



Springfield Planning and Zoning Commission

City Council Chambers

Date: November 6, 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

1. ROLL CALL

2. APPROVAL OF MINUTES

October 16, 2014 Minutes

Documents: [11-6-14 MINUTES.PDF](#)

3. COMMUNICATIONS

October 27, 2014 Summary Of City Council Meeting

Documents: [SUMMARY CITY COUNCIL.PDF](#)

4. FINALIZATION AND APPROVAL OF CONSENT ITEMS

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

5. Relinquish Easement 812

4901 W. Chestnut Expressway, Joe Jenkins

Documents: [RE 812 \(2\).PDF](#)

6. PUBLIC HEARINGS

7. Z-25-2014 With Conditional Overlay District No. 82

1701 S. St. Charles Avenue, Pamela Sue Secor

Documents: [Z-25-2014COD82.PDF](#)

8. Kelly Plaza Master Sign Plan

3300 S. National Avenue, Wooten Company

Documents: [MASTERSIGNKELLY PLAZA.PDF](#)

9. Preliminary Plat Sportman's Park

2000 N. Barnes Avenue e/s, Bass Pro, Inc.

Documents: [SPORTSMANSPARK.PDF](#)

10. ANY OTHER MATTERS UNDER COMMISSION JURISDICTION

11. ADJOURNMENT

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 Springfield, Missouri

The Planning and Zoning Commission met in regular session October 16, 2014 in City Council Chambers at Historic City Hall. The meeting was called to order by Chairman Matt Edwards.

Roll Call: Present: Matt Edwards (Chairman), Tom Baird, (Vice-chair), Jim Hansen, Shelby Lawhon, Phil Young, Gabrielle White, and David Shuler.

Absent: Jason Ray, and Melissa Cox.

Staff in attendance: Ralph Rognstad, Director of Planning, Matt Schaefer, Planner, Sarah Kerner, Assistant City Attorney, and Sandy Goddard, Administrative Assistant.

Minutes: The minutes of October 2, 2014 were approved as presented.

Communications : None.

PUBLIC HEARINGS:

College Street WC-1 District Amendments

City of Springfield

Mr. Rognstad said this is to amend Subsection 4-2902, WC-1, Mixed-Use Sub-area of the West College Street District in the Springfield Zoning Ordinance to allow off-street parking of commercial vehicles. Currently, the Live/Work Sub-Area of the West College Street District allows off-street parking of commercial vehicles. The Mixed-Use Sub-area prohibits off-street parking of commercial vehicles for some commercial uses. There have been some issues with property owners who want to park their commercial vehicle on the site. This is an inconsistency that needs to be corrected to allow all uses to have off-street parking of commercial vehicles. These are the vehicles that businesses use in their daily operations.

By deleting the prohibition of outdoor storage of equipment, materials and commercial vehicles under permitted use No. 20 in the WC-1, Mixed-Use Sub-Area (Exhibit A), all permitted uses in the WC-1 will be allowed have off-street parking for commercial vehicles. This is consistent with the WC-2, Live/Work Sub-area of the West College Street District which allows commercial vehicles accessory to the business activity to be kept on site.

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

Mr. Lawhon motioned to **approve** College Street WC-1 District Amendments. Mr. Young **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Baird, Hansen, Young, Lawhon, White, and Shuler. Nays: None. Abstain: None. Absent: Ray and Cox.

Mr. Matt Schaefer stated 311 S. Hampton, 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 west side of South Hampton Avenue between East McDaniel Street and East Walnut Street. 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 tax abatement is an economic development incentive used to encourage redevelopment within blighted areas through partial real property tax abatement. Real Property tax abatement is based on 100% of the assessed value of qualified new construction or rehabilitation for 10 years. The Planning and Zoning Commission's responsibility is to review the redevelopment plan for conformance with the City's Comprehensive Plan.

The Redevelopment Area and surrounding properties are currently zoned R-HD, High-Density Multi-Family Residential District. The proposed redevelopment is permitted under the existing zoning.

The purpose of the Redevelopment Plan for the Hampton Townhouses Redevelopment Area is to remove blight and redevelop the area into a townhouse style multi-family residential development. The Area consists of three parcels that comprise approximately 0.58 acres. One of the parcels located at 325 South Hampton Avenue is vacant, while the two other parcels at 311 and 319 South Hampton are occupied by single-family residential structures that were built in 1903 and 1923, respectively. These structures have since fallen into disrepair and have become contributing sources of blight in the Area. The Redevelopment Plan proposes to demolish the structures and construct a new townhouse style multi-family residential development that will consist of nine units located among three structures. Most of the units will have two bedrooms and include an attached garage. However, in order to afford flexibility as building plans are finalized, the Plan will allow up to 15 units among four structures with a maximum height of three stories.

Mr. Hansen asked if someone on Hampton wanted to a finer home could they receive a tax abatement.

Mr. Schaefer commented technically that could occur however there is an upfront cost to preparing the plan, paying the applicant fee and going through the process and what the expected return is going to be with the abatement. A single family residence might not provide enough of a tax savings to justify going through the process.

Mr. Edwards opened the public hearing.

Mr. Kelly Byrne, 916 E. Meadowlark, commented he is available for questions.

Mr. Lawhon asked the size of the proposed structures and the number of units.

Mr. Byrne stated they would be two-story with individual access to each unit. The way they are designed in the plan is nine (9) units with attached garages. Parking has been an issue in the area and doing the garages will be a benefit.

Mr. Lawhon asked if the tax abatements were not available would they be able to move forward with the project.

Mr. Byrne commented likely no.

Mr. Lawhon motioned to **approve** Hampton Townhouses Redevelopment Plan for recommendation to City Council. Mr. Baird **seconded** the motion. The motion **carried** as follows: Ayes: Edwards, Baird, Hansen, Young, Lawhon, White, and Shuler. Nays: None. Abstain: None. Absent: Ray and Cox.

There being no further business, the meeting was adjourned at approximately 6:45 p.m.

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

Bob Hosmer, AICP
Principal Planner

Summary of Most Recent City Council Meetings

October 27, 2014

Amended Council Bill 2014-211. (Compton) Citizens May Speak To Amendment Only. May Be Voted On. A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning 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. (By: Ward Branch Etal Tr.; 4833 South Campbell Avenue; Z-19-2014 & Conditional Overlay District No. 78.) **Approved 5-3 with Rushefsky, Hosmer and Fisk in opposition.**

Council Bill 2014-224. (Compton) A general ordinance amending Springfield City Code, Chapter 1, Section 1-9, City Limits, by annexing approximately 0.43 acres of Greene County right-of-way into the City of Springfield, generally located at the 1800 block of South Farm Road 133 (Moore Road), more full described in this ordinance, generally referenced as Annexation A-1-14; and amending Springfield City Code, Chapter 46, Section 46-1, Boundaries of wards, precincts, and council zones, by adding this property to the ward and precinct assigned by the County Clerk. **Approved unanimously.**

October 13, 2014

Council Bill 2014-207. A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning 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, upon certain conditions being met. (Planning and Zoning Commission and staff recommend approval.) (By: Primrose Campbell Community Imp Association; 4000 South Campbell Avenue; **Z-21-2014.**) **Approved unanimously.**

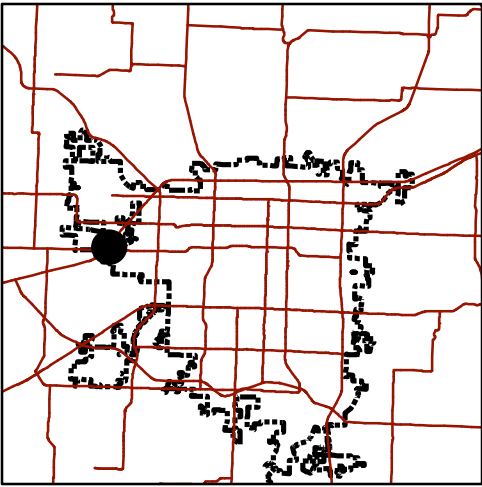
Council Bill 2014-208. A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately 5.86 acres of property, generally located at 2737 and 2759 East Pythian Street, from an R-SF, Single-Family Residential District, and an R-MD, Medium-Density Multi-Family Residential District, to an R-MD, Medium-Density Multi-Family Residential District; and establishing Conditional Overlay District No.79 (Planning and Zoning Commission and staff recommend approval). (By: Presbyterian Children's Home; 2737 and 2759 East Pythian Street; **Z-20-2014** & Conditional Overlay District No. 79.) **Approved unanimously.**

Council Bill 2014-211. A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning 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. (By: Ward Branch Etal Tr, 4833 South Campbell Avenue; **Z-19-2014** & Conditional Overlay District No. 78.) **Approved 6/3**

Council Bill 2014-212. A special ordinance adopting the **East Cherry Flats Redevelopment Plan** and Blight Report for an area located along the north side of East Cherry Street between South National Avenue and South Kickapoo Avenue. (The Land Clearance for Redevelopment Authority, the Planning and Zoning Commission, and Staff recommend approval.)

The motion to table was approved by the following vote: Ayes: Carroll, Fishel, Rushefsky, Hosmer, and Burlison. Nays: Seifried, Compton, and Fisk. Absent: None. Abstain: None.

Council Bill 2014-206. A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning 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 (Planning and Zoning Commission and staff recommend approval). (By: So EL District, LLC; 430, 438 and 444 East Elm Street; **Z-17-2014** with Conditional Overlay District No. 80.) **Approved unanimously.**



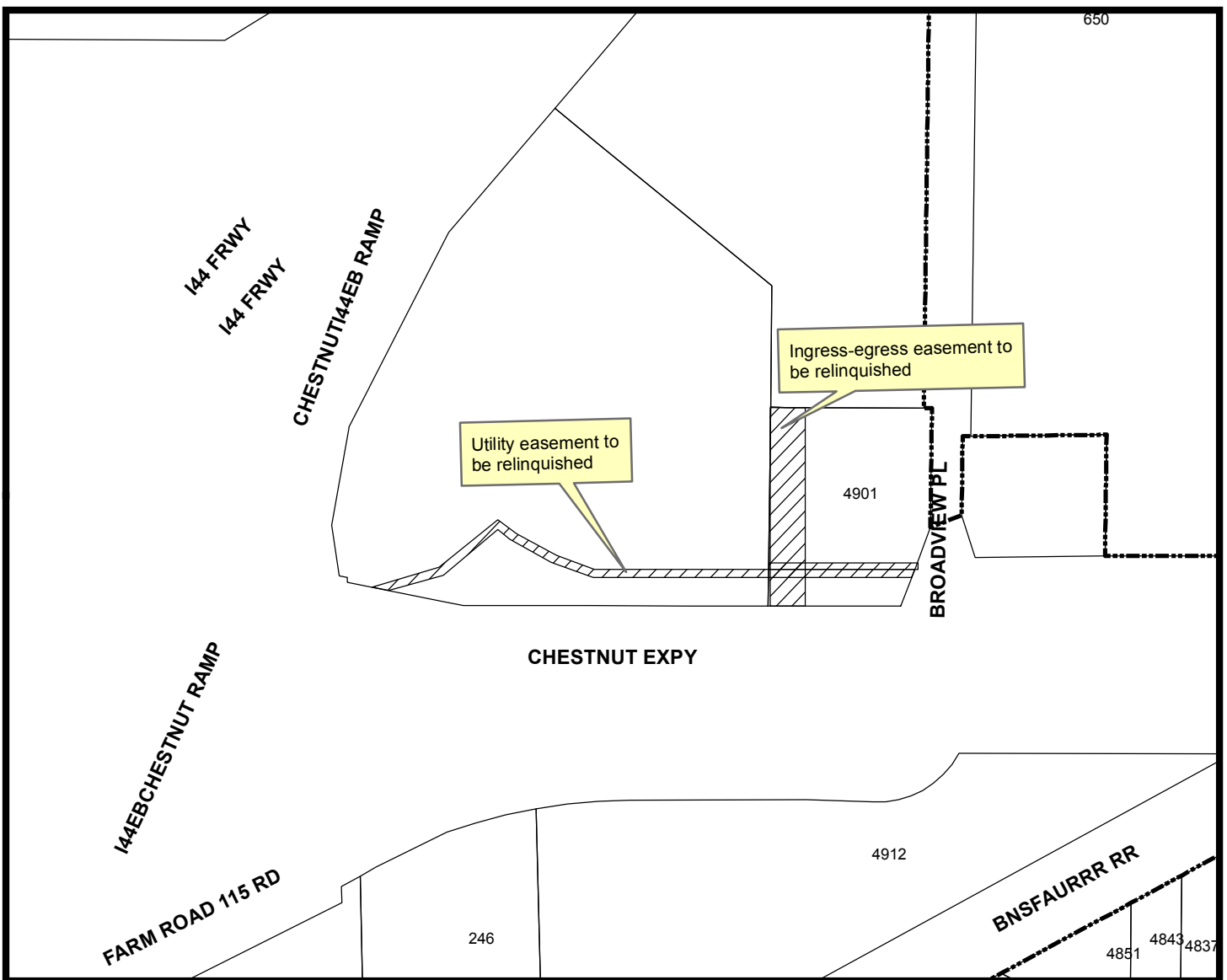
Zoning & Subdivision Report

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

Relinquish Easement 812

Location: 4901 W. Chestnut Expressway

LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

Zoning & Subdivision Report

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

REQUEST TO RELINQUISH EASEMENT NUMBER 812

DATE: October 28, 2014

PURPOSE: To relinquish two utility easements and an ingress-egress easement

LOCATION: 4901 W. Chestnut Expressway

APPLICANT: Joe Jenkins

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. 812
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish two utility easements and an ingress-egress easement to allow for the development of the property. The applicant will relocate the existing facilities to an existing easement.

TRAFFIC COMMENTS:

Traffic is not opposed to the relinquishment of this ingress-egress easement.

CITY UTILITIES COMMENTS:

The owner has deposited the relocation fees with City Utilities. The relocation will not start until after the relinquishment is acted upon. City Utilities now recommends approval.

CLEAN WATER SERVICES COMMENTS:

No impact on public sewer.

AT&T COMMENTS:

No objection to 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 property which these easements are located on was annexed into the City of Springfield on October 27, 2014 (Council Bill No. 2014-225).
3. The applicant is requesting to relinquish two utility easements and an ingress-egress easement to allow for the development of the property. The applicant will relocate the existing facilities to existing easement. These easements are no longer needed to serve the development.
4. No one has objected to this request to date.

ATTACHMENT 2
RELINQUISH EASEMENT NO. 812
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 easements 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 easements.

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

STAFF RESPONSE:

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

RELINQUISH EASEMENT NO. 812
EXHIBIT A

RELINQUISHMENT DESCRIPTION

The following described real estate for ingress and egress, to-wit: beginning at a point 160 feet West and 280 feet North of the Southeast corner of Lot 7, Hi-way Park Estates, a subdivision in Greene County, Missouri, thence South 89°05' West, a distance of 40 feet; thence South a distance of 200 feet; thence North 89°05' East, a distance of 40 feet; thence North, making an interior angle of 90°55' with the last described course a distance of 200 feet to the POINT OF BEGINNING, being that property described in the reservation in the warranty deed recorded in Book 1331, at Page 505 , in the office of the Recorder of Deeds, Greene County, Missouri.

AND

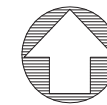
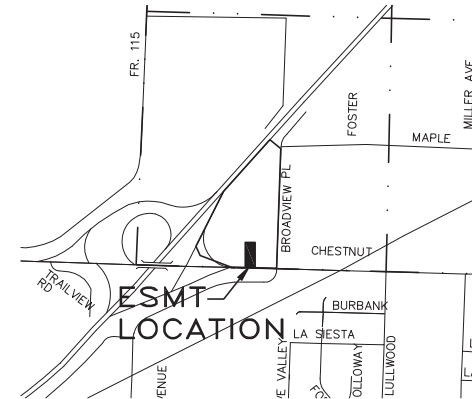
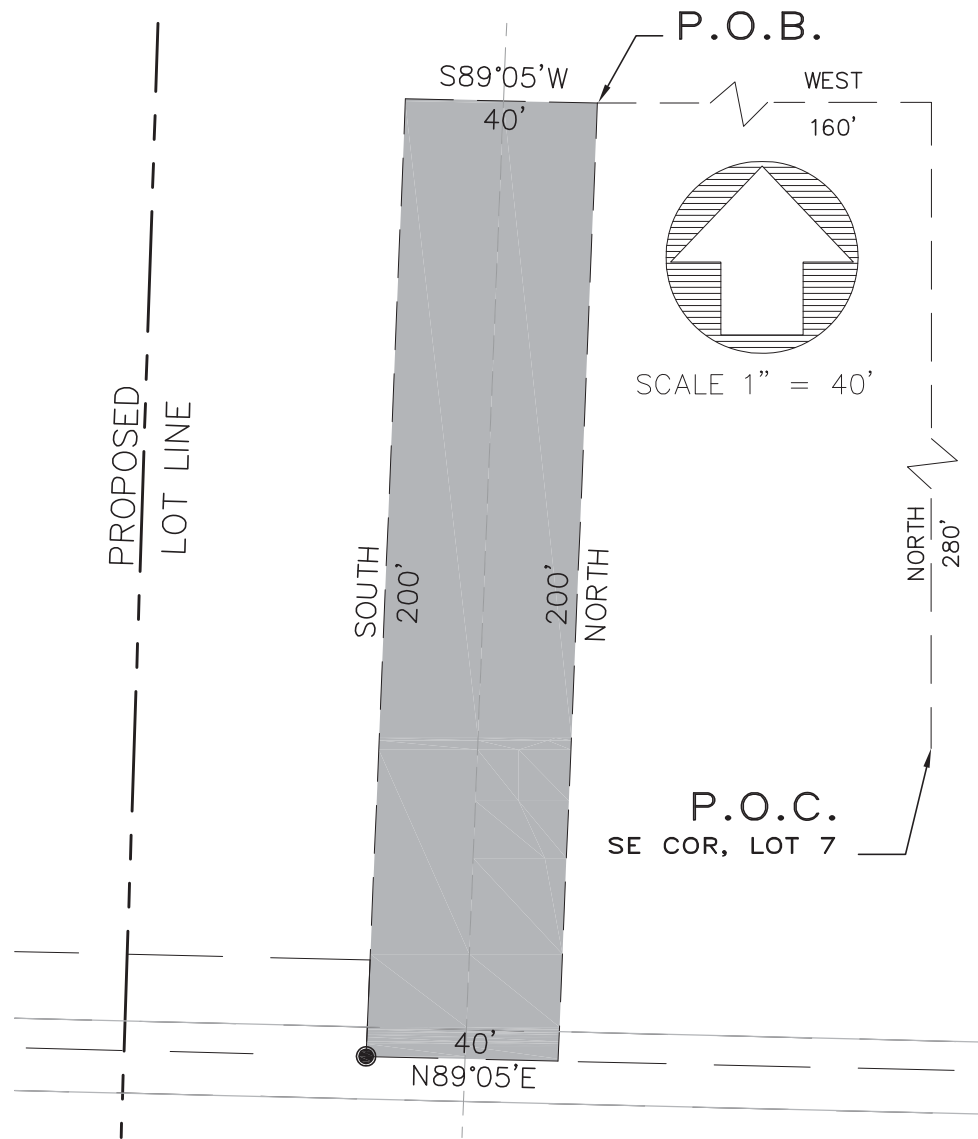
A perpetual utility easement, being a part of Lots 3 through 7 in "Hi-way Park Estates", and a part of Lot 2 in "Re-plat of Hi-way Park Estates Lots 4, 5, 6, 7, 34 and 35", both being subdivisions in the Southwest Fractional Quarter of Section 18, Township 29 North, Range 22 West, in Greene County, Missouri, more particularly described as follows: Commencing at a 1/2 inch iron pin on the East line of Lot 7 of said "Hi-way Park Estates", said point being 280.00 feet North of the Southeast corner of said Lot 7, and being the Northeast corner of a tract of land described in a Warranty recorded in Book 2005 at Page 006349-05 of the Greene County Recorder's office (said point being 10.00 feet East of the Southeast corner of Lot 1 of said "Re-plat of Hi-way Park Estates Lots 4, 5, 6, 7, 34, and 35") ; thence South 02 degrees 17 minutes 32 seconds West, along the East line of said Lot 7, a distance of 147.78 feet to a steel right-of-way marker at the North right-of-way line of Interstate Loop 44 (Chestnut Expressway); thence South 22 degrees 12 minutes 45 seconds West, along said right-of-way line, a distance of 49.35 feet to the Point of Beginning; thence continuing South 22 degrees 12 minutes 45 seconds West, a distance of 16.05 feet; thence North 88 degrees 36 minutes 30 seconds West, a distance of 378.87 feet; thence North 64 degrees 09 minutes 47 seconds West, a distance of 125.46 feet; thence South 63 degrees 56 minutes 04 seconds West, a distance of 118.96 feet; thence South 77 degrees 11 minutes 15 seconds West, distance of 55.41 feet to the Northerly right-of-way line of Interstate Loop 44 (Chestnut Expressway); thence North 77 degrees 16 minutes 49 seconds West, along said right-of-way line, a distance of 34.80 feet; thence North 77 degrees 11 minutes 15 seconds East, a distance of 85.07 feet; thence North 63 degrees 56 minutes 04 seconds East, a distance of 124.51 feet; thence South 64 degrees 09 minutes 47 seconds East, a distance of 129.51 feet; thence South 88 degrees 36 minutes 30 seconds East, a distance of 381.33 feet to the Point of Beginning. Bearings are based on Grid North, Missouri State Plane Coordinate System 1983, Central Zone. Containing 10,493 square feet (0.241 acres) of perpetual utility easement.

The intent of this description is to vacate only that easement designated for electric in Book 2014 Page 23041-04.

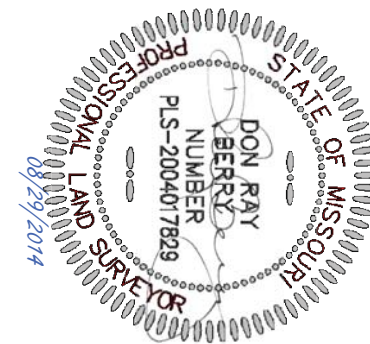
AND

A 5-foot electric easement being a part of Lots 6 and 7 of Hi-Way Park Estates, as shown on the recorded plat thereof, and being more particularly described as follows: Commencing at the Southeast corner of Lot 7 of Hi-Way Park Estates, Greene County, Missouri as recorded in Plat Book K at Page 27 of the Greene County Deed Records; thence, North 02°17'30" East, along and with the East line of said Lot 7, a distance of 80.10 feet; thence, North 88°38'23" West, leaving said East line, a distance of 19.10 feet to an existing railroad spike on the former North right-of-way line of Chestnut Expressway and the current West right-of-way line of Broadview Place and the POINT OF BEGINNING; thence, continue North 88°38'23" West, along and with the former North right-of-way line, a distance of 180.87 feet to an iron pin; thence, North 02°20'19" West, leaving said North line, a distance of 5.00 feet; thence, South 88°38'23" East, parallel to the former North right-of-way line of Chestnut Expressway, a distance of 182.66 feet to the West right-of-way line of Broadview Place; thence, South 22°11'08" West, along and with said West line, a distance of 5.35 feet to the POINT OF BEGINNING, containing 910 square feet, more or less.

The intent of this description is to vacate the Southern portion of the 5-foot electric easement recorded in Book 2072 at Page 1391.



LOCATION MAP
NOT TO SCALE



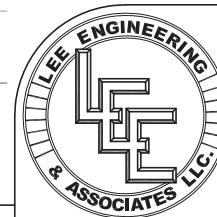
NOTE:

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: 08/26/2014

**INGRESS-EGRESS EASEMENT
RELINQUISHMENT - JENKINS PARK**

PROJECT NO.:
936



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

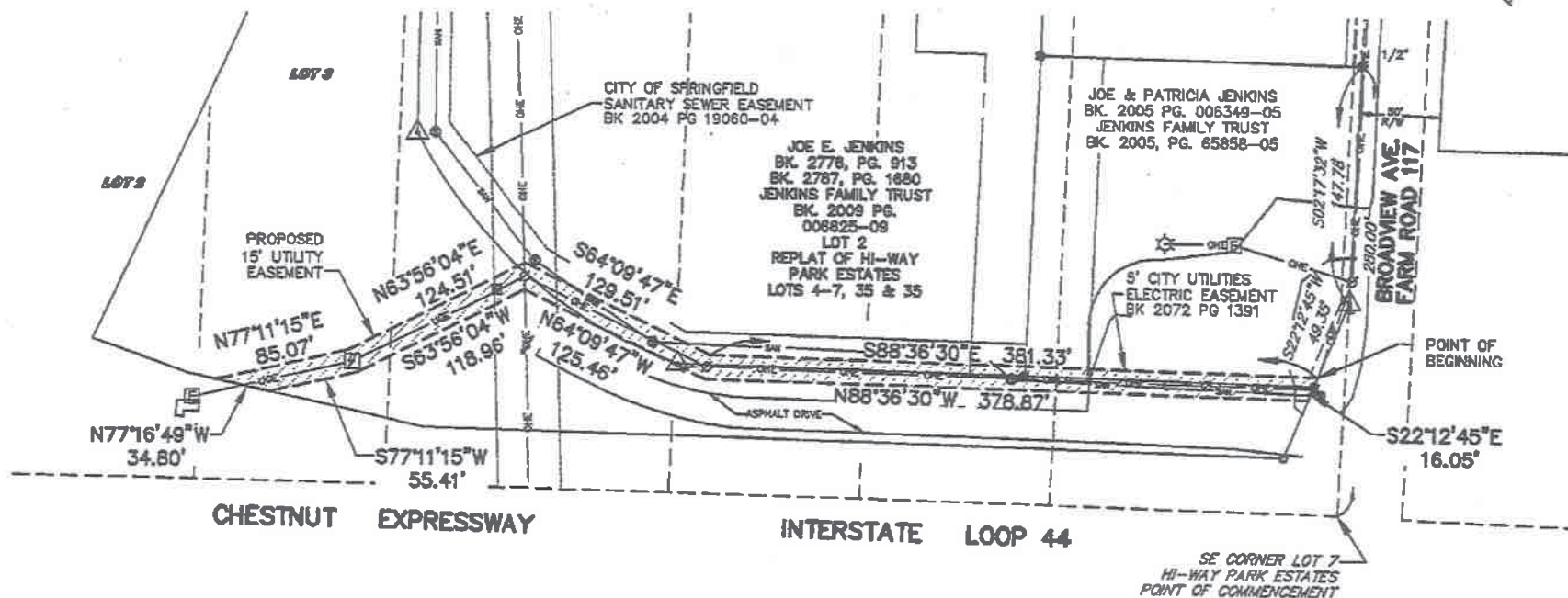
LEE Engineering & Associates, L.L.C.
2101 W. Chesterfield Blvd, Suite C202
Springfield, Missouri 65807
417-886-9100 (phone)
417-886-9336 (fax)
dlee@leeengineering.biz

"Engineering with Integrity"

PROPOSED UTILITY EASEMENT JOE JENKINS

A PART OF LOTS 3 THROUGH 7 IN HI-WAY PARK ESTATES
AND A PART OF LOT 2 IN RE-PLAT OF HI-WAY PARK ESTATES
LOTS 4, 5, 6, 7, 34 AND 35, SUBDIVISIONS IN
GREENE COUNTY, MISSOURI

GRID NORTH
MISSOURI COORDINATE
SYSTEM 1983 CENTRAL
ZONE
SCALE 1"=100'



BOUNDARY LINES SHOWN IN THIS SKETCH
OF A PROPOSED EASEMENT ARE BASED
ON SURVEY DATA COLLECTED IN
COMPLIANCE WITH THE MISSOURI MINIMUM
STANDARDS FOR PROPERTY BOUNDARY
SURVEYS. A BOUNDARY SURVEY PLAT,
PER MINIMUM STANDARD REQUIREMENTS,
WILL BE PREPARED UPON REQUEST OF
CITY UTILITIES OF SPRINGFIELD.

Peter W. Stevens
7/10/11

PROPOSED UTILITY EASEMENT.....0.241 ACRES

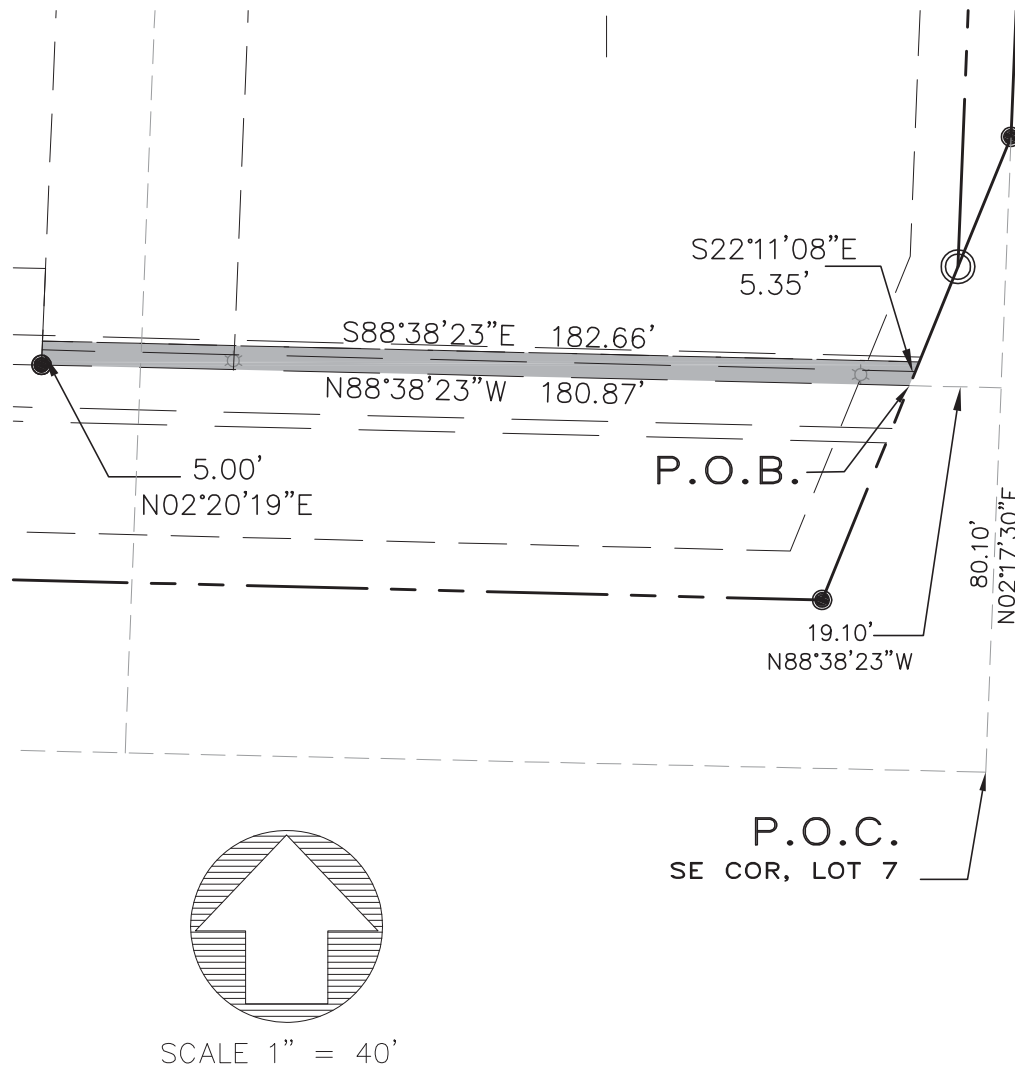
prepared by:
mathews & associates, inc.

mai consulting engineers
land surveyors

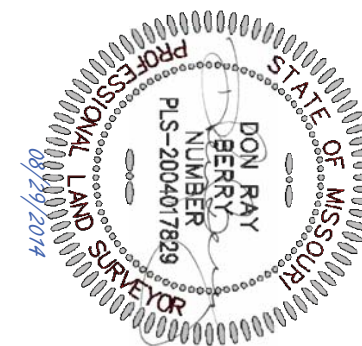
1661 W Elfindale
tel 417.869.6009
date prepared: 07/12/2011
dwg. no. 1136-CU-ELEC-ESMT

springfield, missouri 65807
fax 417.869.8129

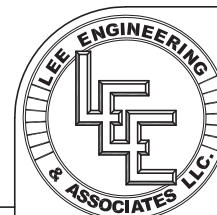
14-23041-004



LOCATION MAP
NOT TO SCALE



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



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

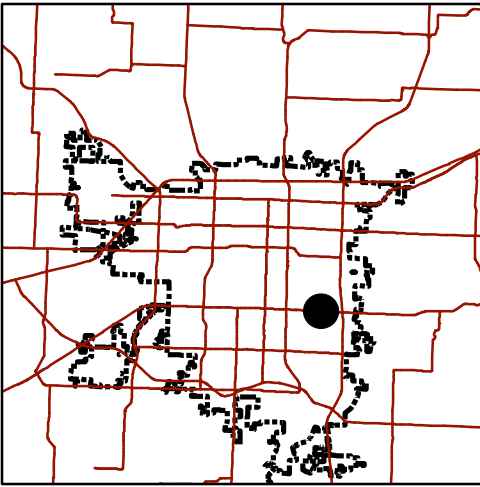
"Engineering with Integrity"

NOTE:
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NEW EASEMENTS TO BE DEDICATED BY RECORDED INSTRUMENTS AND IS
NOT TO BE CONSTRUED TO REPRESENT A PROPERTY BOUNDARY SURVEY.

DATE: 08/26/2014

**ELECTRIC EASEMENT RELIQUISHMENT
JENKINS PARK**

PROJECT NO.:
936



Zoning & Subdivision Report

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

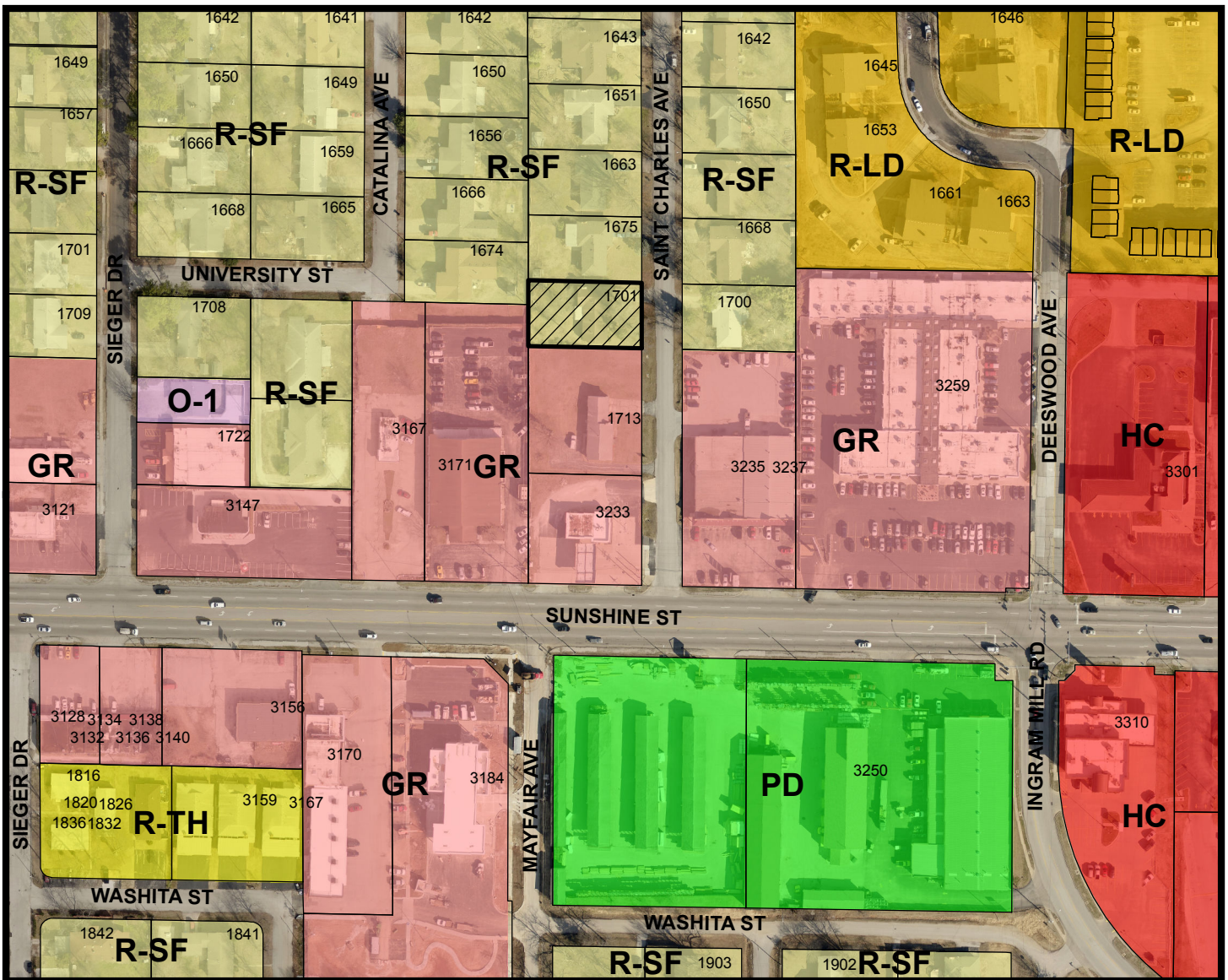
Z-25-2014 Conditional Overlay District #82

Location: 1701 South St Charles Ave.

Current Zoning: R-SF, Single-Family Residential District

Proposed Zoning: GR, General Retail District

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 0.26 acres of property generally located at 1701 South Saint Charles Avenue from an R-SF, Single-Family Residential District to an GR, General Retail District; and establishing Conditional Overlay District No. 82.

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-25-2014/CONDITIONAL OVERLAY DISTRICT NO. 82

The applicant is proposing to rezone the property from an R-SF, Single-Family Residential District to a GR, General Retail District with Conditional Overlay District No. 82. This will allow for the property at 1701 South Saint Charles to be rezoned for retail development and combined with the existing GR zoned property at 1713 South St Charles Ave and 3233 East Sunshine Street. The accompanying Conditional Overlay District will require a six (6) foot tall fence along the north property line adjacent to the residential development. In addition, the Conditional Overlay District requires a sidewalk to be constructed along St. Charles Avenue and restricts access on St. Charles Ave to the property to the south at 1701 St Charles Ave.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on November 6, 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 approval of this request will expand the existing GR, General Retail zoning an additional eighty (80) feet to the north.
2. A twenty (20) feet minimum bufferyard will be provided on the north property line adjacent to the residential development in addition to a 30 degree bulk plane to regulate the height of structures adjacent to the residential properties.
3. Approval of this request will allow for expansion and/or redevelopment of this property in conformance with the City's current requirements for off-street

parking, open space and design standards for lighting, landscaping and mechanical equipment.

Submitted 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-25-2014 & CONDITIONAL OVERLAY DISTRICT NO. 82

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

EXHIBIT B
LEGAL DESCRIPTION
ZONING CASE Z-25-2014 & CONDITIONAL OVERLAY DISTRICT NO. 82

Lot One (1) in Rosewood Addition, a Subdivision in Greene County,
Missouri.

EXHIBIT C
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-25-2014 & CONDITIONAL OVERLAY DISTRICT NO. 82

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

1. A minimum six (6) foot tall fence will be provided along the north property line in addition to the required bufferyard.
2. The property at 1701 and 1713 South Saint Charles Avenue and 3233 East Sunshine Street shall be combined into one lot in accordance with the City's Subdivision Regulations.
3. No driveway shall be permitted from the property at 1701 St Charles Ave. All driveway accesses shall be taken from the property at 1713 St Charles Ave.
4. Sidewalks shall be constructed along South Saint Charles Avenue.

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-25-2014 & CONDITIONAL OVERLAY DISTRICT NO. 82

DATE: October 14, 2014

LOCATION: 1701 South Saint Charles Avenue

APPLICANT: Pamela Sue Secor

TRACT SIZE: Approximately 0.26 acres

EXISTING USE: Single-Family Home

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

SURROUNDING LAND USES:

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

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues with the proposed rezoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

1. Sidewalk is required to be constructed along the property frontage
2. St Charles Street is classified as a local commercial which requires 30 feet of right of way from the centerline. It appears additional right of way is not required.
3. This tract of land is 0.26 acres. Changing the zoning from R-SF to GR on this lot size does not increase the trips generated significantly enough to warrant a traffic study.

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.

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.

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:

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

ADJACENT PROPERTY OWNER COMMENTS:

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

NEIGHBORHOOD MEETING:

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

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 0.26 acres of property from an R-SF, Single-Family Residential District to a GR, General Retail District with Conditional Overlay District. Approval of this request will expand the existing GR zoning an additional eighty (80) feet to the north. Expansion of the GR zoning will facilitate the redevelopment of this property in conformance with today's requirements for off-street parking, bufferyards and open space.

2. The Conditional Overlay District (COD) that accompanies this request will require the three properties, 1701 and 1713 South Saint Charles Avenue and 3233 East Sunshine Street, to be combined into one tract. The COD also requires a minimum six (6) foot tall fence to be constructed along the north property line adjacent to the residential development in addition to the required bufferyard. The COD requires the construction of sidewalks on South Saint Charles Avenue frontage and prohibits driveway accesses onto St Charles Ave.

FINDINGS FOR STAFF RECOMMENDATION:

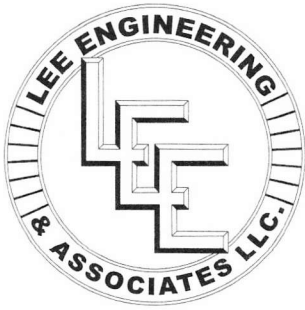
1. The approval of this request will expand the existing GR, General Retail zoning an additional eighty (80) feet to the north.
2. A twenty (20) feet minimum bufferyard will be provided on the north property line adjacent to the residential development in addition to a 30 degree bulk plane to regulate the height of structures adjacent to the residential properties.
3. Approval of this request will allow for expansion and/or redevelopment of this property in conformance with the City's current requirements for off-street parking, open space and design standards for lighting, landscaping and mechanical equipment.

RECOMMENDATION:

Staff recommends **approval** of this request with the requirements of Conditional Overlay District No. 82.

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner
864-1834



ATTACHMENT 2

LEE ENGINEERING AND ASSOCIATES, L.L.C. CIVIL ENGINEERING & DESIGN

2101 W. CHESTERFIELD BLVD., SUITE C202, SPRINGFIELD, MO 65807
TELEPHONE: (417) 886-9100 • FACSIMILE: (417) 886-9336 • dlee@leeengineering.biz

September 18, 2014

Re: Proposed Rezone
1710 S. St. Charles Avenue
Springfield, Missouri

Dear Property Owner:

A neighborhood meeting will be held Thursday, October 2, 2014 to discuss a proposed rezone on the property listed above. We would like to rezone the property from R-SF (Single Family – Residential) to GR (General Retail). The existing structure would be demolished and the property would be made into a parking lot for the retail center.

The neighborhood meeting will be held at The Library Center, 4653 S. Campbell, Springfield, Mo., between 4:00 and 6:30pm in Meeting Room B. The owner's representatives will be present to answer any questions you may have concerning this proposed rezone. Please feel free to come and go between 4:00 and 6:30pm. If you have any questions prior to this meeting, please contact our office at 417-886-9100.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Leslie K. Chrystal', is written over a light blue horizontal line.

Leslie K. Chrystal
Office Manager

[illegible]

EXHIBIT 2: NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: R-SF to GR
(existing zoning) (proposed zoning)
2. Meeting Date & Time: Oct 2, 2014 4-6:30pm
3. Meeting Location: The Library Center, 4653 S. Campbell
4. Number of invitations that were sent: 80
5. How was the mailing list generated: City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 2 (See Below)
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 Issues

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

No Issues

* 6.a: Derek Lee & Leslie Chrystal from Lee Engineering were present. Rita Barron, the developer & Pamela Secor, the owner of the property were present. 4 of us were there to answer any questions. No neighbors attended the meeting.

A&M, PROPERTIES & DEV LLC
4163 E KENSINGTON
SPRINGFIELD, MO 65809

COONEY, LARRY WILLIAM
528 S SUBURBAN
SPRINGFIELD, MO 65802

JM&M, INV LLC
2441 N LE COMPTE
SPRINGFIELD, MO 65803

NICHOLS, RICHARD L ETAL
1357 S SIEGER
SPRINGFIELD, MO 65804

STIVERS, ERIC L
405 JEANNE
MT VERNON, MO 65712

BARON, RITA
1855 S INGRAM MILL
SPRINGFIELD, MO 65804

CUNNINGHAM, THOMAS A
1656 S CATALINA
SPRINGFIELD, MO 65804

MAYHEW, ANGELA S ETAL
1663 S SAINT CHARLES
SPRINGFIELD, MO 65804

SECOR, PAMELA SUE
1701 S SAINT CHARLES
SPRINGFIELD, MO 65804

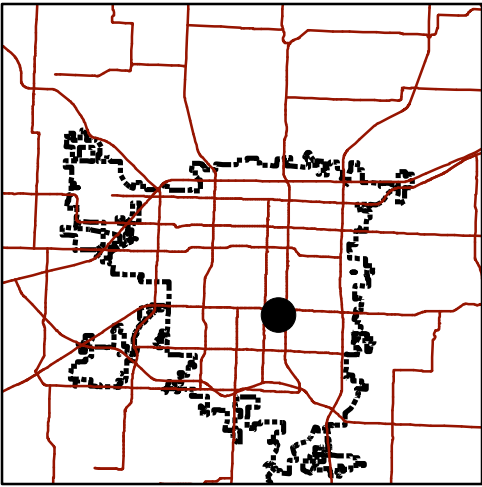
TESSARO, ERIC
1650 S SAINT CHARLES
SPRINGFIELD, MO 65804

BRUNSON, SHIRLEY JOAN TRUST
1252 E FARM ROAD 80
SPRINGFIELD, MO 65803

GARRISON, CAROL E ETAL
1826 E WEBB
OZARK, MO 65721

NEVIUS, RALPH E
1651 S SAINT CHARLES
SPRINGFIELD, MO 65804

SHELDAN LLC
3171 E SUNSHINE
SPRINGFIELD, MO 65804



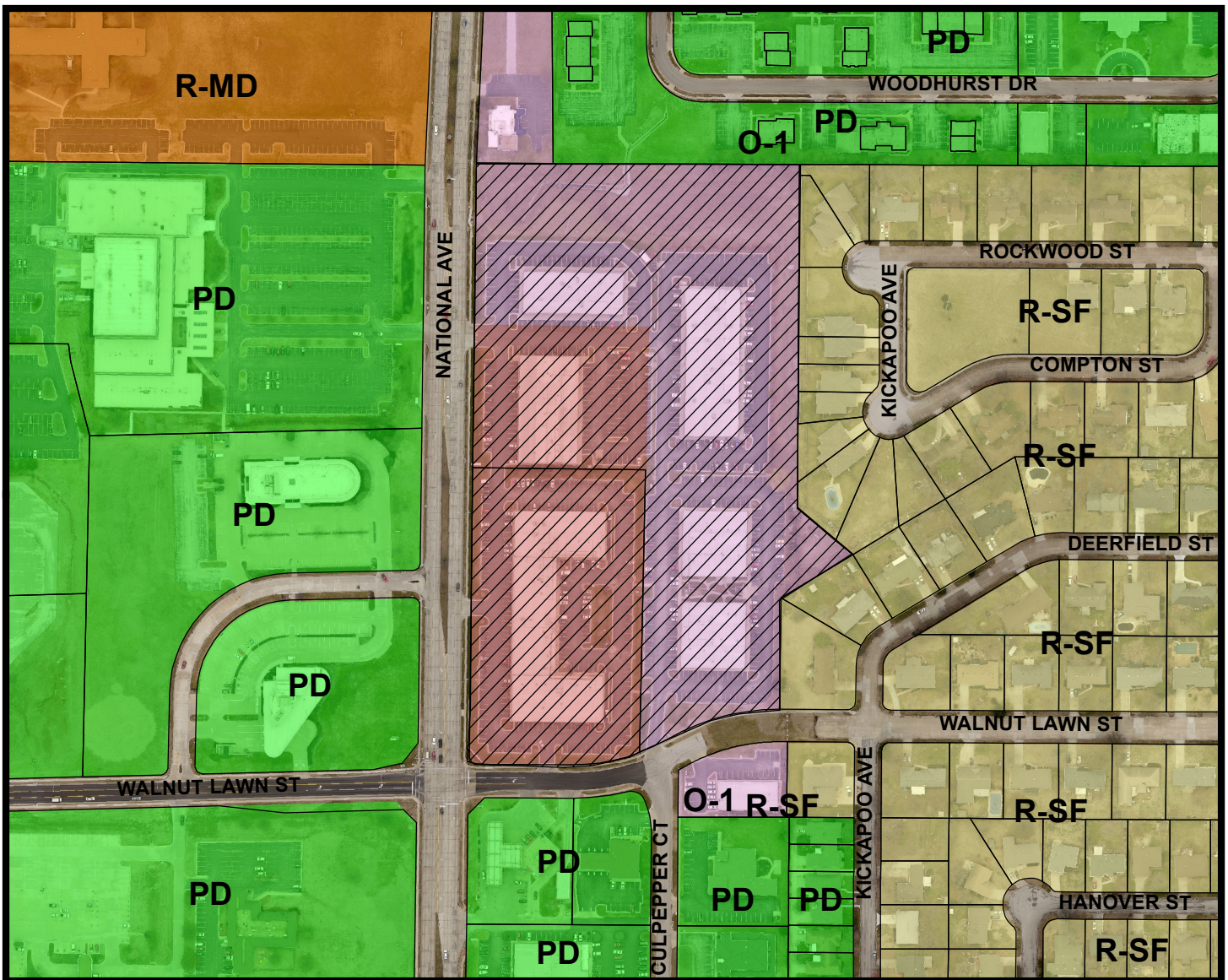
Zoning & Subdivision Report

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

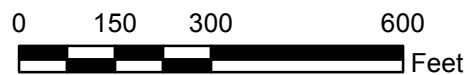
Master Sign Plan - Kelly Plaza

Location: 3200 and 3302 South National Avenue
Current Zoning: GR and O-1

LOCATION SKETCH



- Area of Proposal



1 inch = 300 feet

Zoning & Subdivision Report

Planning & Development Department ~ 417/864-1611

840 Boonville Avenue ~ Springfield, Missouri 65801

MASTER SIGN PLAN – KELLY PLAZA

DATE: October 28, 2014

PURPOSE: To approve a Master Sign Plan for Kelly Plaza.

BACKGROUND:

LOCATION: 3300 South National Avenue

APPLICANT: LG III, LLC

TRACT SIZE: Approximately 14.90 acres

EXISTING USE: GR, General Retail and O-1, Office uses

PROPOSED USE: Same

RECOMMENDATION:

The request be **approved**.

FINDINGS FOR STAFF RECOMMENDATION:

1. This application meets the requirements for establishment of a Master Sign Plan.
2. Approval of this Master Sign Plan will allow for the existing development signage to be modified to provide uniformity of branding and to improve safety on the site by assisting motorists and pedestrians to navigate the site.

CONDITIONS:

1. The approval of a Master Sign Plan application shall not authorize the erection, placement, reconstruction, structural alteration or moving of any sign, but shall merely authorize the preparation, filing and processing of applications for any permits or approvals, which may be required by the codes and ordinances of the City, including, but not limited to, a building or sign permit. The signs shall be required to have a separate permit.
2. All provisions of *Section 5-1411* of the Springfield Zoning Ordinance shall be met.

STAFF CONTACT PERSON:

Alana D. Owen, AICP

Senior Planner

ATTACHMENT A
MASTER SIGN PLAN – KELLY PLAZA

APPLICANT’S PROPOSAL:

The applicant seeks to establish a Master Sign Plan for the Kelly Plaza. The intent is to modify the existing signs to provide for better navigation through the site for motorists and pedestrians.

ZONING ORDINANCE REQUIREMENTS:

A Master Sign Plan application may be approved for the purpose of establishing consistent, logical and equitable signage for: Multiple uses on a single lot; a building group of a single use or multiple uses that may involve multiple properties; or a large tract that contains a single use with multiple services.

The main intent of a Master Sign Plan is to provide clarity of communications regarding tenants and services to users of the premise or building group. A Master Sign Plan is not intended to provide special or additional signage allowance in terms of total effective area than would otherwise be permitted by Section 5-1400 of the Zoning Ordinance.

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not object to the requested Master Sign Plan.

STAFF ANALYSIS:

1. The applicant is seeking to create a Master Sign Plan for the Kelly Plaza. All of the signs included in the Master Sign Plan are existing signs. The proposal is to modify the signs to create a uniformity of branding to assist motorists and pedestrians to navigate the site. All of the proposed signs are conforming in square footage, height and attachment and the proposed modifications will not change their conforming status.
2. Based on the street frontage of the subject property the subject property is permitted to have 800 square feet of effective sign area on the site. The total square footage of the proposed signage is 418.75 square feet distributed between five signs. Sign 1 is located along National Avenue and has 230 square feet of effective area and is 25 feet tall. Sign 2 is located at the corner of National Avenue and Walnut Lawn Street and has 53.4 square feet of effective area. Sign 3 is located along Walnut Lawn Street and has 45.3 square feet of effective area. Sign 4 is located on the interior of the site and has 55 square feet of effective area. Sign 5 is located on the National Avenue frontage and has 35 square feet of effective area.
3. Approval of this Master Sign Plan does not constitute approval of a sign permit. Prior to the placement and/or modification of the signs, a sign permit must be obtained and all other applicable codes and ordinances met.

EXHIBIT 1
REQUIREMENTS FOR MASTER SIGN PLAN – KELLY PLAZA

Signage is permitted in conformance with Exhibits A through H:

- A. Site plan of premise and location of existing signs to be modified and distance between signs.
- B. Sign 1 is located on the National Avenue frontage. Sign shall have a maximum effective area of 230 square feet.
- C. Sign 2 is located at the northeast corner of National Avenue and Walnut Lawn Street. Sign shall have a maximum effective area of 53.4 square feet.
- D. Sign 3 is located on the Walnut Lawn Street frontage. Sign shall have a maximum effective area of 45.3 square feet.
- E. Sign 4 is located on the interior of the site. Sign shall have a maximum effective area of 55 square feet.
- F. Sign 5 is located on the National Avenue frontage. Sign shall have a maximum effective area of 35 square feet.
- G. Design options for monument style signs.
- H. Design options for Sign 1.

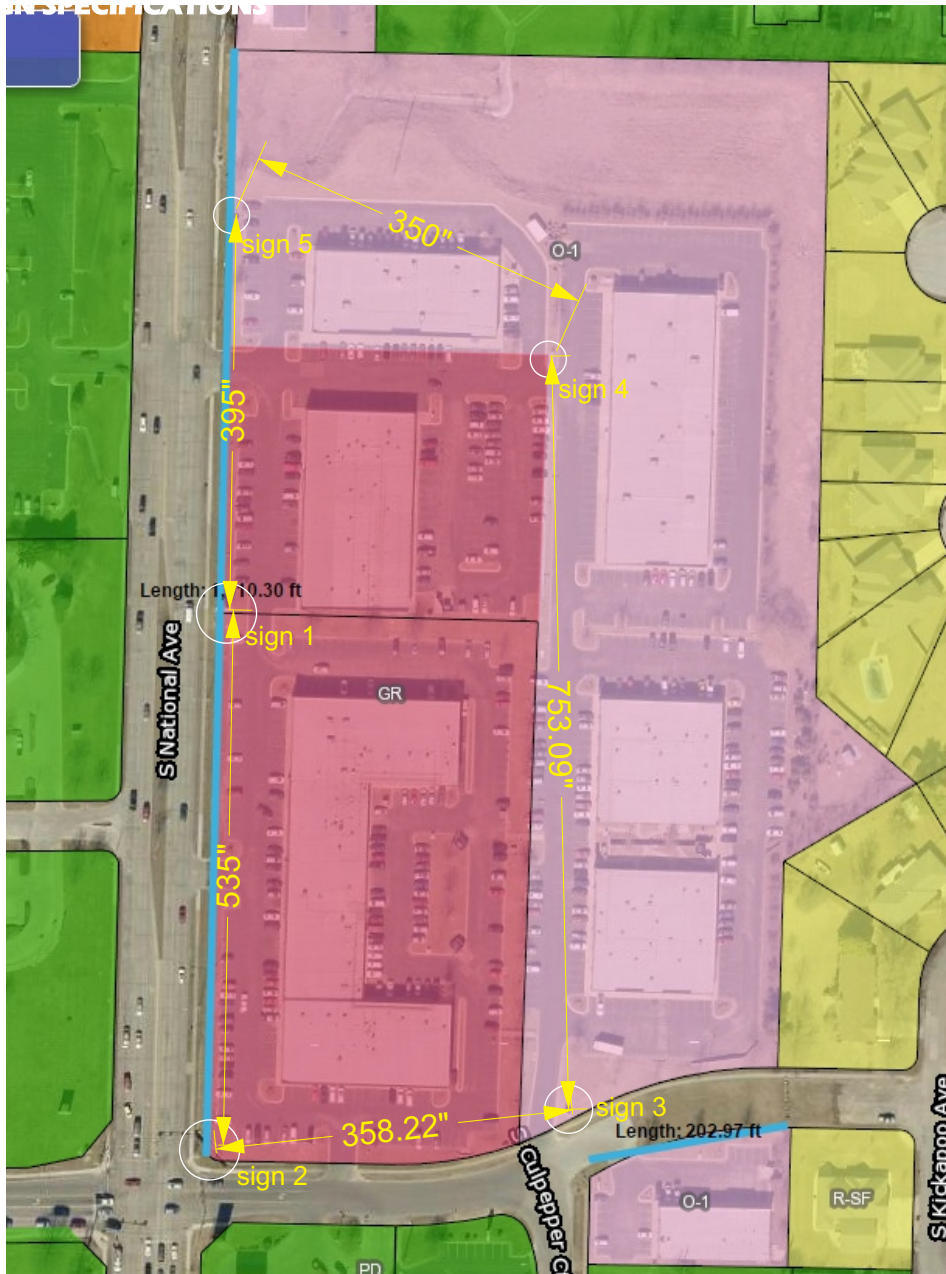
EXHIBIT 2
STANDARDS FOR MASTER SIGN PLAN
KELLY PLAZA

NOTE: See Exhibit I for the Applicant's response to the following.

An application for a master sign plan shall be granted only if evidence is presented which establishes the following:

1. The proposed Master Sign Plan will be consistent with the adopted policies in the Springfield Comprehensive Plan;
2. The proposed Master Sign Plan has the potential to improve the safety and convenience of the motoring public and of pedestrians using the property and the area immediately surrounding the property;
3. The location, lighting and type of signs proposed and the relationship of signs to traffic control is appropriate for the property;
4. The proposed signs will be constructed , arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations;
5. The proposed signs, as shown by the application, will not destroy, damage, detrimentally modify or interfere with the enjoyment and function of any significant natural topography or physical features of the site;
6. The proposed signs will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance;
7. The proposed signs, as shown by the applicant , will not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way; and
8. The proposed signs will not have any substantial or undue adverse effect upon, or will lack amenity or will be incompatible with, the use or enjoyment of adjacent or surrounding property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public, safety and general welfare.

SITE & SIGN SPECS



Sign 1: 230 sq. ft.
 Sign 2: 53.4 sq. ft.
 Sign 3: 45.3 sq. ft.
 Sign 4: 55 sq. ft.
 Sign 5: 35 sq. ft.

Total Property Frontage: 1110 lin. ft.

Total sq. ft. on property: 418.75 sq. ft.

TOTAL POSSIBLE SIGN SQ. FT.
800 sq. ft.

CLIENT

Medical Mile Plaza

SALESPERSON

Derek Eckels

DATE

10/7/14

SCALE

1/16" = 1'-0"

AO #

DESIGNED BY

DAE

REVISION HISTORY

*SCALE AND COLORS NOT REPRESENTATIVE FROM EMAIL ATTACHMENTS.

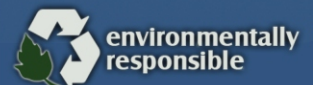
*ALL MEASUREMENTS ARE APPROXIMATE.

APPROVED BY

DATE

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2531 N. Patterson Springfield, MO 65803



SIGN 1

230 Sq. Ft.

25' OAH

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*ALL MEASUREMENTS ARE APPROXIMATE.

CLIENT

▶ **WOOTEN COMPANY**

SALESPERSON

▶ **Derek Eckels**

DESIGNED BY

▶ **Derek Eckels**

REVISION HISTORY

DATE

▶ 8/4/14

SCALE

▶ 3/16"=1'

AO #

▶

APPROVED BY

▶

DATE

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www.signhit.com



SIGN 2



53.4 Sq. Ft.

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CLIENT

▶ WOOTEN COMPANY

SALESPERSON

▶ Derek Eckels

DESIGNED BY

▶ Derek Eckels

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DATE

▶ 8/4/14

SCALE

▶ 3/32"=1'

AO #

▶

APPROVED BY

▶

DATE

▶



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responsible

SIGN 3

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 *ALL MEASUREMENTS ARE APPROXIMATE.

CLIENT▶ **WOOTEN COMPANY****SALESPERSON**▶ **Derek Eckels****DESIGNED BY**▶ **Derek Eckels****REVISION HISTORY**

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SIGN 4

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*ALL MEASUREMENTS ARE APPROXIMATE.

CLIENT▶ **WOOTEN COMPANY****SALESPERSON**▶ **Derek Eckels****DESIGNED BY**▶ **Derek Eckels****REVISION HISTORY****DATE**▶ **8/4/14****SCALE**▶ **1/2"=1'****AO #**

▶

APPROVED BY

▶

DATE

▶

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SIGN 5

35 Sq. Ft.

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*ALL MEASUREMENTS ARE APPROXIMATE.

CLIENT

▶ **WOOTEN COMPANY**

SALESPERSON

▶ **Derek Eckels**

DESIGNED BY

▶ **Derek Eckels**

REVISION HISTORY

DATE

▶ **8/4/14**

SCALE

▶ **3/8"=1'**

AO #

▶

APPROVED BY

▶

DATE

▶

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MONUMENTS OPTION 2

MONUMENT 1



EXISTING - NTS



MONUMENT 2



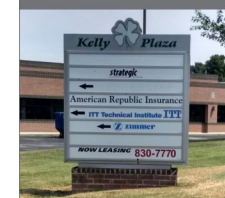
EXISTING - NTS



MONUMENT 3



EXISTING - NTS



SIGN SPECIFICATIONS

NEW TOPPER CABINET RETRO FITTED ON EXISTING MONUMENT SIGNS.

TOPPER CABINET IS SILVER METALLIC IN COLOR TO MATCH EXISTING MONUMENTS. TOPPER ROOFING IS BLACK WITH SILVER METALLIC METAL SQUARE TUBES ATTACHED TO THE CABINET. SHAMROCK IS LED INTERNALLY ILLUMINATED WITH GREEN FACE AND SILVER TRIM & RETURNS. "MEDICAL MILE PLAZA" ARE ILLUMINATED ACRYLIC PUSH THUR LETTERING WITH BLACK PERFORATED VINYL OVERLAYS. LOWER CABINET SECTION IS PAINTED GREEN AND SILVER METALLIC TO MATCH.

FILE PATH: SSN/CLIENTS/WOOTEN COMPANY/KELLY PLAZA

*SCALE AND COLORS NOT REPRESENTATIVE FROM EMAIL ATTACHMENTS.

*ALL MEASUREMENTS ARE APPROXIMATE.

CLIENT

▶ **WOOTEN COMPANY**

SALESPERSON

▶ **DEREK ECKELS**

DESIGNED BY

▶ **J WILSON**

REVISION HISTORY

OPT-1 - 8/14/14

DATE

▶ **8/14/2014**

SCALE

▶ **3/16" = 1'**

AO #

▶ **5295**

APPROVED BY

▶

DATE

▶

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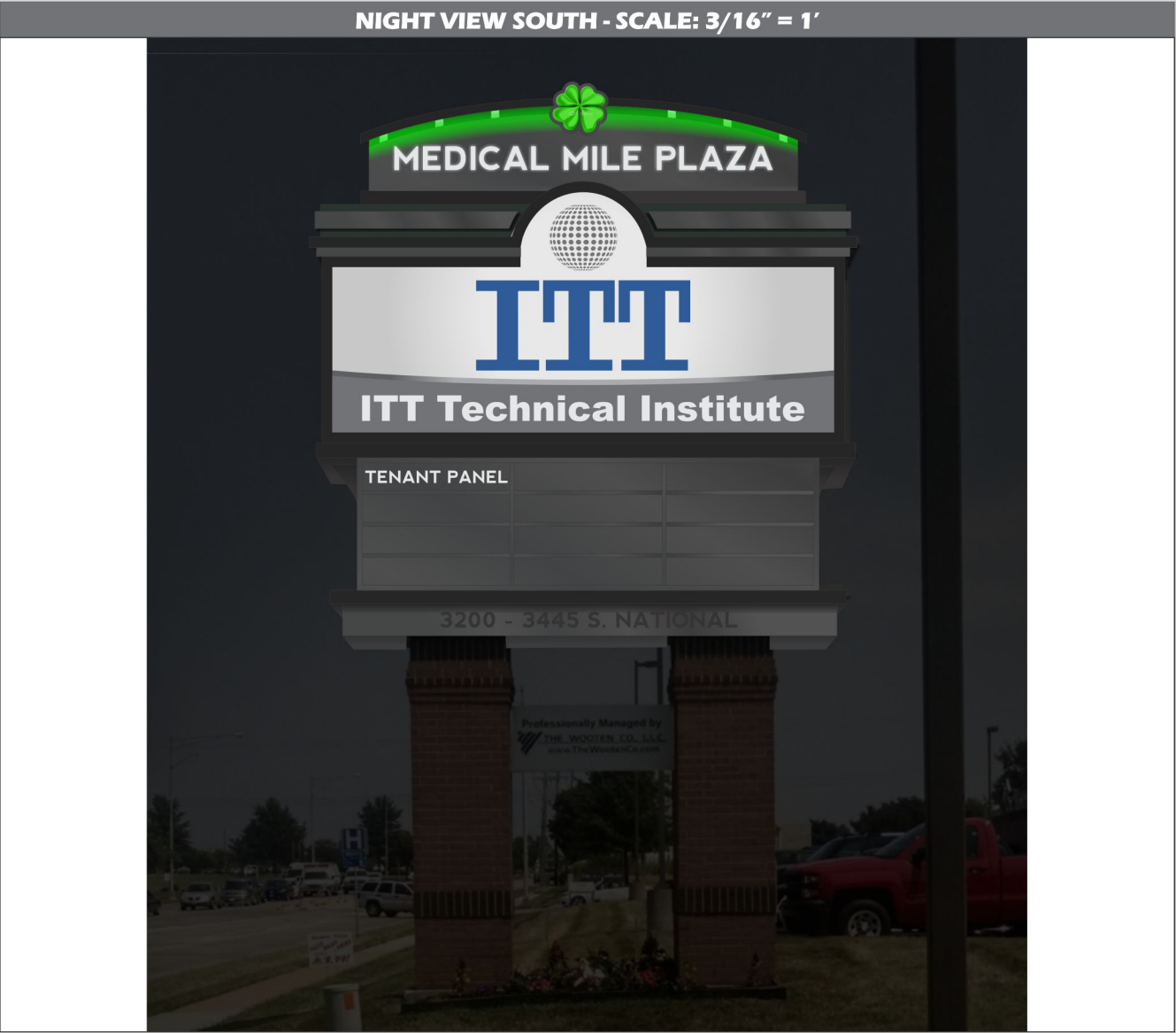
Springfield SIGN & NEON
2531 N. Patterson Springfield, MO 65803

SIGNHIT.com



PYLON OPTION 3 REV-1

WWW.SIGNHIT.COM



SIGN DETAILS

NEW MULTI-LAYERED TOPPER & NEW TENANT PANEL CABINET RETRO FITTED ON EXISTING D/F PYLON SIGN. TOPPER CABINET IS SILVER METALLIC IN COLOR TO MATCH EXISTING TENANT PANEL MONUMENTS. TOPPER ROOFING IS BLACK WITH SILVER METALLIC METAL SQUARE TUBES ATTACHED TO CABINET & HAS GREEN LED UNDER LIGHTING. SHAMROCK IS LED INTERNALLY ILLUMINATED WITH DIGITALLY PRINTED GRAPHIC APPLIED TO FACE. "MEDICAL MILE PLAZA" ARE WHITE LED ILLUMINATED ACRYLIC PUSH-THRU LETTERING WITH PERFORATED BLACK VINYL FACES. UPPER CABINET AND ROOFING ARE MOUNTED ON A GREEN & SILVER METALLIC LAYERED BASE MOUNTED ON TOP OF EXISTING "ITT" CABINET. REPAINT EXISTING CABINET STRUCTURE BLACK & SILVER METALLIC. TENANT PANEL CABINET IS SILVER METALLIC WITH ROUTED FACES AND BLACK PERFORATED VINYL BACKERS LED ILLUMINATED. ADDRESS NUMBERS ARE NON-ILLUMINATED BLACK VINYL. RE-FACE EXISTING "ITT" CABINET.

FILE PATH: SSN/CLIENTS/WOOTEN COMPANY/KELLY PLAZA

*SCALE AND COLORS NOT REPRESENTATIVE FROM EMAIL ATTACHMENTS.
*ALL MEASUREMENTS ARE APPROXIMATE.

CLIENT

WOOTEN COMPANY

SALESPERSON

DEREK ECKLES

DATE

9/30/2014

SCALE

VARIES

AO #

5295

DESIGNED BY

J WILSON

REVISION HISTORY

OPT-1 - 8/5/14	
OPT-2 - 8/6/14	
OPT-3 - 8/20/14 GREEN LED IN ARCH	
OPT-3 REV-1 9/30/14 NEW SHAMROCK	

APPROVED BY

DATE

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BUILDING IMAGES
THAT BUILD BUSINESS



Exhibit I

Petitioner's argument on behalf of Master Sign Plan

1. The proposed Master Sign Plan will be consistent with the adopted policies in the Springfield Comprehensive Plan.

All proposed signs are currently conforming in square footage, height, and attachment. Proposed modifications will not change their conforming status.

2. The Proposed Master Sign Plan has the potential to improve the safety and convenience of the motoring public and of pedestrians using the property and the area immediately surrounding the area.

The proposed Sign Plan will create a uniformity of branding, which will make travel through and throughout the property easier, requiring motorists and pedestrians to spend less time distracted while locating their destination. The uniform branding of this property will allow incoming and outgoing traffic to respond to sign directives more quickly, producing a safer campus for motorist and pedestrian.

3. The location, lighting, and type of signs proposed and the relationship of signs to traffic control is appropriate for the property.

All signs on the property are properly lighted, with above adequate spacing between structures. The spacing between signs allows motorists to follow a natural directive path which prevents traffic from acting as a barrier to natural traffic flow.

4. The proposed signs will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations.

All of the proposed signs are arranged, except one sign on the properties interior (Sign 4), on a street frontage, allowing the signs to remain unobtrusive to neighboring properties. Sign 4, as shown on Site & Sign Specs attachment, is over 300 linear feet from the closest neighboring property. Additionally, the size of these signs, and their smaller size, keeps them from dominating the area of their surroundings.

5. The proposed signs, as shown by the application, will not destroy, damage, detrimentally modify or interfere with the enjoyment and function of any natural topography or physical features of the site.

The proposed signs as shown in the application have occupied the same location for close to 15 years. The natural topography or physical features of the property will not be altered.

6. The proposed signs will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance.

The proposed signs are existing, and have not resulted in the loss or damage of any natural, scientific or historic features of significant importance. The proposed modifications are minimal, and will not change their current state of compliance with this criteria.

7. The proposed signs, as shown by the applicant, will not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way.

The proposed modifications are for existing signage, and do not interfere with any easements, roadways, rail lines, utilities and public or private right-of-ways. Also, they are not proposed to be moved in any way as to create the above mentioned obstructions.

8. The proposed signs will not have any substantial or undue adverse effect upon, or will lack amenity, or will be incompatible with, the use or enjoyment of adjacent or surrounding property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public, safety and general welfare.

All proposed signs will maintain their current role, and will enhance the appeal of this location. The needed updates to the proposed signs will modernize the communication of this locale. Said changes will have no adverse effect on property values. There are no proposed changes that will affect public safety or general welfare.

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 **SPORTSMAN'S PARK** generally located at 2100 N. Barnes Avenue. (Staff recommends that City Council accept the public streets and easements.)

BACKGROUND INFORMATION:

- A. The Preliminary Plat of **SPORTSMAN'S PARK** dated October 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 and legal in Attachment 3.
- B. The Planning and Zoning Commission held a public hearing on November 6, 2014 and _____ the preliminary plat by a vote of __ to __, subject to the following conditions:
 - 1. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.
 - a. The Final Plat will not be approved until an updated Sinkhole Evaluation Report is submitted to address the proposed filling activities and to quantify any changes to the sinkhole storage volume, discharge rate or 100-year flood elevation. Construction Plans and Pre-Development versus Post-Development Drainage Calculations also need to be submitted and approved for the proposed Entry Road and Guard Shack Project.
 - b. Per Chapter 96 of the City's Municipal Code, include the "Required Plan Notes" related to sinkholes for Plats as stated below:
 - a) 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.
 - b) 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.

c) 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.

d) No basement or first floor elevations shall be less than 14 inches above the sinkhole ponding elevation.

- c. Sidewalks are required along the property frontage. Due to some drainage issues in this area, Traffic may support a fee-in-lieu of construction.
- 2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. A drainage easement must be provided over the 100-year sinkhole flooding area.
 - 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

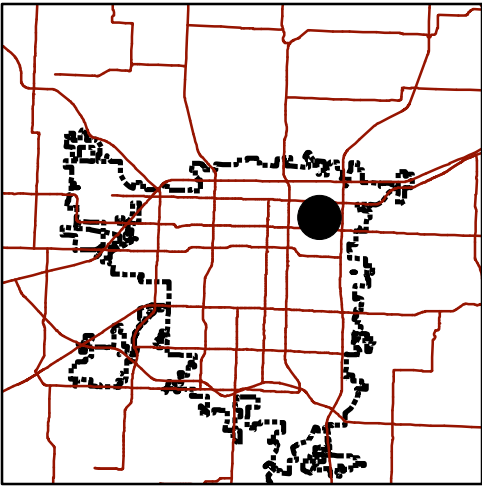
Exhibit B, Zoning and Subdivision Staff Report

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Subdivision Variance Approval Criteria

Attachment 3, Preliminary Plat



Zoning & Subdivision Report

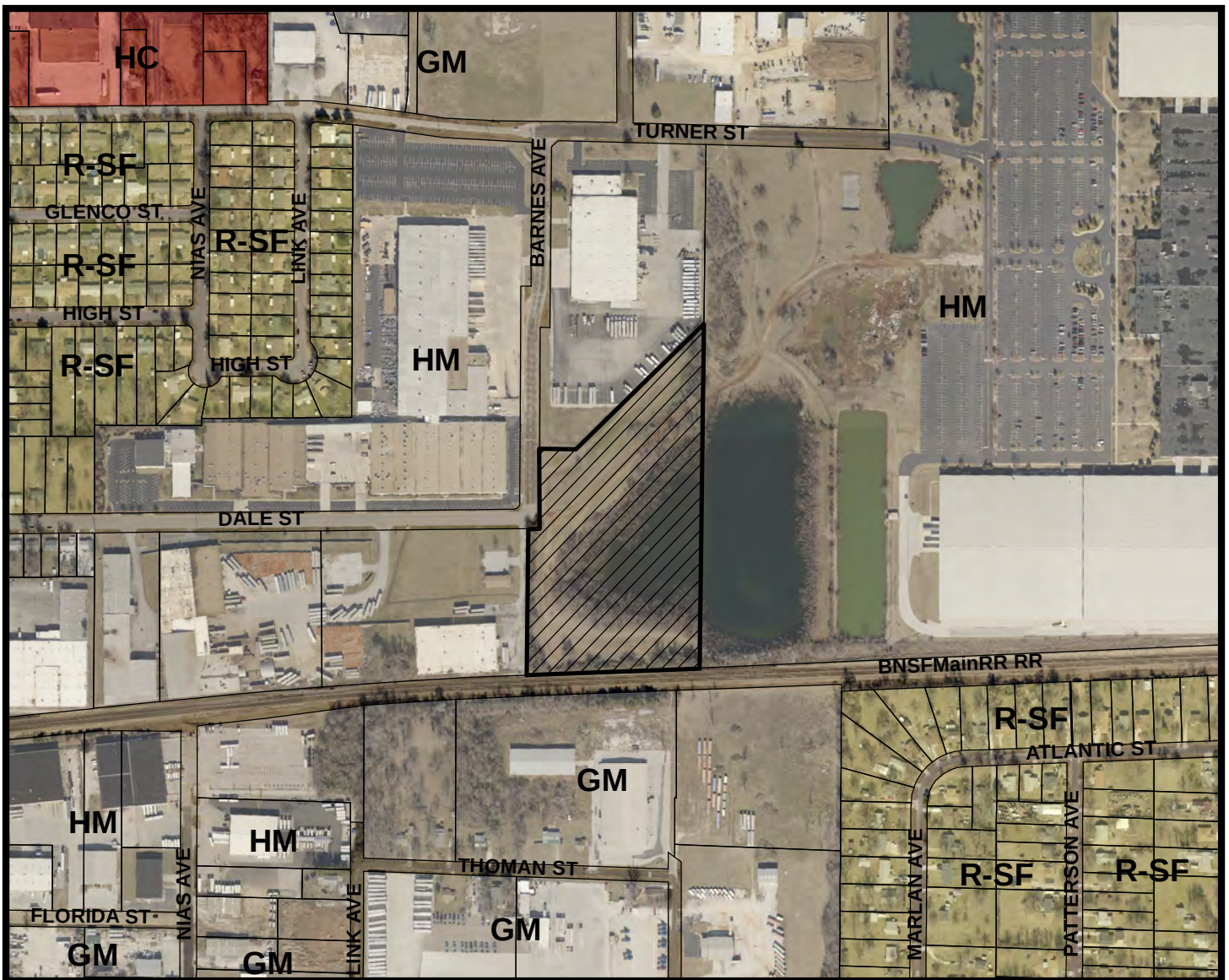
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Preliminary Plat - Sportsman's Park

Location: 2100 N. Barnes Ave.

Current Zoning: HM, Heavy Manufacturing

LOCATION SKETCH



- Area of Proposal



1 inch = 500 feet

Zoning & Subdivision Report

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

PRELIMINARY PLAT – SPORTSMAN’S PARK

DATE: October 29, 2014

PURPOSE: To approve a preliminary plat to subdivide approximately 9.74 acres into a two (2) lot residential subdivision with a subdivision variance.

BACKGROUND:

LOCATION: 2100 N. Barnes Avenue

APPLICANT: Bass Pro, Inc.

TRACT SIZE: Approximately 9.74 acres

EXISTING USE: Stormwater detention/undeveloped land

PROPOSED USE: Manufacturing/stormwater detention uses

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. The Final Plat will not be approved until an updated Sinkhole Evaluation Report is submitted to address the proposed filling activities and to quantify any changes to the sinkhole storage volume, discharge rate or 100-year flood elevation. Construction Plans and Pre-Development versus

Post-Development Drainage Calculations also need to be submitted and approved for the proposed Entry Road and Guard Shack Project.

- b. Per Chapter 96 of the City's Municipal Code, include the "Required Plan Notes" related to sinkholes for Plats as stated below:
 - a) 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.
 - b) 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.
 - c) 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.
 - d) No basement or first floor elevations shall be less than 14 inches above the sinkhole ponding elevation.
 - c. Sidewalks are required along the property frontage. Due to some drainage issues in this area, Traffic may support a fee-in-lieu of construction.
 2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. A drainage easement must be provided over the 100-year sinkhole flooding area.
 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.

ATTACHMENT 1
BACKGROUND REPORT
PRELIMINARY PLAT – SPORTSMAN'S PARK

AT&T COMMENTS:

AT&T requests 10 ft. utility easement on perimeter surrounding lots. Need 60 days notification of any construction beginning.

BUILDING DEVELOPMENT SERVICES COMMENTS:

The preliminary address for this lot will be 2100 N. Barnes Avenue.

CITY UTILITIES COMMENTS:

No objection. 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 issues.

TRAFFIC DIVISION COMMENTS:

Right of way is adequate and sidewalks are required. Due to some drainage issues in this area, Traffic would support a fee-in-lieu of construction. The request for a fee-in-lieu of constructing sidewalks will need to be approved by the Administrative Review Committee (ARC).

STORMWATER COMMENTS:

Stormwater does not have any issues with the Preliminary Plat. However, the Final Plat must include the following items:

1. A drainage easement must be provided over the 100-year sinkhole flooding area.
2. Per Chapter 96 of the City's Municipal Code, include the "Required Plan Notes" related to sinkholes for Plats as stated below:
 - a) 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.
 - b) 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.
 - c) 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.
d) No basement or first floor elevations shall be less than 14 inches above the sinkhole ponding elevation.

3. Please note that the Final Plat will not be approved until an updated Sinkhole Evaluation Report is submitted to address the proposed filling activities and to quantify any changes to the sinkhole storage volume, discharge rate or 100-year flood elevation. Construction Plans and Pre-Development versus Post-Development Drainage Calculations also need to be submitted and approved for the proposed Entry Road and Guard Shack Project.

CLEAN WATER SERVICES COMMENTS:

Since the tract is larger than 3 acres, public sewer will not be required to obtain a building permit.

STAFF COMMENTS:

1. The applicant is proposing to subdivide approximately 9.74 acres into a one (1) lot subdivision named "SPORTSMAN'S PARK". The property is currently zoned HM, Heavy Manufacturing District. The applicant is proposing to establish Lot 1 as a buildable lot because it was created without following the Subdivision Regulations.
2. The applicant is also requesting a subdivision variance for a lot without full frontage on a public street (Barnes 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.

STAFF CONTACT:

Daniel Neal
Senior Planner

ATTACHMENT 2
SUBDIVISION VARIANCE APPROVAL CRITERIA
PRELIMINARY PLAT – SPORTSMAN'S PARK

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 Barnes Avenue. Staff supports the request because the extension of Barnes or Dale is not required as part of the Major Thoroughfare Plan and the property has more than fifty (50) feet of frontage along Barnes Avenue to allow for safe access onto the public street system.

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:

Barnes and Dale Street are not being required to extended and therefore have caused the lot to function more like a cul-de-sac lot.

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

APPLICANT'S RESPONSE:

Because of the situation described above, this is necessary for the owner's property rights.

- (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 variance would not affect public safety, convenience or welfare of the public.

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

