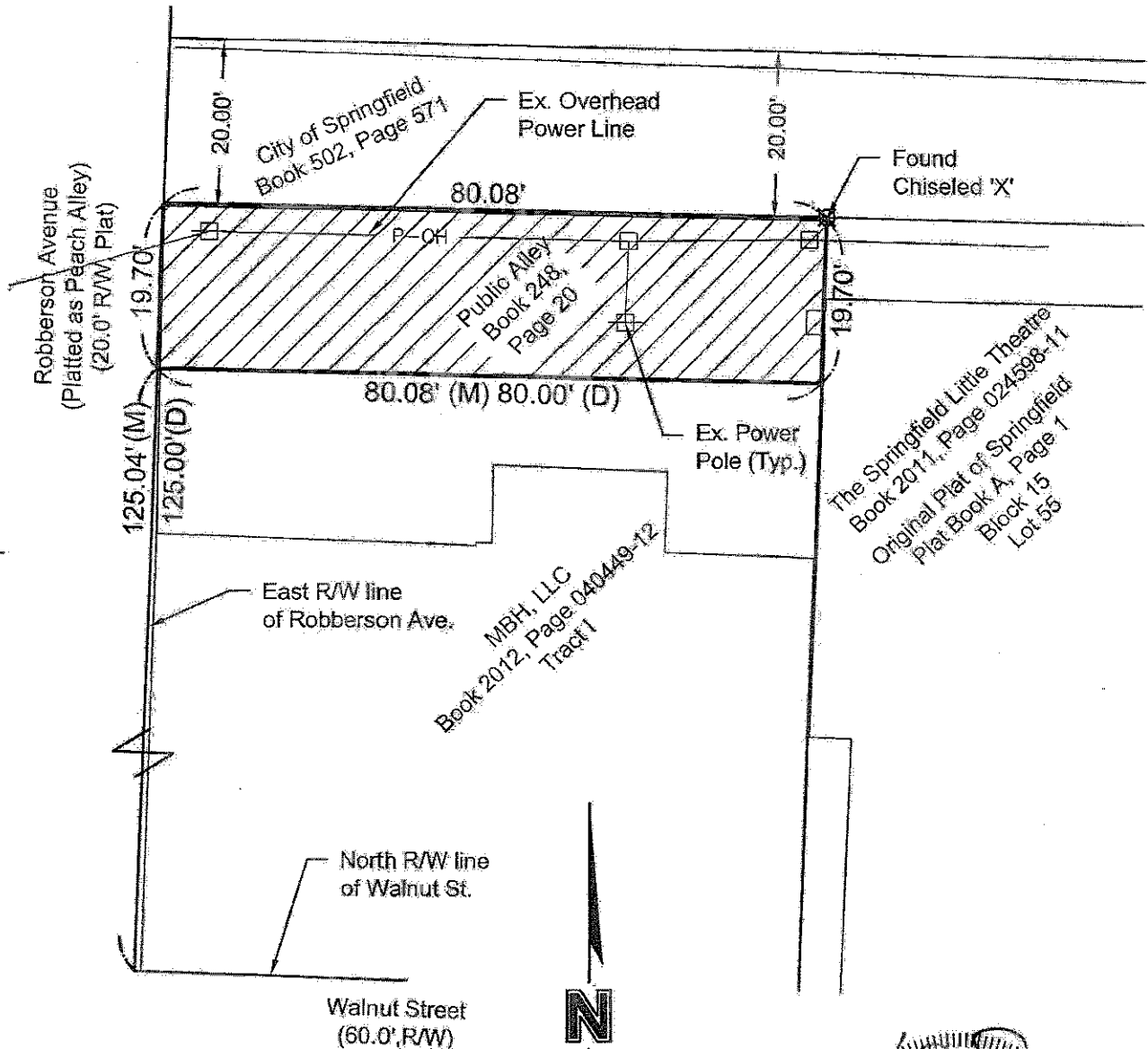
DISCLAIMER: All information included on this map or digital file is provided "as-is" for general information purposes only. The City of Springfield, and all other contributing data suppliers, make no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or suitability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



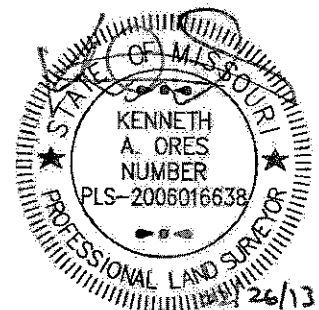
City of Springfield, Missouri

SCALE: 1:825

Exhibit B



This sketch is not a boundary survey. It is intended to show the configuration of proposed alley vacation. It should not be used to locate property lines and does not meet the Minimum Standards for Property Boundary Surveys.



DWG: F:\Projects\012-1874\SRV\Exhibits\alleyvacation.dwg
 DATE: Feb 26, 2013 11:27am
 USER: kores
 XREFS: 121874_xtopo
 121874_xbou

PROJECT NO: 012-1874
 DRAWN BY: DRM
 DATE: 01.15.13

ALLEY VACATION EXHIBIT

MOLSSON
ASSOCIATES

550 St. Louis Street
 Springfield, MO 65806
 TEL 417.890.8802
 FAX 417.890.8805

EXHIBIT
B

EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 11.87 acres of property generally located at 424 East Monastery Street from an R-SF, Single Family Residential District to a HC, Highway Commercial District and establishing Conditional Overlay District No. 56.

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-3-2013/CONDITIONAL OVERLAY DISTRICT NO. 56

The applicant is proposing to rezone the property at 424 East Monastery Street from a R-SF, Single Family District to an HC, Highway Commercial District with a Conditional Overlay District. The Catholic Charities will use the vacant monastery building for administrative and corporate offices, classrooms, counseling offices and will continue to use the property for church related purposes. The Catholic Charities will also be using the facility for a transitional service shelter as a crises maternity home. The Conditional Overlay District will limit uses within the HC, Highway Commercial District to only three uses; church uses, commercial gardens, and transitional service shelters.

REMARKS:

The Planning and Zoning Commission held a public hearing on April 4, 2013, and recommended _____, by a vote of ____ to ____ , on the proposed zoning (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 Growth Management and Land Use Plan of the City's Comprehensive Plan designates this area as appropriate for medium or high density residential uses. The proposed project is also within the James River Freeway and Campbell Avenue Activity Center, which allows for the development of community facilities such as churches.
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 HC, Highway Commercial District as well as limiting the permitted uses to church uses, commercial gardens, and transitional service shelters.

Submitted by:

Approved by:

Planning and Development

City Manager

EXHIBITS:

Exhibit A, Legal Description

Exhibit B, Record of Proceedings

Exhibit C, Conditional Overlay District

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

EXHIBIT A
LEGAL DESCRIPTION
ZONING CASE Z-3-2013 & CONDITIONAL OVERLAY DISTRICT NO. 56

All of the West One-Half (W1/2) of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4), except the East One-Quarter (E1/4) of Section Thirteen (13), Township Twenty-Eight (28), Range Twenty-Two (22), in Greene County, Missouri, except for the parcels set forth in Warranty Deed to the State Highway Commission dated November 15, 1978, and recorded in Book 1704, at page 1821, at the Greene County Recorder's Office, Greene County, Missouri.

EXHIBIT B
RECORD OF PROCEEDINGS
ZONING CASE Z-3-2013 & CONDITIONAL OVERLAY DISTRICT NO. 56

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

EXHIBIT C
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-3-2013 & CONDITIONAL OVERLAY DISTRICT NO. 56

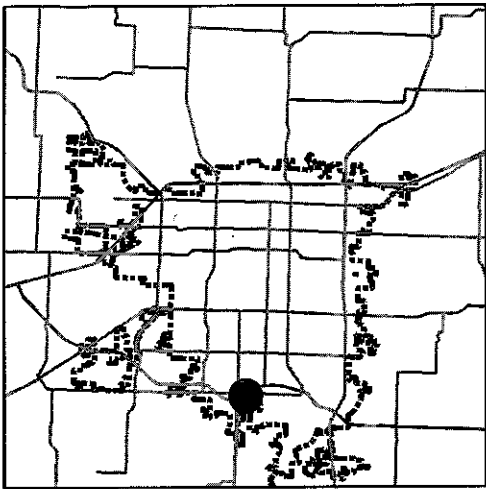
The requirements of *Section 4-3200* of the *Springfield Zoning Ordinance* shall be as modified herein for development within this district.

4-3202 Permitted Uses.

- P. Churches and other places of worship, including parish houses, and Sunday schools
- R. Commercial Gardens and/or Farmers Markets with retail and/or wholesale sales on-site.
- VV. Transitional Service Shelters provided that no transitional service shelter shall locate within a two thousand (2000) foot radius of another transitional service shelter, soup kitchen, emergency shelter, substance abuse treatment facility or community correctional facility.

4-3203 Conditional Uses.

No conditional uses are permitted.



Zoning & Subdivision Report

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

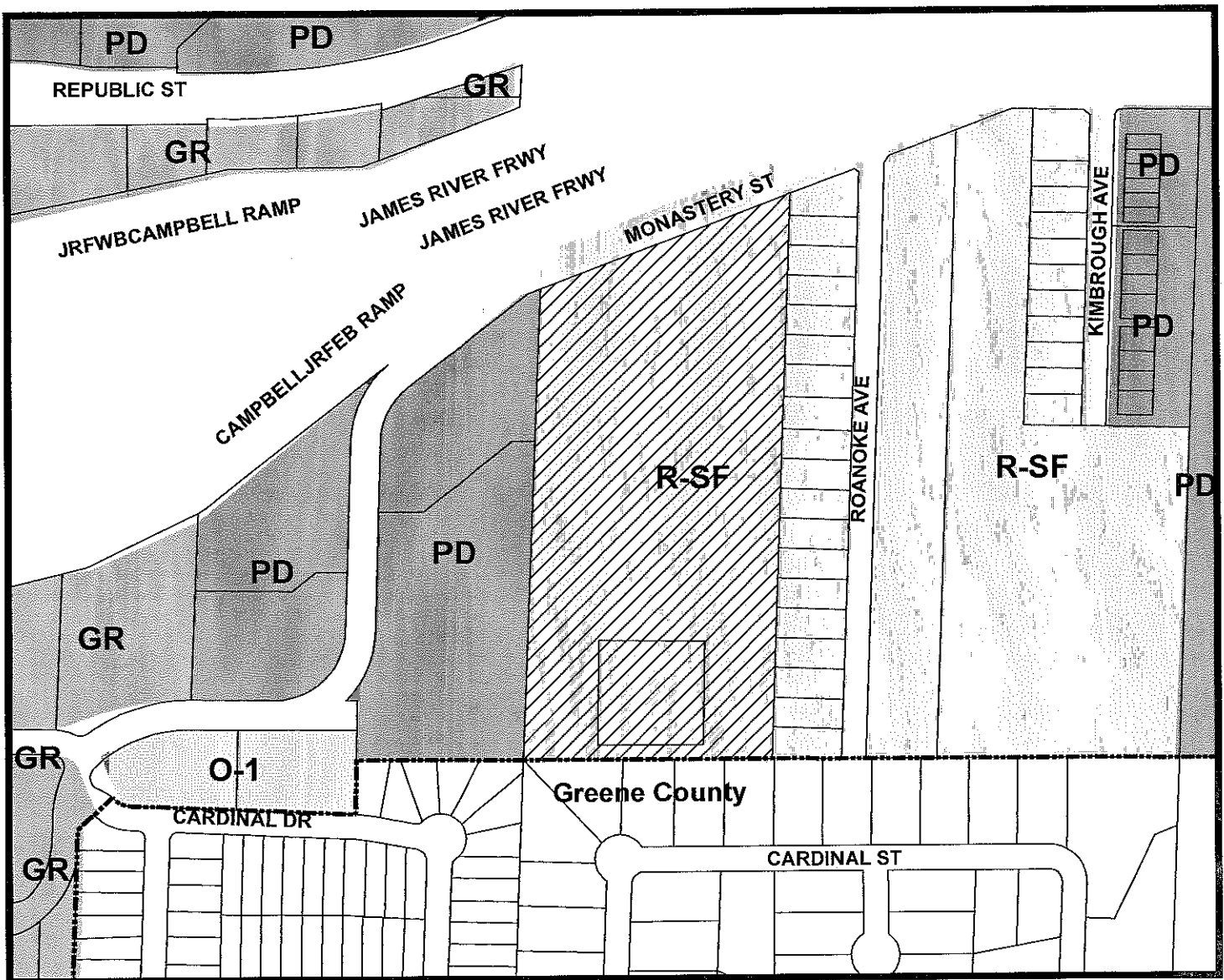
Z-3-2013 COD#56

Location: 424 East Monastery

Current Zoning: R-SF Residential Single Family District

Proposed Zoning: HC Conditional Overlay District #56

LOCATION SKETCH



- Area of Proposal

0 100 200 400 600
Feet

1 inch = 323.795249 feet

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-3-2013 & CONDITIONAL OVERLAY DISTRICT NO. 56

DATE: March 14, 2013

LOCATION: 424 East Monastery Street

APPLICANT: Roman Catholic Diocese of Springfield, Missouri

TRACT SIZE: Approximately 11.84 acres

EXISTING USE: Vacant church/ monastery

PROPOSED USE: Church, commercial gardens and transitional service shelter

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF	Single-family residences
East	R-SF	Single-family residences
South	R-1 County	Single-family residences in Greene County
West	PD 95 Am 2	Hotel and vacant tract of land

COMPREHENSIVE PLAN:

The Growth Management and Land Use Plan of the City's Comprehensive Plan designates this area as appropriate for medium or high density residential uses. The proposed project is also within the James River Freeway and Campbell Avenue Activity Center, which allows for the development of community facilities such as churches.

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

The conditional overlay has excluded high traffic generators for the HC, Highway Commercial District with the proposed conditional overlay district that would have triggered the requirement of a traffic study. If an application to change the use of the

property to something other than what are allowed in the conditional overlay district, than a traffic study may be required.

STORMWATER COMMENTS:

Storm drainage improvements will be required only if new structures or improvements are made.

SANITARY SERVICES COMMENTS:

The property is currently connected to public sewer and there are no issues with rezoning.

ADJACENT PROPERTY OWNER COMMENTS:

Eighteen (1) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. Staff has received no objections to this rezoning.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting for owners and residents within five hundred (500) feet of the subject property on February 6, 2013. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. The Growth Management and Land Use Plan of the Comprehensive Plan designates this area as appropriate for medium or high density residential uses. This area is also within the James River Expressway and Campbell Ave Activity Center which allows for the development of community facilities such as churches
2. The applicant is proposing to rezone the property from R-SF, Single Family Residential District to an HC, Highway Commercial District with a Conditional Overlay District.
3. The proposed conditional overlay district will mitigate the potential impact by limiting the permitted uses to only three uses.

FINDINGS FOR STAFF RECOMMENDATION:

1. The Catholic Charities will use the vacant monastery building for administrative and corporate offices, classrooms, counseling offices and will continue to use the property for church related purposes. The Catholic Charities will also be using the facility for a transitional service shelter as a crises maternity home.

2. The applicant is requesting a conditional overlay district that will limit the permitted uses to a church, commercial gardens and transitional service shelter
3. The conditional overlay has excluded high traffic generators within the HC, Highway Commercial District with the proposed conditional overlay district that would have triggered the requirement of a traffic study. However, if an application to change the use of the property to something other than what is permitted in the conditional overlay district, than a traffic study may be required.

RECOMMENDATION:

Staff recommends **approval** of this request with the requirements of Conditional Overlay District No. 56.

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Senior Planner
864-1834

ATTACHMENT 2
NEIGHBORHOOD MEETING SUMMARY
ZONING CASE Z-3-2013 & CONDITIONAL OVERLAY DISTRICT NO. 56

Date: March 18, 2013

To: Bob Hosmer

From: Mike Cherry

Re: Project # 12-120 Project Name: Catholic Charities rezoning

Attached is the Neighborhood Meeting Summary you requested on the above project.

Also attached is a revised listing of the Conditional Overlay from our meeting last week. The only uses we are requesting under the Highway Commercial District zoning is:

P. Churches and other places of worship, including parish houses and Sunday Schools.

R. Commercial Gardens and/or Farmers Markets with retail and/or wholesale sales on-site.

VV. Transitional Service Shelters provided that no transitional service shelter shall locate within a two thousand (2000) foot radius of another transitional service shelter, soup kitchen, emergency shelter, substance abuse treatment facility or community correctional facility.

Catholic Charities will be using the facility for administrative and corporate offices, classrooms, counseling offices, program offices as well as continue to offer Catholic prayer services in the chapel.

Catholic Charities will also be offering a transitional living facility for a crises maternity home. These young ladies would be offered a home living environment, counseling and pre-natal care. They would also be provided education classes in finance and budgeting, family values, nutrition and child care. The facility would house up to 21 women. We feel these uses would be covered under sections "P", "R" and "VV" under Section 4-3200.

I will be posting the zoning meeting notices on the property later this week and providing proof of posting to you.

I am also providing to you today two sets of stamped envelopes for your use in providing notice of the zoning meeting to all land owners within 150 feet of the property.

Mike Cherry /885-1309

Neighborhood Meeting Summary

424 E Monastery Street, Springfield, Missouri

Date Held: February 6, 2013

Time Held: 4:00 to 6:30 pm

There were 70 invitations sent to this open house meeting that included all property owners within a 500 foot radius of the above referenced property. The list of these property owners was obtained from The Planning and Development Department of the City of Springfield. Of the 70 invitations sent 13 property owners attended the open house and signed the attendance sheet.

Those present were given a tour of the building and grounds. The following information was explained to those attending:

The property was purchased by Roman Catholic Diocese of Springfield-Cape Girardeau in December of 2012. The property has been leased for a long term by Catholic Charities of Southern Missouri (CCSOMO). CCSOMO intends to use the existing offices for classrooms and to move their administrative, corporate, counseling and program offices into the building, as well as continue to offer Catholic prayer services in the chapel that is on site. It is the intent of CCSOMO to merge LifeHouse (a current not-for-profit assisting pregnant women in a crisis situation) into CCSOMO and open a crisis maternity home on the property. This facility would provide a transitional living facility for these young women that are homeless. They would be provided a home living environment, counseling and prenatal care. They would also be provided education classes in finance and budgeting, family values, nutrition and child care. The facility would have the capacity to house up to 21 women.

The need for such a facility in Springfield was discussed and how this secluded private property would be ideal for such a facility.

Attendees were also told that there would be no physical changes made to the outside appearance of the property, except the possibility of completing a circle drive back to Monastery Way and adding some exterior lighting for security purposes. Most of this lighting would be controlled by sensors. Traffic should not be impacted as the majority of the women served will not have a vehicle.

There were no negative comments from those attending, and several wrote support statements for the project.

Section 4-3200. HC - Highway Commercial District.

4-3201. **Purpose.** This district is intended for commercial uses which depend upon high visibility, generate high traffic volumes, or cater to the traveling public. These characteristics dictate that this district be located along or at the intersections of arterial classification streets or along frontage roads adjacent to the interstate or other limited-access streets. This district is also intended for on-site production of handcrafted items in conjunction with retail sales. Areas zoned HC are intended to be at least five (5) acres in size unless the zoning is based on an adopted plan or comprehensive zoning scheme.

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

- A. ~~Accessory Uses, as permitted by Section 5-1000, Accessory Structures and Uses.~~
- B. ~~Ambulance services.~~
- C. ~~Any residential dwellings existing at the time the district is mapped. As conforming uses, such a dwelling can be expanded or, if destroyed, replaced with another dwelling of the same type within eighteen (18) months of being destroyed. (G.O. 5127, 10/29/01)~~
- D. ~~Art galleries, libraries, and museums.~~
- E. ~~Auction sales and flea markets entirely within enclosed buildings, pawn shops, and second hand stores. (5585, 07/24/06)~~
- F. ~~Automobile service garages.~~
- G. ~~Automobile service stations.~~
- H. ~~Automobile washing businesses, including automatic, coin-operated, and moving line facilities.~~
- I. ~~Awning and canvas sales and rental.~~
- J. ~~Bed and Breakfast. (G.O. 5127, 10/29/01)~~
- K. ~~Boarding, rooming, and lodging houses.~~
- L. ~~Bus stations.~~
- M. ~~Campgrounds and recreational vehicle parks.~~
- N. ~~Catering businesses. (5585, 07/24/06)~~
- O. ~~Cemeteries.~~
- P. Churches and other places of worship, including parish houses, and Sunday schools. (G.O. 4852, 11/23/98) (G.O. 5471, 06/27/05)
- Q. ~~Civic, convention, and cultural centers.~~

Division IV - District Regulations

- R. 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)
- S. ~~Commercial off-street parking lots and structures.~~
- T. ~~Commercial Outdoor Recreation Use Group.~~
- U. ~~Convenience stores with or without gas pumps.~~
- V. ~~Day care centers in accordance with Chapter 36, Article XI, Springfield City Code.~~
- W. ~~Eating and Drinking Establishments Use Group.~~
- X. ~~Entertainment-oriented Use Group.~~
- Y. ~~General Office Use Group.~~
- Z. ~~Household resource recovery collection centers, screened from all residential districts and public rights-of-way in conformance with Section 6-1000, Screening and Fencing.~~
- AA. ~~Manufactured housing (mobile home) and trailer sales, leasing and service with no storage.~~
- BB. ~~Major Event Entertainment Use Group.~~
- CC. ~~Medical Office Use Group.~~
- DD. ~~Nurseries, greenhouses, and garden stores.~~
- EE. ~~Other towers other than wireless facilities, less than one hundred (100) feet in height, and related facilities. (G.O. 5094, 07/09/01)~~
- FF. ~~Personal Services Use Group~~
- GG. ~~Police and fire stations.~~
- HH. ~~Private clubs and lodges.~~
- II. ~~Public and private parks, playgrounds, and golf courses, including miniature golf courses and driving ranges.~~
- JJ. ~~Public or private vehicle and boat storage garages, yards or lots.~~
- KK. ~~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,~~

Division IV - District Regulations

~~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.~~

~~LL. Retail Sales Use Group.~~

~~MM. Schools, business. (5585, 07/24/06)~~

~~NN. Schools or development centers for persons with handicaps or development disabilities.~~

~~OO. Self-service storage facilities.~~

~~PP. Swimming pool sales and displays.~~

~~QQ. Taxi dispatch yards and offices.~~

~~RR. Taxidermists.~~

~~SS. Temporary Lodging Use Group.~~

~~TT. Temporary uses, as permitted by Section 5-1200, Temporary Uses.~~

~~UU. Temporary vendors as permitted under Section 5-1203-B.2. (G.O. 4925, 09/27/99)~~

~~VV. Transitional Service Shelters provided that no transitional service shelter shall locate within a two thousand (2000) foot radius of another transitional service shelter, soup kitchen, emergency shelter, substance abuse treatment facility or community correctional facility. (G.O. 4763, 12/15/97) (G.O. 5343, 01/12/04)~~

~~WW. Upholstery shops.~~

~~XX. Veterinary clinics, animal hospitals, pet daycare services, pet grooming facilities, and kennels. No outside activities shall be permitted for kennels. Veterinary clinics, animal hospitals, pet daycare services, and pet grooming 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. (G.O. 5744, 03/24/08)

~~YY. Wholesale Sales.~~

4-3203. **Conditional Uses.** The following conditional uses may be permitted provided they meet the provisions of, and a conditional use permit is issued pursuant to, *Section 3-3300, Conditional Use Permits*, of this Article. (G.O. 5879, 7/26/10)

- A. ~~Body and fender repair and paint shops.~~
- B. ~~Emergency shelters for fifty (50) or fewer residents. (G.O. 4763, 12/15/97)~~
- C. ~~Go-cart tracks.~~
- D. ~~Pest Control Services with a retail component provided that at least fifty (50) percent of the floor area of the business is devoted to retail sales and related support areas and that all service vehicles associated with the business are located behind the front building line. (G.O. 5702, 08/27/07)~~
- E. ~~Increase permitted floor area ratio to 1.0 for all permitted and conditional uses in the HC District. (G.O. 5773, 08/11/08)~~
- F. ~~Soup kitchens. (G.O. 4763, 12/15/97)~~
- G. ~~Tier V wireless facilities in accordance with Section 5-2600, Telecommunication Towers. (G.O. 5094, 07/09/01)~~
- H. ~~Towers other than wireless facilities, exceeding one hundred (100) feet in height, and related facilities, provided: (G.O. 5094, 07/09/01)~~
 - 1. ~~The maximum height does not exceed two hundred (200) feet;~~
 - 2. ~~Only one (1) tower is permitted on a lot; and~~
 - 3. ~~All other provisions of Subsection 3-3310.D.1 are met.~~
- I. ~~Truck stops.~~

4-3204. **Use Limitations.**

- A. Streets through adjacent residential areas shall not be used to provide principal access for truck traffic to any non-residential use in this district except on streets classified as expressways, arterials, or collectors. (G.O. 5425, 11/15/04)
- B. No motor vehicle repair or maintenance work shall take place outdoors within one-hundred-fifty (150) feet of the boundary of any residential district.
- C. All sales, display or outdoor storage areas that would be routinely disturbed because of the nature of the activity being conducted or because of vehicular traffic, except those areas of nurseries and garden centers where living plants are located, shall be paved or otherwise improved with an all-weather, dust-free surface.

AMADOR, JOSEPH A
525 E CARDINAL ST
SPRINGFIELD, MO 658101811

CARMEL OF ST ANNE
3315 E RIDGEVIEW ST
SPRINGFIELD, MO 65804

DUNCAN, THEODORE
234 HOOVER ST
OCEANSIDE, CA 920544551

HEIDBREder, TY E
435 E CARDINAL ST
SPRINGFIELD, MO 658101809

OSBORN, JAMES D ETAL TR
1724 W WESTVIEW ST
SPRINGFIELD, MO 658074463

STUCK, CINDY
515 E CARDINAL ST
SPRINGFIELD, MO 658101811

ARCHER, MARTIN J
4417 S ROANOKE AVE
SPRINGFIELD, MO 658101821

CRUSE, CONNIE L
4424 S JEFFERSON AVE
SPRINGFIELD, MO 658101743

EDWARDS, TANYA V
315 E CARDINAL ST
SPRINGFIELD, MO 658101735

MALIK, MOHAMMED
1412 FOGGY GLEN CT
SILVER SPRING, MD 209062092

OSBORN, JAMES D TR
1724 W WESTVIEW ST
SPRINGFIELD, MO 658074463

WELDEN, GLEN ETAL
425 E CARDINAL ST
SPRINGFIELD, MO 658101809

BOLIVAR BK OF
PO BOX 560
BOLIVAR, MO 656130560

DRURY PROP INC
PO BOX 1326
SPRINGFIELD, MO 658011326

GD INVESTMENTS LLC
1669 W CALEB CT
SPRINGFIELD, MO 658101525

OSBORN, JAMES D
1724 W WESTVIEW ST
SPRINGFIELD, MO 658074463

SADE, SHIRLEY Y
4149 S FAIRWAY AVE
SPRINGFIELD, MO 658046500

WILLHOIT, SHERRYL A
PO BOX 4964
SPRINGFIELD, MO 658084964

MONASTERY NEIGHBOR MEETING
February 6, 2013

#	Name	Address	Phone/Email
1	Glen Welden	425 E Cardinal	gweld1@yahoo.com
2	Windsor Warren	Property 4233 Kimbrough 420 South Ave	w2@warren-goodie.com 869-8900
3	Connie Cruse	4424 S. Jefferson	889-3015
4	Paul Nelson	4424 S Jefferson	8893015
5	GARY ELLISON	4554 S. ROANOKE	883-1991
6	Gerald Loue	2816 E. Rocklyn Rd 65804	881-2700
7	Tiny Lohr	1724 W. Westview 65807	708-6991
8	Sylvia Osborn	1724 W. Westview 65807	708-6991
9	Doug Baynell	3924 N. BROADWAY Ave 65803	350-1504
10	Anne Boucke	525 E Buena Vista 65810	820-3857
11	Tye & Julie Heidbreder	435 E Cardinal 65810	889-3705
12	Mick & Denise Ruzicka	625 E Cardinal 65810	827-1722

13	Joe & Linda Tucker	605 E. Cardinal Springfield, Mo 65810	linda@tuckercpas.com joe.tucker@tuckercpas.com 417-887-7287
14			
15			
16			
17			
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19			
20			
21			
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27			

CCSOMO Letterhead

January 20, 2013

Nearby Neighbor
123 Any Street
Springfield, Missouri 65800

RE: PUBLIC MEETING FOR CATHOLIC CHARITIES OF SOUTHERN MISSOURI REZONING REQUEST

Dear Nearby Neighbor,

Catholic Charities of Southern Missouri located at 424 E. Monastery Way is having a public meeting to discuss our upcoming request for rezoning to a Highway Commercial District Zoning with our neighbors. Meeting will be held at this address. The meeting will be on **Wednesday evening February 6, 2013 from 4:00 PM to 6:30 PM**. This will be an **Open House type meeting** so just come by and visit with us.

We will be available to answer your questions about our exciting project and the Highway Commercial District rezoning case.

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

If you have any questions please call Maura Taylor with Catholic Charities of Southern Missouri.

I hope to see you there.

Sincerely,

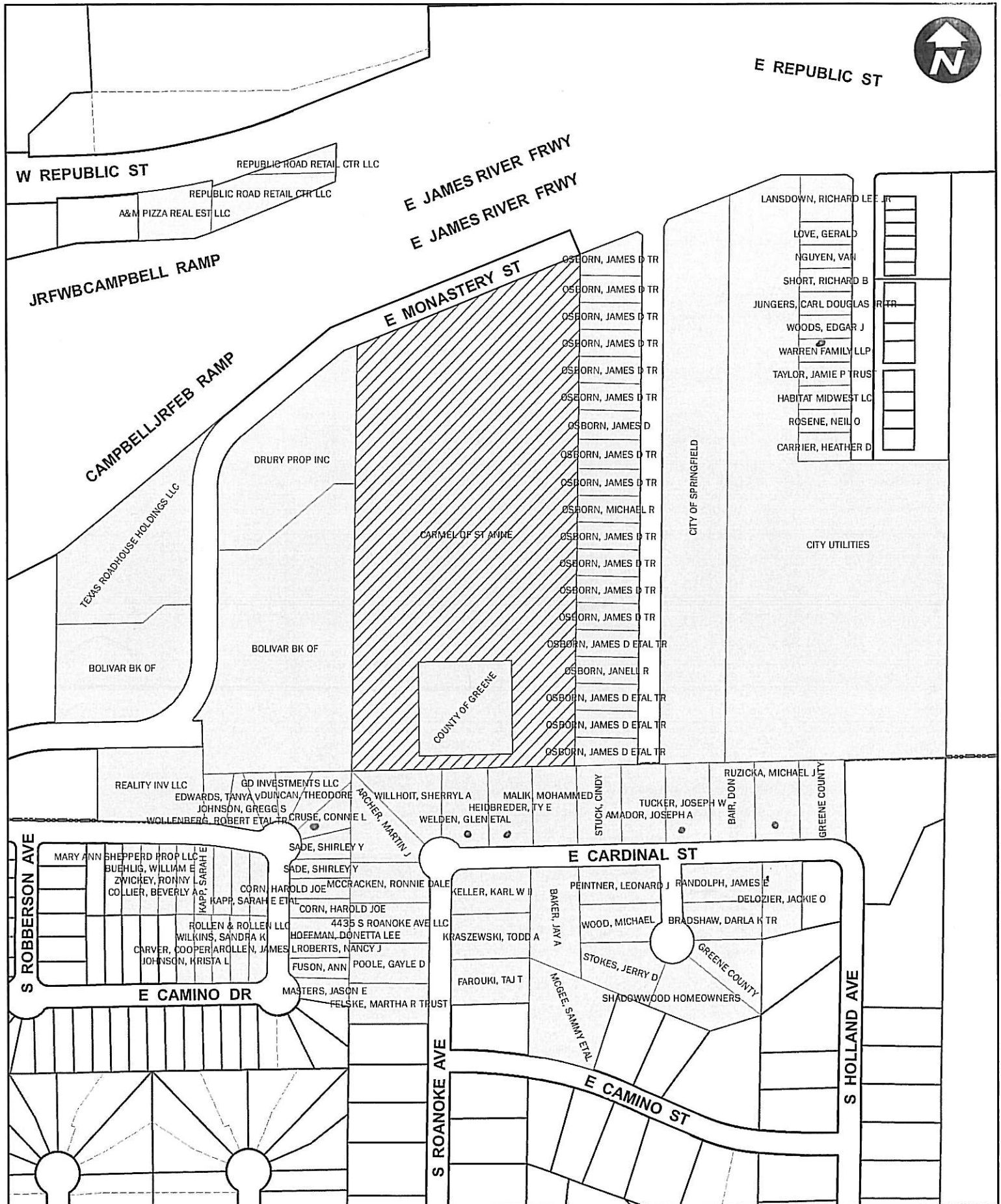
Maura Taylor
Executive Director

Mailing List

Location: 424 E Monastery St.

Type: Property Owners

Distance: 500 feet



EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 4.49 acres of property generally located at 2001 West Walnut Lawn Street from Planned Development 103 to a GR, General Retail District (Staff recommends approval).

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-4-2013

The applicant is proposing to rezone the property from Planned Development 103 to a GR, General Retail District. This will increase the number of permitted uses allowed on the property. This will also allow a crematorium to be installed in the existing funeral home which was not permitted in the existing PD.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on April 4, 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 General Retail District is one of the recommended zoning districts.

Submitted by:

Approved by:

Planning and Development

City Manager

EXHIBITS:

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

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Neighborhood Meeting Summary and Sign-In Sheet

Attachment 3, Neighborhood List, 185 ft. Property Owners List & Posting Affidavit

Attachment 4, PD 103 Exhibit 1 & 2

EXHIBIT A
LEGAL DESCRIPTION
ZONING CASE Z-4-2013

A TRACT OF LAND, SITUATED IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 28 NORTH, RANGE 22 WEST, CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER;
THENCE SOUTH 88°59'32" EAST ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER A DISTANCE OF 689.58 FEET TO A POINT;
THENCE NORTH 01°00'28" EAST A DISTANCE OF 46.54 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 01°00'28" EAST A DISTANCE OF 516.18 FEET TO A POINT FOR CORNER;
THENCE SOUTH 68°19'23" EAST A DISTANCE OF 543.56 FEET TO A POINT ON A CURVE, SAID POINT BEING ON THE WEST RIGHT OF WAY LINE OF KANSAS EXPRESSWAY;
THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1,974.86 FEET, A DELTA OF 05°54'24", AND ARC LENGTH OF 203.59 FEET AND A CHORD WHICH BEARS SOUTH 09°42'35" WEST HAVING A CHORD DISTANCE OF 203.50 FEET ALONG SAID WEST RIGHT OF WAY LINE TO A POINT FOR CORNER;
THENCE SOUTH 46°43'55" WEST A DISTANCE OF 149.96 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF WALNUT LAWN STREET;
THENCE SOUTH 88°09'10" WEST ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 370.87 FEET TO THE POINT OF BEGINNING. And containing 4.49 acres of land more or less, subject to all easements and/or rights-of-way.

EXHIBIT B
RECORD OF PROCEEDINGS
ZONING CASE Z-4-2013

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

Z-4-2013

Proposed Zoning: GR, General Retail District

[illegible]

- Area of Proposal



1 inch = 600 feet

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-4-2013

DATE: March 22, 2013

LOCATION: 2001 W. Walnut Lawn St.

APPLICANT: Bobby Dean and Ruth Wood

TRACT SIZE: Approximately 4.49 acres

EXISTING USE: Funeral Home

PROPOSED USE: Funeral Home with a crematorium

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. This mixed category indicates that a variety of commercial and/or mid-or high-density housing may be appropriate at major intersections along certain road corridors. 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 BDS issues with proposed rezoning to GR. Need to complete subdivision activities to bring lot into compliance.

TRAFFIC COMMENTS:

No Traffic issues with the rezoning.

STORMWATER COMMENTS:

All stormwater issues were addressed on the preliminary plat.

SANITARY SERVICES COMMENTS:

No objections to rezoning. The lot is currently served by public sewer.

ADJACENT PROPERTY OWNER COMMENTS:

Five (5) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. No one has objected to date.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting for owners and residents (approximately 11 invitations) within five hundred (500) feet of the subject property on March 11, 2013 at Walnut Lawn Funeral Home (2001 W. Walnut Lawn St.). No one attended the meeting that was held at 5:30 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 103, to a GR, General Retail District. The current PD limits the property to a funeral home without a crematorium. The proposed GR District will increase the number of permitted uses allowed on the property including a proposed crematorium to be installed in or adjacent to the existing funeral home.
2. The Growth Management and Land Use Plan of the Comprehensive Plan designates this area along the Kansas Expressway corridor as appropriate for medium-intensity retail, office and residential uses. General Retail is one of the zoning districts recommended in these areas. The GR District is intended for uses that provide community-wide personal and business services, shopping centers and specialty shops. Commercial uses permitted in this district are generally required to conduct business activities indoors. The need for community-wide accessibility dictates that this district be located along or at the intersection of two or more arterial or higher classification streets (Kansas Expressway & Walnut Lawn). Staff believes the subject site meets the recommendations of the City's Comprehensive Plan and intent of the GR District.
3. The Zoning Ordinance requires a Bufferyard "F" between the General Retail District and adjacent R-SF, Single-Family Residential districts to the north. The Bufferyard "F" requires a minimum open space of twenty (20) feet wide with the following plantings per

one hundred (100) linear feet: three (3) canopy trees, three (3) understory trees, four (4) evergreen trees and twenty (20) shrubs. A six-foot solid wood fence, masonry wall, solid evergreen hedge or earthen berm is required along the property boundary if a twenty (20) foot bufferyard is provided. If a twenty-five (25) foot bufferyard is provided then a fence, wall or hedge is not required. The bufferyard requirement between the GR and adjacent O-1, Office District to the north, is a Bufferyard "C". The Bufferyard "C" requires a minimum open space of fifteen (15) feet wide with the following plantings per one hundred (100) linear feet: one (1) canopy tree, two (2) understory trees, two (2) evergreen trees and ten (10) shrubs. There are no required structures (i.e. solid fence, wall or hedge) in the Bufferyard "C".

4. The maximum floor area ratio of the GR District is a 0.4 (forty (40) percent of the lot area of the property can be utilized as buildings) and the maximum height of any structure is limited by the thirty (30) degree bulk plane as measured from the boundaries of any residential districts.

FINDINGS FOR STAFF RECOMMENDATION:

1. The Comprehensive Plan designates this area as appropriate for medium-intensity retail, office and residential uses. The General Retail District is one of the recommended zoning districts.

RECOMMENDATION:

Staff recommends **approval** of this request.

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

Neighbors of,

Walnut Lawn Funeral Home Ltd.

March 13, 2013

City of Springfield

Planning and Zoning

Walnut Lawn Funeral Home Ltd. hosted the neighborhood meeting

Regarding the Crematory zoning, in the Funeral Home office at 5:30 PM March 11, 2013.

There were no phone calls or anyone present for the meeting.

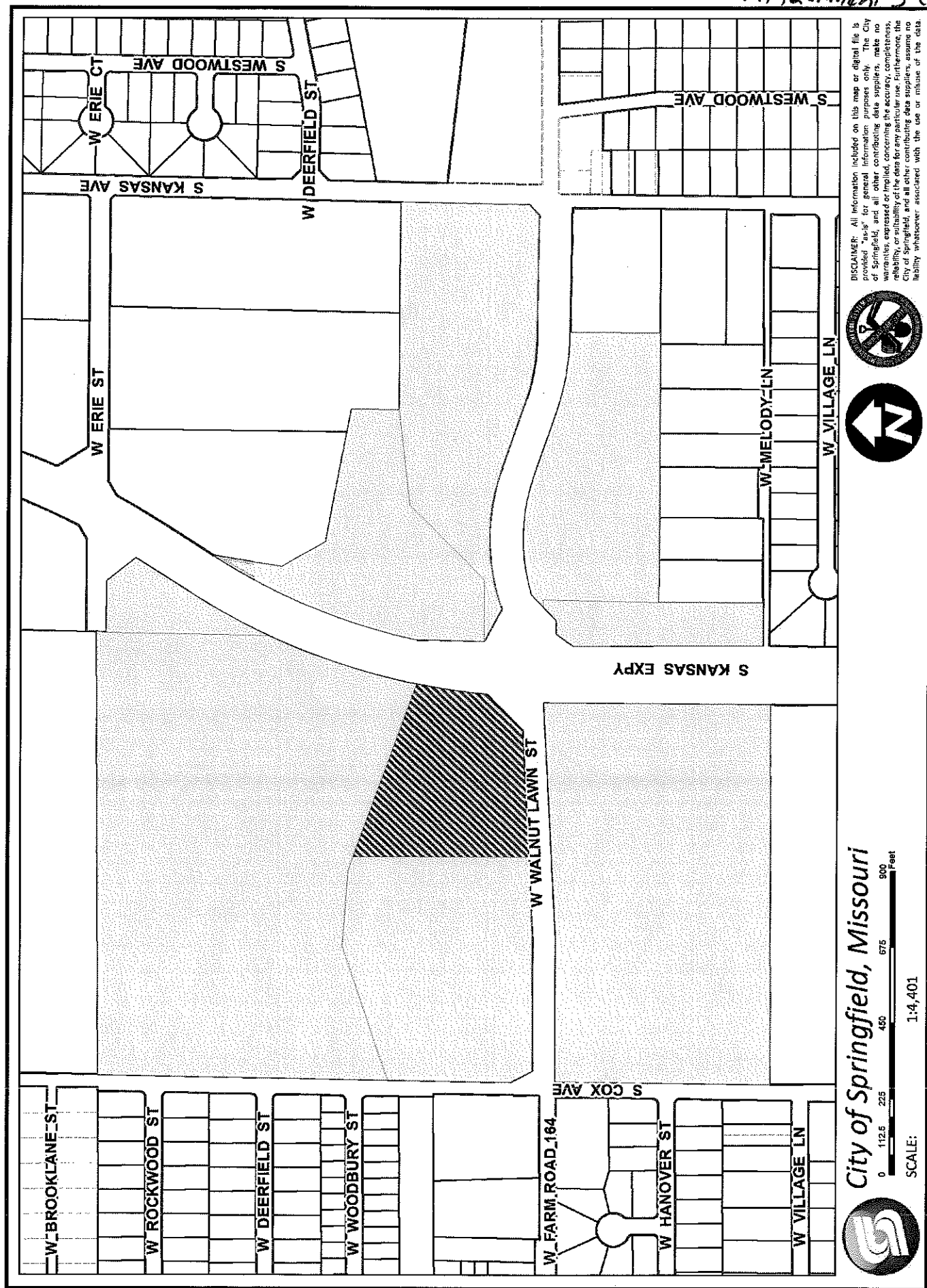
Bobby Dean Wood

Walnut Lawn Funeral Home Ltd

2001 W. Walnut Lawn St.

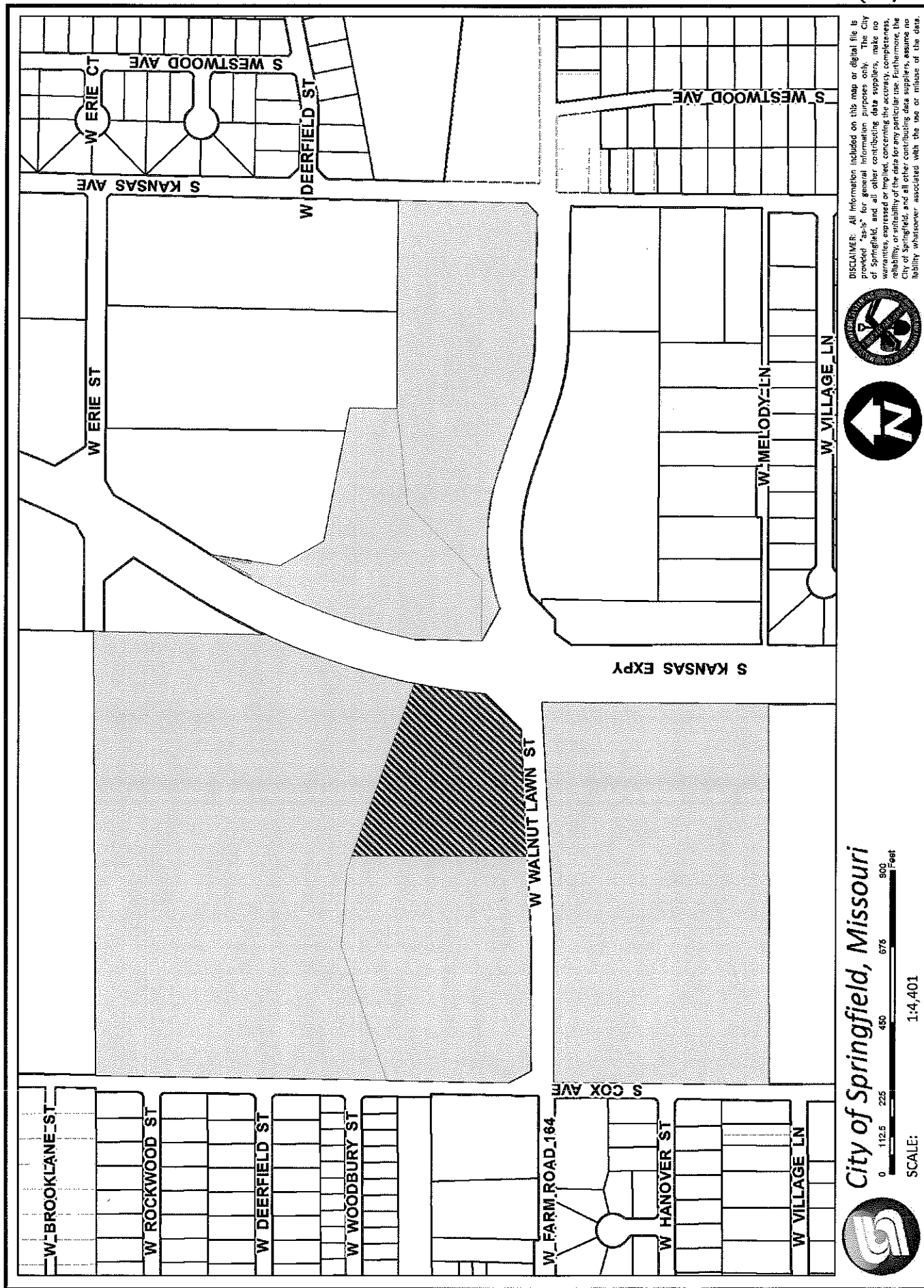
Springfield, Mo 65807.

500 ft. Property Owners/Renters List - 2001 W. Walnut Lawn



OWNER_NAME	OWNER_ADDR	OWNER_CITY	OWNER_S	OWNER_ZIPC
NEW COVENANT ACADEMY	3304 S COX RD	SPRINGFIELD	MO	658074096
DEGRAFFENREID, GLENN F ETAL	1775 DEGRAFFENREID PL	NIXA	MO	657148042
WILLOW CREEK APT HOMMES LLC	1675 E SEMINOLE	SPRINGFIELD	MO	65807
HUNTERS GLEN APARTMENTS LLC	11766 WILSHIRE BLVD	LOS ANGELES	CA	90025
SMITH, JAMES JOSEPH	1841 W MELODY LN	SPRINGFIELD	MO	658074358
ARROWOOD, CAROLINA H TRUSTEE	2834 S STEWART AVE	SPRINGFIELD	MO	658043861
ROCKFORD TOWNHOMES LLC	3506 HOBBYHORSE LN	CARSON CITY	NV	897017849
Current Resident	3304 S COX RD	SPRINGFIELD	MO	65807
Current Resident	1645 WALNUT LAWN	SPRINGFIELD	MO	65807
Current Resident	1841 W MELODY LN	SPRINGFIELD	MO	65807
Current Resident	1820 W WALNUT LAWN ST	SPRINGFIELD	MO	65807

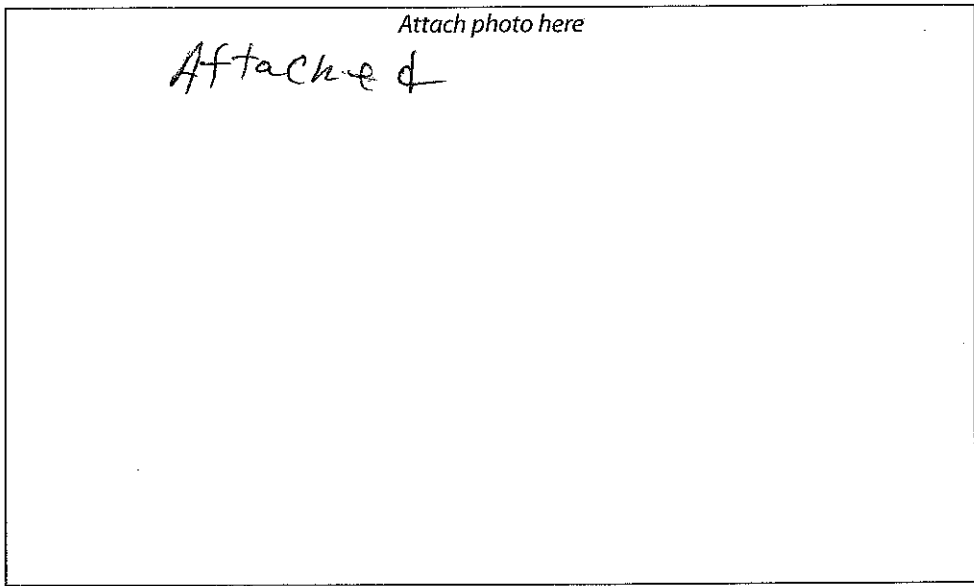
185 ft. Property Owners List - 2001 W. Walnut Lawn



(4)

OWNER_NAME	OWNER_ADDR	OWNER_CITY	OWNER_S	OWNER_ZIPC
NEW COVENANT ACADEMY	3304 S COX AVE	SPRINGFIELD	MO	658074096
DEGRAFFENREID, GLENN F ETAL	1775 DEGRAFFENREID PL	NIXA	MO	657148042
WILLOW CREEK APT HOMMES LLC	1675 E SEMINOLE	SPRINGFIELD	MO	65807
HUNTERS GLEN APARTMENTS LLC	11766 WILSHIRE BLVD	LOS ANGELES	CA	90025
ARROWOOD, CAROLINA H TRUSTEE	2834 S STEWART AVE	SPRINGFIELD	MO	658043861

AFFIDAVIT OF SIGN POSTING



(sign lettering must be legible in photo)

I, Bobby Dean Wood (print name of owner, agent, attorney) , attest that the above sign was posted 10 days before the public hearing on April 4, 2013 (month/day/year) and in accordance with the given posting requirements.

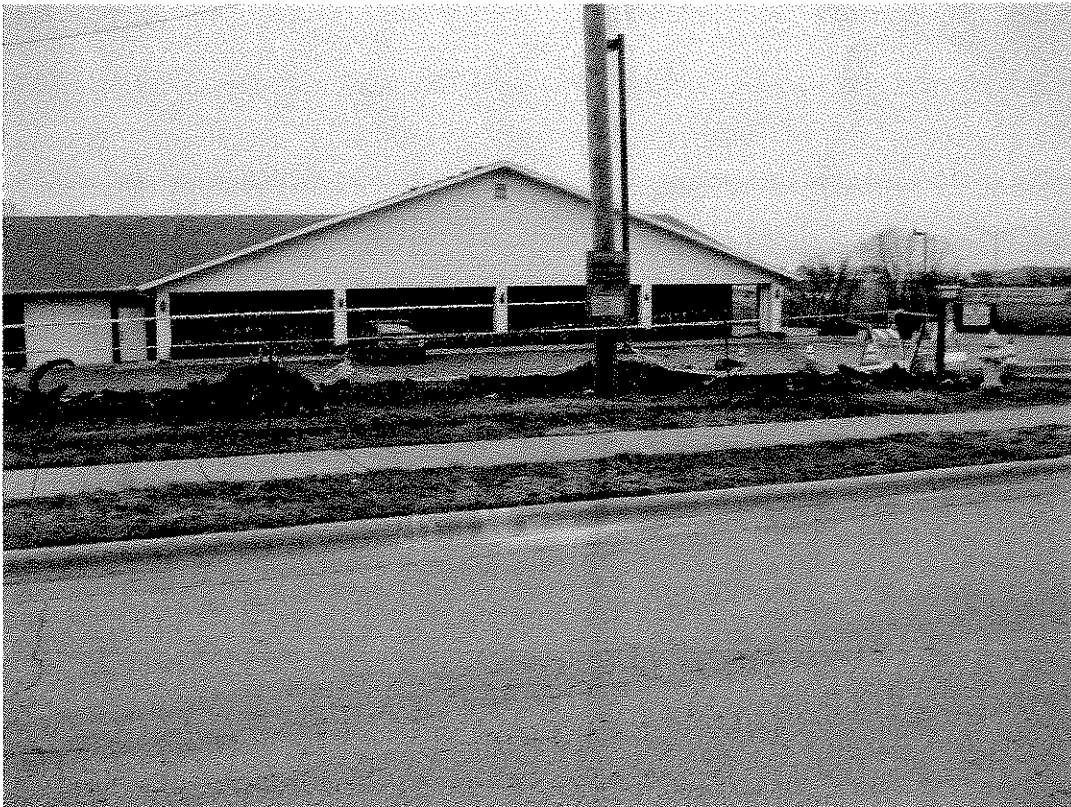
Bobby Dean Wood
Signature of person completing sign posting

Bobby Dean Wood
Printed name of person completing sign posting

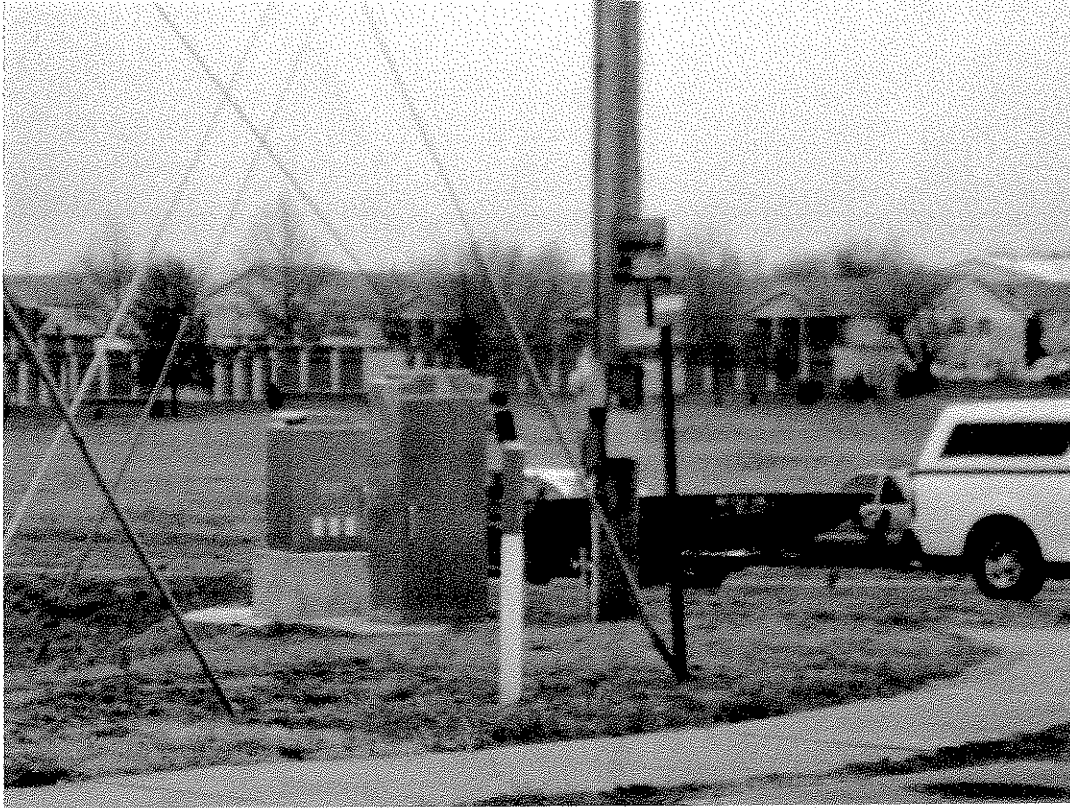
(6)



(7)

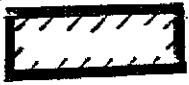


(8)



ZONING CASE - PD-103

APPLICANT LEWIS C. LOVE TRUST LOCATION W. SIDE 3300 S. KANSAS EXPWY.
E. SIDE 3300 S. COX AVE.

EXISTING ZONING R-1 AREA TO BE REZONED 

PROPOSED ZONING R-4 & PD-103 185° RADIUS

D-DWELLING B-BUSINESS M-MANUFACTURING V-VACANT

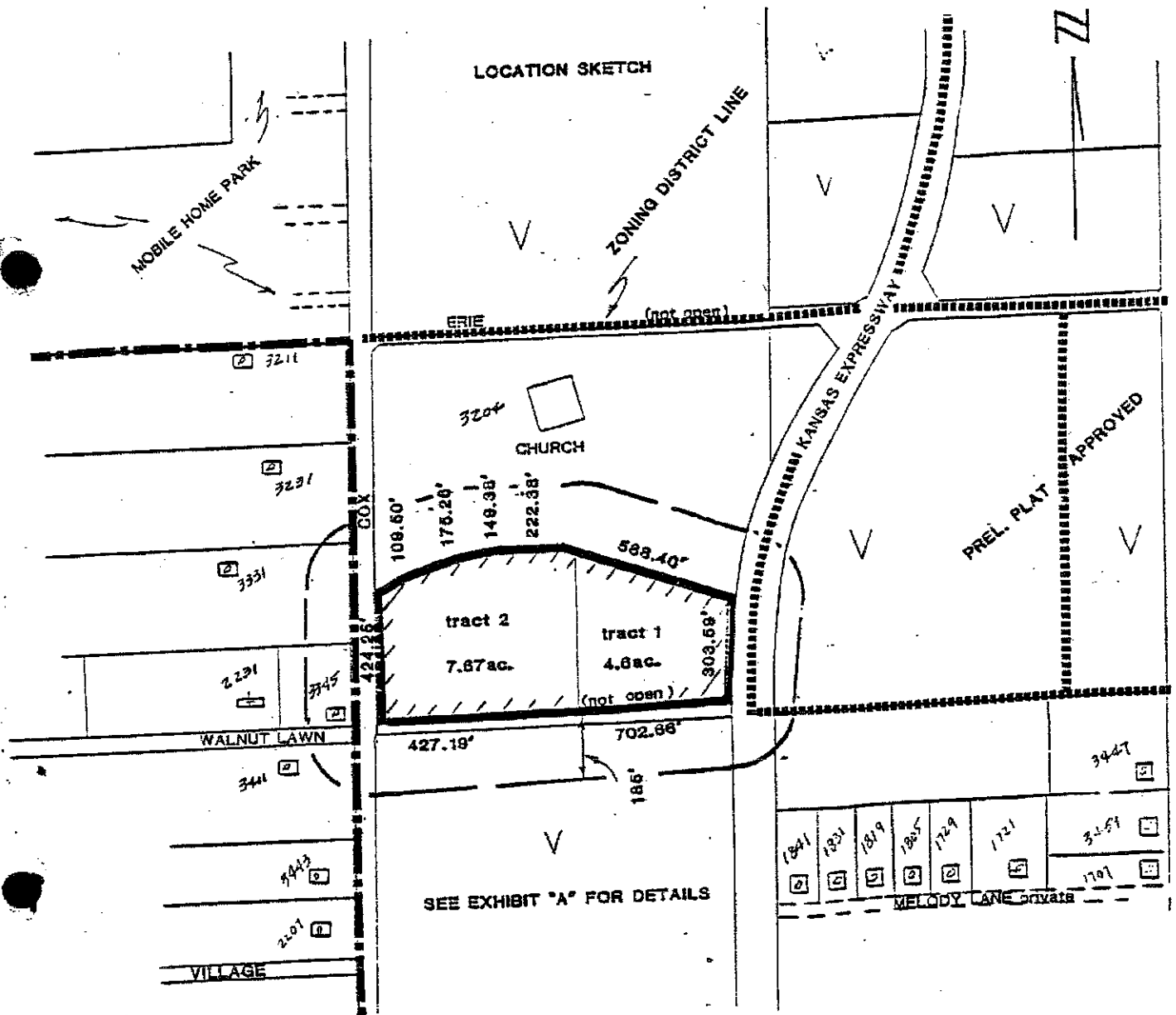


EXHIBIT 1

Requirements and Standards Applicable to
Planned Development District No. 103

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

USES PERMITTED: The following uses shall be permitted in Tract I only:

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

The following uses shall be permitted in both Tracts I and II:

2. Educational and religious institutions and facilities offering academic or vocational training or providing facilities for religious activity. Typical uses include schools, colleges, universities, nursing schools, vocational training schools and churches, and uses normally considered accessory to and clearly incidental to these typical uses.
3. Community Service Facilities such as day care centers,

community centers, museums and libraries.

4. Residential Uses:

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

INTENSITY OF DEVELOPMENT: Development shall adhere to the following:

1. The floor area ratio for permitted nonresidential structures in each tract shall not exceed 0.35.
2. The maximum residential gross density shall not exceed the following:
 - a. Twenty (20) dwelling units an acre in Tract I.
 - b. Eighteen (18) dwelling units an acre in Tract II.
3. Development intensity for mixed-use projects, i.e. developments involving combinations of residential and nonresidential uses, shall be calculated by the following formula:

Total site area (acres) =

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

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

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

1. The following minimum setbacks shall be required:
 - a. Fifty (50) feet for both building and parking lot purposes along Kansas Expressway.
 - b. Twenty five (25) feet for both building and parking lot purposes along both Cox Road and Walnut Lawn Street.
2. No structure shall exceed a height greater than its horizontal distance from the any district boundary.
3. The impervious surface ratio shall not exceed 0.80.

PUBLIC FACILITIES: Development shall adhere to the following:

1. All required public and private improvements shall be at the expense of the applicant or subsequent owner(s). Assurances satisfactory to the Director of Public Works such as executed contracts, escrows, guarantees or letters of credit guaranteeing that all required public improvements, will be constructed in accordance with the standards determined by the Director of Public Works shall be provided to the City prior to building permits being issued to the applicant or subsequent owners. Storm water drainage management improvements, however, must be constructed prior to the issuance of any building permit. The applicant or subsequent owners shall file with the Director of Public Works a schedule for completion of public improvements and shall provide assurances that improvements will be constructed within the time schedule. No certificate of occupancy shall be issued for any structure within this District unless the required public improvements are completed prior to occupancy of the structures or unless the Director of Public Works has determined that such public improvements, if not completed, have little or no effect on the occupancy of the facility or conditions beyond the control of the contractor, i.e., strikes, weather, etc., have delayed the completion of the improvements in which case the Director of Building Regulations may permit occupancy under conditions satisfactory to the Director of Public Works that the required public improvements will be completed as required by this ordinance within a reasonable time. Public improvements, as used in this paragraph shall include private, as well as public, improvements required by the planned development ordinance. Such improvements shall include:
 - a. All streets, drives, parking areas, and pedestrian circulation facilities;
 - b. Sanitary sewer facilities;
 - c. Storm water management and drainage improvements;
 - d. Public street improvements necessary for efficient and safe ingress and egress from the public thoroughfare system, such as widening, signalization and channelization.
2. A full width street will be required on Walnut Lawn Street from Kansas Expressway to the primary access to Tract I. From this point to Cox Road, the street width shall taper to twenty one (21) feet in a manner prescribed by the Public Works Department.
3. A total of thirty (30) feet of right-of-way shall be granted for Cox Road as measured from the quarter section line.

ACCESS TO PUBLIC THOROUGHFARES: Development shall adhere to the

following:

1. Access shall not be permitted to Kansas Expressway.
2. Access shall not be permitted to Cox Road unless the road is improved to normal City collector street standards.
3. Access shall not be permitted to Walnut Lawn Street within two hundred (200) feet of the Kansas Expressway right-of-way line.
4. To Walnut Lawn Street, a maximum of two (2) access points shall be permitted from Tract I and a maximum of three (3) access points shall be permitted from Tract II.

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

1. The City's parking standards and requirements shall apply for all nonresidential development.
2. Residential development shall have at least one and a half (1 1/2) parking spaces for each dwelling unit.

SIGNS: Development shall adhere to the following:

1. The developer's may submit a signage plan at the final development plan stage. Otherwise, the City's sign codes for the appropriate development type shall apply.
2. Off-premise signs, as defined by the city sign code, are prohibited.

PERIMETER TREATMENT: Development shall adhere to the following:

1. The following bufferyard(s) are required:
 - a. Bufferyard E (Exhibit B) along the north side of Tract I.
 - b. Bufferyard C (Exhibit C) along the west side of Tract II provided the development density on Tract II is greater than R-1, single family residential district.
2. A bufferyard, at least fifty (50) feet in depth, is required along the west line of Tract I. The type of bufferyard shall be determined at the final development plan stage and shall be based upon the proposed uses, their maximum floor area ratios and densities and other criteria as established by the South Springfield Development Plan as approved by City Council.
3. No structures, parking lots or drives (except those required to provide access to adjoining public thoroughfares) are per-

mitted within these bufferyards. The surface of these bufferyards, or other required landscaped areas, shall be maintained with a living ground cover.

4. All other areas not shown as buildings or other form of impervious surface on the final site plan and which are not designated as a bufferyard shall be required to 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. A landscape plan, showing conformance with these requirements, shall be submitted with the final development plan.

EXTERIOR LIGHTING: Development shall adhere to the following:

1. Exterior lighting shall be designed, located and constructed to eliminate or significantly reduce glare and/or a general increase in lighting intensity within the adjoining existing or proposed residential areas. The developer(s) shall submit a lighting plan with the final development plan demonstrating compliance with this section.

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

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

PHASING: Development shall adhere to the following:

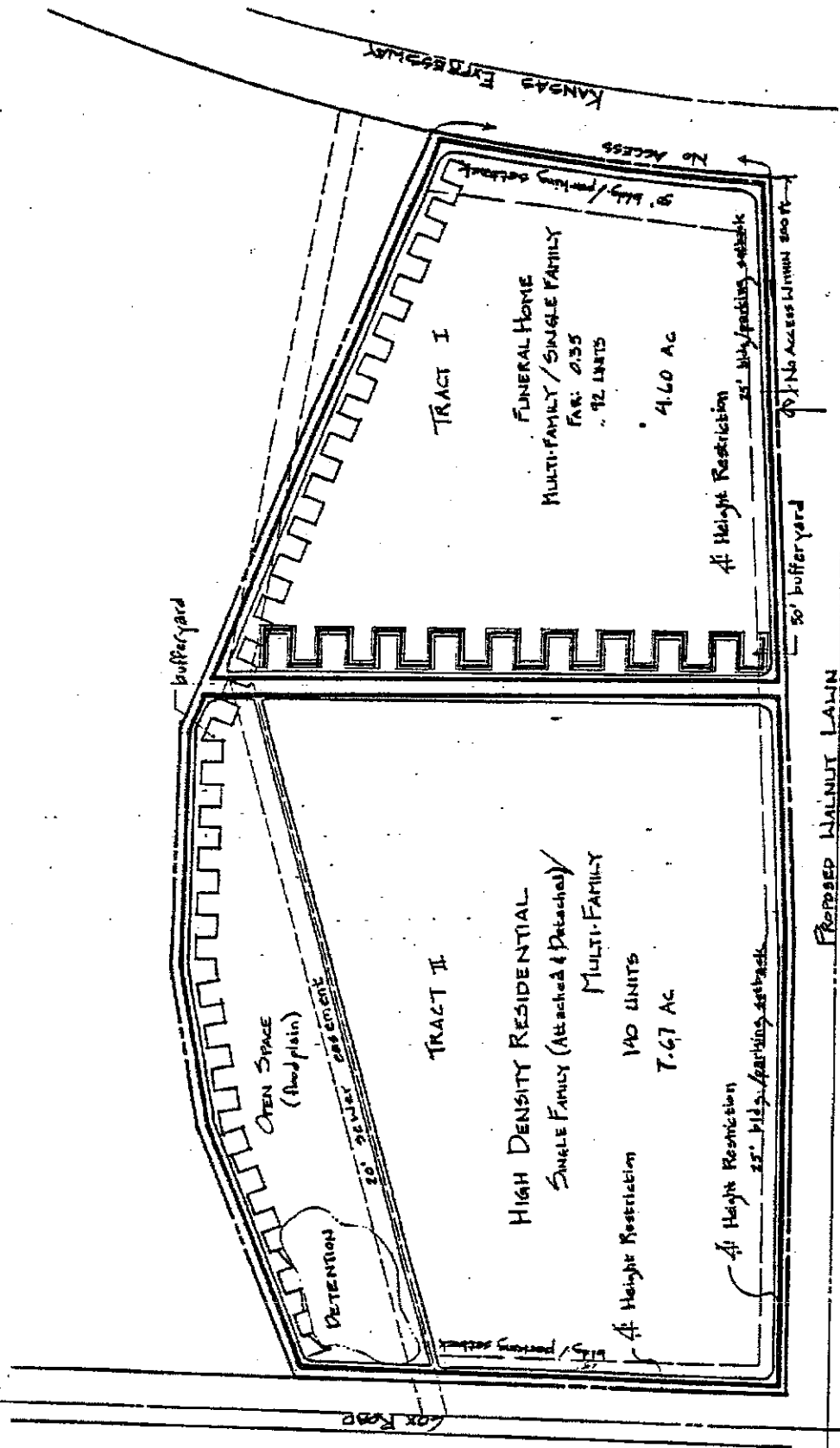
1. Development may be phased at the discretion of the developer(s) provided that all public improvements directly related to each phase are completed at the time of its development and that improvements serving the District as a whole and the adjoining area are completed in a sequence assuring full utility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

FINAL DEVELOPMENT PLAN. The following requirements shall be met:

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

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

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



P. D. 103 EXHIBIT A

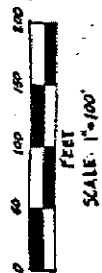


EXHIBIT A

EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To accept the dedication of the public streets and easements as shown on the Preliminary Plat of **DEGRAFFENREID-WOOD SUBDIVISION** generally located at 2001 West Walnut Lawn Street. (Staff recommends that City Council accept the public streets and easements.)

BACKGROUND INFORMATION:

- A. See the legal description set forth on the Preliminary Plat of **DEGRAFFENREID-WOOD SUBDIVISION** dated March 22, 2013, the original of which is on file in the Department of Planning and Development, a reduced version of which is included for general reference in Exhibit A.
- B. The Planning and Zoning Commission held a public hearing on April 4, 2013 and _____ the preliminary plat by a vote of ___ to ___, subject to the following 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. Sidewalks, in accordance with the Subdivision Regulations, shall be constructed along Cox Road.
 - 2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. Drainage easements are required anywhere where concentrated points of discharge cross property lines. Drainage easements must be sized to convey 100 year peak flow rates, including freeboard requirements.
 - b. No access to Kansas Expressway is permitted.
 - 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 sub-divider. 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 sub-divider 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.

Attached for Council information is a sketch showing the location of the plat area, an exhibit showing the proposed plat, and a copy of the Planning and Development Department staff report to the Planning and Zoning Commission.

Submitted by:

Mike MacPherson, Principal Planner

Greg Burris, City Manager

Zoning & Subdivision Report

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

PRELIMINARY PLAT – DEGRAFFENREID-WOOD SUBDIVISION

DATE: March 26, 2013

PURPOSE: To approve a preliminary plat to subdivide 12.27 acres into a two (2) lot subdivision, including a subdivision variance

BACKGROUND:

LOCATION: 2001 W. Walnut Lawn St.

APPLICANT: Bobby Dean and Ruth Wood

TRACT SIZE: Approximately 12.27 Acres

EXISTING USE: Funeral home, undeveloped land

PROPOSED USE: Funeral home with crematorium

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 variance, is consistent with the City's Subdivision Regulations.

CONDITIONS:

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

- a. Sidewalks, in accordance with the Subdivision Regulations, shall be constructed along Cox Road.
2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. Drainage easements are required anywhere where concentrated points of discharge cross property lines. Drainage easements must be sized to convey 100 year peak flow rates, including freeboard requirements.
 - b. No access to Kansas Expressway is permitted.
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 – DEGRAFFENREID-WOOD SUBDIVISION

APPLICANT’S PROPOSAL:

The applicant is proposing to subdivide approximately 12.27 acres into a two (2) lot commercial subdivision.

BUILDING DEVELOPMENT SERVICES COMMENTS:

Need to complete vacation of Hayden Avenue and adjacent alleys.

CITY UTILITIES COMMENTS:

No objections. Existing and proposed easements are shown.

MODOT COMMENTS:

No access to Kansas Expressway will be permitted from Lot 1. Sidewalks along Kansas Expressway are not required.

TRAFFIC DIVISION COMMENTS:

Sidewalks are required on Cox Rd. Due to constructability issues, Traffic will support a subdivision variance to end construction of sidewalk just south of the box culvert.

AT&T COMMENTS:

No issues.

STORMWATER COMMENTS:

Drainage and detention easements have been delineated as requested.

SANITARY SEWER COMMENTS:

No issues.

STAFF COMMENTS:

1. The applicant is proposing a two (2) lot commercial subdivision concurrently with a rezoning of Lot 1 to a GR, General Retail District. Lot 2 will remain within Planned Development 103.
2. The applicant is requesting a subdivision variance to pay a fee-in-lieu of constructing sidewalks along a portion of Cox Road. The sidewalk fees will go to a fund that will be

used for future sidewalk projects benefiting elementary schools in the area. Staff supports the requested variance (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
APPROVAL CRITERIA
PRELIMINARY PLAT – DEGRAFFENREID-WOOD SUBDIVISION

The applicant is requesting a subdivision variance from Section 410(6)(b) of the Subdivision Regulations which allows a payment to be made in lieu of constructing a portion of sidewalk along Cox Road and to vary the location of the sidewalk to be constructed. The location of the box culvert and utility poles along Cox Rd. create obstacles that are a significant financial hardship if not completed in coordination with street improvements. 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 strict application of this provision adjacent to Cox Road would require the extension of an existing storm box culvert which is in need of improvement/repair as well as relocation of existing utility poles and boxes near the intersection of Cox Road and Walnut Lawn.

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

APPLICANT'S RESPONSE:

Cox Road was constructed in the County and annexed into the City and designated as a collector street. It is in need of improvement to meet current City design requirements. The box culvert extension needs to be coordinated with the City's future street widening and improvement plans of Cox Road. An extension of the box culvert to facilitate sidewalk construction would be a significant cost/hardship to the property owner as would the relocation of utility poles and boxes to accommodate the normal location 1-foot inside the right-of-way.

- (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:

Terminating the sidewalk prior to the open drainage way will not be detrimental to the public safety, convenience or welfare. Additionally, it will not be injurious to other property in the vicinity as there is currently no sidewalk north of the subject property for the new sidewalk to connect to.

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

PRELIMINARY PLAT
DEGRAFFENREID - WOOD SUBDIVISION

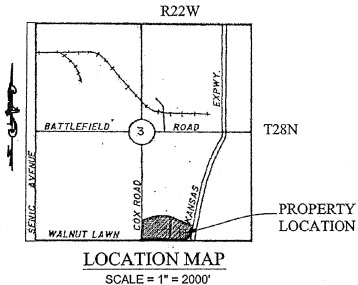
2001 W. WALNUT LAWN STREET
BEING A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3,
TOWNSHIP 28 NORTH, RANGE 22 WEST
OF THE 5TH PRINCIPAL MERIDIAN
CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI

DESCRIPTION
A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER (SW1/4)
OF THE SOUTHEAST QUARTER (SE1/4) SECTION 3, TOWNSHIP 28 NORTH,
RANGE 22 WEST, CITY OF SPRINGFIELD, GREENE COUNTY MISSOURI
AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF SAID SW1/4, SE1/4, BEING THE
SOUTH QUARTER CORNER OF SAID SECTION 3,
THENCE ALONG THE SOUTHERLY LINE OF SAID SECTION 3 S 89° 31' 53" E A DISTANCE
OF 30.89';
THENCE N 00° 28' 22" E A DISTANCE OF 35.00' TO THE POINT OF BEGINNING
SAID POINT BEING ON THE EASTERLY RIGHT OF WAY OF COX ROAD,
THENCE N 01° 54' 36" E ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 428.78'
TO A POINT FOR CORNER;
THENCE N 73° 01' 06" E A DISTANCE OF 77.76' TO AN EXISTING IRON PIN (J. DAY);
THENCE N 68° 42' 21" E A DISTANCE OF 175.29' TO A POINT FOR CORNER;
THENCE N 79° 24' 00" E A DISTANCE OF 149.24' TO AN EXISTING IRON PIN (J. DAY);
THENCE S 88° 58' 06" E A DISTANCE OF 222.32' TO AN EXISTING IRON PIN (J. DAY);
THENCE S 68° 52' 53" E A DISTANCE OF 588.54' TO A POINT ON THE WESTERLY
RIGHT OF WAY OF KANSAS EXPRESSWAY;
THENCE ALONG SAID WESTERLY RIGHT OF WAY WITH A NON TANGENT CURVE
TURNING TO THE LEFT WITH AN ARC LENGTH OF 303.59', WITH A RADIUS OF 1974.86',
WITH A CHORD BEARING OF S 07° 43' 11" W, WITH A CHORD LENGTH OF 303.29' TO A
POINT ON THE NORTHERLY RIGHT OF WAY OF WALNUT LAWN STREET;
THENCE ALONG SAID NORTHERLY RIGHT OF WAY THE FOLLOWING THREE (3)
CURSES:
1.) S 87° 36' 49" W A DISTANCE OF 470.88';
2.) S 87° 36' 51" W A DISTANCE OF 231.79';
3.) N 89° 31' 53" W A DISTANCE OF 427.19' TO SAID POINT OF BEGINNING,
CONTAINING 534,272 SQUARE FEET, 12.27 ACRES MORE OR LESS AND SUBJECT
TO ALL EASEMENTS AND/OR RIGHTS-OF-WAY.

OWNER/DEVELOPER:

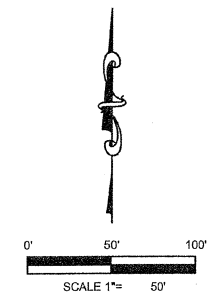
LOT 1:
BOOK 2822 PAGE 052046;
PHYLLIS RUTH WOOD TRUSTEE OF THE PHYLLIS RUTH
WOOD REVOCABLE LIVING TRUST ESTATE
&
BOBBY DEAN WOOD REVOCABLE LIVING TRUST
ESTATE
2001 W WALNUT LAWN ST.
SPRINGFIELD, MO 65807

LOT 2:
BOOK 2022 PAGE 1191
BOBBY DEAN WOOD AND RUTH WOOD &
GLEN F. DEGRAFFENREID AND BEVERLY R. DEGRAFFENREID
2001 W WALNUT LAWN ST
SPRINGFIELD, MO 65807



NOTES

1. CURRENT ZONING: PD 103.
2. GENERAL ORDINANCE NO. 3985 DATED 1/16/89
3. ACRES: 12.27 ACRES
4. WATER SERVICE SUPPLIED BY CITY UTILITIES OF SPRINGFIELD
5. ELECTRIC SERVICE SUPPLIED BY CITY UTILITIES OF SPRINGFIELD
6. GAS SERVICE SUPPLIED BY CITY UTILITIES OF SPRINGFIELD
7. SANITARY SEWER SERVICE SUPPLIED BY PUBLIC WORKS OF SPRINGFIELD
8. SIDEWALKS CONSTRUCTED ON ONE SIDE OF COX AVENUE SUBJECT TO SUBDIVISION VARIANCE REQUEST.



SCALE 1"= 50'

BASIS OF BEARINGS

GRID NORTH AS ESTABLISHED BY
THE MISSOURI COORDINATE
SYSTEM OF 1983, CENTRAL ZONE.

CONVERSION FROM DEED TO STATE PLANE BASIS OF
BEARINGS: SOUTHERLY LINE OF LOT 2
DEED: N 88° 59' 32" W
STATE PLANE COORDINATES: N 89° 31' 53" W

BENCHMARKS

DNR GR-82
SOUTHEAST CORNER OF BATTLEFIELD ROAD AND
SOUTH KANSAS AVENUE, 27.5 FT. EAST OF THE CENTER
OF SOUTH KANSAS AVENUE, 13.8 FT. NORTHEAST OF A
CUT CROSS ON THE CURB; 8.0 FT. SOUTHEAST OF A
CUT CROSS ON THE CURB AND 8.3 FT. SOUTH OF A
CARSONITE WITNESS POST.
ELEVATION 1283.79

AZIMUTH MARK: 0.7 MILES SOUTH OF THE STATION AND
NEAR SOUTH KANSAS AVENUE AND WINKLER STREET
AT THE SE CORNER OF A CHURCH PARKING LOT, 20 FT.
WEST OF THE CENTER OF SOUTH KANSAS AVENUE; 22
FT. SOUTH OF THE DRIVE INTO THE PARKING LOT; 38.5
FT. SOUTHEAST OF A NAIL AND SHINER IN A POWER
POLE; AND 12.1 FT. NORTHEAST OF A CARSONITE
WITNESS POST AT A FENCE CORNER.

FLOODPLAIN NOTE:

According to FEMA Flood Insurance Rate Map for the City of
Springfield, Greene County, Missouri (Community-Panel
Number 29077C0339E, Dated: December 17, 2010), the
property lies within Zone "X" (other areas) and is determined
to be outside the 0.2% annual chance floodplain.

STANDARD LEGEND

- MONUMENT
- EXISTING IRON PIN
- SET IRON PIN
- MEASURED
- DEED
- WATER VALVE
- WATER METER
- FIRE HYDRANT
- POWER POLE
- LIGHTPOLE
- MANHOLE
- GAS
- WATER LINE
- GAS LINE
- SANITARY SEWER LINE
- OVERHEAD ELECTRIC
- RIGHT OF WAY LINE
- FENCE
- BUILDING
- EASEMENT
- EXISTING PAVING
- BUILDING SETBACKS

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS: THAT I, KENNETH M.
HEITHAUS, DO HEREBY CERTIFY THAT THIS PLAT WAS
PREPARED UNDER MY SUPERVISION FROM AN ACTUAL
SURVEY OF THE LAND HEREIN DESCRIBED PREPARED BY
KENNETH M. HEITHAUS, DATED FEBRUARY 20, 2013 AND
SIGNED BY KENNETH M. HEITHAUS L.S. NO. 1918 AND THAT
THE CORNER MONUMENTS AND LOT CORNER PINS
SHOWN HEREIN WERE PLACED UNDER THE PERSONAL
SUPERVISION OF KENNETH M. HEITHAUS L.S. NO. 1918 IN
ACCORDANCE WITH SECTION 410.5 OF THE SUBDIVISION
REGULATIONS, ARTICLE II, CHAPTER 36, OF THE CITY OF
SPRINGFIELD, GREENE COUNTY, MISSOURI, AND IN
ACCORDANCE WITH THE MINIMUM STANDARDS OF THE
STATE OF MISSOURI.



DATE PREPARED: 3/22/13
KENNETH M. HEITHAUS L.S. NO. 1918

Rev	Date	Description

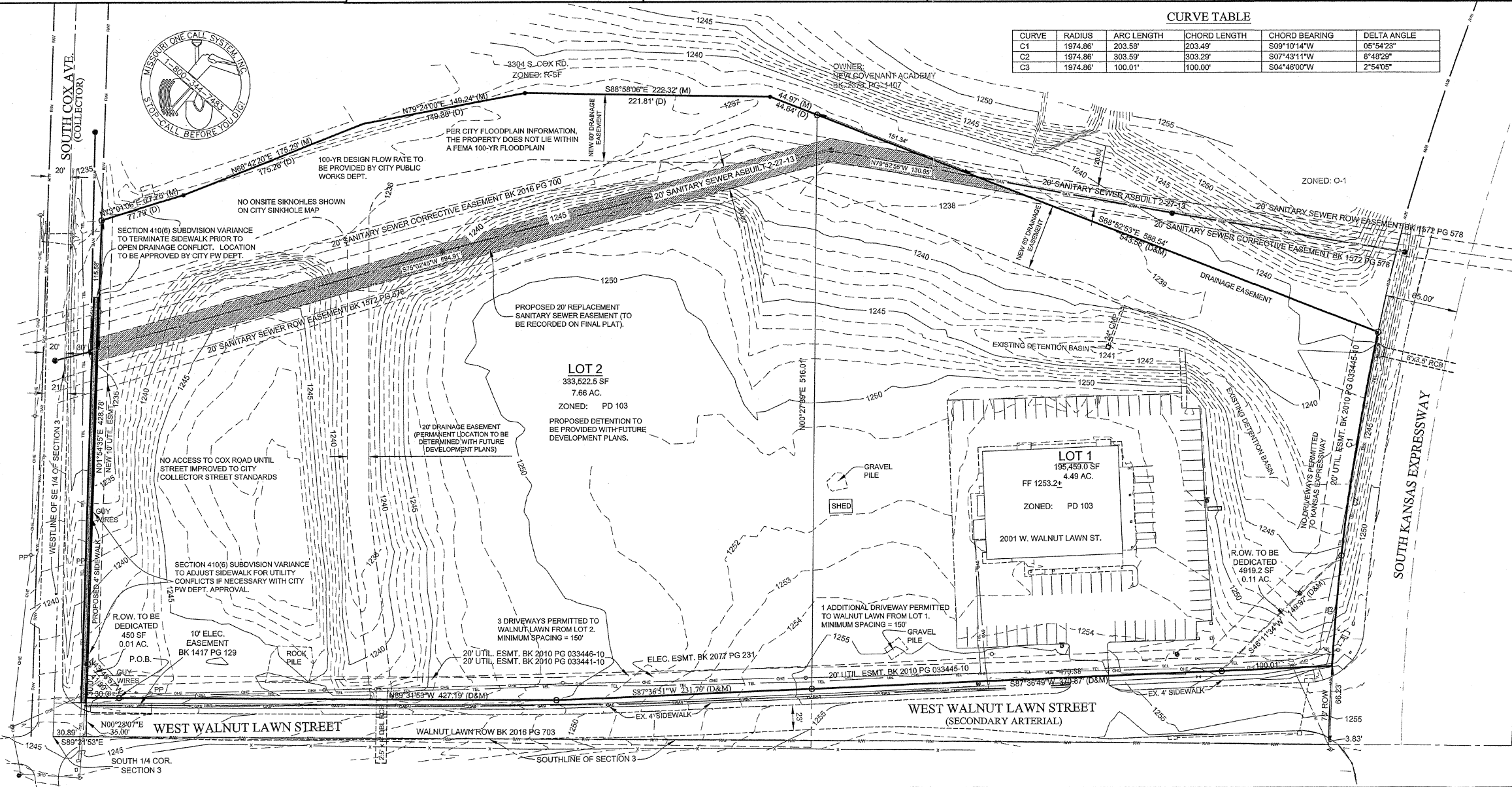
535 W. Battlefield St.
Springfield, MO 65807
(417) 887-3238
FAX (417) 887-1940
http://www.heithaus.com
HEI@heithaus.com

HEI

Heithaus Engineering & Assoc., Inc.
MO COA #201002970 (05/2010018887) (L.S.)

DEGRAFFENREID - WOOD SUBDIVISION
2001 W. WALNUT LAWN ST.
BEING A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER SECTION 3,
TOWNSHIP 28 NORTH, RANGE 22 WEST
OF THE 5TH PRINCIPAL MERIDIAN
CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI
PRELIMINARY PLAT

Design:	HEI
Drawn:	ANB
Checked:	KMH/TAD
Date:	3/22/13
Job No.	89046p
Dwg#	Prel Plat
Scale:	1" = 50'
SHEET	1
OF 1 SHEETS	



Zoning & Subdivision Report

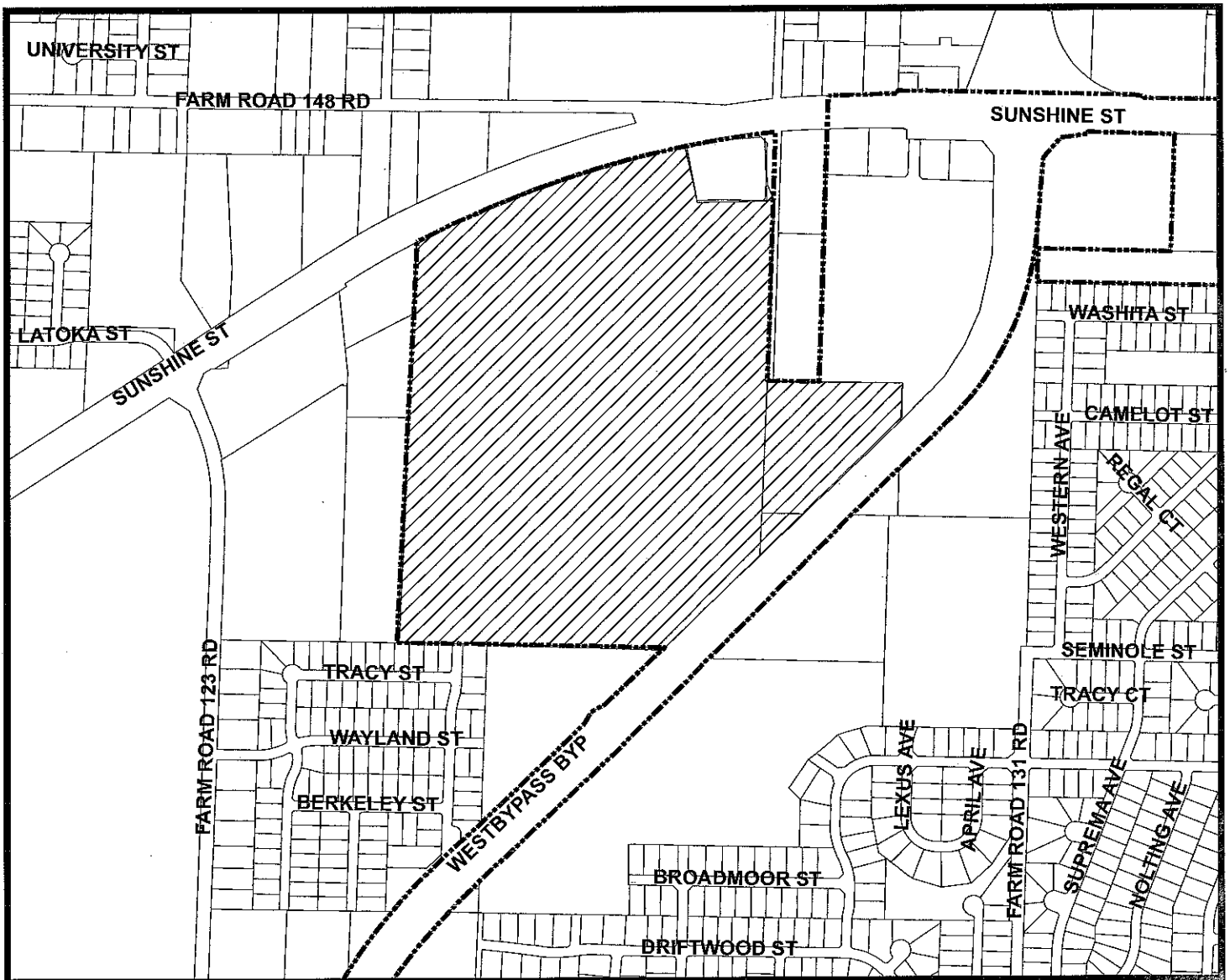
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Preliminary Plat of Springfield Plaza Phase

Location: 3800 West Sunshine Street

Current Zoning: HC, Highway Commercial w/
Conditional Overlay District #1

LOCATION SKETCH



- Area of Proposal



1 inch = 800 feet

Zoning & Subdivision Report

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

PRELIMINARY PLAT – SPRINGFIELD PLAZA PHASE 2

DATE: March 22, 2013

PURPOSE: To approve a preliminary plat to subdivide 96.31 acres into a ten (10) lot commercial subdivision.

BACKGROUND:

LOCATION: 3800 West Sunshine Street

APPLICANT: Springfield Plaza LLC

TRACT SIZE: Approximately 96.31 acres

EXISTING USE: Undeveloped land

PROPOSED USE: Uses permitted in the HC, Highway Commercial District in accordance with Conditional Overlay District #1.

RECOMMENDATION:

The request be **approved**.

FINDINGS:

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

CONDITIONS:

1. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.
 - a. Public sewer must be extended to serve each lot.

- b. All sewer easements will need to be designated on the Final Plat.
 - c. Sidewalks, in accordance with the *Subdivision Regulations*, shall be constructed on both sides of all internal streets and to the shoulders of adjacent roadways. Sidewalks shall not be required on Sunshine or West Bypass.
 - d. Construction on Sunshine Street to provide adequate accommodation for the McCurry Avenue intersection and installation of a traffic signal is required for the intersection of McCurry Avenue and Sunshine Street. Additional right-of-way may be required on McCurry Avenue as identified by the traffic impact analysis to provide for needed street width.
 - e. The proposed detention basin at the southwest corner of the subject tract must accept the discharge from the existing detention basin on Lots 15 and 16 of Western Hills Second Addition. The velocity of the runoff at the discharge of the southern basin shall be dissipated prior to discharge offsite.
 - f. Written permission from the Missouri Department of Transportation (MoDOT) shall be required for discharge from detention basins to state right-of-way. A determination by the Corps of Engineers shall be performed to determine if a 404 permit will be required to fill within the two defined waterways on the subject tract.
2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
- a. All proposed detention basins shall be located within common areas.
 - b. Thirty (30) feet of right-of-way shall be dedicated for Zimmer Road from Sunshine to Washita Street. A thirty (30) foot right-of-way triangle shall be dedicated at the southwest corner of the intersection. No additional right-of-way shall be required for either Sunshine Street or West Bypass. Seventy (70) feet of right-of-way shall be dedicated for Seminole Street. A right-of-way triangle, measuring two hundred forty-five (245) feet along the centerline of West Bypass and one hundred sixty-five (165) feet along the centerline of Seminole Street, shall be dedicated at the intersection of Seminole Street and West Bypass. Sixty (60) feet of right-of-way shall be dedicated for McCurry Avenue from Sunshine Street to Seminole Street. Fifty (50) feet of right-of-way shall be dedicated for McCurry Avenue south of Seminole. Sixty (60) feet of right-of-way shall be dedicated for Washita Street, Camelot Street, York Avenue and also for Zimmer between Washita and Camelot.
 - c. The location of Seminole Street at the western property line must be compatible with the Featherstone project in Greene County.

- d. No driveways shall be permitted to either Sunshine or West Bypass from any abutting lot. All internal driveways to internal streets shall be in accordance with City standards.
 - e. Notes shall be added to the common areas that they are drainage and detention easements.
- 3. 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.
 - 4. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.
 - 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:
Alana D. Owen, AICP
Senior Planner

ATTACHMENT A
BACKGROUND REPORT
PRELIMINARY PLAT – SPRINGFIELD PLAZA PHASE 2

APPLICANT'S PROPOSAL:

The applicant proposes to subdivide approximately 96.31 acres into a ten (10) lot commercial subdivision.

HISTORY:

The Preliminary Plat for Springfield Plaza was accepted by City Council on August 13, 2007. The Preliminary Plat was renewed in September 2009. A Final Plat for Springfield Plaza Phase 1 was recorded on May 17, 2011, which extended the preliminary plat for an additional two years. This request is to renew the remainder of the property included in the Springfield Plaza subdivision.

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not have any issues with the proposed renewal of this Preliminary Plat.

CITY UTILITIES COMMENTS:

CU has reviewed the preliminary plat. Depending on how the property develops, there could be larger than normal water mains installed. These mains could require easements larger than standard size. However until it gets to the public improvement design stage, the final sizing won't be determined. City Utilities recommends approval of preliminary plat renewal as submitted.

FIRE DEPARTMENT COMMENTS:

No comments.

TRAFFIC DIVISION COMMENTS:

The proposed renewal of this preliminary plat is acceptable to the Public Works Traffic Division.

STORMWATER COMMENTS:

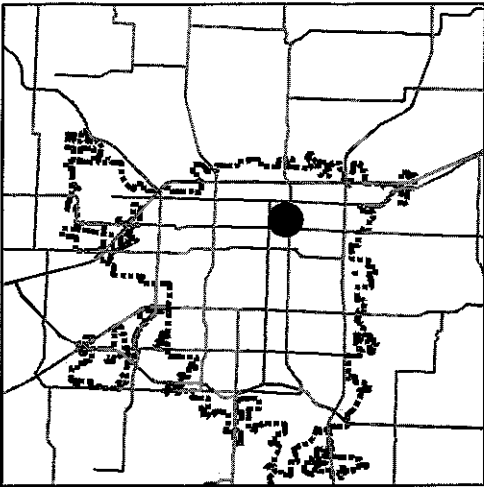
1. Maintain conformance to the stormwater design standards for public improvements
2. Add notes in the common areas shown that they are drainage & detention easements
3. The survey identifies a sinkhole in the common area adjacent to lot 9

SANITARY SEWER COMMENTS:

1. Submit public improvement plans and sewer easements to Public Works for review and approval. Sewer improvements must be constructed according to City standards.
2. Easements appear to be adequate for sewer however they will need to be specified as sewer easements on the final plat.
3. Final plat will not be able to be filed until public improvements have been built and accepted or escrowed. Escrows to be approved by the director of Public Works.

STAFF COMMENTS:

1. The applicant's request, with the conditions of approval listed in the staff report, is consistent with the City's *Subdivision Regulations*.
2. 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.



Zoning & Subdivision Report

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

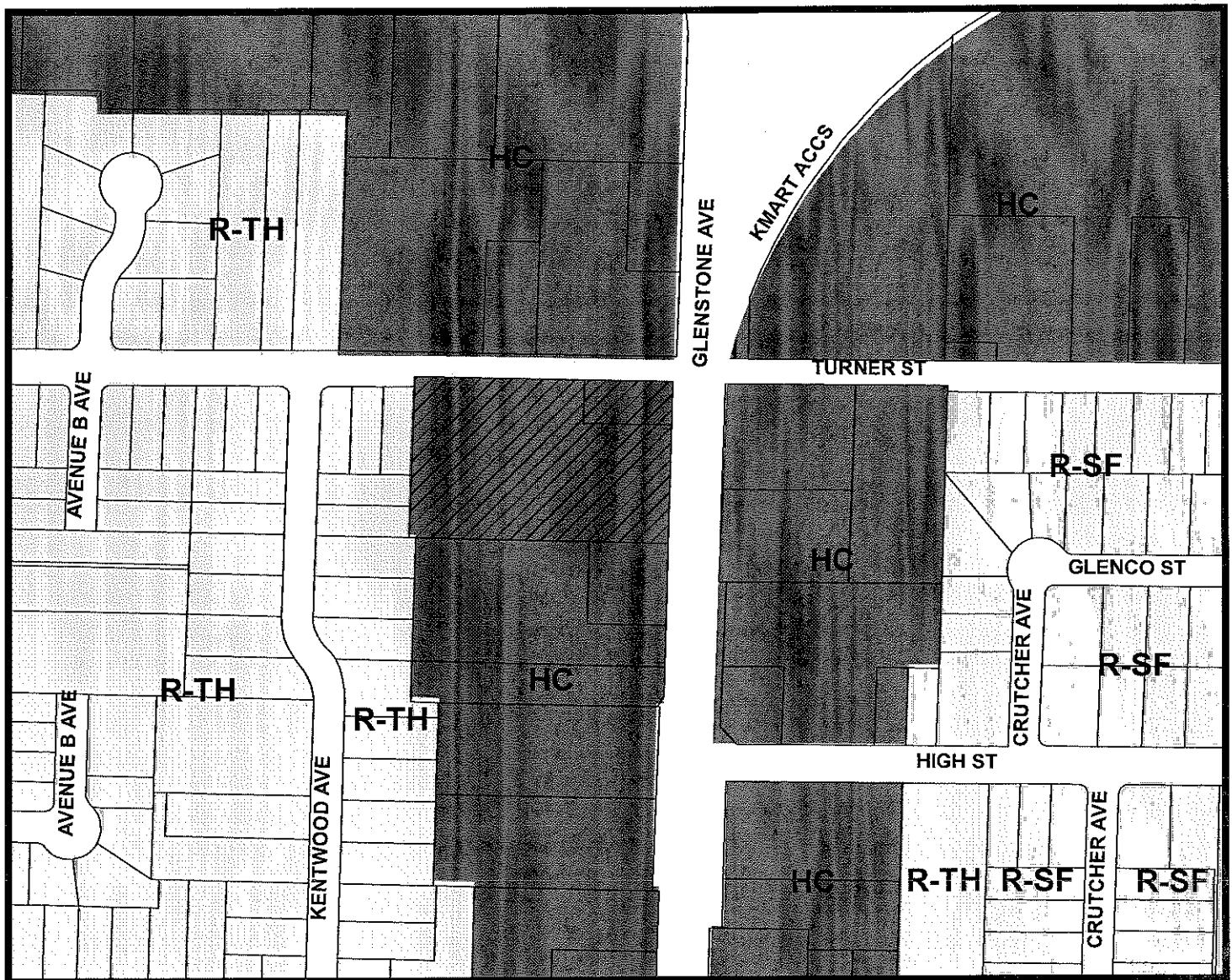
IN AND OUT SUBDIVISION

Location: 2233 and 2253 North Glenstone Ave.

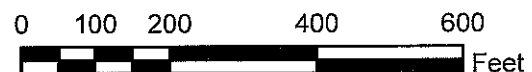
Current Zoning: HC, Highway Commercial District

Proposed Zoning: NA

LOCATION SKETCH



- Area of Proposal



1 inch = 259.953704 feet

EXPLANATION TO COUNCIL BILL NO. 2013 –

FILED: March 22, 2013

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To accept the dedication of the public streets and easements as shown on the Preliminary Plat of **IN AND OUT SUBDIVISION** generally located at 2253 and 2233 North Glenstone Avenue. (The Planning and Zoning Commission and Staff recommend that City Council accept the public streets and easements.)

BACKGROUND INFORMATION:

- A. See the legal description set forth on the Preliminary Plat of IN AND OUT SUBDIVISION dated March 25, 2013, the original of which is on file in the Department of Planning and Development, a reduced version of which is included for general reference in Exhibit A.
- B. The Planning and Zoning Commission held a public hearing on April 4, 2013 and approved the preliminary plat by a vote of ___ to ___, subject to the following conditions. The City Council will hold a public hearing on this case on April 22, 2013.
 - 1. All improvements shall be constructed in accordance with the “Design Standards for Public Improvements” of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.
 - a. Stormwater detention shall be provided for both lots on lot 2 with underground detention.
 - 2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. Five (5) feet of additional right-of-way shall be dedicated for Turner Street as shown on the Preliminary Plat.
 - 3. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.
 - 4. The developer shall be responsible for the relocation costs of any existing utility services and shall be responsible for clearing all utility easements of trees,

brush and overhanging tree limbs.

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

All required improvements shall be the sole responsibility of the sub-divider. 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 sub-divider 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.

Attached for Council information is a sketch showing the location of the plat area, an exhibit showing the proposed plat, and a copy of the Planning and Development Department staff report to the Planning and Zoning Commission.

REMARKS:

Staff recommends that City Council accept the public streets and easements.

Submitted by:

Bob Hosmer, AICP, Senior Planner

Mike MacPherson, Principal Planner

Greg Burris, City Manager

Zoning & Subdivision Report

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

PRELIMINARY PLAT – IN AND OUT SUBDIVISION

DATE: March 22, 2013

PURPOSE: To approve a preliminary plat to subdivide 2.26 acres into a two (2) lot commercial subdivision, including a subdivision variance.

BACKGROUND:

LOCATION: 2253 and 2233 North Glenstone Avenue

APPLICANT: Glenn Ray Atkins and Fast Lane Car Wash and Lube LLC

TRACT SIZE: Approximately 2.26 Acres

EXISTING USE: Developed land

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

RECOMMENDATION:

Approve the request, if the 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 the Planning and Zoning Commission finds that the standards for a subdivision variance approval have **not** been met, the plat must be revised.

FINDINGS:

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

CONDITIONS:

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

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

- a. Underground stormwater detention shall be provided for both lots on lot 2.
2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. Five (5) feet of additional right-of-way shall be dedicated for Turner Street as shown on the Preliminary Plat.
3. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.
4. The developer shall be responsible for the relocation costs of any existing utility services and shall be responsible for clearing all utility easements of trees, brush and overhanging tree limbs.
5. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations.

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

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Senior Planner

ATTACHMENT A
BACKGROUND REPORT
PRELIMINARY PLAT –IN AND OUT SUBDIVISION

APPLICANT'S PROPOSAL:

The applicant proposes to subdivide approximately 2.26 acres into a two (2) lot commercial subdivision with a subdivision variance request.

CITY UTILITIES COMMENTS:

1. Add 5-foot utility easement along Turner and Glenstone Avenue to frontage for possible future utility renewal work.
2. Add a 10-foot utility easement centered on the underground electric line running from Glenstone west to transformer. Extend this easement north to the north line of lot 2. This will allow lot 1 access to electric service from the transformer if required in the future.
3. The revised plat with the easements shown is acceptable to City Utilities.

TRAFFIC DIVISION COMMENTS:

1. A Joint access & driveway closure of drives at Glenstone & Turner are shown on the plat. MoDOT has verified the driveway closure on Glenstone.
2. A 30 X 30 right of way sight triangle is shown at Glenstone & Turner. MoDOT has approved this in the form of an easement.
3. Access restrictions on Glenstone are noted as well as access on Turner St. 75 feet from Glenstone.
4. Additional right of way on Turner Street and Glenstone Avenue are shown. MoDOT has verified the additional right of way on Glenstone.
5. Sidewalk along the property frontage on Glenstone and Turner is shown. MoDOT has verified sidewalks are required on Glenstone.
6. No other issues to address. Plat is approved.

The proposed preliminary plat is acceptable.

STORMWATER COMMENTS:

There will be an underground stormwater detention and water quality provided for both lots on lot 2 as shown on the Preliminary Plat.

SANITARY SEWER COMMENTS:

The Preliminary Plat is acceptable.

FIRE DEPARTMENT COMMENTS:

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

BUILDING DEVELOPMENT SERVICES:

Preliminary Plat is acceptable to Building Development Services.

STAFF COMMENTS:

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

ATTACHMENT B
APPROVAL CRITERIA
PRELIMINARY PLAT – IN AND OUT SUBDIVISION

The applicant is requesting a subdivision variance from Section 403(9) of the Subdivision Regulations that establishes the required right-of-way widths based on the classification of the streets. The applicant is requesting a variance to modify the required right-of-way on Turner Street. Turner Street is classified as a Local - Residential Street. Based on the street classifications, a fifty (50) foot right of way width is required. The applicant is providing a modified right-of-way as shown on the Preliminary Plat.

The Subdivision Regulations, Section 106, Variances 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 existing Turner Street is constructed almost completely in the existing 35' right of way. Turner Street is an existing local street that will probably never be changed. An additional 15' of right of way is excessive and not needed. An additional 5' right of way for a total of 40' would be acceptable. It also does not enable the full development of the site by restricting the width to not allow the necessary building and parking to be placed on the property within setbacks and buffers.

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

APPLICANT'S RESPONSE:

As mentioned above, the excessive and unnecessary right of way requirement takes land owned by the applicant that will never be needed by the City of Springfield therefore not allowing the property owner use.

- (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 granting of this variance would not affect any property in the vicinity or public safety, convenience or welfare due to the fact that Turner Street is completely functional. Traffic engineering has agreed with allowing only 5' of additional right of way.

ZONING & SUBDIVISION REPORT

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

Redevelopment Plan for the Woodruff Redevelopment Area

DATE: March 22, 2013

PURPOSE: To approve the Redevelopment Plan for the Woodruff Redevelopment Area.

LOCATION: Generally located along the west side of North Jefferson Avenue between East Olive Street and Park Central East (331 Park Central East).

APPLICANT: Woodruff Redevelopment Corporation

STAFF RECOMMENDATION:

Staff recommends the Redevelopment Plan for the Woodruff Redevelopment Area be approved.

FINDINGS:

The Redevelopment Plan for the Woodruff Redevelopment Area is in conformance with the *Springfield-Greene County Comprehensive Plan*.

STAFF CONTACT:

Matt D. Schaefer
Senior Planner

ATTACHMENTS:

Attachment A: Background Report
Exhibit 1: Legal Description
Exhibit 2: Location Map
Exhibit 3: Redevelopment Plan

ATTACHMENT A
REDEVELOPMENT PLAN FOR THE WOODRUFF REDEVELOPMENT AREA
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The Woodruff Redevelopment Corporation has filed an application requesting partial real property tax abatement pursuant to Chapter 353, Missouri Revised Statutes (RSMo) for a proposed redevelopment project located approximately two blocks east of Park Central Square along the west side of North Jefferson Avenue between East Olive Street and Park Central East (*Exhibits 1 and 2*). The application includes a redevelopment plan, which the Springfield Planning and Zoning Commission shall review for conformance to the *Springfield-Greene County Comprehensive Plan (Exhibit 3)*.

The Woodruff Redevelopment Area consists of two parcels (0.42 acres), which encompass the site of the Woodruff Building and an adjoining parking lot. The Woodruff Building was constructed in 1909 and is listed as a contributing structure in Springfield Public Square National Historic District. The Building functioned as a multi-tenant commercial office building. However, it has experienced a decline in occupancy in recent years and now sits vacant and in need of rehabilitation. The Redevelopment Plan proposes to rehabilitate and convert the Building into a residential and commercial mixed-use development that will feature three commercial units on the first floor and 96 market-rate residential apartment units on the upper floors (floors 2-10). The project will include several residential amenities including a theater room, outdoor pool, community gathering space, bellman/concierge, adjacent off-street parking, storage units, and a fitness area. Exterior renovations will include replacing windows, repairing/replacing the roof, repairing existing masonry, and restoring the exterior paneling in accordance with the *Secretary of the Interior's Standards for Rehabilitating Historic Properties*.

COMPREHENSIVE PLAN:

1. According to the *Springfield Area Land Use Plan*, the area in and around the Woodruff Redevelopment Area is classified as "Greater Downtown." This land use category allows and promotes high-intensity office, retail, housing, academic, and public land uses, preferably in mixed-use buildings with a strong pedestrian orientation. The Plan identifies the Center City District as the most appropriate zoning district. The Woodruff Redevelopment Area is zoned CC, Center City, and will contain a mix of high-density multi-family residential and commercial uses. The proposed redevelopment will also have a strong pedestrian orientation due to its location in downtown Springfield and its close proximity to public transit, retail shops, parks, restaurants, entertainment venues, and other downtown amenities.
2. The *Center City Plan Element* of the *Springfield-Greene County Comprehensive Plan* notes that the Center City area suffers from physical deterioration and economic obsolescence. The Redevelopment Plan addresses those issues.
3. An objective of the *Center City Plan Element* is to "Reestablish a unique position for Greater Downtown within the larger marketplace; one that is of value to the community

and its residents.” One of the recommended actions for achieving that objective is to promote the emergence of a residential base in Greater Downtown. The Plan mentions that Greater Downtown housing can utilize vacant building space and help create round-the-clock activity, which should be a top priority. It also states that available incentives should be considered for such projects.

STAFF COMMENTS:

1. The proposed Redevelopment Plan is one component of the applicant’s request to obtain tax abatement pursuant to Chapter 353, RSMo (Chapter 353 Tax Abatement). Chapter 353 Tax Abatement is an economic development incentive used to encourage redevelopment of blighted areas by providing up to 25 years of partial real property tax abatement. To be eligible for the abatement, the subject property must meet the definition of blight contained in the statute. Additionally, the applicant must demonstrate that the project will provide a measurable public benefit and that it would not occur but for the abatement.

The applicant is required to submit a highly detailed application, as well as undergo a lengthy review process, which includes notifying the taxing jurisdictions (i.e. school district, county, library district, etc.) and attending public hearings before the LCRA, Planning and Zoning Commission, and City Council.

The Land Clearance for Redevelopment Authority (LCRA) will review this project on April 2, 2013 and make a recommendation as to whether the Area should be declared a blighted area.

The Planning and Zoning Commission’s responsibility is to review the Redevelopment Plan for conformance with the Comprehensive Plan and make a recommendation regarding the same to City Council.

2. The City of Springfield has issued a \$735,000 Small Business Development Loan to the Developer to assist in the acquisition of the Woodruff Building. Actual construction of the project will be contingent on obtaining special financing from the US Department of Housing and Urban Development (HUD) Section 221(d)(4) loan program. Under this program, approved projects may be financed under more favorable terms than conventional financing. The Developer has submitted a preliminary application to HUD and is currently awaiting an invitation to proceed with a full application.
3. The proposed Redevelopment Project will include removal of asbestos and lead-based paint. To assist with environmental remediation, the City has issued to the Developer a \$225,000 loan from its Brownfields Revolving Loan Fund. The conditions of the loan require the Developer to enroll in the Missouri Department of Natural Resources (MDNR) Voluntary Cleanup Program, complete a DNR-approved cleanup plan prior to cleanup, and follow all applicable local, state, and federal requirements.
4. The Redevelopment Project will utilize both federal and state historic tax credits. In order to qualify for those credits, the rehabilitation must comply with the *Secretary of the Interior’s Standards for Rehabilitation*.

EXHIBIT 1
REDEVELOPMENT PLAN FOR THE WOODRUFF REDEVELOPMENT AREA
LEGAL DESCRIPTION

TRACT I:

BEGINNING AT THE SOUTHWEST CORNER OF LOT TWENTY-SIX (26) IN BLOCK SEVEN (7), ORIGINAL PLAT OF THE TOWN (NOW CITY) OF SPRINGFIELD, MISSOURI; RUNNING THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 110 FEET AND 6 INCHES FOR A BEGINNING POINT; THENCE NORTH 117.58 FEET TO THE NORTH LINE OF SAID LOT TWENTY-SIX (26); THENCE WEST ALONG THE NORTH LINE OF SAID LOT, 25 FEET; THENCE SOUTH 117.58 FEET TO THE SOUTH LINE OF SAID LOT TWENTY-SIX (26); THENCE EAST TO THE PLACE OF BEGINNING, EXCEPTING FROM THE ABOVE THE EAST 4 FEET THEREOF.

ALSO, BEGINNING 75.24 FEET WEST OF THE SOUTHEAST CORNER OF LOT THIRTEEN (13), IN BLOCK SEVEN (7), ORIGINAL PLAT OF THE TOWN (NOW CITY) OF SPRINGFIELD; THENCE NORTH 20.5 FEET; THENCE WEST 25 FEET; THENCE SOUTH 20.5 FEET; THENCE EAST 25 FEET TO THE PLACE OF BEGINNING, BEING A PART OF LOT THIRTEEN (13).

ALSO, THE EAST 78 FEET OF LOT TWENTY-SIX (26), BLOCK SEVEN (7), ORIGINAL PLAT OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

ALSO, A STRIP OF GROUND HAVING A WIDTH OF APPROXIMATELY 4 FEET EAST AND WEST AND A DEPTH OF 117.5 FEET NORTH AND SOUTH, USED AS AN AREA WAY BETWEEN THE WOODRUFF BUILDING AND THE BUILDING KNOWN AS THE MCCANN BUILDING.

TRACT II:

BEGINNING ON THE WEST RIGHT-OF-WAY LINE OF JEFFERSON AVENUE, 21.60 FEET SOUTH OF THE NORTHEAST CORNER OF LOT THIRTEEN (13), BLOCK SEVEN (7), OF THE ORIGINAL TOWN OF SPRINGFIELD, MISSOURI, BEING A PART OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION TWENTY-FOUR (24), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-TWO (22); THENCE SOUTHERLY ALONG THE EAST SIDE OF SAID LOT THIRTEEN (13), 61.40 FEET; THENCE WESTERLY WITH A DEFLECTION ANGLE TO THE RIGHT OF 89°38'00" A DISTANCE OF 75.73 FEET; THENCE SOUTHERLY 13.99 FEET; THENCE WESTERLY A DISTANCE OF 25 FEET; THENCE NORTHERLY A DISTANCE OF 98.31 FEET TO A POINT ON THE NORTH LINE OF SAID LOT THIRTEEN (13), 100.25 FEET WEST OF THE NORTHEAST CORNER OF SAID LOT THIRTEEN (13); THENCE TO THE SOUTHEAST ON A CURVE TO THE RIGHT WITH AN INTERIOR ANGLE OF 17°40' AND A RADIUS OF 225.78 FEET, A DISTANCE OF 69.63 FEET; THENCE SOUTHEASTERLY ON A LINE TANGENT TO LAST DESCRIBED POINT, A DISTANCE OF 33.08 FEET TO THE POINT OF BEGINNING, ALL IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

EXCEPT:

COMMENCING AT THE NORTHEAST CORNER OF LOT THIRTEEN (13), BLOCK SEVEN (7), IN THE ORIGINAL TOWN OF SPRINGFIELD, MISSOURI; THENCE WEST ALONG THE NORTH LINE OF SAID LOT THIRTEEN (13), A DISTANCE OF 100.25 FEET TO THE NORTHWEST CORNER OF THE JEFFERSON-OLIVE PARKING LOT TRACT AS DESCRIBED HEREINABOVE FOR A POINT OF BEGINNING; THENCE SOUTH AND MAKING A DEFLECTION ANGLE OF 89°18'32" TO THE LEFT FROM THE NORTH LINE OF SAID LOT THIRTEEN (13), AND ALONG THE WEST LINE OF THE AFORESAID JEFFERSON-OLIVE PARKING LOT TRACT, A DISTANCE OF 83.10 FEET; THENCE EAST AND MAKING A DEFLECTION ANGLE OF 90°41'28" TO THE LEFT FROM THE LAST DESCRIBED COURSE AND RUNNING PARALLEL WITH THE NORTH LINE OF SAID LOT THIRTEEN (13), A DISTANCE OF 22.33 FEET; THENCE NORTH AND MAKING A DEFLECTION ANGLE OF 89°18'32" TO THE LEFT FROM THE LAST DESCRIBED COURSE, A DISTANCE OF 82.00 FEET TO THE PRESENT SOUTH LINE OF OLIVE STREET, SAID POINT BEING 1.10 FEET SOUTH OF THE NORTH LINE OF SAID LOT THIRTEEN (13); THENCE NORTHWESTERLY ALONG THE SOUTH LINE OF SAID OLIVE STREET; BEING ON A CURVE, SAID CURVE HAVING A DELTA ANGLE OF 17°40' AND A RADIUS OF 225.78 FEET, A CURVED DISTANCE OF 22.66 FEET TO THE POINT OF BEGINNING, BEING THE POINT OF CURVE OF THE AFORESAID DESCRIBED CURVE, ALL BEING A PART OF LOT THIRTEEN (13), BLOCK SEVEN (7), OF THE ORIGINAL TOWN OF SPRINGFIELD, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

EXHIBIT 2
REDEVELOPMENT PLAN FOR THE WOODRUFF REDEVELOPMENT AREA
LOCATION MAP



EXHIBIT 3
REDEVELOPMENT PLAN FOR THE WOODRUFF REDEVELOPMENT AREA
REDEVELOPMENT PLAN

The Woodruff Building is a contributing structure in the Springfield Public Square National Historic District and is situated within the Woodruff Redevelopment Area. As part of this Redevelopment Plan, the Woodruff Building will undergo historic renovation and will be transformed from a commercial office building into upscale apartments with restaurant spaces as well as other tenant used facilities.

The Woodruff Building located at 331 Park Central East and originally constructed in 1909, consists of two parcels, which will be redeveloped into a ten-story apartment building consisting of 96-apartment units and 5,486 square feet of commercial space totaling three suites. The building contains approximately 102,807 square feet of gross building area and 69,198 square feet of net rentable area. The project will be located on two parcels with a total site area of .42 acres, or 17,424 square feet.¹ The Redevelopment Area will be designed based on a metropolitan or higher-end project instead of a loft apartment building. The project will be the largest apartment development built in downtown Springfield to date.

Framing will be poured in place concrete frame and floors. The foundation will consist of stone and brick with a full basement. Exterior walls will be concrete panels and brick. Since the Woodruff Building is a contributing structure in the Springfield Public Square National Historic District, windows will be single hung, double pane glass in aluminum frame, per historic renovation requirements, and the roof will feature a flat, rubber membrane roof. Additionally, asbestos will be removed from the Redevelopment Area and lead based paint will be remediated. These proactive actions ensure a safe place for the tenants of The Woodruff.

The first floor will consist of a leasing office, community area, bellman, theater, access to the outdoor pool, three commercial suites totaling 4,206 square feet that front Park Central East, and a commercial/office suite totaling 1,080 square feet that fronts Jefferson Avenue.

All of the units will have superior quality and amenities than the other competing properties in the local market. The residential amenity package will contain a theater room, outdoor pool (with raised fencing), community room, bellman/concierge, adjacent surface parking and optional garage parking, individual storage units and a fitness area.

There will be a mixture of studio, one, two, and three bedroom units. The layouts of the respective floor plans are similar to those of the direct competition. Projected floor plans, building elevations, and site plan are attached and incorporated herein as Exhibit E. Unit floor plans feature an entry into a hallway or the living area, an open kitchen, a master bath in select plans, and an open living area layout. Bedrooms and living areas will have faux wood laminate flooring or carpet and the walls and ceilings will be painted and finished. Bathrooms will contain ceramic tile flooring, tub/shower combination with

¹ See Exhibit E: Site Map

select units having a ceramic tile shower, wood cabinets with under counter storage, and laminate or tile counter tops.. All units will have a "wall" or "galley" shaped kitchen with wood cabinets, faux wood flooring, and granite counter tops. Appliances will be energy star, stainless steel and include a refrigerator with an ice maker, an electric oven/range combination, a double sink with disposal, a dishwasher, and a microwave with a hood. Each unit will be wet sprinklered with a hard wired fire alarm and will contain washer/dryer. Rents were projected with the tenant responsible for all utilities except water and sewer, which will be provided by the landlord.

The subject property will generate income from 5,486 square feet of commercial space to be located on the first floor of the building. The space is divided into three suites—a 1,080 square foot office space, a 2661 square foot restaurant space with an 875 square foot restaurant courtyard, and an 870 square foot coffee shop. The leases are anticipated to be rented on a modified gross basis with tenants responsible for trash, gas, and electricity. The landlord will provide water/sewer, as well as building taxes and insurance.

There will be a total of 150 surface parking spaces provided in a nearby property as well as a parking garage located immediately south of the property lot that is operated by the owner of the garage with spaces for lease. The intent is for the developer to enter into a lease agreement with the owner of the garage for additional spaces and not charge parking to the residents. The parking is 1.56 spaces per unit. With parking at 150 proposed spaces, it is not considered to be an issue. Furthermore, the vast majority of downtown units do not have any on-site parking, making the subject more attractive to potential tenants. The commercial space patrons will utilize current on-street parking and the numerous public parking garages located downtown.

The Redevelopment Area is located within the, CC, Center City, which is discussed in detail in the Center City Element of the Springfield-Greene County Comprehensive Plan. This plan is the City's guide for private investments and public improvements for a major part of central Springfield. It describes the overall tone of Center City as an area of the City that is in need of revitalization and new investment that will also preserve and enhance historic properties and landmarks.² The Growth Management and Land Use Element of the Springfield-Greene County Comprehensive Plan designates the area, in and around the Redevelopment Area, to be in the Greater Downtown District. As the Land Use category allows and promotes retail businesses, office buildings, industry, housing, and parking, the Redevelopment Area will focus primarily on promoting housing and retail businesses with an emphasis on pedestrian orientation. Center City consists of several distinct districts, one of which is the Greater Downtown District. The Redevelopment Area is located in the center of this district, approximately one block east of Park Central Square. One of the Center City Plan Element's overall goals is for the Greater Downtown District to be a well-maintained, attractive and inviting environment alive with business, shopping, and visitors.³ One of the Plan's recommended actions for achieving this goal of creating a vibrant, mixed-use urban

² See Center City Plan Element

³ See Center City Plan Element

center is to promote the emergence of a residential case in Greater Downtown.⁴ The Center City Plan Element suggests that the Greater Downtown housing can utilize vacant building space and help create round-the-clock activity, so it should be a top priority.⁵ The Center City Plan Element further explains that although there are a number of small loft projects, the potential depth of the Greater Downtown housing market remains untapped.⁶

By redeveloping the Woodruff Building, all of the aforementioned will be met in compliance with all applicable building and zoning regulations. It is important that the community work to fill the empty spaces between buildings, bring housing into every district, and create areas that combine housing, jobs and entertainment uses. The City, in turn, should encourage infill development on underutilized sites to reinforce and re-knit the pattern of buildings, to fill the voids, and to expand the volume of this Greater Downtown district.

⁴ See Center City Plan Element

⁵ See Center City Plan Element

⁶ See Center City Plan Element

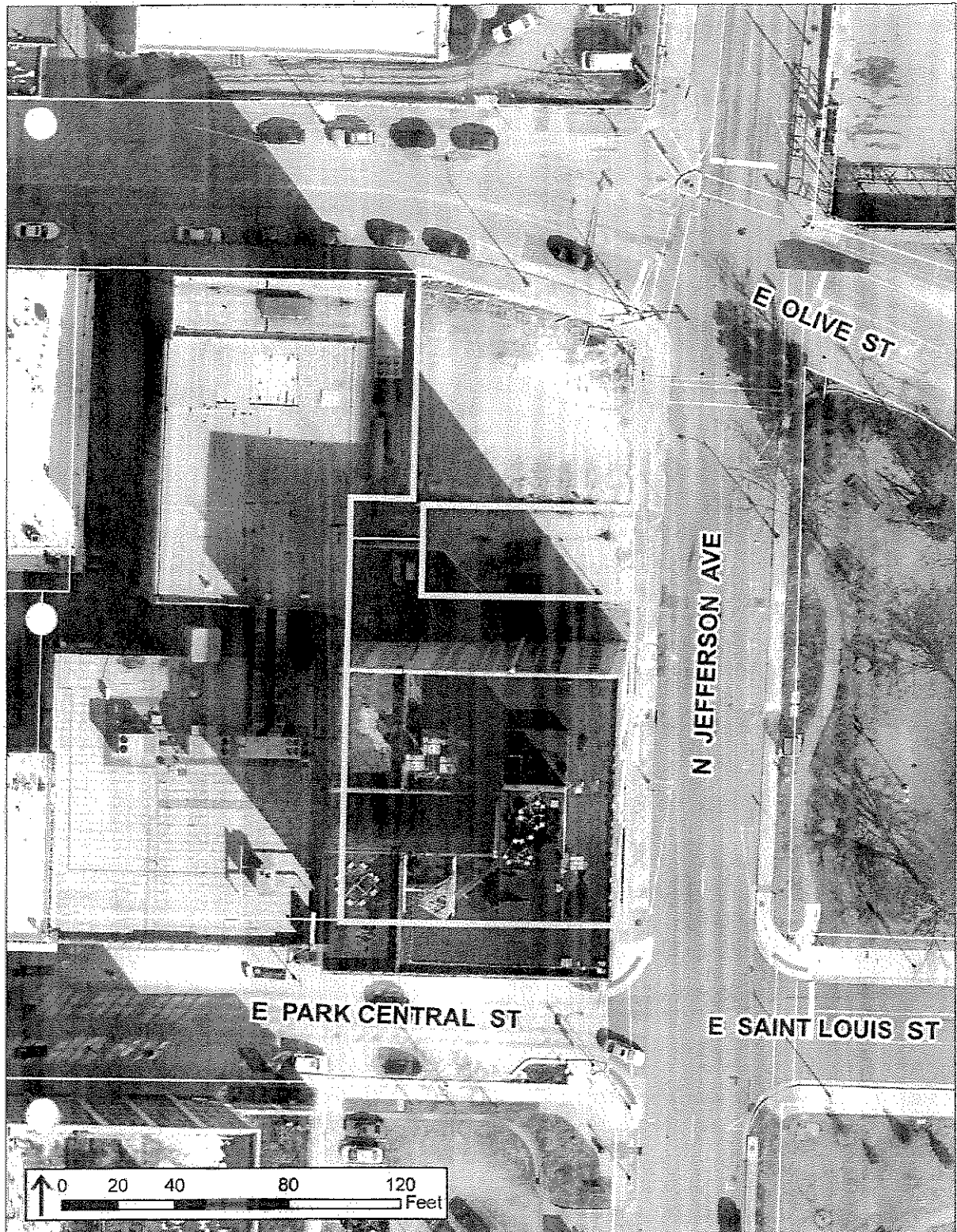
Project Stages & Timing Woodruff Redevelopment Springfield, Missouri

The subject property is currently under the applicant's control via Warranty Deed.

This project is being financed through a HUD 221(d)(4) loan. Although this is a lengthy process (up to a year total), the benefits to the project far out-weigh the delayed commencement of the project construction. An initial conference with HUD at the Kansas City Regional office in July 2012 resulted in a preliminary approval for the project.

The full application has been submitted to HUD, with approval expected the beginning of March 2013. The firm submission and closing on this loan is anticipated to be in October 2013. The construction of the Woodruff is scheduled to take approximately one year. Occupancy should occur about October 1, 2014.

Exhibit E
Site Map and Floor Plans for Redevelopment Area





ARCHITECTURE | INTERIOR DESIGN
1000 N. 10TH ST., SUITE 100
DENVER, CO 80202
TEL: 303.733.1111
WWW.BUXTONKUBIKDODD.COM

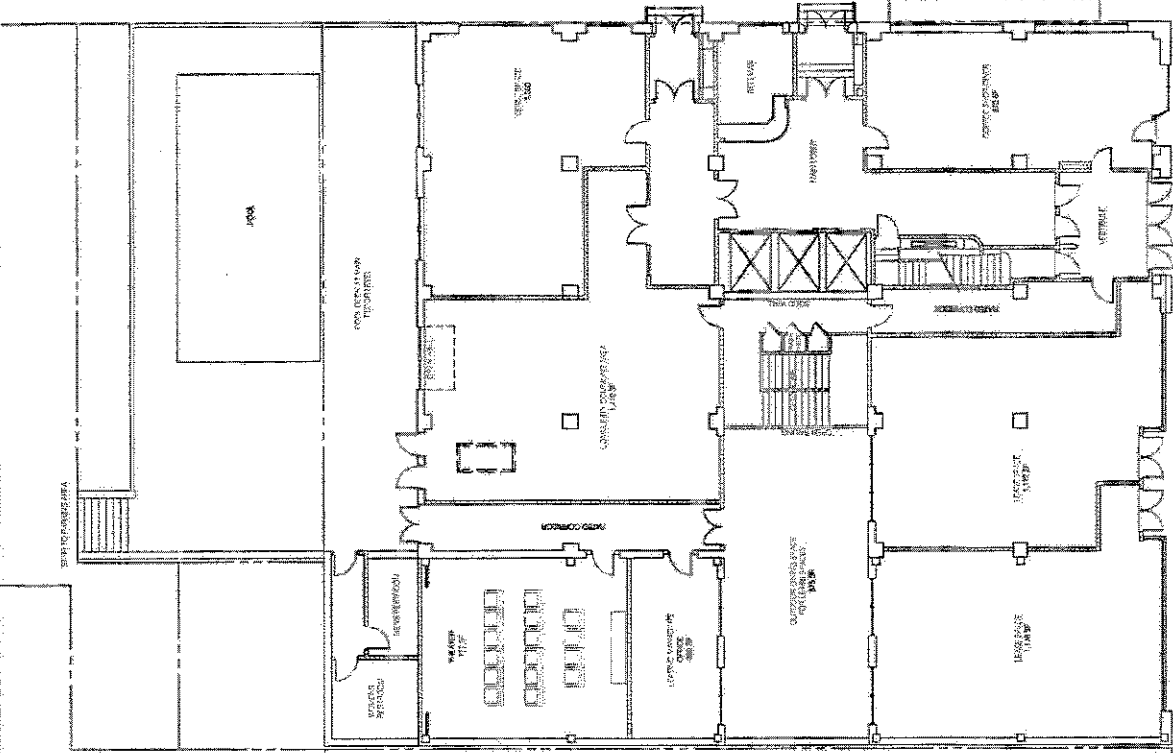
SCHEMATIC DESIGN
WOODRUFF BUILDING
HISTORIC RENOVATION
SPRINGFIELD, MASSACHUSETTS

DATE: 01/11/11

W11.0
WOODRUFF BUILDING - SCHEMATIC MAIN FLOOR PLAN AND OUTSIDE POOL DECK

SCALE: 1/8" = 1'-0"

JEFFERSON AVENUE



WOODRUFF BUILDING - SCHEMATIC MAIN FLOOR PLAN AND OUTSIDE POOL DECK



PROJECT:
SCHEMATIC DESIGN
WOODRUFF BUILDING
HISTORIC RENOVEL

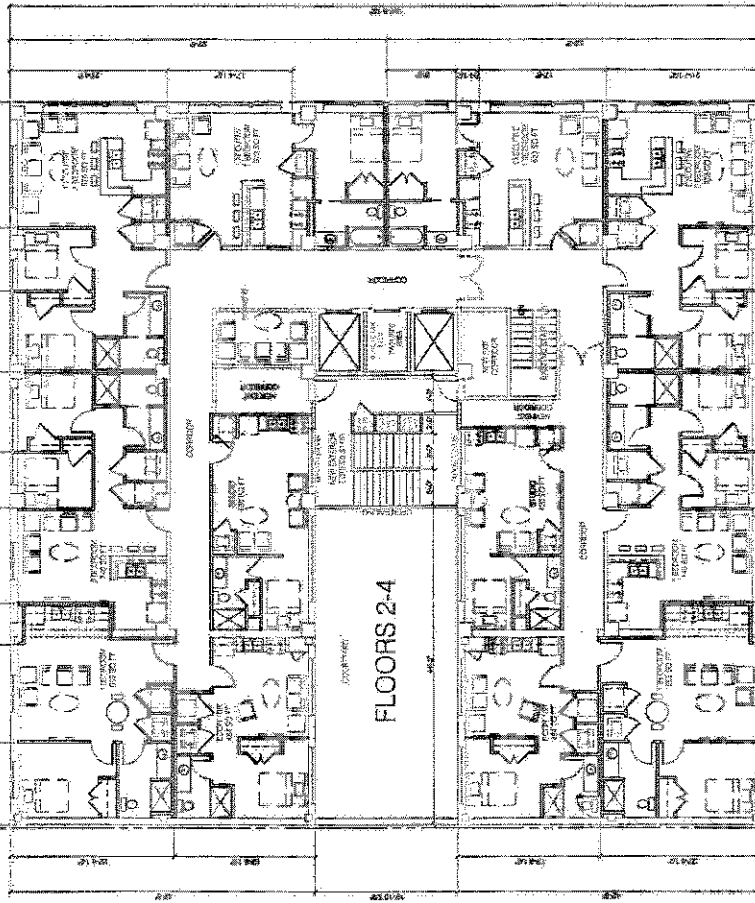
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SPRINGFIELD, MISSOURI

10/17/2017

W11.1
WOODRUFF TOWER PLAN

W11.1
WOODRUFF TOWER PLAN

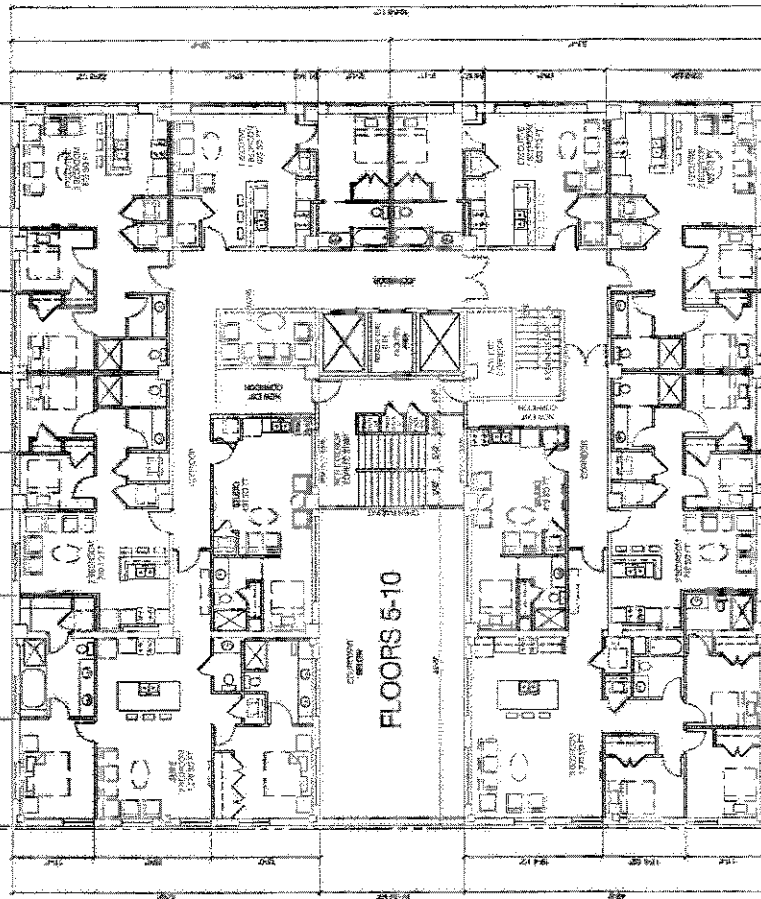
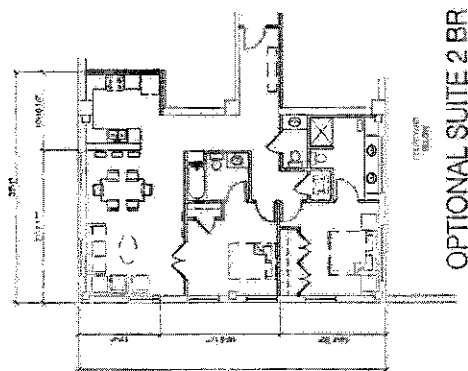
JEFFERSON AVENUE



PARK CENTRAL EAST

WOODRUFF BUILDING - SCHEMATIC TOWER PLAN - FLOORS 2-4 1 1
SCALE: 1/8" = 1'-0"

JEFFERSON AVENUE



PARK CENTRAL EAST



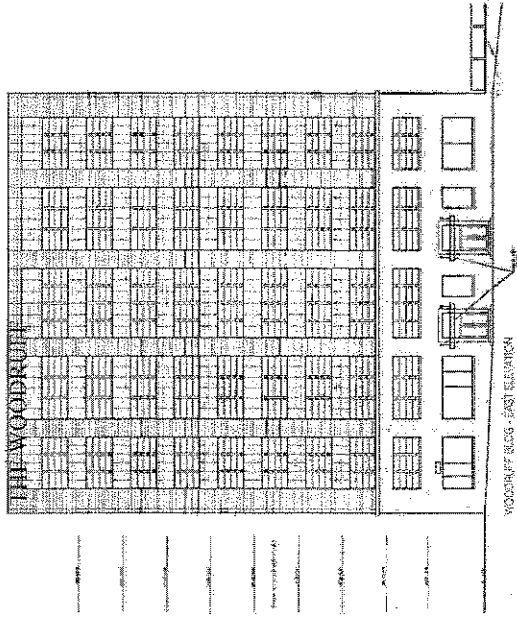
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WOODRUFF BUILDING
HISTORIC RENOVEL

SPRINGFIELD, MISSOURI

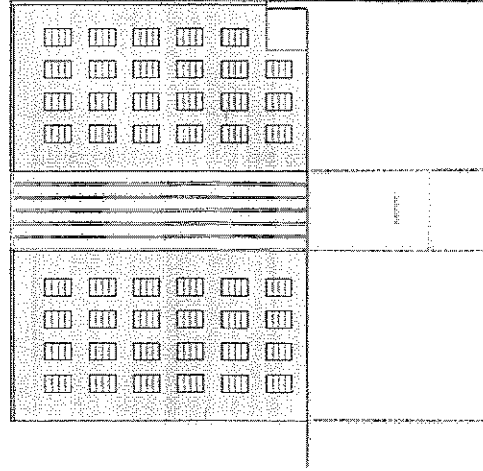
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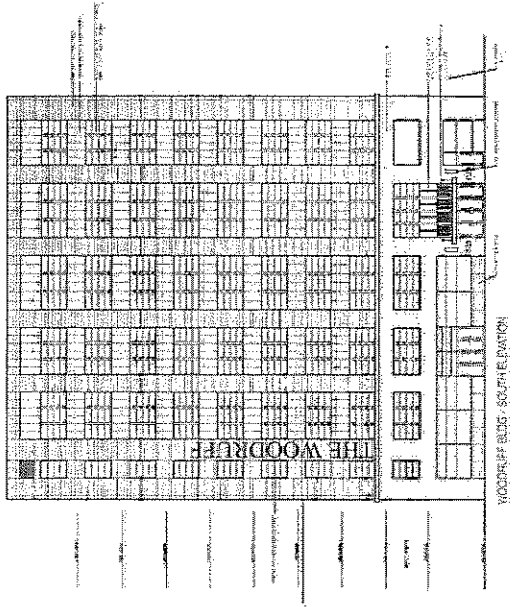
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SCHEMATIC DESIGN PLAN



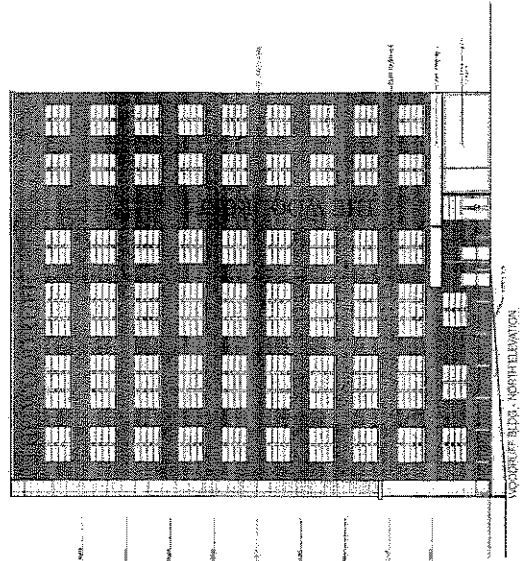
WOODRUFF BLDG - EAST ELEVATION



WOODRUFF BLDG - WEST ELEVATION



WOODRUFF BLDG - SOUTH ELEVATION



WOODRUFF BLDG - NORTH ELEVATION

WOODRUFF BUILDING - SCHEMATIC ELEVATIONS
SCALE: 1/8" = 1'-0"
1
AS SHOWN

**Rendering
Woodruff Redevelopment
Springfield, Missouri**

