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5. Subdivision Variance No. 344 (PDF)

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6. Vacation 756 (PDF)

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7. Z-05-2013 W/Conditional Overlay District No. 57 (PDF)

Documents: [Z-05-2013 W CONDITIONAL OVERLAY DISTRICT NO. 57 \(PDF\).PDF](#)

8. Z-06-2013 (PDF)

Documents: [Z-06-2013 \(PDF\).PDF](#)

9. Z-07-2013 W/Conditional Overlay District No. 59 (PDF)

Documents: [Z-07-2013 W CONDITIONAL OVERLAY DISTRICT NO. 59 \(PDF\).PDF](#)

10. Z-08-2013 W/Conditional Overlay District No. 58 (PDF)

Documents: [Z-08-2013 W CONDITIONAL OVERLAY DISTRICT NO. 58 \(PDF\).PDF](#)

11. Westwood Hills 3rd Addition Renewal (PDF)

Documents: [WESTWOOD HILLS 3RD ADDITION RENEWAL \(PDF\).PDF](#)

12. Residential Uses In HC District (PDF)

Documents: [RESIDENTIAL USES IN HC DISTRICT \(PDF\).PDF](#)

13. Street Name Change 73 (PDF)

Documents: [STREET NAME CHANGE 73 \(PDF\).PDF](#)

Planning & Zoning Commission Agenda

May 2, 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: April 18, 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.)

Consent Items:

- | | |
|---|--------------------------------------|
| 1. Relinquish Easement 791
(500 block North Benton, w/s) | Advocates of Healthy Community, Inc. |
| 2. Subdivision Variance 343
(3536 West Mount Vernon) | Wal-Mart Real Estate Business Trust |
| 3. Subdivision Variance 344
(3370 East Montclair Street) | EAS Investment Enterprises, Inc. |

Hearings:

Vacations:

- | | |
|--|---------------------------|
| 4. Vacation 756
(600 block South Florence Avenue) | Missouri State University |
|--|---------------------------|

Zoning:

- | | |
|--|---------------------------------|
| 5. Z-05-2013 w/Conditional Overlay District No. 57
(3049 West Latoka Street) | Macedonia Baptist Church |
| 6. Z-06-2013
(1918 South Ingram Mill Road) | Aimee Plumlee |
| 7. Z-07-2013 w/Conditional Overlay District No. 59
(1126 East Cherokee) | One Hundred Two Glenstone, Inc. |
| 8. Z-08-2013 w/Conditional Overlay District No. 58
(1846 E. Cairo St. & 1847 & 1851 E. Walnut St. | Great Southern Bank |

Preliminary Plat:

- | | |
|---|--------------|
| 9. Westwood Hills 3rd Addition Renewal
(900 block South West Bypass) | David Denton |
|---|--------------|

Zoning Text Amendments:

10. Residential Uses in HC District
(City-Wide)

City of Springfield

Other Public Hearings:

11. Street Name Change 73
(Monroe St between National and Kimbrough Avenues)

Missouri State University

Any Other Matters Under Commission Jurisdiction

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

MINUTES OF THE PLANNING AND ZONING COMMISSION

DATE: April 18, 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); Jay McClelland, Jim Hansen, Shelby Lawhon, Gabrielle White; Bob Hosmer, Principal Planner; Nancy Yendes, City Attorney; Mary Lilly Smith, Economic Development Director. Absent: Baird, Coltrin, and Ray.

ROLL CALL:

APPROVAL OF MINUTES: The minutes of April 4, 2013, were approved unanimously.

COMMUNICATIONS: None

OTHER BUSINESS:

1. Springfield Plaza TIF Redevelopment Plan
(3800 block East Sunshine s/s)

City of Springfield

Ms. Mary Lilly Smith commented she would review what Tax Increment Financing is and the Planning and the role of Commission in reviewing the Redevelopment Plan for consistency with the Comprehensive Plan. Ms. Smith said Tax Increment Financing is authorized by State Law and Springfield City Code. It provides for the redirection of incremental increases in Sales and Property Tax Revenues resulting from a redevelopment project to be used for approved project related costs, infrastructure, and capital improvements. State law allows for the capture of 100% of the incremental increases in property taxes and 50% of the incremental increases in sales and utility taxes. There is a provision in the law that states that the plan can declare a surplus, so we don't have to capture 100% of the incremental increase in the property taxes or 50% of the incremental increase in sales taxes; part of that can be surplussed and go back through to the taxing jurisdictions. Those capture taxes are transferred into a City Administered Special Allocation Fund. The funds come to the City and the City disperses those as outlined in the TIF Plan.

A TIF Redevelopment Plan outlines the general description of the project; estimated redevelopment project costs; anticipates source of funds to pay the costs; provides evidence of commitment to finance the project costs; it includes the most recent equalized assessed value and the estimated assessed value after redevelopment as well as the proposed land uses in the redevelopment area.

Ms. Smith outlined the process of a TIF with a Blight Study and Redevelopment Plan. Proposals were solicited for the redevelopment projects; public hearing notices per state law. The TIF Commission met on March 4, 2013, and recommended approval to City Council. The Land Clearance for Redevelopment Authority, which is the body that reviews blight studies and grants property tax abatement, reviewed the blight study at their April 2nd, 2013 meeting. Tonight, the Planning and Zoning Commission will evaluate the Redevelopment Plan for consistency with the Comprehensive Plan. Monday night a public hearing was held to hear the full package; the blight designation, Redevelopment Plan and redevelopment agreement

that enforce those items in the redevelopment plan and project proposals.

Ms. Smith reviewed the Springfield Plaza Redevelopment Area location at the intersection of West Bypass and West Sunshine Street; it wraps around a Walmart Super Center, which is not part of the TIF area. It is a little under 100 acres and is currently vacant land and is zoned Highway Commercial District with Conditional Overlay District No. 1. It is located within the City of Springfield and the Republic R-III School District and the TIF Redevelopment Plan includes a blight report that demonstrates the redevelopment area qualifies for TIF as a blighted area.

Ms. Smith said the plan proposes to redevelop the vacant Area into a 432,500 square foot retail and office mixed-use development which will occur in two different phases or Redevelopment Project Areas. RPA-1 (phase one) will occur over the northern one-third (35.5 acres) of the Redevelopment Area and will result in the construction of approximately 182,500 square feet of commercial retail space. RPA-2 (phase 2) will occur over the remaining southern two-thirds of the Redevelopment Area (approximately 61.8 acres) and will result in the construction of commercial uses including approximately 250,000 square feet of office space. The total construction cost for both RPAs is estimated to be approximately \$78.5 million. Of that amount, approximately \$9.58 million will go towards the construction of public improvements in and around the Redevelopment Area. These improvements will be funded by the TIF. They include, but are not limited to the following:

- Off-site Intersections Improvements
- On-site Road Construction
- Utilities, detention and site improvements
- Professional fees and services
- Financing Costs

Ms. Smith stated that looking at the findings, the Springfield Area Land Use Plan designates this area for medium intensity retail, office, or housing. It indicated that a variety of commercial and/or mid-or high-density housing may be appropriate at major intersections along certain road corridors. It also identifies the HC, Highway Commercial District as an appropriate zoning district of this land use designation. The Growth Management and Land Use Plan identify this as a significant activity center because of its location and traffic volume on West Sunshine and West Bypass. The Commercial Land Use Guidelines suggest that proposed redevelopment should be served by major roads that have adequate capacity and should provide access at locations that do not contribute to congestion at major intersections. West Sunshine and West Bypass are major roads and the development itself will address not only the transportation needs it creates, but it will also correct some problems that we currently have at West Sunshine and West Bypass. The Major Thoroughfare Plan identifies West Seminole Street and South Zimmer Avenue as future streets that should be extended through the Redevelopment Area. Implementation of the Redevelopment Plan will result in the extension of streets in accordance with this Plan. Ms. Smith said she would answer any questions, adding the developer's representatives are present.

Mr. Edwards asked who the TIF Commission is.

Ms. Smith commented that State Statutes gives guidance to who has to be represented on the TIF Commission. It is an eleven (11) member Board; there are two representatives that are appointed by the affected School District, so Republic School District tells them who they want on the Commission; in this

case it is Chance Wistrom and a Board member, Ed Cantrell. Greene County Commission has authority to appointment two members, so Presiding Commissioner Jim Viebrock and Commissioner Harold Bensch served on the Commission. Then all other taxing jurisdictions have the authority to appoint a representative in any manner they want to at this point. Those taxing jurisdictions include areas such as OTC, Senior Services, Sheltered Workshop; all the people who have property taxes and that representative is Rob Rector from OTC. The Mayor has authority to appoint six (6) people, and the Code says that of those six (6), one will be a member of the City Council, and that is Jerry Compton. One will be a representative from the Library and that is Regina Cooper and the remaining people are Brian Fogle, Tim Rosenbury, Ron Holly, and Jeff Schrag.

Mr. Edwards commented that this is not a standing Commission, but is appointed per case.

Ms. Smith noted that State Statute says that the governing body has the authority to either appoint the Commission to serve for a specific period or to appoint the TIF Commission to serve only for the duration of a particular project. What the City has chosen to do is the Mayoral appointments are appointed for a four year term. As each project comes up, we request new appointments and that provides the opportunity for those taxing jurisdictions to cycle through a new representative.

Mr. Edwards asked for clarification about Commission's role in the review process, asking if the area has already been blighted.

Ms. Smith said LCRA has recommended the area be blighted. State Statute gives authority to the TIF Commission to make recommendations to City Council and Council makes findings of blight and approves the plan; it doesn't assign a role to LCRA or Planning Commission, but our adopted Economic Development Incentives Policies says that we will take very blight qualification study to LCRA and we will take all plans to Planning & Zoning Commission for recommendation on consistency to the Comprehensive Plan because you are the experts on that.

Mr. McClelland asked if the excess money brought through the TIF stays within the project; RPA-1 and RPA-2, and how many TIF projects there are in Springfield.

Ms. Smith said it stays within the TIF boundary; it has to stay within the projects identified in the TIF Plan. There have been two (2) TIF projects. City Council has approved three (3) to date of the TIF Statute. A TIF was approved for Target, but was never executed. In 2009 it was taken to Council and terminated. In 2001 there was a TIF for the Jordan Valley Park and the proceeds from that TIF go towards the Expo Center debt. The City of Springfield owns the Expo Center so TIF revenues go to that. The third TIF was Commercial Street, in 2008 and the revenue there goes for streetscape improvements, additional parking, and things of that sort. It has been a slow go on that one, but that is what the money has been targeted for. This is the third TIF, and the first time the City has done a TIF that has involved public improvements in a private development.

Mr. Lawhon asked how vacant land can be declared blighted.

Ms. Smith explained that the TIF Statute defines blight; there are a number of defining factors of blight. The City hired an expert consulting firm, PGAV from St. Louis, to prepare the Blight Study. Some things that are considered blighted are deterioration of site improvements, there are some old road beds through the area; old foundations; obsolete platting is considered a blighting factor so the fact that you have 100

acres with no roads in it is a sign of obsolete platting because there is not development there. Unsafe or unsanitary conditions; there is evidence of dumping on the land. There is debris from a prior demolition. There is some exposed electrical wiring that is live on the land. The blight study identifies a number of blighting factors that qualify it under State Statute.

Mr. Hansen asked for an explanation of the surplus of funds.

Ms. Smith stated that they can agree contractually with the developer that the TIF is not going to capture 100% of the incremental increase of property taxes. What happens in the process is that 100% of the property taxes come into the City, the Special Allocation Fund, and then we disperse whatever that mandatory declaration is back out to the taxing jurisdictions per their percentage they are owed. In the case of the Springfield Plaza TIF, the agreement we have arrived at with the developer is that the TIF will capture 75% of the incremental increase of the property taxes; 25% will flow back out to the taxing jurisdictions; so we will capture 75% of property taxes, 50 % of sales taxes and the remainder goes back to the taxing jurisdictions.

Mr. Young commented that the length of this TIF has been shortened to eighteen (18) years asking how the timing to the phases will work.

Ms. Smith stated that the way the TIF works is that the day the plan is approved, they are not going to be generating income, because it is going to be a vacant field the day it is approved. You have to build the public improvements and the vertical improvements. TIF statutes say you have to activate an area, so they will activate the areas at different times in order to start capturing the revenue. They will be activated to maximize your period of capture so you have a building constructed with someone there to generate sales taxes and property taxes. The statute says you have ten (10) years from the date it is approved to activate. So the worst case scenario is that the proposal is approved and we have another economic downturn and nothing happens; they don't start their project for several years, the eighteen (18) years starts from the date you activate your project. We have written into the agreement that if there is no activity in five (5) years, we will sit down with the developer and talk. Council will have the opportunity to inquire what that status of the project is, is it likely they are going to commence construction or do we need to review the TIF itself.

Mr. Hansen asked how the initial infrastructure is paid for if there are not taxes coming in.

Ms. Smith said the developers pay for it and is reimbursed as revenue comes into the Special Allocation Fund. The developer, through his own funds or private funds, builds the public infrastructure, builds the stores, office buildings and such and as revenue starts to come in the fund, as they finish their work, they will submit bills to the City, they will be certified and funds will be dispersed.

Mr. Edwards stated that part of the TIF agreement was that the developer has to have a surety of financing in place when they enter the agreement with the City.

Ms. Smith said that is correct.

Ms. White asked about the Informational Statement for Business Concerns for other nonresidential establishments if they are being affected in any way and wondering what effect there is on any of the surrounding properties. From the pictures presented, it doesn't look like there is anything, but if this is included, the question is what sort of notice and what has gone on to those people who are affected that

haven't been in front of Commission.

Ms. Smith said there are no residents, tenants, no businesses in the TIF area, but the statute requires a relocation plan be included.

Mr. Jeff Childs stated he is representing the Springfield Plaza Development and is available for questions.

Mr. Hansen asked Mr. Childs about the previous question of blighting vacant land. It looks to be prime building land.

Mr. Childs said the land is an excellent location for the development they are proposing, but they did not make the finding of blight. The Blight Study was provided by PGAV which was done at the request of the City. Mr. Childs stated they paid for the process, but they did not have a direct influence on the process.

Mr. Hansen commented that it was the City pushing the Blight and not the developers.

Mr. Childs stated there had to be a finding of blight for them to qualify of the TIF.

Mr. Hansen commented that Mr. Childs sought the TIF to finance the development.

Mr. Childs stated they went to the City and presented a plan proposing what they felt they could do with the property. They can't get it done based on the current economic financing situation asking what options might be available through the City. That's when the process of the TIF came about, what it means to the developer and the City. Mr. Childs stated that all the fees associated with the process have been financed by the developer, not the City. He stated he doesn't have the exact figures, but it is in excess of \$100,000, which it takes to get to the point where they are at today. Mr. Childs commented that he is a co-owner with Tom Rankin. The property is owned by Springfield Plaza Real Estate Inc.

Mr. Edwards stated he would direct his comment to Staff relative the blight issue. Commission is dealing with a different technical definition of blight than what they normally deal with in an abatement issue, for example. By the State Statute the area can be declared blighted for a lack of infrastructure or a lack of modern infrastructure, is that correct.

Ms. Yendes said that is correct in that this is different than a normal tax abatement but also economic under-utilization. When you take a look at that piece of property at that intersection and it hasn't developed while looking at the surrounding area, and if you look at the study, it will point to the economic under-utilization of that 100 acre tract. You would normally think that would have already been developed. So that is added as a part of the blight in the TIF.

Mr. Edward stated that the TIF Commission has deemed that this particular project does fall within that category of blight in this particular instance.

Ms. Yendes commented that the TIF Commission made their recommendation to Council that this property met the TIF statute.

Mr. McClelland asked Mr. Childs about improvement to a location at the corner of Sunshine and West Bypass that does not appear to be included in the TIF.

Mr. Childs stated that the TIF area is more than what you see on the map. It does include improvements at West Bypass and West Sunshine. It does go down the right-of-way per-se so from an engineering standpoint, are failing. Through the process of potential development of this property those items have to be fixed.

Mr. Young expressed concern about the potential of a conflict of interest as the TIF Commission voted to blight this area and each of them will receive a benefit from this project, so why not vote for it; is that a fair assessment.

Mr. Childs said they hope everyone makes money from the development. That is the whole point of developing the property. Mr. Childs said they had nothing to do with the TIF Commission decision as a developer.

Mr. Young commented on the earlier question of how this piece of property could be being blighted after looking at the photographs. There are hundreds of acres that could be blighted using those criteria. To have property deemed blighted by people who are going to benefit from the designation seems odd.

Mr. Childs clarified that the City had the blight study done and not on behalf of the developer.

Mr. Edwards commented that he believes that the State Legislature created these tools at the disposal of municipalities for this very purpose.

Mr. Lawhon asked Mr. Childs what they plan on doing with the land and if Council approves the TIF, how soon a shovel would go in the ground.

Mr. Childs said the basic outline presented by Ms. Smith for roughly 182,000 feet of retail space, which lays out in RPA-1 which would front along Sunshine. The balance of the property we allocated towards office use. Mr. Childs said they would hope to begin as soon as possible, but that won't happen if the plan is not approved. There has been much time spent on this project and all the parties involved are Springfield residents who care deeply for the City. This project has seen a lot of positives from the retail community, national retailers, some of whom are already here in Springfield and have done really well. As you are aware, Springfield is a great retail market so they want to expand that retail base from the good experiences they have had. All those things have to be aligned to get this process started.

Mr. Hansen stated he can see the benefits of making the infrastructure improvements in the surrounding area, but unable to understand why the taxpayers would want to pay for Mr. Childs to develop his project.

Mr. Childs stated that as a tax payer himself he wants to see the development happen.

Mr. Hansen stated that Mr. Childs is sort of slanted.

Mr. Childs said that he is also a citizen here as well and from the standpoint of getting more development in the City of Springfield in order people to take the financial risk involved in \$70 to \$80 million dollars, there has to be some risk to all concerned. Many of the streets you have seen in this plan are on the Major Thoroughfare Plan for the City of Springfield, but those are the requirements put on them in the zoning and platting of the property. Furthermore, the Zimmer connection with that improvement and the stop light

improvement were not a requirement of the development. That was an effort on their part to help make the process improve for the whole community and those are roughly \$750,000 to \$1,000,000 worth of improvements they are financing upfront, if you want to say, on behalf of the tax payer. Neither the City nor the County is on the line for any money. We have spent the money and we have to secure the financing in order to put the initial improvements in to West Bypass and Zimmer that are dictated by the platting process, water detention and such have to be funded by private financing.

Ms. Smith wanted to address the question of what's in this for the City; they were interested in assisting the developer on this project because we believe southwest Springfield is under served area in terms of retail activity. We think there is a great market out there and we think that because we have listened to a lot of retailers, site selections folks who say if we are going to do a second store, we are going to do it away from the hub of Battlefield and Glenstone. We believe we may be experiencing some retail leakage; there may be people traveling to Republic to go to Lowe's or somewhere else to do their shopping and we want to keep those retail dollars in Springfield, so we have an interest in expanding our retail market in the southwest part of town. As Mr. Childs stated, they came to the City asking how they could jump start this project. It looked like it was a go in early 2007, but since then it has not worked. This is a good way to accomplish that to get the property ready for development. Regarding the blight study, the City engaged PGAV to do the blight qualification study before they began any of the TIF planning because the City wanted to be confident that the area met the statutory requirements for blight. Economic under-utilization is a factor when looking at blight according to the TIF act.

Mr. Hansen stated that if this was generating revenue for the City, that would be a great development, but it appears to be sliding the same dollars around. As for bringing any new money into the community, he said he does not see this project doing that.

Ms. Smith stated that as we try to bring new office users to the Springfield area we may have vacant office space here, but we have a true lack of new class "A" office space with an appropriate foot print. There is a market for new office space. Retailers are not going to build a second store and just divide the sales they are having at one store into two. They will only build a second store if they believe they can increase their profits in the community. We believe there will be an economic benefit to the City in terms of sales tax dollars and property tax dollars and we support that and believe that will occur if this property is developed. The matter that is before Commission tonight is if this plan is consistent with the Comprehensive Plan; does this meet the goals of the Comprehensive Plan in terms of land use, developing an activity center, and meeting the Major Thoroughfare Guidelines.

Mr. Childs commented that the whole point of this is to grow the market and develop this part of Springfield. We feel like there is a need for it long term and we are taking the risk up front to make it happen. The concerns you have expressed are valid concerns we have heard before and hopefully we have addressed those concerns and answered your questions.

Mr. Edwards closed the public hearing.

Mr. McClelland stated he believes this project is one of the first steps in the Sunshine Corridor Project that is going to take place over a period of time and said he will be voting in the affirmative on this project. Mr. Lawhon commented that they are to discuss conformance with the Comprehensive Plan adding he finds it really interesting that Commission has spent 95% of the time talking about money. He believes that speaks well for Commission because it shows we are concerned about the tax payer's pocket book. Mr.

Lawhon said he believes the City's pocketbook is well protected and great potential for that pocketbook to grow, adding it is a great project in a needed area and is all for voting in the affirmative as well.

Mr. Young expressed that this area is need of something like this and the Walmart isn't enough. He feels this area is waiting to grown this may be something to spur it on. Mr. Young believes it conforms to the Comprehensive Plan and that it is a good thing and will be voting for it tonight.

Mr. Edwards said that for the last several years they have looked at what they call the West Sunshine corridor and the City's plans to improve retail and consumer functionality along this corridor. He said he sees that fitting in here and goes along with what he sees as fitting in with what Commission has been asked to look at which is the Comprehensive Plan and how this fits with that plan. Mr. Edwards stated that having served on the Growth Management and Land Use Committee; they had a lot of citizen input on this particular topic and even in this particular area. We found that the citizens wanted these services in this area to push out towards Republic to capture an opportunity for development. The citizens wanted to see public/private partnerships to spur development and for municipalities to work together; for Springfield and Republic to work together needs to be recognized that that is a big deal. Mr. Edwards said he will be voting in the affirmative.

Mr. Hansen commented that the designation of blight is a pretty thin excuse; if this were for industrial use or tourist attraction, something that would bring new wealth and new revenue into the City he could see the tax payer helping to finance it. Mr. Hansen said he feels that a lot of communities in the last ten (10) years have abated themselves into insolvency and feels strongly that they cannot keep growing the community with retail alone. There are people who are paid by taxes, departments that are ran by taxes, and those departments service the people of the community and they can't do it without taxes. Mr. Hansen said he will vote against this issue because this property looks like a good place to develop and they can develop without tax payer's subsidies.

Ms. White commented that she feels they need to look at why Commission is here tonight and that is a very narrow question. While respecting Mr. Hansen's opinion and concur with some of his thoughts, we are here to decide if this conforms to the Comprehensive Plan; she believes that it does and will be voting in the affirmative.

Mr. McClelland motioned to recommend approval to City Council the Springfield Plaza TIF Redevelopment Plan. Mr. Hansen seconded the motion. The motion carried as follows: Ayes: Edwards, McClelland, Lawhon, Young, and White. Nays: Hansen. Abstain: None. Absent: Baird, Coltrin, and Ray.

There being no further business, the meeting was adjourned at approximately 7:40 p.m.

A handwritten signature in black ink, appearing to read 'Bob Hosmer', with a horizontal line underneath.

Bob Hosmer, AICP
Principal Planner

Zoning & Subdivision Report

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

REQUEST TO RELINQUISH EASEMENT NUMBER 791

DATE: April 23, 2013

PURPOSE: To relinquish an access easement

LOCATION: 500 block North Benton Ave w/s

APPLICANT: Advocates for a Healthy Community Inc.

RECOMMENDATION:

The request be **approved**.

FINDING:

The request meets the approval criteria listed in Attachment B.

STAFF CONTACT PERSON:

Michael G. Sparlin
Assistant Planner

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

ATTACHMENT A
RELINQUISH EASEMENT NO. 791
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting an access easement be relinquished. The subject easement is no longer needed.

TRAFFIC COMMENTS:

Traffic has no issues with the relinquishment of this access easement.

STAFF COMMENTS:

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

ATTACHMENT B
RELINQUISH EASEMENT NO. 791
APPROVAL CRITERIA

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

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

STAFF RESPONSE:

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

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

STAFF RESPONSE:

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

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

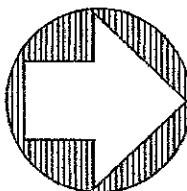
STAFF RESPONSE:

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

RELINQUISH EASEMENT NO. 791
EXHIBIT 1

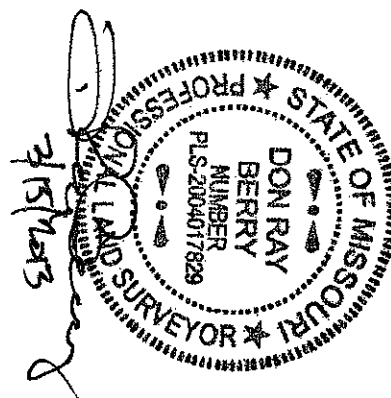
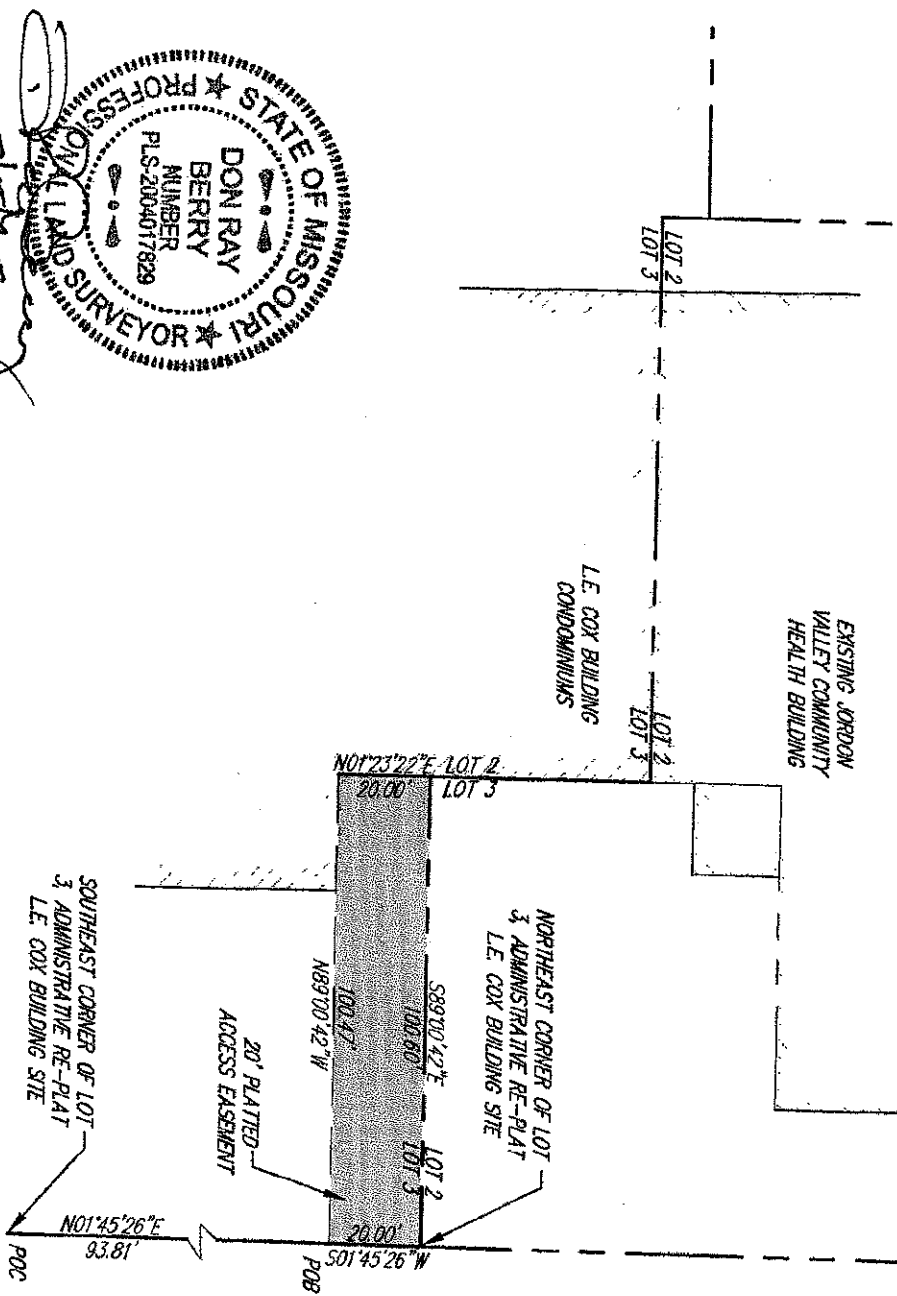
DESCRIPTION OF EASEMENT TO BE RELINQUISHED

All that part of a 20.00 foot wide access easement being a part of lot 3 of the L.E. Cox Building Site, as shown on the recorded plat of said L.E. Cox Building Site and the recorded plat of the Administrative Re-plat of the L.E. Cox Building Condominium and being more particularly described as follows:
Commencing at the Southeast corner of Lot 3 of the L.E. Cox Building Site, said point also being the Southeast corner of Lot 3 of the Administrative Re-plat of the L.E. Cox Building Condominium; thence, North 01°45'26" East, along and with the East line of said Lot 3, a distance of 93.81 feet to the intersection of said East line with the South line of said existing 20-foot platted access easement for a POINT OF BEGINNING; thence, North 89°00'42" West, along and with the South line of said easement, a distance of 100.47 feet to the Southwest corner of said easement (said point lying on the outside (East) face of Unit N-1, as shown on the Administrative Re-plat of L.E. Cox Building Condominium); thence, North 01°23'22" East, along and with the West line of the aforementioned access easement and the East face of said building, a distance of 20.00 feet to the North line of said easement (said line also being a Northerly line of said Lot 3); thence, South 89°00'42" East, along and with the North line of said easement, a distance of 100.60 feet to the intersection of said North line with the East line of Lot 3; thence, South 01°45'26" West, along said East line, a distance of 20.00 feet to the POINT OF BEGINNING, containing 2,011 square feet, more or less.



NOT TO SCALE

BENTON AVENUE



NOTE: THIS EXHIBIT IS FOR ILLUSTRATIVE PURPOSES ONLY AND IS NOT INTENDED TO REPRESENT AN ACTUAL SURVEY OR BE UTILIZED FOR ANY PURPOSE REQUIRING A CERTIFIED SURVEY.

DATE: 03/15/2013

20' ACCESS EASEMENT
DESCRIPTION EXHIBIT

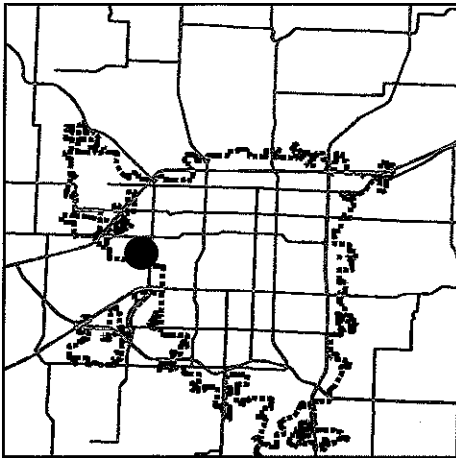
PROJECT NO.:
751



Missouri State Certificate of Authority
Engineering #2005015504
Land Surveying #2009028050

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

Engineering with Integrity



Zoning & Subdivision Report

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

Subdivision Variance 343

Location: 3536 W. Mt. Vernon St.

Current Zoning: GR, General Retail District

LOCATION SKETCH



- Area of Proposal



1 inch = 300 feet

Zoning & Subdivision Report

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

SUBDIVISION VARIANCE NUMBER 343

DATE: April 23, 2013

PURPOSE:

The applicant is requesting a variance from Section 407(2) of the Subdivision Regulations, which requires all lots to abut by their full frontage on a publicly dedicated street.

BACKGROUND:

LOCATION: 3536 W. Mount Vernon St.

APPLICANT: Wal-Mart Real Estate Business Trust

TRACT SIZE: 8.53 Acres (Approximately)

EXISTING USE: Grocery store and vacant land

PROPOSED USE: Grocery store and General Retail use

RECOMMENDATION:

Staff recommends the Subdivision Variance be **approved** to allow the subject property to be subdivided, thus creating a lot that abuts by less than its full frontage on a publicly dedicated street.

FINDINGS:

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

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

Attachment A – Staff Background Report

Attachment B – Approval Criteria

Exhibit 1 – Proposed Administrative Re-plat of West Bypass Properties Subdivision Lot 2

ATTACHMENT A
BACKGROUND REPORT
SUBDIVISION VARIANCE NUMBER 343

APPLICANT'S PROPOSAL:

The applicant is proposing a non-residential administrative re-plat to subdivide West Bypass Properties Subdivision Lot 2 into two (2) lots. The purpose is to create an additional commercial lot at Mt. Vernon and Suburban.

HISTORY:

The administrative re-plat named West Bypass Properties Subdivision was recorded in 2011 and created two (2) commercial lots.

TRAFFIC ENGINEERING COMMENTS:

No objection to the variance. However, access to Lot 1 will be restricted to the existing shared drive on Mount Vernon.

STORMWATER COMMENTS:

No stormwater issues with subdivision variance request to create lot without full frontage on a public street. Drainage easements for conveyance of storm water to the existing detention basin (also defined within an easement) have been shown. Easements are indicated along the path of the existing storm water piping.

BUILDING AND DEVELOPMENT COMMENTS:

No BDS issues with variance.

SANITARY SERVICE COMMENTS:

No impact on public sewer. Lot is currently served.

STAFF COMMENTS:

1. The proposed administrative re-plat will allow an additional commercial lot to be created. Staff is supportive of this request for a lot without full frontage, because it allows all lots involved in the re-plat to retain adequate access and open space.



Architecture • Civil Engineering • Land Surveying • Site Development • Geotechnical Engineering • Inspection & Materials Testing

PROPOSED LOT 2-VARIANCE RESPONSE

Variance Description

Section 407.(2) of the Subdivision Regulations requires that all lots shall abut by their full frontage on a public street. Proposed Lot 2 has frontage on two streets, but there are portions of the lot that do not have full frontage to either street. As a result, a subdivision variance is required.

Responses to Conditions of Approval for Variances

Section 106. (3)

- (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 grant of a privilege, and

Response: The shape and size of the delivery truck turn-around area on Lot 1, which is the Neighborhood Market, resulted in an odd-shaped boundary along the southern portion of the proposed Lot 2. The turn-around was necessary at the Walmart site to discourage delivery truck access from Suburban as requested by City. Lot 2 has + 250 feet of Suburban Street road frontage and + 100 feet of Mount Vernon road frontage. The lot also has an access road immediately to its east with approximately 300 feet of frontage for access. The proposed "boot shaped" Lot 2 is very developable from an access and infrastructure standpoint. However, the odd shape does constitute this variance request.

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

Response: If the variance is not granted, the southern portion of the proposed Lot 2 will be included in Lot 1. The proposed Lot 2 will be reduced in size from 1.27 acres to 1.09 acres. This could reduce the marketability of the property from a users standpoint and diminish the potential of its development in the future. If the remaining 0.16 acres remains as part of Lot 1, this area will become unused commercial property and will probably remain undeveloped.

- (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.

Response: The granting of the variance will have no effect on the public safety, convenience or welfare or be injurious to other properties in the vicinity.

Exhibit 1

WEST BYPASS PROPERTIES SUBDIVISION - PLAT 2

ADMINISTRATIVE RE-PLAT OF LOT 2 OF WEST BYPASS PROPERTIES SUBDIVISION AS RECORDED IN PLAT BOOK AAA
PAGE 192, BEING PART OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 29 NORTH, RANGE 22 WEST
OF THE 5TH P.M., CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI

- Notes:
- Bearing system based on grid north of the Missouri State Plane Coordinate System (NAD 83), Central Zone.
 - Source of File: Commonwealth Land Title Insurance Company, File No. 2015070, effective date Jan. 26, 2011 at 8:00 AM (REV 2.2011).
 - This survey meets the accuracy requirements for "Urban" property as defined by the Missouri Minimum Standards.
 - No investigation has been performed by Cochran regarding hazardous waste, underground conditions or utilities affecting the tract shown herein.
 - = Denotes Set 5/8" diameter 24" long iron rod with yellow cap (Cochran L.S. 380).
 - = Denotes recorded plat & deed information.
 - (S) = Denotes survey information gathered by Cochran.
 - (M) = Designates Meters.

- This property is within "Zone X", area determined to be outside the 0.2% annual chance floodplain, per Flood Insurance Rate Map, for Greene County, Missouri and Incorporated Areas, Map Number 2907003202, effective date of December 17, 2010.
- This property is zoned General Retail District by the City of Springfield Planning and Zoning.
- Project Benchmark is an aluminum disk in concrete stamped "COS 434" by the City of Springfield, elevation = 1234.72 (NAVD 1985), of the NW quadrant of the West Bypass and Mt. Vernon St.
- A 5 foot wide utility easement is hereby dedicated to the public for utility purposes along all lot lines unless otherwise shown herein.
- No access is permitted to West Bypass.
- Only one set of access is permitted to Mt. Vernon Street meeting current city standards.
- Lot 1 has a 335% open space.
- The owners of Lots 1 and 2 are responsible for the maintenance of the Drainage & Detention Easement.

OVERALL DESCRIPTION:

A tract of land being part of Lot 2 of West Bypass Properties Subdivision, as recorded in Plat Book AAA, Page 192, also being part of the Southeast Quarter of Section 20, Township 29 North, Range 22 West of the 5th P.M., City of Springfield, Greene County, Missouri, and being more particularly described as follows:

Commencing at the southeast corner of above-mentioned original Lot 2 of West Bypass Properties Subdivision, said point also being on the west right-of-way line of U.S. Highway 160 and West Bypass; thence along said west right-of-way line N202°14'47"E 35.00 feet to a set iron rod at the point of beginning of the tract of land herein described; thence departing said west right-of-way line and along the north line of a widening strip per Plat Book AAA Page 192 and Deed Book 2012 Page 007873-12, the following courses and distances: S47°18'18"W 42.36 feet to a set iron rod; thence N87°20'17"W 248.89 feet to a set iron rod; thence N89°15'12"W 159.49 feet to a set iron rod; thence N43°25'31"W 14.50 feet to a set iron rod on the east right-of-way of Suburban Avenue; thence along said south line N02°24'43"E 76.85 feet to a set iron rod; thence departing said east line N48°38'16"E 20.91 feet to a set iron rod on the south right-of-way line of Mount Vernon Street; thence along said south line S89°12'20"E 175.44 feet to a set iron rod at the northeast corner of Lot 1 of above-mentioned West Bypass Properties Subdivision; thence departing said north line of Mount Vernon Street and along the southwest and the south lines of said Lot 1 the following courses and distances: S02°24'43"W 45.14 feet to a set iron rod; thence along a curve deflecting to the left having a radius of 73.00 feet, on arc length of 59.69 feet, a chord bearing of S02°23'07"E 58.12 feet to a set iron rod; thence S43°10'27"E 86.27 feet to a set iron rod; thence along a curve deflecting to the right having a radius of 107.00 feet, on arc length of 31.55 feet, a chord bearing of S34°44'09"E 31.44 feet to a set iron rod; thence S02°35'17"E 245.99 feet to a set iron rod on the west right-of-way line of above-mentioned U.S. Highway 160 and West Bypass; thence along said west line the following courses and distances: thence along a curve deflecting to the left having a radius of 58.00 feet, on arc length of 27.03 feet, a chord bearing of S02°42'48"W 93.93 feet to a set iron rod; thence S02°14'48"W 47.04 feet to the point of beginning, containing 8.53 acres. Subject to any and all easements, restrictions, conditions, etc. of record.

LOT 1 DESCRIPTION:

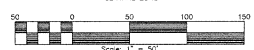
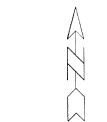
A tract of land being part of Lot 2 of West Bypass Properties Subdivision, as recorded in Plat Book AAA, Page 192, also being part of the Southeast Quarter of Section 20, Township 29 North, Range 22 West of the 5th P.M., City of Springfield, Greene County, Missouri, and being more particularly described as follows:

Commencing at the southeast corner of above-mentioned original Lot 2 of West Bypass Properties Subdivision, said point also being on the west right-of-way line of U.S. Highway 160 and West Bypass; thence along said west right-of-way line N02°14'47"E 35.00 feet to a set iron rod at the point of beginning of the tract of land herein described; thence departing said west right-of-way line and along the north line of a widening strip per Plat Book AAA Page 192 and Deed Book 2012 Page 007873-12, the following courses and distances: S47°18'18"W 42.36 feet to a set iron rod; thence N87°20'17"W 248.89 feet to a set iron rod on the east right-of-way of Suburban Avenue; thence along said south line N02°24'43"E 76.85 feet to a set iron rod; thence departing said east line N48°38'16"E 20.91 feet to a set iron rod on the south right-of-way line of Mount Vernon Street; thence along said south line S89°12'20"E 175.44 feet to a set iron rod at the northeast corner of Lot 1 of above-mentioned West Bypass Properties Subdivision; thence departing said north line of Mount Vernon Street and along the southwest and the south lines of said Lot 1 the following courses and distances: S02°24'43"W 45.14 feet to a set iron rod; thence along a curve deflecting to the left having a radius of 73.00 feet, on arc length of 59.69 feet, a chord bearing of S02°23'07"E 58.12 feet to a set iron rod; thence S43°10'27"E 86.27 feet to a set iron rod; thence along a curve deflecting to the right having a radius of 107.00 feet, on arc length of 31.55 feet, a chord bearing of S34°44'09"E 31.44 feet to a set iron rod; thence S02°35'17"E 245.99 feet to a set iron rod on the west right-of-way line of above-mentioned U.S. Highway 160 and West Bypass; thence along said west line the following courses and distances: thence along a curve deflecting to the left having a radius of 58.00 feet, on arc length of 27.03 feet, a chord bearing of S02°42'48"W 93.93 feet to a set iron rod; thence S02°14'48"W 47.04 feet to the point of beginning, containing 7.25 acres. Subject to any and all easements, restrictions, conditions, etc. of record.

LOT 2 DESCRIPTION:

A tract of land being part of Lot 2 of West Bypass Properties Subdivision, as recorded in Plat Book AAA, Page 192, also being part of the Southeast Quarter of Section 20, Township 29 North, Range 22 West of the 5th P.M., City of Springfield, Greene County, Missouri, and being more particularly described as follows:

Beginning at a set iron rod at the northwest corner of above-mentioned original Lot 2, said point being on the south right-of-way line of Mount Vernon Street; thence along said south line S89°12'20"E 89.36 feet to a set iron rod; thence departing said south line S00°13'30"W 36.84 feet to a set iron rod; thence along a curve deflecting to the left having a radius of 125.00 feet, on arc length of 59.69 feet, a chord bearing of S87°30'12"E 58.12 feet to a set iron rod; thence S43°10'27"E 86.27 feet to a set iron rod; thence along a curve deflecting to the right having a radius of 107.00 feet, on arc length of 31.55 feet, a chord bearing of S34°44'09"E 31.44 feet to a set iron rod; thence S02°35'17"E 245.99 feet to a set iron rod on the west right-of-way line of above-mentioned U.S. Highway 160 and West Bypass; thence along said west line the following courses and distances: thence along a curve deflecting to the left having a radius of 58.00 feet, on arc length of 27.03 feet, a chord bearing of S02°42'48"W 93.93 feet to a set iron rod; thence S02°14'48"W 47.04 feet to the point of beginning, containing 1.27 acres. Subject to any and all easements, restrictions, conditions, etc. of record.



NOTE:

The Missouri State Plane Coordinates (NAD 83, Central Zone)

shown herein were calculated from Missouri Geographic Reference System datum GR-42 (PROJ 9801)

GR-42 = N 152541.178 (M), E 424463.270 (M)

Combined Factor: 0.99994807

Inverse from GR-42 to SE corner of Lot 2 shown herein:

Grid Bearing S19°19'32"E Grid Distance 921.67'

DEDICATION:

Said land has been subdivided as shown herein. Access to Lots 1 & 2 and by the Cross-Access Easement created by Plat Book AAA, Page 192. Utility easements shown herein are hereby dedicated to the public for utility purposes along all lot lines unless otherwise shown. The Drainage Easement and the Drainage & Detention Easement shown herein is hereby dedicated to the owners of Lots 1 & 2.

In witness whereof, the undersigned has caused this plat to be signed this _____ day of _____, 2013.

Wd-Mort Real Estate Business Trust, a Delaware Statutory Trust

By _____

(Name), Title

Date of Execution: _____

ACKNOWLEDGMENT:

STATE OF MISSOURI

COUNTY OF _____

On this _____ day of _____, 2013, before me personally appeared _____ to me known, who, being by me duly sworn, did say that he is a member of Wd-Mort Real Estate Business Trust, a Delaware Statutory Trust and that said instrument was signed and in behalf of said Company, by authority of its Members, and said persons acknowledged said instrument to be the free act and deed of said Limited Liability Company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year first above written.

Notary Public

CERTIFICATE OF APPROVAL BY THE DEPARTMENT OF PLANNING AND DEVELOPMENT

I, Michael K. MacPherson, Principal Planner, of Planning and Development of the City of Springfield, Greene County, Missouri, in accordance with the authority granted to me by Section 203 of Article I of the Land Development Code, Chapter 36, Springfield Code, do hereby approve the Administrative Re-plat of "West Bypass Properties Subdivision - Plat 2", a subdivision of said City of Springfield, this _____ day of _____, 2013.

Michael K. MacPherson

Principal Planner

SURVEYOR'S DECLARATION:

I, Steven A. Loun, do hereby certify that this plat was prepared under my supervision from an actual survey of the land herein described prepared by Cochran dated March 30, 2011 and signed by Steven A. Loun P.L.S. No. 2007000078 and that the corner monuments and lot corner pins shown herein were placed under the personal supervision of Steven A. Loun P.L.S. No. 2007000078 in accordance with the "Missouri Uniform Subdivision Property Boundary Survey" and Section 410.5 of Subdivision Regulations, Article 8, of the City of Springfield, Greene County, Missouri.

CS Engineering Inc.

DBA Cochran

St. Louis

Date prepared _____

Signed _____

Steven A. Loun, P.L.S. No. 2007000078

State of Missouri

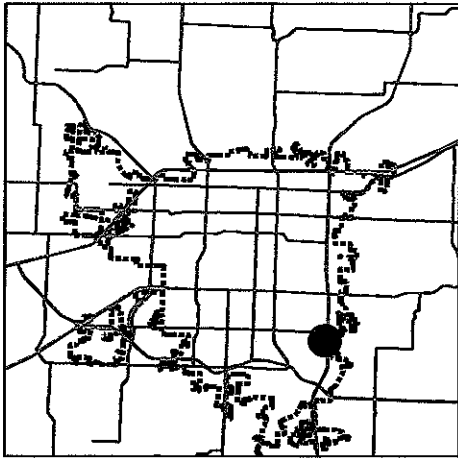
Professional Land Surveyor For Cochran

WEST BYPASS PROPERTIES SUBDIVISION - PLAT 2
CITY OF SPRINGFIELD
GREENE COUNTY, MISSOURI

OWNER/SUBDIVIDER
WAL-MART REAL ESTATE BUSINESS TRUST,
A DELAWARE STATUTORY TRUST
3536 N. MT. VERNON ST.
SPRINGFIELD, MO. 65807

ENGINEER/SURVEYOR
COCHRAN
530A EAST INDEPENDENCE DRIVE
UNION, MO. 63084

BY: NAF DATE 2-11-13 PLS. NO. 10-4540C
SEA S20729NR22W SCALE 1"=50' DEC. REF. 1 OF 1



Zoning & Subdivision Report

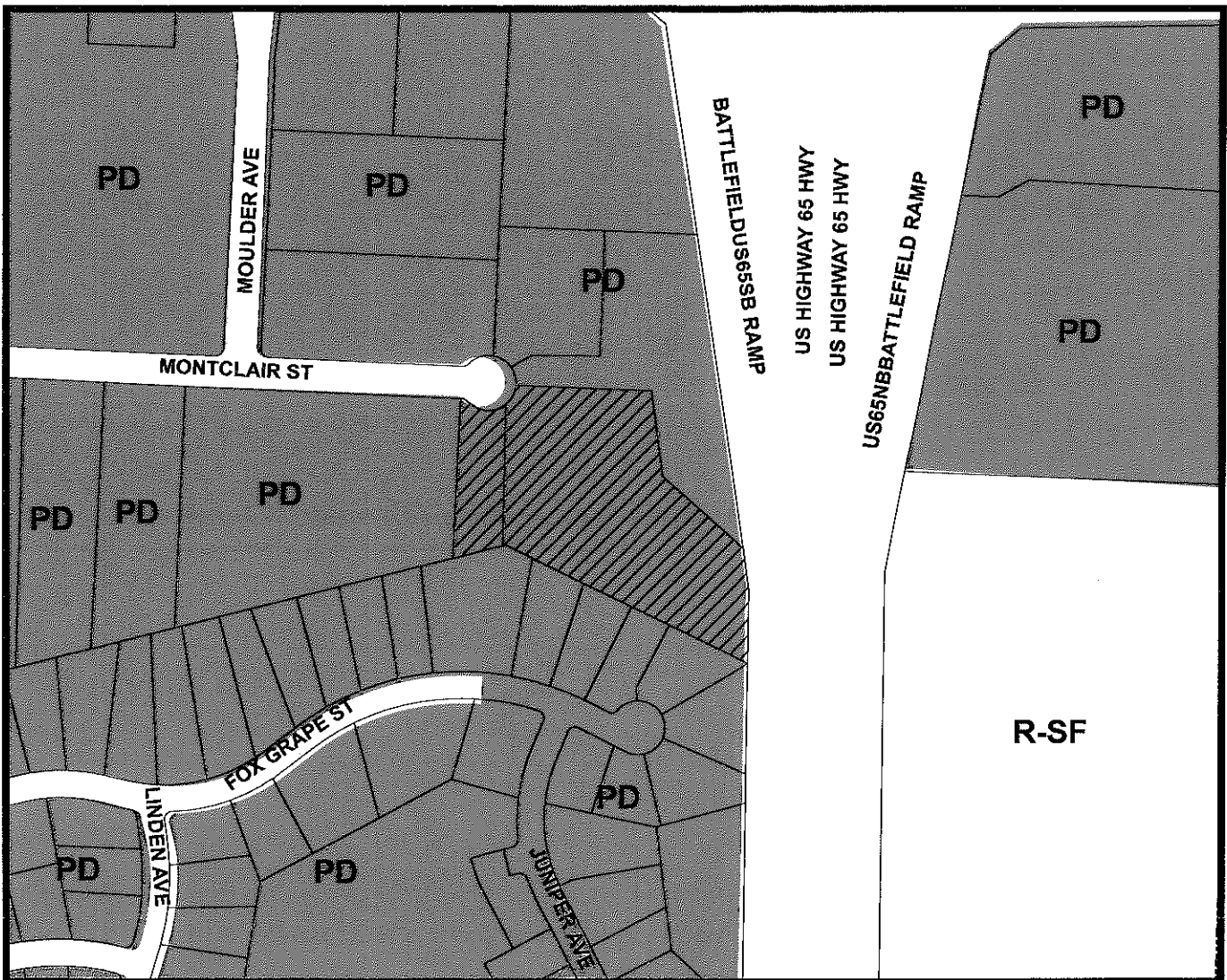
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Subdivision Variance 344

Location: 3370 E. Montclair St.

Current Zoning: PD 7, 2nd Amendment

LOCATION SKETCH



- Area of Proposal



1 inch = 300 feet

Zoning & Subdivision Report

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

SUBDIVISION VARIANCE NUMBER 344

DATE: April 24, 2013

PURPOSE:

The applicant is requesting a variance from Section 407(2) of the Subdivision Regulations, which requires all lots to abut by their full frontage on a publicly dedicated street.

BACKGROUND:

LOCATION: 3370 E. Montclair St.

APPLICANT: EAS Investments, Inc.

TRACT SIZE: 3.65 Acres (Approximately)

EXISTING USE: Vacant/undeveloped land

PROPOSED USE: PD 7, 2nd Amendment uses

RECOMMENDATION:

Staff recommends the Subdivision Variance be **approved** to allow the subject property to be subdivided, thus creating a lot that abuts by less than its full frontage on a publicly dedicated street.

FINDINGS:

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

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

Attachment A – Staff Background Report

Attachment B – Approval Criteria

Exhibit 1 – Proposed Administrative Re-plat of Fox Grape Plaza 5th Addition

ATTACHMENT A
BACKGROUND REPORT
SUBDIVISION VARIANCE NUMBER 344

APPLICANT'S PROPOSAL:

The applicant is proposing a non-residential administrative re-plat to subdivide Lot 1 of Fox Grape Plaza 5th Addition into two (2) lots. The purpose is to create an additional commercial lot along the cul-de-sac frontage.

HISTORY:

The final plat of Fox Grape Plaza 5th Addition was recorded in 1998 and created one (1) commercial lot.

TRAFFIC ENGINEERING COMMENTS:

Traffic does not oppose this variance. Although it is desirable to have both lots share access to Montclair, since Montclair St is classified as a local street, there is enough frontage for one access point from each lot. Prior to final plat approval, sidewalks are required to be constructed along both lots.

STORMWATER COMMENTS:

No issues with lot frontage, please, do not forget the following comments (PLN2013-00099):

Drainage easement should be shown along the north end of tract 1, in addition to the one shown on the south end, to allow storm flowage from tract 2 into the detention basin. Widths of easements are determined by flow width required to pass Q100-

Expanded comment- while there is an easement on the north line of tract 2, the location for easement should be shown within the new drive, where the runoff will occur off of tract 1- similar with the easement shown on the south side of tract 2.

BUILDING AND DEVELOPMENT COMMENTS:

No issues with proposed lot configurations.

SANITARY SERVICE COMMENTS:

Subdivision variance regarding frontage is approved; however, the following comments which need to be addressed prior to final subdivision approval:

1. Need to show minimum finish floor elevation for gravity sewer for tract 2.
2. There is no lateral provided for this tract so it will have to tap the main to the north for sewer service. Install new Insert-a-tee & lateral between the curb and telephone pedestals. Coordinate location with force main connection and C.U. underground electric.

STAFF COMMENTS:

1. The proposed administrative re-plat will allow an additional commercial lot to be created. Staff is supportive of this request for a lot without full frontage, because it allows all lots involved in the re-plat to retain adequate access and open space.

ATTACHMENT B
APPROVAL CRITERIA
SUBDIVISION VARIANCE NUMBER 344

Section 106 of the Subdivision Regulations states in part:

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

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

APPLICANT'S RESPONSE:

This request is to allow the creation of two lots which do not have frontage as wide as the rear lot. The existing lot is on a cul-de-sac and as such does not have full frontage. The site is approximately 3.65 acres in size. The intended use only requires 2.69 acres leaving a remainder of 0.96 acres for other uses.

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

APPLICANT'S RESPONSE:

The granting of the variance will permit the development of the property to its highest and best uses which could not otherwise be realized.

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

APPLICANT'S RESPONSE:

The granting of this variance for the property at the end of a cul de sac will have no impact to the public and is consistent with other tracts in the area.

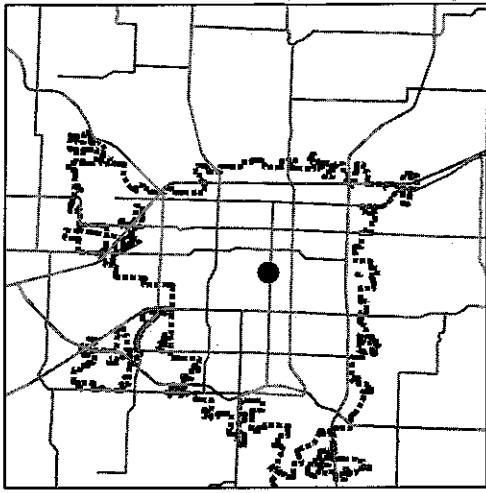
STAFF COMMENTS: The Planning and Zoning Commission must first decide if all of these conditions are met before this variance can be approved.

Zoning & Subdivision Report

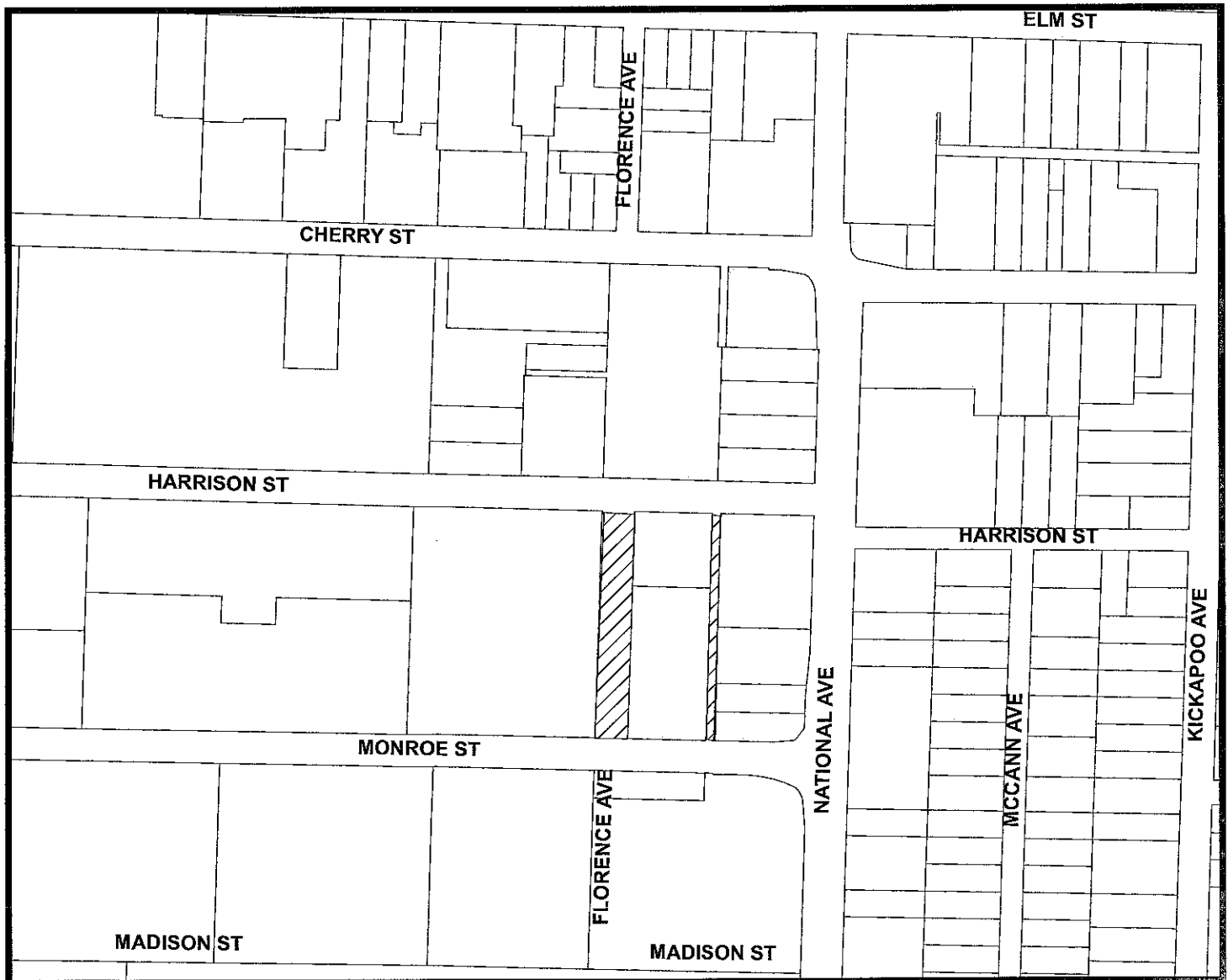
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Vacation #756

Location: Florence Avenue and north/south alley east of Florence between Harrison and Monroe Streets



LOCATION SKETCH



- Area of Proposal



1 inch = 300 feet

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

VACATION #756

DATE: April 18, 2013

PURPOSE: To vacate South Florence Avenue and a north/south alley east of Florence Avenue between Harrison and Monroe Streets.

BACKGROUND:

LOCATION: South Florence and north/south alley between Harrison and Monroe Streets

APPLICANT: Missouri State University

RECOMMENDATION:

Staff recommends **approval** of this request.

FINDINGS FOR STAFF RECOMMENDATION:

The requested Vacation #756 meets the approval criteria listed in Attachment B.

STAFF CONTACT PERSON:

Alana D. Owen, AICP
Senior Planner

ATTACHMENTS:

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

ATTACHMENT A
BACKGROUND REPORT
VACATION #756

APPLICANT'S PROPOSAL:

The applicant is requesting to vacate South Florence Avenue and the north/south alley east of Florence between Harrison and Monroe Streets. At this time, the applicant plans to provide parking meters along Florence Avenue similar to what has been done on the portion of Florence that has already been vacated south of Monroe Street.

TRAFFIC ENGINEERING COMMENTS:

Traffic supports the vacation of Florence Avenue and the alley.

CITY UTILITIES COMMENTS:

CU has a water main in the street to be vacated. If the water main is to stay in place an easement will be required. The size of the easement depends on whether Florence will stay in place or be deconstructed. Assuming Florence stays in place, add a 30 ft. utility easement going west 30 ft from the east right-of-way line of Florence. Also, retain a utility easement for electric across the entire vacated alley.

AT&T COMMENTS:

An easement will be required for existing facilities along Florence. No objection to the vacation of the alley east of Florence.

STORM WATER COMMENTS:

Florence serves as the drainageway from Harrison south to Monroe - a path must remain based on passing the 100-year storm flow rate for the watershed. Calculations must be provided upon submittal of plans for any redevelopment

POLICE DEPARTMENT COMMENTS:

The Police Department does not see any safety issues with the proposed vacation. There is plenty of access with parking lots.

FIRE DEPARTMENT COMMENTS:

Florence is needed for fire aerial apparatus access to 1141 E. Monroe. A Fire Apparatus Access Easement must be dedicated that cannot be altered or relinquished without the consent of the Fire Department.

SANITARY SERVICE:

There is no public sewer within Florence but there is in the alley east of it. Need to retain sewer easements for the vacated alley.

BUILDING DEVELOPMENT SERVICES:

The E-911 address of 675 S. Florence Avenue will need to be changed to an E. Monroe Street address.

ADJACENT PROPERTY OWNER COMMENTS:

Eleven (11) 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. Florence Avenue and the subject alley were dedicated to the City in 1885 as part of the Biggs and Grays Addition. The surrounding property is owned by Missouri State University. All properties adjacent to Florence and the alley will still have access. In addition, the applicant is providing all requested easements within the area to be vacated.
2. The proposed vacation meets the approval criteria for vacating right-of-way.

ATTACHMENT B
APPROVAL CRITERIA
VACATION #756

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. The adjacent property is owned by Missouri State University.

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. All necessary easements are being provided.

EXHIBIT A
LEGAL DESCRIPTION
VACATION #756

Portion of Florence Avenue to be vacated and conveyed to Missouri State University:
All that portion of Florence Avenue in Biggs and Gray's Addition to the City of Springfield, Greene County, Missouri, said street running South from Harrison Street to Monroe Street described as follows:

Beginning at the Northeast corner of Lot 30 in said Biggs and Gray's Addition, said corner being on the South right of way of Harrison Street and the West right of way of Florence Avenue; Thence East along the South right of way of Harrison street, a distance of 60 feet to the Northwest corner of Lot 38; Thence South along the East right of way of Florence Avenue and West line of Lots 38 through 45, a distance of 420 feet to the Southwest corner of Lot 45 on the North right of way of Monroe Street; Thence West along the North right of way of Monroe Street, a distance of 60 feet to the Southeast corner of Lot 37; Thence North along the West right of way of Florence Avenue and the East line of Lots 37, 36, 35, 34, 33, 32, 31, and 30, a distance of 420 feet to the Point of Beginning.

And the following:

Portion of alley to be vacated and conveyed to Missouri State University:
All that portion of an alley in Biggs and Gray's Addition to the City of Springfield, Greene County, Missouri, said alley lying between National Avenue and Florence Avenue and running south from Harrison Street to Monroe Street described as follows:
Beginning at the Northeast corner of Lot 38 in said Biggs and Gray's Addition; Thence East along the South right of way of Harrison street, a distance of 15 feet to the Northwest corner of Lot 46; Thence South along the West line of Lots 46 through 53, a distance of 420 feet to the Southwest corner of Lot 53 on the North right of way of Monroe Street; Thence West along the North right of way of Monroe Street, a distance of 15 feet to the Southeast corner of Lot 45; Thence North along the East line of Lots 45, 44, 43, 42, 41, 40, 39, and 38, a distance of 420 feet to the Point of Beginning.

EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 3.42 acres of property generally located at 3049 West Latoka Street from R-SF, Single Family Residential District to an O-1, Office District; and establishing Conditional Overlay District No. 57.

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-5-2013/CONDITIONAL OVERLAY DISTRICT NO. 57

The applicant is proposing to rezone the property from a R-SF, Single Family Residential District to an O-1, Office District. This will facilitate the development of this site into a daycare center that is associated with Macedonia Baptist Church. The applicant is requesting a conditional overlay district that will restrict the permitted uses and gross building floor area. It will also require an administrative lot combination to be completed and sidewalks to be constructed or escrowed along Washita and Oxford. The standard requirements for bufferyards, noise, lighting, odor and signage will be covered by the Zoning Ordinance.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on May 2, 2013, and recommended _____, by a vote of _____ to _____, of the proposed zoning on the tracts of land described on the attached sheet (see the attached Record of Proceedings).

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

FINDINGS FOR STAFF RECOMMENDATION:

1. The Comprehensive Plan designates this area as appropriate for medium-intensity retail, office and residential uses. The Office District is one of the recommended zoning districts.
2. The proposed conditional overlay district will mitigate the potential impact between the commercial and residential uses by restricting permitted uses and gross building floor area.
3. The standard development requirements in the O-1 District are otherwise adequate for mitigating potential impacts of the office uses on the adjoining residential properties.

Submitted by:

Approved by:

Planning and Development

City Manager

EXHIBITS:

Exhibit A, Legal Description

Exhibit B, Record of Proceedings

Exhibit C, Conditional Overlay District Provisions

Exhibit D, Location Map

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Neighborhood Meeting Summary and Sign-In Sheet

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

EXHIBIT A
LEGAL DESCRIPTION
ZONING CASE Z-5-2013 & CONDITIONAL OVERLAY DISTRICT NO. 57

THAT CERTAIN PARCEL OR TRACT OF LAND BEING ORIGINALLY PLATTED AS LOTS 62 THROUGH 67, LOT 153, AND LOTS 155 THROUGH 157 IN SHERWOOD, A PLATTED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING 1" PIPE AT THE NORTHEAST CORNER OF SAID LOT 67; THENCE, S01°43'40"W, ALONG THE EAST LINE OF SAID LOT 67, A DISTANCE OF 212.80 FEET TO AN EXISTING 5/8" IRON PIN AT THE SOUTHEAST CORNER OF SAID LOT 67; THENCE, N89°37'40"W, ALONG THE SOUTH LINE OF SAID LOT 67, A DISTANCE OF 49.68 FEET TO AN EXISTING 1/2" IRON PIN AT NORTHEAST CORNER OF SAID LOT 153; THENCE, S01°43'23"W, ALONG THE EAST LINE OF SAID LOT 153, A DISTANCE OF 213.04 FEET TO THE SOUTHEAST CORNER OF SAID LOT 153; THENCE, N89°12'16"W, ALONG THE SOUTH LINE OF SAID LOT 153, A DISTANCE OF 49.93 FEET TO AN EXISTING 1/2" IRON PIN AT THE SOUTHWEST CORNER OF SAID LOT 153; THENCE, N01°40'21"E, ALONG THE WEST LINE OF SAID LOT 153, A DISTANCE OF 213.42 FEET TO AN EXISTING 5/8" IRON PIN AT THE SOUTHEAST CORNER OF SAID LOT 65; THENCE, N89°36'14"W, ALONG THE SOUTH LINE OF SAID LOT 65, A DISTANCE OF 50.05 FEET TO AN EXISTING 5/8" IRON PIN AT THE NORTHEAST CORNER OF SAID LOT 155; THENCE, S01°39'34"W, ALONG THE EAST LINE OF SAID LOT 155, A DISTANCE OF 213.07 FEET TO THE SOUTHEAST CORNER OF SAID LOT 155; THENCE, N89°12'16"W, ALONG THE SOUTH LINE OF SAID LOTS 155, 156 AND 157, A DISTANCE OF 200.84 FEET TO AN EXISTING 5/8" IRON PIN WITH A CAP STAMPED "BUTCHER LS 1911" AND A POINT OF CURVATURE TO THE RIGHT; THENCE, ALONG SAID CURVE TO THE RIGHT, ALONG THE WEST LINE OF SAID LOT 157, SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 89°51'50", AN ARC DISTANCE OF 78.44 FEET, ALONG A CHORD BEARING N44°08'54"W; THENCE, N01°42'29"E, ALONG THE WEST LINE OF SAID LOTS 157 AND 62, A DISTANCE OF 361.72 FEET TO A POINT OF CURVATURE TO THE RIGHT; THENCE, ALONG SAID CURVE TO THE RIGHT, ALONG THE NORTH LINE OF SAID LOT 62, SAID CURVE HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 89°07'48", AN ARC DISTANCE OF 23.33 FEET, ALONG A CHORD BEARING N46°16'23"E; THENCE, S89°09'43"E, ALONG THE NORTH LINE OF SAID LOTS 62 THROUGH 67, A DISTANCE OF 386.49 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.42 ACRES (MORE OR LESS) AND BEING SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD, IF ANY.

EXCEPT ANY AREA LYING OUTSIDE THE CITY LIMITS.

EXHIBIT B
RECORD OF PROCEEDINGS
ZONING CASE Z-5-2013 & CONDITIONAL OVERLAY DISTRICT NO. 57

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

EXHIBIT C
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-5-2013 & CONDITIONAL OVERLAY DISTRICT NO. 57

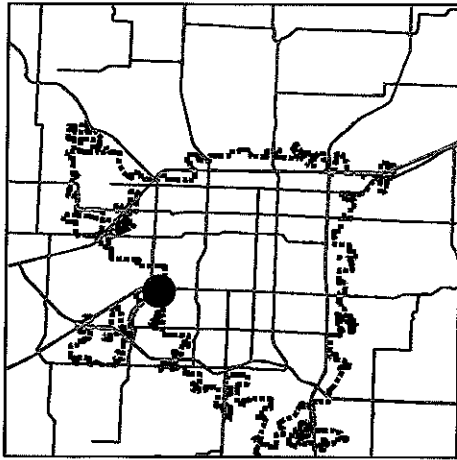
The requirements of *Section 4-2000* of the *Springfield Zoning Ordinance* shall be as modified herein for development within this district.

A. Permitted Uses: The district shall be restricted to the following uses:

1. Accessory Uses, as permitted by *Section 5-1000, Accessory Structures and Uses*.
2. Churches and other places of worship, including parish houses and Sunday schools and emergency shelters for fifty (50) or fewer residents and soup kitchens as accessory uses.
3. Community centers, nonprofit.
4. Day care centers in accordance with Chapter 36, Article XI, Springfield City Code.
5. Educational, religious, cultural, public, or nonprofit institutions such as churches, museums, art galleries and libraries, but not including correctional institutions or hospitals.
6. Schools, elementary and secondary.

B. Use Limitations

1. A lot combination of all properties is completed following the *Subdivision Regulations*.
2. The gross floor area for all buildings on the subject property as submitted shall not exceed thirty-seven thousand (37,000) square feet.
3. Prior to building permits being issued, sidewalk is required to be constructed or escrowed following the *Subdivision Regulations* along property frontage on north side of Washita and connect to existing sidewalk. Sidewalk also required along the property frontage on the east side of Oxford to Latoka and ramped into the street across from the existing sidewalk on the south side of Latoka.



Zoning & Subdivision Report

Planning & Development - 417/864-1031

840 Boonville - Springfield, Missouri 65802

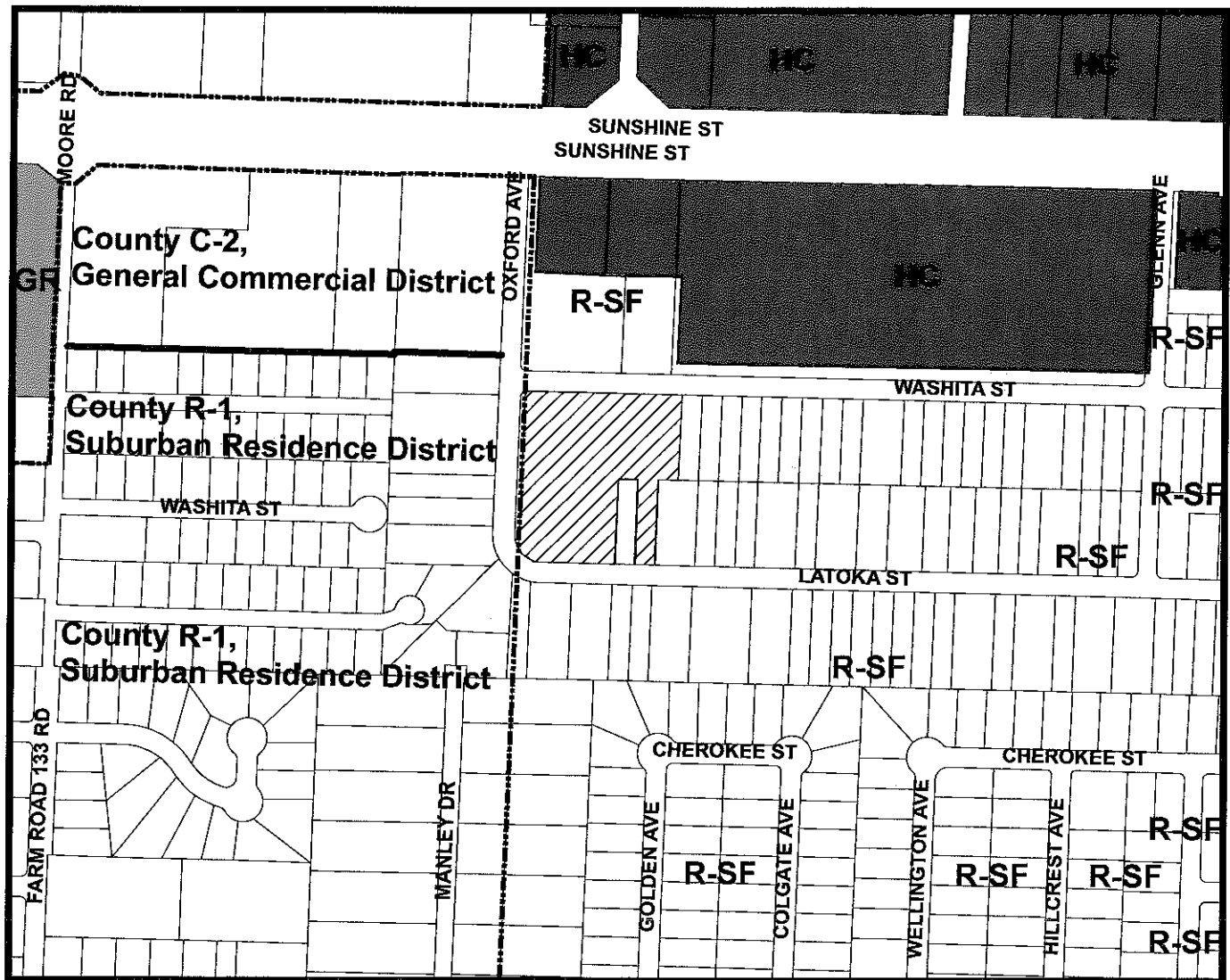
Z-5-2013 and Conditional Overlay District #57

Location: 3049 W. Latoka St.

Current Zoning: R-SF, Single-Family Residential District

Proposed Zoning: O-1, Office District and COD #57

LOCATION SKETCH



- Area of Proposal



1 inch = 400 feet

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-5-2013 & CONDITIONAL OVERLAY DISTRICT NO. 57

DATE: April 24, 2013

LOCATION: 3049 W. Latoka Street

APPLICANT: Macedonia Baptist Church

TRACT SIZE: Approximately 3.42 acres

EXISTING USE: Residential uses and vacant land

PROPOSED USE: Daycare, community center and church uses

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF & HC	Church
East	R-SF	Single-Family Residences
South	R-SF	Single-Family Residences
West	County R-1	Single-Family Residences

COMPREHENSIVE PLAN:

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

BUILDING DEVELOPMENT SERVICES COMMENTS:

No BDS issues with base zoning of O-1 with the COD indicated.

GREENE COUNTY HIGHWAY COMMENTS:

Drive access to Oxford Ave must be setback a minimum of fifty (50) feet from the intersection with Washita St. as measured from the edge of right of way. Improvements within county right of way, including driveways and sidewalks must be permitted through the Greene County Highway Department and meet current county design standards.

TRAFFIC COMMENTS:

1. Sidewalk is required to be constructed along property frontage on north side of Washita and connect to existing sidewalk. Sidewalk also required along the property frontage on the east side of Oxford to Latoka and ramped into the street across from the existing sidewalk on the south side of Latoka.
2. The developer has agreed to limit the total square footage of the building to 37,000 square feet. Based on this limitation, a traffic study will not be required.

STORMWATER COMMENTS:

1. Detention including water quality will be required for any proposed development. Improvements to existing ditch system along Oxford and Washita will be necessary to provide a waterway to discharge the detention basin without impacting the street system.
2. There is potential for construction of a culvert under Washita Street, if one does not already exist, to transfer flows under the street.

SANITARY SERVICES COMMENTS:

1. No objections to rezoning.
2. The nearest public sewer is on Latoka Street.
3. Some of the lots will not have access to sewer unless they are all combined into one tract.
4. Some of the lots on the north side might be too low to drain by gravity to Latoka Street. If all the lots are combined, the buildings on the north side of the development might have to pump to the public sewer.
5. The lots along Washita Street are in a proposed tax bill sewer district and if connected to sewer, may have to participate in the cost of that district unless they discharge to the south.
6. The lots along Washita Street are also subject to a \$0.033 per sq. ft. trunkline connection fee unless they discharge to the south.

ADJACENT PROPERTY OWNER COMMENTS:

Twenty-one (21) 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 96 invitations) within five hundred (500) feet of the subject property on April 5, 2013, at the Macedonia Baptist Church (3110 W. Sunshine St.). Three (3) members of the public attended the meeting that was held between 5-6:30 p.m. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. The applicant is proposing to rezone the property from R-SF, Single-Family Residential District to an O-1, Office District. This will facilitate the development of this site into a daycare center that is associated with Macedonia Baptist Church.
2. The Growth Management and Land Use Plan of the Comprehensive Plan designates this area along the Sunshine Street corridor as appropriate for medium-intensity retail, office and residential uses. Office is one of the zoning districts recommended in these areas. The O-1 District is designed to be a restrictive district for low intensity office or professional uses which may be located outside the center city adjacent to any of the residential districts, with appropriate buffers and landscaping so as not to create an adverse effect on adjacent residential areas. Staff believes the subject site with the overlay district will meet the recommendation of the City's Comprehensive Plan and intent of the Office District.
3. The applicant is requesting a conditional overlay district that will restrict the permitted uses and gross building floor area. It will also require an administrative lot combination to be completed and sidewalks to be constructed or escrowed along Washita and Oxford. The standard requirements for bufferyards, noise, lighting, odor and signage will be covered by the Zoning Ordinance.
4. By restricting the permitted uses and gross building floor area, the projected traffic impact of the site is significantly reduced and does not require a traffic study.
5. The bufferyard requirement between the O-1, Office District and adjacent R-SF, Single-Family Residential District to the south and east, is a Bufferyard "C". The Bufferyard "C" requires a minimum open space of fifteen (15) feet wide with the following plantings per one hundred (100) linear feet: one (1) canopy tree, two (2) understory trees, two (2) evergreen trees and ten (10) shrubs. There are no required structures (i.e. solid fence, wall or hedge) in the Bufferyard "C". The bufferyard requirement between the O-1, Office District and R-SF, Single-Family Residential District across Washita, Oxford and Latoka to the north, west and south, is a Bufferyard "S1". The Bufferyard "S1" requires a minimum open space of fifteen (15) feet wide with the following plantings per one hundred (100) linear feet: one (1) canopy tree, one (1) understory tree, and three (3) shrubs. There are no required structures (i.e. solid fence, wall or hedge) in the Bufferyard "S1".

6. The maximum floor area ratio of the O-1 District is 0.4 (forty (40) percent of the lot area of the property can be utilized as buildings); however, the conditional overlay district has restricted the gross building floor area to not exceed thirty seven thousand (37,000) square feet. The maximum height of any structure is limited by a forty-five (45) degree bulk plane as measured from the boundaries of any residential districts.

FINDINGS FOR STAFF RECOMMENDATION:

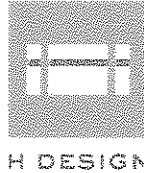
1. The Comprehensive Plan designates this area as appropriate for medium-intensity retail, office and residential uses. The Office District is one of the recommended zoning districts.
2. The proposed conditional overlay district will mitigate the potential impact between the commercial and residential uses by restricting permitted uses and gross building floor area.
3. The standard development requirements in the O-1 District are otherwise adequate for mitigating potential impacts of the office uses on the adjoining residential properties.

RECOMMENDATION:

Staff recommends **approval** of this request with the requirements of Conditional Overlay District No. 57.

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036



April 11, 2013

Daniel Neil
City of Springfield Zoning Department
840 Boonville Avenue
Springfield Mo. 65802

Re: Neighborhood Meeting Summary for Rezoning Request
3049 W. Latoka Street

Mr. Daniel Neil,

Please find below a summarization of the neighborhood meeting on the above referenced zoning case:

- Development Application:
Rezone and combine properties currently zoned R-SF to O-1 with Conditional Overlay.
- Meeting Date & Time:
Tuesday, April 9th 2013 from 5:00 p.m. to 6:30 p.m. (See attachment A)
- Meeting Location:
3110 West Sunshine, Macedonia Baptist Church adjacent to Project Site
- Number of Invitations that were sent: 96
How was the mailing list generated: *City of Springfield Zoning Staff.*
- Number of neighbors in attendance: 3 (*See attachment B*)
- List the verbal comments and how you plan to address any issues:
Ms. Anya Wheeler had a couple concerns related to the potential for traffic increases and parking lot lighting shining into her house. On the traffic, we showed her the planned drop off and pick-up traffic patterns and also explained that the number of cars will likely not increase much since the program is simply moving out of the current building into this facility. On the lighting, we explained that the zoning ordinance will require that full cut-off fixtures are required to be 0 footcandles at the property lines. Additionally, it is not our intent to install pole lighting in parking lot.....rather just a few small decorative wall mounted fixtures on the building columns.

Mr. Kenneth Sikes was in support of the project and just wants to make sure that we property secure the playgrounds for the safety of the children. We agreed that children safety is the owner's primary objective.

Ms. Alex Pering simply inquired about the project and indicated she was in support.

All other participants were with the Church and in support of the rezone.

- List or attach the written comments and how you plan to address any issues:
No written comments received.

The meeting ended at 6:30 p.m. and we have received no additional phone call or written inquiries. Please let me know if you receive any inquiries so that we may address prior to the deadline for Planning & Zoning Commission Hearing.

Thank you,

A handwritten signature in black ink, appearing to read 'Brent M. Stevens', followed by a horizontal line.

Brent M. Stevens AIA
Principal / Architect

Attachments: Attachment A (Neighborhood Meeting Invitation Mailer) 1 page
Attachment B (Neighborhood Meeting Sign-In Sheet) 1 page



H DESIGN

March 22, 2013

Dear Neighbor,

Please join us for a neighborhood meeting to discuss our rezoning request for a proposed change in zoning for approximately 3.4 acres located on the south side of Washita Street directly behind Macedonia Baptist Church. There are several parcels within the rezone that are currently zoned R-SF (Residential Single Family). We are asking to rezone and combine all parcels to an O-1 (Office) zoning to allow our Day Care Center to be relocated in a new building constructed on that land.

For all development applications involving an advertised public hearing, City Council requires developers to hold a neighborhood meeting and invite everyone within 500 feet of the property surrounding the property along with recognized neighborhood organizations.

Although we do not currently have full design plans for the property, we are interested in understanding potential concerns, recommendations or suggestions that should be considered as we move forward in the design process. A sign-in sheet will be circulated and minutes of the meeting will be taken and submitted to the City of Springfield Zoning Department.

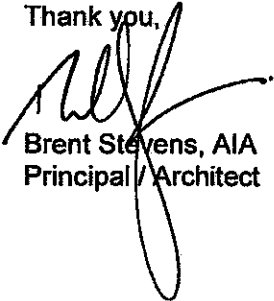
Meeting Location: Macedonia Baptist Church
3110 West Sunshine St.
Room 110- Enter through Main Office on South side of Facility
Springfield, MO 65807

Meeting Date: Tuesday, April 9, 2013

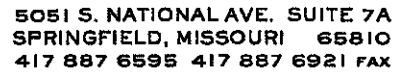
Meeting Time: 5:00 p.m. to 6:30 p.m.

The meeting will be an "open house" format with the Architect and Owner Representatives in attendance during the entire time frame allotted so you are welcome to come and go anytime during the meeting. If you are unable to attend the meeting but would like information, please contact me at 417-887-6595.

Thank you,



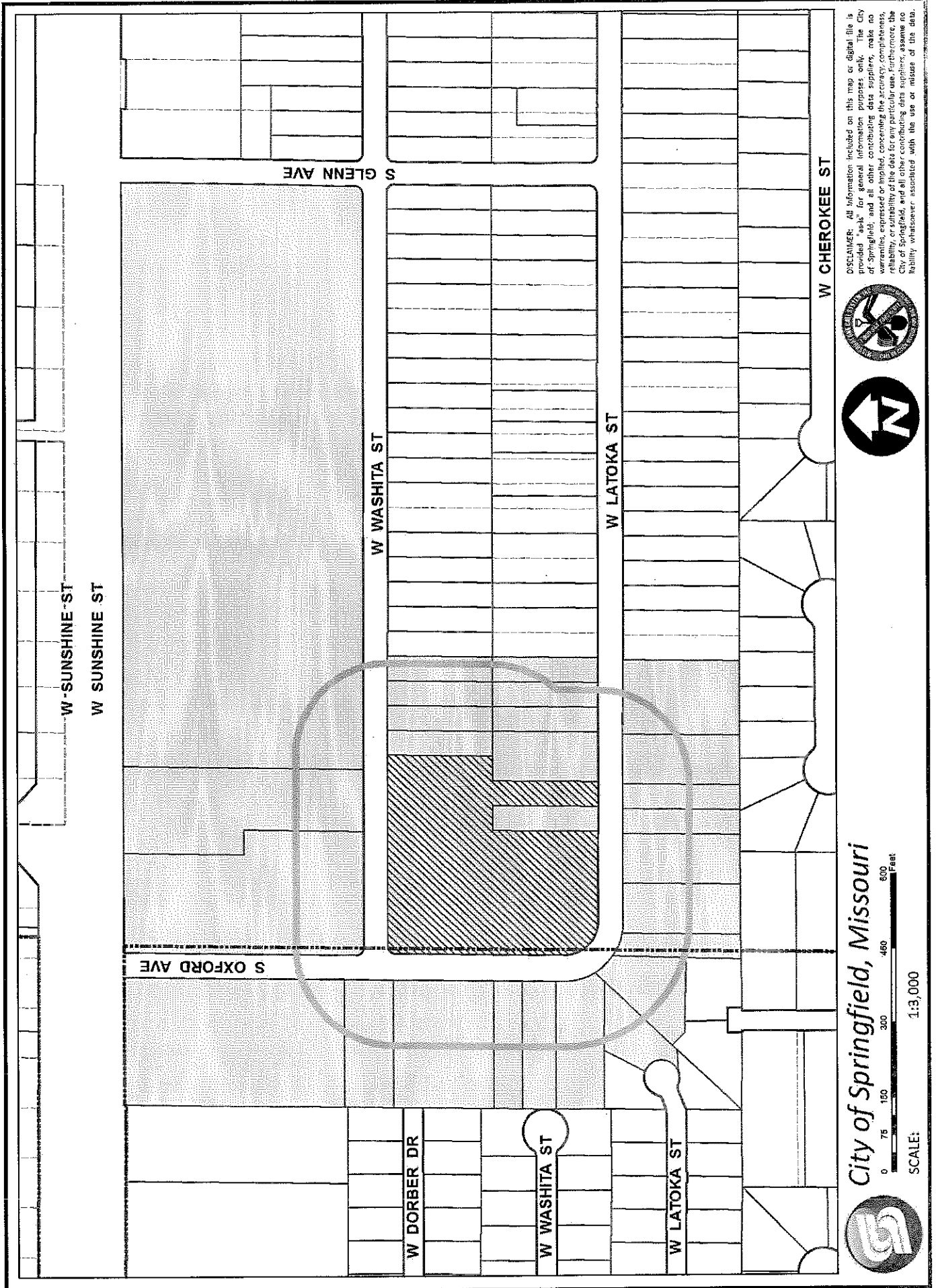
Brent Stevens, AIA
Principal / Architect



PROJECT:	Macedonia Baptist Church Daycare	DATE:	04-09-2013
MEETING LOCATION:	Macedonia Baptist Church 3110 West Sunshine	TIME:	5:00 to 6:30

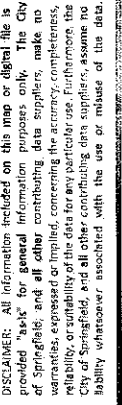
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185 ft. Property Owners List



OWNER_NAME	OWNER_ADDR	OWNER_CITY	OWNER_ST	OWNER_ZIPC
166 PROPERTIES LLC	2944 W SUNSHINE ST	SPRINGFIELD	MO	65804
APPLEBY, ROBERT L TR	3114 W SUNSHINE ST	SPRINGFIELD	MO	658071032
BAPTIST CH MACEDONIA	3110 W SUNSHINE ST	SPRINGFIELD	MO	658071046
BOB HOMES LLC	4781 STATE HIGHWAY B	ROGERSVILLE	MO	657427639
CAMPBELL, EULA F	3060 W LATOKA ST	SPRINGFIELD	MO	658072118
COWAN, JOHN	3050 W LATOKA ST	SPRINGFIELD	MO	658072118
COWAN, LINDSAY J	3056 W LATOKA ST	SPRINGFIELD	MO	658072118
DATEMA, CORNELIUS H TR	2649 S MAPLE LEAF LN	SPRINGFIELD	MO	658027701
HOUSE, EDDIE DEAN	1721 S GOLDEN AVE	SPRINGFIELD	MO	658071041
MCCLAIN, WILLIAM E	2151 S GLENN AVE	SPRINGFIELD	MO	65807
MOORE, RICKI GENE	3045 W LATOKA ST	SPRINGFIELD	MO	658072117
PATTERSON, JUDITH FAMILY TR	3076 W LATOKA ST	SPRINGFIELD	MO	658072118
PROPERTY PARTNERS LLC	2847 S INGRAM MILL RD	SPRINGFIELD	MO	658044009
REED, DUANE ELDON TRUSTEE REED PATRICIA	7007 W SPLIT RIDGE LN	SPRINGFIELD	MO	65803
RUSHING, ROBERT R	3040 W WASHITA ST	SPRINGFIELD	MO	658072135
SAMSEL, DANA ETAL	4017 W FARM ROAD 148	SPRINGFIELD	MO	658070944
SCHRIER, DONALD L JR ETAL	3024 W WASHITA ST	SPRINGFIELD	MO	658072135
SIKES, KENNETH L	3057 W LATOKA ST	SPRINGFIELD	MO	658072117
SUMMERS, SANDRA J	1997 S OXFORD AVE	SPRINGFIELD	MO	658072131
TAYLOR, LESLIE DEANN	501 S PARK AVE	SPRINGFIELD	MO	658061515
WHEELER, STEPHEN M	1901 S OXFORD AVE	SPRINGFIELD	MO	658072131

W SUNSHINE ST



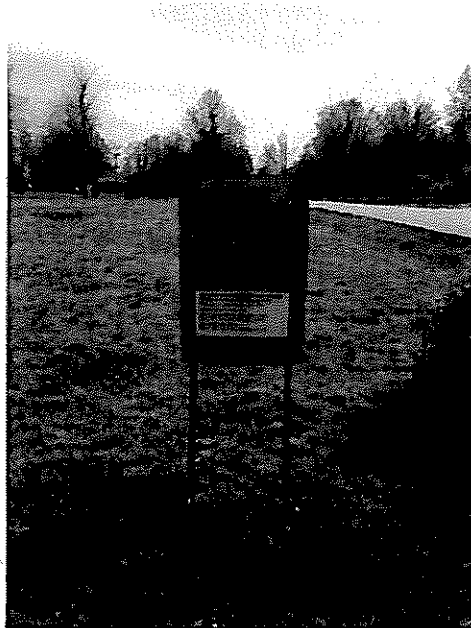
OWNER_NAME	OWNER_ADDR	OWNER_CITY	OWNER_STAT	OWNER_ZIPC
166 PROPERTIES LLC	2944 W SUNSHINE ST	SPRINGFIELD	MO	65804
3255 W DORBER FAMILY TR	3255 W DORBER DR	SPRINGFIELD	MO	658077633
417 RENTALS LLC	5759 W US HIGHWAY 60	BROOKLINE	MO	656199438
APPLEBY, ROBERT L TR	3114 W SUNSHINE ST	SPRINGFIELD	MO	658071032
AUSLAM, NORMA M	3144 W LATOKA ST	SPRINGFIELD	MO	658077636
AUSTIN, KENNETH W TR	6674 W FARM ROAD 140	SPRINGFIELD	MO	658027721
BAGBY, REVA L	3006 W WASHITA ST	SPRINGFIELD	MO	658072135
BALLARD, TERRY L	3154 W WASHITA ST	SPRINGFIELD	MO	658077642
BAPTIST CH MACEDONIA	3110 W SUNSHINE ST	SPRINGFIELD	MO	658071046
BECK, JOHN-HENRY	2010 S COLGATE AVE	SPRINGFIELD	MO	658073253
BERRY, TIMOTHY M	PO BOX 8304	SPRINGFIELD	MO	658018304
BOB HOMES LLC	4781 STATE HIGHWAY B	ROGERSVILLE	MO	657427639
CAMPBELL, EULA F	3060 W LATOKA ST	SPRINGFIELD	MO	658072118
CASH, ANDREW L	3006 W LATOKA ST	SPRINGFIELD	MO	658072118
CHANDLER, DAVID L	3204 W WASHITA ST	SPRINGFIELD	MO	658077641
CLINE, REBECCA	2966 W WASHITA ST	SPRINGFIELD	MO	658072136
COLLINCO LLC	5082 S ELIZABETH AVE	SPRINGFIELD	MO	65810
CORN, RANDY	3406 S BELLHURST AVE	SPRINGFIELD	MO	658044609
COWAN, JOHN	3050 W LATOKA ST	SPRINGFIELD	MO	658072118
COWAN, LINDSAY J	3056 W LATOKA ST	SPRINGFIELD	MO	658072118
DATEMA, CORNELIUS H TR	2649 S MAPLE LEAF LN	SPRINGFIELD	MO	658027701
ECKL, GLENN K	3020 W LATOKA ST	SPRINGFIELD	MO	658072118
FOSTER, ANDREW D	3039 W CHEROKEE ST	SPRINGFIELD	MO	658077629
FRAZIER, ROY	3003 W LATOKA ST	SPRINGFIELD	MO	658072117
GOODWIN, JEFFERY L	3159 W LATOKA ST	SPRINGFIELD	MO	658077638
GOOSEY, BRANDON L	3201 W LATOKA ST	SPRINGFIELD	MO	658077637
HELM, BRITNEY	3210 W WASHITA ST	SPRINGFIELD	MO	65807
HILL, SARA J	3209 W WASHITA ST	SPRINGFIELD	MO	658072140
HOOTON, DARRELL	2029 S MANLEY DR	SPRINGFIELD	MO	658072119
HORNED, NORVOLA RAE	2016 S MANLEY DR	SPRINGFIELD	MO	658072120
HOUSE, EDDIE DEAN	1721 S GOLDEN AVE	SPRINGFIELD	MO	658071041
HOWELL, DUANE S	3152 W LATOKA ST	SPRINGFIELD	MO	658077636
HUNT, RICK	1433 EMERALD HILLS DR	NIXA	MO	657148492
JOHNSON, LORINDA SUE	3262 W DORBER DR	SPRINGFIELD	MO	658077631
JOHNSTON, WES A	2028 S MANLEY DR	SPRINGFIELD	MO	658072120
JOHNSTON, WES A	2028 S MANLEY DR	SPRINGFIELD	MO	658072120
KUHNERT, TODD R	2041 S MANLEY DR	SPRINGFIELD	MO	658072119
LASCHANZKY, DEBORAH L	2965 W LATOKA ST	SPRINGFIELD	MO	658072115
LINSON, ROGER S	2466 S ASPEN AVE	SPRINGFIELD	MO	658073102
LONG, OWEN L	2040 S MANLEY DR	SPRINGFIELD	MO	658072120
LONG, OWEN L	2040 S MANLEY DR	SPRINGFIELD	MO	658072120
MACKLEY, KENDRA J	3014 W WASHITA ST	SPRINGFIELD	MO	658072135
MARTIN, SARAH DEANN	3145 W LATOKA ST	SPRINGFIELD	MO	65802
MCCLAIN, WILLIAM E	2151 S GLENN AVE	SPRINGFIELD	MO	65807
MCLAUGHLIN, LINDSEY	3011 W CHEROKEE ST	SPRINGFIELD	MO	658077629
METZ, ROBERT JOHN	9079 GAINSBOROUGH AVE	SAN DIEGO	CA	92129
MILLER, ANGELA F	2011 S GOLDEN AVE	SPRINGFIELD	MO	658077625
MOORE, RICKI GENE	3045 W LATOKA ST	SPRINGFIELD	MO	658072117
MYERS, RICHARD	2017 S GOLDEN AVE	SPRINGFIELD	MO	658077625
OWEN, GLEN JR	2024 S GOLDEN AVE	SPRINGFIELD	MO	658077624
PATTERSON, JUDITH FAMILY TR	3076 W LATOKA ST	SPRINGFIELD	MO	658072118
PENNEY, MARY ALYNE	2017 S MANLEY DR	SPRINGFIELD	MO	658072119
PEREZ, RENE	3045 W CHEROKEE ST	SPRINGFIELD	MO	658077629
PROPERTY PARTNERS LLC	2847 S INGRAM MILL RD	SPRINGFIELD	MO	658044009

QUINTUS, CATHERINE M	12706 E 76TH CIR N	OWASSO	OK	740557936
REED, DUANE ELDON TRUSTEE REED PATRICIA	7007 W SPLIT RIDGE LN	SPRINGFIELD	MO	65803
ROMANTIX SPFD INC	4655 N COLORADO BLVD	DENVER	CO	802163217
RUSHING, ROBERT R	3040 W WASHITA ST	SPRINGFIELD	MO	658072135
SACHS, TERILYN	3019 W CHEROKEE ST	SPRINGFIELD	MO	658077629
SAMSEL, DANA ETAL	4017 W FARM ROAD 148	SPRINGFIELD	MO	658070944
SATTERFIELD, HAROLD H	3263 W DORBER DR	SPRINGFIELD	MO	658077633
SCHMIDT, ELIZABETH K	6570 COUNTY LINE ROAD 102	FULTON	MO	65251
SCHRIER, DONALD LJR ETAL	3024 W WASHITA ST	SPRINGFIELD	MO	658072135
SEILER, RANDY J	3248 W DORBER DR	SPRINGFIELD	MO	658077631
SIKES, KENNETH L	3057 W LATOKA ST	SPRINGFIELD	MO	658072117
SLATER, KRISTINE K	3010 W LATOKA ST	SPRINGFIELD	MO	658072118
SMITH, RAYMOND J	2966 W LATOKA ST	SPRINGFIELD	MO	658072116
SMITH, ROYCE	3011 W LATOKA ST	SPRINGFIELD	MO	658072117
STMICHEL, KELLY	1492 S FARM ROAD 115	SPRINGFIELD	MO	658027738
SUMMERS, SANDRA J	1997 S OXFORD AVE	SPRINGFIELD	MO	658072131
TAYLOR, LESLIE DEANN	501 S PARK AVE	SPRINGFIELD	MO	658061515
TRAILS, END TRUST	345 LIBERTY RD	ROGERSVILLE	MO	657427134
WHEELER, STEPHEN M	1901 S OXFORD AVE	SPRINGFIELD	MO	658072131
Current Resident	3010 W WASHITA ST	SPRINGFIELD	MO	65807
Current Resident	3020 W WASHITA ST	SPRINGFIELD	MO	65807
Current Resident	3039 W LATOKA ST	SPRINGFIELD	MO	65807
Current Resident	3249 W DORBER DR	GREENE COUNTY	MO	65807
Current Resident	3135 W LATOKA ST	GREENE COUNTY	MO	65807
Current Resident	3254 W DORBER DR	GREENE COUNTY	MO	65807
Current Resident	3153 W LATOKA	GREENE COUNTY	MO	65807
Current Resident	3082 W LATOKA ST	SPRINGFIELD	MO	65807
Current Resident	3210 WASHITA	GREENE COUNTY	MO	65807
Current Resident	1993 S OXFORD AVE	GREENE COUNTY	MO	65807
Current Resident	3230 W SUNSHINE ST	GREENE COUNTY	MO	65807
Current Resident	3153 W WASHITA ST	GREENE COUNTY	MO	65807
Current Resident	3036 W WASHITA ST	SPRINGFIELD	MO	65807
Current Resident	3158 W LATOKA ST	GREENE COUNTY	MO	65807
Current Resident	3030 W WASHITA ST	SPRINGFIELD	MO	65807
Current Resident	3203 W WASHITA ST	GREENE COUNTY	MO	65807
Current Resident	3031 W LATOKA ST	SPRINGFIELD	MO	65807
Current Resident	3130 W SUNSHINE ST	GREENE COUNTY	MO	65807
Current Resident	3026 W LATOKA ST	SPRINGFIELD	MO	65807
Current Resident	3031 W CHEROKEE ST	SPRINGFIELD	MO	65807
Current Resident	3000 W LATOKA ST	SPRINGFIELD	MO	65807
Current Resident	3044 W LATOKA ST	SPRINGFIELD	MO	65807
Current Resident	3000 W WASHITA ST	SPRINGFIELD	MO	65807

AFFIDAVIT OF SIGN POSTING



SIGN 1: Placed on Washita at east end of property facing north.



SIGN 2: Placed at the corner of Oxford and Washita facing north.



SIGN 3: Placed at the corner of Latoka and Oxford facing east.

I, Brent Stevens, AIA (*print name of owner, agent, attorney*), attest that the above sign was posted 10 days before the public hearing on 05/02/2013 (*month/day/year*) and in accordance with given posting requirements.



(*signature of person completing sign posting*)

Brent Stevens, AIA - H Design Group

(*printed name of person completing sign posting*)

EXPLANATION TO COUNCIL BILL NO. 2013--_____

Filed:

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 0.76 acres of property generally located at 1918 Ingram Mill Road from an R-HD, High-Density Multi-Family Residential District to an O-1, Office District. (Planning and Zoning Commission and Staff recommends ____).

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-6-2013

The applicant is proposing to rezone approximately 0.76 acres of land from an R-HD, High-Density Multi-Family Residential District to an O-1, Office District. The subject property currently has an existing office building and parking lot onsite.

FINDINGS FOR STAFF RECOMMENDATION:

1. The applicant is proposing to rezone approximately 0.76 acres of property from an R-HD, High Density Multi-Family Residential District to an O-1, Office District.
2. The Growth Management and Land Use Plan of the Comprehensive Plan designates this area as appropriate for medium or high density housing uses. This area is also within the US 65 Highway and Sunshine Street Activity Center. These areas have been identified to promote retail, office and multi-family housing, restaurants, hotel and entertainment and community facilities.
3. The subject property is located on Ingram Mill Road, and classified as a collector roadway.
4. The subject property has an existing office and parking facility.
5. Prior to the adoption of the 1995 Zoning Ordinance, professional offices were an allowable use in the Multi-Family (R-3) District. With the adoption of the new 1995 Zoning Ordinance this property became a nonconforming use with the new R-HD, High Density Multi-Family Residential District.
6. The approval of O-1, Office District zoning on the subject property will allow the property to conform to the existing office use.

CONDITIONS:

1. The current driveway's on the property need to meet the ST-9 standard (minimum of 26 feet wide).
2. Sidewalks must be constructed along the property frontage of Ingram Mill Road.
3. There needs to be additional right of way dedicated for Ingram Mill Road to meet a standard of sixty (60') feet of right of way measured 30 feet from the centerline.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on May 2, 2013 and recommended approval, by a vote of ___ to ___, of the proposed zoning. The City Council will hold a public hearing on this case on May 20, 2013.

Prepared by:

Bob Hosmer, AICP Principal Planner

Submitted by:

Planning and Development

Approved by:

City Manager

EXHIBITS:

Exhibit 1, Legal Description
Exhibit 2, Record of Proceedings
Exhibit 3, Location Map

ATTACHMENTS:

Attachment 1, Background Report
Attachment 2, Neighborhood Meeting Summary and Sign-In Sheet
Attachment 3, 185 feet property owners list

EXHIBIT 1
LEGAL DESCRIPTION
ZONING CASE Z-6-2013

The "Real Property", located in Greene, County, State of Missouri:

Beginning 25 feet East and 413.8 feet North of the Southwest corner of the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) of Section 34, Township 29, Range 21, thence North 116 feet; thence East 284 feet to Highway 65; thence South along the West right of way line of Highway 65 to a point due East of the beginning, thence West to the beginning, all in the City of Springfield, Greene County, Missouri.

EXHIBIT 2
RECORD OF PROCEEDINGS
ZONING CASE Z-6-2013

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

Zoning & Subdivision Report

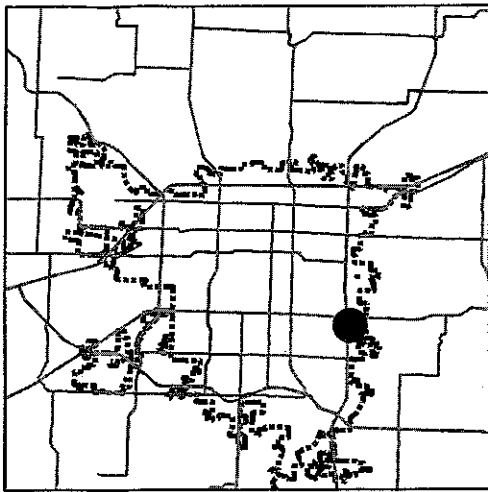
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Z-06-2013

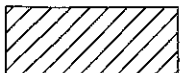
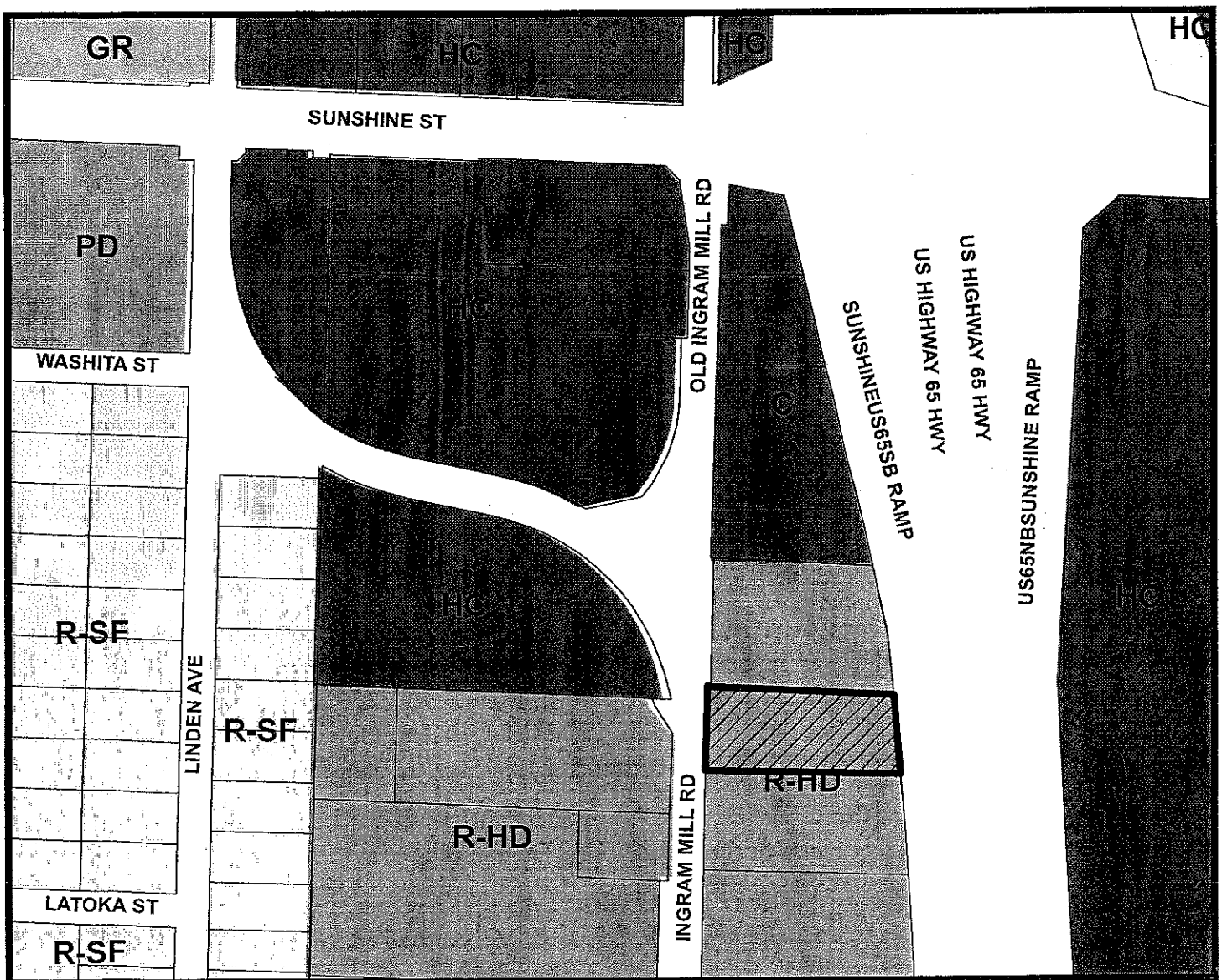
Location: 1918 South Ingram Mill Road

Current Zoning: R-HD, High Density District

Proposed Zoning: O-1, Office District



LOCATION SKETCH



- Area of Proposal



1 inch = 237.91626 feet

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-6-2013

DATE: April 11, 2013

LOCATION: 1918 South Ingram Mill Road

APPLICANT: Ardyth Dixon

TRACT SIZE: Approximately 0.76 acres

EXISTING USE: Office Building

PROPOSED USE: Uses permitted in the O-1, Office District

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-HD	Multi-Family Uses
East	Right of way	US Highway 65 Roadway
South	R-HD	Day care center
West	R-HD	Multi-Family Uses

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. This area is also within the US 65 Highway and Sunshine Street Activity Center. The subject property is located on Ingram Mill Road, and classified as a collector roadway. This classification of roadway is appropriate for office uses.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

1. The current driveway's on the property need to meet the ST-9 standard (minimum of 26 feet wide). Traffic has no issues with utilizing these driveways as one-way drives. There must be "Entrance only" and "Exit Only" signs posted per city code 98-118.7.
2. Ingram Mill is classified as a collector, which requires sidewalks on both sides. Sidewalks must be constructed along the property frontage.

3. The Right of way for a collector is 60 feet (30 feet from the centerline). It appears various widths of right of way are needed along the property frontage.
4. No traffic study is required

STORMWATER COMMENTS:

1. The site is already fully developed, if there are any future improvements to the site, all design standards for stormwater will have to be met.

SANITARY SERVICES COMMENTS:

1. No issues with rezoning.

ADJACENT PROPERTY OWNER COMMENTS:

Seven (7) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request (Attachment 3).

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting for owners and residents within five hundred (500) feet of the subject property on April 16, 2013. A summary of the Neighborhood meeting is attached (Attachment 2).

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 0.76 acres of property from an R-HD, High Density Multi-Family Residential District to an O-1, Office District.
2. The Growth Management and Land Use Plan of the Comprehensive Plan designates this area as appropriate for medium or high density housing uses. This area is also within the US 65 Highway and Sunshine Street Activity Center. These areas have been identified to promote retail, office and multi-family housing, restaurants, hotel and entertainment and community facilities.
3. The subject property is located on Ingram Mill Road, and classified as a collector roadway.
4. The subject property has an existing office and parking facility.
5. Prior to the adoption of the 1995 Zoning Ordinance, professional offices were an allowable use in the Multi-Family (R-3) District. With the adoption of the new 1995 Zoning Ordinance this property became a nonconforming use with the new R-HD, High Density Multi-Family Residential District.
6. The approval of O-1, Office District zoning on the subject property will allow the property to conform to the existing office use.

FINDINGS FOR COMMISSION TO RECOMMEND DENIAL:

1. None

RECOMMENDATION:

Staff recommends **approval** of this request.

STAFF CONTACT:

Bob Hosmer, AICP Senior Planner

TO: Neighboring property owners

FROM: Chet & Ardyth Dixon

DATE: March 20, 2013

You are invited to a Neighborhood meeting regarding a rezoning application that we have recently filed. We are mailing this notice to all neighboring property owners within 500' of our property at 1918 S Ingram Mill Rd, Springfield, MO 65804. This property is currently under RHD (Residential High Density) zoning, although it was grandfathered in with a Special Use as an office many years ago. We would like to permanently change the zoning to Office-1 which would reflect the way the property has been continuously used for over 20+ years. Please feel free to call me if you have any questions at 417-882-1131, or visit with us at:

*Re-zoning Neighborhood Meeting
April 16, 2013
1918 S Ingram Mill, Springfield, MO 65804
4:00 pm – 6:30 pm*

Sincerely,

Aimee Dixon Plumlee
Rezoning Representative

Neighborhood Meeting
RE: 1918 S Ingram Mill Rd, Springfield, MO
APRIL 16th
4pm- 6:30pm

SIGN IN SHEET

1. *Amee Dixon Plunk*
2. *Ardeyth Dixon*
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.

EXHIBIT 2

NEIGHBORHOOD MEETING SUMMARY

1. Request to change zoning from: RHD-1 to OFFICE-1
(existing zoning district) (proposed zoning district)

And any additional explanation that is available:

2. Meeting Date & Time: APRIL 16, 2013 4pm-6:30pm
3. Meeting Location: 1918 S Ingram Mill Rd, Springfield MO 65804
4. Number of invitations that were sent: 17
5. How was the mailing list generated: Assessors office
6. Number of neighbors in attendance (attach a sign-in sheet): 0
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction, however, the developer must explain why the issues cannot be resolved.)

None

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

None

Date Created: 3/20/2013

Results

Parcel ID	Owner	Property Address	City	Sec/Twp/Rng
 881233106152	 SPRINGFIELD VICTORY MISSION INC	1925 S INGRAM MILL RD	SPRINGFIELD	33-29-21
 881233106159	 TUCK INV LLC	1909 S INGRAM MILL RD	SPRINGFIELD	33-29-21
 881233106162	 MILLCO LC	1947 S INGRAM MILL RD	SPRINGFIELD	33-29-21
 881233106215	 JADE PROP LLC	1855 S INGRAM MILL RD	SPRINGFIELD	33-29-21
 881234202005	 WYNNEWOOD SOUTH APART LLC	1868 S INGRAM MILL RD	SPRINGFIELD	34-29-21
 881234202006	 DIXON, CHET TRUSTEE DIXON ARDYTH TRUSTEE	1918 S INGRAM MILL RD	SPRINGFIELD	34-29-21
 881234202008	 RS&S INV LLC	1926 S INGRAM MILL RD	SPRINGFIELD	34-29-21
 881234202010	 ELLIOTT, GORDON	1940 S INGRAM MILL RD	SPRINGFIELD	34-29-21

Mailing Labels

Download Format:

☐ Comma Separated Values (.csv)

☐ Show parcel id on label

 Instructions

Greene County makes no representations or warranties as to the suitability of this information for any particular purpose, and that to the extent you use or implement this information in your own setting, you do so at your own risk. The information provided herewith is solely for personal use and cannot be sold. In no event will Greene County be held liable for any damages whatsoever, whether direct, consequential, incidental, special, or claim for attorney fees, arising out of the use of or inability to use the information provided herewith. There is no warranty of merchantability or fitness for any purpose. This information may change or be deleted without notice.

Last Data Upload: 3/20/2013 12:18:02 AM



developed by
The Schneider Corporation
www.schneidercorp.com

LIMITED POWER OF ATTORNEY
Representation for Zoning Changes

We, Ardyth Dixon, Trustee of the Ardyth Dixon Trust UTA dated March 7, 2000, and Chet Dixon, Trustee of the Chet Dixon Trust UTA dated March 7, 2000, of 491 Parksley Lane, Kirbyville, MO 65679 appoint **Aimee Dixon Plumlee, of 210 Autumn Maple, Rogersville, MO 65742**, our true and lawful attorney-in-fact for me, in my name and on my behalf:

- To be the representative in connection with, arising from or relating to the **ZONING** of the property located at **1918 S INGRAM MILL RD, SPRINGFIELD, MO**,
- I grant to my attorney-in-fact full power and authority to do, take, and perform each and every act or thing whatsoever necessary or proper to be done, in the exercise of any of the rights and powers granted in this instrument, as fully to all intents and purposes as I might or could do if personally present, with full power of substitution or revocation, and by this instrument I ratify and confirm whatever act or thing that my attorney-in-fact shall lawfully do or cause to be done by virtue of this durable power of attorney and the rights and powers granted by this instrument.
- The rights, powers and authority of my attorney-in-fact as granted in this durable power of attorney shall commence and be in full force on the date of this instrument and such rights, powers and authority shall remain in full force and effect thereafter until completion of the **ZONING** of the property described above.

This instrument is to be construed and interpreted as a durable power of attorney. This durable power of attorney shall not be affected by disability of the principal, except as provided by statute.

In witness, by signing this instrument I affirm all that is written above.

Dated: 3-15-13 Chet Dixon TTEE
NAME
Dated: 3/15/2013 Ardyth Dixon TTEE
NAME

State of Missouri
County of Greene

Subscribed and sworn to before me on 15th day of March in the year 2013



ERIKA R. DUCKWORTH
My Commission Expires
May 2, 2016
Greene County
Commission #12381736

Erika R. Duckworth
Notary Public Erika R. Duckworth

EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 0.17 acres of property generally located at 1126 East Cherokee Street from an R-SF, Single Family Residential District to a GR, General Retail District; and establishing Conditional Overlay District No. 59.

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-07-2013/CONDITIONAL OVERLAY DISTRICT NO. 59

The applicant is proposing to rezone the property from an R-SF, Single Family Residential District to a GR, General Retail District. This will allow for this lot to be combined with the existing GR zoned property to the east to provide additional area for off-street parking for the development. The applicant is also requesting a conditional overlay district to require the construction of sidewalks along Cherokee Street.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on May 2, 2013, and recommended _____, by a vote of _____ to _____, of the proposed zoning on the tract 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. Approval will expand the existing GR, General Retail zoning an additional sixty (60) feet to the west to provide area for additional off-street parking to serve the development.
2. The proposed zoning is consistent with the approved rezoning of the property to the east in 2011.
3. Approval of this request is not expected to have any negative impact on the surrounding properties. Bufferyards will be provided on the west and south property lines adjacent to the residential development.

Submitted by:

Approved by:

Planning and Development

City Manager

EXHIBITS:

Exhibit A, Legal Description

Exhibit B, Record of Proceedings

Exhibit C, Conditional Overlay District Provisions

Exhibit D, Location Map

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Neighborhood Meeting Summary

EXHIBIT A
LEGAL DESCRIPTION
ZONING CASE Z-07-2013 & CONDITIONAL OVERLAY DISTRICT NO. 59

ALL OF LOT FIVE (5), IN FREDERICK AND HICKS SUBDIVISION, IN THE CITY OF
SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORDED
PLAT THEREOF.

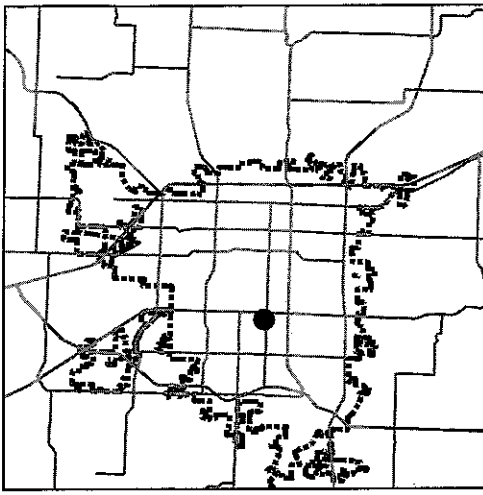
EXHIBIT B
RECORD OF PROCEEDINGS
ZONING CASE Z-07-2013 & CONDITIONAL OVERLAY DISTRICT NO. 59

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

EXHIBIT C
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-07-2013 & CONDITIONAL OVERLAY DISTRICT NO. 59

The requirements of *Section 4-3100* of the *Springfield Zoning Ordinance* shall be as modified herein for development within this district.

1. A sidewalk shall be constructed on Cherokee Street in conformance with the Public Works design standards where it does not already exist adjacent to the subject property.
2. The subject property shall be combined with the existing GR, General Retail zoned property to the east in conformance with the City's *Subdivision Regulations*.



Zoning & Subdivision Report

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

EXHIBIT D

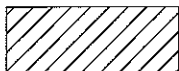
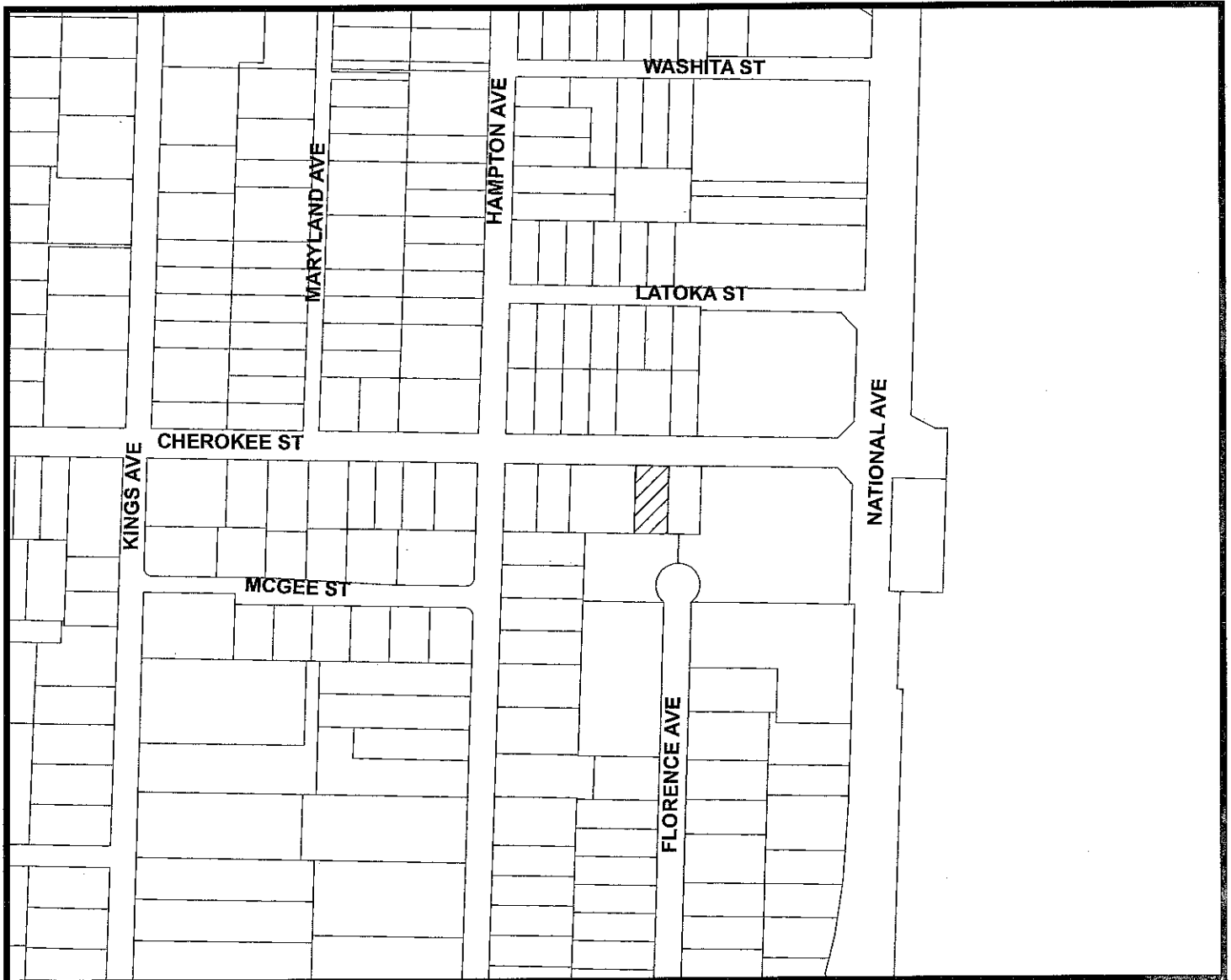
Z-07-2013

Location: 1126 East Cherokee Street

Current Zoning: R-SF, Single Family Residential

Proposed Zoning: GR, General Retail District

LOCATION SKETCH



- Area of Proposal



1 inch = 300 feet

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-07-2013 & CONDITIONAL OVERLAY DISTRICT NO. 59

DATE: April 22, 2013

LOCATION: 1126 East Cherokee Street

APPLICANT: One Hundred Two Glenstone, Inc.

TRACT SIZE: Approximately 0.17 acres

EXISTING USE: Single family dwelling

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

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF & PD 260	Multi-family, duplex, single-family and retail uses
East	GR, LB & GI	Undeveloped land and Mercy Hospital campus
South	R-MD	Multi-family and single-family development
West	R-SF	Single-family homes

HISTORY:

City Council approved Zoning Case Z-13-2011 (G.O. 5957) to rezone property to the east and southeast of the subject property to a GR, General Retail District with Conditional Overlay District #44. City Council also approved Conditional Use Permit #395 (S.O. 25980) to permit a reduced setback along National and to increase the allowable floor area ratio for development to a maximum of 1.0.

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues with the proposed rezoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

1. Sidewalk is required to be constructed along the property frontage.
2. Cherokee Street is classified as a collector and requires sixty (60) feet of right-of-way.
3. No Traffic Study Required.

4. The new driveway on Cherokee Street will be required to be a minimum of forty (40) feet from the driveway to the east.

STORMWATER COMMENTS:

Subsequent development shall be in accordance with the stormwater design standards.

SANITARY SERVICES COMMENTS:

There are no objections to the proposed rezoning.

ADJACENT PROPERTY OWNER COMMENTS:

Fifteen (15) 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 on March 7, 2013. A total of eight people attended the meeting. A summary of the meeting as well as comment sheets from the meeting are attached (Attachment 2).

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 0.17 acres of property from an R-SF, Single-Family Residential District to a GR, General Retail District. The applicant has proposed to combine this lot with the existing GR zoned property to the east for the redevelopment of the site for a hotel. The subject property is needed to provide area for additional off-street parking to serve the development. The applicant is requesting a conditional overlay district that will require the construction of a sidewalk on Cherokee Street and will require the subject property to be combined with the existing GR zoned property to the east.
2. Approval of this request will expand the existing GR zoning approximately sixty (60) additional feet to the west. This expansion of GR zoning is not expected to have any negative impact on the surrounding properties. A bufferyard will be required along the west and south property lines adjacent to the residential development. The property on the north side of Cherokee across from the subject property is developed with an apartment building so there is no impact to single-family residential on the north side of Cherokee from traffic entering/exiting the subject property.

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval will expand the existing GR, General Retail zoning an additional sixty (60) feet to the west to provide area for additional off-street parking to serve the development.
2. The proposed zoning is consistent with the approved rezoning of the property to the east in 2011.
3. Approval of this request is not expected to have any negative impact on the surrounding properties. Bufferyards will be provided on the west and south property lines adjacent to the residential development.

RECOMMENDATION:

Staff recommends **approval** of this request with the requirements of Conditional Overlay District No. 59.

STAFF CONTACT PERSON:

Alana D. Owen, AICP
Senior Planner
864-1831

LEE ENGINEERING AND ASSOCIATES, L.L.C.

ATTACHMENT 2

CIVIL ENGINEERING & DESIGN
2101 W. CHESTERFIELD BLVD.
SUITE C202

SPRINGFIELD, MO 65807

TELEPHONE: (417) 886-9100

dlee@leeengineering.biz

FACSIMILE: (417) 886-9336

March 20, 2013

Neighborhood Meeting Report

Property to be Rezoned

1126 East Cherokee
Springfield, Missouri

Re: Property Rezoning from R-SF to GR

The neighborhood meeting was held, Thursday, March 7, 2013 between 4:00 and 6:30pm at The Brentwood Branch Library, 2214 S. Brentwood Blvd, Springfield, Mo. In attendance were Derek Lee and Leslie Chrystal with Lee Engineering.

The number of invitations that were sent out was 118, with 17 being returned as not deliverable from the post office. A total of 8 people attended the meeting. The meeting sign in sheets and 2 comment sheets prepared the attendees are attached. The neighborhood comments were positive with nobody objecting to the project.

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

Sincerely,



Leslie K. Chrystal
Office Manager

LEE ENGINEERING AND ASSOCIATES, L.L.C.

CIVIL ENGINEERING & DESIGN

2101 W. CHESTERFIELD BLVD.

SUITE C202

SPRINGFIELD, MO 65807

dlee@leeengineering.biz

TELEPHONE: (417) 886-9100

FACSIMILE: (417) 886-9336

February 20, 2013

Re: Property to be Rezoned
1126 East Cherokee

Dear Property Owner:

A neighborhood meeting will be held Thursday, March 7, 2013 to discuss rezoning the property above. Currently, the property is zoned R-SF (single family residential). Application has been made to the City of Springfield to rezone to GR (general retail). The intent of the zoning is to allow an additional parking lot for the hotel.

The neighborhood meeting will be held at The Brentwood Branch Library, 2214 S. Brentwood Blvd, Springfield, Mo., between 4:00 and 6:30pm in the Community Room. The library is located off Seminole and Glenstone. The owner's representatives will be present to answer any questions you may have concerning this rezoning application. Please feel free to come and go between 4:00 and 6:30pm.

Sincerely,



Leslie K. Chrystal
Office Manager

FACSIMILE: (417) 886-9336

[illegible]

LEE ENGINEERING AND ASSOCIATES, L.L.C.

CIVIL ENGINEERING & DESIGN

2101 W. CHESTERFIELD BLVD.

SUITE C202

SPRINGFIELD, MO 65807

dlee@leeengineering.biz

TELEPHONE: (417) 886-9100

FACSIMILE: (417) 886-9336

COMMENT SHEET

Neighborhood Meeting

Thursday, March 7, 2013

Re: Rezone (For Additional Parking for Hotel)

1126 East Cherokee

Springfield, Missouri

NAME	ADDRESS	PHONE
VIVIAN RYE	2256 S HAMPTON	887-1430

COMMENTS:

*Great planning
Good communication!*

LEE ENGINEERING AND ASSOCIATES, L.L.C.

CIVIL ENGINEERING & DESIGN

2101 W. CHESTERFIELD BLVD.

SUITE C202

SPRINGFIELD, MO 65807

dlee@leeengineering.biz

TELEPHONE: (417) 886-9100

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COMMENT SHEET

Neighborhood Meeting

Thursday, March 7, 2013

Re: Rezone (For Additional Parking for Hotel)
1126 East Cherokee
Springfield, Missouri

NAME	ADDRESS	PHONE
DAVE GOODEN	1101 E CHEROKEE	880/097

COMMENTS:

THE 1100 BLOCK OF CHEROKEE BOTH
NORTH AND SOUTH HAS BEGUN TO BE
MULTIPURPOSE - IT WOULD BENEFIT
THE CITY TO NOT PARTIALLY ZONE
1/2 BLOCKS. THIS STREET IS A
GOOD MARKET FOR SMALL SHOPS AS
SEEN IN OTHER PROGRESSIVE CITIES.

EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 0.62 acres of property generally located at 1846 East Cairo Street and 1847 and 1851 East Walnut Street from an R-TH, Residential Townhouse District to a HC, Highway Commercial District and establishing Conditional Overlay District No. 58.

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-8-2013/CONDITIONAL OVERLAY DISTRICT NO. 58

The applicant, Great Southern Bank, is proposing to rezone properties at 1846 East Cairo Street and 1847 and 1851 East Walnut Street from an R-TH, Residential Townhouse District to a HC, Highway Commercial District with a Conditional Overlay District. They are proposing to use the lots for parking and in the future for office uses. The Conditional Overlay District will limit the uses within the HC, Highway Commercial District to only two uses; commercial off-street parking lot and the general office use group.

REMARKS:

The Planning and Zoning Commission held a public hearing on May 2, 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 _____(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 Low-Density housing uses. However, the proposed project is adjacent to areas along Glenstone Avenue that are designated as medium intensity retail, office or housing. The comprehensive plan states that office developments can be used as transitions and buffers between commercial and residential areas.
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 commercial off-street parking lots and general office uses.

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

EXHIBIT A
LEGAL DESCRIPTION
ZONING CASE Z-8-2013 & CONDITIONAL OVERLAY DISTRICT NO. 58

THAT CERTAIN PARCEL OR TRACT OF LAND BEING ALL OF LOT 10, LOT 18 AND LOT 19 OF BLOCK 5, EASTLAND ADDITION, A RECORDED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING PIPE AT THE NORTHWEST CORNER OF SAID LOT 10; THENCE, S87°22'06"E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF CAIRO STREET, A DISTANCE OF 50.00 FEET TO AN EXISTING IRON PIN AT THE NORTHEAST CORNER OF SAID LOT 10; THENCE, S00°15'40"W, ALONG THE EAST LINE OF SAID LOT 10, A DISTANCE OF 133.80 FEET TO AN EXISTING IRON PIN ON THE CENTERLINE OF THE VACATED ALLEYWAY; THENCE, S86°24'36"E, ALONG SAID CENTERLINE, A DISTANCE OF 50.30 FEET TO AN EXISTING IRON PIN; THENCE, S01°22'59"W, A DISTANCE OF 7.02 FEET TO AN EXISTING IRON PIN AT THE NORTHEAST CORNER OF SAID LOT 18; THENCE, S00°00'11"W, ALONG THE EAST LINE OF SAID LOT 18, A DISTANCE OF 198.34 FEET TO AN EXISTING PIPE AT THE SOUTHEAST CORNER OF SAID LOT 18, SAID POINT ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF WALNUT STREET; THENCE, ALONG SAID NORTH RIGHT-OF-WAY LINE FOR THE FOLLOWING TWO (2) DESCRIBED COURSES; THENCE, N86°21'41"W, A DISTANCE OF 50.04 FEET TO AN EXISTING PIPE AT THE COMMON SOUTH CORNER TO SAID LOT 18 AND LOT 19; THENCE, N87°16'24"W, A DISTANCE OF 49.99 FEET TO AN EXISTING PIPE AT THE SOUTHWEST CORNER OF SAID LOT 19; THENCE, N00°05'10"E, ALONG THE WEST LINE OF SAID LOT 19 AND LOT 10, A DISTANCE OF 339.05 FEET TO THE POINT OF BEGINNING.

CONTAINING 27,132.4 SQUARE FEET (0.62 ACRES) MORE OR LESS.

EXHIBIT B
RECORD OF PROCEEDINGS
ZONING CASE Z-8-2013 & CONDITIONAL OVERLAY DISTRICT NO. 58

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

EXHIBIT C
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-8-2013 & CONDITIONAL OVERLAY DISTRICT NO. 58

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.

S. Commercial Off-Street Parking Lot

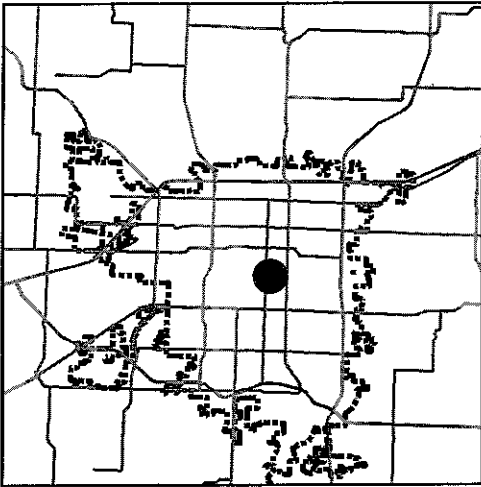
Y. General Office Use Group

4-3203 Conditional Uses.

No conditional uses are permitted.

Additional Design Requirements.

1. Cairo Street requires ten (10) feet of additional right of way to be dedicated.
2. Sidewalks are required along the front of lots facing Cairo Street and Walnut Street.



Zoning & Subdivision Report

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

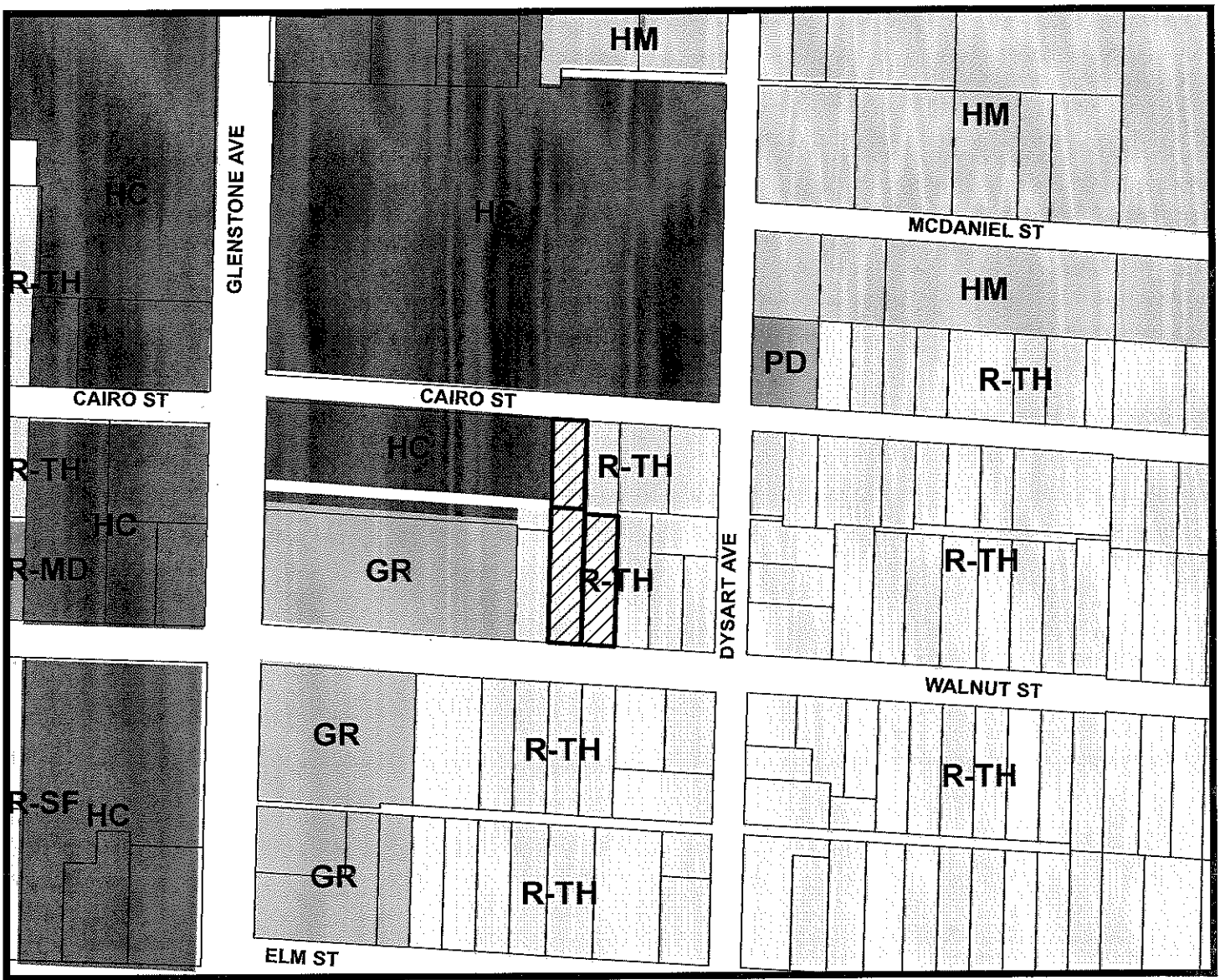
Z-08-2013 Conditional Overlay District #58

Location: 1846 E Cairo St. and 1847 1851 E Walnut St.

Current Zoning: R-TH, Residential Townhouse District

Proposed Zoning: HC, Highway Commercial District/ COD#58

LOCATION SKETCH



- Area of Proposal



1 inch = 244.523719 feet

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-8-2013 & CONDITIONAL OVERLAY DISTRICT NO. 58

DATE: April 10, 2013

LOCATION: 1846 East Cairo and 1847 and 1851 East Walnut Street

APPLICANT: Great Southern Bank of Springfield

TRACT SIZE: Approximately 0.62 acres

EXISTING USE: Vacant

PROPOSED USE: Parking lot and office uses

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	HC	Great Southern Bank
East	R-TH	Residential Uses
South	R-TH	Residential Uses
West	R-TH and GR	Residential uses, Bowling Lanes and Clothing Store

COMPREHENSIVE PLAN:

The Growth Management and Land Use Plan of the City's Comprehensive Plan designates this area as appropriate for Low Density housing uses. However, the proposed project is adjacent to areas designated in the comprehensive plan as medium intensity retail, office or housing uses. The comprehensive plan also states that office developments can be used as transitions and buffers between commercial and residential areas.

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

1. Two driveways will be allowed on Walnut Street but they must be 40' feet apart.

2. The right of way on Cairo is 40'. The current standard is 60' feet. There will need to be approximately 10' feet of additional right of way dedicated for Cairo Street. It may be possible to do an Irrevocable Consent to Dedicate right of way.
3. Sidewalks are required along the frontage of the lot on Cairo Street and Walnut Street.
4. The conditional overlay district has excluded high traffic generators within the HC, Highway Commercial District that would have triggered the requirement of a traffic study. If an application to change the zoning of the property to something other than what is 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 (18) 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 April 8, 2013. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. The Growth Management and Land Use Plan of the City's Comprehensive Plan designates this area as appropriate for Low-Density housing uses. However, the proposed project is adjacent to areas along Glenstone Avenue that are designated as medium intensity retail, office or housing. The comprehensive plan states that office developments can be used as transitions and buffers between commercial and residential
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 two uses.

FINDINGS FOR STAFF RECOMMENDATION:

1. The applicant, Great Southern Bank, is proposing to rezone properties at 1846 East Cairo Street and 1847 and 1851 East Walnut Street from an R-TH, Residential Townhouse District to a HC, Highway Commercial District with a Conditional Overlay District. The Conditional Overlay District will limit the uses within the HC, Highway Commercial District.
2. The applicant is requesting a conditional overlay district that will limit the permitted uses to only two uses; commercial off-street parking lot and the general office use group.
3. The Conditions for approval are that sidewalks will be constructed along both Walnut and Cairo Streets and the dedication of additional right of way on Cairo Street to meet city street standards.

RECOMMENDATION:

Staff recommends **approval** of this request with the requirements of Conditional Overlay District No. 58.

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner
864-1834



NOTICE

March 26th, 2013

To whom it may concern:

You are invited to attend a neighborhood meeting to learn about and discuss proposed changes to the zoning classification for private property in the area where you hold ownership. This subject property consists of one combined lot located at 1846 E. Cairo St., 1847 E. Walnut St. and 1851 E. Walnut St.

This neighborhood meeting will be held on Monday, April 8th at 5:30pm and will be located at the Forum Room inside Great Southern Bank Operations Center, 218 S. Glenstone Ave., Springfield, MO 65802. The entrance to the Forum Room will be located on the West side of the building (North end) with the signage labeled 'CONFERENCE ROOM' in large letters on the wall above the entry door area.

Sincerely,

Great Southern Bank

EXHIBIT 2

NEIGHBORHOOD MEETING SUMMARY

1. Request to change zoning from:
Residential Townhouse (R-TH) to HC w/ CO for Office / Parking
(existing zoning district) *(proposed zoning district)*

And any additional explanation that is available:

Proposed use for property currently owned by Great Southern; develop area for needed parking to serve the Operations Center located adjacent to the subject property.

2. Meeting Date & Time: April 8th, 2013 - 5:30pm
3. Meeting Location: Conference Room located at Great Southern Operations - 218 S. Glenstone
4. Number of invitations that were sent: 55
5. How was the mailing list generated: Beacon Web-based GIS for Greene Co. MO
6. Number of neighbors in attendance (attach a sign-in sheet): 6 (see attached)

7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction, however, the developer must explain why the issues cannot be resolved.)

'Please ask the Great Southern Staff to obey the posted speed limit' (duly noted)
'Will there be development of other lots in this same block that Great Southern owns'? (Not known at this time)
'Will there be fencing between the developed property and adjacent lots'? (Yes, 6' wood privacy)
'Will the fencing extend all the way to the street'? (no; stop short to allow for visibility)
'Will there be access to both Cairo and Walnut Streets from the proposed parking'? (yes; one each)

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

No written comments or issues at this time.

April 8th, 2013 5:30PM 5:50

NEIGHBORHOOD MEETING

Great Southern



RE: Rezoning of 1846 E. Cairo St. and 1847, 1851 E. Walnut St.

Name	Address	Phone Number	E-Mail
1 Josh Livingston	RIO Contracting, LLC	693-2820	josh@riocontractors.com
2 <i>Josh / Bruce</i>	<i>1838 E Walnut</i>	<i>880-4064</i>	<i>DHouse30205@gmail.com</i>
3 <i>Donald Mackey</i>	<i>1846 E Walnut</i>	<i>8093843</i>	
4 <i>Elaine Blotmyer</i>	1846 E Walnut <i>345 S Durant</i>	<i>883-5324</i>	
5 <i>Karen Westover</i>		<i>883-5324</i>	
6 <i>Jean Sanders</i>	<i>1831 E Elm</i>	<i>849-8989</i>	
7 <i>Wanda Tamy</i>	<i>1850 E Walnut</i>	<i>845-4191</i>	
8			
9			
10			
11			
12			
13			

DHouse30205@gmail.com

45802

Results

☐ Show Property Photos

Parcel ID	Owner	Property Address	City	Sec/Twp/Rng
881220206003	PRICE, JAMES	1850 E CAIRO ST	SPRINGFIELD	20-29-21
881220206004	GREAT SOUTHERN BK	1846 E CAIRO ST	SPRINGFIELD	20-29-21
881220206007	SINGLETON, KEVIN R	350 S GLENSTONE AVE	SPRINGFIELD	20-29-21
881220206008	BARNETT, WILLIAM M & NORMA TR	1841 E WALNUT ST	SPRINGFIELD	20-29-21
881220206009	TEER, SHANNON	1847 E WALNUT ST	SPRINGFIELD	20-29-21
881220206010	GREAT SOUTHERN BK ATTN: DOUG MARRS	1851 E WALNUT ST	SPRINGFIELD	20-29-21
881220206011	LAMY, WANDA	1855 E WALNUT ST	SPRINGFIELD	20-29-21
881220206012	SNOW, STEVE B	1859 E WALNUT ST	SPRINGFIELD	20-29-21
881220206013	KOONTZ, GLENDA K	1863 E WALNUT ST	SPRINGFIELD	20-29-21
881220206014	WESTMEYER, FRED	345 S DYSART AVE	SPRINGFIELD	20-29-21
881220206015	J&L PROPERTY LLC	322 S GLENSTONE AVE	SPRINGFIELD	20-29-21
881220206017	HELBIG, GREGORY A	1858 E CAIRO ST UNIT A&B	SPRINGFIELD	20-29-21
881220206018	DAVIS, ROBERT D	1866 E CAIRO ST	SPRINGFIELD	20-29-21
881220207001	DELMEZ, KRISTEN R	1860 E WALNUT ST	SPRINGFIELD	20-29-21
881220207002	BIRDWELL, LESLIE D	1856 E WALNUT ST	SPRINGFIELD	20-29-21
881220207003	DIXON, CHET TRUSTEE DIXON ARDYTH TRUSTEE	1850 E WALNUT ST	SPRINGFIELD	20-29-21
881220207004	STARKEY, DONALD	1846 E WALNUT ST	SPRINGFIELD	20-29-21
881220207005	HOUSE, RICHARD B #	1838 E WALNUT ST	SPRINGFIELD	20-29-21
881220207006	MORRIS, RALPH THOMAS	1834 E WALNUT ST	SPRINGFIELD	20-29-21
881220207007	SHADDY, JERRY	E WALNUT ST	SPRINGFIELD	20-29-21

Mailing Labels

Download Format:

☐ Comma Separated Values (.csv)

Greene County makes no representations or warranties as to the suitability of this information for any particular purpose, and that to the extent you use or implement this information in your own setting, you do so at your own risk. The information provided herewith is solely for personal use and cannot be sold. In no event will Greene County be held liable for any damages whatsoever, whether direct, consequential, incidental, special, or claim for attorney fees, arising out of the use of or inability to use the information provided herewith. There is no warranty of merchantability or fitness for any purpose. This information may change or be deleted without notice.

Last Data Upload: 3/20/2013 12:18:02 AM

840 Boonville - Springfield, Missouri 65802

Location: West side of the 900 block S. West Bypass

Current Zoning: R-SF, Single-Family Residential and HC, Highway Commercial with COD #2

The map displays a residential area with various zoning designations and street layouts. Key features include:

- Zoning Designations:** R-SF (Residential Single-Family), R-TH (Residential Two-Family), and GR (General Residential).
- Streets:** State St, Madison St, Page St, Jordan St, Lombard St, Grand St, and others.
- Shaded Area:** A large, irregularly shaped area is shaded with diagonal lines, indicating a specific zoning or development area.
- Map Orientation:** North is at the top.



- Area of Proposal



1 inch = 500 feet

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 Renewal of **Westwood Hills 3rd Addition** generally located on the west side of the 900 block South West Bypass. (Staff recommends that City Council accept the public streets and easements.)

BACKGROUND INFORMATION:

- A. See the legal description set forth on the Preliminary Plat Renewal of **Westwood Hills 3rd Addition** dated April 18, 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 May 2, 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. Developer must submit public improvement plans for a sanitary sewer to provide gravity sewer service to each tract created and pay inspection fees and construct this sanitary sewer in accordance with approved plans.
 - b. A sidewalk, in accordance with the Subdivision Regulations, shall be constructed along both sides of Suburban Avenue, Kay Pointe Boulevard, Lombard Street, Troy Court and Grand Street and on one side of Dexter Court.
 - c. Kay Pointe Boulevard and Suburban Avenue shall be constructed such that the street width matches the existing construction of the respective streets north and west. Pavement thickness, gutter thickness and construction standards must meet current standards for construction of a collector street.
 - 2. All required street rights-of-way, drainage and utility easements and limitations

of access shall be dedicated on the final plat.

- a. The right-of-way for Grand Street shall be dedicated as shown on the preliminary plat with fifty (50) feet on each side of the centerline with a thirty (30) foot reserve on each side for realignment, slope or other design issues. Public Improvement Plans will be required to be submitted and approved prior to the construction of Grand Street.
 - b. The rights-of-way for Kay Pointe Boulevard and Suburban Avenue shall be sixty (60) feet as shown on the preliminary plat.
 - c. The rights-of-way for Lombard Street, Troy Court and Dexter Court shall be fifty (50) feet as shown on the preliminary plat.
 - d. The following limitations of access shall apply:
 - (1) No driveway is permitted to West Bypass from any adjacent lot.
 - (2) No driveways are permitted to Grand Street within three-hundred fifteen (315) feet of the centerline of West Bypass. A median will be constructed on Grand Street when it is improved to a four lane roadway as noted. One (1) access point is permitted to Grand Street between Kay Pointe and West Bypass as noted. Access to and from Grand Street will be from westbound lanes only.
 - (3) No driveways are permitted to Kay Pointe Boulevard within one hundred fifty (150) feet of the centerline of Grand Street as noted.
 - e. A fifty (50) foot wide, east/west, recreation easement for the Wilson Creek Greenway shall be dedicated on the final plat as shown on the preliminary plat. It shall be located on the south side of Grand Street. Once the recreation easement reaches the northwest corner of the Collier property, the easement shall be provided north/south as shown on the preliminary plat. In addition, a north/south recreation easement shall begin on the south side of the Grand/Kay Pointe Boulevard intersection and extend the east/west easement.
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.

Submitted by:

Bob Hosmer, Principal Planner

Greg Burris, City Manager

Zoning & Subdivision Report

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

PRELIMINARY PLAT RENEWAL – WESTWOOD HILLS 3rd ADDITION

DATE: April 18, 2013

PURPOSE: To approve a preliminary plat to subdivide 29.74 acres into a twenty-eight (28) lot single-family residential and commercial subdivision with common area

BACKGROUND:

LOCATION: West side of the 900 block S. West Bypass

APPLICANT: Hoppy, LLC

TRACT SIZE: Approximately 29.74 Acres

EXISTING USE: Undeveloped land

PROPOSED USE: Single-family residential and commercial uses

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. Developer must submit public improvement plans for a sanitary sewer to provide gravity sewer service to each tract created and pay inspection fees and construct this sanitary sewer in accordance with approved plans.

- b. A sidewalk, in accordance with the Subdivision Regulations, shall be constructed along both sides of Suburban Avenue, Kay Pointe Boulevard, Lombard Street, Troy Court and Grand Street and on one side of Dexter Court.
 - c. Kay Pointe Boulevard and Suburban Avenue shall be constructed such that the street width matches the existing construction of the respective streets north and west. Pavement thickness, gutter thickness and construction standards must meet current standards for construction of a collector street.
- 2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. The right-of-way for Grand Street shall be dedicated as shown on the preliminary plat with fifty (50) feet on each side of the centerline with a thirty (30) foot reserve on each side for realignment, slope or other design issues. Public Improvement Plans will be required to be submitted and approved prior to the construction of Grand Street.
 - b. The rights-of-way for Kay Pointe Boulevard and Suburban Avenue shall be sixty (60) feet as shown on the preliminary plat.
 - c. The rights-of-way for Lombard Street, Troy Court and Dexter Court shall be fifty (50) feet as shown on the preliminary plat.
 - d. The following limitations of access shall apply:
 - 1) No driveway is permitted to West Bypass from any adjacent lot.
 - 2) No driveways are permitted to Grand Street within three-hundred fifteen (315) feet of the centerline of West Bypass. A median will be constructed on Grand Street when it is improved to a four lane roadway as noted. One (1) access point is permitted to Grand Street between Kay Pointe and West Bypass as noted. Access to and from Grand Street will be from westbound lanes only.
 - 3) No driveways are permitted to Kay Pointe Boulevard within one hundred fifty (150) feet of the centerline of Grand Street as noted.
 - e. A fifty (50) foot wide, east/west, recreation easement for the Wilson Creek Greenway shall be dedicated on the final plat as shown on the preliminary plat. It shall be located on the south side of Grand Street. Once the recreation easement reaches the northwest corner of the Collier property, the easement shall be provided north/south as shown on the preliminary plat. In addition, a north/south recreation easement shall begin on the south side of the Grand/Kay Pointe Boulevard intersection and extend the east/west easement.
- 6. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.

7. 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.
8. 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.
9. 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:

Daniel Neal
Senior Planner

ATTACHMENT A
BACKGROUND REPORT
PRELIMINARY PLAT RENEWAL – WESTWOOD HILLS 3rd ADDITION

APPLICANT'S PROPOSAL:

The applicant proposes to subdivide approximately 30 acres into a twenty-eight (28) lot subdivision. Lots 1-27 will be for single family residential development (R-SF) and Lot 28 would be for commercial development (HC and COD #2) as permitted by zoning case Z-02-2007 which was approved in 2007. The applicant has also proposed a phasing plan.

HISTORY:

The applicant is proposing to renew the preliminary plat of Westwood Hills 3rd Addition that was previously approved by City Council on May 21, 2007 and renewed on June 1, 2009 and June 13, 2011.

AT&T COMMENTS:

There are no existing facilities. AT&T will require 120 days advance notice before construction start and a minimum 10' joint utility easement front and rear for cable placement.

BUILDING DEVELOPMENT SERVICES COMMENTS:

BDS has no issues with renewing the preliminary plat or the proposed phasing plan.

CITY UTILITIES COMMENTS:

No objection to renewal of preliminary plat. Please note that the closest water and gas mains to the commercial lot 28 are on the east side of the W. Bypass. Main extensions would have to be bored under the W. Bypass, or extended in future right-of-way of Kay Pointe Blvd. or Suburban Ave. Extending in future right-of-way is not a preferred method of extending gas and water. This route will be considered if final public improvement plans are developed for the residential phase.

FIRE DEPARTMENT COMMENTS:

No comment on phasing of project as long as FD access is provided prior to development of the project.

TRAFFIC DIVISION COMMENTS:

1. Traffic will allow the phasing of the construction of Kay Point Blvd depending on if the residential or commercial tracts develop first.
2. The alignment of Grand Street will stay the same. Rights-of-way for a four lane primary arterial will need to be dedicated for the future construction of Grand Street. With the development of the commercial property of Westwood Hills, Grand will need to be constructed as a two lane

facility along the property frontage of the commercial development. One full access point will be allowed onto Grand St. from the commercial property a minimum of 250 feet from the West Bypass intersection until the time when Grand Street is upgraded to a four lane facility. At this time, a median will be constructed and the entrance onto Grand Street will become a right in/right out. Public Improvement Plans will be required to be submitted and approved prior to the construction of Grand Street.

MODOT COMMENTS:

No access to Route 160 (West Bypass) will be allowed. Any work on State r/w will require a permit from MoDOT.

STORMWATER COMMENTS:

1. Stormwater drainage & detention to be as required by the stormwater standards.
2. Water quality basin and buyout in lieu of full detention possible for the commercial tract, adjacent to the floodplain.
3. A temporary detention basin exists at the south end of Suburban- would need to modify detention area(s) in the residential area to account for roadway extensions.

SANITARY SEWER COMMENTS:

Extend public sanitary sewer to all proposed lots. Submit plans for the extension of public sanitary sewer with offsite easements to Public Works. Construction of the public sanitary sewers must be accepted prior to filing the final plat.

STAFF COMMENTS:

1. The applicant is proposing to renew the preliminary plat of Westwood Hills 3rd Addition for a third time. The preliminary plat was originally approved by City Council on May 21, 2007. The applicant has proposed a phasing plan where the commercial area (Lot 28) could be developed, first. Staff supports this minor revision to the preliminary plat renewal.
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.
3. The Parks, Open Space and Greenways Plan Element indicates that the proposed greenway system would extend along this segment of Wilson Creek. A fifty (50) foot wide, east/west, recreation easement for the Wilson Creek Greenway will be dedicated on the final plat. It will be located on the south side of Grand Street. A north/south recreation easement will begin on the south side of the Grand/Kay Pointe intersection and extend to the east/west easement.

Preliminary Plat Renewal
WESTWOOD HILLS 3RD ADDITION
A Part of the SE and SW of Section 20, and the NE of Section 29 T29N, R22W
City of Springfield, Greene County, Missouri

DESCRIPTION

All that part of the Southeast Quarter of the Southeast Quarter of Section 20, Township 29 North, Range 22 West, lying West of US Highway 160 (West By-pass);

And, All of the East 264 feet of the Southwest Quarter of the Southeast Quarter of said Section 20;

And, All of the East 264 feet of the North Half of the Northwest Quarter of the Northeast Quarter of Section 29, Township 29 North, Range 22 West, all in the City of Springfield, Greene County, Missouri;

Except that portion platted as Westwood Hills First Addition, and Westwood Hills Second Addition, and being more particularly described as follows:

COMMENCING at the Northeast corner of the Northeast Quarter of Section 29, Township 29 North, Range 22 West; thence North 89 Degrees 26 Minutes 57 Seconds West along the North line of said Northeast Quarter, a distance of 208.53 feet to a point on the West right of way line of US Highway 160, as now established, said point being the POINT OF BEGINNING; thence continuing North 89 Degrees 26 Minutes 57 Seconds West along said North line, a distance of 1120.65 feet to the Northwest corner of the Northeast Quarter of said Northeast Quarter; thence departing said North line South 02 Degrees 12 Minutes 29 Seconds West along the West line of said Quarter Quarter, a distance of 664.38 feet to the Southeast corner of the North Half of the Northwest Quarter of the Northeast Quarter of said Section 29; thence departing said West line North 89 Degrees 27 Minutes 29 Seconds West along the South line of said North Half, a distance of 264.17 feet to a point; thence departing said South line North 02 Degrees 12 Minutes 11 Seconds East along a line lying 264.00 feet West of and parallel with the East line of said North Half, a distance of 664.42 feet to a point on the North line of said Section 29, said point being on the South line of Section 20, Township 29 North, Range 22 West; thence North 02 Degrees 54 Minutes 25 Seconds East along a line lying 264.00 feet West of and parallel with the East line of the Southwest Quarter of the Southeast Quarter of said Section 20, said line being the East line of Timbercreek 6th Addition, a subdivision in the City of Springfield, Greene County, Missouri, a distance of 619.01 feet to the Southwest corner of Westwood Hills Second Addition, a subdivision in the City of Springfield, Greene County, Missouri; thence along the South and East lines of said Westwood Hills Second Addition for the following five calls, South 89 Degrees 22 Minutes 35 Seconds East, a distance of 298.07 feet to the Southeast corner of Lot 26 of said Westwood Hills Second Addition; thence North 11 Degrees 22 Minutes 00 Seconds East, a distance of 190.99 feet to a point on the North right of way line of Kay Pointe Boulevard, as now established, said point being a point of curvature; thence along a non-tangent curve to the left having an initial tangent bearing of North 78 Degrees 37 Minutes 59 Seconds West, a radius of 420.00 feet and an included angle of 03 Degrees 33 Minutes 53 Seconds, a distance of 26.13 feet to the Southeast corner of Lot 25 of said Westwood Hills Second Addition; thence North 02 Degrees 54 Minutes 25 Seconds East, a distance of 229.36 feet to the Northeast corner of Lot 22 and the Southwest corner of Lot 20 of said Westwood Hills Second Addition; thence South 89 Degrees 14 Minutes 28 Seconds East, a distance of 294.09 feet to the Southeast corner of Lot 16 of said Westwood Hills Second Addition, said point being on the West line of Lot 12 of Westwood Hills First Addition, a subdivision in the City of Springfield, Greene County, Missouri; thence along the West and South lines of said Westwood Hills First Addition for the following six calls, South 00 Degrees 45 Minutes 32 Seconds West, a distance of 136.05 feet to the Southwest corner of Lot 10 of said Westwood Hills First Addition; thence South 02 Degrees 34 Minutes 01 Seconds East, a distance of 150.12 feet to the Southeast corner of said Lot 10, said point being on the West right of way line of Suburban Avenue, as now established, said point being a point of curvature; thence along a non-tangent curve to the left having an initial tangent bearing of North 35 Degrees 19 Minutes 19 Seconds East, a radius of 270.30 feet and an included angle of 08 Degrees 26 Minutes 56 Seconds, a distance of 39.81 feet to a point; thence departing said West line South 63 Degrees 07 Minutes 40 Seconds East, a distance of 300.00 feet to a point; thence North 62 Degrees 55 Minutes 43 Seconds East, a distance of 109.92 feet to a point; thence South 89 Degrees 14 Minutes 28 Seconds East, a distance of 250.00 feet to a point on the West right of way line of said US Highway 160; thence South 02 Degrees 09 Minutes 47 Seconds West along said West right of way line, a distance of 104.30 feet to a point; thence continuing along said West right of way line South 07 Degrees 52 Minutes 25 Seconds West, a distance of 100.50 feet to a point; thence continuing along said West right of way line South 02 Degrees 09 Minutes 47 Seconds West, a distance of 50.00 feet to a point; thence continuing along said West right of way line South 02 Degrees 09 Minutes 47 Seconds West, a distance of 100.50 feet to a point; thence continuing along said West right of way line South 02 Degrees 09 Minutes 47 Seconds West, a distance of 431.28 feet to the POINT OF BEGINNING, and containing 1,295,239 square feet or 29.735 acres, more or less, except any part thereof taken or used for road or highway purposes, subject to any easements of record.

NOTES

Total Area: 29.735 Acres
1,295,239 Square Feet

Total Number of Lots: 28

Smallest Lot: Lot 1
6,602 Sq. Ft./0.15 Acres

Largest Lot: Lot 28
335,951 Sq. Ft./7.71 Acres

Current Zoning: R-SF & HC with Conditional Overlay District 2

Proposed Land Use: R-SF Lots 1-27
HC with Conditional Overlay District 2, Lot 28

Source of Title: Book 2509, Page 2302

Contour data provided by the City of Springfield, MO.

According to F.E.M.A. Flood Insurance Rate Map
Community Panel Number 2907700328E, Effective Date
December 17, 2010, a portion of this property is zoned AE and lies within a
designated floodplain.

Floodway provided by the City of Springfield, MO.

Preliminary Plat Approval Date: May 21, 2007

Setbacks: Front Yard: 25'
Rear Yard: 25' Unless specified below
21' on Lots 1, 23, 24
22' on Lots 2, 20, 21(on East, Northeast, & Southeast sides)
23' on Lot 3
24' on Lots 4, 5
30' on Lots adjacent to Grand Street due to slope easement
Interior Side Yard: 5'
See City Code for Additional Information

Right-of-Way on Dexter Court and Troy Court is 50' with 50' Radius at Cul-De-Sac.

No Access permitted to West Bypass (U.S. Highway 160).

No Access permitted to Grand Street within 315 feet of centerline of West Bypass.

No Access permitted to Kay Pointe Boulevard within 150 feet of the centerline of Grand Street.

PHASING: Phase One: Lot 28 & common area south of Grand Street.
Phase Two: Lots 1-27 & Detention/Common Area.

Construction of Kay Pointe Blvd. may be phased to correspond with proposed development phasing as follows:
• If Phase I is developed prior to Phase II, construction of Kay Pointe Blvd. will not be required until the final platting of Phase II.
• If Phase II is developed prior to Phase I, construction of Kay Pointe Blvd. south of the south line of Lot 27 will not be required until the final platting of Phase I.
Depending on the phased construction of Kay Pointe Boulevard, an appropriate fire apparatus turn around shall be provided to meet the requirements of the City of Springfield Fire Department.

Two lanes of Grand Street along the frontage of Lot 28 shall be constructed with Phase I, and Lot 28 shall have one full access point until Grand Street is upgraded to four lanes, at which time a median shall be constructed and Lot 28 access shall be limited to right in/right-out only.

Sidewalks will be along both sides of Suburban Avenue, Kay Pointe Boulevard, Lombard Street, and Troy Court; the north side of Grand Street to be constructed; and one side of Dexter Court.

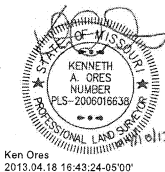
Private water quality controls and detention facilities shall be constructed prior to issuance of a building permit for Lot 28.

Preliminary Plat for Westwood Hills 3rd Addition

drawn by:	NSS	DATE	REVISION	BY
surveyed by:	KAO/NSS			
checked by:	KAO	03-27-13	Preliminary Plat Renewal	KAO
approved by:	KAO	04-13-11	Preliminary Plat Renewal	KAO
project no.:	2006-0831	03-20-09	Revised per City's ARC Comments	KAO
file name:	60831_PP	02-28-09	Preliminary Plat Renewal	DRM
		05-21-07	Preliminary Plat Approved	DRM
		12-1-06	Original Preparation	NSS

550 St. Louis Street
Springfield, MO 65804

TEL 417.890.8802
FAX 417.890.8805
www.olsonassociates.com



Ken Gress
2013.04.18 16:43:24-05'00"

NORTHEAST CORNER
OF SECTION 20
T-29-N R-22-W
FOUND BAR

EXISTING
RIGHT-OF-WAY
GRAND STREET

POINT OF COMMENCING
NORTHEAST CORNER
OF THE NORTHEAST
1/4 OF SECTION 29
T-29-N R-22-W

EXISTING CENTERLINE
OF GRAND STREET

EXISTING
RIGHT-OF-WAY
GRAND STREET

BASIS OF BEARINGS
NORTH BASED ON MISSOURI STATE
PLANE COORDINATE SYSTEM 1983
CENTRAL ZONE

1" = 100'
SCALE IN FEET

SOUTHEAST CORNER
OF THE NORTHEAST
1/4 OF SECTION 29
T-29-N R-22-W
FOUND BAR

LEGEND

- FOUND EXISTING MONUMENT (AS NOTED)
- FLOOD PLAIN
- PROPOSED GAS & WATER
- PROPOSED SANITARY SEWER
- PROPOSED UNDERGROUND ELECTRIC

PREPARED BY

Olsson Associates
550 St. Louis Street
Springfield, MO 65806

OWNER/DEVELOPER

Happy L.L.C.
219 E. Commercial Street
Springfield, Missouri 65803

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	CHORD
C1	26.13'	420.00'	3°33'53"	26.13'
C2	39.81'	270.00'	8°28'56"	39.78'
C3	143.61'	800.00'	10°17'06"	143.41'
C4	668.35'	800.00'	47°52'02"	649.08'
C5	167.22'	800.00'	11°58'13"	166.91'
C6	616.63'	425.00'	83°07'47"	563.95'
C7	249.51'	300.00'	47°39'12"	242.38'
C8	108.53'	300.00'	20°43'42"	107.94'
C9	13.62'	15.00'	52°01'12"	13.16'
C10	13.62'	15.00'	52°01'12"	13.16'
C11	13.62'	15.00'	52°01'12"	13.16'
C12	13.62'	15.00'	52°01'12"	13.16'
C13	228.72'	275.00'	47°39'12"	222.18'
C14	270.31'	325.00'	47°39'12"	262.58'

LINE TABLE		
LINE	LENGTH	BEARING
L1	43.57'	N39°01'51"W
L2	43.50'	S47°55'43"W
L3	14.68'	S04°48'23"W
L4	13.50'	N84°51'29"W
L5	14.68'	N89°36'12"W
L6	13.50'	S00°03'39"W
L7	13.85'	S49°04'51"W
L8	14.43'	S40°55'09"E
L9	14.60'	S81°29'29"W
L10	14.60'	S24°43'46"E

EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To amend *Section 4-3200, Highway Commercial District*, in the *Springfield Zoning Ordinance* to allow residential uses. (Staff recommends approval).

BACKGROUND INFORMATION:

ZONING ORDINANCE TEXT AMENDMENT – RESIDENTIAL USES IN THE
HIGHWAY COMMERCIAL DISTRICT

Planning and Zoning Commission initiated the Residential Uses in the Highway Commercial District Amendments at their meeting on March 7, 2013.

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

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

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on May 2, 2013, and recommended _____, by a vote of ___ to ___, of the proposed changes to the Zoning Ordinance described in Attachment A.

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

FINDINGS FOR STAFF RECOMMENDATION:

The proposed amendments are supported in the Growth Management and Land Use Plan which encourages developments with innovative site plans that combine various residential densities, and where appropriate, a mix of uses including neighborhood-serving nonresidential uses.

Submitted by:

Bob Hosmer, Principal Planner

Greg Burris, City Manager

ATTACHMENT A
RESIDENTIAL USES IN HC DISTRICT AMENDMENTS

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

Section 4-3200. HC - Highway Commercial District.

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, and second hand stores. (5585, 07/24/06) (G.O. 6026, 12/17/12)
- 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.
- R. Commercial Gardens and/or Farmers Markets with retail and/or wholesale sales

46 on-site. (G.O. 5843, 11/09/09) (G.O. 5880, 7/26/10)
47
48 S. Commercial off-street parking lots and structures.
49
50 T. Commercial Outdoor Recreation Use Group.
51
52 U. Day care centers in accordance with *Chapter 36, Article XI, Springfield City*
53 *Code*.
54
55 V. Eating and Drinking Establishments Use Group.
56
57 W. Entertainment-oriented Use Group.
58
59 X. General Office Use Group.
60
61 Y. Household resource recovery collection centers, screened from all residential
62 districts and public rights-of-way in conformance with *Section 6-1000, Screening*
63 *and Fencing*.
64
65 Z. Manufactured housing (mobile home) and trailer sales, leasing and service with
66 no storage.
67
68 AA. Major Event Entertainment Use Group.
69
70 BB. Medical Office Use Group.
71
72 CC. Nurseries, greenhouses, and garden stores.
73
74 DD. Other towers other than wireless facilities, less than one-hundred (100) feet in
75 height, and related facilities. (G.O. 5094, 07/09/01)
76
77 EE. Personal Services Use Group
78
79 FF. Police and fire stations.
80
81 GG. Private clubs and lodges.
82
83 HH. Public and private parks, playgrounds, and golf courses, including miniature golf
84 courses and driving ranges.
85
86 II. Public or private vehicle and boat storage garages, yards or lots.
87
88 JJ. Public service and public utility uses, as follow: (G.O. 5094, 07/09/01)
89

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

KK. Residential uses provided 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

~~KK~~.LL. Retail Sales Use Group.

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

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

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

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

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

~~QQ~~.RR. Taxidermists.

~~RR~~.SS. Temporary Lodging Use Group.

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

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

~~UU~~.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)

~~VV~~.WW. Upholstery shops.

~~WW.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)

~~XX.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)

~~E-F.~~ Residential uses on the first floor frontage of a building.

~~F-G.~~ Soup kitchens. (G.O. 4763, 12/15/97)

~~G-H.~~ Tier V wireless facilities in accordance with *Section 5-2600, Telecommunication Towers*. (G.O. 5094, 07/09/01)

~~H-I.~~ 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.B.1* are met.

~~I-J.~~ Truck stops.

Zoning & Subdivision Report

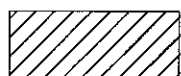
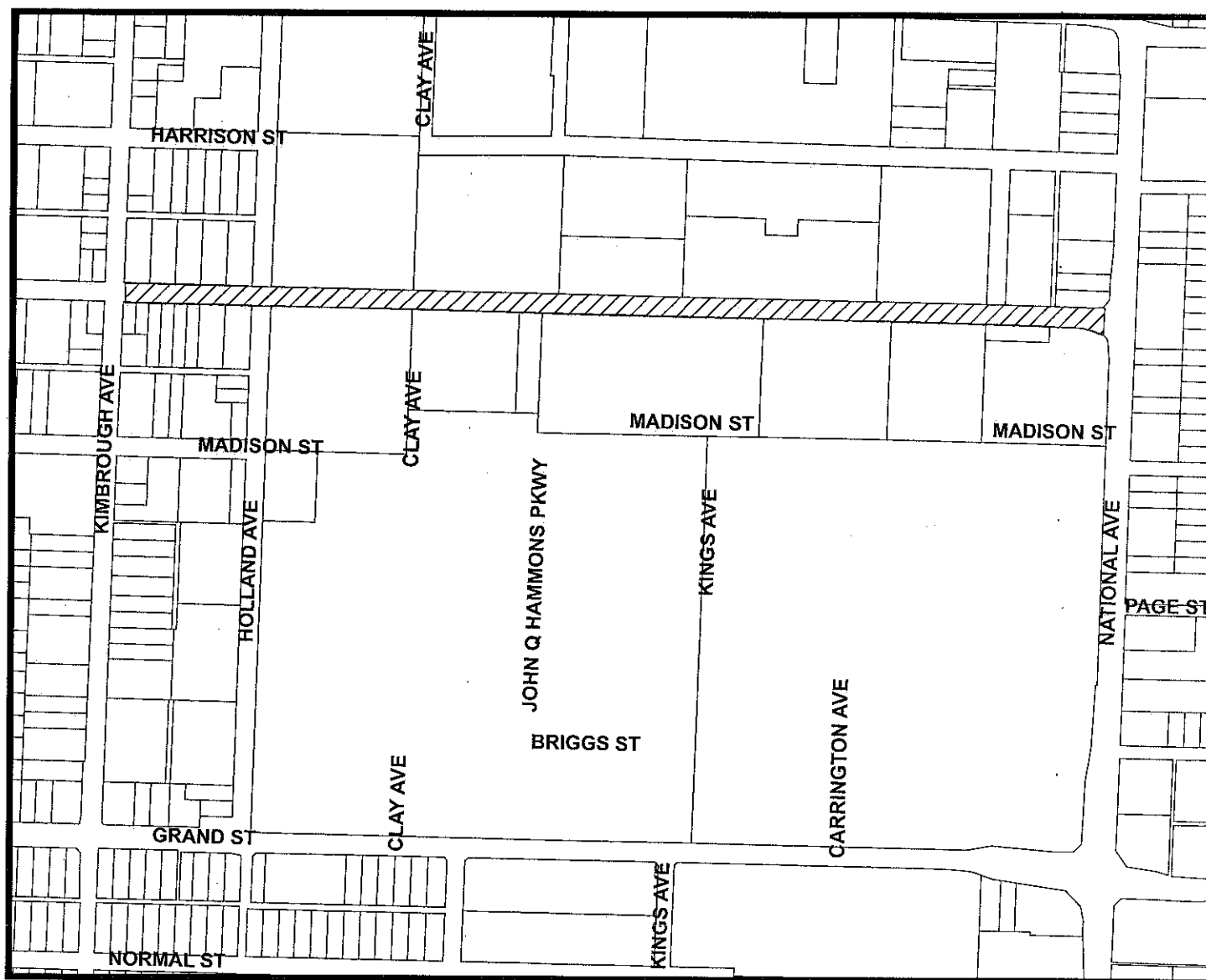
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Street Name Change 73

Location: Monroe Street between National and
Kimbrough Avenues

Proposed Name: Bear Boulevard

LOCATION SKETCH



- Area of Proposal



1 inch = 500 feet

STREET NAME CHANGE 73

DATE: April 22, 2013

PURPOSE: To change the name of East Monroe Street between National and Kimbrough Avenues to Bear Boulevard.

LOCATION: 600-1100 blocks East Monroe Street

APPLICANT: Missouri State University

RECOMMENDATION:

Staff recommends **approval**.

FINDINGS:

1. Approval of this street name change is expected to more appropriately identify the main entrance to the Missouri State University campus.

STAFF CONTACT PERSON:

Alana D. Owen, AICP
Senior Planner
414-864-1831

ATTACHMENT A
BACKGROUND REPORT
STREET NAME CHANGE 73

APPLICANT'S PROPOSAL:

The applicant proposes to rename Monroe Street between National and Kimbrough Avenues to Bear Boulevard.

E-911 COMMENTS:

This request is acceptable to E-911.

POLICE DEPARTMENT COMMENTS:

No objections as long as all 911 addresses are updated and proper signage is put into place.

FIRE DEPARTMENT COMMENTS:

Fire has no objection with the proposal as long as all affected 911 addresses are updated accordingly.

BUILDING DEVELOPMENT SERVICES COMMENTS:

1. There are several 911 addresses that will need to be changed to reflect the new street name.
2. Need to submit a plan showing building footprints, property lines, and existing addresses along the street range that is changing names.

SANITARY SEWER COMMENTS:

No objection provided it remains public right of way.

TRAFFIC ENGINEERING COMMENTS:

No comments regarding the proposed street name change.

STORMWATER COMMENTS:

No comments as long as drainage system remains intact.

CITY UTILITIES COMMENTS:

No Comments.

COMMENTS FROM ADJACENT LANDOWNERS:

No comments received.

STAFF COMMENTS:

1. As with all changes of street names, staff posted the affected street and mailed letters to all the owners and tenants on the affected street. The purpose of the street name change is to more appropriately identify the main entrance to the Missouri State University campus.
2. Planning and Zoning Commission's recommendations on this case will be sent to City Council for final approval.