

1. Meeting Agenda (PDF)

Documents: [01-09-2014 AGENDA \(PDF\).PDF](#)

2. December 12, 2013 Minutes (PDF)

Documents: [DECEMBER 12, 2013 \(PDF\).PDF](#)

3. Acquisition 503 (PDF)

Documents: [ACQUISITION 503 \(PDF\).PDF](#)

4. Planned Development 345 (PDF)

Documents: [PLANNED DEVELOPMENT 345 \(PDF\).PDF](#)

5. Conditional Use Permit 407 (PDF)

Documents: [CONDITIONAL USE PERMIT 407 \(PDF\).PDF](#)

6. Conditional Use Permit 408 (PDF)

Documents: [CONDITIONAL USE PERMIT 408 \(PDF\).PDF](#)

7. Redevelopment Plan "The Q Place" Student Housing Redevelopment Area (PDF)

Documents: [REDEVELOPMENT PLAN THE Q PLACE STUDENT HOUSING REDEVELOPMENT AREA \(PDF\).PDF](#)

Planning & Zoning Commission Agenda

January 9, 2014 - 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: December 12, 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. Acquisition 503
(1030 West Cedarbrooke Avenue) | Springfield Public Schools |
|--|----------------------------|

V. Public Hearings:

- | | |
|--|----------------------|
| 2. Planned Development 345
(1735 South Kansas Expressway) | Mark Coburn |
| 3. Conditional Use Permit 407
(1108 East Walnut Street) | B&S Investments, LLC |
| 4. Conditional Use Permit 408
(507 West Walnut) | EMMLOTT, LLC |
| 5. Redevelopment Plan "The Q Place"
Student Housing Redevelopment Area
(626 – 634 East Bear Boulevard) | Miller Commerce, LLC |

VI. Any other matters under commission jurisdiction

6. Elections of Officers

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 you name and address. All meetings are televised live and tape recorded. Please limit your remarks to five (5) minutes unless Commission allows a longer time. In accordance with ADA guidelines, if you need special accommodations when attending any City meeting, please notify the city Clerk's Office at 417-864-1443 at least three (3) days prior to the scheduled meeting.

MINUTES OF THE PLANNING AND ZONING COMMISSION

DATE: December 12, 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), Jay McClelland, Shelby Lawhon, Tom Baird, Jim Hansen, and Gabrielle White; Staff in attendance: Bob Hosmer, Principal Planner; Nancy Yendes, City Attorney; Dawne Gardner and Ron Colson, Public Works; Absent: Coltrin, Ray, and Young.

ROLL CALL:

APPROVAL OF MINUTES: The minutes of November 14, 2013 were approved unanimously.

COMMUNICATIONS: None.

CONSENT ITEMS:

1. Relinquish Easement 797 Maurice Slayden Trust
(3938 S. Lone Pine Avenue)
2. Relinquish Easement 799 Kimbrough Properties, LLC
(800 block S. Kimbrough, w/s)

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

PUBLIC HEARINGS:

3. Vacation 764 City of Springfield
(Alleys between W. Junction St. & West Church St)

Mr. Hosmer commented this is a request to vacate a north/south alley and an east/west alley between West Church and Junction Streets and west of Orchard Crest Avenue. There are twenty-four (24) property owners within three hundred (300) feet of the site who have been notified of the action and no one has objected to date. The City received these alleys via Plat 1890; the alleys are approved and not being used for access. The remainder of the east/west alley from Meador Street and the north/south alley to the west between Church and Junctions Streets were previously vacated. Staff recommends approval.

Mr. Edwards opened the public hearing.

Mr. Steve Hamlet, 805 North Orchard Crest, asked what this vacation entailed. The alley road and north and south alley is behind his property.

Mr. Hosmer noted that if the subdivision or property dedicated the right of way, then Mr. Hamlet would retain half that property to your lot and that would have to be surveyed to take claim of the property. It is public right of way and it has not been used and is unimproved and the City is vacating the property and turning it back over to whoever dedicated it in that subdivision.

Mr. Hamlet stated he is in opposition to the request.

Mr. Edwards suggested that Mr. Hamlet talk to the staff at Building Development Services and see what options are available to him and present it to City Council if the proposal goes forward tonight.

Ms. Yendes noted that after closing the public hearing, the request could be tabled till the neighbors have an opportunity to come in and speak with staff and then report back to Commission what happens and take that into consideration for the vote.

Mr. Hansen noted that this will ensure that Mr. Hamlet will always have this as his yard, asking why he would not want to have this property as his.

Mr. Hamlet stated that the City owned the property behind him. It was sold and the purchaser is proposing to put a business that chews up tires, and the neighbors are not happy about that. Mr. Hamlet stated the owner of this property is asking him to tear down a vacant building which is on his property and they are in disagreement. He will continue to mow the alleyway and take care of it.

Mr. Hosmer commented that Mr. Hamlet is in violation of the right of way; if you have any items in that right of way, you would have to remove any items or buildings, and it appears the vacant building is built upon the right of way.

Mr. Hamlet stated he added a lean-to to put his tractor under on the one side. There was a fence line and tree line until the owner tore it down.

Mr. Lawhon asked if this proposal is passed, what will be the outcome for Mr. Hamlet in practical terms.

Mr. Hosmer stated he has the rights to the property; fifty (50) percent would be dedicated back to him, the east/west alley and the north/south alley and would retain that back to his property. Mr. Hamlet would have some instrument that would be recorded at the county to claim that property.

Mr. Lawhon stated that if this was approved and passed it could ultimately have no effect on him at all as long as certain steps are taken so Mr. Hamlet could retain or gain some rights to that.

Ms. Yendes said they will file notice of the vacation and then the City doesn't do anymore and often times property owners will have a new survey drawn and get a certification that that has been added to their lot. Some people just let it sit there because the assessor knows that when you look at the legal description it all came off the same subdivision so it's probably going to be split right down the middle.

Mr. Hamlet stated that it sounds like that would work and he doesn't disagree; he was confused on what was actually happening and how it affected him and the property.

Mr. Hosmer asked Mr. Hamlet is he is in favor of the proposal.

Mr. Hamlet said yes he is in favor of the proposal.

Mr. Baird asked staff asked if this is a systematic cleaning up of old alley ways and pieces of property the City owned, or how did this vacation come here to Commission at this point in time.

Mr. Hosmer said they find this type of situation when various projects are done around the City that there are remnants sitting out there. As for this particular proposal, the City of Springfield is the applicant adding he is not certain how this proposal came about.

Mr. Hamlet stated that this issue was brought up by the gentleman who bought the property behind him.

Mr. Steve Boswell, commented he is the gentleman Mr. Hamlet was speaking of that purchased the land from the City of Springfield. It was zoned from manufacturing and the intent was to process scrap tires in that area so when the area was surveyed in order to put a building up big enough for that, they needed that extra alleyway space. The survey showed some alleyways there where they could vacate the land. To the west of the lot and the north of the lot there are no issues. The problem comes in with the gentleman to the west of the lot simply because the structure he has built. He approached this gentleman asking if he could remove the lean-to and believes he is worrying about nothing. There have been significant improvements to the property for the business and by having this vacated it gives him more room for a fence for security purposes.

Mr. Baird asked for Mr. Boswell to show him the location of his property on the display for point of reference.

Mr. Hansen asked if there is a fence.

Mr. Boswell said there used to be a tree line with massive trees and a chain link fence to the west of the alley.

Ms. White asked Mr. Boswell about putting a fence back and what plans for fencing does he have.

Mr. Boswell stated a privacy fence at this point. It will be a wooden fence with wire across the top of the fence.

Mr. Edwards closed the public hearing.

Ms. Yendes noted that this meeting was continued from last week and it was posted that all public hearings were continued till tonight; we will make certain that the minutes reflect that these are the public hearings that were advertised for last Thursday, December 5, 2013.

Mr. Lawhon motioned to **approve** the Vacation 764. Mr. Baird **seconded** the motion. The motion **carried** as follow: Ayes: Edwards, McClelland, Lawhon, Hansen, Baird, and White. Nays: None. Abstain: None. Absent: Coltrin, Ray, and Young.

Mr. Hosmer noted this case will not move forward to City Council as there is not opposition to the proposal.

4. Vacation 765
300 block of Evans Road)

City of Springfield

Mr. Hosmer stated the purpose of this proposal is to vacate a portion of the 3000 block of Evans Road from Southwood Avenue approximately 1,829 feet east of Evans Road. The southern portion of this property was vacated around the Mercy Hospital and this is a continuation of that. Everything will be rerouted through the River Bluff Road new interchange coming through this location here with a round-about. There were no objections to the proposal; the City is the applicant. There are conditions on this and Staff does not have in hand the replacement utility easements in this location so this will have to go to City Council. Staff recommends approval.

Mr. Hansen asked what Commission is approving tonight.

Mr. Hosmer stated approving the vacation with conditions that this vacation will not take place until the City has the replacement easements in hand.

Mr. Edwards opened the public hearing. There were no speakers to the issue and the public hearing was closed.

Mr. Baird motioned to **approve** the Vacation 765 with the condition of obtaining the replacement easements. Mr. Lawhon **seconded** the motion. The motion **carried** as follow: Ayes: Edwards, McClelland, Lawhon, Hansen, Baird, and White. Nays: None. Abstain: None. Absent: Coltrin, Ray, and Young.

5. Vacation 766
(320 West Pershing Street)

City of Springfield

Mr. Hosmer commented the purpose of this request is to vacate a portion of the 300 block West Pershing Street and adjacent north/south alley. The existing building shown on the Preliminary Plat for Kifer Corner encroaches into the City's right-of-way. As a result of the building encroachments and the possible liability from these encroachments, neither the public nor the City has any benefit in retaining ownership of these sections of Pershing Street and the adjacent un-platted alley. The City has requested an Irrevocable Consent to Dedicate agreement between the City and the current property owner. The agreement would allow the City to reclaim the vacated right-of-way if the existing building is ever removed or destroyed. Twenty-one (21) property owners are within three hundred (300) feet of this site and have been notified of this action. No one has objected to date. The proposed vacation meets the approval criteria for vacating right-of-way.

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

Mr. Lawhon motioned to **approve** the Vacation 766. Mr. Hansen **seconded** the motion. The motion **carried** as follow: Ayes: Edwards, McClelland, Lawhon, Hansen, Baird, and White. Nays: None. Abstain: None. Absent: Coltrin, Ray, and Young.

6. Z-22-2013
(4245 S. Fremont Avenue)

Haik Properties, LLC

The purpose of this request is to rezone approximately 2.38 acres of property generally located at 4245 South Fremont Avenue from a Planned Development District No. 84 to a GR, General Retail District. The existing Planned Development permits a mix of office, retail and residential uses. The existing zoning is very similar to the GR District with respect to the uses permitted and the requirements for development, however the Planned Development delineates a total amount of development permitted on each "Tract" of the Planned Development rather than simply per individual lot. The cumulative requirement for each "Tract" requires the tracking of information and can become cumbersome as more area within each Tract is developed. Approval of this request for GR zoning will result in significantly the same type of development as could be achieved under the existing zoning, however development of the property will be more streamlined without having to track the previous development within the "Tract" and go through the Final Development Plan process that is required as part of the existing Planned Development. The requested GR zoning is appropriate on this tract. The property to the north, south and west is all part of Planned Development 84, with retail and office uses existing to the north and west and offices to the south. The property to the east is zoned HC, Highway Commercial District. As part of this request, a cross access easement will be provided from this tract to the tract to the north to match an existing access easement on the property to the north. This will allow for traffic to move between the properties without the need to access the major street system. Staff recommends approval.

Mr. Edwards opened the public hearing.

Mr. Neal Brady, Anderson Engineering, 2045 West Woodland, commented he is representing the applicant.

Mr. McClelland noted the property seems to be sunken to some degree and they have to maintain the impervious condition for drainage asking if they are prepared for that.

Mr. Neal stated the finished floor of the building that will be put on this will be higher than what the existing grade is there and they are aware of that.

Mr. Edwards closed the public hearing.

Mr. Hansen motioned to **approve** the Z-22-2013. Mr. McClelland **seconded** the motion. The motion **carried** as follow: Ayes: Edwards, McClelland, Lawhon, Hansen, Baird, and White. Nays: None. Abstain: None. Absent: Coltrin, Ray, and Young.

7. Planned Development 344
(934 E. Webster St.)

Timmons Temple Church of God

Mr. Hosmer stated the applicant has requested this be tabled to February 6, 2014 Planning and Zoning Commission meeting.

8. Planned Development 95 2nd Amendment Final Development Plan
(200 block East El Camino Street)

Sam Coryell

Mr. Hosmer commented that Planned Development 95 2nd Amendment was approved by City Council on April 18, 2005. Per Planned Development 95 2nd Amendment, the Final Development Plan for Tract B-2 shall be in substantial conformance with Exhibit 4 of the staff report. The proposed plan is not in substantial conformance with the required exhibit. However, it could be approved by P&Z since it appears to meet the narrative of the PD. In review of the revised site plan for Tract B-2 staff determined that it meets the requirements and intent of the planned development except for the conformity of the Exhibit 4 attached here and in the ordinance. If the Planning and Zoning Commission finds that there is substantial conformity between such plans and finds the Final Development Plan to be in all other respects complete and in compliance with any conditions imposed by the approved Planned Development, it shall approve the Final Development Plan. Planning and Zoning Commission action shall constitute final approval of the Final Development Plan. If the Planning and Zoning Commission shall find that the Final Development Plan lacks substantial conformity to the Preliminary Development Plan but merits approval notwithstanding such lack of conformity, it shall transmit such plan to the City Council together with its recommendation that the Final Development Plan be approved.

Mr. Edwards asked if this would require the re-submittal of a final plat.

Mr. Hosmer stated no, this is just a final development plan for the PD.

Mr. Edwards stated they would have to resubmit on the plan if Commission approves it that way.

Mr. Hosmer said no; in exhibit 4, the site plan they are proposing and the uses are consistent its just that the site plan was very specific in the ordinance. Staff is recommending this be taken forward to City Council for a public hearing and rule on it.

Mr. Edwards opened the public hearing.

Mr. Matt Capen, H. Design Group, 5051 South National, Suite 7-A stating he is representing the developer/owner, Sam Coryell, Sr. All the requirements for the PD have been met, except for compliance with the Exhibit 4; it was the original design intent by the original developer and has the site plan for the building been redesigned.

Mr. McClelland asked Mr. Capen asked about the turning radius asking if they will be able to get a fire engine around the corner on the north east.

Mr. Capen stated the site plan shows it labeled as twenty-eight foot radius which meets code.

Mr. Edwards closed the public hearing.

Mr. Hosmer clarified that it is not in substantial compliant, but it does meet the intent, it is just the site plan layout is different than what was approved. What staff is recommending is that Commission finds that the development plan lacks substantial conformity to the Preliminary Development Plan but merits approval and recommends the revised site plan be forwarded to City Council for final approval. That would be the motion.

Mr. Hansen motioned to **approve** Final Development Plan PD 95 2nd Amendment with revised site plan to City Council. Mr. Lawhon **seconded** the motion. The motion **carried** as follow: Ayes: Edwards, McClelland, Lawhon, Hansen, Baird, and White. Nays: None. Abstain: None. Absent: Coltrin, Ray, and Young.

9. Planned Development 329 Final Development Plan
(2206-2214 W. Chesterfield Avenue)

Modern Tractor & Supply Co.

Mr. Hosmer said Planned Development 329 was approved by City Council on March 23, 2009. Per Planned Development 329, the Final Development Plan shall be submitted to the Planning and Zoning Commission for review with a recommendation to City Council for final action. The Planned Development permits residential uses provided such uses are located above the first floor, or behind non-residential uses along all street frontages. Retail uses and personal services are allowed in the Planned Development. The platted lots on the final plat of Chesterfield Square, Phase III, were intended to be the building envelopes while the off-street parking and open space were to be provided in the common area. Because each lot was platted individually, the Floor Area Ratio (FAR) requirements in the PD do not make sense. The open space, the off-street parking and the Floor Area Ratio do not match up with what is platted. While the proposed development is not in strict conformance with Planned Development 329, staff recognizes the intent of the proposed development conforms to the ordinance and merits approval.

Mr. Hansen asked if there was something specific that was different that should be noted from the original.

Mr. Hosmer noted there was not a final development plan on this; what they have here is five (5) vacant lots and they want to build completely out on these five (5) lots. Under the language from the PD the FAR, Floor Area Ratio, would not allow them to build completely out on the area. They would have to have open space, on-site parking and other things outlined by the ordinance. The intent was to have parking on the lot to the south and share the parking and have the open space on the entire site.

Mr. McClelland noted this appears to be a three (3) story building, where does the ratio come for the bulk plane requirement.

Mr. Hosmer commented that is on residential only.

Mr. Edwards opened the public hearing.

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

Mr. Hansen asked about the sink holes on the site.

Mr. Lee stated Mr. Colson could speak to that issue better than he could, but basically, he asked the City the same question and they said they did not have to do a sinkhole study. There is no sinkhole on the lot.

Mr. Hansen asked if there is a sinkhole in the vicinity.

Mr. Lee stated it is approximately one mile away, not in the immediate vicinity.

Mr. Hansen asked if this property drained to that sinkhole.

Mr. Lee said yes, this is in the heart of Chesterfield Village and completely surrounded by development.

Mr. Edwards closed the public hearing.

Mr. Lawhon motioned to **approve** Planned Development 329 Final Development Plan being nonconforming and forwarding to City Council. Mr. McClland **seconded** the motion. The motion **carried** as follow: Ayes: Edwards, McClelland, Lawhon, Hansen, Baird, and White. Nays: None. Abstain: None. Absent: Coltrin, Ray, and Young.

10. Galloway Plaza
(3938 S. Lone Pine Avenue)

Maurice Slayden Trust

Mr. Hosmer stated the applicant is proposing to subdivide approximately 7.13 acres into a two (2) lot subdivision named "Galloway Plaza". Lot 1 and a portion of Lot 2 was recently rezoned to GR, General Retail. The remainder of Lot 2 will remain zoned GM, General Manufacturing. Planning and Zoning Commission is also considering Relinquishment Easement 797 at this meeting to relinquish an unused utility easement. 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. Staff recommends approval.

Mr. Edwards opened the public hearing.

Mr. Neal Brady, Anderson Engineering, 2045 West Woodland, commented there is an intended use for the first lot that is on Lone Pine. It was recently rezoned to a GR for that portion for this specific development so that is why the Preliminary Plat is being brought forward.

Mr. Hansen asked if this would be to form lot one (1), and lot two (2)...

Mr. Brady said Lot 2 is in the future and will probably come back with a final plat for lot one (1) at this point unless between that time there is someone ready to go for Lot two (2).

Mr. Edwards closed the public hearing.

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

ANY OTHER MATTERS UNDER COMMISSION JURISDICTION

1. 2014 Planning & Zoning Commission Board Schedule

Mr. Baird motioned to **approve** the 2014 Planning and Zoning Commission Schedule. Mr. Lawhon **seconded** the motion. The motion **carried** as follow: Ayes: Edwards, McClelland, Lawhon, Hansen, Baird, and White. Nays: None. Abstain: None. Absent: Coltrin, Ray, and Young.

Mr. Hosmer stated that there is nothing in City policy regarding the weather which would push the public

hearing to the next meeting and would like to investigate some procedural matters.

Ms. Yendes stated they could draft a rule for Commission to look at the first meeting in January that would perhaps, at the call of the Chair or Vice-Chair, due to inclement weather or some other emergency situation could just automatically continue those public hearings to a date selected by that official. Then we can post that. We don't have a rule of procedure right now and we believe it would be wise to have a rule like that in the Rules of Procedures and then applicants also know that that's part of Commission rules.

Mr. Edwards commented that is an excellent idea.

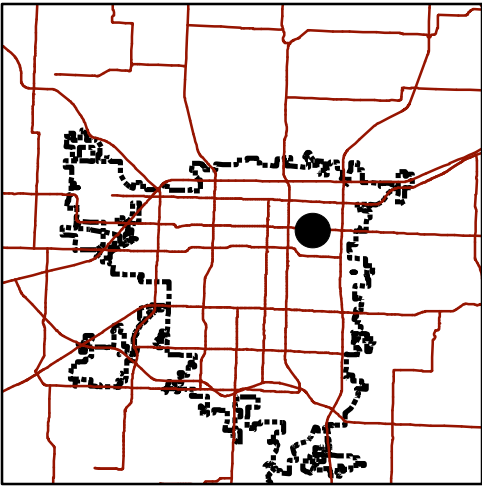
Ms. Yendes stated we may have continued a meeting before, but we didn't have public hearings scheduled. Ms. Yendes stated they will draft a rule, review it on the 9th of January and vote on it at the next meeting. There is always one meeting delay between when you are actually presented with the rule language.

Mr. Hosmer stated staff is working on getting replacements for Commission members whose terms are ending. Mr. McClelland and Mr. Coltrin have graciously agreed to continue on until we get new members seated. Mr. Edwards and Mr. Ray have agreed to another term.

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

A handwritten signature in black ink, appearing to read 'Bob Hosmer', with a long horizontal line extending to the right.

Bob Hosmer, AICP
Principal Planner



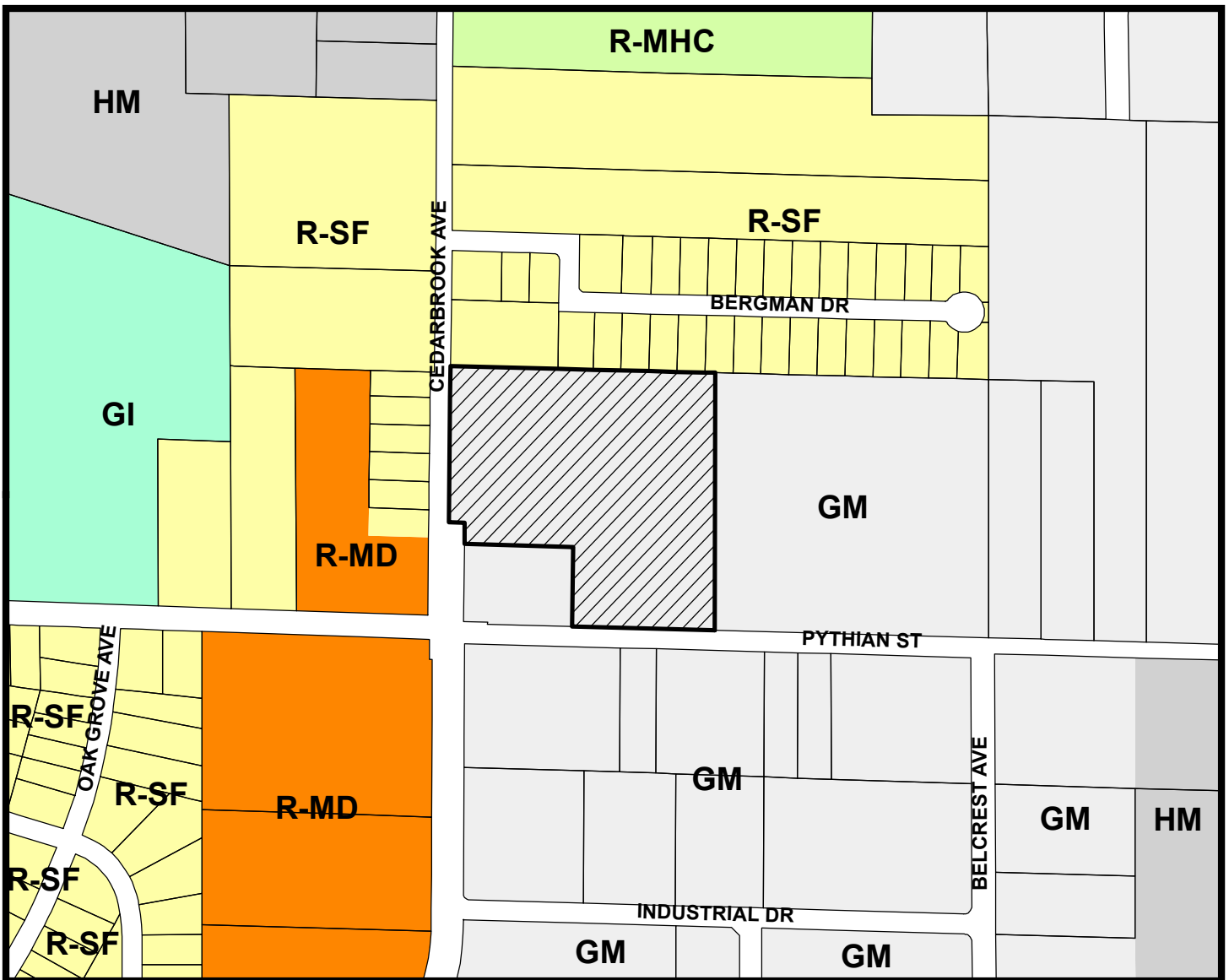
Zoning & Subdivision Report

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

Acquisition of Property #503

Location: 1030 West Cedarbrook Ave
Current Zoning: General Manufacturing
Proposed Zoning: NA

LOCATION SKETCH



- Area of Proposal

0 100 200 400
Feet

1 inch = 405.230614 feet

Zoning & Subdivision Report

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

REQUEST TO ACQUIRE NUMBER 503

DATE: December 16, 2013

PURPOSE: To approve the acquisition of property by the Springfield R-12 Public School District

BACKGROUND:

LOCATION: 1030 W Cedarbrook Ave

APPLICANT: Springfield R-12 Public School District

TRACT SIZE: Approximately 8.7 acres

EXISTING USES: Undeveloped land

RECOMMENDATION:

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

FINDINGS:

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

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner

ATTACHMENT A
REQUEST TO ACQUIRE NUMBER 503

APPLICANT'S PROPOSAL:

The Springfield R-12 Public School District would like to acquire the property at 1030 W Cedarbrook Ave to be used for the School District's transportation division at this location.

PLANNING AND ZONING COMMISSION REVIEW:

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

COMPREHENSIVE PLAN:

The subject property is zoned General Manufacturing District. The proposed use is generally consistent with the *Comprehensive Plan*.

STAFF COMMENTS:

1. The Springfield R-12 Public School District would like to acquire the subject property for future expansion of their transportation division on adjacent property they acquired previously. The Planning and Zoning Commission must review this Request to Acquire to determine whether the proposal is consistent with the *Comprehensive Plan*.
2. The following language from Article XI, Section 11.7.3, of the City Charter sets forth the Planning and Zoning Commission's function regarding the Acquisition of property and the process for appeal of such decision:

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

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

province of the city council, then the submission to the planning commission shall be by the agency having jurisdiction, and the planning commission's disapproval may be overruled by that agency by a vote of not less than two-thirds of its entire membership."

In the case of this proposed property acquisition, appeal of the decision of the Planning and Zoning Commission would be to the Springfield City Council and Springfield R-12 School District Board.

ATTACHMENT B
REQUEST TO ACQUIRE NUMBER 503
LAND ACQUISITION POLICY

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

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

RESPONSE:

The purpose of acquiring the property is to provide for the expansion of adjacent property previously acquired for the school district's transportation division. The proposed use is generally consistent with the City of Springfield's adopted plans and policies, including the Springfield Area Land Use Plan dated January 29, 2001 contained within the Growth Management and Comprehensive Land Use Plan.

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

RESPONSE:

The use will be for school purposes

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

RESPONSE:

It is our intent that the subject property be used for school use for the District of Springfield R-12.

4. At a minimum, the acquiring agency should either attempt to preserve architecturally or historically significant structures in place, or make the structures available to the previous owner or public for moving, or solicit bids from individuals and firms interested in salvaging those items which have architectural significance. Disposition of property when conducted by a City agency shall be made pursuant to City ordinances including the City Purchasing Manual.

RESPONSE:

There are no structures currently on the property.

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

RESPONSE:

No structures on the property.



Springfield Public Schools

Scott Wendt
Director of Business Operations
1359 E. St. Louis St.
Springfield, Missouri 65802
Direct 1-417-523-0051
Cell 1-417-830-7995
Fax 1-417-895-2007
swendt@spsmail.org

Date: November 27, 2013

To: Planning and Zoning

Re: N. Cedarbrook Ave. Parcel ID 881216203022

The District of Springfield R-12 is requesting approval by the Planning and Zoning Commission for the acquisition of: Parcel ID 881216203022, for school use.

In accordance with the Planning and Zoning Commission policy for land acquisition by public bodies, we have the following responses to the five sections identified:

1. It is our understanding the subject property is "generally consistent with the Master Plan of the City."
2. The basic use of the subject property will be school use.
3. It is our intent the subject property be used for "school use" for the District of Springfield R-12.
4. There are no structures currently on the land.
5. There are no structures currently on the land.

Thank you for your consideration.

Respectfully,

Scott Wendt, MCPM
Director of Business Operations



Parcel ID	881216203022	Alternate ID	n/a	Owner Address	WHITWORTH, RONNIE L TR
Sec/Twp/Rng	16-29-21	Class	C		3034 E CARLISLE CIR
Property Address	N CEDARBROOK AVE	Acreage	8.70		SPRINGFIELD MO 65804
	SPRINGFIELD				
District	105				
Brief Tax Description	8.28A M/L SW1/4 SE1/4 NW1/4 16/29/21 (EX W 335.07 FT S 220 FT)				
	(Note: Not to be used on legal documents)				

The sinkhole layer on the map is only intended to show a general location of sink holes and cannot be used to determine the exact locations. Confusion over this has necessitated the removal of this layer. At sometime in the future we hope to replace this layer with the Lidar photography if possible. Any questions about stormwater & sinkholes should be directed to the stormwater staff at 417-868-4147.

Last Data Upload: 11/27/2013 2:23:30 AM

1030 Block
Jay →

865-2065
500'

EXPLANATION TO COUNCIL BILL NO. 2014 –

FILED:

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 0.89 acres of property generally located at 1735 South Kansas Expressway from Planned Development District No. 46 to Planned Development District No. 345.

BACKGROUND INFORMATION:

PLANNED DEVELOPMENT DISTRICT NO. 345

The applicant is proposing to rezone the subject property to a Planned Development 345 to allow for the rental and leasing of new and used automobiles on the subject property in addition to the office and retail uses already permitted. The rental car office will be limited to administrative functions relating to the rental car business, drop off and pick up of rental cars, and on-site parking for not more than ten (10) rental cars and vans. No vehicle fueling, washing, maintenance, other related service functions or outdoor loudspeaker paging systems are allowed.

RECOMMENDATIONS:

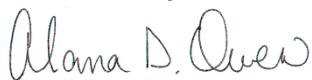
The Planning and Zoning Commission held a public hearing on January 9, 2014 and recommended _____, by a vote of _____ to _____, of the proposed zoning on the tracts of land described on the attached sheet (see the attached Record of Proceedings).

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

FINDINGS FOR STAFF RECOMMENDATION:

1. The proposed use of automobile rental establishment, with the limitations on number of cars that may be kept on site and restrictions on washing, maintenance and outdoor paging systems is similar and compatible with the uses permitted under the existing zoning.

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 345 EXHIBITS:

Exhibit 1, Planned Development Ordinance Text

Exhibit 2, Preliminary Development Plan

EXHIBIT A
RECORD OF PROCEEDINGS
PLANNED DEVELOPMENT 345

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

EXHIBIT B
LEGAL DESCRIPTION
PLANNED DEVELOPMENT 345

Lot 4 of Elfindale Third Addition, A Replat of a Portion of Lot 2, Elfindale, A subdivision in Springfield, Greene County, Missouri.

Zoning & Subdivision Report

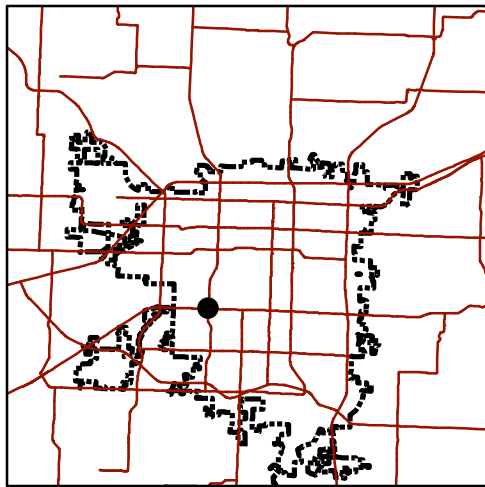
*Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802*

Planned Development District No. 345

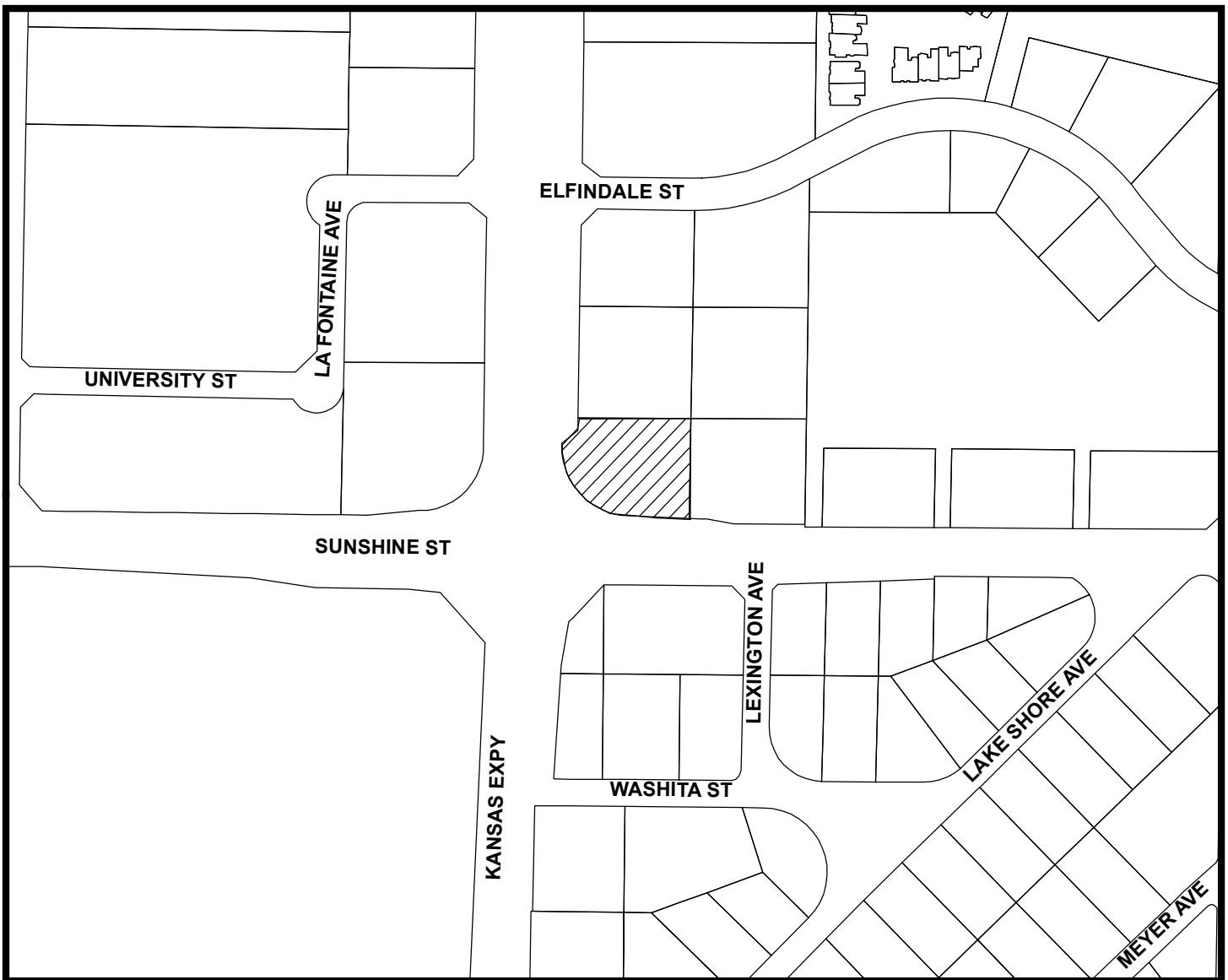
Location: 1735 South Kansas Expressway

Current Zoning: Planned Development District No. 46

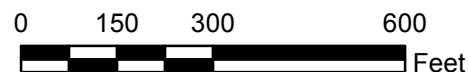
Proposed Zoning: Planned Development District No. 345



LOCATION SKETCH



- Area of Proposal



1 inch = 300 feet

ATTACHMENT 1
BACKGROUND REPORT
PLANNED DEVELOPMENT 345

DATE: December 19, 2013

LOCATION: 1735 South Kansas Expressway

APPLICANT: Mark Coburn

TRACT SIZE: Approximately 0.89 acres

EXISTING USE: Office, retail and restaurant uses

PROPOSED USE: Office, retail and restaurant uses including new and used motor vehicle rental establishments.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	PD 46	Retail and restaurant uses
East	PD 46	Retail, office and restaurant uses
South	R-TH	Undeveloped land and single family homes
West	CS	Car wash, retail and restaurant uses

TRAFFIC DIVISION COMMENTS:

This request is acceptable to Public Works Traffic Division.

BUILDING DEVELOPMENT SERVICES COMMENTS:

This request is acceptable to Building Development Services.

STORMWATER COMMENTS:

There are no stormwater issues with the proposed Planned Development.

CLEAN WATER SERVICES COMMENTS:

Clean Water Services has no objections to the proposed Planned Development.
There is no impact on public sewer.

ADJACENT PROPERTY OWNER COMMENTS:

Six (6) 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 December 19, 2013. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. The applicant is requesting to rezone the subject property from Planned Development District No. 46 to Planned Development District No. 345 for the purpose of adding, new and used motor vehicle rental establishments, as a permitted use. The rental car use will be limited to administrative functions relating to the rental car business, drop off and pick up of rental cars, and on-site parking for not more than ten (10) rental cars and vans. No vehicle fueling, washing, maintenance, other related service functions or outdoor loudspeaker paging systems are allowed. The existing Planned Development permits a mix of office and retail uses. With the limitation on the number of cars and vans that can be stored on the site and the restriction on washing, fueling and maintenance the use is expected to have a similar impact as the uses that are currently permitted on the site under the existing zoning.
2. The rental cars have a designated parking area on the site as shown on Exhibit 2. The available parking on the site must accommodate the existing businesses on-site as well as the extra spaces needed for the rental cars. The site has a total of fifty-two (52) parking spaces and the current uses on site require 38 parking spaces. There are ten (10) additional spaces designated for the parking of the rental cars. It is important to note that the provision of spaces for the parking of rental cars may impact the ability for future uses to locate in the shopping center because the required parking may not be adequate for uses that require more off-street parking.

RECOMMENDATION:

Staff recommends **approval** of this request.

CITY COUNCIL PUBLIC HEARING DATE:

January 27, 2014

STAFF CONTACT PERSON:

Alana D. Owen, AICP
Senior Planner

ATTACHMENT 2



SPRINGFIELD

433 W. Walnut St.
Springfield, MO 65806
o: 417.865.2065
f: 417.865.8313

ST. LOUIS

225 S. Meramec, Suite 400
Clayton, MO 63105
o: 314.863.2065
f: 314.863.8313

December 20, 2013

Project Name: Elfindale Shopping Center located 1735 S Kansas Expressway

Neighborhood Meeting Summary

Nobody was present for the neighborhood meeting.



springfield st. louis
433 west walnut 225 south meramec suite 400
springfield, mo 65806 clayton, mo 63105
o 417.865.2065 o 417.865.2065
f 417.865.8313 f 417.865.8313
www.batesarchitects.com

December 19, 2013

Re: Project Number 2922 – Text Amendment to PD at Elfindale Development

SIGN IN SHEET

NAME

ADDRESS

JAROD MICHEL

433 W. WALNUT

EXHIBIT 1
Requirements and
Standards Applicable to
Planned Development
District No. 345

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

C. DEFINITIONS

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

D. USES PERMITTED

1. Administrative and Professional Offices: Offices of firms or organizations providing professional, management or administrative services. Typical uses include abstract services, advertising agencies, data processing services, employment agencies, travel agencies, law offices, architectural and engineering offices, general business and administrative offices, corporate offices, and artist and photographic studios.
2. Finance, Insurance and Real Estate Services: Establishments primarily engaged in the provision of financial, insurance, real estate, security brokerage and other similar activities. Drive-thru facilities designed to expedite customer service are permitted. Typical uses include banks, insurance agencies, real estate firms, securities brokerage establishments, savings and loan institutions and other similar uses.

3. Medical offices and Medical Support Activities such as offices for doctors and dentists and medical laboratories along with incidental administrative activities.
4. Community Service Facilities such as community centers, museums and libraries.
5. Commercial Entertainment and Recreational Facilities:
Establishments providing entertainment and/or recreational activities open to the general public on a commercial basis. Such activities shall be entirely conducted within an enclosed structure. Typical uses include movie theaters, bowling alleys, skating rinks, billiard parlors, indoor tennis and racketball facilities, athletic clubs, health spas and other similar activities.
6. Retail uses: For purposes of this ordinance, the following uses shall be classified as retail:
 - a. General Retail Sales: Establishments involved in the on-site retail sales of goods and merchandise for personal or household use. Typical uses include department stores, apparel stores, antique shops, automotive parts stores, confectionary stores, costume rental, dry goods stores, drug stores, florist or flower shops, furniture stores, garden supply shops, hardware stores, hobby shops, jewelry shops, leather goods stores, luggage stores, paint stores, pet stores, photographic supply stores, radio and television sales, show stores, sporting goods stores, stationary stores, toy shops, variety stores, wallpaper stores, wig shops, and other similar retail uses.
 - b. Convenience Sales and Personal Service: Establishments primarily engaged in the provision of frequently needed goods and services. Such activities are to be conducted within the confines of an enclosed structure with no permanent outdoor sales or storage. Drive-thru facilities designed to expedite customer service are permitted. Typical uses include barber shops, beauty shops, bakeries, delicatessens, pharmacies, self-service laundries, newsstands, repair shops and other similar uses.
 - c. Food and Beverage Retail Sales: Establishments primarily engaged in the retail sale of food and beverages for off-site consumption. Such activities are to be conducted within the confines of an enclosed structure with no permanent outdoor

sales or storage. Drive-thru facilities designed to expedite customer service are permitted. Typical uses include grocery stores and liquor stores.

- d. **Automotive Service Stations and Service Centers:** Establishments primarily engaged in the on-site sale of petroleum products, tires, batteries and other automotive replacement and accessory items, and in the provision of services and minor repairs such as lubrication, tune-ups and the installation of replacement parts. Typical uses include automobile service stations and service centers but do not include truck stops, truck terminals, automobile sales either new or used, auto storage, or major automotive repair defined as any body repair or painting or major disassembly or dismantling of the engine, transmission or other drive components.
- e. **Eating and Drinking Establishments:** Establishments or places of business primarily engaged in the sale of prepared foods and/or beverages for on-premise consumption. Drive-thru facilities designed to expedite customer services are permitted. Curb service facilities are prohibited. Typical uses include restaurants, cafeterias, coffee shops, bars and taverns.
- f. **Business Support Services:** Establishments primarily engaged in the provision of services of a clerical, employment protective or processing nature to firms and individuals and where the storage of goods or equipment other than as samples or as necessary for daily operation is prohibited. Such activities are to be conducted within the confines of an enclosed structure with no outdoor sales or storage. Typical uses include secretarial services, telephone answering services, copying and blueprint services, drafting services, office supply stores, and computer sales and services.
- g. **Satellite rental car offices** limited to administrative functions relating to the rental car business, drop off and pick up of rental cars, and on-site parking for not more than ten (10) rental cars and vans. No vehicle fueling, washing, maintenance, other related service functions or outdoor loudspeaker paging systems are allowed.

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 0.35

G. BULK, AREA AND HEIGHT REQUIREMENTS

1. A minimum building setback of fifty (50) feet shall be required along Sunshine Street and Kansas Expressway.
2. Additional bulk, area and height requirements may be imposed at the final development stage.

H. OPEN SPACE, BUFFERYARD, LANDSCAPING & SCREENING

1. Minimum open space:

There shall be at least twenty (20) percent open space per lot.

2. Maximum impervious surface:

No individually platted lot shall have more than ninety (80) percent impervious surface.

I. EXTERIOR LIGHTING

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

J. ACCESS TO PUBLIC THOROUGHFARES

Access to the subject property shall be as existing or as otherwise in conformance with the City of Springfield's standards.

K. OFF-STREET PARKING

1. *Sections 5-1500, 5-1600 and 6-1300 of the Springfield Zoning Ordinance* in effect at the time of development shall apply.
2. A minimum of six (6) additional spaces shall be provided for the parking of rental cars and shall be clearly marked as shown on Exhibit 2.

L. SIGNS

The developer(s) may submit a signage plan at the final development plan stage. Otherwise, the City's sign code in effect at the time of development shall apply.

M. 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.

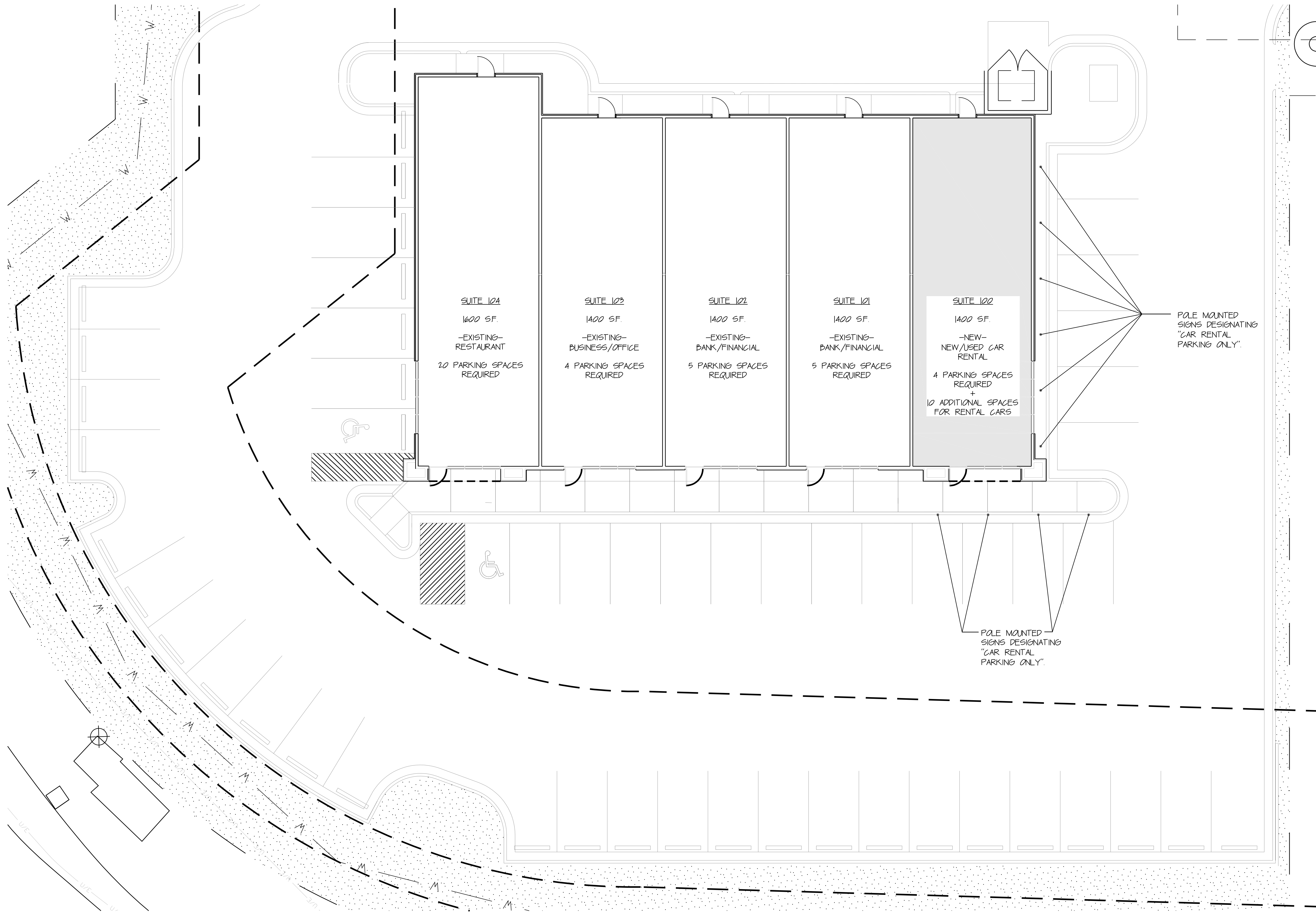
N. FINAL DEVELOPMENT PLAN

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.

- a. The intent of Exhibit 2 is to be representative of existing development and the proposed use of new and used motor vehicle rental establishment.
- b. 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*.
- c. 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:

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



1 SITE PLAN
C100 1"=8" = 1'-0" NORTH

EXHIBIT 2

REVISIONS	

bates & associates

architects

www.batesarchitects.com
phone no. 417.865.2065
facsimile 417.865.8313
433 west walnut
springfield missouri 65806

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ELFINDALE
SHOPPING CENTER

1735 S. KANSAS

SPRINGFIELD, MO 65807

RELEASE DATE: 12-02-13
JOB NO: 2922
SHEET NO: C100
SHEET DESCRIPTION: SITE PLAN

EXPLANATION TO COUNCIL BILL NO: 2014-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To adopt an ordinance to approve a restaurant at 1108 East Walnut Street within the Walnut Street Urban Conservation District No. 1 West, Area A (Staff recommends approval).

BACKGROUND INFORMATION:

CONDITIONAL USE PERMIT NO. 407

The applicant is requesting approval of a Conditional Use Permit to allow a restaurant at 1108 East Walnut Street within the Walnut Street Urban Conservation District No. 1 West, Area A. This will facilitate reuse of the existing structure for a restaurant/bakery business that will also cater which is permitted with other restaurants.

No conditional use permit shall be valid for a period longer than eighteen (18) months from the date on which the City Council grants the conditional use permit, unless within such eighteen (18) months period:

- A. A building permit is obtained and the erection or alteration of a structure is started; or
- B. An occupancy permit is obtained and the conditional use commenced.

The City Council may grant one (1) additional extension not exceeding eighteen (18) months, upon written application, without notice or hearing. No additional extension shall be granted without complying with the notice and hearing requirements for an initial application for a conditional use permit.

FINDINGS FOR STAFF RECOMMENDATION:

1. This application meets the approval standards for a Conditional Use Permit and is in conformance with the Comprehensive Plan.
2. The proposed use permit is consistent with surrounding non-residential uses along East Walnut Street.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on January 9, 2014, and recommended _____, by a vote of ___ to ___, of the proposed conditional use permit on the tract of land described on the attached sheet and if approved, the requirements for conditional use permit "Attachment 2" shall govern and control the use and development of the land in Use Permit No. 407 in a manner consistent with "Attachment 4" (site plan).

REMARKS: The Planning and Development staff recommends **approval** of the proposed use permit (see the attached Zoning and Subdivision Report).

Submitted by:

Approved by:

Bob Hosmer, AICP, Principal Planner

Greg Burris, City Manager

EXHIBITS:

Exhibit A, Record of Proceeding

Exhibit B, Legal Description

Exhibit C, Zoning and Subdivision Staff Report

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Requirements for Conditional Use Permit

Attachment 3, Standards for Conditional Use Permit

Attachment 4, Site Plan

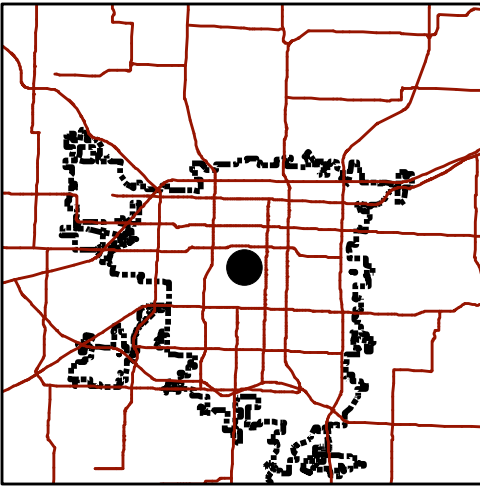
Attachment 5, Summary of Public Meeting and Sign-in Sheet

EXHIBIT A
RECORD OF PROCEEDING
CONDITIONAL USE PERMIT NO. 407

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

EXHIBIT B
LEGAL DESCRIPTION
CONDITIONAL USE PERMIT NO. 407

All of Lot 8 in A. E. Smith's Addition, to the City of Springfield, Greene County, Missouri.



Zoning & Subdivision Report

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

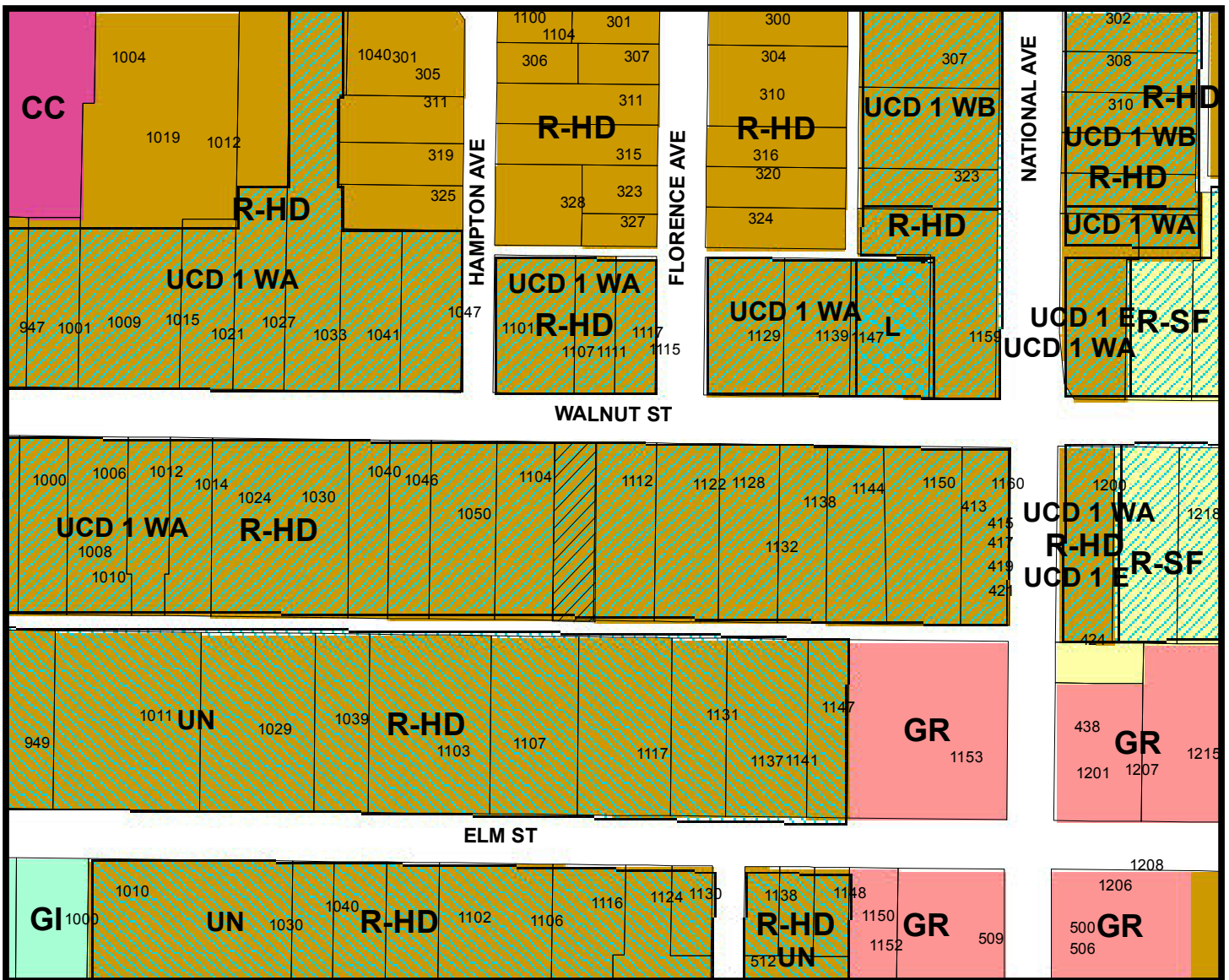
Use Permit 407

Location: 1108 E. Walnut Street

Current Zoning: R-HD and Walnut Street-West UCD #1

Proposed Use: Restaurant

LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

ATTACHMENT 1
BACKGROUND REPORT
CONDITIONAL USE PERMIT NO. 407

DATE: December 31, 2013

LOCATION: 1108 E. Walnut Street

APPLICANT: B&S Investments, LLC

TRACT SIZE: Approximately 0.25 acre

EXISTING USE: Vacant office building

PROPOSED USE: Restaurant/Bakery/Catering

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-HD/UCD #1W	Residential and studio uses
East	R-HD/UCD #1W	Law Offices
South	R-HD/UN	Fraternity/Sorority house
West	R-HD/UCD #1W	Residential Uses

ZONING ORDINANCE REQUIREMENTS:

1. The conditional use permit procedure is designed to provide the Planning and Zoning Commission and the City Council with an opportunity for discretionary review of requests to establish or construct uses or structures which may be necessary or desirable in a zoning district, but which may also have the potential for a deleterious impact upon the health, safety and welfare of the public. In granting a conditional use, the Planning and Zoning Commission may recommend, and the City Council may impose such conditions, safeguards and restrictions upon the premises benefited by the conditional use as may be necessary to comply with the standards set out in the Zoning Ordinance to avoid, or minimize, or mitigate any potentially adverse or injurious effect of such conditional uses upon other property in the neighborhood. The general standards for conditional use permits are listed in Attachment 3.
2. No conditional use permit shall be valid for a period longer than eighteen months from the date City Council grants the conditional use permit, unless within this eighteen months:
 - a. A building permit is obtained and the erection or alteration of a structure is started; or

- b. An occupancy permit is obtained and the conditional use is begun.

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues.

FIRE DEPARTMENT COMMENTS:

No comments.

TRAFFIC COMMENTS:

All issues have been addressed.

STORMWATER COMMENTS:

No stormwater issues with Use Permit since there is no proposed increase in impervious area.

CLEAN WATER SERVICES COMMENTS:

No impact on public sewer.

CITY UTILITIES COMMENTS:

CU has no objection to approval of the conditional use permit.

NEIGHBORHOOD MEETING COMMENTS:

The applicant held a neighborhood meeting on December 18, 2013, at Jack Ball Architects offices at 5 p.m. One hundred fifteen (115) property owners, residents and neighborhood association members were notified. A summary of the meeting is included on Attachment 5.

ADJACENT PROPERTY OWNER COMMENTS:

Fifteen (15) property owners are located within one hundred eighty-five (185) feet of the subject property and were notified by mail of this request. No one has objected to this request to date.

STAFF COMMENTS:

1. The applicant is requesting approval of a Conditional Use Permit to allow a restaurant within the Walnut Street Urban Conservation District No. 1 West, Area A. This will facilitate reuse of the existing structure for a restaurant/bakery business that will also cater which is permitted with other restaurants.

2. The applicant will be required to widen the public alley between the rear driveway and National Avenue to accommodate two-way vehicular traffic to the site. A cross access and parking agreement must be executed across the properties at 1108 and 1112 East Walnut Street to allow the existing accesses and off-street parking spaces to be shared. The shared driveway onto Walnut is only wide enough for one-way traffic. This will need to be posted as entrance only or exit only.
3. Staff has reviewed the applicant's request for a Conditional Use Permit and has determined that it satisfies the standards for Conditional Use Permits outlined in Section 3-3310 of the Zoning Ordinance if all conditions in Attachment 2 are followed.

FINDINGS FOR STAFF RECOMMENDATION:

1. This application meets the approval standards for a Conditional Use Permit and is in conformance with the Comprehensive Plan.
2. The proposed use permit is consistent with surrounding non-residential uses along East Walnut Street.

CONDITIONS:

The Requirements for Conditional Use Permit No. 407 on Attachment 2 shall govern and control the use and development of the land in Use Permit No. 407 in a manner consistent with Attachment 4, except as modified by Attachment 2, and except any changes made by the Planning and Zoning Commission.

RECOMMENDATION:

Staff recommends **approval** of this request.

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 2
REQUIREMENTS FOR CONDITIONAL USE PERMIT NO. 407

1. A restaurant is permitted on the subject property as shown on Attachment 4 (site plan).
2. All conditions of the Walnut Street Urban Conservation District No. 1 West, Area A, General Ordinance No. 5870, passed by City Council on April 5, 2010 shall be met. Outdoor dining is not permitted with the proposed use permit.
3. Any exterior modifications, site plan changes and signage plans must be approved by the Springfield Landmarks Board.
4. A cross access and parking agreement must be executed between the properties at 1108 and 1112 East Walnut Street as approved by the City Attorney's Office.
5. The alley needs to be brought up to a consistent twenty (20) feet width of pavement from the alley entrance into the property east to National Avenue.
6. The shared driveway on Walnut is only wide enough for one way traffic. Per city code, this will need to be posted as entrance only or exit only.

ATTACHMENT 3
STANDARDS FOR CONDITIONAL USE PERMITS & RESPONSES
CONDITIONAL USE PERMIT NO. 407

An application for a conditional use permit shall be granted only if evidence is presented which establishes the following:

1. The proposed conditional use will be consistent with the adopted policies in the *Springfield Comprehensive Plan*; [A restaurant is a permitted Conditional Use within this zoning category, and it consistent with the SCP.](#)
2. The proposed conditional use will not adversely affect the safety of the motoring public and of pedestrians using the facility and the area immediately surrounding the site; [This is primarily a pick-up cake bakery with limited on site customers.](#)
3. The proposed conditional use will adequately provide for safety from fire hazards, and have effective measures of fire control; [no concerns.](#)
4. The proposed conditional use will not increase the hazard to adjacent property from flood or water damage; [The project is not an increase in impervious surface.](#)
5. The proposed conditional use will not have noise characteristics that exceed the sound levels that are typical of uses permitted as a matter of right in the district; [no – normal daily bakery operations.](#)
6. The glare of vehicular and stationary lights will not affect the established character of the neighborhood, and to the extent such lights will be visible from any residential district, measures to shield or direct such lights so as to eliminate or mitigate such glare are proposed; [no increase in vehicular or stationary lighting..](#)
7. The location, lighting and type of signs and the relationship of signs to traffic control is appropriate for the site; [no change to signage or lighting, and it is similar to all adjacent properties.](#)
8. Such signs will not have an adverse effect on any adjacent properties; [no change](#)
9. The street right-of-way and pavement width in the vicinity is or will be adequate for traffic reasonably expected to be generated by the proposed use; [The alley will be widened as per sketch plan review comments.](#)
10. The proposed conditional use will not have any substantial or undue adverse effect upon, or will lack amenity or will be incompatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public health, safety and general welfare; [no.](#)
11. The proposed conditional use will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. In determining whether the proposed conditional use will so dominate the immediate neighborhood, consideration shall be given to: [no change.](#)
 - a. The location, nature and height of buildings, structures, walls and fences on the site; and [no change.](#)
 - b. The nature and extent of landscaping and screening on the site. [No change.](#)
12. The proposed conditional use, as shown by the application, will not destroy, damage, detrimentally modify or interfere with the enjoyment and function of any significant natural topographic or physical features of the site; [no](#)

13. The proposed conditional use will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance; **no**
14. The proposed conditional use otherwise complies with all applicable regulations of this Article, including lot size requirements, bulk regulations, use limitations and performance standards; **yes**
15. The proposed conditional use at the specified location will contribute to or promote the welfare or convenience of the public; **yes**
16. Off-street parking and loading areas will be provided in accordance with the standards set out in 5-1500, 5-1600, and 6-1300 of this Article, and such areas will be screened from any adjoining residential uses and located so as to protect such residential uses from any injurious effect; **yes**
17. Adequate access roads or entrance or exit drives will be provided and will be designed so as to prevent traffic hazards and to minimize traffic congestion in public streets and alleys; **yes**
18. The vehicular circulation elements of the proposed application will not create hazards to the safety of vehicular or pedestrian traffic on or off the site, disjointed vehicular or pedestrian circulation paths on or off the site, or undue interference and inconvenience to vehicular and pedestrian travel; **no**
19. The proposed use, as shown by the application, will not interfere with any easements, roadways, rail lines, utilities and public or private rights- of-way; **no**
20. In the case of existing structures proposed to be converted to uses requiring a conditional use permit, the structures meet all fire, health, building, plumbing and electrical requirements of the City of Springfield; **yes**
21. The proposed conditional use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services. **yes**

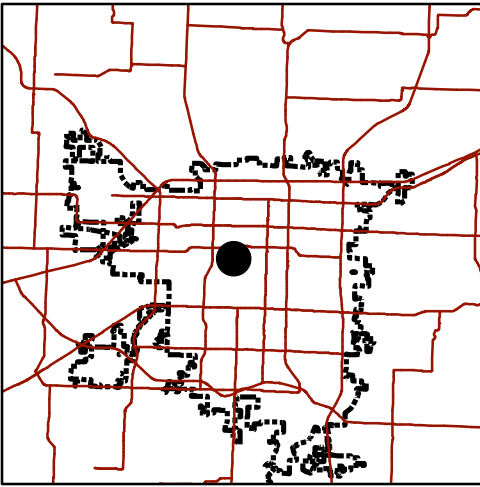
EXHIBIT 2: NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: Conditional Use Permit to _____
(existing zoning) (proposed zoning)
2. Meeting Date & Time: Thursday December 19, 2013 from 4:00 to 5:00 pm
3. Meeting Location: Jack Ball Architects, 444 S Campbell Ave
4. Number of invitations that were sent: Approx. 120
5. How was the mailing list generated: By the City of Springfield Planning Dept.
6. Number of neighbors in attendance (attach a sign-in sheet): none
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.)

There were no attendees therefore no comments - one individual called and stated she owned property near 1108 East Walnut - that she was in favor of the idea and that she would speak on behalf of the project at the hearings if needed.

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

n/a



Zoning & Subdivision Report

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

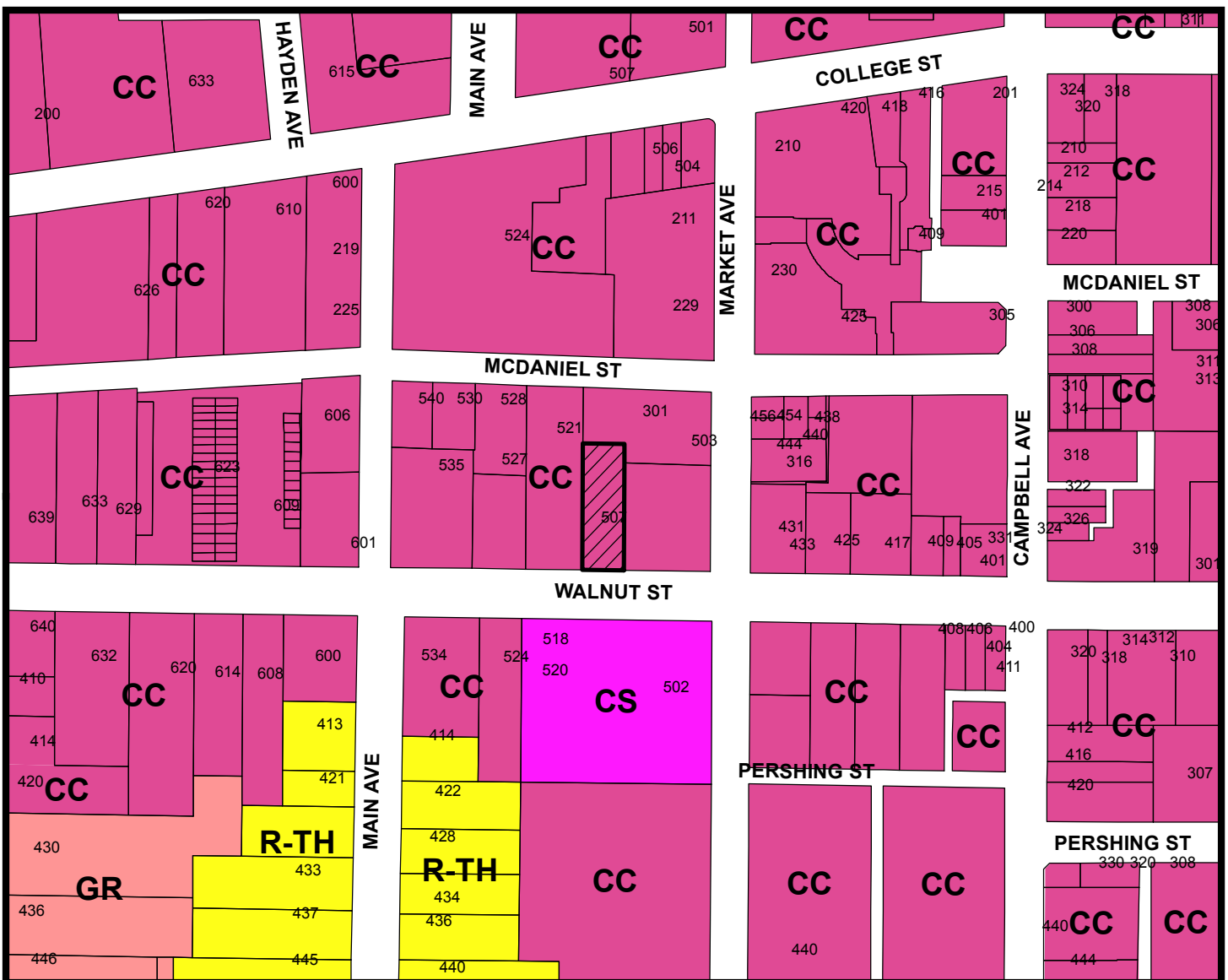
Use Permit 408

Location: 507 West Walnut Street

Current Zoning: CC, Center City District

Proposed Zoning: Conditional Use Permit

LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

EXPLANATION TO COUNCIL BILL NO: 2014-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To adopt an ordinance to allow a Distillery use at 507 West Walnut Street within a CC, Center City District (Planning and Zoning Commission and Staff recommends approval).

BACKGROUND INFORMATION:

CONDITIONAL USE PERMIT 408

The applicant is requesting approval of a Conditional Use Permit to allow a Distillery use within the CC, Center City District.

No conditional use permit shall be valid for a period longer than eighteen (18) months from the date on which the City Council grants the conditional use permit, unless within such eighteen (18) months period:

- A. A building permit is obtained and the erection or alteration of a structure is started; or
- B. An occupancy permit is obtained and the conditional use commenced.

The City Council may grant one (1) additional extension not exceeding eighteen (18) months, upon written application, without notice or hearing. No additional extension shall be granted without complying with the notice and hearing requirements for an initial application for a conditional use permit.

FINDINGS FOR STAFF RECOMMENDATION:

1. This application meets the approval standards for a Conditional Use Permit and is in conformance with the Comprehensive Plan.
2. The proposed zoning is consistent with surrounding non-residential uses and zoning along the Walnut Street area.

CONDITIONS:

The regulations and standards on the attached Exhibit D shall govern and control the use and development of the land in Use Permit No. 408 in a manner consistent with Exhibit E, except any changes made by the Planning and Zoning Commission.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on January 9, 2014, and recommended **approval**, by a vote of ___ to ___, of the proposed conditional use permit

on the tract of land described on the attached sheet and if approved, the regulations and standards on the attached "Exhibit D" shall govern and control the use and development of the land in Use Permit No. 408 in a manner consistent with "Exhibit E" (see the attached Record of Proceedings). The City Council will hold a public hearing on this case on January 27, 2014.

The Planning and Development staff recommends **approval** of the proposed use permit (see the attached Zoning and Subdivision Report).

Submitted by:

Approved by:

Bob Hosmer, AICP, Principal Planner

Greg Burris, City Manager

Exhibits

Exhibit A – Legal Description

Exhibit B – Record of Proceeding

Exhibit C – Location Sketch/Background Report

Exhibit D - Standards for Conditional Use Permit

Exhibit E - Applicant's response to Standards

Exhibit F - Site Plan

Exhibit G - Applicant's Letter of Intent

Exhibit H - Summary of Public Meeting and Sign in Sheet

EXHIBIT A
LEGAL DESCRIPTION
CONDITIONAL USE PERMIT 408

ALL OF LOT THREE (3) OF THE FINAL PLAT OF SPRINGFIELD BREWING
COMPANY, A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY,
MISSOURI.

EXHIBIT B
RECORD OF PROCEEDING
CONDITIONAL USE PERMIT 408

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

EXHIBIT C
BACKGROUND REPORT
CONDITIONAL USE PERMIT 408

DATE: December 16, 2013

LOCATION: 507 West Walnut Street

APPLICANT: Emmlott, LLC

TRACT SIZE: Approximately 7,957 square feet of area

EXISTING USE: Vacant building

PROPOSED USE: Distillery use

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	CC	Loft Apartments other CC uses
East	CC	Springfield Brewing Company
South	CS	Auto body repair
West	CC	Abandoned car repair shop

ZONING ORDINANCE REQUIREMENTS:

1. The conditional use permit procedure is designed to provide the Planning and Zoning Commission and the City Council with an opportunity for discretionary review of requests to establish or construct uses or structures which may be necessary or desirable in a zoning district, but which may also have the potential for a deleterious impact upon the health, safety and welfare of the public. In granting a conditional use, the Planning and Zoning Commission may recommend, and the City Council may impose such conditions, safeguards and restrictions upon the premises benefited by the conditional use as may be necessary to comply with the standards set out in the Zoning Ordinance to avoid, or minimize, or mitigate any potentially adverse or injurious effect of such conditional uses upon other property in the neighborhood. The general standards for conditional use permits are listed in Exhibit D.
2. No conditional use permit shall be valid for a period longer than eighteen months from the date City Council grants the conditional use permit, unless within this eighteen months:
 - a. A building permit is obtained and the erection or alteration of a structure is started; or

- b. An occupancy permit is obtained and the conditional use is begun.

BUILDING DEVELOPMENT SERVICES COMMENTS:

Plans will be required to bring the building up to current codes for the use. The applicant has been made aware of this.

FIRE DEPARTMENT COMMENTS:

No comments for conditional use permit

TRAFFIC COMMENTS:

If agreeable to the adjacent property owner, the cross access easement on the adjacent property should be revised to extend to the entrance on Walnut Street. The existing easement does not go to any entrance onto the property.

STORMWATER COMMENTS:

No stormwater issues

SANITARY SERVICES COMMENTS:

No issues with conditional use permit. Tract is currently connected to public sewer.

CITY UTILITIES COMMENTS:

No objection to approval of use permit.

ADJACENT PROPERTY OWNER COMMENTS:

Eleven (11) property owners are located within one hundred eighty-five (185) feet of the subject property and were notified by mail of this request. No one has objected to this request to date.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on December 19, 2013, on the subject property. There were 138 property owners notified.

STAFF COMMENTS:

1. The applicant is requesting approval of a Conditional Use Permit to allow a Distillery use within the CC, Center City District.
2. Staff has reviewed the applicant's request for a Conditional Use Permit and has determined that it satisfies the standards for Conditional Use Permits outlined in Section 3-3310 of the Zoning Ordinance.

FINDINGS FOR STAFF RECOMMENDATION:

1. This application meets the approval standards for a Conditional Use Permit and is in conformance with the Comprehensive Plan.
2. The proposed zoning is consistent with surrounding non-residential uses and zoning along West Walnut Street area.

CONDITIONS:

The regulations and standards on the attached Exhibit D shall govern and control the use and development of the land in Use Permit No. 408 in a manner consistent with Exhibit E, except any changes made by the Planning and Zoning Commission.

RECOMMENDATION:

Staff recommends **approval** of Use Permit 408.

CITY COUNCIL PUBLIC HEARING DATE:

January 27, 2014

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner
864-1834

EXHIBIT D
STANDARDS FOR CONDITIONAL USE PERMITS
CONDITIONAL USE PERMIT 408

An application for a conditional use permit shall be granted only if evidence is presented which establishes the following: (see attached Exhibit E for the applicant's response)

1. The proposed conditional use will be consistent with the adopted policies in the Springfield Comprehensive Plan;
2. The proposed conditional use will not adversely affect the safety of the motoring public and of pedestrians using the facility and the area immediately surrounding the site;
3. The proposed conditional use will adequately provide for safety from fire hazards, and have effective measures of fire control;
4. The proposed conditional use will not increase the hazard to adjacent property from flood or water damage;
5. The proposed conditional use will not have noise characteristics that exceed the sound levels that are typical of uses permitted as a matter of right in the district;
6. The glare of vehicular and stationary lights will not affect the established character of the neighborhood, and to the extent possible such lights will be visible from any residential district, measures to shield or direct such lights so as to eliminate or mitigate such glare as proposed;
7. The location, lighting and type of signs and the relationship of signs to traffic control is appropriate for the site;
8. Such signs will not have an adverse effect on any adjacent properties;
9. The street right-of-way and pavement width in the vicinity is or will be adequate for traffic reasonably expected to be generated by the proposed use;
10. The proposed conditional use will not have any substantial or undue adverse effect upon, or will lack amenity or will be incompatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, traffic

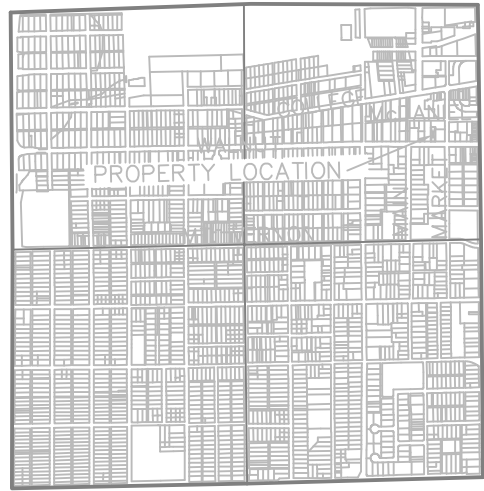
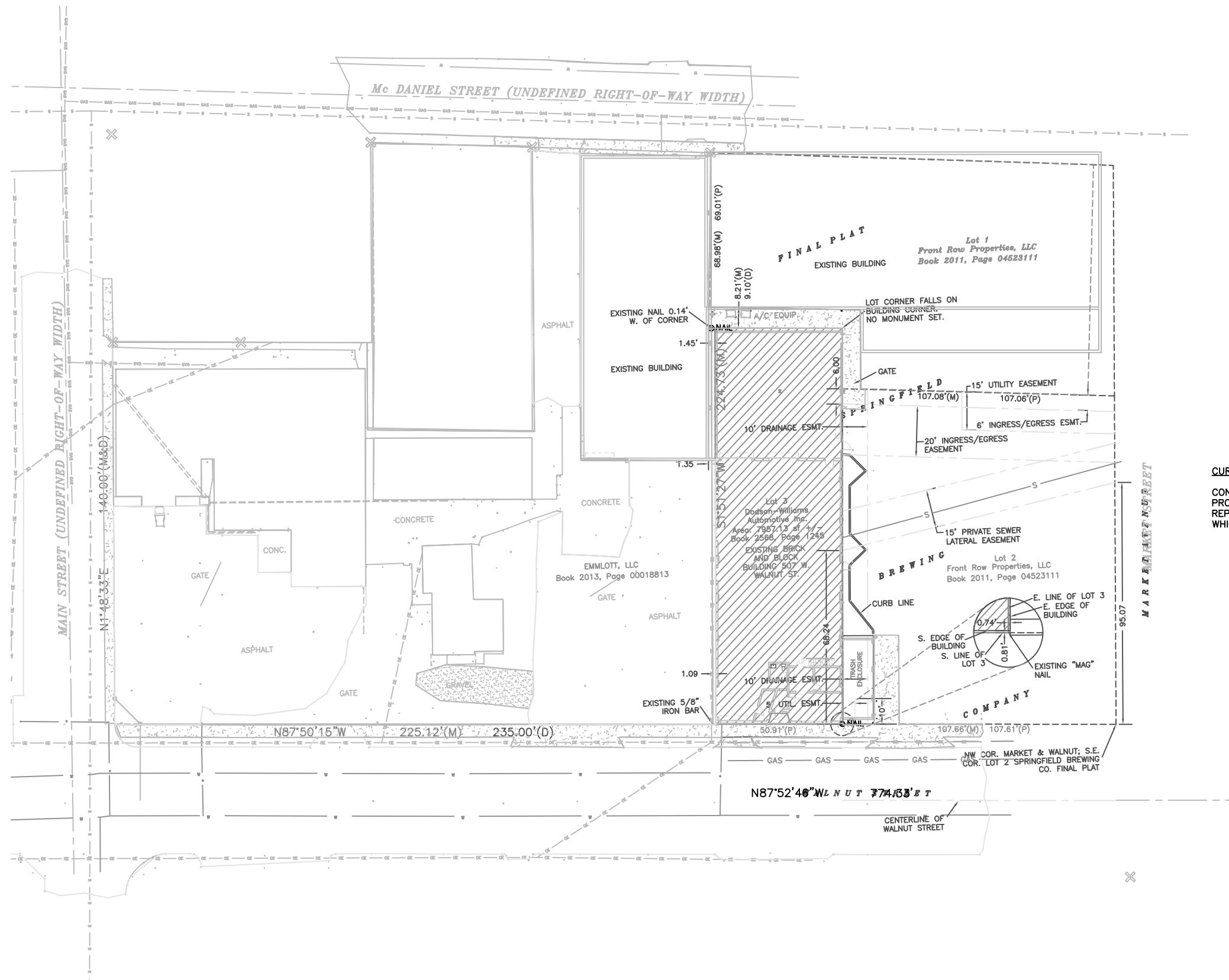
conditions, parking utility facilities, and other matters affecting the public health, safety and general welfare.

11. The proposed conditional use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. In determining whether the proposed conditional use will so dominate the immediate neighborhood, consideration shall be given to:
 - a. The location, nature and height of buildings, structures, walls and fences on the site; and
 - b. The nature and extent of landscaping and screening on the site;
12. The proposed conditional use, as shown by the application, will not destroy, damage, detrimentally modify or interfere with the enjoyment and function of any significant natural topographic or physical features of the site;
13. The proposed conditional use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance;
14. The proposed conditional use otherwise complies with all applicable regulations of the Article, including lot size requirements, bulk regulations, use limitations and performance standards;
15. The proposed conditional use at the specified location will contribute to or promote the welfare or convenience of the public;
16. Off-street parking and loading areas will be provided in accordance with the standards set out in 5-1500, 5-1600 and 6-1300 of this Article and such areas will be screened from any adjoining residential uses and located to protect such residential uses from any injurious effect.
17. Adequate access roads or entrance or exit drives will be provided and will be designed so as to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.
18. The vehicular circulation elements of the proposed application will not create hazards to the safety of vehicular or pedestrian traffic on or off the site, disjointed vehicular or pedestrian circulation paths on or off the site, or undue interference and inconvenience to vehicular and pedestrian travel.

19. The proposed use, as shown by the application, will not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way;
20. In the case of existing structures proposed to be converted to uses requiring a conditional use permit, the structures meet all fire, health, building, plumbing and electrical requirements of the City of Springfield, and;
21. The proposed conditional use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services.

bates & associates
architects

Pat Pierce
Bates & Associates



LOCATION PLAN
NOT TO SCALE

CURRENT ZONING - CC (CENTER CITY)
CONDITIONAL USE - 4-3403-A - ANY MANUFACTURING, PRODUCTION, PROCESSING, CLEANING, SERVICING, TESTING, REPAIR, OR STORAGE OF MATERIALS, GOODS OR PRODUCTS WHICH IS NOT ALLOWED AS A PERMITTED USE - DISTILLERY

USE PERMIT SKETCH PLAN
1" = 20'-0"

REVISION		



bates & associates
architects

www.batesarchitects.com
phone no. 417.865.2065
facsimile 417.865.8313
433 west walnut,
springfield missouri 65806

MISSOURI SPIRITS HOUSE
Renovation of Existing Building
EmmLott LLC
507 West Walnut Street, Springfield, Greene County, Missouri 65806

RELEASE DATE:
APP NO:
SHEET NO:
C100
SHEET DESCRIPTION:



City of Springfield, Missouri
Building Development

Criteria for Conditional Use Permit:

1. This application complies with all standards in Subsection 3-3310 of the Zoning Ordinance, Standards for All Conditional Use Permits.
2. The distillery will be housed within an existing building that is in Center City (CC) zoning, with access and deliveries to the property through the adjacent Springfield Brewing Company parking lot property. This parking lot has defined ingress & egress easements as noted on the site plan. The Owner of 507 West Walnut is also a co-owner of the Springfield Brewing Company.
3. There are no potentially adverse effects with this proposed conditional use.



Re: Project Number 2942 – Conditional Use Permit – 507 West Walnut, Springfield MO

[illegible]

**SPRINGFIELD**

433 W. Walnut St.
Springfield, MO 65806
o: 417.865.2065
f: 417.865.8313

ST. LOUIS

225 S. Meramec, Suite 400
Clayton, MO 63105
o: 314.863.2065
f: 314.863.8313

December 19, 2013

Project Name: Conditional Use Permit

Verbal comments and resolutions

No questions or comments were made since no one showed up to the meeting.

Thank you,

Jarod Michel
Vice President
Bates & Associates Architects

MEMORANDUM

To: Springfield Planning and Zoning Commission
From: Matt D. Schaefer, Senior Planner *MS*
Date: December 31, 2013
RE: Redevelopment Plan for “The Q Place” Student Housing Redevelopment Area

On October 3, 2013, the Planning and Zoning Commission reviewed the Redevelopment Plan for “The Q” Student Housing Redevelopment Area and recommended approval by a vote of 7 to 0. The Plan was scheduled for a public hearing at the October 21, 2013 Springfield City Council meeting, but it was removed from the agenda prior to the meeting due to inconsistencies within the Plan pertaining to the proposed zoning. The Plan stated that no new zoning would be proposed for the Area and that the developer intended to apply for a zoning variance to the project’s off-street parking requirements. However, instead of pursuing a variance, the Developer submitted a request to rezone the Area from R-HD, High-Density Multi-Family Residential District, to GI, Government and Institutional Use District, (Z-21-2013 COD #65) in order to allow for a reduction in the number of required off-street parking spaces.

The Planning and Zoning Commission reviewed the rezoning request on October 31, 2013 and recommended denial. To date, the Developer has not requested an appeal to City Council. The Developer has since submitted a revised Plan under a new name (Redevelopment Plan for “The Q Place” Student Housing Redevelopment Area). The revised Plan addresses the aforementioned inconsistencies by stating that no new zoning is proposed for the Area and that any new zoning that might be sought for the Area will be consistent with the Plan. The revised Plan also increases the project’s density from 90 residents to 116 residents and includes an updated redevelopment schedule and a revised relocation plan that more accurately describes the current leases and how they will be terminated.

Copies of the Staff Report and Redevelopment Plan are enclosed. Staff recommends approval.

Enclosures

ZONING & SUBDIVISION REPORT

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

Redevelopment Plan for “The Q Place” Student Housing Redevelopment Area

DATE: December 30, 2013

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

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

APPLICANT: Miller Commerce, LLC

STAFF RECOMMENDATION:

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

FINDINGS:

The proposed Redevelopment Plan for “The Q Place” 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 PLACE” 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 Place” 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, 29-unit multi-family residential development that will house up to 116 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.

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 up to 116 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 PLACE” 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 PLACE" STUDENT HOUSING REDEVELOPMENT AREA



EXHIBIT III

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

SPRINGFIELD, MISSOURI**

December 23, 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 multi-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 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 approximately 0.74 acres and is situated on the southwest corner of East Bear Boulevard and South 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 building four stories in height that will serve as a residence for up to one hundred sixteen (116) 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. In addition, 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 building four stories in height with on-site parking, which building will contain a maximum of twenty-nine (29) units and will serve as a residence for up to one hundred sixteen (116) 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. Any new zoning sought for the Redevelopment Area will be consistent with uses contemplated in this Redevelopment Plan.

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 Redevelopment Area is comprised of two parcels (Lots 46 and 47 in Southern Addition to the City of Springfield). The Developer has acquired the parcel located at 634 Monroe (Lot 46) and has entered into a contract with the current owner of the parcel located at 626 Monroe (Lot 47) in order to purchase the same. The Developer is currently scheduled to close on the acquisition of Lot 47 on February 20, 2014.

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*

All 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.

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 July 1, 2014
- Site Work (Demolition): Completed by September 1, 2014
- Construction of Building: Completed by April 2015

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 for a period of fifty (50) years from the date of final approval (at which point it shall expire and shall be of no further force or effect) and shall, during such time, 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 up to one hundred sixteen (116) residents on a 0.74 acre site.

C. *Public Facilities*

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

VI. Procedure for Changes or Modification of Plan

Upon application by the Developer or its successors in interest, the Redevelopment Plan may be amended or modified by the Land Clearance for Redevelopment Authority with the consent of the Planning and Zoning Commission. 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

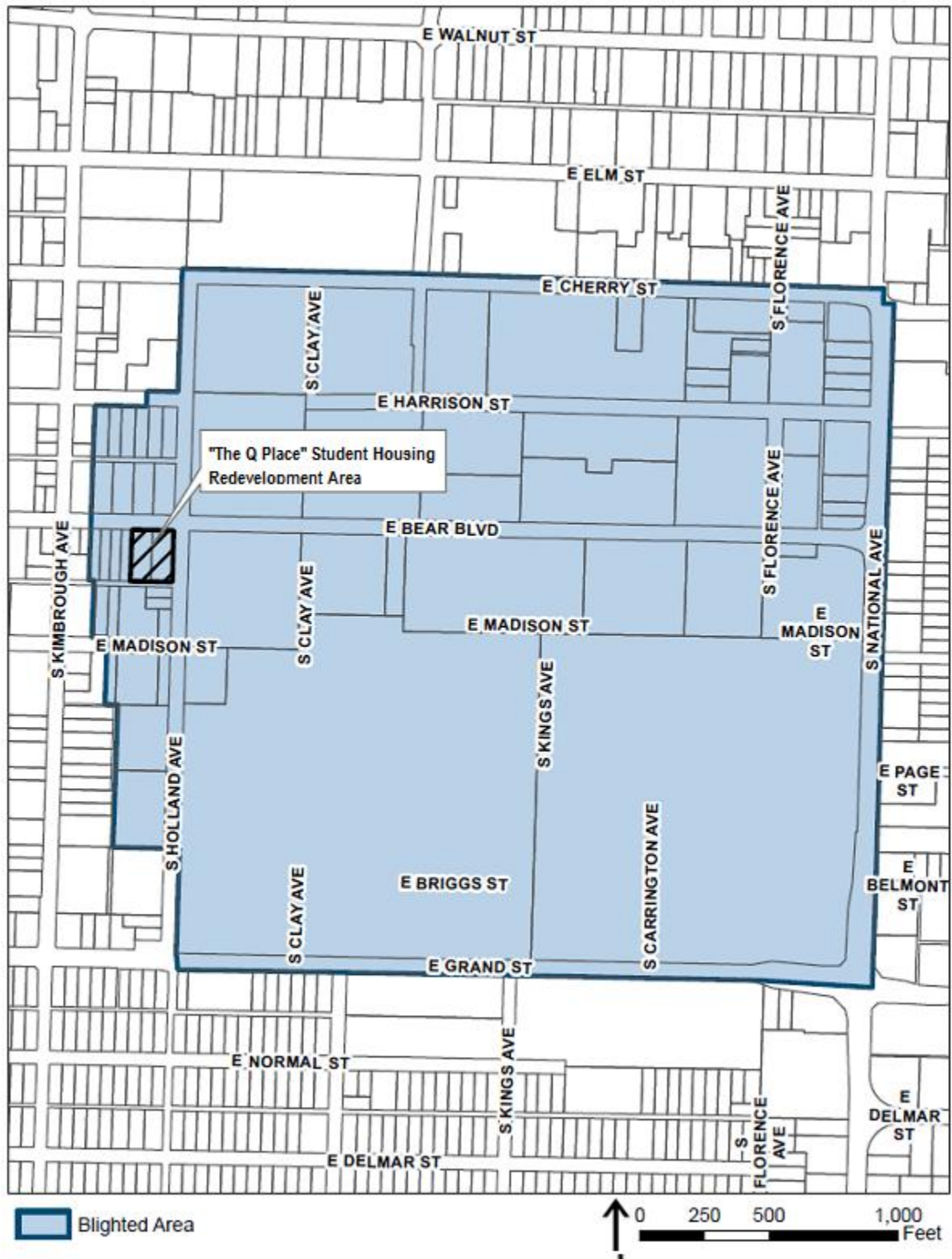


EXHIBIT B

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

