

1. Meeting Agenda (PDF)

Documents: [03-06-2014 AGENDA \(PDF\).PDF](#)

2. Acquire 504 (PDF)

Documents: [ACQUIRE 504 \(PDF\).PDF](#)

3. Initiate (COM) Commercial Street District Amendments (PDF)

Documents: [INITIATE \(COM\) COMMERCIAL STREET DISTRICT AMENDMENTS \(PDF\).PDF](#)

4. Vacation 770 (PDF)

Documents: [VACATION 770 \(PDF\).PDF](#)

5. Z-05-2014 W/Conditional Overlay District No. 67 (PDF)

Documents: [Z-05-2014 W CONDITIONAL OVERLAY DISTRICT NO. 67 \(PDF\).PDF](#)

6. Walnut Creek Phase III (PDF)

Documents: [WALNUT CREEK PHASE III \(PDF\).PDF](#)

7. Z-4-2014 UCD No. 2 / Conditional Use Permit 410 (PDF)

Documents: [Z-4-2014 UCD NO. 2 CONDITIONAL USE PERMIT 410 \(PDF\).PDF](#)

Planning & Zoning Commission Agenda

March 6, 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 February 20, 2014

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. Acquire 504
(McDaniel Lake Bridge) | City Utilities |
| 2. Initiate (COM) Commercial Street District Amendments
(City-Wide) | City of Springfield |

V. Public Hearings:

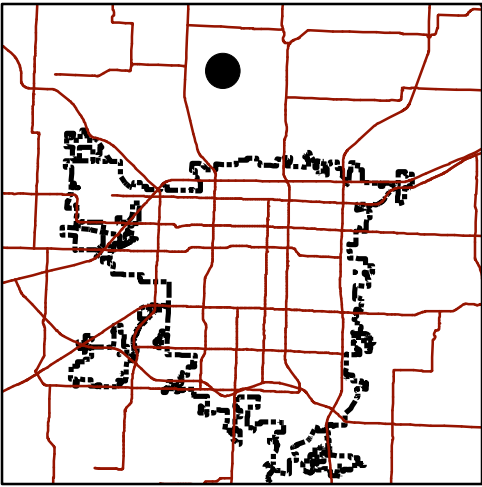
- | | |
|--|-----------------------|
| 1. Vacation 770
(1700 East Olive) | Living the Dream, LLC |
| 1. Z-05-2014 w/Conditional Overlay District No. 67
(1306 North Eldon) | Aaron Noble |
| 1. Walnut Creek Phase III
(5100 South Main) | Gardner Properties |
| 2. Galloway Redevelopment Area Plan
(3400 – 4100 blocks South Lone Pine) | City of Springfield |
| 3. Z-4-2014 UCD #2 / Conditional Use Permit 410
(600-900 Block S. National Ave. & 852 S. National Ave.) | City of Springfield |

vi. Adjourn

Any Other Matters Under Commission Jurisdiction

For items for which the public may speak, the Commission Chairperson will invite anyone who wishes to speak to an item after staff makes its presentation. When you address Commission, please step to the microphone at the podium and state 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.



Zoning & Subdivision Report

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

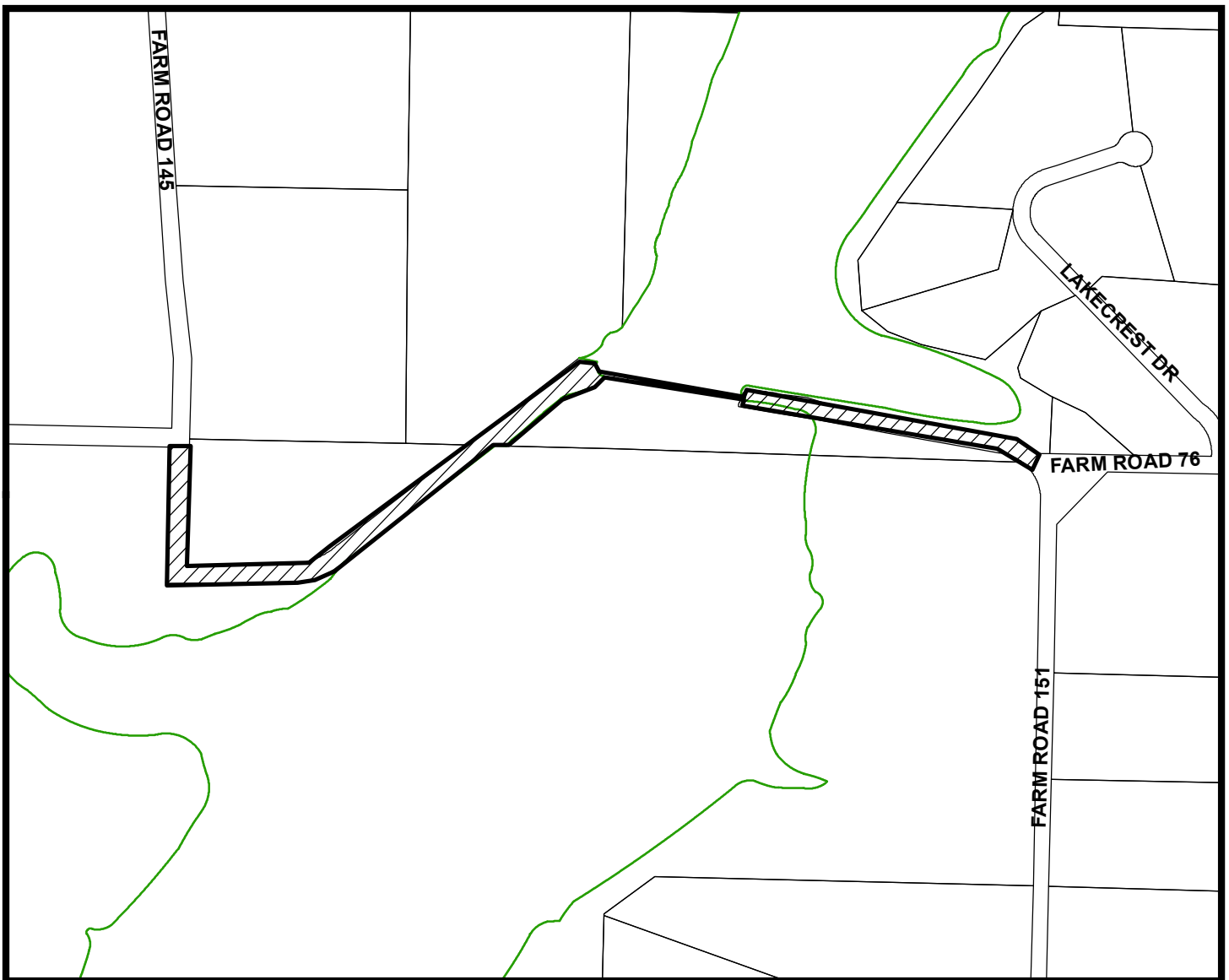
Acquire 504

Location: Farm Road 76 (at junctions of FR 151 and 145)

Current Zoning: Greene County A-1 Agricultural Zoning

Proposed Zoning: NA

LOCATION SKETCH



- Area of Proposal

0 100 200 400

Feet

1 inch = 500 feet

Zoning & Subdivision Report

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

REQUEST TO ACQUIRE NUMBER 504

DATE: February 24, 2014

PURPOSE: To approve the acquisition of property by the City Utilities of Springfield

BACKGROUND:

LOCATION: Vacated right-of-way and bridge at McDaniel Lake (Farm Road 76, 151 and 145)

APPLICANT: City Utilities of Springfield

TRACT SIZE: Approximately 4.5 acres more or less

EXISTING USES: Undeveloped land (right-of-way and bridge)

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 2).

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner

ATTACHMENT 1
REQUEST TO ACQUIRE NUMBER 504

APPLICANT'S PROPOSAL:

The City Utilities of Springfield would like to acquire the property of vacated right-of-way along Farm Road 76 from Farm Road 151 to Farm Road 145 and to acquire the McDaniel Lake Bridge and certain adjoining properties in Greene County.

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 in Greene County around McDaniel Lake and along county roads. The proposed use is generally consistent with the *Comprehensive Plan*.

STAFF COMMENTS:

1. The City Utilities of Springfield would like to acquire the subject property which are within the water quality management area of McDaniel Lake for City Utilities purposes. 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 City Utilities Board of Public Utilities.

ATTACHMENT 2
REQUEST TO ACQUIRE NUMBER 504
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 for City Utilities purposes and would be generally consistent with the Master Plan for the City and County. The bridge and corresponding property are within the water quality management area of McDaniel Lake

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 future use of the bridge, if any, will be consistent with the surrounding land uses.

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 City Utilities. The bridge and corresponding property are within the water quality management area of McDaniel Lake.

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:

The bridge and corresponding property area within the water quality management area of McDaniel Lake.

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:

The bridge and corresponding property are within the water quality management area of McDaniel Lake.

January 27, 2014

Ms. Alana D. Owen
Senior Planner
City of Springfield
Planning and Development
840 Boonville Ave.
Springfield, Missouri 65802-3832

RE: Acquisition of Property (McDaniel Lake Bridge)

Dear Ms. Owen:

City Utilities plans to acquire the McDaniel Lake bridge and certain adjoining properties from Greene County. We have indicated on the attached drawing the proposed acquisition, which is located at the junction of Farm Roads 76, 151 and 145. The legal description is attached as Exhibit A hereto.

We would appreciate this item being placed on the Agenda of the Planning and Zoning Commission meeting scheduled for March 6, 2014. This acquisition was presented to the Board of Public Utilities for their approval at their regular meeting on July 25, 2013. We will have a representative present at the Planning and Zoning Commission meeting scheduled for March 6, 2014.

If additional information is needed, please contact my office at 831-8364 or by e-mail at jon.campbell@cityutilities.net.

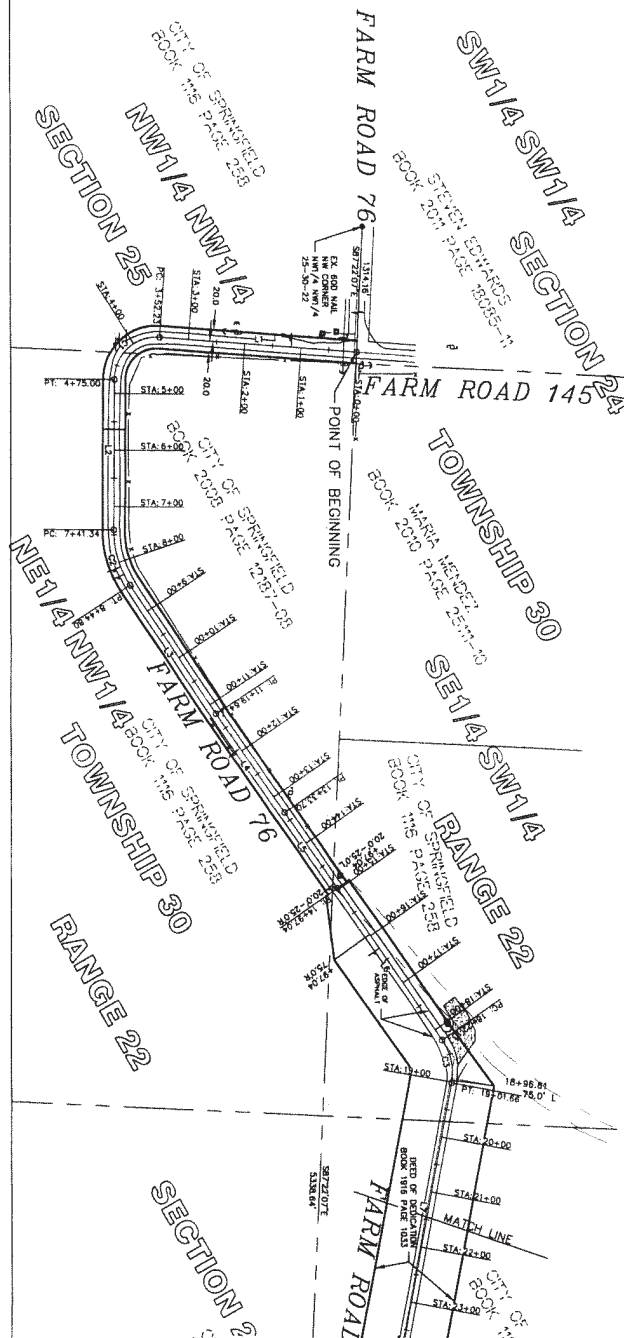
Sincerely,

Jon D. Campbell
Administrator-Property Acquisition

JDC/jc

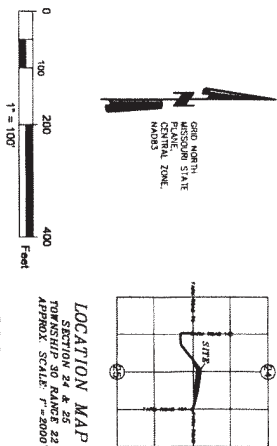
Attachments

c: Wade Stinson
John Black
Ken Reasoner
Chris Haller



Curve Table				
Curve #	Length	Date	Chord Direction	Chord Length
C1	122.77	9/30/72*	S62°51'44"E	109.51
C2	103.46	1/75/00	N25°08'24"E	101.96
C3	79.53	100.00	S45°07'21"E	77.45
C4	212.33	325.00	S67°14'06"E	210.88

Line Table			
Line #	Length	Direction	
L1	352.23	S40°37'W	
L2	266.34	S68°45'E	
L3	274.64	N58°22'E	
L4	214.06	N35°44'E	
L5	163.34	N24°37'00"E	
L6	375.09	N24°37'00"E	
L7	492.57	S78°28'35"E	
L8	200.01	S80°02'29"E	
L9	455.67	S78°49'45"E	
L10	82.66	S55°36'44"E	



RICK WILSON
 REGISTERED MISSOURI P.L.S.
 LICENSE NUMBER 1970

4/17/2015

DRAWN BY
ADW
CREW CHIEF
GGB
CHECKED
RW
DATE
AUGUST 14, 2015
SCALE
1"=100'
JOB NO.
15127
DRAWING NO.
WD-104-562
SHEET
1 OF 1 SHEETS

PREPARED FOR
GREENE COUNTY HIGHWAY DEPARTMENT
FR 78 BETWEEN FR 145 & 151 GREENE COUNTY, MISSOURI

WILSON SURVEYING CO. INC.
Surveying / Engineering / Land Planning
2012 S. STEWART AVENUE
SPRINGFIELD, MO. 65804
Email: Rick.Wilson@wilsurveyinc.com
TEL. 417-522-7870 FAX 417-522-7874

[illegible]

PRINTS ISSUED	DATE

ISSUED FOR CONSTRUCTION
 DATE:

January 27, 2014

Ms. Alana D. Owen
Senior Planner
City of Springfield
Planning and Development
840 Boonville Ave.
Springfield, Missouri 65802-3832

RE: Acquisition of Property (McDaniel Lake Bridge)

Dear Ms. Owen:

I have listed below our response to the five policies adopted by the Planning and Zoning Commission policy statement concerning the acquisition of land by public bodies.

1. It is our understanding that the intended use of the subject property would still be “generally consistent with the Master Plan of the City.”
2. Future use of the bridge, if any, will be consistent with surrounding public land uses.
3. The bridge and corresponding property are within the water quality management area of the lake.
4. See paragraph 3 above.
5. See paragraph 3 above.

I trust the above meets with your approval and will be happy to answer any further questions you may have.

Sincerely,

Jon D. Campbell
Administrator-Property Acquisition

JDC/jc
Attachment

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

DATE: February 25, 2014

TO: Planning and Zoning Commission

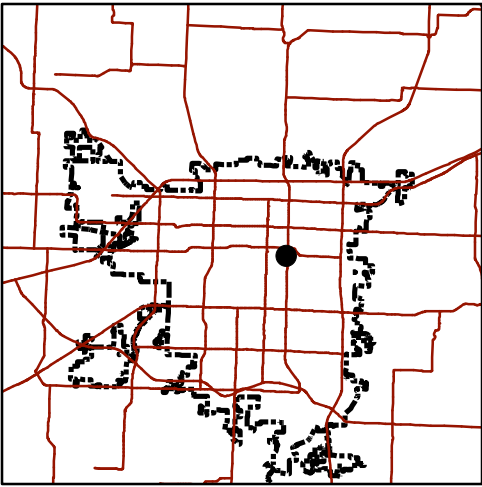
FROM: Daniel Neal 
Senior Planner

SUBJECT: Initiate amendments to the (COM) Commercial Street District

Staff has recently discovered unclear language in the (COM) Commercial Street District design requirements that may create issues with redevelopment along Commercial Street.

Staff is proposing amendments to Subsection 4-3507., Design Requirements, of the COM District, to include, but not limited to defining the minimum district setbacks, the street frontages and alternative design criteria for existing vacant lots.

Staff requests that Commission initiate amendments to the Zoning Ordinance to consider modifying the COM District requirements. Staff has communicated with Commercial Club and will work with them regarding these amendments.



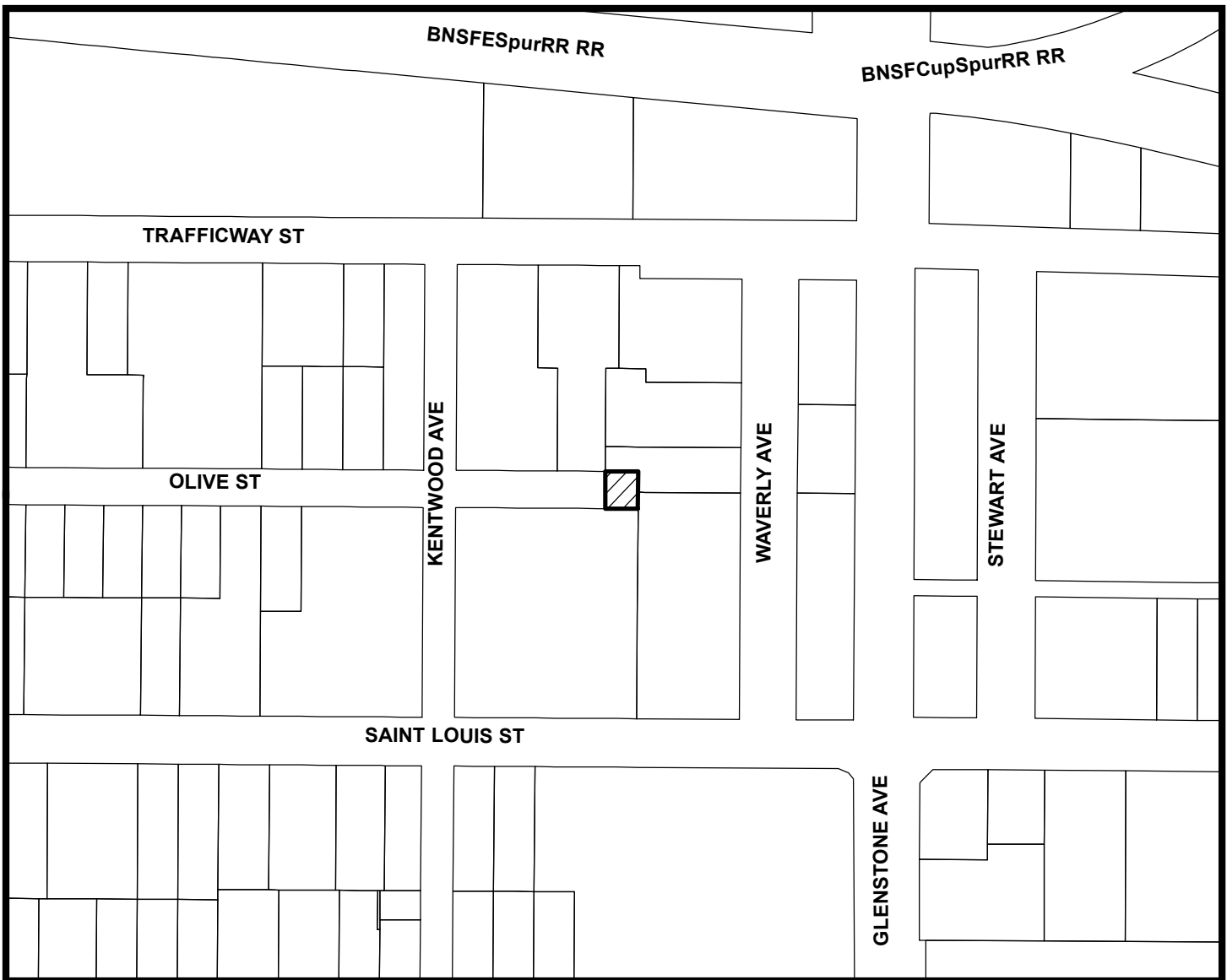
Zoning & Subdivision Report

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

Vacation No. 770

Location: 1700 block East Olive Street

LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

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

VACATION #770

DATE: February 25, 2014

PURPOSE: To vacate a portion of the 1700 block of East Olive Street.

BACKGROUND:

LOCATION: 1700 block East Olive Street

APPLICANT: Livin' the Dream LLC

RECOMMENDATION:

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

CONDITIONS:

1. A turnaround shall be provided. A driveway can serve as a turnaround if it meets current standards.
2. An access easement shall be provided between 311 North Waverly Avenue and 303 North Waverly Avenue to the driveway that accesses Olive Street from 303 North Waverly.
3. The existing gravel driveway accessing Olive Street from 1722 East St. Louis Street shall be closed.
4. The driveway accessing 303 North Waverly Avenue from Olive Street shall be reconstructed to meet current City standard ST-9.

If these conditions are not met within two (2) years of City Council's approval, then that approval is null and void and the property is not vacated.

FINDINGS FOR STAFF RECOMMENDATION:

The requested Vacation #770, with the above conditions, meets the approval criteria listed in Attachment 2.

STAFF CONTACT PERSON:

Alana D. Owen, AICP
Senior Planner

ATTACHMENTS:

Attachment 1 - Background Report
Attachment 2 - Approval Criteria
Attachment 3 - Legal Description
Attachment 4 – Site Plan

ATTACHMENT 1
BACKGROUND REPORT
VACATION #770

APPLICANT'S PROPOSAL:

This is a request to vacate a forty (40) foot wide portion of the 1700 block of East Olive Street.

TRAFFIC ENGINEERING COMMENTS:

No objections to the vacation, however:

1. A turnaround must be provided. A driveway can serve as a turnaround if it meets current standards.
2. An access easement will need to be provided between 311 N. Waverly and 303 N. Waverly to the driveway that accesses Olive Street from 303 N. Waverly.
3. The existing gravel driveway accessing Olive Street from 1722 E. St Louis will need to be closed as it does not meet current city standard and there is a driveway right next to it. Two driveways located this close together are not allowed.
4. The driveway accessing Olive Street from 303 N. Waverly must be reconstructed to meet current City standard ST-9.

CITY UTILITIES COMMENTS:

No utilities impacted, and CU has no interest in retaining the right-of-way.

STORM WATER COMMENTS:

Storm Water Services does not have any objection to the requested vacation.

POLICE DEPARTMENT COMMENTS:

No comments regarding this requested vacation.

FIRE DEPARTMENT COMMENTS:

The Fire Department does not have any comments about this requested vacation.

CLEAN WATER SERVICES:

No sewer in proposed vacation. The only concern is that once it is vacated it won't have access to sewer unless it is combined with some of the adjacent properties.

BUILDING DEVELOPMENT SERVICES:

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

ADJACENT PROPERTY OWNER COMMENTS:

Eleven (11) property owners are within three hundred (300) feet of this site and have been notified of this action. No one has objected to date.

STAFF COMMENTS:

1. This request is to vacate approximately forty (40) feet of the 1700 block of East Olive Street. The adjacent owner would like to obtain the property to “square up” the adjacent property. The retention of the subject area serves no useful purpose.
2. With the included conditions the proposed vacation meets the approval criteria for vacating right-of-way. The proposed conditions will require City Council to approve this vacation.

ATTACHMENT 2
APPROVAL CRITERIA
VACATION #770

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

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

STAFF RESPONSE:

All adjacent property has access to public access ways.

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

STAFF RESPONSE:

The owners of two-thirds of the property adjacent to the street have given their consent to the vacation.

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

STAFF RESPONSE:

The retention of the City right-of-way serves no useful purpose.

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

STAFF RESPONSE:

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

ATTACHMENT 3
LEGAL DESCRIPTION
VACATION #770

THAT CERTAIN PORTION OF OLIVE STREET LYING DIRECTLY SOUTH OF AND ADJACENT TO THE SOUTH LINE OF LOT 37 AND LOT 38 OF KENNEDY HEIGHTS, A RECORDED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING DESCRIBED AS:

BEGINNING AT AN EXISTING RAILROAD SPIKE AT THE SOUTHEAST CORNER OF SAID LOT 38; THENCE, S00°15'55"W, A DISTANCE OF 25.66 FEET TO AN EXISTING 5/8" IRON PIN WITH A CAP STAMPED "LS 596";

THENCE, S89°42'28"W, A DISTANCE OF 40.72 FEET;

THENCE, N00°19'43"W, A DISTANCE OF 25.81 FEET TO AN EXISTING RAILROAD SPIKE ON THE SOUTH LINE OF SAID LOT 37;

THENCE, N89°55'05"E, ALONG THE SOUTH LINE OF SAID LOT 37 AND LOT 38, A DISTANCE OF 40.99 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,051.5 SQUARE FEET

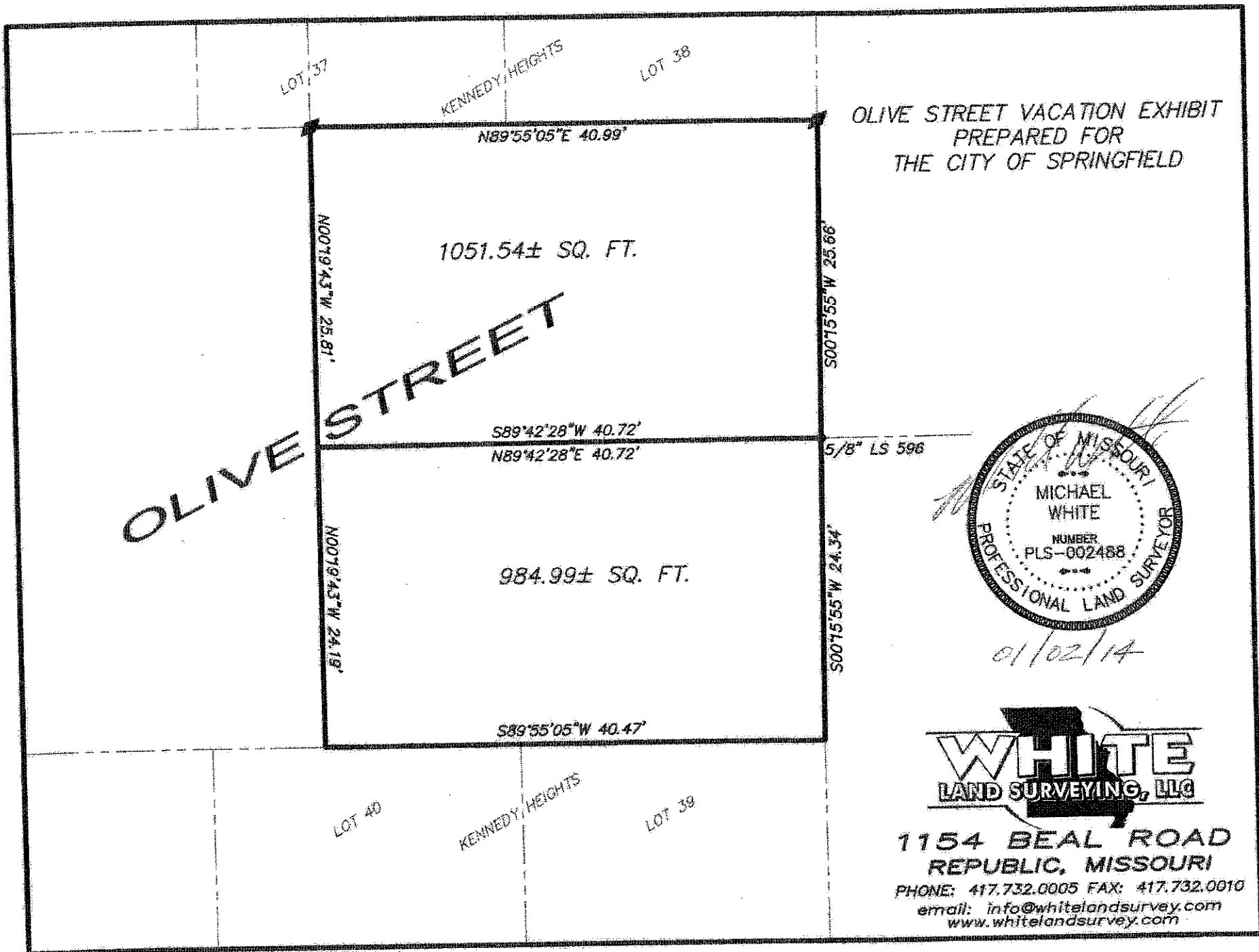
(MORE OR LESS)

ALSO:

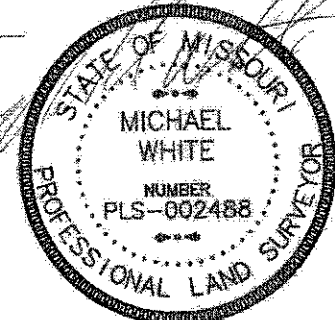
THAT CERTAIN PORTION OF OLIVE STREET LYING DIRECTLY NORTH OF AND ADJACENT TO THE NORTH LINE OF LOT 39 AND LOT 40 OF KENNEDY HEIGHTS, A RECORDED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING DESCRIBED AS:

COMMENCING AT AN EXISTING RAILROAD SPIKE AT THE SOUTHEAST CORNER OF LOT 38 OF SAID KENNEDY HEIGHTS;

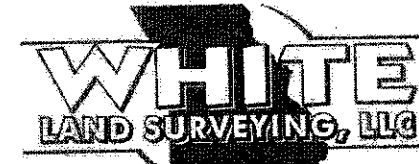
SAID KENNEDY HEIGHTS;



OLIVE STREET VACATION EXHIBIT
PREPARED FOR
THE CITY OF SPRINGFIELD



01/02/14



1154 BEAL ROAD
REPUBLIC, MISSOURI
PHONE: 417.732.0005 FAX: 417.732.0010
email: info@whitelandsurvey.com
www.whitelandsurvey.com

PLANNING AND ZONING DEPARTMENT
INTEROFFICE MEMORANDUM

DATE: January 28, 2014

TO: Planning and Zoning Commission Members

FROM: Alana D. Owen, AICP, Senior Planner
Planning and Development

SUBJECT: Zoning Case Z-05-2014/Conditional Overlay District #67

This is a request to rezone property located at 1306 North Eldon Avenue from an R-SF, Single Family Residential District to a GM, General Manufacturing District with a Conditional Overlay District to restrict the uses on the property to non-occupied structures. This item needs to be tabled at this time because it has become evident that the requested zoning district will not accommodate the proposed development on the property. The new request will follow the normal advertising and notification procedures for rezoning and will proceed to Planning and Zoning Commission at a later date.

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

EXPLANATION TO COUNCIL BILL NO: 2014-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To accept the dedication of the public streets and easements as shown on the Preliminary Plat of **WALNUT CREEK PHASE III** generally located at the 5100-5200 blocks of South Main Avenue. (Staff recommends that City Council accept the public streets and easements.)

BACKGROUND INFORMATION:

- A. See the legal description set forth on the Preliminary Plat of **WALNUT CREEK PHASE III** dated February 20, 2014, the original of which is on file in the Department of Planning and Development, a reduced version of which is included for general reference in Attachment 1.
- B. The Planning and Zoning Commission held a public hearing on March 6, 2014 and _____ the preliminary plat by a vote of ___ to __, subject to the following conditions:
 - 1. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.
 - a. Public sewer needs to be available for each lot. Lots 2 & 3 have public sewer available on their east property lines; however, there are no sewer laterals available. The sewer mains could be tapped at the time of connection. Portions of lot 3 would not be served by gravity unless sewer is extended to the southwest. There is public sewer near Lot 1; however, there is no lateral or end manhole. Submit public improvement plans to add an end manhole and sewer lateral along Main and at the SW corner of Lot 3. Also, show minimum finish floor elevations on the final plat.
 - b. Public Improvement Plans are required for the street improvements to Main Avenue and Bryant Street. The plans need to include the sidewalk improvements as well. Public Improvement Plans will need to be submitted, approved and constructed or the funds escrowed prior to approval of the final plat.
 - 2. All required street rights-of-way, drainage and utility easements and limitations

of access shall be dedicated on the final plat.

- a. Sign fees in the amount of \$470 will be required for new signs (three end of road way, two street name and one stop sign) that will be installed by the city of Springfield and will be required to be paid prior to approval of the final plat. Sign fees cannot be escrowed.
3. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.
4. The developer shall be responsible for the relocation costs of any existing utility services and shall be responsible for clearing all utility easements of trees, brush and overhanging tree limbs.
5. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations.

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

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

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

Submitted by:

Bob Hosmer, AICP, Principal Planner

Greg Burris, City Manager

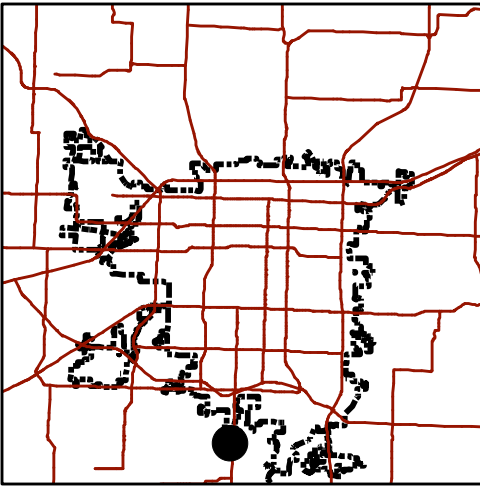
EXHIBITS:

Exhibit A, Record of Proceeding

Exhibit B, Zoning and Subdivision Staff Report

ATTACHMENTS:

Attachment 1, Preliminary Plat



Zoning & Subdivision Report

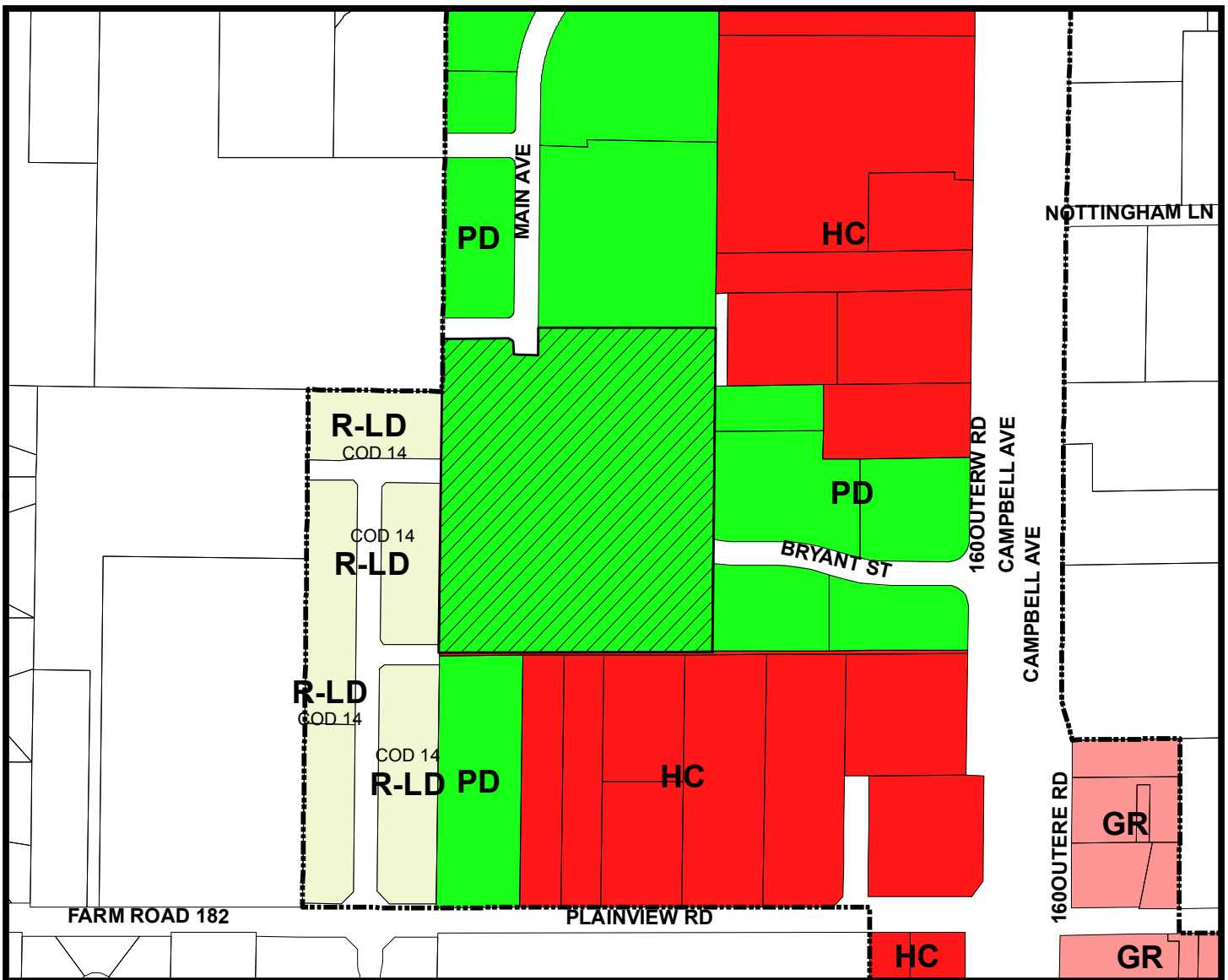
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Preliminary Plat - Walnut Creek Phase III

Location: 5100-5200 blocks S. Main Ave.

Current Zoning: PD 271 Amended

LOCATION SKETCH



- Area of Proposal



1 inch = 400 feet

Zoning & Subdivision Report

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

PRELIMINARY PLAT – WALNUT CREEK PHASE III

DATE: February 24, 2014

PURPOSE: To approve a preliminary plat to subdivide approximately twelve (12) acres into a three (3) lot subdivision

BACKGROUND:

LOCATION: 5100-5200 blocks S. Main Ave.

APPLICANT: Gardner Properties of Springfield, LLC

TRACT SIZE: Approximately 12 acres

EXISTING USE: Undeveloped/vacant land

PROPOSED USE: PD 271 Amended Uses

APPLICANT’S PROPOSAL:

The applicant proposes to subdivide approximately twelve (12) acres into a three (3) lot subdivision.

AT&T COMMENTS:

No comments.

BUILDING DEVELOPMENT SERVICES COMMENTS:

No additional comments.

CITY UTILITIES COMMENTS:

Utilities are stubbed to the property from 3 different directions. Extensions will be required to serve the new lots. The extension length and developer’s cost is dependent on how the property develops.

FIRE DEPARTMENT COMMENTS:

No comments.

TRAFFIC DIVISION COMMENTS:

1. Public Improvement Plans are required for the street improvements to Main Avenue and Bryant Street. The plans need to include the sidewalk improvements as well. Public Improvement Plans will need to be submitted, approved and constructed or the funds escrowed prior to approval of the final plat.
2. Sign fees in the amount of \$470 will be required for new signs (three end of road way, two street name and one stop sign) that will be installed by the city of Springfield and will be required to be paid prior to approval of the final plat. Sign fees cannot be escrowed.

STORMWATER COMMENTS:

All stormwater comments have been addressed on the preliminary plat. However, please note that at the time of development the property will be subject to the following conditions:

1. Current detention and water quality requirements must be met for all lots within the subdivision. Structures and impervious surface onsite may be credited as existing impervious surface if in place since 1983 and currently in good condition. Existing gravel surfaces meeting the above definition are only eligible for 50% credit.
2. A payment in lieu of construction of detention facilities may be approved on a case by case basis, depending on downstream and other conditions. Cost of downstream improvements may be credited towards payment in lieu of constructing detention.
3. Connect private drainage facilities to public drainage system whenever possible, which will require a public improvement plan or excavation permit.

CLEAN WATER SERVICES COMMENTS:

1. Public sewer needs to be available for each lot. Lots 2 & 3 have public sewer available on their east property lines; however, there are no sewer laterals available. The sewer mains could be tapped at the time of connection. Portions of lot 3 would not be served by gravity unless sewer is extended to the southwest. There is public sewer near Lot 1; however, there is no lateral or end manhole. Submit public improvement plans to add an end manhole and sewer lateral along Main and at the SW corner of lot 3.
2. Show minimum finish floor elevations on the final plat.

STAFF COMMENTS:

1. The applicant is proposing to subdivide approximately twelve (12) acres into a three (3) lot subdivision named "WALNUT CREEK PHASE III". The property is currently zoned Planned Development 271 Amended which permits multi-family and office uses.

2. The property was approved for a preliminary plat in 2005 and 2009, but both have expired.
3. 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.

FINDINGS:

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

RECOMMENDATION:

The request be **approved**.

CONDITIONS:

1. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.
 - a. Public sewer needs to be available for each lot. Lots 2 & 3 have public sewer available on their east property lines; however, there are no sewer laterals available. The sewer mains could be tapped at the time of connection. Portions of lot 3 would not be served by gravity unless sewer is extended to the southwest. There is public sewer near Lot 1; however, there is no lateral or end manhole. Submit public improvement plans to add an end manhole and sewer lateral along Main and at the SW corner of Lot 3. Also, show minimum finish floor elevations on the final plat.
 - b. Public Improvement Plans are required for the street improvements to Main Avenue and Bryant Street. The plans need to include the sidewalk improvements as well. Public Improvement Plans will need to be submitted, approved and constructed or the funds escrowed prior to approval of the final plat.
2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. Sign fees in the amount of \$470 will be required for new signs (three end of road way, two street name and one stop sign) that will be installed by the City of Springfield and will be required to be paid prior to approval of the final plat. Sign fees cannot be escrowed.

3. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.
4. It is determined that the public interest requires assurance concerning adequate maintenance of common space areas and improvements. The restrictive covenants, rules and bylaws creating the common ownership must therefore provide that if the owners of the Property Owners Association shall fail to maintain the common areas or improvements in reasonable order and condition in accordance with the approved plans, the City may, after notice and hearing, maintain the same and assess the costs against the units or lots, per the Common Open Space and Common Improvement Regulations section of the Zoning Ordinance.
5. The developer shall be responsible for the relocation costs of any existing utility services and shall be responsible for clearing all utility easements of trees, brush and overhanging tree limbs.
6. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations.

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

STAFF CONTACT:

Daniel Neal
Senior Planner

**CITY OF SPRINGFIELD
DEPARTMENT OF PLANNING AND DEVELOPMENT
MEMORANDUM**

TO: Planning and Zoning Commission

FROM: Daniel Neal
Senior Planner

DATE: March 5, 2014

Re: Zoning Case Z-4-2014, 600-900 blocks S. National Ave. (Council Bill 2014-033)

City Council has proposed a change to the text amendment for the Rountree Urban Conservation District (UCD) No. 2, Area D (Z-4-2014) at their Council luncheon on March 4th. The attached memo from Mr. Rognstad to City Council explains the issue. They believe the area affected by the proposed amendment is too large. This change is in response to neighborhood concerns expressed to City Council regarding this case. Staff is supportive of City Council's amendment to the language to add retail sales uses to the portion of Rountree UCD No. 2, Area D, along National Avenue only between Page and Belmont Streets. The language will be amended as follows: Retail Sales Use Group in an existing non-residential structure at the time of this amendment (2014) for the area between Page and Belmont Streets.

City Council requested that this change be remanded back to Planning and Zoning Commission for review and a recommendation prior to City Council's meeting on March 10th.

Let me know if you have additional questions or concerns.

c: Ralph Rognstad Jr.
Bob Hosmer
Nancy Yendes

**CITY OF SPRINGFIELD
DEPARTMENT OF PLANNING AND DEVELOPMENT
MEMORANDUM**

TO: Mayor & Members of City Council

FROM: Ralph Rognstad Jr. 
Director

DATE: February 28, 2014

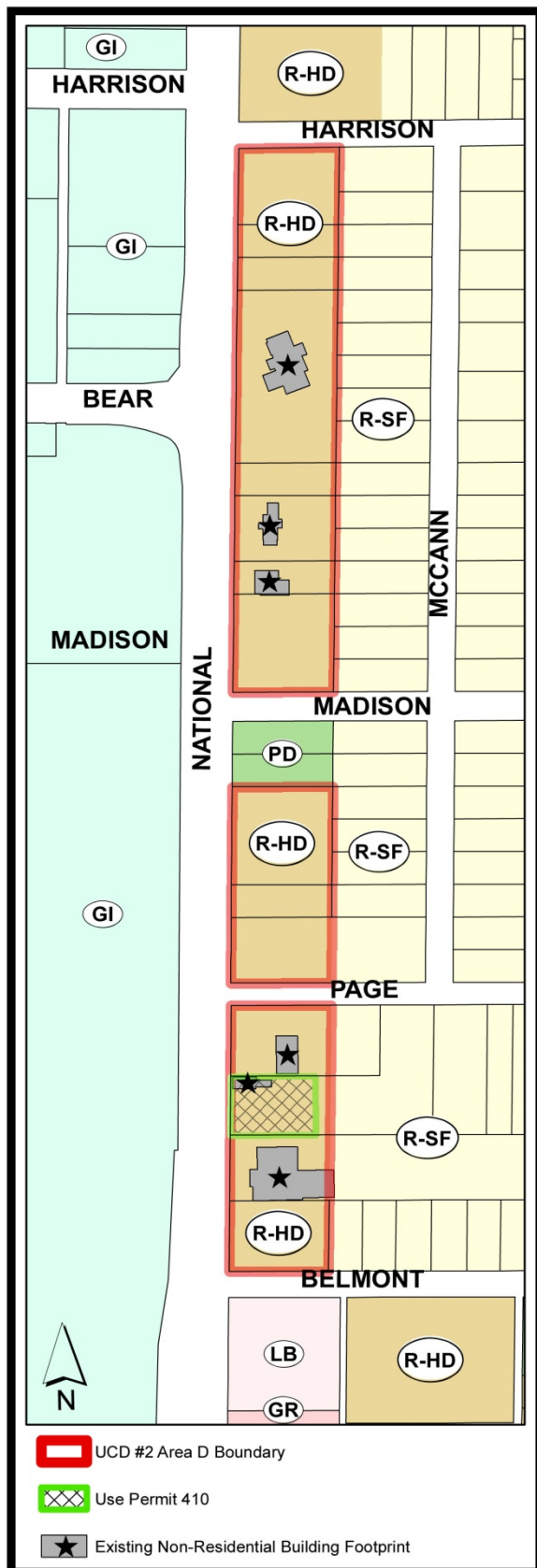
Re: Council Bills 2014-033 and 2014-034 (Zoning Case Z-4-2014, 600-900 blocks S. National Ave. and Use Permit No. 410, 852 S. National Ave.)

This memo provides a summary of the proposed amendments contained in Council Bill 2014-033 and Council Bill 2014-034 and proposes a strategy for modifying Council Bill 2014-033 for the March 10th meeting, if that is Council's desire. Based on emails and other correspondence staff has received since the public hearing, there appears to be discussion based on misinformation about these two bills. Attached is a summary of the zoning amendment and conditional use permit with a map showing the area that is affected.

If Council believes that amendments to allow the retail sales uses in the Rountree Urban Conservation District (UCD) affects too large of an area, changes can be made to reduce the affected area. The amendment to the UCD can be changed to only affect the block between Page and Belmont Streets. Staff would like to discuss this possible change at the Council lunch on March 4. If Council wants to consider this change, it can be sent to Planning and Zoning Commission on Thursday, March 6th, for a new recommendation that would be reported to City Council prior to your meeting on March 10th. The City Attorney does not consider this change to be substantive because it is reducing the affected area. This will prevent any further delays for the applicant.

Let me know if you have additional questions or concerns.

c: Greg Burris
Collin Quigley
Brenda Cirtin
Dan Wichmer
Bob Hosmer
Nancy Yendes
Rountree Neighborhood Association



Text Amendment to UCD No.2

- The proposed rezoning request (Z-4-2014) will amend the Rountree Urban Conservation District (UCD) No. 2 to add the following language to the conditional uses only in Area D (highlighted in red): Retail Sales Use Group in an existing non-residential structure at the time of this amendment (2014)
- The Rountree UCD is an overlay district that adds regulations to the base zoning district. The zoning text amendment to the UCD will not change the underlying zoning of High-Density Multi-Family Residential in Area D.
- If the amendments to the Rountree UCD No. 2, Area D are approved as written, existing non-residential structures (indicated by stars on the map) along National Avenue can apply for a conditional use permit for retail sales. Non-residential structures built or converted after this amendment will not be permitted to have retail sales uses.
- The conditional use permit process requires public hearings before the Planning & Zoning Commission and City Council and approval by City Council.

Zoning/ Use Permit 410

- The applicant for Use Permit 410 at 852 S. National Avenue (highlighted in green) is specifically requesting to utilize the existing non-residential structure for wireless phone sales and repair use which is considered a retail sales use.
- The site plan for Use Permit 410 will only permit a retail sales use in the building at 852 S. National Avenue.