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12. Brewery District Lofts Redevelopment Plan (PDF)

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13. 634 Bear Boulevard Redevelopment Plan (PDF)

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Planning & Zoning Commission Agenda

October 3, 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: September 5, 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. Preliminary Plat Kifer Corner
(300 block West Pershing, s/s) | Rick Wilson ¹ |
| 2. Initiate Front Yard Parking Exception
for Disabled Text Amendment
(City-Wide) | City of Springfield |
| 3. Initiate WC-1 District Changes Text Amendments
(City-Wide) | City of Springfield |

V. Public Hearings:

- | | |
|--|------------------------------------|
| 4. Z-18-2013 w/Conditional Overlay District No. 64
(400-500 block East Sunset Street) | Brent Stevens |
| 5. Z-19-2013
(3839 S. Lone Pine Street) | Geoffrey Butler |
| 6. Z-20-2013 w/ Conditional Overlay District No. 63
(1713 S. Saint Charles Ave. and 3233 E. Sunshine St.) | Morris Springfield, LLC |
| 7. Planned Development 343
(3800 West Sunshine Street) | Derek Lee |
| 8. Planned Development 311 Amended
(3057 N. Fremont Avenue) | Les Schulz |
| 9. Text Amendment Temporary Uses
Special Events Amendments
(City-Wide) | City of Springfield |
| 10. Brewery District Lofts Redevelopment Plan
(507-535 West Walnut Street) | Brewery District Lofts Redev Corp. |
| 11. 634 Bear Boulevard Redevelopment Plan
(626-634 East Bear Boulevard) | Miller Commerce, LLC |

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: September 5, 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, and Gabrielle White; Staff in attendance: Bob Hosmer, Principal Planner; Ralph Rognstad, Director, Nancy Yendes, City Attorney; Dawne Gardner and Ron Colson, Public Works; Sandy Goddard, Administrative Assistant. Absent: Shelby Lawhon, Jason Ray, and Phil Young.

ROLL CALL:

APPROVAL OF MINUTES: The minutes of July 25, 2013 and August 8, 2013 were approved unanimously.

COMMUNICATIONS:

Mr. Hosmer noted that the applicant for Z-17-2013, item number 7 on the agenda, late this afternoon requested to table the case due to concerns of the citizens in the area. The applicant intends to look at the site plan and look at less density, conduct another public neighborhood meeting and get more input from the neighborhood. They have requested this be tabled to the October 31, 2013 meeting. Mr. Hosmer pointed out item number 8 on the agenda, zoning case Z-18-2013, has been tabled to the date of October 3, 2013.

Ms. Yendes stated that since the request to table was less than a 48 hour notice, Commission determines whether or not to table it under their rules. If Commission believes that it is a good cause that the applicant intends going back out to the neighborhood to reduce the intensity then it would be appropriate to table it.

Mr. Edwards communicated to the public that the hearing will come back to Commission and they will have the opportunity to voice their opinions.

Mr. McClelland motioned to table Z-17-2013 w/Conditional Overlay District No. 62 and LWO#1 to the October 31, 2013 meeting. Mr. Coltrin seconded the motion. The motion carried as follows: Ayes: Edwards, Coltrin, McClelland, White, Baird, and Hansen. Nays: None. Abstain: None. Absent: Lawhon, Ray and Young.

Mr. Edwards commented they do not have a procedure to accept questions from the audience on tabled items, but would refer members of the audience to a staff member, Mr. Hosmer.

A member of the audience asked, since the 31st of October is Halloween and they have children and grandchildren, a lot of those in attendance at the meeting tonight will be unable to come back and since there is a lot of opposition to this, if the meeting could be rescheduled to another date.

Ms. Yendes noted that it is up to Commission to decide what date the issue is tabled to. If someone who voted in the affirmative, which all of Commission did, could move for reconsideration and take it to another meeting date.

Mr. Edwards asked if the developer was in attendance at the meeting and was told they are not.

Mr. McClelland motioned to amend the previous motion to table Z-17-02013 w/Conditional Overlay District No. 62 and LWO#1 from October 31, 2013 to November 14, 2013. Mr. Hansen seconded the motion. The motion carried as follows: Ayes: Edwards, Coltrin, McClelland, White, Baird, and Hansen. Nays: None. Abstain: None. Absent: Lawhon, Ray and Young.

CONSENT ITEMS:

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

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

V. PUBLIC HEARINGS:

4. Vacation 762 Advocates of a Healthy Community Inc.
(400 block East Tampa)

Mr. Hosmer stated the purpose of this request is to vacate the 400 block of East Tampa Street. 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 must dedicate an emergency access easement for access to the east side of the facility that meets the requirements of the Fire Department. 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 and 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. The proposed vacation meets the approval criteria for vacating right-of-way and staff recommends approval.

Mr. Hansen asked about the access between the building and the via-duct toward the back, if it is private or public.

Mr. Hosmer stated it is public.

Mr. Hansen asked if that is included in the vacation.

Mr. Hosmer said it is his understanding that it would be access down and around.

Mr. Hansen asked if there would still be access to the alleyway going north and the one south, beside the building.

Mr. Hosmer asked if he was talking about the east side.

Mr. Hansen said on the west side of the building.

Mr. Hosmer commented that there is not an alley there now.

Mr. Hansen stated there is an alley there.

Mr. Rognstad said there is a drive there, not an alley.

Mr. Hansen asked if it is not public then.

Mr. Hosmer said there is nothing public.

A citizen stated that it is a public road.

Mr. Hosmer stated that the City's records do not show there is an alleyway there, but ascertained that might not be accurate; our database does not show that there is an alleyway to the south in between the building on the west side.

Ms. White asked if the vacation is granted, who will have the maintenance responsibilities for the area; will that be the Health Center.

Mr. Hosmer said yes, but there will be easements that will be retained and emergency access.

Mr. Baird asked staff if there is a need to determine the actual validity of the alley before proceeding with the vacation.

Ms. Yendes concluded Commission can move forward if they choose because staff assumed there wasn't an alley; whether there is an alley there or not they still want the emergency access agreement across there and the utility easement will need to be provided where it is being vacated.

Mr. Hansen asked Ms. Yendes if the entry or the portal to that alley was included in the vacation; is it going to be blocked or not or do we know at this time.

Ms. Yendes remarked that if we vacate it, they could put up some type of traffic control device because it will be their street.

Mr. Hansen said he was talking about the access on the west alley.

Mr. Hosmer questioned Mr. Hansen if he was asking if the vacation would block the access to the alley.

Ms. Yendes said the survey on page ten (10) of the staff report stops just short of taking in the alley and then it shows the southern part which people from the audience has indicated is open now; it is showing that as part of the Health Center's property.

Mr. Coltrin asked traffic staff if they don't have a problem with this; if you turn south on Benton, this is your last chance to get across there and you are doing some crazy maneuvers to figure out you went the wrong way.

Ms. Gardner said they do not have a problem with this.

Mr. Edwards opened the public hearing.

Mr. Derek Lee, Lee Engineering, 2101 West Chesterfield Blvd, commented he is representing the owner; the alley to the north on their survey shows that it is still an alley and it even shows it as an alley on the front page.

Mr. Hosmer clarified south of Tampa, the alley has been vacated.

Mr. Lee pointed out the alley, stating it is a public property and they are not blocking it. The survey they provided shows that they are stopping short of that. There is an alley, pointing out the alley on the map, and they are not blocking the public portion of that. A portion of the alley is on Jordan Valley's property and a portion on public property. They will keep it the way it is, they are not going to close anything off. The portion that is on the public property, they are stopping their legal description short of that so they are not blocking anything that is public now. Their intention is for that to be a drop off area, and right now they are currently constructing a building, and their site plan shows that as a drop-off area for patients.

Mr. Lee disclosed the reason they are asking for this is when you drive by during regular business hours people are parking on Tampa blocking the street where you cannot get through. There is a median in the center, currently, and the cars are lining up there and this has become a safety issue. The public has to cross through parked cars and vehicles going around and it has become a safety concern. Their intention is to turn this into a green space and put some benches and trees and an entrance into that where you come off the parking lot and you don't have to cross a road to get into the hospital.

Mr. Baird asked when the vacation is complete, and in dropping someone off at the facility, will they have to be coming south on Benton and make a jog to get to the drop off area or how is that traffic flow going to work.

Mr. Lee remarked they do not have final plans for this which is why it is going forward to City Council. The current plan is to utilize the current entryway drive and that drive will be a straight shot down to the drop off area. This is to provide access for emergency vehicles, fire apparatus turn around movement. Some of the plans have a fire truck access which hasn't been approved yet, but that is why we are asking to vacate the street.

Mr. Hansen asked if access to the patient drop off will be entirely on the Health Center property.

Mr. Lee said yes. There will be a drive aisle that will run parallel to Benton. The reason we don't want to keep this open is because this alley has no space between the via-duct. They are going to close those down so you don't have movements so close to the intersection that they are really dangerous. When you want to go north on Benton and south on the alley, it doesn't work. That is why they want to close that off and tie it into the current parking lot driveway.

Mr. Hansen clarified that is the reason you are going to close it off so people can turn by accident from north bound onto that and find that they are blocked.

Mr. Lee said they won't be blocked, they will turn in and come straight down; the only movement they are going to block is the street in front of the health center.

Mr. Hansen stated he had some concerns about the via-duct where there are rails and they can't see and they turn into Tampa and they have nowhere to go.

Mr. Lee pointed out where the street would be blocked and where the entryway would be.

Mr. Hansen asked about the west alley asking if that will still have access to Tampa.

Mr. Lee commented that is not a public alley, it is a private drive and that will remain open as it now with the same access as before.

Mr. Coltrin asked if the curbs were painted red and put up signs that said no parking, if that would remove the parking problem along that section of the road.

Mr. Lee said that in his experience that people tend to ignore red curbs.

Mr. Coltrin asked if there was a no parking zone with fines attached to it; not a fire lane, a no parking lane.

Mr. Lee stated there are other options, and that may be an option, but they have fought this for awhile. That is a public street and it appears obvious to him that people want to drive through, but in his opinion that won't work. If you are willing to stop in a public street where no one can get through, which is what he has seen routinely, and what Jordan Valley has seen on a daily basis, the fact that you put a sign there will not be a deterrent. People don't care, even with a line of cars behind them.

Mr. Coltrin asked if Mr. Lee would say that the site was not properly laid out to begin with.

Mr. Lee said absolutely. This is a building they have tried to turn into something useful and it wasn't perfect when they bought it, so you are right.

Mr. Coltrin asked Mr. Lee if the fire station at Traffic Way and Benton still in operation, asking where the nearest fire house is. He asked if the fire trucks would come north on Benton to get to this area. Mr. Coltrin stated that if they travel north bound on Benton, looking at the aerial picture, and they try to make a left turn into that parking lot they won't make that turn and hit that drive alley.

Mr. Baird commented he believes they would have more of a chance of making the left hand turn if the proposed changes are made; certainly now they couldn't do it.

Mr. Coltrin stated they are not proposing to change the parking lot to his understanding.

Mr. Baird stated his thought is that north of Tampa Street they will make an entrance and connect the parking lot into that alley way; they will bring it across Tampa, is that correct.

Mr. Lee said that is correct. The alley on the east will not allow a fire truck to turn right now. They are moving the entry up to the current parking lot driveway so the turn can be made. Some of the current parking spaces will be removed so they will have a full turn around and it will be the standard fire department access requirement.

Mr. Coltrin stated in the current plan it does not show the parking being changed except extent the drive aisle, but if you take the parking spaces, then you create enough room for that turn. You are losing spaces in the middle of the parking lot.

Mr. Lee stated yes, and stated they are required on what Commission will be voting on to provide the fire department the easements for access.

Mr. Floyd Horton, owner of Horton Supply Company, 518 N. Jefferson, Springfield. Mr. Horton stated the City came to him and he gave them permission to open the alley/street back up when they build Jordan Valley, adding it was closed for more than thirty (30) years. Mr. Horton commented that if people are going to park and block a public road that is what police department enforcement is for. They can make money by writing tickets. This is not people unloading people, this is vendors unloading their product or selling their products. They allow 18 wheelers to park in the street and leave their trucks for 30 minutes or more. Mr. Horton stated that is not his fault and likes Tampa being open because it's easier access for his customers; if they close Tampa his customer will have to go up to Chestnut Expressway and make a big u-turn to get to his business. He believes there is not a need to close the street. Enforce the law and people would not park there and it would not be an issue.

Ms. White asked Mr. Horton the nature of his business.

Mr. Horton relayed it is a quarry and mining supply business.

Ms. White asked who is primarily coming to his business.

Mr. Horton said customers and trucks for pick up and trucks delivering merchandise all day long and a lot come down Tampa Street.

Ms. White asked if those are 18 wheeler trucks, pick-up and delivery trucks.

Mr. Horton said both.

Mr. Baird asked Mr. Horton what percentage of his business, be it your vehicles or your customer's vehicles would you say use Tampa Street.

Mr. Horton stated forty (40) to fifty (50) percent of them do.

Mr. Steve Vestal, owner of Moore Printing Company, 610 N. Jefferson, commented that his concerns are the same as Mr. Horton's as far as traffic access. When they built Jordan Valley and put the median there, it started blocking traffic. At one time he believes there were no parking signs on both sides and they took them out. There are a lot of people stopping there because they don't know that they can or can't. As far as assisting the pedestrians getting from the parking lot to the entrance of Jordan Valley they have the right-of-way with the traffic, there are eight (8) signs that give them notification of that right-of-way and the traffic does a good job of stopping for the foot traffic. As Mr. Horton said, it is as much venders as it is patients that are stopping there, and that needs to be addressed which would alleviate the problem as far as keeping traffic flowing. Jefferson is one way which after forty-nine (49) years no one has figured out so we don't dare make it two-way again. If we do anything, we need to take the median back out and build some type of circular parking drive in front of the clinic for handicap. Closing Tampa Street is going to cause a lot of problems for local businesses down town; a lot of business traffic goes through Tampa. He doesn't know what the traffic count is. With Chestnut Street being adjusted the way it was several years ago, you can't use that for all intents to get anywhere off Benton or Jefferson so you have to go to the traffic light at Chestnut Expressway and he figured it is six (6) extra blocks anyway you go for his customers to get away from the downtown area. Closing off Tampa is going to create more of an issue than just opening it back up and give the public a better place to park. Parking in the current parking lot is already at critical mass; they are having their employee's park at the parking garage down by US Bank, and Municipal Court's parking area and in his parking lot just because they don't know any better or don't want to go anywhere else. To take more parking spaces away to allow for emergency access will create an even bigger problem. Mr. Vestal stated he believes this is going the wrong direction; he has been in business for forty-three (43) years and feels they have a good feel for how traffic flows there. They have a lot of trucks that go to the backside of their building which is the alley to the north they are talking about and any big trucks that turn onto Tampa and it is blocked off they are going to have to try and go down one of the alley's and it cannot be accomplished with a trailer either direction. There is a building on the northwest corner and a generator type structure on the southwest corner of these alleys; once a truck turns there they are committed to backing into traffic on a one way street. Mr. Vestal reiterated he believes they are creating more problems than solutions.

Mr. Curtis Looney, who owns a business at 619 N. Jefferson, which is at the end of Tampa, across the street on Jefferson. There are nine (9) office employees and twenty (20) field employee's and Tampa is the main access, to the east and north side of town. We use the street several times a day with employees leaving for home or running errands; there is a storage yard behind the facility with heavy equipment that uses that street. There is no other access unless you go to Tampa to the west which is not much wider than an alley so we do not use that street with their equipment. It would be a big burden for their business. He does empathize and understand Jordan Valley's challenge with their foot traffic there, and he does not have an answer for them, but blocking the street will not solve the problem for the rest of the businesses.

Mr. Hansen asked Mr. Looney the type of business he has.

Mr. Looney said construction. If we pull any type of equipment to go east, they have to travel to Traffic Way.

Mr. Hansen asked about using Tampa to the west.

Mr. Looney said they cannot with their trucks and equipment, it is too narrow. The next street is Boonville and there is a building on the corner and the visibility to turn is very tight and does not believe that Public Work would not like to see have heavy truck access. He is not certain what the traffic count is on Tampa, but they use it a lot and see a lot of other people use the street. A traffic study should be done to see what the traffic volume is daily before determining to close the street.

Mr. John Reynolds, 635 N. Jefferson, with All-night Recovery and Towing, just north of the location of the last speaker. Mr. Reynolds stated they offer towing to the general public but they cater to law enforcement; SPD, Greene County and MSHP Troop D, uses them exclusively in the county and zone. They do so because of their response time. We are the fastest towing company in town. Approximately three years ago, they responded to an accident where a woman died; his truck was hung up on Tampa Street for three to four minutes behind a delivery truck unloading candy and pop to supply Jordan Valley's vending machines. Mr. Reynolds stated that he doesn't know if that would have made a difference or not; yes it was a situation where eight (8) or ten (10) fireman could have rolled the vehicle, but rolling a vehicle off a body creates a pinching effect and sometimes it needs to be lifted straight off of the person. At least once a day MSHP Troop D asks them to expedite. He leaves his office and the area of Tampa that is proposed to be vacated is his only route north or east. As you can see on the picture, the other stretch of Tampa to the west is half the width and Robberson is nothing but a glorified alley. His tow truck is approximately forty (40) feet long and if he is towing a car behind, he can get to fifty (50) or sixty (60) feet long and he doesn't know where he can go. Mr. Reynolds said he uses Tampa many times a day. This parking problem on Tampa in front of the clinic; he doesn't feel the clinic is innocent in this situation. He has discussed this with them and asked for help with this issue and it doesn't stop. The reason he says they are not innocent is because they have an on duty security office and that security officer comes out to the street and helps people out of their vehicles while parked on the street. Something that has not been mentioned is they also have a parking lot to the west of the building that is handicap and for non ambulatory traffic, so all the foot traffic crossing Tampa is not necessary; the non-ambulatory and handicap could use the sidewalk which goes directly to the front door of their building. The cross walk is well marked; he differs with Mr. Lee that no other medical facilities require foot traffic to cross the street. St. Johns is one of the biggest hospitals in town and you have to walk across Cherokee. A well marked crosswalk does its job. It has been suggested that he speak with someone about no parking signs at the site. He is not certain how effective no parking signs are, but he knows it hasn't been tried in this area and given the fact that a lot of the vendors park there and the administration at the clinic is condoning it by accepting their supplies through the front door and not the back door and their own security officer is out there getting people in and out of vehicles while they are sitting there on the street blocking it is not doing their part.

Mr. Reynolds stated that the tow trucks are not commonly thought of as emergency vehicles, but we are an emergency vehicle so the concept with the fire truck apparatus and needing area access he understands. He wants access to be available wherever they need to go but we are talking about an "what if" situation here. Mr. Reynolds said his business operates on a daily basis as an emergency responder.

Mr. Hansen clarified that the only access for Mr. Reynolds to go north is Tampa to Benton.

Mr. Reynolds said that is correct which takes him directly to Chestnut Expressway. Tampa to the west is too narrow with his truck if he is loaded. He guarantees Troop D twenty (20) minutes response time anywhere in the county and those minutes are sometimes a life or death situation.

Mr. Edwards said his question is for staff because this appears to be going against what we normally do with the connectivity policy on keeping streets open and why this has not been flagged as an issue with traffic or planning in general.

Mr. Rognstad commented they relied on Traffic for their analysis of how it would impact the street system.

Ms. Gardner stated they looked at it from a safety perspective and the traffic counts, and the traffic counts were low and the pedestrian counts were extremely high. There is not a lot of traffic compared to the rest of the system, but the pedestrian count was high so from the safety perspective it made sense. There is a traffic count from 2007 which is the most current they have.

Mr. Edwards closed the public hearing.

Mr. Coltrin stated that as we think and vote on this issue, think carefully because he will expect Commission to apply the same logic to a private developer that comes in and asks you to give him their land. If you are asking to take and close a convenience to the public of Springfield, it seems like a critical path that shouldn't be shut down for this reason. It looks like the facility has plenty of parking on the same side of the building and possibly they have put too much into a building that should not have put this much into it, but that doesn't warrant the inconvenience from everybody west of this area all the way across. Mr. Coltrin stated he uses Tampa often. Be consistent, because if you do it for one, you have to do it for all.

Mr. Hansen commented that he was struck by how tight the turns are and he can see why that would be a really good solution for the clinic, but it is going to put a burden on the existing businesses there. It is not an exaggeration on how hard it is to get out of there so he believes there could be a better solution to the clinic than to cut off access.

Mr. McClelland agreed with Mr. Hansen, there is a better solution than closing a city street.

Mr. Edwards stated that this is a serious enough problem that they have come to us and asked us to review a serious issue here; and while he empathizes with what the clinic wants to do and admiration of what the clinic does every day, but the policy he has always understood since he has been on Commission is that the City connects streets for emergency traffic and we have railroaded streets through neighborhoods to maintain that policy. Clearly this is a special situation with the alleys and the one way traffic and we have just got ourselves blocked into a bad situation. Mr. Edwards stated he agrees with the previous speakers that blocking this road will create more problems than it will solve. Something else needs to be figured out, because he cannot support the request.

Mr. Hansen motioned to approve Vacation 762. Mr. Baird seconded the motion. The motion failed as follows: Ayes: None. Nays: Edwards, Coltrin, McClelland, White, Baird and Hansen. Abstain: None. Absent: Young, Ray, and Lawhon.

5. Vacation 763
(3100 East Farm Road 188, Evans Road)

City of Springfield

Mr. Hosmer commented that the purpose of this request, by the City, is to vacate a portion of 3100 block of East Farm Road 188 (Evans Road). The adjacent property 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 Avenue and then north to Riverbluff Boulevard. Staff is recommending approval.

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

Mr. Coltrin motioned to **approve** Vacation 763. Mr. McClelland **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Coltrin, McClelland, White, Baird and Hansen. Nays: None. Abstain: None. Absent: Young, Ray, and Lawhon.

6. Z-15-2013
(1601 East Republic Road)

Wayne Wilson

Mr. Hosmer stated the applicant is requesting 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. 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. 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. 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. Staff recommends approval.

Mr. Hansen inquired if additional lighting restrictions are required for an office district that limited business would not.

Mr. Hosmer stated they will not have any light spill-over into the residential according to the regulations.

Mr. Rognstad commented that Office and Commercial are the same when adjacent to residential.

Mr. Edwards opened the public hearing.

Ms. Lisa O'Dell, 1003 W. Parkhill Circle, commented she is representing Wayne Wilson and stated the business is mainly office, but there is a small space on the west end of the building which currently is being used for storage which Ms. O'Dell wants to convert into a small retail boutique with approximately seven (700) square feet. The business is currently located in Nixa and will be moving to Springfield.

Mr. Edwards closed the public hearing.

Mr. Hansen motioned to **approve** Z-15-2013. Mr. Baird **seconded** the motion. The motion **carried** as

follows: Ayes: Edwards, Coltrin, McClelland, White, Baird and Hansen. Nays: None. Abstain: None. Absent: Young, Ray, and Lawhon.

7. Z-17-2013 w/Conditional Overlay District #62, Live/Work District #1 CSN Properties, LLC
(1225 S. Ingram Mill & 3302 E. Catalpa)

Mr. McClelland motioned to amend the previous motion to table Z-17-02013 w/Conditional Overlay District No. 62 from October 31, 2013 to November 14, 2013. Mr. Hansen seconded the motion. The motion carried as follows: Ayes: Edwards, Coltrin, McClelland, White, Baird, and Hansen. Nays: None. Abstain: None. Absent: Lawhon, Ray and Young.

8. Z-18-2013 Brent Stevens
(400-500 block E. Sunset Street)

9. Micro Efficiency Dwelling Unit Text Amendments City of Springfield
(City-Wide)

Mr. Hosmer stated the purpose of this request is 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*. 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 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.

Mr. Hansen asked staff what the impetus was for this change, because it seems to him there are not nearly enough parking places in that area as it is.

Mr. Hosmer stated this is City-wide.

Mr. Hansen commented he was thinking of the University Combining District; but it's all the same. All around downtown there is not enough parking so who wants less parking.

Mr. Hosmer explained that around the university where this is student population using mass transit and biking to promote density in the downtown area with the restriction of four-hundred (400) square feet or less units they would be allowed to do this.

Mr. Rognstad stated there are two (2) projects, one near Drury and the other Missouri State and are targeted for students. They felt they could handle the population of the units with one parking space.

Mr. Hansen commented they may be able to handle it, but who will handle all the extra cars looking for parking outside their place, the spill over. It would seem that to encourage bicycling and mass transit use those things would be expanded instead of cutting off parking. It seems like a negative way to encourage mass transit use.

Mr. Edwards commented this would not apply to Center City because those standards don't exist in Center City District in the first place. Downtown doesn't have parking requirements the same as the rest of town.

Mr. Hosmer stated that with the limited living space you are not going to have that many more people which would limit one person with one car or no car.

Mr. Rognstad stated they try to create a balance between how much parking has to be provided privately so we do minimize the economic impact but at some point it becomes a market decision if you don't have adequate parking. We do have businesses that will put in much more parking than what the City requires because they feel like their business cannot success with the minimum that the City has. So we try to look at what the minimum could be and they always have the opportunity to add more. In some complexes there will be vacant units and some people will not have a car and they are not typically full. We believe if you are going to build these smaller units and they are in proximity to where people can walk then there may be people who do not have cars and you will be able to deal with visitors that come.

Mr. Hansen said that people are going to build their micro-efficiency apartments with one parking space per unit and can't imagine how some of these are going to have more than one in them; that's just the way of the world now. Seems like everybody has a car and it appears it's going to make a bad problem worse.

Mr. McClelland motioned to approve the Zoning Text Amendment Micro Efficiency Dwelling Unit Text Amendments. Mr. Coltrin seconded the motion. The motion carried as follows: Ayes: Edwards, Coltrin, McClelland, White, and Baird. Nays: Hansen. Abstain: None. Absent: Lawhon, Ray and Young

10. University Combining District Text Amendments
(City-Wide)

City of Springfield

Mr. Hosmer stated the purpose of this request is to amend the off-street parking requirements in *Subsection 4-2200, UN -University Combining District*, of the *Springfield Zoning Ordinance*. (Staff recommends approval). 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.

Mr. Hansen asked if someone puts in a bike rack they can reduce their parking spaces.

Mr. Hosmer stated that the City currently does that with development across the city. This is for the districts near the Universities where there will be students that are not going to have vehicles. They will be more likely to have bicycles or walk.

Mr. Hansen asked if everywhere else in town it is ten (10) percent in reduction and you want to reduce it by twenty (20) percent.

Mr. Hosmer said that is correct and but only for these two districts around the MSU area.

Mr. Rognstad pointed out the area on the display map.

Mr. Hansen commented that two areas have parking problems as is.

Mr. Rognstad commented they are aware there is already tight street parking, but again, we believe the market can take care of it. A developer can come in and take a look at what they believe they need to do and if they can cater to a market that doesn't need cars, they have an option to do that.

Mr. Edwards asked if it is being said there is a need for housing and because of the parking requirements they can't build houses right now that they would like to and if we do this that would allow more flexibility to put housing where it's needed and skirt the otherwise requirement for parking.

Mr. Rognstad stated there is a need for housing but the argument was made to the City that the market they are catering to particularly with these micro efficiencies for don't have cars, and that we are providing an excess of parking for the people who would be living there.

Mr. Edwards commented that currently they can still get a ten (10) reduction on the bike rack situation.

Mr. Rognstad said that is correct; they would not be able to build as many units.

Mr. Edwards asked the number of parking spaces they are talking about.

Mr. Rognstad stated the one unit they were talking about was under one hundred (100) units total. Then it would be a reduction of twenty parking spaces total.

Mr. Hansen remarked that the previous amendment changed that from 1.5 parking spaces to one (1) parking space. If you had one hundred (100) units then that would be fifty (50) less or fewer parking spaces.

Mr. Rognstad said that is correct, but this one is a mix. It is not all micro efficiency units.

Mr. Hansen commented that this would be a twenty (20) percent reduction on top of that in a place where there is not parking anyway. That seems counterproductive to require developers to provide fewer parking spaces and burden the public street with the excess.

Mr. Rognstad said right, if there is an excess the developers argument is that the market that is there now...

Mr. Hansen said there will always be an excess and it's not going away. There is going to be more demand for parking with expansion with MSU.

Ms. White commented that we are only talking about private parking, off street parking with a development. We are not talking about anyway changing the problem with parking on the street. That's a given. The private parking we are talking about reducing is really not available to anybody that doesn't live in the development already. I know people poach parking places all the time, but want to be clear that only in this development this person builds can they reduce parking in any way, and they can choose to continue to have 1.5 parking places if they think that is a better situation.

Mr. Hosmer said yes; they can build as many parking spaces as the site would allow. But if the developer's business plan allows one space and they choose to have reduction even further with the bicycle rack down to the twenty (20) percent, but that is only on their site.

Ms. White stated right, but it also allows them to build more units. Where do you put people who don't live there.

Mr. Rognstad said that will always be an issue. Being in the college area, guests may walk f

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

Mr. Coltrin said that in the limited area they are talking about having a positive effect on, perhaps we are not going to cause a terrible disturbance and hopefully this area will be monitored to see if we need to change it. Mr. Coltrin said he would go for the experiment and see what happens with the comment that he hopes the city is watching this and parking starts to back up and things start to happen badly, that we undo it.

Mr. Baird commented he will have to recommend approval on this simply because he believes the market will dictate the success of this venture.

Mr. Hansen commented he does not feel good about voting on something to make life easier for two prospective developments, that's not what he came here for. They will fight and poach for parking spaces and will cause grief and he does not see any reason to change it from what it is now.

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

Mr. Hosmer stated the purpose of this request is to amend the setback and height requirements in *Subsection 4-4405, Industrial Commercial District*, of the *Springfield Zoning Ordinance*. (Staff recommends approval). 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.

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

Mr. McClelland motioned to approve the Setback & Height Regulations in the IC District Text Amendments. Mr. Hansen seconded the motion. The motion carried as follows: Ayes: Edwards, Coltrin, McClelland, White, and Baird. Nays: Hansen. Abstain: None. Absent: Lawhon, Ray and Young

There being no further business, the meeting was adjourned at approximately 8:00 p.m.



Bob Hosmer, AICP
Principal Planner

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 **Kifer Corner** generally located on the south side of the 300 block West Pershing Street. (Staff recommends that City Council accept the public streets and easements.)

BACKGROUND INFORMATION:

- A. See the legal description set forth on the Preliminary Plat of **Kifer Corner** dated September 19, 2013, the original of which is on file in the Department of Planning and Development, a reduced version of which is included for general reference in Exhibit A.
- B. The Planning and Zoning Commission held a public hearing on October 3, 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. The developer will be required to connect to the sewer in Pershing by cutting the street and installing a service connection or extend public sewer prior to approval of the final plat.
 - 2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. The following limitations of access shall apply:
 - (1) The final plat must state no access to Campbell or Pershing from Lot 1.
 - (2) Access to Pershing from Lot 2 must be at least fifty (50) feet from Campbell Street.
 - 3. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.

4. The developer shall be responsible for the relocation costs of any existing utility services and shall be responsible for clearing all utility easements of trees, brush and overhanging tree limbs.
5. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations.

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

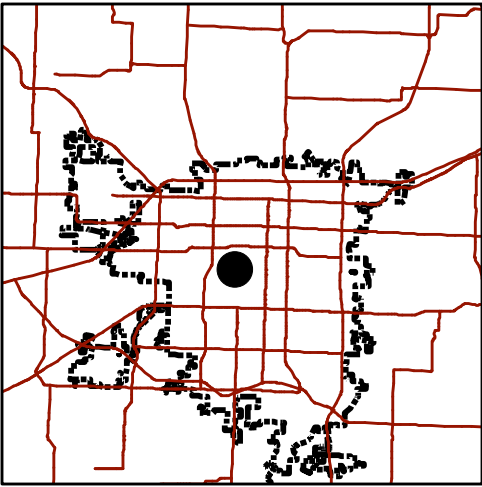
Section No. 206 of the Subdivision Regulations requires that a final plat be submitted within two years of City Council's acceptance of the public streets and easements.

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

Submitted by:

Bob Hosmer, AICP, Principal Planner

Greg Burris, City Manager



Zoning & Subdivision Report

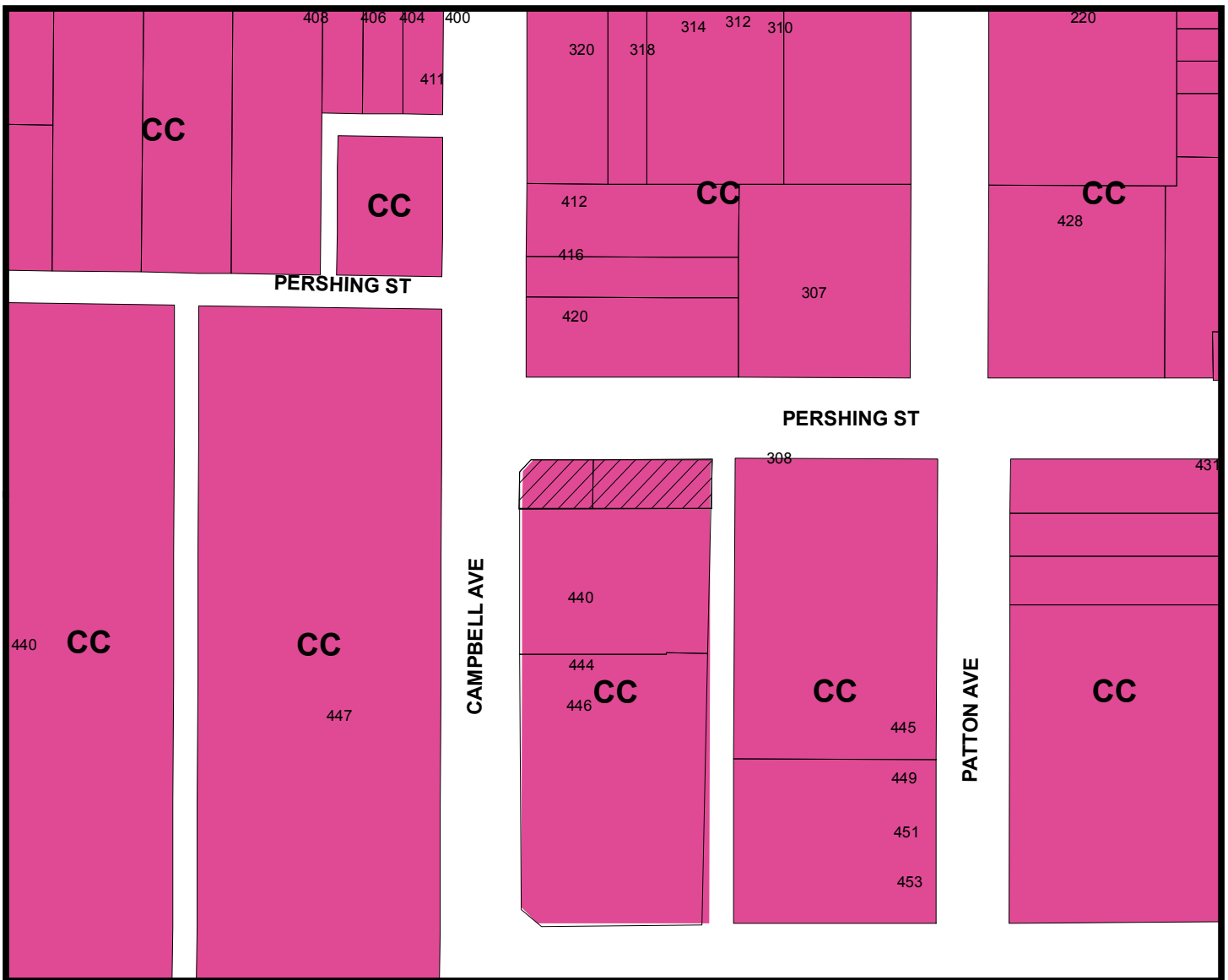
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Preliminary Plat - Kifer Corner

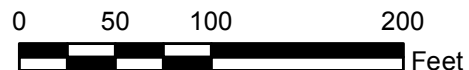
Location: 300 block W. Pershing St.

Current Zoning: CC, Center City

LOCATION SKETCH



- Area of Proposal



1 inch = 100 feet

Zoning & Subdivision Report

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

PRELIMINARY PLAT– KIFER CORNER

DATE: September 19, 2013

PURPOSE: To approve a preliminary plat to subdivide 0.08 acre into a two (2) lot subdivision

BACKGROUND:

LOCATION: South side of the 300 block W. Pershing St.

APPLICANTS: Laclede County Land Title Co., LLC and Women Connect4good, Inc.

TRACT SIZE: Approximately 0.08 Acre

EXISTING USE: Undeveloped land and a not-for-profit second hand store

PROPOSED USE: Center City uses

RECOMMENDATION:

The request be **approved**.

FINDINGS:

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

CONDITIONS:

1. All improvements shall be constructed in accordance with the “Design Standards for Public Improvements” of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.
 - a. The developer will be required to connect to the sewer in Pershing by cutting the street and installing a service connection or extend public sewer prior to approval of the final plat.

2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. The following limitations of access shall apply:
 - 1) The final plat must state no access to Campbell or Pershing from Lot 1.
 - 2) Access to Pershing from Lot 2 must be at least fifty (50) feet from Campbell Street.
6. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.
7. It is determined that the public interest requires assurance concerning adequate maintenance of common space areas and improvements. The restrictive covenants, rules and bylaws creating the common ownership must therefore provide that if the owners of the Property Owners Association shall fail to maintain the common areas or improvements in reasonable order and condition in accordance with the approved plans, the City may, after notice and hearing, maintain the same and assess the costs against the units or lots, per the Common Open Space and Common Improvement Regulations section of the Zoning Ordinance.
8. The developer shall be responsible for the relocation costs of any existing utility services and shall be responsible for clearing all utility easements of trees, brush and overhanging tree limbs.
9. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations.

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

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner

ATTACHMENT A
BACKGROUND REPORT
PRELIMINARY PLAT – KIFER CORNER

APPLICANT’S PROPOSAL:

The applicant proposes to subdivide approximately 0.08 acre into a two (2) lot subdivision.

HISTORY:

The applicant is proposing a new preliminary plat named “Kifer Corner” that was previously approved by City Council on June 1, 2009 as “Clair Corner”, but expired before either of these lots were final platted.

AT&T COMMENTS:

No objections to plans. Builder/developer will need to contact AT&T Engineering prior to construction to make arrangements for new service or to provide facilities to any new construction at this location.

BUILDING DEVELOPMENT SERVICES COMMENTS:

The existing building encroachment into the ROW must be resolved prior to the final plat approval.

CITY UTILITIES COMMENTS:

No objection to plat. There are some minor issues with providing service to future buildings, but this will not impact the subdivision process.

FIRE DEPARTMENT COMMENTS:

No comments.

TRAFFIC DIVISION COMMENTS:

Plat must state no access to Campbell or Pershing from Lot 1 and access to Pershing from Lot 2 must be 50 feet from Campbell Street.

STORMWATER COMMENTS:

There are no storm water issues with the preliminary plat. However, please note that at the time of development the property will be subject to the following conditions:

1. Current detention and water quality requirements must be met for all lots within the subdivision. Structures and impervious surface onsite may 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 may be approved on a case by case basis, depending on downstream and other conditions. Cost of downstream improvements may be credited towards payment in lieu of constructing detention.

3. Connect private drainage facilities to public drainage system whenever possible, which will require a public improvement plan or excavation permit.

CLEAN WATER SERVICES COMMENTS:

Public sewer is available for the proposed lot however there is no sewer lateral available to serve it. The developer will be required to connect to the sewer in Pershing by cutting the street and installing a service connection or extend public sewer prior to approving the final plat.

STAFF COMMENTS:

1. The applicant is proposing to subdivide approximately 0.08 acre into a two (2) lot subdivision named "Kifer Corner". A preliminary plat for this area was originally approved by City Council on June 1, 2009, however, it expired.
2. If Planning and Zoning Commission approves the preliminary, then the plat will be forwarded to City Council for acceptance of public streets and easements. An approved preliminary plat is active for two (2) years.
3. The portion of the building on Lot 2 that extends onto the City right-of-way will need to be vacated prior to the final plat being approved. The City supports the vacating of the right-of-way, rather than carrying the liability of the building with a license agreement.

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

DATE: September 23, 2013

TO: Planning and Zoning Commission

FROM: Daniel Neal
Senior Planner

SUBJECT: Initiate Front Yard Parking For Disabled Amendments

Staff is requesting Commission initiate amendments to Section 5-1500, Off-Street Parking Requirements and other related sections of the Zoning Ordinance to allow review and consideration for persons with disabilities. The amendments will allow the Director of Building Development Services to grant exemptions to the off-street parking requirements to make reasonable accommodations to persons with disabilities. These amendments will replace the current Administrative Ruling (2011) and City Council policy (2004) that BDS uses in these situations.

PLANNING AND ZONING DEPARTMENT
INTEROFFICE MEMORANDUM

DATE: September 24, 2013

TO: Members of the Planning and Zoning Commission

FROM: Alana D. Owen, AICP
Senior Planner

SUBJECT: WC, West College Street District

On September 9, 2013, City Council adopted three ordinances (General Ordinance Nos. 6077 and 6078 and Special Ordinance No. 26306) that modified the zoning regulations, as well as approved a redevelopment plan and certain financial incentives to encourage and facilitate redevelopment along the section of West College Street between South Grant Avenue and South Kansas Expressway.

General Ordinance No. 6077 established the WC, West College Street Zoning District, and General Ordinance No. 6078 rezoned approximately 20.57 acres of land on West College Street to a WC, West College Street District and IC, Industrial Commercial District. Within the WC District, three sub-areas were created including the WC-1, Mixed-Use Sub-area, WC-2, Live/Work Sub-area and WC-3, Residential Sub-area. The three sub-areas established are intended to encourage an eclectic mix of businesses, artist studios, architecture and residents consistent with the adopted *College Street Corridor Plan*.

Subsequent to the adoption of the WC District, staff has determined that some “clean-up” is needed within the District, specifically within the WC-1, Mixed-Use Sub-area, to clarify the intent of the ordinance. Staff is also recommending that an additional use be included within the District. The following is a summary of the recommended changes:

1. “Automobile Service Garages, including body and fender repair and paint shops if a legally conforming use at the time of the passage of this ordinance provided a Conditional Use Permit is obtained for any expansion of the structure for said use.”

This change is to clarify that a Conditional Use Permit is required only when there is an expansion of the structure involved with this use.

2. "Any new structure within this District shall adhere to the following: Facades that face streets or connecting pedestrian frontage that are greater than twenty-five (25) feet in length shall be subdivided and proportioned using at least one or more of the following features: windows, entrances, arcades, arbors, awnings (over windows or doors), changes in color or materials, distributed along the façade at least once every twenty-five (25) feet. Site plan elevations of buildings shall be approved by the Administrative Review Committee."

This proposed change is to clarify that the design requirements are only applicable on new structures and existing structures are not required to meet this requirement.

3. "Any establishment which provides supplies and/or services such as janitorial services, sign shops, packaging or shipping service, locksmith or printing, lithographing, engraving, photocopying, blueprinting, publishing and binding establishments provided there is no outdoor storage of equipment, materials or commercial vehicles."

Staff believes this would accommodate small scale uses and that would be appropriate and would not adversely impact the surrounding property.

Staff is recommending that Planning and Zoning Commission initiate these changes at their October 3, 2013 meeting. Once initiated, the Zoning Text Amendment will go through the Public Hearing process with the Planning and Zoning Commission and City Council.

Please contact me at (417)864-1831 if you have any questions or need any additional information.

EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 4.4 acres of property generally located on the south side of the 400-500 blocks of East Sunset Street from a R-SF, Single-Family Residential District to a R-LD, Low-Density Multi-Family Residential District; and establishing Conditional Overlay District No. 64.

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-18-2013/CONDITIONAL OVERLAY DISTRICT NO. 64

The applicant is proposing to rezone the property from an R-SF, Single Family Residential District to a R-LD, Low-Density Multi-Family Residential District with a Conditional Overlay District #64. The applicant is requesting a conditional overlay district that will restrict the maximum density to eleven (11) dwelling units per acre. This is the density of an R-TH, Residential Townhouse District developed on a single lot as opposed to individual townhouse lots. The conditional overlay district will require sidewalks along Kimbrough Avenue and a six (6) foot privacy fence in the bufferyard along the south property line in response to neighborhood concerns. The maximum height of any multi-family dwelling will be restricted to a forty-five (45) degree bulk plane as measured from the boundaries of any R-SF districts. The standard requirements for bufferyards, noise, lighting, odor and signage will be covered by the Zoning Ordinance.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on October 3, 2013, and recommended _____, by a vote of ___ to ___, of the proposed zoning on the tract of land described on the attached sheet (see the attached Record of Proceedings).

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

FINDINGS FOR STAFF RECOMMENDATION:

1. The Growth Management and Land Use Plan of the City's Comprehensive Plan designates this area as appropriate for Low-Density Housing. The plan also states that each neighborhood should contain a range of housing types, densities, and building configurations including single-family detached, townhouses, and apartments. Discourage large housing projects that consist of a single building type. Some portion of each type of housing should, ideally, be available for occupancy on either an ownership or lease basis. When combining

housing types, it is preferable for the transition between types to occur at the rear rather than the front (i.e. across a courtyard or parking area rather than across the street). The plan encourages the location of medium and high density residential uses along collector and arterial streets. Sunset Street is classified as a secondary arterial roadway and Jefferson and Kimbrough are classified as collector roadways.

2. The proposed conditional overlay district will mitigate the potential impact between the multi-family and single-family uses by restricting the maximum density to no more than eleven (11) dwelling units per acre which is significantly less intense than what is permitted in the R-LD district. The conditional overlay district will require a six (6) foot tall privacy fence along R-SF properties to the south.
3. The standard development requirements in the R-LD District are otherwise adequate for mitigating potential impacts of the multi-family uses on the adjoining single-family residential properties. No portion of a multi-family shall be higher than forty-five (45) degree bulk plane where the property adjoins an R-SF District.

Submitted by:

Approved by:

Planning and Development

City Manager

EXHIBITS:

Exhibit A, Legal Description
Exhibit B, Record of Proceedings
Exhibit C, Conditional Overlay District Provisions
Exhibit D, Zoning and Subdivision Staff Report

ATTACHMENTS:

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

EXHIBIT A
LEGAL DESCRIPTION
ZONING CASE Z-18-2013 & CONDITIONAL OVERLAY DISTRICT NO. 64

All that part of the North One-Half of the Northwest Quarter of Section 1, Township 28 North, Range 22 West, in the City of Springfield, Greene County, Missouri, lying East of South Jefferson Avenue, South of East Sunset Street, West of South Kimbrough Avenue and North of East Morningside Street, EXCEPT all that part thereof platted as Block 7 of Unit 1 of the Amended Plat of Link Estate Development, a subdivision in the City of Springfield, as duly recorded in the Greene County Recorder's Office in Plat Book R, at Page 49.

EXHIBIT B
RECORD OF PROCEEDINGS
ZONING CASE Z-18-2013 & CONDITIONAL OVERLAY DISTRICT NO. 64

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

EXHIBIT C
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-18-2013 & CONDITIONAL OVERLAY DISTRICT NO. 64

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

A. Use Limitations

1. The maximum density for the subject property is eleven (11) dwelling units per acre.
2. Prior to building permits being issued, sidewalks are required to be constructed or escrowed following the *Subdivision Regulations* adjacent to the subject property along Kimbrough Avenue.
3. A privacy fence at least six (6) feet tall shall be constructed within the bufferyard on or near the south property line. The fence height may be reduced to meet sight distance requirements for driveways.

Zoning & Subdivision Report

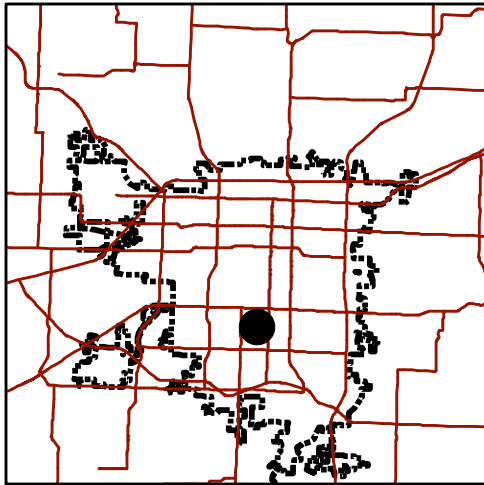
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Z-18-2013/Conditional Overlay District #64

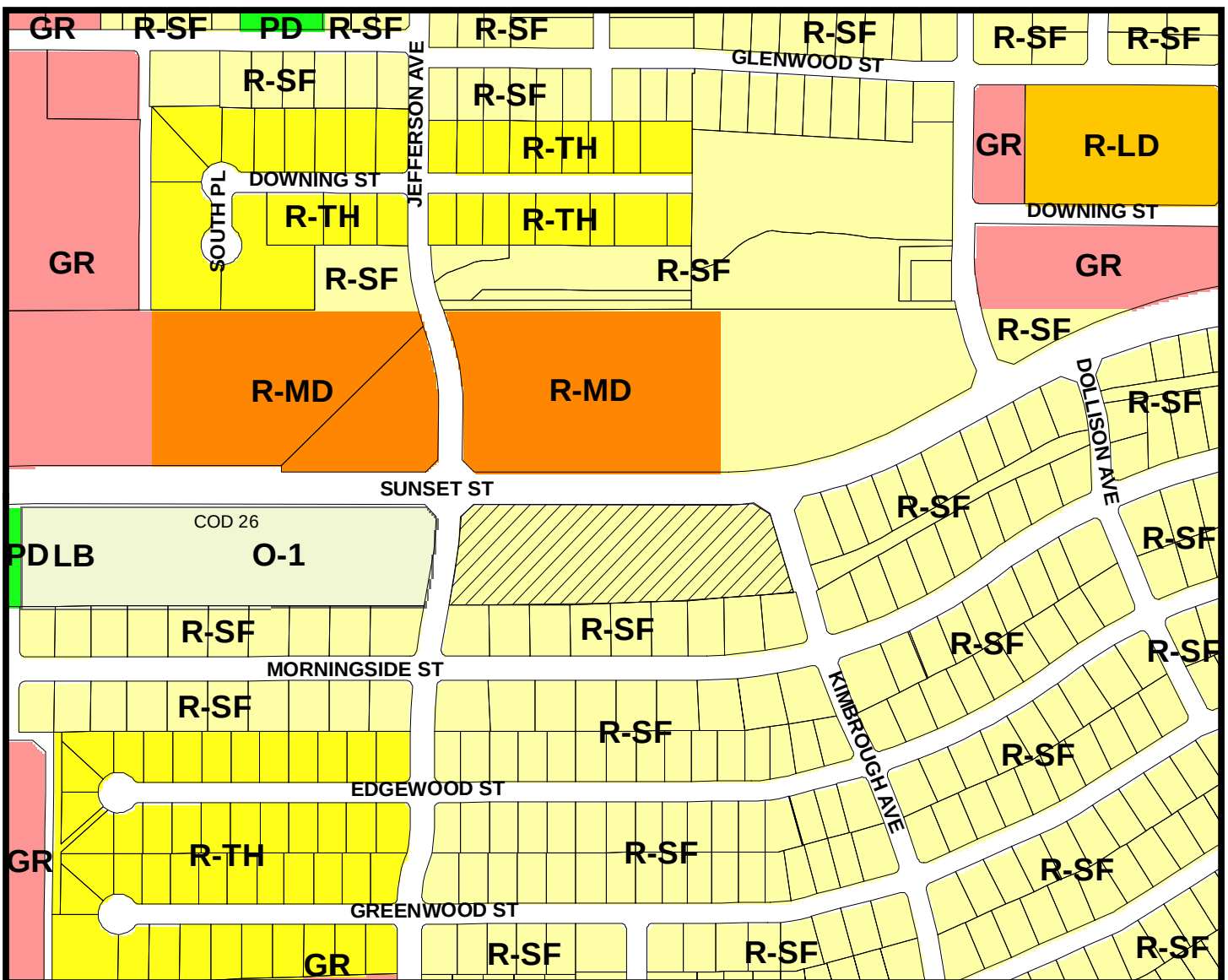
Location: 400-500 blocks E. Sunset St.

Current Zoning: R-SF, Single-Family Residential

Proposed Zoning: R-LD, Low-Density Multi-Family District
and COD #64



LOCATION SKETCH



- Area of Proposal



1 inch = 400 feet

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-18-2013 & CONDITIONAL OVERLAY DISTRICT NO. 64

DATE: September 24, 2013

LOCATION: 400-500 block E. Sunset Street

APPLICANT: Empire Mortgage Company, Inc.

TRACT SIZE: Approximately 4.4 acres

EXISTING USE: Vacant/undeveloped land

PROPOSED USE: Multi-family development

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF & R-MD	Greenways Trail
East	R-SF	Single-Family Residences
South	R-SF	Single-Family Residences
West	O-1	Undeveloped

COMPREHENSIVE PLAN:

The Growth Management and Land Use Plan of the City's Comprehensive Plan designates this area as appropriate for Low-Density Housing. The plan also states that each neighborhood should contain a range of housing types, densities, and building configurations including single-family detached, townhouses, and apartments. Discourage large housing projects that consist of a single building type. Some portion of each type of housing should, ideally, be available for occupancy on either an ownership or lease basis. When combining housing types, it is preferable for the transition between types to occur at the rear rather than the front (i.e. across a courtyard or parking area rather than across the street). The plan encourages the location of medium and high density residential uses along collector and arterial streets. Sunset Street is classified as a secondary arterial roadway and Jefferson and Kimbrough are classified as collector roadways.

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues with rezoning, however, the property will need to be brought into compliance with the subdivision regulations before development can be permitted.

TRAFFIC ENGINEERING COMMENTS:

1. Sidewalks need to be built along the property frontage on Kimbrough.
2. No traffic study required
3. Right of way is adequate on Sunset, Jefferson & Kimbrough
4. Access points on Sunset must be 150 feet apart. Two access points are allowed on Sunset. If access is taken on Jefferson, must be 100 feet from Sunset. If access is taken on Kimbrough, must be 50 feet from Sunset.

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.
2. 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.
3. If a subdivision is required by this application, then public improvement plans and drainage easements will be required for any concentrated runoff crossing lot lines, as well as for detention and/or water quality features serving more than one lot. These improvements must be constructed, inspected, approved and operational prior to issuance of a building permit or final plat. Must pay Engineering and Inspection Fees, which are 5% of the public improvement construction costs, prior to final approval of public improvement plans.

4. Drainage easements will be required where concentrated flow drains from one lot to another or from offsite onto the proposed subdivision. Such easement shall be sized for the 100-year peak flow rate.
5. Based upon City contour and sinkhole information, no sinkholes exist on the site and the site is not within a sinkhole watershed.
6. Based upon City data, there is a significant amount of offsite concentrated storm water crossing the subject property. Although storm water detention and water quality do not have to be provided for these flows, public improvement plans will be required to convey these flows across the subject property. Drainage easements must be provided for this conveyance.

CLEAN WATER SERVICES COMMENTS:

1. No objections to rezoning. Public sewer is available for this tract.

ADJACENT PROPERTY OWNER COMMENTS:

Fourteen (14) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. The City Clerk has received one (1) protest petition regarding this rezoning request.

NEIGHBORHOOD MEETING:

The applicant held two neighborhood meetings regarding the proposed townhouse development for owners and residents (approximately 119 invitations) within five hundred (500) feet of the subject property. The first meeting was held on August 12, 2013, at the Redeemer Lutheran Church (2852 S. Dayton Ave.). Eight (8) members of the public attended the meeting. A summary of the meeting is attached (Attachment 2). A second meeting was held on September 10, 2013, at the Offices of H-Design Group. One (1) member of the public attended the meeting. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. At the, September 5, 2013, Planning and Zoning Commission meeting the applicant requested to table their request to rezone to an R-TH, Residential Townhouse District in order to allow for revisions. The applicant is now proposing to rezone the property from R-SF, Single-Family Residential District to an R-LD, Low-Density Multi-Family Residential District with Conditional Overlay District #64. The R-TH district requires each townhouse or duplex to be placed on its own lot. The applicant is proposing a townhouse development that will be under one ownership which requires a R-LD zoning district.
2. The applicant is requesting a conditional overlay district that will restrict the maximum density to eleven (11) dwelling units per acre. This restriction will reduce the projected traffic impact of the site and will not require a traffic study.

The proposed density is comparable to the R-TH District, a less intense residential district. The Multi-Family Location and Design Guidelines are not required for multi-family developments at 11 dwelling units per acre or less. The conditional overlay district will also require construction of sidewalks along Kimbrough Avenue and a six (6) foot privacy fence and buffer yard along the south property line in response to neighborhood concerns. The maximum height of any multi-family dwelling is restricted by a forty-five (45) degree bulk plane as measured from the boundaries of any R-SF districts. The standard requirements for bufferyards, noise, lighting, odor and signage will be covered by the Zoning Ordinance.

3. The bufferyard requirement between the R-LD, Low-Density Multi-Family Residential District and adjacent R-SF, Single-Family Residential District to the south, is a Bufferyard "B". Bufferyard "B" requires a minimum open space of fifteen (15) feet wide with the following plantings per one hundred (100) linear feet: one (1) canopy tree, one (1) understory tree, one (1) evergreen tree and six (6) shrubs. There are no required structures (i.e. solid fence, wall or hedge) in the Bufferyard "B". However, the conditional overlay district is requiring a six (6) foot privacy fence in the bufferyard along the south property line.
4. The R-LD, Low-Density Multi-Family Residential District is intended to serve as a transition between lower density and higher density residential districts. The subject property has direct access to Sunset Street, a secondary arterial, and Jefferson and Kimbrough Avenues, collector roadways. The 2010 traffic counts on Sunset between Kimbrough and Jefferson were 14,011 daily trips (which is the highest segment on Sunset between Campbell & National).
5. The Growth Management and Land Use Plan of the Comprehensive Plan designates this area as appropriate for low-density housing. The proposed residential densities are an appropriate transition between the potentially higher intensity uses and traffic along Sunset Street and the single-family neighborhood to the south. The property to the west is zoned O-1, Office District and to the northwest is zoned R-MD, Medium-Density Multi-Family District. While both properties are currently undeveloped, there is the potential that these sites could develop in the future. The property north and east of Sunset Street is owned by the City of Springfield as part of the South Creek Greenway Trail. The subject site with the conditional overlay district meets the recommendations and intent of the Comprehensive Plan and R-LD District.

FINDINGS FOR STAFF RECOMMENDATION:

1. The Growth Management and Land Use Plan of the City's Comprehensive Plan designates this area as appropriate for Low-Density Housing. The plan also states that each neighborhood should contain a range of housing types, densities, and building configurations including single-family detached,

townhouses, and apartments. Discourage large housing projects that consist of a single building type. Some portion of each type of housing should, ideally, be available for occupancy on either an ownership or lease basis. When combining housing types, it is preferable for the transition between types to occur at the rear rather than the front (i.e. across a courtyard or parking area rather than across the street). The plan encourages the location of medium and high density residential uses along collector and arterial streets. Sunset Street is classified as a secondary arterial roadway and Jefferson and Kimbrough are classified as collector roadways.

2. The proposed conditional overlay district will mitigate the potential impact between the multi-family and single-family uses by restricting the maximum density to no more than eleven (11) dwelling units per acre which is significantly less intense than what is permitted in the R-LD district. The conditional overlay district will require a six (6) foot tall privacy fence along R-SF properties to the south.
3. The standard development requirements in the R-LD District are otherwise adequate for mitigating potential impacts of the multi-family uses on the adjoining single-family residential properties. No portion of a multi-family shall be higher than forty-five (45) degree bulk plane where the property adjoins an R-SF District.

RECOMMENDATION:

Staff recommends **approval** of this request with the requirements of Conditional Overlay District No. 64.

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner



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

September 19, 2013

Daniel Neal
City of Springfield Zoning Department
840 Boonville Avenue Springfield, MO 65802

Re: 2nd Neighborhood Meeting Summary for Rezoning Request at E. Sunset and S. Kimbrough
Zoning Case #Z-18-2013

Mr. Daniel Neal,

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-CO Low-Density Multi-Family Residential with a Conditional Overlay
2. Meeting Date & Time:
Tuesday, September 10th 2009 from 5:00 p.m. to 6:00 p.m.
3. Meeting Location:
*H Design Group 5051 S National Ave. Ste. 7A
Springfield, MO 65810*
4. Number of Invitations that were sent: *119*
5. How was the mailing list generated: *City of Springfield Zoning Department*
6. Number of neighbors in attendance: *1 (See attachment A)*
7. List the verbal comments and how you plan to address any issues:
There were no new concerns brought up at this 2nd Neighborhood Meeting. Please see Attachment C for concerns from first Neighborhood Meeting on August 12th.
8. List or attach the written comments and how you plan to address any issues: *No written comments received.*

The meeting ended at 6:00 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
Attachment B: Returned Neighborhood Meeting Notice Letters - 2 pages
Attachment C: Aug. 12, 13 Neighborhood Meeting Summary - 3 pages

NEIGHBORHOOD MEETING ATTENDANCE SHEET

TIME: 5:00 to 6:00

823-7802

Attachment 2

Attachment B

SIGN GROUP, LLC
NATIONAL AVE., SUITE 7A
RINGFIELD, MO 65810

SPRINGFIELD MO 658

30 AUG 2013 PM 3:1



Current Resident
633 E MORNINGSIDE ST
SPRINGFIELD, MO 65807

Handwritten: 709
8/31/13

NIXIE 641 5E 1009 0009/07/13

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 65810287899 *0649-03314-30-43

65810287899

JACKSON, KATHERINE CHRISTINE
TR
526 E EDGEWOOD ST
SPRINGFIELD, MO 65807

Handwritten: 709

NIXIE 641 5E 1009 0009/07/13

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 65810287899 *0649-03314-30-43

65810287899

NATIONAL AVE., SUITE 7A
RINGFIELD, MO 65810

SPRINGFIELD MO 658

30 AUG 2013 PM 3:1



GOBBLE, AARON R
413 E MORNINGSIDE ST
SPRINGFIELD, MO 658073511

Handwritten: UTK
RT 709
8/31/13

NIXIE 641 5E 1009 0009/04/13

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 65810287871 *0649-02388-30-46

65810287871

H DESIGN GROUP, LLC
5051 S. NATIONAL AVE., SUITE 7A
SPRINGFIELD, MO 65810

Attachment 2

SPRINGFIELD MO 65810

30 AUG 2013 PM 3:31

Current Resident
2620 S CAMPBELL AVE
SPRINGFIELD, MO 65807

NIXIE 641 SE 1 0009/04/13
RETURN TO SENDER
VACANT
UNABLE TO FORWARD
BC: 65810287871 *0649-04133-30-43
65810287871

H DESIGN GROUP, LLC
5051 S. NATIONAL AVE., SUITE 7A
SPRINGFIELD, MO 65810

SPRINGFIELD MO 65810

30 AUG 2013 PM 3:31

Current Resident
603 E MORNINGSTREET ST
SPRINGFIELD, MO 65807

NIXIE 641 SE 1009 0009/04/13
RETURN TO SENDER
VACANT
UNABLE TO FORWARD
BC: 65810287899 *0649-03888-30
65810287899

Attachment 2



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

August 20, 2013

Daniel Neal
City of Springfield Zoning Department
840 Boonville Avenue
Springfield, MO 65802

Re: Neighborhood Meeting Summary for Rezoning Request
Catalpa & Ingram Mill
Zoning Case #Z-18-2013

Mr. Daniel Neal,

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-TH Residential Town House
2. Meeting Date & Time:
Monday, August 12th 2009 from 5:00 p.m. to 6:30 p.m.
3. Meeting Location:
*Redeemer Lutheran Church
2852 S. Dayton Ave. Springfield, MO 65807*
4. Number of Invitations that were sent: 119
5. How was the mailing list generated: *City of Springfield Zoning Department*
6. Number of neighbors in attendance: 9 (See attachment A)
7. List the verbal comments and how you plan to address any issues:
 - *Concern: Low income housing or Government Housing.
Response: We expressed that the development will not be low-income housing or Government Housing. This development will be catered toward young families and business professionals.*
 - *Concern: Neglected yards.
Response: The development will use professional lawn care services.*
 - *Concern: Traffic at entrances. Neighbors would prefer entry off Sunset to reduce potential traffic increases on Jefferson and Kimbrough
Response: We indicated that this would likely not be possible given the restrictions on the site but we would see if an entrance would be allowed in the middle of the site onto Sunset.*

Attachment 2



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

- *Concern: Fencing on South property line. Neighbors would like new fencing across whole back property line.*
Response: We have communicated this request back to the developer for consideration.
- *Comment: Opportunities. There were some good made for areas on the site that might cater to community garden spaces, playground areas, pet areas, etc.*
Response: We indicated that these were good marketable suggestions that would be communicated to the developer for consideration.

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: Sunset Townhomes

DATE: 08/12/13

MEETING LOCATION: 2852 S Dayton Ave
 Springfield, MO 65807

TIME: 5:00 to 6:30

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

Name

Address

Phone

Jehna Hann

433 E Morningside

823-7802

Clyde Foreman

421 E. EDGEWOOD

883 6779

~~J. Fred Spencer + Norma Spencer~~

~~2222 E. MORNINGSIDE~~

~~883-2494~~

Ed Schneider

514 E MORNINGSIDE

881-3734

J. Fred Spencer + Norma Spencer

228 E. GREENWOOD ST.

883-2494

Richard Tettenhorst

2022 S. Roanoke

417-881-7563

Sarah Green

513 E Morningside

417-894-8055

NEIL STENGER

1615 E PRIMROSE

417-879-7211

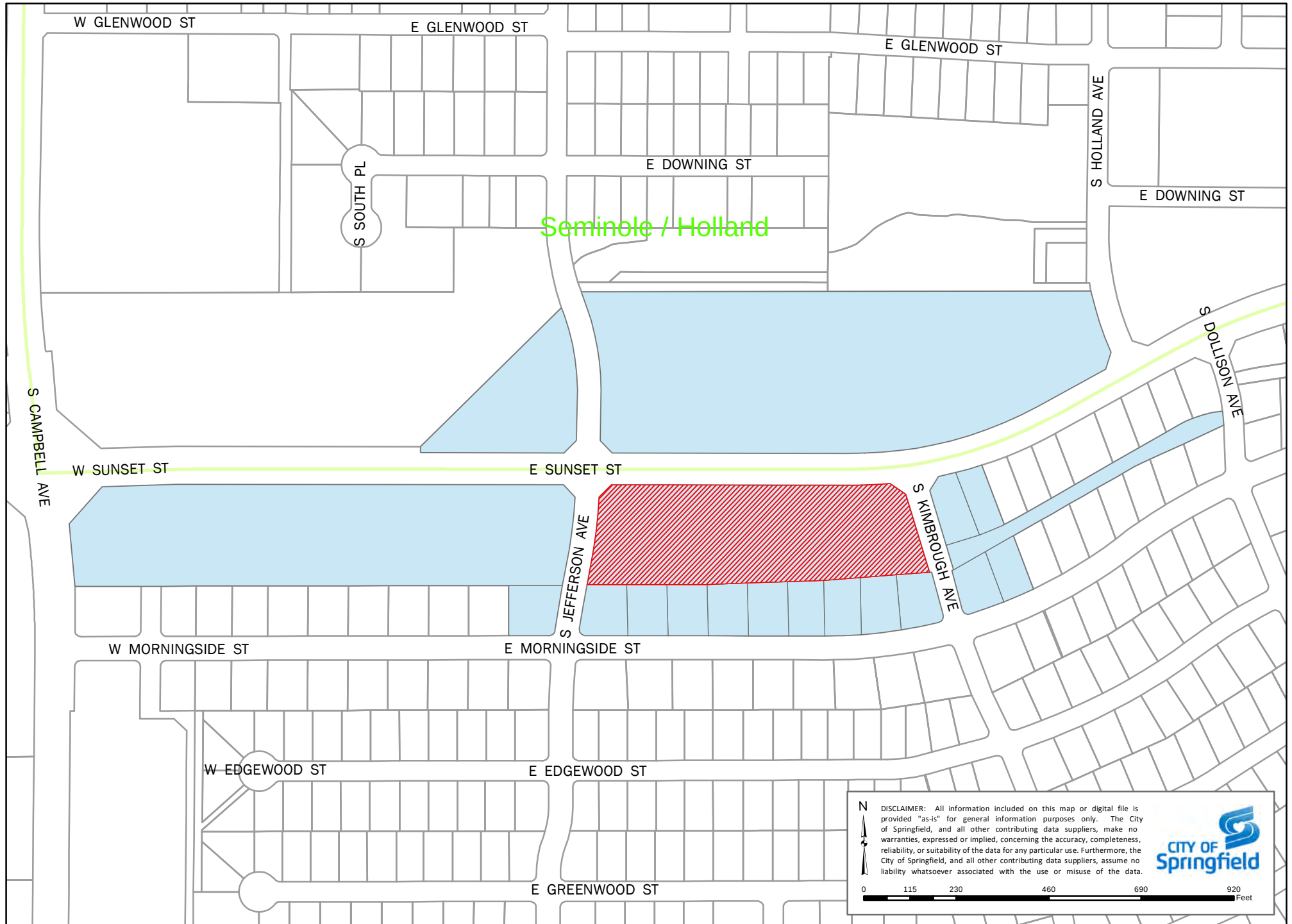
Robyn Block

523 E. Morningside

417-380-8881

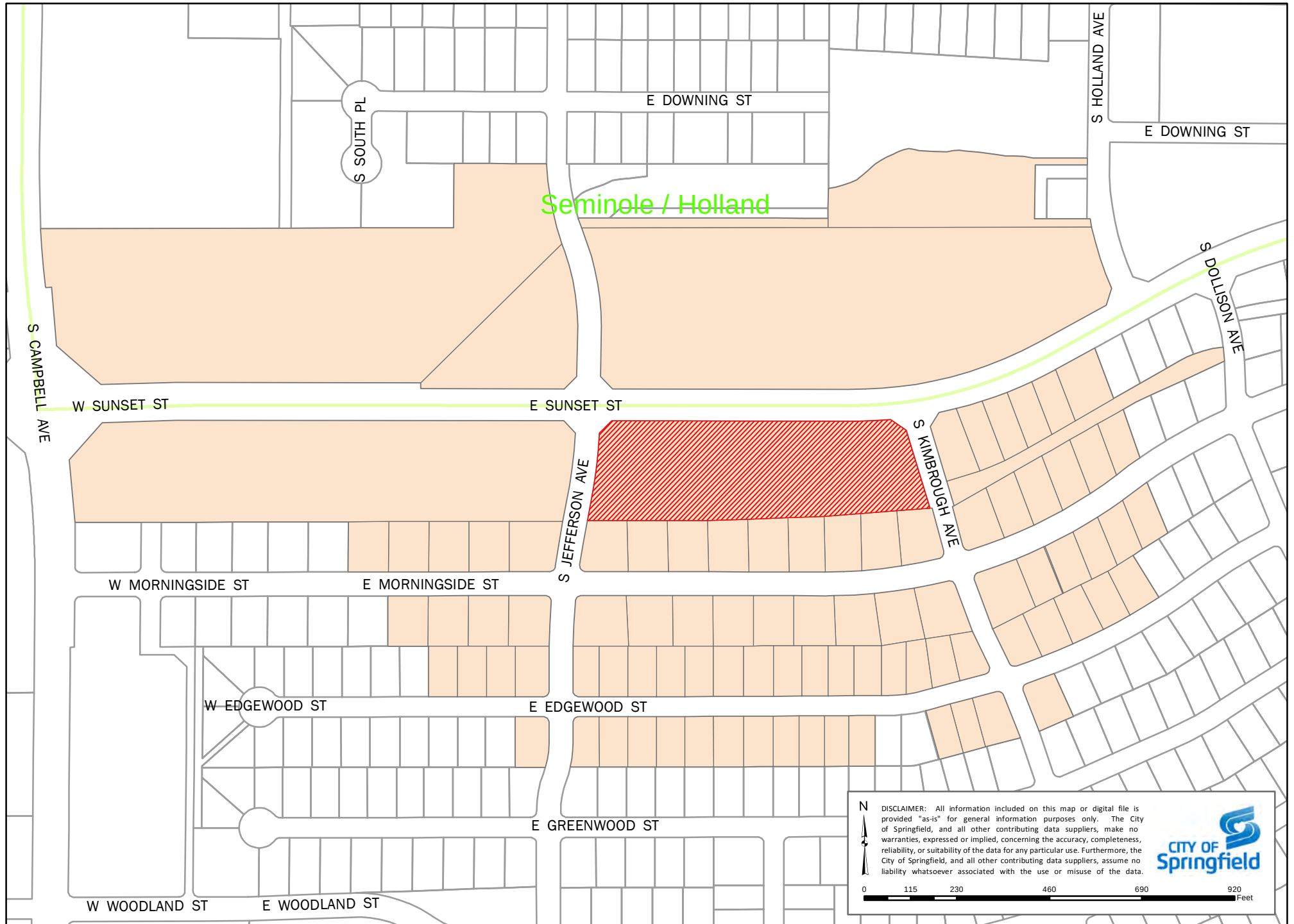
9

400 Block E Sunshine - 185 foot Mailing List



	OWNER_NAME	OWNER_ADDR	OWNER_CITY	OWNER_STAT	OWNER_ZIPC
1	ANGLIN, AUSTIN S	533 E MORNINGSIDE ST	SPRINGFIELD	MO	65807
2	BLACK, ROBYN	523 E MORNINGSIDE ST	SPRINGFIELD	MO	658073513
3	BOYER, KENNETH C	1915 S STEWART AVE	SPRINGFIELD	MO	658042520
4	COLE, LILA J TR	503 N WEST AVE	REPUBLIC	MO	657381059
5	DAWLEY, ROBERT	PO BOX 4829	SPRINGFIELD	MO	658084829
6	EMPIRE MORTGAGE CO INC	5133 S CAMPBELL AVE	SPRINGFIELD	MO	658102438
7	GANN, WILLARD	433 E MORNINGSIDE ST	SPRINGFIELD	MO	658073511
8	GOBBLE, AARON R	413 E MORNINGSIDE ST	SPRINGFIELD	MO	658073511
9	GREEN, DANIEL W	513 E MORNINGSIDE ST	SPRINGFIELD	MO	658073513
10	HOANG, PHUOC	323 E MORNINGSIDE ST	SPRINGFIELD	MO	658073509
11	MOTTL, DANIEL J	3689 S 227TH RD	LOUISBURG	MO	656858505
12	RESER, JACK	PO BOX 14835	SPRINGFIELD	MO	658140835
13	ROSEWOOD EST LP	1730 E REPUBLIC RD	SPRINGFIELD	MO	658046519
14	THOMPSON, BRIAN	423 E MORNINGSIDE ST	SPRINGFIELD	MO	658073511

400 Block E Sunshine - 500 foot Mailing List



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CITY OF Springfield

0 115 230 460 690 920 Feet

	OWNER_NAME	OWNER_ADDR	OWNER_CITY	OWNER_STAT	OWNER_ZIPC
1	ADAMS, JIMMIE F	534 E MORNINGSIDE ST	SPRINGFIELD	MO	658073514
2	AGEE, ARTHUR B TR	413 E EDGEWOOD ST	SPRINGFIELD	MO	658073647
3	ANDREWS, NICOLE	701 E EDGEWOOD ST	SPRINGFIELD	MO	658073753
4	ANGLIN, AUSTIN S	533 E MORNINGSIDE ST	SPRINGFIELD	MO	65807
5	BACK, CHARLOTTE A	614 E MORNINGSIDE ST	SPRINGFIELD	MO	658073516
6	BEESON, TAMMY CHRISTINE	518 E EDGEWOOD ST	SPRINGFIELD	MO	658073635
7	BLACK, ROBYN	523 E MORNINGSIDE ST	SPRINGFIELD	MO	658073513
8	BOYER, KENNETH C	1915 S STEWART AVE	SPRINGFIELD	MO	658042520
9	BROWN, RUTH	530 E EDGEWOOD ST	SPRINGFIELD	MO	658073635
10	BROWNE, GEORGE L JR	3832 W BROOKE CT	SPRINGFIELD	MO	658073648
11	BRUNER, MARK J II	312 E MORNINGSIDE ST	SPRINGFIELD	MO	65807
12	CASADA, JEREMIAH LEE	620 E EDGEWOOD ST	SPRINGFIELD	MO	658073637
13	CLARK, CHAD L	424 E MORNINGSIDE ST	SPRINGFIELD	MO	658073512
14	CLEGHORN, PAMELA	414 E MORNINGSIDE ST	SPRINGFIELD	MO	658073512
15	CLIMER, ANNA BELLE TRUST	8425 E FARM ROAD 174	ROGERSVILLE	MO	657428430
16	COLE, LILA J TR	503 N WEST AVE	REPUBLIC	MO	657381059
17	COOK, AMY L	502 E EDGEWOOD ST	SPRINGFIELD	MO	658073635
18	DAWLEY, ROBERT	PO BOX 4829	SPRINGFIELD	MO	658084829
19	DEWEERD, CHANDI D	303 E MORNINGSIDE ST	SPRINGFIELD	MO	658073509
20	DOJAMI, PROP LLC	880 FINBROOKE RD	ROGERSVILLE	MO	657428761
21	EDGEWOOD, PLACE LLC	1227 S ROANOKE AVE	SPRINGFIELD	MO	658071645
22	EMPIRE MORTGAGE CO INC	5133 S CAMPBELL AVE	SPRINGFIELD	MO	658102438
23	FIELDS, STERLING W III	1710 W ERIE ST	SPRINGFIELD	MO	658075644
24	FISCHER, BERNICE G	524 E MORNINGSIDE ST	SPRINGFIELD	MO	658073514
25	FOREMAN FAMILY TRUST	421 E EDGEWOOD ST	SPRINGFIELD	MO	658073647
26	FRALEY, DAVID M	504 E MORNINGSIDE ST	SPRINGFIELD	MO	658073514
27	FRAVEL, GAYLA J	531 E EDGEWOOD ST	SPRINGFIELD	MO	658073634
28	GANN, WILLARD	433 E MORNINGSIDE ST	SPRINGFIELD	MO	658073511
29	GARRISON, DENNIS	120 HILLVIEW	RIDGEDALE	MO	657397505
30	GILLESPIE, LOIS V ETAL	1666 E VINCENT DR	SPRINGFIELD	MO	65804
31	GINGER, TINA	702 E MORNINGSIDE ST	SPRINGFIELD	MO	658073518
32	GLIEDT, LINDA L TRUST	2233 E LATOKA ST	SPRINGFIELD	MO	658042653
33	GOBBLE, AARON R	413 E MORNINGSIDE ST	SPRINGFIELD	MO	658073511
34	GRAHAM, LOIS M	405 E EDGEWOOD ST	SPRINGFIELD	MO	658073647
35	GREEN, DANIEL W	513 E MORNINGSIDE ST	SPRINGFIELD	MO	658073513
36	HAMPTON, RONALD O	703 E MORNINGSIDE ST	SPRINGFIELD	MO	658073517
37	HARPER, THOMAS E	631 E EDGEWOOD ST	SPRINGFIELD	MO	658073672
38	HENDRICKSON, CARL	1809 E CARDINAL ST	SPRINGFIELD	MO	658044355
39	HOANG, PHUOC	323 E MORNINGSIDE ST	SPRINGFIELD	MO	658073509
40	HOUSKA, MICHAEL S ETAL	414 E EDGEWOOD ST	SPRINGFIELD	MO	658073649
41	HUNTON, H E	608 E MORNINGSIDE ST	SPRINGFIELD	MO	658073516
42	IRVINE, HOWARD L	609 E EDGEWOOD ST	SPRINGFIELD	MO	658073636
43	JACKSON, KATHERINE CHRISTINE TR	526 E EDGEWOOD ST	SPRINGFIELD	MO	65807
44	JMJD LLC	2674-A S GLENSTONE AVE	SPRINGFIELD	MO	65804
45	JOHNSON, GREGORY W	639 E EDGEWOOD ST	SPRINGFIELD	MO	658073672
46	JONES, BRIAN	223 E MORNINGSIDE ST	SPRINGFIELD	MO	658073507
47	KENT, DIANE	632 E EDGEWOOD ST	SPRINGFIELD	MO	658073671
48	L&S, RENTALS LLC	992 E NOTTINGHAM LN	SPRINGFIELD	MO	658102850
49	LEE, RICHARD B	2029 E ADOLPHUS CT	SPRINGFIELD	MO	658047596
50	LOVELAND, BRIAN	901 E SAINT LOUIS ST	SPRINGFIELD	MO	658062540
51	MELTON, FRED A LEE CROOK ETAL	5261 S AARON AVE	SPRINGFIELD	MO	658102879
52	METZ, CYNTHIA E	429 E EDGEWOOD ST	SPRINGFIELD	MO	658073647
53	MINKLER, PAULA S	505 E EDGEWOOD ST	SPRINGFIELD	MO	658073634
54	MITCHELL, LYNNE R	313 E MORNINGSIDE ST	SPRINGFIELD	MO	65807
55	MOTTL, DANIEL J	3689 S 227TH RD	LOUISBURG	MO	656858505
56	PATTERSON, ROBERT S	438 E EDGEWOOD ST	SPRINGFIELD	MO	658073649
57	PATTON, PATSY T	304 E MORNINGSIDE ST	SPRINGFIELD	MO	658073510
58	PHOTOPULIS, DALLAS	3731 S GLENSTONE AVE	SPRINGFIELD	MO	658044469

59	R&L BOYD ENT LLC	116 S KENNEDY ST	WALNUT GROVE	MO	657702673
60	RESER, JACK	PO BOX 14835	SPRINGFIELD	MO	658140835
61	RICHARDSON, SHAD	511 E EDGEWOOD ST	SPRINGFIELD	MO	658073634
62	RLM INVESTMENTS LLC	4781 STATE HWY B	ROGERSVILLE	MO	65742
63	ROSEWOOD EST LP	1730 E REPUBLIC RD	SPRINGFIELD	MO	658046519
64	SAVAGE, JERRY	6056 E FARM ROAD 94	STRAFFORD	MO	657578269
65	SCHLETT, ADAM B TR	628 E MORNINGSIDE ST	SPRINGFIELD	MO	658073516
66	SCHROEDER, EDWARD F TRUST	514 E MORNINGSIDE ST	SPRINGFIELD	MO	658073514
67	SKY BLUE PROP LLC	6518 S RIVERBRIDGE RD	SPRINGFIELD	MO	658103114
68	SPENCE, J FRED	228 E GREENWOOD ST	SPRINGFIELD	MO	658073600
69	STOWE, JAMES R	707 E EDGEWOOD ST	SPRINGFIELD	MO	658073753
70	SUNSET HOLDINGS & INVESTMENTS INC	3951 S MENTOR AVE	SPRINGFIELD	MO	65804
71	THOMPSON, BRIAN	423 E MORNINGSIDE ST	SPRINGFIELD	MO	658073511
72	TURNER, STEVE M	437 E EDGEWOOD ST	SPRINGFIELD	MO	658073647
73	VAUGHAN, DENNIS W	406 E EDGEWOOD ST	SPRINGFIELD	MO	658073649
74	WARD, DIANE N TRUST	617 E EDGEWOOD ST	SPRINGFIELD	MO	658073636
75	WELLS, MARK	525 E EDGEWOOD ST	SPRINGFIELD	MO	658073634
76	WIMMER, TIMOTHY WAYNE	430 E EDGEWOOD ST	SPRINGFIELD	MO	658073649
77	WIRTZ, JOHN G	3521 66TH DR	LUBBOCK	TX	794136101
78	WOODALL, KAREN LEE	422 E EDGEWOOD ST	SPRINGFIELD	MO	658073649
79	WRIGHT, DAVID L ETAL	512 E EDGEWOOD ST	SPRINGFIELD	MO	658073635
80	WRIGHT, GARY	506 E EDGEWOOD ST	SPRINGFIELD	MO	658073635
81	YORK, JASON ALAN	517 E EDGEWOOD ST	SPRINGFIELD	MO	658073634
82	ZIEHMER, CARLEEN R	715 E EDGEWOOD ST	SPRINGFIELD	MO	658073753
83	Current Resident	634 E MORNINGSIDE ST	SPRINGFIELD	MO	65807
84	Current Resident	639 E MORNINGSIDE ST	SPRINGFIELD	MO	65807
85	Current Resident	633 E MORNINGSIDE ST	SPRINGFIELD	MO	65807
86	Current Resident	627 E MORNINGSIDE ST	SPRINGFIELD	MO	65807
87	Current Resident	617 E MORNINGSIDE ST	SPRINGFIELD	MO	65807
88	Current Resident	603 E MORNINGSIDE ST	SPRINGFIELD	MO	65807
89	Current Resident	543 E MORNINGSIDE ST	SPRINGFIELD	MO	65807
90	Current Resident	503 E MORNINGSIDE ST	SPRINGFIELD	MO	65807
91	Current Resident	403 E MORNINGSIDE ST	SPRINGFIELD	MO	65807
92	Current Resident	213 E MORNINGSIDE ST	SPRINGFIELD	MO	65807
93	Current Resident	604 SUNSET	SPRINGFIELD	MO	65807
94	Current Resident	610 E SUNSET ST	SPRINGFIELD	MO	65807
95	Current Resident	616 E SUNSET ST	SPRINGFIELD	MO	65807
96	Current Resident	622 E SUNSET ST	SPRINGFIELD	MO	65807
97	Current Resident	628 E SUNSET ST	SPRINGFIELD	MO	65807
98	Current Resident	640 E SUNSET ST	SPRINGFIELD	MO	65807
99	Current Resident	2620 S CAMPBELL AVE	SPRINGFIELD	MO	65807
100	Current Resident	544 E MORNINGSIDE ST	SPRINGFIELD	MO	65807
101	Current Resident	434 E MORNINGSIDE ST	SPRINGFIELD	MO	65807
102	Current Resident	404 E MORNINGSIDE ST	SPRINGFIELD	MO	65807
103	Current Resident	324 E MORNINGSIDE ST	SPRINGFIELD	MO	65807
104	Current Resident	222 E MORNINGSIDE ST	SPRINGFIELD	MO	65807
105	Current Resident	614 E EDGEWOOD ST	SPRINGFIELD	MO	65807
106	Current Resident	608 E EDGEWOOD ST	SPRINGFIELD	MO	65807
107	Current Resident	501 E EDGEWOOD ST	SPRINGFIELD	MO	65807
108	Current Resident	537 E EDGEWOOD ST	SPRINGFIELD	MO	65807
109	Current Resident	603 E EDGEWOOD ST	SPRINGFIELD	MO	65807
110	Current Resident	329 E EDGEWOOD ST	SPRINGFIELD	MO	65807
111	Current Resident	321 E EDGEWOOD ST	SPRINGFIELD	MO	65807
112	Current Resident	313 E EDGEWOOD ST	SPRINGFIELD	MO	65807
113	Current Resident	307 E EDGEWOOD ST	SPRINGFIELD	MO	65807
114	Current Resident	330 E EDGEWOOD ST	SPRINGFIELD	MO	65807
115	Current Resident	616 E MORNINGSIDE ST	SPRINGFIELD	MO	65807
116	Richard Tettenhorst	2022 S. Roanoke Ave	SPRINGFIELD	MO	65807
117	Dave Beahan	1038 E. Cherokee	SPRINGFIELD	MO	65807

118	Richard Crabtree	920 E. Stanford St.	SPRINGFIELD	MO	65807
119	Vivian Rye	2256 S. Hampton Ave	SPRINGFIELD	MO	65807

TO THE CITY COUNCIL OF THE CITY OF SPRINGFIELD, MISSOURI

Please take notice that the undersigned, being the owners of property within an area of 185 feet from the property or district proposed to be rezoned by the Planning and Zoning Commission No. 2-18-2013, Council Bill No. _____, do protest and object to said proposed rezoning. This protest is given in contemplation of the provisions of City Code and applicable laws.

Austin S. Anclaw
Printed Name

533 east northwestern
Address

[Signature]
Signature

Printed Name

Address

Signature

Printed Name

Address

Signature

PLEASE NOTE:

ALL OWNERS OF RECORD MUST SIGN THE PETITION EXACTLY AS SHOWN ON THE DEED IN ORDER FOR THEIR PROPERTY TO BE INCLUDED IN THE REQUIRED THIRTY PERCENT (30%).

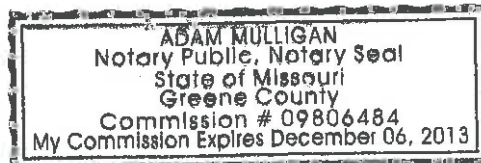
THE NOTARY EXECUTING THIS PETITION MUST WITNESS ALL SIGNATURES.

STATE OF MISSOURI
COUNTY OF GREENE ss.

On this 10 day of September, 2013, before me personally appeared the above named person(s) to me known to be the person or persons described in and who executed the foregoing instrument and acknowledged that he (or they) executed the same as his (or their) free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and year first above written.

[Signature]
Notary Public

My Commission expires: 12-06-2013



EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED:

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 1.71 acres of property generally located at 3938 South Lone Pine Street from a GM, General Manufacturing District to a GR, General Retail District.

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-19-2013

The applicant is proposing to rezone the property from an GM, General Manufacturing District to a GR, General Retail District.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on, October 3, 2013, and recommended _____, by a vote of ____ to ____ , of the proposed zoning on the tract of land described on the attached sheet (see the attached Record of Proceedings).

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

FINDINGS FOR STAFF RECOMMENDATION:

1. The subject property is located at the intersection of South Lone Pine Street, a secondary arterial roadway and Allen Drive, a local commercial roadway which are appropriate locations for GR, General Retail uses.
2. This request for GR zoning will provide for the redevelopment of this site and is consistent with the City's policies to promote infill development where investments have already been made in public services and infrastructure.
3. The development requirements in the proposed GR district are adequate for mitigating potential impacts of the proposed development on the adjoining properties.

CONDITIONS:

1. If approved, the new zoning is not effective until: A final subdivision plat is approved and recorded creating a lot over the proposed zoning boundary. If these conditions are not completed within two (2) years from date of City

Council approval, then that approval is null and void and the zoning will remain GM, General Manufacturing District.

Submitted by:

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

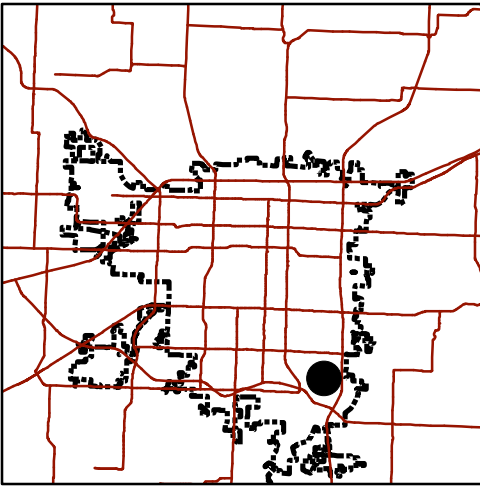
Attachment 2, Neighborhood Meeting Summary

EXHIBIT B
LEGAL DESCRIPTION
ZONING CASE Z-19-2013

The West 250' of the following tract: ALL OF LOTS TWELVE (12) THRU EIGHTEEN (18), GALLOWAY HEIGHTS ADDITION, ACCORDING TO THE RECORDED PLAT THEREOF, ALSO, BEGINNING AT THE SOUTHWEST CORNER OF LOT EIGHTEEN (18); THENCE WEST 150 FEET; THENCE NORTHWESTERLY 109 FEET; THENCE EASTERLY 213 FEET; THENCE SOUTHWESTERLY 50 FEET; THENCE SOUTHEASTERLY 121.2 FEET TO BEGINNING, SUBJECT TO THAT PART TAKEN OR USED FOR ROADS; ALSO, THE SOUTH 5 ACRES OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) LYING EAST OF THE RAILROAD IN SECTION NINE (9), TOWNSHIP TWENTY-EIGHT (28), RANGE TWENTY-ONE (21), ALL BEING IN SPRINGFIELD, GREENE COUNTY, MISSOURI.

EXHIBIT A
RECORD OF PROCEEDINGS
ZONING CASE Z-19-2013

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



Zoning & Subdivision Report

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

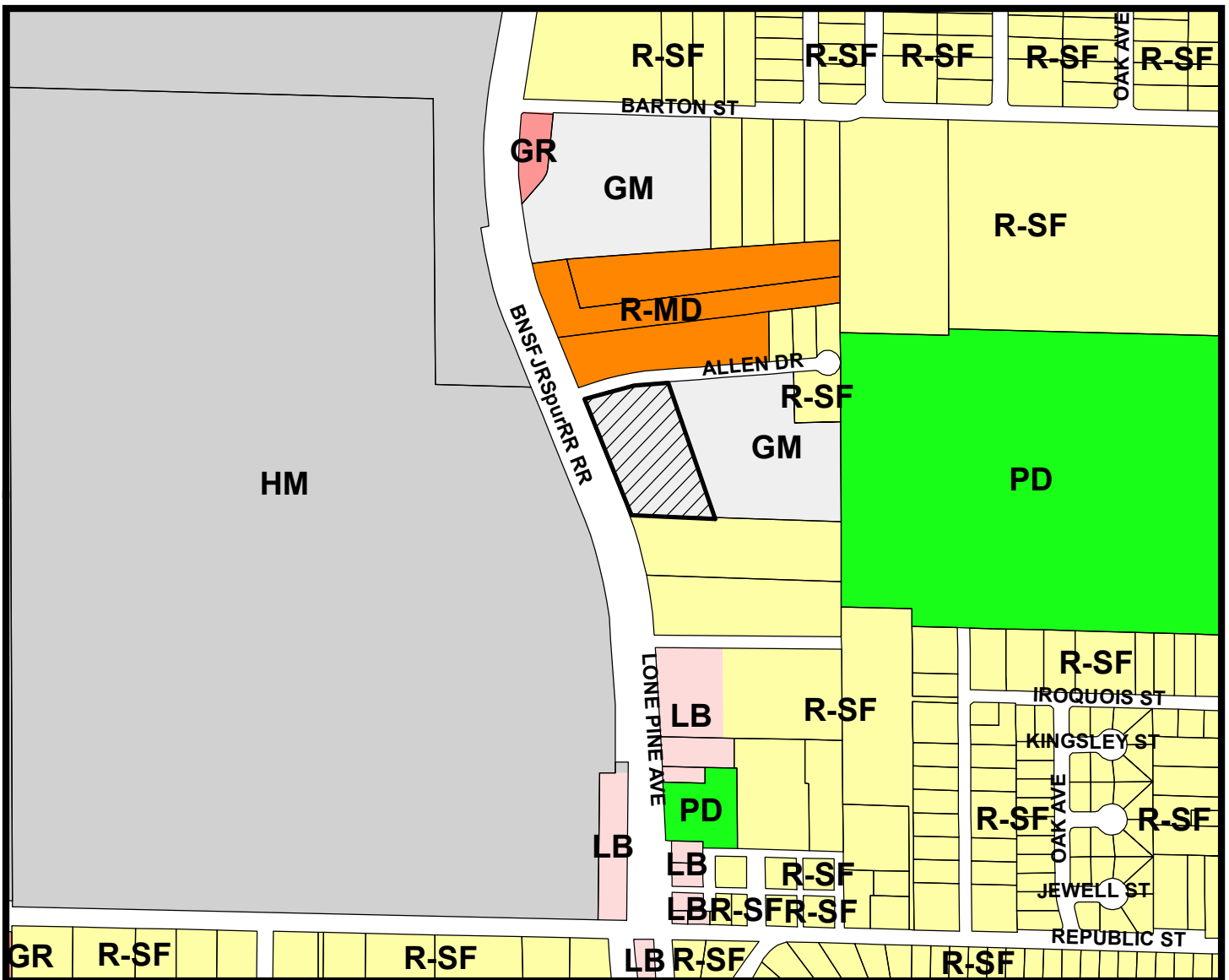
Z-19-2013

Location: 3839 South Lone Pine Ave.

Current Zoning: GM, General Manufacturing District

Proposed Zoning: GR, General Retail District

LOCATION SKETCH



- Area of Proposal

0 100 200 400

Feet

1 inch = 519.099657 feet

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-19-2013

DATE: September 18, 2013

LOCATION: 3938 South Lone Pine Street

APPLICANT: M. Maurice Slayden

TRACT SIZE: Approximately 1.71 acres

EXISTING USE: vacant lot

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

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-MD/ R-SF	Vacant land and Single-family residential dwellings
East	GM and PD	Vacant land and a Manufactured Home Park
South	R-SF	Single-family residential dwellings
West	HM	Quarry Site

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the City's *Comprehensive Plan* designates this area as appropriate for medium intensity retail, office or housing. Neighborhood-Scale Businesses are recommended near intersections of arterial and collector, or higher classification, streets and should be sited so as to provide adequate utilities, storm water management, parking, landscaping and buffering and design practices which minimize the effect on the environment and surrounding land uses. The subject property is located along Lone Pine Street, a secondary arterial roadway and Allen Drive which is a local commercial.

BUILDING DEVELOPMENT SERVICES COMMENTS:

1. BDS has no issues with proposed zoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

1. Allen Drive is classified as a local commercial which requires 30 feet of right of way from the center line. It appears approximately 10 feet of right of way is needed along the property frontage.
2. Sidewalks are required along the property frontage of Lone Pine and Allen Drive.
3. Allen Drive will need to be improved along the property frontage. 10 feet of pavement is required from the centerline. If the developer does not agree these improvements are needed, a traffic study must be submitted showing they are not needed.

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 by zoning, platting, and/or previous storm water reports. If site is located within a Planned Development District, stormwater requirements in PD language must be met.
2. 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.
3. If a subdivision is required by this application, then public improvement plans and drainage easements will be required for any concentrated runoff crossing lot lines, as well as for detention and/or water quality features serving more than one lot. These improvements must be constructed, inspected, approved and operational prior to issuance of a building permit or final plat. Engineering and Inspection Fees, which are 5% of the public improvement construction costs, must be paid prior to final approval of public improvement plans.
4. Drainage easements will be required where concentrated flow drains from one lot to another or from offsite onto the proposed subdivision. Such easement shall be sized for the 100-year peak flow rate

CLEAN WATER SERVICES COMMENTS:

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

CITY UTILITIES:

City Utilities does not have any objections to this request.

ADJACENT PROPERTY OWNER COMMENTS:

Four (4) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. There have been no calls to date.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on September 3, 2013. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. The applicant is requesting to rezone the subject property from a GM, General Manufacturing District to a GR, General Retail District. This request is to reduce the overall intensity of uses on the property from manufacturing to general retail uses.
2. *The Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for medium intensity retail, office or housing. General Retail (GR) district is one of the zoning districts recommended in these areas. The subject property is located at the intersection of Lone Pine Street, a secondary arterial roadway, and Allen Drive, a local commercial roadway. The subject site with the proposed GR, General Retail District will have to adhere to the requirements and restrictions contained within the district including those for buffering and building height in meeting the recommendations and intent of the City's *Comprehensive Plan*. Approval of this request will provide for a decrease in intensity in this area where investment has already been made in public services and infrastructure. This development will provide goods and services to the adjacent residential and commercial areas.
3. The proposed development will be required to meet the bufferyard requirements adjacent to less-intense zoning districts. The Zoning Ordinance requires a Bufferyard "F" between the GR district and adjacent R-SF, Single Family Residential zoning to the south. The Bufferyard "F" requires a minimum open space of twenty (20) feet wide with the following plantings per one hundred (100) linear feet: three (3) canopy trees, three (3) understory trees, four (4) evergreen trees and twenty (20) shrubs.

4. The GR district contains development standards and requirements to mitigate the potential impacts of development when located adjacent to less intense zoning districts. In addition to the required bufferyards, all structures developed on this property must remain below a thirty (30) degree bulk plane measured from the boundary of the R-SF district to the south.

FINDINGS FOR STAFF RECOMMENDATION:

1. The subject property, at the intersection of Lone Pine Street, a secondary arterial roadway, and Allen Drive, a local commercial roadway, is an appropriate location for GR, General Retail zoning.
2. This request for GR zoning will provide for the redevelopment of this site and is consistent with the City's policies to promote infill development where investments have already been made in public services and infrastructure.
3. The development requirements in the proposed GR district are adequate for mitigating potential impacts of the proposed development on the adjoining properties.

CONDITIONS:

1. If approved, the new zoning is not effective until: A final subdivision plat is approved and recorded creating a lot over the proposed zoning boundary. If these conditions are not completed within two (2) years from date of City Council approval, then that approval is null and void and the zoning will remain GM, General Manufacturing District.

RECOMMENDATION:

Staff recommends **approval** of this request.

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner
864-1834



Architecture
Engineering
Planning
Project Management

YOUR VISION. OUR FOCUS.

August 13, 2013

Neighbors of 3839 South Lone Pine

Dear Neighbor,

We are in the process of rezoning a parcel of land at 3839 S Lone Pine from the current General Manufacturing District to a General Retail District. This property is the piece that is at Lone Pine and Allen Street where the Rhodes Concrete plant is located. We will be rezoning the west 250' of the property (see below)



The rezoning will allow retail and restaurant businesses to locate there which the current zoning does not allow.

As a part of this zoning effort, we will be hosting a Neighborhood Meeting on Tuesday September 3rd between 4:00 and 6:30 PM at the site (the Rhodes concrete Plant).

Geoffrey H. Butler, AIA
Architect & Partner
Direct Line: 417.521.6106
Mobile: 417.848.6000
Email: butler@brpae.com

319 North Main, Suite 200
Springfield, MO 65806
Phone: 417.865.6100
Fax: 417.865.6102
www.brpae.com

Neighborhood Meeting Letter
August 13, 2013
Page Two

At that meeting I will be there to answer any questions you have about the zoning. If you cannot make it, please feel free to call me at my office to discuss this zoning.

Sincerely,

BUTLER, ROSENBURY & PARTNERS, INC.

A handwritten signature in red ink, consisting of a stylized 'G' followed by a long horizontal stroke.

Geoffrey H. Butler, AIA
Architect & Partner

GHB

cc: City Planning and Zoning

Neighborhood Meeting Report

Zoning Case: PLN2013-0202

Date: Tuesday September 3, 2013

Time: 4:00 PM – 6:30 PM

Location of Meeting: 3938 South Lone Pine

Present: Geoffrey H Butler (representing the applicant)

Neighbors Attending: None

Prepared by:

Geoffrey H. Butler AIA
Butler, Rosenbury & Partners Inc

EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 0.94 acres of property generally located at 1713 South Saint Charles Avenue and 3233 East Sunshine Street from an O-1, Office District and GR, General Retail District to a GR, General Retail District; and establishing Conditional Overlay District No. 63.

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-20-2013/CONDITIONAL OVERLAY DISTRICT NO. 63

The applicant is proposing to rezone the property from an O-1, Office District and GR, General Retail District to a GR, General Retail District with Conditional Overlay District #63. This will allow for the property at 1713 South Saint Charles to be rezoned for retail development and combined with the existing GR zoned property at 3233 East Sunshine. The accompanying Conditional Overlay District will require a six (6) foot tall fence along the north property line adjacent to the residential development. In addition, the Conditional Overlay District requires a sidewalk to be constructed along Saint Charles Avenue and Sunshine Street and restricts access on Saint Charles to one driveway which shall be aligned with the existing driveway on the east side of Saint Charles.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on October 3, 2013, and recommended _____, by a vote of _____ to _____, of the proposed zoning on the tract of land described on the attached sheet (see the attached Record of Proceedings).

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

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval will expand the existing GR, General Retail zoning an additional one-hundred-sixty (160) feet to the north consistent with the existing GR zoning to the east and west.
2. Approval of this request is not expected to have any negative impact on the surrounding properties. A bufferyard will be provided on the north property line adjacent to the residential development.

3. Approval of this request will allow for expansion and/or redevelopment of this property in conformance with today's requirements for off-street parking, bufferyards and open space.

Submitted by:



Alana D. Owen, AICP, Senior Planner

Approved by:

Bob Hosmer, AICP, Principal Planner

Greg Burris, City Manager

EXHIBITS:

Exhibit A, Record of Proceedings

Exhibit B, Legal Description

Exhibit C, Conditional Overlay Provisions

Exhibit D, Zoning and Subdivisions Staff Report

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Neighborhood Meeting Summary

EXHIBIT A
RECORD OF PROCEEDINGS
ZONING CASE Z-20-2013 & CONDITIONAL OVERLAY DISTRICT NO. 63

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

EXHIBIT B
LEGAL DESCRIPTION
ZONING CASE Z-20-2013 & CONDITIONAL OVERLAY DISTRICT NO. 63

Commencing 45 feet North of the Southwest Corner of the Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) Section 28, Township 29, Range 21, for a beginning point; thence North 135 Feet; thence East 140 feet; thence South 135 feet to Highway Right-of-way line; thence West to beginning point, all in Springfield, Greene County, Missouri.

And;

Commencing 180 feet north of the southwest corner of the southeast quarter (SE1/4) of the southeast quarter (SE ¼) of section twenty-eight (28), township twenty-nine (29), range twenty-one (21), for a beginning point; thence north 156.95 feet, more or less to the south line of rosewood addition; thence east along the south line of said addition 140 feet more or less to St. Charles Ave.; Thence south to a point 180 feet due north of the south line of the southeast quarter (SE ¼); thence west to a the point of beginning, subject to any part thereof taken, deeded, or used for road or highway purposes.

EXHIBIT C
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-20-2013 & CONDITIONAL OVERLAY DISTRICT NO. 63

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

1. A minimum six (6) foot tall fence will be provided along the north property line in addition to the required bufferyard.
2. The property at 1713 South Saint Charles Avenue and 3233 East Sunshine Street shall be combined in accordance with the City's Subdivision Regulations.
3. One (1) driveway shall be permitted to Saint Charles Avenue and shall be aligned with the existing driveway to the east.
4. Sidewalks shall be constructed along Sunshine Street and Saint Charles Avenue.

Zoning & Subdivision Report

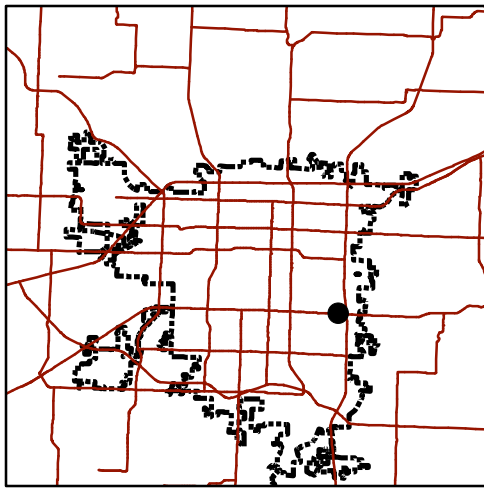
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Zoning Case Z-20-2013/ Conditional Overlay District #63

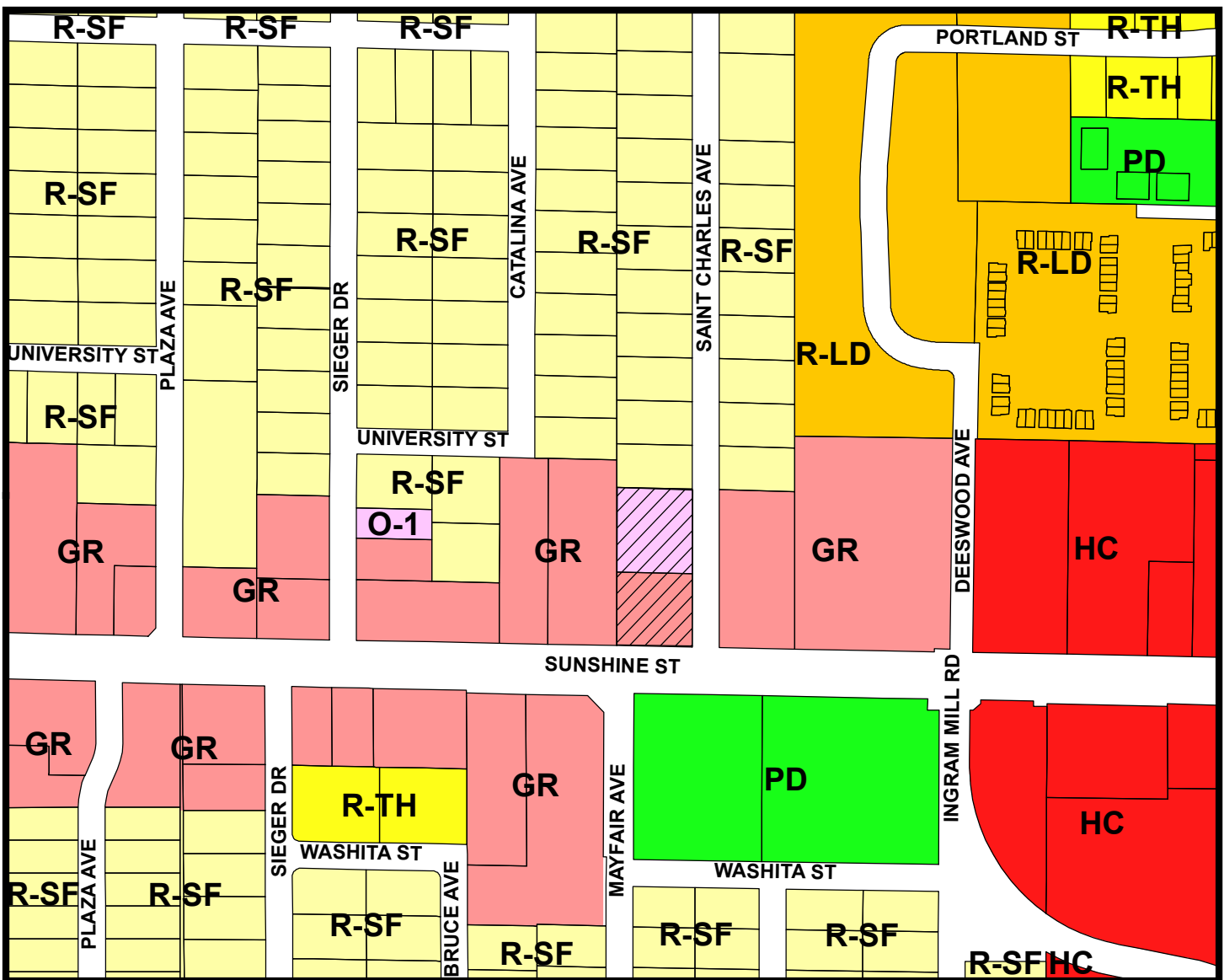
Location: 1713 South Saint Charles Avenue and
3233 East Sunshine Street

Current Zoning: O-1 and GR

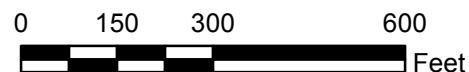
Proposed Zoning: GR With COD #63



LOCATION SKETCH



- Area of Proposal



1 inch = 300 feet

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-20-2013 & CONDITIONAL OVERLAY DISTRICT NO. 63

DATE: September 24, 2013

LOCATION: 1713 South Saint Charles Avenue and 3233 East Sunshine Street

APPLICANT: Morris Springfield LLC

TRACT SIZE: Approximately 0.94 acres

EXISTING USE: Office uses and vacant gas station

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

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF	Single family homes
East	GR	Retail uses
South	PD 9 & GR	Self-service storage and retail uses
West	GR	Retail uses

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues with the proposed rezoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

1. Sidewalks are required along the property frontage.
2. One driveway will be allowed on St. Charles Avenue and needs to be located directly across from the driveway to the east.
3. Neither of the driveways on Sunshine meet current site distance requirements. Need a letter or email from MoDOT regarding the driveways on Sunshine.

MISSOURI DEPARTMENT OF TRANSPORTATION (MoDOT):

This request is acceptable to MoDOT.

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.
 - d. 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.

CLEAN WATER SERVICES COMMENTS:

Clean Water Services has no objections to rezoning. Public sewer and service lateral are currently available.

ADJACENT PROPERTY OWNER COMMENTS:

Fourteen (14) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. No one has objected to date.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on September 9, 2013. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 0.94 acres of property from an O-1, Office District and GR, General Retail District to a GR, General Retail District with Conditional Overlay District. Approval of this request will expand the existing GR zoning an additional one-hundred sixty (160) feet to the north. Approval of this request is consistent with the existing GR zoning to the east and

west and is not expected to have any negative impacts on the surrounding properties. Expansion of the GR zoning will facilitate the redevelopment of this property in conformance with today's requirements for off-street parking, bufferyards and open space.

2. The Conditional Overlay District (COD) that accompanies this request will require the two properties, 1713 South Saint Charles Avenue and 3233 East Sunshine Street, to be combined into one tract. The COD also requires a minimum six (6) foot tall fence to be constructed along the north property line adjacent to the residential development in addition to the required bufferyard. The COD requires the construction of sidewalks on the Sunshine Street and Saint Charles Avenue frontage and limits access on Saint Charles to one (1) driveway which must be aligned with the existing driveway to the east.

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval will expand the existing GR, General Retail zoning an additional one-hundred-sixty (160) feet to the north consistent with the existing GR zoning to the east and west.
2. Approval of this request is not expected to have any negative impact on the surrounding properties. A bufferyard will be provided on the north property line adjacent to the residential development.
3. Approval of this request will allow for expansion and/or redevelopment of this property in conformance with today's requirements for off-street parking, bufferyards and open space.

RECOMMENDATION:

Staff recommends **approval** of this request with the requirements of Conditional Overlay District No. 63.

STAFF CONTACT PERSON:

Alana D. Owen, AICP
Senior Planner
864-1831

ATTACHMENT 2
NEIGHBORHOOD MEETING SUMMARY
ZONING CASE Z-20-2013 & CONDITIONAL OVERLAY DISTRICT NO. 63

EXHIBIT 2

NEIGHBORHOOD MEETING SUMMARY

1. Request to change zoning from: O-1 & GR to GR with a Conditional Overlay
(existing zoning district) *(proposed zoning district)*

And any additional explanation that is available:

A 6' high wooden fence shall be installed along the north property line. An administrative subdivision will be required to combine the properties together. Sidewalks will be constructed along the property frontage at the time of re-development. One drive way will be permitted onto St. Charles Ave. Driveway shall be centered to match the existing driveway directly to the east.

2. Meeting Date & Time: September 09, 2013 @ 4:30 - 6 P.M. (Hours were limited by location)
3. Meeting Location: Hope Community Church on Blackman Rd.
4. Number of invitations that were sent: 95
5. How was the mailing list generated: City Provided
6. Number of neighbors in attendance (attach a sign-in sheet): 0
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction, however, the developer must explain why the issues cannot be resolved.)

No neighbors were in attendance. No comments have been received.

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

No comments have been received.

The neighborhood meeting was not able to be held at the properties to be rezoned. The properties are both vacant (and have been for some time) and as such, are not a conducive environment in which to hold a public meeting.

Multiple attempts were made to hold the meeting within an adjacent facility. Several churches, banks, and local businesses were contacted, with no success. The closest meeting space acceptable to having the public meeting was Hope Community Church on Blackman Rd. While the Church was acceptable, their hours limited the time of the meeting from 4:30 to 6:00 p.m.

EXPLANATION TO COUNCIL BILL NO. 2013 -

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 96.31 acres of property generally located at 3800 West Sunshine Street from an HC, Highway Commercial District and Conditional Overlay Districts # 1 and #13 to Planned Development District No. 343.

PLANNED DEVELOPMENT DISTRICT NO. 343

BACKGROUND INFORMATION:

The applicant is proposing to rezone the subject property to a Planned Development 343 to allow for a mixed-use office and retail development.

FINDINGS FOR STAFF RECOMMENDATION:

1. This request is consistent with the recommendations of the *Comprehensive Plan* which identifies this area, located near two expressways, as an ideal location to encourage regional-scale commercial centers.
2. The proposed Planned Development will provide flexibility to facilitate development of this area which has been designated as a blighted area and further the implementation of the approved Springfield Plaza Tax Increment Financing Plan.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on October 3, 2013 and recommended , by a vote of to , of the proposed zoning on the tracts of land described on the attached sheet (see the attached Record of Proceedings).

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

Submitted by:



Alana D. Owen, AICP
Senior Planner

Approved by:

Bob Hosmer, AICP, Principal Planner

Greg Burris, City Manager

EXHIBITS:

Exhibit A, Record of Proceedings

Exhibit B, Legal Description

Exhibit C, Zoning and Subdivision Report

Attachment 1, Background Report

Attachment 2, Neighborhood Meeting Summary

PLANNED DEVELOPMENT 343 EXHIBITS:

Exhibit 1, Planned Development Ordinance Text

Exhibit 2, Preliminary Development Plan

EXHIBIT A
RECORD OF PROCEEDINGS
PLANNED DEVELOPMENT 343

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

EXHIBIT B
LEGAL DESCRIPTION
PLANNED DEVELOPMENT 343

A tract of land being a part of property described in Book 2007 at Page 032908-07 of the Greene County Deed Records and lying in the Northwest Quarter and the Northeast Quarter of Section 32, Township 29 North, Range 22 West of the Fifth Principal Meridian, City of Springfield, Greene County, Missouri, and being more particularly described as follows:

Commencing at the Northeast corner of the Northeast Quarter of said section 32; thence North 89°22'30" West, along and with the North line of said Quarter section, a distance of 1321.98 feet to the Northeast corner of the Northwest Quarter of the Northeast Quarter of said Section 32; thence South 01°38'48" West, along and with the East line of said Northwest Quarter of the Northeast Quarter, a distance of 130.45 feet to a point on the South right-of-way line of relocated U.S. Highway 60; thence, continue South 01°38'48" West, along and with said East line, a distance of 317.86 feet to the POINT OF BEGINNING; thence continue South 01°38'48" West along and with said East line of the Quarter-Quarter section, a distance of 885.21 feet to an existing 5/8" pin at the Northwest Corner of the Northwest Quarter of the Southeast Quarter of the Northeast Quarter; thence South 89°21'04" East, a distance of 659.17 feet to an existing iron pin at the Northeast Corner of the Northwest Quarter of the Southeast Quarter of the Northeast Quarter of said Section 32; thence South 01°27'15" West, along and with the East line of said Northwest Quarter of the Southeast Quarter of the Northeast Quarter, a distance of 187.51 feet to a point on the Northwesterly right-of-way line of State Highway 160; thence, South 45°29'48" West, along and with said right-of-way line, a distance of 1609.75 feet to the South line of the Northeast Quarter of said Section 32; thence, North 89°13'38" West, along and with the South line of said Section 32, a distance of 876.03 feet to the Southeast corner of the Northwest Quarter of said Section 32; thence, North 88°58'37" West, along and with the South line of the Northwest Quarter, a distance of 427.43 feet; thence, North 01°52'51" East, leaving said South line, a distance, 1974.74 feet to the South right-of-way line of U.S. Highway 60; thence, Northeasterly, along and with said South right-of-way line, on a non-tangent curve to the right having a radius of 4867.23 feet, an included angle of 16°38'45", a chord bearing of North 70°03'04" East and chord distance of 1409.09 feet, an arc distance of 1414.06 feet; thence, South 11°37'31" East, leaving said right-of-way line, a distance of 272.43 feet; thence, Northeasterly on a non-tangent curve to the right having a radius of 1027.50, an included angle of 06°24'36", a chord bearing of North 87°36'21" East and chord length of 114.89 feet, an arc distance of 114.95 feet; thence, South 89°11'21" East, a distance of 263.46 feet to the POINT OF BEGINNING, containing 96.31 acres, more or less and being subject to easements, restrictions and rights-of-way, if any.

Bearings are based on Grid North of the Missouri State Plane Coordinate System of 1983, Central Zone.

Zoning & Subdivision Report

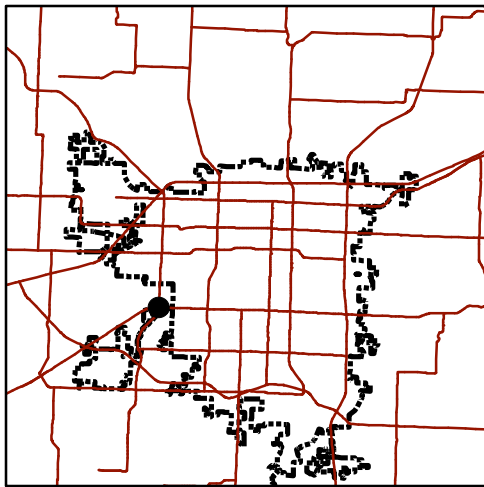
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Planned Development District No. 343

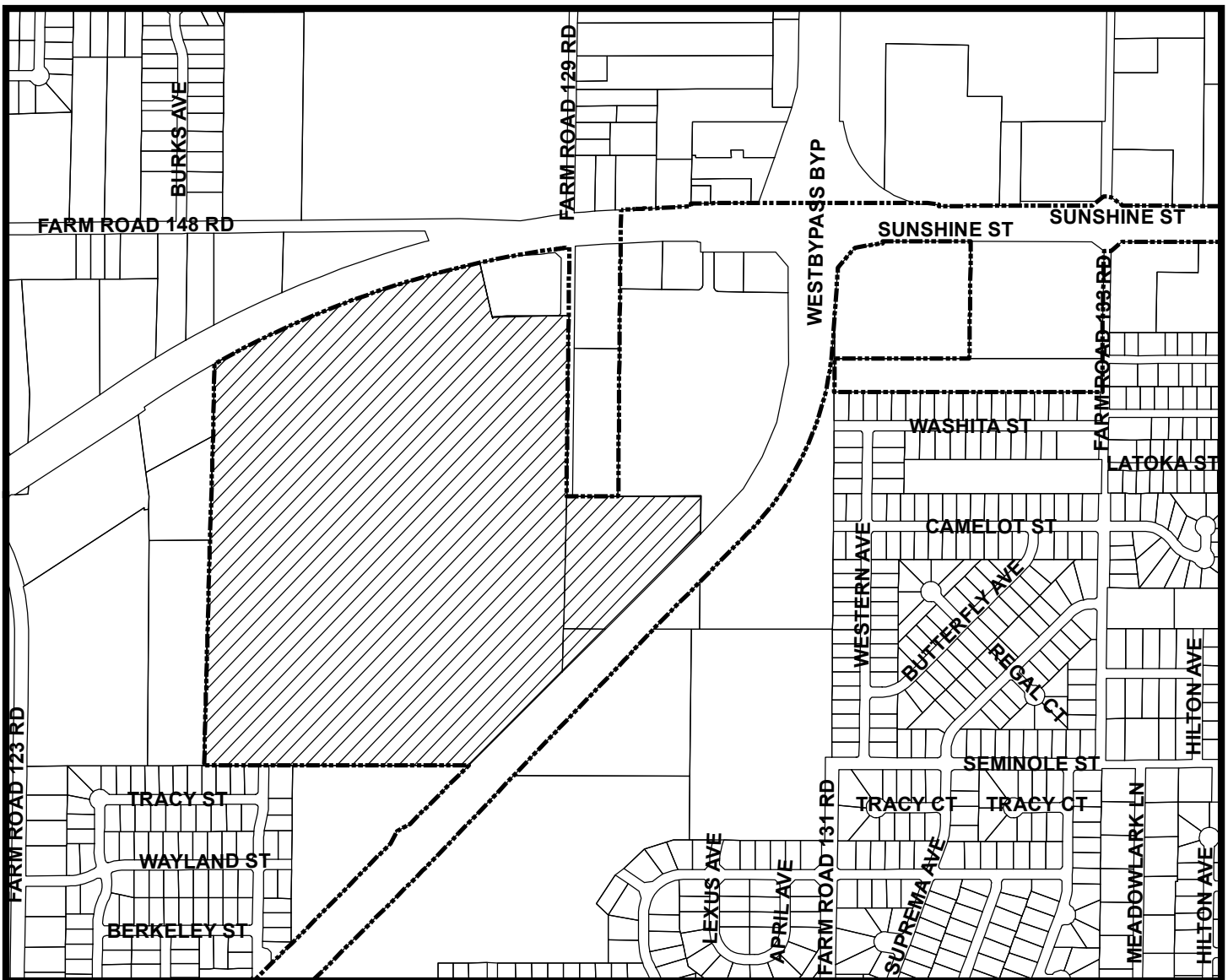
Location: 3800 W. Sunshine Street

Current Zoning: HC, Highway Commercial with Conditional
Overlay Districts #1 and #13

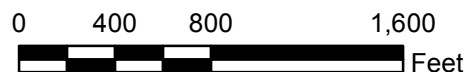
Proposed Zoning: Planned Development District No. 343



LOCATION SKETCH



- Area of Proposal



1 inch = 800 feet

ATTACHMENT 1
BACKGROUND REPORT
PLANNED DEVELOPMENT 343

DATE: September 20, 2013

LOCATION: 3800 West Sunshine Street

APPLICANT: Springfield Plaza Real Estate Inc.

TRACT SIZE: Approximately 96.31 acres

EXISTING USE: Vacant land

PROPOSED USE: Mixed-use office and retail development

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	County C-2	Gas station, auto repair and other commercial uses
East	GR & County PAD	Fireworks sales, Walmart, gas station, car wash
South	County R-1	Single family homes and undeveloped land
West	County C-2 & County PAD	Motorcycle sales and repair, undeveloped land

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* Commercial Land Use Guidelines provides criteria for four distinct commercial development types. The most intense of these four, Regional-Scale Commercial Centers, is encouraged in locations on major arterials near a freeway or expressway with over 500,000 square feet of planned commercial floor space. The action plan recommends that such commercial area should be designed to function effectively through common design features that will ensure the integrity and function of the road system, reduce the length and frequency of auto trips, minimize the impact on residential areas and contribute to the overall attractiveness of the community.

TRAFFIC DIVISION COMMENTS:

The Public Works Traffic Division has no objections to the Planned Development.

MISSOURI DEPARTMENT OF TRANSPORTATION (MODOT):

Any work on state right-of-way will require a permit from MoDOT.

BUILDING DEVELOPMENT SERVICES COMMENTS:

There are no issues with the Planned Development.

STORMWATER COMMENTS:

This proposed Planned Development is acceptable to the Public Works Storm Water Division.

CLEAN WATER SERVICES COMMENTS:

1. Offsite sewer must be extended to this subdivision. Offsite easements to be acquired by property owner. Sewer must be extended to each proposed lot.
2. Submit public improvement plans and sewer easements to Public Works for review and approval. Sewer improvements must be constructed according to city standards.

CITY UTILITIES COMMENTS:

There are some design and relocation issues to be worked out, but no objection to the Planned Development approval.

ADJACENT PROPERTY OWNER COMMENTS:

Twenty-seven (27) property owners are within 185 feet of the subject property and were notified by mail of this request.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on August 29, 2013. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. The applicant is requesting to rezone the subject property from an HC, Highway Commercial District with Conditional Overlay Districts #1 and #13 to a Planned Development District to facilitate the development of an office and retail development. This area is located at the intersection of a two Expressways (West Bypass and Sunshine Street). The *Comprehensive Plan* recommends the location of Regional-Scale Commercial Centers (over 500,000 square feet) on major arterials near a freeway or expressway. The proposed Planned Development is consistent with the intent of the existing HC,

Highway Commercial zoning and the recommendations of the *Comprehensive Plan*.

2. The following is a summary of the proposed Planned Development compared with the existing HC, Highway Commercial District with Conditional Overlay Districts #1 and #13:
 - a. The Planned Development is proposing the same uses that are currently permitted with the existing zoning district. The Planned Development will prohibit Auction Sales and flea markets, Boat and marine sales and service, Bus stations, Camper sales and camper trailer sales and service, lease and rental, Campgrounds and recreational vehicle parks, Public or private vehicle and boat storage garages, yards or lots and Construction equipment yards. The same uses excluded within the Planned Development are the same uses prohibited within the existing Conditional Overlay Districts.
 - b. The existing Conditional Overlay District limits the maximum floor area ratio to 0.25 except under certain conditions. Approval of this Planned Development would increase the permitted floor area ratio to 0.40 which is what is permitted in the HC, Highway Commercial District. The Planned Development states the floor area ratio can be further restricted based on the required improvements to the surrounding street system.
 - c. The Planned Development proposes two development identification signs. The signs will be located in common area, one at proposed McCurry Avenue and Sunshine and another one at Seminole and West Bypass. The signs will have a maximum size of six-hundred (600) square feet of effective area and will be a maximum of forty (40) tall. The common area for the signs will need to be platted at the specified locations.
 - d. As part of the Planned Development the applicant proposes to modify the open space requirements within the development. The existing zoning requires a minimum of twenty (20) percent open space on each individual lot. This proposal requires a minimum of ten (10) percent on each individual lot with the twenty (20) percent required cumulatively for the entire development. This open space requirement is consistent with what has been required in other developments including the Planned Development (PD 336) for the old Hickory Hills School site.
 - e. The proposed Planned Development contains design requirements for buildings within the development. The exterior façade of buildings facing the street or designated open space will be finished with brick, simulated or natural stone, cement masonry units, insulated glass, concrete panels finished with a permanent surface, textured stucco or exterior insulation and finish systems (EIFS). The proposed Planned Development prohibits the use of vinyl siding and metal wall panels the sides of buildings highly visible to the public. The existing zoning does not have any design requirements.
 - f. Approval of the Planned Development will include the same bufferyard requirements that exist under the current zoning. In addition, the Planned

Development includes a provision for preserving the existing tree line along the southern property boundary to the extent possible and requires a berm or fence or combination thereof which is a minimum of six (6) feet tall along the south property line.

- g. The limitations of access and improvements to the surrounding street system identified by a Traffic Impact Study and required under the existing Conditional Overlay Districts are included in this proposal.
3. At their May 6, 2013 meeting City Council approved the Springfield Plaza Tax Increment Financing Plan, established a redevelopment area, designated the redevelopment area as a blighted area and directed staff to implement the redevelopment plan for this area. Approval of this Planned Development will help to facilitate the development of this area in conformance with the approved redevelopment plan.

RECOMMENDATION:

Staff recommends **approval** of this request.

STAFF CONTACT PERSON:

Alana D. Owen, AICP
Senior Planner

ATTACHMENT 2
NEIGHBORHOOD MEETING SUMMARY
PLANNED DEVELOPMENT 343

LEE ENGINEERING AND ASSOCIATES, L.L.C.

CIVIL ENGINEERING & DESIGN
2101 W. CHESTERFIELD BLVD.
SUITE C202
SPRINGFIELD, MO 65807
dlee@leeengineering.biz

TELEPHONE: (417) 886-9100

FACSIMILE: (417) 886-9336

August 30, 2013

Neighborhood Meeting Report

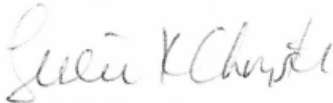
Proposed Rezone
Springfield Plaza
Springfield, Missouri

The neighborhood meeting was held, Thursday, August 29, 2013 between 4:00 and 6:30pm at The Library Center, 4653 S. Campbell, Springfield, Mo. In attendance were Derek Lee and Leslie Chrystal with Lee Engineering.

The number of invitations that were sent out was 68, with 8 being returned as not deliverable from the post office. A total of 11 people attended the meeting. There were no oppositions regarding the proposed rezoning. The attendees wanted more information about the proposed rezone and if it would affect their property, if any. The sign in and comment sheets are attached for your reference.

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

Sincerely,



Leslie K. Chrystal
Office Manager

LEE ENGINEERING AND ASSOCIATES, L.L.C.

CIVIL ENGINEERING & DESIGN

2101 W. CHESTERFIELD BLVD.

SUITE C202

SPRINGFIELD, MO 65807

dlee@leeengineering.biz

TELEPHONE: (417) 886-9100

FACSIMILE: (417) 886-9336

SIGN IN SHEET

Neighborhood Meeting

Thursday, August 29, 2013

Re: Proposed Rezone
Springfield Plaza
Springfield, Missouri

NAME	ADDRESS	PHONE
Alecia Watson	3937 W. Tracy Spgld	385 3348 or 3349
Hazel Ruckelshaus	3935 W. Sunshine St.	353 0917
Carlos Martinez	3935 W. Sunshine St.	404 675 7598
Gregory Curran	2208 S. Jonathan Ave Spfd	417 823-9067
FRANK ELI	3935 W. Sunshine St.	417-597-2075
Bob Smith	3935 W. Sunshine St.	417 860 9840

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FACSIMILE: (417) 886-9336

SIGN IN SHEET

Neighborhood Meeting

Thursday, August 29, 2013

Re: Proposed Rezone
Springfield Plaza
Springfield, Missouri

NAME	ADDRESS	PHONE
OPS-V2LTEX David Sudath	1220 E. WALNUT LAWN	417-848-7324
JASON DOWD	3992 W. Sunshine	417-888-4050
Jeff + Dori Jones	4005 W. Tracy St.	417-459-6112

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SUITE C202

SPRINGFIELD, MO 65807

dlee@leeengineering.biz

TELEPHONE: (417) 886-9100

FACSIMILE: (417) 886-9336

COMMENT SHEET

Neighborhood Meeting

Thursday, August 29, 2013

Re: Proposed Rezone
Springfield Plaza
Springfield, Missouri

NAME	ADDRESS	PHONE
Allie Watson	3937 W. Tracy	385 3349

COMMENTS:

*Came for information. Please keep us informed
as progress is made.*

LEE ENGINEERING AND ASSOCIATES, L.L.C.

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SUITE C202

SPRINGFIELD, MO 65807

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TELEPHONE: (417) 886-9100

FACSIMILE: (417) 886-9336

COMMENT SHEET

Neighborhood Meeting

Thursday, August 29, 2013

Re: Proposed Rezone
Springfield Plaza
Springfield, Missouri

NAME	ADDRESS	PHONE
Bob Smith	3935 W Sunshine	417 860 9840

Iglesia Casado Oration

COMMENTS:

Due to increased traffic the developer needs
to install a left turn lane on Rt 60
heading East to allow traffic to safely
turn into the church,



Bob Smith
Eddy Elino
Carl M. H.

LEE ENGINEERING AND ASSOCIATES, L.L.C.

CIVIL ENGINEERING & DESIGN

2101 W. CHESTERFIELD BLVD.

SUITE C202

SPRINGFIELD, MO 65807

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TELEPHONE: (417) 886-9100

FACSIMILE: (417) 886-9336

COMMENT SHEET

Neighborhood Meeting

Thursday, August 29, 2013

Re: Proposed Rezone
Springfield Plaza
Springfield, Missouri

NAME	ADDRESS	PHONE
Dori Meyer	4005 W. Tracy St.	417 459-6112

COMMENTS:

We live on Tracy St and ^{are} very
excited about this development!
We believe it will increase our
property value.

Dori Meyer
4005 W. Tracy St.

APPLEBERRY, MATTHEW J
3935 W WAYLAND ST
SPRINGFIELD, MO 658078667

ATOMIC DISTRIBUTORS MIDWEST INC
PO BOX 190
SOUTH PITTSBURG, TN 373800190

BANK OF AMERICA
7105 CORPORATE DR
PLANO, TX 75024

BLACK DOG VENTURES LLC
235 S GRANT AVE
FORSYTH, IL 62535

BLANDWAL INC
204 W PRIMROSE ST
SPRINGFIELD, MO 65807

BOOTH, JOHN D
3975 W TRACY ST
SPRINGFIELD, MO 658077110

BOOTHE, LARRY R
3921 W TRACY ST
SPRINGFIELD, MO 658077110

BUDKE, KAYLA
3980 W TRACY ST
SPRINGFIELD, MO 658077110

COLDWATER PORTFOLIO PART LLC
2 VENTURE
IRVINE, CA 926187394

COLDWATER PORTFOLIO PART LLC
3530 W SUNSHINE ST
SPRINGFIELD, MO 658070906

DAVIS, JAMES AARON
3966 W TRACY ST
SPRINGFIELD, MO 658077110

DENNEY FAMILY LLC
3980 W SUNSHINE ST
SPRINGFIELD, MO 658071068

DIXON, MURIEL JOYCE TR
3945 W WAYLAND ST
SPRINGFIELD, MO 658078667

DONNELLY, TIMOTHY L
3922 W TRACY ST
SPRINGFIELD, MO 658077110

DPS VER-TEX LLC
3411 S KICKAPOO AVE
SPRINGFIELD, MO 658044227

EMPIRE BK
1800 S GLENSTONE AVE
SPRINGFIELD, MO 658042361

FAXON, EDWARD J
3800 W RANDALL ST
BATTLEFIELD, MO 656198255

GHAN, RONALD D
3957 W WAYLAND ST
SPRINGFIELD, MO 658078667

GRUVER, KATHLEEN
2246 S JONATHAN AVE
SPRINGFIELD, MO 658078698

HAGINS, ROBERT J JR
3983 W TRACY ST
SPRINGFIELD, MO 658077110

HENDON, MARY B
4014 W TRACY ST
SPRINGFIELD, MO 658077107

HONSBERGER, SHAINA K
3979 W WAYLAND ST
SPRINGFIELD, MO 658078667

HUNTER, ELIZABETH D ETAL
3991 W TRACY ST
SPRINGFIELD, MO 658077110

IGLESIA, CRISTIANA CASA DE ORACION
3935 W SUNSHINE
SPRINGFIELD, MO 65807

IRELAN, MARK E
3951 W TRACY ST
SPRINGFIELD, MO 658077110

JONES, DORI A
4005 W TRACY ST
SPRINGFIELD, MO 658077107

KANE, DEANNA SUSAN
4002 W TRACY ST
SPRINGFIELD, MO 658077107

KEATTS, NEIL ALAN
2232 S JONATHAN AVE
SPRINGFIELD, MO 658078698

KING, PAUL LEWIS
3929 W TRACY ST
SPRINGFIELD, MO 658077110

KPS ENTERPRISES LLC
PO BOX 3023
SPRINGFIELD, MO 658083023

MAGGARD, NATHANIEL E
3942 W TRACY ST
SPRINGFIELD, MO 658077110

PARKER, STEPHEN E
3963 W TRACY ST
SPRINGFIELD, MO 658077110

REAGAN, BRENT
4001 W WAYLAND ST
SPRINGFIELD, MO 658078669

SNIDER, STEPHEN KEITH
4023 W WAYLAND ST
SPRINGFIELD, MO 658078669

TOMANEK, JASON U
3954 W TRACY ST
SPRINGFIELD, MO 658077110

WAL-MART REAL ESTATE BUSINESS
TRUST
PO BOX 8050
BENTONVILLE, AR 727128050

WILLINGHAM, DAVID E ETAL
3576 W SHAWNEE ST
SPRINGFIELD, MO 65804

Current Resident
3801 W SUNSHINE ST
GREENE COUNTY, MO 65807

Current Resident
3660 W SUNSHINE ST
GREENE COUNTY, MO 65807

Current Resident
3960 W FARM ROAD 148
GREENE COUNTY, MO 65807

MCCURRY, DONALD L
2446 S FARM ROAD 111
SPRINGFIELD, MO 658027792

PINKERTON, PHYLLIS
3967 W WAYLAND ST
SPRINGFIELD, MO 658078667

RUNNELS, STEVEN J
4013 W WAYLAND ST
SPRINGFIELD, MO 658078669

SOUTH CREEK DEV CORP
1334 E KINGSLEY ST
SPRINGFIELD, MO 658047223

TUHEY, STEVEN L
4029 W TRACY CT
SPRINGFIELD, MO 658077109

WASSON FAMILY TRUST
487 E MINNEHAHA RD
NIXA, MO 657147705

Current Resident
3851 W SUNSHINE ST
GREENE COUNTY, MO 65807

Current Resident
3540 W SUNSHINE ST
SPRINGFIELD, MO 65807

Current Resident
3720 W SUNSHINE ST
SPRINGFIELD, MO 65807

Current Resident
3935 W SUNSHINE ST
GREENE COUNTY, MO 65807

MERRIMAN FAMILY LP
2849 S FREMONT AVE
SPRINGFIELD, MO 658043653

PURVIS, ERIC M TR
3988 W TRACY ST
SPRINGFIELD, MO 658077110

SHIMONEK, MARK L
3934 W TRACY ST
SPRINGFIELD, MO 658077110

STEPHENSON, MARK R T
4017 W TRACY ST
SPRINGFIELD, MO 658077107

WAGNER, NICOLE M ETAL
2208 S JONATHAN AVE
SPRINGFIELD, MO 658078698

WATSON, DALE
3937 W TRACY ST
SPRINGFIELD, MO 65807

Current Resident
3705 W SUNSHINE ST
GREENE COUNTY, MO 65807

Current Resident
3520 W SUNSHINE ST
SPRINGFIELD, MO 65807

Current Resident
3942 W FARM ROAD 148
GREENE COUNTY, MO 65807

Current Resident
3992 W SUNSHINE ST
GREENE COUNTY, MO 65807



Étiquette de format 25 mm x 87 mm compatible avec Avery® 5160/8160
label size 1" x 2 5/8" compatible with Avery® 5160/8160

STAPLES

Current Resident

3990 W SUNSHINE ST

GREENE COUNTY, MO 65807

Current Resident

4052 W SUNSHINE ST

GREENE COUNTY, MO 65807

Current Resident

3989 W WAYLAND ST

GREENE COUNTY, MO 65807

Current Resident

3915 W WAYLAND ST

GREENE COUNTY, MO 65807

Current Resident

3905 W WAYLAND ST

GREENE COUNTY, MO 65807

Current Resident

4029 W TRACY ST

GREENE COUNTY, MO 65807

Current Resident

4017 W TRACY CT

GREENE COUNTY, MO 65807

Current Resident

4022 W TRACY ST

GREENE COUNTY, MO 65807

STAPLES

label size 1" x 2 5/8" compatible with Avery® 5160/8160
Étiquette de format 25 mm x 87 mm compatible avec Avery® 5160/8160

LEE ENGINEERING AND ASSOCIATES, L.L.C.

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

SPRINGFIELD, MO 65807
dlee@leeengineering.biz

TELEPHONE: (417) 886-9100

FACSIMILE: (417) 886-9336

August 16, 2013

Re: Proposed Rezone
Springfield Plaza
Springfield, Missouri

Dear Property Owner:

A neighborhood meeting will be held Thursday, August 29, 2013 to discuss a zoning change at Springfield Plaza. The property is currently zoned as HC – District with an Overlay. The proposed zoning will be a PD. The PD will change the current zoning as follows:

1. The buffer to the south will have increased standards.
2. The proposed buildings will have increased architectural standards.
3. Two additional signs for the development will be permitted.
4. The floor area ratio will be modified to current HC zoning.
5. The required green space for each lot will include a detention basin and right of way green space.

The neighborhood meeting will be held at The Library Center, 4653 S. Campbell, Springfield, Mo., between 4:00 and 6:30pm in Meeting Room A. The owner's representatives will be present to answer any questions you may have concerning this proposed zoning change. The PD zoning language will be available for review. Please feel free to come and go between 4:00 and 6:30pm. The approved preliminary plat is attached for your reference. If you have any questions prior to this meeting, please contact our office at 417-886-9100.

Sincerely,



Leslie K. Chrystal
Office Manager

EXHIBIT 1
Requirements and
Standards Applicable to
Planned Development
District No. 343

A. APPLICATION

Building or other permits may not be issued for development permitted by this planned development nor can any changes be made to this property until the final development plan has been approved in the manner described at the end of this exhibit.

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

B. INTENT

The proposed Planned Development District is intended to facilitate the construction of a wide range of retail and office space in a master-planned, mixed-use development. The District will serve the surrounding neighborhoods, the City of Springfield, tourists and travelers along Sunshine Street and the West Bypass. The District will incorporate modern retail and office architecture, with free-standing buildings and shopping centers with multiple tenants.

C. DEFINITIONS

The definitions contained in the *Zoning Ordinance* shall apply to this ordinance.

D. USES PERMITTED

Uses permitted as defined in Section 4-3202 (HC, Highway Commercial District) of the *Springfield Zoning Ordinance* in effect at the time of development shall apply, except the following uses which are prohibited:

- a. Auction sales and flea markets entirely within enclosed buildings
- b. Boat and marine sales and service
- c. Bus Stations
- d. Camper sales and camper trailer sales and service, lease and rental
- e. Campgrounds and recreational vehicle parks

- f. Public or private vehicle and boat storage garages, yards or lots
- g. Construction equipment yards

E. USE LIMITATIONS

1. All uses shall operate in accordance with the noise standards contained in *Section 6-1500* of the *Springfield Zoning Ordinance*.
2. No use shall emit an odor that creates a nuisance as determined by *Chapter 2A. Article X Springfield City Code*.
3. Screening and fencing shall be provided in accordance with *Section 6-1000* of the *Springfield Zoning Ordinance*., except as modified in this planned development.

F. INTENSITY OF DEVELOPMENT

Development shall adhere to the following standards.

1. The maximum Floor Area Ratio (FAR) shall not exceed 0.40 for each lot in the development. Total intensity of development within the PD may be further limited based on trip generation and public improvements completed as described in *Section N Required Improvements* of this ordinance.

G. BULK, AREA AND HEIGHT REQUIREMENTS

Development shall adhere to the standards defined in *Section 4-3205* of the *Springfield Zoning Ordinance* in effect at the time of development.

H. DESIGN REQUIREMENTS

1. All walls or facades of Buildings that are highly visible from a public street or designated open space at full development of the Project shall be finished with face brick , simulated or natural stone, cement masonry units, insulated glass, concrete panels finished with a permanent surface, textured stucco or exterior insulation and finish systems (EIFS), however , this design standard shall not be deemed to require the entire elevation to utilize such finishes (i.e. wainscots or pilasters finished with said materials may be deemed to satisfy this requirement). Concrete (tilt up or precast panel) buildings not having an exposed aggregate finish shall be integrally colored, stained or painted. Framed buildings are encouraged to utilize textured stucco or EIFS, however wood or cementitious

paneling may be deemed acceptable by City.

2. Vinyl siding or metal wall panels are permitted only on rear elevations that are not highly visible from public streets or open space at full development of the Project. Sign bands or entry elements utilizing prefinished metal flat architectural panels with no corrugation are permitted.
3. Materials utilized for horizontal surfaces of exterior finish elements, i.e. canopies, awnings and soffits, shall be at the discretion of the designer.
4. All mechanical and electrical equipment, trash refusal areas and roof-mounted equipment must be screened from public view and, when practical, located on the rear elevation of a building. Screening shall be consistent with the architecture of the building and shall be painted to match the building or roof color. Wall-mounted equipment shall, to the greatest extent possible, be colored and placed so as not to detract from the overall aesthetic value of the Project.
5. All electrical power distribution lines, telephone lines, cable television and other utility lines which are 13,200 volts or less, constructed by or at the direction of Developer and installed to serve the Redevelopment Area shall be installed underground. This requirement shall not apply to lines already in service on the Effective Date of this Agreement.

I. OPEN SPACE, BUFFERYARD, LANDSCAPING & SCREENING

1. Minimum open space: Not less than twenty (20) percent of the gross site area shall be devoted to open space including required yards and bufferyards. No individually platted lot shall have less than ten (10) percent open space. Open space shall not include areas covered by buildings, structures, parking, loading and other paved areas and internal streets or areas containing plants for display and sale. Open space shall contain living ground cover and other landscaping materials. The overall development is permitted to utilize any green space contained within the common area/detention basin toward the gross site area open space requirements. On the Final Development Plan each lot shall be assigned open space, in accordance with the requirements of this District, and open space calculations for the entire development shall be the responsibility of the owner(s)/developer(s).
2. Maximum impervious surface: No individually platted lot shall have more than ninety (90) percent impervious surface.

3. Bufferyard, landscaping & screening standards: Development shall adhere to the following:

- a. Whenever any development in this PD is located adjacent to a different zoning district, screening and a bufferyard shall be provided in accordance with Sections 6-1000, Screening and Fencing, and 6-1200, Landscaping and Bufferyards of the current Zoning Ordinance.
- b. To the extent reasonably possible, the existing tree line along the southern property lines of this District will be preserved, except for those that would interfere with the construction of retaining walls, stormwater detention basins, or street connections required by the City of Springfield. Any areas in the bufferyard where trees are removed will be replaced with: 8 understory or evergreen trees per one-hundred linear feet; an opaque screening; berm or fence or combination thereof which is a minimum of 6 feet tall and shall be along the South Property Line of the said bufferyard. All utilities within the bufferyard shall be buried.

J. EXTERIOR LIGHTING

The requirements and standards of *Section 6-1400* of the *Springfield Zoning Ordinance*, in effect at the time of development shall apply.

K. ACCESS TO PUBLIC THOROUGHFARES

Access to the public street system shown on Exhibit 2 shall be governed by the existing standards of the City of Springfield for the applicable street classification.

L. OFF-STREET PARKING

Sections 5-1500, 5-1600 and 6-1300 of the *Springfield Zoning Ordinance* in effect at the time of development shall apply.

M. SIGNS

1. Two (2) development identification sign shall be permitted. The development identification signs shall include the name of the development generally, as well as, businesses located within the District. The development identification signs shall be located in common area in the center of McCurry Avenue at Sunshine and adjacent to the intersection of Seminole and the West Bypass. The development identification sign may be a maximum of six hundred (600) square feet and shall not exceed a height of sixty (40) feet

above the grade of Sunshine or the West Bypass for the adjoining sign.

3. No on-premise detached sign shall be located closer than fifty (50) feet to the development identification sign or other signs in the development. The development identification sign shall not otherwise restrict on-premise detached signs on the lot which the development sign is located.

N. REQUIRED IMPROVEMENTS

The following improvements are necessary to accommodate the proposed development of this property:

1. Three signalized access points to the State Highway System are needed and no access is permitted to the State Highway System except at the three signalized locations as outlined in the approved Traffic Impact Study.
2. At the proposed access at Zimmer Avenue (FR 129), minimum improvements include dual left turn lane for westbound Sunshine Street, an additional northbound lane and an intersection layout on Zimmer Avenue south of Sunshine Street that provides adequate access to WalMart, the proposed development site and that does not restrict traffic flow at the intersection of Zimmer Avenue and Sunshine Street.
3. The western access on Sunshine Street must be located a minimum distance of 1,200 feet (center to center) from the access at Zimmer Avenue. The access must be located and designed such that the street can be extended to the north of Sunshine to FR 148. The access must be designed, approved and built as required by MODOT, Greene County and the City of Springfield using the approved traffic analysis for conceptual layout.
4. An access break must be obtained from MODOT on the West Bypass for Seminole Street. Seminole Street must be constructed as a secondary arterial street and must be designed such that in the future it can be extended by others to the east to existing Seminole Street (FR 152) at FR 131 and west to FR 123.

The required improvements listed above could be modified based on the submission and approval of a revised Traffic Impact Study.

The Development may be phased provided that all public improvements directly related to each phase are completed at the time of its

development and that improvement serving the district as a whole and the adjoining area are completed in a sequence assuring full utility of the District as a whole and all areas within the District and so that future public improvements required by this ordinance or other applicable ordinances of the City are not compromised or rendered unduly difficult.

Within each phase, a traffic study shall be submitted and approved indicating the improvements required to support the development proposed in the phase if the traffic department determines such traffic study is warranted. The administrative Review Committee shall review and approve the phase prior to commencement of any development within the proposed phase.

0. MAINTENANCE OF COMMON AREAS AND FACILITIES

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

P. FINAL DEVELOPMENT PLAN

A final development plan , showing conformance with the requirements of this Exhibit, shall be submitted to the Planning and Development Department and approved in the manner described below prior to the issuance of any building permits or prior to the commencement of any of the permitted uses or improvements permitted or required by this exhibit. Development of this District shall be in accordance with the approved final development plan.

1. The intent of Exhibit 2 is to be representative of road improvements, lot configurations, common area, detention, open space and internal street configuration possible under this Ordinance. It is not considered to be the required development layout.
2. A final development plan shall only be approved if it is in substantial conformance with Exhibit 1 as defined by *Subsection 4-2509.C* of the *Springfield Zoning Ordinance*.
3. The Administrative Review Committee is hereby authorized to, acting jointly; approve the final development plan(s) provided such plan substantially conforms to the provisions of this ordinance. The ARC is hereby authorized, at its discretion, to approve minor adjustments and modifications to the site plan. Such authority shall not, however, be construed to permit:

- A. Any uses within this District other than those specifically prescribed by the ordinance.
- B. Any increase in the intensity of use permitted within this District

EXPLANATION TO COUNCIL BILL NO. 2013 -

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately one acre of property generally located at 3057 North Fremont Avenue from a Planned Development 311 to Planned Development District No. 311 Amended.

PLANNED DEVELOPMENT DISTRICT NO. 311 AMENDED

BACKGROUND INFORMATION:

The applicant is proposing to rezone the subject property to a Planned Development 311 Amended to allow up to four duplexes to be constructed. The current Planned Development 311 only permits the construction of townhouses.

FINDINGS FOR STAFF RECOMMENDATION:

1. The Comprehensive Plan designates this area as appropriate for medium or high density housing. Townhouses and all various forms of apartment buildings are included in this category, which has been located where there is good traffic access, between Low-Density Housing and non-residential land uses, and at high-amenity locations such as the greenways or parkways. The density is expected to be greater than six (6) housing units per net acre.
2. The proposed PD district land uses and densities are consistent with the adjacent zoning districts along Fremont Avenue. The intensity of development is reduced with the proposed amendment.
3. The development requirements in the proposed PD district are adequate for mitigating potential impacts of the proposed development on the adjoining properties.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on October 3, 2013 and recommended approval, by a vote of ___ to ___, of the proposed zoning on the tracts of land described on the attached sheet (see the attached Record of Proceedings).

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

Submitted by:

Approved by:

Bob Hosmer, AICP
Principal Planner

City Manager

EXHIBITS:

Exhibit A, Record of Proceedings

Exhibit B, Legal Description

Exhibit C, Zoning and Subdivision Report

Attachment 1, Background Report

Attachment 2, Neighborhood Meeting Summary

Attachment 3, 185 feet property owners

PLANNED DEVELOPMENT 311 AMENDED EXHIBITS:

Exhibit 1, Planned Development Ordinance Text

Exhibit 2, Preliminary Development Plan

EXHIBIT A
RECORD OF PROCEEDINGS
PLANNED DEVELOPMENT 311 AMENDED

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

EXHIBIT B
LEGAL DESCRIPTION
PLANNED DEVELOPMENT 311 AMENDED

ALL OF ONE ACRE IN THE EAST HALF (E 1/2) OF LOT TWO (2) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION SIX (6), TOWNSHIP TWENTY-NINE(29), RANGE TWENTY-ONE (21), DESCRIBED AS FOLLOWS, TO WIT: ONE ACRE OFF THE NORTH SIDE OF A FIVE ACRE TRACT BEGINNING AT THE SOUTHEAST CORNER OF LOT TWO (2) OF THE NORTHWEST FRACTIONAL QUARTER (NW FRL1/4) OF SECTION SIX (6), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-ONE (21); THENCE WEST 20 RODS; THENCE NORTH 40 RODS; THENCE EAST 20 RODS; THENCE SOUTH 40 RODS TO THE BEGINNING, ALL IN GREENE COUNTY, MISSOURI.

Zoning & Subdivision Report

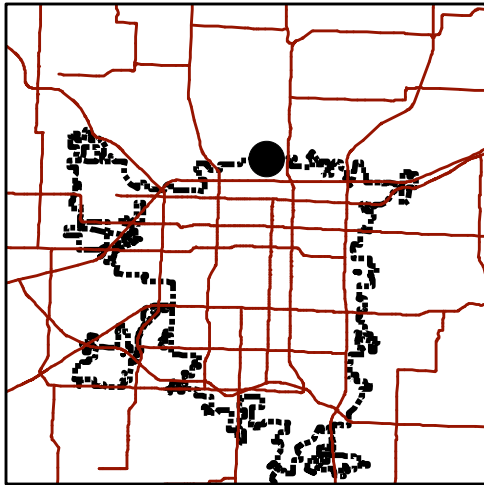
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Planned Development 311 Amended

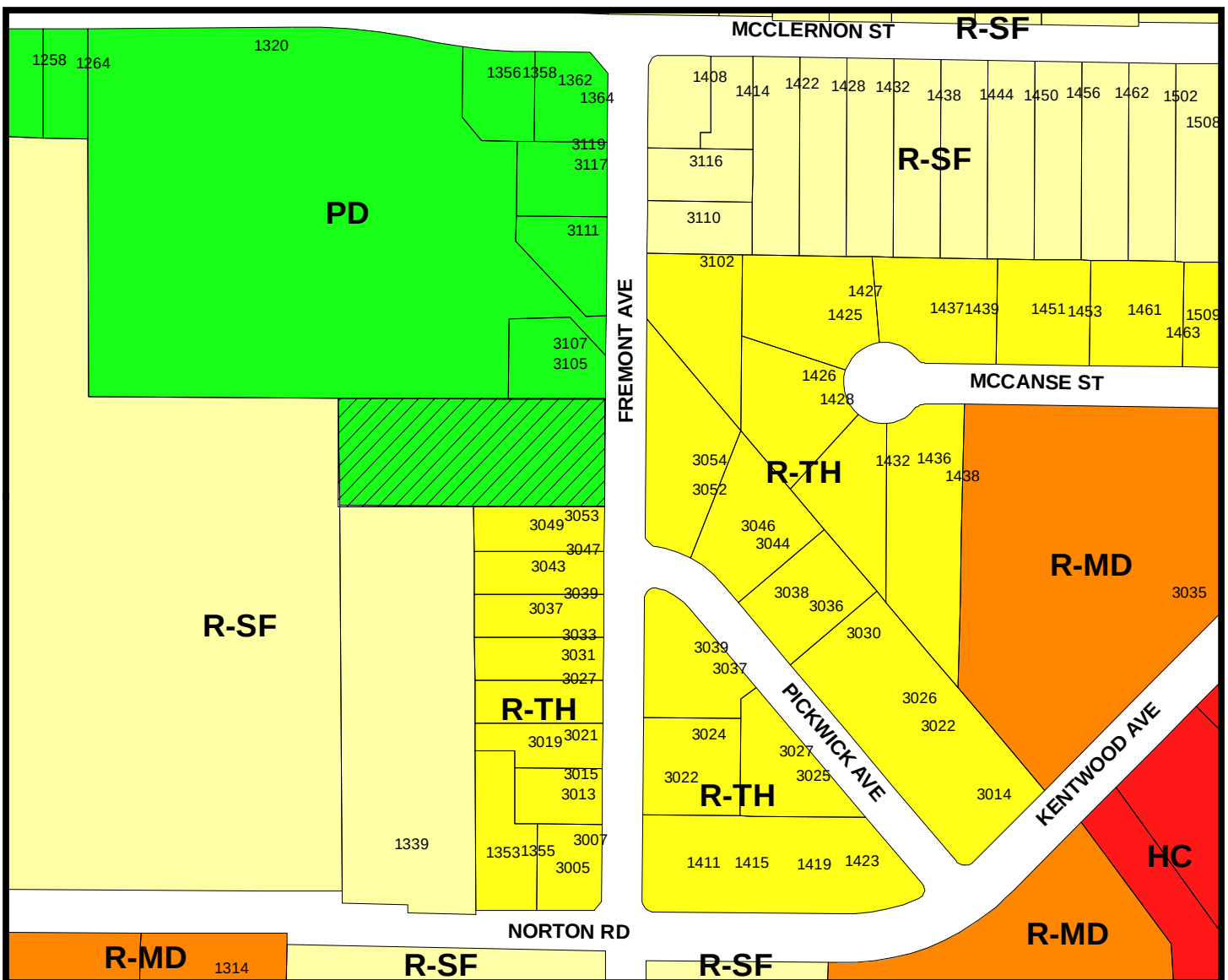
Location: 3057 N. Fremont Ave.

Current Zoning: PD 311

Proposed Zoning: PD 311 Amended to permit duplexes



LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

ATTACHMENT 1
BACKGROUND REPORT
PLANNED DEVELOPMENT 311 AMENDED

DATE: September 23, 2013

LOCATION: 3057 N. Fremont Avenue

APPLICANT: Don Chadwick

TRACT SIZE: Approximately one (1) acre

EXISTING USE: Vacant, undeveloped land

PROPOSED USE: Duplexes

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	PD	Undeveloped land and residential uses
East	R-TH	Duplexes
South	R-TH	Duplexes
West	R-SF	Church and undeveloped land

TRAFFIC DIVISION COMMENTS:

1. The driveway needs to line up with the driveway across Fremont Avenue.

BUILDING DEVELOPMENT SERVICES COMMENTS:

1. There are no issues with the Planned Development

STORMWATER COMMENTS:

1. No storm water issues with PD Amendment.

CLEAN WATER SERVICES COMMENTS:

1. No objections to plan. Public sewer and service lateral are currently available.

CITY UTILITIES COMMENTS:

1. Since the duplex units are on one lot, individual or master water meters can be installed. If gas is needed a short main extension could be required to meet PSC requirements.

ADJACENT PROPERTY OWNER COMMENTS:

Twelve (12) property owners are within 185 feet of the subject property and were notified by mail of this request.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on September 17, 2013. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. The applicant is proposing to rezone the subject property to a Planned Development 311 Amended to allow up to four duplexes to be constructed as described on Exhibit 1 and shown on Exhibit 2. There are no other significant changes to the original PD. The current PD 311 only allows for the construction of townhouses.
2. The Comprehensive Plan designates this area as appropriate for medium or high density housing. The proposed PD amendment will allow uses and densities similar to the R-TH, Residential Townhouse District, which is consistent with the City's Comprehensive Plan. The proposed PD will allow duplexes with a density of eight (8) dwelling units per acre which is a reduction from the currently permitted density of ten (10) du/ac. The potential for any traffic impact has been reduced with the proposed amendment.
3. The proposed planned development will mitigate any potential impact between adjacent R-SF and R-TH districts by placing a Bufferyard "B" along the south and west district boundaries as outlined in Exhibit 1 and Exhibit 2.

RECOMMENDATION:

Staff recommends **approval** of this request.

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

Attachment 2

Neal, Daniel

From: Les Schulz [lessschulz47@gmail.com]
Sent: Monday, September 23, 2013 11:54 AM
To: Neal, Daniel
Cc: jj@hetheringtondesign.com
Subject: Owner Comment Email and Neithborhood meeting Log
Attachments: Meeting Log001.pdf

Daniel, I am forwarding this email received by JJ Hetherington from the Owner Don Chadwick, where as he reports that he had several conversations regarding our proposed modification of PDD311. He reports no negative comments. I have also attached the Neighborhood Log from of our meeting of the 17th of September at the Owners residence at 3037 North Pickwick. Should you have any questions feel free to contact us at your leisure.

Respectfully,

Les

Les Schulz, Architect/Artist

1346 East Catalpa Street
Springfield, Missouri 65804
Phone: 417-894-5670

From: JJ Hetherington [<mailto:jj@hetheringtondesign.com>]
Sent: Monday, September 23, 2013 7:32 AM
To: Les Schulz
Subject: FW: 3057

JJ Hetherington
417-838-6443

From: CDChadwick [<mailto:mac6465803@yahoo.com>]
Sent: Sunday, September 22, 2013 6:38 PM
To: jj@hetheringtondesign.com
Subject: 3057

JJ, as of today (9-22-13) I have received no negative phone calls or negative comments from anyone regarding the 3057 N Fremont development project.

I have received 2 phone calls from 2 adjoining property owners; Mr. Jeff Kramer owner of property adjoining the north property line and Mr. James Thompson owner of property adjoining southwest property line, neither expressing any negative concerns.

Don C

Neighborhood Meeting for PDD311 Modification

Springfield, Missouri

[illegible]

EXHIBIT 1

Requirements and Standards Applicable to Planned Development District No. 311 Amended

A. APPLICATION

Building or other permits may not be issued for development permitted by this planned development nor can any changes be made to this property until the final development plan has been approved in the manner described at the end of this exhibit.

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

B. INTENT

The development is to be similar to a typical development for a tract zoned R-LD. However, the number of units allowed per acre will be considerably less than is allowed in an R-LD district. When completely built out, the development will consist of four duplex buildings having a total of eight units (a density of eight units per acre). The tract will provide two buffer yard areas. And as many of the existing trees as possible will be preserved.

C. DEFINITION

The definitions contained in the *Zoning Ordinance* apply to this ordinance.

D. USES PERMITTED

1. Duplexes.
2. Accessory uses, as permitted by *Section 5-1000* of the *Zoning Ordinance*.

E. USE LIMITATIONS

1. All uses must operate in accordance with the noise standards contained in *Section 6-1500* of the *Springfield Zoning Ordinance*.
2. No use may emit an odor that creates a nuisance as determined by *Chapter 2A, Article X, Springfield City Code*.

F. INTENSITY OF DEVELOPMENT

Development must adhere to the following standards.

1. The maximum residential density is eight (8) units per gross acre.

G. BULK, AREA AND HEIGHT REQUIREMENTS

Development must adhere to the following standards.

1. As shown on Exhibit 2 (site plan), there must be a ten (10) foot building setback on the north side of the tract.
2. The maximum structure height allowed is two (2) stories.

3. The building setback from Fremont Avenue must be at least twenty-five (25) feet.

H. DESIGN REQUIREMENTS

1. The development will efficiently utilize the available land, and will protect and preserve to the extent possible, natural features of the land such as trees, streams and topographic features.

I. OPEN SPACE, LANDSCAPING & SCREENING

The landscaping and screening provisions are intended to improve the physical appearance of the District; to improve the environmental performance by contribution to the abatement of heat, glare and noise, and by promoting natural percolation of storm water and improvement of air quality; to buffer potentially incompatible land uses from one another; and to conserve the value of adjoining property and neighborhoods.

1. Bufferyards.
 - a. Required bufferyards.
 - (1) A bufferyard at least fifteen (15) feet deep is required adjacent to the south and west property lines. Required plantings within the bufferyard are as follows: one (1) canopy trees, one (1) understory trees, one (1) evergreen tree, and six (6) shrubs per one hundred (100) linear feet.
 - b. Bufferyard standards.
 - (1) Required bufferyards on a lot or tract must be installed when the lot or tract is developed.
 - (2) Bufferyards must be landscaped in conformance with the Open Space Landscaping requirements and Required bufferyards as described above.
 - (3) No structures, signs, mechanical equipment, vehicle use area (except driveways required to provide access to adjacent public streets) are permitted within the bufferyards. The surface of the bufferyards or other required landscaped areas must be maintained with a living ground cover.
2. Vehicular use area open space.
 - a. Perimeter landscaping must be provided as required by the *Springfield Zoning Ordinance* in effect at the time of development.
 - b. Interior landscaping must be provided as required by the *Springfield Zoning Ordinance* in effect at the time of development.
3. Open Space landscaping.

Landscaping plantings. (Existing trees approved for preservation will be counted toward satisfaction of this provision.)

- a. Landscaping standards.
 - (1) Tree species, sizes and spacing must be approved consistent with the City of Springfield's *Arboricultural Design Guidelines* on file with the Planning and Development Director.
 - (2) Tree preservation. Preservation of each healthy existing tree of an approved species that is at least four and one-half (4 ½) inches caliper will count as two (2) trees toward fulfillment of the tree requirements of this District.

- (3) Maintenance of required landscaping. Upon installation or preservation of required landscape materials, appropriate measure must be taken to ensure their continued health and maintenance. Required materials that do not remain healthy must be replaced consistent with this article.

J. EXTERIOR LIGHTING

The requirements and standards of *Section 6-1400* of the *Springfield Zoning Ordinance* in effect at the time of development will apply.

K. ACCESS TO PUBLIC THOROUGHFARES

The access to the public street system shown on Exhibit 2, at Fremont Avenue, will be governed by the existing standards of the City of Springfield for the applicable street classification.

L. OFF-STREET PARKING

1. There will be a one-car garage for each dwelling unit; also, there will be one parking space in front of each unit's garage, for a total of two (2) spaces per unit.

M. SIGNS

1. A sign will be allowed near the development's driveway. The sign's size will be a maximum of 5 feet (in height) by 6 feet (in width). All other provisions of the City's sign ordinance will apply.

N. REQUIRED IMPROVEMENTS

1. Public improvements to be completed. Public and private improvements necessary to adequately accommodate the intensity of development proposed in this District shall be constructed prior to or concurrently with the development of the property. If the development of the property is phased, the construction of the improvements may also be phased provided there is a logical relationship between each phase of the development and the construction of the required improvements. Prior to building permits being issued, the applicant, or subsequent owner, shall:
 - a. construct the required improvements; or
 - b. provide assurances satisfactory to the Director of Public Works guaranteeing that all required improvements will be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department.
2. Certificate of occupancy. No certificate of occupancy may be issued for any structure within this District, or phase of the development, unless:
 - a. the required improvements are completed prior to occupancy of the structures; or
 - b. the Director of Public Works has determined that:
 - (1) any incomplete required improvements will have little or no effect on the occupancy of the facility, or
 - (2) Condition beyond the control of the contractor, *i.e.*, strikes, weather, etc., have delayed the completion of the improvements.

If one of these conditions occurs, the Director of Building Development Services may permit occupancy under conditions satisfactory to the Director of Public Works that the required improvements will be completed as required by this ordinance within a reasonable time.

3. Required improvements. Improvements necessary to adequately accommodate the intensity of development in this District include the following.
 - a. Street improvements.
 - (1) At the time of development, a sidewalk must be constructed along Fremont Avenue in conformity with an approved Public Improvement Plan. The sidewalk must connect to any existing sidewalks to its north or south.
 - (2) If, at the time of development, the right-of-way of Fremont Avenue where it abuts this site is less than fifty (50) feet in width, the developer must dedicate to the City sufficient right-of-way to bring the total width of right-of-way west of Fremont's centerline to twenty-five (25) feet.
 - b. Storm water management facilities.
 - (1) At the time of development, all stormwater drainage and detention requirements must be met. This includes submitting calculations to the City showing that the capacity of the drainage structure (pipe) next to this site has sufficient capacity to handle the run-off from this site.
4. Improvement Standards. Improvements shall conform to the following standards.
 - a. All utilities and utility connections shall be located underground, including, but not limited to, electrical and telephone cables, security and other telecommunication systems and wires. Transformers, meters of any type (including electric, gas or other meters), or other apparatus shall be adequately screened and landscaped.

O. PHASING

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

P. FINAL DEVELOPMENT PLAN

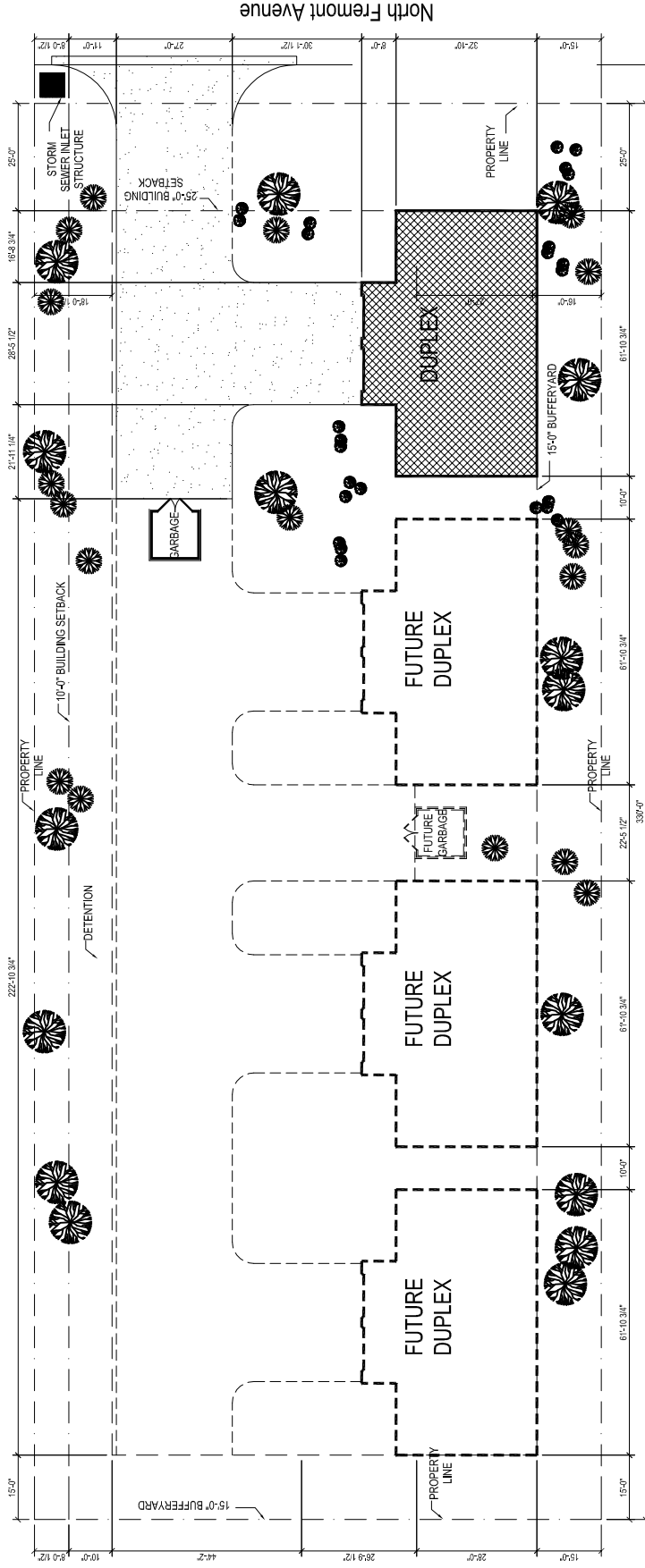
A final development plan, showing conformance with the requirements of this Exhibit, must be submitted to the Planning and Development Department and approved in the manner described below prior to the issuance of any building permits or prior to the commencement of any of the permitted uses or improvements permitted or required by this exhibit. The final development plan may be submitted in the form of a preliminary plat, provided the plat is prepared in accordance with the requirements, standards, and intent of this Exhibit. Development of this District shall be in accordance with the approved final development plan.

1. The intent of Exhibit 2 is to show the approximate layout of the site after it is developed in accordance with Exhibit 1. A final development plan will only be approved if it is in substantial conformance with Exhibit 2 as defined by *Subsection 4-2509.C* of the *Springfield Zoning Ordinance*.
2. The final development plan must be submitted to the Administrative Review Committee (ARC) for final action, either as a whole or in phases. The ARC is hereby authorized, at its discretion, to approve minor adjustments and modifications to the site plan. Such authority shall not, however, be construed to permit:
 - A. Any uses within the District other than those specifically prescribed by the ordinance.
 - B. Any increase in the intensity of use permitted within the District.



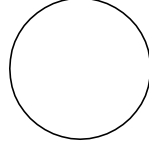
LANDSCAPE NOTE:

The Planting numbers and locations shown are not meant to be reflective of the PD language and that a detailed landscape plan will be submitted with the Final Development Plan.



SITE PLAN "A:" EXHIBIT 2

SCALE: 1" = 40'-0"



EXPLANATION TO COUNCIL BILL NO: 2013-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To amend *Sections 5-1000, Accessory Structures and Uses*, and *5-1200, Temporary Uses*, in the *Springfield Zoning Ordinance* regarding special events. (Staff recommends approval).

BACKGROUND INFORMATION:

ZONING ORDINANCE TEXT AMENDMENT – SPECIAL EVENTS AMENDMENTS

City Council approved a resolution (Res. 9899) on August 22, 2011, to initiate amendments to the Zoning Ordinance regarding the locations and standards for temporary promotional activities and events.

City staff has tried to identify a way to streamline the permitting process for various special events held inside the city limits. The ultimate goal is to provide citizens with a clear understanding of what events require a permit while also creating a more organized system for accepting and reviewing applications, and issuing permits. The permitting process involves approximately eight city departments and four different chapters in the City Code. The departments involved with the changes are Building Development Services, Public Works, Planning and Development, Police, Fire, Finance, Health and Parks. Each of these departments provided input and support the proposed amendments.

City staff is proposing to clearly establish Codes that apply to special events by creating one section that contains all city Codes governing approval of special events. The new section will be added to Chapter 2 as Article VII, Special Events. The majority of the regulations in the new article already existed but were scattered throughout the City Code. Since the Planning and Zoning Commission's purview is limited, staff has only included those changes that affect the Zoning Ordinance. The changes include removing a majority of *Section 5-1200, Temporary Uses*, and adding those as accessory uses in *Section 5-1000, Accessory Structures and Uses*. The remaining details will be addressed in the City Code amendments which will be sent to City Council for review.

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 October 3, 2013, and recommended _____, by a vote of __ to __, of the proposed changes to the Zoning

Ordinance described in Exhibit A.

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

FINDINGS FOR STAFF RECOMMENDATION:

1. The proposed amendments will streamline the permitting process for temporary events and make it easier for the public to understand and follow the requirements.

Submitted by:

Bob Hosmer, AICP
Principal Planner

Greg Burris, City Manager

EXHIBIT A
SPECIAL EVENTS AMENDMENTS

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

Section 5-1000. Accessory Structures and Uses.

5-1003. **Permitted Accessory Structures and Uses.** Any structure or use that meets the definition in *Subsection 5-1002* may be allowed as an accessory structure or use.

B. Accessory uses include, but are not limited to, the following list of examples:

13. Fund raising activities for non-profit organizations.

14. Garage sales or yard sales as permitted by the City Code.

15. Street festivals.

16. Hot air balloon launchings provided the launch site is at least one thousand (1000) feet from an occupied dwelling that is zoned for residential use.

17. An outdoor carnival or circus provided there is a dust-free or paved area for off-street parking for not less than three hundred (300) cars.

18. Temporary promotional activities provided such activities receive a permit from the City manager or his designee.

19. Temporary seasonal outdoor sales and related storage necessary to a permitted use.

Section 5-1200. Temporary Uses

5-1203. **Temporary Uses Permitted.**

A. The following temporary uses of land are permitted in any zoning district subject to the specific regulations and time limits which follow, and to the other applicable regulations of the district in which the use is permitted.

1. Contractors office and equipment trailers and sheds (containing no sleeping or cooking accommodations) accessory to a construction project are permitted only during the duration of such project and shall be located on the same property or on property in a district in which the use being constructed is allowed. (G.O. 5019, 10/23/00)

2. Real estate offices (containing no sleeping or cooking accommodations unless located in a model dwelling unit) incidental to a new housing or other development to continue only until the sale or lease of all dwelling units in the development.
- ~~3. Fund-raising activities, such as bazaars, craft sales, and Christmas tree sales, for non-profit organizations such as churches, libraries and museums in districts where the non-profit organization use is permitted provided no more than six (6) events per calendar year shall be permitted and each event shall not exceed a period of five (5) consecutive days.~~
- ~~4. Garage or yard sales as permitted by Chapter 29C, Article III, Springfield City Code provided no more than two (2) garage or yard sales per calendar year shall be permitted and each garage or yard sale shall not exceed a period of three (3) consecutive days. A permit shall also be obtained from the Department of Finance. No fee for the permit is required.~~
- ~~5. Street festivals, subject to the following restrictions:~~
- ~~a. When a residential district adjoins the street where the festival is to be held, only one permit shall be issued in a twelve (12) month period. The permit shall not exceed a period of three (3) days exclusive of a reasonable period to prepare the street prior to the event and restore the street after the event is complete.~~
- ~~b. When none of the properties adjoining the street where the festival is to be held are zoned residential, only one permit shall be issued in a six (6) month period. The permit shall not exceed a period of five (5) days exclusive of a reasonable period to prepare the street prior to the event and restore the street after the event is complete.~~
- ~~c. Activities related to the event shall be limited to a daily period extending from 7:00 a.m. to 11:00 p.m.~~
- ~~d. Lighting, activities, noise or increased traffic associated with a festival shall not unreasonably disturb surrounding residential properties not directly abutting the street.~~
- ~~e. The applicant shall provide a reasonable plan for traffic control and parking approved by the Traffic Engineer and adequate evidence that said plan will be implemented.~~
- ~~f. The applicant shall provide a plan for adequately ensuring that during actual street festival operations there will be no adverse environmental impact on adjacent and nearby properties. Said plan shall include provisions for noise~~

~~abatement, sanitary needs, dust and litter controls. Any violation of said plan shall provide grounds for an immediate revocation of a permit granted under the provisions of this section.~~

~~g. A permit for the street festival has been issued by the Director of Building Development Services finding that all of the foregoing conditions have been, or will be satisfied.~~

63. Mixing plants for cement, asphalt or paving material, staging areas and materials storage areas subject to the following restrictions.

- a. The temporary use is accessory to a project for the construction of streets or other public improvements.
- b. The temporary use is located on the same property or right-of-way, or directly adjacent to the same property or right-of-way, as the construction project.
- c. The temporary use shall be removed upon completion of the construction project.
- d. The applicant shall provide a plan for controlling traffic between the temporary use and the construction project, approved by the Traffic Engineer, and adequate evidence that said plan will be implemented.
- e. The applicant shall provide a plan for adequately ensuring that during actual operations there will be no adverse environmental impact on adjacent and nearby properties. Said plan shall include provisions for noise abatement, sanitary needs, dust, and litter controls. Any violation of said plan shall provide grounds for an immediate revocation of a permit granted under the provisions of this section.
- f. A permit for such use has been issued by the Director of Building Development Services finding that all of the foregoing conditions have been, or will be, satisfied.

~~7. Hot air balloon launchings provided the launch site is located at least one thousand (1,000) feet from a dwelling in an R-SF, R-TH, R-LD, R-MD, R-HD or R-MHC district.~~

84. Temporary wireless facilities towers for special events provided the temporary tower does not exceed sixty (60) feet in height and a permit shall not be issued for a period of time exceeding two (2) days preceding and following the special event. Temporary towers may also be located on the same site as an approved permanent tower during the period that the permanent tower is being constructed. (G.O. 5094, 07/09/01)

- 95.** Farmers' Markets, subject to the following restrictions: (G.O. 5880, 7/26/10)
- a. The Farmers' Market may only be located on the same site as a legally established non-residential use(s).
 1. A site plan shall be submitted to, and approved by, the Building Development Services Department showing conformance with the requirements of the Zoning Ordinance, adopted standards, and other City Codes;
 2. All Farmers' Market uses shall be in compliance with all applicable codes and standards of the Springfield City Code; and
 3. A permit for such use has been issued by the Director of Building Development Services finding that all of the standards have been, or will be, satisfied. The Director of Building Development Services is authorized to issue a cease and desist order to any party violating the adopted standards along with any other enforcement measures available to the Director or the City.
 - b. Every Farmers' Market vending site shall be required to have a building or site permit issued by the Director of Building Development Services prior to commencement of operation. The property owner shall apply for the building or site permit.
- B. The following uses of land are permitted in the specific zoning districts listed, subject to the restrictions in this section and the other applicable restrictions in the district or districts in which the temporary use is permitted.
- ~~1. In Residential Districts. Non-profit, fund-raising events on residential properties, such as, the Springfield Symphony Guild's Designer's Showcase, subject to the following restrictions:~~
 - ~~a. No more than one (1) permit shall be issued on the same property in a thirty-six (36) month period, and the permit shall not exceed a period of twenty-one (21) days exclusive of a reasonable period to prepare the property prior to the event and restore the property after the event is complete.~~
 - ~~b. Activities related to the event shall be limited to a daily period extending from 9:00 a.m. to 10:00 p.m.~~

- ~~c. Lighting, activities, noise, or increased traffic associated with an event shall not unreasonably disturb surrounding residential neighborhood.~~
- ~~d. The applicant shall provide a reasonable plan for traffic control and parking approved by the Traffic Engineer and adequate evidence that said plan will be implemented.~~
- ~~e. The applicant shall provide a plan for adequately ensuring that during actual operations there will be no adverse environmental impact on adjacent and nearby properties. Said plan shall include provisions for noise abatement, sanitary needs, dust, and litter controls. Any violation of said plan shall provide grounds for an immediate revocation of a permit granted under the provisions of this section.~~
- ~~f. A permit for such event has been issued by the Director of Building Development Services finding that all of the foregoing conditions have been, or will be, satisfied.~~

21. Temporary vendors, sites in the GR, HC, CS, GI, CC, COM, LI, GM, HM and IC Districts, subject to the following restrictions: (G.O. 4925, 09/27/99; G.O. 6010, 08/27/12)

- a. A site plan providing the following information shall be submitted to, and approved by, the Building Development Services Department showing conformance with the requirements and standards of the Zoning Ordinance and other City Codes (G.O. 6010, 08/27/12);
1. The legal description of the site.
 2. A full site plan showing the proposed location of the temporary vendor site and showing that the site does not encroach into the required setbacks of site triangles.
 3. Show that the vendor site location will not encroach into the required parking spaces.
 4. Submit a parking schedule indicating the total number of parking spaces for the site, the total spaces required for the permanent business and the use of the permanent business.
 5. Show the location of the accessible restroom facilities for each gender. They must be located

244 within five hundred (500) feet of the temporary
245 vendor site and within a permanent structure.
246

- 247 b. All temporary vendor uses shall be in compliance with all
248 applicable codes and standards of the Springfield City
249 Code. (G.O. 6010, 08/27/12)
250

251
252 3. **In the GI, GR, HC, CS, LI, GM, HM, and IC Districts.** (G.O.
253 5127, 10/29/01) (G.O. 5823, 06/15/09)
254

- 255 a. ~~An outdoor carnival or circus, subject to the following~~
256 ~~restrictions:~~
257

258 (1) ~~No carnival or circus shall be located on a parcel of~~
259 ~~land less than five (5) acres in size.~~
260

261 (2) ~~No permit shall be issued for a period exceeding~~
262 ~~fourteen (14) days exclusive of a reasonable period~~
263 ~~during which the amusement rides, concessions,~~
264 ~~etc. are erected or removed from the site.~~
265

266 (3) ~~No more than two (2) permits for a circus or~~
267 ~~carnival on the same property shall be issued for~~
268 ~~any twelve (12) month period.~~
269

270 (4) ~~Every carnival or circus shall provide either paved~~
271 ~~or dust treated off-street parking for not less than~~
272 ~~three hundred (300) automobiles per acre of area~~
273 ~~used for amusement purpose.~~
274

275 (5) ~~Lighting, amusement activities, noise, or increased~~
276 ~~traffic associated with a carnival or circus shall not~~
277 ~~unreasonably disturb surrounding residential~~
278 ~~neighborhoods.~~
279

280 (6) ~~The applicant shall provide a reasonable plan for~~
281 ~~traffic control approved by the Traffic Engineer and~~
282 ~~adequate evidence that said plan will be~~
283 ~~implemented.~~
284

285 (7) ~~No carnival or circus shall be permitted within five-~~
286 ~~hundred (500) feet of the lot line of occupied~~
287 ~~residential property; except, the Director of Building~~
288 ~~Development Services may reduce the distance~~
289 ~~requirement set forth in this subsection if the~~
290 ~~Director determines that existing buildings,~~
291 ~~structures, or uses of land or terrain of the parcel of~~
292 ~~land for which application is made or adjacent~~
293 ~~parcels substantially reduce potential noise~~

pollution, aesthetic pollution and other types of pollution.

(8) The carnival or circus shall limit its hours of operation to a daily period extending from 9:00 a.m. to 10:00 p.m.

(9) The applicant shall provide a performance bond with the City as the named payee, which bond shall guarantee that the premises will be left in a condition that does not produce any adverse environmental impact on adjacent property. The bond shall be submitted to the Director of Building Development Services.

(10) The applicant shall provide a plan for adequately ensuring that during actual carnival or circus operations there will be no adverse environmental impact on adjacent and nearby properties. Said plan shall include provisions for noise abatement, sanitary needs, dust, and litter controls. Any violation of said plan shall provide grounds for an immediate revocation of a permit granted under the provisions of this section.

(11) A permit for such circus or carnival has been issued by the Director of Building Development Services finding that all of the foregoing conditions have been, or will be, satisfied.

b.a. Christmas tree sales for a period not to exceed sixty (60) days. Display of Christmas trees need not comply with the yard and setback requirements of this Article, provided, that no tree shall be displayed within thirty (30) feet of the intersection of the curb line of any two (2) streets or any sight triangle required by *Subsection 5-1306*.

c. Temporary promotional activities subject to the following restrictions:

(1) No permit shall be granted for a period exceeding six (6) days exclusive of a reasonable period during which the promotional uses are erected or taken down.

(2) No more than two (2) permits for a temporary promotional use for the same property shall be issued during any six (6) month period.

(3) Temporary promotional uses shall be limited in number to not more than five (5) carnival rides,

345 ~~amusement rides, or other similar amusements,~~
346 ~~and no games, side shows, tents shelters,~~
347 ~~concessions, or other similar uses shall be~~
348 ~~employed or associated therewith. Carnival rides,~~
349 ~~amusement rides, and other similar amusements~~
350 ~~shall not be located within four hundred (400) feet~~
351 ~~of the lot line of occupied residential property~~
352 ~~except as permitted by (8) below.~~

353
354 ~~(4) Reserved~~

355
356 ~~(5) Retail businesses may display merchandise that is~~
357 ~~for sale within the building in the area immediately~~
358 ~~adjacent to the building subject to the following~~
359 ~~conditions:~~

360
361 ~~(a) No portion of the display shall be on publicly~~
362 ~~owned property unless the applicant shall first have~~
363 ~~obtained approval for such use from the Director of~~
364 ~~Building Development Services.~~

365
366 ~~(b) No food or drink may be displayed outside~~
367 ~~the building except in accordance with standards~~
368 ~~and prior written approval of the Department of~~
369 ~~Public Health and welfare.~~

370
371 ~~(c) These provisions shall in no way be~~
372 ~~deemed to authorize the outdoor display or the sale~~
373 ~~of used furniture, appliances, housewares, or other~~
374 ~~second hand merchandise in those districts which~~
375 ~~do not otherwise permit such uses.~~

376
377 ~~(6) In granting a permit for a temporary promotional~~
378 ~~use, the Director of Building Development Services~~
379 ~~shall determine that pedestrian and vehicular traffic~~
380 ~~will not be impaired by such temporary use. The~~
381 ~~Director of Building Development Services must~~
382 ~~also determine that the applicant has a reasonable~~
383 ~~plan for traffic control approved by the Traffic~~
384 ~~Engineer and has provided adequate evidence that~~
385 ~~said plan will be implemented.~~

386
387 ~~(7) No permit shall be granted where the lighting,~~
388 ~~promotional activities, noise or increased traffic~~
389 ~~associated therewith will unreasonably disturb the~~
390 ~~surrounding residential neighborhoods.~~

391
392 ~~(8) No temporary promotional use shall be located~~
393 ~~within three hundred (300) feet of the lot line of~~
394 ~~occupied residential property, except for the display~~
395 ~~of goods and merchandise where a building is~~

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~~located between the temporary promotional use
and the occupied residential property so that the
occupied residential property is completely shielded
from the temporary promotional use.~~

~~(9) Each temporary promotional use shall cease its
daily operation for more than one-half (1/2) hour
after the closing of the associated commercial
uses, except in no event shall the promotional use
operate after 10:00 p.m. or prior to 8:00 a.m.~~

~~(10) Reserved.~~

~~(11) A permit for such activity has been issued by the
Director of Building Development Services finding
that all of the foregoing conditions have been, or
will be, satisfied.~~

~~4. In the GR District. Temporary seasonal outdoor sales and
related storage accessory to a permitted use. (G.O. 5127,
10/29/01)~~

ZONING & SUBDIVISION REPORT

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

Redevelopment Plan for the Brewery District Lofts Redevelopment Area

DATE: September 24, 2013

PURPOSE: To approve the Redevelopment Plan for the Brewery District Lofts Redevelopment Area.

LOCATION: Generally located along the north side of West Walnut Street between South Market Avenue and South Main Avenue (507-535 West Walnut Street).

APPLICANT: Brewery District Lofts Redevelopment Corporation

STAFF RECOMMENDATION:

Staff recommends the Redevelopment Plan for the Brewery District Lofts Redevelopment Area be approved.

FINDINGS:

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

STAFF CONTACT:

Matt D. Schaefer
Senior Planner

ATTACHMENTS:

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

ATTACHMENT A
REDEVELOPMENT PLAN FOR THE BREWERY DISTRICT LOFTS REDEVELOPMENT AREA
BACKGROUND REPORT

APPLICANT’S PROPOSAL:

The Brewery District Lofts Redevelopment Corporation has filed an application requesting partial real property tax abatement pursuant to Chapter 353, Missouri Revised Statutes (RSMo) for a proposed redevelopment project generally located along the north side of West Walnut Street between South Market Avenue and South Main Avenue. (*Exhibits 1 and 2*). The application includes a redevelopment plan, which the Springfield Planning and Zoning Commission shall review for conformance to the *Springfield-Greene County Comprehensive Plan (Exhibit 3)*.

The Brewery District Lofts Redevelopment Area consists of four parcels, which comprise approximately 1.06 acres. The Area is occupied by five vacant buildings that were previously used for automotive repair and painting, storage, and restaurant use. These buildings are described on the table below.

Location	Floor Area (ft ²)	Description
507 W. Walnut St.	7,722	Auto garage with a small office
521 W. McDaniel St.	6,000	Concrete block warehouse
527 W. Walnut St.	981	Block and frame commercial building
527 W. Walnut St.	1,506	Metal storage building
535 W. Walnut St.	6,238	Concrete block and steel automotive repair garage

The Redevelopment Plan proposes to demolish the buildings located at 535 and 527 W. Walnut St. and construct a three-story residential and commercial mixed-use development. The new building will feature approximately 11,350 sq ft of retail, office, and banquet facility space on the first floor. The upper floors will feature 28 market-rate residential apartments, which will include a mix of studio, one-, two-, and three-bedroom units. Off-street parking for approximately 28 automobiles will be provided along the north side of the building.

The buildings located at 521 W. McDaniel St. and 507 W. Walnut St. will not be demolished, but rather rehabilitated and restored to a shell state. Once completed, Springfield Brewing Company will use the 521 W. Walnut St. building for production expansion and event space. The 507 W. Walnut St. building will function as a distillery.

COMPREHENSIVE PLAN:

1. According to the *Springfield Area Land Use Plan*, the area in and around the Brewery District Lofts Redevelopment Area is classified as “Greater Downtown.” This land use category allows and promotes high-intensity office, retail, housing, academic, and public

land uses, preferably in mixed-use buildings with a strong pedestrian orientation. The Plan identifies the Center City District as the most appropriate zoning district. The Brewery District Lofts Redevelopment Area is zoned CC, Center City, and will contain a mix of high-density multi-family residential and commercial uses. The proposed redevelopment will also have a strong pedestrian orientation due to its location in downtown Springfield and its close proximity to public transit, retail shops, parks, restaurants, entertainment venues, and other downtown amenities.

2. The *Center City Plan Element* of the *Springfield-Greene County Comprehensive Plan* envisions the Greater Downtown District as an area that will be alive with business, shopping, and visitors. It will be the place to be for people of all ages – a well maintained, attractive, and inviting environment. The Redevelopment Plan supports this vision by providing additional housing and commercial development within the Greater Downtown District.
3. The *Center City Plan Element* also notes that the Center City area suffers from physical deterioration and economic obsolescence. It also states although there are several properties within Center City that have been well maintained or recently constructed, the overall tone of is one of an area that could use revitalization and new investment. The Redevelopment Plan addresses those issues by proposing to remove existing blight and redevelop the area into a new residential and commercial mixed-use development.
4. An objective of the *Center City Plan Element* is to “Reestablish a unique position for Greater Downtown within the larger marketplace; one that is of value to the community and its residents.” One of the recommended actions for achieving that objective is to promote the emergence of a residential base in Greater Downtown. The Plan mentions that Greater Downtown housing can utilize vacant building space and help create round-the-clock activity, which should be a top priority. It also states that available incentives should be considered for such projects.

STAFF COMMENTS:

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

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

The Land Clearance for Redevelopment Authority (LCRA) will review this project on October 1, 2013 and make a recommendation as to whether the Area should be declared a blighted area.

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

2. The location of the proposed residential and commercial mixed-use development will offer its tenants and patrons convenient access to public transit and designated pedestrian and bicycle routes. The Redevelopment is located adjacent to a City Utilities bus route with nearby stops and a bicycle route.

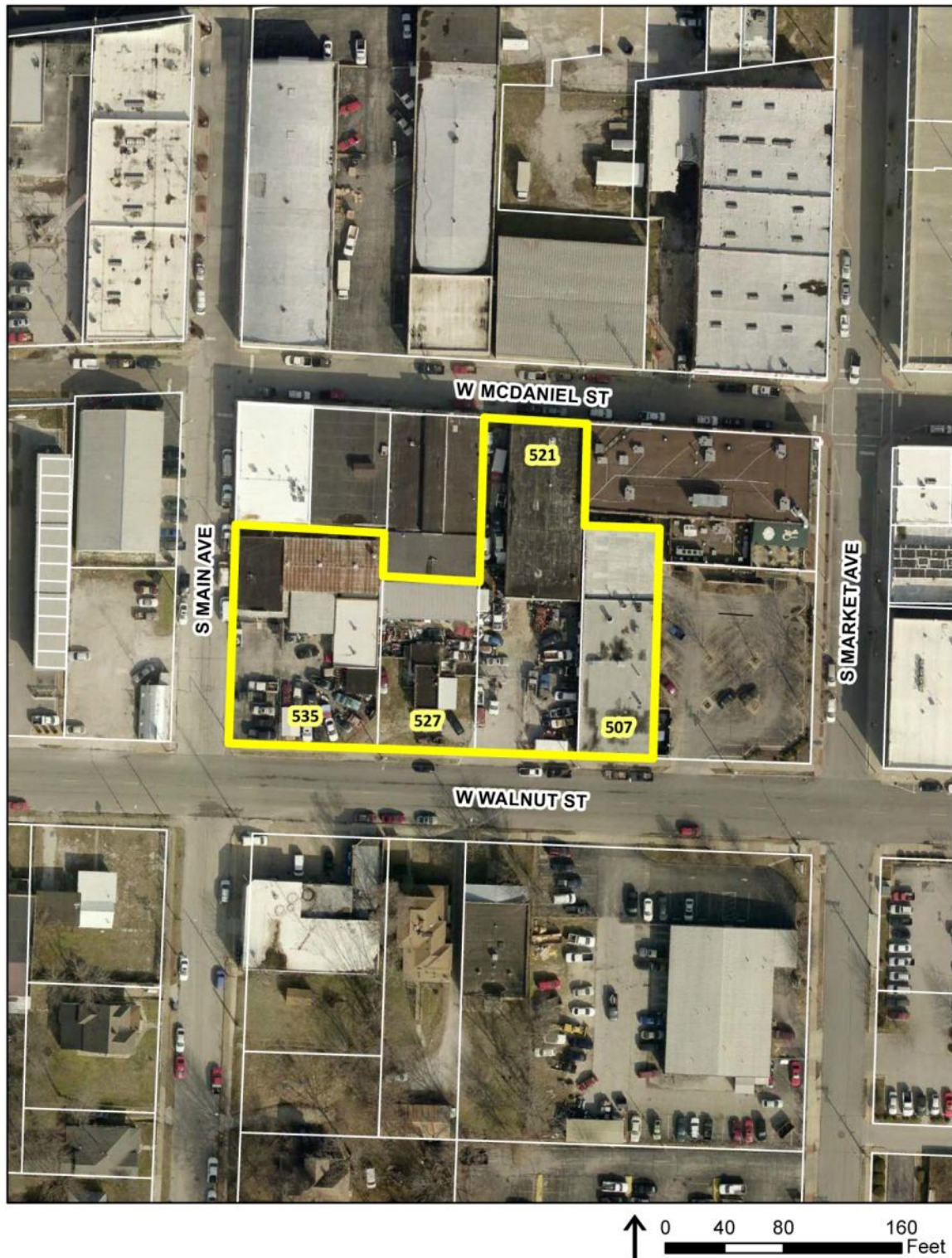
EXHIBIT 1
REDEVELOPMENT PLAN FOR THE BREWERY DISTRICT LOFTS REDEVELOPMENT AREA
LEGAL DESCRIPTION

A REDEVELOPMENT DISTRICT AREA BOUNDARY BEING A PART OF THE NORTHEAST QUARTER OF SECTION TWENTY-THREE (23), TOWNSHIP TWENTY-NINE (29) NORTH, RANGE TWENTY-TWO (22) WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH ALONG THE EAST LINE THEREOF, A DISTANCE OF 1083.50 FEET TO A POINT BEING ON THE CENTERLINE OF WALNUT STREET, AS IT NOW EXISTS; THENCE LEAVING SAID EAST LINE AND WEST ALONG SAID CENTERLINE, A DISTANCE OF 784.32 FEET; THENCE LEAVING SAID CENTERLINE, NORTH 02 DEGREES 07 MINUTES 14 SECONDS EAST, A DISTANCE OF 30.11 FEET TO AN EXISTING IRON PIN AT THE NORTHEAST CORNER OF MAIN AND WALNUT STREETS, AS THEY NOW EXIST, FOR THE POINT OF BEGINNING:

THENCE NORTH 01 DEGREES 48 MINUTES 33 SECONDS EAST, ALONG THE EAST RIGHT-OF-WAY LINE OF MAIN STREET, AS IT NOW EXISTS, A DISTANCE OF 150.00 FEET TO AN EXISTING CROSS IN CONCRETE; THENCE SOUTH 87 DEGREES 50 MINUTES 15 SECONDS EAST, LEAVING SAID RIGHT-OF-WAY LINE, A DISTANCE OF 100.00 FEET TO AN EXISTING CROSS IN CONCRETE; THENCE SOUTH 01 DEGREES 48 MINUTES 33 SECONDS WEST, A DISTANCE OF 33.60 FEET TO A POINT; THENCE SOUTH 86 DEGREES 56 MINUTES 10 SECONDS EAST, A DISTANCE OF 65.61 FEET TO A POINT; THENCE NORTH 01 DEGREES 38 MINUTES 51 SECONDS EAST, A DISTANCE OF 111.47 FEET TO AN EXISTING CROSS IN CONCRETE, BEING A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF MCDANIEL STREET, AS IT NOW EXISTS; THENCE SOUTH 86 DEGREES 07 MINUTES 21 SECONDS EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE OF SAID MCDANIEL STREET, A DISTANCE OF 70.07 FEET TO AN EXISTING CROSS IN CONCRETE; THENCE SOUTH 01 DEGREES 51 MINUTES 27 SECONDS WEST, LEAVING SAID RIGHT-OF-WAY LINE, A DISTANCE OF 68.98 FEET TO AN EXISTING NAIL, BEING THE NORTHWEST CORNER OF LOT 3, PER SPRINGFIELD BREWING COMPANY FINAL PLAT, A RECORDED SUBDIVISION IN SPRINGFIELD, GREENE COUNTY, MISSOURI; THENCE SOUTH 87 DEGREES 54 MINUTES 11 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 51.37 FEET TO A POINT; THENCE SOUTH 02 DEGREES 02 MINUTES 51 SECONDS WEST, LEAVING SAID NORTH LINE AND ALONG THE EAST LINE OF SAID LOT 3 A DISTANCE OF 155.66 FEET, TO AN EXISTING NAIL ON THE NORTH RIGHT-OF-WAY LINE OF WALNUT STREET, AS IT NOW EXISTS; THENCE NORTH 88 DEGREES 00 MINUTES 01 SECONDS WEST, ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 50.85 FEET, TO AN EXISTING IRON PIN; THENCE NORTH 87 DEGREES 50 MINUTES 15 SECONDS WEST, CONTINUING ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 235.12 FEET, TO THE POINT OF BEGINNING, CONTAINING 46,294.66 SQUARE FEET OR 1.06 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

EXHIBIT 2
REDEVELOPMENT PLAN FOR THE BREWERY DISTRICT LOFTS REDEVELOPMENT AREA
LOCATION MAP



Redevelopment Plan

The Brewery District Lofts Redevelopment Area (the “*Redevelopment Area*”), which was most recently used as Menzies Auto Painting & Body, Rincon Latino Mexican Restaurant, and Dodson-Williams Auto Body, will be transformed into a mixed-use development that will be located adjacent to Springfield Brewing Company.

The improvements located at 527 W. Walnut Street and 535 W. Walnut Street will be demolished to allow for construction of a three story retail/apartment loft facility. The first floor is proposed to contain approximately 11,350 square feet of white box space intended for office, retail, restaurant, or banquet space. The second and third floors, consisting of approximately 27,930 square feet, are proposed to be developed into twenty-eight (28) loft apartments which will include studio, one, two, and three bedroom units. The facility is anticipated to be built using certain “green” building standards to maximize energy savings and may qualify for LEED Silver Certification. An adjacent parking lot will provide parking for about twenty-eight (28) vehicles.

The improvements located at 507 W. Walnut Street and the 521 W. McDaniel Street will be renovated to a shell state. The walls will be tuck-pointed and resealed, and the exposed steel ceiling structure will be sandblasted and repainted. Concrete flooring will be repaired, portions replaced, and resealed. All metal windows and doors will be re-finished. The property will have a new sprinkler and HVAC system and a new roof installed. A portion of the 521 Building will likely be used as Springfield Brewing Company expansion space for production purposes (such as bottling, providing room for additional tanks, and expanding the current cooler space). The remainder of the 521 Building is anticipated to serve as industrial style event space. The 507 Building is anticipated to function as a distillery.

Diagrams of the projected floor plans, building elevations, site plan, and proposed land use plan for the Redevelopment Area are attached hereto and incorporated herein as Exhibit F.

The Redevelopment Area is zoned Center City and is located within the Center City Study Area (as defined by the city of Springfield’s Center City Plan Element (the “*Center City Plan Element*”), which is a component of the Vision 20/20 Springfield-Greene County Comprehensive Plan). The Center City Plan Element is the City’s guide for private investments and public improvements for a major part of central Springfield.²⁷ Center City includes some of the oldest parts of the Springfield community and, as demonstrated by the current condition of the Redevelopment Area, it suffers from problems commonly resulting from physical deterioration and economic obsolescence.²⁸

Center City consists of several distinct districts, one of which is the Greater Downtown District. The Redevelopment Area is located on the western border of the Greater Downtown District and is about three blocks west of Park Central Square. One of the Center City Plan Element’s overall goals for the Greater Downtown District is that it will be a well-

²⁷ See page 1-1 of the Center City Plan Element.

²⁸ See page 2-10 of the Center City Plan Element.

maintained, attractive, and inviting environment that is alive with business, shopping, and visitors.²⁹ One of the actions the Center City Plan Element recommends to achieve this goal and to create a vibrant, mixed-use urban center is to promote the emergence of a residential base in Greater Downtown.³⁰ The Center City Plan Element suggests that Greater Downtown housing can utilize vacant building space and help create round-the-clock activity, so it should be a top priority.³¹ Thus, the Center City Plan Element encourages the City to promote private reinvestment and redevelopment of existing neighborhoods on the fringes of Greater Downtown.³² The Center City Plan Element also encourages increasing the compactness of land uses in Greater Downtown since compact, dense, pedestrian-oriented places help to retain urban vitality and interest.³³ Additionally, the Center City Plan Element encourages active building uses to be located on the ground floor of buildings as it will help to better define public spaces.

The implementation of this Redevelopment Plan will transform the Redevelopment Area into an attractive location for new residents and businesses and will help to facilitate additional interest and activity in Greater Downtown. Additionally, the rehabilitation of the Redevelopment Area will increase the taxable revenues to the City, while placing a greater portion of Greater Downtown in congruence with the visions set forth in the Center City Plan Element.

²⁹ See page 1-1 of the Center City Plan Element

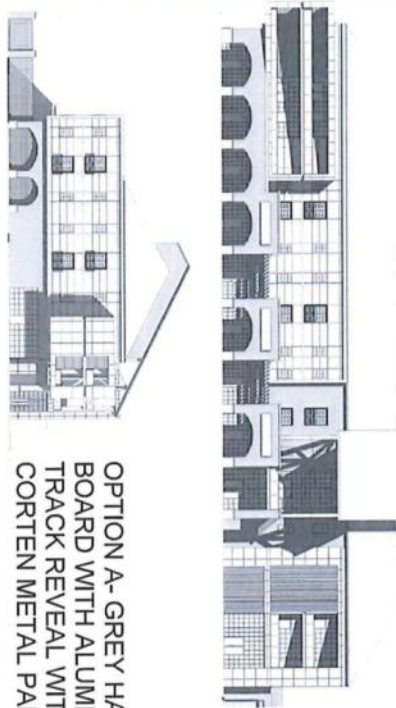
³⁰ See page 3-36 of the Center City Plan Element.

³¹ See page 3-36 of the Center City Plan Element.

³² See page 3-36 of the Center City Plan Element.

³³ See page 3-37 of the Center City Plan Element.

**PLANS AND SPECIFICATIONS OF
PROJECTED RENOVATIONS**



OPTION A- GREY HARDIE
BOARD WITH ALUMINUM
TRACK REVEAL WITH
CORTEN METAL PANELS.

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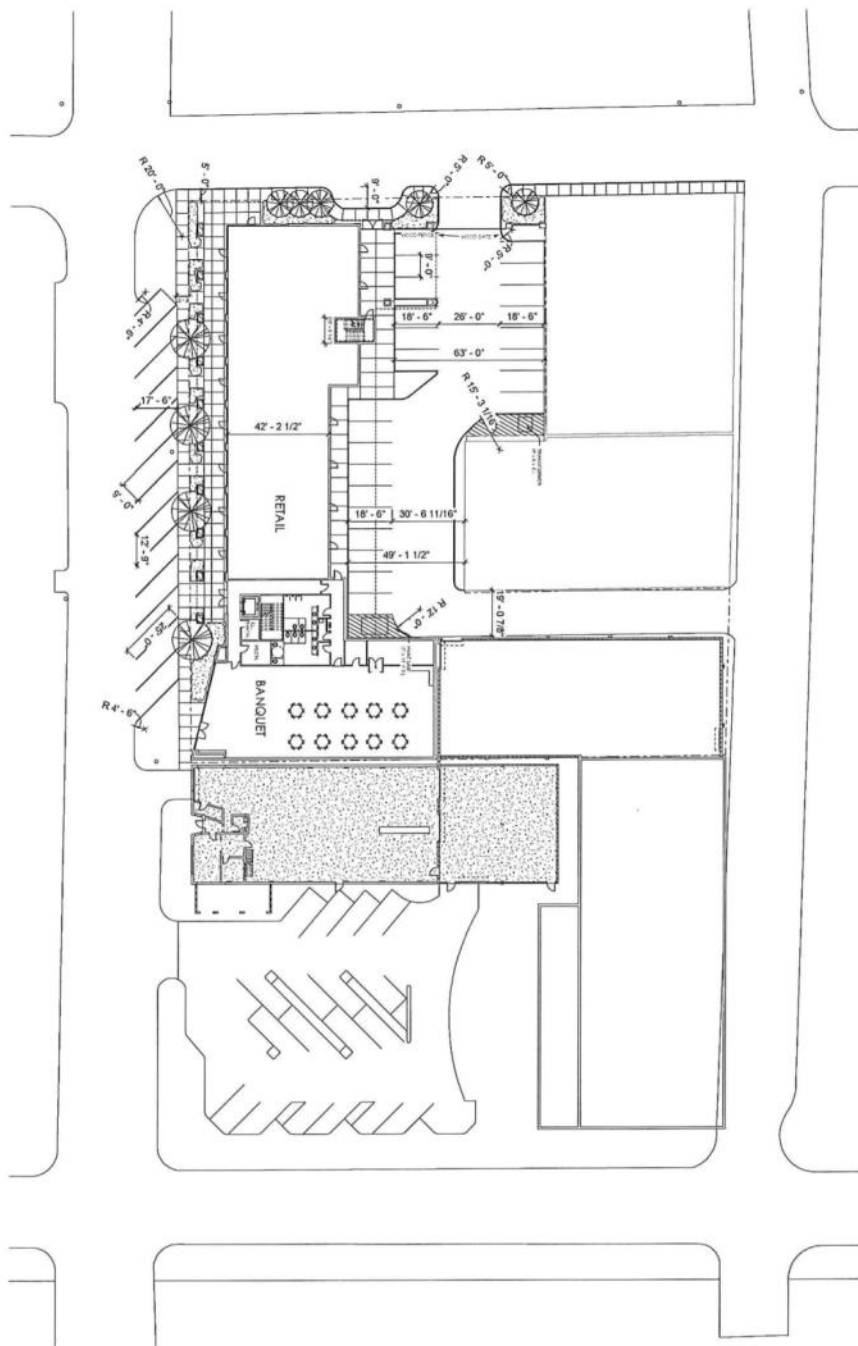
PRELIMINARY
NOT FOR
CONSTRUCTION

bates & associates
architects

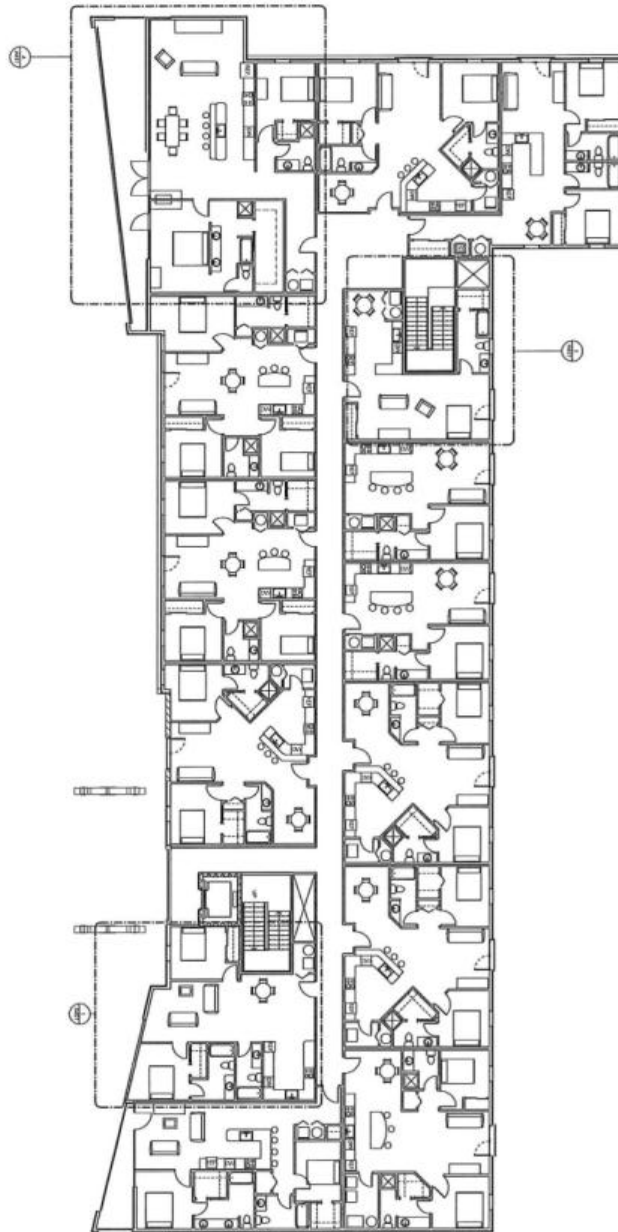
www.batesandassociates.com
phone: 417.805.2885
fax: 417.805.2811
433 south main street
springfield missouri 65806

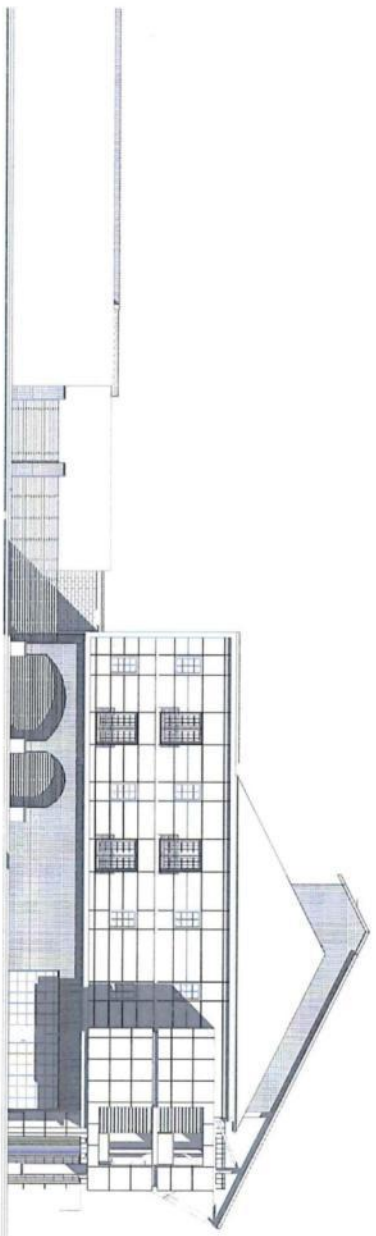
Christina Chanter
Brewery District Lofts
830 W. Walnut St. Springfield, MO 65806

Project: Brewery District Lofts
Date: 10/20/11
Scale: 1/8" = 1'-0"
G100
CONCEPT
Autodesk Revit

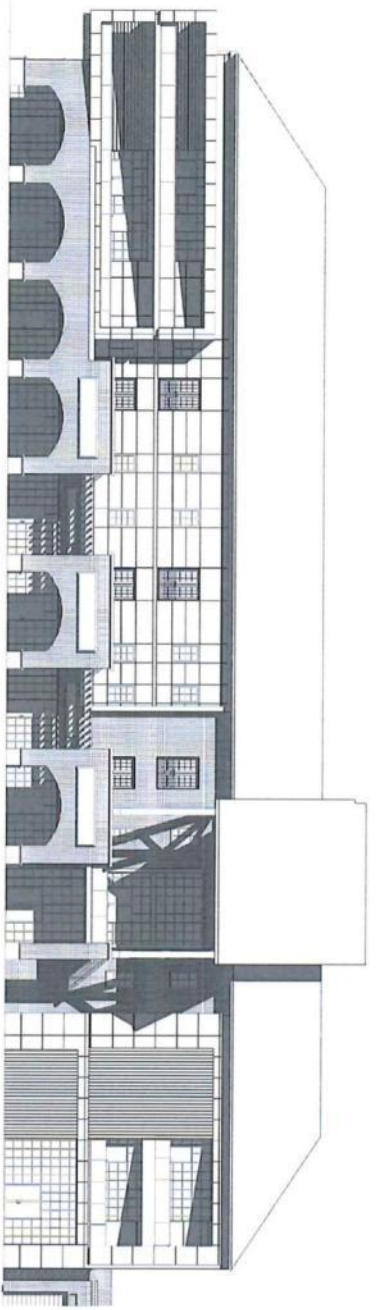
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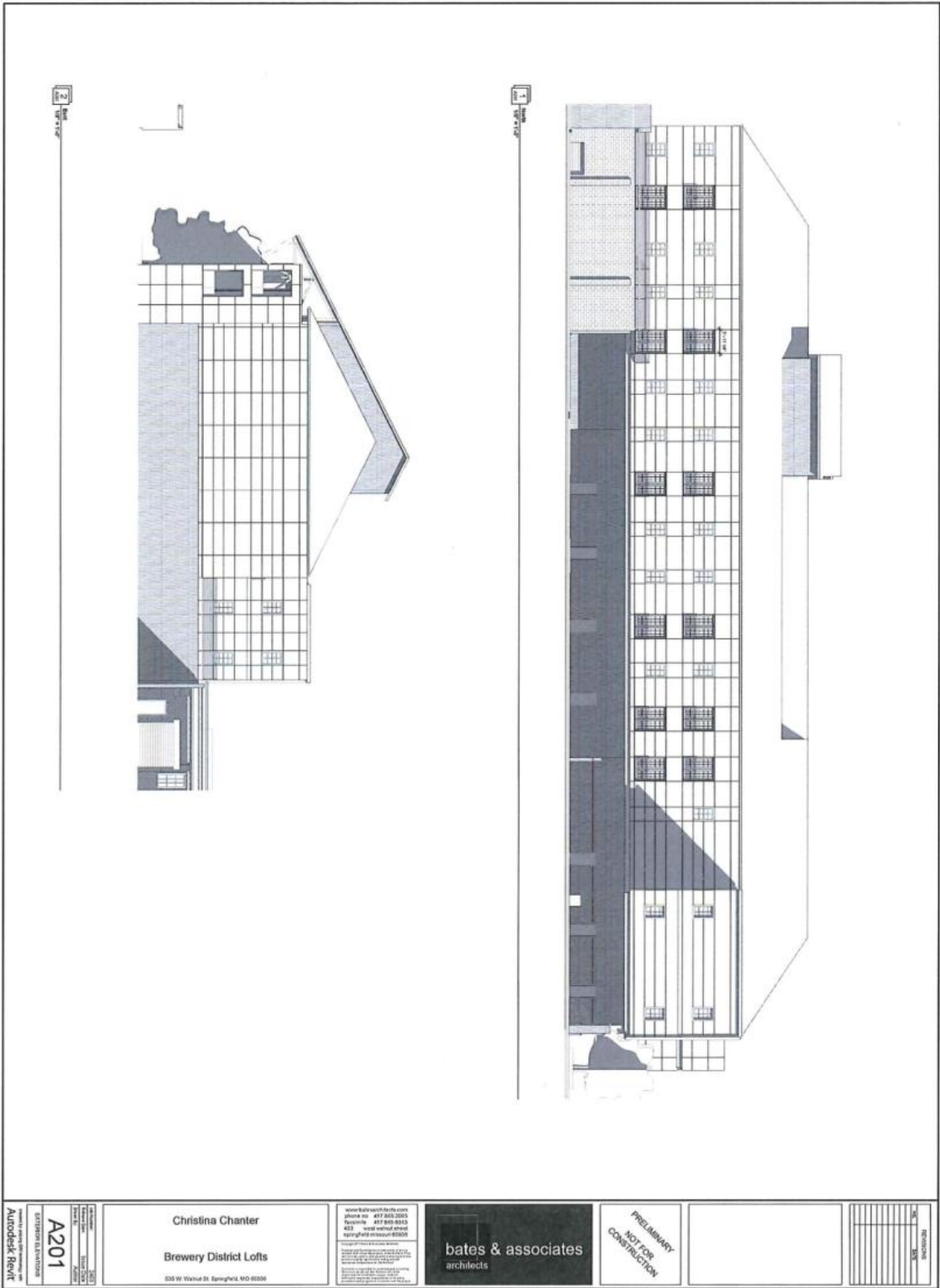




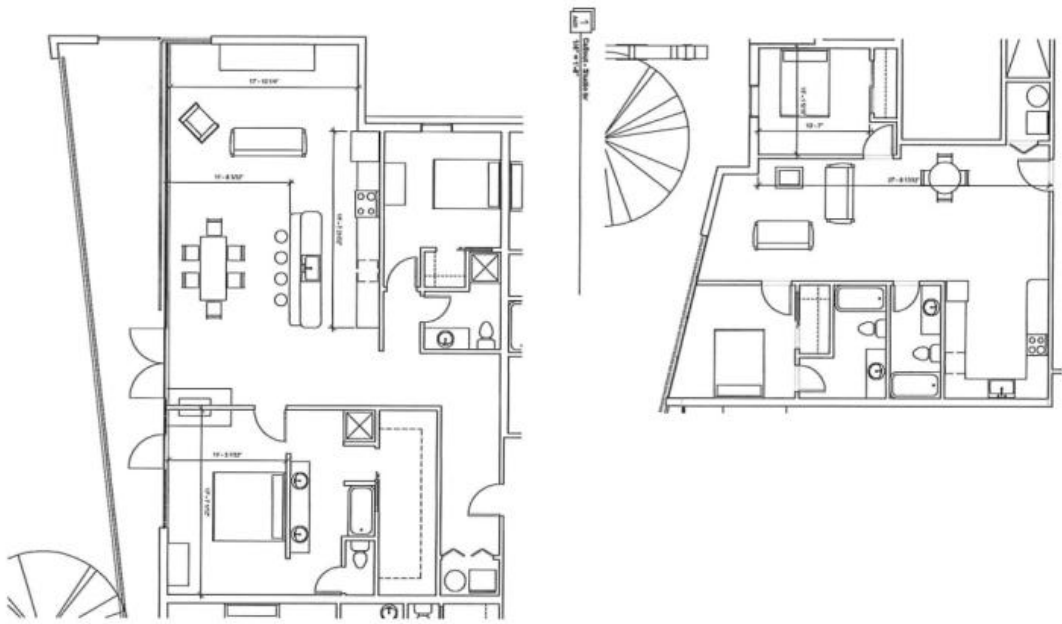
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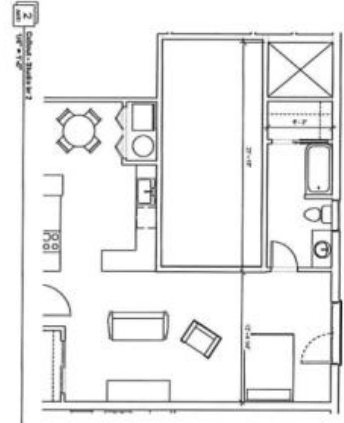
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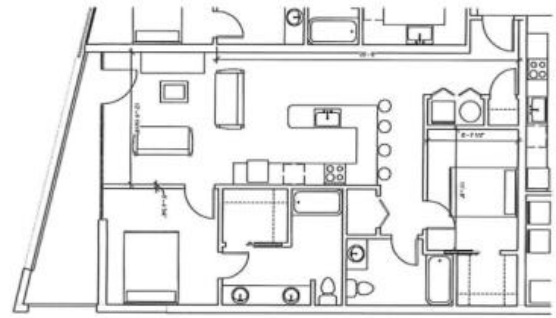
A201 EXTERIOR ELEVATIONS Autoodesk Revit	Christina Chanter Brewery District Lofts 535 W. Walnut St. Springfield, MO 65806	owner: B&B Property Group, LLC project no: 457 603 2005 architect: 457 603 2005 453 - west walnut street springfield missouri 65806 project: Brewery District Lofts, 535 W. Walnut St., Springfield, MO 65806 owner: B&B Property Group, LLC architect: bates & associates architects project no: 457 603 2005 drawing no: 457 603 2005 drawing title: EXTERIOR ELEVATIONS drawing date: 10/10/2005 drawing by: Christina Chanter drawing checked by: Christina Chanter drawing approved by: Christina Chanter drawing scale: 1/8" = 1'-0"	bates & associates architects	PRELIMINARY NOT FOR CONSTRUCTION		<table border="1"><tr><td>NO.</td><td>DATE</td><td>BY</td></tr><tr><td>1</td><td>10/10/2005</td><td>Christina Chanter</td></tr></table>	NO.	DATE	BY	1	10/10/2005	Christina Chanter
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1	10/10/2005	Christina Chanter										



1
Unit 1, 11' x 11'

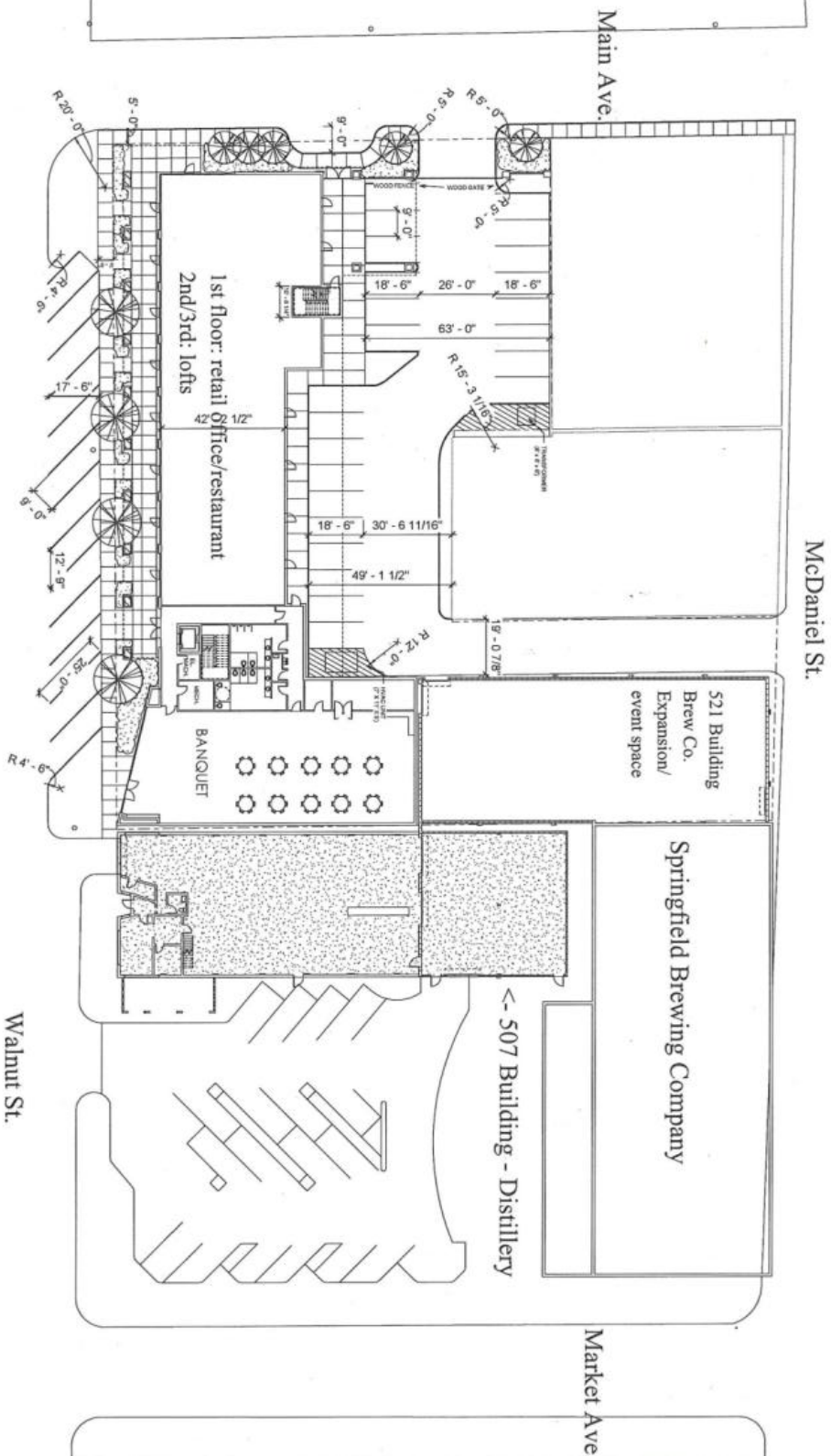


2
Unit 2, 11' x 11'



3
Unit 3, 11' x 11'

Proposed Land Use Plan



ZONING & SUBDIVISION REPORT

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

Redevelopment Plan for “The Q” Student Housing Redevelopment Area

DATE: September 24, 2013

PURPOSE: To approve the Redevelopment Plan for the “The Q” Student Housing Redevelopment Area

LOCATION: The southwest corner of the intersection East Bear Boulevard and South Holland Avenue (626 and 634 East Bear Boulevard)

APPLICANTS: Miller Commerce, LLC

STAFF RECOMMENDATION:

Staff recommends the Redevelopment Plan for “The Q” Student Housing Redevelopment Area be **approved**.

FINDINGS:

The proposed Redevelopment Plan for “The Q” Student Housing Redevelopment Area is in conformance with the *Springfield-Greene County Comprehensive Plan*.

STAFF CONTACT:

Matt D. Schaefer
Senior Planner
417-864-1100

ATTACHMENTS:

Attachment A: Background Report
Exhibit I: Legal Description
Exhibit II: Location Map
Exhibit III: Redevelopment Plan

ATTACHMENT A
BACKGROUND REPORT
REDEVELOPMENT PLAN FOR “THE Q” STUDENT HOUSING REDEVELOPMENT AREA

APPLICANT’S PROPOSAL:

Miller Commerce, LLC has filed an application requesting approval of a redevelopment plan pursuant to Sections 99.300-99.715, RSMo, the Land Clearance for Redevelopment Authority Law, for a redevelopment project generally located at the southwest corner of East Bear Boulevard and South Holland Avenue (*Exhibits I&II*). The Planning and Zoning Commission is required by Statute to review the proposed Redevelopment Plan (*Exhibit III*) for conformance with the City’s general plan for the development of the City as a whole.

The purpose of the Redevelopment Plan for the “The Q” Student Housing Redevelopment Area is to remove blight and redevelop the area into a multi-family residential housing development that will be marketed primarily to Missouri State University students. The Redevelopment Area consists of two parcels of land (0.74 acres), which are currently occupied by two single-story multi-family residential structures that were constructed in the early to mid-1960s. The Plan proposes to demolish the existing structures within the Redevelopment Area and construct a new four story multi-family residential development that will house approximately 90 residents. The new development will contain a mixture of studio, one bedroom, two-bedroom, and four-bedroom units. It will also include an on-site property management/maintenance office, a social gathering area, and off-street parking per the requirements of the R-HD, High-Density Multi-Family Residential district.

COMPREHENSIVE PLAN:

1. The Redevelopment Area is located within the area included in the *Center City Plan Element* of the *Springfield –Greene County Comprehensive Plan*. The Plan mentions the Center City area suffers from physical deterioration and economic obsolescence. It also states although there are several properties within Center City that have been well maintained or recently constructed, the overall tone of is one of an area that could use revitalization and new investment. The Redevelopment Plan addresses those issues by proposing to remove existing blight and redevelop the area into a new student housing development.
2. The *Center City Plan Element* envisions the Greater Downtown District, which includes Park Central Square, University, Plaza, and parts of Walnut Street and Missouri State University, as an area that will be alive with business, shopping, and visitors. It will be the place to be for people of all ages – a well maintained, attractive, and inviting environment. The Redevelopment Plan supports this vision by providing additional housing within the Greater Downtown District.
3. The *Growth Management and Land Use Element of the Springfield-Greene County Comprehensive Plan* also targets the Missouri State University Campus and surrounding

area as a Major Activity Center. One of the Plan's objectives relating to Activity Centers is to promote additional or new employment, intensified retail business, higher density housing and convenient transit service. The Redevelopment Plan supports this objective by providing new housing that will accommodate approximately 90 residents.

4. The *Growth Management and Land Use Element* of the *Springfield-Greene County Comprehensive Plan* designates the land along the north and west periphery of Missouri State University for Medium- or High-Density Residential Housing. The *Growth Management and Land Use Element* also mentions urban growth inside Springfield should be compact and contiguous. This serves to promote efficient land use, continued investment in older areas, pedestrian activity and increased use of transit and bicycling, and stronger neighborhood cohesiveness.

STAFF COMMENTS:

1. The proposed Redevelopment Plan is one component of the applicant's request to obtain partial real property tax abatement pursuant to the Land Clearance for Redevelopment Law ("Chapter 99, RSMo"). Chapter 99 tax abatement is an economic development incentive used to encourage redevelopment within blighted areas through partial real property tax abatement. Within Council-approved redevelopment areas, the Land Clearance for Redevelopment Authority may authorize partial real property tax abatement for projects that conform to an approved redevelopment plan. Real Property tax abatement is based on 100% of the assessed value of qualified new construction or rehabilitation for 10 years.

The applicant is required to submit an application that includes a detailed blight report and redevelopment plan. The Planning and Zoning Commission's responsibility is to review the redevelopment plan for conformance with the City's general plan for the development of the City as a whole and make a recommendation regarding the same to City Council.

2. The Redevelopment Area is part of a larger area that City Council declared to be blighted in 1965 (Resolution No. 4513) and later reaffirmed in 1972 (Resolution No. 5495). The blight designation has not been rescinded, and it continues to remain in effect. The developer was therefore not required to submit a blight study.
3. The Redevelopment Plan is consistent with City policy, which encourages off-campus student housing be constructed near college and university campuses. This may help reduce vehicular traffic by allowing more students to walk and bike to class, as opposed to driving.
4. The City of Springfield and Missouri State University have worked collaboratively on plans to direct university and university-related growth to the northwest towards downtown. The Redevelopment Plan is consistent with those efforts.
5. The location of the proposed student housing complex will offer its tenants convenient access to public transit and designated pedestrian and bicycle routes. Located within one block of the Redevelopment Area are two Missouri State University Bear Line Shuttle stops in addition to designated bicycle and pedestrian routes.

EXHIBIT I
LEGAL DESCRIPTION
“THE Q” STUDENT HOUSING REDEVELOPMENT AREA

LOTS FORTY-SIX (46) AND FORTY-SEVEN (47) IN SOUTHERN ADDITION,
ACCORDING TO THE RECORDED PLAT THEREOF IN THE CITY OF SPRINGFIELD,
GREENE COUNTY, MISSOURI.

EXHIBIT II
LOCATION MAP
“THE Q” STUDENT HOUSING REDEVELOPMENT AREA



EXHIBIT III

**REDEVELOPMENT PLAN
FOR
“THE Q” STUDENT HOUSING
REDEVELOPMENT AREA

SPRINGFIELD, MISSOURI**

September 10, 2013

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Addenda

Map of Blighted Area	Exhibit A
Map of Redevelopment Area	Exhibit B
Legal Description of Redevelopment Area	Exhibit C
Land Use Plan	Exhibit D

Redevelopment Plan

I. Introduction

Miller Commerce, LLC, a Missouri limited liability company (the “*Developer*”) has prepared the following plan (the “*Redevelopment Plan*”) for the development of new multi-family residential housing adjacent to the Missouri State University campus that will be marketed primarily to students. The Redevelopment Plan proposes to completely redevelop the Redevelopment Area (defined below) by constructing a four-story building with a centrally located open air corridor and on-site parking (the “*Project*”). Upon completion of the Project, the Developer will lease the units in the building for residential use.

In 1965, pursuant to Resolution No. 4513, the Springfield City Council (the “*City Council*”) blighted an area generally bounded on the south by E. Grand St., on the east by S. National Ave., on the north by E. Cherry St., and on the west by the South Central “A” Project boundary which generally is the back lot lines of properties that face S. Kimbrough Ave. (the “*Blighted Area*”). A map identifying the Blighted Area is attached hereto as Exhibit A. As shown on Exhibit A, the Redevelopment Area is included within the Blighted Area.

In 1972, pursuant to Resolution No. 5495, the City Council reaffirmed the blight for a portion of the Blighted Area (which portion included the Redevelopment Area) when it approved an Urban Renewal Plan for the area identified as the Southwest Missouri State College Urban Renewal Project (Mo. R-75). Although the aforementioned Urban Renewal Plan was terminated in 2013 pursuant to Special Ordinance No. 26279, the underlying blight designation was specifically left in place and remains unaffected. Accordingly, the Redevelopment Area remains blighted.

II. Description of the Project

A. Boundaries of the Redevelopment Area

The area to be redeveloped consists of Lots 46 and 47 in Southern Addition to the City of Springfield, Green County, Missouri, according to the recorded plat thereof (the “*Redevelopment Area*”), which Redevelopment Area is situated on the southwest corner of Monroe Street and Holland Avenue. A map identifying the Redevelopment Area is attached hereto as Exhibit B and the Redevelopment Area is legally described on Exhibit C attached hereto.

B. Need for Redevelopment

The Redevelopment Area and other surrounding property were first blighted in 1965 by the City Council pursuant to Resolution No. 4513 due to a predominance of deteriorating conditions. The prosecution of this Redevelopment Plan will eliminate such conditions and create a desirable living environment for residents while increasing the taxable revenues to the City of Springfield.

C. *Redevelopment Plan Objectives and Strategies*

1. Goals of the Springfield - Greene County Comprehensive Plan.

The Redevelopment Area is located within the Center City Study Area (as defined by the City of Springfield's Center City Plan Element (the "**CCPE**"), which is a component of the Vision 20/20 Springfield-Greene County Comprehensive Plan). The CCPE is a long-term guide for private investments and public improvements for a major part of central Springfield ("**Center City**").¹ One of the goals of the CCPE is that Center City will continue to be the focal point for higher education and technology development and that Springfield and Center City will be known as "an education and communications city" fulfilling the needs of businesses and students of tomorrow.²

Additionally, the City of Springfield and Missouri State University (formerly Southwest Missouri State University, the "**University**") executed an agreement establishing direction for the future physical growth of the University.³ This agreement evolved from the desire to redirect the physical expansion of the University's campus away from the neighborhoods located to the south and east of the University and to direct it instead toward Greater Downtown's core area around Park Central Square.⁴

The Redevelopment Area is also within the vicinity of the University. The Growth Management and Land Use Plan ("**Land Use Plan**"), which Land Use Plan is another component of the Vision 20/20 Springfield-Greene County Comprehensive Plan, identifies the University and surrounding areas as an Activity Center.⁵ The Land Use Plan states that one of its objectives for areas identified as Activity Centers is that plans should promote additional or new employment, intensified retail business, higher density housing, and convenient transit service.⁶

2. Redevelopment Plan Objectives and Conformance with the Goals of the Springfield - Greene County Comprehensive Plan.

The primary objective of the Redevelopment Plan is to remove blight and to redevelop the area for student housing. The Project involves the construction of a four-story building that will serve as a residence for approximately ninety (90) people. In addition to the centrally located open air corridor, the Project will have a central office (for general maintenance and property management) and a social gathering area for the residents. The Project will have four types of residential units: studio/micro one-bedroom units, traditional one-bedroom units, two-bedroom units, and four-bedroom units.

The Project is anticipated to be built using certain "green" building standards to maximize energy savings and water efficiency.

¹ See page 1-1 of the CCPE.

² See page 1-2 of the CCPE.

³ See page 3-38 of the CCPE.

⁴ See page 3-38 of the CCPE.

⁵ See page 18-34 of the Land Use Plan.

⁶ See page 18-28 of the Land Use Plan.

The Project will further the objectives of the Springfield - Greene County Comprehensive Plan in several different ways. It will provide for additional student housing in Center City which will help to further the CCPE's goal that Center City be a focal point for higher education and fulfill the needs of students. It also complies with the City's goals for the University's growth since the Redevelopment Area is located to the west of the University. The Project will provide for higher density housing within the University Activity Center and will have convenient access to transit services, which advances the Land Use Plan's goals for Activity Centers.

III. Land Use Plan

A. Former and Existing Land Use

There are currently two multi-family residential buildings in the Redevelopment Area. Each building contains ten residential units.

B. Proposed Land Use

The proposed land use for the Redevelopment Area is as a four-story building with on-site parking that will serve as a residence for up to ninety residents. Land use plans showing proposed site plans for the Redevelopment Area are attached hereto as Exhibit D. The Project will substantially conform to the attached proposed plans.

C. Existing and Proposed Zoning

The existing zoning for the Redevelopment Area is High-Density Multi-Family Residential (R-HD). There is no new zoning proposed for the Redevelopment Area. Notwithstanding the foregoing, as part of the Developer's efforts to decrease vehicular traffic the Developer intends to apply for a zoning variance which will (i) allow the Developer to provide only one parking space for each one-bedroom residential unit that is less than 400 square feet, and (ii) provide a 20% bicycle parking reduction.

D. Regulations and Controls

Redevelopment of the Redevelopment Area shall be subject to all applicable Springfield, Missouri Codes and Ordinances.

IV. Execution of the Project

A. Execution

The Developer or its successors in interest will be responsible for executing the redevelopment of the Redevelopment Area in accordance with the Redevelopment Plan.

B. Land Acquisition

The Developer is in the process of acquiring the two parcels that comprise the Redevelopment Area and has entered into contracts with the current owners of said parcels in order to purchase the same. The Developer anticipates that the acquisition of the parcels will occur in the near future.

C. *Financing*

The Developer is utilizing conventional financing to finance the Project.

D. *Disposition of Property*

No property is proposed to be disposed of within the Redevelopment Area.

E. *Plan for Relocation Assistance*

The majority of the residents currently living within the Redevelopment Area are occupying their residences pursuant to month-to-month leases which the Developer will terminate in accordance with the terms of the individual leases. In addition to the month-to-month leases, there are approximately three (3) long-term leases for space within the Redevelopment Area. The Developer plans to buy out those long-term leases on terms that are mutually agreeable to both parties.

F. *Redevelopment Schedule and Estimated Dates of Completion*

The Developer estimates that each stage of the Project will be completed in accordance with the following schedule:

- Pre-Construction (Inspections/Permits): Completed by November 2013
- Site Work (Demolition): Completed by December 2013
- Construction of Building: Completed by July 2014

G. *Taxation*

The Developer or its successors in interest may apply to the Land Clearance for Redevelopment Authority for tax relief pursuant to Sections 99.700 to 99.715 of the Missouri Revised Statutes, 2000.

H. *Covenants*

The Redevelopment Plan shall run with the land and require the Developer and any successors in interest to redevelop the real property within the Redevelopment Area in accordance with the specified uses in the Redevelopment Plan if they wish to benefit from tax relief available under Sections 99.700 to 99.715 of the Missouri Revised Statutes, 2000.

V. Other Provisions

A. *Compliance with State and Local Law*

The Redevelopment Plan shall be implemented in conformance with the requirements of state and local law.

B. *Population Density*

The Project will provide housing for an estimated ninety (90) residents.

C. *Public Facilities*

The Project will not require any additional public facilities or utilities.

VI. Procedure for Changes or Modification of Plan

The Redevelopment Plan may be amended or modified by the Land Clearance for Redevelopment Authority with the consent of the Planning and Zoning Commission and the Developer, and if such amendment or modification is after the sale or lease of property in the Redevelopment Area, with the consent of any redeveloper or successors in interest whose property is affected by such amendment or modification. When the proposed amendment or modification substantially changes the Redevelopment Plan, the City Council must also approve the amendment or modification.

EXHIBIT A

Map of Blighted Area

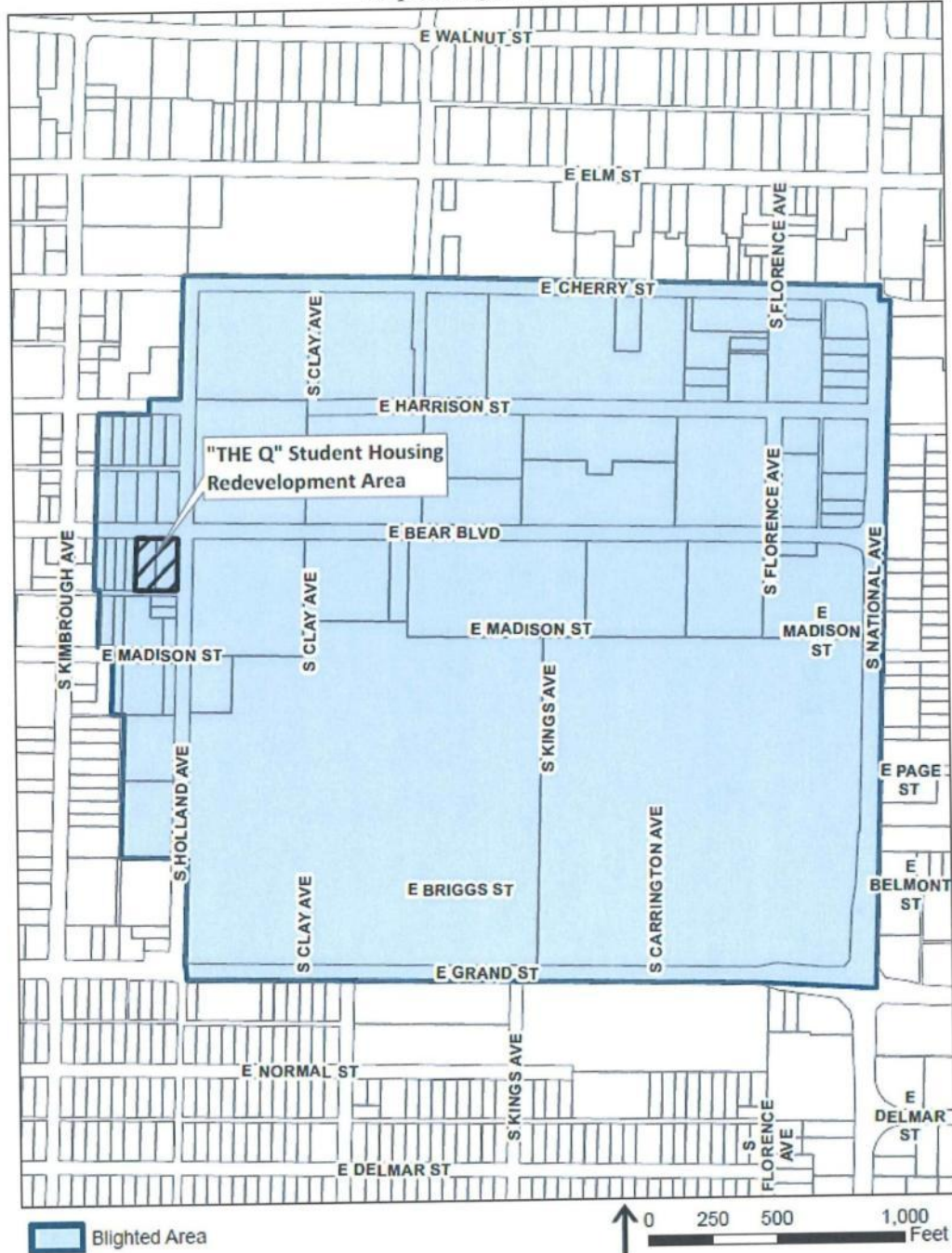


EXHIBIT B

Map of Redevelopment Area



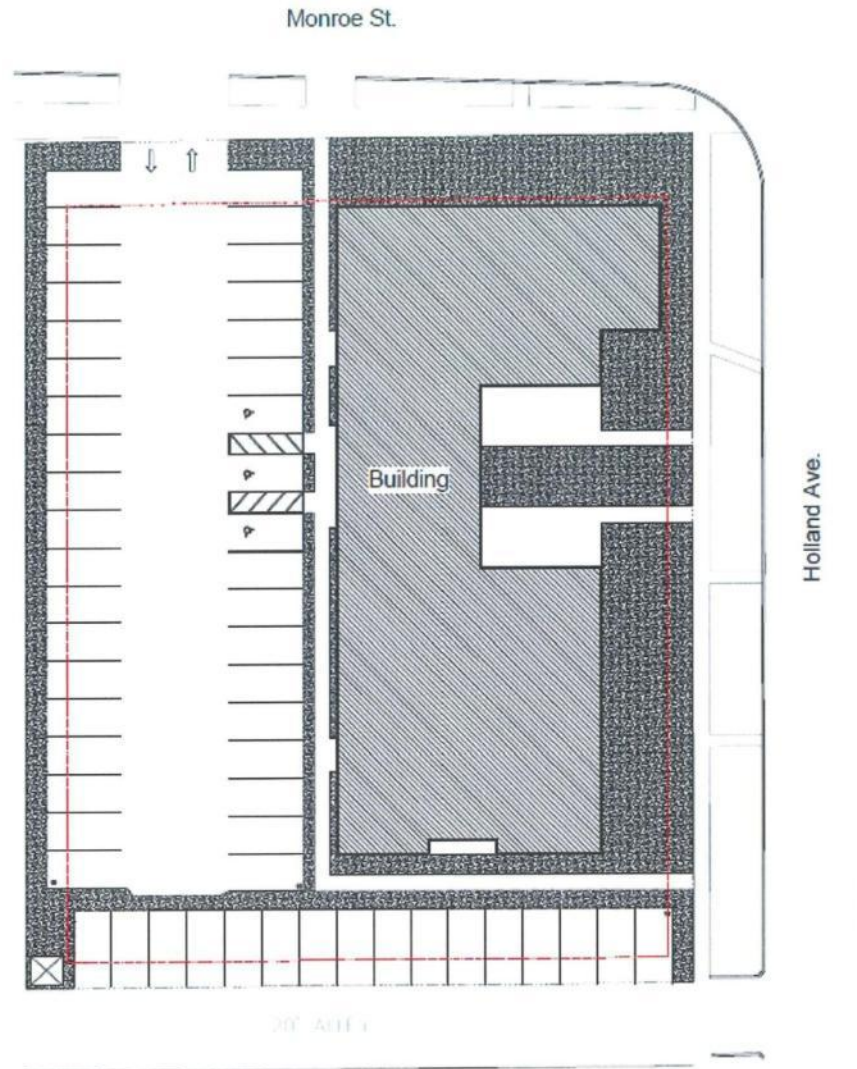
EXHIBIT C

Legal Description of the Redevelopment Area

LOTS FORTY-SIX (46) AND FORTY-SEVEN (47) IN SOUTHERN ADDITION,
ACCORDING TO THE RECORDED PLAT THEREOF IN THE CITY OF SPRINGFIELD,
GREENE COUNTY, MISSOURI.

EXHIBIT D

Land Use Plan



Matt Miller - Student Housing Site Layout

08-19-2013

