

1. Meeting Agenda (PDF)

Documents: [07-11-2013 AGENDA \(PDF\).PDF](#)

2. May 30, 2013 Minutes (PDF)

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3. Vacation 757 (PDF)

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4. Z-12-2013 W/Conditional Overlay District No. 61 (PDF)

Documents: [Z-12-2013 W CONDITIONAL OVERLAY DISTRICT NO. 61 \(PDF\).PDF](#)

5. Official Zoning Map And Zoning Certificate Amendments (PDF)

Documents: [OFFICIAL ZONING MAP AND ZONING CERTIFICATE AMENDMENTS \(PDF\).PDF](#)

6. Live / Work Overlay District Amendment (PDF)

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7. Street Name Change 74 (PDF)

Documents: [STREET NAME CHANGE 74 \(PDF\).PDF](#)

8. Holly Ridge Subdivision (PDF)

Documents: [HOLLY RIDGE SUBDIVISION \(PDF\).PDF](#)

9. Initiate Zoning Text Amendment, Medical Offices In IC District (PDF)

Documents: [INITIATE ZONING TEXT AMENDMENT MEDICAL OFFICES IN IC DISTRICT \(PDF\).PDF](#)

Planning & Zoning Commission Agenda

July 11, 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: May 30, 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.)

Hearings:

Vacations:

- | | |
|--------------------------------|------------|
| 1. Vacation 757 | Bob Norton |
| (1540 South Enterprise Avenue) | |

Zoning:

- | | |
|---|--------------|
| 2. Z-12-2013 w/ Conditional Overlay District No. 61 | Todd Johnson |
| (777 East Battlefield Road) | |

Zoning Text Amendments:

- | | |
|--|---------------------|
| 3. Official Zoning Map and Zoning Certificate Amendments | City of Springfield |
| (City-Wide) | |
| 4. Live/Work Overlay District Amendment | City of Springfield |
| (City-Wide) | |

Other public hearings:

- | | |
|---|---------------------|
| 5. Street Name Change 74 | City of Springfield |
| (East Monroe, between Kimbrough and Jefferson Avenue) | |

Subdivisions:

- | | |
|----------------------------|----------------------|
| 6. Holly Ridge Subdivision | Diversity Commercial |
| (2157 East Grand Street) | Investments, LLC |

Other Public Hearings:

- | | |
|--|---------------------|
| 7. Initiate Zoning Text Amendment | City of Springfield |
| Medical Offices in IC District (City-Wide) | |

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: May 30, 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: Matt Edwards (Chair), King Coltrin (Vice-Chair), Jay McClelland, Tom Baird, Jason Ray, and Gabrielle White; Absent: Lawhon and Hansen. Staff in attendance: Bob Hosmer, Principal Planner; Ralph Rognstad, Director, Nancy Yendes, City Attorney; Dawne Gardner and Ron Colson, Public Works; Sandy Goddard, Administrative Assistant.

ROLL CALL:

APPROVAL OF MINUTES: The minutes of May 16, 2013, were approved unanimously.

CONSENT ITEMS:

1. Change of Use 494 Springfield-Greene County Library District
(1911 E Wayland)
2. Relinquish Easement 792 Affordable Housing Action Board
(2219 N. Douglas Avenue)

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

HEARINGS:

3. Vacation 756 Missouri State University
(600 block South Florence Avenue)

Mr. Hosmer commented the applicant, Missouri State University, 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. This was tabled at the last meeting to finalize the easements and the license agreements and that has been done. Staff is recommending approval.

Mr. Edwards opened the public hearing.

Mr. Ken McClure, 1172 W. Woodhaven, Springfield; Mr. McClure stated they request approval. This block is adjacent to the Monroe Apartments which the University acquired in December and with that MSU now owns all the property in that area and makes sense to request the vacation. It is intended to be used for parking, and parking meters will be put on that. With the new entrance at National and Monroe and now

having acquired the Monroe Apartments, we feel this is the next logical step.

Mr. Ray motioned to **approve** Vacation 756. Mr. McClelland **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, Ray, Baird, Young, and White. Nays: None. Abstain: None. Absent: Lawhon and Hansen.

4. Vacation 757
(1540 South Enterprise)

Bob Norton

Mr. Hosmer stated that the applicant has requested this item be tabled to July 11, 2013 Planning and Zoning Commission meeting, but would ask that the public meeting be opened and continued on July 11, 2013.

Mr. Edwards opened the public. As there were no speakers to the item, the public hearing was closed.

Mr. Ray motioned to **table** Vacation 757 to July 11, 2013 meeting. Mr. Baird **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, Ray, Baird, Young, and White. Nays: None. Abstain: None. Absent: Lawhon and Hansen.

5. Vacation 758
(3100-3700 blks S Farm Rd 119 & 4700-5000 blks W Farm Road 164)

City of Springfield

Mr. Hosmer stated this is a request to vacate the 3100-3700 blocks of South Farm Road 119 (Hutchinson Rd.) and the 4700-5000 blocks of West Farm Road 164 (Inman Road). The location is all of Farm Road 164 (Inman Rd.) between Farm Road 115 (Haseltine Rd.) and Farm Road 119 (Hutchinson Rd.) and Farm Road 119 (Hutchinson Rd.) between James River Freeway and Farm Road 168 (Rountree Rd). A portion of Rountree Road will remain and since this is the entrance way to a Greenway and they will remain. This is where the Southwest Treatment Plan is located and staff recommends approval of the request.

Mr. McClelland asked if there is a difference between vacating and closing.

Mr. Hosmer stated yes; vacating is doing away with the property rights to the property.

Mr. McClelland asked if the roads will be open to the recycling area and accessible.

Mr. Hosmer stated said it will be a private road into the recycling area and be accessible to public.

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

Mr. Ray motioned to **approve** Vacation 758. Mr. Young **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, Ray, Baird, Young, and White. Nays: None. Abstain: None. Absent: Lawhon and Hansen.

6. Vacation 759

City Utilities

(3500-4100 blks S Farm Road 115)

Mr. Coltrin recused himself from the hearing.

Mr. Hosmer stated this is a request to vacate the 3500-4100 blocks of South Farm Road 115 (Haseltine Road). This will be all of Farm Road 115 (Haseltine Rd.) between Farm Road 164 (Inman Rd.) and State Highway M (Republic Road). Mr. Hosmer referred to the map and two small sections that will remain and the County will vacate these remaining sections at Farm Road 164 and Republic Road at a later date. Staff is recommending approval.

Mr. Edwards asked if this is set to be closed or will it remain open after vacation.

Mr. Hosmer stated it will remain open as a private drive to City Utilities or the facilities in that area.

Mr. Edwards commented this rolls in with the Zoning Case for City Utilities as well asking if this is the long term plan to shut these roads down. They will not be used as through streets anymore.

Mr. Hosmer stated for public access yes.

Mr. Edwards asked about the alternate route that will now be available to folks who these roads if there is an improvement plan for the intersection of M Highway and 107.

Mr. Hosmer stated that it is his understanding that MoDOT does not have this in the works for improvements, but they are aware there are some unsafe conditions there and MoDOT, the County, and City Utilities are exploring opportunities to make improvements there.

Mr. Edwards said that take "exploring opportunities" to mean that nothing is imminent to be done.

Mr. Hosmer said possibly taking look at it and see how it would merit some improvements. There is a hill that probably needs to be looked at as far as the site views.

Mr. Edwards opened the public hearing.

Mrs. Terry Yake commented that she and her family reside at 5751 West Farm Road 164, and pointed to the location on the display between Farm Road 115 and Farm Road 107. Farm Road 115 with the access to M Highway is a route they have traveled very commonly; it is their only access to M Highway with any safety. We never go to Farm Road 107 and go east to Springfield. We have taught our daughters to never take that route. There is a blind spot; if you pull up to M Highway on Farm Road 107 there is a blind hill to your right. There is no way to safely make a left hand turn and go to the east. If Farm Road 115 is closed, there is no access to M Highway unless they go all the way to Republic and if she is going to go to Republic there is not much sense to get back to Springfield. We use that for shopping. We have friends and family down that route and it's very commonly used and this will severely hammer the access to M Highway. You cannot safely use Farm Road 107, it is very dangerous. Not two months ago there was a very serious accident there. Since the Republic High School has been built half a mile to the west of that junction now, the traffic is very busy, moves very fast, and there are a lot of young drivers on the road. It is a hazard to go through that intersection. My family would ask that you very carefully examine the safety of that road

and put serious intent into improving the intersection for the safety of the people and the community. Another concern is there are many people going to the yard waste disposal area who come down Farm Road 115 from M Highway; not all the travel comes from the north off Highway 60, a lot comes from M Highway and if they are forced to go down Farm Road 107 and try to make a left hand turn to the east and they are pulling trailers it is going to be a very hazardous thing for them to make a left hand turn right below that blind hill. You cannot see tractor trailer units from that blind hill at that junction so for the safety of the people and the young high school traffic from the school, we really ask that you give serious consideration to that.

Mr. McClelland commented he went to the site and it would appear the safest route for them to come to Springfield is to go down to FR 107 and then North to Sunshine and in. Yes, it might take another ten minutes longer, but it appears to be far safer, adding this is just a suggestion.

Mrs. Yake stated that the intersection of 115 and M Highway is a safe area. There is a dip there, but there is plenty of time and long range vision and you can see the cars coming out of the hill and you can time your entrance to the highway. To go back to the west and take the next road down and come back to Highway 60, why go west when you need and want to go east. That doesn't make sense.

Mr. Baird asked for Mrs. Yake to point out where she lives on the map.

Mrs. Yake stated they live on the north side of 164.

Mr. Chris Haller, 2135 S State Highway J, Springfield, stated he represents City Utilities, and is the Facilities Manager, who petitioned for the vacation. A couple of things to note, there has been a major expansion at the power station in the last few years. Much of the power supplied in the region comes from this power station. One on the issues on the horizon is the potential expansion of the coal loop to accommodate larger trains. Looking at the picture, you can imagine what direction that will go, to the south. That east/west leg of Farm Road 115 falls into that. The only thing served from Farm Road 115, other than CU property which surrounds the rest of it, is Mr. McConnell on the north end on Farm Road 164 and the KAMO Power Substation on the south end. As Mr. Hosmer pointed out the county would, upon approval of this, come in and eliminate those two dead end segments and avoid any problems with traffic accordingly. There are approximately two to three hundred (200-300) cars a day on each of these two roads. There are illicit activities that happen along Farm Road 115 because there is nothing else back there and we are in hopes of eliminating that, which is a minor issue, but does happen. As you can see, we will eliminate one road to rail crossing. There is some certainty that some traffic that uses Farm Road 115 will use Farm Road 107. We have talked to many people in the area, to Mr. McConnell, KAMO, Jim Christy, the City Administrator in Republic, and some of the very things Mrs. Yake pointed out were somewhat anticipated. We do stipulate to the fact that there is a challenge at that intersection, luckily, traffic counts are fairly low and we do think there are alternatives. They met with the county and discussed with County Commissioners through Dan Smith, the Greene County Highway Administrator, and we sat down with MoDOT and talked about what their plans are. They are going to resurface that roadway; they have a set of plans going in anytime. That does not include improvements to the intersection. They have said this intersection, though it has challenges and more challenges than resources, so it will not rise to the top of the list. Mr. Haller said he is available for questions.

Mr. Edwards asked in regards to the intersection, seeing as there is some agreement that this is going to cause some issues, has City Utilities talked about doing anything to maybe help fund that intersection to

move it up the list to get the ball rolling or perhaps get it improved before we shut down the other road.

Mr. Haller said those topics have entered into the discussions, but there hasn't been any formal commitment made. At this point we just wanted to make sure that we sought out and identified what challenges there may be and make sure we could anticipate the things that were possible to anticipate and be prepared for them. The discussion can certainly continue along that line.

Mr. Baird asked, assuming this moves forward, what is City Utilities plan as far as a timeline on closing these streets for access to the public.

Mr. Haller stated there is on the far south leg of Farm Road 115 before it turns back to the west, a tenant that still resides there. City Utilities owns the property but we lease to a tenant. We would need to accommodate access there until vacation through the County was arranged for KAMO and the Substation on the south and for Mr. McConnell on the north, we would keep those segments open and have to work out an access agreement there, but as soon as the petition were approved, we would close those portions where there were no longer any need for anybody to access the area.

Mr. Baird asked to be shown what portions would be closed immediately and the current property line of City Utilities.

Mr. Haller pointed out what roads would be closed on the display map and gave the approximate property lines.

Mr. Baird said it would be difficult, and this Board obviously doesn't have the power to do it, since you do not own that corner 107 and Republic Road, to have CU do improvements at that location.

Mr. Haller said they certainly are not in a position to dedicate any right-of-way at that corner. Someday an improvement to that corridor may happen and we would be in a position to assist with that.

Mr. McClelland commented that to clarify 164 and down to the yard waste, and brush area and Haseltine Road, Farm Road 115, all of these are eventually going to be closed. Mr. McClelland asked about access to those areas for the public.

Mr. Haller commented that the ones outlined in red would be correct, this being the subject of the current vacation and previous vacation. Mr. Haller said he would address the question, but would defer to City Staff as that is a Public Works facility. To add to what Mr. Hosmer was explaining earlier, this will no longer be public access. It will allow public access to the yard waste facility. The access point to the yard waste will be at or near the main entrance to the power station. There will be most likely be a secure gate that would be closed and monitored only allowing access to City Staff or Power Plant Station staff during off hours. During the hours the facility is open, the gate will be open and the public will be able to access the site. You will have a longer access road to get to it though it is not a public road.

Mr. McClelland stated they will close Haseltine to expand the facility.

Mr. Haller commented Haseltine to the south between 164 and Route M, not Haseltine North to Highway 60, just to clarify.

Mr. Coltrin commented that he needs to recuse himself from the hearing.

Mr. Mark Yake, 5751 Farm Road 164 asked when this issue would be voted on, stating there would not be time for him to get a petition to that effect.

Ms. Yendes addressed Commission stating they could vote on this tonight; Commission is the final authority if Commission does not set a condition or you could table it and vote on it two (2) meetings from now.

Mr. Yake commented that he has spoken with his neighbors; Mr. McConnell leases his property from City Utilities and will always have access to it as he plants and hays the property. Mr. Travelle, the neighbor two doors down is not for it; he didn't come as he didn't feel it would do any good. Mr. Yake stated he has spoken to several people hauling trash up that road to the facility and they would hate to have to negotiate 107 also. Mr. Yake said he took some pictures of Farm Road 107 and the hill there falls off unbelievably. In one hundred (100) yards, a vehicle is out of site; that is how sharply it drops off. He used that as a line of site of his daughter sitting in her car and measured it of him standing up taking the pictures of him sitting in his truck and at sixty (60) miles an hour they are on you in three (3) seconds. It is very dangerous. There will be, he believes, two (2) railroad crossings put in to put in the new spur. The conditions of the current spurs are poor. It is not going to cost near what it would of one life dealing with Farm Road 107.

Mr. Edwards closed the public hearing.

Mr. Rognstad commented he would like to point out that there are four conditions that have to be met in order to approve this issue. When the public speaks that are in opposition to the issue, number three (3) becomes critical; the retention of the street, alley, public way or subdivision serves no useful purpose. It is somewhat subjective as to what no useful purpose is. That is the most critical condition you have to weigh.

Mr. Baird asked Mr. Haller stated that early on you started with the premise that at some point the coal loop will have to be expanded, asking what the time frame is on when that would happen.

Mr. Haller said there are engineering work going on right now and the intent is to have that engineering work completed and for that to be ready to go to construction later this year if things present accordingly. But whether or not they will go to construction he can't speak for the Power Station staff, he is here on their behalf, but they have indicated they want to be ready if they can.

Mr. Baird said this is not something five or ten years out; there is a current need for it.

Mr. Haller said there are implications of costs to CU customers; most people understand that all the railroad costs, the costs of bringing coal here get passed directly through CU customers through fuel adjustment factors. Anything they can do to reduce the amount of time we tie up a train that gets the coal unloaded faster, turns the train around faster and clears the crossings faster is a benefit. Those cost savings go back to the rate payers of City Utilities. That is another driving factor, and Burlington would like to be able to send larger trains.

Mr. Edwards commented that in theory, he is not opposed to what they are doing here tonight with the road closing and the vacation, however he is very concerned about the timing of it and listening to the speakers tonight and reading some of their letters and driving the road himself, feels like there may be a situation of

where we have the cart ahead of the horse. Mr. Edwards wonders if it is not just a matter of government bodies not talking to each other and not getting things staged properly, and appreciates the need to do this and what City Utilities is trying to do there, and CU has recognized that the intersection is a problem. It may be a couple of years or sooner to update the railroad spur and he wonders tonight if Commission was to vote to deny this at least for this evening, then there may be the opportunity to facilitate some talks between the appropriate parties to possibly speed this up. Mr. Edwards said he is very uncomfortably personally with approving this with what seems to be a certain problem at that intersection and Mr. Yake's comment of how many lives do we have to have here to mitigate the cost; one life is too many, one bad accident is too many if we can avoid it and it seems like this is something they can avoid, adding he is not comfortable voting for this.

Mr. Baird commented he too is uncomfortable with this; figures thrown around of a couple hundred cars at each intersection you most likely combine those to one intersection, a bad intersection, nonetheless and while it probably doesn't make sense to do a full blown traffic study simply because of the small amount of traffic, when you are talking about doubling the amount of cars on an intersection that already has issues is something that needs to be looked at further. Whether voting this up or down is the right thing to do tonight or tabling it for another meeting, those are his thoughts on the issue.

Mr. Haller commented that in light of the comments from Commission and given the fact that we as broached the subject of the intersection and recognized the issue, he would ask in conjunction with the comments to table this issue. Let us go back, continue those conversations and readdress the issue at an appropriate time.

Mr. McClelland stated that the wisest thing to do is to table this; let more governmental agencies get involved and there is a need to satisfy the public safety factor at Farm Road 107.

Mr. Hosmer said to clarify the three options tonight is to table it which would require re-advertising; the other option is to approve it but there would still be an option by the citizen to appeal this to Council, it will be fifteen (15) days. The same thing if we deny it, there would be an appeal process by the applicant and that would be fifteen (15) days. This is the process, the choices that are available.

Mr. Edwards said he is inclined to go with the applicant's request, at this point. If there are no further discussions or problems with that, then he would recommend a motion.

Mr. McClelland motioned to **Table indefinitely** Vacation 759. Mr. Baird **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, McClelland, Ray, Baird, Young, and White. Nays: None. Abstain: Coltrin. Absent: Lawhon and Hansen.

Zoning

7. Z-09-2013

City of Springfield

(NW Corner Farm Roads 119 & 164 & 4000-4500 blks West Jms Rvr Frwy)

Mr. Hosmer said this is a request to rezone approximately 27.86 acres of City-owned property generally located at the northwest corner of Farm Roads 119 and 164 and portions of the 4000-4500 blocks West James River Freeway from a County R-1, Suburban Residence, R-3, Multi-Family Residence, and A-1, Agricultural Districts, to a HM, Heavy Manufacturing District. City Utilities and Environmental Services

Department are proposing the rezoning of recently annexed properties surrounded by City-owned property and right-of-way. All three (3) properties are enclosed by or adjacent to the campuses of the City Utilities' John Twitty Energy Center and/or Environmental Services Southwest Wastewater Treatment Facility. The purpose of this rezoning is to make these recently annexed properties compatible with the existing zoning districts. The Planning and Development staff recommends the application be approved.

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

Mr. Ray motioned to **approve** Z-09-2013. Mr. McClelland **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, McClelland, Ray, Baird, Young, and White. Nays: None. Abstain: Coltrin. Absent: Lawhon and Hansen.

8. Z-10-2013 w/Conditional Overlay District No. 60 Springfield-Greene County Library District
(1911 East Wayland)

Mr. Hosmer said this is a request to rezone approximately 0.26 acres of property generally located at 1911 East Wayland Street from an R-SF, Single Family Residential District to a GI, Government and Institutional Use District and establishing Conditional Overlay District #60. This will allow for this lot to be combined with the existing GI zoned property to the west to provide additional area for off-street parking for the library. The accompanying Conditional Overlay District will restrict the uses on the property to an off-street parking lot and library uses and prohibit the higher intensity uses that would otherwise be permitted in the GI District. Permitted uses would be libraries and Commercial off-street parking lots and structures. The subject property shall be combined with the existing GI, Government and Institutional Use District zoned property to the west. A sidewalk shall be constructed on Wayland Street to connect to the existing sidewalk to the west. The existing driveway on Wayland Street to the subject property shall be closed.

Mr. Edwards opened the public hearing.

Mr. Jim Schmidt, 3731 N. Vera Cruz, Springfield stated he is the Associate Director of the Springfield-Greene County Library District. The acquisition of the property is to better serve the public, increase parking space and access; primarily to be used for staff parking or any overflow from any large programs. The access on Wayland will be closed and access will be off Brentwood Avenue so there would be low impact to the residents.

Mr. Edwards closed the public hearing.

Mr. McClelland motioned to **approve** Z-10-2013. Mr. Young **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, McClelland, Ray, Baird, Young, and White. Nays: None. Abstain: Coltrin. Absent: Lawhon and Hansen.

9. Z-11-2013 Sanvid Investments, LLC
(854 South Glenstone)

Mr. Hosmer said the purpose of this request is to rezone approximately 0.80 acres of property generally located at 854 South Glenstone Avenue from a GM, General Manufacturing District to a HC, Highway Commercial District. . The applicant is rezoning to make the zoning consistent on the property. This will eliminate the mixed zoning on the property and facilitate redevelopment of the site.

The Growth Management and Land Use Plan of the Comprehensive Plan designate this area along the Glenstone Avenue corridor as appropriate for medium-intensity retail, office and residential uses. Staff recommends approval.

Mr. Edwards opened the public hearing.

Mr. Michael White, White Land Surveying, 1154 Beal Road, Republic, stated he is there on behalf of the property owner and potential developer. We understand the staff requirements about MoDOT requiring sidewalks. The developer is fine with that. As to the zoning, we are requesting a portion to have consistent zoning for Highway Commercial

Mr. Edwards closed the public hearing.

Mr. Ray motioned to **approve** Z-11-2013. Mr. Coltrin **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, Ray, Baird, Young, and White. Nays: None. Abstain: None. Absent: Lawhon and Hansen.

Planned Development

10. Planned Development 342 (3736 South Cox Avenue)

Gary Younker

Mr. Hosmer stated this is a request to rezone approximately 34.52 acres of property generally located at 3736 South Cox Avenue from an R-SF, Single-Family Residential District to Planned Development District No. 342. The applicant is proposing to rezone the subject property to a Planned Development 342 to allow for a skilled care, assisted living and independent living apartments on property located at Walnut Lawn and Kansas Expressway. The Comprehensive plan states that Colleges, medical complexes, governmental building areas and other large property interests should concentrate their greatest density and height in the interior of their campuses. This development has provided for the highest concentration of uses to the center of the development which includes a 90 foot setback from Cox Avenue and 60 foot setback from Walnut Lawn and Kansas Expressway. There will be a 125 foot setback and a bufferyard provided from the property to the south. The proposed planned development provides for the expansion of planned development zoning to the south (Chesterfield Village) where multi-family and mixed uses are allowed and to the north where multi-family, educational, religious institutions and facilities and community service facilities are also proposed. Walnut Lawn is classified as a secondary arterial roadway and Cox Avenue is classified as a collector roadway. These roadways classifications, including Kansas Expressway, are appropriate for multi-family and/or nursing home facilities. A Traffic study was prepared for the proposed development. This project will require a public sidewalk and an additional five (5) foot of right-of-way dedicated along Walnut Lawn Street between Kansas Expressway and the proposed driveway. The applicant is willing to dedicate the remainder of the 5 foot right of way along Walnut Lawn to the intersection of Cox Avenue. Cox Avenue will require five (5) feet of dedicated right of way with a public sidewalk. There will be no access to Kansas Expressway. The development is proposing two driveways; one from Walnut Lawn and one from Cox Avenue per Exhibit 2. The residential uses within the proposed planned development will not exceed more than 11 dwelling units per acre. This proposal does not require a Multi-Family Location and Design Guidelines assessment. The Planned Development will require a lot combination of the three existing lots. The development will have two signs; one at the intersection of Walnut Lawn and Kansas Expressway and another at the entrance on Walnut Lawn. There will be a directional sign at the driveway entrance at Cox Avenue. The proposed planned development will mitigate

the potential impact between the nursing home and assisted living from residential uses by retaining a 30 degree bulk plane height restriction, a bufferyard "B" along adjacent property to the south, a street bufferyard along both Walnut Lawn and Cox Ave. and design requirements as outlined in Exhibit 1 and Exhibit 2. The proposed expansion will not have a significant impact on the surrounding neighborhood. Staff recommends approval.

Mr. Edwards opened the public hearing.

Mr. Mark Schoedel, 1150 Hanley Industrial Court, St. Louis, Missouri, 63144; Mr. Schoedel said this is a collaborative effort between our team and City Staff that would meet the requirements of the City for this Planned Development District and allow Lutheran Senior Services to provide services to the older adults in the community. They currently own and operate nine (9) other continuing care retirement communities in Missouri and Illinois and have been doing this for more than one hundred fifty (150) years now. Lutheran Senior Services would be the developer, the owner and operator of this community. We will be the new neighbor in this area. We will be here for a long time.

Mr. Edwards asked how many tenants will there be.

Mr. Schoedel stated residents wise, with the three areas of care they provide, when it is all built, this would be a phased development, we would have approximately two hundred (200) independent living, eighty (80) health care units or skilled nursing, eighty (80) assisted living and then eighteen (18) additional cottages which would be independent living structures.

Mr. Andy Furedy, 2239 W. Hanover, Springfield, commented they are glad to see that this particular use is being proposed. We are in favor of the use, but have some questions for staff or the developer. On Exhibit 1 under the heading of intent, there is list of amenities and services and below that in the last sentence in the next paragraph "or someone who does not reside within the community who would be involved in rehabilitation services for older adults. Does this mean the individual who might be a therapist, a Psychiatrists or somebody who would come in and provide the service to the residents or does that mean that he, as an older adult could use the barber shop or the theater or whatever. Secondly, the sidewalks under items number four (4) and five (5) under design requirements. When he and his wife attended the neighborhood meeting the question he asked is if there would be sidewalks on those two (2) streets. The answer he got is that there would be a sidewalk internally on the property and how will they be able to get to the property and was told you can use the facility on private property. That raises all sorts of issues. This indicates that perhaps the developer has changed his mind and not only is he going to dedicate some right of way, but he will build a sidewalk, but because he indicated at the neighborhood meeting that the sidewalk would be an internal sidewalk he would like clarification that this sidewalk is a public sidewalk on the City right of way. The original proposal was that the sidewalk on Walnut Lawn would be from Cox to the first driveway, maybe he misunderstood. This proposal indicates that the sidewalk on Walnut Lawn will be from Kansas Expressway to Cox which is preferable from their standpoint.

Mr. Coltrin asked Mr. Furedy if in general he is in favor of this proposal, other than addressing some of the questions they have.

Mr. Furedy said he is.

Mr. Hosmer commented that there will be public sidewalks from Walnut Lawn from Kansas to Cox Road as

well as Cox Road along the entire property. As far as the other questions the applicant will have to explain those.

Mr. Baird commented that if you are at Walnut and 141, which is Cox Road going south, will that connect with the existing sidewalk that is already in place or will that terminate somewhere at the property line of the development.

Mr. Hosmer said that would have to be a city function to get that at a later date.

Mr. Baird asked where the property line of the development end.

Mr. Hosmer pointed out on the display where the development ends.

Mr. Baird said there would be a block or so of no sidewalk basically.

Mr. Hosmer said yes.

Mr. Schoedel commented they like their residents to stay within their community so we don't like sidewalks to close where they get out and wander where they shouldn't be. MoDOT did not require them to put one along south Kansas Expressway, so we think this is good where the sidewalks are going and we have no issues with them. With respect to the other comment about people from the outside coming, it talks about a program they do as they market their facility after it has been in operation for a while. We have what we call a future residency program for someone who may not be living in the community yet but may be a future resident; we allow them to come in and use those services. They are not intended for the general public so from the standpoint of independent living folks and part of that future residency program those people would be coming on site. We do have a short term rehab area as part of the skilled nursing for folks who may be coming in from surrounding community into our medical care short term.

Mr. Edwards closed the public hearing.

Mr. Coltrin asked staff if they received enough right of way to do what you want to do on Walnut Lawn to expand westward.

Ms. Gardner said they did.

Mr. McClelland motioned to **approve** Planned Development 342. Ms. White **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, Ray, Baird, Young, and White. Nays: None. Abstain: None. Absent: Lawhon and Hansen.

Subdivisions

11. Preliminary Plat L.E. Cox Condo 2nd Addition
(440 East Tampa)

L.E. Cox Building Condominium Assoc.

Mr. Hosmer stated the purpose of this request is to approve a preliminary plat to subdivide approximately 2.68 acres into an eight (8) unit condominium subdivision located at 440 East Tampa Street. The existing use is the Jordan Valley Community Health Center, crime lab, and offices. The applicant's proposal, with the conditions listed in the report, is consistent with the City's Subdivision Regulations and staff

recommends approval.

Mr. Derek Lee, Lee Engineering, 2101 W. Chesterfield Blvd., commented he represents the owner and this is the Jordan Valley Community Health Center expansion to allow a new medical and dental facility. The exiting building is already a Condo and they have to do a new preliminary plat in order to get the new building combined with the existing Condo Plat.

Mr. McClelland asked if this also takes in the Highway Patrol lab as well, is that correct.

Mr. Lee pointed to the crime lab location on the display map stating that is going to stay exactly the way it is now. There was a portion that was originally to be the morgue, and that is not going to happen. That area was sold to Jordan Valley Community Health Center and that will be renovated and will be part of this medical and dental office.

Mr. McClelland clarified that all they are doing there is to approve the expansion of Jordan Valley Medical facility.

Mr. Lee said yes. He pointed out where they would construct the new building and pointed to the area to be renovated.

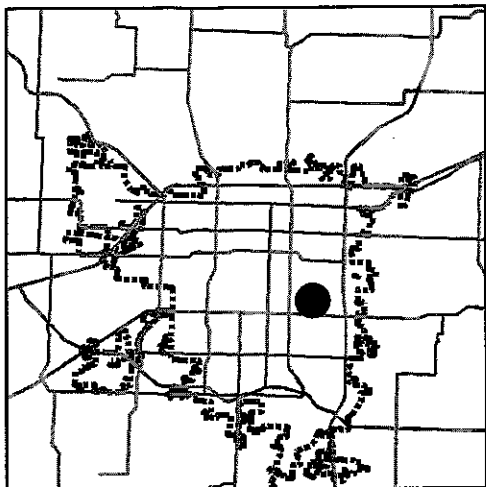
Mr. Rognstad stated that all they are doing is moving some lines around on the map. The uses are already approved; you are just changing the lines.

Mr. Edwards closed the public hearing.

Mr. Young motioned to **approve** Preliminary Plat L. E. Cox Condominium 2nd Addition. Mr. Baird **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, Ray, Baird, Young, and White. Nays: None. Abstain: None. Absent: Lawhon and Hansen.

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

Bob Hosmer, AICP
Principal Planner



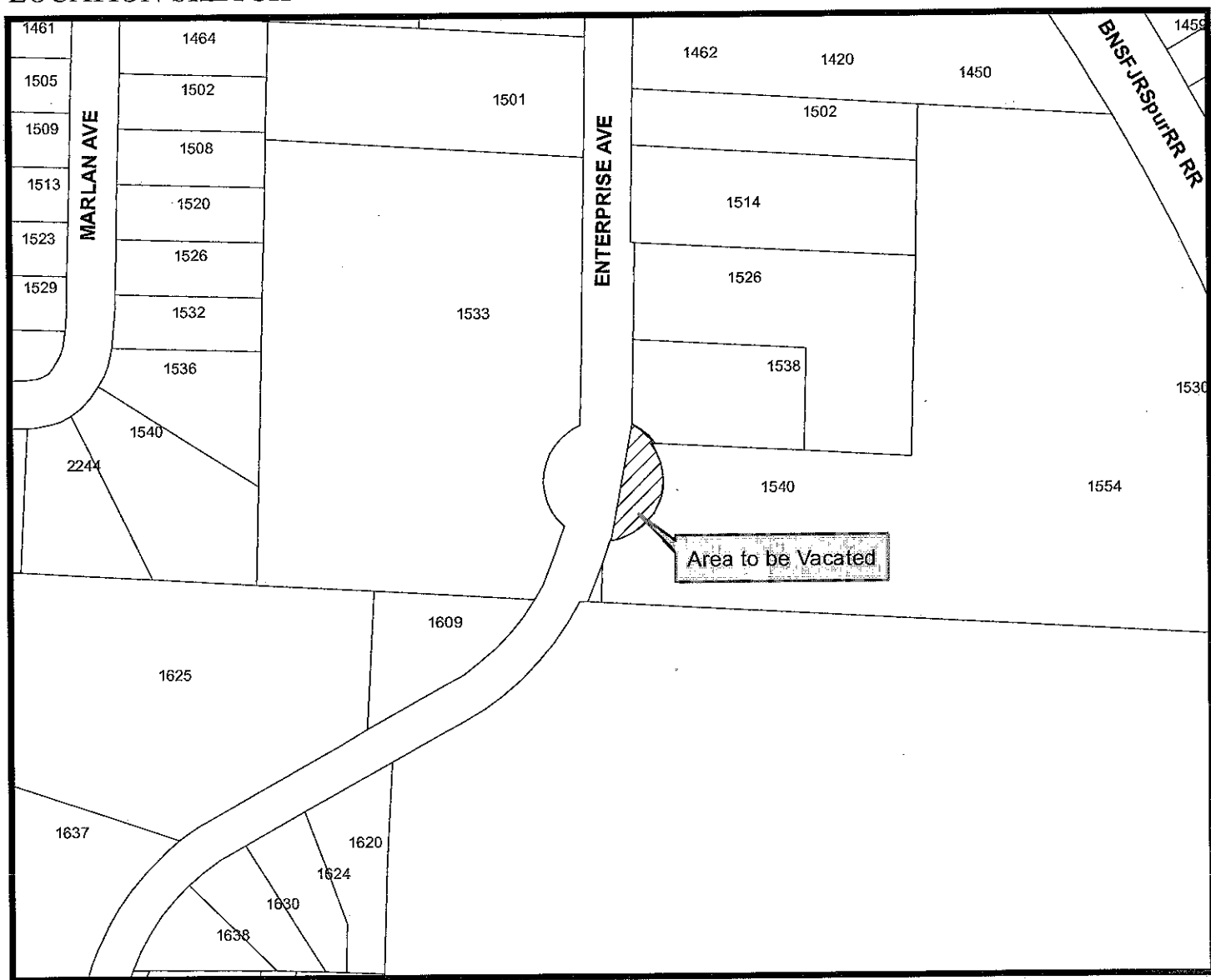
Zoning & Subdivision Report

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

Vacation 757

Location: 1538 & 1540 South Enterprise Ave
Current Zoning: GM, General Manufacturing

LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

Zoning & Subdivision Report

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

VACATION #757

DATE: July 2, 2013

PURPOSE: To vacate a portion of a cul-de-sac generally located on the east side of the 1500 block of South Enterprise Avenue.

BACKGROUND:

LOCATION: 1500 block e/s S. Enterprise Avenue

APPLICANT: Enterprise Laundry, Inc.

RECOMMENDATION:

Staff recommends **approval** of this request.

FINDINGS FOR STAFF RECOMMENDATION:

The requested Vacation #757 meets the approval criteria listed in Attachment B.

STAFF CONTACT PERSON:

Michael G. Sparlin
Assistant Planner

ATTACHMENTS:

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

ATTACHMENT A
BACKGROUND REPORT
VACATION #757

APPLICANT'S PROPOSAL:

The applicant is requesting to vacate a portion of a cul-de-sac generally located on the east side of the 1500 block of South Enterprise Avenue. This vacation would facilitate the construction of a new addition onto the west side of the existing laundry facility.

TRAFFIC ENGINEERING COMMENTS:

Sidewalk has been reconstructed and grass restored at the proposed new right of way line. Traffic has no issues with this vacation.

CITY UTILITIES COMMENTS:

Retain the entire right-of-way being vacated as a utility easement. There are existing gas and water mains and services in the area. If the owner wants to eventually deconstruct the cul-de-sac there could be relocation costs involved.

AT&T COMMENTS:

No issues with the vacation. AT&T facilities are located outside of area to be vacated.

STORM WATER COMMENTS:

No impact for stormwater. No issues with vacation.

POLICE DEPARTMENT COMMENTS:

No issues with the vacation.

FIRE DEPARTMENT COMMENTS:

No issues with the vacation.

SANITARY SERVICE:

No issues with public sewer.

BUILDING DEVELOPMENT SERVICES:

No issues with vacation.

ADJACENT PROPERTY OWNER COMMENTS:

Nine (9) 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. This vacation had previously been approval by City Council with conditions in June 2010 (Council Bill No. 2010-128). The conditions of the previous vacation have been fulfilled. However, since the vacation approval, additional right-of-way has been retained on the adjacent north property that was not originally part of the area to be vacated. The applicant has resubmitted to include this small portion of right-of-way to be vacated.
2. The proposed vacation will reduce the City's liability for any parking or other operations that take place with the existing cul-de-sac right-of-way which serves no public purpose.
3. Utility easements have been retained for the entire right-of-way being vacated. The proposed vacation will not adversely affect public or private utilities.
4. The proposed vacation meets the approval criteria for vacating right-of-way.

ATTACHMENT B
APPROVAL CRITERIA
VACATION #757

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

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

STAFF RESPONSE:

All adjacent property has access to other public access ways.

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

STAFF RESPONSE:

All adjacent property owners have signed their consent to the vacation.

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

STAFF RESPONSE:

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

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

STAFF RESPONSE:

The proposed vacation will not adversely affect the ability to use utilities, public or private.

EXHIBIT A
LEGAL DESCRIPTION
VACATION #757

Portion of cul-de-sac to be vacated:

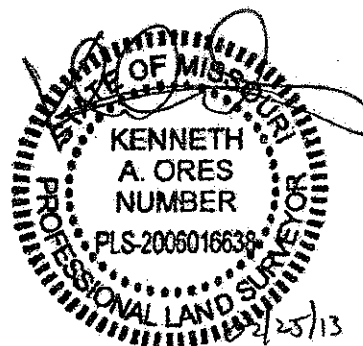
All that part of Enterprise Avenue, as dedicated to the public in the Final Plat of Southeast Industrial Park, a subdivision in the City of Springfield, Greene County, Missouri, duly recorded in the Greene County Recorder's Office in Plat Book CC, at Page 37, and as granted in the Right-of-Way Deed duly recorded in the Greene County Recorder's Office in Deed Book 2996, at Page 23, and being more particularly described as follows:

BEGINNING at a found 5/8" iron bar marking the Northwest corner of Lot 15 of Southeast Industrial Park, a subdivision in the City of Springfield, Greene County, Missouri, duly recorded in the Greene County Recorder's Office in Plat Book CC, at Page 37, said point being in the East Right-of-Way line of Enterprise Avenue, as now established; thence along said East Right-of-Way line, along a curve to the right having a Radius of 75.00 feet, a Chord Bearing of South 22 Degrees 42 Minutes 03 Seconds West, and an Arc Length of 160.12 feet; thence departing said East Right-of-Way line North 18 Degrees 15 Minutes 57 Seconds East, a distance of 77.95 feet; thence North 01 Degrees 04 Minutes 25 Seconds East, a distance of 70.32 feet; thence along a non-tangent curve to the right having a Radius of 77.50, a Chord Bearing of South 50 Degrees 30 Minutes 15 Seconds East, and an Arc Length of 36.97 feet to a point in the North line of said Lot 15; thence North 86 Degrees 48 Minutes 39 Seconds West along said North line, a distance of 3.30 feet to the POINT OF BEGINNING, and containing 5,006 square feet of land, more or less

EXHIBIT 'A'

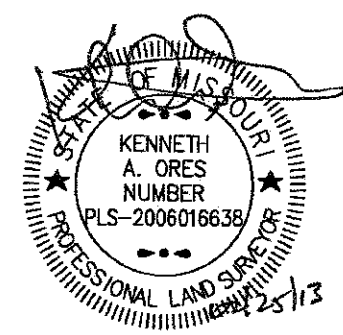
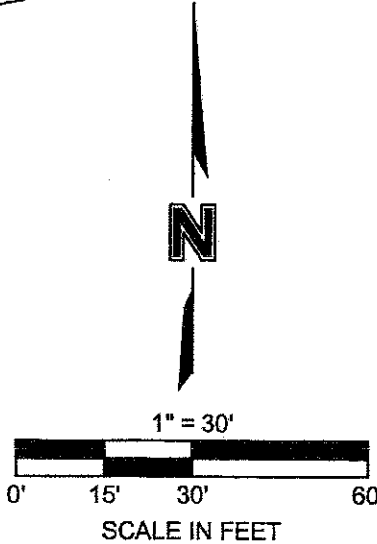
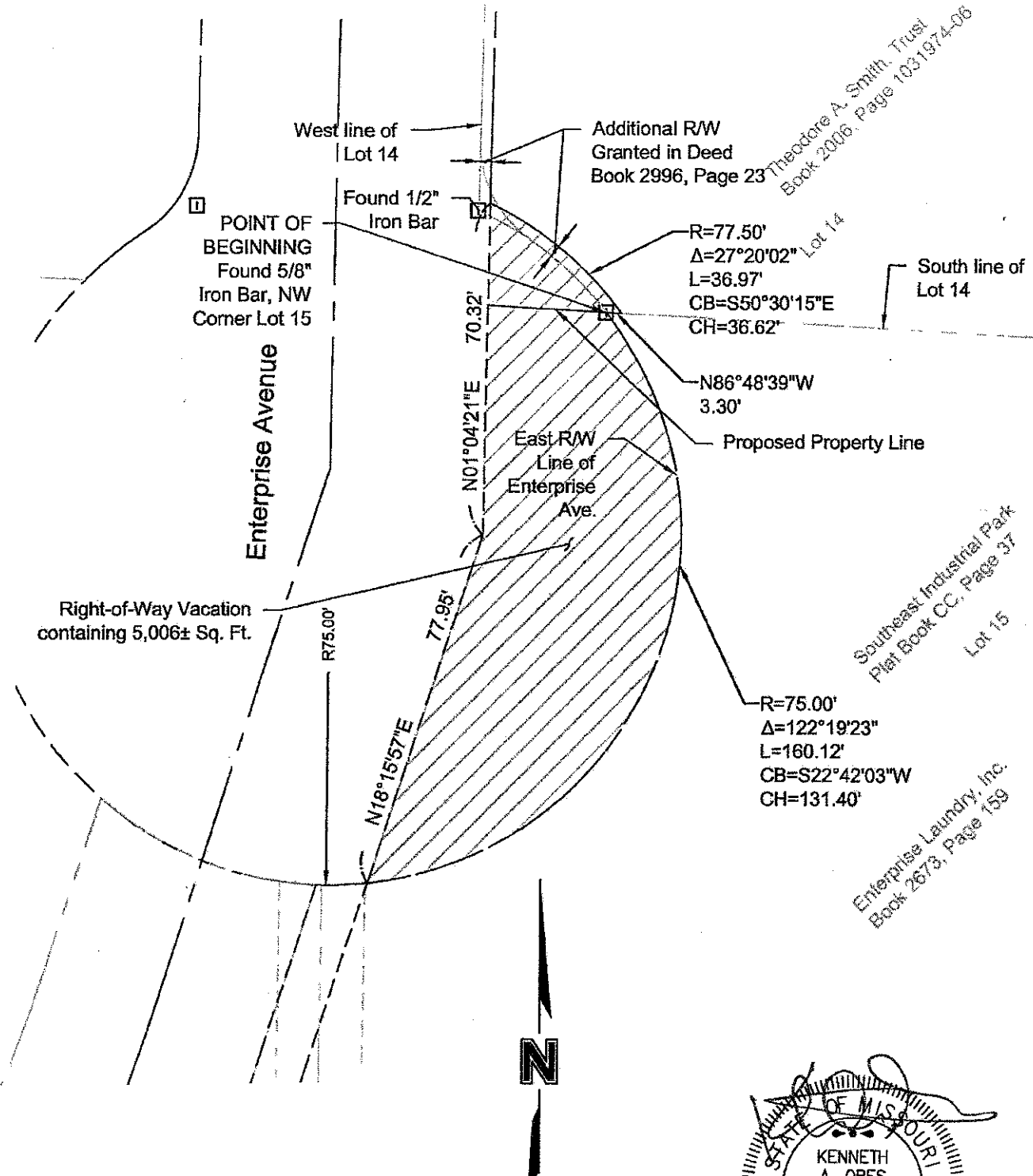
All that part of Enterprise Avenue, as dedicated to the public in the Final Plat of Southeast Industrial Park, a subdivision in the City of Springfield, Greene County, Missouri, duly recorded in the Greene County Recorder's Office in Plat Book CC, at Page 37, and as granted in the Right-of-Way Deed duly recorded in the Greene County Recorder's Office in Deed Book 2996, at Page 23, and being more particularly described as follows:

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DWG: F:\Projects\012-0425\SRV\Exhibits\120425_RW-Vacation.dwg USER: dmcanadrews
 DATE: Feb 25, 2013 3:38pm XREFS: 120425_xtopo 120425_xbou

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



PROJECT NO: 012-0425	RIGHT-OF-WAY VACATION		550 St. Louis Street Springfield, MO 65806 TEL 417.890.8802 FAX 417.890.8805	EXHIBIT
DRAWN BY: DRM				B
DATE: 04.27.12				

EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED:_____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 1.44 acres of property generally located at 777 East Battlefield Road from an O-1, Office District to a GR, General Retail District and establishing Conditional Overlay District #61.

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-12-2013/CONDITIONAL OVERLAY DISTRICT #61

The applicant is proposing to rezone the property from an O-1, Office District to a GR, General Retail District with a Conditional Overlay District.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on, July 11, 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. The subject property, at the intersection of Battlefield Road, a primary arterial roadway, and Kimbrough Avenue, a collector roadway, is an appropriate location for GR, General Retail zoning.
2. This request for GR zoning will provide for the redevelopment of this site and is consistent with the City's policies to promote infill development and increased intensity where investments have already been made in public services and infrastructure.
3. The proposed Conditional Overlay District will restrict uses, provide for additional right-of-way on adjacent roadways and provide for additional plantings along the north property line.
4. The development requirements in the proposed GR district are adequate for mitigating potential impacts of the proposed development on the adjoining properties.

Submitted by:



Alana D. Owen, AICP, Senior Planner

Bob Hosmer, AICP, Principal Planner

Greg Burris, City Manager

EXHIBITS:

Exhibit A, Record of Proceedings

Exhibit B, Legal Description

Exhibit C, Zoning and Subdivision Staff Report

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Neighborhood Meeting Summary

Attachment 3, Conditional Overlay District Provisions

EXHIBIT A
RECORD OF PROCEEDINGS
ZONING CASE Z-12-2013/CONDITIONAL OVERLAY DISTRICT #61

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

EXHIBIT B
LEGAL DESCRIPTION
ZONING CASE Z-12-2013/CONDITIONAL OVERLAY DISTRICT #61

LOT TEN (10), EXCEPT THE EAST 25 FEET THEREOF, AND LOT ELEVEN (11), IN MEADOR PARK ESTATES SIXTH ADDITION, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF;

AND

THE EAST TWENTY-FIVE (25) FEET OF LOT TEN (10) OF MEADOR PARK ESTATES SIXTH ADDITION, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

EXHIBIT C

Zoning & Subdivision Report

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

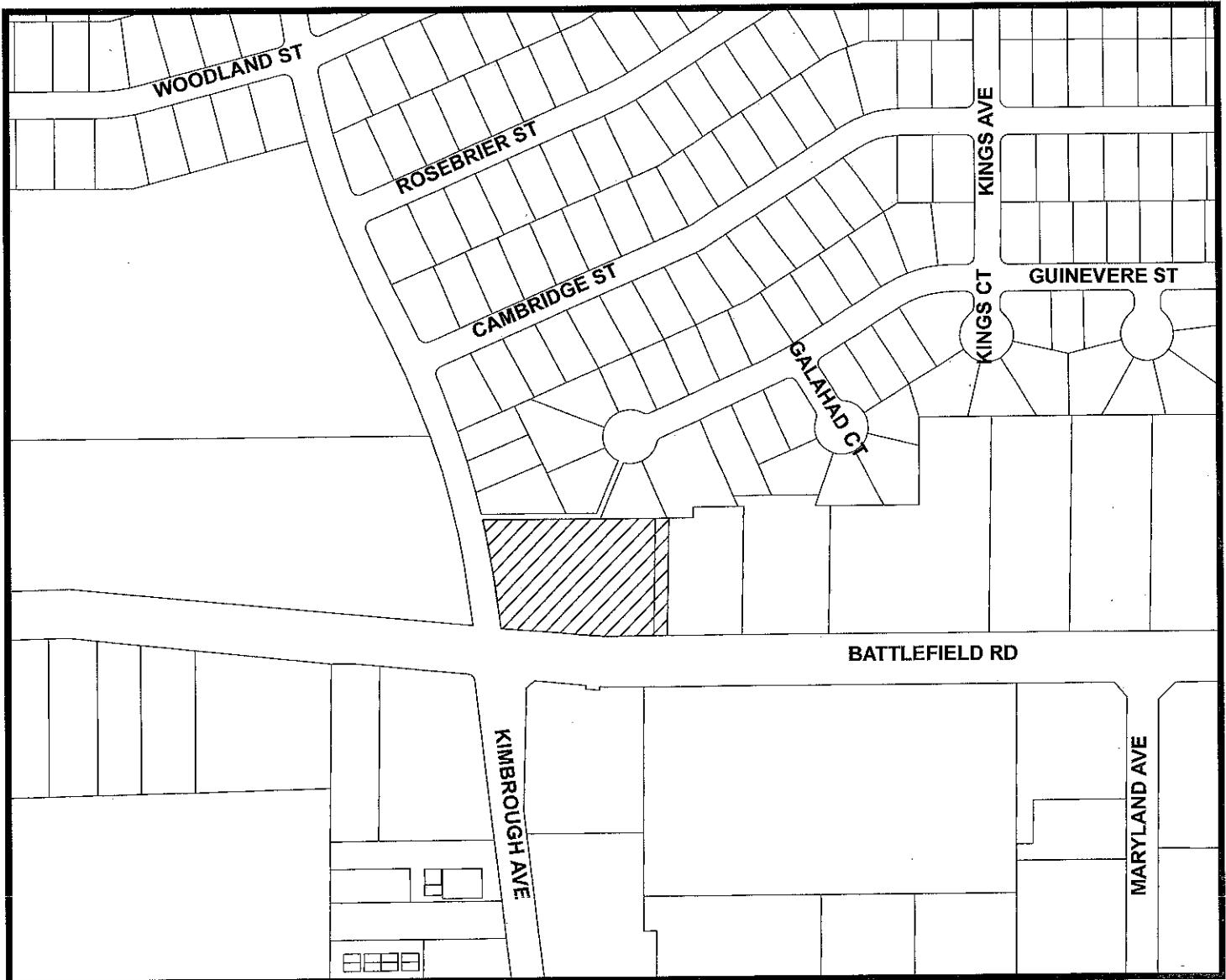
Zoning Case Z-12-2013/ Conditional Overlay District #61

Location: 777 East Battlefield

Current Zoning: O-1, Office District

Proposed Zoning: GR, General Retail District

LOCATION SKETCH



- Area of Proposal



1 inch = 300 feet

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-12-2013/CONDITIONAL OVERLAY DISTRICT #61

DATE: July 2, 2013

LOCATION: 777 East Battlefield Road

APPLICANT: Griswald Enterprises LLC

TRACT SIZE: Approximately 1.44 acres

EXISTING USE: Office building

PROPOSED USE: Uses permitted in the GR, General Retail District in conformance with Conditional Overlay District # 61.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF	Single-family residential dwellings
East	R-HD	Multi-family development
South	GR	Retail development
West	R-SF	School and park

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the City's *Comprehensive Plan* designates this area as appropriate for high intensity retail, office or housing. The proposed convenience store would be considered a Neighborhood-Scale Business as described in the *Comprehensive Plan*. Neighborhood-Scale Businesses are recommended near intersections of arterial and collector, or higher classification, streets and should be sited so as to provide adequate utilities, storm water management, parking, landscaping and buffering and design practices which minimize the effect on the environment and surrounding land uses. The subject property is located at the northeast corner of Battlefield Road, a primary arterial roadway, and Kimbrough Avenue, a collector roadway.

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not have any issues with this request to rezone to GR, General Retail with Conditional Overlay District # 61.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

1. Right of way on Kimbrough must be 30 feet from centerline. It appears approximately 5 feet will be needed.
2. Right of way on Battlefield must be 50 feet from the centerline. It appears between 5 feet and 8 feet will be needed.
3. Sidewalk already exists on both Kimbrough and Battlefield.
4. A 30 feet X 30 feet right of way sight triangle is required at the intersection of Kimbrough and Battlefield.
5. Access on Battlefield can remain, but cannot be shifted any closer to Kimbrough.
6. Access on Kimbrough can remain. It must not be shifted any closer than 100 feet to Battlefield.
7. A Traffic Study is not required.

STORMWATER COMMENTS:

1. Public Works Storm Water division does not have any concerns regarding this application.
2. Please note that the percent of impervious surfacing for the proposed development must not exceed the maximum impervious surfacing allowed by zoning.
3. The proposed development must meet detention and water quality re-development standards.
4. Existing on-site detention must be maintained. Payment in-lieu of construction of detention facilities is not an option for this site due to existing downstream flooding problems.
5. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or a drainage easement. Please try to direct some runoff into the drainage system on Battlefield Road in-lieu of draining all runoff directly onto Kimbrough Avenue.

CLEAN WATER SERVICES COMMENTS:

Public Works Clean Water Services does not have any issues with this request. Public sewer is currently available to this site.

CITY UTILITIES:

City Utilities does not have any objections to this request.

POLICE DEPARTMENT:

The Police Department already receives complaints of noise/disturbances from the parking lot of the Eagle Stop directly across the street on the south side of Battlefield Road. This proposed development will back up to an apartment complex and a neighbor

and Police Department staff believes it will increase these types of calls for Police service.

ADJACENT PROPERTY OWNER COMMENTS:

Fourteen (14) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. Staff has received several phone calls from nearby property owners expressing concern over the request.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on June 19, 2013. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. The applicant is requesting to rezone the subject property from an O-1, Office District to a GR, General Retail District. This application includes a Conditional Overlay District to prohibit certain uses including the entertainment-oriented use group, funeral homes and mortuaries, household resource recovery centers and private clubs and lodges, provide for additional right-of-way on adjacent streets and provide for additional plantings within the bufferyard along the north property line. The proposed development is a convenience store with fuel pumps, however any use permitted in the GR district could be located on the site unless prohibited by the Conditional Overlay District.
2. *The Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for high intensity retail, office or housing. General Retail (GR) district is one of the zoning districts recommended in these areas. The proposed convenience store would be considered a Neighborhood-Scale Business as described in the *Comprehensive Plan*. These shopping areas should be sited near intersections of arterials and collector, or higher classification, streets and should provide adequate utilities, storm water management, parking, landscaping and buffering to minimize the effect on the environment and surrounding land uses. The subject property is located at the intersection of Battlefield Road, a primary arterial roadway, and Kimbrough Avenue, a collector roadway. Staff believes the subject site with the proposed Conditional Overlay District and requirements and restrictions contained within the GR district including those for buffering and building height meet the recommendations of the City's *Comprehensive Plan* and intent of the General Retail District. The approval of GR zoning will expand the GR zoning to the northeast corner of this intersection as the southeast and southwest quadrants are currently zoned GR. Approval of this request will provide for increased intensity in this area where investment has already been made in public services and infrastructure. This development will provide goods and services to the adjacent residential and commercial areas.

3. The proposed development will be required to meet the bufferyard requirements adjacent to less-intense zoning districts. The Zoning Ordinance requires a Bufferyard "F" between the GR district and adjacent R-SF, Single Family Residential zoning to the north and a Bufferyard "C" between the GR district and adjacent R-HD, High-Density Multi-Family Residential district to the east. The Bufferyard "F" requires a minimum open space of twenty (20) feet wide with the following plantings per one hundred (100) linear feet: three (3) canopy trees, three (3) understory trees, four (4) evergreen trees and twenty (20) shrubs. As part of the Conditional Overlay District, the applicant will be increasing the plantings within the bufferyard to four (4) canopy trees, four (4) understory trees and five (5) evergreen trees along with the twenty (20) shrubs per one-hundred (100) linear feet. A six (6) foot solid wood fence will be provided along the north property line in addition to the plantings. The Bufferyard "C" along the east property line requires a minimum open space of fifteen (15) feet 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.
4. The GR district contains development standards and requirements to mitigate the potential impacts of development when located adjacent to less intense zoning districts. In addition to the required bufferyards, all structures developed on this property must remain below a thirty (30) degree bulk plane measured from the boundary of the R-SF district to the north. As part of the redevelopment of this site, additional green space will be provided. The existing site has approximately 0.27 acres, or seventeen (17) percent of the site, of green space. The applicant plans to add approximately 0.25 acres of green space for a total of 0.52 acres or thirty-three (33) percent of the site. The GR district requires a minimum of twenty (20) percent open space.

FINDINGS FOR STAFF RECOMMENDATION:

1. The subject property, at the intersection of Battlefield Road, a primary arterial roadway, and Kimbrough Avenue, a collector roadway, is an appropriate location for GR, General Retail zoning.
2. This request for GR zoning will provide for the redevelopment of this site and is consistent with the City's policies to promote infill development and increased intensity where investments have already been made in public services and infrastructure.
3. The proposed Conditional Overlay District will restrict uses, provide for additional right-of-way on adjacent roadways and provide for additional plantings along the north property line.

4. The development requirements in the proposed GR district are adequate for mitigating potential impacts of the proposed development on the adjoining properties.

RECOMMENDATION:

Staff recommends **approval** of this request.

STAFF CONTACT PERSON:

Alana D. Owen, AICP
Senior Planner
864-1831

ATTACHMENT 2
NEIGHBORHOOD MEETING SUMMARY
ZONING CASE Z-12-2013/CONDITIONAL OVERLAY DISTRICT #61

NEIGHBORHOOD MEETING SUMMARY

1. Request to change zoning from:
O-1 Low Intensity Office to GR General Retail
(existing zoning district) (proposed zoning district)
And any additional explanation that is available:

Change in zoning to allow for convenience store with fuel. Overlay district is proposed to restrict permitted uses to exclude the following: Entertainment-oriented Use Group, Funeral homes and mortuaries, Household resource recovery collection centers, and Private clubs and lodges
2. Meeting Date & Time: July 19, 2013, 4:00 pm - 6:30 pm
3. Meeting Location: La Quinta Inn, 2535 S Campbell Ave, Springfield, MO
4. Number of invitations that were sent: invitations sent to all addresses provided by City
5. How was the mailing list generated: City planning department
6. Number of neighbors in attendance (attach a sign-in sheet): 3, 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.)

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

No written comments received.



NEIGHBORHOOD MEETING SUMMARY

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.)*

The neighbors in attendance verbally expressed the following concerns regarding the proposed zoning and development of the property as a convenience store.

- Increased traffic, noise, lighting, and late night activities.
- Security issues, increased criminal incidents
- Proximity to an existing convenience store directly across Battlefield to the south

It is the intent of the applicant to provide a 20' bufferyard along the north property line and a 15' bufferyard along the east property line. Each bufferyard is proposed to include a wood privacy fence and will be vegetated with a variety of plantings to aid in reducing impact on the surrounding neighbors. The proposed site creates approximately 0.25 acres of additional green space, increased pavement setbacks, and additional landscaping to provide screening to benefit adjacent properties. Additional plantings or different types of plantings beyond the requirements of the current Zoning Ordinance would be considered if recommended by City staff. A photometric analysis will be performed during site design to ensure that the effects of lighting spillover will be appropriately reduced.

Security cameras will be installed to provide coverage of the facility and site. Security training will be provided to employees.

The proposed Kum & Go convenience store is intended to be a replacement and upgrade of an existing store operating nearby at 3030 S. Jefferson.

550 St. Louis Street
Springfield, MO 65806

TEL
FAX

417.890.8802
417.890.8805

www.oaconsulting.com



June 3, 2013

Dear Property Owner:

We have submitted a rezoning application to the City of Springfield for property located at 777 E Battlefield Rd, in the northeast corner of the intersection of Kimbrough Ave and Battlefield Rd. The area to be rezoned includes an existing office building and vacant adjoining lot.

The properties are currently zoned as (O-1) Low Intensity Office District and we are requesting to rezone to a (GR) General Retail District. The proposed rezoning will allow Kum & Go, LC to construct a new convenience store in this location. An overlay district is being proposed to restrict intrusive uses.

Representatives from Olsson Associates will be available to speak with neighbors and answer any questions you might have about the rezoning application on **Wednesday, June 19, 2013 from 4:00 – 6:30 p.m. at the La Quinta Inn Conference Room** located at 2535 S Campbell Ave, Springfield, MO 65807. A map indicating the affected property as well as the meeting location is attached to this letter.

This case is scheduled to be heard before the City of Springfield Planning and Zoning Commission on July 11, 2013 at 6:30 p.m. Please plan to attend. If you should have any questions please feel free to contact our office at (417) 890-8802.

Sincerely,

Nathan Meyer, PE
Olsson Associates

550 St. Louis Street
Springfield, MO 65808

TEL 417.890.8802
FAX 417.890.8805

www.oaconsulting.com

www.oaconsulting.com

Neighborhood Meeting
Proposed Kum & Go - Rezoning
June 19, 2013
4:00 p.m. - 6:30 p.m.

Name	Address	Phone
Josh House (Kum & Go)	6900 Westtown Parkway, West Des Moines, IA	515-457-6353
Kathleen Armon	809 E. Guadalupe, Spfld 65801 Kathleen	981-2574 irmen@yahoo.com
Ed House	8706 Battleground, Spfld, 65805	862-2500
Betty Estes	2936 S. Ambler, Spfld	917-268-8661
MARTIN MAYER (OLSSON ASSOCIATES)	550 ST. LOUIS ST, SPFLD 65806	417-890-8802

OLSSON
ASSOCIATES

550 St. Louis Street
Springfield, MO 65806

TEL 417.890.8802
FAX 417.890.8805 www.olssonassociates.com

ATTACHMENT 3
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-12-2013 & CONDITIONAL OVERLAY DISTRICT #61

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

4-3100. The following uses shall be prohibited within this district:

- L. Entertainment-oriented Use Group.
- M. Funeral homes and mortuaries.
- O. Household resource recovery collection centers.
- S. Private clubs and lodges.

Additional Requirements.

1. Additional right-of-way shall be dedicated for Kimbrough Avenue to total thirty (30) feet from the centerline of the roadway.
2. Additional right-of-way shall be dedicated for Battlefield Road to total fifty (50) feet from the centerline of the roadway.
3. A thirty (30) foot by thirty (30) foot right-of-way triangle shall be dedicated at the corner of Battlefield Road and Kimbrough Avenue.
4. The existing driveway on Battlefield Road can remain but shall not be shifted any closer to Kimbrough Avenue.
5. The existing driveway on Kimbrough Avenue can remain and shall be located at least one-hundred (100) feet from Battlefield Road.
6. A Bufferyard Type "F" in accordance with the City of Springfield *Zoning Ordinance* shall be provided along the north property line with the following modifications: A six (6) foot tall solid wood fence is required to be constructed within the bufferyard and the number of required plantings per one-hundred (100) linear feet shall be increased to include four (4) Canopy Trees, four (4) Understory Trees, and five (5) Evergreen Trees.

EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To amend *Sections 1-1600, Official Zoning Map and Rules for Interpretation, and 3-1200, Zoning Certificate*, in the *Springfield Zoning Ordinance*.
(Staff recommends approval).

BACKGROUND INFORMATION:

ZONING ORDINANCE TEXT AMENDMENT – OFFICIAL ZONING MAP AND ZONING CERTIFICATE AMENDMENTS

City Council initiated amendments to the official zoning map and zoning certificates at their meeting on March 21, 2011. The processes for adopting the official zoning map and preparing zoning certificates need to be updated to reflect the current practices and to provide greater convenience to the general public.

The zoning certificate section of the ordinance will be modified to remove the language that makes the Director of Building Development Services responsible for certifying zoning. Instead, as currently practiced, the Director of Planning and Development, or their designated representative, will process zoning certification applications. This will allow the zoning certification process to be expedited since both Directors are currently required to sign the application.

The Official Zoning Map section in the Zoning Ordinance will be modified to provide for an official adoption process and to allow the utilization of our digital GIS mapping database as a resource for staff to provide zoning information to the general public.

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

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on July 11, 2013, and recommended _____, by a vote of ___ to __, of the proposed changes to the Zoning Ordinance described in Attachment A.

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

FINDINGS FOR STAFF RECOMMENDATION:

1. The proposed amendments will reflect current practices and provide greater convenience to the public.

Submitted by:

Bob Hosmer, AICP
Principal Planner

Greg Burris, City Manager

ATTACHMENT A
OFFICIAL ZONING MAP AMENDMENTS

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

Section 1-1600. Official Zoning Map and Rules for Interpretation.

1-1601. **Incorporation of Official Zoning Map by Reference.** The City is hereby divided into the districts listed in *Section 1-1500, Establishment of Districts*, of this Article as shown on the *Official Zoning Map* which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Article.

The *Official Zoning Map* shall be prepared, maintained and archived in a form approved by the City Council and ~~triplicate originals and shall be identified by the signature of the Mayor~~ attested by the City Clerk, and bearing the seal of the City under the following words: "This is to certify that this is the Official Zoning Map referred to in *Section 1-1600, Article I, Chapter 36, Springfield City Code*." ~~One of said originals shall be permanently preserved without being changed in any manner and shall be filed with the City Clerk for the use and benefit of the public. One original shall be hung in the office of the Department of Building Development Services and the other one in the office of the Secretary of the Planning and Zoning Commission.~~ The *Official Zoning Map* shall be adopted or readopted in its entirety by City Council annually following an advertised public hearing. Prior to its adoption by Council, Planning and Zoning Commission shall review said Map after conducting a public hearing in accordance with *Section 3-2004* of this Article. Notice of such hearing shall be given in accordance with *Section 3-3802(B)*. Amendments to the district boundaries occurring between the annual adoptions of the *Official Zoning Map* shall be maintained in the office of the City Clerk. The district boundaries in the ordinances amending the *Official Zoning Map* shall control over what appears on the map.

It shall be the duty of the Secretary of the Planning and Zoning Commission to facilitate the updating of the map ~~keep up to date the originals on file in his office and the office of the Department of Building Development Services, showing all the changes, amendments or additions thereto and noting on such map the Article number and the date of passage of each change, amendment or addition.~~

~~If, in accordance with the provisions of this Article, changes are made in district boundaries or other matter portrayed on the *Official Zoning Map*, such changes shall be entered thereon promptly after the amendment has been approved by the City Council.~~

No changes of any nature shall be made in to the *Official Zoning Map* or matters shown thereon except in conformity with the procedures set forth in this Article. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this Article.

Regardless of the existence of copies of the *Official Zoning Map* which may from time to time be made or published, the *Official Zoning Map* with amendments made to the district boundaries occurring between the annual adoptions which shall be located in the office of the Secretary of the Planning and Zoning Commission and shall be the final

authority as to the current zoning status of land and water areas, buildings and other structures in the City.

1-1602. **Rules for Interpretation of District Boundaries.** Where uncertainty exists as to the boundaries of zoning districts as shown on the *Official Zoning Map*, the following shall apply:

- A. Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow centerlines.
- B. Boundaries indicated as approximately following platted lot lines shall be construed as following lot lines.
- C. Boundaries indicated as following City limit lines shall be construed as following such City limits.
- D. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
- E. Boundaries indicated as following shorelines of bodies of water shall be construed to follow such shorelines, and in the event of change in the shoreline shall be construed as moving with the actual shoreline; boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such center lines.
- F. Boundaries indicated as parallel to or extensions of features indicated in *paragraphs A through E* above shall be so construed. Distances not specifically indicated on the *Official Zoning Map* shall be determined from the scale of the map.
- G. Where physical or cultural features existing on the ground or the City's geographic information system (GIS) are at variance with those shown on the *Official Zoning Map*, or in other circumstances not covered by *paragraphs A through F* above, the Board of Adjustment shall interpret the district boundaries.

Section 3-1200. Zoning Certificate.

3-1201. **Authority.** The Director of ~~Building Development Services~~ Planning and Development, or his duly authorized representative, shall have the authority to issue zoning certificates in accordance with the provisions of this section.

3-1202. **Purpose.** The zoning certificate is intended to provide official certification of the zoning of a particular property on the date the zoning certificate is issued. The zoning certificate also provides notice of any rezoning applications on file for the property in Planning and Development Department office.

3-1203. **Procedure.**

- A. **Application.** Applications for zoning certificates shall be submitted ~~in duplicate~~ to the Director of ~~Building Development Services~~ Planning and Development and

shall be in such form and contain such information and documentation as shall be prescribed from time to time by ~~him~~the Director.

- B. **Action on Application.** Following receipt of a completed application for a zoning certificate, the Director of ~~Building Development Services~~Planning and Development shall cause the application to be reviewed and shall issue a zoning certificate within five (5) working days which shall state on its face the current zoning of the property, any pending rezoning applications and, in bold type, that:

“THIS CERTIFICATE DOES NOT SIGNIFY BUILDING CODE REVIEW OR APPROVAL NOR SUBDIVISION REVIEW OR APPROVAL AND IS NOT AN AUTHORIZATION TO UNDERTAKE ANY WORK WITHOUT SUCH REVIEW AND APPROVAL WHERE EITHER IS REQUIRED.

BEFORE ANY STRUCTURE TO WHICH THIS CERTIFICATE IS APPLICABLE MAY BE OCCUPIED OR USED FOR ANY PURPOSE, A CERTIFICATE OF OCCUPANCY MUST BE OBTAINED. SEE SECTION 3-1300 OF ZONING ORDINANCE OF THE CITY OF SPRINGFIELD FOR DETAILS.”

- C. **Disposition of Copies.** The Director of ~~Building Development Services~~Planning and Development shall stamp each copy of the application and shall return one copy to the applicant and shall retain one copy in his records for such period as he shall deem necessary.

3-1204. **Effect of Issuance of Zoning Certificate.** The issuance of a zoning certificate shall not authorize the establishment or extension of any use nor the development, construction, relocation, enlargement, structural alteration or moving of any building or structure, but shall merely provide information necessary to the preparation, filing and processing of applications for any additional permits and approvals which may be required by the codes or ordinances of the City, including, but not limited to, a building permit, business license, or a certificate of occupancy.

EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To amend the Springfield Zoning Ordinance to add Section 4-2800, Live/Work Overlay District, in the Springfield Zoning Ordinance to allow residential uses. (Planning and Zoning Commission and Staff recommend approval.)

BACKGROUND INFORMATION:

ZONING ORDINANCE TEXT AMENDMENT – LIVE/WORK OVERLAY DISTRICT

This amendment (Attachment A) is the result of a proposal by the Woodland Heights Neighborhood to establish the Moon City Creative District. The neighborhood is currently working on a strategic plan that would encourage artists to live in the neighborhood by allowing them to have small art galleries in their homes. This amendment creates the proposed overlay district that would be used in combination with the underlying residential zoning district. Additional public hearings will be required to zone specific areas of the city. A neighborhood or developer will have to prepare a plan for an area or property that will be the basis for the specific uses and development criteria adopted for their overlay district. The uses are not limited to artist studios. Each overlay district will probably be unique in terms of uses permitted and the development criteria. Attachment B is an example of the provisions for an overlay district used in combination with a single-family residential zoning district. Live/work units can be established in existing dwellings or specifically constructed structures. The live/work units will also have to comply with specific standards contained in the building code.

City Council initiated the amendment at their meeting on May 20, 2013.

The Development Issues Input Group (DIIG), Urban Districts Alliance (UDA), Environmental Advisory Board (EAB), and all registered neighborhood associations were notified of this amendment and have expressed no objections to date.

The Planning and Zoning Commission held a public hearing on July 11, 2013, and recommended approval, by a vote of ___ to ___, of the proposed changes to the Zoning Ordinance described in Attachment A.

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

FINDINGS FOR STAFF RECOMMENDATION:

The proposed amendment will allow better use of properties and provide goods and services close to residents. Residents will be able to start small businesses without the costs of renting or owning both a home and a business location. Residents will be able to walk or bike to nearby businesses, reducing reliance on automobiles and related traffic congestion and pollutants. Increased day-time activity in residential areas has been shown to reduce property crimes.

Submitted by:

Ralph Rognstad Jr., Director

Greg Burris, City Manager

ATTACHMENT A

DRAFT

Section 4-2800. LWO – Live/Work Overlay District.

- 4-2801. **Purpose.** This district is an overlay district intended to be used in combination with any residential zoning district (R-SF, R-TH, R-LD, R-MD, R-HD or R-MHC) that permits single-family, duplex, townhouse or other types of dwelling units, i.e., multi-family units, where the work area can be established on the first or main floor or in an accessory building. The primary purpose of this district is to permit Live/Work Units as defined and regulated by the *Building Code* as adopted, and in effect, by the City of Springfield. Specific work uses, standards, and conditions are established when a specific Live/Work Overlay District is approved.
- 4-2802. **Application.** The Live/Work Overlay District is intended to be applied to a residential neighborhood; sub-area of a neighborhood; or a multi-unit, residential development that may be on a single property; and not to a single property containing one or two dwelling units.
- 4-2803. **Permitted Uses.** In addition to all other uses allowed in the residential district with which this district is combined, Live/Work Units are permitted. The uses permitted in the nonresidential area of the Live/Work Units shall be established when the specific Live/Work Overlay District is approved. A Live/Work Unit is considered a residential use and does not have to comply with any requirements for non-residential uses in the underlying residential district.
- 4-2804. **Use Limitations.** The following use limitations may be established for the live/work unit that are more restrictive than the limitations established by the *Building Code* as adopted, and in effect, by the City of Springfield.
- A. Maximum floor area of the live/work unit;
 - B. Maximum percentage of nonresidential floor area; and
 - C. Maximum number of nonresidential workers or employees permitted to occupy the nonresidential area at any one time.
- 4-2805. **Signage.** One sign may be permitted for each live/work unit.
- A. The following sign requirements shall be established when the specific Live/Work Overlay District is approved:
 - 1. Type of sign (detached or attached);
 - 2. Maximum effective sign face area;
 - 3. Maximum sign height; and
 - 4. Illumination.
 - B. Signs may be required to be removed during times of day when the business is not open.
 - C. Signs with an effective sign face area of six (6) square feet or less, and not illuminated, shall not require a sign permit
- 4-2806. **Parking.** Additional off-street parking may be required based on the number employees, floor area of the work area or some other standard. Off-street parking requirements may vary in the

specific Live/Work Overlay District by sub-area. All off-street parking areas shall meet the design standards of the residential district.

4-2807. **Design Standards.** Design standards may be adopted to protect the character of the specific Live/Work Overlay District.

4-2808. **Mapping.** Upon approval, a Live/Work Overlay District shall be noted on the Official Map by the base zoning district designation with the addition of “-LWO.”

N:\ADMIN\Projects-Current\Live-Work Overlay District\Live-Work Overlay District Attachment A.docx

ATTACHMENT B

Example of Live/Work Overlay District Provisions Overlaying a Single-Family Residential District (R-SF)

EXHIBIT ____ LIVE/WORK OVERLAY DISTRICT PROVISIONS LIVE/WORK OVERLAY DISTRICT NO. ____

The requirements of *Section 4-1000* of the *Springfield Zoning Ordinance* shall be as modified herein for development within this district.

4-1002. Permitted Uses.

Live/Work Units as defined and regulated by the *Building Code* as adopted, and in effect, by the City of Springfield, except as modified below. The following uses are permitted in the nonresidential area of the live/work units.

- A. Offices for architects, engineers, lawyers, realtors, insurance agents, brokers, ministers, rabbis, priests, salesmen, sales representatives, manufactures representatives, home builders, home repair contractors, trash haulers and similar occupations.
- B. Artists, sculptors, authors, photographers and composers.
- C. Computer programming and data processing.
- D. Dressmakers, seamstresses, and tailors.
- E. Home crafts, such as model making, rug weaving, woodworking, ceramics (with a kiln up to six (6) cubic feet) and similar activities, provided that no machinery or equipment shall be used or employed other than that which would customarily be found in the home, including machinery or equipment that would ordinarily be employed in connection with a hobby or avocation not conducted for gain or profit.
- F. Music and art teachers or other tutoring services.
- G. Washing and ironing.

4-1003. Conditional Uses.

No additional conditional uses are permitted.

4-1004. Use Limitations.

- A. Maximum floor area of the live/work unit: Three thousand (3,000) square feet.
- B. Maximum percentage of nonresidential floor area: Fifty (50) percent
- C. Maximum number of nonresidential workers or employees permitted to occupy the nonresidential area at any one time: Two (2) employees.

4-1008. Design Requirements.

- A. The entrance to the nonresidential area shall be located on a façade facing a street frontage.

Signage. The following signage shall be permitted on each site.

- A. One (1) detached sign.
- B. Maximum effective sign face area of six (6) square feet.
- C. Maximum sign height of four (4) feet.
- D. The sign shall not be illuminated.

Parking.

One (1) additional off-street parking space shall be provided where on-street parking is not permitted within one-hundred (100) feet of the site. The off-street parking space shall not be located in any required yard.

N:\ADMIN\Projects-Current\Live-Work Overlay District\Draft Live-Work Overlay District Example 06192013.docx

EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED:

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To change the name of the 400-500 blocks of East Monroe Street, between Kimbrough and Jefferson Avenues, to Bear Boulevard. (Staff recommends approval.)

BACKGROUND INFORMATION:

STREET NAME CHANGE NO. 74

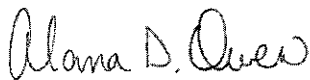
City Council approved a street name change (Street Name Change 73) to rename East Monroe Street between National and Kimbrough Avenues to Bear Boulevard. At the public hearing before Planning and Zoning Commission for that application, Commission initiated the renaming of this segment of East Monroe to provide for a consistent name of the roadway through the Missouri State University campus.

REMARKS:

The Planning and Zoning Commission held a public hearing on July 11, 2013 and recommended , by a vote of to , of this street name change.

The Planning and Development staff recommends approval of the proposed street name change (see attached Zoning and Subdivision Report).

Submitted by:



Alana D. Owen, AICP, Senior Planner

Bob Hosmer, AICP, Principal Planner

Greg Burris, City Manager

Zoning & Subdivision Report

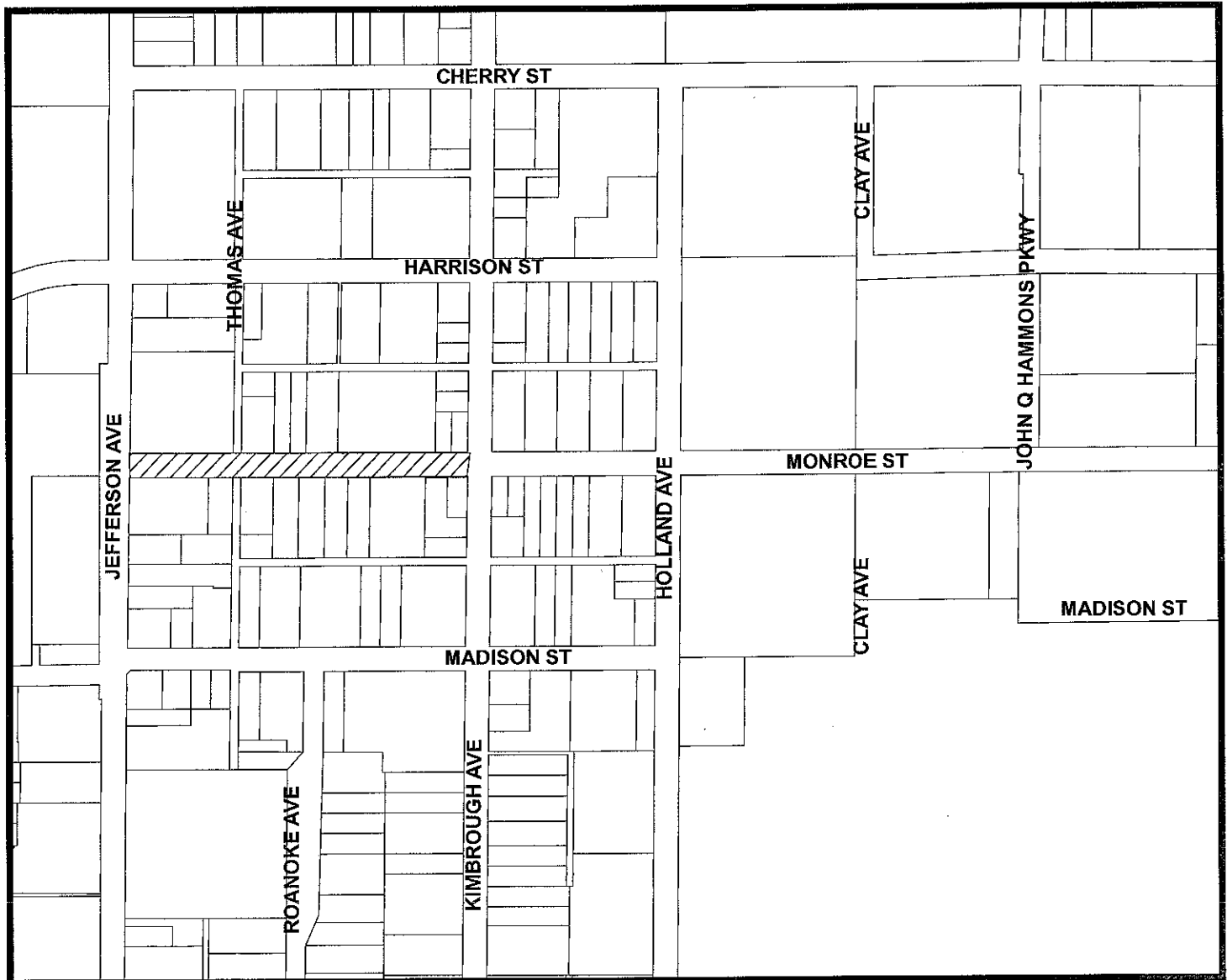
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Street Name Change # 74

Location: East Monroe Street between Kimbrough
and Jefferson Avenues

Proposed Name: Bear Boulevard

LOCATION SKETCH



- Area of Proposal



1 inch = 400 feet

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

STREET NAME CHANGE 74

DATE: July 1, 2013

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

LOCATION: 400 – 500 blocks East Monroe Street

APPLICANT: City of Springfield

RECOMMENDATION:

Staff recommends **approval**.

FINDINGS:

1. Approval of this street name change is consistent with the Street Name Change approved previously to rename East Monroe between National and Kimbrough Avenues to Bear Boulevard.
2. This request provides for a consistent street name the entire length of the roadway through the Missouri State University campus.

STAFF CONTACT PERSON:

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

ATTACHMENT A
BACKGROUND REPORT
STREET NAME CHANGE 74

APPLICANT'S PROPOSAL:

This proposal is to rename Monroe Street between Kimbrough and Jefferson Avenues to Bear Boulevard.

E-911 COMMENTS:

Address changes for the buildings at MSU are in progress since the map has already been changed to reflect this street name change. This request would have minimal impact.

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:

The 911 addresses will need to be updated to reflect the street name change.

SANITARY SEWER COMMENTS:

The proposed Street Name Change would have no impact on public sewer.

TRAFFIC ENGINEERING COMMENTS:

No comments regarding the proposed street name change.

STORMWATER COMMENTS:

No concerns regarding the proposed Street Name Change.

CITY UTILITIES COMMENTS:

No Comments regarding the proposed Street Name Change.

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. City Council approved a street name change (Street Name Change 73) to rename East Monroe Street between National and Kimbrough Avenues to Bear Boulevard. At the public hearing before Planning and Zoning Commission, Commission initiated the renaming of this segment of East Monroe to provide for a consistent name of the roadway through the Missouri State University campus.
2. Planning and Zoning Commission's recommendations on this case will be sent to City Council for final approval.

EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To accept the dedication of the public streets and easements as shown on the Preliminary Plat of **HOLLY RIDGE SUBDIVISION** generally located at 2157 East Grand Street. (Staff recommends that City Council accept the public streets and easements.)

BACKGROUND INFORMATION:

- A. The Preliminary Plat of **HOLLY RIDGE SUBDIVISION**, legal description dated June 7, 2013, on file in the Department of Planning and Development, is attached in a reduced version in Exhibit A.
- B. The Planning and Zoning Commission held a public hearing on July 11, 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. Public sewer is available to all lots; however, an additional lateral shall be added to adequately serve each lot and will require cutting Barnes Ave. in order to tap the main. The lateral shall be extended to the right-of-way line. No public improvements will be required for this; however, it will need to be constructed prior to approval of the final plat.
 - b. Belmont Street shall be constructed to city standard ST-1 and improvements must be complete before the final plat can be approved. Public Improvement Plans will be required for Belmont Street improvements including the sidewalk on Belmont. Sidewalks are also required along Grand Street.
 - 2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. A 30 ft. x 30 ft. right-of-way sight triangle is required at Grand St. & Barnes Ave. A 10 ft. x 10 ft. right-of-way sight triangle is required at Belmont St. and Barnes Ave. Approximately 5 feet of right of way is required on Grand

St. (35 feet from the centerline); approximately 6 feet of right of way is required on Barnes Ave. (30 feet from the centerline); and approximately 18 feet of right of way is required on Belmont St. (25 feet from the centerline) unless modified by subdivision variance. No access is allowed to Grand Street from Lot 5.

- b. Proposed easements are acceptable. There appears to be an existing water easement for the existing water main in the proposed right-of-way dedication on Belmont Street. Confirm the existence of this easement at the final plat stage. If the easement is confirmed, show the book and page on the final plat.
 - c. Provide a five (5) foot utility easement on west property line.
- 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.

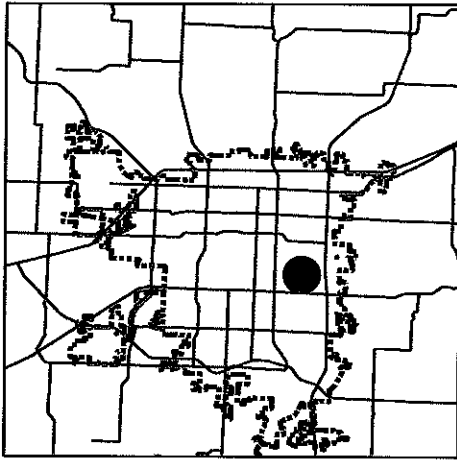
Section No. 206 of the Subdivision Regulations requires that a final plat be submitted within two years of City Council's acceptance of the public streets and easements.

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, AICP, Principal Planner

Greg Burris, City Manager



Zoning & Subdivision Report

Planning & Development - 417/864-1031

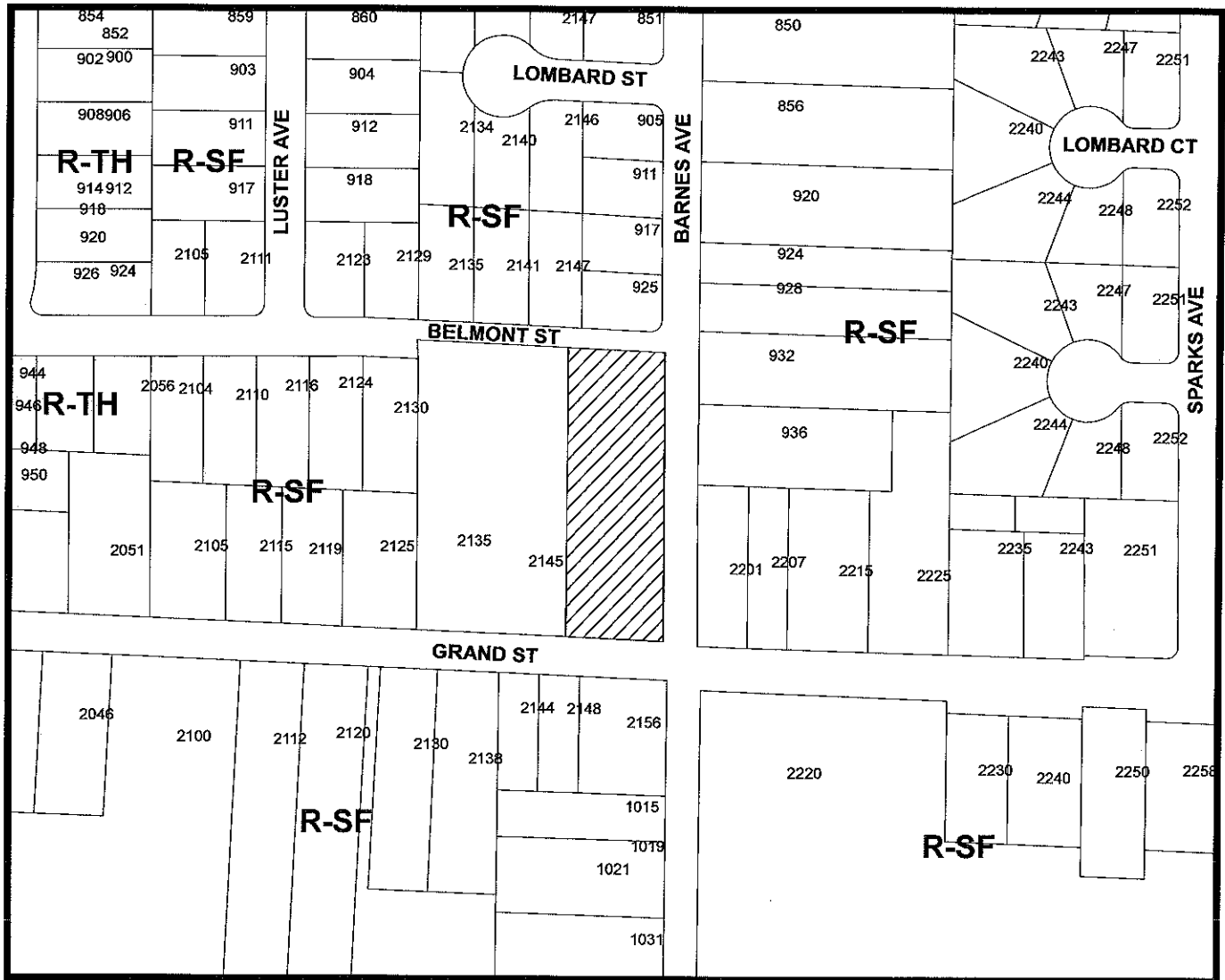
840 Boonville - Springfield, Missouri 65802

Preliminary Plat - Holly Ridge Subdivision

Location: 2157 E. Grand Street

Current Zoning: R-SF, Single-Family Residential

LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

Zoning & Subdivision Report

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

PRELIMINARY PLAT – HOLLY RIDGE SUBDIVISION

DATE: June 28, 2013

PURPOSE: To approve a preliminary plat to subdivide 0.83 acres into a five (5) lot residential subdivision including two subdivision variances

BACKGROUND:

LOCATION: 2157 E. Grand Street
APPLICANT: Diversity Commercial Investments
TRACT SIZE: Approximately 0.83 acres
EXISTING USE: Single-family residential
PROPOSED USE: Five (5) single-family residences

RECOMMENDATION:

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

FINDINGS:

1. The applicant's proposal, with the conditions listed below and approval of the subdivision variance, is consistent with the City's Subdivision Regulations.

CONDITIONS:

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

- a. Public sewer is available to all lots; however, an additional lateral shall be added to adequately serve each lot and will require cutting Barnes in order to tap the main. The lateral shall be extended to the right-of-way line. No public improvements will be required for this; however, it will need to be constructed prior to approval of the final plat.
 - b. Belmont Street shall be constructed to City standard ST-1 and improvements must be complete before the final plat can be approved. Public Improvement Plans will be required for Belmont Street improvements including the sidewalk on Belmont. Sidewalks are also required along Grand Street.
2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. A 30 ft. x 30 ft. right-of-way sight triangle is required at Grand St. & Barnes Ave. A 10 ft. x 10 ft. right-of-way sight triangle is required at Belmont St. and Barnes Ave. Approximately five (5) feet of right-of-way is required to be dedicated on Grand Street (35 feet from the centerline); approximately six (6) feet of right-of-way is required on Barnes Avenue (30 feet from the centerline); and approximately 22.5 feet of right-of-way is required on Belmont St (22.55 feet from the centerline). No access is allowed to Grand Street from Lot 5.
 - b. Proposed easements are acceptable. There appears to be an existing water easement for the existing water main in the proposed right-of-way dedication on Belmont Street. Confirm the existence of this easement at the final plat stage. If the easement is confirmed, show the book and page on the final plat.
 - c. Provide a five (5) foot utility easement on west property line.
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.

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner

ATTACHMENT A
BACKGROUND REPORT
PRELIMINARY PLAT – HOLLY RIDGE SUBDIVISION

APPLICANT'S PROPOSAL:

The applicant proposes to subdivide approximately 0.83 acres into a five (5) lot residential subdivision.

AT&T COMMENTS:

Please, provide a five (5) foot utility easement on west property line.

BUILDING DEVELOPMENT SERVICES COMMENTS:

The preliminary addresses for each lot will be established during the review of the final plat. The existing structure on Lot 1 was permitted as 937 S. Barnes Avenue.

CITY UTILITIES COMMENTS:

Proposed easements are acceptable. There appears to be an existing water easement for the existing water main in the proposed right-of-way dedication on Belmont Street. Please confirm the existence of this easement at the final plat stage. If the easement is confirmed, show the book and page on the final plat.

FIRE DEPARTMENT COMMENTS:

No comments.

TRAFFIC DIVISION COMMENTS:

1. Belmont Street will need to be brought up to city standard ST-1 and improvements must be complete before the final plat can be approved. Public Improvement Plans will be required for Belmont Street improvements including the sidewalk on Belmont.
2. All other comments have been addressed.

STORMWATER COMMENTS:

Preliminary Plat:

1. Provide a dedication on the Plat stating that the Property Owner's of Lots 1 thru 5 are responsible for maintaining the drainage easement.

Engineering Plan:

1. Please note that Public Improvements for handling off-site flows that cross the site and for street improvements on E. Belmont Street must be constructed, inspected, approved and operational prior to issuance of a building permit or final plat.

2. Provide additional grading details for the proposed road widening on E. Belmont Street including road and curb elevations and slopes. Provide additional grading details for the proposed sidewalks on Grand Street and E. Belmont Street.
3. Provide a curb inlet on the south side of E. Belmont Street directly across from the existing inlet on the north side of the street to allow runoff from the new section of pavement to get into the existing underground drainage system without having to cross the road or sidewalk.
4. In lieu of extending the existing 18" storm water drainage pipe from E. Belmont Street back to the drainage channel, provide a 24" drainage pipe extension and flared end section to allow for future up-sizing to the north.
5. Show existing 6" CI water main on the south side of E. Belmont Street and provide crossing information for the water main and proposed storm water drainage pipe.
6. Provide erosion protection for the concentrated point of discharge flowing into the storm water drainage channel from the Springfield Bible Church parking lot on the north side of Grand Street.
7. Show proposed finished floor elevations for all proposed houses.

SANITARY SEWER COMMENTS:

Public sewer is available to all lots; however, there appears to be only three service connections for the remaining four lots: 2 on Barnes and 1 on Grand. An additional lateral will have to be added to adequately serve each lot and will require cutting Barnes in order to tap the main. The lateral will have to be extended to the right-of-way line. No public improvements will be required for this; however, it will need to be constructed prior to approval of the final plat. Show location of proposed laterals on cover sheet of storm drainage public improvements. Dimension to nearest up and down stream manholes.

STAFF COMMENTS:

1. The applicant proposes to subdivide approximately 0.83 acres into a five (5) lot residential subdivision including two subdivision variances. The first requested variance (Attachment B(1)) will reduce the amount of right-of-way dedicated for Belmont Street to prevent creating a non-conforming structure and the other variance (Attachment B (2)) will allow residential driveways onto Barnes Avenue, a collector street.
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.

ATTACHMENT B(1)
APPROVAL CRITERIA
PRELIMINARY PLAT – HOLLY RIDGE SUBDIVISION

The applicant is requesting a subdivision variance from Section 403(9)(10) of the Subdivision Regulations which establishes the required right-of-way widths based on the classification of the streets. The applicant is requesting a variance to reduce the right-of-way widths dedicated for Belmont Street, a residential local street, because it would make the existing single-family dwelling a non-conforming structure. Staff supports the request.

Section 106 of the Subdivision Regulations states in part:

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

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

APPLICANT'S RESPONSE:

There are special and unusual circumstances affecting the said property. This property is currently developed along the south side of Belmont Street where the additional right-of-way has been requested by the City.

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

APPLICANT'S RESPONSE:

The variance is necessary for the development of the property. The City is requiring the additional right-of-way along the south side of Belmont Street as a condition for developing the property. If the variance is not granted, then the additional right-of-way requirement cannot be satisfied, which in turn prevents the development of the property.

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

APPLICANT'S RESPONSE:

Granting this variance would not be a detriment to other property in the vicinity. Belmont Street is currently a half street. The proposed additional right-of-way will be sufficient to construct the south half of the street and sidewalk improvements required by the City as a condition for developing the property.

ATTACHMENT B (2)
APPROVAL CRITERIA
PRELIMINARY PLAT – HOLLY RIDGE SUBDIVISION

The applicant is requesting a subdivision variance from Section 411(2) of the Subdivision Regulations which restricts driveway access onto collector streets. The applicant is requesting a variance to construct new driveways along Barnes Avenue for all proposed residential lots except Lot 1 which has an existing driveway to Belmont Avenue. Barnes Avenue is classified as a Collector street. Other existing residential lots along Barnes Ave. have driveways and the subject property would be difficult to develop as single-family residential if access was shared or not permitted. Public Works Traffic would be in support of a variance to allow each lot a driveway, access needs to be at least fifty (50) feet away from the intersection. Staff supports the request.

Section 106 of the Subdivision Regulations states in part:

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

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

APPLICANT'S RESPONSE:

There are special and unusual circumstances affecting the said property. This property was previously developed with driveways that accessed Barnes Ave.

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

APPLICANT'S RESPONSE:

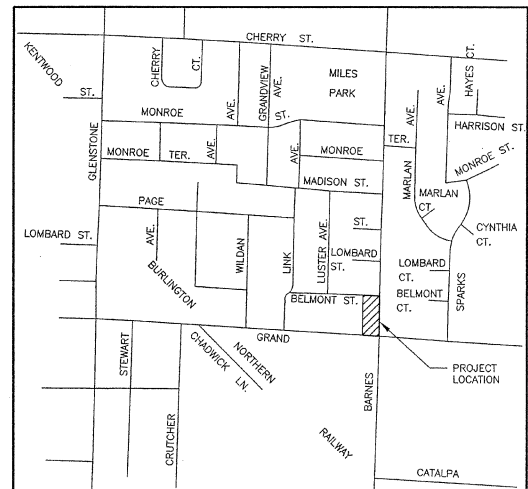
The variance is necessary for the development of the property. If the driveways are not allowed to access Barnes Ave., the property cannot be developed with residential single family homes.

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

APPLICANT'S RESPONSE:

Granting this variance would not be a detriment to other property in the vicinity since this variance request is consistent with the surrounding property which is developed with residential single family dwelling units with driveways which access Barnes Ave.

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

PRELIMINARY PLAT
OF
HOLLY RIDGE SUBDIVISIONOWNER/DEVELOPER: DIVERSITY COMMERCIAL INVESTMENTS LLC.
2107 E. ROCKHURST
SPRINGFIELD, MISSOURI, 65802VICINITY MAP
1"=1000'

PLAT DESCRIPTION

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHWEST QUARTER (SW1/4) SECTION TWENTY (20), TOWNSHIP TWENTY-NINE (29) NORTH, RANGE TWENTY-ONE (21) WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE PARCEL DESCRIBED IN THE GENERAL WARRANTY DEED RECORDED IN BOOK 2007, PAGE 79107, SAID POINT BEING DESCRIBED AS BEING 30.00 FEET NORTH AND 20 FEET WEST OF THE SOUTHEAST CORNER OF THE SOUTHEAST CORNER OF SAID SW1/4 OF SECTION 20; THENCE NORTH 86°33'38" WEST ALONG THE NORTH RIGHT-OF-WAY LINE OF GRAND STREET, A DISTANCE OF 121.00 FEET, TO THE SOUTHWEST CORNER OF SAID BOOK 2007, PAGE 79107; THENCE NORTH 00°54'52" EAST A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°54'52" EAST A DISTANCE OF 331.61 FEET; THENCE SOUTH 86°30'49" EAST A DISTANCE OF 100.99 FEET; THENCE SOUTH 42°48'00" EAST A DISTANCE OF 14.46 FEET; THENCE SOUTH 00°54'50" WEST A DISTANCE OF 291.52 FEET; THENCE SOUTH 47°10'36" WEST A DISTANCE OF 41.48 FEET; THENCE NORTH 86°33'38" WEST A DISTANCE OF 80.99 FEET TO THE SAID POINT OF BEGINNING, CONTAINING 0.83 ACRES OF LAND, MORE OR LESS.

RECORD DESCRIPTION (PARENT TRACT)

BEGINNING AT A POINT THIRTY (30) FEET NORTH AND TWENTY (20) FEET WEST OF THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHWEST QUARTER (1/4) OF SECTION TWENTY (20), TOWNSHIP TWENTY-NINE (29) NORTH, RANGE TWENTY-ONE (21) WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FEMA FLOODWAY INFORMATION

THE PREMISES ARE FREE OF ANY 100/500 YEAR RETURN FREQUENCY FLOOD HAZARD, AND SUCH FLOOD FEE CONDITION IS SHOWN ON THE FEDERAL FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 29077C0334 E, DATED DECEMBER 17, 2010.

LOT SIZE

LARGEST LOT: 5
ACRES: 0.18
SQFT: 7673.53
SMALLEST LOT: 1
ACRES: 0.16
SQFT: 6969.23

SETBACKS

ALL LOTS TO HAVE THE FOLLOWING BUILDING SETBACK DIMENSIONS, UNLESS OTHERWISE NOTED.
FRONT YARD = 25'
REAR YARD = 20'
SIDE YARD = 5'

NOTES:

EACH INDIVIDUAL LOT OWNER IS RESPONSIBLE FOR THE UPKEEP AND MAINTENANCE OF THE DRAINAGE EASEMENT OVER AND ACROSS THE WEST PORTION OF THEIR RESPECTIVE LOT.

NO ACCESS SHALL BE ALLOWED FROM LOT 5 TO GRAND STREET.

BASES OF BEARING

ASSUMED NORTH BASED ON PLAT

SURVEY CLASSIFICATION

"URBAN"

RECORD SOURCE

GENERAL WARRANTY DEED
BOOK: 2007, PAGE: 00079107

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT AT THE REQUEST OF: CHRIS SLAYDEN, I HAVE MADE AN ACTUAL AND ACCURATE SURVEY OF THE LAND DESCRIBED HEREON AND FOUND THE CONDITIONS TO BE AS INDICATED. IN MY OPINION THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

STATE OF MISSOURI
KENNETH J. BUCHANAN
NUMBER LS-2340
REGISTERED LAND SURVEYOR

DIANE KAY DIEBOLD L.S. 2424
KENNETH J. BUCHANAN L.S. 2340, P.L.S. 1907

SECTIONAL MAP
R 21 W
T 29 N
SEC. 20

W.O.# 213004.01
DATE: 05-02-2013
DRAWN BY: TRR
CHECKED BY: KJB
REVISED: 06-07-13
SCALE: 1" = 20'
SHEET: 1 OF 1

ROZELL SURVEY CO.
1031 E. BATTLEFIELD STE 118
SPRINGFIELD, MISSOURI 65807
PHONE: (417) 881-0505
FAX: (417) 881-0564

- LEGEND
- EXISTING IRON PIN
 - SET IRON PIN
 - (P) PLAT
 - (D) DEED
 - (M) MEASURED
 - UTILITY POLE
 - TELEPHONE PEDISTAL
 - × LIGHT POLE
 - × FIRE HYDRANT
 - × WATER METER
 - × WATER VALVE
 - × GAS VALVE
 - SANITARY SEWER MANHOLE

GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft

ALL PLATS THAT DO NOT SHOW A SEAL IMPRINT IN RED INK MAY HAVE BEEN FRAUDULENTLY ALTERED. ALL INFORMATION SHOULD BE DISREGARDED UNLESS VERIFIED BY THE PROFESSIONAL LAND SURVEYOR WHOSE SIGNATURE APPEARS ON THIS DOCUMENT.

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

DATE: June 25, 2013

TO: Planning and Zoning Commission

FROM: Daniel Neal 
Senior Planner

SUBJECT: Initiate Medical Office Use Group in the IC District

Currently, all commercial zoning districts including the office district allow the Medical Office Use Group. The IC, Industrial Commercial District, is intended to allow industrial operations and activities in combination with commercial uses.

Staff proposes that the IC District with its concentration on high-intensity uses should have the same ability to develop or redevelop as medical offices as any other commercial zoning district. Staff believes that amendments to the Zoning Ordinance, to permit medical office uses, should be initiated to facilitate discussion and consideration of these changes.