

1. Meeting Agenda (PDF)

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3. August 8, 2013 Minutes (PDF)

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4. Relinquish Easement 795 (PDF)

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5. Acquire 499 (PDF)

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6. Preliminary Plat Kum & Go No. 489 (PDF)

Documents: [PRELIMINARY PLAT KUM AND GO NO. 489 \(PDF\).PDF](#)

7. Vacation 762 (PDF)

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8. Vacation 763 (PDF)

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9. Z-15-2013 (PDF)

Documents: [Z-15-2013 \(PDF\).PDF](#)

10. Z-17-2013 W/Conditional Overlay District No. 62, Live / Work District No. 1 (PDF)

Documents: [Z-17-2013 W CONDITIONAL OVERLAY DISTRICT 62, LIVE WORK DISTRICT 1 \(PDF\).PDF](#)

11. Z-18-2013 (PDF)

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12. Micro Efficiency Dwelling Unit Text Amendments (PDF)

Documents: [MICRO EFFICIENCY DWELLING UNIT TEXT AMENDMENTS \(PDF\).PDF](#)

13. University Combining District Text Amendments()

Documents: [UNIVERSITY COMBINING DISTRICT TEXT AMENDMENTS \(PDF\).PDF](#)

14. Setback And Height Regulations In The IC District Text Amendments (PDF)

Documents: [SETBACK AND HEIGHT REGULATIONS IN THE IC DISTRICT TEXT AMENDMENTS \(PDF\).PDF](#)

Planning & Zoning Commission Agenda

September 5, 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

i. Roll Call

ii. Approval of Minutes: July 25, 2013 and August 8, 2013

iii. Communications

iv. Finalization and Approval of Consent Items

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

Consent Items:

- | | |
|---|-----------------------------------|
| 1. Relinquish Easement 795
(5200 block South Michigan Ave.) | Griswald Enterprises, LLC |
| 2. Acquire 499
(4134-4136 West Farm Road 34) | Laurie Luna |
| 3. Preliminary Plat Kum & Go #489
(4020 West Battlefield Road) | Tomar Properties Registered, LLLP |

V. Public Hearings:

- | | |
|---|---------------------------------------|
| 4. Vacation 762
(400 block East Tampa St.) | Advocates of a Healthy Community Inc. |
| 5. Vacation 763
(3100 East Farm Road 188, Evans Road) | City of Springfield |
| 6. Z-15-2013
(1601 East Republic St.) | Wayne Wilson |
| 7. Z-17-2013 w/Conditional Overlay District #62
Live/Work District #1
(1225 S. Ingram Mill & 3302 E. Catalpa) | CSN Properties, LLC |
| 8. Z-18-2013
(400-500 block E. Sunset St.) | Brent Stevens |
| 9. Micro Efficiency Dwelling Unit Text Amendments
(City-Wide.) | City of Springfield |
| 10. University Combining District Text Amendments
(City-Wide) | City of Springfield |
| 11. Setback & Height Regulations in the
IC District Text Amendments (City-Wide) | City of Springfield |

vi. Adjourn

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: July 25, 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, Jim Hansen, Tom Baird, Jason Ray, and Gabrielle White; Staff in attendance: Bob Hosmer, Principal Planner; Ralph Rognstad, Director, Nancy Yendes, City Attorney; Chris Straw, Building Development Services; Sandy Goddard, Administrative Assistant. Absent: Shelby Lawhon and Phil Young.

ROLL CALL:

APPROVAL OF MINUTES: The minutes of July 11, 2013 were approved unanimously.

COMMUNICATIONS: None.

HEARINGS:

1. Zoning Text Amendment Sign Ordinance Changes

City of Springfield

Mr. Straw commented that after initiation by City Council, Staff assembled a Citizen's Task Force to create this new ordinance before Commission tonight. The task force consisted of one member of the Chamber of Commerce, two citizens at large, one member of the Urban Districts Alliance, two from the development community, and three members from commercial sign companies. Over a period of one year, the task force reviewed the current sign ordinance language and worked with staff to prepare a series of recommendations and desired changes to the current language. In support of that we included with the information of the proposed ordinance that Exhibit A is summarized by section the various changes that were made as compared to the original ordinance as well as the new language for the Commission's consideration. The Plans and Policies Committee recommended approval of the ordinance concept at their meeting of June 25, 2013. The Development Issues Input Group (DIIG) URBAN Districts Alliance (UDA), Environmental Advisory Board (EAB), all registered neighborhoods and thirteen local sign companies were notified of the proposed new sign ordinance. There have been no comments except from one member of the Developers Issues Input Group (DIIG), which had questions relating to the content neutral advertising changes for detached signs. Since that meeting we have received some other communications from other people who are looking at it at the last minute. Of the three to four items they have which are common questions, all but one are an interpretation that we need to explain as to how we will be interpreting the language so it is done in a consistent manner. The proposed ordinance reflects the desires of the community and provides greater convenience to the public by providing a user-friendly sign ordinance that consolidates in one section of the Zoning Ordinance; it improves staffs ability to enforce the sign ordinance and updates the sign ordinance to reflect changes with regard to new technology. The one section of the proposed that was not touched was identified as the Scenic Corridor Overlay District. The reason for that is the Task Force got into the history of that, which came about under the Vision 20/20 Program that was a citizens group that studied that in great detail; the Task Force felt that that one section was needed as it was specifically adopted as an amendment to the sign ordinance. If the community desires that it be reviewed, the Task Force asked that it be reviewed as a stand-alone issue because of the

specific natures of the overlay district and all of the neighborhood involvement that went into that portion of the ordinance. Mr. Straw stated he would answer any questions.

Mr. Coltrin asked Mr. Straw if this ordinance has any language in it regarding signs that might be considered of historic significance.

Mr. Straw stated that what Commission has before them in printed form does not contain that language; Historic Signs have become a prevalent issue and there is an amendment staff would like to add to what is before you tonight is Section 5-1403. I, which is not in the ordinance and currently reads as follows:

A sign that has established historical significance and is identified as such on the national, state or local register shall not be required to comply with this article with regard to height, size or location provided that the sign to be installed or located on the premise is substantially similar in style, size, shape and materials as the sign established to have historical significance and identified on said registers. Nothing in this section shall be construed to permit such a sign to remain, be installed, repaired or maintained unless said sign is in compliance with other codes of the City dealing with buildings, structures and safety.

Mr. Edwards opened the public hearing.

Mr. Eric Warden, 4474 S. Forest Avenue, commented he is the Vice-President and General Manager for Lamar Advertising Company in Springfield and offices nationwide. Mr. Warden stated they have been communicating with Mr. Straw in the last few days we have found there hasn't been anyone who has tied in on-premise and off-premise signs under the same language. They are not opposed to this but there are some concerns; Section 5-1406A regarding aprons installed to shield light from traffic coming from the opposite direction, Section 5-1408, the lighting level standard and 5-1410C, nonconforming signs that are altered or upgraded and its size; Section 5-1420, which covers the Scenic Overlay District. Mr. Warden stated they would be willing to work with the City in regard to the concerns they have expressed and referred to the letter sent by Mr. Bill May outlining those specific concerns. Mr. Warden stated those are the main points they want to try and get changed.

Mr. Baird asked about Section 5-1406A regarding the aprons around the sign which are currently not considered part of the effective area of the sign; do you believe at some point that will someone will try and sneak that in as part of the effective area of the sign or do you are you trying to protect something we are not seeing here.

Mr. Warden stated that he would not use the word "sneak in", but they are concerned that five or ten years down the road it is interpreted differently by staff.

Mr. Edwards commented that this seems to be a rotating issue that comes up every couple of years asking Mr. Straw if there are plans to revisit some of these in the near future or is this going to be put to bed for a little while; would we be better off tabling this tonight to allay some of these concerns or do you feel there will be ample time to revise some of these issues down the road should they come up and actually become problems.

Mr. Straw commented they would desire to move forward with what is presented and give them a chance to work through these issues that have been presented and in regard to the issues presented, he would need to get with Legal Counsel, but it appears that the skirt is not part of the calculation based on the language

that is currently written. Staff would need time to review and reevaluate it, but there are many items the City staff would like to move forward on; let them step back after the review and look at what the comments are in the letter and go from there and take what is proposed as a solid past ordinance and put it to full effective use based on someone submitting a sign for a permit. We have worked to think of everything by comparing it to applications that have come in. We can clean up the language as we go forward and deal with specific nuances as they are presented.

Mr. Edwards commented that these are changes that should benefit the community and make things simpler and asked Mr. Warden if he feels this is generally a good thing from his perspective.

Mr. Warden commented that he believes the City is one of the best cities he has worked with as far as signs go; with as restrictive as the language use to be this is a step in the right direction. As a billboard operator in the city, we want to make sure we are covered on our bases for those little nuances that happen to come up occasionally.

Mr. Greg Watkins, 969 E. Ironbridge Circle North, Springfield; Mr. Watkins commented that he spoke with Mr. Straw who stated that if he had any comments or suggestions he could do so. Mr. Watkins stated there is a reason why there is a difference between off-site and on-site signs, citing the regulations of setback restrictions and now the City is requiring no set-backs. There use to be restrictions on spacing and now there is not going to be a spacing issue so there is capacity for doubling the number of potential signs. You are also looking at other issues with spacing between signs. There is a reason there is a difference between billboards and on-site signs and there was an issue that they wanted to have on-site signs advertised on off-site signs, in other words put what you have on your land on the billboard and that has been allowed and there was a variance made for that back in 1995, and that is the only time that issue has come up. But if that was an issue, by having this simply wording you could solve that problem. But if you go the other direction and say that on-site signs can have off-site advertising you create a world of other problems because you get a permit and you want to have something advertised off-site. It's a great idea but when you have the State involved, it is a little different. You have to have a State permit period for all off-site signs and if you advertise something off-site, they do not care what is advertised on the billboard. Mr. Watkins stated that the overall sign code is good. Mr. Watkins discussed Section 1417-D.6 about spacing between signs adding it is an interpretation and there needs to be a rule or law to regulate it. Mr. Watkins suggested adding the wording such as "new signs owners must obtain written approval from existing sign owners prior, if on same parcel and less than three hundred (300) feet apart", and that would take care of the two issues that people on the Commission that wrote this would that would solve their problems also.

Mr. Baird asked Mr. Watkins about his comment regarding new sign owners obtaining approval from existing sign owners, asking for clarification.

Mr. Watkins stated that owner approval would be needed only if the signs were less than three hundred (300) feet apart.

Mr. Edwards closed the public hearing.

Mr. Baird asked how the Task Force was created and who was on the Committee.

Mr. Straw reviewed who was in the group; one member of the Chamber of Commerce, two citizens at large,

one member of the Urban Districts Alliance, two from the development community, and three members from commercial sign companies.

Mr. Baird stated he was glad to see there was representation from the sign companies.

Mr. Hansen asked about the number of meetings held and how often they met.

Mr. Straw stated they met for a full year, once a month for two (2) hours or more at each meeting. They reviewed the current ordinance and staff presented issues and concerns in areas the City was having issues with; things that didn't make sense. In between each meeting there was an assignment for the task force to study. All the comments were collected and staff in turn took the current ordinance and all the comments and drafted a proposal which then went back to the task force. They went through the new ordinance, discussed it and made a few additional corrections and as a part of that reviewed the technology of the electronic message center giving details they had not thought about. It was a unanimous consent of support by the task force and the determination was made to move this forward.

Mr. Coltrin asked if this zoning text amendment carries the amendment that Mr. Straw mentioned earlier in the meeting or is it the original document.

Ms. Yendes stated that in Commission's recommendation if you want that amendment to go forward you would include the ordinance as presented by staff and the amendment that was discussed prior to the public hearing.

Mr. Edwards stated he does have a couple of concerns which Mr. Watkins raised and the Outdoor Advertising Association had some good points as well. Broadly speaking though, a lot has gone into this and generally everyone is behind this as is, and while there is going to be the need for more work on the ordinance, he feels comfortable moving forward. The Task Force Committee had consensus so he is in favor of the proposal.

Mr. McClelland motioned to approve the Zoning Text Amendment Sign Ordinance Changes as written with the addition of 5-1403.I, regarding Historical Signs as read by Mr. Straw. Mr. Hansen seconded the motion. The motion carried as follows: Edwards, Coltrin, McClelland, Hansen, Ray, Baird and White. Nays: None. Abstain: None. Absent: Lawhon and Young.

2. Urban Service Area Exception (City-Wide)

City of Springfield

Mr. Hosmer stated the purpose of this request is to approve a resolution to authorize an exception to the Urban Service Area to provide sanitary sewer service to the properties located at 3105 East Valley Water Mill Road, 2975 East Farm Road 112 and 3170 East Farm Road 94, which are contiguous to the Urban Service Area, subject to certain conditions. The Urban Service Area is the area outside the city limits of Springfield where municipal sanitary sewer service will be available (with certain limitations) to all users who request the service and where urban transportation improvements will be focused. The applicant's property contains an existing residential structure located on the 209-acre parcel proposed to be served by sanitary sewer. There are no public streets or public water connections requested with this proposal. There are two additional residential structures that are proposed to be constructed on this property, one of which will have approximately 40,000 square feet of living area. Wastewater flow rates from these residential

structures are anticipated to be highly variable making municipal sanitary sewer a better solution than on-site wastewater systems. Additionally, the South Dry Sac River flows through this property. The South Dry Sac River supplies a portion of the flow for Fulbright Spring, a drinking water source for the City of Springfield. The South Dry Sac River provides about 65% of the daily flow to Fulbright Spring, which in turn supplies about 15% of the community's annual drinking water needs for the City of Springfield. The South Dry Sac River is a losing stream. Most or all of the flow normally enters the groundwater system directly. Runoff can have negative impact on Fulbright Spring and the drinking water supply. Any potential groundwater contamination due to karsts features can be a threat to the communities drinking water supply. The Urban Service Area policy allows exceptions for areas that are contiguous to the Urban Service Area boundary under the following conditions: There is adequate capacity in the water and sewer system to handle the projected population and development within the proposed transition area.

The provision of sanitary sewer or urban transportation service into the proposed transition area must be undertaken without any expenditure of public funds unless the expenditure is consistent with the City of Springfield's Capital Improvements Program, Greene County's Capital Improvements Program and the Comprehensive Plans for Springfield and Greene County. Transportation service into the proposed transition area must be undertaken without any major alteration of the existing system unless approved by the service provider(s), and the provision of sanitary sewer or urban transportation service into the proposed transition area must be consistent with the stated purpose of the Urban Service Area Policy and those standards and criteria set forth for the eight subareas surrounding the Urban Service Area.

The Department of Environmental Services and Public Works Department has reviewed the proposed exception to the Urban Service Area and there is adequate capacity to handle the proposed sewer connection. The cost of the infrastructure and connection fees will be the responsibility of the property owner. Development in this area has been identified as a potential environmental concern for the headwaters of the South Dry Sac River subarea that flows into the Fulbright Spring and Stockton Lake drainage area, which are a major source of drinking water for the City of Springfield. Granting this exception allows the City of Springfield to protect the headwaters of the South Dry Sac River subarea by managing potential pollutant sources proactively, without promoting high-density urban development and expenditure of public funds. This exception supports the intent of the Urban Service Area Policy. The Urban Service Area Policy also states that an exception will not change the boundary of the Urban Service Area when it is contiguous to the current boundary. This exception will not change the Urban Service Area Boundary. For this exception to be granted it must be approved by the Springfield Planning and Zoning Commission and the Greene County Planning Board. The Watershed Committee of the Ozarks must comment on this exception before it goes to City Council and the Greene County Commission. The Springfield City Council must approve this exception by a 2/3 vote.

The Greene County Commission will be meeting on August 5, 2013 and the Watershed Committee of the Ozarks Board will be reviewing the exception to the Urban Service Area on July 9, 2013. City Staff recommends approval of the exception to the Urban Service Area Policy for the properties at 3105 East Valley Water Mill Road, 2975 East Farm Road 112, and 3170 East Farm Road 94 with the following conditions; all three tracts of property will be combined into one tract. There will be a consent to annexation for all properties; Covenants or agreements restricting changes of uses and intensity of uses without the written consent of the City Manager, Director of Environmental Services and the Stormwater Engineer; All cost of infrastructure and connection fees shall be the responsibility of the property owner; and all infrastructure will be built to City of Springfield Standards

All agreements will be subject to approval by the City of Springfield Attorney. Mr. Hosmer stated he would answer any questions.

Mr. Hansen asked if there would be consent to annexation for all properties by the owners.

Mr. Hosmer stated they will have to sign a petition at some point in time to be annexed; it will not be effective till the City takes action on it.

Mr. Edwards opened the public hearing.

Mr. Derek Lee, Lee Engineering, 2101 W Chesterfield Blvd, Springfield commented he is available for questions.

Mr. Edwards closed the public hearing.

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

There being no further business, the meeting was adjourned at approximately 7:30 p.m.

Bob Hosmer, AICP
Principal Planner

MINUTES OF THE PLANNING AND ZONING COMMISSION

DATE: August 8, 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, Shelby Lawhon and Gabrielle White; Staff in attendance: Bob Hosmer, Principal Planner; Ralph Rognstad, Director, Mary Lilly Smith, Director; Nancy Yendes, City Attorney; Dawne Gardner and Ron Colson, Public Works; Matt Schaefer, Planning; Sandy Goddard, Administrative Assistant. Absent: Jim Hansen,

ROLL CALL:

APPROVAL OF MINUTES:

COMMUNICATIONS:

Mr. Hosmer stated staff would like to request item number eleven (11), West College Street Corridor Text Amendment be moved and heard before the actual zoning of the property, zoning case, Z-14-2013, item number nine (9).

Mr. Edwards asked if they would hear these cases at the same time and if they would vote on item number eleven (11) before voting on item number nine (9).

Mr. Hosmer said yes.

Mr. Edwards, citing a point of order, clarified that the School issue has been removed from the agenda.

Mr. Hosmer stated that is correct.

HEARINGS:

CONSENT ITEMS:

1. Relinquish Easement 793 Tim Roth
(717 S. Kimbrough Avenue)
2. Relinquish Easement 794 Jaral W. Jones ETAL
(1839 East Independence Street)
3. Dispose 495 City of Springfield
(4400 block W Farm Road 130)

4. Acquire 496
(4134-4136 W Farm Road 34)

City of Springfield

Mr. Coltrin recused himself.

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

HEARINGS:

5. Vacation 759
(3500-4100 S. Farm Road 115)

City Utilities of Springfield

Mr. Hosmer stated this is a request to vacate the 3500-4100 blocks of South Farm Road 115 (Haseltine Road). The applicant is City Utilities. There are conditions to the request. AT&T and Ozark Electric services shall be relocated or preserved in the present locations with a license. The intersection of State Highway M and Farm Road 107 shall be improved to meet MoDOT standards and sight distance requirements, and a certificate of decision is recorded along with the above mentioned improvements and/or licenses. If these conditions are not met within three (3) years of City Council's approval, then that vacation approval is null and void and the portion of Farm Road 115 described shall remain public right-of-way. This would normally be something Planning and Zoning Commission would approve, but with conditions, staff is required to take it forward to City Council. Staff is recommending approval.

Mr. Edwards opened the public hearing.

Mr. Kevin Lowe, Engineer with City Utilities commented they went to MoDOT, who had an overlay plan for Route M, and have entered into a cost share agreement with them, where the Intersection of Hwy 107 and Route M will be improved. Mr. Lowe stated City Utilities has been told the project will be completed by June 15, 2014. They plan to bid the job in January 2014 and complete the intersection by June 15, 2014.

Mr. Edwards stated the first time Commission heard the case, they sent it back because of the concern about the traffic light there. Mr. Edwards asked, to be clear, are they going to get the traffic light before the Vacation.

Mr. Lowe commented there will be no traffic light. They are only lowering the hill and improving the sight distance. It will be an overlay and taking the sight distance down. There is not enough traffic on this to warrant a traffic signal, so they are basically improving the sight distance in this area. This would not warrant a traffic signal for many years until there is more development in this area. City Utilities needs to expand its rail loop to hold more rail cars at the power plant. To keep the road open would require two (2) bridges which is cost prohibitive. They have elected to put the money into the intersection to improve it.

Mr. Edwards closed the public hearing.

Mr. Edwards stated that he is disappointed in how this has come back because Commission was clear, in his mind, that there were sever concerns about the traffic on that road and the neighborhood had concerns

about what the access was going to be like. Mr. Edwards commented that he was looking a better resolution and staging before Commission decided to grant the vacation on this; he will be voting no because that is what the neighborhood was asking for.

Mr. Baird asked if staff had received any comments from the neighborhood or citizens.

Mr. Hosmer commented that Mr. Yake sent a letter and had discussions with staff, but that is the only one that he is aware of that had discussions.

Mr. Lawhon motioned to **approve** Vacation 759. Ms. White **seconded** the motion. The motion carried as follows: Ayes: Ray, Baird, Young and White. Nays: Edwards, McClelland and Lawhon. Abstain: Coltrin. Absent: Hansen.

(The vote was verified verbally due to a malfunction with the voting board in chambers)

6. Vacation 760

City of Springfield

(South 5300 block Highway 160, outer road)

Mr. Hosmer commented the purpose of this request is to vacate a portion of the south 5300 block of the Highway 160 (Campbell) which is outer road. The applicant is the City of Springfield and the proposal meets the approval criteria for vacating right-of-way. There will be a new road that will connect from Plainview Road to Bryant Street in the future. There will still be an outer road but will link through Bryant to the outer road. Staff recommends approval.

Mr. Edwards opened the public hearing.

Ms. Dawne Gardner commented that MoDOT has previously vacated a portion that is north of the section the City is vacating, and City is vacating this small portion back to the property owner. The outer road will be closed off at Plainview when the new relocated road is constructed behind what will eventually be the Kum-N-Go property.

Mr. Edwards closed the public hearing.

Mr. Ray motioned to **approve** Vacation 760. Mr. McClelland **seconded** the motion. The motion carried as follows: Ayes: Edwards, Coltrin, McClelland, Lawhon, Ray, Baird, Young and White. Nays: None. Abstain: None. Absent: Hansen.

7. Vacation 761

City of Springfield

(4400 block West Farm Road 130)

Mr. Coltrin recused himself.

Mr. Hosmer commented this request is to vacate a portion of the 4400 block of West Farm Road 130 (Maple Street). The applicant is the City of Springfield. This is part of the West Wye connecting track extension. The Vacation meets the approval criteria and staff is recommending approval.

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

Mr. Baird motioned to approve Vacation 761. Mr. Lawhon seconded the motion. The motion carried as follows: Ayes: Edwards, McClelland, Lawhon, Ray, Baird, Young and White. Nays: None. Abstain: Coltrin. Absent: Hansen.

Due to the malfunction of the voting board lights, the votes for Vacation 759, Vacation 760, and Vacation 761 were verified manually for correct votes.

Zoning:

8. Z-13-2013

Blansit Investment Group, LLC

(1126 N Broadway Avenue)

Mr. Hosmer stated the applicant is proposing to rezone approximately 2.17 acres of property generally located at 1126 North Broadway Avenue from an R-SF, Single-Family Residential District to an LB, Limited Business District. The Growth Management and Land Use Plan of the City's Comprehensive Plan designate this area as appropriate for low-density residential uses. The plan states that "The historic fabric of the community provides a sense of place and a physical environment that is nearly irreplaceable if destroyed. Historic or architecturally significant buildings are areas should be preserved because they express the city's heritage and add beauty and charm to their surroundings. Adaptive reuse of historic properties should be considered when the original use is no longer appropriate". The subject property has an existing school building with a parking lot and open space which the applicant is proposing to remodel the classrooms into offices and the gym into a non-profit community center. The vacant land or playground area will be used for community gardens and or public park space. The Limited Business District does not allow any individual retail store, personal service establishment or other permitted use to have more than 5,000 square feet of gross floor area. The Limited Business District also requires that all permitted uses and activities except off-street parking and loading facilities, drive-thru facilities and day care activities shall be conducted entirely within a completely enclosed building. The approval of LB, Limited Business District zoning on the subject property will allow the property to be reused for offices and community gardens as well as all other permitted uses within the LB district. This request for LB 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. Staff is recommending approval.

Mr. Edwards opened the public hearing.

Mr. Chris Ball, with Jack Ball Architecture, commented he is representing the owner. Mr. Ball stated this is a fantastic reuse of an old structure. They are pursuing historic preservation listing. The non-historic portion has already been demolished and they are anxious to move forward. Mr. Ball said he is available for questions.

Mr. Edwards closed the public hearing.

Mr. Baird motioned to approve Z-13-2013. Mr. Coltrin seconded the motion. The motion carried as follows: Ayes: White, Young, Baird, Edwards, Coltrin, McClelland, Ray and Lawhon. Nays: None. Abstain: None. Absent: Hansen.

Zoning Text Amendments:

11. West College Street Corridor Text Amendment
(City-wide)

City of Springfield

9. Z-14-2013
(700-1200 blocks & 1500 West College Street)

City of Springfield

Mr. Coltrin recused himself.

Mr. Hosmer commented this is a request to amend the Springfield Zoning Ordinance to add a new section, Section 4-2900, for the purpose of establishing a new zoning district, the WC, West College Street District. In April 2011 City Council requested staff to review the zoning of College Street in the West Central Neighborhood. During the summer and fall of 2011, the background and analysis report was completed. The Public Engagement process began in 2012 and consisted of nine public meetings, a web page, an online discussion forum, one-on-one discussions, and extensive media coverage. The College Street Corridor Plan, approved by City Council in August 2012, was based on recommendations made by citizens during the public engagement process. One of the Action Steps to achieving the vision for the corridor is to prepare a zoning ordinance that is creative to meet desired flexibility in future development opportunities within identified land use constraints. Approval of this bill will create the WC, West College Street District. This district is intended to be a mixed-use, urban district that accommodates a variety of residential and commercial uses. The three (3) sub-areas established within this district are intended to encourage an eclectic mix of businesses, artist studios, architecture and residents consistent with the adopted College Street Corridor Plan. The proposed WC district is a unique zoning district for the College Street corridor that will help to create a special identity for West College Street and lay the groundwork for the redevelopment of this unique corridor. There are three Sub-areas that will be established with approval of this bill. The Mixed-Use Sub-area permits a mix of office, commercial and residential uses. The maximum length of any building along College Street within this area is limited and certain design features are required to ensure that the design of the building incorporates the scale and other features consistent with the intent of the District and the College Street Corridor Plan. The Live/Work Sub-area is designed to provide for a transition between the higher intensity mixed-use area on the north side of the street and residential uses on Walnut Street. This sub-area will provide for employment opportunities in conjunction with a dwelling. The Residential Sub-area is designed to provide for a variety of residential uses including single-family, and townhouses. This sub-area permits multi-family and non-residential uses on the first floor frontage along College Street with the approval of a conditional use permit to provide for more flexibility and creativity within this area of the corridor. The proposed district is consistent with the recommendations of the approved College Street Corridor Plan to establish a creative zoning district that will help to create a special identity for West College Street. Approval of this district, along with the accompanying zoning case, will lay the foundation for the redevelopment of the corridor.

Mr. McClelland asked if the stores on the bottom floor or business could only have one non-resident there at a time, or two sales persons not of the family.

Mr. Hosmer stated the live work district would allow up to five employees.

Mr. Baird referred to the eating and drinking establishments asking if this needs to be contained inside the business or is an outdoor patio allowed.

Ms. Yendes referred to the staff report, line seventy-one (71), which states all activities and permitted uses "except" for the three (3) that are listed must be within the building, so you could have a patio area.

Mr. Young asked how the designations for the districts come about.

Mr. Hosmer stated he believes this is because of the public meeting they had and the workshops and working with the neighborhood while looking at the existing uses and how it would be developed in the future.

Mr. Rognstad stated that one of the things that came out of the neighborhood meetings is that they wanted to continue to allow commercial use while the south side of the neighborhood wanted to have a transition to the residential and not have it as intense so the concept of the live/work unit came up. There is that one mix-use on New and College on the south side and that is because of the type of structure that is there. If it is a commercial structure it wouldn't make sense to do a live/work unless you were to tear it down. The feeling was on the north side the more intense use would be permitted so they came up with this mix-use district, but we really want to encourage the residential part of the mix-use. We feel like we need to have more residential in the area to support the commercial. The long range plan is to expand the West Meadows to the south to abut the neighborhood area and the residents could then take advantage of that open space area there.

Mr. Young asked if this is a new zoning, not an overlay.

Mr. Rognstad said yes.

Mr. Hosmer clarified that this is only for the West College Street area. It cannot be used in any other area.

Mr. Edwards opened the public hearing.

Mr. Hosmer continued with Z-14-2013 stating this is a request to rezone approximately 20.57 acres of property generally located on the north side 700-1000 blocks, south side 800-1200 blocks and 1301 West College Street and 208 South New Avenue from a CS, Commercial Service and HM, Heavy Manufacturing District to a WC, West College Street District and property generally located at 215 South Grant and 736, 740 and 1500 West College Street from a CC, Center City, CS, Commercial Service, R-MD, Medium Density Multi-family Residential and HM, Heavy Manufacturing District to an IC, Industrial Commercial District. The area on the north side of West College Street between Grant Avenue on the east and New Avenue on the west in addition to a tract of land at the southeast corner of New and College and at the northwest corner of Fort and College is proposed to be rezoned to a WC-1, West College Street District, Mixed-use Sub-area. The majority of property is currently zoned CS, Commercial Service with the remaining being zoned HM, Heavy Manufacturing. This area is adjacent to the West Meadows and is comprised of a mix of businesses and housing. The proposed zoning will accommodate existing uses while providing the opportunity for redevelopment of the properties with mixed-use development of residential, office and commercial uses. The mixed uses will provide an opportunity for creativity and encourage the development of a vibrant urban experience along this "gateway" to the downtown.

The area on the south side of West College Street generally between Douglas and New Avenues is proposed to be rezoned to a WC-2, West College Street District, Live/Work Sub-area. The property in this area is currently zoned CS, Commercial Service. This area is adjacent to residential development south on

Walnut Avenue warranting a “step-down” approach to the zoning along the corridor. The south side of College Street has a different impact on the surrounding neighborhood than the north side. This area will be comprised of primarily a residential use with the ability of the resident to sell goods and services on the property within defined bounds. Approval of live/work in this area is in conformance with the recommendations of the College Street Corridor Plan.

One of the Policies contained in the College Street Corridor Plan is to reserve the land between Fort and New Avenues along the south side of College Street for housing. The Policy states that development options should remain varied in order to allow for creative housing development. This area is currently zoned CS, Commercial Service District and is proposed to be rezoned to a WC-3, West College Street District, Residential Sub-area. This area will provide the opportunity for flexibility and creativity in housing development and will also provide for limited non-residential development on the College Street frontage. Approval of this application would rezone property at the southwest quadrant of Grant Avenue and College Street (Mother’s Brewery and adjacent property) and at the southeast corner of Kansas Expressway and College Street (former Hawkins Mill) to an IC, Industrial Commercial District. These properties are currently zoned a mix of CC, Center City District, R-MD, Medium Density Multi-Family Residential District, CS, Commercial Service District and HM, Heavy Manufacturing District. The brewery is a conditional use within the CC zoning district and is not permitted within the R-MD and CS districts. A Conditional Use Permit was approved for Mother’s Brewery; however any expansion of the brewery would require approval of another Conditional Use Permit. The proposed IC zoning would permit the brewery and accommodate future expansion of the use without the need for additional processes. The IC district permits industrial operations and activities in combination with commercial uses. The IC district is appropriate in both of these proposed areas to accommodate the brewery and to provide for flexibility in the future use and/or redevelopment of the former Hawkins Mill property as a gateway to the corridor. Approval of this request is consistent with the recommendations of the College Street Corridor Plan and is the first step toward implementation of the Plan. Staff is recommending approval.

Mr. McClelland commented that the one thing he does not see is the reference to the historic Route 66, asking if it should be put in there, that this is the gateway.

Mr. Hosmer commented that is part of the plan that was adopted and talk about that as part of the tool for development or redevelopment of the area.

Mr. Edwards opened the public hearing.

Ms. Amy Waldrop, 1024 West College, representing the WC3, West College Sub-area District; she has worked with the City, Vern Morgan and a group of people for over one year trying to determine this vision and to figure out what they are going to do this blighted area. Ms. Waldrop commented she looks forward in the future to opening a class and school with her sister and an art gallery as she lives upstairs; she hopes Commission will be favorable in the request.

Mr. Edwards closed the public hearing.

Mr. Lawhon motioned to *approve Zoning Text Amendment, West College Street Corridor Text Amendment*. Mr. Baird seconded the motion. The motion carried as follows: Ayes: Edwards, McClelland, Lawhon, Ray, Baird, Young and White. Nays: None. Abstain: Coltrin. Absent: Hansen.

Mr. Ray motioned to approve Z-14-2013. Ms. White seconded the motion. The motion carried as follows: The motion carried as follows: Ayes: Edwards, McClelland, Lawhon, Ray, Baird, Young and White. Nays: None. Abstain: Coltrin. Absent: Hansen.

Use Permits:

10. Conditional Use Permit 404 & 405

711 South Kimbrough, LLC

(533 East Monroe Street & 711 South Kimbrough Avenue)

Mr. Hosmer stated the applicant is requesting approval of two conditional use permits to reduce the front yard setback along Kimbrough Avenue from twenty-five (25) feet to a ten (10) foot setback. The reduced setback along Kimbrough allows the building to be moved closer to the street and away from the multi-family homes to the west. In placing the building closer to the street brings activity to the street and an edge along the sidewalk that promotes pedestrian activities and safety. The reduced setback does not create any sight or safety issues for travelers on the adjacent roadways. Development of this site will comply with all of the requirements of the Zoning Ordinance for the R-HD, High-Density Multi-Family Residential District other than those changes being requested with this application. All requirements for parking, open space, bufferyards, and height (including bulk plane restrictions) will be met with the development of this property. Staff has reviewed the applicant's request for a Conditional Use Permit and has determined that it satisfies the standards for Conditional Use Permits, outlined in Section 3-3310 of the Zoning Ordinance. Staff recommends approval.

Mr. Edwards opened the public hearing.

Mr. Derek Lee, Lee Engineering, 2101 West Chesterfield Blvd, commented he is representing the owner, pointing out on the display that the apartment complex going on the two lots is the same owner and the set back would be consistent with Beacon Student Housing. The setback is consistent with the next apartment building down, Bear Village, Phase One; and another one currently under construction and already permitted, which is Bear Village Phase Two. This would provide a consistent corridor with the same setback to Kimbrough as the next three (3) apartment complexes in the area. We feel this is a good location to continue that, where the parking is in the back. As you drive down Kimbrough you see the buildings on the street and the parking in the rear.

Mr. Edwards closed the public hearing.

Mr. Baird motioned to approve Conditional Use Permits 404 and 405. Mr. Coltrin seconded the motion. The motion carried as follows: Ayes: White, Young, Baird, Edwards, Coltrin, McClelland, Ray and Lawhon. Nays: None. Abstain: None. Absent: Hansen.

OTHER PUBLIC HEARINGS:

Zoning Test Amendments:

12. Medical Office in IC District Text Amendment
(City-Wide)

City of Springfield

Mr. Hosmer said this is a request to amend *Section 4-4400, Industrial Commercial District*, in the *Springfield Zoning Ordinance* to permit the medical office use group. Planning and Zoning Commission initiated amendments to allow medical office uses in the Industrial Commercial District at their meeting on July 11, 2013. 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 believes that the IC District with its concentration on high-intensity uses should have the same ability to develop or redevelop with medical offices as any other commercial zoning district. Staff is proposing to add the Medical Office Use Group to the IC District because the characteristics of the medical office use are compatible with other permitted uses in the district. The Development Issues Input Group (DIIG), Urban Districts Alliance (UDA), and Environmental Advisory Board (EAB) were notified of these amendments and have made no objections to date.

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

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

Street Name Change:

13. Street Name Change No. 75
(4200 – 4800 blocks West Farm Road 130)

City of Springfield

Mr. Coltrin recused himself.

Mr. Hosmer stated the purpose of this request **PURPOSE:** To change the name of the 4200-4800 blocks West Farm Road 130 (Maple Street), between Broadview Place and Meteor Avenue, to Junction Street. The City recently annexed West Farm Road 130 as part of the West Wye connecting track project. Staff is proposing to change the name of Farm Road 130 to Junction Street because existing Junction Street connects to the east end of this portion of roadway and creates a natural continuation of this street name in this area. The change to Junction Street will also minimize confusion for emergency responders in the future because renaming to Maple Street, which is currently being used by some property owners, will create an overlap with existing Maple Street to the south (attached location map). The proposed street name change will result in multiple property owners changing their addresses (mostly from Farm Road 130 to Junction Street), which typically occurs when streets are annexed because the City does not use the Farm Road names.

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

Mr. Young motioned to **approve** Street Name Change No. 75. Mr. Baird **seconded** the motion. The motion **carried** as follow: The motion carried as follows: Ayes: Edwards, McClelland, Lawhon, Ray, Baird, Young and White. Nays: None. Abstain: Coltrin. Absent: Hansen.

Subdivisions:

14. Roberts Industrial Park Renewal

Eric Roberts

(1000 & 1100 block North Westgate, east side)

Mr. Hosmer commented this is a proposal to renew a Preliminary Plat creating a 9 lot industrial subdivision at 1012 and 1160 North Westgate Avenue. It is 60.18 acres in an industrial Manufacturing area. Staff is recommending approval.

Mr. Edwards opened the public hearing.

Mr. Joe Roberts commented he is one of the owners and have worked with staff to meet the requirements which have been done and asked for approval of the renewal.

Mr. Edwards closed the public hearing.

Mr. Coltrin motioned to approve Roberts Industrial Park Renewal. Mr. Young seconded the motion. The motion carried as follow: The motion carried as follows: Ayes: Edwards, Coltrin, McClelland, Lawhon, Ray, Baird, Young and White. Nays: None. Abstain: None. Absent: Hansen.

OTHER BUSINESS:

15. Initiate IC & UN Districts, Off-Street Parking Requirements and Telecommunication Tower Amendments

(City-Wide)

City of Springfield

Mr. Hosmer commented Staff is requesting Commission initiate amendments to the following specified and other related sections of the Zoning Ordinance to allow review and consideration. There are specific issues that need to be addressed, but other amendments to these and related sections generally on the same subject may result after a more complete review.

- A. Section 4-4400. IC- Industrial Commercial District. Staff wants to review changing the bulk, area, height and other development requirements to make them consistent with the Highway Commercial (HC) District.
- B. Section 4-2200. UN-University Combining District. Staff wants to review further reducing off-street parking requirements when additional off-street bicycle parking spaces are provided.
- C. Section 5-1500. Off-Street Parking Requirements. Staff wants to review reducing the off-street parking requirement for micro efficiency/studio apartments; streamlining and improving the Cooperative Parking Agreement process; and allowing more off-street parking to be located off-site through a Cooperative Parking Agreement under certain circumstances.
- D. Section 5-2600. Telecommunication Tower. Staff wants to review allowing wireless attachments on existing or proposed street lighting structures or other City Utilities utility poles located in the City right-of-way or City Utilities easements.

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

Mr. McClelland motioned to Initiate IC and UN Districts, Off-Street Parking Requirements and Telecommunication Tower Amendments. Ms. White seconded the motion. The motion carried as follows: Ayes: Edwards, Coltrin, McClelland, Lawhon, Ray, Baird, Young and White. Nays: None. Abstain: None. Absent: Hansen.

16. College Street Corridor Redevelopment Plan
(700-1500 blocks N Westgate, east side)

City of Springfield

Mr. Coltrin recused himself.

Mr. Matt Schaefer stated this is a request to approve the Redevelopment Plan for the College Street Corridor, stating Commission got an introduction to this with the rezoning case for the College Street Corridor area. In April 2011, the Springfield City Council directed City staff to review the zoning along West College Street in the West Central Neighborhood. With extensive citizen input, the City of Springfield created and adopted the *College Street Corridor Plan*, as a guiding document for development within the College Street Corridor area. The primary purpose of the Plan is to articulate a vision for the College Street Corridor Area and define certain actions that the public sector can take to inspire investor confidence and promote private redevelopment. The Plan envisions the Area being integrated with West Meadows and serving as the western gateway to downtown Springfield. It also envisions redevelopment that includes mixed-uses of appropriate scale that maintain a strong identity to the Area's past being located along historic Route 66. In order to bring this vision to fruition, the *Corridor Plan* suggests, among other actions, that the City provide financial incentives to encourage private investment and redevelopment. More specifically, it recommends that a redevelopment plan be prepared pursuant to the LCRA Law. Chapter 99 tax abatement is an economic development incentive used to encourage redevelopment within blighted areas through partial real property tax abatement. Real property tax abatement is based on 100% of the assessed value of qualified new construction or rehabilitation for 10 years. This plan is here before the Planning and Zoning Commission to review and make a determination if as to whether it conforms to the City's General Plan for development as a whole. The College Street Corridor Redevelopment Area encompasses approximately 52.75 acres located immediately west of Downtown Springfield. The Area is generally bounded by Missouri and Northern Arkansas Railroad (MN&A Railroad) to the north, West Walnut Street to the south, Grant Avenue to the east, and Kansas Expressway to the west. City staff conducted a blight study in the Area and found that over 50 percent of the principal structures within the Area were either dilapidated or in need of major rehabilitation. Residential structures were disproportionately in worse condition than other types of buildings, possibly due to higher vacancy and renter-occupancy rates and age. The Study also identified several properties with no principal structure, most of which were found to be littered with junk and debris or overrun with vegetation. Furthermore, the Study found the Redevelopment Area is burdened by inadequate or deteriorated public facilities and infrastructure that are incapable of supporting both existing development and future redevelopment. The Blight Study concluded with the finding that the Redevelopment Area meets the definition of a "blighted area" under Section 99.320(3), RSMo and is in need of redevelopment. The proposed Redevelopment Plan for the College Street Corridor Redevelopment Area is in conformance with the *College Street Corridor Plan*, and staff recommends approval.

Mr. Young asked how the tax abatement worked.

Mr. Schaefer stated it is 100% abatement on the new improvements and the increase in value on both land and the improvements for ten (10) years.

Mr. McClelland asked what would be done between Broadway and New and people who are in those buildings who say no thank you to this proposal.

Mr. Schaefer stated the blight designation is just that, a declaration that the property is blighted. This redevelopment plan does not necessarily require the property owners to do anything beyond what would be required by the City zoning or any other regulations of the City. This is an incentive to promote redevelopment.

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

Mr. Young motioned to approve the College Street Corridor Redevelopment Plan. Mr. Ray seconded the motion. The motion carried as follows: Ayes: Edwards, McClelland, Lawhon, Ray, Baird, Young and White. Nays: None. Abstain: Coltrin. Absent: Hansen.

17. Heer's Tower Redevelopment Plan
(138 West Park Central Square)

Heer's Luxury Living, LLC

Ms. Mary Lilly Smith, Economic Development Director for the City of Springfield. This is a redevelopment plan being presented pursuant to Chapter 353, Missouri Revised Statutes. Chapter 353 encourages redevelopment by providing partial real property tax abatement similar to what you hear from Mr. Schaefer on Chapter 99 abatement. It is 100% of the increase in value on the new improvements for ten (10) years and typically 50% for the next fifteen (15) years; so you have a twenty-five (25) year period of abatement verses the ten (10) year like you have on Chapter 99. The applicant must demonstrate the area is blighted and that the proposed redevelopment project will provide a measureable public benefit and that it won't occur but for the incentive. The Planning and Zoning Commission's responsibility is to review the Redevelopment Plan for conformance with the Comprehensive Plan and make a recommendation regarding the same, to City Council. The Heer's Building is two-thirds of an acre and currently zoned Center City and was built in 1915, expanded in the fifty's and became vacant in 1995 and have been vacant ever since. It is an historic structure, listed on the National Register both individually and as part of a district. In 2004 there was a Chapter 353 Redevelopment Plan and the area was blighted pursuant to Chapter 353 at that time. That redevelopment plan called for the building to be developed as an office building. City Council recently terminated that plan at the last Council meeting because that is no longer the plan for that building. The blighting still remains and asked the developer to go back an existing conditions report prepared to update the blight study and the report said that it is still blighted and in fact worse than what it was. The strategy is to remove the blight and redevelop the area; essentially rehabilitate the building, converting it from a former department store into a residential and commercial mixed-use development; eighty-five (85) to ninety (90) market rate residential apartments on the upper floors. The first floor will contain some commercial lease space as well as a police satellite office. There will be secured off-street parking and storage in the basement and then the development will also take advantage of parking in the adjacent Heer's car park. All the renovations will adhere to the Secretary of the Interior's Standards for the Treatment of Historic Properties since they will be taking advantage of historic tax credits. Staff's findings are that the Redevelopment Plan for the Heer's Redevelopment Area is in conformance with

the *Springfield-Greene County Comprehensive Plan*. This area is classified as the Greater Downtown Area where we are recommending high-intensity uses such as this. The *Center City Plan Element* of the *Springfield-Greene County Comprehensive Plan* notes that the Center City area suffers from physical deterioration and economic obsolescence and this building is a poster child for both of those. One of the objectives of the plan is to reestablish a unique position for Greater Downtown within the larger marketplace; one that is of value to the community and its residents. One of the recommended actions for achieving that objective is to promote the emergence of a residential base in Greater Downtown. The Plan mentions that Greater Downtown housing can utilize vacant building space and help create round-the-clock activity, which should be a top priority. It also states that available incentives should be considered for such projects. Ms. Smith stated she is available for questions.

Mr. McClelland asked Ms. Smith if she has entered the building and reviewed it herself.

Ms. Smith said she has been in the building multiple times.

Mr. McClelland commented it has not passed the renovation stage.

Ms. Smith stated the developer had a structural engineer verify that the structure is not past renovation and Building Development Services staff has been in the building and verified that as well.

Mr. Chip Walsh with Heer's Luxury Living, LLC, the developer for the proposed development plan, commented they are in support of the proposal which they feel is a reasonable request and stated he is available for questions.

Mr. Edwards closed the public hearing.

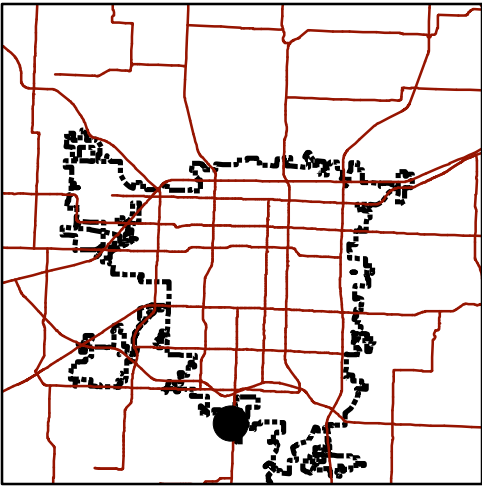
Mr. Lawhon commented that his hope is that this plan will come to fruition and is in favor of the proposal.

Mr. Edwards stated he is hopeful this project is a success and is in favor as well.

Mr. Ray motioned to approve Heer's Tower Redevelopment Plan. Mr. Coltrin seconded the motion. The motion carried as follows: Ayes: Edwards, Coltrin, McClelland, Lawhon, Ray, Baird, Young and White. Nays: None. Abstain: None. Absent: Hansen.

There being no further business, the meeting was adjourned at approximately 7:45 p.m.

Bob Hosmer, AICP
Principal Planner



Zoning & Subdivision Report

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

Relinquish Easement 795

Location: 5200 block S. Michigan Avenue w/s

Current Zoning: R-LD, Low-Density Multi-family
Residential District

LOCATION SKETCH



- Area of Proposal



1 inch = 225 feet

Zoning & Subdivision Report

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

REQUEST TO RELINQUISH EASEMENT NUMBER 795

DATE: August 21, 2013
PURPOSE: To relinquish a drainage easement
LOCATION: 5200 block South Michigan Avenue
APPLICANT: Griswald Enterprises, LLC

RECOMMENDATION:

The request be **approved**.

FINDING:

The request meets the approval criteria listed in Attachment B.

STAFF CONTACT PERSON:

Michael G. Sparlin
Assistant Planner

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

ATTACHMENT A
RELINQUISH EASEMENT NO. 795
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish the drainage easement to facilitate the development of the property. A replacement easement is being provided by the applicant.

STORM WATER COMMENTS:

No issues with relinquishing the easement. Easements were reviewed by the Law Department and approved.

STAFF COMMENTS:

1. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect public utilities.
2. The relinquishment of the easement will facilitate future development of the site. A replacement easement is being provided by the applicant and has been approved by City staff.
3. No one has objected to this request to date.

ATTACHMENT B
RELINQUISH EASEMENT NO. 795
APPROVAL CRITERIA

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

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

STAFF RESPONSE:

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

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

STAFF RESPONSE:

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

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

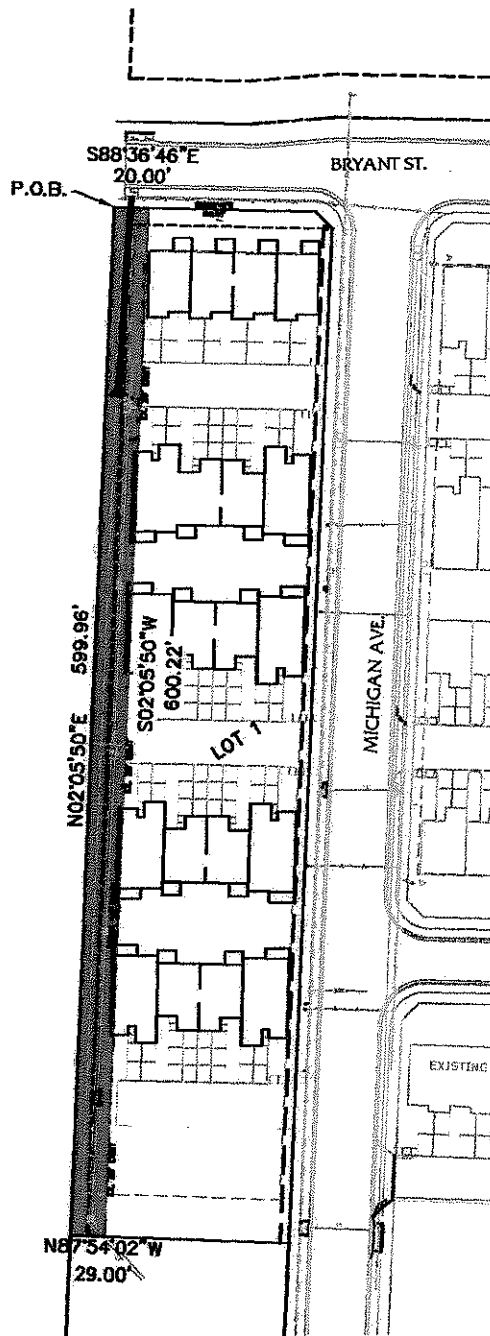
STAFF RESPONSE:

The retention of the subject easement no longer serves a public purpose. A replacement easement is being provided by the applicant.

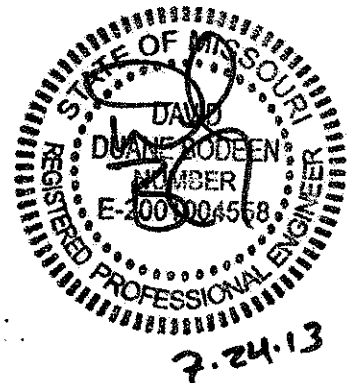
RELINQUISH EASEMENT NO. 795
EXHIBIT 1

LEGAL DESCRIPTION OF THE DRAINAGE EASEMENT TO BE RELINQUISHED

BEGINNING AT THE NORTHWEST CORNER OF LOT 1 OF THE WOODS AT WEAVER CREEK PHASE II AN ADMINISTRATIVE REPLAT OF LOT 4 OF THE WOODS AT WEAVER CREEK; THENCE S°88°36'46"E ALONG THE SOUTH RIGHT-OF-WAY OF BRYANT STREET, A DISTANCE OF 20.00 FEET; THENCE S02°05'50"W, A DISTANCE OF 600.22 FEET TO A POINT ON THE SOUTH PROPERTY LINE OF LOT 1; THENCE N87°54'02"W ALONG THE SOUTH PROPERTY LINE OF LOT 1, A DISTANCE OF 20.00' TO A POINT ON THE WEST PROPERTY LINE OF LOT 1; THENCE N02°05'50"E ALONG THE WEST PROPERTY LINE, A DISTANCE OF 599.96 FEET TO THE POINT OF BEGINNING.



EXISTING DRAINAGE
EASEMENT



THE WOODS AT WEAVER CREEK- PHASE II
SPRINGFIELD, MISSOURI

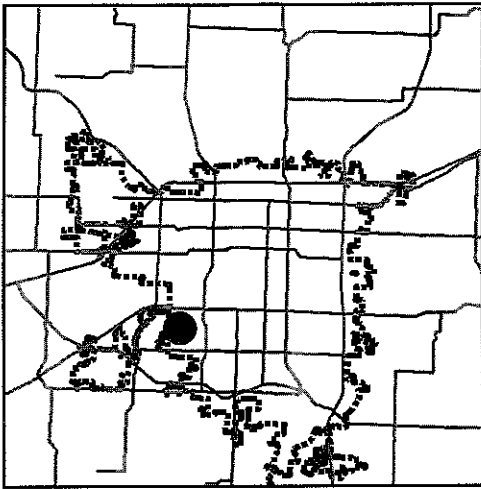
PINNACLE DESIGN CONSULTANTS

PH: (417)501-8820 ~ FAX: (417)865-3033
304 W. ERIE STE B, SPRINGFIELD, MO 65807

SHEET NO. 1 OF 1

DATE 7-21-13

PROJ. NO.



Zoning & Subdivision Report

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

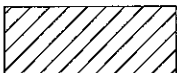
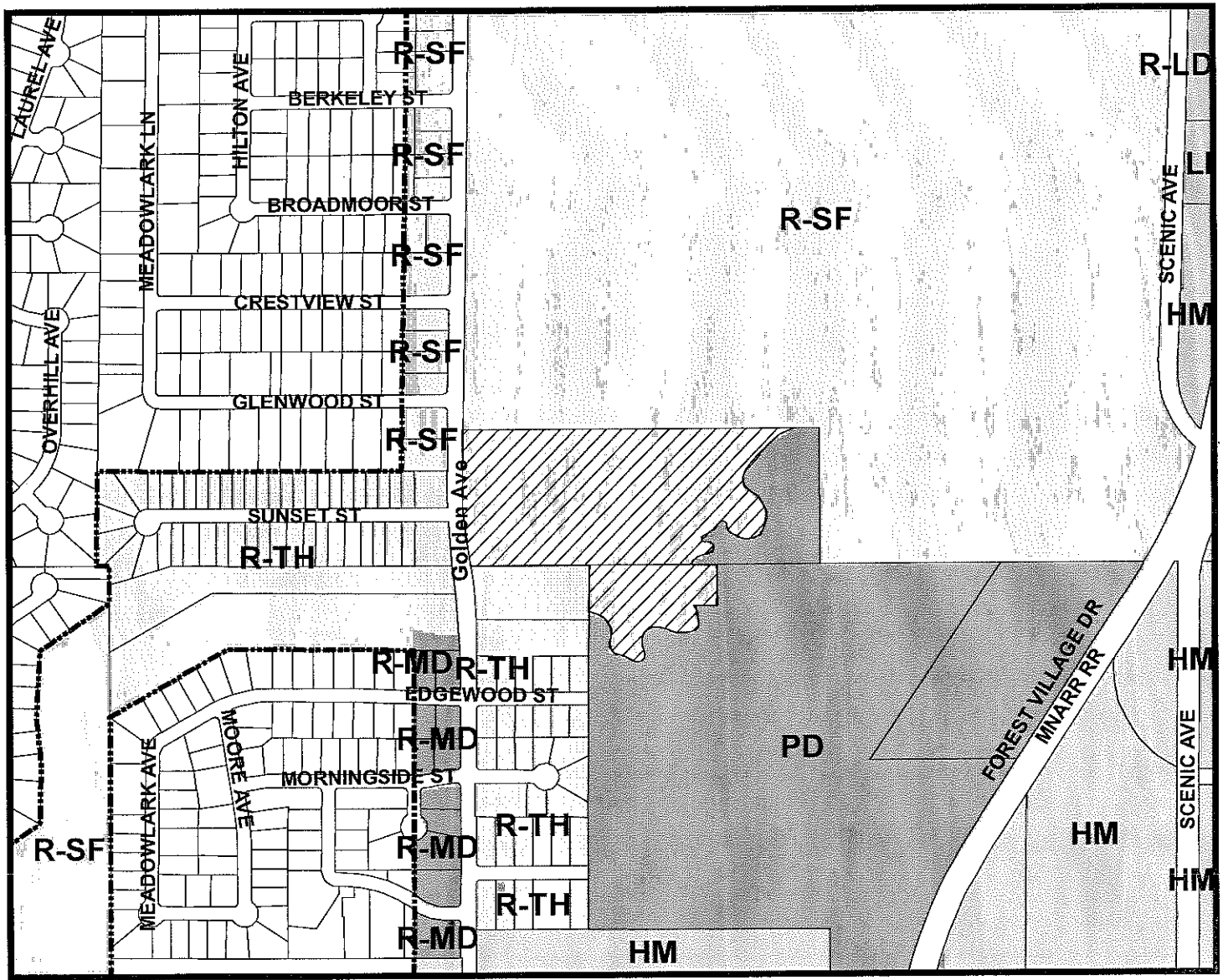
Request to Acquire 499

Location: 2524 S. Golden Avenue

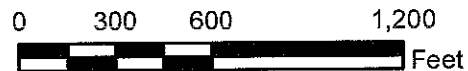
Current Zoning: R-SF

Proposed Use: K-5 Elementary School

LOCATION SKETCH



- Area of Proposal



1 inch = 600 feet

Zoning & Subdivision Report

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

REQUEST TO ACQUIRE NUMBER 499

DATE: August 27, 2013

PURPOSE: To approve the acquisition of property by Springfield R-12 School District for the construction of a new elementary school

BACKGROUND:

LOCATION: 2524 S. Golden Avenue

APPLICANT: Springfield R-12 School District

TRACT SIZE: Approximately 14.88 acres

EXISTING USES: Undeveloped land

RECOMMENDATION:

Staff recommends that this request be **approved**.

FINDINGS:

1. The request is consistent with the Planning and Zoning Commission's land acquisition policy (Attachment B).

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner

ATTACHMENT A
REQUEST TO ACQUIRE NUMBER 499

APPLICANT'S PROPOSAL:

The Springfield R-12 School District has acquired the property at 2524 S. Golden Avenue and is proposing the construction of a new elementary school at this location.

PLANNING AND ZONING COMMISSION REVIEW:

The *Springfield City Charter* requires the Planning and Zoning Commission to review all proposals to acquire real property by the City for public use. Commission's function in this matter is to determine whether the proposal is generally consistent with the *Comprehensive Plan*.

COMPREHENSIVE PLAN:

The subject property is zoned R-SF, Single-Family Residential District. The proposed use is generally consistent with the *Comprehensive Plan*.

STAFF COMMENTS:

1. The Springfield R-12 School District has acquired the subject property and is proposing the construction of a new elementary school (Sherwood). The Planning and Zoning Commission must review this Request to Acquire to determine whether the proposal is consistent with the *Comprehensive Plan*. In summary, SPS requests that approval be granted to change the property usage to allow for the construction of a new K-5 elementary school.
2. The following language from Article XI, Section 11.7.3, of the City Charter sets forth the Planning and Zoning Commission's function regarding the Acquisition of property and the process for appeal of such decision:

“In reviewing and approving all such proposals, the function of the planning and zoning commission shall be to determine whether they are generally consistent with the master plan of the city. No such proposals shall be constructed or authorized until the location, extent and character thereof has been submitted and approved by the planning and zoning commission.

In case of disapproval, the commission shall communicate its reasons to the city council, and the city council, by vote of not less than two-thirds of its entire membership, may overrule the disapproval and, upon the overruling, the city council or the appropriate board or officer may proceed, except that if the proposal is by an agency other than an agency of the city and the authorization or financing does not fall within the province of the city council, then the submission to the planning commission shall be by the agency having jurisdiction, and the

planning commission's disapproval may be overruled by that agency by a vote of not less than two-thirds of its entire membership.”

In the case of this proposed property acquisition, appeal of the decision of the Planning and Zoning Commission would be to the Board of Education.

ATTACHMENT B
REQUEST TO ACQUIRE NUMBER 499
LAND ACQUISITION POLICY

The Planning and Zoning Commission has adopted a policy statement for land acquisitions by public bodies. The individual sections of the policy statement are followed by the applicant's response to that section.

1. All land acquisitions shall be consistent with the adopted Plans and Policies of the City of Springfield.

RESPONSE:

It is understood the proposed use of the land would be within "generally consistent with the "Master Plan of the City". The properties are located just south of the Horton Smith Golf Course between Golden Street and S. Scenic Street. We are requesting the property usage of the two tracks be changed to allow for the construction of a new elementary school consisting of approximately 60,000 s.f. and designed to support a student count of 450 – 500 students in kindergarten to fifth grade.

2. Proposals for land acquisition and public uses shall consider the effect of the proposed use on the surrounding land uses and shall include measures to mitigate any adverse effects of the proposed use on the surrounding uses.

RESPONSE:

It is our intent to remove the partial foundation(s) that remain on the property as well as perform geographical studies for civil and structural design purposes. All of the proposed building or parking areas will be built above the flood plain.

3. If no immediate use is intended for the land proposed for acquisition and the negotiated contract does not include the previous owner removing the structure, existing sound structures should be retained unless such retention is not economically feasible. The current use should be continued, the structure should be used in a manner consistent with adopted Plans until such time as the land will be cleared for the use for which it was acquired, or the structure should be moved to a suitable location.

RESPONSE:

The proposed project is in the early design stages and the land will not be disturbed (other than for purposes of soil borings, survey needs, etc.) until the construction contractor is selected via competitive bidding proposed for February, 2014. The permitting for land disturbance and building will likely be started between late this year and early 2014.

4. At a minimum, the acquiring agency should either attempt to preserve architecturally or historically significant structures in place, or make the structures available to the previous

owner or public for moving, or solicit bids from individuals and firms interested in salvaging those items which have architectural significance. Disposition of property when conducted by a City agency shall be made pursuant to City ordinances including the City Purchasing Manual.

RESPONSE:

There are no obvious historical structures or structures of architectural interest on the property.

5. To the extent possible, the acquiring agency shall make all structures to be removed, regardless of historical or architectural significance, available to the previous owner or public for moving and reuse at another location. Disposition of property when conducted by a City agency shall be made pursuant to City ordinances including the City Purchasing Manual.

RESPONSE:

There are a few partial concrete foundation remains from what appear to be old residential homes and are not worth salvaging. The previous landowner sold the property "as is".

REQUEST TO ACQUIRE 499
EXHIBIT 1

12.23A M/L S 15A SW1/4 SE1/4 (EX LYING E SOUTH CREEK) 33/29/22

and

2.65A M/L BEG 446 FT E NW COR NE1/4 4/28/22 E 470 FT S 150 FT W TO CNTR
SOUTHCREEK SLY ALG CREEK TO E LN WOOD CREEK 1ST ADD N TO BEG 4/28/22

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 **KUM & GO NO. 489** generally located at 4020 West Battlefield Street. (Staff recommends that Commission approve the Preliminary Plat and that City Council accept the public streets and easements.)

BACKGROUND INFORMATION:

- A. The Preliminary Plat of **KUM & GO NO. 489**, legal description dated August 27, 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 September 5, 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. Sanitary sewers shall be extended to all building sites.
 - 2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. No driveways are permitted to US Highway 160 (FF). Ingress-Egress access easements, as shown on the preliminary plat, are required to allow both proposed lots to access W. Battlefield Rd. Ingress-/egress easements should be at least twenty five (25) feet wide to allow for better vehicular access.
 - 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. It is determined that the public interest requires assurance concerning adequate maintenance of common space areas and improvements. The restrictive covenants, rules and bylaws creating the common ownership must therefore provide that if the owners of the Property Owners Association shall fail to maintain the common areas or improvements in reasonable order and condition in accordance with the approved plans, the City may, after notice and hearing, maintain the same and assess the costs against the units or lots, per the Common Open Space and Common Improvement Regulations section of the Zoning Code.
6. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations.

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

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

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

Submitted by:

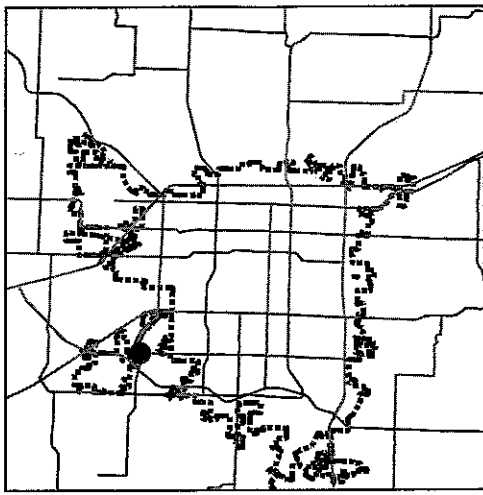


Alana D. Owen, AICP, Senior Planner

Approved by:

Bob Hosmer, AICP, Principal Planner

Greg Burris, City Manager



Zoning & Subdivision Report

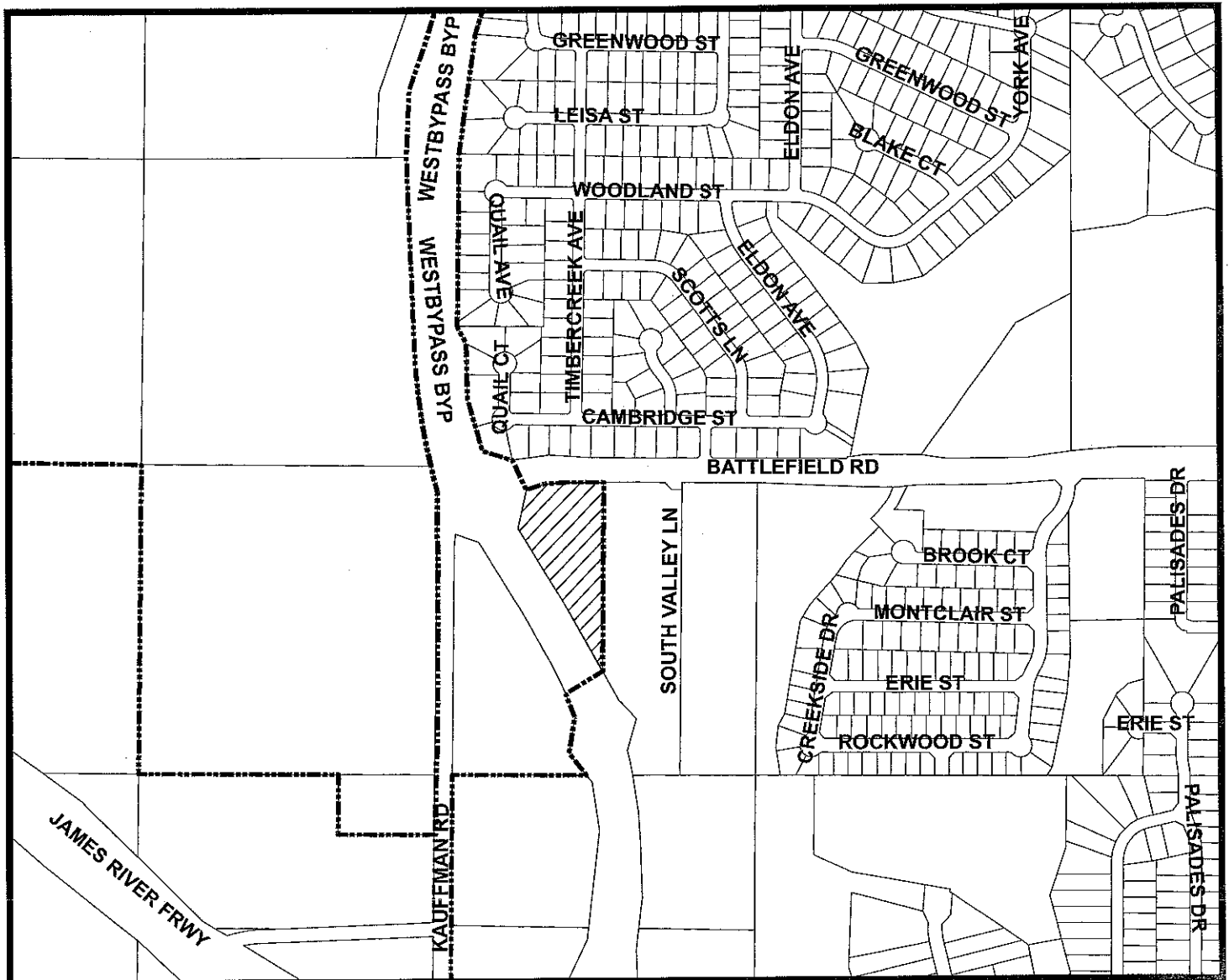
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Preliminary Plat for Kum & Go No. 489

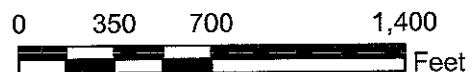
Location: 4020 West Battlefield

Current Zoning: GR, General Retail District

LOCATION SKETCH



- Area of Proposal



1 inch = 700 feet

Zoning & Subdivision Report

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

PRELIMINARY PLAT – KUM & GO No. 489

DATE: August 28, 2013

PURPOSE: To approve a preliminary plat to subdivide 4.78 acres into a 2 lot commercial subdivision.

BACKGROUND:

LOCATION: 4020 W. Battlefield

APPLICANT: Tomar Properties Registered, LLLP

TRACT SIZE: 4.78 acres

EXISTING USE: One commercial building and vacant land.

PROPOSED USE: A two lot commercial subdivision.

RECOMMENDATION:

Staff recommends Planning and Zoning Commission **approve** the preliminary plat, with the conditions listed below, and recommends that City Council accept the public streets and easements.

FINDINGS:

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

CONDITIONS:

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

2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. No driveways are permitted to US Highway 160 (FF). Ingress-Egress access easements, as shown on the preliminary plat, are required to allow both proposed lots to access W. Battlefield Rd. Ingress-/egress easements should be at least twenty five (25) feet wide to allow for better vehicular access.
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. It is determined that the public interest requires assurance concerning adequate maintenance of common space areas and improvements. The restrictive covenants, rules and bylaws creating the common ownership must therefore provide that if the owners of the Property Owners Association shall fail to maintain the common areas or improvements in reasonable order and condition in accordance with the approved plans, the City may, after notice and hearing, maintain the same and assess the costs against the units or lots, per the Common Open Space and Common Improvement Regulations section of the Zoning Code.
6. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations.

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

STAFF CONTACT PERSON:

Alana D. Owen, AICP
Senior Planner

ATTACHMENT A
BACKGROUND REPORT
PRELIMINARY PLAT – Kum & Go No. 489

APPLICANT'S PROPOSAL:

The applicant proposes to subdivide 4.78 acres into a two lot commercial subdivision.

SANITARY SEWER COMMENTS:

Public sewer and service connection are currently available for both lots.

STORMWATER COMMENTS:

Storm Water comments regarding the Preliminary Plat have been addressed. However, the following items regarding the existing detention basin need to be corrected:

1. The grass around the top of the existing detention basin needs to be mowed.
2. The existing detention basin outfall pipe is pointed directly at the adjacent property/retaining wall. Concentrated discharge from the detention basin needs to be re-directed more to the south. Please note that the existing 30' flared end section appears to be separating slightly from the outfall pipe at the joint.
3. Provide documentation and/or approvals for the discharge of storm water off-site.

CITY UTILITIES COMMENTS:

There is an existing water main along the Battlefield frontage. This main can be extended south along the west line of lot 1 to get to lot 2. Note this water main can be up to 20 ft deep in this area.

There is an existing electric junction box at the NE corner of lot 1. UG electric can be extended south from this point. There is only a narrow corridor to extend the electric in and easements will be required on this property and possibly on the adjacent property to the east.

The closest gas main is approximately 320 feet east of this property. A gas main extension will be required if either lot needs gas. Note that the east side of the site is congested. The logical route for the gas is the same route for electric. There may not be room for both facilities in this narrow corridor. The gas may have to extend down the west side of lot 1 to get to lot 2, requiring 2 driveway crossings. Easements will be required at the final plat stage for gas, water and electric extensions.

TRAFFIC COMMENTS:

The proposed Preliminary Plat is acceptable to Traffic Engineering.

MISSOURI DEPARTMENT OF TRANSPORTATION (MoDOT):

The Preliminary Plat is acceptable to the Missouri Department of Transportation.

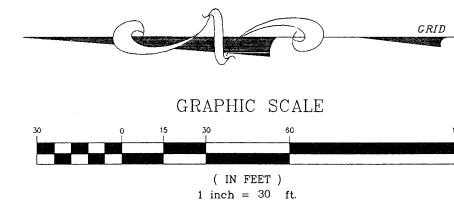
STAFF COMMENTS:

1. Planning and Zoning Commission approved the Preliminary Plat of Kum & Go No. 489 in September 2009. The Preliminary Plat expired in 2011 because a Final Plat for the property was not submitted within the required two-year timeframe. The applicant is seeking approval of this Preliminary Plat for the subject property.
2. With the conditions of approval, the applicant's request meets the requirements of the city's Subdivision Regulations.

Exhibit A

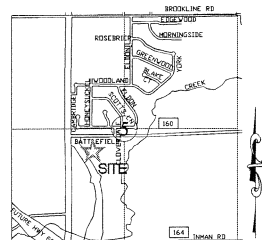
KUM & GO NO. 489

NW 1/4 OF THE SW 1/4 OF SECTION 5, T-29-N, R-22-W
CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI
PRELIMINARY PLAT



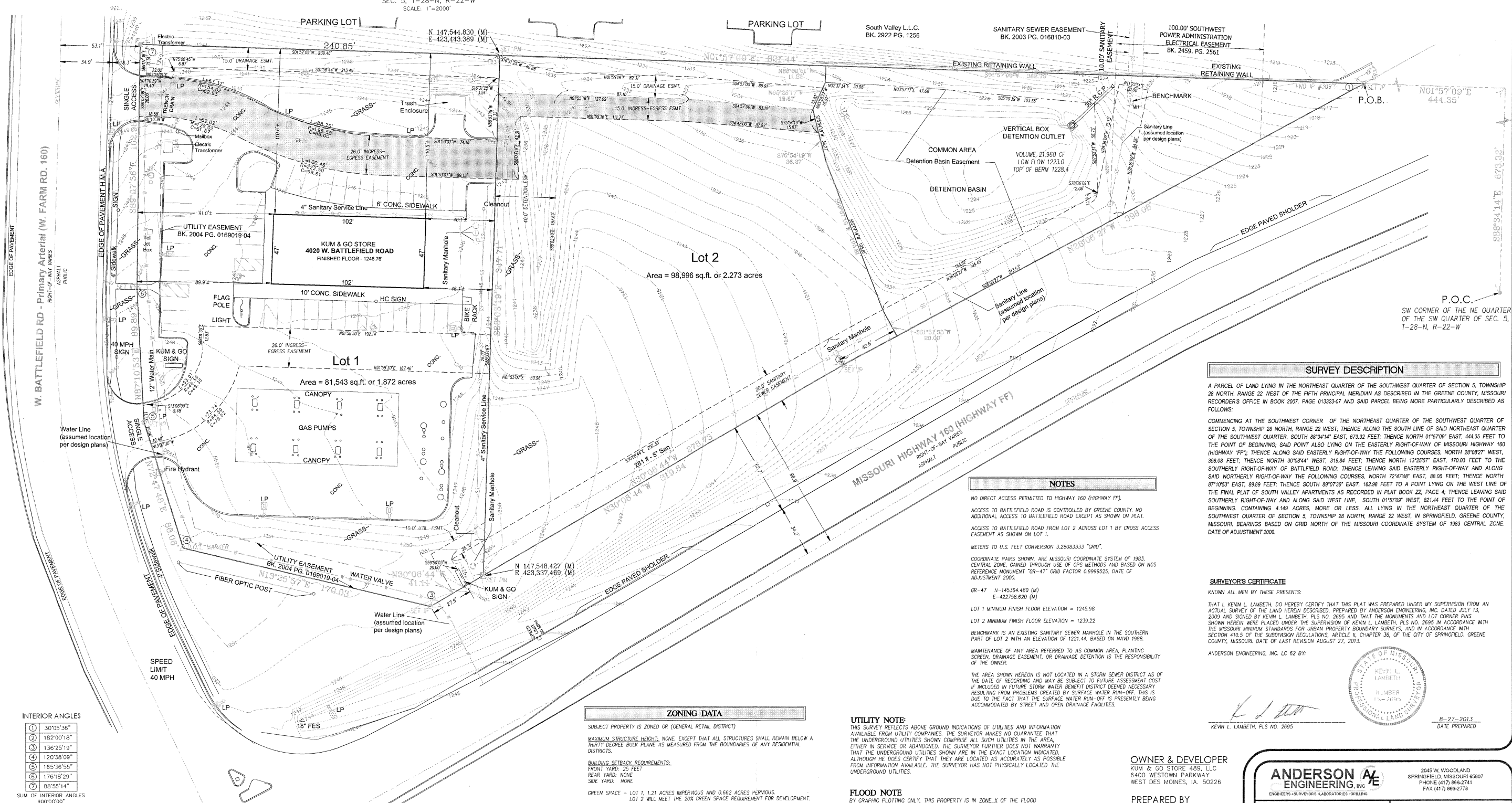
SOUTH VALLEY APARTMENTS
PLAT BOOK ZZ, PAGE 4
LOT 1

LOCATION SKETCH
SEC. 5, T-28-N, R-22-W
SCALE: 1"=2000'



LEGEND OF SYMBOLS AND ABBREVIATIONS

- | | | | |
|---|---|---|---------------------|
|  | INTERNAL ANGLE (SEE TABLE) |  | WATER VALVE |
| —SS— | SANITARY SEWER LINE |  | GAS VALVE |
| —E— | OVERHEAD ELECTRIC |  | WM |
| —G— | GAS LINE |  | TELEPHONE RISER |
| —W— | WATER LINE |  | ER |
| —UT— | UNDERGROUND TELEPHONE |  | ROOF DRAIN |
| —LE— | UNDERGROUND ELECTRIC | —TRANS— | TRANSFORMER PAD |
|  | FENCE LINE |  | SMH |
|  | FIRE HYDRANT |  | RIGHT-OF-WAY MARKER |
|  | LIGHT POLE |  | FOUND IRON PIN |
| P.O.C. | POINT OF COMMENCEMENT |  | SET IRON PIN |
| LINE LABELS | MEASURED 100' M
OCD 100' D
RECORD 100' R | P.O.R. | POINT OF BEGINNING |
| PROPERTY LINE |  |  | GROUND LIGHT |
|  | VALVE |  | PERMANENT MONUMENT |
| | |  | LIGHT POLE |
| | |  | FIRE HYDRANT |
| | |  | SMH |
| | |  | STORM SEWER MANHOLE |



SURVEY DESCRIPTION

A PARCEL OF LAND LYING IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 28 NORTH, RANGE 22 WEST OF THE FIFTH PRINCIPAL MERIDIAN AS DESCRIBED IN THE GREENE COUNTY, MISSOURI RECORDER'S OFFICE IN BOOK 2007, PAGE 013323-07 AND SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 28 NORTH, RANGE 22 WEST, THENCE ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, SOUTH 89°34'14" EAST, 673.22 FEET, THENCE NORTH 01°57'09" EAST, 443.35 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO LYING ON THE EASTERLY RIGHT-OF-WAY OF MISSOURI HIGHWAY 160 (HIGHWAY "FF"); THENCE ALONG SAID EASTERLY RIGHT-OF-WAY THE FOLLOWING COURSES, NORTH 28°08'27" WEST, 398.08 FEET; THENCE NORTH 30°08'04" WEST, 318.84 FEET; THENCE NORTH 13°25'57" EAST, 170.03 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF BATTFIELD ROAD, THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY AND ALONG SAID NORTHERLY RIGHT-OF-WAY THE FOLLOWING COURSES, NORTH 72°44'08" EAST, 88.06 FEET; THENCE NORTH 87°10'53" EAST, 89.99 FEET; THENCE SOUTH 89°07'36" EAST, 162.96 FEET TO A POINT LYING ON THE WEST LINE OF THE FINAL PLAT OF SOUTHWAY APARTMENTS AS RECORDED IN PLAT BOOK 22, PAGE 4, THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY AND ALONG SAID WEST LINE, NORTH 01°57'09" WEST, 444.35 FEET TO THE POINT OF BEGINNING, CONTAINING 4.46 ACRES, MORE OR LESS, ALL LYING IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 28 NORTH, RANGE 22 WEST, IN SPRINGFIELD, GREENE COUNTY, MISSOURI, BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983 CENTRAL ZONE, DATE OF ADJUSTMENT 2000.

NOTES

NO DIRECT ACCESS PERMITTED TO HIGHWAY 160 (HIGHWAY FF).
ACCESS TO BATTFIELD ROAD IS CONTROLLED BY GREENE COUNTY. NO
ADDITIONAL ACCESS TO BATTFIELD ROAD EXCEPT AS SHOWN ON PLAT.
ACCESS TO BATTFIELD ROAD FROM LOT 2 ACROSS LOT 1 BY CROSS ACCESS
EASEMENT AS SHOWN ON LOT 1.
METERS TO U.S. FEET CONVERSION 3.28083333 "Grid".
COORDINATE PAIRS SHOWN ARE MISSOURI COORDINATE SYSTEM OF 1983
CENTRAL ZONE, GAINED THROUGH USE OF GPS METHODS AND BASED ON NGS
REFERENCE MONUMENT "GR-47" GRID FACTOR 0.99999525, DATE OF
ADJUSTMENT 2000.

SURVEYOR'S CERTIFICATE

KNOWN ALL MEN BY THESE PRESENTS:

THAT I, KEVIN L. LAMBECH, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED, PREPARED BY ANDERSON ENGINEERING, INC. DATED JULY 13, 2009 AND SIGNED BY KEVIN L. LAMBECH, PLS NO. 2695; AND THAT THE MONUMENTS AND LOT CORNER PINS SHOWN HEREIN WERE PLACED UNDER THE SUPERVISION OF KEVIN L. LAMBECH, PLS NO. 2695 IN ACCORDANCE WITH THE MISSOURI SURVEYING AND BOUNDARY SURVEYING ACTS, AND IN ACCORDANCE WITH SECTION 410.5 OF THE SUBDIVISION REGULATIONS, ARTICLE II, CHAPTER 36, OF THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, DATE OF LAST REVISION AUGUST 27, 2013.

ANDERSON ENGINEERING, INC. LC 62 BY:

KEVIN L. LAMBETH, PLS NO. 2695

8-27-2013
DATE PREPARED

ZONING DATA

SUBJECT PROPERTY IS ZONED GR (GENERAL RETAIL DISTRICT)

MAXIMUM STRUCTURE HEIGHT: NONE, EXCEPT THAT ALL STRUCTURES SHALL REMAIN BELOW A THIRTY DEGREE BULK PLANE AS MEASURED FROM THE SIDING OF ANY RESIDENTIAL DISTRICTS.

BUILDING SETBACK REQUIREMENTS:

FRONT YARD: 25 FEET
REAR YARD: NONE
SIDE YARD: NONE

GREEN SPACE - LOT 1, 1.21 ACRES IMPERVIOUS AND 0.662 ACRES PERVIOUS.
LOT 2 WILL MEET THE 20% GREEN SPACE REQUIREMENT FOR DEVELOPMENT.

MAXIMUM BUILDING COVERAGE (INCLUDING ACCESSORY BUILDINGS) 50 PERCENT.

MAXIMUM FLOOR AREA RATIO: 0.4

UTILITY NOTE:

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

FLOOD NOTE

FLOOD NOTE
BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE X OF THE FLOOD
INSURANCE RATE MAP, COMMUNITY PANEL NO. 29077C0336E, WHICH BEARS AN
EFFECTIVE DATE OF DECEMBER 17, 2010 AND IS NOT IN A SPECIAL FLOOD HAZARD
AREA. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS.

OWNER & DEVELOPER

OWNER & DEVELOPER
KUM & GO STORE 489, LLC
6400 WESTOWN PARKWAY
WEST DES MOINES, IA. 50226

PREPARED BY

PREPARED BY
KEVIN LAMBETH
2045 W. WOODLAND
SPRINGFIELD, MO. 65807

ANDERSON
ENGINEERING, INC. 
ENGINEERS • SURVEYORS • LABORATORIES • DRILLING

2045 W. WOODLAND
SPRINGFIELD, MISSOURI 65807
PHONE (417) 866-2741
FAX (417) 866-2778

FIELD: -	DATE: 7-14-09
DRAWN: BAC	FIELD BK:
CHECKED: KLL	JOB NO: 37863

WB 108-431
SHT. 1 OF 1 REV.

EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To adopt an ordinance to vacate the 400 block of East Tampa Street. (Staff recommends approval with conditions).

BACKGROUND INFORMATION:

VACATION NO. 762

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

The applicant is requesting to vacate the 400 block of East Tampa Street. The applicant must dedicate an emergency access easement for access to the east side of the facility that meets the requirements of the Fire Department. Replacement utility easements within the area to be vacated are also required to be dedicated. The proposed vacation meets the approval criteria for vacating right-of-way with the required conditions.

RECOMMENDATIONS:

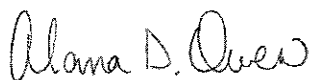
The Planning and Zoning Commission held a public hearing on September 5, 2013, and recommended , by a vote of to , of the proposed vacation with conditions (see the attached Record of Proceedings).

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

FINDINGS FOR STAFF RECOMMENDATION:

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

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, Staff Report

ATTACHMENTS:

Attachment 1, Staff Report

Attachment 2, Approval Criteria

Attachment 3, Vacation Right-of-Way Sketches

EXHIBIT A
RECORD OF PROCEEDINGS
VACATION #762

EXHIBIT B
LEGAL DESCRIPTION
VACATION #762

All that part of Tampa Street, lying between Lot 88 of Block "G" of Harwood, Lisenby and Boyd's Addition to the City of Springfield, Greene County, Missouri, according to the recorded plat thereof and Lot 2 of the Administrative Replat of L. E. Cox Building Site, and being more particularly described as follows:

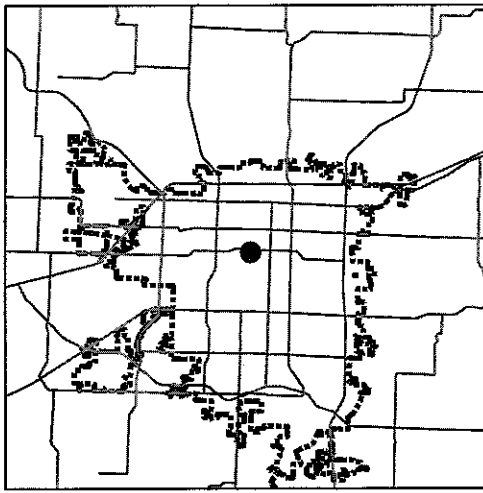
BEGINNING at the Northeast corner of Lot 2, of the Administrative Replat of L. E. Cox Building Site; thence, North $89^{\circ}09'02''$ West, along and with the North line of said Lot 2, and the South Right-of-Way of Tampa Street, a distance of 215.58; thence North $01^{\circ}43'05''$ East, a distance of 49.47 feet to the Southwest corner of Lot 88 of Block "G" of Harwood, Lisenby and Boyd's Addition and the North Right-of-Way of said Tampa Street; thence, South $89^{\circ}09'33''$ East along and with the South Line of Lot 88 of said Block "G" and said North Right-of-Way, a distance of 215.41 feet to the Southeast corner of Lot 88 of said Block "G"; thence, South $01^{\circ}31'08''$ West, 49.50 feet to the POINT OF BEGINNING, containing 0.24 acres. Subject to easements and rights-of-way, if any.

Zoning & Subdivision Report

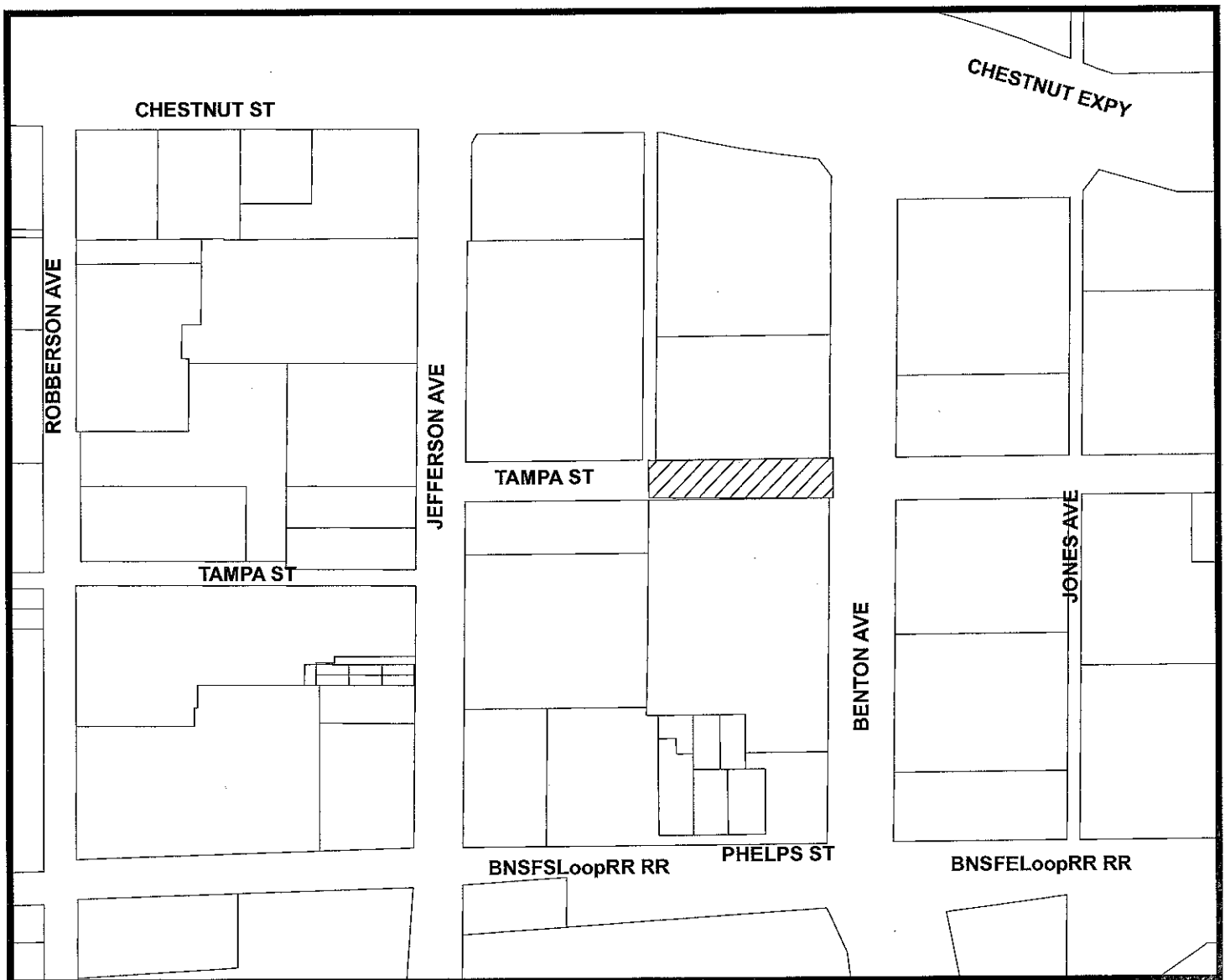
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Vacation 762

Location: 400 block East Tampa Street



LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

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

VACATION #762

DATE: August 27, 2013

PURPOSE: To vacate the 400 block of East Tampa Street.

BACKGROUND:

LOCATION: 400 block East Tampa Street

APPLICANT: Advocates for a Healthy Community

RECOMMENDATION:

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

CONDITIONS:

1. The applicant shall dedicate an emergency access easement which satisfies the requirements of the Fire Department.
2. Any necessary replacement utility easements will be dedicated.

If these conditions are not met within one (1) year of City Council's approval, then that approval is null and void and the property is not vacated.

FINDINGS FOR STAFF RECOMMENDATION:

The requested Vacation #762 meets the approval criteria listed in Attachment B. The proposed condition will require this to be forwarded to City Council for review and approval.

STAFF CONTACT PERSON:

Alana D. Owen, AICP
Senior Planner

ATTACHMENT 1
BACKGROUND REPORT
VACATION #762

APPLICANT'S PROPOSAL:

This is a request to vacate the 400 block of East Tampa Street for the Jordan Valley Community Health Center. The intent is to improve safety at the main entrance to the clinic.

TRAFFIC ENGINEERING COMMENTS:

Traffic Engineering does not have any issues with this requested vacation.

CITY UTILITIES COMMENTS:

Easements will be needed for the existing gas and water mains in the Tampa right-of-way. The vacated area can be used for parking, sidewalks etc, but there cannot be any permanent structures located in the areas retained with easements.

AT&T COMMENTS:

An easement is needed prior to relinquishment for existing and future facilities required to provide service in the area.

STORM WATER COMMENTS:

No concerns regarding the requested vacation.

POLICE DEPARTMENT COMMENTS:

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

FIRE DEPARTMENT COMMENTS:

Please show your plans to allow access to the fire lane on the east side of the building. Leave a set back on the east end of Tampa long enough for a fire truck to park and not block Benton.

E-911 COMMENTS:

Depending on what development of the vacated real estate that might occur, an address change for the building might be needed. That would appear to be the extent of the impact.

SANITARY SERVICE:

No comments regarding this vacation request.

BUILDING DEVELOPMENT SERVICES:

No issues with the 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 is a request to vacate the 400 block of East Tampa Street. The off-street parking lot that serves the Jordan Valley Community Health Center is located on the north side of existing Tampa Street and the clinic is located on the south side of the street. The applicant is requesting to vacate Tampa Street in this area to provide for a safer entrance to the facility. The Fire Department has requested the applicant to show access to the east side of the facility. The applicant will need to submit an emergency access easement that meets the requirements of the Fire Department. In addition, replacement utility easements will need to be dedicated.
2. The proposed vacation meets the approval criteria for vacating right-of-way. The proposed conditions will require City Council to approve this vacation.

ATTACHMENT 2
APPROVAL CRITERIA
VACATION #762

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:

The applicant owns the property adjacent to the street and have given their consent to the vacation.

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

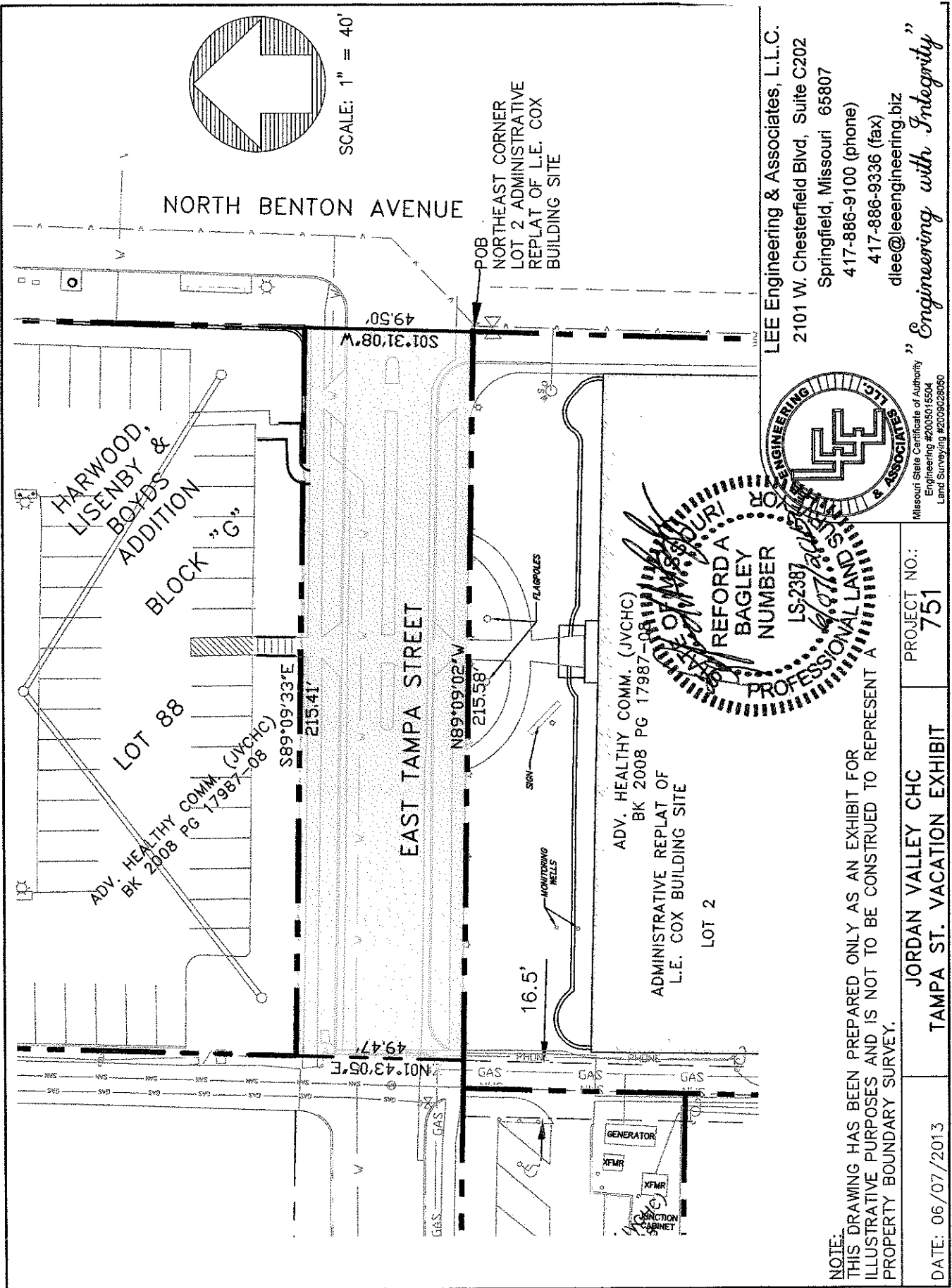
STAFF RESPONSE:

The retention of the street serves no useful purpose. All properties will still have access to other public roadways.

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

STAFF RESPONSE:

The proposed vacation will not adversely affect the ability to use utilities, public or private. All necessary easements are being replaced.



Zoning & Subdivision Report

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

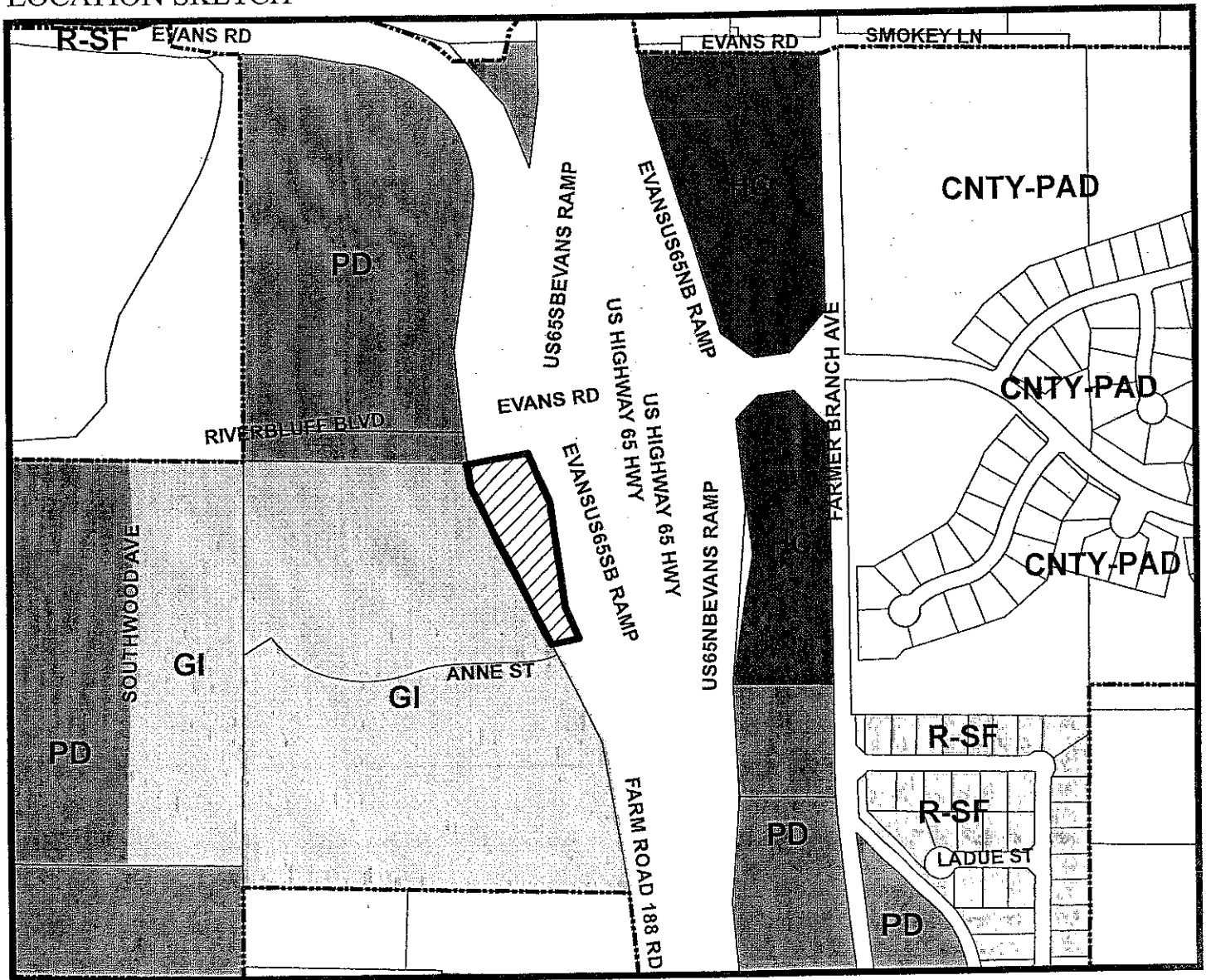
Vacation 763

Location: 3100 Block of Evans Road

Current Zoning: Roadway

Proposed Zoning: NA

LOCATION SKETCH



- Area of Proposal

0 100 200 400

Feet

1 inch = 500 feet

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

VACATION #763

DATE: August 21, 2013

PURPOSE: To vacate a portion of the 3100 Block of East Farm Road 188 (Evans Road)

BACKGROUND:

LOCATION: East 3100 Block of Farm Road 188 (Evans Road)

APPLICANT: City of Springfield

RECOMMENDATION:

Staff recommends **approval** of this request.

FINDINGS FOR STAFF RECOMMENDATION:

The requested Vacation #763 meets the approval criteria listed in Attachment B.

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner

ATTACHMENTS:

Attachment A - Background Report
Attachment B - Approval Criteria
Exhibit A - Legal Description
Exhibit B - Site Plan
Exhibit C – Alternative route map

ATTACHMENT A
BACKGROUND REPORT
VACATION #763

APPLICANT'S PROPOSAL:

This is a request to vacate a portion of the East 3100 Block of Farm Road 188 (Evans Road).

TRAFFIC ENGINEERING COMMENTS:

City Traffic Engineering is in support of this vacation.

MISSOURI DEPARTMENT OF TRANSPORTATION (MODOT):

No comments.

CITY UTILITIES COMMENTS:

The vacation is acceptable if all necessary replacement easements are obtained.

AT&T COMMENTS:

No comments.

STORM WATER COMMENTS:

No comments

POLICE DEPARTMENT COMMENTS:

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

FIRE DEPARTMENT COMMENTS:

The Fire Department does not have any concerns regarding this request.

E-911 COMMENTS:

E-911 does not have any concerns with this requested vacation.

SANITARY SERVICE:

No public sewer within relinquishment area.

BUILDING DEVELOPMENT SERVICES:

Building Development Services does not have any concerns with the requested vacation.

ADJACENT PROPERTY OWNER COMMENTS:

Two (2) 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 is a request to vacate a portion of the 3100 Block of Farm Road 188 (Evans Road). The adjacent private property to the west is being redeveloped by Mercy Hospital. If approved, the vacated right-of-way will be combined with the private property as part of the redevelopment of the site. Access by property owners to the south of the proposed vacation will access the new east west arterial Riverbluff Boulevard by taking Anne Street to Southwood Ave. and then north to Riverbluff Blvd (see alternative route map Exhibit C).
2. The proposed vacation meets the approval criteria for vacating right-of-way.

ATTACHMENT B
APPROVAL CRITERIA
VACATION #763

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:

The Director of Public Works initiated this request and all adjacent property owners have given their consent to the vacation.

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

STAFF RESPONSE:

The retention of the street serves no useful purpose. All properties will still have access to other public roadways.

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

STAFF RESPONSE:

The proposed vacation will not adversely affect the ability to use utilities, public or private. All necessary easements are being replaced.

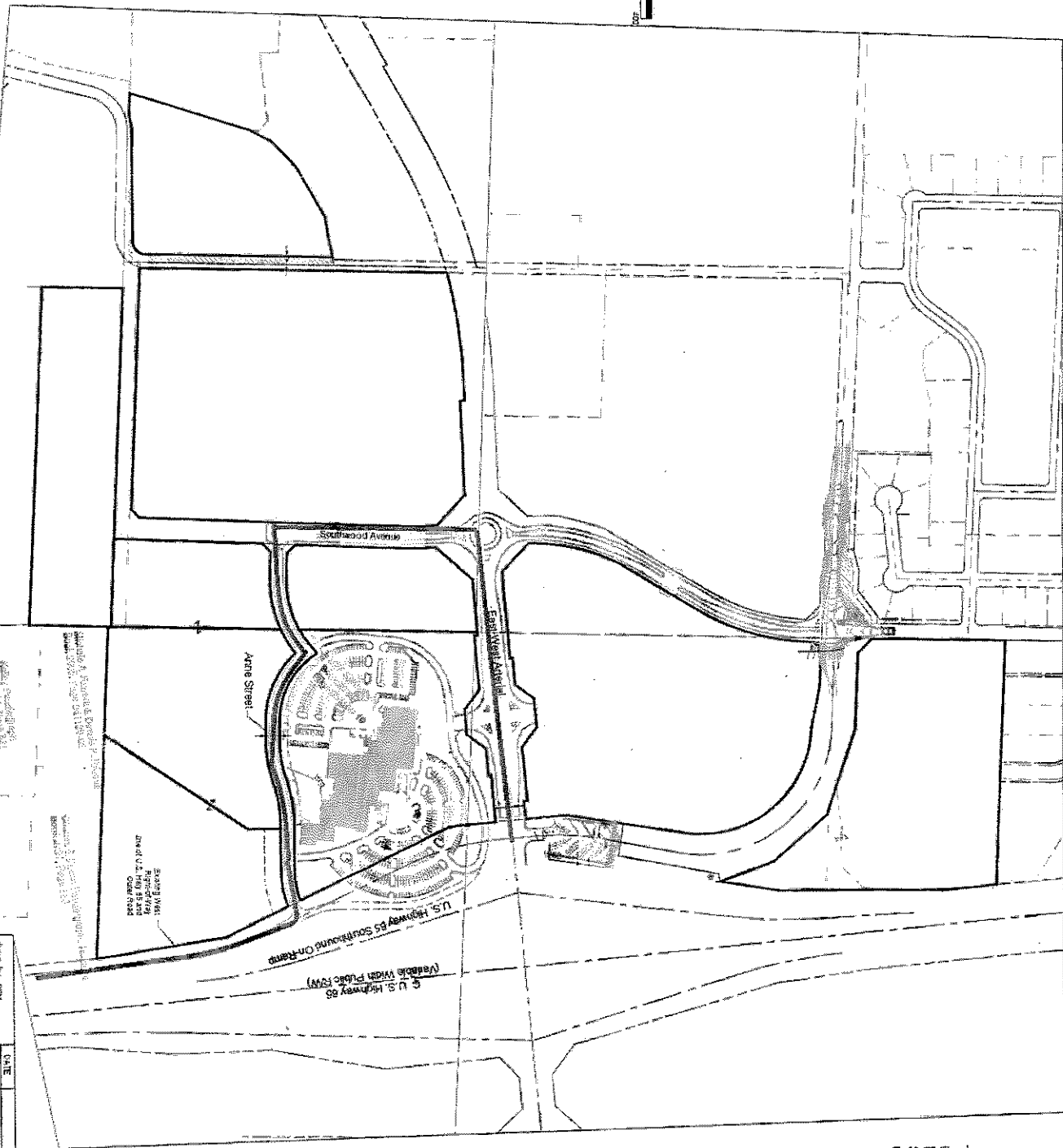
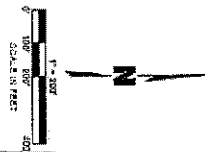
EXHIBIT A
LEGAL DESCRIPTION
VACATION #763

A tract of land in the Southwest Quarter of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter, all in Section 28, Township 28 North, Range 21 West, Greene County, Missouri, lying on the right or westerly of the following described portion of the centerline of a highway, now known U.S. Highway 65:

A portion of the surveyed centerline of U.S. Highway 65 is described as follows: COMMENCING at a found 5/8" iron bar marking the Northeast corner of the Northeast Quarter of Section 28, Township 28 North, Range 21 West, Greene County, Missouri; thence North 87 Degrees 20 Minutes 16 Seconds West along the North line of said Quarter, a distance of 1,736.40 feet to centerline Station 284+10.51 for a POINT OF BEGINNING of centerline; thence South 05 Degrees 04 Minutes 32 Seconds East, a distance of 5,353.79 feet to centerline Station 337+64.30 for a POINT OF TERMINATION of said centerline, said point lying North 87 Degrees 11 Minutes 45 Seconds West, a distance of 1,109.21 feet from a found 5/8" iron bar marking the Southeast corner of said Section 28.

All the land lying within the following described tract:

COMMENCING at U.S. Highway 65 Centerline Station 310+20.00; thence South 84 Degrees 55 Minutes 28 Seconds West, a distance of 275.00 feet to a point lying 275.00 feet westerly of and at right angles to U.S. Highway 65 Centerline Station 310+20.00, said point being the POINT OF BEGINNING; thence South 16 Degrees 23 Minutes 08 Seconds East, a distance of 203.96 feet to a point lying 235.00 feet westerly of and at right angles to U.S. Highway 65 Centerline Station 312+20.00; thence South 00 Degrees 07 Minutes 08 Seconds West, a distance of 331.36 feet to a point lying 265.00 feet westerly of and at right angles to U.S. Highway 65 Centerline Station 315+50.00; thence South 23 Degrees 30 Minutes 38 Seconds East, a distance of 64.12 feet to a point lying 244.72 feet westerly of and at right angles to U.S. Highway 65 Centerline Station 316+10.83; thence South 64 Degrees 25 Minutes 26 Seconds West, a distance of 82.87 feet to a point lying 322.35 feet westerly of and at right angles to U.S. Highway 65 Centerline Station 316+39.85; thence North 25 Degrees 42 Minutes 20 Seconds West, a distance of 603.55 feet to a point lying 535.00 feet westerly of and at right angles to U.S. Highway 65 Centerline Station 310+75.00; thence North 05 Degrees 04 Minutes 32 Seconds West, a distance of 169.47 feet to a point lying 535.00 feet westerly of and at right angles to U.S. Highway 65 Centerline Station 309+05.53; thence North 84 Degrees 56 Minutes 37 Seconds East, a distance of 120.00 feet to a point lying 415.00 feet westerly of and at right angles to U.S. Highway 65 Centerline Station 309+05.57; thence South 55 Degrees 48 Minutes 52 Seconds East, a distance of 180.82 feet to the POINT OF BEGINNING, and containing 136,075 square feet or 3.124 acres of land, more or less.



The Outer Road south of Anne Street will still be used to access properties to the south. The EastWest Arterial, Southwood Avenue, and Anne Street have been constructed and are currently in use.

[illegible]

EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 0.53 acres of property generally located at 1601 East Republic Street from an O-1, Office District to an LB, Limited Business District.

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-15-2013

The applicant is proposing to rezone the property from an O-1, Office District to an LB, Limited Business District. This will allow limited retail activity in addition to the office uses already permitted at this location.

RECOMMENDATIONS:

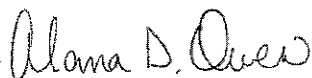
The Planning and Zoning Commission held a public hearing on September 5, 2013, and recommended _____, by a vote of _____ to _____, of the proposed zoning on the tract of land described on the attached sheet (see the attached Record of Proceedings).

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

FINDINGS FOR STAFF RECOMMENDATION:

1. This is an appropriate location for low-intensity commercial establishments to serve the adjacent area and provide a transition away from the more intense commercial uses to the south and the residential to the north.
2. The types and intensity of uses permitted in the LB, Limited Business District would allow a retail boutique as the applicant desires and other low intensity retail uses without negatively impacting the surrounding street system or residential 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

EXHIBIT A
RECORD OF PROCEEDINGS
ZONING CASE Z-15-2013

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

EXHIBIT B
LEGAL DESCRIPTION
ZONING CASE Z-15-2013

All of the South 200 feet of the West 125 feet of the Southeast Quarter of the Southeast Quarter of Section 7, Township 28, Range 21 in Springfield, Greene County, Missouri.

Zoning & Subdivision Report

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

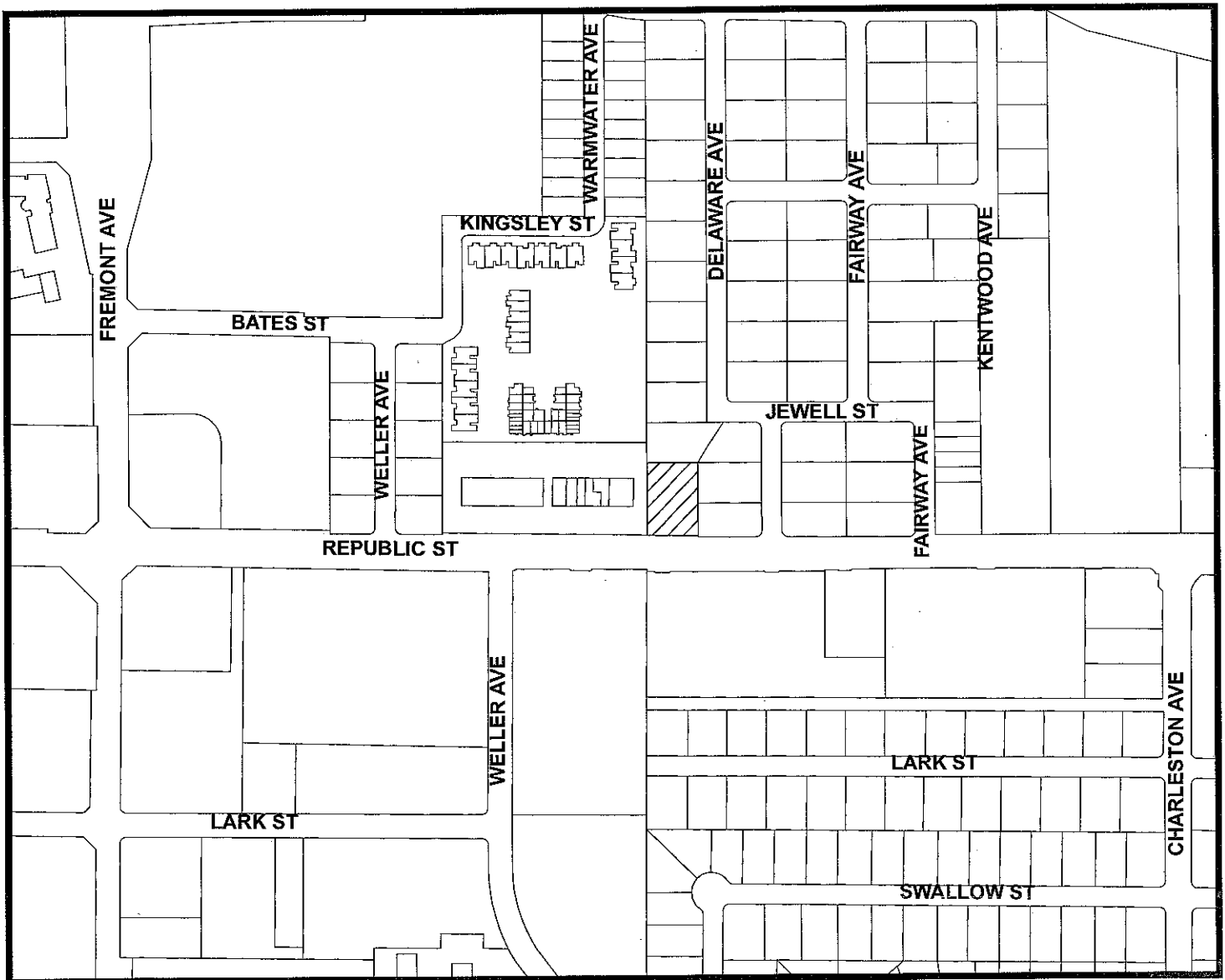
Zoning Case Z-15-2013

Location: 1601 East Republic

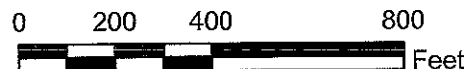
Current Zoning: O-1, Office District

Proposed Zoning: LB, Limited Business District

LOCATION SKETCH



- Area of Proposal



1 inch = 400 feet

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-15-2013

DATE: August 27, 2013

LOCATION: 1601 East Republic

APPLICANT: Wayne Wilson

TRACT SIZE: Approximately 0.53 acres

EXISTING USE: Office

PROPOSED USE: Uses permitted in the LB, Limited Business District

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF	Single family homes
East	R-TH and R-SF	Duplex and single family homes
South	HC	Retail, restaurant and office uses
West	O-1 and PD 294	Office and residential uses

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not have any issues with the proposed rezoning of the subject property.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

Public Works Traffic Division does not have any objection to the rezoning and offers the following comments:

1. If a cross access easement exists for the shared driveway, please provide a copy of the easement. If one does not exist, a cross access easement will need to be executed.
2. Sidewalks currently exist
3. Right of Way is adequate
4. No traffic study required

STORMWATER COMMENTS:

1. There are no Storm Water issues with rezoning this property; however, please note that development (or re-development) of the subject property will be subject to the following conditions at the time of development:
 - a. Any increase in impervious area from 1983 aerial photo information will require the development to meet current detention and water quality requirements. Impervious surfaces in place prior to 1983 and currently in good condition can be credited as existing impervious surface. Existing gravel surfaces meeting the above definition are only eligible for 50% credit.
 - b. Payment in lieu of construction of detention facilities may be approved on a case by case basis, depending on downstream and other conditions. A Buyout Application must be submitted for full consideration. Cost of downstream improvements may be credited towards the payment in lieu of constructing detention.
 - c. The proposed percent of impervious surfacing must not exceed the maximum impervious surfacing allowed for site by zoning, platting, and/or previous stormwater reports. If site is located within a Planned Development District, stormwater requirements in PD language must be met.

CLEAN WATER SERVICES COMMENTS:

Clean Water Services does not have any objections to rezoning. Public sewer is available for the tract. There are no apparent service connections and no sewer permit is on file.

CITY UTILITIES:

City Utilities does not have any objections to this request.

ADJACENT PROPERTY OWNER COMMENTS:

Sixteen (16) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. Staff received one phone call from an adjacent property owner inquiring about the request. No one has objected to date.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on August 12, 2013. A total of fifty-seven (57) invitations were sent. Three (3) people attended the meeting. A summary of the meeting as well as the sign-in sheet from the meeting are attached (Attachment 2).

STAFF COMMENTS:

1. This is a request to rezone this tract from an O-1, Office District to an LB, Limited Business District. There is an existing office use on the property and the applicant would like to add retail uses. The LB District is designed to function as a transition between more intense commercial uses and residential neighborhoods. The subject property is located along Republic Street which is classified as a Primary Arterial roadway. The property on the south side of Republic Street is zoned HC, Highway Commercial. Approval of LB zoning on the subject property would provide the transition from the more intense zoning on the south side of Republic Street and the residential development to the north.
2. This request is not expected to have any additional impact over the existing development. The amount of retail use will be limited due to the limited amount of off-street parking available on site to serve the development. Approval of this request will allow the applicant to expand the uses offered at this location and with the requirements and restrictions of the LB District is not expected to negatively impact the surrounding street system or residential properties.

FINDINGS FOR STAFF RECOMMENDATION:

1. This is an appropriate location for low-intensity commercial establishments to serve the adjacent area and provide a transition away from the more intense commercial uses to the south and the residential to the north.
2. The types and intensity of uses permitted in the LB, Limited Business District would allow a retail boutique as the applicant desires and other low intensity retail uses without negatively impacting the surrounding street system or residential 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-15-2013

1601 E. Republic Rd

1. Request to change zoning from: Office - 1 to Limited Business
(existing zoning district) (proposed zoning district)

And any additional explanation that is available:

2. Meeting Date & Time: Monday August 12th 5:30 pm
3. Meeting Location: 1601 E Republic Road
4. Number of invitations that were sent: 57
5. How was the mailing list generated: by planning and Development dept.
6. Number of neighbors in attendance (attach a sign-in sheet): 3
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.)

Connie Chadwick was concerned about number of delivery trucks. She was assured deliveries were limited to 1-2 per day. She was fine with that. Other 2 in attendance were just curious and had no issues.

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

Robert J. Bugeby { 887-1869
4124 S Fairway Spfld 65804

Marbo Rentals LLC (Mary Pindom) 1603 E. Lake 65804 887-5835

Connie Chadwick 11618 E Jewell St Spfld MO 65804



EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone 5.32 acres of land located at 3302 East Catalpa Street from an R-SF, Single-Family Residential District to an R-LD, Low-Density Multi-Family Residential District and establishing Conditional Overlay District Number 62 and Live/Work Overlay District No. 1 (The Planning and Zoning Commission and Staff recommend approval).

BACKGROUND INFORMATION:

ZONING CASE Z-17-2013, CONDITIONAL OVERLAY DISTRICT NO. 62 and LIVE/WORK OVERLAY DISTRICT NO. 1

BACKGROUND INFORMATION:

This is a request to rezone 5.32 acres from a R-SF, Single-Family Residential District to an R-LD, Low-Density Multi-Family Residential district. The request includes a Conditional Overlay District limiting the density of the site to 18 dwelling units per acre or to 96 units and site plan requirements as established under the Multi-Family Development Location and Design Guidelines. This request also establishes a Live/Work Overlay District that will allow nonresidential uses on the site subject to conditions of the overlay district requirements.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on September 5, 2013, and recommended, by a vote of ___ to ___, that the proposed rezoning be approved (see the attached Record of Proceedings). If Council approves this request, the requirements for Conditional Overlay District No. 62 and Live/Work Overlay District No. 1, as attached, shall apply.

Staff recommends approval.

FINDINGS:

1. The request is consistent with the Multi-Family Development Location and Design Guidelines and Live/Work Overlay District as approved by the Planning and Zoning Commission and City Council.
2. The request will have to meet the Conditional Overlay District No. 62 and Live/Work Overlay District No. 1 requirements.

CONDITIONS:

1. The applicant will incorporate several amenities into the development including an outdoor picnic area, clubhouse and swimming pool. There will also be outdoor benches located within the site with sidewalks linking buildings, parking lots and amenities according to the attached site plan.
2. Buildings with street facing walls that are greater than 50 feet in length must be articulated at least each 25 feet with bays, projections or recesses. Articulation means a difference in the vertical plane of the building at least 18 inches or more. The site shall also provide pedestrian scale lighting internally to the site as well as within parking lot areas.
3. The applicant is proposing to provide one-story buildings for age restricted senior citizen housing adjacent to residential property to the west. There will be a 20 foot bufferyard with a 6 feet high wooden fence along all property zoned R-SF.
4. The applicant is restricting the total number of dwelling units per acre on the site to a maximum density (dwelling units/acre) not to exceed 18 units per acre per R-LD zoning and the Multi-Family Guidelines.
5. The proposed development shall have access via one driveway onto Catalpa Street and one driveway onto Ingram Mill Road.
6. The proposed development shall meet the requirements of the Conditional Overlay District No. 62 and the Live/Work Overlay District No. 1 per the site plan as submitted.

Submitted by:

Approved by:

Planning and Development

City Manager

EXHIBIT B
LEGAL DESCRIPTION
ZONING CASE Z-03-2010, CONDITIONAL OVERLAY DISTRICT NO. 62 and
LIVE/WORK OVERLAY DISTRICT NO. 1

All that part of the East One-Half of the Southeast Quarter of the Northeast Quarter of Section 28, Township 29 North, Range 21 West, in the City of Springfield, Greene County, Missouri, being all of the tract of land described in the Warranty Deed recorded in Book 2009 at Page 029880-09 and all of the tract of land described in the Quit Claim Deed recorded in Book 2716 at Page 521, all in the Greene County Recorder's Office, and being more particularly described as follows:

COMMENCING at the Northwest corner of the East One-Half of the Southeast Quarter of the Northeast Quarter of Section 28, Township 29 North, Range 21 West, in the City of Springfield, Greene County, Missouri; thence South 01 Degrees 11 Minutes 03 Seconds West along the West line of said East One-Half, a distance of 28.73 feet to a found 1/2" iron bar marking the Northwest corner of the tract of land described in the Warranty Deed recorded in Book 2009 at Page 029880-09 (Dodson Tract), said point being the POINT OF BEGINNING; thence South 87 Degrees 13 Minutes 06 Seconds East along the North line of said Dodson Tract, a distance of 170.01 feet to a found concrete right-of-way marker; thence South 51 Degrees 50 Minutes 16 Seconds East along the Northeasterly line of said Dodson Tract, and beyond, along the Northeasterly line of the tract of land described in the Quit Claim Deed recorded in Book 2716 at Page 521 (CSN Tract), a distance of 191.21 feet; thence continuing along said Northeasterly line South 17 Degrees 02 Minutes 40 Seconds East, a distance of 449.35 feet; thence South 04 Degrees 56 Minutes 04 Seconds East along the East line of said CSN Tract, a distance of 49.98 feet to a found 1/2" iron bar marking the Southeast corner thereof; thence North 87 Degrees 23 Minutes 50 Seconds West along the South line of said CSN Tract, a distance of 279.55 feet to a found 1/2" iron bar marking the Southwest corner thereof, said point lying in the East line of said Dodson Tract; thence South 01 Degrees 33 Minutes 26 Seconds West along said East line, a distance of 79.00 feet to a found 1/2" iron bar marking the Southeast corner thereof; thence North 87 Degrees 22 Minutes 38 Seconds West along the South line of said Dodson Tract, a distance of 188.67 feet to a found 5/8" iron bar marking the Southwest corner thereof; thence North 01 Degrees 11 Minutes 03 Seconds East along the West line of said Dodson Tract, a distance of 663.59 feet to the POINT OF BEGINNING.

EXHIBIT C
CONDITIONAL OVERLAY DISTRICT NO. 62
REQUIREMENTS

The requirements of Section 4-1200 of the *Springfield Zoning Ordinance* shall be modified as herein to include the following as additional requirements for development within this (COD No. 62) district.

1. Pedestrian Amenities - Pedestrian amenities shall include benches placed near walkways at appropriate locations throughout the development. An outdoor picnic facility shall be located according to the site plan. Pedestrian-scale lighting shall be provided within the development lighting sources or luminaries that do have a cutoff shall not exceed a maximum of 30 feet in height. All lighting shall be glare-free and shielded from the sky and adjacent residential properties and structures, either through external shields or through optics within the fixture. A site lighting and photometric plan shall be submitted conforming to these requirements for building permits.
2. Building Scale and Articulation - Street facing walls that are greater than 50 feet in length shall be articulated at least each 25 feet with bays, projections or recesses. Articulation means a difference in the vertical plane of the building at least 18 inches or more. This project shall be in compliance with the attached site plan elevations
3. Building Orientation and Interior Landscaping - Building orientation and building alignment shall address Catalpa Street and Ingram Mill Road per submitted site plan. Landscaping and open spaces shown shall be provided with approved ground cover and/or plantings per required city ordinances and zoning requirements. Landscaping islands with plantings shall be located throughout the parking lot. There shall be a 20-foot wide buffer yard, with provided plantings which shall run along the western and southern side of the property per site plan. The property owner will also be constructing a 6 feet high wooden fence adjacent to all residentially zoned property (west and south side). These requirements shall be in accordance to the attached site plan. A landscaping plan shall be submitted conforming to these requirements for building permits.
4. Avoidance of Blank Walls along pedestrian circulation areas - Facades that face public streets or connecting pedestrian frontage that are greater than 25 feet in length shall be subdivided and proportioned using at least one or more of the following features windows, entrances, arcades, arbors, awning (over windows or doors), distributed along the façade at least once every 25 feet. This project shall be in conformance with the attached site plan and elevations
5. Internal Connectivity – Internal sidewalks shall connect internally and to the public sidewalk system in accordance to the attached site plan. There shall be a

sidewalk connection per the site plan with linkages to the existing sidewalk system.

6. Useable Recreational Area/Facility – A minimum of 15% usable open space shall be provided in accordance with the attached site plan.
7. Amenity Calculation – The following amenities shall be provided: A clubhouse and swimming pool shall be located in the front per the site plan. The picnic area and benches shall be in accordance with the attached site plan.
8. Water Quality and Detention – As noted on the attached site plan, a storm water detention areas that meets city requirements is located in the eastern portion of the proposed site plan.
9. Maximum density (du/acre) shall not exceed maximum 18 units per acre per R-LD zoning as indicated on the attached site plan.

EXHBIT D
LIVE/WORK OVERLAY DISTRICT NO. 1
REQUIREMENTS

The requirements of *Section 4-1200* of the *Springfield Zoning Ordinance* shall be as modified herein to include the following as additional requirements for development within this district.

4-1201. 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.

4-1203. Conditional Uses.

No additional conditional uses are permitted.

4-1204. Use Limitations.

- A. Maximum floor area of the live/work unit: One Thousand Five Hundred (1,500) 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: One (1) employee.

Signage. The following signage shall be permitted within 20 feet of the entrance to the live/work building;

- 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.

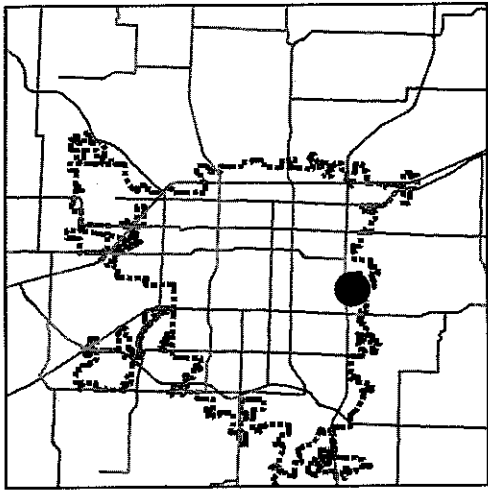
Signs with an effective sign face area of six (6) square feet or less, and not illuminated, shall not require a sign permit per section 4-2805 (C).

Zoning & Subdivision Report

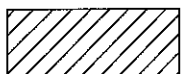
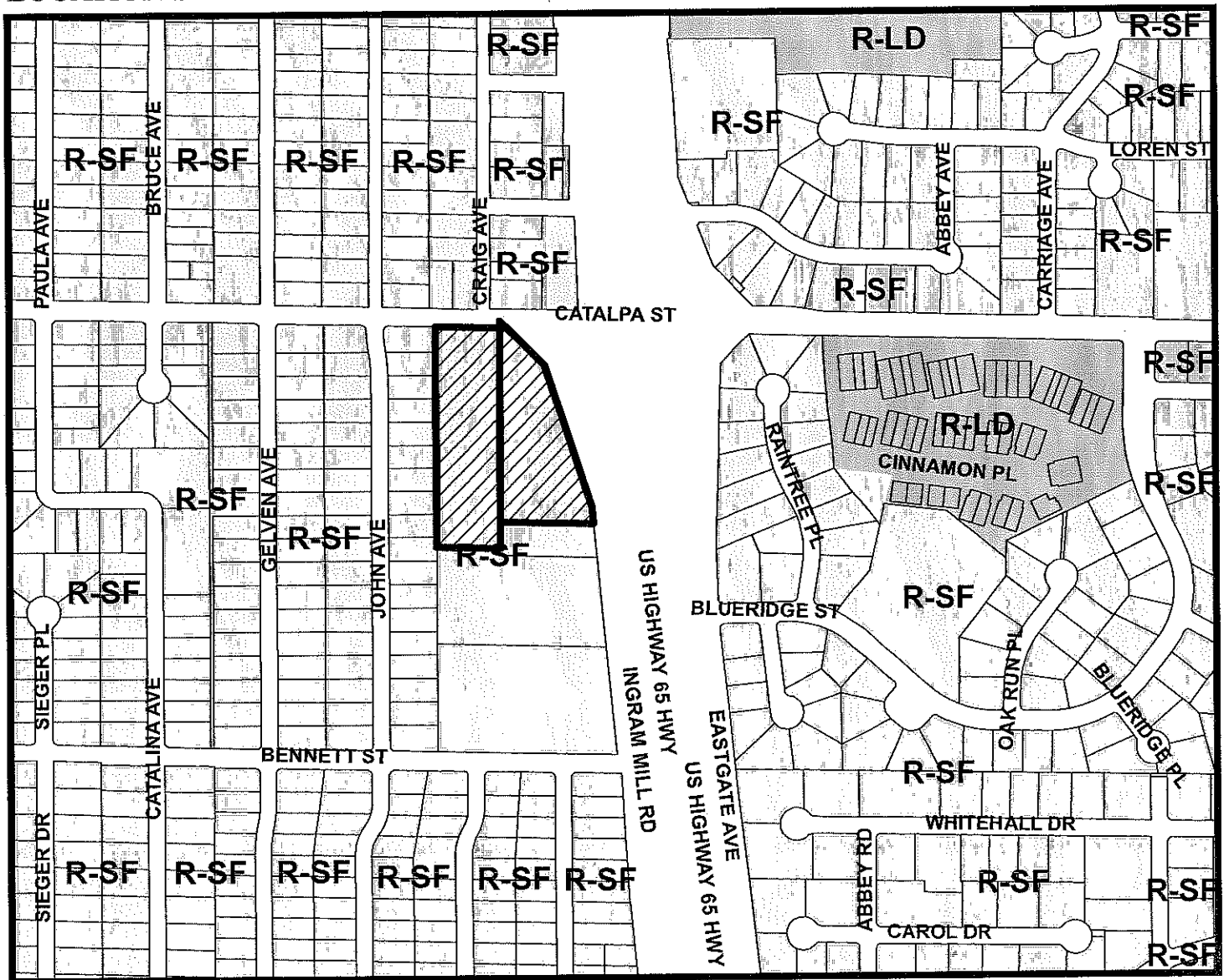
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Z-17-2013 COD #62 and LWO #1

Location: East Catalpa and South Ingram Mill Road
Current Zoning: R-SF Single Family Residential District
Proposed Zoning: R-LD Low Density Multi-Family Residential COD#62 and LWO#1



LOCATION SKETCH



- Area of Proposal

0 100 200 400

Feet

1 inch = 483.045037 feet

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-17-2013, CONDITIONAL OVERLAY DISTRICT NO. 62 AND
LIVE WORK OVERLAY DISTRICT NO. 1

DATE: August 22, 2013

LOCATION: 3302 East Catalpa Street

APPLICANT: CSN Properties, LLC

TRACT SIZE: Approximately 5.32 acres

EXISTING USES: Vacant property

PROPOSED USE: Multi-Family housing and senior housing

SURROUNDING LAND USES:

Area	Zoning	Land Use
North	R-SF	Single Family Homes
South	R-SF	Church of Latter Day Saints
East	R-SF	US Highway 65 and Single Family Homes
West	R-SF	Single Family Homes

COMPREHENSIVE PLAN:

1. The Comprehensive Plan 2020 land use map shows the subject site as being developed as Low-Density Housing. The proposed Low Density Multi-Family Residential (R-LD) district zoning is a more consistent land use in proximity to an Expressway roadway (US Highway 65) and a secondary arterial roadway classification (Catalpa Street).

SANITARY SERVICES COMMENTS:

1. No objections to rezoning, however, the properties do not have access to public sewer. Public sewer will have to be extended on-site which will require public improvement plans.

TRAFFIC COMMENTS:

1. No objection to rezoning, but please note:
2. Sidewalk is required along the property frontage on Ingram Mill and Catalpa.
3. Access allowed on Ingram Mill Road 100 feet from Catalpa Street
4. Access on Catalpa must be located across from Craig Ave.

5. If the four-plexes are platted as lots, the access drive must be built as a private or public street built to city of Springfield street standards.
6. A Traffic Study is not required.

STORM WATER COMMENTS:

No Storm water issues with rezoning. However, the applicant needs to be aware of the following:

1. Current detention and water quality requirements must be met for all lots within the subdivision. Structures and impervious surface onsite can be credited as existing impervious surface if in place since 1983 and currently in good condition. Existing gravel surfaces meeting the above definition are only eligible for 50% credit.
2. A payment in lieu of construction of detention facilities is not an option for this site due to existing downstream flooding problems.
3. 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.
4. Drainage patterns for any runoff currently flowing across the site must not be blocked or altered by any future construction.
5. Connect private drainage facilities to public drainage system whenever possible, which will require a public improvement plan or excavation permit.
6. Based upon City contour and sinkhole information, it appears the site is within a sinkhole watershed, therefore a hydrologic sinkhole evaluation must be completed by a qualified professional engineer or geologist for this site.

FIRE DEPARTMENT COMMENTS:

No comments on rezoning plans. Any fire code issues can be addressed through the permitting process

POLICE:

No issues other than we can expect increased calls for service like we see at apartment complexes in that area.

ADJACENT PROPERTY OWNER COMMENTS:

Twenty-five (25) property owners are within 185 feet of this site and have been notified of this action. No one has objected to date.

NEIGHBORHOOD MEETING:

There was a neighborhood meeting held on August 13, 2013. The applicant's narrative describing the meetings are attached (Attachment 3).

STAFF COMMENTS:

1. The Low-Density Multi-Family Residential District is intended to serve as a transition between lower density and higher density residential districts. This district is intended for areas that have high vehicular traffic from collector or higher classified streets without traversing minor streets in adjoining residential neighborhoods. Staff believes this proposal meets the intent of the ordinance.
2. The minimum design standards required by the overlay district will mitigate any potential impact of multi-family development on the surrounding properties and will not permit any greater dwelling units per acre than what was allowed by the site plan.
3. The requested site obtained ten (9) points under the Multi-Family Development Location and Design Guidelines assessment. There were an additional 4 du/ac given as bonus points for providing age restricted senior citizen housing and due to its proximity to a physical barrier (US Highway 65). This project is limited by the applicant and the conditional overlay district to 18 du/ac or a total of 96 units per the 5.32 acres in the site plan.
4. The buildings and site plan will have to adhere to the Multi-Family Development Location and Design Guidelines and the Conditional Overlay District Number 62 by requiring street facing walls that are greater than 50 feet in length must be articulated at least each 25 feet with bays, projections or recesses. Articulation means a difference in the vertical plane of the building at least 18 inches or more. The site will also provide pedestrian scale lighting internally to the site as well as within parking lots areas.
5. The applicant is proposing to incorporate several amenities into the development including an outdoor picnic area, clubhouse, swimming pool, on-site benches and pedestrian links throughout development. There will also be a 6 feet wooden fence constructed along the west and south property lines adjacent to residential districts.
6. The proposed development will have access via a driveway onto Catalpa Street and Ingram Mill Road per city standards. Sidewalks will be constructed along the Catalpa and Ingram Mill Road frontage.

FINDINGS FOR STAFF RECOMMENDATION:

1. The request is consistent with the Multi-Family Development Location and Design Guidelines as approved by the Planning and Zoning Commission and City Council.
2. The request is consistent with the Live/Work Overlay District requirements as approved by the Planning and Zoning Commission and City Council.

FINDINGS FOR COMMISSION TO RECOMMEND DENIAL:

None

RECOMMENDATION:

The request be **approved** with the requirements of the Conditional Overlay District No. 62 and Live/Work Overlay District No. 1

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner

EXHIBITS:

Exhibit A, Legal Description
Exhibit B, Record of Proceedings
Exhibit C, Conditional Overlay District No. 62 Requirements
Exhibit D, Live/Work Overlay District No. 1 Requirements

ATTACHMENTS:

Attachment 1, Background Report
Attachment 2, Multi-Family Development Guidelines Report
Attachment 3, 185 feet Property List
Attachment 4, Neighborhood Letter
Attachment 5, Neighborhood Meeting Summary
Attachment 6, Multi-Family Site Plan

ATTACHMENT 2
MULTI-FAMILY DEVELOPMENT LOCATION
AND DESIGN GUIDELINES REPORT
ZONING CASE Z-17-2013, COD NO. 62, LWO NO.1

The Multi-Family Development Location and Design Guidelines matrix evaluation resulted in 9 points for the proposed development. There were two additional points given to the site for senior housing and the site having a physical barrier within ½ mile (US Highway 65) thus permitting a housing density of 18-20 dwelling units per acre. However, the applicant has restricted the total number of units per acre to 18 (du/ac) for a total of 96 units per acre for the total site of 5.32 acres. Below is an analysis of the five categories used to calculate the final matrix score.

1. Land Use Accessibility (0/3 points)
No points were given for land use accessibility.
2. Connectivity Analysis (1/5 points)
One out of five points were given for the connectivity analysis. The proposed development received scores for sidewalk, roadway and bicycle connections.
3. Road Network Evaluation (2/2 points)
Two out of the maximum two points were given for the road network evaluation. The proposed development evaluation area is located along Catalpa Street which is a secondary arterial and Ingram Mill Road which is classified as a collector.
4. Design Guidelines (6/6)
Six points were given for Design Guidelines. The site plan has incorporated a clubhouse, swimming pool, picnic area, community benches, pedestrian walkways, a type B buffer yard; to meeting the necessary items in each of the major categories; Pedestrian Activity, Circulation System and Natural Environment.
5. Density Bonus Points (4 additional density bonus points)
Four additional density points were given for age restricted senior housing and the site having a physical barrier within ½ mile (US Highway 65). The applicant is providing one story housing for senior citizens along the adjacent single-family property to the west.

Attachment 3





BARB, MARY ANN
1336 S SIEGER DR
SPRINGFIELD, MO 658040650

BRAKE, JAMES T
1256 S JOHN AVE
SPRINGFIELD, MO 658040631

BROOKS, M PAULINE
1158 S CRAIG AVE
SPRINGFIELD, MO 658040605

BUSIEK, PAUL J & MAVIS C TRUST
1325 S JONES MILL LN
SPRINGFIELD, MO 658092292

CSN PROPERTIES LLC
97 CHIGGER LN
LAMPE, MO 656817412

DODSON & PAULY TRUST
3302 E CATALPA ST
SPRINGFIELD, MO 658040660

ELLIS, DAVID T
1214 S JOHN AVE
SPRINGFIELD, MO 658040631

FRENCH, BONNIE M
1324 S JOHN AVE
SPRINGFIELD, MO 658040633

GREGORY, TRACE
1315 S INGRAM MILL RD
SPRINGFIELD, MO 65804

HINDMAN, RICHARD
251 MISSION POINT RD
ROGERSVILLE, MO 657428021

HOWELL, CORAL ANN
1228 S JOHN AVE
SPRINGFIELD, MO 658040631

HUTSELL, NORMAN E
1158 S JOHN AVE
SPRINGFIELD, MO 657428588

KEITH, PAUL
1144 S CRAIG AVE
SPRINGFIELD, MO 658040605

KOFF, RONALD L SR ETAL
1242 S JOHN AVE
SPRINGFIELD, MO 658040631

MCBRIDE, PAT
1264 S JOHN AVE
SPRINGFIELD, MO 658040631

OBRIEN, JEANNE ETAL
1263 S INGRAM MILL RD
SPRINGFIELD, MO 658040624

OTRADOVEC, KEVIN
1310 S JOHN AVE
SPRINGFIELD, MO 658040633

P&B PROPERTIES LLC
3048 S CLIFTON AVE
SPRINGFIELD, MO 65807

PHILLIPS, DAVID & HEIDI
1304 S JOHN AVE
SPRINGFIELD, MO 658040633

RUETSCHI, JOHN CARL
10097 FARM ROAD 2160
CASSVILLE, MO 656258672

SPENCER, ELSIE M
1152 S CRAIG AVE
SPRINGFIELD, MO 658040605

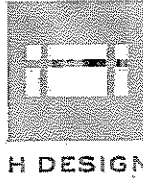
SUDDATH, MARILYN L TR
819 LANTANA AVE
CLEARWATER BEACH, FL 33767

THOMPSON, H R
910 SAINT ANDREWS CIR
SPRINGFIELD, MO 658091507

THOMPSON, STEVEN
8802 STATE HWY N
MOUNTAIN GROVE, MO 65711

WALLIN, ROBERT E ETAL TR
603 W STATE HIGHWAY WW
SPRINGFIELD, MO 658038204





August 1, 2013

Dear Neighbor,

Please join us for a neighborhood meeting to discuss our rezoning request for a proposed change in zoning for approximately 5.32 acres located on the southwest corner of E. Catalpa Street and S. Ingram Mill Road. (See attached Map). There are 2 parcels within the rezone that are currently zoned R-SF (Single-Family Residential). We are asking to rezone both parcels to R-LD-CO Low-Density Multi-Family Residential with a Conditional Overlay).

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

A Site Plan showing the Proposed Development will be available for viewing; we are interested in understanding potential concerns, recommendations or suggestions that should be considered by the developer for the ultimate use of the project. A sign-in sheet will be circulated and minutes of the meeting will be taken and submitted to the City of Springfield Zoning Department.

Meeting Location: The Church of Jesus Christ of Latter-day Saints
Multi-use Room (no smoking or drinking on premises)
1357 S. Ingram Mill Rd.
Springfield, MO 65804

Meeting Date: Tuesday, August 13, 2013

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

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

Thank you,

H DESIGN GROUP, LLC



Brent Stevens, AIA
Principal / Architect

Attachment 4

Rezoning Location

Proposed Zone Change (approximately circled in red) from
R-SF Single Family Residential to R-LD-CO Low-Density Multi-Family Residential with a
Conditional Overlay

Neighborhood Meeting Location

The Church of Jesus Christ of Latter-day Saints (circled in blue)

Multi-use Room (no smoking or drinking on premises)

Tuesday, August 13, 2013

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

OPEN HOUSE



Attachment 4

NOTICE

Enclosed you have received a notice of a neighborhood meeting, submitted by the applicant to discuss a change in zoning status. In addition to the neighborhood meeting, Planning and Development Staff are available to meet with you or your neighborhood association representative(s) at City offices to discuss the proposed zoning changes, answer questions, and receive input directly from the neighborhood.

Staff submits a report with a recommendation to the Planning and Zoning Commission one week prior to the date of the Public Hearing before the Commission. If you have questions or desire to submit input for consideration we would request that you do so at the earliest opportunity so your views can be included in the staff report.

Cordially,

Bob Hosmer, Principal Planner
Development Review Office



iDesignGroup
5031 S National Ave. Ste 7a
Springfield, Missouri 65810

August 20, 2013

Bob Hosmer
City of Springfield Zoning Department
840 Boonville Avenue
Springfield, MO 65802

Re: Neighborhood Meeting Summary for Rezoning Request
Catalpa & Ingram Mill
Zoning Case #Z-17-2013

Mr. Bob Hosmer,

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

1. Request to change zoning from:
R-SF Residential Single-Family to R-LD Residential Low-Density with a Conditional Overlay
2. Meeting Date & Time:
Tuesday, August 13th 2009 from 5:00 p.m. to 6:30 p.m.
3. Meeting Location:
*The Church of Jesus Christ of Latter-day Daints
1357 S. Ingram Mill Rd. Springfield, MO 65804*
4. Number of Invitations that were sent: 141
5. How was the mailing list generated: *City of Springfield Zoning Department*
6. Number of neighbors in attendance: 29 (See attachment A)
7. List the verbal comments and how you plan to address any issues:
 - Concern: Traffic.
Response: *A traffic study was not required by the City as part of the rezone request and thus determined that the increase would be minimal and not warrant additional public improvements.*
 - Concern: Crime.
Response: *The development will not be a low-income property and will be monitored by security through the property management company. Mr. Stu Stenger also offered to build a 6' privacy fence along the South Property Line to ease some neighborhood concerns of security and privacy.*
 - Concern: Property values.
Response: *Mr. Stu Stenger explained that the construction of a nice development like this will likely not decrease property values of the homes in the area.*
 - Concern: Flooding.



hdesigngroup
5051 S National Ave. Ste 7a
Springfield, Missouri 65810

Response: All stormwater regulations and requirements as mandated by the City of Springfield will be met so that post development runoff will not exceed current runoff rates.

- Concern: School Capacity & Bus Traffic.

Response: We indicated that anytime a new housing development is constructed anywhere in Springfield, schools are affected. Through the City's adopted Multi-Family Development Location & Design Guidelines Ordinance, the City's desire to promote development inside city limits to take advantage of existing infrastructure encourages such development.

- Concern: Renters vs. Property Owners. Concern of Renters not taking care of the property.

Response: The developer will take responsibility for maintaining the exteriors and grounds of the development. Additionally, with the mixture of senior housing and young families as the target demographic, we anticipate that the development will remain well kept.

- Concern: Dumpster locations.

Response: Dumpsters will be fenced in and will not be an "eye-sore" to neighbors. Locations of those dumpsters could be internalized.

- Concern: Overall density; neighbors want single-family homes.

Response: It became quickly apparent that no development above R-SF would be supported by the majority of neighbors. There were a couple neighbors that indicated they would be o.k. with R-TH zoning.

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

No written comments received.

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

Thank you,

Brent M. Stevens AIA
Principal / Architect

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



5051 S. NATIONAL AVE. SUITE 7A
SPRINGFIELD, MISSOURI 65810
417 887 6595 417 887 6921 FAX

NEIGHBORHOOD MEETING ATTENDANCE SHEET

PROJECT: Catalpa Development

DATE: 08/13/13

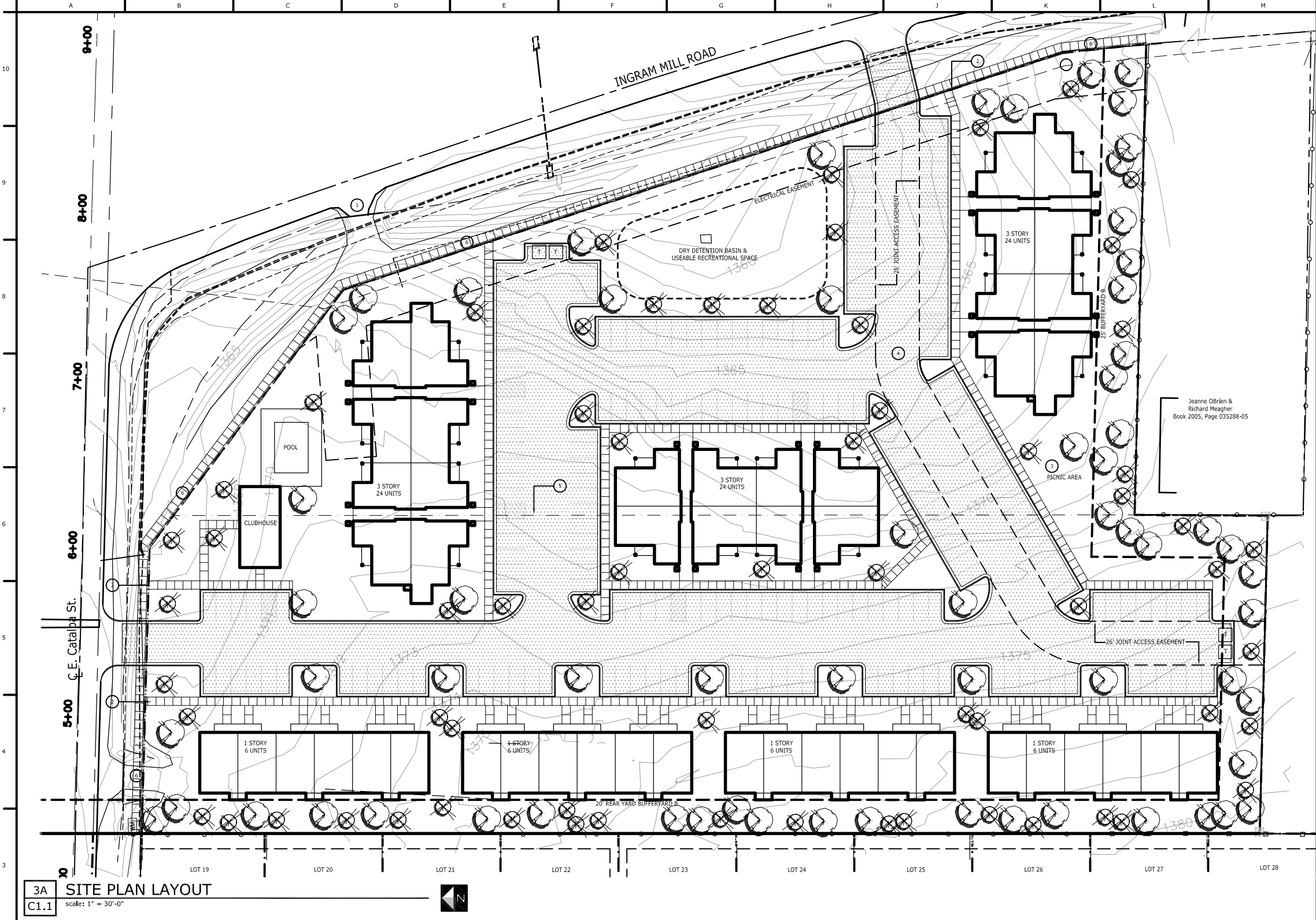
MEETING LOCATION: 1357 South Ingram Mill Road
Springfield, MO 65804

TIME: 5:00 to 6:30

29

Please print your name, address, and telephone number where listed below:

Name	Address	Phone
Wendell & Jan Royster	1131 S. Craig	883-6541
Robert Hartwell	1440 S. ESTATE	881 1894
Shirley Brake	1256 S John	887-6272
Jean Massengill	1241 S. John	234-6002
Mary Barb	1316 S. John	883-0430
Betty & Walter Hot	1137 S. John	881-2403
Susan Formenti	1323 S John	353-2085
Aubrey Williams	1323 S John	353-2085
Shirley Clary	1650 S. Estate	883-2107
Gerald Clary	1650 S. Estate	883-2107
EVAP. HINDMAN	12085 JOHN AVE	830-8449
J. Meagher	1263 S Ingram Mill	207 7080
Brian & Sara Lewis	1213 S. John Ave.	417-889-3587
Trace & Jill Gregory	1315 S Ingram Mill	417-880-8765
Bruce & Sandi Hendricks	1139 S. Craig	417-881-4319
Sharon Zahrad	1242 S. John	417 886 6093
Ron Kay	1242 S. John	417 886 6093
Coral & Paul Zahler	1228 S John	417-883-5656
Pat Everna McBride	1264 S John	417 883-3874
Valerie & Rosemary Spencer	1152 S. Craig Ave	417-889-9527
Julia D. Gentle	1256 S. Airwood	693-8868



DEVELOPMENT CALCULATIONS

LOT AREA 5.32 +/- ACRES
UNIT COUNT 96 UNITS + OFFICE
PARKING 203 PARKING SPACES
DENSITY 18 DU PER ACRE

KEYNOTES

- 1 EXISTING DRIVEWAY TO BE CLOSED.
- 2 EXTEND PRIVATE SIDEWALKS TO PUBLIC R.O.W.
- 3 PROVIDE 2 PARK BENCHES IN DEVELOPMENT
- 4 DASHED LINE REPRESENTS ACCESS EASEMENT FOR CONNECTIVITY TO FUTURE DEVELOPMENT TO ADJACENT PROPERTY.
- 5 EXISTING LOT LINE TO BE ABANDONED UPON LOT COMBINATION SHOWN FOR REFERENCE.
- 6 NEW SIDEWALKS ALONG CATALPA & INGRAM MILL PROPERTY LINES.



5051 SOUTH NATIONAL AVE SUITE 7A
SPRINGFIELD, MISSOURI 65810
417 887 8585 417 887 8921 FAX
WWW.HDESIGNGROUP.COM

Client:
Ron Stenger Companies
5051 South National Avenue
Springfield MO 65810
(417) 889-4300 Phone
(417) ***-*** Fax

Consultants:
Civil Engineer:
Olsson Associates
550 St. Louis Street
Springfield MO 65806
(417) 890-8802
(417) 890-8805 Fax

Structural Engineer:
Business Name
Address
City, State, Zip
(417) ***-*** Phone
(417) ***-*** Fax

MEP Engineer:
Business Name
Address
City, State, Zip
(417) ***-*** Phone
(417) ***-*** Fax

Professional Seal
Brent M. Stevens AIA - Architect
MO# A-2000151419

PRELIMINARY
NOT FOR CONSTRUCTION

Revisions

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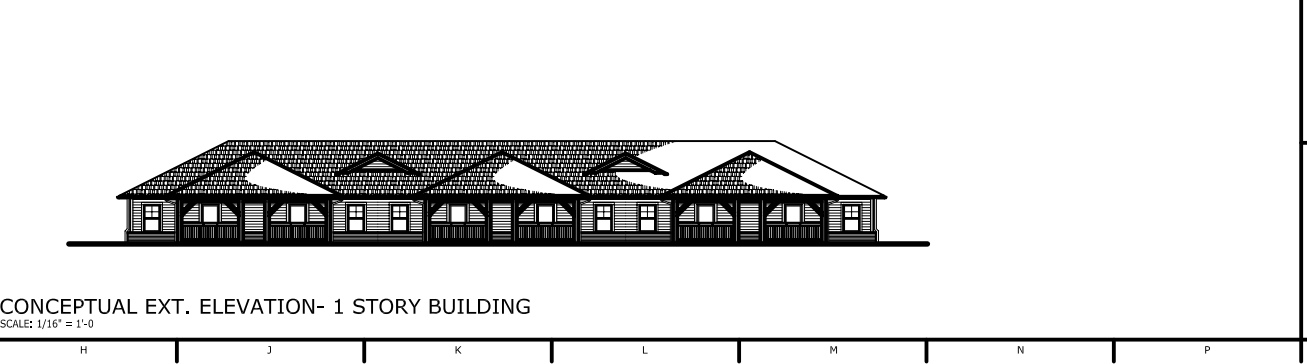
Site Feasibility Study:
Ingram Mill Dev.
Ingram Mill Road & Catalpa
Springfield Mo.

SITE PLAN LAYOUT

Project Number: 13-025 Sheet Number:
Drawn By: xxx
Reviewed By: xxx
Date: 07-22-2013

C1.1

CONDITIONAL OVERLAY EXH.



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

DATE: August 27, 2013
TO: Planning and Zoning Commission
FROM: Daniel Neal
Senior Planner 
SUBJECT: Z-18-2013

The applicant has requested that rezoning case Z-18-2013 be tabled and revised for the Planning and Zoning Commission meeting on October 3rd.

EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To add a definition to *Section 2-1100, Definitions*, and amend the off-street parking requirements in *Section 5-1500, Off-Street Parking Requirements* in the *Springfield Zoning Ordinance*. (Staff recommends approval).

BACKGROUND INFORMATION:

ZONING ORDINANCE TEXT AMENDMENT – MICRO EFFICIENCY DWELLING
UNITS OFF-STREET PARKING AMENDMENTS

Planning and Zoning Commission initiated amendments to the off-street parking requirements regarding micro efficiency dwelling units at their meeting on August 8, 2013.

The *Zoning Ordinance* currently requires 1.5 parking spaces for efficiency and one-bedroom apartments. The proposed amendments define an efficiency (currently undefined) and micro-efficiency dwelling unit and establishes off-street parking requirement of one space for micro-efficiency dwelling units. It is currently possible to build a micro-efficiency dwelling unit, but 1.5 off-street parking spaces must be provided. Normally, one person will reside in units of 400 square feet or less but requiring 1.5 parking spaces. Staff is proposing reducing this to only 1 space per unit. The City's Housing Code requires a minimum floor area of 150 square feet for a dwelling unit where one person resides.

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

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on September 5, 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. Because of their limit floor space, micro-efficiency apartments will generally only be occupied by one person necessitating only one parking space per dwelling unit.

Submitted by:

Bob Hosmer, AICP
Principal Planner

Greg Burris, City Manager

ATTACHMENT A
MICRO EFFICIENCY DWELLING UNITS OFF-STREET PARKING AMENDMENTS

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

Section 2-1100. Definitions.

Dwelling Unit, Efficiency. A dwelling unit consisting of not more than one habitable room.

Dwelling Unit, Micro-efficiency Multi-Family. A dwelling unit with a total floor area of four (400) square feet or less.

Section 5-1500. Off-Street Parking Requirements.

5-1502. **Required Spaces.**

A. **Residential and Lodging Uses**

Use	Number of Required Spaces
1. Single-family; townhouse and two-family dwellings; and mobile homes on individual lots.	One (1) for each dwelling unit.
2. Multi-family dwellings.	
a. <u>Micro-efficiency dwelling unit.</u>	<u>One (1) for each dwelling unit.</u>
b. Efficiency and one-bedroom dwelling units.	One-and-one-half (1-1/2) for each dwelling unit.
c. Dwelling units with two or more bedrooms.	Two (2) for each dwelling unit.

The number of spaces required for multi-family dwellings may be reduced by one (1) percent for each ten (10) dwelling units over fifty (50) dwelling units (excluding micro-efficiency dwelling units), but the reduction in parking shall not exceed twenty (20) percent of the total parking requirement.

- | | |
|---|--|
| 3. Boarding, rooming and lodging houses. | One (1) for each one (1) lodging room. |
| 4. Dormitories, fraternities, sororities and other unmarried student housing. | Two (2) for each three (3) occupants based on the designed capacity of the building plus any additional parking required to meet public assembly requirements of this Article. |
| 5. Hotels and motels. | One (1) for each sleeping room, plus any required for restaurants, cocktail lounges, meeting rooms, etc. |
| 6. Mobile homes in mobile home parks. | Two (2) for each mobile home. |

EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To amend the off-street parking requirements in *Subsection 4-2200, UN - University Combining District*, of the *Springfield Zoning Ordinance*. (Staff recommends approval).

BACKGROUND INFORMATION:

ZONING ORDINANCE TEXT AMENDMENT – OFF-STREET PARKING IN THE UN DISTRICT AMENDMENTS

Planning and Zoning Commission initiated amendments to the off-street parking requirements in the UN, University Combining District at their meeting on August 8, 2013.

The *Zoning Ordinance* currently permits a ten percent (10%) reduction in off-street parking spaces if additional bicycling parking is provided. The proposed amendments would allow, only for the UN District, an additional ten percent reduction for a total reduction of 20 percent if additional bicycle parking is provided. There are only two UN Districts currently mapped and both are adjacent to Missouri State University: 1) the area bounded by Grand Street, Kimbrough Avenue, Harrison Street, and Holland Avenue; and 2) along both sides of Elm Street between National Avenue and John Q. Hammons Boulevard. This amendment is being proposed in response to the increasing number of students, particularly foreign students, who do not own cars and live near Missouri State University campus. Staff believes this trend will continue due to increasing costs of education and car ownership, improved transit in the center city area and the increased opportunities to shop and work in the center city area. The proposed amendment will allow developers to determine the best mix of auto and bicycle parking to serve the residents they want to attract while ensuring that at least 80% of the typically required parking is provided.

The Development Issues Input Group (DIIG), Urban Districts Alliance (UDA), Environmental Advisory Board (EAB), Commercial Club and all registered neighborhood organizations were notified of these amendments and have made no objections to date. Missouri State University staff did express a concern that if adequate parking is not provided, there will be an increased demand in on-street parking in an area where on-street parking is already tight supply.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on September 5, 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 amendment will allow for increased density of student housing adjacent to the university in the University Combining District by reducing the amount of required off-street parking with additional bicycle parking. Providing more opportunities for students to reside near the campus helps reduce congestion on city streets, air pollution and potential accidents; while encouraging alternative modes of travel such as walking and cycling.

Submitted by:

Bob Hosmer, AICP
Principal Planner

Greg Burris, City Manager

ATTACHMENT A
OFF-STREET PARKING REQUIREMENTS IN THE UN DISTRICT AMENDMENTS

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

Section 4-2200. UN – University Combining District.

4-2208. Design Requirements.

- A. A site plan, meeting the requirements of *Section 3-3000, Site Plan Review*, shall be submitted and approved.
- B. A landscape plan, meeting the requirements of *Section 6-1200, Landscaping and Bufferyards*, and *6-1300, Off-Street Parking and Loading Area Design Standards*, shall be submitted and approved.
- C. Any other design requirements applicable in the multi-family residential district with which the UN District is combined.
- D. The bicycle parking reduction allowance permitted by Subsection 5-1502.1 may be increased to allow up to twenty (20) percent of the required automobile parking be substituted with bicycle parking at the same rate and in compliance with all other requirements of Subsection 5-1502.1.

EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To amend the setback and height requirements in *Subsection 4-4405, Industrial Commercial District*, of the *Springfield Zoning Ordinance*. (Staff recommends approval).

BACKGROUND INFORMATION:

ZONING ORDINANCE TEXT AMENDMENT – SETBACK AND HEIGHT REQUIREMENTS IN THE IC DISTRICT AMENDMENTS

Planning and Zoning Commission initiated amendments to the setback and height requirements in the IC, Industrial Commercial District at their meeting on August 8, 2013.

Currently, commercial zoning districts (GR, General Retail, HC, Highway Commercial and CS, Commercial Services) require a thirty (30) degree bulk plane adjacent to R-SF and R-TH and no side or rear yard setbacks other than required bufferyards. The IC, Industrial Commercial District, is intended to allow industrial operations and activities in combination with commercial uses. Staff believes that the IC District with commercial and industrial uses should be develop or redevelop similar to the commercial zoning districts. Staff is proposing to modify the setback and height requirements to the IC District because the permitted uses are similar to the permitted uses in these commercial districts.

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

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on September 5, 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 allow similar setbacks and height requirements in the IC District as in the GR, HC and CS commercial zoning districts.

Submitted by:

Bob Hosmer, AICP
Principal Planner

Greg Burris, City Manager

ATTACHMENT A
SETBACKS AND HEIGHT REQUIREMENTS IN THE IC DISTRICT AMENDMENTS

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

Section 4-4400. IC - Industrial Commercial District. (G.O. 4329, 04/05/93)

4-4405. Bulk Regulations.

- A. Maximum structure height: None, except that all structures shall remain below a thirty (30) degree bulk plane as measured from the boundaries of any R-SF or R-TH districts~~Fifty (50) feet.~~
- B. Maximum floor area ratio: (G.O. 4519, 6/12/95) (G.O. 5773, 8/11/08)
1. 0.4.
 2. 1.5 with approved conditional use permit in accordance with *Section 3-3300, Conditional Use Permits.*
- C. Minimum yard requirements (additional bufferyard may be required by *Subsection 4-4408.*) (G.O. 5861, 02/08/10)
1. Front yard:
 - a. Twenty-five (25) feet along a street classified as a collector or higher classification street or as required by *Section 5-1300, Supplemental Open Space and Yard Regulations.*
 - b. Fifteen (15) feet along a street classified as a local street or as required by *Section 5-1300, Supplemental Open Space and Yard Regulations.*
 - c. The front yard setback may be reduced below the minimum required above if a conditional use permit is approved in accordance with *Section 3-3300, Conditional Use Permits*, or an approved preliminary plat in accordance with the City's *Subdivision Regulations.*
 2. Side yards: None, except~~Ten (10) feet~~ or as required by *Section 5-1300, Supplemental Open Space and Yard Regulations, and the bufferyard requirements in Subsection 4-4408.*
 3. Rear yards: None, except as required by the bufferyard requirements in Subsection 4-4408~~Ten (10) feet.~~