



Springfield Planning and Zoning Commission

City Council Chambers

Date: September 4, 2014
Time: 6:30 p.m.

Members: Matt Edwards (Chairman), Tom Baird IV (Vice-Chairman), Jim Hansen, Jason Ray, Phil Young, Shelby Lawhon, Gabrielle White, Melissa Cox, David Shuler

I. 1. ROLL CALL

II. 2. APPROVAL OF MINUTES

1. July 31, 2014

Documents: [MINUTES 07-31-2014.PDF](#)

III. 3. COMMUNICATIONS

1. Review Of City Council Meetings (August 4 And August 18, 2014)

Documents: [COUNCILSUMMARYAUGUST4, 18.PDF](#)

IV. 4. CONSENT ITEMS

(All items maybe approved with a single motion without a public hearing, unless removed from the consent agenda)

1. Relinquish Easement 810

248 E. Monastery Street, Dave Coryell

Documents: [RE 810.PDF](#)

2. Relinquish Easement 811

2000 block Chesterfield Boulevard, Chesterfield Square Prop Owner's Assoc.

Documents: [RE 811.PDF](#)

V. 11. PUBLIC HEARINGS

1. Z-17-2014 With Conditional Overlay District No. 80

430 – 444 East Elm, So El District, LLC

Documents: [Z-17-2014 COD NO. 80.PDF](#)

2. **Z-18-2014 With Conditional Overlay District No. 77**

3040 East Cherry, Gary Burks

Documents: [Z-18-2014 COD 77.PDF](#)

3. **Z-19-2014 With Conditional Overlay District No. 78**

4833 S. Campbell Avenue, Ward Branch ETAL TR

Documents: [Z-19-2014 COD 78.PDF](#)

4. **Z-20-2014 With Conditional Overlay District No. 79**

2759 East Pythian, Presbyterian Children's Homes

Documents: [Z-20-2014 COD NO. 79.PDF](#)

5. **Z-21-2014**

4000 South Campbell, Primrose Campbell Property Imp Assoc.

Documents: [Z-21-2014.PDF](#)

6. **Preliminary Plat Cherry Street East**

3040 E. Cherry Street, Gary Burks

Documents: [CHERRYSTREETEAST.PDF](#)

7. **Preliminary Plat Briarcliff Subdivision**

2720 E. Battlefield Road, Chester Carson

Documents: [BRIARCLIFFSUB.PDF](#)

8. **East Cherry Flats Redevelopment Plan**

1235 East Cherry Street, RJK Properties, LLC

Documents: [EAST CHERRY FLATS REDEVELOPMENT PLAN.PDF](#)

VI. **13. OTHER MATTERS**

VII. **19. ADJOURN**

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

MINUTES OF THE PLANNING AND ZONING COMMISSION

DATE: July 31, 2014

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 present: Matt Edwards (Chairman), Jason Ray, Jim Hansen, Phil Young, and. Staff in attendance: Ralph Rognstad, Director, Planning & Development, Bob Hosmer, Principal Planner; Sarah Kerner, Assistant City Attorney, Ron Colson, Public Works, Dawne Gardner, Public Works, Sandy Goddard, Administrative Assistant. Absent: Baird, White, Shuler, and Cox.

ROLL CALL:

APPROVAL OF MINUTES: The minutes of July 17, 2014, were approved unanimously.

COMMUNICATIONS:

Mr. Hosmer stated that Zoning Case Z-15-2014 came before Commission for approval. It was proposed to rezone from HC, Highway Commercial to GR, General Retail and went to City Council, but staff realized that after reviewing the Ordinance there was a scrivener's error in the Ordinance. Staff pulled the application and reimbursed the applicant and it did not go forward at City Council.

Mr. Hosmer discussed doing a Council Report for Commission to keep them informed as to cases that are scheduled to go to Council that may be changed prior to Council, for example the Bee Ordinance, there were a couple of amendments Commission did not see. There is a Bufferyard Reduction proposal that was heard before Commission which City Council has requested be adjusted and only apply that to manufacturing districts. Staff had applied it to all districts for reduction of the bufferyards for small lot.

PUBLIC HEARING:

1. Z-16-2014

Clan MacQuarrie, LLC

(211 East Water Street)

Mr. Hosmer stated the purpose of this request is to rezone approximately 1.30 acres of property generally located at 211 East Water Street from an HM, Heavy Manufacturing District to a CC, Center City District. The applicant intends a mixed-use development with businesses, parking and storage. Staff recommends approval.

Mr. Edwards opened the public hearing.

Ms. Pat Pierce, 2174 S. Farm Road 245, Rogersville, Mo., 65742 commented she is speaking in behalf of Clan MacQuarrie stating they are looking to rezone this for mixed office use and make it more compatible with the surrounding area. Ms. Pierce stated she is available for questions.

Mr. Hansen questioned what mixed use they have in mind.

Ms. Pierce stated that Center City to the southwest of this is offices; they are looking at going into an office development for the three (3) story building and for historical tax credits on that. It will remain as it is and they will infill with office space. The two (2) one story buildings on either side of it will be storage, warehouse, and possibly parking. To address any parking concerns they will be doing a traffic study.

Mr. Edwards closed the public hearing.

Mr. Ray motioned to approve Z-16-2014. Mr. Young seconded the motion. The motion carried as follows: Ayes: Edwards, Ray, Lawhon, Young, and Hansen. Nays: None. Abstain: None. Absent: Baird, White, Cox, and Shuler.

2. Conditional Use Permit 413
(1571 East Cherokee Street)

Steve Aton

Mr. Hosmer said this is a request to approve a Conditional Use Permit to allow a professional office, art gallery and art studio use as an adaptive use of a non-residential structure at 1571 East Cherokee Street in an R-SF, Residential Single-Family District. The applicant is requesting approval of a Conditional Use Permit to permit the adaptive use of the existing non-residential structure to allow a law office, art gallery and art studio use and for a 1,000 square feet addition. A conditional use permit allows for expansions of structures but not to exceed twenty (20) percent of the existing floor area of the structure or one-thousand (1,000) square feet with approval. There was a total of 9,000 square feet of existing structures on the property. This would equate to 1,800 square feet of allowable additional space, however, the applicant is only requesting an addition of 1,000 square feet for the use of an art gallery and art studio. 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. The applicant's proposal involves adaptive use of an existing non-residential structure in an R-SF District. There are requirements for the use permit as follows: The existing building may be reused for a (law office) professional and business office and an art gallery and art studio use. There shall be an additional building constructed according to the attached site plan not to exceed one-thousand (1,000) square feet. The location of the structures and parking shall be in substantial conformance with Attachment 4. Hours during which the establishment is open to the public shall be limited to a daily period extending from 7:00 a.m. to 6:00 p.m. The driveway from the street to the gate will have to be marked as a fire lane. Any signage shall conform to the standards set forth in Section 5-1400 of the Zoning Ordinance. All other standards of the Zoning Ordinance, and other applicable ordinances, shall be adhered to. Staff recommends approval.

Mr. Hansen questioned the fire lane designation is because of the wall around the lot. Mr. Hansen asked if the sheds count toward existing buildings.

Mr. Hosmer said he believes so; they want access for their trucks and the sheds count as existing buildings and part of the calculation for the overlay.

Mr. Edwards opened the public hearing.

Mr. Steve Aton, 6152 S. Farm Road 193, Rogersville, MO., 65742 commented this building was built in 1947 by his uncle and father and maintained as a construction company until 2012. All the sheds and buildings have been removed around it; the exterior has been renovated and their intention is to add a building that will be aesthetically similar to the building that is there so it will look like it was built at the same

time. Mr. Aton discussed the history of the site and its building and surroundings.

Mr. Edwards closed the public hearing.

Mr. Young asked with the removal of all the sheds the square footage is now gone; would that change the calculation of the footage to shuffle to new square footage.

Mr. Hosmer noted that staff is looking at it from the original 9000 square feet that was there. If anything is damaged or destroyed by seventy-five (75) percent, a fire or natural disaster, it would revert back to its underlying zoning. The Conditional Permit is only as good as the property as it stands.

Mr. Hansen motioned to approve Conditional Use Permit 413. Mr. Ray seconded the motion. The motion carried as follows: Ayes: Edwards, Ray, Lawhon, Young, and Hansen. Nays: None. Abstain: None. Absent: Baird, White, Cox, and Shuler.

3. Cellular & Wireless Facilities Amendments (City-wide)

City of Springfield

Mr. Hosmer commented this is an amendment to the Springfield Zoning Ordinance that would facilitate, for the benefit of the citizens of Springfield, use of existing or proposed street lighting structures or utility poles located in the rights-of-way or City or utility easements for cellular and wireless facility attachments. This proposal would allow wireless providers to attach to new or existing City or other Utilities' owned/maintained utility poles that are part of a utility system such as electrical distribution or street light structures in a safe and efficient manner. Any wireless provider that allows or attaches to a pole will still have to obtain authorization or approval to engage in the activity as a condition of using the City's rights-of-way. This will help to improve wireless coverage and capacity and reduce the need for tall multi-carrier towers, while mitigating impacts and maintaining safety for the traveling public on the rights-of-way and on easements. Mr. Hosmer said there would be a separation of four hundred (400) feet from these types of wireless facilities referring to the photo shop display showing a rendering of what the pole and attachment would look like at the top and bottom. The bottom of the pole would not be more than twenty (20) square feet and would be limited to right of way, along the right of way or within the easements adjacent to the right of way. Mr. Hosmer noted there are people from Building Development Services and City Utilities to address specific questions to this issue. There is a new wireless law coming into effect August 28, 2014 which allows these utilities and equipment to be placed adjacent to right of way.

Mr. Hansen asked who would be installing these attachments and utilizing these things.

Mr. Hosmer clarified different providers of cellular services which will improve coverage and capacity.

Mr. Hansen asked if the poles will all be as tall as the rendering.

Mr. Hosmer noted it is an existing pole.

Mr. Hansen asked if they would be allowed to put up new poles.

Mr. Chris Straw, Director of Building Development Services provided some background information. City Utilities approached the City in regard to putting in repeater antenna's so various phone companies would

be able to maintain signal in various areas where there are dead spots. For the last two years, BDS and City Utilities has worked together to evaluate this; the pole height is based on a matrix with regard to the zoning district. In the Heavy Manufacturing District you will have some taller poles, with the Residential District being the most restrictive in pole height. One of the criteria is the pole cannot be there for the sole purpose of serving the wireless individual. As show in the mockup, there is street light on the pole. It has to be tied to the utility company. If under the current zoning ordinance we were to allow this pole to exist without that light, now it becomes a cell tower and cell towers are not allowed within a residential zoning district. As they attempted to figure out how to work this by tying it to that utility and providing the street light, additional security and making that improvement as a function, if you will, of these poles so they become dual purpose then they were able to create the concept of allowing the cell tower component to be placed on top and the necessary electrical device that operates that down at the grade level. Again, pole height is based on the matrix in relationship to the zoning district.

Mr. Hansen asked if the repeater antenna's all looked like the mockup.

Mr. Straw stated he would let City Utilities address that question adding the photo is what it would look like in a residential neighborhood.

Mr. Edwards clarified that City Utilities is asking for this based on a law that is going to take effect.

Mr. Straw commented he would let City Utilities address that question.

Mr. Lawhon commented that theoretically these can be placed on any pole in any zoning district.

Mr. Straw said correct, with height restrictions and spacing of the poles of four hundred (400) feet separation.

Mr. Edwards commented there will not be have any action involving Planning and Zoning Commission if one was put in the Rountree Neighborhood.

Mr. Straw said no. Any inquires will go to City Utilities; CU will manage this entire concept with regard to these poles. City Utilities monitors all that and they know the locations of the poles; BDS involvement would be in limited to the electrical portion to confirm it is permitted and inspected and meter released.

Mr. Tom Murren, City Utilities, 3008 E. Carlisle, Springfield stated he and Mr. Straw have been working on this for some time. Mr. Murren stated he is the Director of SpringNet so the broadband side of the responsibilities for City Utilities. The first inquiry from the wireless industry in general was in 2010 so for four (4) years they have been working with the wireless industry and with their internal departments, specifically the electric department and with Chris Straw and his group.

Mr. Murren stated the relationship to height; they did construct that specific pole and took a picture of it on the east side of town. It is a fifty (50) foot pole to the top of the antenna that you would see that is that separate cylindrical piece at the top, purposely done if you look at the other side of the street; an average distribution pole that you will find in a residential neighborhood is thirty-five (35) feet for City Utilities. That is what is reflected on the left hand side of the photo and it is a correct ratio so you can image in a residential neighborhood the height that's approximately the same. What City Utilities will own and have the responsibilities for maintenance and liability of is the pole, the electric service to that pole, so if anything

happens to that pole, that's CU's responsibility for whatever reason. The boxes at the base and there are some small cables that go up the top and then the antenna at the top is owned by the individual carrier. This is a natural progression. As wireless carriers, this is called small cell technology, it is signal strength, how many bars do you have on your telephone and then it's capacity, so you get in more densely populated or heavily used areas, apartment buildings where the younger population are watching TV on their cell phone, it's more data capacity, that is what these are intended to address. Mr. Murren noted there are at least four (4) carriers in town and it's not unreasonable to think that if they do not structure the distance between these poles, you could have all four (4) carriers wanting their own installation. That is not the case, provisions have been made to accommodate and the has not been accepted by wireless carriers with open arms, but they are trying to find something where the utility can bring its knowledge, assets, resources and capabilities because we are a community owned resource, we are simply not going to put these things right in the front of someone's house. Mr. Murren said they are sensitive to the community and our community is the only community they serve so they are sensitive to where the placement of those are. Mr. Murren said he is not certain what the law will permit them to do but they are trying to accommodate them and be sensitive to the neighborhoods and try to bring resources to the table that the utility can do for them. The size will probably not get any larger then what you see in the photo, he anticipates with time it getting smaller. There is already discussion where those boxes shrink and they actually become part of the antenna at the top with nothing at the base.

Mr. Young asked if everything at the base; is this mocked up from one carrier or would this be the max at the base of the pole or would they be stacked on top of one another if it was Company A, Company B, Company C, then.

Mr. Murren stated that is one carrier and that is one particular carrier's or platform specifically the type of hardware that they have purchased. There are provisions within the ordinance where the carrier's cannot obstruct the vision. From a practical standpoint the carriers are all looking at between thirty (30) and fifty (50) feet; the days of two hundred (200) feet are virtually over for small cell technology. It is not signal strength on the horizon, its signal within blocks because they know from the marketing data exactly where their people are using their phones compliments of GPS and triangulation. Mr. Murren commented you potentially could see two (2) on here, adding in his professional opinion, three is not going to meet the RF or the radio frequency needs of the carrier because that small cylindrical piece at the top, they have to get separation between those so you are going to see those moved down between four (4) feet to maybe six (6) feet. That third carrier is going to be far enough down the pole that the RF signal strength is not going to penetrate well enough so it's most likely a two (2) carrier solution and then four hundred (400) feet elsewhere the next carrier will have work.

Mr. Young asked how CU is going to handle four (4) carriers; will there be a bidding war about who gets what pole or is it first come, first serve.

Mr. Murren stated that not all the carriers are not all adopting small cell technology at the same time so it is not a perfect storm for a bidding war, there are two major carriers in town who are first to adopt the technology. The smaller carriers are not quite there yet. If you get into an highly sought after area with small signal strength or absence of capacity in one block you accommodate one or two carriers and then you could go blocks on either side so they are out of sight of the homes that you see up and down the street you see in the photo here and address the RF needs.

Mr. Hansen stated there could be potentially three (3) of these cans on a pole; one would be on top but the

other two would be side mounted somehow.

Mr. Murren stated that he would like to suggest if he may, two, from a practical standpoint. Cans, if you will, separated horizontally, they interfere with one another so the transmit of one can is going to interfere with the receiver of the other can so they need separation; they need vertical separation not horizontal and then you begin to compromise the fifty (50) feet because if the first one is at fifty (50) feet, then the next one is at forty-four (44) feet and you get further down the pole. So from a practical standpoint, Mr. Murren said he does not personally see these being a solution beyond two (2) carriers at the top. Then let's have the discussion down at the base of the pole. What is the technology that you are implementing? One may be a technology that requires those size cabinets (referring to the photograph) the other may be something the size of your I-pad that is four (4) times thicker.

Mr. Hansen stated that his hesitation is the three phone boxes next to his driveway on the adjacent property and it rankles and if we start to gob these things on poles every four hundred (400) feet that would be dreadful.

Mr. Murren stated he does not have an answer to his question. The cabinets Mr. Hansen spoke of are from a completely separate industry.

Mr. Hansen asked what kind of revenue stream would be expected from that.

Mr. Murren stated this gets into a grey area. By law, City Utilities has to make its poles available for attachment and it has been that way for many years. The formulas are well established at the FCC level as are the rates for that attachment and they are based on how much space of that pole you are occupying. That installation is different. It is not a tangential attachment occupying one foot of a pole. It attaches at the bottom and occupies everything going all the way up to the top. It complicates an electrical attachment if the electrical attachment comes secondary, so there are different models for revenue stream from the utility. Mr. Murren stated there is an agreement between City Utilities and the City of Springfield regarding the use of the public right-of-way for applications such as this; something that has been a difference of opinion for some time. There is opportunity for revenue for both the City and City Utilities. If we were to say no to these folks they will just go somewhere else and then there is less control if you will.

Mr. Hansen asked Mr. Murren how many of these would be distributed around the city proper, within the city limits.

Mr. Murren stated he could venture a guess.

Mr. Hansen asked if they would be every four hundred (400) feet around the city.

Mr. Murren said no. The carriers are driven by two purposes, signal strength and the other capacity. They have very specific areas they are targeting. The ongoing costs associated with this are miniscule compared to the capital cost that you see. An investment specifically for this community from one carrier likely will exceed twenty million dollars so it's a significant capital investment on their standpoint into a highly competitive market.

Mr. Ray noted that he understood Mr. Murren to say that this is not the same as the rent they would pay for the linear lines running on the poles, and even though this takes up the entire vertical length of the pole it

would not calculate to a rent payment to City Utilities who actually has to maintain the pole and replace it if it should be damaged, is that correct.

Mr. Murren stated the attachment to that pole you see is different than the attachment that we have had by Cable TV and telephone companies for many years and it is a formula that the Federal Government has said this is how you figure it out. City Utilities is receiving a maintenance fee and an attachment fee from the carriers such that CU can pay for the capital investment because this is not something they can transfer to the electric rate. That is not allowed. The carriers will bear the cost, the capital and ongoing costs; they are a wireless company so they are not the wired because each one of these requires communications to the base of it. That is a competitive market and yes SpringNet is one of those competitors and could choose to buy what's called Back All from SpringNet, City Utilities. They can choose to buy Back All from AT&T or from Media-Com; the wireline carriers pay to be in the public right-of-way.

Mr. Edwards closed the public hearing.

Mr. Edwards noted this is a natural progression of where technology is going adding he is inclined to support this. Everyone wants the interest of the citizens to be upheld here and all the protections to be afforded and in the case the City and City Utilities has done their home work and really put in the administrative groundwork for that.

Mr. Lawhon stated that if this is something that will increase signal strength and capacity in the substantially unobtrusive, then he is in support of the proposal.

Mr. Ray commented this would be better than seeing fifty new two hundred (200) foot cell towers on the fringes of town or within the commercial or industrial district, is that correct.

Mr. Hosmer said yes.

Mr. Young voiced support for the proposal.

Mr. Lawhon motioned to approve the Cellular & Wireless Facilities Amendments. Mr. Hansen seconded the motion. The motion carried as follows: Ayes: Edwards, Ray, Lawhon, Young, and Hansen. Nays: None. Abstain: None. Absent: Baird, White, Cox, and Shuler.

IV. UNFINISHED BUSINESS:

There being no further business, the meeting was adjourned at approximately 7:25 p.m.

Bob Hosmer, AICP
Principal Planner

Springfield City Council Meeting Minutes August 4, 2014

The following bills appeared on the agenda under Second Reading Bills:

Bufferyard Reductions for Small Lots

Sponsor: Burlison. Council Bill 2014-154. A general ordinance amending the Springfield Land Development Code, Article I, Zoning Ordinance, to add a new Subsection 6-1217, Maximum Bufferyard Area, to allow bufferyard reductions for small lots. (Both Planning and Zoning Commission and staff recommend approval.)

Mayor Pro Tem Seifried moved to amend the proposed by amending Exhibit A by replacing the first sentence of the new Zoning Code section with the following language:

In order to ensure that the development of smaller properties in the following Industrial Districts (RI, Restricted Industrial; LI, Limited Industrial; GM, General Manufacturing; HM, Heavy Manufacturing; and IC, Industrial Commercial) is not unreasonable restricted by the bufferyard requirements of this Section, the required bufferyard area provided on property may be modified as follows.

Doug Burlison seconded the motion and it was approved by the following vote: Ayes: Seifried, Carroll, Fishel, Compton, Fisk, Rushefsky, Hosmer, Burlison, and Stephens. Nays: None. Absent: None. Abstain: None.

Rezoning: 2150 West Republic Road

Sponsor: Compton. Council Bill 2014-155. A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately 5.63 acres of property, generally located at 2150 West Republic Road, from an R-SF, Single-Family Residential District, to a GR, General Retail District and establishing Conditional Overlay District No. 75. (Planning and Zoning Commission and staff recommend approval). (By: John Calvin Presbyterian Church; 2150 West Republic Road; Z-12-2014 & Conditional Overlay District No. 75.)

Councilman Compton noted he asked for the proposed to be removed from the Consent Agenda. He added he does support the proposed, but would like 08/04/2014 to ask staff to look for opportunities to apply grants or another funding option in that area to deal with some of the stormwater issues. Councilman Compton expressed his support of the upcoming Council Lunch to discuss stormwater concerns throughout the City.

Council Bill 2014-155. General Ordinance 6130 was approved by the following vote: Ayes: Seifried, Carroll, Fishel, Compton, Fisk, Rushefsky, Hosmer, Burlison, and Stephens. Nays: None. Absent: None. Abstain: None.

Springfield City Council Meeting Summary – Aug. 18, 2014

Official minutes will be distributed at a later time.

Amended Council Bill 2014-154 (Burlison) Citizens May Speak To Amendment Only. (Passed Unanimously)

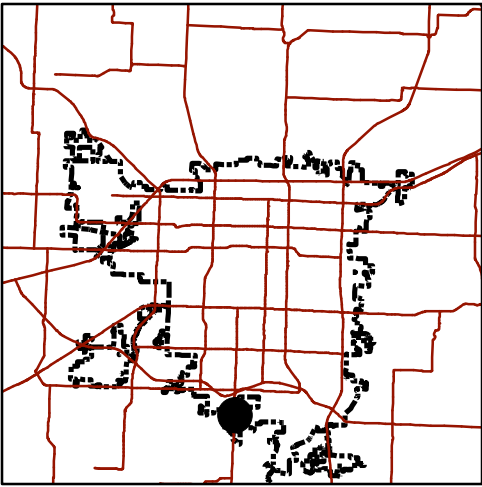
A general ordinance amending the Springfield Land Development Code, Article I, Zoning Ordinance, to add a new Subsection 6-1217, Maximum Bufferyard Area, to allow bufferyard reductions for small lots. (Both Planning and Zoning Commission and staff recommend approval.)

Council Bill 2014-170 (Fishel) (Passed 7-2, With Burlison and Hosmer In Opposition)

A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately 18.61 acres of property generally located at 1530 East Erie Street from Planned Development District No. 323 to Planned Development District No. 323 Amended. (Both Planning and Zoning Commission and Staff recommend approval.) By: TLC Properties, 1530 E. Erie Street; PD 323 Amended.

Council Bill 2014-169 (Hosmer) (Seifried Makes Motion To Amend To Allow Additional Telecommunication Companies To Participate. Substitute Motion Was To Table The Amendment And Bill. Motion To Table Passes Unanimously.)

A general ordinance amending the Springfield Land Development Code, Article I, Zoning Ordinance, Division I, Intent, Purpose, and General Provisions, and Division V, Supplemental District Regulations, to allow the use of utility poles for wireless telecommunications support structures. (Both Planning and Zoning Commission and staff recommend approval.)



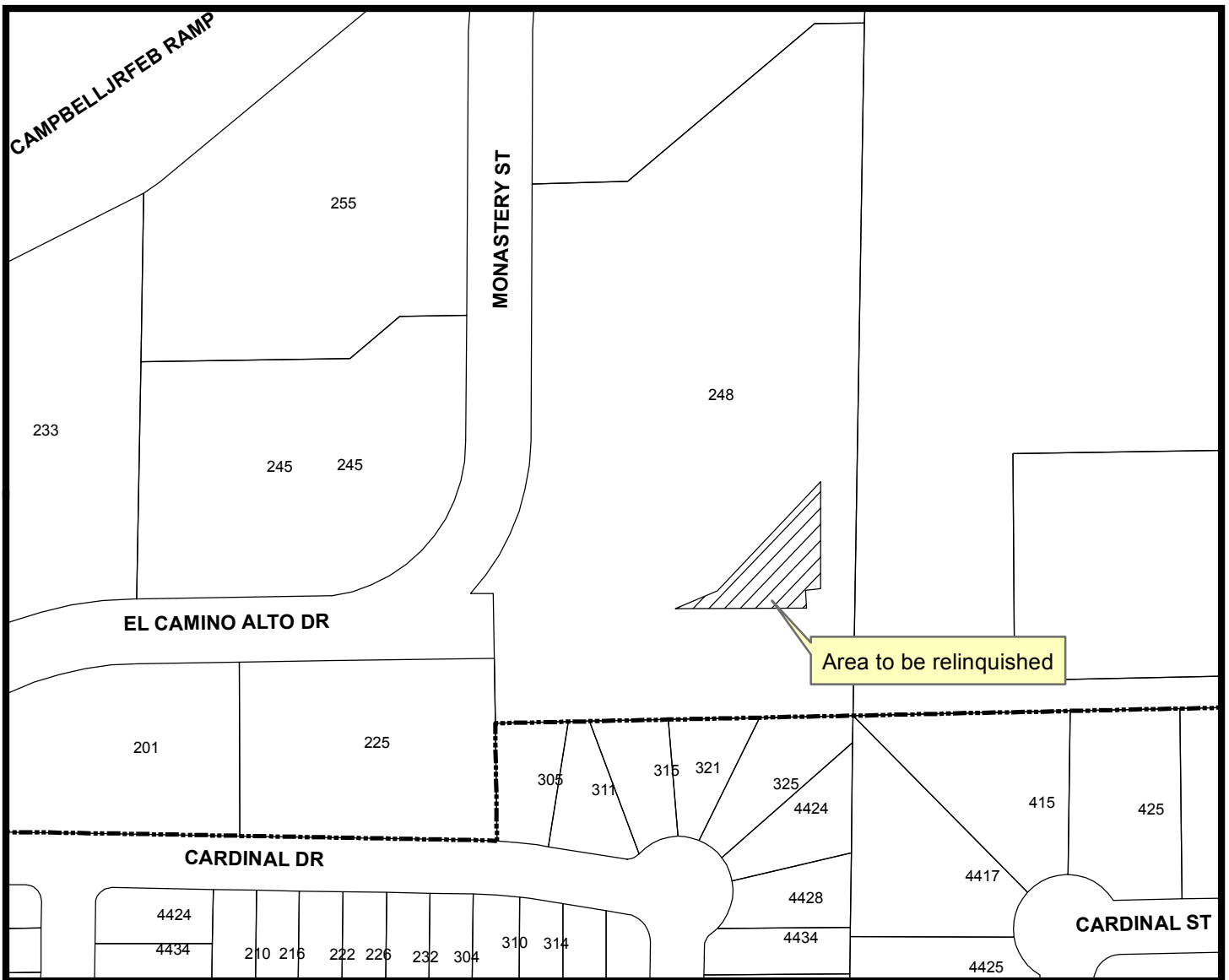
Zoning & Subdivision Report

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

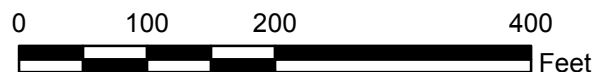
Relinquish Easement 810

Location: 248 E Monastery Street

LOCATION SKETCH



- Area of Proposal



1 inch = 150 feet

Zoning & Subdivision Report

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

REQUEST TO RELINQUISH EASEMENT NUMBER 810

DATE: August 26, 2014
PURPOSE: To relinquish a drainage easement
LOCATION: 248 E. Monastery Street
APPLICANT: Coryell Commons, LLC

RECOMMENDATION:

The request be **approved**.

FINDING:

The request meets the approval criteria listed in Attachment 2.

STAFF CONTACT PERSON:

Michael G. Sparlin
Assistant Planner

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

ATTACHMENT 1
RELINQUISH EASEMENT NO. 810
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish a drainage easement. The relinquishment will facilitate the development of the property. The applicant is providing a replacement easement.

STORMWATER ENGINEERING COMMENTS:

No objections to easement relinquishment.

STAFF COMMENTS:

1. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect public utilities.
2. The applicant is requesting to relinquish a drainage easement. The relinquishment will facilitate the development of the property. The applicant is providing a replacement easement. The development will still meet stormwater requirements.
3. No one has objected to this request to date.

ATTACHMENT 2
RELINQUISH EASEMENT NO. 810
APPROVAL CRITERIA

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

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

STAFF RESPONSE:

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

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

STAFF RESPONSE:

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

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

STAFF RESPONSE:

The retention of the subject easement no longer serves a public purpose. The applicant is providing a replacement easement.

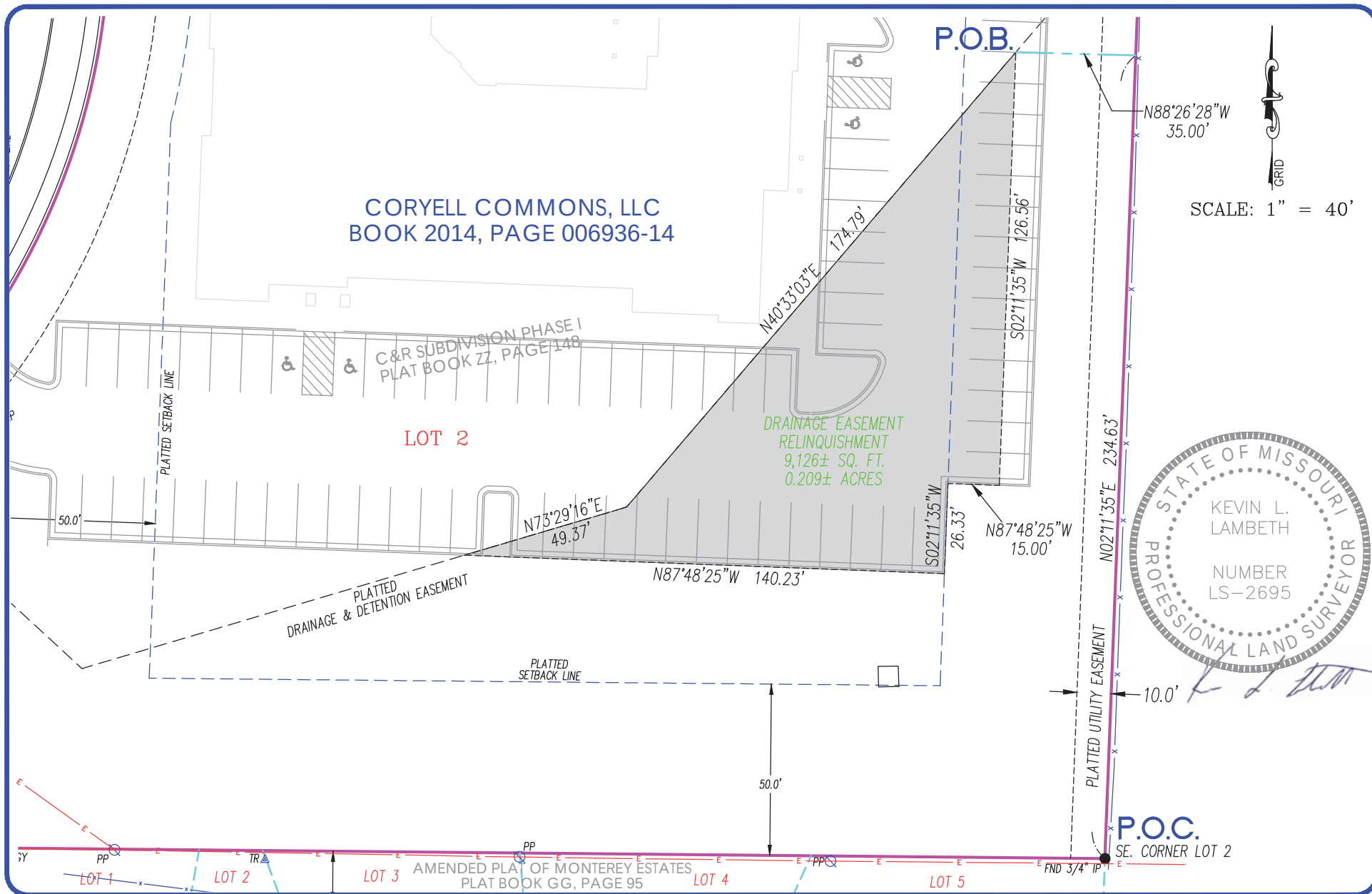
RELINQUISH EASEMENT NO. 810
EXHIBIT A

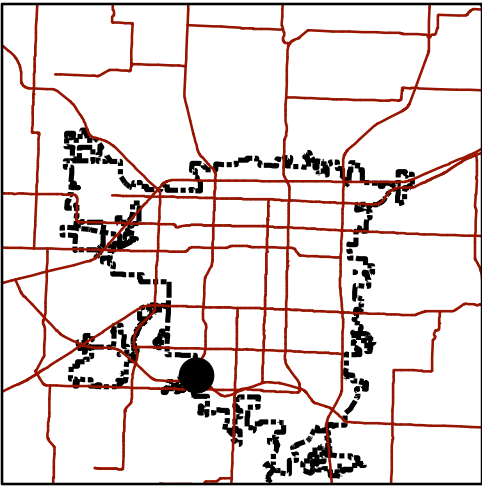
RELINQUISHMENT DESCRIPTION

AN IRREGULAR SHAPED DETENTION EASEMENT BEING A PART OF LOT 2 OF C & R SUBDIVISION PHASE 2 AS DESCRIBED IN PLAT BOOK ZZ, PAGE 148 AND ALSO DESCRIBED IN THE GREENE COUNTY, MISSOURI, RECORDER'S OFFICE IN BOOK 2014, PAGE 006936-14 AND SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 2 OF C & R SUBDIVISION PHASE 2; THENCE ALONG THE EAST LINE OF LOT 2, NORTH 02°11'35" EAST, 234.63 FEET; THENCE LEAVING SAID EAST LINE, NORTH 88°26'28" WEST, 35.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 02°11'35" WEST, 126.56 FEET; THENCE NORTH 87°48'25" WEST, 15.00 FEET; THENCE SOUTH 02°11'35" WEST, 26.33 FEET; THENCE NORTH 87°48'25" WEST, 140.23 FEET TO A POINT LYING ON THE WESTERLY LINE OF A PLATTED DETENTION EASEMENT; THENCE ALONG SAID WESTERLY LINE, NORTH 73°29'16" EAST, 49.37 FEET; THENCE NORTH 40°33'03" EAST, 174.79 FEET TO THE POINT OF BEGINNING. ALL LYING IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 28 NORTH, RANGE 22 WEST, IN GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.

CONTAINING 9,126 SQUARE FEET OR 0.209 ACRES, MORE OR LESS.





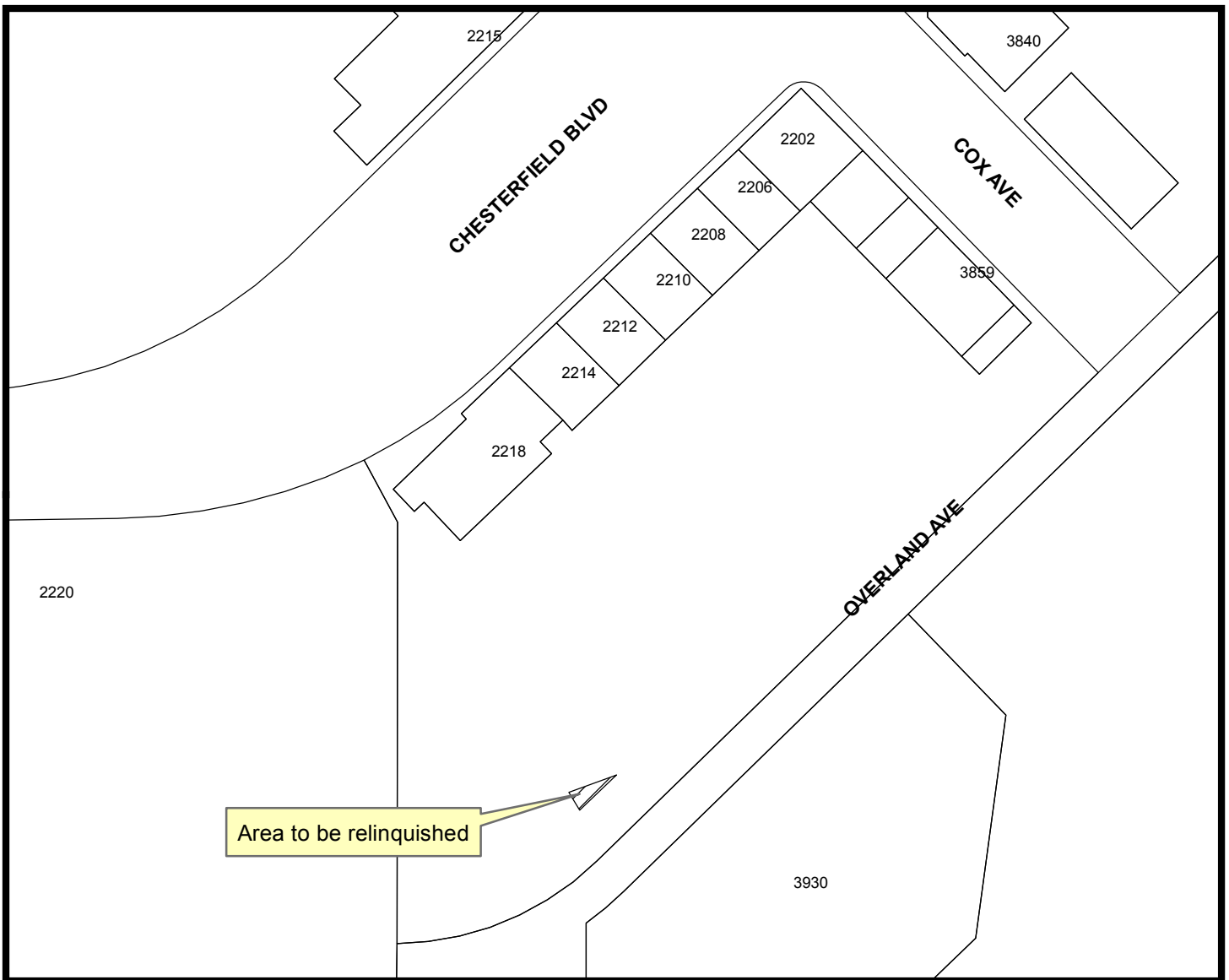
Zoning & Subdivision Report

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

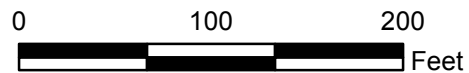
Relinquish Easement 811

Location: 2200 W. Chesterfield Blvd.

LOCATION SKETCH



- Area of Proposal



1 inch = 100 feet

Zoning & Subdivision Report

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

REQUEST TO RELINQUISH EASEMENT NUMBER 811

DATE: August 26, 2014

PURPOSE: To relinquish a utility, sanitary sewer & private access easement

LOCATION: 2200 W. Chesterfield Blvd.

APPLICANT: Chesterfield Square Property Owner's Association

RECOMMENDATION:

The request be **approved**.

FINDING:

The request meets the approval criteria listed in Attachment 2.

STAFF CONTACT PERSON:

Michael G. Sparlin
Assistant Planner

Attachment 1: Background report

Attachment 2: Approval criteria

Exhibit A: Legal description

Exhibit B: Drawing

ATTACHMENT 1
RELINQUISH EASEMENT NO. 811
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish a small portion of a utility, sanitary sewer and private access easement. The relinquishment will facilitate the development.

CLEAN WATER SERVICES COMMENTS:

No impact on public sewer. No objections with relinquishment of easement.

CITY UTILITIES COMMENTS:

No objection to relinquishment. No impact on City Utilities facilities.

AT&T COMMENTS:

No objections with relinquishment of easement.

TRAFFIC COMMENTS:

No impact on right-of-way. No objections with relinquishment of easement.

STAFF COMMENTS:

1. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect public utilities.
2. The applicant is requesting to relinquish a small portion of a utility, sanitary sewer and private access easement. The relinquishment of a small portion of the original easement will facilitate the development of the property. The applicant plans to build enclosed garages in this location.
3. No one has objected to this request to date.

ATTACHMENT 2
RELINQUISH EASEMENT NO. 811
APPROVAL CRITERIA

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

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

STAFF RESPONSE:

No one has objected to relinquishing the easement to date.

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

STAFF RESPONSE:

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

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

STAFF RESPONSE:

The retention of the subject easement no longer serves a public purpose.

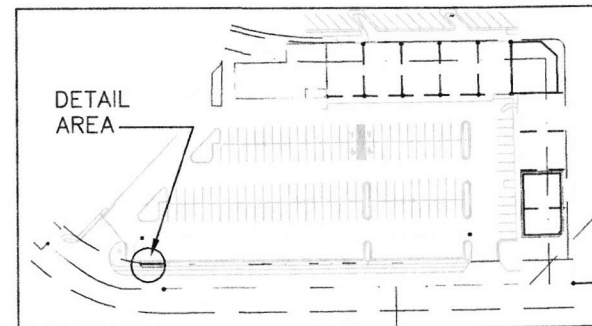
RELINQUISH EASEMENT NO. 811
EXHIBIT A

RELINQUISHMENT DESCRIPTION

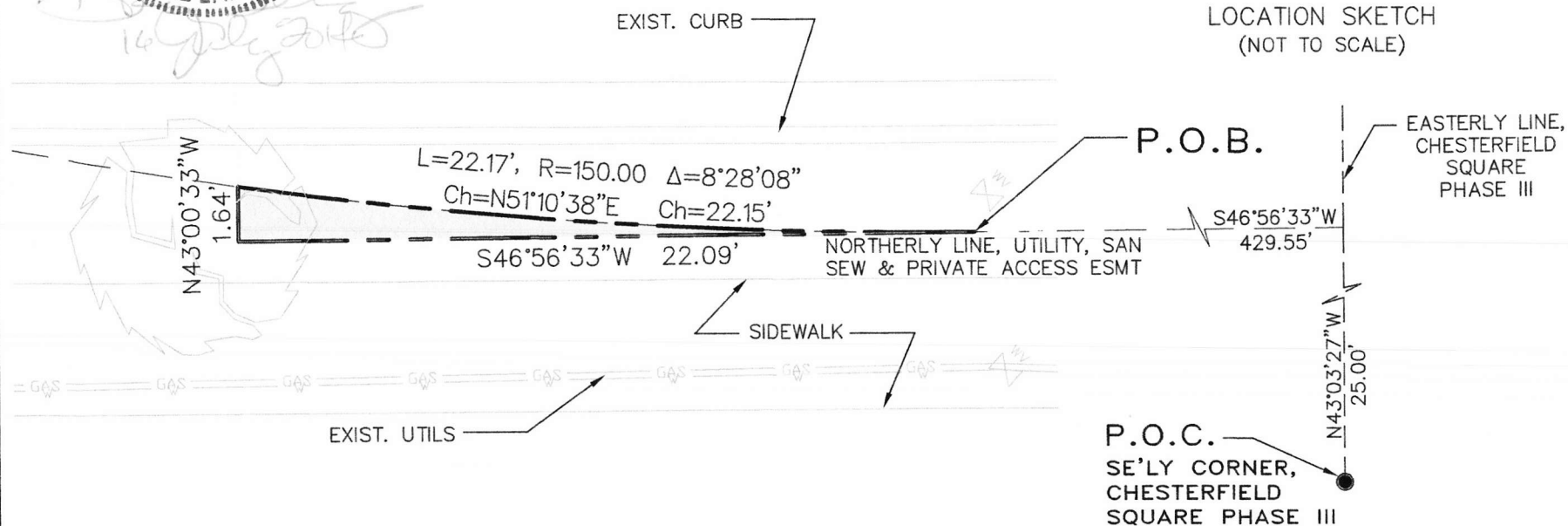
Commencing at the Southeasterly corner of Chesterfield Square Phase III, as shown on the recorded plat thereof, said point being the intersection of the centerline of Overland Avenue and the West right-of-way of Cox Road; thence, North 43°03'27" West, along and with the Easterly line of said Chesterfield Square Phase III (Westerly right-of-way of Cox Road); a distance of 25.00 feet to the intersection of said East line with the Northerly line of a platted 50' Utility, Sanitary Sewer and Private Access Easement; thence, South 46°56'33" West, along and with said Northerly line, a distance of 429.55 feet to a point of curvature on said easement line and the POINT OF BEGINNING; thence, continue South 46°56'33" West, along and with the Southwesterly extension of the tangent of said easement line, a distance of 22.09 feet; thence, North 43°00'33" West, a distance of 1.64 feet to the Northerly line of the platted easement; thence, Southeasterly along and with a 150.00 foot radius curve to the left, having a chord bearing of North 51°10'38" East and chord length of 22.15 feet, an arc distance of 22.17 feet to the POINT OF BEGINNING, containing 12 square feet.



CHESTERFIELD SQUARE PHASE III COMMON AREA



LOCATION SKETCH
(NOT TO SCALE)



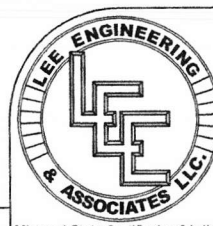
NOTE:

THIS DRAWING HAS BEEN PREPARED ONLY AS AN EXHIBIT TO ILLUSTRATE NEW EASEMENTS TO BE DEDICATED BY RECORDED INSTRUMENTS AND IS NOT TO BE CONSTRUED TO REPRESENT A PROPERTY BOUNDARY SURVEY.

DATE: 07/02/2014

CHESTERFIELD SQUARE PHASE III
EASEMENT RELINQUISHMENT

PROJECT NO.:
340



Missouri State Certificate of Authority
Engineering #2005015504
Land Surveying #2009028050

LEE Engineering & Associates, L.L.C.

2101 W. Chesterfield Blvd, Suite C202

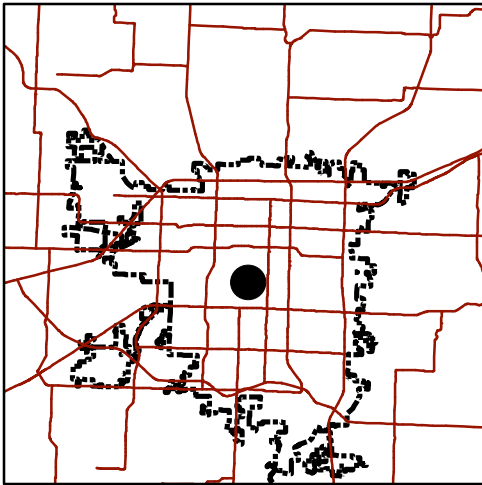
Springfield, Missouri 65807

417-886-9100 (phone)

417-886-9336 (fax)

dlee@leeengineering.biz

"Engineering with Integrity"



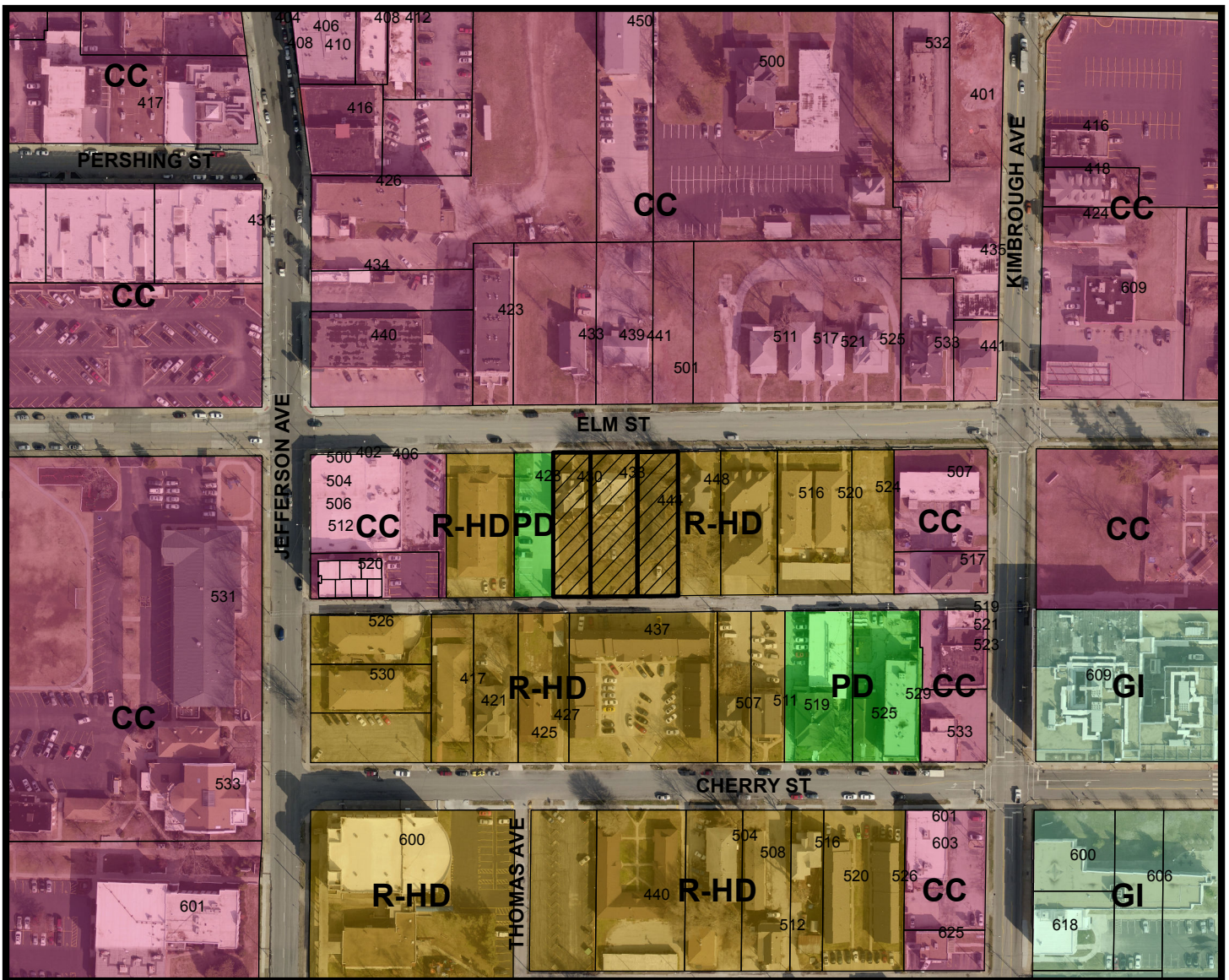
Zoning & Subdivision Report

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

Z-17-2014

Location: 430, 438 and 444 East Elm Street
Current Zoning: R-HD, High Density Multi-Family Residential District
Proposed Zoning: CC, Center City with COD#80

LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

EXPLANATION TO COUNCIL BILL NO: 2014-_____

FILED:

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 0.62 acres of property generally located at 430, 438 and 444 East Elm Street from an R-HD, High Density Multi-Family Residential District to a CC, Center City District and establishing Conditional Overlay District No. 80.

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-17-2014 COD# 80

The applicant is requesting to rezone the subject property from an R-HD, High Density Multi-Family Residential District to a CC, Center City District with a COD. The applicant intends a mixed-use development with businesses and residential uses. The accompanying Conditional Overlay District will provide for parking requirements for the residential uses, however the number of off-street parking spaces can be reduced up to 20% of the required parking by providing bicycle parking spaces at a rate of two (2) bicycle spaces for each required off-street automobile space.

Supports the following Field Guide 2030 goal(s): Chapter 6, Major Goal 4: Develop the community in a sustainable manner. Objectives 4a and 4b

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on September 4, 2014 and recommended , by a vote of to , of the proposed zoning on the tract of land described on the attached sheet (see the attached Record of Proceedings).

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

FINDINGS FOR STAFF RECOMMENDATION:

1. The Comprehensive Plan recommends more density and intensity in the greater downtown area similar to the land uses within the Center City District.
2. The requested CC, Center City zoning is consistent with the existing CC zoning to the north of the subject property.
3. The accompanying Conditional Overlay District will provide parking requirements for residential uses.

4. The proposed zoning will accommodate mixed-use buildings with strong pedestrian orientation at this location which is recommended and encouraged within the greater downtown area.

Recommended by:

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 Subdivisions Staff Report

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Neighborhood Meeting Summary

EXHIBIT A
RECORD OF PROCEEDINGS
ZONING CASE Z-17-2014 CONDITIONAL OVERLAY DISTRICT NO. 80

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

EXHIBIT B
LEGAL DESCRIPTION
ZONING CASE Z-17-2014 CONDITIONAL OVERLAY DISTRICT NO. 80

ALL OF THE EAST THIRTY-SIX (36) FEET OF LOT SEVEN (7) AND THE WEST TEN (10) FEET OF LOT NINE (9) IN JOHN LAIR'S ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

AND ALSO

ALL OF LOT NINE (9), EXCEPT THE EAST SIXTEEN (16) FEET AND EXCEPT THE WEST TEN (10) FEET THEREOF, IN JOHN LAIR'S ADDITION, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF,

AND ALSO

THE EAST SIXTEEN (16) FEET OF LOT NINE (9) AND THE WEST THIRTY-FOUR (34) FEET OF LOT ELEVEN (11) IN JOHN LAIR'S ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

EXHIBIT C
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-17-2014 & CONDITIONAL OVERLAY DISTRICT NO. 80

The requirements of *Section 4-3400* of the *Springfield Zoning Ordinance* shall be as modified herein for development within this district.

1. The subject property will have to meet the off-street parking requirements for residential uses, however the number of parking spaces can reduced by 20% by providing bicycle parking spaces at a rate of two (2) bicycle spaces for each required off-street automobile parking space.
2. The adjacent alley to the south will have to constructed to 20 feet of pavement where 20 feet does not currently exist along the property frontage east to Kimbrough.
3. A Traffic Study will have to be completed and approved by Public Works Traffic Division prior to any development on the property.

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-17-2014 CONDITIONAL OVERLAY DISTRICT NO. 80

DATE: August 21, 2014

LOCATION: 430, 438 and 444 East Elm Street

APPLICANT: So EL District, LLC

TRACT SIZE: Approximately 0.62 acres

EXISTING USE: Multi-family uses

PROPOSED USE: Uses permitted in the CC, Center City District (mixed uses)

SURROUNDING LAND USES:

AREA	ZONING	LAND USES
North	CC	Multi-family residential uses
East	R-HD	Multi-family residential uses
South	R-HD	Multi-family residential uses
West	PD/ R-HD	Parking and multi-family residential uses

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not have any issues with rezoning the subject property to CC, Center City District.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

1. The alley will have to constructed to 20 feet of pavement where 20 feet does not currently exist along the property frontage east to Kimbrough.
2. Rezoning to CC automatically triggers a Traffic Study. This can be done prior to development based on what is being developed.
3. Right of way on Elm Street is adequate.
4. Sidewalk already exists along the property frontage on Elm Street.

STORMWATER COMMENTS:

1. There are no Stormwater issues with rezoning this property; however, please note that development (or re-development) of the property will be subject to the following conditions at the time of development:
 - a. Any increase in impervious area from 1985 aerial photo information will require the development to meet current detention and water quality requirements. Impervious surfaces in place prior to 1985 and currently in good condition can be credited as existing impervious surface. Existing gravel surfaces meeting the above definition are only eligible for 50% credit.
 - b. Payment in lieu of construction of detention facilities may be approved on a case by case basis, depending on downstream and other conditions. A Buyout Application must be submitted for full consideration. Cost of downstream improvements may be credited towards the payment in lieu of constructing detention. While a buyout is an option the City prefers a low impact development.
 - c. The proposed percent of impervious surfacing must not exceed the maximum impervious surfacing allowed for site by zoning, platting, and/or previous stormwater reports. If site is located within a Planned Development District, stormwater requirements in PD language must be met.
2. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or a drainage easement.
3. Based upon City contour and sinkhole information, no sinkholes exist on the site and the site is not within a sinkhole watershed.
4. Based upon City data, no significant offsite concentrated stormwater flow exists upstream of the subject property.

CLEAN WATER SERVICES COMMENTS:

No objections to rezoning

CITY UTILITIES:

No objection to the rezoning request. There will not be an impact on City Utilities. Keep in mind that adequate room needs to be available to provide utility service even if there is not a required setback.

ADJACENT PROPERTY OWNER COMMENTS:

Eighteen (18) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. No one has objected to date.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on August 7, 2014. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. The applicant is proposing to rezone the subject property from an R-HD, High Density Multi-Family Residential District to a CC, Center City District to allow for mixed use development at this location. The subject property is within the Center City Activity Center as shown in the *Growth Management and Land Use Plan* element of the *Comprehensive Plan*. Activity Centers are identified as areas of significant business and high-density housing. It is intended that additional development be concentrated in and around these activity centers to optimize transportation investments, citizen convenience, investor confidence and a compact growth pattern. Properties within Activity Centers are to be intensively and efficiently used. The subject property would fit within these criteria.
2. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* also designates this area within the Greater Downtown land use district. This district, which pertains to the downtown and University Plaza portions of Center City, promotes high-intensity office, retail and housing, preferably in mixed-use buildings with a strong pedestrian orientation. It suggests that the most appropriate zoning district for this location would be the Center City District.
3. This proposal did not require a Multi-Family Location and Design Guidelines assessment per CC, Center City District regulations.
4. The CC, Center City District does not require off-street parking. The applicant is requesting a conditional overlay district that will meet the required parking for residential uses. The total required parking can be reduced by 20% of the total number of parking spaces required by providing bicycle parking spaces at a rate of two (2) bicycle spaces for each required off-street automobile space.
5. The adjacent alley will have to be constructed to 20 feet of pavement where 20 feet does not currently exist along the property frontage east to Kimbrough and a Traffic Study will have to be completed and approved by Public Works Traffic Division prior to any development on the subject property.
6. The subject property is within walking and bicycling distance of the MSU campus, the downtown area and bus stops. In addition there is a good sidewalk system and marked bike routes in the area.

FINDINGS FOR STAFF RECOMMENDATION:

1. The requested CC, Center City zoning is consistent with the existing CC zoning to the north.
2. The Comprehensive Plan recommends more density and intensity in the greater downtown area similar to the land uses within the Center City District.

3. The proposed zoning will accommodate mixed-use buildings with strong pedestrian orientation at this location which is recommended and encouraged within the greater downtown area.

RECOMMENDATION:

Staff recommends **approval** of this request.

CITY COUNCIL:

September 22, 2014

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner
864-1834

430 E Elm - 185 foot mailing list

S JEFFERSON AVE

E ELM ST

E CHERRY ST

S THOMAS AVE



DISCLAIMER: All information included on this map or digital file is provided "as-is" for general information purposes only. The City of Springfield, and all other contributing data suppliers, make no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of the data for any particular use. Furthermore, the City of Springfield, and all other contributing data suppliers, assume no liability whatsoever associated with the use or misuse of the data.



0 40 80 160 240 320 Feet

ASSEMBLIES OF GOD EVANGEL
1111 N GLENSTONE AVE
SPRINGFIELD MO 65802

BENSON, JERALD D
5912 S FARM ROAD 183
ROGERSVILLE MO 65742

CHERRY PROPERTIES LTD
1010 E ELM ST
SPRINGFIELD MO 65806

CLIFTON, STEVEN
18915 EMBER TRAILS DR
HOUSTON TX 77094

CLIFTON, STEVEN
18915 EMBER TRAILS DR
HOUSTON TX 77094

CLIFTON, STEVEN
18915 EMBER TRAILS DR
HOUSTON TX 77094

EN VESTMENTS LLC
4946 S ELDON AVE
SPRINGFIELD MO 65810

FAMILY VIOLENCE CENTER INC
PO BOX 5972
SPRINGFIELD MO 65801

HOOVER, JAMES BRIAN
440 S JEFFERSON AVE
SPRINGFIELD MO 65806

INFUSINO, MELISSA ANN
2661 FARM ROAD 81
LONG BEACH CA 90815

ONE HUNDRED TWO GLENSTONE INC
453 S PATTON AVE
SPRINGFIELD MO 65806

ONE HUNDRED TWO GLENSTONE INC
453 S PATTON AVE
SPRINGFIELD MO 65806

ONE HUNDRED TWO GLENSTONE INC
453 S PATTON AVE
SPRINGFIELD MO 65806

ONE HUNDRED TWO GLENSTONE INC
453 S PATTON AVE
SPRINGFIELD MO 65806

ONE HUNDRED TWO GLENSTONE INC
453 S PATTON AVE
SPRINGFIELD MO 65806

PEN REAL II LLC
447 SOUTH AVE
SPRINGFIELD MO 65806

PICKWICK PLACE LLC
205 E PARK CENTRAL SQ
SPRINGFIELD MO 65806

RODGERS, EDDIE L ETAL TR
1890 W MOUNT VERNON ST
SPRINGFIELD MO 65802

SO EL DIST LLC
431 S JEFFERSON AVE
SPRINGFIELD MO 65806

SO EL DIST LLC
431 S JEFFERSON ST
SPRINGFIELD MO 65806

SPFD COMMONS LP
205 W WALNUT ST
SPRINGFIELD MO 65806

SPFD COMMONS LP
205 W WALNUT ST
SPRINGFIELD MO 65806

STAT PROP LLC
1414 S CAMPBELL AVE
SPRINGFIELD MO 65807

TUCK INV LLC
4466 S DELAWARE AVE
SPRINGFIELD MO 65804

WHEELER, TRACY W
1012 E WALNUT ST
SPRINGFIELD MO 65806

EXHIBIT 2: NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: R-141D to CC
(existing zoning) (proposed zoning)
2. Meeting Date & Time: August 7, 2014 4-6:30pm
3. Meeting Location: Midtown Carnegie Branch Library, 3912 E. Central
4. Number of invitations that were sent: 39
5. How was the mailing list generated: City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 2
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.)

2 verbal comments same as written comments below. (See Attached)

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

Written Comments Attached:

- ① Water Pressure not affected by this rezoning
We are not putting the building on property line. Setting building back 15 feet.
- ② Providing parking w/conditional overlay.

[illegible]

LEE ENGINEERING AND ASSOCIATES, L.L.C.

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

TELEPHONE: (417) 886-9100

SPRINGFIELD, MO 65807
dlee@leeengineering.biz

FACSIMILE: (417) 886-9336

COMMENT SHEET

①

Neighborhood Meeting

Thursday, August 7, 2014

Re: Proposed Rezone
430-444 E. Elm
Springfield, Missouri

NAME	ADDRESS	PHONE
J.D. BENSON	516 E 520 E. ELM	886-1177

COMMENTS:

- OUR WATER PRESSURE IS LOW at times,
How will this addition effect our water pressure?
- ALL THE BUILDINGS ON THIS BLOCK are
SET BACK.
What was the requirement for the set back
and why would it NOT BE the SAME NOW!

LEE ENGINEERING AND ASSOCIATES, L.L.C.

CIVIL ENGINEERING & DESIGN

2101 W. CHESTERFIELD BLVD.

SUITE C202

SPRINGFIELD, MO 65807

dlee@leeengineering.biz

TELEPHONE: (417) 886-9100

FACSIMILE: (417) 886-9336

COMMENT SHEET

2

Neighborhood Meeting

Thursday, August 7, 2014

Re: Proposed Rezone
430-444 E. Elm
Springfield, Missouri

NAME	ADDRESS	PHONE
C. Arch Bay Co.	422 Elm 433 — 525 Elm	417-869-3112

COMMENTS:

To whom it may concern. Our company has property at 422 E. Elm and all of the property between 433 East Elm and 525 E. Elm.

We welcome a good redevelopment project on this block. Our one concern is with parking. It is our understanding that Center City zoning has no parking requirement or very little. What is being proposed is still in development & subject to change. What we would not want to see is for a developer to maximize the amount of apartments (or business) on this site and not provide parking. Thank You

Dan Gray, C. Arch Bay Co.

EXPLANATION TO COUNCIL BILL NO: 2014-_____

FILED:

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 36.22 acres of property generally located at 3040 E. Cherry Street from an R-LD, Low-Density Multi-Family Residential District with Conditional Overlay District No. 20 and GM, General Manufacturing District to an R-LD, Low-Density Multi-Family District, GM, General Manufacturing District and HC, Highway Commercial District; and establishing Conditional Overlay District No. 77.

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-18-2014/CONDITIONAL OVERLAY DISTRICT NO. 77

The applicant is requesting to rezone this tract from R-LD, Low-Density Multi-Family Residential District with Conditional Overlay District No. 20 and GM, General Manufacturing District to an R-LD, Low-Density Multi-Family District, GM, General Manufacturing District and HC, Highway Commercial District; and establishing Conditional Overlay District No. 77. The applicant is proposing self-storage facilities, a convenience store with fuel pumps and multi-family residential uses. The preliminary plat of Cherry Street East has been submitted to be processed simultaneously with this request.

The applicant is requesting a conditional overlay district that will restrict the maximum density to eleven (11) dwelling units per acre on Lot 1. The proposed conditional overlay district will also require Cherry Street to be widened with a turn lane and record the Cherry Street East final plat

Supports the following Field Guide 2030 goal(s): Chapter 6, Major Goal 4: Develop the community in a sustainable manner. Objectives 4a and 4b

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on September 4, 2014, and recommended _____, by a vote of ___ to __, of the proposed zoning on the tract of land described on the attached sheet (see the attached Record of Proceedings).

The Planning and Development staff recommends the application be **approved** with the requirements of Conditional Overlay District No. 77 (see the attached Zoning and Subdivision Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The Growth Management and Land Use Plan of the Comprehensive Plan designates this area as appropriate for low density housing and general industry uses. The R-LD and GM Districts are appropriate zoning districts recommended for this area.
2. This request is consistent with the City's policies to promote infill development and increased intensity where investments have already been made in public services and infrastructure.
3. The proposed conditional overlay district will restrict the residential density and require street and sidewalks to be constructed along Cherry Street.

Submitted by:

Daniel Neal, Senior Planner

Reviewed by:

Approved by:

Bob Hosmer, AICP, Principal Planner

Greg Burris, City Manager

EXHIBITS:

Exhibit A, Record of Proceedings

Exhibit B, Legal Description

Exhibit C, Conditional Overlay Provisions

Exhibit D, Zoning and Subdivisions Staff Report

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Neighborhood Meeting Summary

EXHIBIT A
RECORD OF PROCEEDINGS
ZONING CASE Z-18-2014 & CONDITIONAL OVERLAY DISTRICT NO. 77

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

EXHIBIT B
LEGAL DESCRIPTION
ZONING CASE Z-18-2014 & CONDITIONAL OVERLAY DISTRICT NO. 77

LOT 1 DESCRIPTION (to be rezoned to R-LD with COD #77):

A PORTION OF THE W $\frac{1}{2}$ OF THE SE $\frac{1}{4}$ LYING NORTH OF THE RAILROAD AND SOUTH OF CHERRY STREET IN SEC. 21, T29N, R21W; EXCEPT THE EAST 100 FEET OF THE NW $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ IN GREENE COUNTY, MISSOURI; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF THE SE $\frac{1}{4}$; THENCE S00°51'04"W, 31.88 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF CHERRY STREET, THENCE ALONG SAID RIGHT-OF-WAY LINE, S85°05'52"E, 664.05 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, S85°05'52"E, 575.09 TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF BURLINGTON-NORTHERN RAILROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE, S00°41'46"W, 1240.50 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, S89°18'14"E, 100.00 FEET TO AN EXISTING 1/2-INCH IRON PIN; THENCE S00°41'46"W, 295.51 FEET TO A POINT ON THE NORTHERN RIGHT-OF-WAY LINE OF THE ABANDONED BURLINGTON-NORTHERN RAILROAD; THENCE SAID RIGHT-OF-WAY, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 2814.93 FEET, ARC LENGTH OF 650.57 FEET, CHORD BEARING AND DISTANCE OF N66°21'36"W, 649.12 FEET; THENCE CONTINUING ALONG SAID LINE, N59°44'21"W, 854.18 FEET TO A POINT ON THE WEST LINE OF THE SE $\frac{1}{4}$ OF SAID SECTION 21; THENCE ALONG SAID WEST LINE, N00°59'35"E, 241.36 FEET; THENCE LEAVING SAID WEST LINE THE FOLLOWING (10) COURSES; N90°00'00"E, 46.55 FEET; N33°00'56"E, 132.44 FEET; N54°18'53"E, 226.73 FEET; N00°00'00"W, 306.74 FEET; S90°00'00"E, 166.58 FEET; S00°00'00"E, 103.00 FEET; N90°00'00"E, 166.50; N00°00'00"E, 84.58 FEET; N29°22'03"E, 77.49 FEET; N00°00'00"W, 55.02 FEET, TO THE POINT OF BEGINNING. SAID TRACT CONTAINING 30.84 ACRES, SUBJECT TO ANY EASEMENTS, RIGHT-OF-WAYS AND RESTRICTIONS OF RECORD.

LOT 2 DESCRIPTION (to be rezoned to GM with COD #77):

A PORTION OF THE W $\frac{1}{2}$ OF THE SE $\frac{1}{4}$ LYING SOUTH OF CHERRY STREET IN SEC. 21, T29N, R21W IN GREENE COUNTY, MISSOURI; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF THE SE $\frac{1}{4}$; THENCE S00°51'04"W, 31.88 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF CHERRY STREET FOR THE POINT OF BEGINNING:

THENCE ALONG SAID RIGHT-OF-WAY LINE, S85°05'52"E, 291.61 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, S00°00'00"E, 442.69 FEET; THENCE THE FOLLOWING (3) COURSES; S54°18'53"W, 226.73 FEET; S33°00'56"W, 132.44 FEET; S90°00'00"W, 46.55 FEET TO A POINT ON THE WEST LINE OF THE SE $\frac{1}{4}$ OF SAID SECTION 21; THENCE ALONG SAID WEST LINE, N00°59'35"E, 717.70 FEET TO THE

POINT OF BEGINNING. SAID TRACT CONTAINING 3.92 ACRES, SUBJECT TO ANY EASEMENTS, RIGHT-OF-WAYS AND RESTRICTIONS OF RECORD.

LOT 3 DESCRIPTION (to be rezoned to HC with COD #77):

A PORTION OF THE W½ OF THE SE¼ LYING SOUTH OF CHERRY STREET IN SEC. 21, T29N, R21W IN GREENE COUNTY, MISSOURI; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF THE SE¼; THENCE S00°51'04"W, 31.88 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF CHERRY STREET THENCE ALONG SAID RIGHT-OF-WAY LINE, S85°05'52"E, 291.61 FEET; FOR THE POINT OF BEGINNING:

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, S85°05'52"E, 372.44 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, S00°00'00"E, 55.02 FEET; THENCE ALONG THE FOLLOWING (6) COURSES: S29°22'03"W, 77.49 FEET; S00°00'00"E, 84.58 FEET; S90°00'00"W, 166.50 FEET; N00°00'00"W, 103.00 FEET; N90°00'00"W, 166.58 FEET; N00°00'00"W, 135.95 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINING 1.40 ACRES, SUBJECT TO ANY EASEMENTS, RIGHT-OF-WAYS AND RESTRICTIONS OF RECORD.

10' RIGHT-OF-WAY (TO BE DEDICATED):

A PORTION OF THE W½ OF THE SE¼ LYING SOUTH OF CHERRY STREET IN SEC. 21, T29N, R21W IN GREENE COUNTY, MISSOURI; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF THE SE¼; THENCE S00°51'04"W, 21.86 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF CHERRY STREET FOR THE POINT OF BEGINNING:

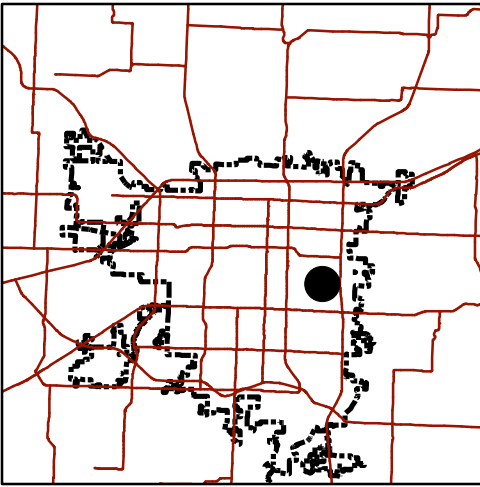
THENCE ALONG SAID RIGHT-OF-WAY LINE, S85°05'52"E, 1239.08 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF BURLINGTON-NORTHERN RAILROAD; THENCE ALONG SAID RIGHT-OF-WAY, S00°41'46"W, 10.03 FEET; THENCE LEAVING SAID RAILROAD RIGHT-OF-WAY, N85°05'52"W, 1239.14 FEET TO A POINT ON THE WEST LINE OF SAID SE¼; THENCE ALONG SAID WEST LINE, N00°59'35"E, 10.02 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINING 0.29 ACRES, SUBJECT TO ANY EASEMENTS, RIGHT-OF-WAYS AND RESTRICTIONS OF RECORD.

EXHIBIT C
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-18-2014 & CONDITIONAL OVERLAY DISTRICT NO. 77

The requirements of *Sections 4-1200, 4-3200 and 4-4200* of the *Springfield Zoning Ordinance* shall be as modified herein for development within this district.

A. Use Limitations

1. The maximum residential density for Lot 1 is eleven (11) dwelling units per acre.
2. A traffic study will be required for all lots and any required improvements shall be constructed unless the developer agrees to widen Cherry Street and construct a center left turn lane as approved by the Director of Public Works.
3. A final plat subdividing the subject property into lots as described shall be recorded per the Zoning Ordinance and Subdivision Regulations.



Zoning & Subdivision Report

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

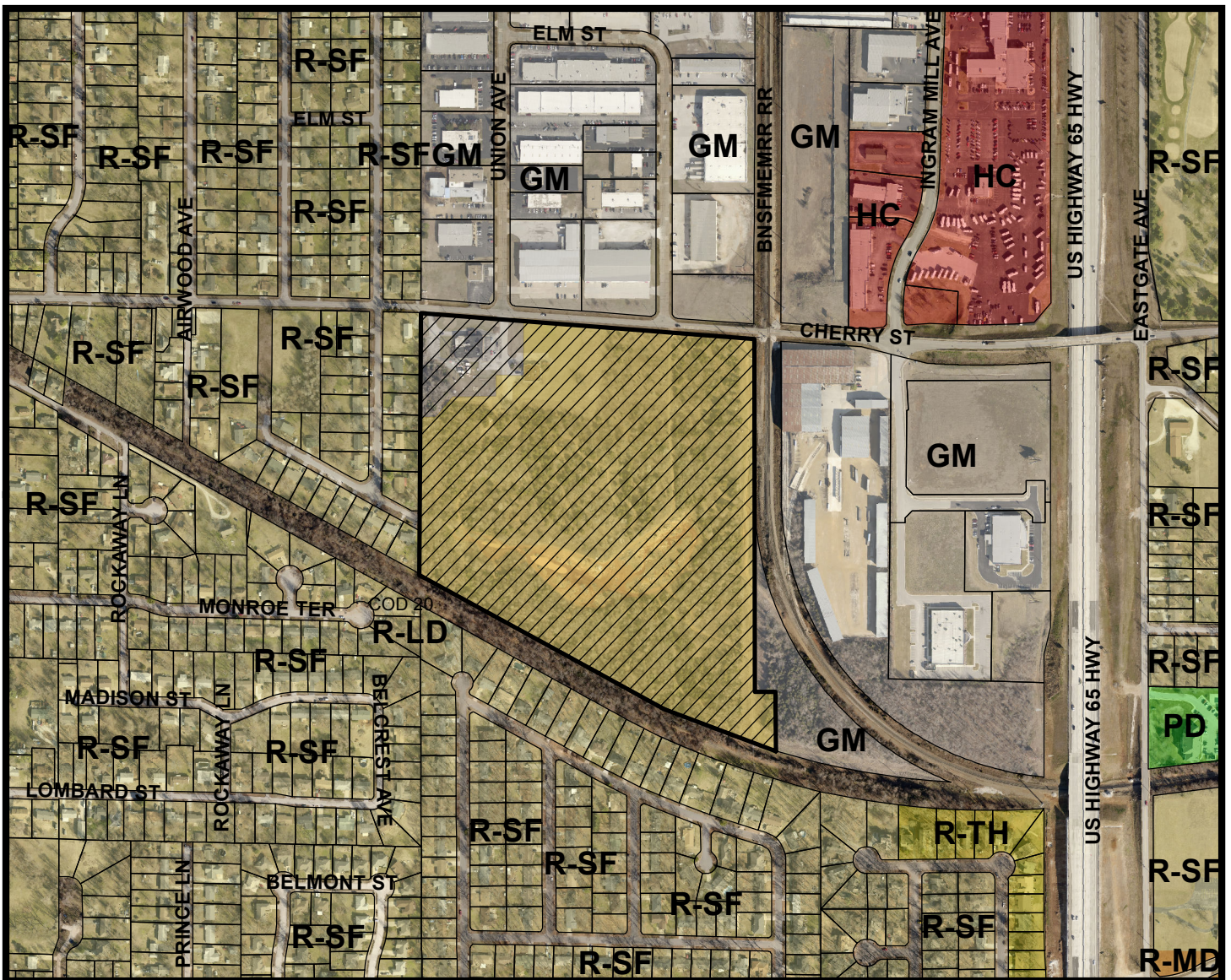
Z-18-2014/Conditional Overlay District No. 77

Location: 3040 E. Cherry St.

Current Zoning: R-LD, Low Density Multi-Family Residential
and GM, General Manufacturing with COD No. 20

Proposed Zoning: GM, HC, and R-LD and COD No. 77

LOCATION SKETCH



- Area of Proposal

0 300 600 1,200
Feet

1 inch = 600 feet

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-18-2014 & CONDITIONAL OVERLAY DISTRICT NO. 77

DATE: August 27, 2014

LOCATION: 3040 E. Cherry Street

APPLICANT: Burks Development Corporation

TRACT SIZE: Approximately 36.22 acres

EXISTING USE: Office, telecommunications tower and undeveloped/vacant land

PROPOSED USE: Self-storage facilities, convenience store with fuel pumps and multi-family residential uses

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	GM	General Manufacturing uses
East	GM	General Manufacturing uses and railroad ROW
South	R-SF	Single-family residences and railroad ROW
West	R-SF	Single-family residences

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not have any issues with proposed rezoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

1. Cherry Street is classified as a secondary arterial which requires 35 feet from the centerline. Approximately 5 feet of right of way is needed.
2. A traffic study will be required as specified in the Conditional Overlay District #20, that was approved in 2008, unless the developer agrees construct a center left turn lane and widen Cherry Street.
3. The middle and easternmost driveways to Cherry Street must line up with the existing intersections on the north at Union Avenue and Cavalier Avenue, respectively.
4. A driveway connection to Southeast Circle to the west is desirable if the existing topography and geology allows.

5. The OTO Major Thoroughfare Plan shows a future collector through this property connecting to Cherry Street across from Cavalier Avenue on the north and Devonshire Drive to the south. Devonshire Drive is currently a cul-de-sac and the property is fully developed around it with no right of way platted. The geographical conditions for the property in this rezoning case would require a large bridge to be constructed with this future collector which for this area, will be financially infeasible. Due to these factors, it is highly unlikely the city will ever construct this future collector or the bridge and will be requesting the removal of this future collector from the Major Thoroughfare Plan during the next amendment cycle. Therefore, the city is not requesting the developer to construct any part of this future collector or give the right of way.
6. Sidewalk is required to be constructed along the property frontage on Cherry Street.
7. Public Improvement Plans will be required.

STORMWATER COMMENTS:

1. There are no Stormwater issues with rezoning this property; however, please note that development (or re-development) of the property will be subject to the following conditions at the time of development:
 - a. Any increase in impervious area from 1985 aerial photo information will require the development to meet current detention and water quality requirements. Impervious surfaces in place prior to 1985 and currently in good condition can be credited as existing impervious surface. Existing gravel surfaces meeting the above definition are only eligible for 50% credit.
 - b. Payment in lieu of construction of detention facilities is not an option for this site due to existing downstream flooding problems.
 - c. The proposed percent of impervious surfacing must not exceed the maximum impervious surfacing allowed for site by zoning, platting, and/or previous stormwater reports. If site is located within a Planned Development District, stormwater requirements in PD language must be met.
2. If a subdivision is required by this application, then public improvement plans and drainage easements will be required for any concentrated runoff crossing lot lines, as well as for detention and/or water quality features serving more than one lot. These improvements must be constructed, inspected, approved and operational prior to issuance of a building permit or final plat. Must pay Engineering and Inspection Fees, which are 5% of the public improvement construction costs, prior to final approval of public improvement plans.
3. Based upon City contour and sinkhole information, it appears a sinkhole and/or sinkhole watershed may exist on this site. For this reason, a sinkhole evaluation to include geological and hydrological evaluation must be completed by a qualified professional engineer or geologist for this site.
4. Based upon City data, there is a significant amount of offsite concentrated stormwater crossing the subject property. Although stormwater detention and water quality do not have to be provided for these flows, public improvement

plans will be required to convey these flows across the subject property. Drainage easements must be provided for this conveyance.

CLEAN WATER SERVICES COMMENTS:

No objections to rezoning. Public sewer and service lateral currently available.

CITY UTILITIES:

No objection to rezoning. The change in classification will not impact CU.

ADJACENT PROPERTY OWNER COMMENTS:

Forty-five (45) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. No one has objected to date.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on, August 14, 2014. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. The applicant is requesting to rezone this tract from R-LD, Low-Density Multi-Family Residential District with Conditional Overlay District No. 20 and GM, General Manufacturing District to an R-LD, Low-Density Multi-Family District, GM, General Manufacturing District and HC, Highway Commercial District; and establishing Conditional Overlay District No. 77. The applicant is proposing self-storage facilities, a convenience store with fuel pumps and multi-family residential uses. The preliminary plat of Cherry Street East has been submitted to be processed simultaneously with this request.
2. The Growth Management and Land Use Plan of the Comprehensive Plan designates this area as appropriate for low density housing and general industry uses adjacent to the telecommunications tower. The R-LD and GM Districts are appropriate zoning districts recommended for this area. The HC District is proposed at the intersection of a secondary arterial (Cherry Street) and a collector street (Union Avenue). This district is intended for commercial uses which depend upon high visibility and generate high traffic volumes which are located along or at intersections of arterial classification streets.
3. The southern half of the subject property is covered by sinkholes and is within a no-build zone as shown on the Preliminary Plat of Cherry Street East. This no-build zone provides property owners to the south, southeast and southwest with a large buffer area.

4. The subject property was zoned GM, General Manufacturing until 2008 when all but two (2) acres were rezoned to R-LD with a Conditional Overlay District No. 20 to restrict the residential intensity to less than seven (7) dwelling units per acre and allow for an apartment complex. The new developer is proposing to leave majority of the property zoned R-LD as shown on Lot 1 of the preliminary plat for Cherry Street East, but increase the residential intensity to eleven (11) dwelling units per acre. They are also requesting to expand the GM zoning an additional acre to the south as shown on Lot 2 to build a self storage facility. The existing telecommunications tower will remain. Lot 3 will be rezoned to HC to allow for a new convenience store with fuel pumps. The proposed rezoning with the conditional overlay district meets the recommendations and intent of the Comprehensive Plan, GM, HC and R-LD Districts.
5. The applicant is requesting a conditional overlay district that will restrict the maximum density to eleven (11) dwelling units per acre on lot 1. The proposed density is comparable to the R-TH, Residential Townhouse District, a less intense residential district. The Multi-Family Location and Design Guidelines are not required for multi-family developments at eleven (11) dwelling units per acre or less. The proposed conditional overlay district will also require Cherry Street to be widened with a turn lane and record the Cherry Street East final plat.
6. Staff believes the standard development requirements in the GM and R-LD Districts are adequate for mitigating potential impacts of the manufacturing and multi-family uses on the adjoining single-family residential properties. The standard requirements for bufferyards, noise, lighting, odor and signage will be covered by the Zoning Ordinance.

FINDINGS FOR STAFF RECOMMENDATION:

1. The Growth Management and Land Use Plan of the Comprehensive Plan designates this area as appropriate for low density housing and general industry uses. The R-LD and GM Districts are appropriate zoning districts recommended for this area.
2. This request is consistent with the City's policies to promote infill development and increased intensity where investments have already been made in public services and infrastructure.
3. The proposed conditional overlay district will restrict the residential intensity and require street and sidewalks to be constructed along Cherry Street.

RECOMMENDATION:

Staff recommends **approval** of this request with the requirements of Conditional Overlay District No. 77.

CITY COUNCIL PUBLIC HEARING:

September 22, 2014

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

EXHIBIT 2: NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: R-LD to HC
(existing zoning) (proposed zoning)
2. Meeting Date & Time: August 14, 2014 4:30 to 6:30 PM
3. Meeting Location: 3040 E. Cherry St.
4. Number of invitations that were sent: 130
5. How was the mailing list generated: City of Springfield P & Z
6. Number of neighbors in attendance (attach a sign-in sheet): 7
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

The only negative comment was by Charles Meppelink of Cowan properties. He did not want any more traffic on Cherry St. He is not a resident of the area but does have 4 rental houses. The other 6 people were all positive and said it really wouldn't effect them and thought it would help with the existing problem of keeping dirt bikes and off road vehicles out of the area.

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

none

Meeting held by Kim L. Haase, Pres. of Danco Investments and
Jim Scott, Architect

Neighborhood Meeting
3040 E Cherry
Aug. 14, 2014
430 - 630 PM

Sign In Sheet

NAME	Address	Phone #
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Gary P. Spicer	P.O. Box 339 Newburg, Mo, 64850	(417-389-1113)
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Cheryl J. Juy	3079 E. Lombard	65802 883 2925
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* 4 House
Charles Duppelink 1555 S. Royal Dr. 68809
(Own Property on S. Prince)

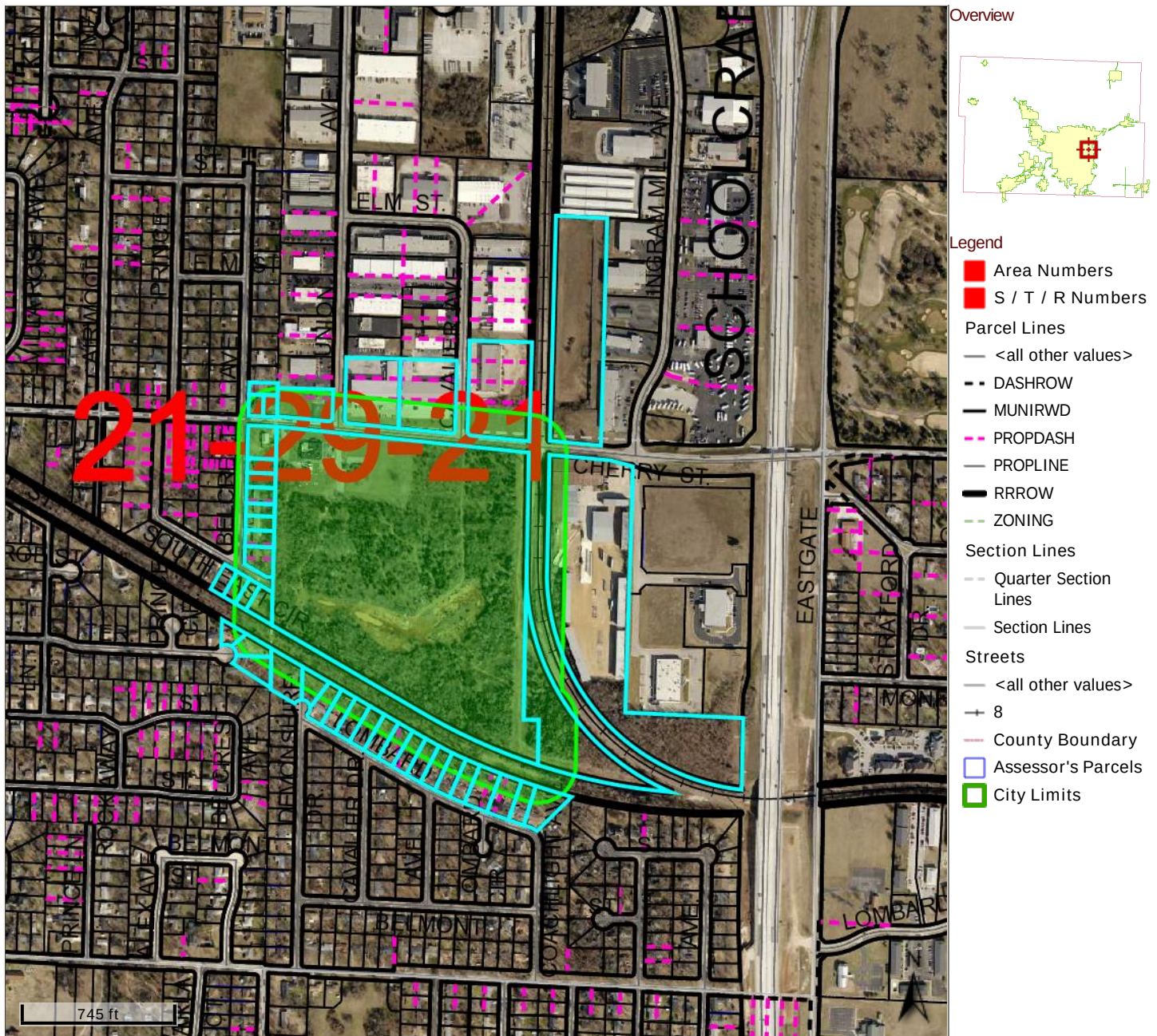
DONNA DAVIES	3151 LOMBARD ST	406-208-8509
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Leo Burk	3119 E Lombard	417-853-3184
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Daisy M. Johnson	2970 E. Lanthier Ct.	417-862-1960
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Mike Tuckers	3057 E Lombard	417-619-1652
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Drainage problem?



Last Data Upload: 7/29/2014 11:44:16 PM

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

417 RENTALS LLC
%MANN REALTORS
5759 W HWY 60
BROOKLINE MO 65619

417 RENTALS LLC
5759 W US HIGHWAY 60
BROOKLINE MO 65619

ABP MO LLC
4300 WILDWOOD PKWY
ATLANTA GA 30339

ATON & BAIRD LLC
PO BOX 14692
SPRINGFIELD MO 65814

BENTON, EARL L
3131 E LOMBARD ST
SPRINGFIELD MO 65802

BLONDEAU, WILLIAM ETAL TR
3073 E LOMBARD ST
SPRINGFIELD MO 65802

BM LORE LLC
2023 S GLENSTONE AVE
SPRINGFIELD MO 65804

BURK, LEO D
3119 E LOMBARD ST
SPRINGFIELD MO 65802

BURKS DEVELOPMENT CORP
3040 E CHERRY ST
SPRINGFIELD MO 65802

CHERRY PARK INV LLC
PO BOX 14692
SPRINGFIELD MO 65814

CHESTNUT PLAZA II PROPERTY OWN
% JIM HUTCHESON REALTORS
1708 INGRAM MILL RD
SPRINGFIELD MO 65804

COMER, RICHARD A ETAL
3049 E LOMBARD ST
SPRINGFIELD MO 65802

COMMERCIAL DEV CO
PO BOX 14692
SPRINGFIELD MO 65814

CORNELISON, COLEEN
3141 E LOMBARD ST
SPRINGFIELD MO 65802

DAILY, CHERYL L
3079 E LOMBARD ST
SPRINGFIELD MO 65802

DAVIES, DONNA I
3151 E LOMBARD ST
SPRINGFIELD MO 65802

DONLEY, BETH M
2966 E SOUTHEAST CIR
SPRINGFIELD MO 65802

EPPERLY, PERRY W
3017 E LOMBARD ST
SPRINGFIELD MO 65802

FUNKYTOWN LLC
2805 S INGRAM MILL RD
SPRINGFIELD MO 65804

GALLION, CHRISTOPHER B
2169 E MONROE TER
SPRINGFIELD MO 65802

GILTNER, MICHAEL
5900 STONEY BROOK RD
ROGERS AR 72758

HELVEY, ALICE J
2965 E CHERRY ST
SPRINGFIELD MO 65802

JOHNSON, GEORGE G
3029 E LOMBARD ST
SPRINGFIELD MO 65802

JOHNSON, JOE O
2970 E SOUTHEAST CIR
SPRINGFIELD MO 65802

JUCHEMS, MICHAEL W
3057 E LOMBARD ST
SPRINGFIELD MO 65802

KIMMONS, GARY A
3103 E LOMBARD ST
SPRINGFIELD MO 65802

KISSEE, T WESTON
3277 W CARDINAL ST
SPRINGFIELD MO 65810

LUXURY RENTALS LLC
3973 E VILLA WAY
SPRINGFIELD MO 65809

MARTIN, ROBIN E
2952 E SOUTHEAST CIR
SPRINGFIELD MO 65802

MOTTL, DANIEL
3689 S 227TH RD
LOUISBURG MO 65685

NORTHRUP, JOHN
664 S BELCREST AVE
SPRINGFIELD MO 65802

PARKE, NELSON L
805 S DEVONSHIRE DR
SPRINGFIELD MO 65802

PRICHARD, WAYNE
1936 GATEMONT DR
CHESTERFIELD MO 63017

PROPERTY PARTNERS LLC
2847 S INGRAM MILL RD
SPRINGFIELD MO 65804

ROBINETT, LONNIE
3111 E LOMBARD ST
SPRINGFIELD MO 65802

ROOTZ, KARI D ETAL
646 S BELCREST AVE
SPRINGFIELD MO 65802

SANER, RODNEY D
4105 S DELAWARE AVE
SPRINGFIELD MO 65804

SCHAFER, RYAN
3035 E LOMBARD ST
SPRINGFIELD MO 65802

STEWART, RENA ELIZABETH
3065 E LOMBARD ST
SPRINGFIELD MO 65802

SWAN CREEK BUILDERS LLC
2146 E MACS CT
SPRINGFIELD MO 65804

THE SPICER LLLP
PO BOX 338
NEOSHO MO 64850

THORNTON, TEDDY L
2778 W BAIRD RD
NIXA MO 65714

TUMMONS, WILLIAM D TRUSTEE
1018 S CARRIAGE CT
SPRINGFIELD MO 65809

EXPLANATION TO COUNCIL BILL NO: 2014-_____

FILED:

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 92.74 acres of property generally located at 4833 South Campbell Avenue from an R-SF, Single-Family Residential District to an O-1, Office District and a GR, General Retail District; and establishing Conditional Overlay District No. 78.

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-19-2014/CONDITIONAL OVERLAY DISTRICT NO. 78

This is a request to rezone approximately 40.63 acres to an O-1, Office District and approximately 52.11 acres to a GR, General Retail District. This application includes a Conditional Overlay District to prohibit crematoriums as a permitted use within the GR district, to increase buffering along the west property line of the proposed GR zoned area and to require certain public improvements.

Supports the following Field Guide 2030 goal(s): Chapter 6, Major Goal 4: Develop the community in a sustainable manner. Objectives 4a and 4b

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on September 4, 2014, and recommended _____, by a vote of _____ to _____, of the proposed zoning on the tract of land described on the attached sheet (see the attached Record of Proceedings).

The Planning and Development staff recommends the application be **approved** with the requirements of Conditional Overlay District No. 78 (see the attached Zoning and Subdivision Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. The proposed zoning is consistent with surrounding non-residential uses and zoning to the north along Campbell and at the northeast and southwest quadrants of the intersection of Campbell and Weaver.
2. The subject tract abuts an expressway (Campbell Avenue) and a secondary arterial (Weaver Rd.), so vehicular traffic would have easy access to and from this development.

3. The request is consistent with the recommendations of the *Comprehensive Plan*, which identifies this area as an appropriate location for high intensity retail, office or housing.
4. Upon development of the property, bufferyards will be provided between this development and the adjacent residential development. In addition, the standard development requirements in the proposed O-1 and GR Districts are adequate for mitigating potential impacts of the proposed development on the adjoining residential properties.
5. Significant public improvements will be provided upon development of this property, including the extension of Lakewood Street to Buena Vista Street and internal street connections.

Submitted by:



Alana D. Owen, AICP, Senior Planner

Reviewed by:

Approved by:

Bob Hosmer, AICP, Principal Planner

Greg Burris, City Manager

EXHIBITS:

Exhibit A, Record of Proceedings

Exhibit B, Legal Description

Exhibit C, Conditional Overlay Provisions

Exhibit D, Zoning and Subdivisions Staff Report

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Neighborhood Meeting Summary

Attachment 3, Letters from surrounding property owners

Attachment 4, Major Thoroughfare Plan map

EXHIBIT A
RECORD OF PROCEEDINGS
ZONING CASE Z-19-2014 & CONDITIONAL OVERLAY DISTRICT NO. 78

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

EXHIBIT B
LEGAL DESCRIPTION
ZONING CASE Z-19-2014 & CONDITIONAL OVERLAY DISTRICT NO. 78

PROPERTY DESCRIPTION: AS SURVEYED (WEST PORTION TO BE ZONED O-1)

A TRACT OF LAND BEING A PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, OF SECTION 14 TOWNSHIP 28 RANGE 22 IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING ALUMINUM MONUMENT AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 14; THENCE S88°50'24"E ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, 1334.41 FEET TO AN EXISTING IRON PIN CAPPED "LS1911" MARKING THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE S01°57'30"W, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, 663.91 FEET TO AN EXISTING IRON PIN AT THE NORTHEAST CORNER OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE S02°01'29"W, ALONG THE EAST LINE OF SAID SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, 666.93 FEET TO AN EXISTING IRON PIN AT THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE N88°33'52"W, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, 1331.57 FEET TO AN EXISTING 5/8" IRON PIN AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE N01°52'20"E, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, 1324.39 FEET TO THE POINT OF BEGINNING.

CONTAINING 40.63 ACRES.

SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

PROPERTY DESCRIPTION: AS SURVEYED (EAST PORTION TO BE ZONED GR)

A TRACT OF LAND BEING A PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, OF SECTION 14 TOWNSHIP 28 RANGE 22 IN CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING IRON PIN AT THE NORTHWEST CORNER OF SAID SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14; THENCE S88°42'07"E, ALONG THE NORTH LINE OF SAID SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER,

1208.20 FEET TO AN EXISTING IRON PIN LYING ON THE WEST RIGHT-OF-WAY LINE OF THE OUTER ROAD (LYON AVENUE) OF US HIGHWAY 160; THENCE SOUTHERLY ALONG SAID WEST RIGHT-OF-WAY LINE OF SAID OUTER ROAD THE FOLLOWING FIVE COURSES: S13°27'25"W, 224.24 FEET; S01°00'50"W, 279.60 FEET; S20°13'11"E, 237.46 FEET; S01°41'14"W, 438.11 FEET; S02°13'19"W, 305.52 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF NEW WEAVER ROAD; THENCE WESTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING FIVE COURSES: S27°56'08"W, 81.07 FEET; S88°16'56"W, 151.99 FEET; THROUGH A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 49°07'50", A RADIUS OF 692.84, AN ARC LENGTH OF 594.10 FEET, AND A CHORD BEARING AND DISTANCE OF S67°11'02"W, 576.07 FEET; THROUGH A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 28°44'03", A RADIUS OF 565.00 FEET, AN ARC LENGTH OF 283.35 FEET, AND A CHORD BEARING AND DISTANCE OF S56°58'17"W, 280.39 FEET; N88°23'35"W, 319.43 FEET TO A POINT ON THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE N01°59'06"E, ALONG SAID WEST LINE, 1259.61 FEET TO AN EXISTING IRON PIN AT THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE N02°01'29"E, ALONG THE WEST LINE OF SAID SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, 666.93 FEET TO THE POINT OF BEGINNING.

ALSO,

COMMENCING AT AN ALUMINUM MONUMENT MARKING THE SOUTHEAST CORNER OF SAID SECTION 14, TOWNSHIP 28 NORTH, RANGE 22 WEST; THENCE N88°22'58"W, ALONG THE SOUTH LINE OF SAID SECTION 14, 218.00 FEET; THENCE N01°37'02"E, LEAVING SAID SOUTH LINE, 24.97 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF OLD WEAVER ROAD FOR A POINT OF BEGINNING (2); THENCE N88°22'33"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, 291.99 FEET; THENCE N01°37'46"E, LEAVING SAID NORTH RIGHT-OF-WAY LINE, 140.10 FEET; THENCE N88°25'25"W, 150.03 FEET; THENCE S01°37'02"W, 139.98 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE OF OLD WEAVER ROAD; THENCE N88°22'33"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, 28.08 FEET; THENCE NORTHWESTERLY THROUGH A NON-TANGENT CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 15°46'33", A RADIUS OF 436.50 FEET, AN ARC LENGTH OF 120.19 FEET, AND A CHORD BEARING AND DISTANCE OF N25°35'48"W, 119.81 FEET; THENCE N05°08'28"E, 38.25 FEET TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE OF NEW WEAVER ROAD; THENCE NORTHEASTERLY ALONG SAID SOUTH RIGHT-OF-WAY LINE THE FOLLOWING FIVE COURSES: THROUGH A NON-TANGENT CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 00°44'00", A RADIUS OF 1434.92 FEET, AN ARC LENGTH OF 18.37 FEET, AND A CHORD BEARING AND DISTANCE OF N43°22'45"E, 18.37 FEET; THENCE THROUGH A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 51°30'20", A RADIUS OF 494.54 FEET, AND A CHORD BEARING AND DISTANCE OF N68°22'01"E, 429.90 FEET; S85°54'21"E, 175.54; S88°15'11"E, 53.07 FEET; S43°20'38"E, 49.64 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF US HIGHWAY 160; THENCE S01°53'10"W, ALONG SAID WEST RIGHT-OF-WAY LINE, 145.32 FEET; THENCE N88°22'58"W, LEAVING SAID WEST RIGHT-OF-WAY

LINE, 147.54 FEET; THENCE S01°37'02"W, 140.03 FEET TO THE POINT OF BEGINNING. ALL CONTAINING 52.11 ACRES.

SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

EXHIBIT C
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-19-2014 & CONDITIONAL OVERLAY DISTRICT NO. 78

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

A. The following use is prohibited within this district:

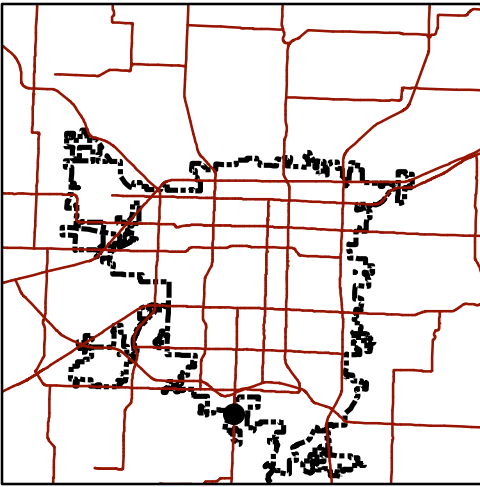
1. Crematoriums

B. Bufferyard Requirements:

A Bufferyard Type F at least fifty (50) feet wide is required along the west side of the proposed GR zoned area adjacent to the east side of Wellington Hills subdivision.

The requirements of *Section 4-2000* and *Section 4-3100* of the *Springfield Zoning Ordinance* shall be modified herein for development within this district.

1. The property shall be subdivided with a major subdivision. As part of the subdivision, the extension of Lakewood and El Camino Alto are required as well as a connection to Buena Vista Street and either Buckingham Lane or Wellington Drive. The design of the public streets within this development shall utilize bends, round-a-bouts, tee intersections or other design features to discourage cut-through traffic through the residential neighborhoods. Development within this district may be phased as long as the necessary public improvements to support each phase are provided in accordance with an approved phasing plan approved by the Administrative Review Committee.
2. A Traffic Study shall be approved at the time of development by the City Traffic Division and Missouri Department of Transportation (MoDOT) which may require additional public improvements.
3. A bike/pedestrian connection shall be made through the development to connect the existing Ward Branch Greenway Trail to The Library Center. The connection can be by a separate bike path or on-street accommodations. The specific location of the connection shall be approved by the City Traffic Engineer.



LOCATION SKETCH

Zoning & Subdivision Report

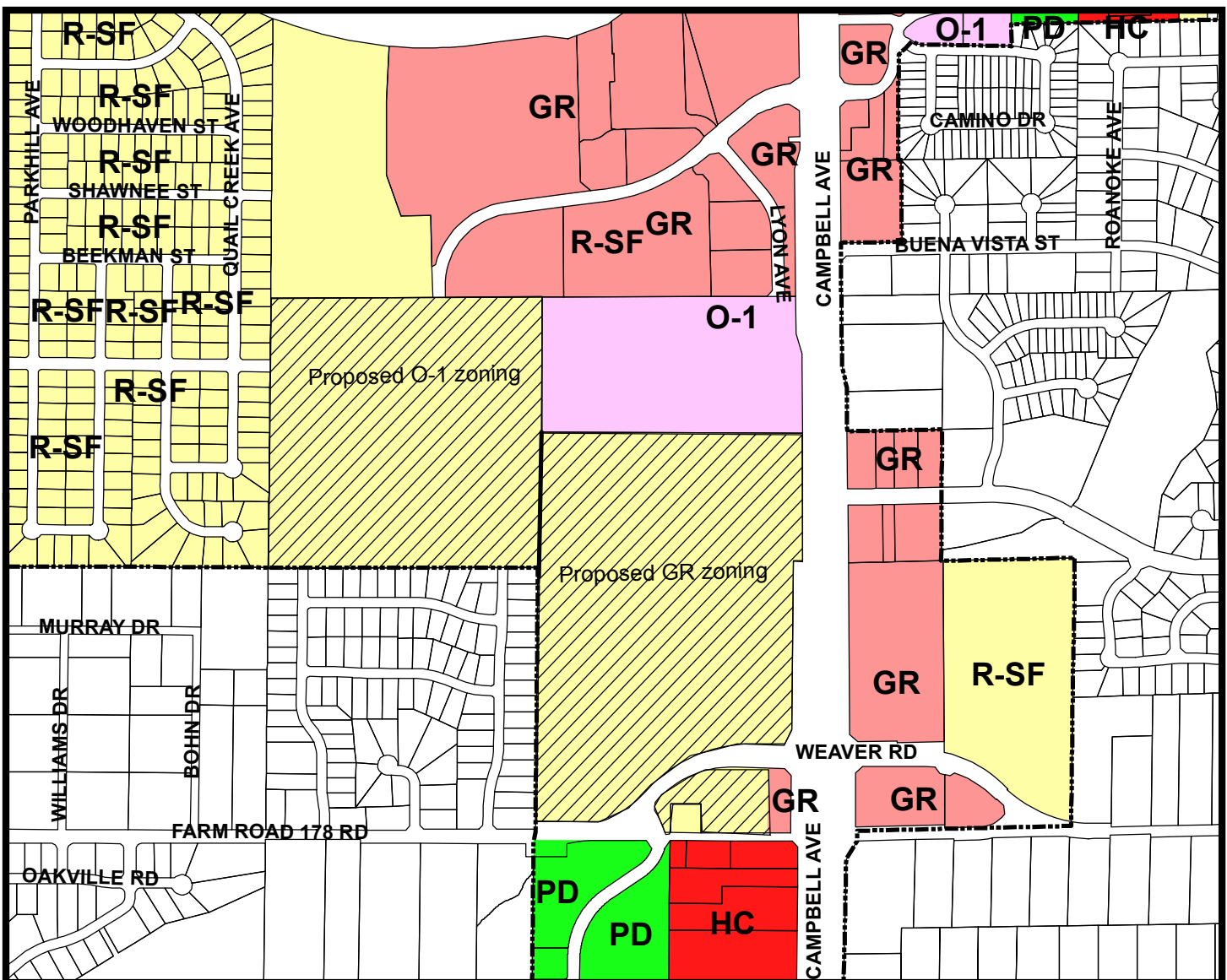
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Zoning Case Z-19-2014 with Conditional Overlay District #78

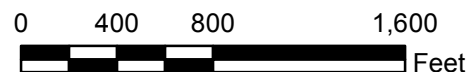
Location: 4833 South Campbell Avenue

Current Zoning: R-SF, Single Family Residential District

Proposed Zoning: O-1, Office and GR, General Retail
with Conditional Overlay District #78



- Area of Proposal



1 inch = 800 feet

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-19-2014 & CONDITIONAL OVERLAY DISTRICT NO. 78

DATE: August 28, 2014

LOCATION: 4833 South Campbell Avenue

APPLICANT: Ward Branch Etal Tr

TRACT SIZE: Approximately 92.74 acres

EXISTING USE: Undeveloped land

PROPOSED USE: Uses permitted in the O-1, Office and GR, General Retail Districts in accordance with Conditional Overlay District #78

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	O-1, GR & R-SF	The Library Center, retail development
East	GR	Campbell Avenue, retail and restaurant, undeveloped land
South	HC & PD 274	Commercial uses, multi-family development
West	R-SF	Single family residential development

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not have any objections to this request.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

1. The extension of Lakewood and El Camino Alto are required as well as a connection to Buena Vista and either Buckingham Lane or Wellington Drive. These requirements are reflected in the Traffic Study which is currently under review. An approved Traffic Study is required at the time of development.
2. Sidewalks will be required on both sides of Lakewood, El Camino Alto, Buena Vista and on one side of all other local streets.
3. There needs to be a bike/pedestrian connection from the existing Ward Branch Greenway Trail to The Library Center.
4. MoDOT will need to review and approve the Traffic Study as well.

STORMWATER COMMENTS:

1. There are no Stormwater issues with rezoning this property; however, please note that development (or re-development) of the subject property will be subject to the following conditions at the time of development:
 - a. Any increase in impervious area from 1985 aerial photo information will require the development to meet current detention and water quality requirements. Impervious surfaces in place prior to 1985 and currently in good condition can be credited as existing impervious surface. Existing gravel surfaces meeting the above definition are only eligible for 50% credit.
 - b. Payment in lieu of construction of detention facilities may be approved, on a case by case basis depending on downstream and other conditions, for any property that lies within the floodplain. A Buyout Application must be submitted for full consideration. The cost of downstream improvements may be credited towards the buyout. Water quality will still be required for these properties. Any properties that are not located within the floodplain will be required to provide both detention and water quality.
 - c. The proposed percent of impervious surfacing must not exceed the maximum impervious surfacing allowed for site by zoning, platting, and/or previous stormwater reports. If site is located within a Planned Development District, stormwater requirements in PD language must be met.
2. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or a drainage easement.
3. If subdivision is required by this application, then public improvement plans and drainage easements will be required for any concentrated runoff crossing lot lines, as well as for detention and/or water quality features serving more than one lot. These improvements must be constructed, inspected, approved and operational prior to issuance of a building permit or final plat. Must pay Engineering and Inspection Fees, which are 5% of the public improvement construction costs, prior to final approval of the public improvement plans.
4. Drainage easements will be required where concentrated flow drains from one lot to another or from offsite onto the proposed subdivision. Such easement shall be sized for the 100-year peak flow rate.
5. Based upon City contour and sinkhole information, so sinkholes exist on the site and the site is not within a sinkhole watershed.

6. Based upon City data, there is a significant amount of offsite concentrated stormwater crossing the subject property. Although stormwater detention and water quality do not have to be provided for these flows, public improvement plans will be required to convey these flows across the subject property. Drainage easements must be provided for this conveyance.
7. Must obtain a jurisdictional determination from the United States Army Corps of Engineers (USACE) for work in and around a blue line stream. A Corps of Engineers Section 404 Permit may be required depending on this determination.

CLEAN WATER SERVICES COMMENTS:

Clean Water Services does not have any objections to the requested zoning.

CITY UTILITIES:

City Utilities has adequate electric, gas, telcom and water facilities in place to serve the development of the property.

ADJACENT PROPERTY OWNER COMMENTS:

Sixty-five (65) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. Staff has received several phone calls from nearby property owners requesting more information about this request. Staff has also received several letters (Attachment 3).

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on August 8, 2014 regarding the request for O-1, Office and GR, General Retail zoning with Conditional Overlay District #78. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. This is a request to rezone approximately 40.63 acres to an O-1, Office District and approximately 52.11 acres to a GR, General Retail District. This application includes a Conditional Overlay District to prohibit crematoriums as a permitted use within the GR district, to increase buffering along the west property line of the proposed GR zoned area and to require certain public improvements. Approval of this application is consistent with the existing zoning and development to the north, east and south and will provide for a step-down of land uses from retail along Campbell Avenue and Weaver Road to office to adjoin the existing residential developments to the south and west.

2. The subject property is located in the northwest quadrant of Campbell Avenue, which is classified as an expressway at this location, and Weaver Road, a secondary arterial. The subject property is in close proximity to the Campbell Avenue/James River area which has been identified as an Activity Center. Activity Centers are locations of significant business, institutional and higher-density housing development. It is intended that development be concentrated in and around the Activity Centers so as to optimize transportation and other infrastructure investments, citizen convenience, investor confidence, a compact growth pattern and a sense of urban excitement. Development policies also encourage increased development along the Urban Corridors, like Campbell Avenue. Urban Corridors are major transportation routes where the capacity of the streets and transit, both existing and planned, allow higher-intensity, mixed-use development to occur. The development along these corridors also provides services in close proximity to adjoining neighborhoods. Approval of this request will expand on the existing retail development to the north by providing more jobs and services for the surrounding residential development.
3. Upon development of the subject property for retail and office uses, bufferyards will be provided adjacent to the residential development. The applicant had originally proposed a minimum one-hundred (100) foot wide bufferyard adjacent to the residential development within both the proposed O-1 and GR zoned areas. The substantial bufferyard was included in information that was presented or made available to attendees of the neighborhood meeting. The applicant has modified their application and is now proposing a minimum fifty (50) foot wide bufferyard along the west property line adjacent to the proposed GR zoned area. This will provide for protection of the existing trees and natural screening that exists along Ward Branch Creek and is consistent with what was proposed in 2008 when a similar rezoning was presented to Planning and Zoning for the subject property. The applicant proposes to provide bufferyards in accordance with the O-1 district along the west and south property lines adjacent to the proposed O-1 zoned area, which would include a minimum fifteen (15) foot wide bufferyard with plantings. Internal bufferyards will also be provided between the GR and O-1 zoned areas and adjacent to the existing residentially zoned tract to the north. In addition, any structure built within the proposed GR zoned area will be required to remain below a thirty (30) degree bulk plane from any residential district. This will help to ensure that tall buildings are not constructed in a manner so as to visually dominate the adjacent residential homes. Any building constructed within the proposed O-1 zoned area must remain below a forty-five (45) degree bulk plane from any residential district. The buildable area of the subject property is limited by the floodway and floodplain located on the southern portion of the property. The Ward Branch creek traverses the property creating a significant area within the proposed GR zoned area that will remain undeveloped, which will provide additional protection for the single-family development to the west.

4. Several public improvements are needed to accommodate development of the subject property. The property will need to be subdivided with a major subdivision and development may be phased as long as the necessary public improvements to support each phase are provided. The subdivision and development of this property will require development of a street system through the subject property and street connections to existing streets to the north, west and south to provide for internal circulation within the development and interconnectivity of the street system. The extension of Lakewood Street and El Camino Alto are required as well as a connection to Buena Vista and either Buckingham Lane or Wellington Drive. The *Major Thoroughfare Plan* (Attachment 4) shows the extension of Lakewood Street as a collector street through the subject property with a connection to existing Buena Vista Street in Quail Creek subdivision with an ultimate connection to Farm Road 145 (Kansas Avenue). The *Plan* also shows the extension of El Camino Alto to the north as a Collector street. Collector streets are designed to collect and distribute traffic to and from local and arterial streets. When Buena Vista Street was platted as part of Quail Creek subdivision it was designed as a collector street with additional right-of-way width (sixty feet as opposed to fifty feet) and was extended to both the east and west edges of the subdivision with the intent to allow for future connection. In addition, individual driveways are not permitted on Buena Vista Street and all of the homes along the street take access from the local streets that connect to Buena Vista. Street connectivity provides for improved safety, reduces gas consumption, air pollution and traffic volumes (congestion) on major streets and encourages alternative transportation modes such as walking and cycling. The proposed street connections will provide the opportunity for residents in the adjacent neighborhoods to easily access the facilities and services within the proposed development and those already existing to the north without having to access the major street system.
5. The *Parks, Open Space and Greenways Plan Element* of the *Comprehensive Plan* shows the corridor of the Ward Branch Greenway extension through the subject property. Upon subdivision and development of the property, a connection will need to be made from the existing Ward Branch Greenway Trail to The Library Center to accommodate bicycles and pedestrians.

FINDINGS FOR STAFF RECOMMENDATION:

1. The proposed zoning is consistent with surrounding non-residential uses and zoning to the north along Campbell and at the northeast and southwest quadrants of the intersection of Campbell and Weaver.
2. The subject tract abuts an expressway (Campbell Avenue) and a secondary arterial (Weaver Rd.), so vehicular traffic would have easy access to and from this development.

3. The request is consistent with the recommendations of the *Comprehensive Plan*, which identifies this area as an appropriate location for high intensity retail, office or housing.
4. Upon development of the property, bufferyards will be provided between this development and the adjacent residential development. In addition, the standard development requirements in the proposed O-1 and GR Districts are adequate for mitigating potential impacts of the proposed development on the adjoining residential properties.
5. Significant public improvements will be provided upon development of this property, including the extension of Lakewood Street to Buena Vista Street and internal street connections.

RECOMMENDATION:

Staff recommends **approval** of this request with the requirements of Conditional Overlay District No. 78.

CITY COUNCIL PUBLIC HEARING: September 22, 2014

STAFF CONTACT PERSON:

Alana D. Owen, AICP
Senior Planner
864-1831

-
1. Request change to zoning from: R-SF to GR and O-1
(existing zoning) (proposed zoning)
 2. Meeting Date & Time: Friday, August 8th, 2014 4:30 - 7:00 pm
 3. Meeting Location: The Library Center 4653 S Campbell Ave, Springfield, MO 65810
 4. Number of invitations that were sent: 188
 5. How was the mailing list generated: City of Springfield P&Z
 6. Number of neighbors in attendance (attach a sign-in sheet): 102
 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.)

Major concerns were cut thought traffic and stormwater runoff.
See attached comment sheets.

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

The residential connectivity with the proposed streets is consistant with the City's Comprehensive Traffic Plan. Cut through traffic will be minimized with the use of non-linear streets, round-a-bouts, and other means as approved by the Traffic Engineer.
Stormwater detention will be designed in accordance with the City's Design Guidelines.

ZONING CASE Z-19-2014, 4833 S Campbell

SIGN-IN SHEET

	Name	Address or Company	Phone	E-mail
61	Saylene Lantford	1164 W. Parkhill	887-6744	
62	HAROLD LANKFORD	1164 W. Parkhill	887-6744	
63	VICTORINE R MAHON	4413 S. Parkhill	885-0109	
64	Curtis A Jared	2870 S. Ingram Mill Rd. SH. 104	877-7900	
65	Howard E. Mary Ann Corner	1183 W. Beekman St	883-7562	
66	Carlynn Dixon	1205 W. Camino Alto	897-5640	
67	Tom Rykowski	4612 S. Woodmonte	881-9766	
68	Joe Strub	795 W. Kingsway	883-8942	
69	AKK CRESSON	402 S. Wellington	839-3002	
70	SIOBU SHARP	1128 W. ROCKHILL	861-3128	
71	CURT BROWER	4613 S. Turnberry	839-7376	
72	DEE BROWN	✓	830-7993	
73	Andy & Anne Mann	4357 S. Newton	631-3275	
74	GERALD ASHLOCK	1145 W. BECKMAN	890-1333	
75	Patricia G Johnson	24694 S. Quail Creek	883-2212	
76	Mike & Regi W. Welch	4950 S. Welington	881-0644	
77	Bill Siewers	4697 S. Woodmonte	890-1853	
78	MARK RUTKOWSKI	1219 W. CARDINAL	827 4334	
79	TROY KENWEDY	4711 S. WOODMONT	838-5303	
80	Cathy Cledon	4751 S. Turnberry Ave	882-2314	

ZONING CASE Z-19-2014, 4833 S Campbell

SIGN-IN SHEET

	Name	Address or Company	Phone	E-mail
41	Julie Cassity	4598 S. Quail Creek	417-861-7345	julescassity@yahoo.com
42	Marilyn Louk	1102 Woodhaven	417 823-8881	peterlouk@aatt.net
43	Bob McCain	4600 S. Turnberry Ave	417-601-1184	robkidp8@yahoo.com
44	JAN M ^C Grain	"	"	"
45	Karen Horny	1228 W. Beekman St	417-886-1502	Karenhorny@missouri-state.edu
46	Willis Hoyt	4624 S. Quail Creek	573 206 4298	willishoyt@gmail.com
47	Peggy Clayton	4653 S Parkhill	417-725-0310	peggy44@aatt.net
48	Terry + Margaret Carroll	4428 S. Quail Creek	417-827-2324	jerryrcarroll@gmail.com
49	Keith D Taylor	4668 S. QUAIL CREEK AVE	210-872-5365	
50	Connie Harmon	8190 N. F.R. 81	417-742-3396	harmonic@tc.edu
51	Bryant Prude	4345 S Newton Ave 65810	417-841-2799	bprude67@aol.com
52	Rusty MacLellan	4731 S. Turnberry	417-838-9645	Rusty@Bmachomes.com
53	Julie Bailiff	850 W. Brookshire Dr.	417-882-0898	jbailiff@mchsi.com
54	Math Stunkel	4779 S. Turnberry	417-840-4554	mathstunkel@aol.com
55	ROSEWOODS	4669 S WOODHOUSE	886-9401	WEDDER@SWEDE.NET
56	CHARLES DISCHINGER	702 W. FR 178	887-0747	CHARLES-CHOC@SWEDE.NET
57	Nick Dischinger	St me	Same	msim34@scglobal.net
58	Jacob Bollinger	4624 S. Parkhill	882-2191	
59	Daine Bollinger	Same "		
60	Ray Eby	4320 So. Quail Creek Ave		RayEby@gmail.com

ZONING CASE Z-19-2014, 4833 S Campbell

SIGN-IN SHEET

	Name	Address or Company	Phone	E-mail
21	Linda Clark	1126 W. Cardinal	368-9328	
22	G. Ibert Clark	1126 W. Cardinal	368-9328	
23	Clyde + Bob Lee	4625 S. Quail Creek	890-5518	clyde@spiritmail.com
24	David E. Cobb	4651 S. Quail Creek	---	
25	Jo Ann + Jones	4420 S. Quail Creek	877-1901	
26	Pat Crosby	1146 W Rockhill	877 7876	rac2plc@aatt.net
27	Roger Crosby	1146 W Rockhill	877-7876	" "
28	Jim Schmidt	Library Center 4653 S Campbell	417660587	jims@the-library.org
29	Sudney Laflen	1178 W Shawnee	883 3923	sjlaflen@seglab.net
30	Tom Turney	4739 S. Woodpointe	887-7199	tjturney@psdco.com
31	Arlene Sutherland	1134 W Camino Alto	877-1738	jandra.sutherland@aatt.net
32	John Ralston	4659 S. Turnberry	890-5559	
33	Juanita Roth	4436 S Quail Creek	883-6194	
34	Bob Roth	" " "	" "	
35	Gavin Felder	1212 W. Beckman	883-6892	
36	Dorell Blech	4637 S. Woodpointe	889-6388	
37	Donna Howerton	1182 W Rockhill	890-8601	
38	Jessie Alexander-east	4053 S. Campbell Library	unt 417-416-0525	jessieae@the-library.org
39	Parag Webster	4752 S Parkhill	417 883 9783	
40	Vicki Webster	" "	" "	

ZONING CASE Z-19-2014, 4833 S Campbell

SIGN-IN SHEET

	Name	Address or Company	Phone	E-mail
1	Jim & Sheryl Rock	4610 S. QUAIL CREEK	881-5173	jngjag@aol.com
2	Sheryl & Charles Wolfe	4601 S. Turnberry Ave	885-1333	
3	Phil & Nancy RAIBER	4613 S. Quail Creek	766-3196	
4	Bonnie & Duane Deol	4444 S. Quail Creek	887-4912	
5	Bob Lee	4625 S. Quail Creek	890 5518	ccwise@springhill.com
6	Jennifer & Duane Matthers	4638 S. Quail Crk	350-1716	
7	Bob & Biser	931 W. Sherwood Dr	417 887-9167	
8	Jim Malone	1171 W. Beckman	417 849 5879	
9	Bill & Joyce Kestler	1131 W. Beckman	417 887-9524	
10	MIKE DAILEY	4660 S. QUAIL CREEK	417 882-2123	ddmdrose@mcchsi.com
11	ATOE BAILEY	1177 W. WOODHaven	887-1425	
12	Carol Bangle	1201 W. Woodhaven	417-844-8619	carolbangle@hotmail.com
13	Leisa Detrick	4570 S. Quail Creek	886-2961	
14	Pat Plummer	4560 S. Quail Creek	882-1076	pplumery@gmail.com
15	Dana Plummer	"	"	
16	John & Linda Moxley	4684 S. Turnberry Ave	848-8332	
17	Dale & Rhonda Penn	4662 S. Turnberry Ave	368-3708	pennfamily5@hotmail.com
18	Bob & Carol Smith	4710 S. Quail Creek	823-8332	RUS4710@yahoo.com
19	Jane A. Hood	1121 W. Shawnee	417-889-1430	janeahood@aol.com
20	Peter Louk	1102 W. WOODHaven	417-823-8881	

ZONING CASE Z-19-2014, 4833 S Campbell

SIGN-IN SHEET

	Name	Address or Company	Phone	E-mail
1	Jeff Culbert	986 W. Kingsway	848 7224	joffg@heartearehisi.com
2	MAGGIE WILCOX	4756 S. TURNBERY	883-9133	MAGGIE@MIDWESTPIRATES.com
3	Shelley Evans	1111 W Shalwee	839-7134	shelley005@aol.com
4	PATRICIA BANNERMAN	4673 So. Quail Creek	889-0415	plbman@msn.com
5	Don Carlson	1236 W. Swallow	881-7208	dpcarl51716@yahoo.com
6	Celista Byner	4926 So Wellington	887-8267	
7	Jeff Byner	4926 S Wellington	887-8267	
8	Tam, Alison Legg	1155 W. Shawnee	269 0269	thomas.legg@cohealth.com
9	Stephanie Montgomery	5051 S. National Ave. Bldg 5-110	889-4300	stephanie stephanie@hond5.com
10				
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ZONING CASE Z-19-2014, 4833 S Campbell

SIGN-IN SHEET

	Name	Address or Company	Phone	E-mail
61	Michael Ward	Ward Branch	417-742-3272	
62	Ritchie Scott	4625 S. Woodpointe	417-883-1586	
63	Kate Plank	1122 W. Woodhaven	417-234-3427	
64	Ferry Chenoweth	4751 S. Turnberg Ave	417-882-2314	
65	Norwood Bonner	4673 S. QUAIL AVE	- 889-0415	
66	Mark Patrick	1835 E Republic Rd	887-5950	
67	Rick Gosnick	4699 S. Turnberg Ave	343-4127	
68	Bill & Rene Burns	3646 S. Parkhill Ave.	881-6285	
69	LANCE SPREAFEL	4385 NEUNEN	8891321	
70	Becky & Bill TAVIX	4914 S. WELLINGTON	NA	
71	Steve & Pam Anderson	1119 W. Beekman		
72	Mike & Luann Mattson	4585 S. Parkhill	417-882-9348	
73	Cindy Parker	4726 S. Woodpointe	417-810-9246	
74				
75				
76				
77				
78				
79				
80				

ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014

COMMENT FORM

(Please indicate your specific comments regarding the proposed rezoning to General Retail or Office O-1 in accordance with the exhibits presented. What would you suggest be done to improve the proposed plan? You may continue comments on other side.)

I am firmly against any rezoning from single family residential homes.

I live directly to the west of the field and do not want noise + light pollution decreasing my home value. I do not want increased traffic in our neighborhood. I do not want my Eastward view blocked by office buildings or businesses.

Name: Willis H Hoyt IV

☒ **Property Owner or Resident**

☐ **Representing Business**

If representing a business, give name of business:

Address: 4624 S. Quail Creek Avenue

☒ **Home**

☐ **Business**

Telephone: 573 206 4298

☒ **Home**

☐ **Business**

Email: willishoyt@gmail.com

THANK YOU FOR YOUR COMMENTS.

Please return this form to the sign-in table or directly to the City of Springfield Planning and Zoning Department (840 Boonville Ave. Springfield, MO 65802).

ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014

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I DO NOT UNDERSTAND THE NEED TO ROUTE A NEIGHBORHOOD
TO OFFICE AND RETAIL?

Name: MARK RUTKOWSKI

☒ **Property Owner or Resident**

☐ **Representing Business**

If representing a business, give name of business:

Address: 1219 W. CARSWAL ST.

☒ **Home**

☐ **Business**

Telephone: 417 827 4334

☒ **Home**

☐ **Business**

Email: _____

THANK YOU FOR YOUR COMMENTS.

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Am opposed to connection of Buena Vista to Quail Creek neighborhood. Am additionally opposed to office structures of 3 stories being allowed to back up to Quail Creek and to Wellington Hills. This would allow or cause lights in people's living space, noise, litter and increased potential for crime.

This will inhibit future residential development and be detrimental to property values.

We have lived here for a considerable period of time and the traffic will be detrimental to children using the neighborhood streets and sidewalks. I fear increased traffic will negatively affect our quality of life.

Name: Mike & Luann Mattson

- ☒ **Property Owner or Resident**
☐ **Representing Business**

If representing a business, give name of business:

Address: 4535 S. Parkhill

- ☒ **Home** ☐ **Business**

Telephone: 417-882-9348

- ☐ **Home** ☐ **Business**

Email: Matt5446@SBCGLOBAL.NET

THANK YOU FOR YOUR COMMENTS.

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ZONING CASE Z-19-2014
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We live in the Quail Creek Subdivision. We oppose the development of Office and General Retail. Both of these pose a very negative impact on our home and its value as well as safety. We do not see any positive effect coming out of this process. We are currently surrounded by businesses and multifamily dwellings. There will not be adequate separation between the proposed development and homes in the neighborhood. This area would be best suited for homes.

Name: Steve and Pam Anderson

☒ **Property Owner or Resident**

☐ **Representing Business**

If representing a business, give name of business:

Address: 1119 W. Beekman

☒ **Home**

☐ **Business**

Telephone: 619-3843

☒ **Home**

☐ **Business**

Email: sapamasa@sbcglobal.net

THANK YOU FOR YOUR COMMENTS.

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**ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014**

COMMENT FORM

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- STEP DOWN ZONING ??? GENERAL RETAIL NOT ACCEPTABLE!
- I AM CONCERNED THAT A 100 FT ZONE IS NOT ENOUGH.
- COMPANIES ARE MADE UP OF PEOPLE AND THOSE PEOPLE LIVE IN SPFD. I EXPECT THAT YOU AS PEOPLE WILL DO THE BEST FOR THE PEOPLE OF THIS NEIGHBORHOOD. I WILL HOLD THE PEOPLE OF YOUR COMPANY ACCOUNTABLE!!

Name: _____

- ☒ Property Owner or Resident
☐ Representing Business

If representing a business, give name of business:

Address: _____

☒ Home

☐ Business

Telephone: _____

☐ Home

☐ Business

Email: _____

THANK YOU FOR YOUR COMMENTS.

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**ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014**

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*I'm opposed to extending Buena Vista
into the new development especially
if Kansas expressway is extended south
of Republic Road - Buena Vista is a
narrow street and could not support
additional traffic.*

W.H. Burns

Name: _____

- ☒ Property Owner or Resident
☐ Representing Business

If representing a business, give name of business:

Wm. H. Burns

Address: *4636 S. PARKHILL AVE*

- ☒ Home ☐ Business

Telephone: *886-6285*

- ☒ Home ☐ Business

Email: _____

THANK YOU FOR YOUR COMMENTS.

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PUBLIC MEETING – AUGUST 8, 2014**

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I would prefer Buena Vista not go through till Kansas Exp is finished to make Buena Vista is attractive. There is no place for the traffic to go into Quail Creek.

Name: Rich Gosnick

☒ **Property Owner or Resident**

☐ **Representing Business**

If representing a business, give name of business:

Address: 4699 S. Turnberry Ave

☒ **Home**

☐ **Business**

Telephone: 343-4127

☒ **Home**

☒ **Business**

Email: _____

THANK YOU FOR YOUR COMMENTS.

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ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014

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make it residential.
Make it a Cometary
No noise
No crime
No traffic

Name: Bannerman

- ☒ *Property Owner or Resident*
☐ *Representing Business*

If representing a business, give name of business:

Address: 4673 So. Quail Creek Ave
☒ *Home* ☐ *Business*

Telephone: 417-889-0415
☒ *Home* ☐ *Business*

Email: _____

THANK YOU FOR YOUR COMMENTS.

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ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014

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Biggest concern is access at Quail Creek Blvd & Republic Road. Big O Tires business has 2 driveway accesses to Republic Rd which we think could cause problems of theses customers turning East & our residents turning West. Is a traffic signal possible at Old Kansas Street & Republic Road?

Name: Jerry & Arlene Sutherland

☒ **Property Owner or Resident**

☐ **Representing Business**

If representing a business, give name of business:

Address: 1134 W CAMINO ALTO

☒ **Home**

☐ **Business**

Telephone: 417-877-1738

☒ **Home**

☐ **Business**

Email: janlasutherland@att.net

THANK YOU FOR YOUR COMMENTS.

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ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014

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CONCERNED ABOUT TRAFFIC ON QUAIL CREEK
AND INTERSECTION AT REPUBLIC ROAD

ALLOWING RESIDENTIAL ABOVE ground floor offices
ALLOWING DRUG TREATMENT etc centered

ALLOWING helicopter PANS

NOT enough landscaping buffer, 100 ft not
enough if 100 feet of it is ROAD

why no formal presentation?

why not enough office zoning regulation & sheets!
Meeting poorly DONE!

Name: Phil Raider

☒ **Property Owner or Resident**

☐ **Representing Business**

If representing a business, give name of business:

Address: 4613 S. QUAIL CREEK AVE

☒ **Home**

☐ **Business**

Telephone: 417-766-3196

☒ **Home**

☐ **Business**

Email: _____

THANK YOU FOR YOUR COMMENTS.

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ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014

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NO ISSUES WITH BUSINESS
* DO NOT WANT BUENA VISTA PUT THROUGH
- CRIME INCREASE
- TRAFFIC INCREASE
- WILL BE USED AS CUT THROUGH TO
AVOID LIGHTS ON CAMPBELL + REPUBLIC
DON'T WANT APARTMENTS IN AREA
DEVELOPMENT

Name: ROSE WOOLDRIDGE

- ☒ *Property Owner or Resident*
☐ *Representing Business*

If representing a business, give name of business:

Address: _____

- ☐ *Home* ☐ *Business*

Telephone: _____

- ☐ *Home* ☐ *Business*

Email: _____

THANK YOU FOR YOUR COMMENTS.

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**ZONING CASE Z-19-2014
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EMERGENCY Vehicle Ingress & EGRESS

Stoplight on Republic Road would be Facilitated

Setback Area 100' is good for TRANSITION LIGHTING? TRASH REMOVAL?

Name: Jim Rock

- ☒ **Property Owner or Resident**
☐ **Representing Business**

If representing a business, give name of business:

Address: 4610 S. QUAIL CREEK

☒ **Home**

☐ **Business**

Telephone: 417-881-5173

☒ **Home**

☐ **Business**

Email: jmgjzg@AOL.COM

THANK YOU FOR YOUR COMMENTS.

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**ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014**

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I WOULD REQUEST ALL THAT COULD BE DONE TO
ADD WINDOW & FOUNDATION WHEN BLASTING. WE
HAVE GREAT CONCERNS ABOUT THIS. DON'T WANT
TO HEAR WE FOLLOWED REGULATIONS BUT RATHER
EXTRA PRECAUTION.

Name:

WILLIAM R. TANDY

☒ Property Owner or Resident

☐ Representing Business

If representing a business, give name of business:

Address:

4914 S. WELLINGTON

☒ Home

☐ Business

Telephone:

417-891-9987

☒ Home

☐ Business

Email:

xmskp639@mchsi.com

THANK YOU FOR YOUR COMMENTS.

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**ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014**

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I oppose rezoning District 1 due to security noise & property values for the neighborhood. Also opposing extending Duena Vista and South Buckingham lane, again for property value & security.

Name: Alison Legg
☒ **Property Owner or Resident**
☐ **Representing Business**

If representing a business, give name of business:

Address: _____
☐ **Home** ☐ **Business**

Telephone: (417) 269 0269
☐ **Home** ☐ **Business**

Email: air4jetski@hotmail.com

THANK YOU FOR YOUR COMMENTS.

Please return this form to the sign-in table or directly to the City of Springfield Planning and Zoning Department (840 Boonville Ave. Springfield, MO 65802).

ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014

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I oppose Rezoning District 1 due to
noise, security and property values

I oppose extending Buena Vista and
S Buckingham lane for property value
and security reasons

Name: Thomas Legg

☒ **Property Owner or Resident**

☐ **Representing Business**

If representing a business, give name of business:

Address: _____

☒ **Home**

☐ **Business**

Telephone: 269 0269

☐ **Home**

☒ **Business**

Email: Thomas.legg@coxhealth.com

THANK YOU FOR YOUR COMMENTS.

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ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014

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Meeting was poorly planned!!!
Concerned about construction – Hopefully Buena Vista
can be closed during construction of office space.

Name: _____

- ☐ *Property Owner or Resident*
☐ *Representing Business*

If representing a business, give name of business:

Address: _____

- ☐ *Home* ☐ *Business*

Telephone: _____

- ☐ *Home* ☐ *Business*

Email: _____

THANK YOU FOR YOUR COMMENTS.

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ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014

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House ~~very~~ will go down

Name: HOWARD J. BANNERMAN

☒ **Property Owner or Resident**

☐ **Representing Business**

If representing a business, give name of business:

Address: 4673 S. QUAIL CREEK AVE

☒ **Home**

☐ **Business**

Telephone: 889-4316

☒ **Home**

☐ **Business**

Email: _____

THANK YOU FOR YOUR COMMENTS.

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ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014

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We are not in favor of the retail office development coming into Bell Vista and ruining the integrity of our quiet neighborhood. Quail Creek Ave. is a very narrow & curving road with our own neighborhood swimming pool on this road. Not only will office workers use our neighborhood as an exit but also Sam's & Academy Shoppers. The QC & Republic Rd intersection is a nightmare now & will only get worse.

Name: John & Linda Moneymaker
☒ **Property Owner or Resident**
☐ **Representing Business**

If representing a business, give name of business:

Address: 4684 S. WoodPointe Springfield, MO 65810
☒ **Home** ☐ **Business**

Telephone: cell 848-8332
☐ **Home** ☐ **Business**

Email: johnmoneymaker@SbaGlobal.net

THANK YOU FOR YOUR COMMENTS.

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What I see so far is that the water retention ponds are tiny which will cause more flooding. I see a property value decrease for the Quail Creek Subdivision. There is no reason to route traffic to ~~Buen Vista~~ Buena Vista to our subdivision. The city storm water dept has only made more water come in to the north side of Quail Creek.

Name: ANDREW + ANNE MANN

☒ Property Owner or Resident

☐ Representing Business

If representing a business, give name of business:

Address: 4357 S. NEWTON

☒ Home

☐ Business

Telephone: 417-818-1544

☒ Home

☐ Business

Email: _____

THANK YOU FOR YOUR COMMENTS.

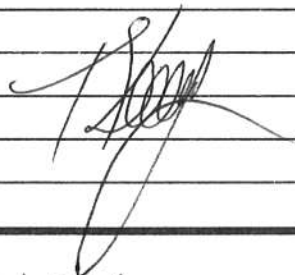
Please return this form to the sign-in table or directly to the City of Springfield Planning and Zoning Department (840 Boonville Ave. Springfield, MO 65802).

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PUBLIC MEETING – AUGUST 8, 2014**

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I AM OPPOSED TO THE DEVELOPMENT OF OFFICES TO THE EAST OF QUAIL CREEK. AS IT STANDS NOW, BURNA VISTA/QUAIL CREEK IS THE ONLY ENTRANCE/EXIT TO OUR NEIGHBORHOOD. TO ADD 200+ VEHICLES THAT GO BY OUR POOL/TENNIS COURTS/COMMON AREA IS NOT APPROPRIATE.



Name: TROY E. KENNEDY

- ☒ Property Owner or Resident
☐ Representing Business

If representing a business, give name of business:

Address: 4711 S. WOODPOINTE

- ☒ Home ☐ Business

Telephone: CELL 417-838-5303

- ☐ Home ☐ Business

Email: TKENNEDY@TIFINANCEIA/MGT.COM

THANK YOU FOR YOUR COMMENTS.

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**ZONING CASE Z-19-2014
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- THE STREET THAT CONNECTS BUCKINGHAM AND BUENA VISTA IS UNNECESSARY AND SHOULD BE REMOVED FROM THE PLAN.
- THE CITY HAS MANY EMPTY OFFICES, WHY DO WE NEED MORE?
- I'M CONCERNED ABOUT AN INCREASE IN CRIME FROM THESE TYPE OF VACANT STRUCTURES NEAR OUR HOMES.
- THE DETENTION BASIN / CREEK VALLEY NEAR THE LAKE WOOD EXTENSION PROVIDES A NATURAL BUFFER BETWEEN HOMES + RETAIL. WE SHOULD LEAVE THE OFFICE ZONING AS RESIDENTIAL INSTEAD OF PUTTING OFFICES RIGHT NEXT TO HOMES.

Name: MIKE DAILEY

- ☒ Property Owner or Resident
☐ Representing Business

If representing a business, give name of business:

Address: 4660 S. QUAIL CREEK

- ☒ Home ☐ Business

Telephone: 417 882-2123

- ☒ Home ☐ Business

Email: ddmdvose@mchsi.com

THANK YOU FOR YOUR COMMENTS.

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**ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014**

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Not in favor of this project

Name: Robert G. Roth

☒ **Property Owner or Resident**

☐ **Representing Business**

If representing a business, give name of business:

Address: 4436 S. Quail Creek Ave.

☒ **Home**

☐ **Business**

Telephone: 417-883-6194

☒ **Home**

☐ **Business**

Email: _____

THANK YOU FOR YOUR COMMENTS.

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ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014

COMMENT FORM

(Please indicate your specific comments regarding the proposed rezoning to General Retail or Office O-1 in accordance with the exhibits presented. What would you suggest be done to improve the proposed plan? You may continue comments on other side.)

1) What type of business office will be allowed? (Could have an office that has 15 trucks where would they park besides the street?)
2) What is the number of units in the zoning?
3) What is the height of buildings same restrictions
4) What is the depth of the buffer zone
5) What is the traffic pattern plans for the development
Present DC residents already have problems accessing Republic Rd at peak times like 7AM-9am and 3pm-6pm
* at a public meeting about another change of zoning (Stam's Club) several years ago, it was stated Buena Vista would not be opened until the property west of Larpkill Hve + Kansas is developed. What happened to that?

Name:

Robert W Scott

☒ Property Owner or Resident

☐ Representing Business

If representing a business, give name of business:

Address:

4710 S Quail Creek Ave

☒ Home

☐ Business

Telephone:

417 823-8332

☒ Home

☐ Business

Email:

RWS 4710@yahoo.com

THANK YOU FOR YOUR COMMENTS.

Please return this form to the sign-in table or directly to the City of Springfield Planning and Zoning Department (840 Boonville Ave. Springfield, MO 65802).

ZONING CHANGE QUESTION 8-8-14

What types of business office will be allowed? (Could have an office that has 15 trucks and where would they park besides the streets.)

What is the number of units in the zoning?

What is the height of these buildings?

What will be the style and materials used for these buildings?

Will their Covance's be in line with what is used in QC?

Will the buildings line with present property lines?

What is the depth of the buffer zone and what will be planned for this area.

What type of lighting will be allowed in this development?

What is the traffic pattern plans for the development? Present QC residents have problems accessing Republic Road at peak times like 7am-9am and 3 pm-6pm.

(At a public meeting about another change of zoning (Sam's Club) several years ago, it was stated that Buena Vista would not be opened until the property west of Parkhill Ave and Kansas is developed.)

Robert W Scott
4710 S Quail Creek Ave
Springfield, MO 65810
417-823-8332
rws 4710 @ Yahoo.com

ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014

COMMENT FORM

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We are opposed to opening a thruway on Buena Vista because it is a residential neighborhood. Danger to children who live in Quail Creek.

Name: Bob & Janet McCrain

- ☒ **Property Owner or Resident**
☐ **Representing Business**

If representing a business, give name of business:

Address: 4600 S. Turnberry

☒ **Home** ☐ **Business**

Telephone: 417 501-1184

☒ **Home** ☐ **Business**

Email: rojay28@yahoo.com

THANK YOU FOR YOUR COMMENTS.

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to accommodate Retail/Office space.

ZONING CASE Z-19-2014
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We suggest "NOT" making Buena Vista a "through" street. What is to be gained by giving office + retail traffic the option of driving through our neighborhood? Let them enter AND exit off Campbell Avenue. Leave our neighborhood strictly for residents.

We fear for our children's safety because the increased heavy, fast traffic will travel by the entrance to our pool, tennis courts + basketball / volleyball courts. We like ONE way in and ONE WAY OUT of Quail Creek Subdivision. Already, we have difficulty entering Republic Rd. with our existing traffic. We can't imagine what that will be like with so many extra cars.

Name: Dale + Rhonda Penn

☒ Property Owner or Resident

☐ Representing Business

If representing a business, give name of business:

Address: 4662 S. Turnberry Ave.

☒ Home

☐ Business

Telephone: 417-368-3708 home

☒ Home

☐ Business

Email: pennfamily5@hotmail.com

trying to get onto Republic Rd. from Quail Creek.

Please do not extend Buena Vista street! We are strongly opposed.

THANK YOU FOR YOUR COMMENTS.

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**ZONING CASE Z-19-2014
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4-2002 UNDER permitted uses G-
ITEM R. Residential Uses
4-2003 Bed & Breakfast
Both ARE INCONSISTENT
with OFFICE DESIGNATION
NON-RESIDENTIAL
Please Exclude Any
Residential

Name:

Jim Rock

- ☒ Property Owner or Resident
☐ Representing Business

If representing a business, give name of business:

Address:

4610 S. QUAIL Creek

☒ Home

☐ Business

Telephone:

417-881-5173

☒ Home

☐ Business

Email:

jmgjag@aol.com

THANK YOU FOR YOUR COMMENTS.

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**ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014**

COMMENT FORM

(Please indicate your specific comments regarding the proposed rezoning to General Retail or Office O-1 in accordance with the exhibits presented. What would you suggest be done to improve the proposed plan? You may continue comments on other side.)

*Extending Buena Vista from Buckingham
is very poor planning!!!*

Name:

- ☒ *Property Owner or Resident*
☐ *Representing Business*

If representing a business, give name of business:

Address:

☒ *Home*

☐ *Business*

Telephone:

☐ *Home*

☐ *Business*

Email:

THANK YOU FOR YOUR COMMENTS.

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NO NO NO

I live on Quail Creek and the traffic generated by this plan will make my house unsalable or so for so little I couldn't afford any place else. I am a widow with limited funds.

Name:

Lois Detrick

☒ Property Owner or Resident

☐ Representing Business

If representing a business, give name of business:

Address:

4570 S Quail Creek Ave

☒ Home

☐ Business

Telephone:

886-2961

☒ Home

☐ Business

Email:

THANK YOU FOR YOUR COMMENTS.

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OFFICE DISTRICT 1 7702 acres - is too
close to residential - i.e. Quail Creek -
could that be changed to residential - it
will cause property values of these homes
that ~~to~~ back up to ~~the~~ Quail Creek to drop -
plus too much traffic on Quail Creek Ave
who wants to look out in their back
yard & see an office building? ~~Therian~~

Name: Gary S. Crain

☒ Property Owner or Resident

☐ Representing Business

If representing a business, give name of business:

Address: 4320 So. Quail Creek Ave

☐ Home

☐ Business

Telephone: 417-224-7773

☐ Home

☐ Business

Email: gcrain@gm hot mail.com

THANK YOU FOR YOUR COMMENTS.

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Quail Creek is one of the most attractive neighborhoods in S.G.F. By creating an increased traffic flow as indicated in these plans, much of the beauty will disappear. Develop the property but isolate Q. Creek from increased traffic.

Name: _____

- ☒ **Property Owner or Resident**
☐ **Representing Business**

If representing a business, give name of business:

Address: _____

4625 Quail Creek Ave.

☒ **Home**

☐ **Business**

Telephone: _____

417-890-5518

☒ **Home**

☐ **Business**

Email: _____

THANK YOU FOR YOUR COMMENTS.

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Buckingham Lane cannot handle traffic from Buena Vista (proposed street). We are a small neighborhood and people that are in our development are there for a reason. With Buena Vista connecting to Buckingham we will get excess traffic not only from the Retail Center but also from Quail Creek cutting thru to Weaver. Other subdivisions west of us (Stone Meadows) will use Buckingham as a cut-thru to get to new Retail and to Sam's, etc... This is ridiculous! We have a small street that was never meant for this kind of traffic. We have children that play on this street and speed too →

Name: Ray & Jackie Bailiff

- ☒ Property Owner or Resident
☐ Representing Business

If representing a business, give name of business:

Address: 850 W. Brookshire Dr.

- ☒ Home ☐ Business

Telephone: 417-882-0898

- ☒ Home ☐ Business

Email: jbailiff@mchsi.com

THANK YOU FOR YOUR COMMENTS.

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- 1- Need for traffic light at entrance to neighborhood at Quail Creek (on Republic Rd.)
- 2- Concern for cleanliness of office district - placement of dumpsters - would not want right behind house
- 3- Concern for attractiveness of office building design ~~to~~ should meet specific requirements and be of specific regulations to blend with residential area

Name: Julie Cassity
☒ **Property Owner or Resident**
☐ **Representing Business**

If representing a business, give name of business:

Address: 4598 S. Quail Creek
☒ **Home** ☐ **Business**

Telephone: 417-861-7345
☒ **Home** ☐ **Business**

Email: julescassity@yahoo.com

THANK YOU FOR YOUR COMMENTS.

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Just interested in seeing what our neighbors
have planned!

Name: Jessie Alexander, East

- ☐ **Property Owner or Resident**
☒ **Representing Business**

If representing a business, give name of business:

The Library Center

Address: 4653 S. Campbell Ave Spfld MO 65810

- ☐ **Home** ☒ **Business**

Telephone: 417-666-0525

- ☐ **Home** ☒ **Business**

Email: jessieae@thelibrary.org

THANK YOU FOR YOUR COMMENTS.

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Concerned @ increased traffic on Quail Creek @ Buena Vista going through. Exit to leave Quail Creek has already had a fatality and numerous accidents. Please check out traffic from 7:30-8:30 AM and 4:30-6:00 PM on Republic road. Foresee people living west of Quail Creek cutting through to Sam's, Library, Academy, Fred's and now multi complex office.

Name: Nancy Raider

- ☒ **Property Owner or Resident**
☐ **Representing Business**

If representing a business, give name of business:

Address: 413 S. Quail Creek

- ☒ **Home** ☐ **Business**

Telephone: 417 883-1132

- ☒ **Home** ☐ **Business**

Email: nraider@mchsi.com

THANK YOU FOR YOUR COMMENTS.

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concerned about traffic flow impact into
Quail Creek.

Name: Tom Rykowski

- ☒ **Property Owner or Resident**
☐ **Representing Business**

If representing a business, give name of business:

Address: 4612 S. Woodpointe

- ☒ **Home** ☐ **Business**

Telephone: 881-8766

- ☒ **Home** ☐ **Business**

Email: _____

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need traffic light at Quail Creek and
Rep. Rd.

Name:

Bonnie Nelson

☒ **Property Owner or Resident**

☐ **Representing Business**

If representing a business, give name of business:

Address:

4444 S. Quail Creek

☒ **Home**

☐ **Business**

Telephone:

417 887-4912

☒ **Home**

☐ **Business**

Email:

THANK YOU FOR YOUR COMMENTS.

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If this is done, our area must have traffic
light on Republic road exist! With added traffic
from retail, we'll really have trouble turning
left on to Republic Rd at high traffic times
especially!

Name: MaryAnn Gomer

☒ **Property Owner or Resident**

☐ **Representing Business**

If representing a business, give name of business:

Address: 1183 W. Beekman St. City

☒ **Home**

☐ **Business**

Telephone: 417-883-7562

☒ **Home**

☐ **Business**

Email: 

THANK YOU FOR YOUR COMMENTS.

Please return this form to the sign-in table or directly to the City of Springfield Planning and Zoning Department (840 Boonville Ave. Springfield, MO 65802).

Charlie Dischinger
702 W. Farm Road 178
Springfield, Missouri 65810-1627

Phone (417) 887-0747
Email: Charlie-ChooChoo@sbcglobal.net



Monday, August 11, 2014

Zoning Case: Z-19-2014

Kelly Short
CJW
5051 S. National, Ste. 4-110
Springfield, Mo. 65810

Bob Hosmer, Principal Planner
Development Review Office
City of Springfield
840 Booneville
Springfield, Mo. 65802

Kelly,

After attending your Public Meeting at the Library Center on Friday August 8th, 2014, I have given a lot of thought and consideration to what was presented. Unfortunately, I came away from that meeting knowing little more than before I went in. Even though I asked numerous questions and listened to many others do the same; rarely, if any, was there a definitive answer given to any of them. You are asking for the rezoning of the property north and more importantly upstream along Ward Branch from my property with little more than a general concept and no real idea of what you will do with the property even if it is rezoned to Commercial and Office use. As I viewed the reaction of all of the people in attendance at that meeting, they wanted to know more about exactly how the property will be developed and all of their concerns, along with mine, revolve around traffic and flooding.

With regard to the traffic issue, one of the key questions I have is what kind of traffic is going to be generated with the development of the property? Nobody from your office, could answer that question because they don't have any idea of what kind of business would actually be built there. Without that knowledge, you cannot project any kind of reasonable traffic projection for not only the number of vehicles, but when they would be traveling in and out. That kind of information can only be obtained when you have an idea of exactly what kind of businesses will be going in.

An even more pressing and important consideration to this project, should be the concern of exactly how this project is going to add to the already existing flooding problem associated with Ward Branch. In 2000, the City of Springfield was forced to buy out numerous homes in the Shadowwood Subdivision because of the severe flooding caused by the development in the approximately five square miles of the Ward Branch watershed. Since that time, the problem has continuously gotten worse with each new development. It use to take a hard 3" rain to cause Ward Branch to flood. Recently, it has flooded with as little as a hard inch and a half rain. I would like to remind you that a 3" rain, while not uncommon, is relatively rare. While a hard 1.5 inch rain is rather common.

When I questioned you and others from your staff about exactly what kind of measures would be taken to insure that this development would not increase the flooding problem immediately downstream, no one could provide an answer, other than you would live up to all City of Springfield requirements. Unfortunately, history has shown that those requirements are insufficient and have allowed the flooding to continue to get worse with each new development. I can provide you with direct visible examples of how the City of Springfield allowed the development next to my property, build a storm water retention pond over existing wet weather springs, only to have them relocate themselves closer to my property and causing all kinds of flooding problems. The property in question, not only has wet weather springs, but continuously flowing springs. When queried about the number and location of these, an answer could not be provided.

I fully understand that the rezoning of this property from Single Family to Commercial, would mean that the impervious surface that would be allowed on this property, would go from 50% to 80%. While this property could be built on now, without a rezoning; a rezoning to Commercial use would mean a 60% increase in the amount of allowed imperious surface and subsequently a 60% increase in the amount of run-off. While storm water retention basins, allow for part of the water to soak back into the ground, which would only account for maybe 10% of that increased run-off. And that is if the ground is dry to begin with. What are you going to do with the other 50% increase in run-off? I know I don't need to tell you that a storm water retention basin is only designed to limit the peak flow and only holds back the excessive run-off for a very short period of time. They are not designed to permanently hold back that excessive run-off.

So I remain vehemently opposed to the rezoning of this property until such time as there is a definitive plan for how you are going to handle the two problems I have mentioned. And to do that, you are going to have to know exactly how you intend to develop this property and with what. Particularly with regard to the flooding issue, the environment along Ward Branch is too fragile and unstable. It cannot handle additional development without an adverse affect on those downstream.

A handwritten signature in dark ink, appearing to read 'C. Dischinger', with a stylized, flowing script.

Charlie Dischinger

**ZONING CASE Z-19-2014
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SEE ATTACHED LETTER

Name: CHARLES A. DISCHINGER

- ☒ **Property Owner or Resident**
☐ **Representing Business**

If representing a business, give name of business:

Address: 702 W. FARM ROAD 172

- ☒ **Home** ☐ **Business**

Telephone: (417) 887-0747

- ☒ **Home** ☐ **Business**

Email: CHARLIE-CHOOCHOO@SBCGLOBAL.NET

THANK YOU FOR YOUR COMMENTS.

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> NO - NO - NO!!
please NO TRUCK TRAFFIC in here

> Only one way in + out is great to keep bad people out of our neighborhoods.

Name: Curtis Brown

☒ **Property Owner or Resident**

☐ **Representing Business**

If representing a business, give name of business:

~~Curtis Brown~~

Address: 4613 S. Turnberry

☒ **Home**

☐ **Business**

Telephone: _____

☐ **Home**

☐ **Business**

Email: radiocurt@att.net

THANK YOU FOR YOUR COMMENTS.

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No need to connect Brea Vista at this time. There is no outlet other than Quail Creek Blvd which is only way out.

I feel there is no plan (within next 5-10 yrs) to develop S. Kansas as a connector w/ Brea Vista.

We do not need add traffic thru our neighborhood. We currently have controls & security in place for our residents that connecting will alter.

Name: Tom Turnage

- ☒ Property Owner or Resident
☐ Representing Business

If representing a business, give name of business:

Address: 4739 S. Woodpointe Ave

☐ Home

☐ Business

Telephone: 887-7199 425-1847

☒ Home

☒ Business

Email: tjturnage@yahoo.com

THANK YOU FOR YOUR COMMENTS.

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This meeting was not put together correctly. No General meeting for info sharing just people talking needs.

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Quail Creek Neighborhood has 286 homeowners leaving Quail Creek. Increased Traffic by opening up Buena Vista will endanger residents with children, to protect the pool area. It is very difficult to get out of Republic Road without additional Traffic routed by opening Buena Vista. I am very opposed extending Buena Vista or through to the area that is being considered for general office traffic. No doubt this will decrease the value & demand for homes in our neighborhood. Currently homes sell quickly in our neighborhood.

Name: Donna Howerton

- ☐ Property Owner or Resident
☐ Representing Business

If representing a business, give name of business:

Address: 1182 W Rockhill

☒ Home ☐ Business

Telephone: 417-890-8601

☒ Home ☐ Business

Email: _____

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I Am very opposed to the increasing of traffic in a beautiful residential subdivision of 285 homes! Our homes will decrease in value due to this Rezoning project. It will be difficult for homes to get out of drive ways

Name:

Bob + Gayle Lee

☒ **Property Owner or Resident**

☐ **Representing Business**

If representing a business, give name of business:

Address:

4625 S. Quail Creek Ave.

☐ **Home**

☐ **Business**

Telephone:

890-5518

☐ **Home**

☐ **Business**

Email:

THANK YOU FOR YOUR COMMENTS.

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- IT SHOULD NOT BE REZONED AS OFFICE. IT WILL GREATLY DECREASE THE PROPERTY VALUES IN QUAIL CREEK.
- DO NOT EXTEND BUENA VISTA TO CONNECT TO THE NEW STREETS. THAT WOULD BRING THROUGH TRAFFIC THROUGH QUAIL CREEK.
- WHAT HAPPENS TO WATER RUN OFF FROM PARKING LOTS?
- WE NEED TREES, BUSHES, BERMS OR OTHER VISUAL BUFFERS BETWEEN HOMES AND THE NEW OFFICES.
- TOTALLY OPPOSED TO OFFICES OR ANY OTHER ZONING BORDERING QUAIL CREEK EXCEPT SINGLE FAMILY

Name: MIKE DAILEY

☒ Property Owner or Resident

☐ Representing Business

If representing a business, give name of business:

Address: 4660 S. QUAIL CREEK

☒ Home

☐ Business

Telephone: 417 882-2123

☒ Home

☐ Business

Email: ddmdrose@mchsi.com

THANK YOU FOR YOUR COMMENTS.

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OFFICE SPACE is not needed in Springfield. There are over 100 offices available thru on site upscale to general. We should utilize what we have.

There is a ~~bad~~ bottle neck at one entrance to this shopping area now with 2 entrances. Routing commercial traffic through subdivisions should never be the answer. It affects the safety of the children in our subdivision.

There is one area that is not being addressed in all of this that is zoned residential. It needs to be explained.

We have an office at the entrance of Quail Creek which ~~the~~ we do not maintain the fence. Shows the we cannot require this developer to maintain their buffer either.

Name: Patricia Plumery
☐ Property Owner or Resident
☐ Representing Business

If representing a business, give name of business:

Address: 4560 S. Quail Creek Spft.
☐ Home ☐ Business

Telephone: 882-1076
☐ Home ☐ Business

Email: pplumery@gmail.com

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- ① GATE AT Buena Vista
TO OPEN FOR EMERGENCY Personnel
and Residents
OR
② TRAFFIC LIGHT AT
Republic Rd + Quail Creek
③ Keep RESIDENTIAL nearest
the subdivisions.

Name: VICTORINE MAHON

- ☒ **Property Owner or Resident**
☐ **Representing Business**

If representing a business, give name of business:

N/A

Address: 4413 S Parkhill Ave

- ☒ **Home** ☐ **Business**

Telephone: (417) 885-0109

- ☒ **Home** ☐ **Business**

Email: amahonje@aol.com

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My concern is the Amount of traffic (Automobile) that would increase into Quail Creek neighborhood.

Name: Bryant Prude

- ☒ *Property Owner or Resident*
☐ *Representing Business*

If representing a business, give name of business:

Address: 4365 S Newton Ave

☒ *Home*

☐ *Business*

Telephone: 417 - 886 5635

☒ *Home*

☐ *Business*

Email: BPrude67@aol.com

THANK YOU FOR YOUR COMMENTS.

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BAD timing Friday @ 4:30
Weekend before School Last Chance
To go To Lake or Take Trips

Name: _____

- ☒ *Property Owner or Resident*
☐ *Representing Business*

If representing a business, give name of business:

Address: _____

- ☐ *Home* ☐ *Business*

Telephone: _____

- ☒ *Home* ☐ *Business*

Email: *JerryCarroll@gmail.com*

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No

Name: Jacob Bollinger 4424 S PARK HILL

☒ **Property Owner or Resident**

☐ **Representing Business**

If representing a business, give name of business:

Address: _____

☐ **Home**

☐ **Business**

Telephone: _____

☐ **Home**

☐ **Business**

Email: _____

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The Library looks forward to working w/ development
& increased retail & office for S Campbell.

Name: Jim Schmidt

- ☐ Property Owner or Resident
☒ Representing Business

If representing a business, give name of business:

Library District

Address: 4653 S Campbell, Springfield 65810

- ☐ Home ☒ Business

Telephone: 4176160587

- ☐ Home ☒ Business

Email: jim@thelibrary.org

THANK YOU FOR YOUR COMMENTS.

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There is not enough info given to make a good decision. However, Quail Creek has been a very safe neighborhood due to having only one entrance in. This proposal will open up a lot of traffic into our area along with easy entrance and get away for anyone interested in home invasion or thefts. Definitely do not want to see halfway houses, soup kitchens etc going in. We bought there with the understanding that the property behind our house was zoned single family residence. At this time we do not want to see any rezoning.

Name: DWANE + JENNIFER MATHER

☒ Property Owner or Resident

☐ Representing Business

If representing a business, give name of business:

Address: 4638 S Quail Creek

☒ Home

☐ Business

Telephone: 350-1716

☒ Home

☐ Business

Email: _____

THANK YOU FOR YOUR COMMENTS.

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No little information, as of now, to be able to determine how this will affect home life.

~~Have~~ Easy access to Republic thru our subdivision not good idea.

*Lighting is issue. No soup kitchen types business -
motels No substance abuse facility*

Need more info

Name: Pat Crosby

- ☒ Property Owner or Resident
☐ Representing Business

If representing a business, give name of business:

Address: 1146 W Rockhill

☒ Home ☐ Business

Telephone: 877 7876

☒ Home ☐ Business

Email: Rae2pic@att.net

THANK YOU FOR YOUR COMMENTS.

Please return this form to the sign-in table or directly to the City of Springfield Planning and Zoning Department (840 Boonville Ave. Springfield, MO 65802).

**ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014**

COMMENT FORM

(Please indicate your specific comments regarding the proposed rezoning to General Retail or Office O-1 in accordance with the exhibits presented. What would you suggest be done to improve the proposed plan? You may continue comments on other side.)

HAS THERE BEEN A COMPLETE SURVEY
BY THE ZONING COMMITTEE FOR THE
NEED OF ADDITIONAL OFFICE SPACES ??
THERE IS ALREADY AN EXCESSIVE
OF OFFICE SPACES AVAILABLE IN
SOUTH SPRINGFIELD

Name: HAROLD LANKFORD

- ☒ Property Owner or Resident
☐ Representing Business

If representing a business, give name of business:

Address: 1164 W. ROCKHILL

- ☒ Home ☐ Business

Telephone: 417-887-6744

- ☒ Home ☐ Business

Email: _____

THANK YOU FOR YOUR COMMENTS.

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ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014

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We live on the edge of field in Wellington Hills. We will be greatly affected. We have the privacy up against the field, along with no thru traffic in neighborhood. If this has to happen at least put trees or fence etc as additional buffer and for privacy. We like our quiet neighborhood, so we don't like this idea!

Name: Bobby Biser

- ☒ **Property Owner or Resident**
☐ **Representing Business**

If representing a business, give name of business:

Address: 931 W. Sherwood Dr.

- ☒ **Home** ☐ **Business**

Telephone: 417 887-9167

- ☒ **Home** ☐ **Business**

Email: _____

THANK YOU FOR YOUR COMMENTS.

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ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014

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Vote NO

Do not open Bernal Vista

Name:

Ritchie Scott

☒ Property Owner or Resident

☐ Representing Business

If representing a business, give name of business:

Address:

4625 South Woodpointe

☒ Home

☐ Business

Telephone:

417-883-1586

☒ Home

☐ Business

Email:

ritchscott42@yahoo.com

THANK YOU FOR YOUR COMMENTS.

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ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014

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WE HAVE NO OBJECTIONS TO DEVELOPING
THE LAND, JUST DO NOT BRING THE
TRAFFIC INTO OUR = NEIGHBORHOOD.
THE STREETS ARE NARROW + CURVED AND
CANNOT SUPPORT ANY MORE TRAFFIC. THE
INTERSECTION AT QUAIL CREEK + REPUBLIC RD
IS A NIGHTMARE NOW. KEEP THE TRAFFIC
EXITING TO CAMPBELL + WIDEN THE STREETS
(EL CAMINO ALTO) AND THE ONE EXITING THE
LIBRARY CENTER.

Name: _____



Property Owner or Resident



Representing Business

If representing a business, give name of business:

Address: _____



Home



Business

Telephone: _____



Home



Business

Email: _____

THANK YOU FOR YOUR COMMENTS.

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**ZONING CASE Z-19-2014
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No need to connect Buena Vista at
this time. Please place at least 30 yard set
back between Residential fence line & new constructed
Road fence line

there is absolutely no reason why a buffer zone
couldn't be used to conceal both road & retail/office
space

Name: Matt Stunkel
☒ **Property Owner or Resident**
☐ **Representing Business**

If representing a business, give name of business:

Address: _____
☐ **Home** ☐ **Business**

Telephone: 417-425-2491
☒ **Home** ☐ **Business**

Email: MattStunkel@gmail.com

THANK YOU FOR YOUR COMMENTS.

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**ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014**

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IF ZONED OFFICE (O-1) BEHIND QUAIL CREEK, WITH
A ROAD GOING THROUGH ON BUENA VISTA,
TRAFFIC TO EXIT ONTO QUAIL CREEK WILL
BE AN OVERLOAD !! THERE IS ALREADY AN
OVERLOAD OF TRAFFIC ON QUAIL CREEK
SINCE IT IS THE ONLY WAY IN AND OUT
OF THE COMMUNITY.

CAN THE RE-ZONING TAKE PLACE WITHOUT THE
NECESSITY OF PUTTING THROUGH THE BUENA VISTA STREET?

Name: Sheryl Rock
☒ Property Owner or Resident
☐ Representing Business

If representing a business, give name of business:

Address: 4610 S. QUAIL CREEK
☒ Home ☐ Business

Telephone: 881-5173
☒ Home ☐ Business

Email: _____

THANK YOU FOR YOUR COMMENTS.

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ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014

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*I would prefer leaving it zoned for single family housing, but offices of limited height seem to be the next best possibility.
It should definitely not be any thicker occupancy.*

Name: Karen Horny

☒ **Property Owner or Resident**

☐ **Representing Business**

If representing a business, give name of business:

Address: 1228 W. Beekman St

☒ **Home**

☐ **Business**

Telephone: 417-886-1502

☒ **Home**

☐ **Business**

Email: karenhorny@missouristate.edu

THANK YOU FOR YOUR COMMENTS.

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ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014

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I have major issues with allowing ~~the~~ the roads to be connected to our neighborhood. The increased traffic would put our residents and our children in jeopardy because all houses to the west would use our neighborhood and Quail Creek Ave. as a ~~the~~ cut through to the development. The connection to Buena Vista is a very bad idea.

Name: Sydney LaFlen
☒ **Property Owner or Resident**
☐ **Representing Business**

If representing a business, give name of business:

Address: 1178 W Shawnee
☒ **Home** ☐ **Business**

Telephone: _____
☐ **Home** ☐ **Business**

Email: Sjlaflen@sbcglobal.net

THANK YOU FOR YOUR COMMENTS.

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ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014

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Sounds like a good plan. our concern is delivery trucks coming down Quail Creek. otherwise, we are all for it.

Name: GENE R WOLFE

☒ Property Owner or Resident

☐ Representing Business

If representing a business, give name of business:

4601 S. Turnberry Ave

Address: _____

☒ Home

☐ Business

Telephone: 417 885 1337

☒ Home

☐ Business

Email: gene.wolfe123@sbglobal.net

THANK YOU FOR YOUR COMMENTS.

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ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014

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The zoning as single family is why we bought in this area. Living in Quail Creek is a quiet area now and opening up Blue & Vista to retail traffic would be a detriment to the area. The area can be developed into more single family homes, but it seems like Spfld has enough retail area. I'm all for growth in the city, but there seem to be other areas that can be developed. The retail area would definitely lower home values in the area.

Name: Cindy Parker

☒ **Property Owner or Resident**

☐ **Representing Business**

If representing a business, give name of business:

Address: 4726 S. Woodpointe Ave Spfld, MO 65810

☒ **Home**

☐ **Business**

Telephone: 417-840-9246

☒ **Home**

☐ **Business**

Email: gncparker@yahoo.com

THANK YOU FOR YOUR COMMENTS.

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ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014

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Blasting has damaged our windows in the Past
How are you going to protect our Physical home &
Privacy - the intrusion of light & noise will be
intrusive.
What is going to be done to protect our privacy?
Who is responsible for the devaluing of our
home for sale?

Name: Aleta Dyer

☒ **Property Owner or Resident**

☐ **Representing Business**

If representing a business, give name of business:

Address: 4924 So Wellington Dr

☐ **Home**

☐ **Business**

Telephone: 887-8267

☐ **Home**

☐ **Business**

Email: _____

THANK YOU FOR YOUR COMMENTS.

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ZONING CASE Z-19-2014
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We Do Not Want General Retail!

Offices O-1's

*We Do Not Want the traffic in Our
Neighborhood at All!*

NO! NO! NO!

Name: DAVID & HELEN BARLEW

☒ **Property Owner or Resident**

☐ **Representing Business**

If representing a business, give name of business:

Address: 4659 S. TURNBERRY AVE.

☒ **Home**

☐ **Business**

Telephone: _____

☐ **Home**

☐ **Business**

Email: HELEN BARLEW 2 @ GMAIL.COM
ZONING CASE

THANK YOU FOR YOUR COMMENTS.

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**ZONING CASE Z-19-2014
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ADDITIONAL OFFICE SPACE IS NOT NEEDED IN SPRINGFIELD.
THIS WILL ADD TO THE CONGESTION IN THE AREA.
THIS AREA IS ZONED FOR SINGLE FAMILY HOMES. LEAVE IT AS IS.

NO!

Name: DANIEL R. PLUMERY

- ☒ **Property Owner or Resident**
☐ **Representing Business**

If representing a business, give name of business:

Address: 4560 S. QUAIL CREEK AVENUE, SPRINGFIELD, MO

- ☒ **Home** ☐ **Business**

Telephone: 882-1076

- ☒ **Home** ☐ **Business**

Email: DANPLUMY@GMAIL.COM

THANK YOU FOR YOUR COMMENTS.

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**ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014**

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CONCERNED CLOSENESS NEW STREET ALONG BACKSIDE
OF ALL HOMES QUAIL CREEK SUBDIVISION — NOISE,
ACCESS FOR BURGLARIES, LOWER VALUE OF ALL
HOMES — BUFFER — DENSE LANDSCAPING
+ HIGH WALL. WORRIED ABOUT EXCESS
TRAFFIC NOW HAVING ACCESS TO QUAIL CREEK —
WORRIED SAFETY OF CHILDREN AND PEOPLE
WHO WALK IN NEIGHBORHOOD.
* WHY PUTTING OFFICE SPACE SMACK BAB IN
MIDDLE OF VERY NICE QUALITY SUBDIVISIONS
WITHOUT BEING NEAR MAJOR ROADWAY ???

Name: MAGGIE WILCOX

☒ Property Owner or Resident

☐ Representing Business

If representing a business, give name of business:

Address: 4756 S. TURNBERRY AVE

☒ Home

☐ Business

Telephone: 417-583-9133

☒ Home

☐ Business

Email: MAGGIE@MIDWESTFIBRESALES.COM

THANK YOU FOR YOUR COMMENTS.

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ZONING CASE Z-19-2014
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Please do not make Buena Vista a through street!
Quail Creek Ave. will become more congested
& crowded. We have a hard time turning on Republic Rd.
N. With all the apts. we have a lot of traffic.
This street is not for retail!! It was designed for
residential traffic only!

Name: DAN CARLSON

- ☒ *Property Owner or Resident*
☐ *Representing Business*

If representing a business, give name of business:

Address: _____

☐ *Home*

☐ *Business*

Telephone: _____

☐ *Home*

☐ *Business*

Email: _____

THANK YOU FOR YOUR COMMENTS.

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**ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014**

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Quiet neighborhood with limited access
Impossible now to get out of Republic Road
without adding 500-800 additional cars
Decreasing property value
Increased crime

Name: Carol Bangle
☒ **Property Owner or Resident**
☐ **Representing Business**

If representing a business, give name of business:

Address: 1201 W Woodhaven Springfield Mo
☒ **Home** ☐ **Business** 65810

Telephone: 417-844-8619
☒ **Home** ☐ **Business**

Email: carolbangle@hotmail.com

THANK YOU FOR YOUR COMMENTS.

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**ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014**

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No

Name: Elaine Bollinger
☐ *Property Owner or Resident*
☐ *Representing Business*

If representing a business, give name of business:

Address: 4624 S Parkhill
☒ *Home* ☐ *Business*

Telephone: 882-2191
☒ *Home* ☐ *Business*

Email: _____

THANK YOU FOR YOUR COMMENTS.

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ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014

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This is zoned residential & should stay that way. 800-1000 cars (estimated) to go thru the Quail Creek residential area is not acceptable. We have higher taxes & have a nice neighbor. Leave it as is. If anything it should be left as a natural state - or not have any connections into the subdivision. The noise & property values should be a priority. Springfield government should have a priority to its citizens. Keep our neighbor what it is now - quiet, safe & clean - minimal crime. We don't need this.

Name: Patricia Unnan

- ☒ **Property Owner or Resident**
☐ **Representing Business**

If representing a business, give name of business:

Address: 4194 S. Quail Creek

☒ **Home**

☐ **Business**

Telephone: 883-2212

☒ **Home**

☐ **Business**

Email: patinnan@afl.net

THANK YOU FOR YOUR COMMENTS.

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Love it!

Do whatever you want.

Name:

M. Ward

- ☒ *Property Owner or Resident*
☐ *Representing Business*

If representing a business, give name of business:

Address:

☐ *Home*

☐ *Business*

Telephone:

417-742-3272

☒ *Home*

☐ *Business*

Email:

THANK YOU FOR YOUR COMMENTS.

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ZONING CASE Z-19-2014
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This proposed rezoning of the 27 acres West of Campbell Ave. designated as Office District 1 will drastically decrease the value of my property and my neighbors as well as all of Dixie Creek addition. There is no problem with the other proposed retail sales along Campbell Ave, but it makes no sense to change the zoning from R-1 to the Office District 1 area. The city will lose tax dollars and incur liability from creating a flooding area.

Name: David INMON

☒ Property Owner or Resident

☐ Representing Business

If representing a business, give name of business:

Address: 4694 S. Dixie Creek Ave

☒ Home

☐ Business

Telephone: 883-2212

☒ Home

☐ Business

Email: daveinmon@att.net

THANK YOU FOR YOUR COMMENTS.

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ZONING CASE Z-19-2014
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1) Will they extend Buena Vista to Campbell? Concerns over traffic through Quail Creek which is narrow & curvy.
2) Is there an intended buffer or is this just a zoning change?
3) Would they eliminate utility line & poles in the neighborhood & use existing underground power poles & put in a catchment tank?
4) How much of a buffer zone will be between the adjacent property & the proposed office development. Concern over the buffer zone. Concern over more development in this area because of the existing low water pressure in the area.

Name: _____

Tim Bartholdi

☒ Property Owner or Resident

☐ Representing Business

If representing a business, give name of business:

Address: _____

1110 Rockhill

☒ Home

☐ Business

Telephone: _____

417-899-1671

☒ Home

☐ Business

Email: _____

THANK YOU FOR YOUR COMMENTS.

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**ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014**

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1. WHY CHANGE R-1 WE NEED ADDITIONAL RESIDENTIAL LOTS
NOT COMMERCIALS?

2. WHY DUMP YOUR TRAFFIC INTO A R-1 SUB-DIV? CITY PROPERTY
DUMPING INTO COUNTY PROPERTY WHEN YOU HAVE UNDER-UTILIZED
OUTLETS TO CAMPBELL? WHERE DO YOU GET YOUR AUTHORITY?

Name: RICK L. CRESOW

- ☒ Property Owner or Resident
☐ Representing Business

If representing a business, give name of business:

Address: 4907 S. WELLINGTON

- ☒ Home ☐ Business

Telephone: 839-3002

- ☒ Home ☐ Business

Email: RLCRESOW@SBGGLOBAL.NET

(LOWER CASE)

THANK YOU FOR YOUR COMMENTS.

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**ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014**

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PLEASE PUT gate BETWEEN Houses &
complex ON Buena Vista

I see more disadvantages THAN
ADVANTAGES.

Name: DEE BROWN

☒ **Property Owner or Resident**

☐ **Representing Business**

If representing a business, give name of business:

Address: 4613 S. TURNBERRY AVE

☒ **Home**

☐ **Business**

Telephone: 417-830-7993

☒ **Home**

☐ **Business**

Email: decema41@att.net

THANK YOU FOR YOUR COMMENTS.

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ZONING CASE Z-19-2014
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Our main concerns are what it will do to the value of properties in Quail Creek along with the additional traffic problems it will create on Quail Creek Avenue. It is already a busy street. Although we do not live on Quail Creek, our driveway is on Quail Creek. With the added traffic it will make it much more difficult along that street to get out of their drives. It would be nice if there did not have to be a street opened into Quail Creek, that the traffic for any businesses if rezoned could exit onto Campbell Ave. In addition

Name: Linda & Gilbert Clary

☒ Property Owner or Resident

☐ Representing Business

If representing a business, give name of business:

Address: 1126 W. CARDINAL ST., Springfield, MO.

☒ Home

☐ Business

65810

Telephone: 417-368-9328

☒ Home

☐ Business

Email: _____

THANK YOU FOR YOUR COMMENTS.

Please return this form to the sign-in table or directly to the City of Springfield Planning and Zoning Department (840 Boonville Ave. Springfield, MO 65802).

it is already congested trying to get out on Republic Road and any added traffic would only make it worse. A stoplight really needs to be installed at Republic Road.

We would prefer it remain zoned for residential.

ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014

RECEIVED
AUG 19 2014 Aug 19, 2014
City of Springfield
Planning Development Review

COMMENT FORM

(Please indicate your specific comments regarding the proposed rezoning to General Retail or Office O-1 in accordance with the exhibits presented. What would you suggest be done to improve the proposed plan? You may continue comments on other side.)

See Attached

Name: William P. & Joyce A. Kastler

☒ **Property Owner or Resident**

☐ **Representing Business**

If representing a business, give name of business:

Address: 1131 West Beekman Street

☒ **Home** Springfield, MO 65810 ☐ **Business**

Telephone: 417-887-9524

☒ **Home** ☐ **Business**

Email: billjoyce K@msn.com

THANK YOU FOR YOUR COMMENTS.

Please return this form to the sign-in table or directly to the City of Springfield Planning and Zoning Department (840 Boonville Ave. Springfield, MO 65802).

Re Zoning Case Z-19-2014

We would like to document our opposition to the proposed rezoning to General Retail or Office O-1. The plans for the rezoning include a proposal to extend Buena Vista Street from Quail Creek Subdivision to the rezoned property. The traffic study indicates 800 – 1,000 cars would travel each day on Buena Vista, with an indeterminate amount of cars taking the route through Quail Creek Subdivision.

Quail Creek Avenue is simply unable to safely handle this increased traffic. The road is a residential road; and, for all intents and purposes, is only two cars wide. If a car (or worse, a truck) is parked along Quail Creek, it is impossible for two cars to pass side-by-side by the parked vehicle. One car must wait for the oncoming car to pass before the first car swings around the parked vehicle into the wrong lane.

Additionally, it is already difficult to exit Quail Creek Avenue onto Republic Road. This situation would be exacerbated by the increased traffic.

**ZONING CASE Z-19-2014
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COMMENT FORM

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Name: Terry & Cathy Clendenning

☒ *Property Owner or Resident*

☐ *Representing Business*

If representing a business, give name of business:

Quail Creek Property Owners Association
Cathy Clendenning, Board Member, Treasurer

Address: _____

☐ *Home*

☐ *Business*

Telephone: _____

☐ *Home*

☐ *Business*

Email: _____

THANK YOU FOR YOUR COMMENTS.

Please return this form to the sign-in table or directly to the City of Springfield Planning and Zoning Department (840 Boonville Ave. Springfield, MO 65802).

ZONING CASE Z-19-2014

PUBLIC MEETING – AUGUST 8, 2014

Terry & Cathy Clendening
Property Owner
4751 S. Turnberry Avenue
Springfield, MO 65810

Also: Cathy Clendening, Treasurer for Quail Creek Property Owners Association

COMMENTS – CONCERNS:

- DO NOT open Buena Vista Street into the Quail Creek Neighborhood – this Commercial property is not dependent on traffic from Buena Vista, or the Quail Creek Subdivision.
- The Master plan for Buena Vista Street Development was in place with the land being zoned as “Residential”, the re-zoning of this property to Office / Retail / Commercial is not relevant to our sub-division.
- Quail Creek Sub-division is already an “isolated” neighborhood, short of being a “gated” community in which we have one way in and one way out. Opening Buena Vista Street would require all through traffic to exit out at Quail Creek, Lark, and Republic Road. Our sub-division will have no loss of “accessibility” if Buena Vista Street does not get open to this office/retail/commercial property.
- There are 285 residential homes in Quail Creek. All residents must use Quail Creek Street in order to exit out of the sub-division. The street has children playing, residents walking, biking, School bus stops, service vehicles (AT&T, Mediacom, Home Maintenance, Lawn Mowing, etc.) parked, etc. which makes this a very busy street for our Quail Creek Community, much less add traffic flow that is irrelevant to our sub-division. Also, Quail Creek Street residents that will be backing out of driveways with an increased traffic flow.
- Seek an Amendment to the master plan for opening Buena Vista with the Ozark Transportation Organization. Amendment to master plan, to make the development of Buena Vista Street “NOT” a requirement of the developer of said land in rezoning. Again, the master plan and future development was when the land was zoned as residential.
- Regarding the 100’ buffer zone between the Quail Creek Property, create a buffer zone that would be aesthetically desirable for the residences that back the property so as not to interfere with property value and residential living.
 - Consider a “berm” with trees, shrubbery, greenery, fencing, that would limit the noise and put out of sight from the residents the activity from the street traffic, block the lighting, trash dumpsters, electrical / mechanical equipment, loading / unloading access from the Office / Retail Development.
- Great concern on how this development would affect the property values of the homes in Quail Creek. Although the development would directly affect homes on Quail Creek, ALL RESIDENTS will deal with the increased traffic flow which will have an impact on the desired Neighborhood.
- Quail Creek Residents fear an increase in vandalism and crime in our neighborhood.

**ZONING CASE Z-19-2014
PUBLIC MEETING – AUGUST 8, 2014**

COMMENT FORM

(Please indicate your specific comments regarding the proposed rezoning to General Retail or Office O-1 in accordance with the exhibits presented. What would you suggest be done to improve the proposed plan? You may continue comments on other side.)

SEE ATTACHED LETTER

Name: CHARLES L. DISCHINGER

- ☒ *Property Owner or Resident*
☐ *Representing Business*

If representing a business, give name of business:

Address: 702 W. FARM ROAD 17th

- ☒ *Home* ☐ *Business*

Telephone: (417) 882-0747

- ☒ *Home* ☐ *Business*

Email: CHARLIE-CHOOCHOO@SBCGLOBAL.NET

THANK YOU FOR YOUR COMMENTS.

Please return this form to the sign-in table or directly to the City of Springfield Planning and Zoning Department (840 Boonville Ave. Springfield, MO 65802).

Charlie Dischinger
702 W. Farm Road 178
Springfield, Missouri 65810-1627

Phone (417) 887-0747
Email: Charlie-ChooChoo@sbcglobal.net



Monday, August 11, 2014

Zoning Case: Z-19-2014

Kelly Short
CJW
5051 S. National, Ste. 4-110
Springfield, Mo. 65810

Bob Hosmer, Principal Planner
Development Review Office
City of Springfield
840 Booneville
Springfield, Mo. 65802

Kelly,

After attending your Public Meeting at the Library Center on Friday August 8th, 2014, I have given a lot of thought and consideration to what was presented. Unfortunately, I came away from that meeting knowing little more than before I went in. Even though I asked numerous questions and listened to many others do the same; rarely, if any, was there a definitive answer given to any of them. You are asking for the rezoning of the property north and more importantly upstream along Ward Branch from my property with little more than a general concept and no real idea of what you will do with the property even if it is rezoned to Commercial and Office use. As I viewed the reaction of all of the people in attendance at that meeting, they wanted to know more about exactly how the property will be developed and all of their concerns, along with mine, revolve around traffic and flooding.

With regard to the traffic issue, one of the key questions I have is what kind of traffic is going to be generated with the development of the property? Nobody from your office, could answer that question because they don't have any idea of what kind of business would actually be built there. Without that knowledge, you cannot project any kind of reasonable traffic projection for not only the number of vehicles, but when they would be traveling in and out. That kind of information can only be obtained when you have an idea of exactly what kind of businesses will be going in.

An even more pressing and important consideration to this project, should be the concern of exactly how this project is going to add to the already existing flooding problem associated with Ward Branch. In 2000, the City of Springfield was forced to buy out numerous homes in the Shadowwood Subdivision because of the severe flooding caused by the development in the approximately five square miles of the Ward Branch watershed. Since that time, the problem has continuously gotten worse with each new development. It use to take a hard 3" rain to cause Ward Branch to flood. Recently, it has flooded with as little as a hard inch and a half rain. I would like to remind you that a 3" rain, while not uncommon, is relatively rare. While a hard 1.5 inch rain is rather common.

When I questioned you and others from your staff about exactly what kind of measures would be taken to insure that this development would not increase the flooding problem immediately downstream, no one could provide an answer, other than you would live up to all City of Springfield requirements. Unfortunately, history has shown that those requirements are insufficient and have allowed the flooding to continue to get worse with each new development. I can provide you with direct visible examples of how the City of Springfield allowed the development next to my property, build a storm water retention pond over existing wet weather springs, only to have them relocate themselves closer to my property and causing all kinds of flooding problems. The property in question, not only has wet weather springs, but continuously flowing springs. When queried about the number and location of these, an answer could not be provided.

I fully understand that the rezoning of this property from Single Family to Commercial, would mean that the impervious surface that would be allowed on this property, would go from 50% to 80%. While this property could be built on now, without a rezoning; a rezoning to Commercial use would mean a 60% increase in the amount of allowed imperious surface and subsequently a 60% increase in the amount of run-off. While storm water retention basins, allow for part of the water to soak back into the ground, which would only account for maybe 10% of that increased run-off. And that is if the ground is dry to begin with. What are you going to do with the other 50% increase in run-off? I know I don't need to tell you that a storm water retention basin is only designed to limit the peak flow and only holds back the excessive run-off for a very short period of time. They are not designed to permanently hold back that excessive run-off.

So I remain vehemently opposed to the rezoning of this property until such time as there is a definitive plan for how you are going to handle the two problems I have mentioned. And to do that, you are going to have to know exactly how you intend to develop this property and with what. Particularly with regard to the flooding issue, the environment along Ward Branch is too fragile and unstable. It cannot handle additional development without an adverse affect on those downstream.

A handwritten signature in black ink, appearing to read 'Charlie Dischinger', with a stylized, flowing script.

Charlie Dischinger

August 22, 2014

Attn: Mr. Hosmer & Members of the Planning & Zoning Board
bhosmer@springfieldmo.gov and rrognstad@springfieldmo.gov

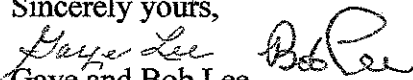
Subject: Rezoning Case No. Z-19-2014

I have tried to think of **one** good reason to have a street in a residential subdivision converted into a commercial street, and I can't think of one. Quail Creek is a quiet attractive neighborhood composed of 285 unique homes. Every house is made of brick and no two are alike. We have covenants that are strongly supported by the Quail Creek Board of Directors as well as our residents ensuring that our homes maintain their appearance and value. Quail Creek is known throughout the city for its flowerbeds plus its large entrance fountain. The entrance area also includes a pavilion that residents reserve for parties, where an ice cream social is held, coffee get-togethers are hosted, and an annual dinner welcomes new residents to the neighborhood. Available and maintained for residents use is a large swimming pool with lifeguards plus basketball, volleyball, and tennis courts.

When a spur was originally built at the end of Buena Vista Street, it was intended to be eventually connected with another single residential area. But now, **Z-19-2014** proposes to change that area from residential to office and retail and, in the process, allow that area's commercial traffic to travel through the Quail Creek residential subdivision which was not planned for or presently suitable for that. You should be aware that we have buses from Cherokee, Wanda Gray, and Wilson Creek Schools picking up our school children daily, trash trucks that come twice a week, and a yard waste truck that comes on a weekly basis. There is, of course, also a postal service vehicle six days a week. Often, lawn maintenance trucks with equipment trailers take a great deal of space on the streets. Consider, please, that many Quail Creek Avenue home owners need to back cars into the street and with the increase in the traffic flow -- due to commercial traffic -- a greater number of accidents is to be expected.

Gentlemen, think how **Quail Creek subdivision** will change and be affected if commercial traffic as well as vehicles to service the office and retail area is allowed to travel through our subdivision! Our homes are sure to decrease in value and be less desirable not only to those who are looking to purchase but to us who continue to live here. **You can keep this from happening. Please do!**

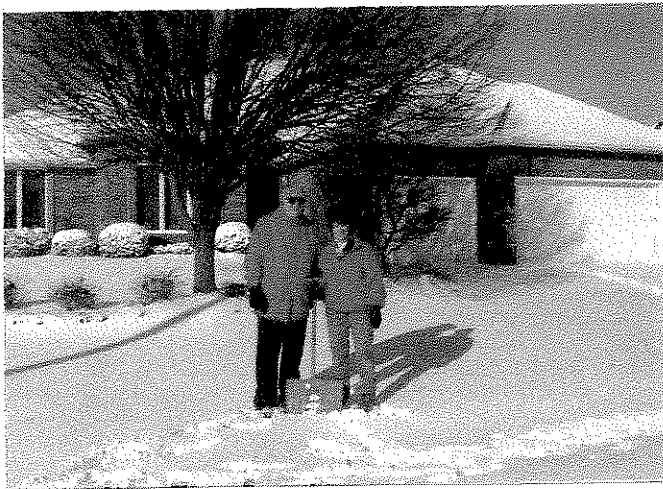
Sincerely yours,


Gaye and Bob Lee

4625 S. Quail Creek Avenue
Springfield, MO 65810
417-890-5518
cruise@sprintmail.com

P.S. Page 2 includes Quail Creek pictures

Page 2
For: Planning & Zoning
Quail Creek Subdivision
August 22, 2014
From: Gaye & Bob Lee
4625 S. Quail Creek Ave.
Z-19-2014



Bob Hosmer
Principal Planner, Development Review Office
840 Boonville Avenue
Springfield, MO 65802

Re: Re-Zoning Case # Z-19-2014 Scheduled for Thursday, September 4, 2014

Dear Mr. Hosmer:

I am writing to express my opposition to the above mentioned re-zoning case due to the fact that Buena Vista Street will be extended from the Quail Creek Subdivision going east into the proposed re-zoning area for the following reasons:

When Quail Creek Subdivision was developed the area east of us was zoned for residential: therefore the streets were not designed to handle commercial traffic.

We have 285 residential homes in our subdivision. It is difficult to exit on to Republic Road with the current traffic load, and will be much more difficult once two additional lanes are added on Republic Road. This will certainly make it more difficult if additional commercial traffic is routed through our neighborhood going east on Buena Vista.

We have several school buses picking up children on a daily basis throughout our neighborhood.

When service vehicles such as lawn mowing vehicles and maintenance equipment are parked along Quail Creek Street the streets are only wide enough for two vehicles.

Quail Creek Subdivision is a wonderful place to live and we are very concerned about de-valuation of our property if the Buena Vista Street is opened.

Currently property generally sells quickly due to the fact that we only have one entrance which decreases the traffic and noise through our neighborhood and provides for a safer environment for children and adults.

We also have a swimming pool close to the entrance of Quail Creek with children going and coming to the pool.

My question is:

WHY DO YOU FEEL IT IS NECESSARY AND WHAT DO YOU EXPECT TO ACCOMPLISH BY EXTENDING BUENA VISTA EAST AT THIS TIME THROUGH TO THE PROPOSED PROPERTY TO BE DEVELOPED?

Sincerely Yours,

Donna Howerton
Donna Howerton

1182 West Rockhill, Springfield, MO 65810 Telephone 417-890-8601

RECEIVED

AUG 22 2014

City of Springfield
Planning Development Review

TO THE CITY COUNCIL OF THE CITY OF SPRINGFIELD, MISSOURI

RE: Zoning Case Z-19-2014 w/Conditional District No. 78

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

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Address

Address

Address

PLEASE NOTE:

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

THE NOTARY EXECUTING THIS PETITION MUST WITNESS ALL SIGNATURES.

STATE OF MISSOURI
COUNTY OF GREENE ss.
Christian

On this 20th day of August, 2014, before me personally appeared the above named person(s) to me known to be the person or persons described in and who executed the foregoing instrument and acknowledged that he (or they) executed the same as his (or their) free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and year first above written.

Notary Public

My Commission expires:

8/15/14

LYNNA REESE
Notary Public - Notary Seal
State of Missouri
Commissioned for Christian County
My Commission Expires: August 15, 2016
Commission Number: 12383269

From: [Hosmer, Bob](#)
To: [Owen, Alana](#)
Subject: FW: Re-Zoning Case #Z-19-2014
Date: Tuesday, August 26, 2014 8:44:28 AM

fyi

From: Troy Kennedy [mailto:tkennedy@itifinancialmgt.com]
Sent: Tuesday, August 26, 2014 8:42 AM
To: Rognstad, Ralph; Hosmer, Bob
Subject: Re-Zoning Case #Z-19-2014

Good morning,

I am a resident of the Quail Creek subdivision located off of Republic Road and west of the Sam's Club/Academy Sports/Library Center. I am sending this email to communicate to you my opposition to rezone the land east of our subdivision using Buena Vista street to connect our subdivision to the new development. The proposed area is currently zoned residential. When we built our home in Quail Creek we investigated the zoning surrounding the subdivision. Knowing that we were land locked by residential zoning and farming we chose to build. If the city allows the developer to connect this new development using Buena Vista it will increase the traffic on Quail Creek street to a level that is not only unsafe and dangerous for our residents but will put a traffic count on the street that cannot be physically supported by it. We have many school bus stops along Quail Creek street and if we have an additional 500 cars in the morning in addition to the 285 residents it will greatly increase the danger. Quail Creek street was developed for residential use not commercial use. The developer has stated that the increase in traffic could be as high as 500 additional cars and that does not include the apartment building west of Quail Creek that will now utilize this new ingress/egress via Quail Creek street. They have 164 units with many having 2 vehicles. Additionally, the retail development at Republic Road and Quail Creek/Kansas street will have a new route to go east and south using Quail Creek.

If you have any questions please contact me at 417-838-5303

Sincerely,

Troy E. Kennedy
Principal/Advisor
ITI Financial Management



4650 S. National, Suite A-1
Springfield, MO 65810
417-889-2550
417-889-2559 fax
www.itifinancialmgt.com

From: [Hosmer, Bob](#)
To: [Owen, Alana](#)
Subject: FW: Re-Zoning Case Z-19-2014
Date: Tuesday, August 26, 2014 8:28:24 AM

fyi

From: Mike Dailey [mailto:ddmdrose@mchsi.com]
Sent: Tuesday, August 26, 2014 6:37 AM
To: Rognstad, Ralph; Hosmer, Bob
Subject: Re-Zoning Case Z-19-2014

I oppose the zoning change for case number Z-19-2014.

Specifically:

I oppose having office zoning touching our neighborhoods. There is a wet weather creek valley to the east of Quail Creek and immediately west of the Library Center. This valley would be the natural barrier between single family dwellings and office or general retail. To abut office to single family would decrease our home values in our long established neighborhood. I not only oppose office zoning but any other type of zoning that may be proposed except single family.

Further, I oppose the extension of Buckingham Lane to run directly behind my property line. This is an invitation to crime to allow a street like an alley at my back fence. Very few properties in Springfield have a street behind their backyard. I and my neighbors should not be one of them. If Buckingham needs to be extended north, then have it run thru the center of the Ward property, not right behind my fence.

If offices are built behind me, I am concerned about a number of items:

- Height of the buildings. One story buildings would be more acceptable than multi-story
- Size of buildings. Smaller, multi-unit office buildings would be preferable to a complex like Chase
- Style of buildings. Modern design office buildings would be in contrast to my home and my neighbors. Requiring architecture that blends with residential would be more acceptable
- Lights from parking lots shining through my windows. Not allowing offices would address this.
- Location of trash dumpsters. I and my neighbors should not be able to see or smell them.
- Screening. There are large power lines behind my fence. What will happen to these? They would interfere with requiring the developer to put in large trees and bushes to screen our neighborhood from the offices.
- Crime. I will re-emphasize that I am concerned about crime being introduced into our area from a street (Buckingham Lane) running right behind our backyards and empty offices tempting criminals.
- How will water runoff from the office parking lots be addressed?

I think restrictions need to be placed on the development of offices in this area should the zoning be changed. They need to build offices that look very residential and be only one story high. Intense plantings and fencing need to take place to screen the homes from the offices.

And Buckingham Lane should not be extended to run directly behind any home. If it must be extended, it should run through the office property. I should not be made to bear the decrease in property value that a street behind my fence would incur.

Mike Dailey

4660 S Quail Creek Ave
Springfield, MO 65810

From: [Hosmer, Bob](#)
To: [Owen, Alana](#)
Subject: FW: Re-Zoning Case #Z-19-2014
Date: Monday, August 18, 2014 8:08:58 AM

fyi

From: Bruce Winston [mailto:bwinston@mchsi.com]
Sent: Monday, August 18, 2014 7:53 AM
To: Rognstad, Ralph
Cc: Hosmer, Bob
Subject: Re-Zoning Case #Z-19-2014

To Whom it May Concern:

As a Quail Creek resident I am very concerned about the subject rezoning request. There are a number of reasons this concerns me, the number one cause of concern is the increase in traffic through our neighborhood it would create. This would become a short cut for many drivers going north on Campbell wanting to avoid the Campbell-Republic Road bottleneck. I think many drivers would take this route regardless if they were visiting the proposed business' or not. At the present time there is basically one way out of Quail Creek. Many times there is quite a backup of residents trying to exit on to Republic Road. This would only increase that problem. Another cause of concern is an increase in crime. Because there is only one way in and out of our neighborhood usually the only traffic we get is our residents. This would create a lot more non resident traffic possibly people looking for ways to invade homes etc. Lastly, I feel that would have a tremendously negative effect on our property values. I like many of my neighbors chose this neighborhood to live in because it is quite and safe.

I hope you will give this request serious consideration and the negative effect it will have on our neighborhood.

Sincerely

Bruce Winston
4358 S Quail Creek
Springfield Mo 65810

RECEIVED

AUG 28 2014

City of Springfield
Planning Development Review

TO THE CITY COUNCIL OF THE CITY OF SPRINGFIELD, MISSOURI

12:12 pm *SG*

Please take notice that the undersigned, being the owners of property within an area of 185 feet from the property or district proposed to be rezoned by the Planning and Zoning Commission No. 219-2014, Council Bill No. _____, do protest and object to said proposed rezoning. This protest is given in contemplation of the provisions of City Code and applicable laws.

David M. Welch
Printed Name

4950 S. Wellington Dr.
Address

David M Welch
Signature

Regina S. Welch
Printed Name

4950 S. Wellington Dr.
Address

Regina S. Welch
Signature

Printed Name

Address

Signature

PLEASE NOTE:

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

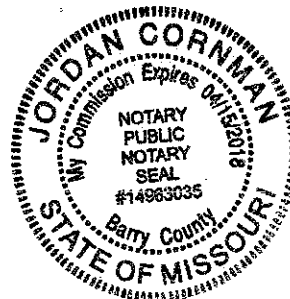
THE NOTARY EXECUTING THIS PETITION MUST WITNESS ALL SIGNATURES.

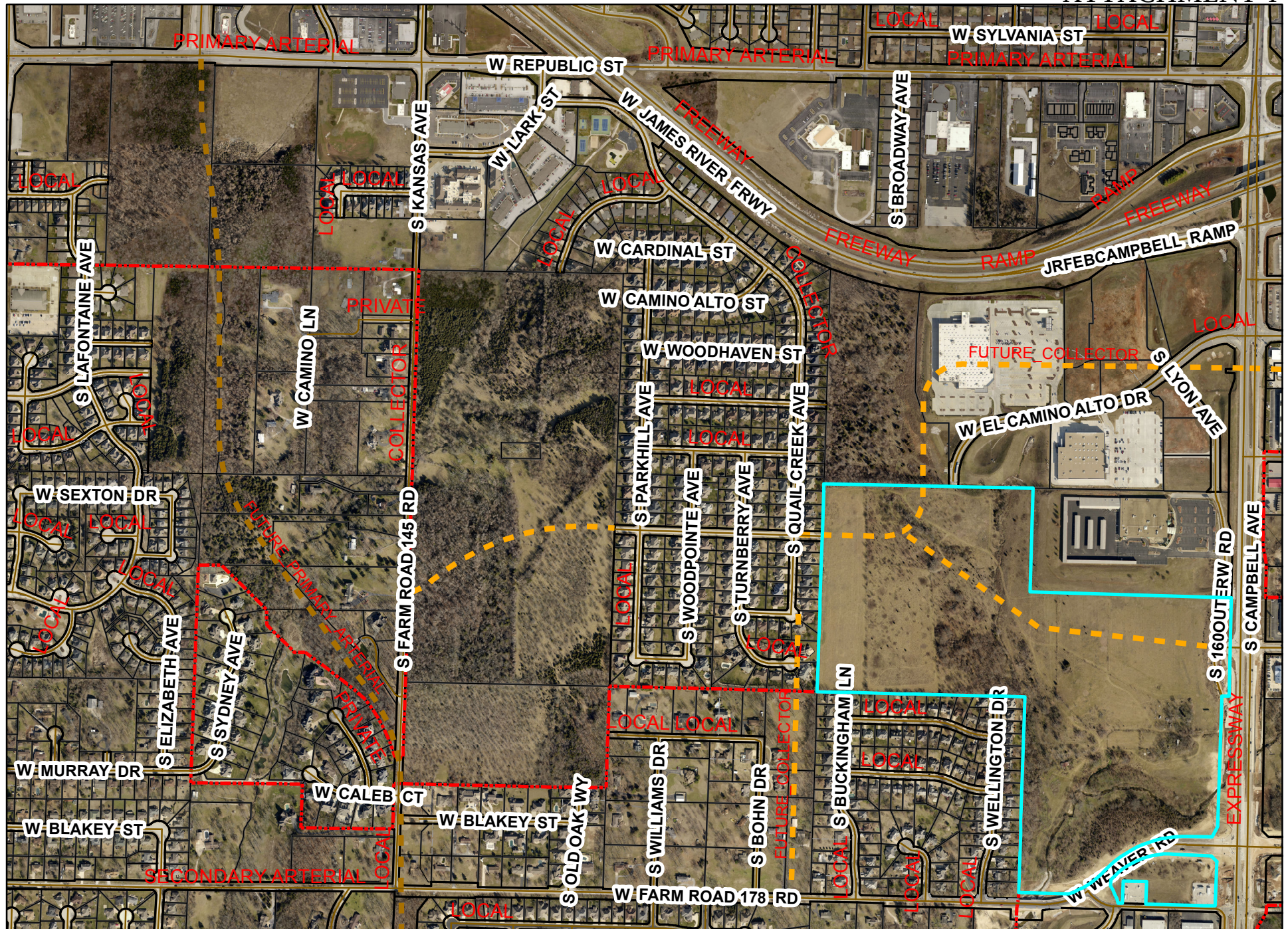
STATE OF MISSOURI
COUNTY OF GREENE ss.

On this 28 day of August, 2014, before me personally appeared the above named person(s) to me known to be the person or persons described in and who executed the foregoing instrument and acknowledged that he (or they) executed the same as his (or their) free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and year first above written.

Jordan Cornman
Notary Public

My Commission expires: April 15 2018





City of Springfield, Missouri

0 225 450 900 1,350 1,800 Feet

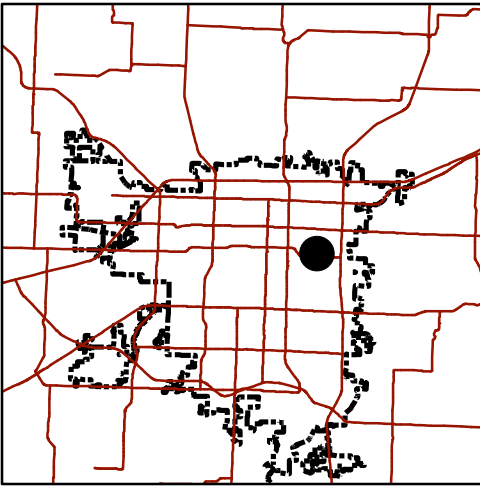
SCALE: 1:9,800



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PROPERTY OWNERS WITHIN 185 FEET

OWN1	ADRNO	ADRDIR	ADRSTR	ADRSUF	CITYNAME	STATECODE	ZIP1
ASLAN GROUP #2 LLC	751	W	SHERWOOD	DR	SPRINGFIELD	MO	65810
BEASLEY, BRUCE S	917	W	SHERWOOD	DR	SPRINGFIELD	MO	65810
BERTHOLDI, TIM ETAL TR	1110	W	ROCKHILL	AVE	SPRINGFIELD	MO	65810
BISER, ROBERT J	931	W	SHERWOOD	DR	SPRINGFIELD	MO	65810
BOUSE, TOMMY W JR	805	W	SHERWOOD	DR	SPRINGFIELD	MO	65810
BROUWER, JOEKIE	4823	S	BUCKINGHAM	LN	SPRINGFIELD	MO	65810
BROWN, DEBORA A TRUSTEE	769	W	SHERWOOD	DR	SPRINGFIELD	MO	65810
BURDICK, MAX WILLIAM	4962	S	WELLINGTON	DR	SPRINGFIELD	MO	65810
CARTER, WILLIAM R	4770	S	TURNBERRY	AVE	SPRINGFIELD	MO	65810
CASSITY, JULIE E	4598	S	QUAIL CREEK	AVE	SPRINGFIELD	MO	65810
CROWDER, ROBERT G	837	W	SHERWOOD	DR	SPRINGFIELD	MO	65810
DAILEY, MICHAEL J	4660	S	QUAIL CREEK	AVE	SPRINGFIELD	MO	65810
DARNELL, DENNIS G	4878	S	WELLINGTON	DR	SPRINGFIELD	MO	65810
DOBYNS, CHARLES EDWARD SR TRUST	4808	S	WELLINGTON	DR	SPRINGFIELD	MO	65810
DOCK, ERVIN W	4890	S	WELLINGTON	DR	SPRINGFIELD	MO	65810
DYER, JEFF L ETAL TR	4926	S	WELLINGTON	DR	SPRINGFIELD	MO	65810
FERNELIUS, JAMES N	4854	S	WELLINGTON	DR	SPRINGFIELD	MO	65810
GILBERT, PEGGY SUE TRUST	4652	S	QUAIL CREEK	AVE	SPRINGFIELD	MO	65810
GREENE COUNTY	940	N	BOONVILLE	AVE	SPRINGFIELD	MO	65802
GRISSUM ENT LLC	3131	S	VENTURA	AVE	SPRINGFIELD	MO	65804
HEMPHILL, HAROLD D TR ETAL	2125	E	NORSHIRE	ST	SPRINGFIELD	MO	65804
HENSLEY, TODD E TR	4782	S	TURNBERRY	AVE	SPRINGFIELD	MO	65810
HOYT, WILLIS HADLEY IV	4624	S	QUAIL CREEK	AVE	SPRINGFIELD	MO	65810
INCE, RONALD L	4974	S	WELLINGTON	DR	SPRINGFIELD	MO	65810
INMON, DAVID LEE	4694	S	QUAIL CREEK	AVE	SPRINGFIELD	MO	65810
JAMES RIVER COMMONS COMMUNITY	0		PO BOX 1017		COLUMBIA	MO	65205
JOHNS, JEFFREY L ETAL TR	4818	S	WELLINGTON	DR	SPRINGFIELD	MO	65810
JRF SPFD DEV II LLC	800	N	MASON		KATY	TX	77147
KOECHNER, MICHAEL W	4835	S	BUCKINGHAM	LN	SPRINGFIELD	MO	65810
LANDMARK BUILDING & DEV CO LLC	0		PO BOX 347		SPRINGFIELD	MO	65801
LANG, CLARENCE R ETAL TR	4836	S	BOHN	DR	SPRINGFIELD	MO	65810
LASHMET, CHARLES R	4986	S	WELLINGTON	DR	SPRINGFIELD	MO	65810
LERU, COSTACHI	4		PINTAIL PT		HEATH	TX	75032
LUXURY RENTAL HOMES INC	3032	S	FREMONT	AVE	SPRINGFIELD	MO	65804
MACLACHLAN, WILLIAM GALE TRUST	4668	S	QUAIL CREEK	AVE	SPRINGFIELD	MO	65810
MATHERS, DWANE W	4638	S	QUAIL CREEK	AVE	SPRINGFIELD	MO	65810
MCCALL, REX C JR	821	W	SHERWOOD	DR	SPRINGFIELD	MO	65810
MCPHAIL, KENDALL	4454		ENGLISH IVY	AVE	SPRINGFIELD	MO	65804
MILLIGAN, JANE D	4866	S	WELLINGTON	DR	SPRINGFIELD	MO	65810
MILLS, MARC L	4771	S	TURNBERRY	AVE	SPRINGFIELD	MO	65810
MORSE, RONALD D	4902	S	WELLINGTON	DR	SPRINGFIELD	MO	65810
MULLEN, HUGH A	4811	S	BUCKINGHAM	LN	SPRINGFIELD	MO	65810
NEWTON, KERRI GAYLE	787	W	SHERWOOD	DR	SPRINGFIELD	MO	65810
PARKS, R CLANCY TR	1354	E	KINGSLEY	ST	SPRINGFIELD	MO	65804
PITTAWAY, WANDA	899	W	SHERWOOD	DR	SPRINGFIELD	MO	65810
PLANK, TRACY E TR	4805	S	WELLINGTON	DR	SPRINGFIELD	MO	65810
QUAIL CREEK VII LLC	5051	S	NATIONAL	AVE	SPRINGFIELD	MO	65810
RAPP, KEVIN JAMES	4590	S	QUAIL CREEK	AVE	SPRINGFIELD	MO	65810
ROCK, JAMES L	4610	S	QUAIL CREEK	AVE	SPRINGFIELD	MO	65810
ROSS, ROBERT S	4842	S	WELLINGTON	DR	SPRINGFIELD	MO	65810
SAMS, REAL EST BUSINESS TRUST	2001	SE	10TH	ST	BENTONVILLE	AR	72712
SCOTT, ROBERT W & CAROL C TRUST	4710	S	QUAIL CREEK	AVE	SPRINGFIELD	MO	65810
SHARP, SIBYL KOMNINOS TR	1128	W	ROCKHILL	AVE	SPRINGFIELD	MO	65810
SPONENBERG, STEVEN C	4830	S	WELLINGTON	DR	SPRINGFIELD	MO	65810
STANLEY STEAMER OF THE OZARKS INC	550	W	WEAVER	RD	SPRINGFIELD	MO	65810
STEVENS, MARK	1129		HUMMINGBIRD	LN	NIXA	MO	65714
STRENFEL, LANCE	4938	S	WELLINGTON	DR	SPRINGFIELD	MO	65810
STUNKEL, MATTHEW D	4779	S	TURNBERRY	AVE	SPRINGFIELD	MO	65810
TANDY, WILLIAM R	4914	S	WELLINGTON	DR	SPRINGFIELD	MO	65810
THE CITY OF SPRINGFIELD	840	N	BOONVILLE	AVE	SPRINGFIELD	MO	65802
WARD BRANCH ETAL TR	2247	N	JOHNSTON	AVE	SPRINGFIELD	MO	65803
WEAVER CREEK APTS LLC	5100	S	MAIN	AVE	SPRINGFIELD	MO	65810
WELCH, DAVID M	4950	S	WELLINGTON	DR	SPRINGFIELD	MO	65810
WILLIAMS NATURAL GAS COMPANY	0		PO BOX 20008		OWENSBORO	KY	42304
WINGERT, ERNIE	4580	S	QUAIL CREEK	AVE	SPRINGFIELD	MO	65810



LOCATION SKETCH

Zoning & Subdivision Report

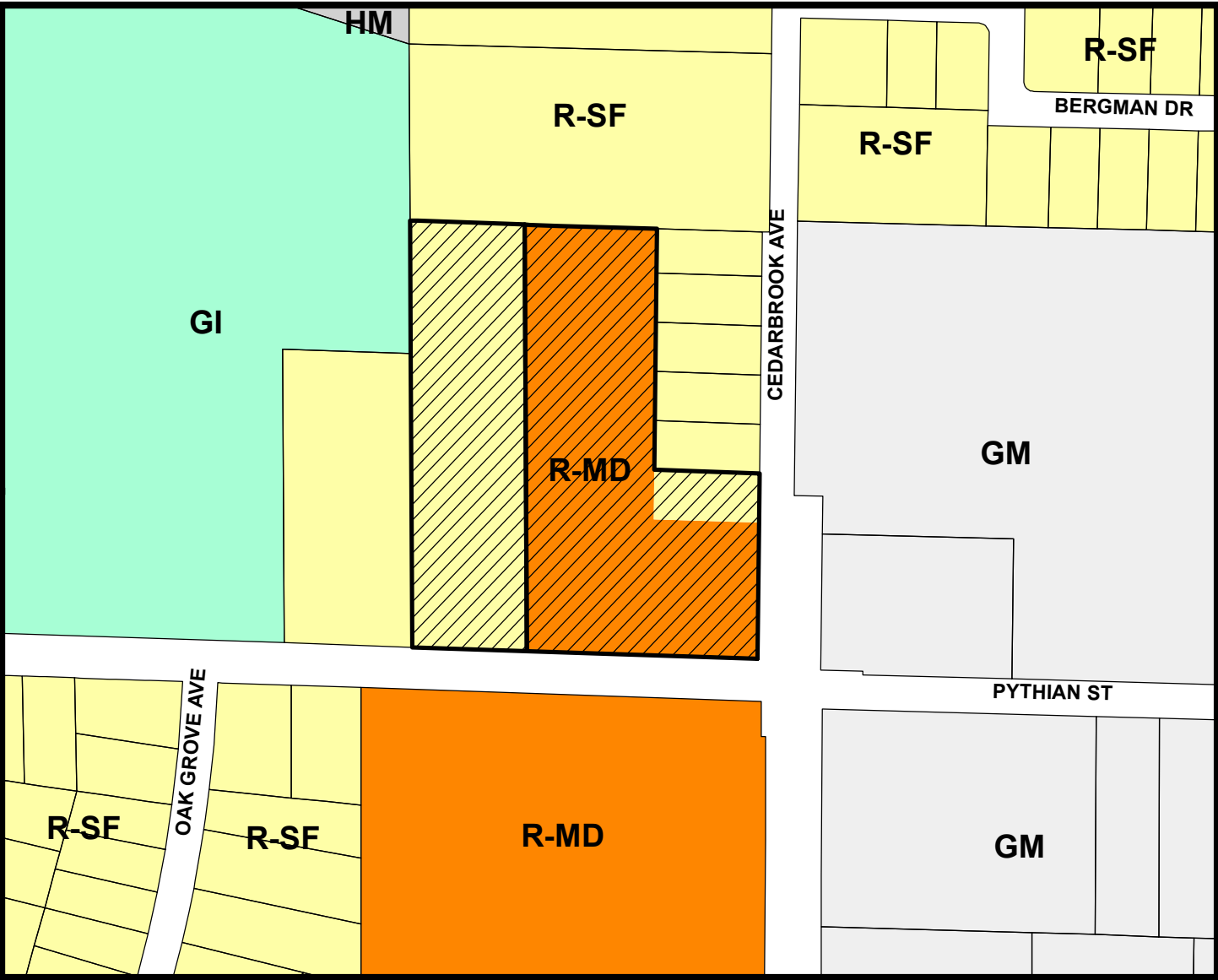
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Z-20-2014 COD#79

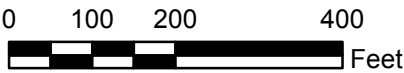
Location: 2759 East Pythian Street

Current Zoning: R-SF, Residential Single Family and
R-MD, Residential Medium Density Multi-Family

Proposed Zoning: R-MD, Residential Medium Density
Multi-Family District with a COD#79



- Area of Proposal



1 inch = 230.488474 feet

EXPLANATION TO COUNCIL BILL NO: 2014-_____

FILED:

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 5.86 acres of property generally located at 2737 and 2759 East Pythian Street from a R-SF, Single-Family Residential District and a R-MD, Medium Density Multi-Family District to a R-MD, Medium -Density Multi-Family Residential District; and establishing Conditional Overlay District No. 79.

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-20-2014/CONDITIONAL OVERLAY DISTRICT NO. 79

This is a request to rezone 5.86 acres from a R-SF, Single-Family Residential District and a R-MD, Medium Density Multi-Family District to a R-MD, Medium -Density Multi-Family Residential District; and establishing Conditional Overlay District No. 79. The requested Conditional Overlay District limits the density of the property at 2737 East Pythian Street and a single-family lot along North Cedarbrook Ave to 11 dwelling units per acre which meets the Multi-Family Development Location and Design Guidelines. The property at 2759 East Pythian Street, which is currently zoned R-MD, will have an overlay district requiring a lot combination for all tracts to be combined into one lot of record.

Supports the following Field Guide 2030 goal(s): Chapter 6, Major Goal 4: Develop the community in a sustainable manner. Objectives 4a increase density

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on September 4, 2014, and recommended ____, by a vote of _ to _, of the proposed zoning on the tract of land described on the attached sheet (see the attached Record of Proceedings).

The Planning and Development staff recommends the application be **approved** with the requirements of Conditional Overlay District No. 79 (see the attached Zoning and Subdivision Report).

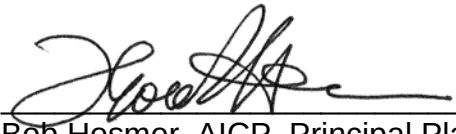
FINDINGS FOR STAFF RECOMMENDATION:

1. The request is consistent with the Multi-Family Development Location and Design Guidelines as approved by the Planning and Zoning Commission and City Council.

2. The request will have to meet the Conditional Overlay District No. 79 which will limit the density to 11 dwelling units per acre on tracts 1 and 2 require a lot combination for all the tracts.
3. Approval of this request will provide for the redevelopment of this site and is consistent with the City's policies to promote infill development and increased intensity where investments have already been made in public services and infrastructure.

Submitted by:

Approved by:



Bob Hosmer, AICP, Principal Planner

Greg Burris, City Manager

EXHIBITS:

Exhibit A, Record of Proceedings

Exhibit B, Legal Description

Exhibit C, Conditional Overlay Provisions

Exhibit D, Zoning and Subdivisions Staff Report

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Neighborhood Meeting Summary

EXHIBIT A
LEGAL DESCRIPTION
ZONING CASE Z-20-2014 and CONDITIONAL OVERLAY DISTRICT NO. 79

PROPERTY DESCRIPTION:

TRACT 1:

ALL BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE NORTHWEST QUARTER (NW $\frac{1}{4}$) OF SECTION SIXTEEN (16), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-ONE (21), IN GREENE COUNTY, MISSOURI; THENCE EAST ALONG SAID QUARTER SECTION LINE, 772 FEET FOR A NEW BEGINNING POINT; THENCE EAST 163 FEET; THENCE NORTH 588 FEET; THENCE WEST 163 FEET; THENCE SOUTH 588 FEET TO THE POINT OF BEGINNING, EXCEPT ANY PART DEEDED, TAKEN, OR USED FOR ROAD, STREET, OR HIGHWAY PURPOSES;

ALSO

TRACT 2

A Single-family lot attached to 2759 East Pythian Street:
ALL OF LOT SIX (6) IN SHADY DELL HILLS, A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

ALSO

TRACT 3

ALL OF SHADY DELL HILLS SUBDIVISION, A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI (THIS TRACT EXCEPTS OUT LOTS 1 THROUGH LOTS 6 AND EXCEPTS OUT ANY PART DEEDED, TAKEN, OR USED FOR ROAD, STREET, OR HIGHWAY PURPOSES).

EXHIBIT C
CONDITIONAL OVERLAY DISTRICT NO. 79
REQUIREMENTS

The requirements of Section 4-1300 of the *Springfield Zoning Ordinance* shall be modified as herein for development within this (COD No. 79) district.

Sub Section 4-1307 Maximum Density Requirements

The density will be limited to eleven (11) dwelling units per acre for Lot 6 of Shady Dell Hills Subdivision (Tract 2) and (Tract 1) as described in the property description.

Off-site Improvements relating to the intensity of development

1. Sidewalks will be required to be constructed prior to development along the property frontage of Cedarbrook Ave.
2. A lot combination to combine all tracts into one lot of ownership.

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-20-2014 & CONDITIONAL OVERLAY DISTRICT NO. 79

DATE: August 20, 2014

LOCATION: 2737 and 2759 East Pythian Street

APPLICANT: Presbyterian Children's Homes

TRACT SIZE: Approximately 5.86 acres

EXISTING USES: Residential uses and vacant lot

PROPOSED USE: Affordable Multi-Family housing development

SURROUNDING LAND USES:

Area	Zoning	Land Use
North	R-SF	Nursing Home
South	R-MD	Children's Foundation of Mid-America Inc
East	GM/ R-SF	Residential/ Vacant land
West	GI	Public Park

BACKGROUND:

City Council approved the rezoning of the property at 2759 East Pythian Street from a R-1, Single-Family Residential District to a R-3, Multi-Family District on February 16, 1988 by Ordinance #3892. In 1995, the City amended the entire zoning code changing all R-3 Districts to an R-MD, Residential Medium Density Multi-Family District.

COMPREHENSIVE PLAN:

The Comprehensive Plan 2020 Growth Management and Land Use Plan shows the subject property as being developed as Low Density, Medium or High Density Housing. The proposed Residential Medium Density Multi-Family (R-MD) district is more consistent with the existing land uses and zoning adjacent to this property. The Plan states that this type of housing includes; townhouses and all various forms of apartment buildings are included in this category, which has been located where there is good traffic access, between Low-Density Housing and non-residential land uses, and at high-amenity locations such as the greenways or parkways. The density is expected to be greater than six (6) housing units per net acre.

CITY UTILITIES COMMENTS:

1. City Utilities has adequate facilities to serve the property

ENVIRONMENTAL SERVICES CLEAN WATER COMMENTS:

1. No objections to rezoning. Each tract currently has access to public sewer.

FIRE DEPARTMENT COMMENTS:

1. No issues with the fire department

STORM WATER COMMENTS:

1. There are no Stormwater issues with rezoning this property; however, please note that development (or re-development) of the property will be subject to the following conditions at the time of development:
 - a) Any increase in impervious area from 1985 aerial photo information will require the development to meet current detention and water quality requirements. Impervious surfaces in place prior to 1985 and currently in good condition can be credited as existing impervious surface. Existing gravel surfaces meeting the above definition are only eligible for 50% credit.
 - b) Full on-site detention and water quality will be required for the proposed development in accordance with current City regulations so that post development peak runoff will not exceed pre-development peak runoff from the site. Please note, however, if the City is able to obtain drainage easements from the airport for a regional detention basin at this location, then, the developer would only construct water quality detention and make a payment to the City in lieu of constructing the remaining flood control detention. The developer would also dedicate to the City the necessary drainage easement for construction of the regional detention basin and would get credited in their flood control buyout payment the amount of the appraised value of the easement.
 - c) The proposed percent of impervious surfacing must not exceed the maximum impervious surfacing allowed for site by zoning, platting, and/or stormwater report.
2. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or a drainage easement.
3. Based upon City contour and sinkhole information, no sinkholes exist on the site and the site is not within a sinkhole watershed.
4. Based upon City data, no significant offsite concentrated stormwater flow exists upstream of the subject property.

TRAFFIC COMMENTS:

No objection to the rezoning, however:

1. The right of way width along Pythian Street and Cedarbrook Ave. is adequate to meet city standards.
2. The property at 2759 East Pythian Street is already zoned R-MD and has frontage along Cedarbrook Ave. as well as Pythian Street.
3. Sidewalks already constructed along Pythian Street, however, sidewalks will be required to be constructed prior to development along the property frontage of Cedarbrook Ave.
4. A traffic study is not required.

ADJACENT PROPERTY OWNER COMMENTS:

Thirteen (13) property owners are within 185 feet of this site and have been notified of this action. There have been a number of calls related to the rezoning of this property.

NEIGHBORHOOD MEETING:

There was a neighborhood meeting held on August 12, 2014. The applicant's meeting summary is attached (Attachment 2). There was a second informal meeting held at the request of City Councilperson Rushefsky on August 19, 2014 which was held at the Cooper Complex.

STAFF COMMENTS:

1. The Comprehensive plan supports High Density housing at the intersection of Cedarbrook Ave (a secondary arterial) and Pythian (a collector street). Staff is aware of the Glenwood Village neighborhood concerns which currently has problems with flooding and traffic problems generated from adjacent uses such as athletic functions at Cooper Park and school buses from R-12 transportation facility.
2. This request contains 3.0 acres of property already zoned R-MD. Under current city regulations there could be approximately 87 units built on this property. The requested Conditional Overlay District limits the density of the property at 2737 East Pythian Street and a single-family lot along North Cedarbrook Ave to 11 dwelling units per acre. The property at 2759 East Pythian Street, which is currently zoned R-MD, will have an overlay district requiring a lot combination for all tracts to be combined into one lot.
3. The Medium-Density Multi-Family Residential District is intended to serve as a transition between lower density and higher density residential districts. This district is intended for areas that have high vehicular traffic from collector or higher classified streets without traversing minor streets in adjoining residential neighborhoods. The proposed development will have access via a driveway onto Pythian Street and Cedarbrook Ave. A sidewalk will be constructed along the Cedarbrook Ave frontage.
4. The proposed request did not have to complete a Multi-Family Development Location and Design Guidelines assessment since the density will not exceed 11 dwelling units per acre.

Minutes for Neighborhood Meeting

Date: 8/12/2014
Time: 4:30PM - 6:00PM

A neighborhood meeting was held at the above date and time at 2331 E Pythian St, Springfield, MO 65802. Thirty-five invitation letters were sent out using a mailing list generated by the Planning and Development Department. Present at the meeting were Joe Carmichael, Marie Carmichael, and Eric Anderson of Affordable Homes Development, as well as those citizens listed on the attached sign-in sheet. The meeting was held to discuss Affordable Homes Development's request for the rezoning of property located on 2759 and 2737 E Pythian Street from Single-Family Residential to Medium-Density Multi-Family Residential with a conditional overlay of no more than 11 dwelling units per acre to make feasible the development of an apartment complex.

Marie and Joe Carmichael gave a brief presentation of their plans for the development. A Preliminary Plat and site plan was available on-site for the citizens to review.

The citizens present had the following concerns about the development:

1. Citizens were concerned about traffic congestion. They said with the tennis and soccer events, the school bus barn being moved to East Pythian, and the current traffic problems, that this will add more traffic to the area.

Response: The current zoning of R-MD on parcels 1, 2, & 3 already allows for approximately 90 units, or 28 units per acre. The rezoning tract 1 and lot 6 would allow for no more than 11 units per acre, or a combined total of 117 units for the entire 5.61 acres. However, if we develop over the entire 5.61 acres, we would only build 55 units, or 9.8 units per acre.

2. Citizens had multiple comments about the current storm water situation south of Pythian. They wanted to know where the water would flow. They wanted to know how we planned on detaining our water. Tenants mentioned that they currently have to use sandbags to keep the water out of their homes.

Response: We told the neighbors that the city intends to build a regional detention basin to correct the flooding issues. We also mentioned that we have agreed to give the city an easement to use part of our land for that purpose. If we develop the land, our engineer will work with the city on the detention for our development.

3. Citizens had many questions and some concerns were brought up about the regional detention. They asked if the city really intended on doing this. A gentleman from the city said the detention would attract waterfowl which is a hazard to the private airport. Neighbors mentioned they had talked to people with the city and the city didn't have the funding for the regional detention.

Response: We said it was our understanding that the city is working to develop a regional detention. With regard to the airport, we suggested the question be directed to the city.

4. Neighbors wanted to know if the city would be attending the meeting and if not, how could they get ahold of them to express their concerns.

Response: We said that the city would not be attending this meeting but that the citizens could attend the upcoming planning and zoning hearing to express their views.

5. Citizens asked about on-site management. They asked how we would we screen tenants.

Response: We responded that we will have an onsite manager and that before we lease to tenants we would do a thorough criminal background check, credit history check, as well as check with pervious landlords.

6. Citizens were concerned that we had adequate parking.

Response: We stated that we would provide all the required parking.

7. Citizens were concerned that we would close any streets during construction.

Response: We have no plan to close streets.

8. Citizens voiced concerns about this being an affordable or low-income development. They were concerned the development would lower property values.

Response: We showed them pictures of our current developments and invited them to see Heatherwood & Westport Park, two of our previous developments which we believe have enhanced the surrounding neighborhood.

9. Some residents were questions why some neighbors got letters and others did not.

Response: We stated that we sent everyone letters from the list of addresses we received from the city.

10. What kind of residents would these apartments attract?

Response: We responded that many of our tenants have entry level jobs. We also expect that some will be elderly on fixed incomes and that some will be handicapped individuals referred to us by the ARC of the Ozarks.

11. What did we mean by subsidized apartments?

Response: Tenants would need to earn 60% of less of the median income to qualify to live there. Some of the units will be leased at 80% of median.

12. Are we the owners?

Response: We are the owners.

13. Would you want this property next to your home? Would you want this property in your bank yard?

Response: We don't want tenants living in our apartments that we wouldn't want living next to us.

14. Are we similar to the Housing Authority of Springfield?

Response: We are different in that their rents are based on what a tenant can afford and ours are fixed. They also target lower income demographics.

15. Has this project already been approved or is it a proposal?

Response: It has not been approved.

16. Do we currently own the property?

Response: No, we have an option contract.

17. Why are we rezoning?

Response: We are rezoning so we can spread our 55 units over a larger area and provide more green space

18. Have we looked at other properties such as the old Hickory Hills property?

Response: We have looked at other properties but not this specific one.

19. How will we provide privacy on the East property line?

Response: Our building will only be two stories which is allowed on single family units. We will build a 6' privacy fence running north to south along our property line to provide privacy. Only 2 homes will back up to the side of the building.

No written comments were submitted at the meeting.

Sign-in

- | | | | |
|----|--------------------|----|-------------------|
| 1. | Betty Jo Laffan | 28 | James R. Holden |
| 2 | Wanda L. Yates & P | 29 | Michael A. Holden |
| 3 | Paula K. Yates | 30 | Garry P. Holden |
| 4 | Mary Graham | 31 | Dandra McCum |
| 5 | Ruth Hewitt | 32 | Marte Carmichael |
| 6 | Athene Krassensky | 33 | Joe Carmichael |
| 7 | Tom Janson | 34 | Eric Anderson |
| 8 | Don Day | | |
| 9 | Sheryl Davis | | |
| 10 | Jill R. Homeister | | |
| 11 | Penny Homeister | | |
| 12 | Bernie J. Hartman | | |
| 13 | James H. Robinson | | |
| 14 | Randall L. Jones | | |
| 15 | V. Sue Caudle | | |
| 16 | Crystal Garrett | | |
| 17 | Rand B. Garrett | | |
| 18 | Kenneth Williams | | |
| 19 | Marie Williams | | |
| 20 | Jean Coover | | |
| 21 | Vera Johnson | | |
| 22 | Joseph Early | | |
| 23 | Mary Early | | |
| 24 | Le Roy Mitchell | | |
| 25 | Mary Lou Mitchell | | |
| 26 | MIKE HINES | | |
| 27 | Clarence Donaldson | | |

5. The required design standards within the R-MD district regulations will mitigate any potential impact of multi-family development on the surrounding properties. There will be 45 degree bulk plane or a 1:1 ratio building setback when adjacent to an R-SF District and a 15 foot bufferyard is required.

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of this request will provide for the redevelopment of this site and is consistent with the City's policies to promote infill development and increased intensity where investments have already been made in public services and infrastructure.
2. The request is consistent with the Multi-Family Development Location and Design Guidelines as approved by the Planning and Zoning Commission and City Council.
3. The request will have to meet the Conditional Overlay District No. 79 will limit the density to 11 dwelling units per acre on tracts 1 and 2 and require a lot combination for all the tracts into one lot.

RECOMMENDATION:

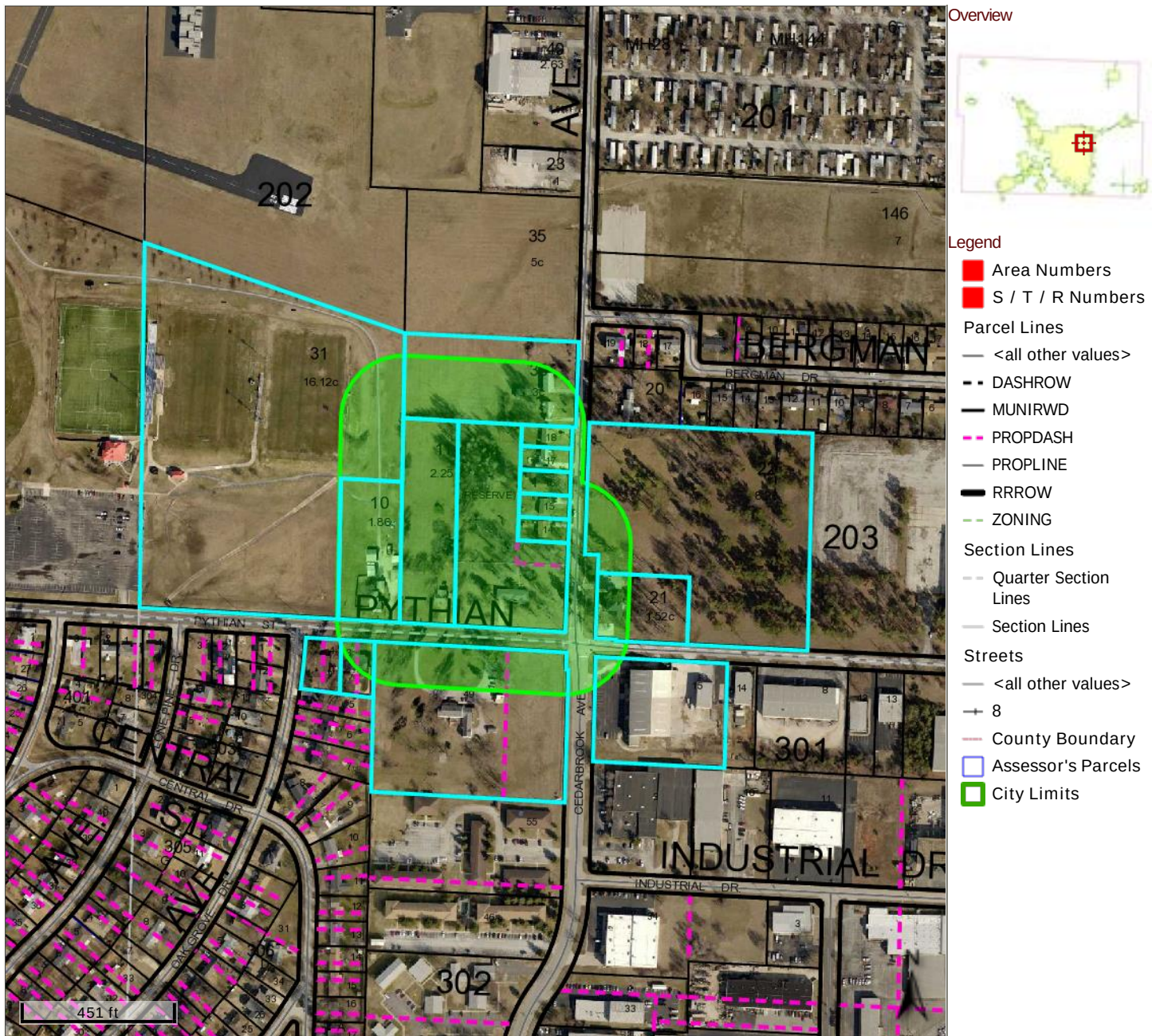
The request be **approved** with the requirements of the Conditional Overlay District No. 79

CITY COUNCIL PUBLIC HEARING:

September 22, 2014

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner
864-1834



Last Data Upload: 7/29/2014 11:44:16 PM

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

CHILDRENS FOUNDATION OF MID-AME
2737 E PYTHIAN ST
SPRINGFIELD MO 65802

CHILDRENS FOUNDATION OF MID-AME
8301 MARYLAND AVE
SAINT LOUIS MO 63105

CHILDRENS FOUNDATION OF MID-AME
8301 MARYLAND AVE
SAINT LOUIS MO 63105

HOLDEN, DAVID G
2243 E LOMBARD CT
SPRINGFIELD MO 65802

HOLDEN, KATHRYN P
3582 N KOSSEN LN
SPRINGFIELD MO 65803

JONES, RICHARD W
2714 E PYTHIAN ST
SPRINGFIELD MO 65802

KENT, DAVID DOUGLAS
850 S CAVALIER DR
SPRINGFIELD MO 65802

LOST & FOUND INC
1006 N CEDARBROOK AVE
SPRINGFIELD MO 65802

MECUM, SANDRA KAY
1105 N CEDARBROOK AVE
SPRINGFIELD MO 65802

SHERMAN ST ACQUISITION CO INC
PO BOX 1747
SPRINGFIELD MO 65801

STILL, MICHAEL B
1041 N CEDARBROOK AVE
SPRINGFIELD MO 65802

THE CITY OF SPRINGFIELD
840 N BOONVILLE AVE
SPRINGFIELD MO 65802

THE CITY OF SPRINGFIELD
840 N BOONVILLE AVE
SPRINGFIELD MO 65802

WALLAR, MICHAEL D
944 N OAK GROVE AVE
SPRINGFIELD MO 65802

WHITWORTH, RONNIE L TR
3034 E CARLISLE CIR
SPRINGFIELD MO 65804

WILSON, MELVIN WAYNE
1035 N CEDARBROOK AVE
SPRINGFIELD MO 65802

Sherman Street Acquisition Co., Inc.
P. O. Box 1747 – 605 N. Sherman Parkway
Springfield, MO 65801-1747

Phone (417) 865-8392 Fax (417) 869-5920

August 18, 2014

City of Springfield
Department of Planning and Development
840 Boonville Avenue
P. O. Box 8368
Springfield, MO 65802

Re: Zoning Case Z-20-2014 w/ Conditional Overlay District No. 79
Objection to Rezoning Application for 2737 East Pythian Street, et.al.

TO WHOM IT MAY CONCERN:

Sherman Street Acquisition Co., Inc. (hereinafter SSAC), a subsidiary of C. B. Management Co., Inc. (hereinafter CBMC), is the owner of the property immediately North of and adjacent to the subject property identified above. At the public hearing concerning this rezoning application that took place on August 12, 2014, Mr. Joe Carmichael, representing Affordable Homes Development, Inc., the developer of the project proposed for the property to be rezoned, showed a diagram of the proposed project. The diagram included reference to a water retention/detention pond that included a portion of the Northwest corner of the subject property but which also was said to include property further North which is owned by SSAC. When questioned about the retention/detention pond, Mr. Carmichael indicated that he did not have specific information about the portion of the pond on the other property and suggested that I contact the Planning and Zoning office at the City of Springfield. On Thursday, August 14, 2014, I spoke with officials at the Planning and Zoning office and was shown a detail of the proposed retention/detention pond and was told that their plan is to acquire a significant portion of the property owned by SSAC to develop a regional water retention/detention pond to supplement (1) the pond that presently exists on the property East of the subject property that is owned by the City of Springfield and under the control of the Springfield Park Board, and (2) the pond that is proposed for the subject property referenced above.

I am writing this letter to formally object to this project on the basis of its potential impact on public safety with regard to aircraft traffic on and around the airport runway owned and operated by the Springfield Flying Service, Inc. (hereinafter SFS). For clarification, SFS, like SSAC, is a wholly owned subsidiary of CBMC. SFS has owned and operated the Springfield Downtown Airport since 1939. The airport is a

public-use airport serving both the citizens of Springfield and individuals visiting the city for both personal and commercial purposes. As such it provides the city and surrounding community with significant economic benefit. As the operators of this public-use airport our primary concern is the safety of those who use the facility as well as those who live in proximity to the airport property. In that regard, the property immediately North of and adjacent to the subject property is residential property that was specifically acquired by SSAC because of its proximity to the airport and its location in regard to the SFS runway and flight path. The next property North is also owned by SSAC, as is all of the property commonly referred to as the Springfield Downtown Airport located between Cedarbrook and Nias, bordered on the North by Division Street and on the South by the Cooper Park.

The property for the proposed retention/detention pond is immediately East of and adjacent to the East end of the runway. Such a retention/detention pond is likely to attract wildlife that has been specifically identified by the Federal Aviation Administration (FAA) as hazardous to air traffic. In FAA Advisory Circular No. 150/5200-33B dated August 28, 2007, the FAA has offered guidance on certain land uses that have the potential to attract hazardous wildlife on or near public-use airports. I have restated some of the more pertinent sections of the advisory below, and have attached a copy of the complete advisory to this letter for reference. Highlighted portions of the quoted text were added for emphasis.

FAA Advisory Circular No. 150/5200-33B

Cover Letter

Subject: Hazardous wildlife attractants on or near airports

Section 1. Purpose. **This Advisory Circular provides guidance on certain land uses that have the potential to attract hazardous wildlife on or near public-use airports.**

Section 2. Applicability. The Federal Aviation Administration recommends that public-use airport operators implement the standards and practices contained in this AC. The holders of Airport Operating Certificates issued under Title 14, Code of Federal Regulations, Part 139, Certification of Airports, Subpart D (Part 139), may use the standards, practices and recommendations contained in this AC to comply with the wildlife hazard management requirements of Part 139. Airports that have received Federal grant-in-aid assistance must use these standards. **The FAA also recommends the guidance in this AC for land-use planners, operators of non-certificated airports, and developers of projects, facilities, and activities on or near airports.**

Section 5. Background. Information about the risks posed to aircraft by certain wildlife species has increased a great deal in recent years. **Improved reporting, studies, documentation, and statistics clearly show that aircraft collisions**

with birds and other wildlife are a serious economic and public safety problem.

...Most public-use airports have large tracts of open, undeveloped land that provide added margins of safety and noise mitigation. These areas can also present potential hazards to aviation if they encourage wildlife to enter an airport's approach or departure airspace or operations area (AOA). Constructed or natural areas—such as poorly drained locations, detention/retention ponds...—can provide wildlife with ideal locations for feeding, loafing, reproduction, and escape.

...This AC provides airport operators and those parties with whom they cooperate with the guidance they need to assess and address potentially hazardous wildlife attractants when locating new facilities and implementing certain land-use practices on or near public-use airports.

Advisory Circular

Section 1-1. Introduction. When considering proposed land uses, airport operators, local planners, and developers must take into account whether the proposed land uses, including new development projects, will increase wildlife hazards. **Land-use practices that attract or sustain hazardous wildlife populations on or near airports can significantly increase the potential for wildlife strikes.**

...The FAA recommends the minimum separation criteria outlined below for land-use practices that attract hazardous wildlife to the vicinity of airports.

...The separation distances are based on (1) flight patterns of piston-powered aircraft and turbine-powered aircraft, (2) the altitude at which most strikes happen [78 percent occur under 1,000 feet and 90 percent occur under 3,000 feet above ground level], and (3) National Transportation Safety Board recommendations.

Section 1-2. Airports Serving Turbine-Powered Aircraft. Airports selling Jet-A fuel normally serve turbine-powered aircraft. Notwithstanding more stringent requirements for specific land uses, the FAA recommends a separation distance of 10,000 feet at these airports for any of the hazardous wildlife attractants mentioned in Section 2 or for new airport development projects meant to accommodate aircraft movement. This distance is to be maintained between an airport's AOA and the hazardous wildlife attractant. **(NOTE: SFS provides service for both Piston and Turbine-Powered Aircraft and our facility is the home FBO [fixed base operator] for both types of aircraft.)**

Section 2-3.b. New storm water management facilities. The FAA strongly recommends that off-airport storm water management systems located within the separations identified in Sections 1-2 through 1-4 be designed and operated so as

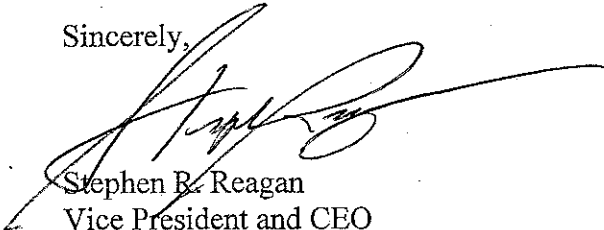
not to create above-ground standing water. Storm water detention ponds should be designed, engineered, constructed, and maintained for a maximum 48-hour detention period after the design storm and remain completely dry between storms.

The undersigned is the Vice President and Chief Executive Officer of CBMC, SSAC and SFS and is authorized to represent these entities in all matters. Because the objections raised specifically relate to aircraft and public safety, we believe it is appropriate to note that such objections are raised on behalf of all of three entities: SSAC as the land owner of the property adjacent to the referenced property; SFS as the occupant of the property known as the Springfield Downtown Airport and operator of the runway that is directly affected by the proposed retention/detention pond; and, CBMC as the parent company of both entities and the entity with ultimately authority and responsibility for the use of the properties in question.

We believe that the rezoning request referenced in this letter should be denied because of the potential safety hazard that would be created by the addition and/or expansion of the water retention/detention ponds required as a result of the project. The Advisory Circular states in section 4-3 that "the FAA encourages operators of public-use airports who become aware of proposed land use practice changes that may attract hazardous wildlife within 5 statute miles of their airports to promptly notify the FAA." The purpose of this notification is to afford the FAA an opportunity (1) to evaluate the effect of a particular land-use change on aviation safety and (2) to support efforts by the airport sponsor to restrict the use of land next to or near the airport to uses that are compatible with the airport. In accordance with that directive, we will notify the FAA of the proposed retention/detention pond, giving them the opportunity to access its potential impact on public safety in and around the Springfield Downtown Airport. We respectfully request that the rezoning request be denied until such time that the FAA has completed whatever evaluation they deem necessary and until issues concerning the proposed regional water retention/detention pond have been resolved.

It is my plan to attend the public hearing to be held by the Planning and Zoning Commission on September 4, 2014. I will be happy to address any questions at that time, or you may contact me at your convenience at my office (417-875-7296) or on my cell (417-827-2523) or via email at steve.reagan@harrycooper.com.

Sincerely,



Stephen B. Reagan
Vice President and CEO

Attachment: FAA Advisory Circular No. 150/5200-33B

August 5, 2014

Mr. Melvin Wayne Wilson and Linda Wilson
1035 N. Cedarbrook
Springfield, MO 65802

Both Mr. Wilson and Mrs. Wilson called individually stating they are in opposition to the proposed rezoning. They state they don't want apartments there, they think single family houses are appropriate. The lots are small and if you put the apartments between the houses, it will look bad. They already have problems at the apartments on Cedarbrook and the mobile home park and this will add to the problem.

Hello, my name is Michelle Renfro and I live at 803 N. Fairfax Ave in Glenwood Village Subdivision.

There are multiple reasons for not wanting this rezoning or apartment complex to come to pass.

Number one: There have been documented issues of flooding in the neighborhood due to water run-off from prior impervious surfaces that have been approved "upstream" from this neighborhood. Currently the city is working on trying to improve drainage on Fairfax Ave in Glenwood Village subdivision directly related to the flooding issues. City engineers have told neighbors in this area that these efforts, while positive, will have a marginal impact and that any additional runoff will overtop all capacity of the original storm water run-off system, in addition to the recent improvements. This build would be at the top of the hill which directly drains into Glenwood Village subdivision.

Number two: Due to the soccer fields and national tournaments that the park has started to host, traffic can be almost impassable during tournament times. Police have had to be called at times to get cars moved so that people can get into the roads in this subdivision. Springfield city schools are moving the bus barn to just east of the intersection in question. This will add 125 busses coming into and out of this area multiple times per day. The 114 parking spots that are currently in the plans for the proposed apartment complex would add another 114 vehicles potentially coming in and out of the neighborhood possibly multiple times daily. These two issues could add the potential of an additional 239 vehicles traveling Pythian, Cedarbrook and the surrounding streets daily.

Number three: Whether you prefer to call this housing complex affordable or low income, the fact remains, that with low income housing, property values decrease, while crime rates increase. There are already several "affordable" housing complexes in the area, is it prudent to saturate one area of any city?

As a resident of this neighborhood who has lived through the flooding, that is my major concern.

A few years ago, we had 14" of water in our garage. Thankfully it never entered our home, but the clean-up and impact from the "raging river" that our front yard turned into, was enough.

Carrying an elderly couple up the road to their vehicle because they were too frail to walk in the rush of water and too scared to stay for fear the water was going to enter their home.

Days of using a sump pump to remove the water from under our home.

Expenses for drying out the drywall and items in the garage.

Sweat cleaning it up and realizing what you had lost (a new lawnmower that was under water, a box of keepsakes that was stored low enough the water ruined them).

Glenwood Village is a quiet, well established subdivision where the first houses were built in the 1950s. Many people have remained in this area since these homes were built. New people have chosen to buy in this neighborhood due to the fact that it is a well-established neighborhood, with all the security that brings. This is the major contributing factor in my husband and I choosing to purchase here 8 years ago.

Recently, KOLR 10 did a news-story on this issue. In this piece, they interviewed both residents and our councilwoman Cindy Rushefsky. Cindy's comment in regards to the neighborhoods concerns were ; ""I think those concerns are legitimate. On the other hand, the Carmichaels are presenting a project which has some real public benefit. They're presenting a relatively low-density project and one that I think could be a real benefit to the neighborhood and community as a whole."

The questions I and other in the neighborhood have are:

- 1) What does the city propose be done regarding our admittedly "legitimate concerns"?
- 2) What "benefit to the neighborhood and community as a whole" is she referring to?

Currently all I am seeing is negatives, not benefits.

EXPLANATION TO COUNCIL BILL NO: 2014-_____

FILED:

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 1.19 acres of property generally located at 4000 South Campbell Avenue from a Planned Development District No. 21 and Planned Development District No. 21 Amended to a GR, General Retail District.

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-21-2014

The applicant is requesting to rezone the subject property from a Planned Development District No. 21 and Planned Development District No. 21 Amended to a GR, General Retail District. The subject property is currently detention area. The applicant intends to develop a portion of the property while maintaining the detention use within the remaining area.

Supports the following Field Guide 2030 goal(s): Chapter 6, Major Goal 4: Develop the community in a sustainable manner. Objectives 4a and 4b

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on September 4, 2014 and recommended , by a vote of to , of the proposed zoning on the tract of land described on the attached sheet (see the attached Record of Proceedings).

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

CONDITIONS:

This rezoning shall not become effective until the following condition is met:

1. An administrative replat subdividing the subject property from the existing lot is recorded following the Subdivision Regulations.

If this condition is not met within two (2) years of City Council's approval, then the rezoning approval is null and void and the subject property will remain zoned Planned Development District No. 21 and Planned Development District No. 21 Amended.

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of this request will result in a similar type of development as to that surrounding the subject property.
2. This request for GR zoning will provide for development of this site and is consistent with the City's policies to promote infill development and increased intensity where investments have already been made in public services and infrastructure.
3. The required subdivision of the property will ensure that all appropriate utility and other infrastructure improvements are obtained for the public use and will ensure that detention and open space are maintained for the surrounding development.

Submitted by:



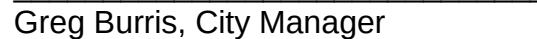
Alana D. Owen, AICP, Senior Planner

Recommended by:



Bob Hosmer, AICP, Principal Planner

Approved by:



Greg Burris, City Manager

EXHIBITS:

Exhibit A, Record of Proceedings

Exhibit B, Legal Description

Exhibit C, Zoning and Subdivisions Staff Report

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Neighborhood Meeting Summary

EXHIBIT A
RECORD OF PROCEEDINGS
ZONING CASE Z-21-2014

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

EXHIBIT B
LEGAL DESCRIPTION
ZONING CASE Z-21-2014

A TRACT OF LAND BEING A PART OF LOT 2 OF KICKAPOO PRAIRIE ESTATES EAST 5TH ADDITION A RECORDED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI AND DETENTION AREA OF KICKAPOO PRAIRIE ESTATES EAST 4TH ADDITION, A RECORDED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, ALL LYING IN THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 28 NORTH, RANGE 22 WEST, CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 12; THENCE S02°19'12"W, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 895.17 FEET; THENCE S87°40'48"E, LEAVING SAID WEST LINE, 66.51 FEET TO THE NORTHWEST CORNER OF SAID LOT 2 OF KICKAPOO PRAIRIE ESTATES EAST 5TH ADDITION; THENCE S02°14'44"W, ALONG THE EAST RIGHT-OF-WAY LINE OF CAMPBELL AVENUE, 169.87 FEET FOR A POINT OF BEGINNING. THENCE S87°45'16"E, LEAVING SAID EAST RIGHT-OF-WAY LINE, 200.06 FEET; THENCE N72°19'11"E, 71.87 FEET TO A POINT ON THE EAST LINE OF SAID DETENTION AREA OF KICKAPOO PRAIRIE ESTATES EAST 4TH ADDITION; THENCE S02°12'33"W, ALONG SAID EAST LINE, 234.13 FEET; THENCE N87°45'04"W, LEAVING SAID EAST LINE, 222.32 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE OF CAMPBELL AVENUE; THENCE N02°14'56"E, ALONG SAID EAST RIGHT-OF-WAY LINE, 86.80 FEET; THENCE N39°51'49"W, CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, 67.80 FEET; THENCE N02°14'44"E, CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, 72.52 FEET TO THE POINT OF BEGINNING. CONTAINING 1.19 ACRES.

SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

Zoning & Subdivision Report

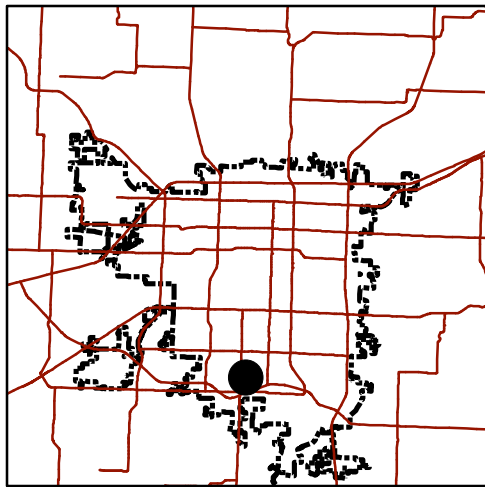
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Z-21-2014

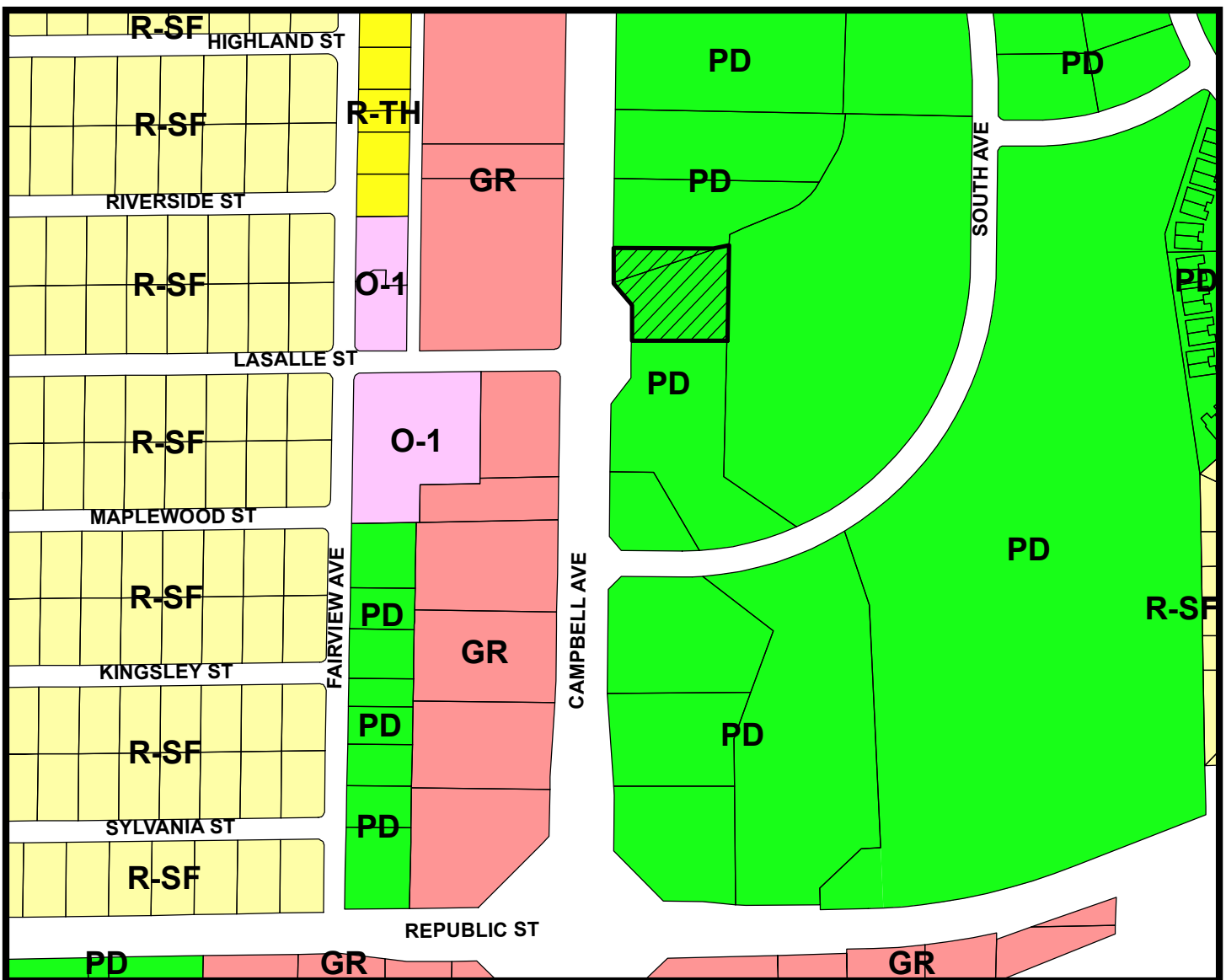
Location: 4000 South Campbell Ave.

Current Zoning: Planned Development 21 and PD 21, 1st Adm

Proposed Zoning: GR, General Retail District



LOCATION SKETCH



- Area of Proposal

0 100 200 400
Feet

1 inch = 375 feet

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-21-2014

DATE: August 25, 2014

LOCATION: 4000 South Campbell Avenue

APPLICANT: Primrose Campbell Community Imp Assoc

TRACT SIZE: Approximately 1.19 acres

EXISTING USE: undeveloped/detention area

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

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	PD 21	Retail, restaurant, business school
East	PD 21 Am	Movie theater, office and retail
South	PD 21 Am	Retail and restaurant uses
West	GR	Retail, office and restaurant uses

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not have any objections to the requested zoning on the subject property.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

1. A sidewalk is required to be constructed along the property frontage on Campbell Ave.
2. Campbell Avenue is classified as a Primary Arterial. It appears adequate right of way exists.
3. The intensity as allowed in the existing PD is not changing with this rezoning request, therefore a traffic study is not warranted.

STORMWATER COMMENTS:

1. There are no Stormwater issues with rezoning this property; however, please note that development (or re-development) of the property will be subject to the following conditions at the time of development:
 - a. Any increase in impervious area from 1985 aerial photo information will require the development to construct additional detention and water quality in accordance with current stormwater requirements.
 - b. The storage volume removed from the regional detention basin will need to be replaced.
 - c. The proposed percent of impervious surfacing must not exceed the maximum impervious surfacing allowed for site by PD.
2. If a subdivision is required, then public improvement plans and drainage easements will be required for any concentrated runoff crossing lot lines, as well as for detention and/or water quality features serving more than one lot. These improvements must be constructed, inspected, approved and operational prior to issuance of a building permit or final plat. Must pay Engineering and Inspection Fees, which are 5% of the public improvement construction costs, prior to final approval of public improvement plans.
3. Based upon City contour and sinkhole information, it appears a sinkhole and/or sinkhole watershed may exist on this site. For this reason, a sinkhole evaluation to include geological and hydrological evaluation must be completed by a qualified professional engineer or geologist for this site.
4. Based upon City data, there is a significant amount of offsite concentrated stormwater crossing the subject property. Although stormwater detention and water quality do not have to be provided for these flows, public improvement plans will be required to convey these flows across the subject property. Drainage easements must be provided for this conveyance.

CLEAN WATER SERVICES COMMENTS:

Clean Water Services does not have any objections to the proposed zoning however a portion of the trunkline will probably have to be relocated in order to develop the site.

CITY UTILITIES:

City Utilities does not have any objections to rezoning. There will be some development issues with grade changes, etc. Any relocations will be at the developers' expense.

ADJACENT PROPERTY OWNER COMMENTS:

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

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on July 31, 2014. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. This application is to rezone the subject property from a Planned Development District No. 21 and Planned Development District No. 21 Amended to a GR, General Retail District. The applicant intends to construct a restaurant at this location if the GR zoning is approved. The subject property is part of a larger area that serves as the detention area for the surrounding development and open space for an adjacent lot to the north. The intent is to subdivide the subject property (approximately 1.19 acres) off from the remaining detention area and adjacent lot to develop the property.
2. The existing zoning on the property shows the subject property as detention area and open space for the property to the north. The Planned Development permits a mix of office, retail, restaurant and other commercial uses on the surrounding properties. The proposed GR zoning will permit this property to be developed with a similar type of development as what is existing in the area. Approval of this request will remove the specific requirements of the existing Planned Developments and allow the general requirements of the GR district to guide development of the property. The requested zoning is appropriate on this tract and is not expected to have a detrimental impact on adjacent properties or the public infrastructure.
3. There are several requirements that will have to be met before the subject property can be developed. The property will need to be subdivided in conformance with the City's *Subdivision Regulations* to create the lot for development and separate it from the rest of the detention area and the adjacent lot to the north. As part of the subdivision a geo-technical report will be required to evaluate construction in proximity to the sinkhole. In addition, public sewer and utilities will need to be relocated to accommodate development on the lot. A Declaration of Drainage Easement and Maintenance Agreement must be recorded for the property to ensure appropriate maintenance and financial responsibility of the detention area since the property is being removed from the detention area for private development. As part of the subdivision, sidewalks will be required on the Campbell Avenue frontage and access to the property will

need to be obtained. An evaluation will also need to be done to show the creation of the subject property as a separate lot will not detrimentally impact the required open space on adjacent properties. The subdivision of the land, with the completion of the necessary improvements and documentation, is required prior to the approval of the GR zoning.

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of this request will result in a similar type of development as to that surrounding the subject property.
2. This request for GR zoning will provide for development of this site and is consistent with the City's policies to promote infill development and increased intensity where investments have already been made in public services and infrastructure.
3. The required subdivision of the property from the larger tract will ensure that all appropriate utility and other infrastructure improvements are obtained for the public use and will ensure that detention and open space are maintained for the surrounding development.

RECOMMENDATION:

Staff recommends **approval** of this request with the following condition.

CONDITIONS:

This rezoning shall not become effective until the following condition is met:

1. An administrative replat subdividing the subject property from the existing lot is recorded following the Subdivision Regulations.

If this condition is not met within two (2) years of City Council's approval then the rezoning is null and void and the property will remain zoned Planned Development District No. 21 Amended.

CITY COUNCIL:

September 22, 2014

STAFF CONTACT PERSON:

Alana D. Owen, AICP
Senior Planner
864-1831

ATTACHMENT 2 : NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: PD 21 Am 1 to GR

(existing zoning) *(proposed zoning)*
2. Meeting Date & Time: Thursday, July 31st, 2014 4:30 to 7:00 p.m.
3. Meeting Location: The Library Center 4653 S Campbell Ave, Springfield, MO 65810
4. Number of invitations that were sent: 23
5. How was the mailing list generated: City of Springfield P&Z Department
6. Number of neighbors in attendance (attach a sign-in sheet): 5
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

no comments from meeting

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

no modifications to meeting

ZONING CASE, 4000 S Campbell

SIGN-IN SHEET

Name	Address or Company	Phone	E-mail
21 Jared Enterprises	2870 S. Ingram Mill Rd. Suite A, Springfield, MO 65804	417-870-7900	cjared@jaredenterprises.com
22 Donna Powers	4101 S. Campbell	417-887-6628	JAPENT@AOL.COM
23 Michael R. Pike	3863 S. Campbell	417-886-1157	Parkcrestctr@hotmail.com
24 Eddie Atkinson	O'Reilly Auto	417-393-5896	
25 Brian Bell	Campbell 16	417 890-8760	Campbell16@briancampbell.com
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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 **CHERRY STREET EAST** generally located at 3040 East Cherry Street. (Staff recommends that City Council accept the public streets and easements.)

BACKGROUND INFORMATION:

- A. See the legal description set forth on the Preliminary Plat of **CHERRY STREET EAST** dated August 21, 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 3.
- B. The Planning and Zoning Commission held a public hearing on September 4, 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. Sidewalk is required to be constructed along the property frontage on Cherry Street.
 - 2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. Cherry Street is classified as a secondary arterial which requires 35 feet from the centerline. The middle and easternmost driveways to Cherry Street must line up with the existing intersections on the north at Union Avenue and Cavalier Avenue, respectively.
 - 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

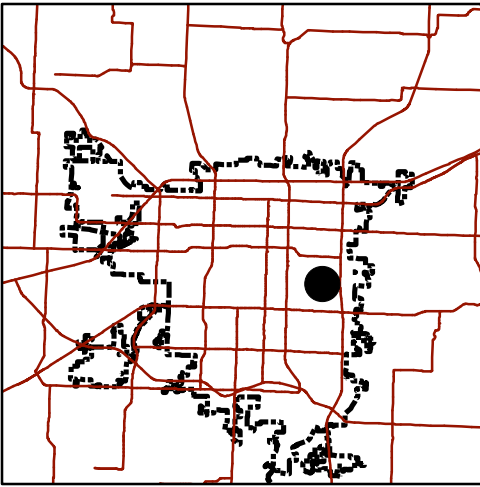
Exhibit B, Zoning and Subdivision Staff Report

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Subdivision Variance Approval Criteria

Attachment 3, Preliminary Plat



Zoning & Subdivision Report

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

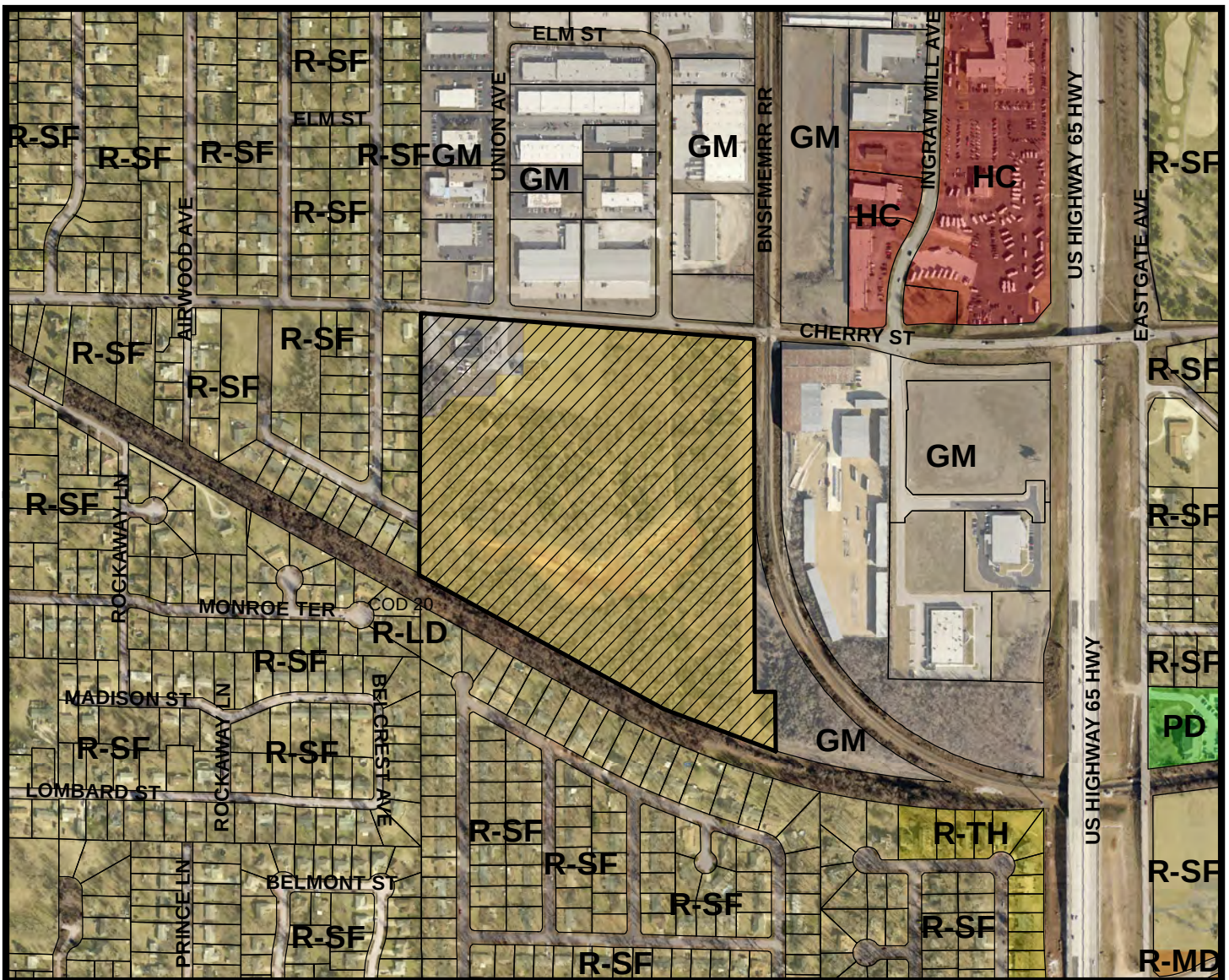
Preliminary Plat - Cherry Street East

Location: 3040 E. Cherry St.

Current Zoning: R-LD, Low Density Multi-Family Residential
and GM, General Manufacturing with COD No. 20

Proposed Zoning: GM, HC, and R-LD and COD No. 77

LOCATION SKETCH



- Area of Proposal

0 300 600 1,200
Feet

1 inch = 600 feet

Zoning & Subdivision Report

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

PRELIMINARY PLAT– CHERRY STREET EAST

DATE: August 22, 2014

PURPOSE: To approve a preliminary plat to subdivide 36.22 acres into a three (3) lot subdivision with a subdivision variance.

BACKGROUND:

LOCATION: 3040 E. Cherry Street

APPLICANT: Burks Development Corporation

TRACT SIZE: Approximately 36.22 acres

EXISTING USES: Office, telecommunications tower and undeveloped/vacant land

PROPOSED USES: Self storage facilities, apartments and fueling station/convenience store

RECOMMENDATION:

The request be **approved**.

FINDINGS:

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

CONDITIONS:

1. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.
 - a. Sidewalk is required to be constructed along the property frontage on Cherry Street.

2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. Cherry Street is classified as a secondary arterial which requires 35 feet from the centerline. The middle and easternmost driveways to Cherry Street must line up with the existing intersections on the north at Union Avenue and Cavalier Avenue, respectively.
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

ATTACHMENT 1
BACKGROUND REPORT
PRELIMINARY PLAT – CHERRY STREET EAST

APPLICANT'S PROPOSAL:

The applicant proposes to subdivide approximately 36.22 acres into a three (3) lot subdivision with a subdivision variance for a lot without full frontage on a public street. The applicant is also requesting to rezone all of Lot 2 to GM, General Manufacturing and Lot 3 to HC, Highway Commercial with a Conditional Overlay District No. 77. Lot 1 will remain R-LD, Low-Density Multi-Family Residential.

AT&T COMMENTS:

Existing communication lines are attached to pole lead along west property line of Lot 2 and proceeding into Lot 2. Facilities will also need to remain along ROW on south side of Cherry Street.

BUILDING DEVELOPMENT SERVICES COMMENTS:

There are several minor errors that will need to be corrected before final approval.

CITY UTILITIES COMMENTS:

There is an existing 161,000 volt transmission line on the east property line. The uses will be restricted within the easement. Please reference the book and page of the easement. The easement restrictions will be listed in the document. All utilities are available for service. Any extensions to provide service will be at the developer's expense, and any relocations due to the development will be the developer's responsibility.

FIRE DEPARTMENT COMMENTS:

No issues.

TRAFFIC DIVISION COMMENTS:

No issues with the plat. Cherry Street must be widened, a center turn lane constructed and sidewalks constructed along the property frontage. Public Improvement Plans are required. Infrastructure improvements must be constructed and accepted by the city or funds escrowed prior to approval of the final plat.

STORMWATER COMMENTS:

No stormwater issues with the Preliminary Plat. Please note, however, that the following sinkhole notes will need to be included on the Final Plat in accordance with Division 2 of Chapter 96 of the City's Municipal Code:

1. Based upon the evidence, there shall be shown sinkhole-related non-buildable areas on this plan. However, approval of this plan is not to be interpreted as any guarantee that future sinkhole problems will not occur due to either natural or human activities.
2. Any sinkhole-related non-buildable area identified here has been determined to be unsuitable for any construction activity and no buildings, parking areas, grading or other structures shall be permitted within this area.
3. Any sinkhole or restricted fill information identified here has been determined to be unsuitable for soil bearing foundation and the entire structure of any building (including the floor system) constructed therein must be founded on solid rock.
4. No basement or first floor elevations shall be less than 14 inches above the sinkhole ponding elevation.

Please also note that you will need to include the City's standard surface water drainage statement and drainage easement maintenance statement on the Final Plat.

CLEAN WATER SERVICES COMMENTS:

All issues have been addressed on the plat.

STAFF COMMENTS:

1. The applicant is proposing to subdivide approximately 36.22 acres into a three (3) lot subdivision named "CHERRY STREET EAST" (see ATTACHMENT 3).
2. The applicant is also requesting a subdivision variance for a lot without full frontage on a public street (Cherry St.) (see ATTACHMENT 2)
3. If Planning and Zoning Commission approves the preliminary plat, then the plat will be forwarded to City Council for acceptance of public streets and easements. An approved preliminary plat is active for two (2) years.

ATTACHMENT 2
SUBDIVISION VARIANCE APPROVAL CRITERIA
PRELIMINARY PLAT – CHERRY STREET EAST

The applicant is requesting a subdivision variance from Section 407(2) of the Subdivision Regulations which requires all lots to abut by their full frontage on a publicly dedicated street. Lot 1 will have an odd configuration that does not have full frontage on Cherry Street. Staff supports the request because Lot 1 will have safe public access onto Cherry Street that will meet City standards despite the configuration.

Section 106 of the Subdivision Regulations states in part:

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

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

APPLICANT'S RESPONSE:

The existing telecommunications tower and sinkholes have led to the unusual configuration.

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

APPLICANT'S RESPONSE:

The proposed configuration will allow the property owner to place the telecommunications tower with other manufacturing uses that are not detrimental to the adjacent residential property.

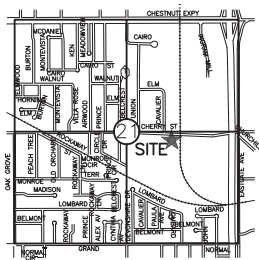
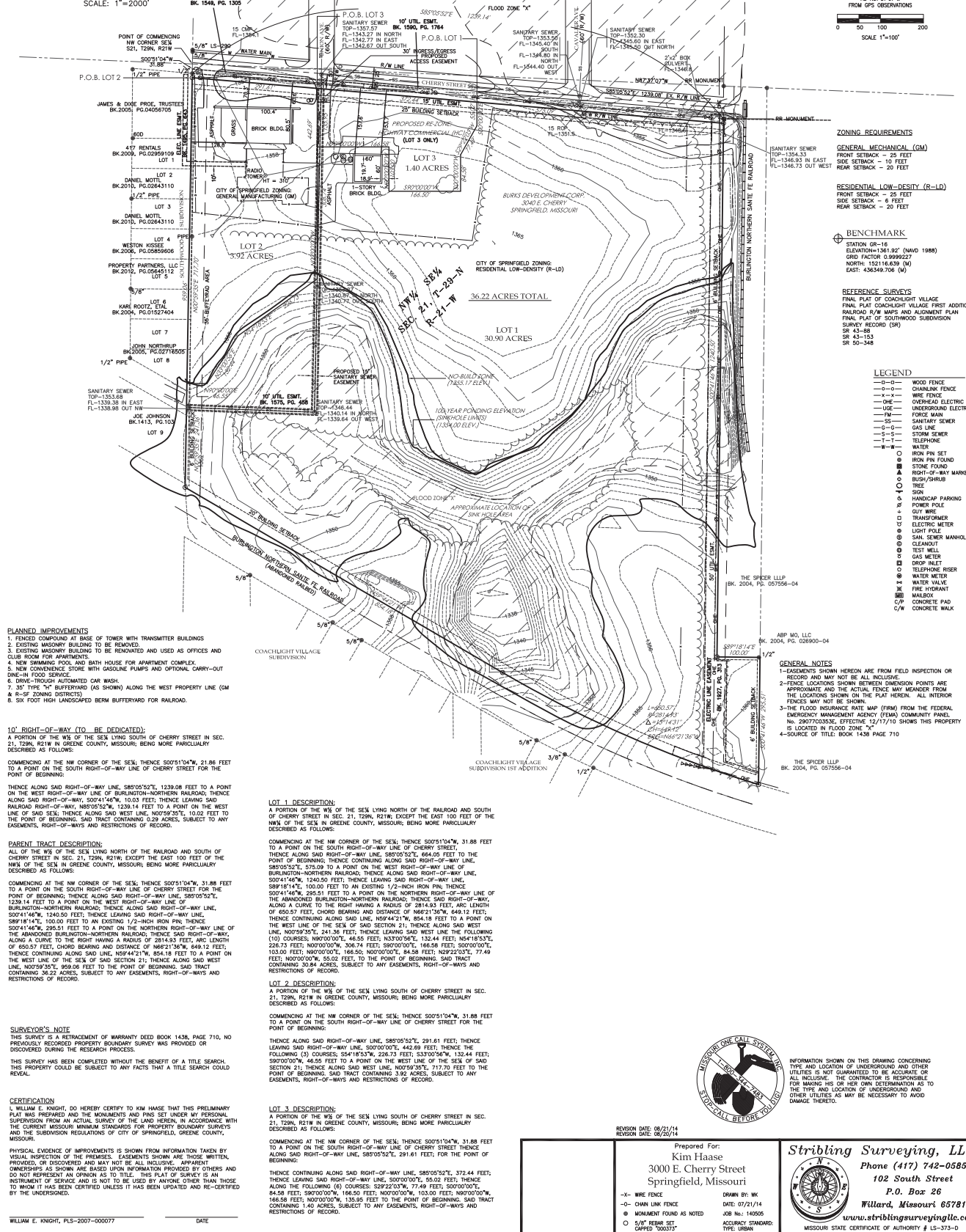
- (c) The granting of the variance would not be detrimental to the public safety, convenience or welfare or be injurious to other property in the vicinity.

APPLICANT'S RESPONSE:

The granting of the variance would not detrimentally effect public safety, convenience or welfare or be injurious to other property in the vicinity.

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

CHERRY STREET EAST

PRELIMINARY PLAT
3000 EAST CHERRY STREETLOCATED IN THE SE ¼ OF
SECTION 21, TOWNSHIP 29 NORTH, RANGE 21 WEST,
GREENE COUNTY, SPRINGFIELD, MISSOURILOCATION SKETCH
SEC. 21, T-29-N, R-21-W
SCALE: 1"=2000'

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 **BRIARCLIFF SUBDIVISION** generally located at 2720 East Battlefield Road. (Staff recommends that City Council accept the public streets and easements.)

BACKGROUND INFORMATION:

- A. The Preliminary Plat of **BRIARCLIFF SUBDIVISION** dated August 18, 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 and legal in Attachment 3.
- B. The Planning and Zoning Commission held a public hearing on September 4, 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.
 - 2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. Lone Pine is classified as a secondary arterial which requires 35 feet of right of way from the centerline. A 100 foot X 100 foot right of way sight triangle is required at the corner of Lone Pine & Battlefield.
 - b. Any access to Battlefield Road must meet current City standards. The existing driveway will have to be brought up to current city ST-9 standard when the property is developed.
 - 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

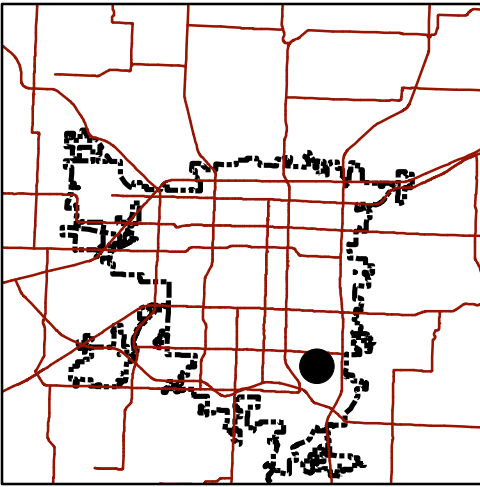
Exhibit B, Zoning and Subdivision Staff Report

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Subdivision Variance Approval Criteria

Attachment 3, Preliminary Plat



Zoning & Subdivision Report

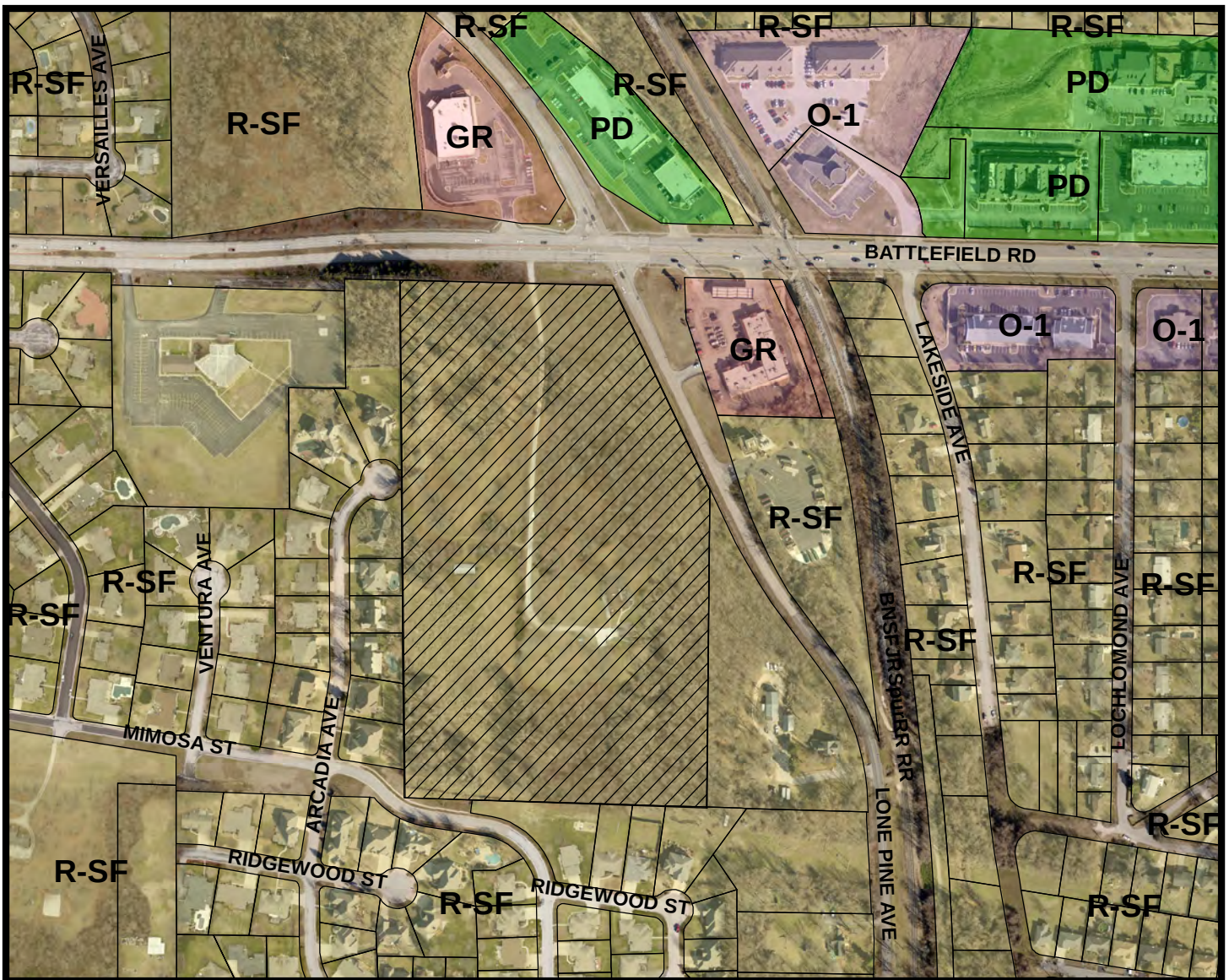
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Preliminary Plat - Briarcliff Subdivision

Location: 2720 E. Battlefield Rd.

Current Zoning: R-SF, Single-Family Residential

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 – BRIARCLIFF SUBDIVISION

DATE: August 26, 2014

PURPOSE: To approve a preliminary plat to subdivide approximately 20.76 acres into a two (2) lot residential subdivision with a subdivision variance.

BACKGROUND:

LOCATION: 2720 E. Battlefield Rd.

APPLICANT: Chester and Martha Carson

TRACT SIZE: Approximately 20.76 acres

EXISTING USE: Single-family residence/undeveloped land

PROPOSED USE: Single-family residential uses

AT&T COMMENTS:

AT&T requests that the access easement be adjusted to show access and general utility easement so that if need we have path to service lot one structures.

BUILDING DEVELOPMENT SERVICES COMMENTS:

Any accessory structures on Lot 1 must be removed within 2 years if a primary structure is not constructed.

CITY UTILITIES COMMENTS:

The existing house is served by a well. Any future development will require utility services appropriate for the development. Any extensions of utilities will be in accordance with CU's Extension Policy.

FIRE DEPARTMENT COMMENTS:

No problems with the plat. Any future construction could be affected by FD access and Fire Hydrant distance requirements.

TRAFFIC DIVISION COMMENTS:

1. A 26' cross access easement needs to be provided from the access on Battlefield to Tract 1.
2. A 100 foot X 100 foot right of way sight triangle is required at the corner of Lone Pine & Battlefield.
3. Lone Pine is classified as a secondary arterial which requires 35 feet of right of way from the centerline per subdivision regulations 403(9). It appears 5 feet of right of way may be required to meet this.
4. Sidewalk is required along the property frontage on Battlefield and Lone Pine. This can be constructed at development.
5. Any access to Battlefield Road must meet current City standards. The existing driveway will have to be brought up to current city ST-9 standard when the property is developed.

STORMWATER COMMENTS:

6. Current detention and water quality requirements must be met for all lots within the subdivision. Structures and impervious surface onsite can be credited as existing impervious surface if in place since 1983 and currently in good condition. Existing gravel surfaces meeting the above definition are only eligible for 50% credit.
7. A payment in lieu of construction of detention facilities (aka Stormwater detention buyout) may be approved on a case by case basis, depending on downstream and other conditions. The cost will be \$750 for each new residential lot created.
8. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or a drainage easement.
9. Public improvement plans and drainage easements will be required for any concentrated runoff crossing lot lines, as well as for detention and/or water quality features serving more than one lot. These improvements must be constructed, inspected, approved and operational prior to issuance of a building permit or final plat. Must pay Engineering and Inspection Fees, which are 5% of the public improvement construction costs, prior to final approval of public improvement plans.
10. Drainage easements will be required on the preliminary plat where concentrated flow drains from one lot to another or from offsite onto the proposed subdivision. Such easement shall be sized for the 100-year peak flow rate.
11. Based upon City contour and sinkhole information, no sinkholes exist on the site and the site is not within a sinkhole watershed.
12. Based upon City data, there is a significant amount of offsite concentrated stormwater crossing the subject property. Although stormwater detention and water quality do not have to be provided for these flows, public improvement plans may be required to convey these flows across the subject property. Drainage easements must be provided for this conveyance.
13. Provide topography on the preliminary plat, with contour intervals not exceeding two (2) feet, showing the locations of any natural features such as watercourses, drainage ways, flood prone areas, sinkholes or other geological features within the

site, and contributing off-site drainage areas.

14. Drainage patterns for any runoff currently flowing across the site must not be blocked or altered by any future construction.
15. Connect private drainage facilities to public drainage system whenever possible, which will require a public improvement plan or excavation permit.
16. Any property that contains a detention basin/water quality basin which serves properties other than the property on which it is located, must be located in a dedicated drainage easement or common area.

CLEAN WATER SERVICES COMMENTS:

1. Tract 1 is larger than 3 acres and public sewer is more than 200 feet away so a connection to public sewer will not be required.
2. Tract 2 does not have sewer directly available to it however it is also larger than 3 acres.
3. Subdivision will be approved provided it is not further subdivided. If it is subdivided further, public sewer will need to be extended to serve both tracts.

STAFF COMMENTS:

1. The applicant is proposing to subdivide approximately 20.76 acres into a two (2) lot residential subdivision named "BRIARCLIFF SUBDIVISION". The property is currently zoned R-SF, Single-Family Residential District. The applicant is proposing to create Lot 1 which contains their house and five acres and create Lot 2 for potential future development.
2. The applicant is also requesting a subdivision variance for a lot without full frontage on a public street (Lone Pine Ave.) (see ATTACHMENT 2)
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 and approval of the subdivision variance, 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.

2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. Lone Pine is classified as a secondary arterial which requires 35 feet of right of way from the centerline. A 100 foot X 100 foot right of way sight triangle is required at the corner of Lone Pine & Battlefield.
 - b. Any access to Battlefield Road must meet current City standards. The existing driveway will have to be brought up to current city ST-9 standard when the property is developed.
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

ATTACHMENT 2
SUBDIVISION VARIANCE APPROVAL CRITERIA
PRELIMINARY PLAT – BRIARCLIFF SUBDIVISION

The applicant is requesting a subdivision variance from Section 407(2) of the Subdivision Regulations which requires all lots to abut by their full frontage on a publicly dedicated street. Lot 1 will have an unusual configuration which will not have full frontage along Lone Pine Avenue. Staff supports the request because Lot 1 will have access onto Battlefield Road via a cross access easement.

Section 106 of the Subdivision Regulations states in part:

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

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

APPLICANT'S RESPONSE:

The proposed Lot 1 cannot access Lone Pine Avenue due to the steep topography.

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

APPLICANT'S RESPONSE:

The applicant is proposing to create Lot 1 which contains their house and create Lot 2 for future development.

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

APPLICANT'S RESPONSE:

The granting of the variance would not detrimentally affect public safety, convenience or welfare or be injurious to other property in the vicinity.

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

ZONING & SUBDIVISION REPORT

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

Redevelopment Plan for the East Cherry Flats Redevelopment Area

DATE: August 25, 2014

PURPOSE: To approve the Redevelopment Plan for the East Cherry Flats Redevelopment Area

LOCATION: Generally located along the north side of East Cherry Street between South National Avenue and South Kickapoo Avenue (1235-1243 East Cherry Street)

APPLICANT: RJK Properties, LLC

STAFF RECOMMENDATION:

Staff recommends the Redevelopment Plan for the East Cherry Flats Redevelopment Area be **approved**.

FINDINGS:

The proposed Redevelopment Plan for the East Cherry Flats 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: Blight Report and Redevelopment Plan for the East Cherry Flats Redevelopment Area

ATTACHMENT A
BACKGROUND REPORT
REDEVELOPMENT PLAN FOR THE EAST CHERRY FLATS REDEVELOPMENT AREA

APPLICANT'S PROPOSAL:

RJK Properties, 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 along the north side of East Cherry Street between South National Avenue and South Kickapoo 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 *Springfield-Greene County Comprehensive Plan*.

The purpose of the Redevelopment Plan for the East Cherry Flats Redevelopment Area is to remove blight and redevelop the area into a multi-family residential apartment building that will be marketed primarily to Missouri State University students. The Redevelopment Area consists of three parcels, which comprise approximately 0.832 acres. It is currently occupied by one commercial structure and three single-family residential structures that were built between 1909 and 1931. These structures have since fallen into disrepair and have become a contributing source of blight in the Area. The Plan proposes to demolish the existing structures within the Redevelopment Area and construct a new four story, 24-unit, multi-family residential development that will accommodate up to 96 residents.

COMPREHENSIVE PLAN:

1. The *Growth Management and Land Use Element* of the *Springfield-Greene County Comprehensive Plan* designates the land within and surrounding the Redevelopment Area for Medium- or High-Density Residential Housing. This land use designation includes all types of multi-family residential housing with densities greater than six dwelling units per acre. The Plan recommends this type of land use be located where there is good traffic access, preferably along arterials and collectors. It also recommends that it be located between low-density housing and non-residential land uses, as well as near high-amenity areas.

The Redevelopment Plan satisfies these recommendations by proposing new multi-family residential housing along East Cherry Street (secondary arterial) approximately one-half block east of South National Avenue (primary arterial). Furthermore, the Redevelopment Area is located between lower-density housing to the east and non-residential land uses to the west, which located primarily along South National Avenue.

2. 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 multi-family housing that will accommodate up to 96 residents.

3. According to the *Rountree Neighborhood Plan*, the Redevelopment Area is located within the East Cherry Street Corridor, which extends along East Cherry Street from South National Avenue to South Fremont Avenue. The Plan recognizes this area contains a significant amount of multi-family residential development due to its location near Missouri State University and that it is currently zoned for high-density residential development. The Plan suggests multi-family residential as an appropriate use provided that it is developed in a manner that is sensitive to the Neighborhood.

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 currently zoned R-HD, High-Density Multi-Family Residential. It is also located inside the Rountree Urban Conservation District (UCD No. 2, Area E), which imposes additional requirements intended to implement the policies and recommendations of the *Rountree Neighborhood Plan* such as to help maintain neighborhood character and integrity and to help foster harmonious, orderly, and efficient development and redevelopment within the Rountree Neighborhood. Prior to the issuance of building permits, the Administrative Review Committee (ARC) shall review and approve a site plan of the proposed redevelopment, based on certain prescribed criteria.
3. The proposed redevelopment 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 location of the proposed apartment building will offer its tenants convenient access to public transit and pedestrian facilities. It is served by public sidewalks and a City Utilities bus route, which runs along South National Avenue. The proposed apartments are also located within a short walking distance of several Missouri State University Bear Line shuttle routes that serve the Missouri State University campus and surrounding areas, including University facilities located in downtown and IDEA Commons.

EXHIBIT I
LEGAL DESCRIPTION
REDEVELOPMENT PLAN FOR THE EAST CHERRY FLATS REDEVELOPMENT AREA

A TRACT OF LAND AS BEING A PART OF LOTS 24, 25, 26, 27 AND 28 OF SUMMIT PARK SUBDIVISION AS DESCRIBED IN PLAT BOOK "D", PAGE 84 AS DESCRIBED IN THE GREENE COUNTY, MISSOURI RECORDER'S OFFICE IN BOOK 2004, PAGE 055919-04 AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 23 OF SUMMIT PARK SUBDIVISION SAID POINT ALSO LYING AT THE NORTHWEST CORNER OF CHERRY STREET AND KICKAPOO AVENUE; THENCE ALONG THE NORTH RIGHT-OF-WAY OF CHERRY STREET, NORTH 89°07'30" WEST, 74.42 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH RIGHT-OF-WAY, NORTH 89°07'30" WEST, 202.30 FEET; THENCE LEAVING SAID NORTH RIGHT-OF-WAY, NORTH 01°43'14" EAST, 151.73 FEET; THENCE SOUTH 88°29'32" EAST, 26.43 FEET; THENCE NORTH 01°30'28" EAST, 55.51 FEET TO A POINT LYING ON THE SOUTH LINE OF A PLATTED EASEMENT; THENCE ALONG SAID SOUTH LINE, SOUTH 88°04'11" EAST, 100.18 FEET TO THE NORTHEAST CORNER OF LOT 26; THENCE ALONG THE EAST LINE OF LOT 26, SOUTH 01°30'28" WEST, 50.00 FEET; THENCE LEAVING SAID EAST LINE, SOUTH 88°04'11" EAST, 74.76 FEET; THENCE SOUTH 01°22'24" WEST, 153.72 FEET TO THE POINT OF BEGINNING. CONTAINING 0.832 ACRES MORE OR LESS. ALL LYING IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 29 NORTH, RANGE 21 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE. CONDITIONS AND MONUMENTS ARE AS SHOWN ON ANDERSON ENGINEERING, INC. DRAWING NUMBER WB 110-103.

EXHIBIT II
LOCATION MAP
REDEVELOPMENT PLAN FOR THE EAST CHERRY FLATS REDEVELOPMENT AREA

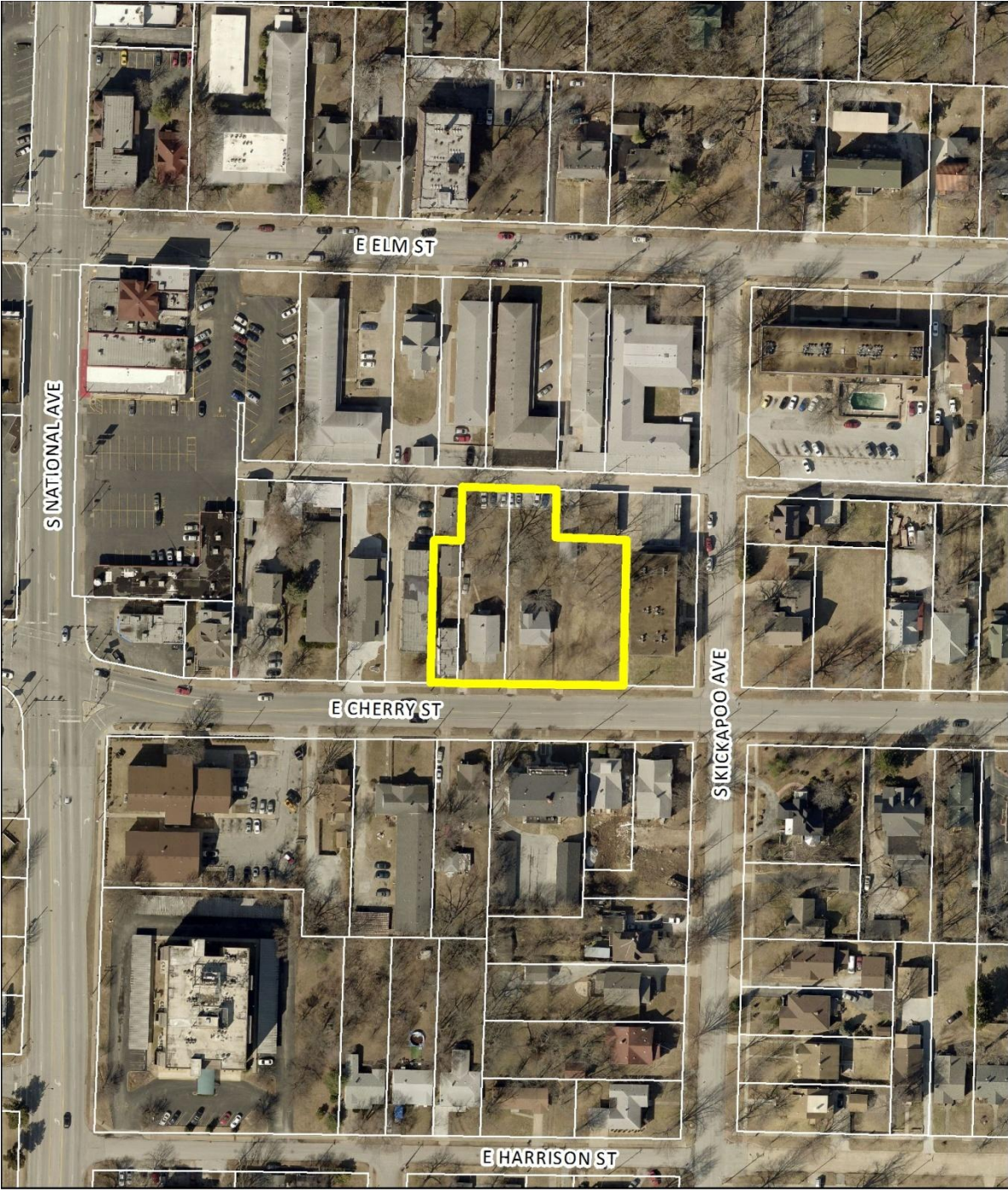


EXHIBIT III

**BLIGHT REPORT
AND REDEVELOPMENT PLAN
FOR THE EAST CHERRY FLATS REDEVELOPMENT AREA
SPRINGFIELD, MISSOURI**

August 22, 2014

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Addenda

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Map of Existing Blighted Areas	Exhibit C
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Proposed Land Use Plan	Exhibit F

Blight Report

East Cherry Flats Redevelopment Area

I. General:

The Land Clearance for Redevelopment Authority Law (the “**LCRA Law**”) is set forth in Sections 99.300 through 99.660 of the Missouri Revised Statutes and was enacted in 1951 to help local municipalities eradicate “blighted areas” in the community and to encourage rehabilitation and redevelopment of those areas by private enterprise. Through the LCRA Law, municipalities and private citizens are able to work together to achieve the goal of fostering economic opportunities and improving property values in cities throughout Missouri.

The LCRA Law defines “blighted area” as an area which, by reason of the predominance of (1) defective or inadequate street layout, (2) insanitary or unsafe conditions, (3) deterioration of site improvements, (4) improper subdivision or obsolete platting, or (5) the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, (a) hinders the provision of housing accommodations, (b) constitutes an economic or social liability, or (c) constitutes a menace to the public health, safety, morals, or welfare in its present condition and use.¹ Missouri courts have determined that a finding of blight is proper where, when considering an area in its present condition and use, the first five factors listed in the first half of Section 99.320(3) above, whether individually or in combination, produce one of the circumstances named in the second half of this Section.²

A. Introduction:

This Blight Report for the East Cherry Flats Redevelopment Area (this “**Blight Report**”) is being submitted by RJK Properties, LLC, a Missouri limited liability company (such entity, or its successors and assigns, is referred to as the “**Developer**”), for the purpose of demonstrating that the Redevelopment Area (as defined below) should be declared blighted pursuant to the LCRA Law. This Blight Report will demonstrate (i) that the Redevelopment Area is a “blighted area” under the LCRA Law due to the predominance of (1) deterioration of site improvements, (2) insanitary and unsafe conditions, (3) obsolete platting, and (4) the existence of conditions which endanger life and property by fire and other causes, and (ii) because of the aforementioned conditions, the Redevelopment Area hinders the provision of housing accommodations, constitutes an economic and social liability, and is a menace to the public health, safety, morals, and welfare in its present condition and use.

¹ See MO. REV. STAT. § 99.320(3).

² See *Land Clearance for Redevelopment Auth. of City of St. Louis v. Inserra*, 284 S.W.3d 641, 647-48 (Mo. Ct. App. 2009).

B. *Background:*

The Developer acquired the property and improvements consisting of the Redevelopment Area in 2004. At that time, the Redevelopment Area suffered from physical deterioration, insanitary and unsafe conditions, obsolete platting, and conditions which endangered life and/or property. Notwithstanding the Developer's commercially reasonable efforts to repair and maintain the Redevelopment Area, as discussed below, the Redevelopment Area still exhibits many of the factors that support a finding of blight. The Developer shall remediate blight and redevelop the area in accordance with the Redevelopment Plan following this Blight Report.

There are five (5) structures—three (3) houses, one (1) vacant commercial storefront, and one (1) garage—in the Redevelopment Area, all of which were built on three (3) long and narrow parcels of land which are located on the north side of East Cherry Street. Two (2) of the structures were built on one (1) parcel. Said parcels are comprised of *parts* of Lots 24-28 of Summit Park Subdivision. The parcels are depicted below:



All of the structures front Cherry Street and are commonly identified as 1235 East Cherry Street (the “**1235 Structure**”), 1235-A East Cherry Street (the “**1235-A House**”), 1239 East Cherry Street (the “**1239 House**”), and 1243 East Cherry Street (the “**1243 House**”, and collectively with the 1235 Structure, the 1235-A House and the 1239 House, the “**Houses**”). The Redevelopment Area previously included another residential structure to the east of the 1243 House (the “**1249 House**”). The 1249 House was so dilapidated that it was demolished in 2011.

Pertinent information about each House is set forth in the following table:

Address	Year Built	Acres ³ (Land Area)	Square Feet ⁴ (Floor Area)	Appraised Value (2013) ⁵
1235 E. Cherry	1931	0.0971	522	\$48,400
1235-A E. Cherry			960	
1239 E. Cherry	1925	0.2388	1,008	\$49,800
1243 E. Cherry	1909	0.5108	1,350	\$85,600

II. Redevelopment Area Description:

The Redevelopment Area includes approximately .832 acres of real property located on the North Side of East Cherry Street between South Kickapoo Ave. and South National Avenue in the City of Springfield, Missouri (the “**Redevelopment Area**”). A map identifying the Redevelopment Area is attached hereto and incorporated herein as Exhibit “A” and the Redevelopment Area is legally described on Exhibit “B” attached hereto and incorporated herein.

III. Evidence In Support of Blight:

The LCRA Law provides municipalities with a tool to encourage the redevelopment of areas within a city by private developers, which facilitates the renewal of downtrodden portions of a city without necessitating excessive expenditures of public funds. The City of Springfield (the “**City**”) has utilized this tool over the past few decades in blighting large tracts of property to the west of the Redevelopment Area. A map reflecting these blighted areas is attached hereto and incorporated herein as Exhibit “C”.⁶

The property within the Redevelopment Area, which is quickly nearing the end of its economic life, is of comparable age and in substantially similar condition to many of the blighted properties within these adjacent areas. Due to its proximity and likeness to other property within the surrounding blighted areas, it follows that this area should also be blighted. Moreover, the

³ Per Green County Assessor’s Webpage.

⁴ *Id.*

⁵ *Id.*

⁶ Although the area within the Jordan Valley Park TIF was blighted pursuant to the Real Property Tax Increment Allocation Redevelopment Act, with the exception of the spelling of one word, the TIF Act’s definition of “blighted area” is identical to the definition under the LCRA Act. *Compare* MO. REV. STAT. § 99.805(1) with MO. REV. STAT. § 99.320(3).

remaining Houses are comparable in age and condition to the 1249 House, which was demolished in 2011 due to dilapidation and obsolescence.

The key factors evidencing the Redevelopment Area as a “blighted area” under section 99.320(3) of the Missouri Revised Statutes are discussed in detail below. Photographs demonstrating some of these factors are included in the Property Inspection Reports (defined below). Additional pictures are available in Exhibit “E,” which is attached to this Blight Report.

A. *Deterioration of Site Improvements.*

In general, deterioration refers to any physical deficiencies or disrepair in buildings or site improvements requiring treatment or repair. Deterioration may be evident in basically sound buildings containing minor defects, such as lack of painting, loose or missing floor tiles or ceiling panels, or holes and cracks over limited areas. Deterioration which is not easily curable and which cannot be accomplished in the course of normal maintenance includes defects in primary and secondary building components. Primary building components include the foundation, exterior walls, floors, roof, wiring, etc. Secondary building components include doors, windows, frames, fascia materials, etc. Deterioration of sidewalks, parking areas, and other similar site improvements is evidenced by settled areas, gravel sections, cracks, overgrowth, or depressed curb areas.

As reflected by the Property Inspection Reports dated July 28, 2014 and prepared by A-1 Home Inspection (the “**Property Inspection Reports**”),⁷ the Redevelopment Area as a whole suffers from deterioration, which is exhibited by defects in both primary and secondary building components. For example, in all of the Houses, evidence suggests that the footings and foundation walls have moved and settled over time: interior doors rub and/or will not latch because the door jambs are not plumb, windows are very difficult to open, and the plaster/drywall is cracked in places. To the extent applicable, the foundations should be stabilized in order to prevent these issues from worsening and causing additional damage. Moreover, portions of pavement and other concrete surfaces including sidewalks, curbs, and stairs are extensively cracked, crumbling, uneven, or otherwise dilapidated. Many other areas need to be re-graded and repaved. Due to the aggregation of deficiencies which have occurred over the years, the Houses create a decrepit streetscape observable to the general public.

1. 1235 Structure.

The 1235 Structure is a vacant commercial store front. The masonry chimney is deteriorating and requires extensive tuckpointing and a new crown to keep the same intact and prevent water intrusion.⁸ Moreover, there is a discernable gap between the chimney and the

⁷ The Property Inspection Reports are attached hereto and incorporated herein as Exhibit “D.” The Property Inspection Report for the 1235 House is attached to Exhibit D as Figure 1 (the “**1235 Report**”), the Property Inspection Report for the 1235-A House is attached to Exhibit D as Figure 2 (the “**1235-A Report**”), the Property Inspection Report for the 1239 House is attached to Exhibit D as Figure 3 (the “**1239 Report**”), and the Property Inspection Report for the 1243 House and the garage is attached to Exhibit E as Figure 4 (the “**1243 Report**”). Note: When used in the Property Inspection Reports, the word “common” is meant to indicate that a condition is widespread or frequently occurring (i.e., common cracks).

⁸ Page 5 of 1235 Report.

exterior wall of the Structure, which suggests that the Structure is out of plumb due to shifting and settling of the foundation.⁹

The wood siding on the 1235 Structure is cracked, bowed and splintered.¹⁰ There is evidence of moisture entering the walls. Numerous panels are missing, rotted and/or in need of immediate replacement to prevent the outside elements from filtrating into the exterior walls of the house and causing additional damage.¹¹ The paint on the exterior of the 1235 Structure is chipping, flaking, and peeling. All wooden surfaces need to be stripped and painted to prevent further rot and deterioration. In one area of the 1235 Structure, a large portion of an exterior wall is missing.¹² Such damage—which is the result of an automobile accident—could result in structural problems. As with the wood siding, wood door and window frames are peeling and rotted. Numerous windows are cracked, broken and boarded up.¹³ Others are inoperable. Broken window glass is a hazard. The windows must be replaced in order to protect the interior of the 1235 Structure from the elements and prevent access by wildlife and intruders.

The flat roof on the 1235 Structure is at the end of its useful life and needs to be stripped and replaced immediately in to prevent further leaks.¹⁴ In connection with the reroofing, all vents and seams need to be resealed. The awning over the back door is not square and needs to be reattached.¹⁵ The gutters are bent, loose and full of debris.¹⁶ As a result, new gutters and downspouts are warranted.

There are many stains throughout the interior of the 1235 Structure caused by moisture and leaks.¹⁷ Additionally, the interior doors in the 1235 Structure are generally in poor condition; many are inoperative, missing, or damaged.¹⁸ The 1235 Structure has holes/cracks in some of the walls and is missing drywall in parts.¹⁹ The walls are stained and marred from water damage and neglect and paint is cracked and peeling.²⁰ The ceilings are covered with mildew, stains and cracked/peeling paint due to rampant water intrusion through the neglected roof.²¹ Portions of

⁹ Page 5 of 1235 Report.

¹⁰ Page 6 of 1235 Report.

¹¹ Page 6 of the 1235 Report.

¹² Page 7 of the 1235 Report.

¹³ Pages 23-24 of the 1235 Report.

¹⁴ Pages 10-11 of the 1235 Report.

¹⁵ Page 6 of the 1235 Report.

¹⁶ Page 9 of the 1235 Report.

¹⁷ See pages 25-26 of the 1235 Report.

¹⁸ See page 23 of the 1235 Report.

¹⁹ See Page 25 of the 1235 Report.

²⁰ See pages 25-26 of the 1235 Report.

²¹ See page 26 of the 1235 Report.

the tile flooring are severely scratched and damaged.²² As discussed below, such tiles likely contain asbestos.²³

The heating units are inefficient, rusty, out of date and in need of replacement.²⁴ The main electrical panel, which involves multiple fuse panels and subpanels, is out of date and not in conformity with contemporary standards for commercial properties.²⁵ There are numerous exposed/unsecured wires and miswired outlets.²⁶ All such instances should be remedied in order to mitigate the risk of fire and electrocution.

2. The 1235-A House.

The 1235-A House is a small residential structure located immediately behind the 1235 Structure. The 1235-A House has no frontage on East Cherry Street. The sidewalk serving the 1235-A House is uneven, resulting in a tripping hazard.²⁷ The concrete floor on the porch is cracked and uneven.²⁸

The chimney is unlined, uncapped and deteriorated.²⁹ The chimney should be lined in order to mitigate the risk of chimney fires. Also, the chimney requires extensive tuck-pointing to avoid further structural damage. In addition, portions of the exterior wood siding are cracked, splintered, and rotted.³⁰ Vinyl siding is dented and covered in unattractive mildew and fungal stains. Most windows are inoperable or have serviceability issues.³¹ Broken window glass is a hazard. Broken panes should be repaired and inoperable windows must be replaced. As noted above, the footings and foundation walls of the 1235-A House have apparently moved and settled over time creating multiple problems with the interior of the structures. The floors are sloped and uneven,³² door jambs are not plumb,³³ and windows are very difficult to open.³⁴ Moreover, the bathtub does not drain properly due to uneven floors.³⁵

²² See page 27 of the 1235 Report.

²³ See pages 27-28 of the 1235 Report.

²⁴ Pages 15-17 of the 1235 Report.

²⁵ Pages 21-22 of the 1235 Report.

²⁶ *Id.*

²⁷ See page 3 of the 1235-A Report.

²⁸ See page 5 of the 1235-A Report.

²⁹ See page 4 of the 1235-A Report.

³⁰ See page 5 of the 1235-A Report.

³¹ See page 17 of the 1235-A Report.

³² See page 19 of 1235-A Report.

³³ See page 16 of 1235-A Report.

³⁴ See page 17 of 1235-A Report.

³⁵ See pages 23-24 of 1235-A Report.

As discussed below, the hot water heater vents into a masonry chimney and backdrafts during startup, which is a safety hazard.³⁶ Older wall heaters are outdated and pose a potential fire hazard. The gas range does not self-light, which is a safety hazard.³⁷ Moreover, the range does not have an exhaust hood or vent.³⁸

3. The 1239 House.

The 1239 House is a small residential structure located east of the 1235 Structure. The shared driveway (including the approach), parking areas and sidewalks are deteriorated and in need of replacement or repairs.³⁹ Some of the cracks are offset by more than two (2) inches. Uneven surfaces are a tripping hazard. Moreover, ponding likely occurs during precipitation events.

The concrete on porch is cracked and settled, with offsets in excess of one (1) inch.⁴⁰ The railing on the front porch is too low.⁴¹ These two (2) issues create a material risk of tripping and other injuries. Due to movement and settlement of the foundation, there is a discernable gap between the stairs and the porch.⁴² The roof is composed of at least three (3) layers of shingles, which does not conform to current building standards.⁴³ The base layer consists of wood shingles, which are attached to gapped boards.⁴⁴ In order to properly replace the roof with asphalt shingles, the underlying slats would have to be removed and replaced with wood decking, which would result in significant additional cost. The roof requires maintenance to replace missing singles and seal flashings and other penetrations.⁴⁵ Portions of the wood trim and fascia have water damage.⁴⁶ All of the trim should be stripped and painted. Damaged sections should be replaced. The guttering system is rusted and damaged and large sections of the downspouts are disjointed and/or missing.⁴⁷ As a result, a complete replacement of the guttering system is warranted in order to divert water away from the structure and prevent further water damage.

³⁶ See page 11 of the 1235-A Report.

³⁷ See page 20 of the 1235-A Report.

³⁸ *Id.*

³⁹ See page 3 of 1239 Report.

⁴⁰ See page 4 of 1239 Report.

⁴¹ See page 5 of 1239 Report.

⁴² See page 7 of 1239 Report.

⁴³ See page 7-9 of 1239 Report.

⁴⁴ *Id.*

⁴⁵ See page 8 of 1239 Report.

⁴⁶ See page 6 of 1239 Report.

⁴⁷ See page 6 of 1239 Report.

Numerous doors frames are out-of square.⁴⁸ As a result, such doors rub and/or do not latch.⁴⁹ This is likely a result of settlement and/or movement of the foundation. In addition, such settling has resulted in cracks in ceilings and walls throughout the structure. 1239 House does not have smoke detectors in all of the bedrooms.⁵⁰

The hot water heater vents into masonry chimney and backdrafts during startup, which is a safety hazard.⁵¹ The electrical system is defective and hazardous. As discussed below, the 1239 House contains active knob and tube wiring⁵² and 100 amp service.⁵³ The house does not have a main breaker panel, but rather, an outdated lug panels.⁵⁴ Lug panels can be hazardous as they don't include a main breaker switch, only individual circuit breakers. A main breaker should be installed by a licensed electrician. In connection therewith, the electrician should remedy other safety concerns, including unsecured/exposed wiring, amateur splices, and open junction boxes.⁵⁵

4. The 1243 House.

The 1243 is a residential structure located to the east of the 1239 House. A small, unattached garage sits behind the main structure. The garage walls are leaning and racked.⁵⁶ Moreover, the electrical lines to the garage have been severed. As noted below, the steps at the front and rear entrances are missing proper handrails, creating a dangerous condition.⁵⁷

The exterior flue requires repair and its brick must be tuck pointed to keep the flue intact and prevent water infiltration.⁵⁸ In addition, the open flue connection in the attic must be capped in order to prevent a material fire hazard.⁵⁹ Portions of the stucco siding are cracked and bulging, likely the result of water damage and neglect.⁶⁰ Such defects should be re-plastered and painted to prevent further damage. Likewise, portions of the wood siding are splintered, cracked and rotted.⁶¹ Other areas have fungal stains and chipped/peeling paint.⁶² The wood siding should

⁴⁸ See page 19 of 1239 Report.

⁴⁹ See page 19 of 1239 Report.

⁵⁰ See page 26 of 1239 Report.

⁵¹ See page 12-13 of the 1239 Report.

⁵² See pages 16-18 of 1239 Report.

⁵³ See pages 15-16 of the 1239 Report.

⁵⁴ See pages 15-16 of the 1239 Report.

⁵⁵ See pages 17-18 of 1239 Report.

⁵⁶ See page 23 of 1243 Report.

⁵⁷ See page 9 of 1243 Report.

⁵⁸ See pages 5-6 of 1243 Report.

⁵⁹ See pages 5-6 of 1243 Report.

⁶⁰ See page 7 of 1243 Report.

⁶¹ See page 4 of 1243 Report.

⁶² See page 8 of 1243 Report.

be cleaned, stripped and painted, as applicable. The roof requires extensive maintenance to seal and repair flashing, vents and other penetrations in order to prevent water intrusion.⁶³ Some of the eaves do not have guttering. The current gutters on the house warrant full replacement due to their poor condition.⁶⁴ Gutters and downspouts should be replaced or repaired as applicable.

The foundation is exhibiting modest cracking.⁶⁵ Water intrudes into basement, as evidenced by rotted wood posts and stains on walls and floor.⁶⁶ In addition, water appears to be leaking from dated water supply lines.⁶⁷ Basement stairs are not well lighted and are lacking handrails, creating a tripping hazard.⁶⁸ Evidence of termites was found in load bearing beams and joists. Such areas should be tested and treated immediately to prevent further damage.

The hot water heater is rusted and subject to back-drafting at flue piping which is a safety hazard.⁶⁹ The furnace is rusted, inefficient and likely at the end of its useful life.⁷⁰ The rusty heat exchanger could allow carbon monoxide to be released into the house. The furnace should be replaced. Moreover, as discussed below, ductwork is patched with carcinogenic asbestos tape,⁷¹ and active knob and tube wiring is exposed in attic and basement.⁷² Ungrounded outlets and nonfunctional GFCI outlets should be replaced in order to mitigate the risk of electric fire of electrocution.⁷³

The ceilings are in disrepair as there are water stains and cracks.⁷⁴ Many of the doors are also defective as frames are cracked and glass inserts are not fitted with tempered/safety glass as required by applicable code.⁷⁵ Most windows are missing screens and/or inoperable.⁷⁶ Broken window glass is a hazard. Broken panes should be repaired and inoperable windows must be replaced. Carpeting on the stairs is damaged and not secure, causing a tripping hazard.⁷⁷ Such

⁶³ See page 11 of 1243 Report.

⁶⁴ See page 9 of 1243 Report.

⁶⁵ See page 15 of 1243 Report.

⁶⁶ See page 15 of 1243 Report.

⁶⁷ See page 17 of 1243 Report.

⁶⁸ See page 17 of 1243 Report.

⁶⁹ See pages 19-20 of 1243 Report.

⁷⁰ See page 21 of 1243 Report.

⁷¹ See pages 21-22 of 1243 Report.

⁷² See page 27 of 1243 Report.

⁷³ See pages 28-29 of 1243 Report.

⁷⁴ See page 32 of 1243 Report.

⁷⁵ See pages 30-32 of 1243 Report.

⁷⁶ See pages 32-33 of 1243 Report.

⁷⁷ See page 37 of 1243 Report.

sections of carpet should be tighten or replaced. The house is does not have smoke detectors in bedrooms and other critical areas.⁷⁸

B. *Insanitary/ Unsafe Conditions.*

In addition to the general physical deterioration discussed above, the Redevelopment Area is also afflicted with a variety of insanitary and unsafe conditions. There is evidence of water damage in all of the Houses. The dampness and moisture evidenced by the stains inside the Houses have likely facilitated the growth of mold. All sources of water should be identified and addressed. In additionally, gutters should be cleaned, repaired and replaced, as applicable. Thereafter, mold remediation will be required at the locations that show signs of water damage.

As noted above, many of the exterior and interior stairs in the Redevelopment Area either lack railings or have insufficient railings, which create a trip and fall hazard. To remedy this issue, appropriate railings should be added as applicable. Moreover, uneven surfaces on the interior and exterior of the Houses should be repaired, especially those offset in excess of one (1) inch.

The hot water heaters in the Houses also exhibit unsafe conditions. As noted above, the hot water heater in all of the Houses vents into masonry chimney and backdrafts during startup, which is a safety hazard in that it can cause carbon monoxide to be released into the house. To remedy this hazard, the water heaters will likely need to be replaced and the chimney relined with a contemporary flue pipe and rain cap.

All of the houses have holes, cracks other defects in the siding. Dirt, insects, and vermin can enter the Houses through such openings, creating insanitary conditions. The 1235 Structure, which is vacant, is used for storage of abandoned furniture and refuse. Such items contribute to the insanitary condition of the structure and create a potential fire hazard.

C. *Conditions that Endanger Life or Property by Fire or other Causes.*

Endangerment by fire and other causes is typically due to the presence of structures below minimum code standards. Such code standards include building, property maintenance, fire, environmental or other governmental codes applicable to a particular property. The principal purpose of such codes is to require buildings to be constructed and maintained so that they will have the capacity to support the type of occupancy and necessary fire and similar hazard protection or to establish the minimum standards essential for safe and sanitary use, occupation, and/or habitation.

The Redevelopment Area exhibits several conditions that may endanger life or property. As noted above, there are visible materials in the 1235 Structure and 1143 House that likely contain asbestos. Asbestos is a contaminant to humans and can be extremely harmful if inhaled, causing severe respiratory disease, including mesothelioma. The older vinyl flooring in the 1235 Structure kitchen was identified as PACM (presumed asbestos containing materials). The

⁷⁸ See page 38 of 1243 Report.

basement in the 1243 House contains white cloth-like duct wrap on the duct work which is a PACM.

Since the Houses were both constructed long before 1978 when the use of lead based paint was banned in the United States, it is likely that layers of lead based paint are present. Lead is a highly toxic metal that may cause a range of health problems, especially in young children. When lead is absorbed into the body, it can cause damage to the brain and other vital organs, like the kidneys, nerves and blood. All painted surfaces should be tested for the presence of lead paint. Applicable areas should be remediated by a licensed professional.

The 1239 House and 1243 House contain active knob and tube wiring. Knob and tube was an early method of electrical wiring in buildings in North America from about 1880 to the 1940s. It is an ungrounded system, which creates a risk of electrical shock or fire. Today, this system is considered obsolete and can be a safety hazard, especially when improper modifications are made to the wiring. Due to the risk of fire associated with knob and tube wiring, many insurance companies will not insure houses containing this type of wiring. To fully eliminate these dangers, all of the existing knob and tub wiring will need to be removed and new wiring installed. This will require the plaster walls and ceilings covering the wiring to be removed and then replaced with new sheetrock once the electrical wiring has been replaced. Moreover, the 1239 House and 1243 House do not have sufficient insulation. All knob and tube wiring would need to be replaced before such houses could be insulated.

In addition, the electrical service to the 1239 House is currently a 100 amp service. The service size reflects the maximum current that can be drawn through the electrical system at one time. Due to its size, there is a potential for the 100 amp service to become overloaded which could cause a fire. To remedy this issue, this House will need to be upgraded to a 200 amp electrical service.

D. *Obsolete Platting*

An area is generally deemed to suffer from obsolete platting when the parcels are 1) of a limited or narrow size and configuration or 2) of irregular size or shape that would be difficult to develop on a planned basis and in a manner comparable with contemporary standards.

There are three (3) residential structures in the Redevelopment Area plus one (1) commercial storefront. The lots on which the 1235 Structure, 1235-A House and 1239 House are situated are long and narrow. Indeed, the 1235 lot is so narrow that it does not comply with minimum lot width requirements set forth in the City's zoning ordinance.⁷⁹ As a result of the deep and narrow configuration of the lots, it would be very difficult to redevelop the lots in a manner consistent with applicable zoning codes and contemporary standards.

The 1235 Structure, the 1239 House and the 1243 House are located on the southern half of the Redevelopment Area, and the 1235-A House is located behind the 1235 Structure. As a result the 1235-A House has no frontage on a public street. A small garage is located to the northeast of the 1243 House. As shown on the map below, the Redevelopment Area used to

⁷⁹ See Section 4-1405(B)(2) of the City of Springfield, Missouri Zoning Ordinance.

include a fourth residential structure—the 1249 House—which was demolished in 2011. The 1249 House has not been replaced. The remainder of the land in the Redevelopment Area is covered by gravel drive/parking areas, grass, and weeds.

The deep and narrow configuration of the lots coupled with the location of the houses hinders efficient use of the land in that it causes large portions of the Redevelopment Area to be underutilized. The nature of the single-family houses and the commercial storefront compounds this problem due to the limited number of individuals who may reside within the Redevelopment Area. This underutilization conflicts with the intent of the area's zoning. As shown on the map to the right,⁸⁰ the



Redevelopment Area is zoned High-Density Multi-Family Residential District (R-HD), which is designed for multi-family dwelling units and other more intense developments.⁸¹ Importantly, the construction of new single family dwellings is not permitted in R-HD to ensure that development of the property in this zoning district is not preempted by less intense development.⁸² The demolition of the 1249 House exacerbates the underutilization problem.

Moreover, the Redevelopment Area is located in Area E of the Roundtree Urban Conservation District (the “UCD”). The UCD was approved by Springfield City Council in 1985 to allow the neighborhood to identify and solve problems associated with trash, noise, and safety.⁸³ The UCD is a zoning district with special standards that may exceed that of the city,

⁸⁰ The map was taken from the City of Springfield Zoning Map. The building footprints shown on the map are not current. For example, the map shows the 1249 House, which was demolished in 2011.

⁸¹ See Section 4-1400 of the City of Springfield, Missouri Zoning Ordinance. Commercial uses are limited in the R-HD District.

⁸² See Section 4-1404 of the City of Springfield, Missouri Zoning Ordinance.

⁸³ See Ordinance No. 3645 (adopted on July 22, 1985). In connection with the establishment of the UCD, the City adopted the Roundtree Area Neighborhood Plan (dated July 1985) (such document, as amended by the Roundtree Neighborhood Plan Addendum, dated May 14, 2001) is referred to as the “UC Plan”). According to Section 4-2302, the purpose of the UC Plan and the UCD, include but are not limited to the following:

B. To maintain neighborhood character and integrity by focusing special attention on the maintenance of the physical environment; the enhancement of physical, social and economic resources and the accommodation of desirable change; C. To prevent economic obsolescence and to promote reinvestment by fostering stable property values through a high level of economic activity, maintenance of essential urban services and by focusing financial assistance and other economic development programs; D. To promote the efficient use of urban lands, including the encouragement of compatible infill development on vacant and passed-over parcels; E. To

recognizing and protecting the unique nature of the area (the “**District Regulations**”).⁸⁴ Area E (also known as the Cherry Street Corridor Area) serves as home to many MSU students and contains a mixture of multi-family and single family housing stock.⁸⁵ The District Regulations governing Area E are intended to, among other things, “promote the mixed residential nature of the area to provide housing opportunities for students...”⁸⁶ Multi-family dwelling is a permitted use under the District Regulations.⁸⁷ Commercial uses are not permitted under the District Regulations. The current configuration of the Redevelopment Area is incompatible with the intent of the UCD, in that it does not: (i) promote the efficient use of urban lands, (ii) encourage and support rehabilitation of the physical environment, and (iii) aid in the prevention or elimination of slums or blight.⁸⁸

The Redevelopment Area is located in the Missouri State University Activity Center (the “**Activity Center**”), as defined by the City’s Growth Management and Land Use Plan (“**GMLUP**”), which is a component of the Vision 20/20 Springfield-Greene County Comprehensive Plan.⁸⁹ The GMLUP was adopted in November 2001 in order to provide broad guidance for private and public physical development of the region. Under the GMLUP, one of the objectives of an “activity center” is to promote additional or new “higher density housing.”⁹⁰ The configuration of the Redevelopment Area is also inconsistent with the objectives of the GMLUP in that it does not promote higher density multifamily housing.

Further, the Redevelopment Area is conducive to student housing due to its proximity to Missouri State University (“**MSU**”). However, the narrow size of the lots in the Redevelopment Area in conjunction with the configuration of the single family houses prevent the Redevelopment Area from being used for this purpose to its full potential. Thus, due to its size and the difficulty in fully developing it in its current configuration, the Redevelopment Area suffers from obsolete platting.

IV. Impact of the Redevelopment Area's Blighted Conditions:

Missouri law only requires that the current condition of a redevelopment area produce one (1) of the three (3) following circumstances for a finding of blight: 1) it hinders the provision of housing accommodations, 2) it constitutes an economic or social liability, or 3) it is a menace

encourage and to support rehabilitation of the physical environment and programs for the conservation and revitalization of urban areas; F. To foster harmonious, orderly and efficient growth, development and redevelopment; and G. To aid in the prevention or elimination of slums or blight.

⁸⁴ See Section 4-2300 of the City of Springfield, Missouri zoning code.

⁸⁵ See Art. III, §8(A) of the District Regulations.

⁸⁶ *Id.*

⁸⁷ See Art. III, §8(B)(4) of the District Regulations.

⁸⁸ See Section 4-2302 of the City of Springfield, Missouri Zoning Ordinance.

⁸⁹ See Page 18-34 of the GMLUP. The Activity Center was formerly known as the “Southwest Missouri State University Activity Center.” Under the GMLUP, the Activity Center is classified as a “Major” activity center.

⁹⁰ See page 18-28 of the GMLUP.

to public health, safety, morals, and welfare. However, the combination of blighting factors plaguing the Redevelopment Area creates all three (3) of these circumstances.

The Redevelopment Area's obsolete platting causes it to be significantly underutilized, which prevents the area from being used to maximize the number of student who may live in the area. Because of the single-family houses located within the Redevelopment Area, it is incapable of supporting its highest and best use, which due to its proximity to MSU, is higher density student housing. This hinders the provision of the housing accommodations that the area is capable of supporting, which in turn creates an economic liability for the City in that the Redevelopment Area is not generating the amount of taxes that it could otherwise produce. It also drastically limits the number of students who could otherwise live within the area and contribute to the area's level of activity and growth.

Because of its age, the Redevelopment Area is afflicted by deteriorating site conditions and is nearing the end of its economic life. As a result, the buildings in the Redevelopment Area are collectively appraised at approximately \$183,800.00.⁹¹ In 2013, this valuation resulted in a tax liability of \$1,857.85, which is nominal when compared to the taxes generated by other property in the immediate area that is being more fully utilized by newer structures for higher density residential housing.⁹² These newer properties generate at least twice as much revenue in taxes. Such properties are located on the same city block as the Redevelopment Area.

The insanitary/unsafe site conditions present in the Redevelopment Area, which include mold, defective heating elements, and extensive dirt and debris create the potential to negatively impact public health. The presence of hazardous conditions, such as asbestos and outdated knob and tube wiring, poses a serious menace to public safety and health. Each of these factors contribute to the economic and social liability created by the area in that they cause a risk of physical injury to the City's citizens and damage to surrounding property. Furthermore, the downtrodden and deteriorated site conditions and underutilization of the Redevelopment Area diminish the public morale and welfare with respect to the perception of this portion of the City.

Comprehensive redevelopment of the Redevelopment Area is necessary to foster additional economic activity and contribute to the growth of the City. Developer has used commercially reasonable efforts to maintain the repair the Houses; however, remediating all of the issues discussed above is economically infeasible since the likely costs of the repairs far exceed the value of the Houses. Further, even if such repairs were made, due to the age of the

⁹¹ Based on 2013 data from the Greene County Assessor's website.

⁹² Based the 2013 levy of 5.3200, which was provided by the Greene County Collector's office, and on the Greene County Assessor's website:

<u>Address</u>	<u>Acres</u>	<u>Appraised Value (2013)</u>	<u>Taxes (2013)</u>
1222 East Elm	0.46	\$461,400.00	\$7,854.87
1240 East Elm	0.25	\$355,400.00	\$6,050.33
1244 East Elm	0.40	\$370,700.00	\$6,310.80
1258-A East Elm	0.25	\$250,000.00	\$4,256.00
1258-B	0.51	\$336,800.00	\$5,733.68

NOTE: All information in this table was obtained from the Greene County Assessor's webpage.

Houses they are becoming functionally obsolete, as evidenced by the demolition of the 1249 House. Under the zoning code, it is likely that the houses cannot be razed and replaced with new single-family detached homes.⁹³

Due to the condition and layout of the Redevelopment Area, substantial capital investment will be necessary to remove the Houses and redevelop the area with multi-family housing. Without such an investment, the Redevelopment Area will further deteriorate and its economic efficiency will continue to decline and become an even greater liability to the economic independence of the City. This underutilization combined with the unsafe conditions in the Redevelopment Area hampers the economic vitality of the City by failing to generate property tax revenues for the City to its full potential and significantly limiting the number of people who can reside in the Redevelopment Area.

V. Conclusion:

Due to the predominance of insanitary and unsafe conditions, deterioration of site improvements, obsolete platting, and the existence of conditions that endanger life and property by fire and other causes, the Redevelopment Area hinders the provision of housing accommodations, constitutes an economic and social liability, and is a menace to the public health, safety, morals, and welfare in its present condition and use. The Redevelopment Area qualifies as a "blighted area" as defined in section 99.320(3) of the Missouri Revised Statutes. Accordingly, the City of Springfield should utilize the tools granted under the LCRA Law to declare the Redevelopment Area a blighted area which will in turn help to facilitate rehabilitating and renewing this portion of the City.

⁹³ See Section 4-1401 of the City of Springfield, Missouri zoning code, which provides, "New single-family dwellings are not permitted to ensure that vacant land set aside for multi-family development is not preempted by less intense development."

Redevelopment Plan

I. Introduction:

RJK Properties, LLC, a Missouri limited liability company (the "**Developer**"), has prepared the following plan (the "**Redevelopment Plan**") for the redevelopment of .832 acres in Springfield, Missouri. The Redevelopment Plan proposes to completely redevelop the Redevelopment Area (as defined below) by constructing a twenty-four (24) unit apartment complex (the "**Project**"). Each apartment unit will include four (4) bedrooms and four (4) bathrooms. Thus, the Project will provide housing for approximately ninety (96) individuals. Tax abatement will be utilized to encourage such redevelopment.

II. Background:

In approximately 2004, the Developer acquired the property and improvements consisting of the Redevelopment Area. Since that time, the Developer has exercised commercially reasonable efforts to maintain the Redevelopment Area. The financial crisis in 2007 and the corresponding downturn in the housing market delayed the Developer's ability to move the project forward until now. There are three (3) residential structures and (1) one vacant commercial storefront (plus accessory structures) in the Redevelopment Area. Two (2) of the structures were built on one parcel. Three (3) of the structures front East Cherry Street and are commonly identified as 1235 E. Cherry Street (the "**1235 Structure**"), 1239 E. Cherry (the "**1239 House**"), and 1243 E. Cherry Street (the "**1243 House**"). The fourth structure, which is commonly identified as 1235-A E. Cherry Street, is located directly behind the 1235 Structure. The Redevelopment Area previously contained a fourth (4th) residential structure to the east of the 1243 House; however, this structure was demolished in 2011.

Pertinent information about each House is set forth in the following table:

Address	Year Built	Acres ¹ (land area)	Square Feet ² (floor area)	Appraised Value (2013) ³
1235 E. Cherry	1931	0.0971	522	\$48,400
1235-A E. Cherry			960	
1239 E. Cherry	1925	0.2388	1,008	\$49,800
1243 E. Cherry	1909	0.5108	1,350	\$85,600

¹ Per Green County Assessor's Webpage

² *Id.*

³ *Id.*

III. Description of the Project

A. *Boundaries of the Redevelopment Area*

The area being redeveloped contains approximately .832 acres and is situated north of E. Cherry St. between S. National Ave. and Kickapoo Ave. in the City of Springfield, Missouri (the “**Redevelopment Area**”). A map identifying the Redevelopment Area is attached hereto and incorporated herein as Exhibit “A,” and the Redevelopment Area is legally described on Exhibit “B,” which is attached hereto and incorporated herein.

B. *Need for Redevelopment*

1. Roundtree Urban Conservation District

The Redevelopment Area is located in Area E of the Roundtree Urban Conservation District (the “**UCD**”). The UCD was approved by Springfield City Council in 1985 to allow the neighborhood to identify and solve problems associated with trash, noise, and safety.⁴ The UCD is a zoning district with special standards that may exceed that of the city, recognizing and protecting the unique nature of the area (the “**District Regulations**”).⁵ Area E (also known as the Cherry Street Corridor Area) serves as home to many MSU students and contains a mixture of multi-family and single family housing stock.⁶ The District Regulations governing Area E are intended to, among other things, “promote the mixed residential nature of the area to provide housing opportunities for students...”⁷ Multi-family dwelling is a permitted use under the District Regulations.⁸ Commercial uses are not permitted under the District Regulations.

⁴ See Ordinance No. 3645 (adopted on July 22, 1985). In connection with the establishment of the UCD, the City adopted the Roundtree Area Neighborhood Plan (dated July 1985) (such document, as amended by the Roundtree Neighborhood Plan Addendum, dated May 14, 2001) is referred to as the “**UC Plan**”). According to Section 4-2302, the purpose of the UC Plan and the UCD, include but are not limited to the following:

B. To maintain neighborhood character and integrity by focusing special attention on the maintenance of the physical environment; the enhancement of physical, social and economic resources and the accommodation of desirable change; C. To prevent economic obsolescence and to promote reinvestment by fostering stable property values through a high level of economic activity, maintenance of essential urban services and by focusing financial assistance and other economic development programs; D. To promote the efficient use of urban lands, including the encouragement of compatible infill development on vacant and passed-over parcels; E. To encourage and to support rehabilitation of the physical environment and programs for the conservation and revitalization of urban areas; F. To foster harmonious, orderly and efficient growth, development and redevelopment; and G. To aid in the prevention or elimination of slums or blight.

⁵ See Section 4-2300 of the City of Springfield, Missouri zoning code.

⁶ See Art. III, §8(A) of the District Regulations.

⁷ *Id.*

⁸ See Art. III, §8(B)(4) of the District Regulations.

2. Objectives of the City of Springfield's Growth Management and Land Use Plan.

The Redevelopment Area is zoned High-Density Multi-Family Residential (R-HD) and is located in the Missouri State University Activity Center (the “**Activity Center**”), as defined by the City’s Growth Management and Land Use Plan (“**GMLUP**”), which is a component of the Vision 20/20 Springfield-Greene County Comprehensive Plan.⁹ The GMLUP was adopted in November 2001 in order to provide broad guidance for private and public physical development of the region. Under the GMLUP, one of the objectives of an activity center is to promote additional or new “higher density housing.”¹⁰

3. Current Condition of Redevelopment Area.

As discussed in the preceding Blight Report, notwithstanding the Developer’s commercially reasonable efforts to maintain the Redevelopment Area, the Redevelopment Area suffers from much physical deterioration, insanitary and unsafe conditions, and is afflicted by conditions which may endanger life or property. Substantial capital investment will be needed to fully rehabilitate and revitalize the Redevelopment Area, which further compounds the economic obsolescence of the Redevelopment Area.

Further, the Redevelopment Area is not capable of providing housing accommodations to its utmost potential. The buildings in the Redevelopment Area only contain a total of seven (7) bedrooms. Moreover, the 1243 House is a commercial structure that is not conducive to a residential use. This severely limits the number of individuals who can live in the Redevelopment Area. Additionally, almost half of the Redevelopment Area is open space covered in grass and gravel parking areas/drives. The configuration of the Redevelopment Area does not allow it to support its highest and best use, which due to its proximity to MSU, is medium to high density student housing. This underutilization prevents the Redevelopment Area

⁹ See Page 18-34 of the GMLUP. The Activity Center was formerly known as the “Southwest Missouri State University Activity Center.” The GMLUP states that the Activity Center “is becoming more closely intertwined with ‘Greater Downtown’”. See page 18-34 of the GMLUP.

The Greater Downtown is a one of several districts forming 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). As the Activity Area is “closely intertwined” with the Greater Downtown, the themes and goals of the CCPE are informative in evaluating the present condition and use of the Redevelopment Area. According to the CCPE, Center City includes some of the oldest parts of the Springfield community and it suffers from problems commonly resulting from physical deterioration and economic obsolescence. See page 2-10 of the CCPE. The CCPE describes the overall tone of the area as one that needs revitalization and new investment. See page 2-10 of the CCPE. The CCPE encourages increasing the compactness of land uses in Greater Downtown since compact, dense, pedestrian-oriented places help to retain urban vitality and interests. (See page 3-37 of the CCPE). The community should work to fill the empty spaces between buildings, bring housing into every district, aim for mid-rise density across districts, and create areas that combine housing, jobs, and entertainment uses. (See page 3-38 of the CCPE) The City should encourage infill development on vacant and underutilized sites to reinforce and re-knit the pattern of buildings, to fill the voids, and to expand the volume of the Greater Downtown. See page 3-38 of the CCPE. The Redevelopment Plan is consistent with the objectives of the CCPE.

¹⁰ See page 18-28 of the GMLUP.

from generating taxes to its utmost potential and from fully contributing to the potential vitality of UCD and surrounding areas.

4. Conformance of Redevelopment Plan with the UCD and GMLUP.

The Redevelopment Plan provides for the construction of a twenty-four (24) unit apartment complex, which will be located in the vicinity of MSU's campus and within a block of the Greater Downtown District. Each of the apartments will contain four (4) bedrooms and four (4) bathrooms. In total, the project will accommodate up to ninety-six (96) individuals. The new construction will remedy blight by creating a desirable living environment for students, increasing the taxes generated by the Redevelopment Area, and encouraging further investment in the area. As reflected on the preliminary site plan in Exhibit "F" attached hereto and incorporated herein, the site will be redeveloped to utilize the Redevelopment Area to its full potential. This will increase density by providing housing for up to ninety-six (96) individuals, which will in turn increase the area's pedestrian traffic and level of activity.

The Redevelopment Plan is consistent with the intent of the UCD, in that it will: (i) promote the efficient use of urban lands, (ii) encourage and support rehabilitation of the physical environment, and (iii) aid in the prevention or elimination of slums or blight.¹¹ Moreover, the Redevelopment Plan will provide multi-family housing opportunities for MSU Students, which is consistent with the objectives of *both* the UCD and the GMLUP.¹² The Redevelopment Area is located in close proximity to major arterial streets and public transit, which is consistent with the objectives of the GMLUP.¹³ The Redevelopment Plan is harmonious with surrounding uses. The properties to the north are predominantly apartment complexes. The Redevelopment Area is less than one (1) block away from MSU and various commercial uses.

The surrounding areas have begun to revitalize through the addition of loft apartments, restaurants, and entertainment, but the continued decline of the Redevelopment Area negatively impacts this revitalization by discouraging reinvestment in the surrounding area. Without the comprehensive renovation and rehabilitation of the Redevelopment Area, its physical condition will continue to deteriorate and detract from the area. Thus, implementation of the Redevelopment Plan is needed to remediate blight in the Redevelopment Area, to create a safe and desirable living environment that more fully utilizes the property, increase the taxable revenues to the City, and place a greater portion of the City in conformance with the visions set forth in the Center City Plan Element.

C. *Redevelopment Plan Objectives and Strategies*

The primary objective of the Redevelopment Plan is to remove blight and to redevelop the area for use as multi-family housing. The Project involves the construction of twenty-four (24) unit apartment complex. Each of the apartments will contain four (4) bedrooms and four (4) bathrooms. In total, the project will accommodate up to ninety-six (96) individuals. The Project

¹¹ See Section 4-2302 of the City of Springfield, Missouri Zoning Ordinance.

¹² See Section III, §8(A) of the District Regulations. *See also* Page 18-34 of the GMLUP.

¹³ See Page 18-34 of the GMLUP.

will also provide on-site parking and will utilize outdoor lighting as needed with the intent to create a safe living environment for the residents. The Project is anticipated to be built using certain “green” building standards to maximize energy savings.

IV. Land Use Plan:

A. Former and Existing Land Use

The Redevelopment Area currently consists of two (2) one-story houses, one (1) two-story houses, and one (1) commercial storefront. Prior to 2011, the Redevelopment Area included an additional two-story house. According to the Greene County Assessor's website, the Houses were built more than eight (80) years ago. The residential properties are currently occupied by tenants. The commercial storefront is vacant and used for storage of furniture and other personal property.

B. Proposed Land Use

The proposed land use for the Redevelopment Area is as a twenty-four (24) unit apartment complex. A preliminary site plan reflecting the proposed land use in Redevelopment Area is attached as Exhibit “F” and incorporated herein.

C. Existing and Proposed Zoning

The existing zoning for the Redevelopment Area is High-Density Multi-Family Residential District (R-HD). Moreover, the Redevelopment Area is located in the Roundtree Urban Conservation District. There is no new zoning proposed for the Redevelopment Area. The Project is consistent with zoning requirements.

D. Regulations and Controls

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

V. Execution of the Project:

A. Execution

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

B. Land Acquisition

There will be no land acquisition required to implement the Redevelopment Plan, as the Developer owns the land within the Redevelopment Area.

C. Financing

The Developer is utilizing conventional financing to finance the Project.

D. *Disposition of Property*

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

E. *Plan for Relocation Assistance*

The three (3) residential structures within the Redevelopment Area are currently occupied by tenants. Existing tenants will be provided with advance notice and assistance in locating alternative rental properties. To the extent an existing tenant desires to lease an alternative property owned by the Developer, the rental rate currently in effect will apply to the new lease through the expiration of the term of their current lease.

F. *Redevelopment Schedule and Estimated Dates of Completion*

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

- Pre-Construction (Inspections/Permits): Completed by November 30, 2014
- Site Work (Demolition): Completed by January 31, 2015
- Construction of Building: Completed by June 30, 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 and require the Developer and any successors in interest to redevelop the real property within the Redevelopment Area in accordance with the specified uses in the Redevelopment Plan if they wish to benefit from tax relief available under Sections 99.700 to 99.715 of the Missouri Revised Statutes, 2000.

VI. Other Provisions:

A. *Compliance with General Plans*

As discussed in Article III, Section B above, the Redevelopment Plan for the Redevelopment Area conforms to (i) the Roundtree UCD Plan and the District Regulations and (ii) the objectives of the MSU Activity Area, as set forth in the MGLUP.

B. *Compliance with State and Local Law*

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

C. *Population Density*

The Project will provide twenty-four (24) housing units on a 0.832 acre site. Each apartment unit will include four (4) bedrooms and four (4) bathrooms. In total, the Project will provide housing for approximately ninety (96) individuals.

D. *Public Facilities*

It is not anticipated at this time that the Project will require any additional public facilities or utilities.

VII. 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 Redevelopment Area



Exhibit B

Legal Description of Redevelopment Area

PERIMETER DESCRIPTION

A TRACT OF LAND AS BEING A PART OF LOTS 24, 25, 26, 27 AND 28 OF SUMMIT PARK SUBDIVISION AS DESCRIBED IN PLAT BOOK "D", PAGE 84 AS DESCRIBED IN THE GREENE COUNTY, MISSOURI RECORDER'S OFFICE IN BOOK 2004, PAGE 055919-04 AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 23 OF SUMMIT PARK SUBDIVISION SAID POINT ALSO LYING AT THE NORTHWEST CORNER OF CHERRY STREET AND KICKAPOO AVENUE; THENCE ALONG THE NORTH RIGHT-OF-WAY OF CHERRY STREET, NORTH 89°07'30" WEST, 74.42 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH RIGHT-OF-WAY, NORTH 89°07'30" WEST, 202.30 FEET; THENCE LEAVING SAID NORTH RIGHT-OF-WAY, NORTH 01°43'14" EAST, 151.73 FEET; THENCE SOUTH 88°29'32" EAST, 26.43 FEET; THENCE NORTH 01°30'28" EAST, 55.51 FEET TO A POINT LYING ON THE SOUTH LINE OF A PLATTED EASEMENT; THENCE ALONG SAID SOUTH LINE, SOUTH 88°04'11" EAST, 100.18 FEET TO THE NORTHEAST CORNER OF LOT 26; THENCE ALONG THE EAST LINE OF LOT 26, SOUTH 01°30'28" WEST, 50.00 FEET; THENCE LEAVING SAID EAST LINE, SOUTH 88°04'11" EAST, 74.76 FEET; THENCE SOUTH 01°22'24" WEST, 153.72 FEET TO THE POINT OF BEGINNING. CONTAINING 0.832 ACRES MORE OR LESS. ALL LYING IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 29 NORTH, RANGE 21 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE. CONDITIONS AND MONUMENTS ARE AS SHOWN ON ANDERSON ENGINEERING, INC. DRAWING NUMBER WB 110-103.

Exhibit C

Map of Existing Blighted Areas

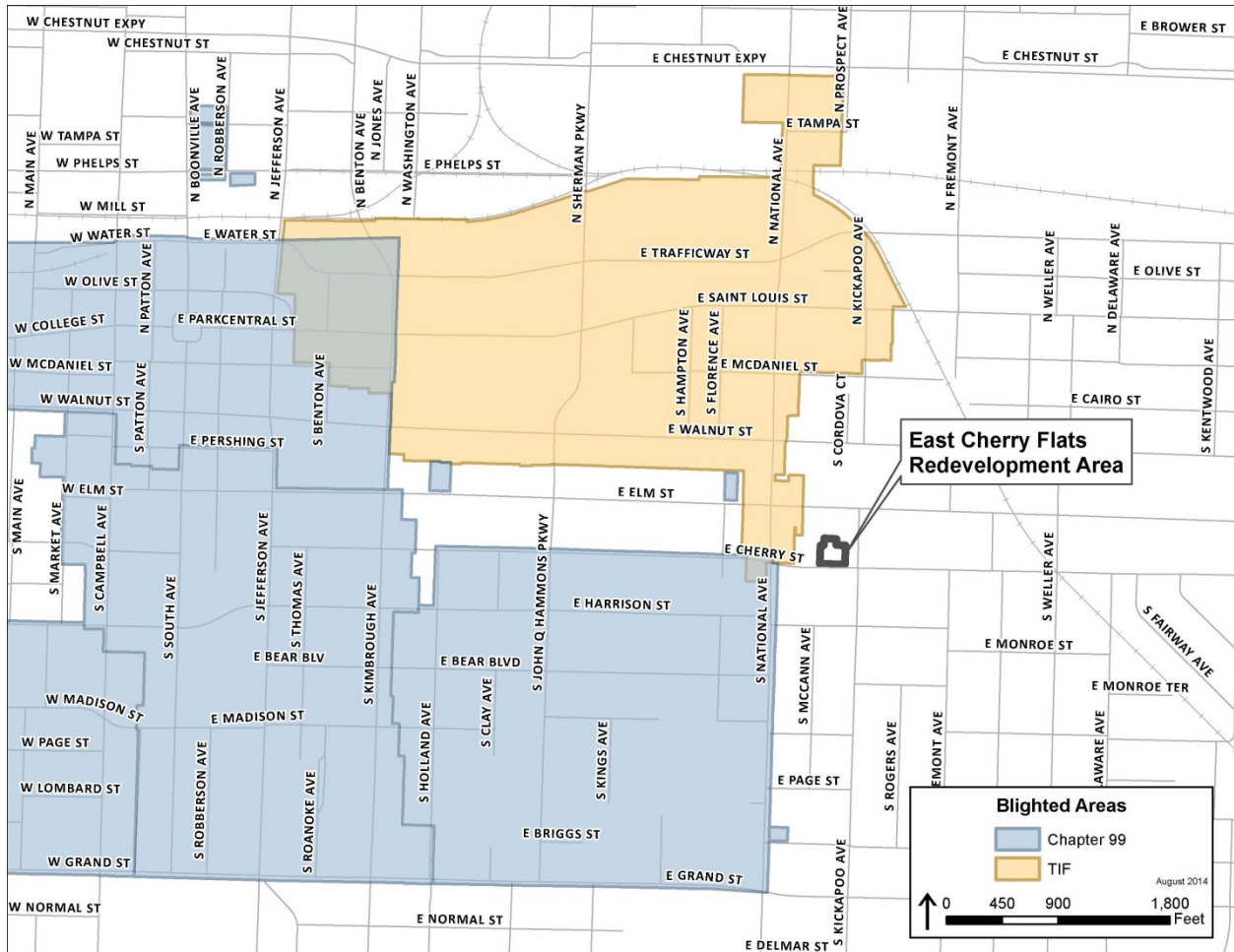


Exhibit D-1

Inspection Report – 1235 Structure

A-1 Home Inspection

PROPERTY INSPECTION REPORT



1235 E Cherry Street, Springfield, MO 65802
Inspection prepared for: Russ Meck --- RJK Properties, LLC
Real Estate Agent: Chelsea Fury - Spencer Fane

Date of Inspection: 7/28/2014 Time: 1:00 PM
Age of Home: Over fifty years Size: Est. 2300 SQ FT
Weather: 80 degrees F
\$260 fee is payable upon receipt of report, thank you

Inspector: Steve Lilley
MO Termite License #N6263
2857 South Chantilly, Springfield, MO 65804
Phone: 417-887-7001
Email: 417chi@gmail.com

THE BOTTOM LINE

Driveway/s

Page 4 Item: 1	Driveway Observations	Eroded shared gravel driveway and parking area in back need upgrading, not to current standards
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Exterior

Page 8 Item: 3	Hose Faucets	Not frost free type, untested (no water)
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Main Roof

Page 10 Item: 5	Main Roof	At end of life, needs stripping and replacement ASAP
Page 11 Item: 6	Observations	At end of life, needs replacement when reroofed
Page 11 Item: 8	Estimated age	At end of life, needs stripping and replacement ASAP

Crawlspace/s

Page 12 Item: 1	Foundation Observations	No access
Page 12 Item: 2	Floor Construction	No access Signs of past termites, refer to termite inspection report
Page 13 Item: 3	Moisture Control	No access

Fuel System

Page 13 Item: 1	Observations	Untested, gas off at meter
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Supply Lines

Page 13 Item: 1	Supply Lines	Untested, water off
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Waste Lines

Page 14 Item: 1	Observations	Older waste piping untested, water off
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Water Heater One

Page 15 Item: 3	Observations:	Disconnected (abandoned status)
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Heating One

Page 16 Item: 5	Conditon	Untested older unit needs upgrade/replacement
Page 16 Item: 6	Venting	Untested, gas off

Heating Two

Page 18 Item: 5	Conditon	Old rusty unit needs to be replaced
Page 18 Item: 6	Venting	Untested flue

Air Conditioner One

Page 19 Item: 1	Condition	Inoperative older package/wall air conditioner
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Electrical

Page 20 Item: 1	Service	Meter inside, not to current standards for commercial property
Page 20 Item: 3	Main Panel	Multiple fuse panels/subpanels, not to current standards for commercial property

Page 21 Item: 4	Conductors	Dated two wire system, not to contemporary standards for commercial property Unsecured wiring, refer to electrician
Page 21 Item: 5	Panel Notes	Multiple fuse panels/subpanels, not to current standards for commercial property
Page 22 Item: 6	Wiring Notes	Unsecured wiring, refer to electrician Miswired outlets, refer to electrician

Windows

Page 24 Item: 1	Window Observations	Broken unit/s are potential liability
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Interior Walls

Page 26 Item: 1	Interior Walls	Some storage is hazardous
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Ceilings

Page 26 Item: 1	Ceilings	Stains and water damaged ceiling, sign of roof issues
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Floors/Flooring

Page 27 Item: 1	Floors	Suspect asbestos at 9"x 9" tiles
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Attic/s

Page 28 Item: 3	Observations	No access
Page 28 Item: 4	Insulation	No access

Half Bath

Page 29 Item: 1	Toilet	Untested, no water
Page 30 Item: 2	Sink A	Untested wash tub sink, water off
Page 30 Item: 3	Vent/Heat	Unvented space, not to current commercial standards

Additional Notes

1. Additional Notes

BLANK HEADINGS INSPECTED IF APPLICABLE --- SERVICEABLE OR ACCEPTABLE CONDITION, WITHOUT COMMENT

Red items are the hidden defects (material conditions "not readily apparent") and need evaluation or repair by an appropriate qualified contractor

Any component or system not addressed in report is beyond scope

Odors are generally excluded unless noted

Photos are representative only

Serviceable is defined as capable of being put to good use/purpose or able to give long service

Some of this report is intended to be simple concerning the the numerous surface flaws, so the main issues are held in focus

Inspection Details

1. House faces

South

2. Attendance

Property manager opened

3. Home Type

Commercial storefront

4. Occupancy

Vacant, being used for miscellaneous storage (much is abandoned)

5. Additions or Alterations

Last business was beauty salon, infill mostly removed

Driveway/s

1. Driveway Observations

Eroded shared gravel driveway and parking area in back need upgrading, not to current standards



Eroded shared gravel driveway and parking area in back need upgrading, not to current standards

Sidewalk/s

1. Sidewalk Observations



Trip hazards along west

Chimney One

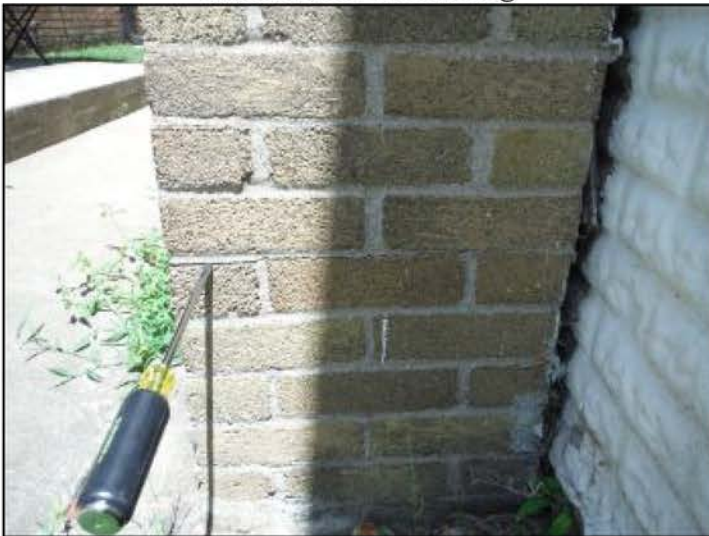
1. Chimney Observations



Deteriorated masonry, note gaps at wall and rusted steel anchoring



1-2" gap noted



Horizontal cracks are sure sign of settling out of plumb



Flue is clean



Missing rain cap and screen, water and birds can enter



Refer to mason, deteriorated crown and top tile noted

Entry

1. Porch Observations



Vacant status, undetermined time

Exterior

1. Exterior Walls



Damaged siding needs repair, moisture entering wall/s



Recovered siding



Vehicle damage is likely



Closeup of deteriorated wood siding at back



Foliage limits access

2. Trim



Wood trim needs a good paint job, rot in places

3. Hose Faucets

Not frost free type, untested (no water)



Not frost free type, untested (no water)

4. Gutters and Downspouts



Lone downspout needs splash block



Lone gutter needs maintenance



Note how gutter related to roof drip edge, may leak

Main Roof

1. Roof Style

2. Covering

3. How Inspected

4. # of Layers

5. Main Roof

At end of life, needs stripping and replacement ASAP



At end of life, needs stripping and replacement
ASAP



At end of life, needs stripping and replacement
ASAP



At end of life, needs stripping and replacement ASAP

6. Observations

At end of life, needs replacement when reroofed



At end of life, needs replacement when reroofed



At end of life, needs replacement when reroofed



At end of life, needs replacement when reroofed

7. Roof Notes

8. Estimated age

At end of life, needs stripping and replacement ASAP



At end of life, needs stripping and replacement ASAP

Porch Roof

1. Type

2. Observations

Grading

1. Grading Observations

Crawlspace/s

1. Foundation Observations

No access



Skirting/siding conceals access at back



Too low to crawl, this view from damage/hole

2. Floor Construction

No access

Signs of past termites, refer to termite inspection report



Too low to crawl, this view from damage/hole

3. Moisture Control

No access



Too low to crawl, this view from damage/hole

Fuel System

1. Observations

Untested, gas off at meter

Main Line

1. Main Line Type:

2. Pressure (PSI):

3. Condition

Untested, water off

Supply Lines

1. Supply Lines

Untested, water off

Waste Lines

1. Observations

Older waste piping untested, water off



Older waste piping untested, water off

Water Heater One

1. Location:

2. Age:

3. Observations:

Disconnected (abandoned status)



Untested/no gas



Disconnected (abandoned status)



Disconnected (abandoned status)



Disconnected (abandoned status)

Heating One

1. Location

2. Heating Type:

3. Brand

4. Approximate Efficiency

5. Conditon

Untested older unit needs upgrade/replacement



Untested older unit needs upgrade/replacement



Untested, gas off



Untested older unit needs upgrade/replacement

6. Venting

Untested, gas off



Untested, gas off

7. Combustion Air

8. Burners

9. Distribution

10. Normal Controls

11. Air Filters

12. Additional Notes

Heating Two

1. Location

2. Heating Type:

3. Brand

4. Approximate Efficiency

5. Conditon

Old rusty unit needs to be replaced



Old rusty unit needs to be replaced



Old rusty unit needs to be replaced



Old rusty unit needs to be replaced

6. Venting

Untested flue



Untested flue

7. Combustion Air

8. Burners

9. Distribution

10. Normal Controls

11. Air Filters

12. Additional Notes

Air Conditioner One

1. Condition

Inoperative older package/wall air conditioner



Inoperative older package/wall air conditioner

2. Location

3. Type of A/C

4. Data Plate

5. Power:

6. Condensate Line

7. Refrigerant Lines:

Electrical

1. Service

Meter inside, not to current standards for commercial property



Meter inside, not to current standards for commercial property

2. Main Disconnect

3. Main Panel

Multiple fuse panels/subpanels, not to current standards for commercial property



Multiple fuse panels/subpanels, not to current standards for commercial property

4. Conductors

Dated two wire system, not to contemporary standards for commercial property
Unsecured wiring, refer to electrician



Unsecured wiring, refer to electrician



Dated two wire system, not to contemporary standards for commercial property

5. Panel Notes

Multiple fuse panels/subpanels, not to current standards for commercial property



Multiple fuse panels/subpanels, not to current standards for commercial property

6. Wiring Notes

Unsecured wiring, refer to electrician
Miswired outlets, refer to electrician



Unsecured wiring, refer to electrician



Unsecured wiring, refer to electrician



Miswired outlets, refer to electrician

Front Door

1. Door (Entry)



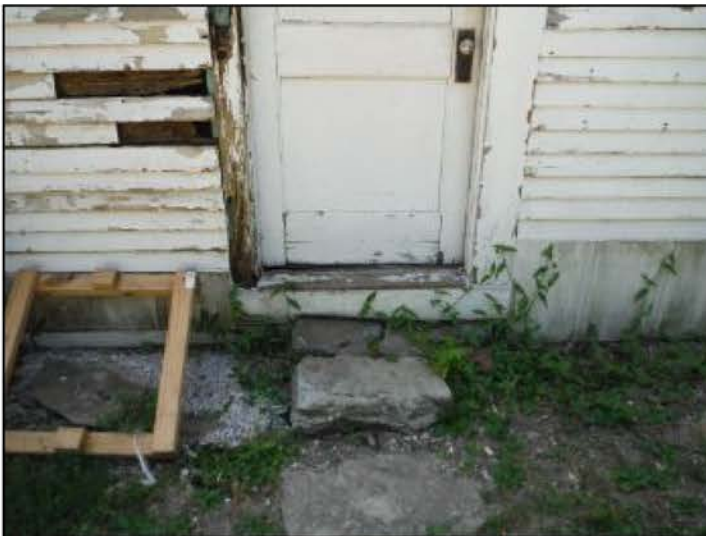
Blocked/untested/inoperative

Interior Doors

1. Doors (Interior)

Exterior Doors

1. Doors (Exterior)



Trip hazards at back door, no proper stoop



Rotted

Windows

1. Window Observations

Broken unit/s are potential liability



Boarded up



Broken unit/s are potential liability



Broken unit/s are potential liability



Broken unit/s are potential liability



Foliage limits access



Broken unit/s are potential liability

Interior Walls

1. Interior Walls

Some storage is hazardous



Damaged drywall



Some storage is hazardous (broken glass in photo)



Some storage is hazardous



Some storage is hazardous



Some storage is hazardous

Ceilings

1. Ceilings

Stains and water damaged ceiling, sign of roof issues



Numerous stains



Stains and water damaged ceiling, sign of roof issues



Stains and water damaged ceiling, sign of roof issues



Stains and water damaged ceiling, sign of roof issues

Floors/Flooring

1. Floors

Suspect asbestos at 9"x 9" tiles



Damaged at back door



Most concealed by storage



Suspect asbestos at 9"x9" tiles

Kitchen One

1. Sink

2. Kitchen (General)

3. Disposer

4. Range/Cooktop/Oven/s

5. Dishwasher Observations

6. Special Features

7. Microwave

Attic/s

1. Access Location

2. Rafter Frame:

3. Observations

No access

4. Insulation

No access

Features

1. Additional Interior Features and Miscellaneous



Inoperative fan (or switch not found)

Smoke Detectors

1. Smoke Detectors

Laundry

1. Observations

2. Utilities

3. Sink

Half Bath

1. Toilet

Untested, no water



Untested, no water

2. Sink A

Untested wash tub sink, water off



Untested wash tub sink, water off

3. Vent/Heat

Unvented space, not to current commercial standards



Unvented space, not to current commercial standards

Photos



West side



Back from northwest



Back elevation



Northeast corner



Southeast corner

Exhibit D-2

Inspection Report – 1235-A House

A-1 Home Inspection

PROPERTY INSPECTION REPORT



1235.A E Cherry St, Springfield, MO 65802
Inspection prepared for: Russ Meck --- RJK Properties, LLC
Real Estate Agent: Chelsea Fury - Spencer Fane

Date of Inspection: 7/28/2014 Time: 10:30 AM
Age of Home: Over fifty years Size: Under 1000 SQ FT
Weather: Over 80 degrees F
\$240 fee is payable upon receipt of report, thank you

Inspector: Steve Lilley
MO Termite License #N6263
2857 South Chantilly, Springfield, MO 65804
Phone: 417-887-7001
Email: 417chi@gmail.com

THE BOTTOM LINE

Crawlspace/s

Page 9 Item: 1	Foundation Observations	No access
Page 9 Item: 2	Floor Construction	No access
Page 10 Item: 3	Moisture Control	No access

Water Heater One

Page 11 Item: 3	Observations:	Backdraft measured, is persistent, refer to plumber for repair ASAP (health and safety hazard)
-----------------	---------------	--

Electrical

Page 16 Item: 6	Wiring Notes	Old school light fixture is shock hazard
-----------------	--------------	--

Windows

Page 18 Item: 1	Window Observations	Most windows are inoperative or have serviceability issues
-----------------	---------------------	--

Kitchen One

Page 20 Item: 4	Range/Cooktop/Oven/s	Did not self light, safety hazard, needs immediate repair No exhaust hood at gas range, is this legal?
-----------------	----------------------	---

Attic/s

Page 21 Item: 3	Observations	No access
-----------------	--------------	-----------

Other Bathroom

Page 24 Item: 5	Bathtub	Does not drain properly, unit not level
-----------------	---------	---

Additional Notes

1. Additional Notes

Red items are the hidden defects (material conditions "not readily apparent") and need evaluation or repair by an appropriate qualified contractor

BLANK HEADINGS INSPECTED IF APPLICABLE --- SERVICEABLE OR ACCEPTABLE CONDITION, WITHOUT COMMENT

BOTTOM LINE REVIEWS THE DEFECTS OR CONDITIONS NOT READILY APPARENT

Any component or system not addressed in report is beyond scope

Anytime you see (limits) in report, that means that system cannot be viewed or tested

As always, energy upgrades are advised

Some of this report is intended to be simple concerning the the numerous surface flaws, so the main issues are held in focus

Serviceable is defined as capable of being put to good use/purpose or able to give long service

Photos are representative only

Odors are generally excluded unless noted

Inspection Details

1. House faces

South

2. Attendance

Tenant

3. Home Type

Single family

4. Occupancy

Occupied, with normal level of furnishings and storage

5. Additions or Alterations

Miscellaneous repairs

Driveway/s

1. Driveway Observations



Parking at past garage location, note concrete curb is old foundation walls

Sidewalk/s

1. Sidewalk Observations



Very deteriorated, trip hazards

Chimney One

1. Chimney Observations

Water and birds can enter chimney



Very deteriorated, appears unlined brick masonry



Yes, unlined (old school)



Water and birds can enter chimney

Entry

1. Porch Observations

Patio

1. Patio Observations



Uneven/cracked concrete floor noted



Rot measured at wood walls of screened porch

Exterior

1. Exterior Walls



Fungal stains at vinyl siding need cleaning

2. Trim

3. Hose Faucets

4. Gutters and Downspouts

Main Roof

1. Roof Style

2. Covering

3. How Inspected

4. # of Layers

5. Main Roof

Periodic inspections recommended, reseal exposed fasteners



Single layer laminated composition



Tree limbs need trimming

6. Observations

Periodic inspections recommended, reseal penetrations and transitions as needed

7. Roof Notes

Use qualified and insured roofer if/when repairs are needed
Please do not do your own roof/guttering maintenance
Tree limbs touch/overhang roof edge, suggest trim them

8. Estimated age

This is a twenty-five year type roof when single layer
Newer

Porch Roof

1. Type



Same roofing as main roof

2. Observations

Sagged



Teeny tiny screened enclosure being used for storage

Grading

1. Grading Observations



Wooded site

Crawlspace/s

1. Foundation Observations

No access



View port --- otherwise inaccessible below floor



Cold joint means half is an addition



Limited view from vent, east side



Limited view from vent, east side

2. Floor Construction

Sloped/uneven areas, common for age/design

No access



Sloped/uneven areas, common for age/design



Limited view from vent, east side

3. Moisture Control

No access



Limited view from vent, east side

Fuel System

1. Observations

Main Line

1. Main Line Type:

2. Pressure (PSI):

3. Condition

Supply Lines

1. Supply Lines

Waste Lines

1. Observations

Water Heater One

1. Location:

2. Age:

3. Observations:

Backdraft measured, is persistent, refer to plumber for repair ASAP (health and safety hazard)



Backdraft measured, is persistent, refer to plumber for repair ASAP (health and safety hazard)



Avoid combustible storage, burns room/conditioned air, less efficient



Older unit has limited life



TPR valve lacks overflow tube

Heating One

1. Location

2. Heating Type:

3. Brand

4. Approximate Efficiency

5. Conditon



Carpet floor not prudent



Older wall heater has limited economic lifespan, is fuel inefficient, hazardous and obtrusive



Serviceable to older standard

6. Venting

7. Combustion Air



Burns room/conditioned air (inefficient)

8. Burners



Old school but serviceable nonetheless

9. Distribution

10. Normal Controls

11. Air Filters

12. Additional Notes

Air Conditioner One

1. Condition



Older package air conditioner has limited life



Excellent cooling effect



Excellent cooling effect

2. Location

3. Type of A/C

4. Data Plate

5. Power:

6. Condensate Line

7. Refrigerant Lines:

Electrical

1. Service

2. Main Disconnect

3. Main Panel



Excellent upgrade



Outlaw, no tags

4. Conductors



Old school light fixture is shock hazard

5. Panel Notes

6. Wiring Notes

Old school light fixture is shock hazard

Front Door

1. Door (Entry)

Interior Doors

1. Doors (Interior)



Frames out of square, typical for age



No latch this unit



Slider off track

Exterior Doors

1. Doors (Exterior)

Windows

1. Window Observations

Most windows are inoperative or have serviceability issues



Older wood units need paint maintenance



Most windows are inoperative or have serviceability issues



Cracked glass needs repair

Interior Walls

1. Interior Walls

Ceilings

1. Ceilings



No attic access at ceiling, patched areas noted

Floors/Flooring

1. Floors



Uneven/sloped areas, photo is shim at tenants furniture



Tacker strip (amateur flooring)

Kitchen One

1. Sink

2. Kitchen (General)



Missing cabinet doors



Primitive kitchen, minimal cabinetry, galleyu style



No toe space at sink cabinet

3. Disposer

4. Range/Cooktop/Oven/s

Did not self light, safety hazard, needs immediate repair
No exhaust hood at gas range, is this legal?



Did not self light, safety hazard, needs immediate repair



No exhaust hood at gas range, is this legal?

5. Dishwasher Observations

6. Special Features

7. Microwave

Attic/s

1. Access Location

2. Rafter Frame:

Conventional solid wood rafters and sheathing
Conventional joists, no flooring

3. Observations

Limited view at gable vents
No access



No access at ceiling, patched areas noted



Limited view at gable vents

4. Insulation

No access

Features

1. Additional Interior Features and Miscellaneous

Smoke Detectors

1. Smoke Detectors

Laundry

1. Observations

2. Utilities

3. Sink

Other Bathroom

1. Location

Undersized area/room, not universally accessible
Off kitchen

2. Toilet



Caulked base not preferred

3. Sink



Not mixer valves, hot on left



Missing stopper



Tiny leak at loose trap

4. Vent/Heat

5. Bathtub

Does not drain properly, unit not level



Does not drain properly, unit not level



And stopper needs adjusting

6. Shower



Old school, valves not balance type



Flex sprayer added

Photos



Southwest corner



Back elevation



Northeast corner



Makeshift storage shed works



Undersized area/room, not universally accessible

Exhibit D-3

Inspection Report – 1239 House

A-1 Home Inspection

PROPERTY INSPECTION REPORT



1239 East Cherry Street, Springfield, MO 65802
Inspection prepared for: Russ Meck --- RJK Properties, LLC
Real Estate Agent: Chelsea Fury - Spencer Fane

Date of Inspection: 7/28/2014 Time: 9:00 AM
Age of Home: 1920s-40s Size: 1200 SQ FT
Weather: 80 degrees F
\$280 fee is payable upon receipt of report, thank you

Inspector: Steve Lilley
MO Termite License #N6263
2857 South Chantilly, Springfield, MO 65804
Phone: 417-887-7001
Email: 417chi@gmail.com

THE BOTTOM LINE

Chimney One

Page 4 Item: 1	Chimney Observations	Water heater is back drafting, may be required to reline chimney for gas vent
----------------	----------------------	---

Exterior

Page 6 Item: 4	Gutters and Downspouts	Rusted/damaged/incomplete guttering needs removal/replacement
----------------	------------------------	---

Main Roof

Page 9 Item: 5	Main Roof	Two layers is limit since February 1995, this house has three
----------------	-----------	---

Water Heater One

Page 13 Item: 3	Observations:	Persistent back drafting, related to being vented into masonry chimney
-----------------	---------------	--

Heating One

Page 15 Item: 9	Distribution	None, cannot add central air conditioning
-----------------	--------------	---

Electrical

Page 16 Item: 4	Conductors	Active knob and tube wiring confirmed at attic, refer to qualified electrician to update Active knob and tube wiring needs upgrading prior to adding insulation
Page 19 Item: 6	Wiring Notes	Unsecured wiring (exposed wiring/splices/open junction boxes) observed at basement and attic, refer to electrician to cleanup/secure Ungrounded/miswired (reverse polarity) outlet/s found, suggest all be checked and corrected

Kitchen One

Page 23 Item: 1	Sink	Leak/s at supply/faucet below, refer to plumber
-----------------	------	---

Attic/s

Page 26 Item: 4	Insulation	Has never been upgraded, no insulation at attic or exterior walls, needed Active knob and tube wiring needs upgrading prior to adding insulation
-----------------	------------	---

Smoke Detectors

Page 26 Item: 1	Smoke Detectors	Insufficient quantity, needed in each bedroom, hall and level
-----------------	-----------------	---

Hall Bathroom

Page 27 Item: 1	Toilet	Monitor, loose at floor, may need resetting with new wax ring soon
-----------------	--------	--

Additional Notes

1. Additional Notes

Serviceable is defined as capable of being put to good use/purpose or able to give long service
Anytime you see (limits) in report, that means that system cannot be viewed or tested
Any component or system not addressed in report is beyond scope
Photos are representative only
Red items are the hidden defects (material conditions "not readily apparent") and need evaluation or repair by an appropriate qualified contractor
Call me directly at (417) 887-7001 if you have questions unanswered in report after your review of it
BOTTOM LINE REVIEWS THE DEFECTS OR CONDITIONS NOT READILY APPARENT

Inspection Details

1. House faces

South

2. Attendance

Tenants

3. Home Type

Single family

4. Occupancy

Occupied, with normal level of furnishings and storage

5. Additions or Alterations

Electric/plumbing upgrades
Multiple roofs

Driveway/s

1. Driveway Observations

Shared driveway and parking area needs gravel and maintenance, ponding is likely during rain, some may be muddy
Serviceable gravel though eroded
Approach/es not to today's standard



Approach/es not to today's standard

Sidewalk/s

1. Sidewalk Observations

Common and larger cracks with lifting/settling to 1-2 inches, trip hazards
Older/deteriorated concrete walks are at/near end of normal life



Common and larger cracks with lifting/settling to 1-2 inches, trip hazards



Older/deteriorated concrete walks are at/near end of normal life

Chimney One

1. Chimney Observations

West roof slope
Brick masonry
Vents water heater and floor furnace
Flashing and masonry maintenance requirement likely
Has rain cap
Did not verify whether it has clay tile liner
Water heater is back drafting, may be required to reline chimney for gas vent



Vents water heater and floor furnace

Entry

1. Porch Observations

Front sheltered porch

Wood railings are too short be today's standard (people can use as seating, then tip over)

The cracked concrete slabs have what is acceptable deterioration considering age

Serviceable concrete is cracked and settled (apx. one inch, both sides)



Serviceable concrete is cracked and settled (apx. one inch, both sides)



Serviceable concrete is cracked and settled (apx. one inch, both sides)



Wood railings are too short be today's standard (people can use as seating, then tip over)

Patio

1. Patio Observations

Back porch
Serviceable concrete, common cracks
No railings noted

Exterior

1. Exterior Walls

Clay tile masonry
Real stucco
Serviceable, minor cracks and blemishes noted
No insulation at outside walls, common issue with true masonry (clay tile and stucco/plaster finish)



No insulation at outside walls, common issue with true masonry (clay tile and stucco/plaster finish)

2. Trim

Wood
Serviceable, well detailed
Eroded/moisture damaged in places, needs paint job

3. Hose Faucets

Serviceable though not frost free type

4. Gutters and Downspouts

Rusted/damaged/incomplete guttering needs removal/replacement



Rusted/damaged/incomplete guttering needs removal/replacement



Rusted/damaged/incomplete guttering needs removal/replacement

Stairs One

1. Observations

Front entry
Serviceable concrete has a steel pipe railing one side



Serviceable concrete has a steel pipe railing one side

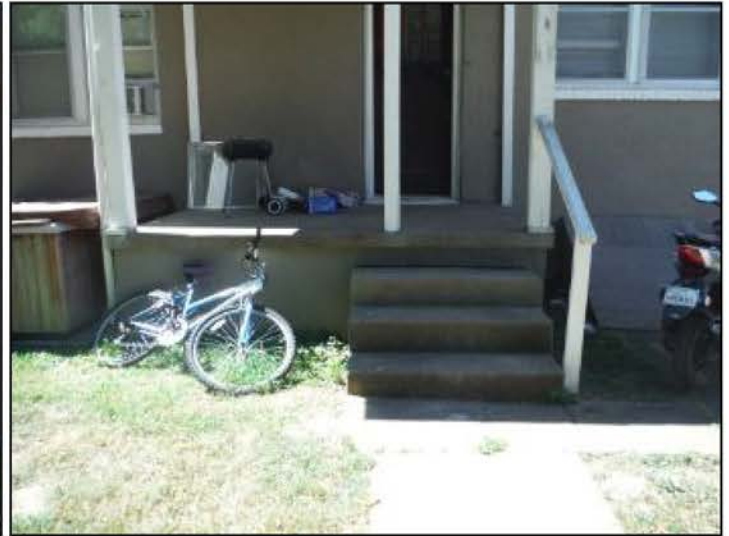
Stairs Two

1. Observations

Back door stoop
Serviceable concrete, common cracks, open wood railing
Settling has caused wide gap to develop at stoop, no action needed
No railings noted



Settling has caused wide gap to develop at stoop,
no action needed



Serviceable concrete, common cracks, open wood
railing

Main Roof

1. Roof Style

Gable
Hip back porch

2. Covering

3-tab composition shingles, top layers
Wood shingles as sheathing (first layer)

3. How Inspected

Steep slope limits access
Viewed from edge with ladder
Viewed from grade with binoculars
Not walked

4. # of Layers

Multiple layers: Two or more composition overlay original wood shingles (which with gapped sheathing are substrate for composition)

5. Main Roof

Appears basically serviceable though weathered/aged
Refer to qualified roofer to do maintenance, replace missing shingles, seal flashing as needed
Unsightly curl at eaves/gutters noted (no drip edge flashing, shingles unsupported)

Two layers is limit since February 1995, this house has three



Two layers is limit since February 1995, this house has three



Two layers is limit since February 1995, this house has three



Multiple layers: Two or more composition overlay original wood shingles (which with gapped sheathing are substrate for composition)



Multiple layers: Two or more composition overlay original wood shingles (which with gapped sheathing are substrate for composition)



Refer to qualified roofer to do maintenance, replace missing shingles, seal flashing as needed



Unsightly curl at eaves/gutters noted (no drip edge flashing, shingles unsupported)

6. Observations

Needs drip edge flashing installed at the roof edge
Refer to qualified roofer to seal/repair/maintain pipe/transition flashing
Moisture damaged siding at front and back porches (siding transitions) noted
Plumbing vent and/or flashing need/s attention
Periodic inspections recommended, reseal penetrations and transitions as needed
Mastic coated chimney flashing needs periodic recoating



Periodic inspections recommended, reseal penetrations and transitions as needed



Mastic coated chimney flashing needs periodic recoating



Plumbing vent and/or flashing need/s attention

7. Roof Notes

Use qualified and insured roofer if/when repairs are needed

8. Estimated age

10-12 years estimated

This is a twenty year roof when single layer
Is in last third of a normal lifespan

Patio Roof

1. Type

Sheltered back porch

2. Observations

Serviceable (same as main roof) with limits

Porch Roof

1. Type

Sheltered front porch

2. Observations

Serviceable (same as main roof) with limits
Subtle sage at gable span is common for age

Grading

1. Grading Observations

Level/nearly level at foundation
Appears grading and drainage are serviceable, expect seasonal/chronic subarea moisture

Fuel System

1. Observations

Serviceable system, no leaks detected

Main Line

1. Main Line Type:

PVC plastic
3/4"

2. Pressure (PSI):

Test at 10:00 AM
Normal pressure for area

3. Condition

ESE basement wall
City Utilities meter is at front yard
Main valve appears serviceable



Main valve appears serviceable

Supply Lines

1. Supply Lines

Galvanized steel
Serviceable system, no leaks observed
Minimal corrosion indicates this is relatively dry basement

Waste Lines

1. Observations

PVC plastic
Original cast iron mostly updated
Serviceable system, no leaks observed (except toilet)
If sewer line still clay tile, expect to do regular roto rooter maintenance
Vent apparently dropped at roof flashing, east slope
Work of art



Work of art

Water Heater One

1. Location:

Basement
Natural gas

2. Age:

Older unit has limited life

3. Observations:

40 gallons
State
Avoid combustible storage
Suggest clean burner (rust flakes)
Noisy recovery, suggest yearly tank drain maintenance
Set at safe temperature
Missing overflow pipe at TPR valve
Old standard, burns basement air, suggest upgrade
Persistent back drafting, related to being vented into masonry chimney



Old standard, burns basement air, suggest upgrade



Missing overflow pipe at TPR valve



Persistent back drafting, related to being vented into masonry chimney

Heating One

1. Location

Central, floor furnace
65,000 BTU

2. Heating Type:

Gravity type floor furnace (passive, no fan)
Natural gas

3. Brand

Empire
1981

4. Approximate Efficiency

70% efficiency max.
Simple and effective

5. Conditon

Serviceable (older standard)

Dated system needs upgrading when central air conditioning is to be installed

Recommend regular cleaning by HVAC technician



Dated system needs upgrading when central air conditioning is to be installed

Recommend regular cleaning by HVAC technician

6. Venting

Long near horizontal piping at basement noted

Vents into masonry chimney, this is no longer allowed



Long near horizontal piping at basement noted

7. Combustion Air

Old standard, burns basement air, suggest upgrade

8. Burners

Serviceable flame pattern and color



Serviceable flame pattern and color

9. Distribution

None, cannot add central air conditioning

10. Normal Controls

Thermostat is serviceable

11. Air Filters

Not applicable

12. Additional Notes

Dated system needs upgrading when central air conditioning is to be installed

Electrical

1. Service

Overhead 220/110 Volt
Two services to house, 100 Amps plus each
100 Amps
Serviceable
Roof flashing attention needed

2. Main Disconnect

None, lug type (old school as installed)

3. Main Panel

Basement
100 Amps
125 Amps
Serviceable
No main breaker, lug type panel (old school as installed)
Circuits need labeling



No main breaker, lug type panel (old school as installed)

4. Conductors

Copper feeders

Copper branch wiring

Exposed wiring/splices in attic need securing prior to insulation upgrades

Active knob and tube wiring confirmed at attic, refer to qualified electrician to update

Active knob and tube wiring needs upgrading prior to adding insulation



Active knob and tube wiring confirmed at attic, refer to qualified electrician to update



Active knob and tube wiring needs upgrading prior to adding insulation

5. Panel Notes

Breakers inspected, appear intact and functional

Better quality main panel, though not contemporary

Circuits need labeling

Missing wire clamps as installed



Better quality main panel, though not contemporary



Missing wire clamps as installed

6. Wiring Notes

Suggest upgrade lighting/lamps for energy efficiency

Wet areas all need GFCI, suggest upgrade

Telecommunications systems, satellite dishes and security systems are beyond scope of inspection

Some push button switches have mercury in them

Unsecured wiring (exposed wiring/splices/open junction boxes) observed at basement and attic, refer to electrician to cleanup/secure

Ungrounded/miswired (reverse polarity) outlet/s found, suggest all be checked and corrected



Some push button switches have mercury in them



Ungrounded/miswired (reverse polarity) outlet/s found, suggest all be checked and corrected



Ungrounded/miswired (reverse polarity) outlet/s found, suggest all be checked and corrected



Unsecured wiring (exposed wiring/splices/open junction boxes) observed at basement stairwell, refer to electrician to cleanup/secure



Unsecured wiring (exposed wiring/splices/open junction boxes) observed at basement and attic, refer to electrician to cleanup/secure



Unsecured wiring (exposed wiring/splices/open junction boxes) observed at basement and attic, refer to electrician to cleanup/secure



Ungrounded/miswired (reverse polarity) outlet/s found, suggest all be checked and corrected

Front Door

1. Door (Entry)

Keep real wood panel unit well finished
Serviceable unit



Keep real wood panel unit well finished

Interior Doors

1. Doors (Interior)

Many need attention
Missing unit/s noted
A few frames out-of-square
A few rub or do not latch
Some are shorter than today's standard

Exterior Doors

1. Doors (Exterior)

Serviceable units
Keep real wood panel unit/s well finished



Keep real wood panel unit/s well finished

Windows

1. Window Observations

Wood framed double hung units with aluminum storms
Refer to window specialist, need either upgraded with replacement windows or much overdue maintenance for serviceability
Missing screens/sashes noted
Older window air conditioners beyond scope



Older window air conditioners beyond scope



Missing screens/sashes noted



Refer to window specialist, need either upgraded with replacement windows or much overdue maintenance for serviceability



Older window air conditioners beyond scope



Refer to window specialist, need either upgraded with replacement windows or much overdue maintenance for serviceability

Interior Walls

1. Interior Walls

Drywall/plaster

Generally serviceable considering age, common cracks and blemished noted

Ceilings

1. Ceilings

Drywall/plaster

Generally serviceable considering age, common cracks and blemished noted

Floors/Flooring

1. Floors

Furnishings limit inspection

Generally serviceable, normal wear and tear, stains at carpet noted



Generally serviceable, normal wear and tear

Kitchen One

1. Sink

Serviceable unit, stains/wear noted

Note pro vent below, ess trap noted (old standard)

Leak/s at supply/faucet below, refer to plumber



Serviceable unit, stains/wear noted



Leak/s at supply/faucet below, refer to plumber



Leak/s at supply/faucet below, refer to plumber Note pro vent below, ess trap noted (old standard)

2. Kitchen (General)

Serviceable counters and cabinets, some steel prefab and some conventional type



Serviceable counters and cabinets, some steel prefab and some conventional type

3. Disposer

Not applicable
Switched wiring below noted

4. Range/Cooktop/Oven/s

Electric range
One conventional oven
Serviceable unit, limited tests
Verify anti tilt or upgrade for child safety
No exhaust hood provided
Older unit may have limited life



Verify anti tilt or upgrade for child safety



No exhaust hood provided

5. Dishwasher Observations

Not applicable

6. Special Features

Refrigerator unit is beyond scope

7. Microwave

Not applicable

Attic/s

1. Access Location

Access at bedroom closet not insulated
Most is accessible

2. Rafter Frame:

Conventional rafters, softwood
Wood shingles over gapped boards/sheathing, then two or more layers of composition shingles
Conventional joists, no flooring

3. Observations

Roof structure appears serviceable, no defects observed
Stains appear dry
Minimal ventilation



Stains appear dry



Roof structure appears serviceable, no defects observed



Minimal ventilation



Wood shingles over gapped boards/sheathing, then two or more layers of composition shingles

4. Insulation

None

Recommend upgrade with cellulose, contemporary goal is R-50 average

Has never been upgraded, no insulation at attic or exterior walls, needed

Active knob and tube wiring needs upgrading prior to adding insulation



Has never been upgraded, no insulation at attic or exterior walls, needed

Features

1. Additional Interior Features and Miscellaneous

Serviceable ceiling fans, hum/wobble (check blades)

Smoke Detectors

1. Smoke Detectors

Be sure you have one at each bedroom and area

Serviceable units

Insufficient quantity, needed in each bedroom, hall and level

Hall Bathroom

1. Toilet

Monitor, loose at floor, may need resetting with new wax ring soon



Monitor, loose at floor, may need resetting with new wax ring soon

2. Sink

Serviceable unit

Old standard, separate hot/cold faucets



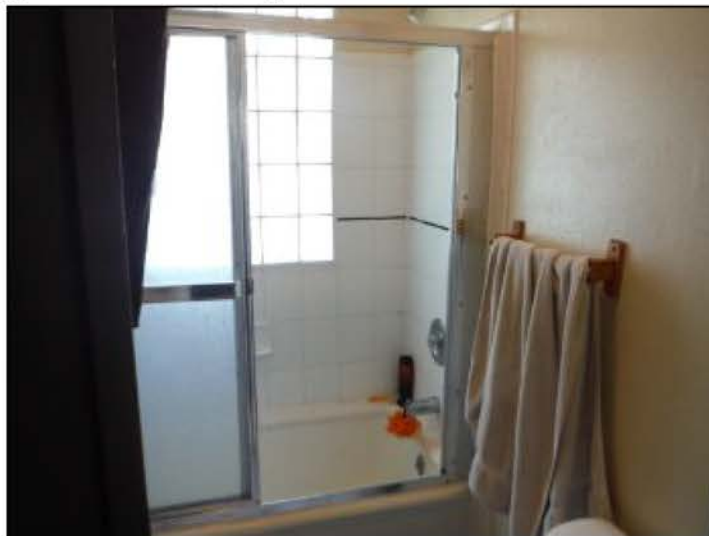
Old standard, separate hot/cold faucets

3. Vent/Heat

Fixed glass block window

Suggest add exhaust fan at wall, vent to exterior

Delaminated mirror is sign of under venting



Fixed glass block window

4. Bathtub

Serviceable though stopper missing and stains/wear noted

Material unfamiliar to me, a resin concrete related casting



Serviceable though stopper missing and stains/wear noted



Material unfamiliar to me, a resin concrete related casting



Material unfamiliar to me, a resin concrete related casting

5. Shower

Serviceable with tub, ceramic tiled walls in fair/good condition
Tile needs securing/regrouting/caulking
Low head clearance noted at top door track
Serviceable tempered glass doors, missing guide needed



Low head clearance noted at top door track



Missing guide needed

Photos



View from northwest



Southwest corner

Exhibit D-4

Inspection Report – 1243 House

A-1 Home Inspection

PROPERTY INSPECTION REPORT



1243 East Cherry St, Springfield, MO 65802
Inspection prepared for: Russ Meck --- RJK Properties, LLC
Real Estate Agent: Chelsea Fury - Spencer Fane

Date of Inspection: 7/28/2014 Time: 2:30 PM
Age of Home: Over 50 years Size: Est.2000 SQ FT
Weather: Over 80 degrees F
\$310 fee is payable upon receipt of report, thank you

Inspector: Steve Lilley
MO Termite License #N6263
2857 South Chantilly, Springfield, MO 65804
Phone: 417-887-7001
Email: 417chi@gmail.com

THE BOTTOM LINE

Chimney One

Page 6 Item: 1	Chimney Observations	Vents gas water heater and furnace, old standard may not be allowed Deteriorated mortar at basement Open flue connection, needs capping off at attic (fire hazard)
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Exterior

Page 8 Item: 1	Exterior Walls	Loose/bulged at east side, refer to qualified stucco plasterer Uninsulated, old standard not yet upgraded
----------------	----------------	--

Main Roof

Page 11 Item: 5	Main Roof	Multiple layers: Two or more composition overlay original wood shingles (which with gapped sheathing are substrate for composition)
Page 11 Item: 6	Observations	Refer to qualified roofer to seal/repair/maintain pipe/transition/chimney flashing

Crawlspace/s

Page 14 Item: 2	Floor Construction	Wood debris needs removal (refer to termite inspection report) Unrepaired minor damage below half bath observed
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Basement

Page 16 Item: 2	Floor Construction	Rotted posts, refer to termite inspection report
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Supply Lines

Page 18 Item: 1	Supply Lines	Leaking at basement, refer to plumber
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Water Heater One

Page 20 Item: 3	Observations:	Tank drain valve leaks, needs a cap Persistent back drafting measured at flue piping, health and safety hazard, needs repair ASAP
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Heating One

Page 21 Item: 5	Condition	Old rusty furnace needs replacement, low efficiency type is at end of practical life
Page 21 Item: 8	Burners	Rusty barrel type heat exchanger might be 50% efficient Poor maintenance, refer to HVAC technician
Page 22 Item: 9	Distribution	Suspect asbestos tape at ductwork noted Some original ductwork needs cleaning

Garage/s or Carport/s

Page 25 Item: 3	Walls/Ceiling	Side walls are leaning (building is wind racked) Refer to termite inspection report Storage limits inspection, some is hazardous
Page 26 Item: 8	Electrical	Disconnected line out to detached garage (no power)

Electrical

Page 28 Item: 4	Conductors	Active knob and tube wiring confirmed at basement and attic, refer to qualified electrician to update Active knob and tube wiring needs upgrading prior to adding insulation
Page 28 Item: 5	Panel Notes	One 220 Volt breaker is weak, missing bridge, refer to electrician Furnace fused disconnect not child safe
Page 29 Item: 6	Wiring Notes	Ungrounded outlets found, refer to electrician A/C unit requires extension cord, no outlet nearby GFCI did not trip Disconnected out to detached garage (no power there)

Front Door

Page 30 Item: 1	Door (Entry)	Untempered glass not to current standards
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Interior Doors

Page 31 Item: 1	Doors (Interior)	Untempered glass not to current standards at French set
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Windows

Page 34 Item: 1	Window Observations	Broken window is hazard/liability
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Kitchen One

Page 36 Item: 4	Range/Cooktop/Oven/s	Blocked, untested. Note no exhaust hood (needed for gas units)
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Attic/s

Page 37 Item: 4	Insulation	Plumbing needs insulating
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Features

Page 38 Item: 1	Additional Interior Features and Miscellaneous	Damaged carpet at main stairs is trip hazard issue, needs correction
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Smoke Detectors

Page 39 Item: 1	Smoke Detectors	Insufficient quantity, needed in each bedroom, hall and level
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Half Bath

Page 40 Item: 1	Toilet	Loose at floor, needs resetting by plumber
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Upstairs One

Page 43 Item: 6	Shower	Note valves not balance type
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Additional Notes

1. Additional Notes

Any component or system not addressed in report is beyond scope
Anytime you see (limits) in report, that means that system cannot be viewed or tested
BLANK HEADINGS INSPECTED IF APPLICABLE --- SERVICEABLE OR ACCEPTABLE
CONDITION, WITHOUT COMMENT
BOTTOM LINE REVIEWS THE DEFECTS OR CONDITIONS NOT READILY APPARENT
Call me directly at (417) 887-7001 if you have questions unanswered in report after your review of it
Odors are generally excluded unless noted
Photos are representative only
Serviceable is defined as capable of being put to good use/purpose or able to give long service
Some of this report is intended to be simple concerning the the numerous surface flaws, so the main
issues are held in focus

Inspection Details

1. House faces

South

2. Attendance

Tenants

3. Home Type

Single family

4. Occupancy

Occupied, with normal level of furnishings and storage

5. Additions or Alterations

Back porch, half bath

Driveway/s

1. Driveway Observations



Deteriorated approach at shared driveway



Eroded gravel at shared drive



Deteriorated concrete parking pad is past garage floor/foundation

Sidewalk/s

1. Sidewalk Observations



Trip hazards noted

Chimney One

1. Chimney Observations

Vents gas water heater and furnace, old standard may not be allowed
Deteriorated mortar at basement
Open flue connection, needs capping off at attic (fire hazard)



Refer to qualified mason for maintenance



Vents gas water heater and furnace, old standard may not be allowed



Flashing is mastic coated



Limited inspection



Deteriorated mortar at basement



Vents gas water heater and furnace, old standard may not be allowed



Open flue connection, needs capping off at attic (fire hazard)

Entry

1. Porch Observations

Deck

1. Deck observations

Exterior

1. Exterior Walls

Loose/bulged at east side, refer to qualified stucco plasterer
Uninsulated, old standard not yet upgraded



Real stucco needs regular maintenance



Patched stucco observed



Common cracks at stucco



Loose/bulged at east side, refer to qualified stucco plasterer



Loose/bulged at east side, refer to qualified stucco plasterer (closeup)



Loose/bulged at east side, refer to qualified stucco plasterer



Missing wood lap siding at back eave



Rotted siding observed



Uninsulated, old standard not yet upgraded



Siding detail

2. Trim

3. Hose Faucets

4. Gutters and Downspouts



Partial system needs maintenance

Stairs One

1. Observations



Hand railings not to current standards

Stairs Two

1. Observations



Missing railings, not to current standards

Main Roof

1. Roof Style

2. Covering

3. How Inspected

4. # of Layers

5. Main Roof

Multiple layers: Two or more composition overlay original wood shingles (which with gapped sheathing are substrate for composition)



Limited inspection, not walked

6. Observations

Refer to qualified roofer to seal/repair/maintain pipe/transition/chimney flashing



Refer to qualified roofer to seal/repair/maintain pipe/transition/chimney flashing



Refer to qualified roofer to seal/repair/maintain pipe/transition/chimney flashing

7. Roof Notes

8. Estimated age

Other Roof

1. Type

EPDM top layer recover over multiple layers of composition



EPDM top layer recover over multiple layers of composition



EPDM top layer recover over multiple layers of composition

2. Observations



Tree limbs need trimming



Spongy, stains are sign of ponding

Grading

1. Grading Observations

Crawlspace/s

1. Foundation Observations



Access cover is secured



Insulation limits inspection

2. Floor Construction

Wood debris needs removal (refer top termite inspection report)
Unrepaired minor damage below half bath observed



Serviceable



Wood debris needs removal (refer top termite inspection report)



Unrepaired minor damage below half bath observed

3. Moisture Control



Dry ground, partial plastic film

Basement

1. Basement Foundation



Common cracks relative to age



Chicago shelving (concrete)



Damaged finish limits inspection

2. Floor Construction

Rotted posts, refer to termite inspection report



Rotted posts, refer to termite inspection report



Rotted posts, refer to termite inspection report



Old school X bridging is sign of good construction



Mostly finished, limited inspection

3. Moisture Control



Windows boarded up



Dry today, signs of past dampness



Older sump pump has limited life



Windows boarded up



Peeling finish/stains are sign of moisture

4. Basement Stairs



Older standards, low head clearance, under lighted, no hand rails and blocked by basement partition



Older standards, low head clearance, under lighted, no hand rails and blocked by basement partition

Fuel System

1. Observations

Main Line

1. Main Line Type:

2. Pressure (PSI):

3. Condition

Supply Lines

1. Supply Lines

Leaking at basement, refer to plumber



Untested abandoned shower in basement



Leaking at basement, refer to plumber

Waste Lines

1. Observations



Pro vent below half bath sink, sign of modified system



Most is older cast iron type



Most is older cast iron

Water Heater One

1. Location:

2. Age:

3. Observations:

Tank drain valve leaks, needs a cap

Persistent back drafting measured at flue piping, health and safety hazard, needs repair ASAP



Rusted older unit has limited life



Tank drain valve leaks, needs a cap



Persistent back drafting measured at flue piping, health and safety hazard, needs repair ASAP

Heating One

1. Location

2. Heating Type:

3. Brand

4. Approximate Efficiency

5. Conditon

Old rusty furnace needs replacement, low efficiency type is at end of practical life



Old rusty furnace needs replacement, low efficiency type is at end of practical life

6. Venting

7. Combustion Air

8. Burners

Rusty barrel type heat exchanger might be 50% efficient
Poor maintenance, refer to HVAC technician



Rusty barrel type heat exchanger might be 50% efficient



Rusty barrel type heat exchanger might be 50% efficient



Poor maintenance, refer to HVAC technician

9. Distribution

Suspect asbestos tape at ductwork noted
Some original ductwork needs cleaning



Suspect asbestos tape at ductwork noted



Some original ductwork needs cleaning



Suspect asbestos tape at ductwork noted

10. Normal Controls

11. Air Filters



Disposable type, cover found off

12. Additional Notes

Garage/s or Carport/s

1. Type

2. Floor

3. Walls/Ceiling

Side walls are leaning (building is wind racked)
 Refer to termite inspection report
 Storage limits inspection, some is hazardous



Side walls are leaning (building is wind racked)



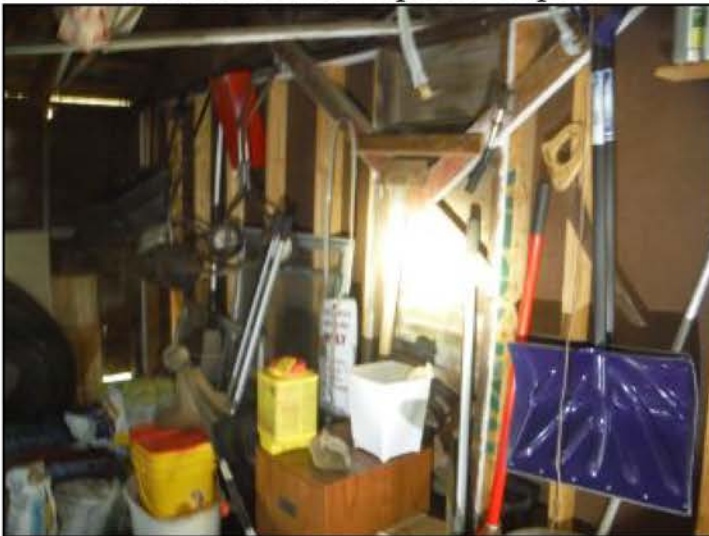
Older three tab composition roofing, limited evaluation



Refer to termite inspection report



Trees need trimming



Storage limits inspection, some is hazardous



Has newer bracing and repairs



Refer to termite inspection report



Side walls are leaning (building is wind racked)



Storage limits inspection, some is hazardous



Storage limits inspection, some is hazardous



Refer to termite inspection report

4. Ventilation

5. Exterior Door



Water damaged

6. Vehicle Door

7. Automatic door opener

8. Electrical

Disconnected line out to detached garage (no power)

9. Door to interior

10. Comments-extra features

Electrical

1. Service

2. Main Disconnect

3. Main Panel



Serviceable older 100 Amp breaker panel

4. Conductors

Active knob and tube wiring confirmed at basement and attic, refer to qualified electrician to update
Active knob and tube wiring needs upgrading prior to adding insulation



Most is two wire romex, cannot have grounded outlets unless rewired



Active knob and tube wiring confirmed at basement and attic, refer to qualified electrician to update



Active knob and tube wiring confirmed at basement and attic, refer to qualified electrician to update

5. Panel Notes

One 220 Volt breaker is weak, missing bridge, refer to electrician
Furnace fused disconnect not child safe



One 220 Volt breaker is weak, missing bridge,
refer to electrician



Furnace fused disconnect not child safe

6. Wiring Notes

Ungrounded outlets found, refer to electrician
A/C unit requires extension cord, no outlet nearby
GFCI did not trip
Disconnected out to detached garage (no power there)



Ungrounded outlets found, refer to electrician



Ungrounded outlets found, refer to electrician



Ungrounded outlets found, refer to electrician



This A/C unit requires extension cord, no outlet nearby



GFCI did not trip



Disconnected out to detached garage (no power there)

Front Door

1. Door (Entry)

Untempered glass not to current standards



Untempered glass not to current standards

Interior Doors

1. Doors (Interior)

Untempered glass not to current standards at French set



Untempered glass not to current standards at French set



Damaged upstairs unit



Damaged upstairs unit



Some rub or do not latch



Some are shorter than contemporary standard

Exterior Doors

1. Doors (Exterior)

Untempered glass not to current standards



Untempered glass not to current standards



Untempered glass not to current standards



Basement unit is moisture damaged

Windows

1. Window Observations

Broken window is hazard/liability



Recommend replacement of older wood units, missing storms/screens noted



Recommend replacement of older wood units, missing storms/screens noted



Recommend replacement of older wood units, missing storms/screens noted



Keep screens in upstairs windows to reduce child fall out risk



Missing sash cords, old style counterweight system



Broken window is hazard/liability

Interior Walls

1. Interior Walls

Ceilings

1. Ceilings



Stains appear dry

Floors/Flooring

1. Floors



Uplifted vinyl tiles at kitchen



General wear and tear

Kitchen One

1. Sink



Worn sprayer diverter

2. Kitchen (General)



Minimal kitchen facilities, some is prefab steel

3. Disposer

4. Range/Cooktop/Oven/s

Blocked, untested. Note no exhaust hood (needed for gas units)



Blocked, untested. Note no exhaust hood (needed for gas units)

5. Dishwasher Observations

6. Special Features

7. Microwave

Attic/s

1. Access Location

2. Rafter Frame:

3. Observations

Multiple layers of roofing, first layer is wood (is sheathing/substrate for composition)



Partial access, this area is floored



Multiple layers of roofing, first layer is wood (is sheathing/substrate for composition)

4. Insulation

Plumbing needs insulating



Plumbing needs insulating

Features

1. Additional Interior Features and Miscellaneous

Damaged carpet at main stairs is trip hazard issue, needs correction



Winding stairs are to older standards, low head clearance noted



Check blades yearly



Damaged carpet at main stairs is trip hazard issue, needs correction

Smoke Detectors

1. Smoke Detectors

Insufficient quantity, needed in each bedroom, hall and level



Insufficient quantity, needed in each bedroom, hall and level

Laundry

1. Observations

2. Utilities

3. Sink

Half Bath

1. Toilet

Loose at floor, needs resetting by plumber



Damaged tank lid



Loose at floor, needs resetting by plumber

2. Sink A



Serviceable

3. Vent/Heat

Upstairs One

1. Location

2. Toilet



Loose tank

3. Sink



Serviceable wall hung type

4. Vent/Heat



Window needs maintenance repairs

5. Bathtub



Stains, missing stopper



Seam needs recaulking

6. Shower

Note valves not balance type



Note valves not balance type



Seam needs recaulking



Showerhead is loose, leaks

Photos



Tenants stated they are moving soon



Window air conditioner untested, beyond scope



Southeast corner



Window air conditioner untested, beyond scope



Window air conditioner untested, beyond scope



Northeast corner



Back elevation



West side



South garage



North garage



Detached garage

Exhibit E

Pictures of Redevelopment Area

1235 Structure



Southeast corner



Back elevation





1235-A House



Southwest corner



Back elevation

1239 House



Southwest corner

1243 House



Back elevation

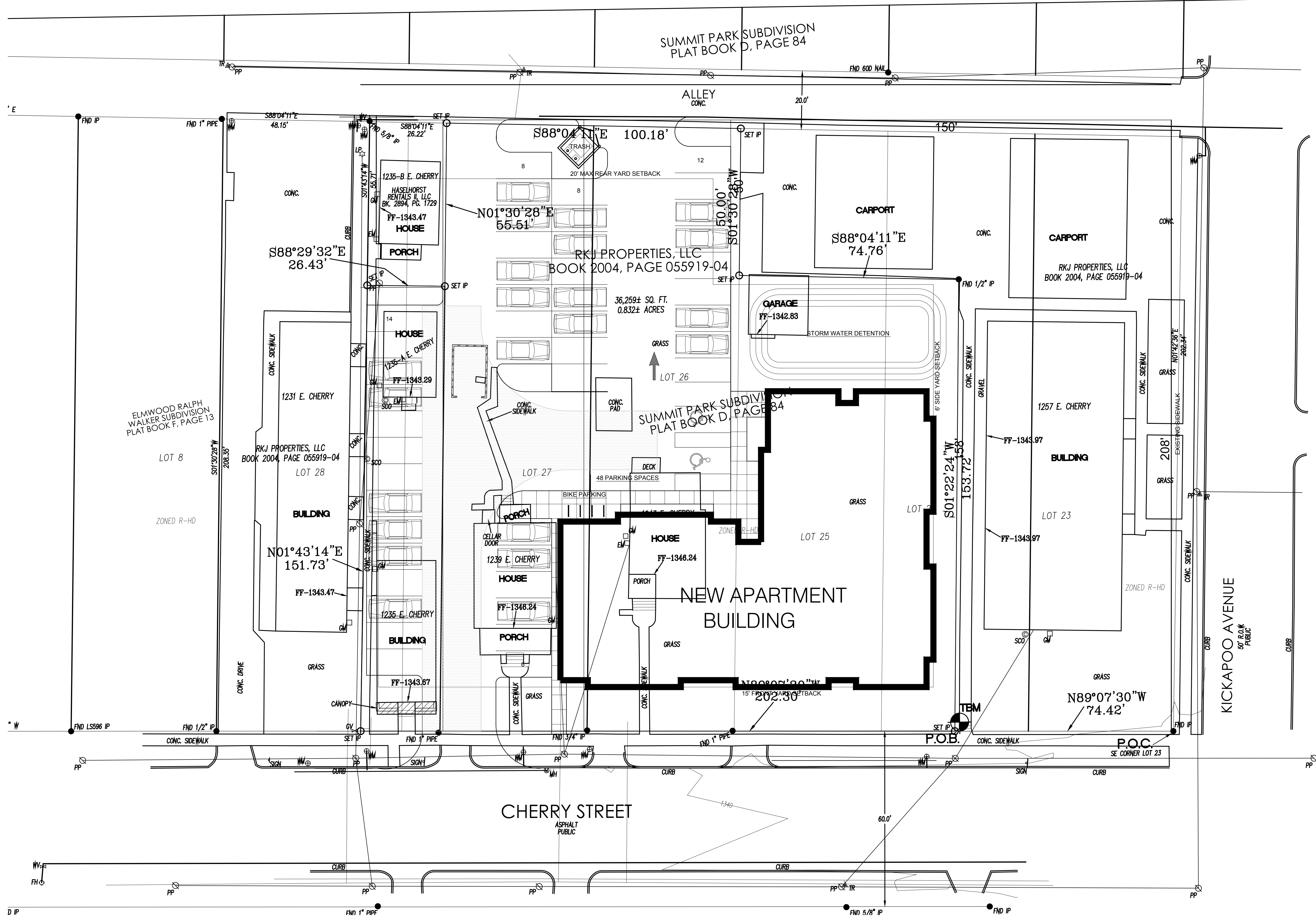


Detached garage

Exhibit F

Site Plan

[Attached]



SITE PLAN CONCEPT
SCALE: 1/16"=1'

FEASIBILITY STUDY FOR APARTMENT BUILDING FOR:
SOUTHWOOD PROPERTIES, LLC
SE CORNER OF CHERRY STREET & KICKAPOO
SPRINGFIELD, MISSOURI
PRELIMINARY DWG - NOT FOR CONSTRUCTION

SITE DEVELOPMENT GUIDELINES

DESIGN REQUIREMENTS:

ZONING: R-HD (RESIDENTIAL HIGH DENSITY)
OWNER SHALL APPLY FOR A LOT COMBINATION FOR LOTS:

LOT AREA: 36,462 SF (.83 ACRES) CALCULATED
MAX. STRUCTURE HEIGHT: NONE, PROPERTY ABUTS R-HD DISTRICT/PD ONLY
MAX. FLOOR AREA RATIO: 2.0 (WHEN MAX. BLDG > 25% OF LOT AREA)
3.0 (WHEN MAX. BLDG < 25% OF LOT AREA)
F.A.R. = TOTAL COMBINED AREA OF ALL FLOORS OF A BUILDING (37,456 SF +/-)
LOT AREA (36,462 SF)
F.A.R. = 1.02 (<2.0/3.0 MAX)
MINIMUM YARD REQUIREMENTS:
FRONT YARD: 25' (SECTION V-1300 EXCEPTIONS)
SIDE YARD: 6'
REAR YARD: 20% LOT DEPTH, NOT LESS THAN 10' OR MORE THAN 20' (20')
MAX. BLDG COVERAGE: 50% (ACTUAL 26% < 50%)
MIN. OPEN SPACE: NOT LESS THAN 20% GROSS SITE AREA = 9,582 SF MIN.
OPEN AREA SHOWN: 10,749 SF (24%)
MAX. IMPERVIOUS SURFACE: CANNOT EXCEED 80% OF TOTAL AREA = 38,327 SF MAX.
IMPERVIOUS AREA SHOWN: 27,578 SF (76%)
BUFFER YARDS: NOT REQUIRED UNLESS ADJACENT R-HD USE IS NON-RESIDENTIAL

PARKING REQUIREMENTS:
MULTI-FAMILY DWELLING UNITS:
1-1/2 SPACES FOR ONE BEDROOM UNITS = 0 SPACES REQUIRED
2 SPACES FOR TWO - FOUR BEDROOM UNITS = 48 SPACES REQUIRED
THE NO. OF SPACES MAY BE REDUCED BY 14% FOR EACH 10 DWELLING UNITS OVER 60 DWELLING UNITS, BUT THE REDUCTION SHALL NOT EXCEED 20% OF THE TOTAL PARKING REQUIREMENT
48 SPACES SHOWN
ACCESSIBLE PARKING: 2% OF TOTAL (48) = 1 HCAP SPACE REQUIRED
1 HCAP SPACE PROVIDED + 1 VAN ACCESSIBLE SPACES

STORMWATER:
IF ADDITIONAL STORMWATER DETENTION IS CALCULATED AS REQUIRED, THE OWNER WISHES TO PURSUE A STORMWATER BUYOUT OPTION AT THIS LOCATION DUE TO THE FLATNESS OF THE SITE AND THE SITE'S LOCATION.
EXISTING BUILDINGS ON SITE (TO BE DEMOLISHED): 4,970 SF
NEW STRUCTURE FOOTPRINT TOTAL: 9,364 SF

HIGH DENSITY
MULTI-FAMILY RESIDENTIAL ZONING
36,462 GSF +/-
.83 ACRES +/-
40 UNITS/ACRE = 33 UNITS MAX. / 24 UNITS PROPOSED

DWELLING UNIT DISTRIBUTION				
BUILDING	GROSS SQUARE FEET OF DWELLING UNITS	A 1271SF 4BR/4B	PRKG REQ	PRKG PROV.
		U BED		
FIRST FLOOR	9,364SF	6	24	12
SECOND FLOOR	9,364SF	6	24	12
THIRD FLOOR	9,364SF	6	24	12
FOURTH FLOOR	9,364SF	6	24	12
TOTAL BUILDING	37,456 SF	24	96	48

SUMMARY
COMBINATION OF LOTS: 24 / 25 / 26 (1243) / 27 (1235 & 1235-A)
24 TOTAL UNITS WITH 96 BEDS
PARKING REQUIRED FOR BUILDING: 48 SPACES MINUS 4 SPACES FOR BIKE PARKING DEDUCTION = *44 REQUIRED
PARKING PROVIDED: 48 SPACES - - - PARKING ACCEPTABLE