



Springfield Planning and Zoning Commission

City Council Chambers

Date: March 5, 2015

Time: 6:30 p.m.

Members: Tom Baird, IV (Chairman), Gabrielle White (Vice-Chairman), Matt Edwards, Jason Ray, Phil Young, Melissa Cox, David Shuler, Randall Doennig, Andrew Cline

1. ROLL CALL

2. APPROVAL OF MINUTES

February 5, 2015

Documents: [PNZ MINUTES 02-05-2015.PDF](#)

February 19, 2015

Documents: [PNZ MINUTES 02-19-2015.PDF](#)

3. COMMUNICATIONS

Summary Of City Council Meeting February 9, 2015

Documents: [COUNCIL SUMMARY 02-9-2015.PDF](#)

Summary Of City Council Meeting February 23, 2015

Documents: [COUNCIL SUMMARY 02-23-2015.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 819

2900 South Nettleton Avenue, Southwest Center of Independent Living

Documents: [RE 819.PDF](#)

6. Relinquish Easement 820

440 East Tampa, Advocates for a Healthy Community, Inc.

Documents: [RE 820.PDF](#)

· **7. Initiate Zoning Of PD 329, 334, 141 2nd, And 4th Amendments**

Chesterfield Blvd, City of Springfield

Documents: [AMEND ALL OF PD 329 AND 334 PART OF PD 141 2 AND 4TH, INI.PDF](#)

· **8. PUBLIC HEARINGS**

· **9. Vacation 776**

3800 South Glenstone Terrace, Missouri Highways & Transportation Commission

Documents: [VAC776.PDF](#)

· **10. Vacation 777**

3800 block of South Luster Avenue, Missouri Highways & Transportation Commission

Documents: [VAC777.PDF](#)

· **11. Z-04-2015 W/Conditional Overlay District No. 85**

3705 West Sunshine Street, Donald & Patricia McCurry

Documents: [Z-04-2015 COD85.PDF](#)

· **12. Z-11-2015 W/Conditional Overlay District No. 89**

1866 East Cairo, Great Southern Bank

Documents: [Z-11-2015 COD89 .PDF](#)

· **13. Z-12-2015 W/Conditional Overlay District No. 90**

1859 & 1863 East Walnut, Great Southern Bank

Documents: [Z-12-2015 COD90 .PDF](#)

· **14. Z-13-2015 Live/Work Overlay District No. 1 (Moon City Creative District)**

Chase Street, City of Springfield

Documents: [Z-13-2015 MOON CITY LIVE-WORK NO 1 FEB 24.PDF](#)

· **15. Planned Development 347 (Moon City Creative District)**

Chase Street, City of Springfield

Documents: [PD 347 MOON CITY FEB 24.PDF](#)

· **16. Text Amendment Recreational Vehicle Parks In R-MHC District**

City-wide, City of Springfield

Documents: [RV PARKS IN R-MHC AMENDMENTS.PDF](#)

· **17. Preliminary Plat-Menards West**

3705 West Sunshine Street, Donald & Patricia McCurry

Documents: [MENARDSWEST.PDF](#)

· **18. Revised Preliminary Plat-The Hill**

2915 South Lone Pine Avenue, John Price

Documents: [THEHILLREVISED.PDF](#)

. **19. University Plaza Exhib. Center & Trade Hall Redevelopment Plan Termination**

600 – 770 blocks East St. Louis Street, City of Springfield

Documents: [UNIVERSITY PLAZA EXHIBITION HALL AND TRADE CENTER REDEVELOPMENT PLAN.PDF](#)

. **20. ANY OTHER MATTERS UNDER COMMISSION JURISDICTION**

. **21. 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 February 5, 2015, in City Council Chambers at Historic City Hall. The meeting was called to order by Chairman Tom Baird.

Roll Call: Present: Tom Baird (Chairman), Gabrielle White, (Vice-chair), Matt Edwards, Jason Ray, Phil Young, Melissa Cox, Randall Doennig and Andrew Cline.
Absent: David Shuler.

Staff in attendance: Mary Lilly Smith, Director Planning & Development, Bob Hosmer, Principal Planner, Tom Rykowski, Assistant City Attorney, Dawne Gardner, Public Works, Rodney Colson, Public Works, and Sandy Goddard, Administrative Assistant.

Minutes: The minutes of January 8, 2015 meeting were approved as presented.

Communications: Mr. Hosmer formally welcomed newest members Randall Doennig and Andrew Cline to the Planning and Zoning Commission. Mr. Hosmer reviewed City Council's actions from the meeting of January 12, and January 26, 2015. Mr. Hosmer noted that staff is requesting Vacation 775 be tabled to the next meeting. Applicants for three of the zoning cases have asked that the preliminary plats for the same pieces of property be combined into a public hearing items #10 and #17, the Menards property; item #13 and item #19 are Sunset Plaza Kum & Go Property, and item #14 and item #20, the Hickory Hills Subdivision.

Mr. Baird confirmed Commission would move the agenda items around to suit those items more appropriately.

The Consent Agenda items were approved as presented.

PUBLIC HEARINGS:

Z-05-2015 w/Conditional Overlay District No. 86 School District
of Springfield R-12
(3429 E. Chestnut Expressway)

Menards East Preliminary Plat School District of
Springfield R-12
(3429 E. Chestnut Expressway)

Mr. Hosmer stated the purpose of this request is to rezone approximately 34.51 acres of property generally located at 3429 East Chestnut Expressway from a Planned Development District No. 336 to an HC, Highway Commercial District; and establishing

Conditional Overlay District No. 86 for the development of a retail shopping area. This rezoning is being processed with the preliminary plat of Menards East Subdivision. This request will result in a similar type of development as the existing zoning; however there are some differences between the existing Planned Development and this request. The following is a summary of the changes: The proposed HC zoning will permit some additional uses on the property not currently permitted under the existing PD zoning. Some of the additional uses include the Major Event Entertainment Use Group, Self-service storage facilities and wholesale sales. The existing Planned Development limits the Floor Area Ratio (FAR) within the development to 0.40 for each lot. The HC district does not have a maximum floor area ratio however the development on the property will be limited, based on open space requirement of twenty (20) percent; off-street parking requirement based on the size of the building and other development requirements. The existing Planned Development has a height limitation to a maximum of forty (40) feet above the average finished street grade of realigned Eastgate Avenue. The HC district does not have a maximum structure height except that all structures must remain below a thirty (30) degree bulk plane as measured from the boundaries of R-SF, Single Family Residential or R-TH, Residential Townhouse Districts. The existing Planned Development contains several design requirements regarding building façade materials and colors. With this proposal, the general development requirements of the HC district will apply. Under the existing Planned Development, a minimum twenty (20) percent open space is required for the entire Planned Development and each lot is required to have at least ten (10) percent open space. With this proposal, each lot will be required to have at least twenty (20) percent open space. Bufferyards will be required along the east and north property lines adjacent to the residential and church development. All other screening and landscaping requirements of the HC district will apply. A reduced off-street parking requirement is permitted in the existing Planned Development with a parking study. Under the proposed zoning, the off-street parking requirements of the Zoning Ordinance will be required based on the type of use developed. The existing Planned Development contains specific requirements related to signage for the development including the provision of a development identification sign and detached signage for each lot within the development. If approved, the sign regulations of the Zoning Ordinance will apply within this development.

The existing Planned Development contains several required improvements including the realignment of Eastgate Avenue through the development. There are several improvements that are required with development of the subject property as contained in the accompanying Conditional Overlay District. Eastgate Avenue is required to be realigned to intersect with Chestnut Expressway at a location approximately 700 feet east of the US Highway 65 off ramp. Where Eastgate intersects, a traffic signal is required with the construction of additional turn lanes. In addition, turn lanes are required on realigned Eastgate Avenue internal to the development at driveway locations based on the approved Traffic Study. The new diverging diamond interchange improvements at Chestnut Expressway and U.S. Highway 65 have been completed and there is adequate infrastructure, with the required improvements, to serve the proposed development. Approval of this rezoning will leave property to the east and north of the

subject property including the Springfield R-12 School District Natatorium zoned as Planned Development District No. 336. The applicant has been advised that those areas will need to be rezoned prior to any further or future development of those areas. Mr. Hosmer noted he would answer any questions on the rezoning or the plat.

Mr. Baird opened the public hearing.

Mr. Tyler Edwards, 5101 Menard Dr. Eau Claire, WI 54703 commented he is the Real Estate Representative with Menards, stating he is available for questions.

Mr. Baird closed the public hearing.

Mr. Edwards commented they have seen this case before and it is in line with what has generally been agreed upon previously adding he would be supporting the request.

Ms. Cox noted there are extensive comments in reference to the relocation of Eastgate asking if that issue has been addressed and taken care of along with the Plat or is that something that is done separate and the Plat has to come in and manage itself separate around that or how will the issue at Chestnut and Eastgate be managed in reference to this.

Mr. Hosmer stated the preliminary plat Commission is looking at tonight will go forward to Council and the applicant will resubmit a final plat for approval and that will align with the street.

Mr. Ray motioned to **approve** Z-05-2015 w/Conditional Overlay District No. 86. Mr. Edwards **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Edwards, Ray, Young, Cox, Doennig, and Cline. Nays: None. Abstain: None. Absent: Shuler.

Mr. Ray motioned to **approve** Menards East Preliminary Plat. Ms. Cox **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Edwards, Ray, Young, Cox, Doennig, and Cline. Nays: None. Abstain: None. Absent: Shuler.

Z-06-2015 w/Conditional Overlay District No. 88
Community, Inc.
(310 N. Jefferson)

Advocates for a Healthy

Mr. Hosmer commented this is a proposal to rezone approximately 1.38 acres of property generally located at 610 North Jefferson Avenue from an HM, Heavy Manufacturing District to a CC, Center City District and establishing Conditional Overlay District No. 88. The applicant intends build a parking lot for the adjacent Jordan Valley Community Health Clinic and join the property into one tract. Staff recommends tracts to have similar zoning in order to prevent zoning districts requirements such as bufferyards, bulk plane and other design requirements between the different zones. The accompanying Conditional Overlay District will require a traffic study if trip generations results in an increase of over 100 trip ends per peak hour or 1,000 trips ends per day.

Staff recommends approval.

Mr. Baird opened the public hearing.

Mr. Derek Lee, Lee Engineering, 2101 W. Chesterfield Blvd, commented he represents the owner; they are asking to rezone this from HM to CC. On the agenda tonight Vacation 775 was tabled, but they are asking to vacate Tampa and the intent is to take the entire area and combine all that into one large parking lot. Jordan Valley Health Center currently has a parking garage south on Jefferson; they will be getting out of that lease and will not be parking there anymore.

Mr. Baird questioned how the vacation affects the rezoning of this property if that happens to be derailed, will that affect the plan.

Mr. Lee said it affects the site plan; they will not be able to put a parking lot on public right of way and the plans would have to be changed if that happened.

Mr. Edwards asked if the vacation was tied to the rezoning to Center City.

Mr. Hosmer stated it was based on the zoning districts. We do not encourage two different zoning districts on combined lots. The City requested the zoning change.

Mr. Baird asked if the vacation of Tampa will come in the future.

Mr. Hosmer stated they have requested to table the Vacation to the February 19, 2015 meeting.

Mr. Rick Wilson, Wilson Surveying, 2012 S. Stewart, said he is representing Telecom Credit Union which has a branch facility at 400 E. Chestnut around the corner of Chestnut and Jefferson. Mr. Wilson expressed support of the zoning request.

Mr. Baird closed the public hearing.

Mr. Ray motioned to **approve** Z-06-2015 w/Conditional Overlay District No. 88. Mr. Doennig **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Edwards, Ray, Young, Cox, Doennig, and Cline. Nays: None. Abstain: None. Absent: Shuler.

Z-07-2015
Morris
(2927 and 2962 N. Fort)

Theodocia & Robert

Mr. Hosmer noted this is a request to rezone approximately 5.72 acres of property generally located at 2927, 2930 and 2962 North Fort Street from an R-SF, Single Family Residential District to a GI, Government and Institutional Use District. The applicant, Friends of the Zoo (FOZ), is proposing to rezone the property from an R-SF, Single

Family Residential District to a GI, Government and Institutional Use District for future parking overflow at the Zoo. Staff recommends approval.

Mr. Baird opened the public hearing.

Ms. Stephanie Stenger-Montgomery, 5051 S. National Avenue, Bldg 5-100, commented she is representing Friends of the Zoo which is the non-profit arm that raises money to support everything going on at the zoo. The Zoo has a parking issue; they are allowed to park on the Fairgrounds however the Fairgrounds are utilizing that parking more and more. This fits in with the Zoo's long term plan for expansion. They met with the property owners, with the exception of one, and they are in support of this proposal and maintaining the property and future plans for a parking lot.

Mr. Cline asked what types of vehicles or people are expected to park in this area.

Ms. Montgomery stated currently they expect buses to park there; drive in and let the people off and drive across to the parking lot next door.

Mr. Cline asked if there is the future possibility that families and single family vehicles would park there for any reason, concerned about the potential of pedestrians crossing Norton.

Ms. Montgomery stated she does not know, but there is a tunnel that goes underneath Norton, not on this property but an adjacent property.

Mr. Hosmer stated he is not aware of any tunnel.

Ms. Montgomery stated they do not see that as being an imminent issue. That is not in the short or medium term plan.

Mr. Baird asked if the current structures will be left or when possession of the property is taken, will they be cleared.

Ms. Montgomery stated it depends; right now there are renters in some of the structures. Assuming that the buildings are habitable and the people in them want to stay, they will assess the situation as it presents itself. Ultimately, the idea is for a parking lot so the structures ultimately would be torn down.

Mr. Edwards asked if there is funding in place for this or something that will have to have fundraising after the acquisition.

Ms. Montgomery stated there is no funding in place which is why this parking lot is not imminent.

Mr. Mark Riddle, 1224 W. Norton spoke in favor of the proposed rezoning stating it will be an improvement for the area and the safety of the people at the zoo.

Mr. Baird closed the public hearing.

Mr. Edwards motioned to **approve** Z-07-2015. Ms. White **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Edwards, Ray, Young, Cox, Doennig, and Cline. Nays: None. Abstain: None. Absent: Shuler.

Z-08-2015 w/Conditional Overlay District No. 87 Empire
Mortgage
(2704 S. Campbell Avenue)

Sunset Plaza Phase II Empire
Mortgage
(2704 S. Campbell Avenue)

Mr. Hosmer said this is a request to rezone approximately 2 acres of property generally located at 2704 South Campbell Avenue from Planned Development 331 and LB, Limited Business District with Conditional Overlay District No. 26 to a GR, General Retail District; and establishing Conditional Overlay District No. 87. The developer is proposing to construct a new convenience store with fuel pumps and modify the existing Conditional Overlay District. The preliminary plat of Sunset Plaza Phase II is being submitted concurrently with this rezoning request and Lot 1 will contain the proposed GR zoning district. Lot 2 of Sunset Plaza Phase II will remain zoned LB and O-1 with the COD #26 requirements. The existing Conditional Overlay District has more restrictive development requirements, than the proposed COD. The applicant is now allowing restaurants as a permitted use in the COD. The applicant has replaced the 70 foot minimum building and trash enclosure setback from the southern property line with a 35 foot minimum building and trash enclosure setback from the southern property line of adjacent residential districts. The applicant has removed the design requirements for the exterior appearance of all non-residential buildings. The existing COD required all non-residential buildings to harmonize with nearby residential properties and all faces of non-residential buildings providing variations in exterior finishes and fenestration and having a sloped/gabled or hip shape roof.

The applicant has reduced the 30 foot wide Bufferyard F to the standard 20 foot wide Bufferyard F with a fence when GR is abutting residential properties. This will require the same amount of landscaping plantings. All structures shall remain below a thirty (30) degree bulk plane as measured from the boundaries of any residential districts. All other lighting, noise, landscaping requirements shall be met as required by the Zoning Ordinance.

Mr. Baird opened the public hearing.

Mr. Jared Hassman, 714 32nd Street, Des Moines, IA, 50312 commented he is representing Kum & Go.

Mr. Baird asked if the current store is no longer adequate for the company's design needs.

Mr. Hassman said correct; their proto-type is approximately five thousand (5000) feet and do not have room to do their fresh food program.

Mr. Baird closed the public hearing.

Mr. Ray motioned to **approve** Z-08-2015 w/Conditional Overlay District No. 87. Mr. Young **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Edwards, Ray, Young, Cox, Doennig, and Cline. Nays: None. Abstain: None. Absent: Shuler.

Mr. Ray motioned to **approve** Sunset Plaza Phase II. Mr. Doennig **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Edwards, Ray, Young, Cox, Doennig, and Cline. Nays: None. Abstain: None. Absent: Shuler.

Z-09-2015
Company, LLC
(3800 E. Farm Road 132)

Hickory Land

Hickory Hills Subdivision Phase II
Company, LLC
(3800 E. Farm Road 132)

Hickory Land

Mr. Hosmer commented the applicant is asking to rezone approximately 37.38 acres of property generally located at 3800 East Farm Road 132 from a Planned Development District No. 305 to an R-SF, Single Family Residential District and a GR, General Retail District. With this proposal, approximately 27 acres would be rezoned to R-SF for residential development and approximately 10 acres at the northwest corner of the property would be rezoned for retail and office development. The existing Planned Development permits a mix of residential uses including single family, townhouse and a limited amount of multi-family and office uses. The minimum lot size for R-SF uses under the existing Planned Development is fourteen-thousand (14,000) square feet with office uses permitted on the northwest portion of the property. As part of this proposal, the portion of the subject property rezoned to R-SF would be permitted to develop at a density of approximately seven (7) dwelling units per acre with a minimum lot size of six-thousand (6,000) square feet. If this rezoning is approved, R-TH uses would not be permitted on the subject property. Approximately 10 acres at the northwest corner of the subject property is proposed to be rezoned to GR which would permit a mix of retail and office uses. The maximum height for both the residential and retail development will remain as is permitted in the existing Planned Development. A preliminary plat (Hickory Hills Subdivision Phase II) has been submitted to subdivide the subject property as well as the property to the east for residential and retail development and appears on this same agenda.

Ms. Cox asked the reason staff is requiring a maximum density of eight (8) units per acre.

Mr. Hosmer stated that is the limit in the R-SF District.

Mr. Edwards clarified town houses would not be allowed on this site.

Mr. Hosmer said yes. The original PD did and this is taking it out.

Mr. Baird opened the public hearing.

Mr. Neil Brady, 2045 W. Woodland, with Anderson Engineering commented he is representing the applicant. This is a continuation of Phase 1 which was the larger, more estate lots on the east side of the country club; this is the remainder of that portion. These will be a smaller sized lot and as they progress to the east they will become larger. Primarily they are developing their own buffer because they know the front fifty (50) acres will develop at some point commercially. Mr. Brady stated they would have a buffer of the GR along Chestnut and detention on the west side so they are buffing the residential from the potential commercial and then the corridor of Chestnut.

Ms. Mary Pickering Gray, commented they live east on Highway 132 remarking her only question is if Commission is aware there is a cave east of this property; where the retail is going on the Chestnut side, and how close that is to the cave and how many acres will be around the cave.

Mr. Baird noted he believes the case is between the two properties.

Mr. Hosmer noted on the display the location of the cave and stated the residential development will stay outside the cave area. Mr. Hosmer pointed out the open space around the cave.

Ms. Gray commented on the natural springs to the east of that that come off Wilson Creek hoping the developer is mindful of the water because there has already been a fish kill in the creek.

Mr. Edwards asked if Ms. Gray has seen the cave.

Ms. Gray stated she has not seen the cave but does know it is there adding it has been up for discussion before.

Mr. Cline asked if this is a natural resources conservation concern or a safety concern.

Ms. Gray stated both.

Mr. Edwards proposed staff explain how the applicant is going to be able to build on this site and what they will have to do to stay away from the cave area, to allay some concerns on the issue.

Mr. Hosmer said the applicant will have to meet all the stormwater and sinkhole requirements.

Mr. Brady stated it is actually a natural bridge as well; it is a partial collapse and they are well aware of it and are going to buffer from that. That will be on the next phase so it is on the other side of the drainage way from what they are doing now.

Mr. Edwards asked if it would be part of the stormwater retention area they will have.

Mr. Brady said no adding there is a spring that comes out of the cave that feeds the creek that is directly behind the big estate homes so that is a very big feature for those homes so it will not be interrupted or destroy that feature of the property.

Mr. Young asked about children in the residential area potentially exploring the cave and has any thought been given to protection for future use.

Mr. Brady said they would protect it as it would be a liability; it will be in the common area for the homeowners association at that future time.

Mr. Young asked if it was on any natural register.

Mr. Brady stated he does not know that information but is aware that it has been mapped; there have been people in the cave.

Mr. Baird closed the public hearing.

Mr. Edwards motioned to **approve** Z-09-2015. Mr. Doennig **seconded** the motion.

The motion **carried** as follows: Ayes: Baird, White, Edwards, Ray, Young, Cox, Doennig, and Cline. Nays: None. Abstain: None. Absent: Shuler.

Ms. Cox motioned to **approve** Hickory Hills Subdivision Phase II. Mr. Cline **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Edwards, Ray, Young, Cox, Doennig, and Cline. Nays: None. Abstain: None. Absent: Shuler.

Z-10-2015
Enterprises
(3850 S. Campbell)

Jared

Mr. Hosmer explained the purpose of this request is to rezone the property from Planned Development 339 to a GR, General Retail District located at 3850 South Campbell Avenue. The applicant wants to use the property for a temporary vendor site for a Pineapple Whip truck as well as other GR uses. The existing PD does not list

temporary uses or vendor sites as a permitted use in the district. The property is currently occupied by Vatterott College and Krispy Cream Donuts. The primary difference between the existing Planned Development 339 and the proposed GR zoning district is the uses permitted, maximum gross floor area limitation and the requirements on the existing Planned Development site plan (Exhibit 2). The existing PD 339 limits the site to a maximum of 68,000 gross floor area of building while the proposed GR District is limited by off-street parking and open space requirements. Staff supports this request because this property is located at a major intersection near an Activity Center where all GR uses are appropriate. If redeveloped, the property will need to comply with all GR District requirements such as off-street parking, open space, landscaping, bufferyard and public access.

Mr. Cline asked if during the winter months when the Pineapple Whip goes away if something else might take its place.

Mr. Hosmer commented there is potential for that; as long as it meets requirements for potential vendor sites.

Mr. Baird opened the public hearing.

Mr. Zach Fortner commented he is one of the people who run Pineapple Whip and would like Commissions support.

Mr. Baird closed the public hearing.

Mr. Ray motioned to **approve** Z-10-2015. Mr. Young **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Edwards, Ray, Young, Cox, Doennig, and Cline. Nays: None. Abstain: None. Absent: Shuler.

Churches and Church Accessory Uses Text Amendment
City of Springfield
(City-wide)

Mr. Hosmer stated the Planning and Zoning Commission initiated amendments to Church and Church Accessory Uses on January 8, 2015. Staff discovered inconsistent language in the Zoning Ordinance in relation to churches and church accessory uses.

Our current ordinance prohibits temporary outdoor revivals in our Residential Districts as an accessory use to a church. Federal and State laws prohibit treating churches differently than other permitted uses in that District. Staff is proposing to remove the exclusion that prohibits temporary outdoor revivals as an accessory use to churches in the R-SF, R-TH, R-LD, R-MD, R-HD and R-MHC Districts. Therefore, temporary outdoor uses, revivals, would be treated in the same manner as any other temporary outdoor use in these districts. Currently our (COM) Commercial Street District does not allow churches as a permitted use. Staff believes this was an oversight since the COM district was previously zoned Center City District, which does allow churches as a permitted

use. Staff is proposing amendments to (COM) Commercial Street District to include churches as a permitted use in Subsection 4-3502 and to remove number eight (8) Churches as a conditional use in Subsection 4-3503. Staff has also found inconsistent language in our industrial Districts; RI, Restricted Industrial, LI, Light Industrial, GM, General Manufacturing, IC, Industrial Districts in relation to emergency shelters and overnight shelters. City Council passed General Ordinance 6058 on June 17, 2013, to refine the definitions of “Emergency Shelters” and “Overnight Shelters” in various zoning Districts. This ordinance, however, did not rename emergency shelters to overnight shelters in the Industrial districts as intended. Emergency shelters are defined “as *certified and identified by the American Red Cross, Regional Mass Care Provider, that may provide lodging, meals and services related to relocation and are available during or after a fire or natural disaster for a limited duration. Any spacing requirements and maximum occupancies in this Article shall not apply to emergency shelters*”. An overnight shelter is defined as “*providing lodging and meals; whose services are available for up to thirty (30) days at any one time to any one resident*”. Staff is proposing amendments to the, RI, LI, GM, and IC Districts to change Emergency Shelters to Overnight Shelters in the permitted use sections. Staff recommends approval.

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

Mr. Ray asked if there were any concerns about loss of tax revenue in the commercial district from having a church presence.

Mr. Hosmer said no.

Mr. Edwards motioned to **approve** Churches and Church Accessory Uses Text Amendment. Mr. Young **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Edwards, Ray, Young, Cox, Doennig, and Cline. Nays: None. Abstain: None. Absent: Shuler.

Fuldner Condominiums
Enterprises, LLC
(2937 S. Claremont Avenue)

Fuldner

Mr. Hosmer stated this is a request to accept the dedication of the public streets and easements as shown on the Preliminary Plat of FULDNER CONDOMINIUMS generally located at 2937 South Claremont Avenue. The applicant is proposing to subdivide approximately 3.9 acres into a three (3) unit condominium plat named “Fuldner Condominiums”. The first unit will consist of the existing daycare building and required outdoor play area, the second unit is a professional office building and the third unit is undeveloped. The property owner will apply for an administrative re-plat condominium after the building has been constructed to re-plat the common and limited common elements in Unit 3. The property is currently zoned Planned Development 322. Staff recommends approval.

Mr. Baird opened the public hearing.

Mr. Edwards suggested tabling the case as the applicant is not present.

Mr. Baird asked if there was any communication from the applicant or their representative.

Mr. Hosmer stated this is not a zoning case and Commission can, at their discretion, recommend approval without the applicant present.

Mr. Edwards motioned to **table** Fuldner Condominiums. Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Edwards, Ray, Young, Cox, Doennig, and Cline. Nays: None. Abstain: None. Absent: Shuler.

Official Zoning Map Approval

Mr. Hosmer stated City Council passed ordinance 6069 on, August 12, 2013, to modified **Section 1-1600 Official Zoning Map and Rules for Interpretation** of the Zoning Ordinance. This amendment provided for an official adoption process for the zoning map. It also formalized the staff's use of our digital GIS, Geographic Information System, mapping database as a resource for staff to provide zoning information to the general public. The new process states that the *Official Zoning Map* shall be adopted or readopted in its entirety by City Council annually following an advertised public hearing. Staff recommends approval.

Mr. Baird opened the public hearing. There were no speaker to the issue, and the public hearing was closed.

Ms. Hosmer stated this is the second year Commission has approved the Official Zoning Map.

Mr. Baird asked why they need to approve the zoning map if Commission approves each case individually.

Mr. Hosmer commented staff is reviewing this to change the ordinance because the City uses GIS, Geographic Informational System, that when an ordinance is adopted for a zoning change, that will adopt and change the official zoning map digitally. This is an official legal document that can be presented as evidence in court.

Mr. Rykowski explained that historically it was a map on a wall and zoning changes didn't happen as frequently then as they do today. This is an attempt to make it legal so we can have it more rapidly and step by step as we determine how to do it.

Mr. Edwards motioned to **approve** the Official Zoning Map. Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Edwards, Ray, Young, Cox, Doennig, and Cline. Nays: None. Abstain: None. Absent: Shuler.

There being no further business, the meeting was adjourned at approximately 7:32 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

MINUTES OF THE PLANNING AND ZONING COMMISSION
Springfield, Missouri

The Planning and Zoning Commission met in regular session February 19, 2015, in City Council Chambers at Historic City Hall. The meeting was called to order by Chairman Tom Baird.

Roll Call: Present: Tom Baird (Chairman), Gabrielle White, (Vice-chair), Matt Edwards, Jason Ray, Melissa Cox, David Shuler, Randall Doennig and Andrew Cline.
Absent: Phil Young.

Staff in attendance: Bob Hosmer, Principal Planner, Sarah Kerner, Assistant City Attorney, Dawne Gardner, Public Works, Rodney Colson, Public Works, and Sandy Goddard, Administrative Assistant.

Minutes: None.

Communications: None.

The Consent Agenda items were approved as presented.

UNFINISHED BUSINESS:

*Vacation 775
Springfield R-12*

School District of

Mr. Edwards motioned to removed Vacation 775 from the table. Mr. Ray seconded the motion. The motion was approved unanimously.

Mr. Hosmer stated this is a request to vacate a portion of Tampa Street between Benton Avenue and Jefferson Avenue and an existing alley. Jordan Valley Community Health Center owns property on both sides of Tampa which does not continue east of Benton Avenue since this portion of Tampa was vacated by Vacation No. 762 in 2013. All properties adjacent to Jefferson Avenue and the alley will still have access to a public street. All necessary easements have been retained as part of this vacation and staff recommends approval.

Mr. Baird opened the public hearing.

Mr. Derek Lee, Lee Engineering, 2101 W. Chesterfield Blvd, commented he represents the owner. Mr. Lee pointed out the section of Tampa that was vacated last year stating their intent is to connect the existing parking lot with a larger parking; the vacated section will become part of a parking lot.

Mr. Rick Wilson, Wilson Surveying, 2012 S. Stewart representing TeleCom Credit Union spoke in support of the proposed vacation.

Mr. Baird closed the public hearing.

Mr. Ray motioned to **approve** Vacation 775. Mr. Edwards **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Edwards, Ray, Cox, Shuler, Doennig, and Cline. Nays: None. Abstain: None. Absent: Young.

Fuldner Condominiums

Fuldner Enterprises, LLC.

Mr. Hosmer stated the purpose of this request is to approve a preliminary plat to subdivide 3.9 acres into a three (3) unit condominium and common area located at 2937 South Claremont Avenue. The first unit will consist of the existing daycare building and required outdoor play area, the second unit is a professional office building and the third unit is undeveloped. The property owner will apply for an administrative re-plat condominium after the building has been constructed to re-plat the common and limited common elements in Unit 3. The property is currently zoned Planned Development 322. 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.

Mr. Cline motioned to remove Fuldner Condominiums from the table. Mr. Doennig seconded the motion. The motion was approved unanimously.

Mr. Baird opened the public hearing.

Mr. Rod Neff, Olsson Associated, 550 E. St. Louis St., commented he is representing Fuldner Condominiums. They are not changing the site, but turning this into a condominium plat.

Mr. Baird closed the public hearing.

Mr. Edwards motioned to **approve** Fuldner Condominiums. Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Edwards, Ray, Cox, Shuler, Doennig, and Cline. Nays: None. Abstain: None. Absent: Young.

PUBLIC HEARINGS:

Security Agreement 31

GSH Construction

Mr. Hosmer commented this is a request to extend the security agreement for Galloway Plaza subdivision recorded 5/1/2014. The applicant requests the security agreement for construction of streets, sidewalks and a drainage facility within the Galloway Plaza Subdivision be extended for one additional year. The security agreement for the required public improvements (except sidewalks, which may be secured for three years)

will expire on May 1, 2015. Before the final plat of any subdivided area shall be recorded, the subdivider shall provide for the improvements to be extended to all lots in the area to be included in the final plat at no cost to the City. In lieu of the final completion of said improvements before the plat is recorded, the subdivider may post a surety bond, an escrow agreement, letter of credit or other appropriate security agreement, approved by the City of Springfield, which surety, escrow agreement or other appropriate security agreement will insure to the City that the improvements will be completed by the subdivider. The Commission may, upon proof of hardship, extend the completion date set forth in said bond or agreements for a maximum period of one additional year; provided a request for said extension is made prior to the end of the one year following recordation and provided the amount of said security is revised pursuant to a revised estimate by the Department of Public Works.

Mr. Doennig asked if this is part of the blight designation.

Mr. Hosmer stated he believes it is.

Mr. Baird opened the public hearing.

Mr. Geoff Butler, Butler, Rosenbury Partners, 319 N. Main Avenue, commented this is a situation where they had intended these improvements to be completed as part of the construction of Mr. Jalili's restaurant. Unfortunately, there was a delay with the architect, and it is more cost effective to do the improvements at the same time that you do construction on the project. Mr. Butler noted Acacia Spa is a project they are doing further south; the drainage on that project has to go through the same crossing of Lone Pine that Mr. Jalili is supposed to build. Mr. Butler stated the Acacia Spa will construct the crossing the drainage way which is off site improvements as a part their construction so that when the Acacia project is complete. The bottom line is that part of the improvements for the Jalili project will be completed shortly with the Acacia project which is starting construction now.

Mr. Cline clarified they are discussing the design of a sidewalk and drainage.

Mr. Butler stated that all the design work for the public improvements has been done; it has been priced and escrow has been put in place for it. It is the design of the restaurant by the architect that is slow.

Mr. Baird closed the public hearing.

Mr. Edwards noted that since this is in line with things Commission has done regarding this piece of property in the past, it seems like a reasonable request adding he supports the request.

Ms. Cox asked about the sidewalks expiration date and an extension of three years.

Mr. Hosmer stated that they can extend it for three years but they are not asking for that.

Ms. Cox clarified that sidewalks and drainage will be done by this point in time one way or another by 2016.

Mr. Hosmer said yes or the city will take the security and do the improvements.

Ms. Cox motioned to **approve** Security Agreement 31. Mr. Cline **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Edwards, Ray, Cox, Shuler, Doennig, and Cline. Nays: None. Abstain: None. Absent: Young.

There being no further business, the meeting was adjourned at approximately 7:00 p.m.



Bob Hosmer, AICP
Principal Planner

**Summary of City Council Meeting
February 9, 2015**

SECOND READING AND FINAL PASSAGE. Citizens Have Spoken. May Be Voted On.

Council Bill 2015-020. Passes unanimously

A general ordinance amending the Springfield Land Development Code, Article I, Zoning Ordinance, Section 5-3000, Community Gardens, in the Springfield Zoning Ordinance to allow an on-site, two-consecutive-day, fundraising sale twice a calendar year in legally established community gardens.

Council Bill 2015-021. Passes unanimously

A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately 0.20 acres of property, generally located at 1841 East Walnut Street, from an R-TH, Residential Townhouse District to an HC, Highway Commercial District and establishing Conditional Overlay District No. 83. (Planning and Zoning Commission and staff recommend approval.) (By: Great Southern Bank; 1841 East Walnut Street; Z-01-2015 & Conditional Overlay District No. 83.)

Council Bill 2015-022. Passes unanimously

A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately 0.67 acres of property generally located at 4058 South Lone Pine Avenue from an LB, Limited Business District, to a GR, General Retail District. (Planning and Zoning Commission and staff recommend approval.) (By: Christina Chanter, LowerDeck94, LLC; 4058 South Lone Pine Ave; Z-02-2015.)

Council Bill 2015-024. Passes 8/1 (Hosmer)

A special ordinance amending the Woodruff Redevelopment Plan for an area at the northwest corner of Park Central East and South Jefferson Avenue; making findings of blighting conditions in the proposed expanded boundary of the Woodruff Redevelopment Area; and declaring its redevelopment necessary for the preservation of the public peace, prosperity, health, safety, morals, and welfare

City of Springfield City Council
Summary of Council Meeting 02/23/2015

COUNCIL BILLS FOR PUBLIC HEARING. Citizens May Speak. Not Anticipated To Be Voted On.

Council Bill 2015-034.

A general ordinance amending Springfield City Code, Chapter 1, Section 1-9, City Limits, by annexing approximately 39.13 acres of private property and 6.01 acres of MODOT and Greene County right-of-way into the City of Springfield, generally located at 3705 West Sunshine Street, more fully described in this ordinance, generally referenced as **Annexation A-1-15**; 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.

Council Bill 2015-035.

A general ordinance amending the Springfield Land Development Code, Article I, Zoning Ordinance, Division IV, Subdivision 1, Residential Districts, Subsections 4-1002, 4-1102, 4-1202, 4-1302, 4-1402, and 4-1502; Subdivision 3, Commercial Districts, Subsections 4-3502 and 4-3503; Subdivision 4, Industrial Districts, Subsections 4-4002, 4-4102, 4-4202, and 4-4402, relating to **churches and church accessory uses**.

Council Bill 2015-036.

A general ordinance adopting the **Official Zoning Map** as provided for in Springfield Land Development Code, Section 1-1600, Zoning Maps, in a digital format and providing for the approved archival form. (Planning and Zoning Commission and Staff recommend approval.)

Council Bill 2015-039.

A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately 34.51 acres of property, generally located at 3429 East Chestnut Expressway, from a Planned Development District No. 336 to an HC, Highway Commercial District; and establishing Conditional Overlay District No. 86 (Planning and Zoning Commission and staff recommend approval). (By: The School District of Springfield R-12 and High Street Fundamental Baptist Church; 3429 East Chestnut Expressway; **Z-05-2015 and Conditional Overlay District NO. 86.**)

Council Bill 2015-040.

A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately 1.38 acres of property, generally located at 610 North Jefferson Avenue, from an HM, Heavy Manufacturing District, to a CC, Center City District and establishing Conditional Overlay District No. 88. (Staff and Planning and Zoning Commission recommend approval.) (By: Jordan Valley Community Health Clinic; 610 North Jefferson Avenue; **Z-06-2015 and Conditional Overlay District NO. 88.**)

Council Bill 2015-041.

A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately 5.72 acres of property, generally located at 2927, 2930, and 2962 North Fort Street from an R-SF, Single-Family Residential District, to a GI, Government and Institutional Use District. (Planning and Zoning Commission and staff recommend approval.) (By: Friends of the Zoo (FOZ); 2927, 2930, and 2962 North Fort Street; **Z-07-2015.**)

Council Bill 2015-042.

A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately two acres of property, generally located at 2704 South Campbell Avenue, from Planned Development 331 and LB, Limited Business District with Conditional Overlay District No. 26, to a GR, General Retail District; and establishing Conditional Overlay District No. 87. (Staff and Planning and Zoning Commission recommend approval.) (By: Empire Mortgage Co. Inc.; 2704 S. Campbell Ave.; **Z-08-2015 and Conditional Overlay District NO. 87.**)

Council Bill 2015-043.

A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately 37.38 acres of property, generally located at 3800 East Farm Road 132, from a Planned Development District No. 305 to an R-SF, Single-Family Residential District, and a GR, General Retail District. (Planning and Zoning Commission and staff recommend approval.) (By: Hickory Land Co LLC; 3800 East Farm Road 132; **Z-09-2015.**)

Council Bill 2015-044.

A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately 4.59 acres of property, generally located at 3850 South Campbell Avenue, from a Planned Development 339 to a GR, General Retail District. (Staff and Planning and Zoning Commission recommend approval.) (By: C&M Realty, Inc.; 3850 S. Campbell Avenue; **Z-10-2015.**)

CONSENT AGENDA – FIRST READING BILLS.

Council Bill 2015-046.

A special ordinance authorizing the Director of Planning and Development to accept the dedication of the public streets and easements to the City of Springfield as shown on the **Preliminary Plat of Hickory Hills Subdivision Phase II**, generally located at 3800 East Farm Road 132, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with the terms of this ordinance. (Planning and Zoning Commission and Staff recommend that City Council accept the public streets and easements.)

Council Bill 2015-047.

A special ordinance authorizing the Director of Planning and Development to accept the dedication of the public streets and easements to the City of Springfield as shown on the **Preliminary Plat of Menards East**, generally located at 3429 East Chestnut Expressway, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with the terms of this ordinance. (Planning and Zoning Commission and Staff recommend that City Council accept the public streets and easements.)

Council Bill 2015-048.

A special ordinance authorizing the Director of Planning and Development to accept the dedication of the public streets and easements to the City of Springfield as shown on the **Preliminary Plat of Sunset Plaza Phase II**, generally located at 2704 South Campbell Avenue, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with the terms of this ordinance. (Planning and Zoning Commission and Staff recommend that City Council accept the public streets and easements.)

Zoning & Subdivision Report

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

REQUEST TO RELINQUISH EASEMENT NUMBER 819

DATE: February 24, 2015

PURPOSE: To relinquish a cross access easement

LOCATION: 2900 Block South Nettleton Avenue

APPLICANT: Southwest Center for Independent Living

RECOMMENDATION:

The request be **approved**.

FINDING:

The request meets the approval criteria listed in Attachment B.

STAFF CONTACT PERSON:

Michael G. Sparlin
Assistant Planner

Attachment A: Background report

Attachment B: Approval criteria

Exhibit 1: Legal description

Exhibit 2: Drawing

ATTACHMENT A
RELINQUISH EASEMENT NO. 819
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish a cross access easement in order to facilitate development of the site. The easement is within the proposed parking spaces for the new layout of the development.

TRAFFIC COMMENTS:

No issues with relinquish of subject 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 cross access easement in order to facilitate development of the site. The relinquishment of the easement will allow the development to meet the parking requirements.
3. No one has objected to this request to date.

ATTACHMENT B
RELINQUISH EASEMENT NO. 819
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 perpetual drive 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.

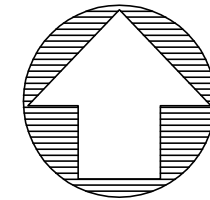
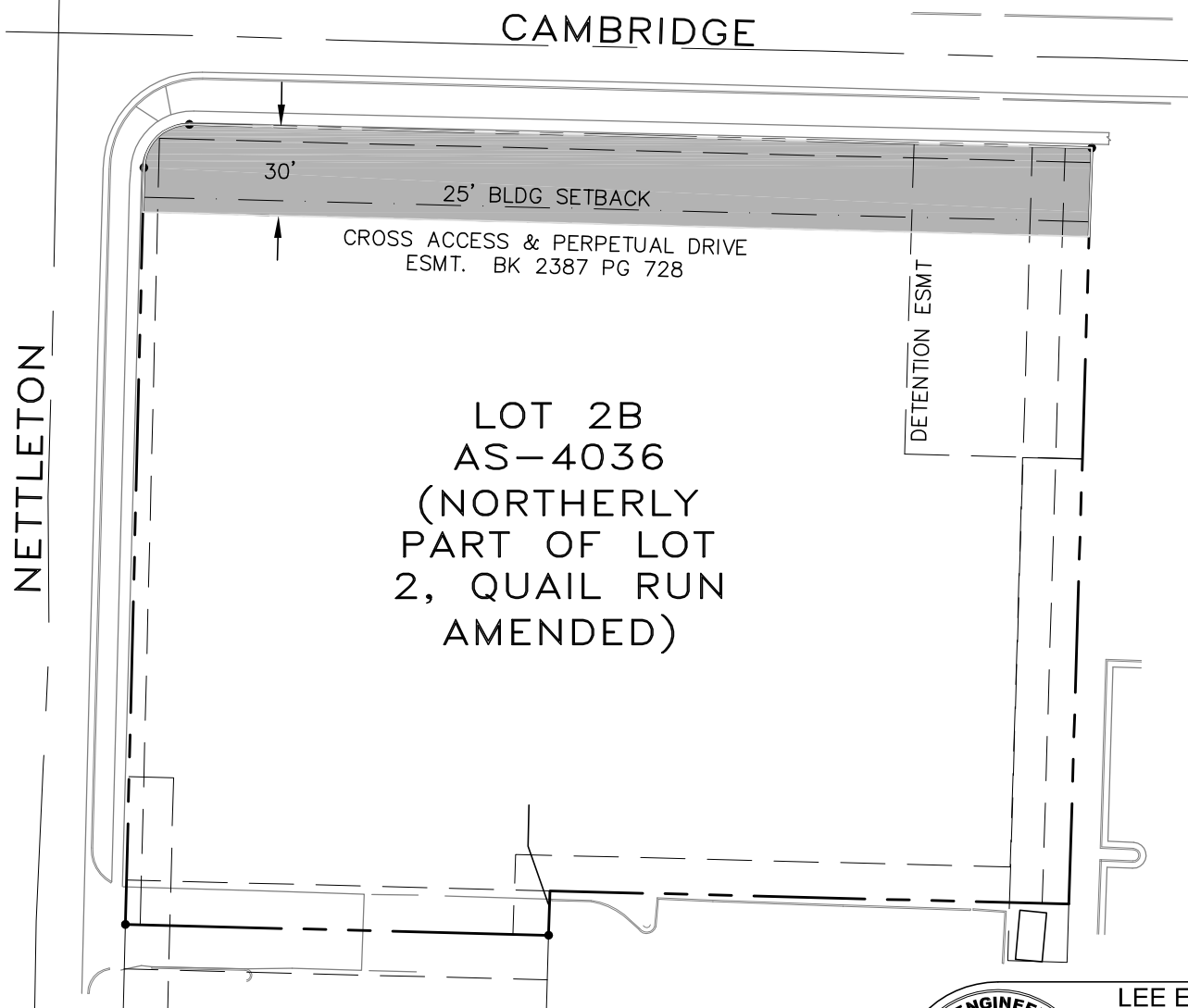
3. That the retention of the easement no longer serves any useful public purpose.

STAFF RESPONSE:

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

RELINQUISH EASEMENT NO. 819
EXHIBIT 1

A perpetual drive easement described as being all of the north 30.0 feet of Lot 2 in the amended final plat of Quail Run, a subdivision in the City of Springfield, Greene County, Missouri.



SCALE 1" = 60'

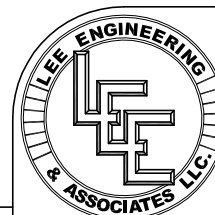
NOTE:

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DATE: 01/21/2015

**ACCESS EASEMENT
RELINQUISHMENT EXHIBIT**

PROJECT NO.:
856



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

LEE Engineering & Associates, L.L.C.

2101 W. Chesterfield Blvd, Suite C202

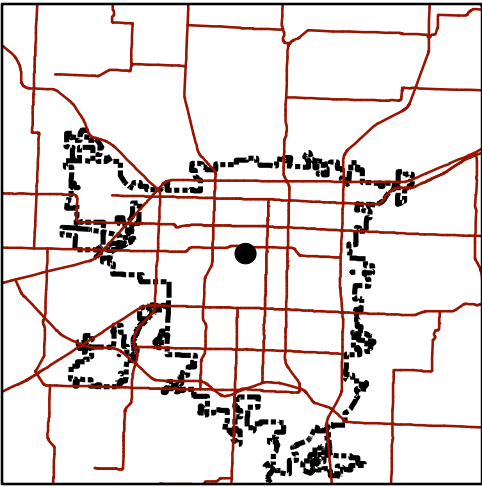
Springfield, Missouri 65807

417-886-9100 (phone)

417-886-9336 (fax)

dlee@leeengineering.biz

"Engineering with Integrity"



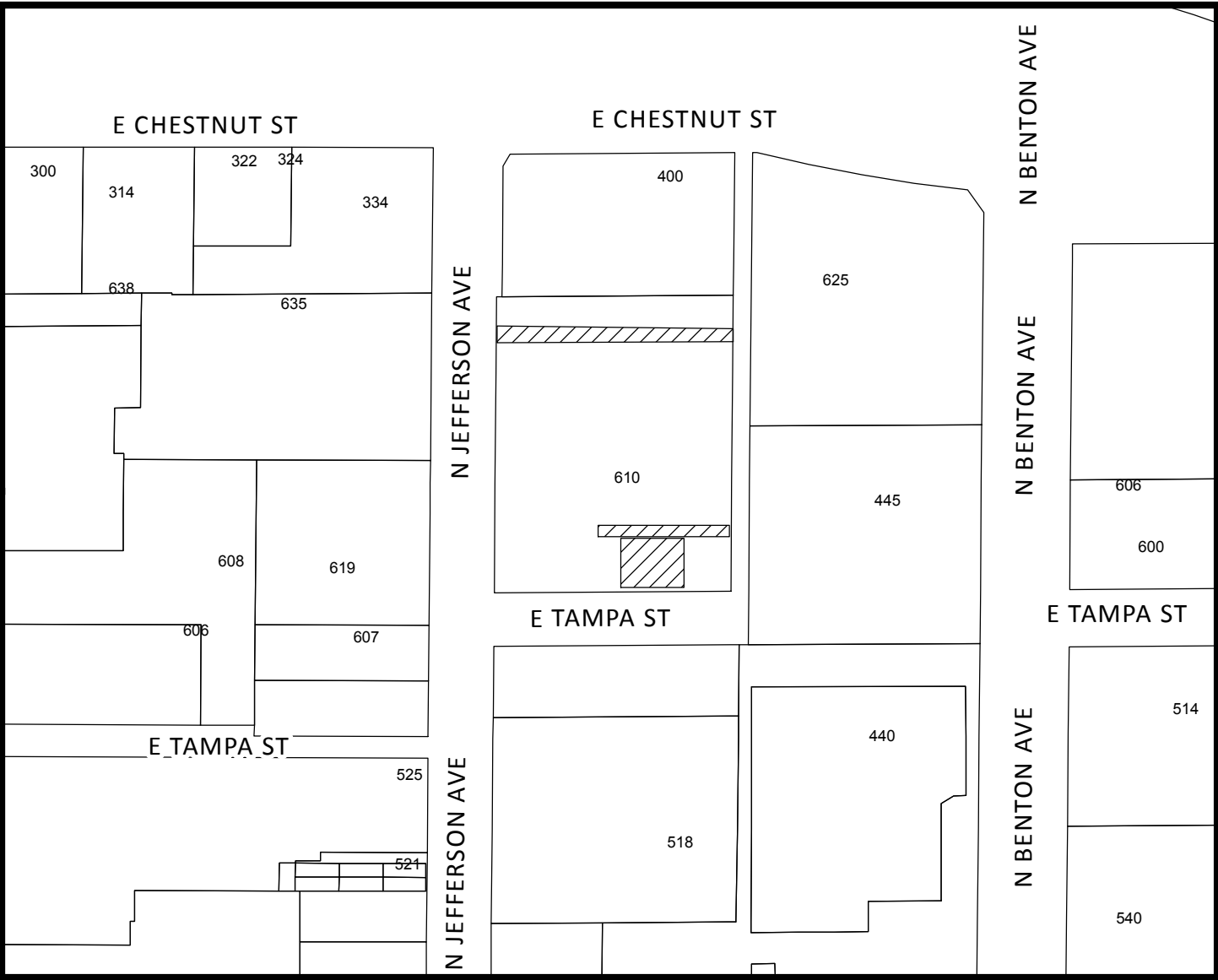
Zoning & Subdivision Report

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

Relinquish Easement 820

LOCATION: 610 N. Jefferson Avenue

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 820

DATE: February 24, 2015

PURPOSE: To relinquish utility, drainage and access easements.

LOCATION: 440 E. Tampa

APPLICANT: Advocated for a Healthy Community, Inc.

RECOMMENDATION:

The request be **approved**.

FINDING:

The request meets the approval criteria listed in Attachment B.

STAFF CONTACT PERSON:

Michael G. Sparlin
Assistant Planner

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

ATTACHMENT A
RELINQUISH EASEMENT NO. 820
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish utility, drainage and access easements in order to facilitate development of the site. The lots have been combined through administrative lot combination for use as a parking lot to serve the Jordan Valley Community Health Center.

TRAFFIC COMMENTS:

No issues with relinquish of subject easement.

STORMWATER ENGINEERING COMMENTS:

No issues with the proposed drainage easement relinquishment.

CLEAN WATER SERVICES COMMENTS;

No public sewer within proposed relinquishment.

CITY UTILITIES COMMENTS;

It appears CU electric facilities are no longer in the easement. No objection to relinquishment.

MEDIACOM COMMENTS;

No Mediacom lines within proposed relinquishment. No issues with relinquishing easements.

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 utility, drainage and access easements in order to facilitate development of the site. The relinquishment of the easement will allow the development of a parking lot to serve the Jordan Valley Community Health Center.
3. No one has objected to this request to date.

ATTACHMENT B
RELINQUISH EASEMENT NO. 820
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 subject 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. 820
EXHIBIT 1

LEGAL DESCRIPTIONS

COMMON DRIVE EASEMENT (Book 1195-Page 619):

All beginning Sixty-eight and eight-tenths (68.8) feet South of the Northwest corner of Lot One Hundred Nine (109) in HARWOOD, LIENBY AND BOYDS ADDITION to the City of Springfield, Greene County, Missouri, thence East to the East line of Lot One Hundred Nine (109), thence South Thirty-two and Seven-tenths (32.7) feet to the Southeast corner of Lot One Hundred Nine (109), thence West to the Southwest corner of Lot One Hundred Nine (109), thence North Thirty-two and Seven-tenths (32.7) feet to point of beginning, the North Four (4) feet of said tract being subject to an easement for the existing common driveway between the said tract and the real property along the North thereof.

Also all beginning Thirty (30) feet South of the Northwest corner of Lot One Hundred Nine (109) in HARWOOD, LIENBY AND BOYDS ADDITION to the City of Springfield, Greene County, Missouri, thence East to the East line of Lot One Hundred Nine (109), thence South Thirty-eight and eight-tenths (38.8) feet, thence West to the West line of Lot One Hundred Nine (109), thence North Thirty-eight and eight-tenths (38.8) feet to point of beginning, the South Four (4) feet of said tract being subject to an easement for the existing common driveway between the said tract and the real property along the South thereof.

CROSS ACCESS EASEMENT (Book 2477-Page 2157):

Existing driveway between tract 1 and tract 2 of Moore Printing Company/610 N. Jefferson
From stake at southeast corner of property west 80' 4"
Drive is 25' wide x 60' 6" long

DRAINAGE EASEMENT (Book 1942-Page 407):

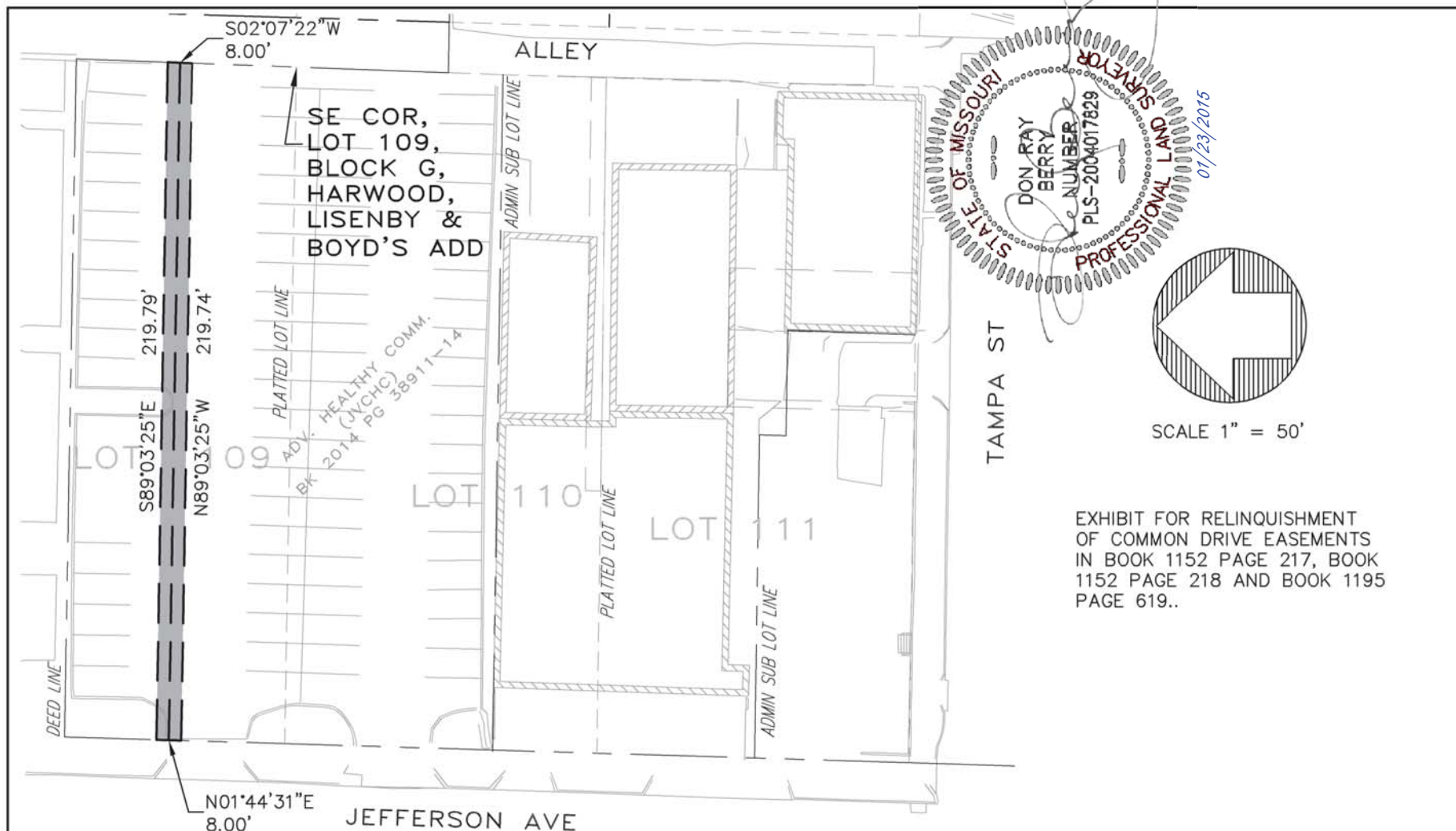
A 20-foot wide perpetual drainage easement extending from the North right-of-way line of Tampa Street to the centerline of said 20-foot wide easement being more particularly described as follows: Starting at the Southeast corner of Lot 111, Block G of HARWOOD, LIENBY AND BOYD'S ADDITION to the City of Springfield, thence westerly along the southerly line of said Lot 111 for 73 feet to the point of beginning of said centerline; thence northerly and parallel to the westerly line of said Lot 111 for 41.6 feet to the endpoint of said centerline, said endpoint being located on the southerly line of said tract 1, all in the City of Springfield, Greene County, Missouri.

ELECTRIC LINE EASEMENT (Book 1173-Page 89):

Beginning at the southeast corner of Lot 110, Block G, of the HARWOOD, LIENBY AND BOYD'S ADDITION, thence west 134', thence north five feet, thence east 134', thence south to the point of beginning.

INGRESS-EGRESS & JOINT DRIVE EASEMENT (Book 1942-Page 405):

A 30-foot wide perpetual easement for Ingress and Egress from the North right-of-way line of Tampa Street to the centerline of said 30-foot wide easement being more particularly described as follows: Starting at the Southeast corner of Lot 111, Block G of HARWOOD, LIENBY AND BOYD'S ADDITION to the City of Springfield, thence westerly along the southerly line of said Lot 111 for 93 feet to the point of beginning of said centerline; thence northerly and parallel to the westerly line of said Lot 111 for 41.6 feet to the endpoint of said centerline, said endpoint being located on the southerly line of said tract 1, all in the City of Springfield, Greene County, Missouri.



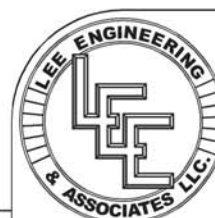
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DATE: 01/22/2015

**COMMON DRIVE EASEMENTS
RELINQUISHMENT EXHIBIT**

PROJECT NO.:
751



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

LEE Engineering & Associates, L.L.C.

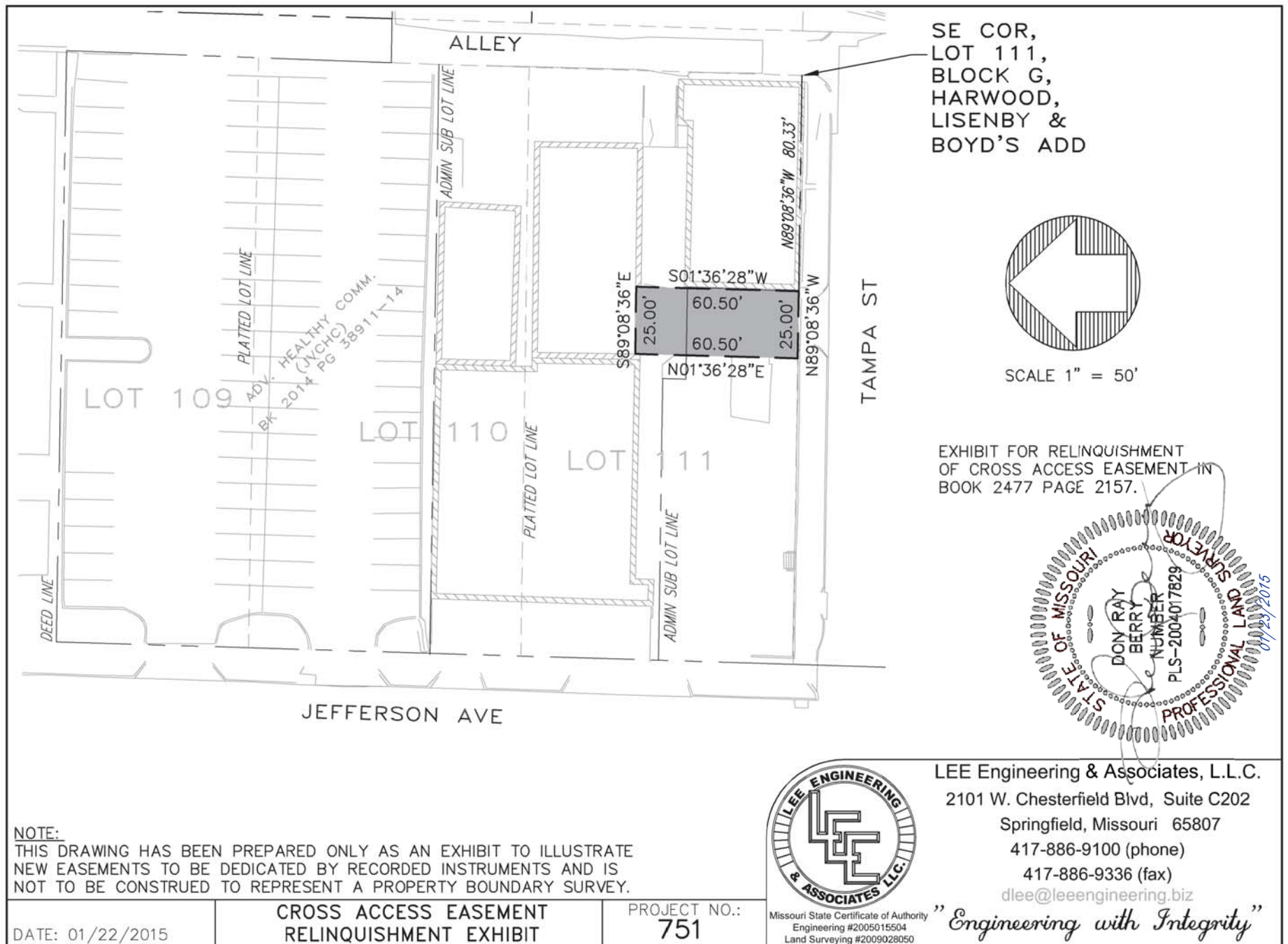
2101 W. Chesterfield Blvd, Suite C202
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dlee@leeengineering.biz

"Engineering with Integrity"



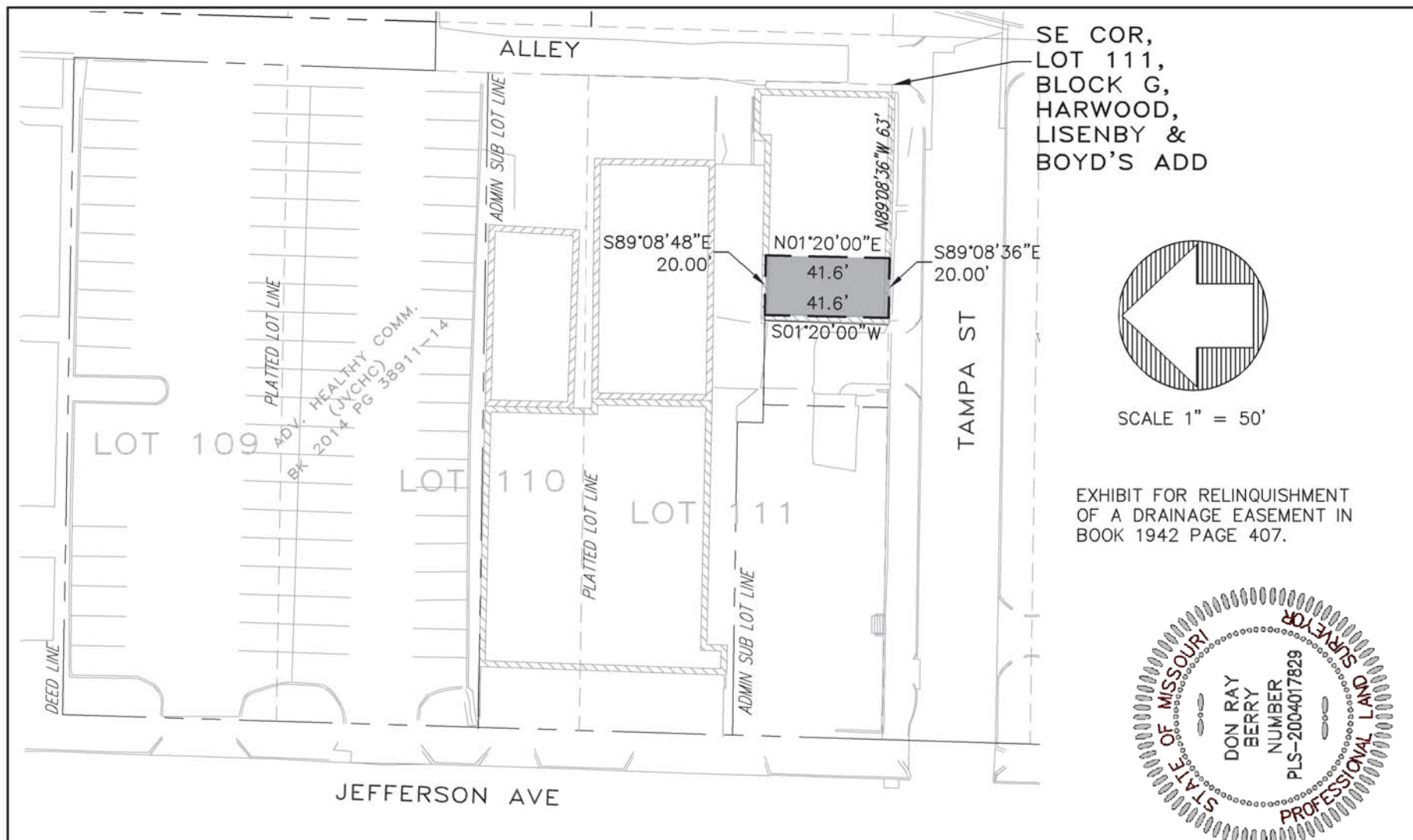
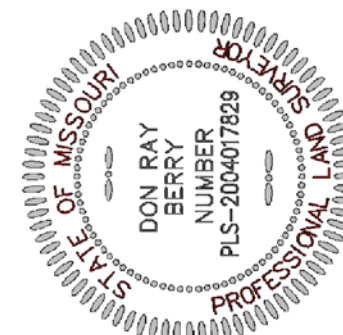
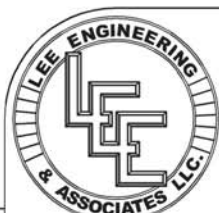
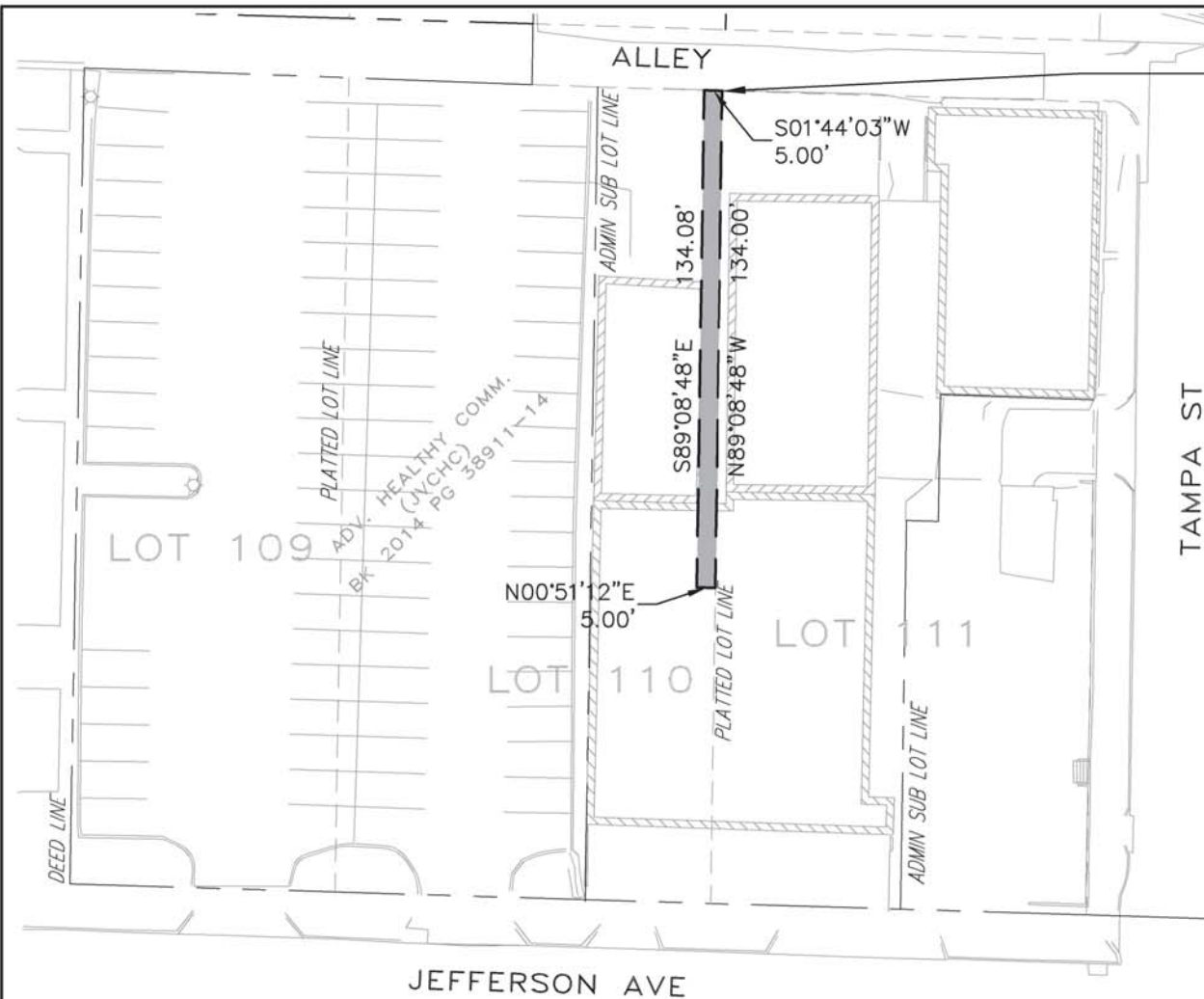


EXHIBIT FOR RELINQUISHMENT
OF A DRAINAGE EASEMENT IN
BOOK 1942 PAGE 407.

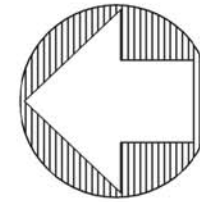


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NEW EASEMENTS TO BE DEDICATED BY RECORDED INSTRUMENTS AND IS
NOT TO BE CONSTRUED TO REPRESENT A PROPERTY BOUNDARY SURVEY.

DATE: 01/22/2015	DRAINAGE EASEMENT RELINQUISHMENT EXHIBIT	PROJECT NO.: 751	 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" Missouri State Certificate of Authority Engineering #2005015504 Land Surveying #2009028050
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SE COR,
LOT 110,
BLOCK G,
HARWOOD,
LISENBY &
BOYD'S ADD



SCALE 1" = 50'

EXHIBIT FOR RELINQUISHMENT
OF ELECTRIC EASEMENT IN
BOOK 1173 PAGE 89.



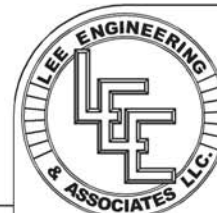
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DATE: 01/22/2015

**ELECTRIC EASEMENT
RELINQUISHMENT EXHIBIT**

PROJECT NO.:
751



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

LEE Engineering & Associates, L.L.C.

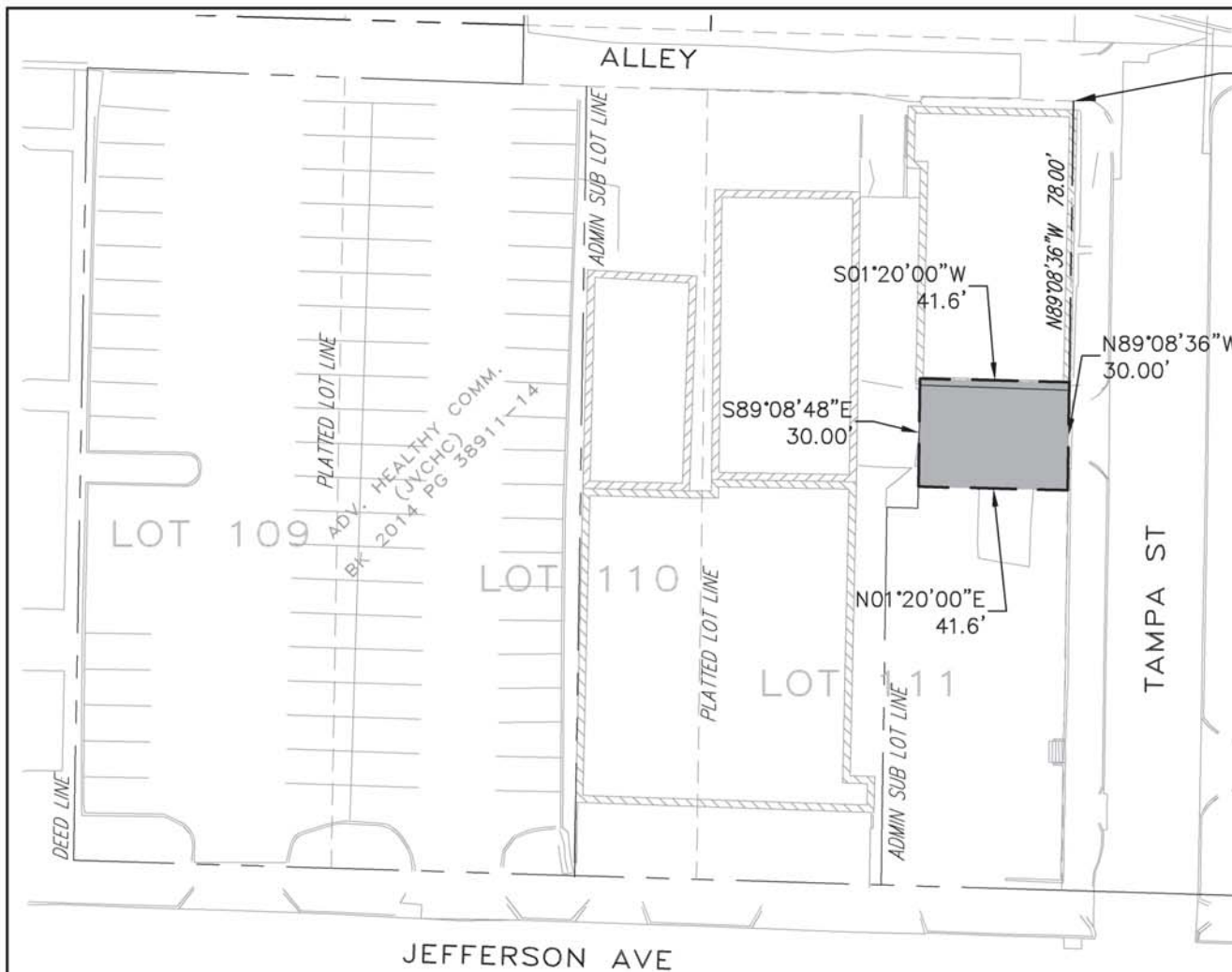
2101 W. Chesterfield Blvd, Suite C202
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417-886-9100 (phone)

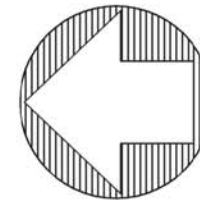
417-886-9336 (fax)

dlee@leeengineering.biz

"Engineering with Integrity"



SE COR,
LOT 111,
BLOCK G,
HARWOOD,
LISENBY &
BOYD'S ADD



SCALE 1" = 50'

EXHIBIT FOR RELINQUISHMENT
OF EASEMENT IN BOOK 1942
PAGE 405 AND JOINT DRIVEWAY
AGREEMENT IN BOOK 1947
PAGE 94.



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"

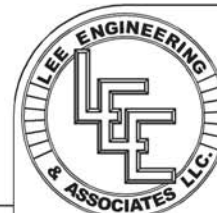
NOTE:

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: 01/22/2015

**INGRESS-EGRESS & JOINT DRIVE
RELINQUISHMENT EXHIBIT**

PROJECT NO.:
751



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

Zoning & Subdivision Report

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

INITIATE REZONING: PLANNED DEVELOPMENT 329, 334, 141 4th AMENDMENT AND A PORTION OF PLANNED DEVELOPMENT 141

DATE: February 25, 2015

PURPOSE: To initiate a rezoning of Planned Development District No. 329 and 334, 141 4th amendment and a portion of Planned Development 141 2nd amendment to a new Planned Development

STAFF COMMENTS:

Planned Development District 329 was approved in 2009, Planned Development 334 was approved in 2010, Planned Development 141 2nd amendment was approved in 1999 and Planned Development 141 4th amendment was approved by City Council in 1994. Staff was contacted by the owner of several tracts within each of these Planned Developments about future development. The owner wishes to develop future vacant tracts with 100% lot coverage in several locations throughout these Planned Developments. The current zoning ordinance requires that each tract must have at least 20% open space and provide onsite parking. The current language in the existing Planned Developments does not allow for this to occur.

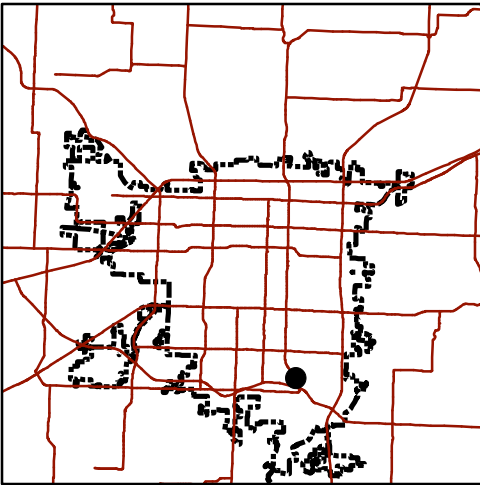
Staff is recommending Commission approve this request to initiate a rezoning for all of the tracts within Planned Development 329, 334, 141 4th and portions of 141 2nd Amendment to a new Planned Development and not just for the tracts owned by the one property owner. This new Planned Development will contain all the same permitted uses and development standards as the current Planned Developments. The intent of this rezoning is to clarify the language in the Planned Developments to allow future platting to occur with open space and parking being allowed within the common area so that future projects within this development can be in conformance with the Planned Development requirements.

Approval of this request will not rezone the Planned Developments. This request only initiates the process of rezoning the Planned Developments. Staff will work with the property owners within the development to develop the specific language for the new Planned Development. Once the language is developed, an application to rezone the Planned Developments will be followed by a neighborhood meeting, notification of adjacent property owners, posting of the property and public hearings before the Planning and Zoning Commission and City Council.

RECOMMENDATION: Staff recommends approval.

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner



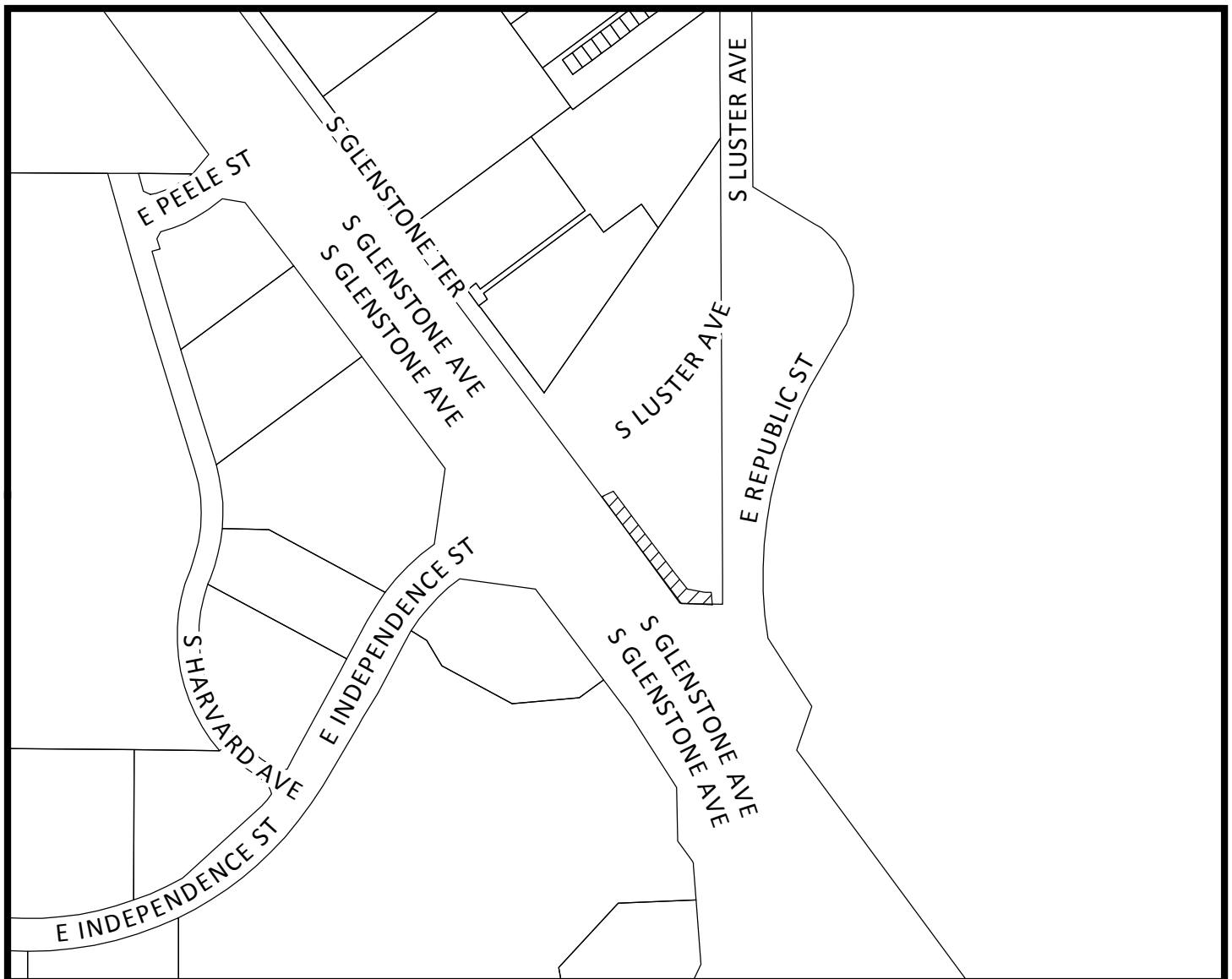
Zoning & Subdivision Report

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

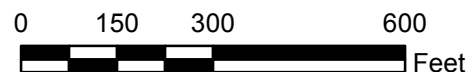
Vacation 776

LOCATION: 3800 block South Glenstone Avenue
outer road (private road referred to as Glenstone
Terrace)

LOCATION SKETCH



- Area of Proposal



1 inch = 300 feet

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

VACATION #776

DATE: February 24, 2015

PURPOSE: To vacate the remaining unused right-of-way of the Glenstone outer road (platted private road referred to as Glenstone Terrace) between new Luster Avenue and Republic Street.

BACKGROUND:

LOCATION: 3800 block S. Glenstone Avenue outer road (platted private road referred to as Glenstone Terrace)

APPLICANT: Missouri Department of Transportation (MoDOT)

RECOMMENDATION:

Staff recommends **approval** of this request.

FINDINGS FOR STAFF RECOMMENDATION:

The requested Vacation #776 meets the approval criteria listed in Attachment 2.

STAFF CONTACT:

Alana D. Owen, AICP
Senior Planner

ATTACHMENTS:

Attachment 1 - Background Report
Attachment 2 - Approval Criteria

Exhibit A - Legal Description
Exhibit B – Site Plan

ATTACHMENT 1
BACKGROUND REPORT
VACATION #776

APPLICANT'S PROPOSAL:

The applicant is requesting the vacation of a portion of unused right-of-way in the 3800 block South Glenstone Avenue outer road (platted private road referred to as Glenstone Terrace). The street is no longer necessary with the new intersection improvements at Glenstone and Independence and the existing right-of-way serves no useful purpose to the public.

TRAFFIC ENGINEERING COMMENTS:

Traffic has no issues with this request.

AT&T COMMENTS:

It appears all AT&T facilities are clear in the area. Any development in this area will require platted utility easements for service.

CITY UTILITIES COMMENTS:

Per the correspondence in the files attached to the application, MODOT will add certain wording to their deed conveying the property to the next owner that will allow access to the existing utility.

STORM WATER COMMENTS:

Storm Water has no issues with the proposed vacation.

FIRE DEPARTMENT COMMENTS:

No issues.

CLEAN WATER SERVICES:

No objections.

BUILDING DEVELOPMENT SERVICES:

There are no issues with the proposed vacation.

ADJACENT PROPERTY OWNER COMMENTS:

Four (4) property owners are within three hundred (300) feet of this site and have been notified of this action. No one has objected to date.

STAFF COMMENTS:

1. The applicant is requesting the vacation of a portion of unused right-of-way in the 3800 block South Glenstone Avenue outer road (platted private road referred to as Glenstone Terrace). The street is no longer used as part of the new intersection improvements at Glenstone and Independence and serves no useful purpose to the public.
2. The proposed vacation meets the approval criteria for vacating right-of-way.

ATTACHMENT 2
APPROVAL CRITERIA
VACATION #776

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

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

STAFF RESPONSE:

All adjacent property owners have access to other public streets.

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

STAFF RESPONSE:

Yes, MoDOT owns 100% of the adjacent property.

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

STAFF RESPONSE:

The retention of the right-of-way serves no useful purpose since the new Luster Avenue and Republic Street were constructed.

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

STAFF RESPONSE:

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

EXHIBIT A
LEGAL DESCRIPTION
VACATION #776

DESCRIPTION FOR STREET VACATION:

That part of a platted Private Road in Flowerland Sub-Division in the Northwest Quarter of the Southeast Quarter of Section 8, Township 28 North, Range 21 West, Greene County, Missouri, lying on the left or easterly side of Business Loop 65 (Glenstone Avenue) to wit:

Commencing at the Center of Section 8, Township 28 North, Range 21 West; Thence on a Missouri Central Zone Grid Bearing of S 01 deg. 06 min. 36 sec. W, on the West Line of the Southeast Quarter of said Section 8, a distance of 314.30 feet to a point 123.98 feet left of Business Loop 65 (Glenstone Avenue) Centerline Station 120+13.47; Thence S 35 deg. 18 min. 17 sec. E a distance of 7.32 feet to the Point of Beginning, said point being 123.98 feet left of the Business Loop 65 (Glenstone Avenue) Centerline Station 120+20.79; Thence continuing S 35 deg. 18 min. 17 sec. E a distance of 194.48 feet to an existing iron pin by Riddell, 123.95 feet left of the Business Loop 65 (Glenstone Avenue) Centerline Station 122+16.31; Thence on a non-tangent 127 deg. 19 min. 26 sec. curve to the left, said curve having a radius of 45.00 feet and a chord bearing of S 61 deg. 04 min. 03 sec. E, an arc distance of 40.67 feet to an existing "X" cut in a concrete curb at sta. 122+50.34 and a offset of 141.30 left; Thence S 87 deg. 24 min. 32 sec. E a distance of 18.82 feet to an existing iron pin, 156.32 feet left of the Business Loop 65 (Glenstone Avenue) Centerline Station 122+61.09; Thence on a non-tangent 229 deg. 10 min. 59 sec. curve to the left, said curve having a radius of 25.00 feet and a chord bearing of N 47 deg. 00 min. 39 sec. E, an arc distance of 39.86 feet to an existing iron pin by Riddell at sta. 122+56.08 and a offset of 191.69 left; Thence S 00 deg. 50 min. 05 sec. W a distance of 57.35 feet to an iron pin set, 159.00 feet left of the Business Loop 65 (Glenstone Avenue) Centerline Station 122+99.69; Thence N 81 deg. 44 min. 46 sec. W a distance of 79.70 feet to an existing steel right-of-way marker, 100.00 feet left of the Business Loop 65 (Glenstone Avenue) Centerline Station 122+49.08; Thence N 35 deg. 20 min. 08 sec. W a distance of 195.60 feet to an iron pin set, 99.66 feet left of the Business Loop 65 (Glenstone Avenue) Centerline Station 120+53.23; Thence N 01 deg. 32 min. 00 sec. E a distance of 40.54 feet to the Point of Beginning.

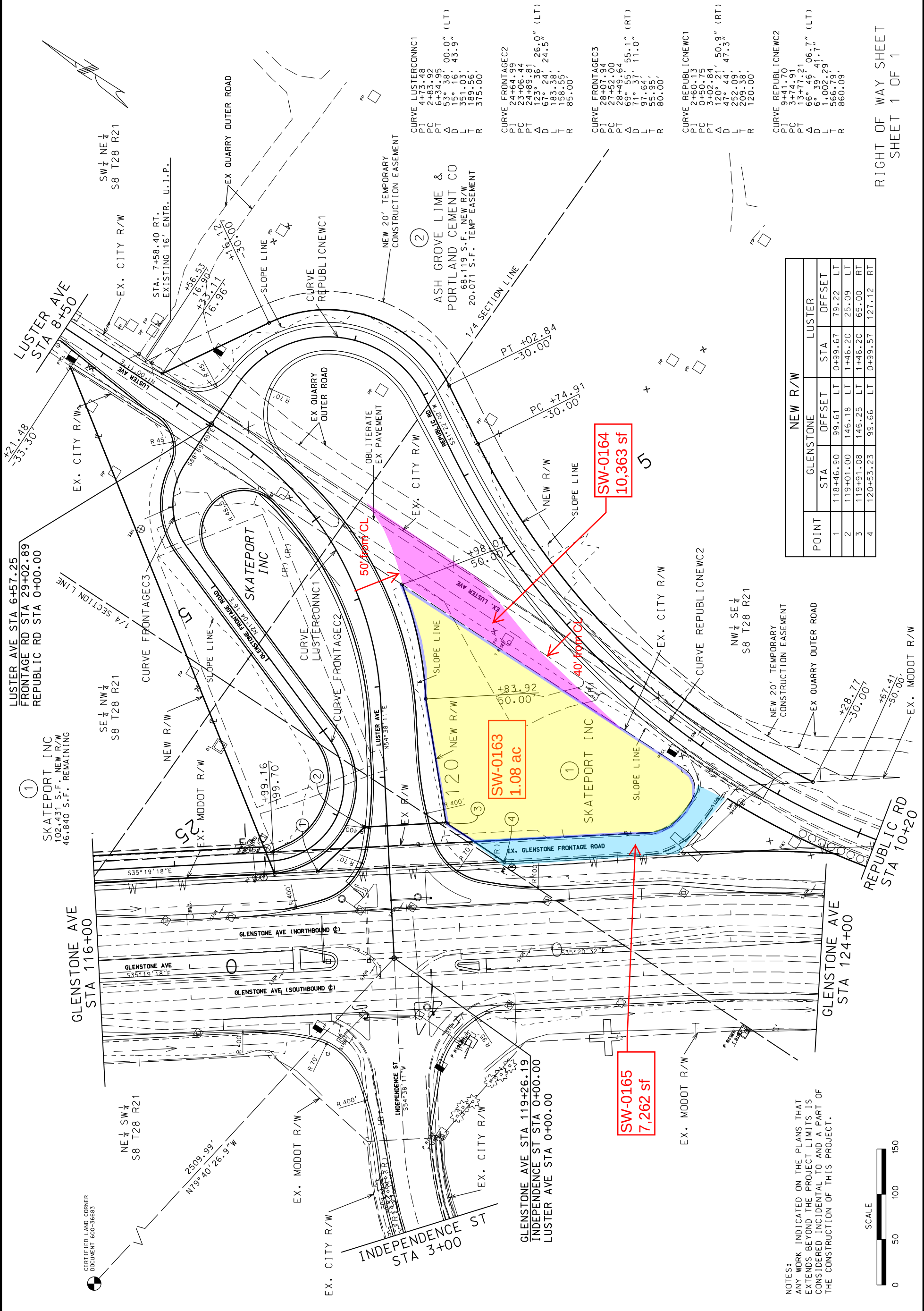
The above described parcel of platted Private Road contains 7,262 square feet more or less.

The Business Loop 65 (Glenstone Avenue) Centerline is described as follows:

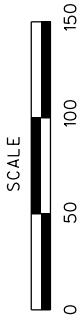
Commencing at the Northwest Corner Section 8, Township 28 North, Range 21 West, Thence S 42 deg. 08 min. 27 sec. E a distance of 1538.01 feet to the Point of Beginning

at Business Loop 65 (Glenstone Avenue) Centerline Station 95+00; Thence S 35 deg. 20 min. 56 sec. E a distance of 1600.00 feet to Business Loop 65 (Glenstone Avenue) Centerline P. I. Station 111+00; Thence S 35 deg. 19 min. 18 sec. E a distance of 1000.00 feet to Business Loop 65 (Glenstone Avenue) P. I. Station 121+00; Thence S 35 deg. 20 min. 32 sec. E a distance of 70.26 feet to Business Loop 65 (Glenstone Avenue) Equation, T. S. Station 121+70.26 Back, 121+71.78 Ahead; Thence on a Spiral Transition Curve to the right, said Spiral Transition Curve having a terminal radius of 1145.92 feet an arc distance of 200.00 feet to Business Loop 65 (Glenstone Avenue) Centerline S. C. Station 123+71.78; Thence on a 5 degree curve to the right, said curve having a radius of 1145.92 feet an arc distance of 530.22 feet to Business Loop 65 (Glenstone Avenue) Centerline C. S. Station 129+02.00; Thence on a Spiral Transition Curve to the right, said Spiral Transition Curve having a beginning radius of 1145.92 feet an arc distance of 200.00 feet to Business Loop 65 (Glenstone Avenue) Centerline S. T. Station 131+02.00; Thence S 1 deg. 10 min. 08 sec. W a distance of 498.00 feet to a Point of Termination at Business Loop 65 (Glenstone Avenue) Centerline P. I. Station 136+00, said point being N 20 deg. 28 min. 52 sec. E, 834.07 feet distant from the Southwest Corner of the Southeast Quarter of said Section 8.

EXHIBIT B

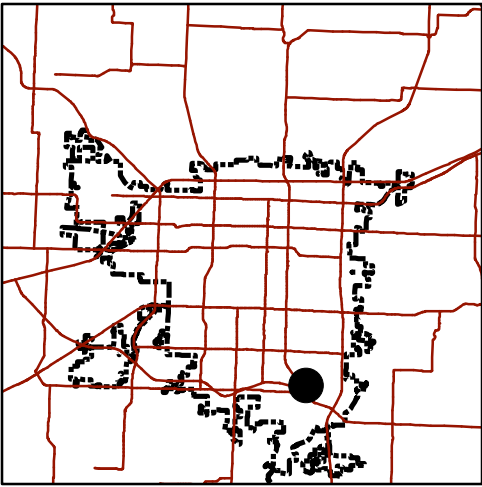


NOTES:
ANY WORK INDICATED ON THE PLANS THAT EXTENDS BEYOND THE PROJECT LIMITS IS CONSIDERED INCIDENTAL TO AND A PART OF THE CONSTRUCTION OF THIS PROJECT.



NEW R/W						
POINT	GLENSTONE			LUSTER		
	STA	OFFSET		STA	OFFSET	
1	118+46.90	99.61	LT	0+99.67	79.22	LT
2	119+01.00	146.18	LT	1+46.20	25.09	LT
3	119+91.08	146.25	LT	1+46.20	65.00	RT
4	120+53.23	99.66	LT	0+99.57	127.12	RT

RIGHT OF WAY SHEET
SHEET 1 OF 1



Zoning & Subdivision Report

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

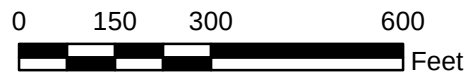
Vacation 777

Location: 3800 block S. Luster Ave.

LOCATION SKETCH



- Area of Proposal



1 inch = 300 feet

Zoning & Subdivision Report

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

VACATION #777

DATE: February 19, 2015

PURPOSE: To vacate the remaining unused right-of-way of Luster Avenue between new Luster Avenue and Republic Street.

BACKGROUND:

LOCATION: 3800 block S. Luster Avenue

APPLICANT: Missouri Department of Transportation (MoDOT)

RECOMMENDATION:

Staff recommends **approval** of this request.

FINDINGS FOR STAFF RECOMMENDATION:

The requested Vacation #777 meets the approval criteria listed in Attachment 2.

STAFF CONTACT:

Daniel Neal
Senior Planner

ATTACHMENTS:

Attachment 1 - Background Report
Attachment 2 - Approval Criteria

Exhibit A - Legal Description
Exhibit B – Site Plan

ATTACHMENT 1
BACKGROUND REPORT
VACATION #777

APPLICANT'S PROPOSAL:

The applicant is requesting the vacation of a portion of unused right-of-way in the 3800 block South Luster Avenue. The street was removed as part of the new intersection improvements at Glenstone and Independence. A new street has been constructed in its place so the existing right-of-way serves no useful purpose to the public.

TRAFFIC ENGINEERING COMMENTS:

Traffic has no issues with this request.

AT&T COMMENTS:

It appears all AT&T facilities are clear in the area. Any development in this area will require platted utility easements for service.

CITY UTILITIES COMMENTS:

Per the correspondence in the files attached to the application, MODOT will add certain wording to their deed conveying the property to the next owner that will allow access to the existing overhead electric line.

STORM WATER COMMENTS:

Storm Water has no issues with the proposed vacation.

FIRE DEPARTMENT COMMENTS:

No issues.

CLEAN WATER SERVICES:

No objections.

BUILDING DEVELOPMENT SERVICES:

There are no issues with the proposed vacation.

ADJACENT PROPERTY OWNER COMMENTS:

Four (4) property owners are within three hundred (300) feet of this site and have been notified of this action. No one has objected to date.

STAFF COMMENTS:

1. The applicant is requesting the vacation of a portion of unused right-of-way in the 3800 block South Luster Avenue. The street was removed as part of the new intersection improvements at Glenstone and Independence. A new street has been constructed in its place so the existing right-of-way serves no useful purpose to the public.
2. The proposed vacation meets the approval criteria for vacating right-of-way.

ATTACHMENT 2
APPROVAL CRITERIA
VACATION #777

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

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

STAFF RESPONSE:

All adjacent property owners have access to other public streets.

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

STAFF RESPONSE:

Yes, MoDOT owns 100% of the adjacent property.

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

STAFF RESPONSE:

The retention of the right-of-way serves no useful purpose since the new Luster Avenue and Republic Street were constructed.

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

STAFF RESPONSE:

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

EXHIBIT A
LEGAL DESCRIPTION
VACATION #777

DESCRIPTION FOR STREET VACATION:

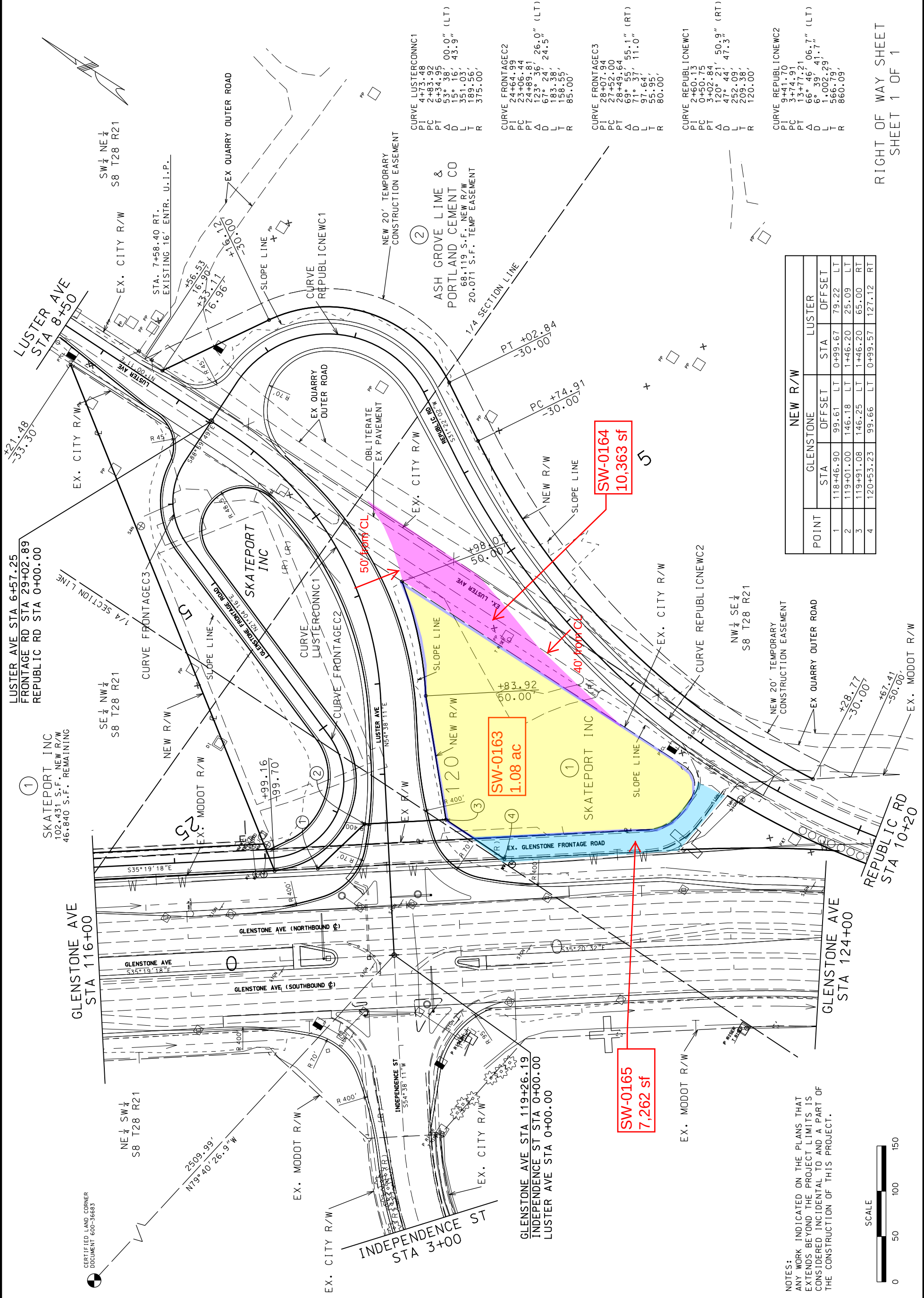
That part of Luster Avenue in the Northwest Quarter of the Southeast Quarter of Section 8, Township 28 North, Range 21 West, Greene County, Missouri, lying on the right or southeasterly side of Relocated Luster Avenue to wit:

Commencing at the Center of Section 8, Township 28 North, Range 21 West; Thence on a Missouri Central Zone Grid Bearing of S 87 deg. 03 min. 14 sec. E, on the North Line of the Southeast Quarter of said Section 8, a distance of 246.96 feet to a point 49.55 feet right of Relocated Luster Avenue Centerline Station 4+88.83; Thence S 0 deg. 50 min. 05 sec. W a distance of 1.18 feet to the Point of Beginning, said point being 50.00 feet right of the Relocated Luster Avenue Centerline Station 4+87.87; Thence continuing S 00 deg. 50 min. 05 sec. W a distance of 174.03 feet to a point, 142.54 feet right of the Relocated Luster Avenue Centerline Station 3+69.54; Thence on a non-tangent 06 deg. 21 min. 56 sec. curve to the left, said curve having a radius of 900.10 feet and a chord bearing of S 15 deg. 24 min. 58 sec. W, an arc distance of 199.01 feet to a point at sta. 2+47.20 and an offset of 254.69 right; Thence N 00 deg. 50 min. 05 sec. E a distance of 277.86 feet to a point, 50.00 feet right of the Relocated Luster Avenue Centerline Station 3+98.07; Thence on a non-tangent 13 deg. 28 min. 53 sec. curve to the left, said curve having a radius of 425.00 feet and a chord bearing of N 30 deg. 20 min. 06 sec. E, an arc distance of 101.78 feet to the Point of Beginning.

The above described parcel of Luster Avenue contains 10,363 square feet more or less.

The Relocated Luster Avenue Centerline is described as follows:

Commencing at an existing iron pin at the Northwest Corner of the Southwest Quarter of Section 8, Township 28 North, Range 21 West, Thence S 79 deg. 40 min. 27 sec. E a distance of 2509.99 feet to the Business Loop 65 (Glenstone Avenue) Centerline Station 119+26.19 at the Point of Beginning, said point being at the Relocated Luster Avenue Centerline Station 0+00; Thence N 54 deg. 38 min. 11 sec. E a distance of 283.92 feet to the Relocated Luster Avenue Centerline P. C. Station 2+83.92; Thence on a 15 deg. 16 min. 44 sec. degree curve to the left, said curve having a radius of 375.00 feet, an arc distance of 351.03 feet to the Relocated Luster Avenue Centerline P. T. Station 6+34.95; Thence N 1 deg. 0 min. 11 sec. E a distance of 215.05 feet to the Point of Terminus at the Relocated Luster Avenue Centerline Station 8+50, said point being N 32 deg. 54 min. 36 sec. E, 433.44 feet distant from the Northeast Corner of the Southwest Quarter of said Section 8.



EXPLANATION TO COUNCIL BILL NO: 2015-_____

FILED:

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 39.13 acres of property generally located at 3705 West Sunshine Street from a County R-1 and C-2 to an HC, Highway Commercial District; and establishing Conditional Overlay District No. 85.

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-04-2015/CONDITIONAL OVERLAY DISTRICT NO. 85

The applicant is proposing to rezone the subject property from a County R-1 and C-2 to an HC, Highway Commercial District with Conditional Overlay District #85. The Conditional Overlay District will require the completion of public improvements. These improvements are the realignment of Farm Road 148 (University Street) through the property, the vacation and closure of Farm Road 148 as it intersects State Highway 413 (Sunshine St.), intersection improvements of Zimmer Avenue and State Highway 413 (Sunshine St.) and the extension of McCurry Avenue north between State Highway 413 (Sunshine St.) and Farm Road 148. The applicant is also proposing ten additional evergreen trees in the conditional overlay district to be planted between the development's proposed fence and the eastern property line. This rezoning will facilitate the development of a retail shopping area. This rezoning is being processed with the preliminary plat of Menards West Subdivision. This property is a part of Annexation A-1-15 which was reviewed by City Council on February 23rd.

Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use Major Goal 4: Develop the community in a sustainable manner. Objective 4a, Increase density in activity centers and transit corridors and 4b, Increase mixed-use development areas.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on March 5, 2015, 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. 85 (see the attached Zoning and Subdivision Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of this application is consistent with Growth Management and Land Use Plan of the Comprehensive Plan which identifies this as an appropriate area for medium-intensity retail, office or housing uses. This area is also within the potential Activity Center of West Bypass and Sunshine Street as described in the plan. The requested HC, Highway Commercial zoning is consistent with the recommendation.
2. The West Sunshine Corridor Study, adopted by Council in 2009, also shows the subject property within a community scale activity center and appropriate for high-intensity mixed uses, which are permitted in the HC, Highway Commercial District
3. The request is consistent with the adjacent zoning along State Highway 413 (Sunshine St.) and the intent of the HC district to be located along or at the intersection of two or more arterial (Sunshine and West Bypass) or higher classified streets.
4. The proposed conditional overlay district will mitigate the potential impact between the commercial and residential uses by requiring improvements to the surrounding public infrastructure and requiring additional landscaping along Zimmer Avenue (Farm Road 129). The proposed conditional overlay district and the development requirements in the HC district are adequate for mitigating any potential impacts of the proposed development on the adjoining properties.

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
Attachment 3, 185 foot Property Owners List and Map
Attachment 4, Neighborhood Letters in Opposition and Responses

EXHIBIT A
RECORD OF PROCEEDINGS
ZONING CASE Z-04-2015 & CONDITIONAL OVERLAY DISTRICT NO. 85

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

EXHIBIT B
LEGAL DESCRIPTION
ZONING CASE Z-04-2015 & CONDITIONAL OVERLAY DISTRICT NO. 85

A TRACT OF LAND AS LYING IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 29 NORTH, RANGE 22 WEST AS DESCRIBED IN THE GREENE COUNTY, MISSOURI, RECORDER'S OFFICE IN BOOK 2200, PAGE 1226 AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 29 NORTH, RANGE 22 WEST; THENCE ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 29 NORTH, RANGE 22 WEST, NORTH 02°15'49" EAST, 20.80 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO LYING ON THE NORTH RIGHT-OF-WAY OF FARM ROAD 148; THENCE LEAVING SAID NORTH RIGHT-OF-WAY AND ALONG SAID WEST LINE, NORTH 02°15'49" EAST, 1309.50 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 29 NORTH, RANGE 22 WEST; THENCE LEAVING SAID WEST LINE AND ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 29, SOUTH 88°58'24" EAST, 1305.30 FEET TO A POINT LYING ON WEST RIGHT-OF-WAY OF FARM ROAD 129, SAID POINT ALSO LYING NORTH 88°58'21" WEST, 14.72 FEET FROM THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 29; THENCE LEAVING SAID NORTH LINE AND ALONG SAID WEST RIGHT-OF-WAY, SOUTH 02°09'00" WEST, 1267.25 FEET TO A POINT LYING ON THE NORTHERLY RIGHT-OF-WAY OF STATE HIGHWAY 413 (SUNSHINE STREET); THENCE LEAVING SAID WEST RIGHT-OF-WAY AND ALONG SAID NORTHERLY RIGHT-OF-WAY, 270.28 FEET ALONG A 6651.34 FOOT RADIUS CURVE TO THE LEFT WHOSE CHORD BEARS SOUTH 82°21'17" WEST FOR A DISTANCE OF 270.26 FEET TO A POINT LYING ON THE AFOREMENTIONED NORTH RIGHT-OF-WAY OF FARM ROAD 148; THENCE ALONG SAID NORTH RIGHT-OF-WAY THE FOLLOWING COURSES, NORTH 89°13'12" WEST, 411.25 FEET; THENCE NORTH 88°56'37" WEST, 630.31 FEET TO THE POINT OF BEGINNING. ALL LYING IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 29 NORTH, RANGE 22 WEST, IN GREENE COUNTY, MISSOURI. CONTAINING 39.13 ACRES, MORE OR LESS. 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 110-154.

EXHIBIT C
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-04-2015 & CONDITIONAL OVERLAY DISTRICT NO. 85

The requirements of *Section 4-3200* of the *Springfield Zoning Ordinance* shall be as modified herein for development within this district.

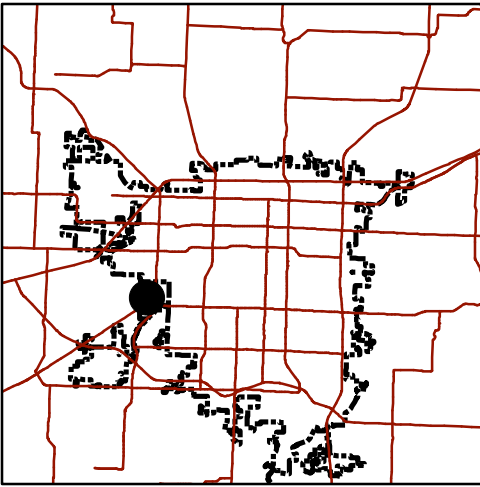
Use Limitations

The traffic study submitted and approved was based on the intensity of the proposed development use for the zoning district and its future impact to the existing transportation system. Based on the results of the traffic study, the following improvements are required.

1. Farm Road 148 will be realigned north and intersect with Zimmer Avenue (Farm Road 129) no closer than 250 feet from the right-of-way line of Sunshine Street. The new intersection of Zimmer Avenue and realigned Farm Road 148 will include the following elements:
 - a. Southbound right turn lane
 - b. Eastbound left turn lane
 - c. Eastbound right turn lane
 - d. Northbound left turn lane
2. The existing intersection at Zimmer Avenue (Farm Road 129) and Sunshine Street will require the following improvements:
 - a. Westbound right turn lane, 200 feet in length
 - b. Southbound right turn lane, 120 feet in length
 - c. Southbound left turn lane creating dual lefts (one extending to the realigned Farm Road 148, one approximately 120 feet in length)
 - d. Lengthen eastbound left turn lane to 350 feet in length
3. The existing Farm Road 148 will be vacated between realigned Farm Road 148 and State Highway 413 (Sunshine St.) and no access will be allowed to State Highway 413 (Sunshine St.) except as dictated on the Final Plat.
4. McCurry Avenue will be dedicated and constructed north to Farm Road 148 from State Highway 413 (Sunshine St.). Right-of-way will be dedicated to meet MODOT and Public Works street and intersection design standards.
5. Sidewalks are required following the City's Subdivision Regulations and Zoning Ordinance along the property frontage on Zimmer Avenue and along both sides of the realigned portion of Farm Road 148.
6. If the proposed uses have traffic impacts that are more intense than the conditions reflected in the approved traffic study, a new traffic impact study will be required and any identified improvements will need to be constructed.

Landscaping and Bufferyards

1. Ten (10) additional evergreen trees shall be planted between the development's fence and the east property line of Lot 5 of Menards West preliminary plat.



Zoning & Subdivision Report

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

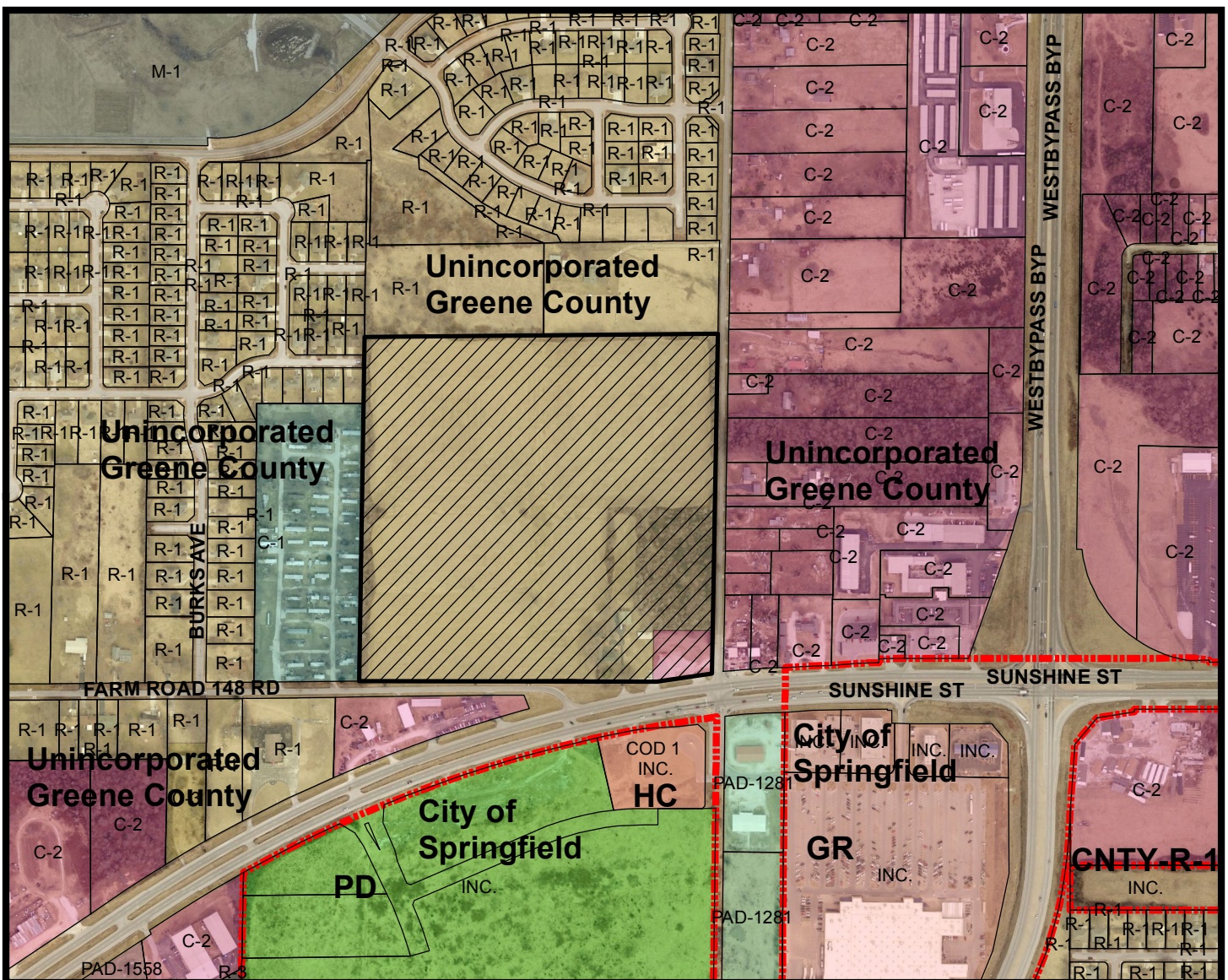
Z-04-2015/Conditional Overlay District No. 85

Location: 3705 W. Sunshine St.

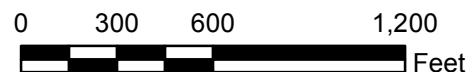
Current Zoning: County R-1, Suburban Residence District and
County C-2, General Commercial District

Proposed Zoning: HC, Highway Commercial with COD #85

LOCATION SKETCH



- Area of Proposal



1 inch = 600 feet

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-04-2015 & CONDITIONAL OVERLAY DISTRICT NO. 85

DATE: February 12, 2015

LOCATION: 3705 West Sunshine Street

APPLICANT: Donald and Patricia McCurry

TRACT SIZE: Approximately 39.13 acres

EXISTING USE: Single-family residence and vacant/undeveloped land

PROPOSED USE: Uses permitted in the HC, Highway Commercial District and as permitted by Conditional Overlay District No. 85

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	County R-1	Single-family residence and vacant land
East	County C-2	Single-family residences and vacant land
South	HC	Commercial/office development
West	County C-1	Manufactured Home Park

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not have any concerns regarding the proposed rezoning to HC, Highway Commercial of the subject property.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

1. Sidewalks are required along the property frontage of Zimmer Avenue (Farm Road 129) and along both sides of the relocated portion of Farm Road 148 (University Street).
2. No access is allowed to State Highway 413 from lots 1, 2 and 3 unless otherwise dictated on the final plat.
3. The following improvements are required based on the results of the traffic study:
 - A. Farm Road 148 will be realigned north and intersect with Zimmer Road (Farm Road 129) no closer than 250 feet from the right of way line of MO 413 (Sunshine Expressway). The new intersection of Zimmer Road (Farm

Road 129) and Farm Road 148 (University Street) will include the following elements:

- a. Southbound right turn lane
 - b. Eastbound left turn lane
 - c. Eastbound right turn lane
 - d. Northbound left turn lane
- B. The existing intersection at Zimmer Road (Farm Road 129) and MO 413 (Sunshine Expressway) will require the following improvements:
- a. Westbound right turn lane, 200 feet in length
 - b. Southbound right turn lane, 120 feet in length
 - c. Southbound left turn lane creating dual lefts (one extending to the realigned Farm Road 148 (University Street), one approximately 120 feet in length)
 - d. Lengthen eastbound left turn lane to 350 feet in length
- C. McCurry Avenue will be extended from Farm Road 148 (University Street) to MO 413 (Sunshine Expressway). Enough right-of-way will be provided to meet existing street and intersection standards.

GREENE COUNTY HIGHWAY DEPARTMENT COMMENTS:

The traffic study indicates the improvements at the intersection of Zimmer Ave. (Farm Road 129) and Sunshine St. (St Hwy. 413) will be over capacity by 2025. The developer should look at improving the intersection of McCurry Ave. (Farm Road 148) and Sunshine St. (St Hwy. 413) prior to reaching a level of service F at Zimmer Ave. (Farm Road 129) and Sunshine St. (St Hwy. 413). A trigger needs to be in place to initiate this improvement based on future traffic counts/study. City of Springfield will annex Farm Road 129 from the intersection of Route 413 to north boundary line. City of Springfield will annex then vacate that portion of Farm Road 148 that lies east of the future new alignment all the way to MoDOT right-of-way along Route 413.

MISSOURI DEPARTMENT OF TRANSPORTATION (MODOT):

MoDOT approves of the rezoning request.

STORMWATER COMMENTS:

No objection to zoning change. Public Improvement Plans will be required for site drainage improvements.

CLEAN WATER SERVICES COMMENTS:

No objections to zoning change. Public improvements will be required during the platting process.

CITY UTILITIES:

No objections to zoning change. There will not be an impact on City Utilities.

ADJACENT PROPERTY OWNER COMMENTS:

Twenty-seven (27) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on December 1, 2014 regarding the request for HC, Highway Commercial zoning with Conditional Overlay District #85. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. The applicant is proposing to rezone the subject property from a County R-1 and C-2 to an HC, Highway Commercial District with Conditional Overlay District #85 to facilitate the development of a retail shopping area. This rezoning is being processed with the preliminary plat of Menards West Subdivision. This property is a part of Annexation A-1-15 which was reviewed by City Council on February 23rd.
2. The Growth Management and Land Use Plan of the Comprehensive Plan designates this area as appropriate for medium-intensity retail, office or housing uses. This mixed category indicates that a variety of commercial and/or mid-or high-density housing may be appropriate at major intersections along certain road corridors. These commercial areas should be sited in areas that are well served by transportation facilities; major roads, bicycle and pedestrian facilities, and transit. Where commercial areas are concentrated, development should be sited and designed to have a minimal effect on adjacent lower-intensity development and the environment. Appropriate zoning districts include the HC, Highway Commercial District.
3. The Growth Management and Land Use Plan also shows this area as a potential Activity Center where a variety of commercial and/or mid- or high density housing could emerge as a significant community or regional scale activity center. It also mentions that planned improvements and extension of West Bypass to James River Freeway will create an opportunity for a significant Activity Center at Sunshine Street. The Comprehensive Plan recommends the location of Regional Scale Commercial Centers (Over 500,000 sq. ft.) on major arterials near a freeway or expressway. This project is located at the intersection of an expressway (MO 413, Sunshine St.) and two collectors, Farm Road 129 (Zimmer Ave.) and Farm Road 148 as designated by the Major Thoroughfare Plan. The HC District is intended for commercial uses which depend upon high visibility, generate high traffic volumes, or cater to the traveling public. The need for

community-wide accessibility dictates that this district be located along or at the intersection of two or more arterial or higher classified streets (Sunshine Street & West Bypass). Staff believes the subject site meets the recommendations of the City's Comprehensive Plan and intent of the HC District.

4. The West Sunshine Corridor Study, which was accepted by City Council in 2009, was produced to assist City staff in making land use and public infrastructure decisions. The study shows the realignment of Farm Road 148 and closure of its direct access onto State Highway 413 (Sunshine St.) as required in the proposed conditional overlay district requirements and shown on the preliminary plat of Menards West. It also shows the subject property within a community scale activity center and appropriate for high-intensity mixed uses, which are permitted in the HC, Highway Commercial District.
5. The traffic study was submitted and approved by the City, Greene County and MoDOT based on the intensity of the proposed development use for the zoning district and its future impact to the existing transportation system. With the recommendations from the West Sunshine Corridor Study, Farm Road 148 will be realigned north and intersect with Zimmer Avenue (Farm Road 129). The new intersection of Zimmer Avenue and realigned Farm Road 148 will be constructed as described in the conditional overlay district and generally located as shown on the preliminary plat of Menards West. The existing intersection at Zimmer Avenue (Farm Road 129) and State Highway 413 (Sunshine Street) will be reconstructed as described in the conditional overlay district. The existing Farm Road 148 will be vacated between realigned Farm Road 148 and State Highway 413 (Sunshine St.) and no access will be allowed to State Highway 413 (Sunshine St.) except as dictated on the Final Plat. McCurry Avenue will be dedicated and constructed north to Farm Road 148 from State Highway 413 (Sunshine St.). Right-of-way will be dedicated to meet MODOT and Public Works street and intersection design standards. Sidewalks are required following the City's Subdivision Regulations and Zoning Ordinance along the property frontage on Zimmer Avenue and along both sides of the realigned portion of Farm Road 148. If the proposed uses have traffic impacts that are more intense than the conditions reflected in the approved traffic study, a new traffic impact study will be required and any identified improvements will need to be constructed.
6. The Conditional Overlay District will require the completion of certain public improvements with development of this district (Exhibit C) including the realignment of Farm Road 148 (University St.) through the property, the vacation and closure of Farm Road 148 as it intersects State Highway 413 (Sunshine St.), improvements to the intersection of Zimmer Avenue and State Highway 413 (Sunshine St.) and extension of McCurry Avenue north of State Highway 413 (Sunshine St.) to existing Farm Road 148. In response to concerns expressed at the neighborhood meeting regarding the development's fence, the applicant has proposed additional landscaping along Zimmer Avenue (Farm Road 129). The conditional overlay district will require ten (10) additional evergreen trees be

planted between the development's fence and the east property line of Lot 5 of Menards West preliminary plat.

7. The Zoning Ordinance requires a Bufferyard "F" between the Highway Commercial District and adjacent County R-1, Suburban Residence Districts to the north and northwest. The Bufferyard "F" requires a minimum open space of twenty (20) feet wide with the following plantings per one hundred (100) linear feet: three (3) canopy trees, three (3) understory trees, four (4) evergreen trees and twenty (20) shrubs. A six-foot solid wood fence, masonry wall, solid evergreen hedge or earthen berm is required along the property boundary if a twenty (20) foot bufferyard is provided. There will be no bufferyards required between the County C-1 or C-2 zoning districts to the east, south and west which are comparable to the City's GR and HC zoning districts. A perimeter landscaping area shall be provided where a parking lot or vehicle use area is within 50 feet of a public right of way and there is not an intervening building.
8. All structures on the subject property shall remain below a thirty (30) degree bulk plane as measured from the boundaries of any R-SF or R-TH zoning districts. The City considers the County R-1 and R-2 zoning districts comparable to the City's R-SF or R-TH zoning districts and will apply the same bulk plane requirements when adjacent to those districts. All other lighting, noise, landscaping requirements shall be met as required by the Zoning Ordinance.

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for medium intensity retail, office or housing uses. The requested HC, Highway Commercial zoning is consistent with the recommendation.
2. This request is consistent with the adjacent zoning along State Highway 413 (Sunshine St.) and the intent of the HC district to be located along or at the intersection of two or more arterial (Sunshine and West Bypass) or higher classified streets.
3. The proposed conditional overlay district will mitigate the potential impact between the commercial and residential uses by requiring improvements to the surrounding public infrastructure and requiring additional landscaping along Zimmer Avenue (Farm Road 129). The proposed conditional overlay district and the development requirements in the HC district are adequate for mitigating any potential impacts of the proposed development on the adjoining properties.

RECOMMENDATION:

Staff recommends **approval** of this request with the requirements of Conditional Overlay District No. 85.

CITY COUNCIL PUBLIC HEARING: March 23, 2015

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036



12/12/14

Menards West Neighborhood Meeting Summary

Menards held a neighborhood meeting on 12/1/14 at the Sherwood Elementary School. The turnout for this meeting was high. The neighbors that did show up were hostile and at times out of control making it difficult to conduct an effective neighborhood meeting. Often times when one neighbor was discussing one issue another would start yelling and the conversation would go in an entirely different direction. From what I gathered at the meeting the neighbors are upset with the existing traffic conditions in the area. A major point of contention was people use Farm Rd 129 to bypass the signals on Sunshine and the road is narrow and they don't like the additional traffic. Menards submitted a traffic study and agreed to install all of the recommended improvements to the intersection of Sunshine and Farm Rd 129. Menards also agreed to relocate Old Sunshine Rd and route a new frontage road through our property at the request of the city and DOT. The commitment to these improvements did not make a difference to the neighbors because they are already unhappy about the existing conditions.

Many neighbors have lived in the area for a long time and are used to what they see on the subject property, they felt that this property should remain a farm field forever. I explained that this property is prime commercial ground along a major roadway (Sunshine) with a retail development across the street. If Menards did not choose to locate on this site it would not be long before someone else did. Again the neighbors felt that this project is in their backyards and for that reason should be located somewhere else.

The issue of noise and light came up and I assured the neighbors that the 14 foot tall fence around the lumber yard is not only a security measure to keep people out but it is a great buffer and prevents light and sound from escaping the lumber yard. The fence is a means of storage and products are placed in that rack on the inside of the fence creating a four foot thick 14 foot tall wall further insulating the Menards use from the outside. Our deliveries only take place during business hours and there is no construction that takes place in our yards. It is strictly storage which is inherently a quiet neighbor. No speakers or public addressed systems are used in the yard either.

One request the neighbors on Portland made was they did not want a new turn around or cul-de-sac build at the end of their street. Because that would result in the loss of mature trees buffering the property they preferred the trees as opposed to the turn around the city requested.

The owner of the property north of the site asked that our stormwater pond was moved away from her property line because that is where her well is located and we are considering alternative locations in our civil engineering plans to accommodate that request the best we can.

While it was not directly requested I offered to add more trees along the east fence line to increase the screening. The answer I received was they didn't think that would help but Menards will add more trees anyway.

A copy of the sign in sheet is attached to this letter.



Sincerely,
Menard, Inc.

A handwritten signature in black ink, appearing to read 'Tyler Edwards', is written over the printed name.

Tyler Edwards
Real Estate Representative
Menard, Inc. – Properties
5101 Menard Drive
Eau Claire, WI 54703
P: 715-876-2143
C: 715-579-6699
F: 715-876-5998
tedwards@menard-inc.com

Sign-In Sheet
Menards Neighborhood Meeting
December 1, 2014

Name	Address	Phone	E-Mail
Dennis Perry	3954 W Portland	849 2136	dennisferry-2000@yahoo.com
DAVID WHITEMIRE	1670 S Borks	831-4198	DAVE@SBCLINK.COM
PATRICIA MOBLEY	1547 S FR 129	325-668-7064	mobleypm@gmail.com
Aagy Mishkin	3791 ^W Cobblefield	817-992-3882	alexandermishkin@yahoo.com
Rbt & Betty Wilson	1696 FR 129	—	—
Bob Wilson	1696 FR 129	—	—
Paula Wilson	409 S. Vaidella	417 866-3641	AL904RJ@gmail.com
Gary Mitchell	1104 S. FR 129	417-818-6869	KCOXMITC@gmail.com
Wilson + Janet Johnson	1684 S. FR 129	417-862-3001	wyhosajuno.com
Brent Haselhorst	4109 W Sunshine	417-863-1902	
Jeff Clark	2828 S Ingram Mill Hwy		
Victor M. Paulik	3655 W SUNSHINE 1740 1720 1718 1706 S. FR 129 ZIMMER RD	417-234 3021	victor paulik@gmail.com
Scott Tillman	134 PARK Central Sq. Id. MO 65806 Square	417-894-2425	
Paul Tillman	" "		
Pick Wilson	2012 S. STEWART SPRINGFIELD 04	522-7870	
Lelia McNeil	3941 W. Portland St	832-9510	

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[illegible]

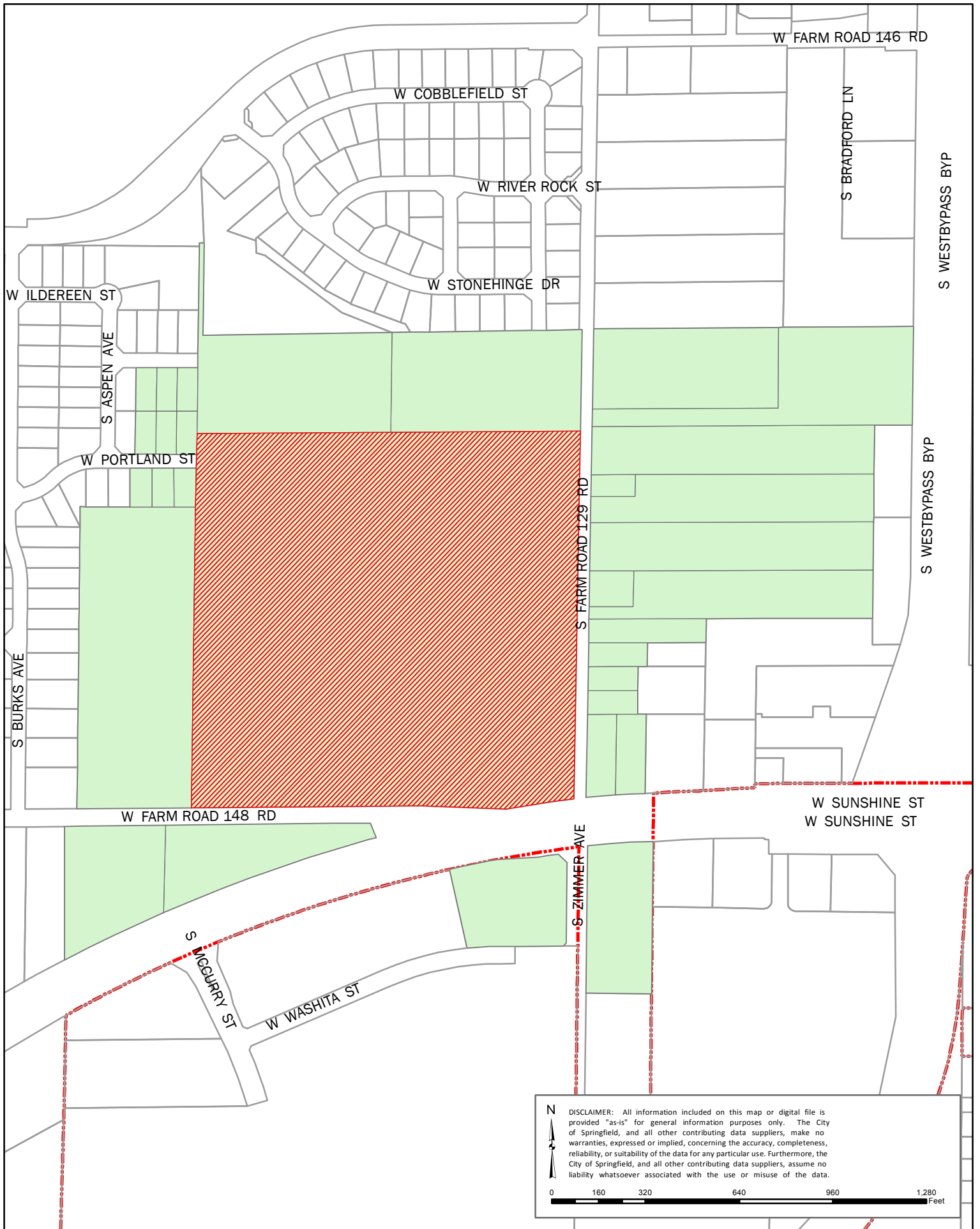
Attachment 3

OWN1	ADRNO	ADRDIR	ADRSTR	ADRSUF
ATOMIC DISTRIBUTORS MIDWEST INC			PO BOX 190	
DEVORE, ROBERT E	3946	W	PORTLAND	ST
DEVRIES, JOSEPH M	3944	W	LINWOOD	ST
EDMONDSON, FLORENCE I TR	1614	S	FARM ROAD 129	
EMPIRE BK	1800	S	GLENSTONE	AVE
FRIEZE, KENT W	1963	S	WESTWOOD	AVE
FUGATE, WILLIAM RAY TR	380		LITTLE BUCK	DR
GORMAN, MARY AGNES TR	3957	W	PORTLAND	ST
HENDERSON, LAUREN	3952	W	LINWOOD	ST
IGLESIA, CRISTIANA CASA DE ORACION	3935	W	SUNSHINE	
JOHNSON, DOIL WILSON	1684	S	FARM ROAD 129	
JOHNSON, KIRK T	3949	W	PORTLAND	ST
KIAGIRI, NERRY	3936	W	LINWOOD	ST
LEMMON, HERMAN A TR	1542	S	FARM ROAD 129	
LSREF2 COBALT LLC	2711	N	HASKELL	AVE
MAY, CHESTER E	3008	W	LUKE	AVE
MCCURRY, DONALD L	2446	S	FARM ROAD 111	
MCNEILL, JULIE A	3941	W	PORTLAND	ST
MOBLEY, PATRICIA M	1547	S	FARM RD 129	
PAULIK, MICHAEL D	3328		EDMUNDSON	RD
PAULIK, VICTOR	3655	W	SUNSHINE	ST
PERRY, DENNIS R	3954	W	PORTLAND	ST
PRYOR, LARRY A	2525	E	KINGSLEY	CT
RICE, MICHAEL J	3938	W	PORTLAND	ST
SMITH, FANNIE EVELYN TR	1632	S	FARM ROAD 129	
STONEHINGE LLC	2826	S	INGRAM MILL	RD
WILSON, PAULETTE M	409	S	VERDELLA	DR

Attachment 3

CITYNAME	STATE	COD ZIP1
SOUTH PITTSBURG	TN	37380
SPRINGFIELD	MO	65807
SPRINGFIELD	MO	65807
SPRINGFIELD	MO	65807
SPRINGFIELD	MO	65804
SPRINGFIELD	MO	65807
NIANGUA	MO	65713
SPRINGFIELD	MO	65807
SPRINGFIELD	MO	65807
SPRINGFIELD	MO	65807
SPRINGFIELD	MO	65807
SPRINGFIELD	MO	65807
SPRINGFIELD	MO	65807
DALLAS	TX	75204
PHOENIX	AZ	85017
SPRINGFIELD	MO	65802
SPRINGFIELD	MO	65807
SPRINGFIELD	MO	65807
SAINT LOUIS	MO	63114
SPRINGFIELD	MO	65807
SPRINGFIELD	MO	65807
OZARK	MO	65721
SPRINGFIELD	MO	65807
SPRINGFIELD	MO	65807
SPRINGFIELD	MO	65804
SPRINGFIELD	MO	65809

185 foot mailing list



N

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.

0 160 320 640 960 1,280 Feet

Menard Inc-Properties
5101 Menard Drive
Eau Claire, WI 54703

DEC 11 2014

Tyler Edwards
Real Estate Representative

Dear Menard Spokesman,

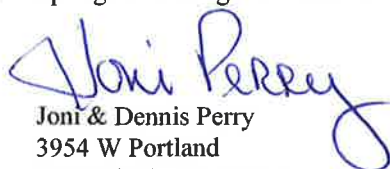
Not sure what the thinking behind putting a mega store in the middle of housing developments was. Recently we received a notice that Menards was planning on developing a piece of property at the end of our road. A few years ago we bought our home in a quiet subdivision outside of the city proper. We wanted to have a little bit of country to come home to after a busy day of work or shopping. We realized that we would not have all the advantages of the folks that lived in Springfield, but we were ok with that. We were led to believe based on information provided to us at the time our subdivision was developed that the field nearby would not be developed anytime soon. Based on the layout of our streets we figured that eventually the field to our east would become another subdivision. We never in our wildest dreams would think that a huge commercial development would be attempted so close to so many homes.

The manner that we were notified about all of this is nothing less than underhanded. The notice was sent out during the time we were all swamped with so many Black Friday ads. Only by luck did we even open the letter. We fear many other people just threw it away with so many other flyers. And then the small print of the map caused us to think it was going to be put into the site that is already being developed on Sunshine. This was a bad assumption on our part after attending the meeting hosted by Menards. We feel there has been a very concerted effort to mislead all of us effected by this plan.

We consider this an extreme invasion of our neighborhood. We do not support this project. This proposed project is surrounded by residential housing. There are no commercial developments near the properties effected. The attempt to consider this property as a Sunshine address is also very underhanded. It would be off County Rd 148. The fact that you all have been working to get this annexed and rezoned for your commercial purposes with little notice to the residents who will be affected is so unfair. This will be an extreme detriment to our neighborhoods. First off it will be within site of our front stoop and within site of a very popular city/county park. That park has been established as a 'farm' in our community existing within the county area and saluting the rural heritage of our area. And you all want to place a big box store in this environment. It will bring in much more traffic, create noise & air pollution, attract transient people through the area, and create all manner of hazards as the water runs off the parking lots through our yards on the way to Wilson Creek. We are concerned for the children who spend numerous summer evenings playing on our streets safe from concern. Establishing a large retail complex destroys everything that our neighborhood stands for. We fear this will negatively effect our property values and our ability to even sell our home. Who wants to look out their front yard to a box store, neon, parking lots, cars, trucks & street lights???

This is such a bad business move. We were excited about your company coming to the area. However now we only see one more attempt of Corporate America forcing itself in communities. And in such an underhanded way. What happened to helping the communities you work in? We ask that you rethink this development. Just driving around the area we can see several other possible locations for your store that do not have residential neighborhoods right off the parking lot. The development just south of this location on West Bypass & Republic road has already been established. What a great opportunity to further develop the west side of Springfield. Build it They will come. Please look for a different site that will not have the impact that this proposal will have on neighborhoods that people call home.

Spring View Heights Subdivision Residents


Joni & Dennis Perry
3954 W Portland
Springfield MO 65807





December 18, 2014

Joni & Dennis Perry
3954 W Portland
Springfield, MO 65807

Dear Joni & Dennis,

I received your letter on December 11 and based on the tone I do not think I will be able to ease your worry or change your mind. I do however want to defend the claim that I have underhandedly tried to mislead you. That statement could not be further from the truth. The notices for the public meeting were sent out based on a list the city provided and the application required they were sent out more than 10 days before the meeting. So when the location for the meeting was set the letters were sent out. It had absolutely nothing to do with Black Friday mail, our letter was sent in a Menards envelope addressed directly to you and not easily confused with an advertisement. Menards has followed all local and state laws for notification, all of this is public record on file with city staff.

The proposed site is located on Sunshine in the same fashion the Wal-Mart to the south is located on Sunshine. This road is very busy with thousands of cars a day making it the ideal location for a commercial user to locate and attract those drivers. Not to mention these roads provide fast and direct access to commercial lots. The Menards site does not share a road sidewalk or property with the neighboring park you mentioned and things at the park will stay the same after our store is built.

The orientation of our store will face away from any residential properties and the existing mature tree line will remain in place. The 14 foot tall fence around three sides of the store will block the light and keep the neighborhood quiet. I would encourage you to do a google map search of all the Menards stores that are located next to residential properties. There are quite a lot and they all coexist with Menards peacefully.

This large tract is a prime commercial development location. If Menards was not developing this property someone else will be in the near future and it is in everyone best interest to work with a company like Menards for a mutually agreeable outcome. Consider another commercial user that does not have the fence surrounding the back of the store, the loading docks and the vehicle traffic. There are no requirements for this and yet Menards does it to keep our yard safe and secure while keeping noise and light in. Drive behind any other commercial user in town and note that the loading docks and rear traffic area is wide open.

Menards truly is a great use for this site and is willing to work with the city and neighborhood to make this project work. The property will not stay vacant forever and this is the opportune time to turn it into a positive project that will address impacts like traffic congestion and make the necessary improvements to improve those conditions like what Menards is proposing.



Sincerely,
Menard, Inc.

A handwritten signature in black ink, appearing to read 'Tyler Edwards', is written over the printed name.

Tyler Edwards
Real Estate Representative
Menard, Inc. – Properties
5101 Menard Drive
Eau Claire, WI 54703
P: 715-876-2143
C: 715-579-6699
F: 715-876-5998
tedwards@menard-inc.com

City of Springfield
840 Boonville Ave
Springfield, Mo 65802

12-20-14

Greg Burris
City Manager

Dear Greg,

We were recently notified of a plan to build a Menards in West Springfield. We want to officially voice our concerns about this intended development. We live in the Spring View Heights Subdivision and would be greatly impacted by this plan. Our subdivision is located within walking distance of Rutledge Wilson park. Our intent when we moved into the area was to be close to Springfield to be accessible to the city, yet still enjoy the quiet of the county. We were very happy at the development of the park to the area. It really symbolizes the beginnings of Springfield. The area has been developed with nice housing subdivisions. However that all seems to be threatened with this building plan. We see the commercial development that is coming to the south side of Sunshine. We realize that progress will come. We had no idea that anyone would consider placing a major store right in the middle of residential housing. We have attending the initial meeting with the representative from Menards. He did little to relieve the concerns of the neighbors that would immediately be impacted by this plan. We did learn that a lot has already gone on behind the scenes to get this development underway. We feel that in itself is an injustice to the residents. This large development will be within full view of all the surrounding housing. We believe that this will have a negative impact on our property values. The fact that only this property will be annexed & zoned commercial is more than a little bit concerning. It all sound a little underhanded. And since all the residents impacted are in Greene County puts us all at a disadvantage. Are we even going to be notified of any city actions or hearings??

While looking into this matter, we found the a city creed that seems to be forgotten in this situation.

The people of our community are the only reason we are here. Therefore, we are committed to Working with the Community to provide ethical & responsible local government so that everyone can enjoy the benefits of living and working in Springfield. We will achieve this through: Integrity and Pride of Service in everything we say and do, and with dedication to quality. Cooperation and Communication with one another and with citizens to ensure open government and open management with no surprises. Continuous Improvement of Services through cost-effective utilization of people, materials, ant technology. Leadership and Knowledge through staff training and development. Innovation in how we meet present and future needs of our city.

12/26/14 ✓ Tim -
MARY S.
DAN S.

Scanned + sent ✓
12/26/14

FYI.

Greg

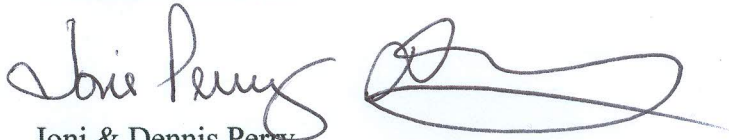
Does the
County chime in
on this?

We hope that the residents of Greene county are considered a part of the Community that makes up Springfield. We have concerns about the noise, traffic- both vehicle & pedestrian, water run off to Wilson Creek through our yards, invasion of neon lights & parking lot lights, and changes to the roads. At present this property in question is off of CR 148, yet somehow in the plans it is going to be considered off Sunshine for purposes of zoning for commercial.

To summarize, we are not in favor of the development of the farm property located off Sunshine & Farm Rd 129 proposed by Menard Inc. Please help us keep the neighborhood surrounding Rutledge Wilson farm rural so that families can continue to enjoy the farm in the country setting that was intended. Help us keep the children and families safe as they play & visit the Farm and the neighborhoods.

Remember.....***Great Neighborhoods is the City of Springfield's philosophy for working with neighborhood residents and businesses to create and maintain great neighborhoods.***

Concerned Residents

Two handwritten signatures in dark ink. The first signature is 'Joni Perry' and the second is 'Dennis Perry'.

Joni & Dennis Perry
3954 W Portland
Springfield, MO 65807



December 30, 2014

City of Springfield
Greg Burris
City Manager
840 Boonville Ave
Springfield, MO 65802

Dear Mr. Burris,

Mary Lilly Smith forwarded a letter that was sent to you by Joni and Dennis Perry. I would like to provide this response to that letter because a lot of what was said needs further explanation.

West Sunshine Street is one of the busiest streets in all of Springfield, that traffic is what made this end of town so attractive in the first place. It should not be a surprise that commercial businesses develop along these major roads. It happens all over town, E Battlefield, S Glenstone, E Republic, West Bypass, Chestnut Expressway, Kansas Expressway, and Sunshine St are all examples of these major roadways that carry people through the city. The property at the southwest corner of the West Bypass and Sunshine across the street from our site is already developing into a commercial development. From what I understand this development has been ongoing for quite some time additional development should not be a shock. Commercial development usually spurs more commercial development which is exactly what is happening here. This side of town is devoid of commercial uses, forcing residents to drive across town, which only increases pollution, traffic accidents, and wear on the roads.

The 40 acre tract of land Menards is purchasing is not "right in the middle of residential housing" our site is next to the residential homes to the west. A commercial user locating next to homes is very common in all cities across the country including Springfield. There are roads buffering the property to the east and to the south. To the north the neighbor that buffers the entire project property has been supportive of the project and I have talked with her several times. As far as I know no one that shares a property line with the Menards project property has opposed the project. The opposition has come from people across the street or in the development away from the site. What I have gathered from the neighbors is they desire this property to remain an open field forever. They did not like the idea of commercial development and they opposed the suggestion of multifamily residential development. Because of the close proximity to heavy traffic on Sunshine there is a very low chance this could be developed into single family housing. The city's comprehensive plan designates this property as medium intensity retail in the long range growth plan. This designation is identical to many other commercial properties similar in size throughout Springfield including the Wal-Mart development across the street.

The area in question is not as rural as stated. Yes this is an open 40 acres owned by the same family for decades but within one mile of the site there is over 3,200 people, within three miles of the site there are over 50,000 people. With that population density this property is going to develop at some point in the near future, if it is not Menards it will be someone else. I offered the neighbors a change to turn this project into a positive development by working with us and offering suggestions but they refused and stuck to the idea that our project should go somewhere else.



I was disappointed to read that the neighbors that wrote to you felt our progress has been "underhanded" because it could not be further from the truth. Our project is still in the early stages of development and the notifications and public notice for the neighborhood meeting strictly followed the city requirements. I have been very open with everyone involved and encouraged them to talk to me directly with questions, a few neighbors have taken me up on that but most have not. The neighborhood meeting was not productive and consisted of the neighbors yelling over each other or yelling at me for most of the meeting. At a few different points I had to threaten to end the meeting or kick people out if they could not regain control. It was a disappointing event as it could and should have been productive. Scott Wendt from the school district was at that meeting, if you would like to hear his version of the meeting I'm sure he would be willing to share that with you. I read that "he did little to relieve the concerns" but that is not true. I tried to get the residents to make specific requests such as keeping the existing trees on the north side or adding more trees along the Farm Rd but the neighbors insisted on reasons why Menards should not locate here rather than ways to affect the project.

The section of W Sunshine and the intersection with Farm Rd 129 is considered dangerous and in need of improvements by the Department of Transportation. There are four unrestricted access points onto W Sunshine that would be removed as part of this project. Three are private drives but one is Farm Rd 148, a public road that has an unrestricted entrance onto W Sunshine. The city traffic engineers and the DOT have always envisioned this road going away and being absorbed by the new McCurry intersection west of our project. We are offering to build a new frontage road at our expense to public standards so Farm Rd 148 connects to Farm Rd 129. There are quite a few improvements we are doing at the intersection of 129 and Sunshine, including street widening and new turn lanes. All of these improvements will be beneficial to the surrounding area and improve the safety and flow of the traffic on the nearby roads.

Regardless of residing in Greene County or not the residents near the development were notified per city ordinance and will be notified of the public hearings under the same requirements. Menards is not going to pack up and move away from this location. The dense neighboring population major roadways in front of the site and a large commercial development across the street make this a great site. We will work with the neighbors and city to try and make this project a positive impact on the surrounding area and I am always open to hearing ideas. If you have questions about our project or our intentions please feel free to contact me directly.

Sincerely,
Menard, Inc.

A handwritten signature in black ink, appearing to read "Tyler Edwards", is written over the typed name.

Tyler Edwards
Real Estate Representative
Menard, Inc. – Properties
5101 Menard Drive
Eau Claire, WI 54703
P: 715-876-2143
C: 715-579-6699
F: 715-876-5998
tedwards@menard-inc.com

January 6, 2014

Dennis and Joni Perry
3954 West Portland Street
Springfield, MO 65807

Dear Mr. and Mrs. Perry:

Thank you for your letter dated December 20th. I appreciate your highlighting of concerns and offer the following information for your consideration:

- There will likely be two public opportunities to be heard (assuming the developer desires to proceed with the process) – one at a future Planning & Zoning Commission meeting and another subsequently at a future City Council meeting. The neighborhood meeting hosted by the developer is intended to initiate the “public process” associated with a re-zoning request and give the developer an opportunity to address neighborhood concerns prior to the Planning & Zoning Commission and City Council meetings.
- In your letter, you ask, “Are we even going to be notified of any city actions or hearings?” The answer is yes, you will be notified. Even though you live outside the city limits, it is the City of Springfield’s standard protocol to notify residents within 185 feet of the property line of the property seeking to be re-zoned. Additionally, even though you do not live within the Springfield city limits, you will be allowed to speak at both public hearings (Planning & Zoning Commission and City Council).
- In your letter, you state, “a lot has already gone on behind the scenes to get this development underway” and you “feel that in itself is an injustice to the residents.” This development has followed the standard protocol for these types of proposals – it has not been treated uniquely. The only work that has “gone on behind the scenes” is that City staff has worked with the developer to ensure his draft proposal meets all City of Springfield requirements.

I know the Planning & Zoning Commission and City Council will welcome your input during their respective public hearings once the project is ready to move to that stage in the process.

I hope this information is helpful to you.

Sincerely,



Greg Burris
City Manager

Office of the City Manager
Busch Municipal Building • 840 Boonville Avenue
Springfield, Missouri 65802 • 417-864-1006 • springfieldmo.gov



February 24, 2015

• • •

Kirk Johnson
3949 West Portland St
Springfield, Mo 65807

Department of Planning and Development
840 Boonville Ave. P.O. Box 8368
Springfield, Mo 65801

Dear Planning Commission,

I wanted to take the time to thank you for hearing us and our viewpoint of the proposed annexation and building of the Menards store on West Sunshine. As mentioned in my previous letter of dissent, this is a residential area. To put a commercial store right in the middle of it would definitely drive down property values and make all of our surrounding neighborhoods less desirable...especially the people who live right on FR 129.

In the meeting last night only one man stood to speak in dissent. In the meeting that Menards had with us in December they had a room full of dissenting voices. This proposal is not popular with anyone that I've talked to who lives in this immediate area.

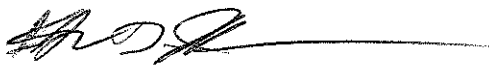
This is not the only property that Menards can build on. There is at least one other location that I believe would be more appropriate for a commercial site that sits further west on Sunshine.

As Tyler pointed out last night, please consider this: If it was your home that was looking at possibly having a commercial store built right outside your front door, would you be for it or against it?

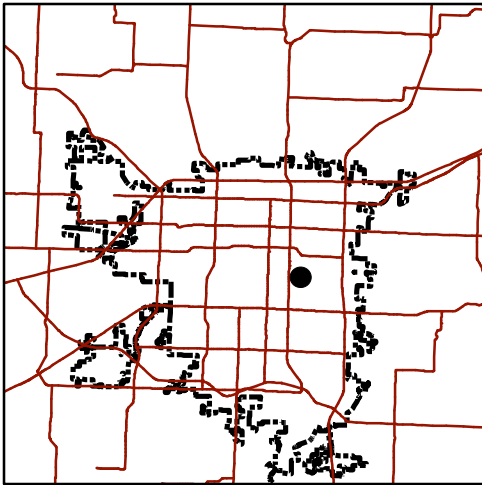
Please do the right thing by us citizens and tax payers and vote no on this proposal.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kirk Johnson', followed by a horizontal line.

Kirk Johnson



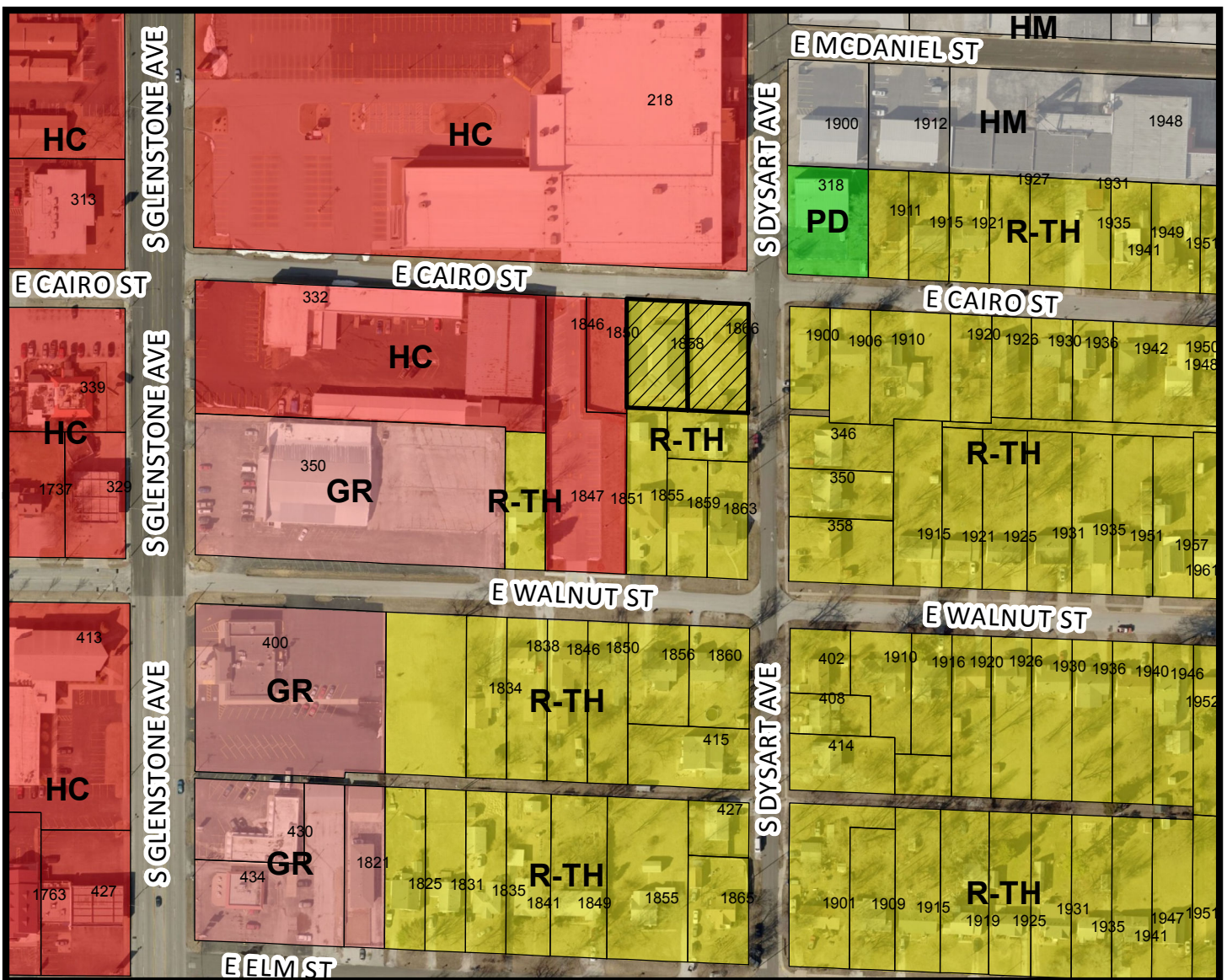
Zoning & Subdivision Report

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

Z-11-2015 COD #89

LOCATION: 1866 and 1858 East Cairo Street
CURRENT ZONING: R-TH, Residential Townhouse District
PROPOSED ZONING: HC, Highway Commercial District with
Conditional Overlay District NO. 89

LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

EXPLANATION TO COUNCIL BILL NO: 2015-_____

FILED:

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 0.46 acres of property generally located at 1858 and 1866 East Cairo Street from an R-TH, Residential Townhouse District to an HC, Highway Commercial District; and establishing Conditional Overlay District No. 89.

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-11-2015/CONDITIONAL OVERLAY DISTRICT NO. 89

The applicant, Great Southern Bank, is proposing to rezone the property from an R-TH, Residential Townhouse District to an HC, Highway Commercial District with Conditional Overlay District #89. Approval of this application would be consistent with City Council's approval of the rezoning of property west of the subject property from R-TH to HC in 2013 and 2014. The applicant is proposing to use the property for parking for the Great Southern Bank Operations Facility to the north and in the future for office uses. The Conditional Overlay District will limit the uses on the subject property to commercial off-street parking lots and the general office use group. The Conditional Overlay District will also require additional right-of-way to be dedicated for Cairo Street and construction of sidewalk along the property frontage of Cairo Street.

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

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on March 5, 2015, 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. 89 (see the attached Zoning and Subdivision Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of this application is consistent with City Council's approval of the rezoning of property to the west from R-TH, Residential Townhouse to HC, Highway Commercial with a Conditional Overlay District to limit the uses.
2. The Conditional Overlay District will mitigate the potential impact between the commercial and residential uses by retaining the existing bulk, area, height and

bufferyard requirements as exists in the HC, Highway Commercial District as well as limiting the permitted uses to commercial off-street parking lots and general office uses.

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
RECORD OF PROCEEDINGS
ZONING CASE Z-11-2015 & CONDITIONAL OVERLAY DISTRICT NO. 89

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

EXHIBIT B
LEGAL DESCRIPTION
ZONING CASE Z-11-2015 & CONDITIONAL OVERLAY DISTRICT NO. 89

1866 East Cairo

THAT CERTAIN PARCEL OR TRACT OF LAND BEING ORIGINALLY PLATTED AS ALL OF LOT 14 AND A PORTION OF LOT 13 OF BLOCK 5, EASTLAND ADDITION, A RECORDED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING 1" BAR AT THE NORTHEAST CORNER OF SAID LOT 14; THENCE, S00°02'38"W, ALONG THE EAST LINE OF SAID LOT 14, A DISTANCE OF 134.37 FEET TO AN EXISTING 5/8" IRON PIN WITH A CAP STAMPED "DAY", SAID POINT ALSO BEING ON THE CENTERLINE OF THE VACATED PLATTED ALLEYWAY; THENCE, N87°21'10"W, ALONG SAID CENTERLINE, A DISTANCE OF 75.10 FEET TO AN EXISTING 5/8" IRON PIN WITH A CAP STAMPED "BOCKMAN"; THENCE, N00°06'36"E, A DISTANCE OF 134.76 FEET TO AN EXISTING 1/2" IRON PIN WITH A CAP STAMPED "WLS LSC 370", SAID POINT BEING ON THE NORTH LINE OF SAID LOT 13; THENCE, ALONG THE NORTH LINES OF SAID LOT 13 AND LOT 14 FOR THE FOLLOWING TWO (2) DESCRIBED COURSES: THENCE, S87°07'57"E, A DISTANCE OF 25.00 FEET TO AN EXISTING 5/8" IRON PIN; THENCE, S87°00'17"E, A DISTANCE OF 49.97 FEET TO THE POINT OF BEGINNING. CONTAINING 10,087.2 SQUARE FEET (0.23 ACRES) MORE OR LESS.

1858 East Cairo

THAT CERTAIN PARCEL OR TRACT OF LAND BEING ORIGINALLY PLATTED AS ALL OF LOT 12 AND A PORTION OF LOT 13 OF BLOCK 5, EASTLAND ADDITION, A RECORDED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING COTTON SPINDLE AT THE NORTHWEST CORNER OF SAID LOT 12; THENCE, ALONG THE NORTH LINES OF SAID LOT 12 AND LOT 13 FOR THE FOLLOWING TWO (2) DESCRIBED COURSES: THENCE, S87°29'36"E, A DISTANCE OF 50.02 FEET TO AN EXISTING 1" PIPE AT THE NORTHEAST CORNER OF SAID LOT 12; THENCE, S87°05'57"E, A DISTANCE OF 24.99 FEET TO AN EXISTING 1/2" IRON PIN WITH A CAP STAMPED "WLS LSC 370"; THENCE, S00°06'36"W, A DISTANCE OF 134.76 FEET TO AN EXISTING 5/8" IRON PIN WITH A CAP STAMPED "BOCKMAN", SAID POINT ALSO BEING ON THE CENTERLINE OF THE VACATED PLATTED ALLEYWAY; THENCE, N87°10'42"W, ALONG SAID CENTERLINE, A DISTANCE OF 75.02 FEET TO AN EXISTING 1/2" IRON PIN; THENCE, N00°06'38"E, ALONG THE WEST LINE OF SAID LOT 12, A DISTANCE OF 134.52 FEET TO THE POINT OF BEGINNING. CONTAINING 10,094.1 SQUARE FEET (0.23 ACRES) MORE OR LESS.

EXHIBIT C
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-11-2015 & CONDITIONAL OVERLAY DISTRICT NO. 89

The requirements of *Section 4-3200* of the *Springfield Zoning Ordinance* shall be as modified herein for development within this district.

4-3202. Permitted Uses

- S. Commercial Off-street parking lots
- X. General Office Use Group

4-3203. Conditional Uses

No conditional uses are permitted.

Additional Design Requirements

1. Sidewalks are required along the frontage of the subject property on Cairo Street.
2. Cairo is classified as a local commercial which requires 30 feet of right of way from the centerline. An additional ten (10) feet of right-of-way shall be dedicated for Cairo Street.
3. Dysart is classified as a local commercial which requires 30 feet of right of way from the centerline. An additional ten (7) seven feet of right-of-way shall be dedicated for Dysart Street.
4. A 10 foot by 10 foot right of way sight triangle is required at the intersection of Cairo and Dysart.

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-11-2015 & CONDITIONAL OVERLAY DISTRICT NO. 89

DATE: February 20, 2015

LOCATION: 1858 and 1866 East Cairo Street

APPLICANT: Great Southern Bank

TRACT SIZE: Approximately 0.46 acres

EXISTING USE: Undeveloped/ vacant houses

PROPOSED USE: Parking lot and office uses

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	HC	Great Southern Bank
East	R-TH	Residential uses
South	R-TH	Residential uses
West	HC	Great Southern Bank property

HISTORY:

In 2013 and 2014 the City Council approved the rezoning of property at 1846 and 1850 East Cairo and 1847 and 1851 East Walnut Street from R-TH, Residential Townhouse to HC, Highway Commercial with a Conditional Overlay District Z-08-2013 COD #58 and Z-08-2014 COD #71. The Conditional Overlay District restricts the use on the property to a commercial off-street parking lot and the general office use group just as is being requested with this application.

COMPREHENSIVE PLAN:

The Growth Management and Land Use Plan of the City's Comprehensive Plan designates this area as appropriate for Low Density housing uses. However, the proposed project is adjacent to areas designated in the Comprehensive Plan as medium intensity retail, office or housing uses. The Comprehensive Plan also states that office developments can be used as transitions and buffers between commercial and residential uses.

BUILDING DEVELOPMENT SERVICES COMMENTS:

No objections to rezoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

No traffic issues with the rezoning, however, the Conditional Overlay needs to contain the following:

1. Sidewalk will be required across the property frontage on Cairo Street.
2. Cairo is classified as a local commercial which requires 30 feet of right of way from the centerline. It appears approximately 10 feet will be needed.
3. Dysart is classified as a local commercial which requires 30 feet of right of way from the centerline. It appears approximately 7 feet will be needed.
4. A 10 foot by 10 foot right of way sight triangle is required at the intersection of Cairo and Dysart.

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. An 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.
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:

City Utilities has no objection to the zoning change.

ADJACENT PROPERTY OWNER COMMENTS:

Ten (10) 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 February 10, 2015. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. The Growth Management and Land Use Plan of the City's Comprehensive Plan designates this area as appropriate for Low Density housing uses. However, the proposed project is adjacent to areas along Glenstone Avenue that are designated as medium intensity retail, office or housing. The Comprehensive Plan states that office developments can be used as transitions and buffers between commercial and residential development.
2. The applicant is proposing to rezone the property from R-TH, Residential Townhouse District to an HC, Highway Commercial District with a Conditional Overlay District. The Conditional Overlay District will restrict the use of the property to a commercial off-street parking lot or uses permitted under the General Office Use Group. Approval of this application is consistent with City Council's approval of the rezoning of property west of the subject property

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of this application is consistent with City Council's approval of the rezoning of property to the west and south from R-TH, Residential Townhouse to HC, Highway Commercial with a Conditional Overlay District to limit uses.
2. The Conditional Overlay District will mitigate the potential impact between the commercial and residential uses by retaining the existing bulk, area, height and bufferyard requirements as exists in the HC, Highway Commercial District as well as limiting the permitted uses to commercial off-street parking lots and general office uses.

CITY COUNCIL MEETING: March 23, 2015

RECOMMENDATION:

Staff recommends **approval** of this request with the requirements of Conditional Overlay District No. 89.

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner
864-1834



NOTICE

January 26, 2015

To whom it may concern:

You are invited to attend a neighborhood meeting to learn about and discuss proposed changes to the zoning classification for private property in the area that you hold property ownership in. The subject property consists of one lot located at the address 1858 and 1866 Cairo Street.

This neighborhood meeting will be held on **Tuesday, February 10th at 5:30 p.m.** and will be located at the Forum Room inside Great Southern Bank Operations Center, 218 South Glenstone Avenue, Springfield, MO 65802. The entrance to the Forum Room will be located on the west side of building at the north end of building with the signage labeled "Conference Room" in large letters on the wall above the entry door area.

Sincerely,

Great Southern Bank

218 S. Glenstone Avenue
Springfield, MO 65802

February 10, 2015 5:30PM



NEIGHBORHOOD MEETING

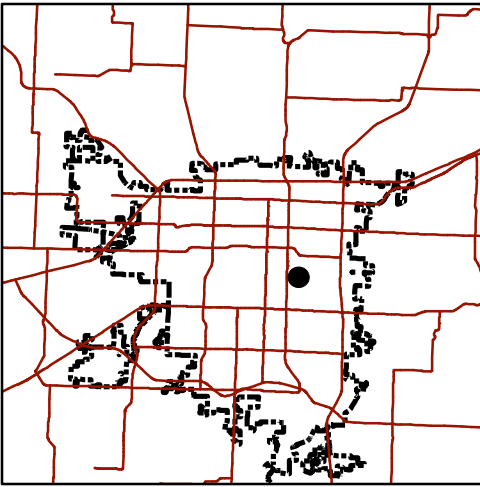
RE: Rezoning of 1828 & 1866 E. Cairo Street

	Name	Address	Phone Number	E-Mail
1	TYLER PECK	1968 E. CHESTNUT EXPRESSWAY	417-886-0909	tyler@riocontractors.com
2	JOSH LIVINGSTON	"	"	josh@riocontractors.com
3	JEFF PATRICK	218 S. GREENSTONE AVE	417-895-5245	jpatrick@greatsouthernbank.com
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				

EXHIBIT 2: NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: R-1 to HC w/ CONDITIONAL OVEKLAN
(existing zoning) (proposed zoning)
2. Meeting Date & Time: 02-10-2015 5:30 p.m.
3. Meeting Location: 218 S. GLEASTONE
4. Number of invitations that were sent: 58
5. How was the mailing list generated: BEACON
6. Number of neighbors in attendance (attach a sign-in sheet): 0
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

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



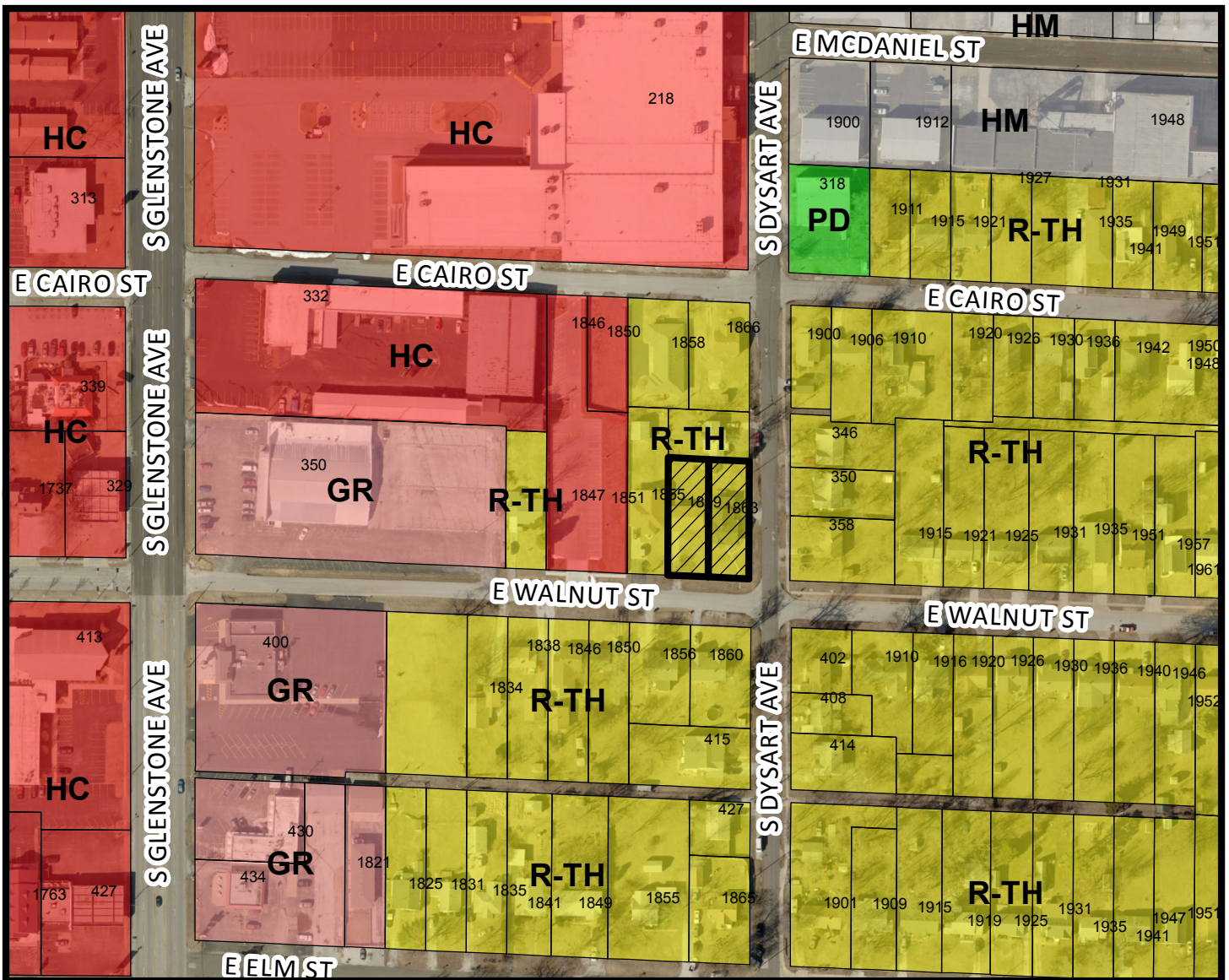
Zoning & Subdivision Report

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

Z-12-2015 COD #90

LOCATION: 1859 and 1863 East Walnut Street
CURRENT ZONING: R-TH, Residential Townhouse District
PROPOSED ZONING: HC, Highway Commercial District with
Conditional Overlay District NO. 90

LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

EXPLANATION TO COUNCIL BILL NO: 2015-_____

FILED:

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 0.33 acres of property generally located at 1859 and 1863 East Walnut Street from an R-TH, Residential Townhouse District to an HC, Highway Commercial District; and establishing Conditional Overlay District No. 90.

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-12-2015/CONDITIONAL OVERLAY DISTRICT NO. 90

The applicant, Great Southern Bank, is proposing to rezone the property from an R-TH, Residential Townhouse District to an HC, Highway Commercial District with Conditional Overlay District #90. Approval of this application would be consistent with City Council's approval of the rezoning of property west of the subject property from R-TH to HC in 2013 and 2014. The applicant is proposing to use the property for parking for the Great Southern Bank Operations Facility to the north and in the future for office uses. The Conditional Overlay District will limit the uses on the subject property to commercial off-street parking lots and the general office use group. The Conditional Overlay District will also require additional right-of-way to be dedicated for Dysart Avenue and sidewalk construction along the property frontage of Walnut Street.

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

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on March 5, 2015, 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. 90 (see the attached Zoning and Subdivision Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of this application is consistent with City Council's approval of the rezoning of property to the west and south from R-TH, Residential Townhouse to HC, Highway Commercial with a Conditional Overlay District to limit the uses.

2. The Conditional Overlay District will mitigate the potential impact between the commercial and residential uses by retaining the existing bulk, area, height and bufferyard requirements as exists in the HC, Highway Commercial District as well as limiting the permitted uses to commercial off-street parking lots and general office uses.

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
RECORD OF PROCEEDINGS
ZONING CASE Z-12-2015 & CONDITIONAL OVERLAY DISTRICT NO. 90

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

EXHIBIT B
LEGAL DESCRIPTION
ZONING CASE Z-12-2015 & CONDITIONAL OVERLAY DISTRICT NO. 90

LOT 15 AND LOT 16 (1859 AND 1863 E. WALNUT ST.)
THAT CERTAIN PARCEL OF TRACT OF LAND BEING ORIGINALLY DEEDED AS
PORTION OF LOT 15 AND LOT 16 OF BLOCK 5 OF EASTLAND ADDITION, A
RECORDED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY,
MISSOURI, BEING DESCRIPTION AS FOLLOWS:

BEGINNING AT AN EXISTING IRON PIN AT THE SOUTHEAST CORNER OF SAID
LOT 15; THENCE, N87°35'46"W, ALONG THE SOUTH LINE OF SAID LOT 15, A
DISTANCE OF 50.02 FEET TO AN EXISTING IRON PIN AT THE COMMON SOUTH
CORNER TO SAID LOT 15 AND LOT 16; THENCE, N87°33'52"W, ALONG THE
SOUTH LINE OF SAID LOT 16, A DISTANCE OF 49.86 FEET TO AN EXISTING PIPE
AT THE SOUTHWEST CORNER OF SAID LOT 16; THENCE, N00°11'33"E, ALONG
THE WEST LINE OF SAID LOT 16, A DISTANCE OF 144.95 FEET TO AN EXISTING
IRON PIN; THENCE, S87°35'46"E, A DISTANCE OF 99.87 FEET TO AN EXISTING
IRON PIN ON THE EAST LINE OF SAID LOT 15; THENCE, S00°11'33"W, ALONG
THE EAST LINE OF SAID LOT 15, A DISTANCE OF 144.98 FEET TO THE POINT OF
BEGINNING. CONTAINING 14,468.7 SQUARE FEET (MORE OR LESS).

EXHIBIT C
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-12-2015 & CONDITIONAL OVERLAY DISTRICT NO. 90

The requirements of *Section 4-3200* of the *Springfield Zoning Ordinance* shall be as modified herein for development within this district.

4-3202. Permitted Uses

- S. Commercial Off-street parking lots
- X. General Office Use Group

4-3203. Conditional Uses

No conditional uses are permitted.

Additional Design Requirements

1. Sidewalk will be required to be constructed along the property frontage of Walnut Street.
2. Dysart Avenue is classified as a local commercial which requires 30 feet of right of way from the centerline. An additional (5) five feet of right-of-way shall be dedicated for Dysart Avenue.

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-12-2015 & CONDITIONAL OVERLAY DISTRICT NO. 90

DATE: February 20, 2015

LOCATION: 1859 and 1863 East Walnut Street

APPLICANT: Great Southern Bank

TRACT SIZE: Approximately 0.33 acres

EXISTING USE: Undeveloped/ Vacant Houses

PROPOSED USE: Parking lot and office uses

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	HC	Great Southern Bank
East	R-TH	Residential uses
South	R-TH	Residential uses
West	R-TH	Residential uses

HISTORY:

In 2013 and 2014 the City Council approved the rezoning of property at 1846 and 1850 East Cairo and 1847 and 1851 East Walnut Street from R-TH, Residential Townhouse to HC, Highway Commercial with a Conditional Overlay District Z-08-2013 COD #58 and Z-08-2014 COD#71. The Conditional Overlay District restricts the use on the property to a commercial off-street parking lot and the general office use group just as is being requested with this application.

COMPREHENSIVE PLAN:

The Growth Management and Land Use Plan of the City's Comprehensive Plan designates this area as appropriate for Low Density housing uses. However, the proposed project is adjacent to areas designated in the Comprehensive Plan as medium intensity retail, office or housing uses. The Comprehensive Plan also states that office developments can be used as transitions and buffers between commercial and residential uses.

BUILDING DEVELOPMENT SERVICES COMMENTS:

No objections to rezoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

No traffic issues with the rezoning, however, the Conditional Overlay needs to contain the following:

1. Sidewalk will be required across the property frontage of Walnut Street
2. Dysart is classified as a local commercial which requires 30 feet of right of way from the centerline. It appears approximately 5 feet will be needed.

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.
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:

City Utilities has no objection to the zoning change. The change will not impact City Utilities' service or extension policies.

ADJACENT PROPERTY OWNER COMMENTS:

Twelve (12) 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 February 10, 2015. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. The Growth Management and Land Use Plan of the City's Comprehensive Plan designates this area as appropriate for Low Density housing uses. However, the proposed project is adjacent to areas along Glenstone Avenue that are designated as medium intensity retail, office or housing. The Comprehensive Plan states that office developments can be used as transitions and buffers between commercial and residential development.
2. The applicant is proposing to rezone the property from R-TH, Residential Townhouse District to an HC, Highway Commercial District with a Conditional Overlay District. The Conditional Overlay District will restrict the use of the property to a commercial off-street parking lot or uses permitted under the General Office Use Group. Approval of this application is consistent with City Council's approval of the rezoning of property west of the subject property

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of this application is consistent with City Council's approval of the rezoning of property to the west from R-TH, Residential Townhouse to HC, Highway Commercial with a Conditional Overlay District to limit uses.
2. The Conditional Overlay District will mitigate the potential impact between the commercial and residential uses by retaining the existing bulk, area, height and bufferyard requirements as exists in the HC, Highway Commercial District as well as limiting the permitted uses to commercial off-street parking lots and general office uses.

CITY COUNCIL MEETING: March 23, 2015

RECOMMENDATION:

Staff recommends **approval** of this request with the requirements of Conditional Overlay District No. 90.

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner
864-1834



NOTICE

January 26, 2015

To whom it may concern:

You are invited to attend a neighborhood meeting to learn about and discuss proposed changes to the zoning classification for private property in the area that you hold property ownership in. The subject property consists of one lot located at the address 1859 and 1863 E. Walnut Street.

This neighborhood meeting will be held on **Tuesday, February 10th at 5:30 p.m.** and will be located at the Forum Room inside Great Southern Bank Operations Center, 218 South Glenstone Avenue, Springfield, MO 65802. The entrance to the Forum Room will be located on the west side of building at the north end of building with the signage labeled "Conference Room" in large letters on the wall above the entry door area.

Sincerely,

Great Southern Bank

218 S. Glenstone Avenue
Springfield, MO 65802

February 10, 2015 5:30PM



NEIGHBORHOOD MEETING

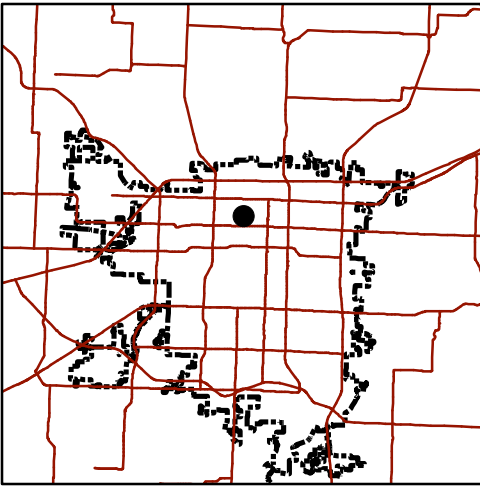
RE: Rezoning of 1859 & 1863 E. Walnut Street

	Name	Address	Phone Number	E-Mail
1	TYLER PECK	1968 E. CHESTNUT EXPRESSWAY	417-886-0909	tyler@riocontractors.com
2	JOSH LIVINGSTON	"	"	josh@riocontractors.com
3	JEFF PATRICK	218 S. GREENSTONE AVE	417-895-5245	jpatrick@greatsouthernbank.com
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				

EXHIBIT 2: NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: R-1 to HC w/ CONDITIONAL OVEKLAN
(existing zoning) (proposed zoning)
2. Meeting Date & Time: 02-10-2015 5:30 p.m.
3. Meeting Location: 218 S. GLEASTONE
4. Number of invitations that were sent: 58
5. How was the mailing list generated: BEACON
6. Number of neighbors in attendance (attach a sign-in sheet): 0
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

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



Zoning & Subdivision Report

Planning & Development - 417/864-1031

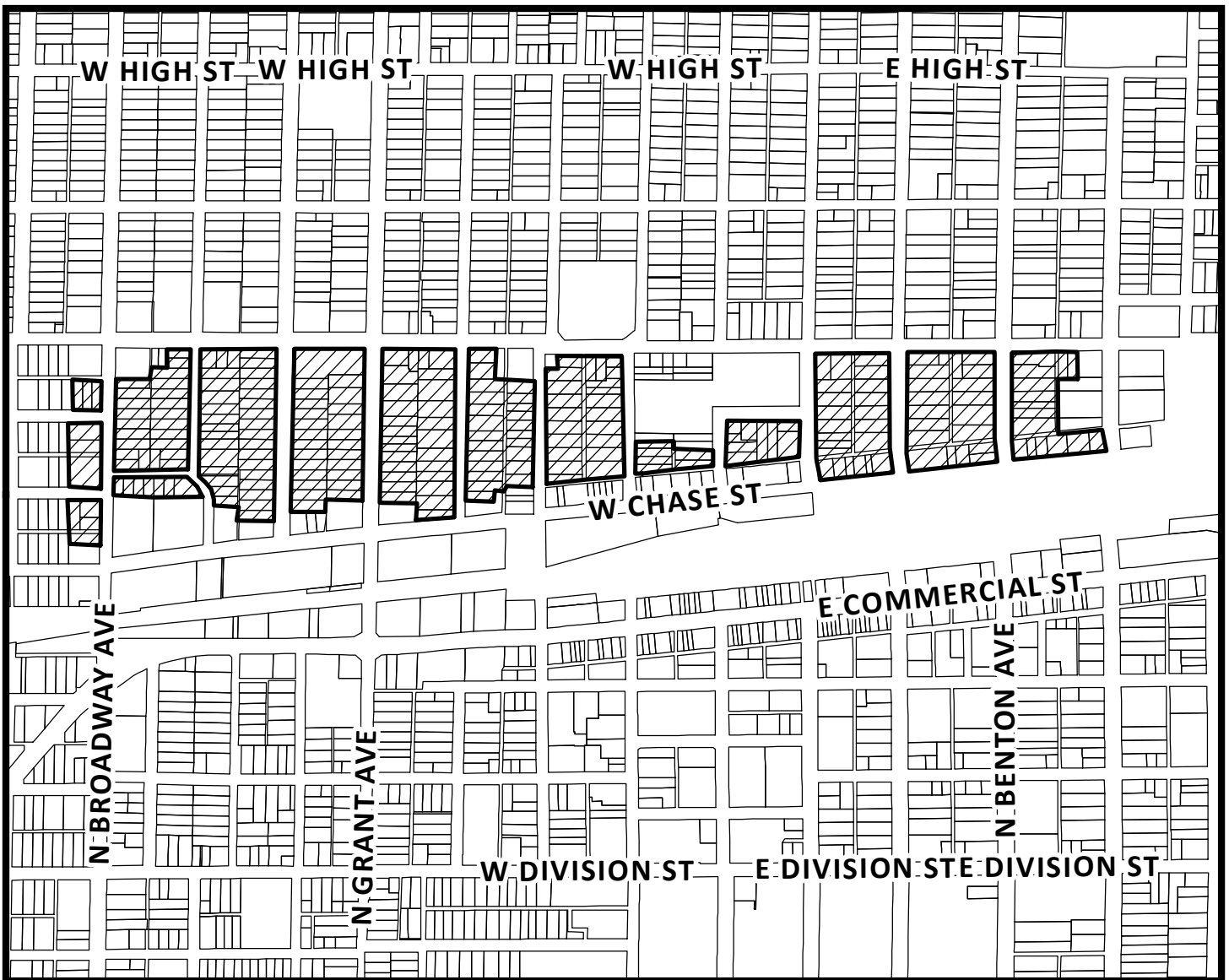
840 Boonville - Springfield, Missouri 65802

Live/Work Overlay District #1

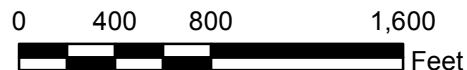
LOCATION: Bounded by Chase, Washington, Broadway and Atlantic

CURRENT ZONING: R-SF and R-TH

LOCATION SKETCH



- Area of Proposal



1 inch = 800 feet

EXPLANATION TO COUNCIL BILL NO. 2015-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 24 acres of property generally located north of Chase Street, west of Washington Avenue, south of Atlantic Street and east of Broadway Avenue, to establish Live/Work Overlay District No. 1.

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-13-2015: LIVE/WORK OVERLAY DISTRICT NO. 1

On December 15, 2014, City Council adopted Resolution #10187 which accepted the Moon City Creative District Strategic Plan. Upon accepting the Plan, Council initiated the proposed Live/Work Overlay District rezoning, in addition to a proposed Planned Development District rezoning for commercial and industrial properties in the Moon City Creative District. Springfield Planning and Development Department staff assisted the neighborhood residents with drafting the strategic plan; the proposed Planned Development District; and the Live/Work Overlay District requirements included in the proposed rezoning amendment.

The vision of the Plan is:

“To establish the Moon City Creative District as a *vibrant, unique and livable* area that provides a wide range of arts, cultural, employment and living opportunities for artists, artisans, residents, workers and visitors and supports the continued revitalization of the Woodland Heights Neighborhood.”

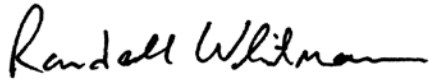
The Live/Work District is proposed for the area zoned R-SF, Single-Family Residential District and R-TH, Residential Townhouse District generally north of Chase Street and south of Atlantic Street. The Live/Work District is intended to attract artists on a local, regional, and national basis to relocate to Moon City and the surrounding historic neighborhood by allowing expanded business opportunities in the residences. The objectives of this program are to revitalize and preserve neglected structures, increase the City's tax revenues, expand tourism, financially benefit our existing businesses, and continue to revitalize the historic Woodland Heights Neighborhood.

REMARKS: The Planning and Development Department staff recommends the Live/Work Overlay District be approved.

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of the Live/Work Overlay District is consistent with the accepted Moon City Creative District Strategic Plan.
2. The Live/Work District will be an attractive location for artists by allowing expanded business opportunities in residences while promoting revitalization and preservation of neglected structures, increase City tax revenues and tourism, while continuing the revitalization of the historic Woodland Heights Neighborhood.

Submitted by:



Randall Whitman, 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, Live/Work 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-13-2015, LIVE/WORK OVERLAY DISTRICT NO. 1

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

EXHIBIT B
LEGAL DESCRIPTION
ZONING CASE Z-13-2015, LIVE/WORK OVERLAY DISTRICT NO. 1

A PART OF SECTIONS 11 AND 12 IN TOWNSHIP 29 NORTH, RANGE 22 WEST, AND INCLUDING PARTS OF SEVEN RECORDED SUBDIVISIONS, ALL IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, DESCRIBED AS FOLLOWS:

A PART OF "NORTH SPRINGFIELD" SUBDIVISION, AS SHOWN ON THE FINAL PLAT THEREOF, DESCRIBED AS:

IN BLOCK 42, ALL OF THE WEST 95.5 FEET OF LOTS 1 AND 2, AND ALL OF LOTS 7 THROUGH 32. ALL OF BLOCKS 43 AND 44. IN BLOCK 45: ALL OF LOTS 1 THROUGH 7. IN BLOCK 46: ALL OF THE SOUTH ONE-HALF OF LOT 7; ALL OF LOTS 8, 9, 23, AND 24; AND ALL OF THE SOUTH 30 FEET OF LOT 25. IN BLOCK 47, ALL OF LOTS 1 THROUGH 9, ALL OF LOTS 23 THROUGH 31, AND ALL OF THE EAST 120 FEET OF LOT 32. IN BLOCK 48: ALL OF LOTS 4 THROUGH 10, AND ALL OF THE NORTH 60 FEET OF LOT 11.

A PART OF "WOODLAND HEIGHTS ADDITION", AS SHOWN ON THE FINAL PLAT THEREOF, DESCRIBED AS: IN BLOCK 15: ALL OF THE EAST 110 FEET OF LOTS 1 AND 2; AND ALL OF LOTS 3 THROUGH 22. ALSO, A 15 FEET WIDE STRIP OF LAND ALONG THE EAST SIDE OF SAID BLOCK 15, BEING THE WESTERLY VACATED PORTION OF THE MISSOURI AVENUE RIGHT-OF-WAY. IN BLOCK 16: ALL OF LOTS 1 THROUGH 17; AND ALL OF LOTS 20 THROUGH 32. ALSO, A 15 FEET WIDE STRIP OF LAND ALONG THE WEST SIDE OF LOTS 20 THROUGH 32 IN SAID BLOCK 16, BEING THE EASTERLY PORTION OF THE VACATED MISSOURI AVENUE RIGHT-OF-WAY. IN BLOCK 17, ALL OF LOTS 1 THROUGH 15; AND ALL OF LOTS 21 THROUGH 36. IN BLOCK 18: ALL OF LOTS 1 THROUGH 12; AND ALL OF LOTS 15 THROUGH 24. IN BLOCK 19: ALL OF LOTS 1 THROUGH 10, EXCEPT THE EAST 40 FEET OF SAID LOT 10.

A PART OF "RAMSEY'S WOODLAND HEIGHTS ADDITION", AS SHOWN ON THE FINAL PLAT THEREOF, DESCRIBED AS:

ALL OF LOTS 1, 2, 3, AND 15. EXCEPT THE EAST 50 FEET OF LOT 1 AND THE EAST 50 FEET OF THE NORTH 20 FEET OF LOT 2. ALSO EXCEPT THE EAST 48 FEET OF LOT 3 AND THE EAST 48 FEET OF THE SOUTH 30 FEET OF LOT 2.

A PART OF "NEW OZARK HEIGHTS ADDITION", AS SHOWN ON THE FINAL PLAT THEREOF, DESCRIBED AS:

ALL OF THE EAST 30 FEET OF LOT 27; ALL OF LOTS 28 THROUGH 32; ALL OF LOTS 46 THROUGH 51; AND ALL OF THE NORTH 50 FEET OF LOTS 56 THROUGH 58.

A PART OF "SMITH HEIGHTS", AS SHOWN ON THE FINAL PLAT THEREOF,
DESCRIBED AS: ALL OF LOTS 1 THROUGH 7.

A PART OF "SMITH HEIGHTS FIRST ADDITION", AS SHOWN ON THE FINAL PLAT
THEREOF, DESCRIBED AS: ALL OF LOTS 1, 2, 3, AND 7.

EXHIBIT C
LIVE/WORK OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-13-2015, LIVE/WORK OVERLAY DISTRICT NO. 1

The requirements of *Section 4-1000 and 4-1100* of the *Springfield Zoning Ordinance* shall be as modified herein for development within this district. The district is intended to facilitate live/work arrangements for artists.

4-1002. Permitted Uses.

Live/Work Units as defined and regulated by the *Building Code* as adopted, and in effect, by the City of Springfield, except as modified below. The following uses are permitted in the nonresidential area of the live/work units.

- A. Art and craft work, studios and galleries associated with model making, rug weaving, spinners, dressmakers, seamstresses, tailors, ceramics (with a kiln up to seven cubic feet), painting, photography, sculpture, woodwork, and similar cottage industries that may involve minor use of hazardous or flammable substances as regulated by the International Building Code and the International Fire Code; or operations which generate noise, dust, or odors provided they are determined to be compatible with the surrounding land uses.
- B. Music and art studios or other tutoring services.
- C. Computer programming and web design.
- D. Offices for architects, engineers, and similar design occupations.
- E. Literary Arts – writers and composers of all kinds.
- F. Performing arts – Musicians, actors and traditional dancers.

4-1003. Conditional Uses.

No additional conditional uses are permitted.

4-1004. Use Limitations.

- A. Maximum floor area of the live/work unit: Three thousand (3,000) square feet.
- B. Maximum percentage of nonresidential floor area: Fifty (50) percent
- C. Maximum number of nonresidential workers or employees permitted to occupy the nonresidential area at any one time: Two (2) employees.
- D. Certain types of equipment, not customarily found in a home, will be allowed in the home studios of the artists so that they may create and produce their work. The equipment may not pose a danger to inhabitants or the structure or disturb the peace of the neighbors. The equipment employed shall not produce offensive noise, fumes, electrical interference, excessive heat, dust, or odors that are detectable beyond the property lines. The installation, maintenance and use of equipment must comply with all safety, building and fire codes of the City of Springfield, MO.

- E. All activities conducted by the uses permitted by this district shall be conducted entirely on/in the principal residential property, housing structure or in a permitted accessory building. Incomplete works shall be located inside of a permitted structure or in the rear yard with no front or street side exposure. All materials shall be stored in a permitted structure or in the rear yard with no front or street side exposure. When stored in the rear yard, materials shall be visually screened from adjoining properties and public rights-of-way by a solid fence or wall at least six (6) feet high.
- F. Group Classes: Group teaching in any visual, literary and performing art is permitted in conjunction with a home studio so long as the following requirements are met.
 - 1. Group classes shall only be conducted between the hours of 9:00 a.m. and 10:00 p.m.
 - 2. Group classes shall not disturb the peace of the neighborhood.
 - 3. Group classes shall not produce offensive noise, fumes, electrical interference, dust or odors that are detectable beyond the property lines.
 - 4. Group classes shall not exceed five (5) persons at any one time, provided all occupancy requirements are also met.
 - 5. No more than two (2) classes shall be conducted at any one location per week.

4-1008. Design Requirements.

- A. The public entrance to the nonresidential area of a principle structure shall be located on a façade facing a street frontage.

Signage. The following signage shall be permitted on each site.

- A. One (1) detached sign shall be permitted on each property.
- B. Signs shall not exceed a maximum effective sign face area of six (6) square feet.
- C. Freestanding signs shall not exceed a height of four (4) feet measured from the base of the sign measured from the adjacent street grade.
- D. Signs shall not be illuminated.
- E. Signs shall not be displayed or mounted in public space or impair/impede foot or vehicular traffic.
- F. Building mounted signs may be hung from the wall of the home or porch but may not be mounted above the roof line.

Parking.

No additional off-street parking for a live/work unit.

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-13-2015, LIVE/WORK OVERLAY DISTRICT NO. 1

DATE: February 18, 2015

LOCATION: Woodland Heights Neighborhood

APPLICANT: City of Springfield

TRACT SIZE: Approximately 24 acres

EXISTING USE: Single-family residential homes and vacant

PROPOSED USE: Single-family residential homes and live/work uses as permitted

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	RSF	Single-family residential
East	HM	Industrial uses, solid waste operations and railroad tie-yard
South	COM 1 & 2	Commercial Street Historic District
West	RSF	Single-family residential

HISTORY:

The Woodland Heights Neighborhood initiated the development of the Moon City Creative District through a series of independent neighborhood meetings to help increase homeownership and reduce the influx of crime and nuisances.

COMPREHENSIVE PLAN: As an extension of the City's Comprehensive Plan, many neighborhoods, such as Woodland Heights completed Neighborhood Assessments. The assessment for the Woodland Heights Neighborhood, adopted by City Council in 2002, identified priorities within an action plan for the neighborhood and City to share in implementing. The number one priority for the Woodland Heights Neighborhood was to "Develop a redevelopment plan for Atlantic, Chase, Lyon vicinity."

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not have any issues with the requested rezoning of the subject property.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

No traffic issues with rezoning.

STORMWATER COMMENTS:

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 stormwater requirements in effect at the time of development:

CLEAN WATER SERVICES COMMENTS:

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

CITY UTILITIES:

City Utilities has no objection to the zoning change.

ADJACENT PROPERTY OWNER COMMENTS:

242 property owners within the area proposed to be rezoned and 66 property owners within one hundred eighty-five (185) feet of the area proposed to be rezoned were notified by mail of this request. No one has objected to date.

NEIGHBORHOOD MEETING:

City staff held a neighborhood meeting on January 20, 2015. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. Springfield Planning and Development Department staff assisted the neighborhood residents with drafting the Moon City Creative District Strategic Plan; the proposed Planned Development District; and the Live/Work Overlay District.
2. The Live/Work District is intended to attract artists on a local, regional, and national basis to relocate to Moon City and the surrounding historic neighborhood by allowing expanded business opportunities in the residences. Districts similar to Moon City also attract residents who are not artists but that want to live in a neighborhood where there are artists. The objectives of this program are to revitalize and preserve neglected structures, increase the City's tax revenues, expand tourism, financially benefit our existing businesses, and continue to revitalize the historic Woodland Heights Neighborhood.

3. The Live/Work District allows a number of uses that are already permitted as home occupations. The Live/Work District expands on the home occupation concept by allowing: a) more floor area to be devoted to work space; b) employees and customers on site; and c) a sign in the front yard or on the residence.
4. Based on research of other creative districts, staff does not believe there will be a significant increase in traffic in the neighborhood. Most artists will generally receive only a couple customers a day because the artists tend to have other outlets, such as commercial galleries and art festivals, for most of their work.

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of the Live/Work Overlay District is consistent with the accepted Moon City Creative District Strategic Plan.
2. The Live/Work District will be attractive artists by allowing expanded business opportunities in the residences promoting revitalization and preservation of neglected structures, increased City's tax revenues, expanded tourism, financial benefits for existing businesses, and continued revitalization of the historic Woodland Heights Neighborhood.

RECOMMENDATION:

Staff recommends **approval** of Live/Work Overlay District No. 1.

STAFF CONTACT PERSON:

Randall Whitman
Senior Planner
864-1831

ATTACHMENT 2
NEIGHBORHOOD MEETING SUMMARY
ZONING CASE Z-13-2015, LIVE/WORK OVERLAY DISTRICT NO. 1

Woodland Heights Presbyterian Church - 722 West Atlantic Street

Ralph Rognstad Jr. and Randall Whitman represented the City, as applicants, along with Neighborhood and Moon City Steering Committee representatives Phyllis Ferguson, Steve Miller, Linda Passeri and Becky Volz. Approximately 30 participants from inside and outside the neighborhood were in attendance. Some were concerned residents seeking more information; others were artists interested in relocating to the District.

Ralph provided an overview of the project including a brief history, the process, and the proposed zoning changes the City's Planning and Zoning Commission and City Council would be considering in March and April.

Particular discussion and comments arose regarding what residents could expect to see if homes were used as live/work units and how that might change the neighborhood. Specifically, Ralph explained that while an artist can currently work out of their home under the city's home occupation ordinance, they cannot have a sign, could not employ anyone outside of the family and they could not conduct retail sales from the home business. He explained how these aspects would be allowed under the proposed live/work arrangements, reciting the use limitations from the live/work provisions regarding signage, employees and residential area allowances for retail use. Ralph answered additional questions regarding how the live/work provisions would regulate hours of operation and parking, explaining that while there were no hours of operation proposed for live/work units, there were limitations on group classes for dance, art, and related activities. He also explained that no parking requirements were proposed as part of the zoning amendment and that on-site and on-street parking would be permitted without restriction.

One resident was concerned that quiet neighborhood streets would turn into busy retail areas, if stricter restrictions were not imposed on parking and limiting hours of operation, especially given that each could potentially have two employees, customers, in addition to the normal household vehicles (teenagers, etc.) all on narrow lots, some without driveways or shared driveways. Ralph explained that while the proposed creative district is a new concept in Springfield, this is not the first place one has been introduced. He, and members of the steering committee, reiterated that many other communities across the nation have created very successful arts districts, just like Moon City. It was pointed out that while some aspects of the district's creation may be experimental and may be based on trial and error, the benefits to the neighborhood and City would likely exceed the down-sides. He reassured the audience that issues with parking or other district provisions could be reevaluated at any time and modifications

made, as needed, but many of these matters should be self-policed by the residents, working issues out through discussion and compromise. Lastly he pointed-out that individuals who used equipment that produced excessive noise, smoke or other emissions would be under the same restrictions as any other residential district. Furthermore, trades such as cabinet-making, construction, fabricating, or manufacturing would be evaluated, on a-case-by-case basis, for exceeding the parameters of the district provisions for artisans and crafts, if complaints were received by the City.

Discussion continued with regard to the positive impacts the district could have on increasing owner-occupancy in the neighborhood, on reducing crime, increasing pride and an overall increase in quality of life issues the Woodland Heights neighborhood has encountered. Several members of the Moon City Steering Committee explained that while visiting other art districts in Paducah and Seattle they experienced no major changes in the atmosphere of the neighborhood that suggested high volume retail sales, street traffic or noise. That many were self-restricted with regard to use of signs and hours of operation, so as to not disrupt their work or family life. In addition, members of the steering committee did not express any interest in pursuing or encouraging expansion of Springfield's "First Friday" art-walk to include Moon City. Rather their vision was for Moon City to be primarily a passive residential area, with an opportunity for artists to work from home. This, they believe, would help to bring new residents to the neighborhood, increasing ownership in the district and contributing to an improved quality of life, reduction in crime and neighborhood involvement.

Beyond the discussion about the impact on the residential areas of the proposed district, one property owner of a commercial property expressed concern that amending the zoning code for the properties along Chase would instantly increase property taxes. Ralph explained that was not the case; that during prior conversations with the Greene County Assessor, he learned that a change in zoning does not trigger an increase in ones individual property evaluation. The Assessor increases tax assessments when improvements to the property are made, structures are built, or comparable evaluations are made in the area that show property values are increasing.

Staff lingered for follow-up questions and all departed the church around 7:45pm.

EXHIBIT B



MOON CITY CREATIVE DISTRICT BACKGROUND REPORT

INTRODUCTION

The intent of this document is to provide a guide for further development of the Moon City Creative District and Woodland Heights Neighborhood and to restore the area as a desirable and safe place to live, work, raise a family, shop and play. This document is meant to be a living document that can adapt to the needs of the area as it grows and changes and when assessment can be made as to which strategies work and which ones need to be modified based on the goals of the planning effort.

VISION

Residents and neighborhood leaders of the Woodland Heights Neighborhood and the Moon Creative District have envisioned the creation of a become a vibrant, unique and livable corridor that provides a wide range of arts, cultural, employment and living opportunities for artists, artisans, residents, workers and visitors.

BACKGROUND

The initial idea of establishing a creative district was considered about five years ago following a historic preservation project in the neighborhood. A Queen Anne style house on Lyon Street was 'saved from the wrecking ball' and moved to its current location across from the north



landing of the Jefferson Avenue Footbridge. The relocation was part of an effort to accelerate neighborhood revitalization through the attraction of artists and creative endeavors. However, the project did not move forward and was shelved for later consideration.

In January 2013, the Board of Directors of Woodland Heights Neighborhood Association held its' annual strategic planning session for the calendar year 2013. In review of 2012 goals, actions, and accomplishments, it was determined that many of the previous year's concerns and issues

(addressed in this document) continued to exist with little opportunity for significant positive improvement. In fact, many of the goals had been brought forward for several years running because they had not been accomplished previously. Real estate values in the neighborhood remained static or depressed; non-owner occupied residential property continued to hover at the 50% level; and there were multiple blighted properties sprinkled throughout the area. The board also agreed that there was a lingering negative community perception of North Springfield in terms of personal safety and crime that impacts Woodland Heights.

Board members decided that 'box thinking' was not working and they must reach outside the time-worn solution box for a better, more successful way to pull Woodland Heights out of the problems in which it had been mired for decades. The board determined that without a significant means of funding, the best way to address the problems at hand - reduce crime, stabilize and increase property values, improve public perception and enhance the quality of life in the Woodland Heights neighborhood would be to reinvent and redefine the area through the establishment and use of a long-time historic brand for North Springfield – MOON CITY. And, Moon City would be promoted as a space within the community where interesting, creative and fun things happen. In short, Moon City will be a place where people want to live, visit, shop or work.

In 2013, the timing was right for Moon City Creative District (MCCD). Research provided strong supportive evidence that a creative district in a neighborhood such as Woodland Heights could be successful. Springfield had experienced a successful major redevelopment in the downtown area and interest and support of the arts had become solid with the citizens. With more than 90 districts located throughout the United States, there was ample case study information to provide data and templates to develop a creative district without the high costs of hiring a consulting firm to develop and write a start-up plan.

Why Moon City Creative District and Neighborhood Revitalization for Woodland Heights?



North Springfield is an unusual area. The majority of local residents consider most of it to be an undesirable area of town in which to live and past its prime as a desirable residential neighborhood. However, at the same time, there is much loyalty to the area from those

longtime residents as well as newer urban pioneers who have made it their home. This is due largely to its unique and historical building stock, proximity to a revitalized downtown, affordable real estate prices, and other unique features.

During the 1970's retail trade moved from the core of the City to the suburban shopping malls and created an urban donut effect in Springfield. In more recent times, Springfield has seen a gradual revitalization of Downtown and Commercial Street (C-Street).

A host of new projects have located in Center City and transformed the area into a more vibrant area. These developments include millions of dollars of private and public investments in loft apartments, restaurants, bakeries, retail shops and small businesses. The City has supported the

re-development with expenditures for public projects and infrastructure maintenance and improvements.

According to the website, itsalldowntown.com, the Center City area of Springfield is vital, vibrant, inviting, bursting with activities, commerce and things to explore. Three specific districts comprise the area, each with its own unique characteristics, history and culture.

Commercial Street, affectionately known as C-Street, was where North Springfield began, where the railroads brought the people and goods that started an upstart community, a jumping off point to the West. Exciting in its re-gentrification, this district is home to a world-renowned chocolate company, vintage shopping, cafes, chic lofts and America's oldest and longest footbridge.



Historic Walnut Street, designated a National Historic District for its architectural history, is a magnificent three block neighborhood of late 19th Century homes with decorated Queen Annes as the centerpiece. One can imagine the clip-clop of horse-drawn wagons, well-kept lawns and splendid gardens. Now, some of the structures house restaurants and fine shops, and the district hosts two lively festivals each year – ArtsFest and Cider Days.

Downtown is built around the charm of the old city square, recently updated with waterfalls and a performing stage. Here reside movie theatres, a wide range of casual and fine dining, live music, unique shops and this district's share of 6,000 parking places, making everything convenient. The Discovery Center is a great destination for kids with lots of hands-on learning. Founder's Park, Jordan Valley Park, the Mediacom Ice Park and Hammon's Field, home of the Springfield Cardinals all welcome visitors. First Friday attracts hundreds each month to galleries in the district. And, historic theaters provide stages for the community's robust performing arts.

First Friday Art Walk

The first Friday of each month brings hundreds of people to historic downtown Springfield for First Friday Art Walk, a Springfield cultural happening. Art lovers "Walk the Walk" throughout the Downtown Arts District, enjoy original art, music, demonstrations and performances in 28 gallery venues.

First Friday Art Walk is a grassroots event established by downtown's art galleries, art venues, sponsoring businesses and the arts community. The first Arts Walk took place in the late '90s, and the Walk became a monthly event beginning in 2001. A program of the Springfield Regional Arts Council, First Friday Art Walk is dedicated to promoting fine art and economic sustainability in the Downtown Art District.

Springfield Arts – Creamery

The Creamery Arts Center, a City-owned building located in Jordan Valley Park, opened in 2002 as a headquarters for community arts groups. More than 30 organizations now use the building and about 30,000 people use the Creamery annually. The 35,000 square-foot building includes offices for the Springfield Regional Arts Council, Springfield Ballet, Springfield Regional Opera Lyric Theatre, Springfield Symphony Orchestra, Springfield Community Center, Men's Chorus of the Ozarks, Missouri Film Alliance of Springfield, First Friday Art Walk, and Care to Learn, as well

as a shared costume shop and set design/fabrication studio managed by Springfield Little Theatre, an exhibition hall, board room, arts library, arts classrooms, and a film editing bay.

Heer's Rises – Again!

The latest plans to make over the old Heer's building on Springfield's Park Central Square include adding a police satellite station. The entire project, which will include luxury apartments, a swimming pool and two-story rooftop lofts and gardens, has a price tag at the moment of \$15.7 million.

(Greg Brock – KTTS June 7, 2013)

Drury on C-Street

The Drury on C-Street Project is a partnership between Drury University and local organizations. The center includes an art gallery, a business resource center, space for weaving looms, and architecture classrooms, and a multi-use area for additional classes and seminars. The Drury Art Gallery also hosts a featured artist each month.

As evidenced above, Springfield Center City and C-Street's growth and vibrancy are strong indicators of the community's support, interest in and enjoyment of our unique urban footprint and support that it is appropriate timing for successfully developing an artist live/work creative district in Woodland Heights.

Moon City History

The name, Moon City, has had its place in the history of Springfield, Missouri since the late 1860's when Sempronius Boyd, Charles Harwood and E. T. Robberson struck a deal with the Atlantic & Pacific Railroad to bring the railroad from St. Louis to Springfield through the north side of the city instead of at the edge of the town square. Angry over the location of the depot, city fathers declared that those men might just as well try to build a railroad to the Moon! And thus, the moniker stuck as hard feelings drove a wedge in the community and North Springfield ultimately seceded from Springfield proper for several years.

Woodland Heights is one of Springfield's oldest residential neighborhoods. In 1873 the area that is designated as Moon City Creative District was platted as part of the original town of North Springfield. Subsequently, the Woodland Heights subdivision was developed in the early 1880's and continued to experience significant housing growth until the late 1920's. The neighborhood grew as the St. Louis–San Francisco Railroad (Frisco) grew. Woodland Heights was a neighborhood mixed with leading citizens of the community, merchants and business owners, Frisco management, and a substantial population of the railroad's blue collar workers. It is said that the Frisco railroad was built from the sweat and labor of Woodland Heights' residents.

Building Stock and Demographics

Traveling through the neighborhood, one will find a diverse assortment of architectural styles. There are several impressive houses in the Italianate, Queen Anne and Classical styles with the majority of the structures made up of



worker bungalows. A few shotgun style houses remain in the area. Most of the housing is intact with a small percentage of single and multi-family infill.

Chase Street is the most industrial/commercial area of the neighborhood. Several buildings, such as Standard Electric Steel Casting Co. and the old Ice House, are left over remnants of the booming railroad days. On the west end of Chase Street, there are commercial and manufacturing buildings. An automotive repair business, electric company, auto body repair, and mattress company are located near the vacant Eisenmeyer Grain Elevators.



Woodland Heights is home to one of Springfield's two oldest parks. Lafayette Park, originally Lafayette Square, was created in 1868. It has long been a neighborhood landmark. With improvements over the past few years, Lafayette Park has become a popular gathering spot for residents of the neighborhood. It was listed on the Springfield Register of Historic Sites in 1978.

Bowman Elementary School and Reed Academy (middle school) are located in the Woodland Heights Neighborhood. Doling Elementary School on Atlantic Street was closed in 2003.

There are several churches of various denominations located throughout the neighborhood.

Also of importance, Woodland Heights is linked to Commercial Street via the Jefferson Ave. Footbridge. Commercial St. has experienced excellent growth and revitalization over the past few years due to a strategic plan for the street that has been supported by the City.

In 1999, the Woodland Heights Neighborhood Association was re-organized to encourage revitalization, preservation and restoration efforts in the area. The City of Springfield recognizes the neighborhood as a part of the urban neighborhood footprint and as a historic district but does not provide protective zoning in that capacity. In 2013, Woodland Heights was recognized by the city of Springfield and awarded a 'Great Neighborhood' designation.



There are many indicators of the interest in and eminent success of Moon City Creative District. Moon City Jam, a showcase of regional music talent has regularly 'filled the house' at Big Momma's on Commercial St. since April 2013. A Facebook page, launched in spring 2013 (without the benefit of advertising or marketing) gains weekly interest and has surpassed 300 likes. The website receives routine inquiries from artists and realtors for information about the district. With solid neighborhood, community and City support, Moon City will shine again in North Springfield.

ISSUES

Unfortunately, due to economic downturn, aging housing stock, urban sprawl with residential development to the south side of the city, Woodland Heights has experienced decline. Today, according to the following statistics, it is an area that is designated as blighted per federal guidelines:

- 72% of the residents live in poverty.
- The unemployment rate is about 14%.
- The per capita income is just over \$18,000 per year.
- The renter occupancy rate is at 50%.
- 13% of structures in the area are considered dilapidated and in need of correction.
- The third highest number of law enforcement service calls in Springfield.
- Property values are estimated at one-half to one-third lower in comparison to other areas.

*These statistics are derived from census tract information which encompasses a somewhat larger area. There is no exact data specific to each category for Woodland Heights and estimates had to be made in some.

The Woodland Heights Neighborhood is at a crossroads. The neighborhood association and residents have struggled with blight for more than a decade. Many early gains have been eroded by hard economic times. The area cannot withstand more years of neglect; without a successful plan for revitalization, the opportunity to stabilize and reinvigorate this historic neighborhood will be lost. If the neighborhood is not stabilized, it most likely will see higher crime rates, more blight and more cost to the City for services to the area.

Where Woodland Heights is Today: Existing Conditions

Housing Stock

Woodland Heights is an old residential neighborhood. There are many structures that have been consistently maintained throughout their existence and show pride of ownership. However, there are many other structures in need of immediate attention, ranging from regular maintenance and repairs to complete renovation or even demolition.



The decline of the neighborhood over the years has created the usual problems associated with abandonment of older neighborhoods and urban sprawl. Homeowner's age, children grow up and leave the home and neighborhood for the suburbs and other communities.

As they age, the structure's maintenance requirements grow, as does the cost of that maintenance. When original owners die or move away, the structures pass into the hands of second or third generation owners who often do not have the wherewithal or interest to properly maintain the structures. Some homes sit vacant and neglected for many years while

property owner live in nursing homes. Or, properties are tied up in court as estates may take years to settle. As the cycle progresses, the neighborhood becomes less well-kept and less desirable. This, in turn, creates a downward pressure trend in property values.

Consequently, declining property values make the spaces attractive to rental investors who have bought up single-family homes in Woodland Heights for relatively low prices and sometimes have cut them up into multiple apartments to maximize the return on investment. The change from owner occupied to rental occupied helps fuel the further decline of the neighborhood. While there are some landlords who do an excellent job of maintaining their structures, there are other landlords who defer maintenance for as long as possible to maximize their return on investment. They spend money on their properties only when forced to because of tenant complaints or safety issues.

Unfortunately, these kinds of landlords will invest only the minimum necessary to get by and often only when forced. The neighborhood has become overburdened with structures that receive little or no regular maintenance and sub-par remodeling is done in hopes of increasing the opportunities for rental space.

As the decline continues, there are more rental units in Woodland Heights which cannot be rented for a reasonable rate of return because of the declining neighborhood. Landlords react to declining values by eliminating maintenance of their structures because it costs more to maintain them than they can bring in rent. This creates the situation where a neighborhood needs a massive infusion of investment but has no chance of attracting that investment because of bargain-basement property values and the reputation in the community of being 'on the wrong side of the tracks'.

Woodland Heights is caught up in the cycle of residential decline. Presently, there is a 50/50 split of owner occupied vs. rental in the neighborhood. Over the last three years, several owner occupied homes were lost in foreclosure and left to sit empty as banks could not sell them. We are beginning to see a trend of investor purchases of some of those properties. If the neighborhood is not stabilized, it most likely will see higher crime rates, more blight and more cost to the City for public services to the area.

Crime

As with many neighborhoods in North Springfield, Woodland Heights struggles with a steady stream of criminal activity. Based on the most recent statistics (4th quarter – 2013) there have been 53 police calls for incidents related to neighborhood scale crimes (stealing from a vehicle, drugs, domestic violence, and burglary) in Woodland Heights. Statistically, there are more assaults and domestic disturbances than other, more violent crimes. However, since April 2013, there have been two drive-by shootings in Woodland Heights, an increase of burglaries and robberies, and nine fires set by suspected arsonist. While crime statistics for the neighborhood may not be considered by authorities to be extreme, it must be noted that it is the opinion of many residents that there is a much greater presence of crime related activities in the neighborhood than what is reported. Residents argue that these statistics represent just the tip of a much greater problem.

Woodland Heights is involved with the Springfield Police Department's community oriented policing program and routinely interacts and communicates with the PAR officer to address the concerns of residents. In addition, the neighborhood was recently selected to participate in a pilot program, Citizen Alert Patrol (CAP), with the Springfield Police Dept. that uses trained citizens in the neighborhood to patrol the neighborhood after hours. Additionally, there is much interest in the Neighborhood Watch Program (NWP). Approximately 150 people would be required to attend and receive certification in the program before Woodland Heights can become a registered Neighborhood Watch area, per requirements of the program. At this time, there are 12 to 15 trained.

Plans for organizing this effort and training individuals in Moon City Creative District need to be stepped up in light of crime increases in the area, an escalation of problems associated with a high population of homeless individuals and vagrants, and the surge of arson related home fires in 2012 and 2013.

Traffic

According to residents of Woodland Heights, excessive traffic speed along Atlantic and Chase streets is a problem. A traffic circle was installed about seven years ago at the intersection of Robberson and Atlantic in an attempt to slow traffic near Lafayette Park. That measure has met with modest success. Along Chase St. the issue is much the same as motorists travel at a high rate of speed between Washington and Lyon. The safety concern here is for pedestrian traffic coming off the Footbridge and walking in the roadway due to broken and missing sidewalks.



A three-way stop sign (with a marked crosswalk) at the intersection of Jefferson and Chase would slow speeders and provide safer crossing of Chase St. for pedestrians coming from the Footbridge to the sidewalk on the north side of the street. Improvement and replacement of missing sidewalks on the north side of Chase St. is necessary to make it safe and pedestrian friendly.

Lighting

A review of existing street lighting in the Moon City Creative District reveals lighting deficiencies which consist of several factors including the type, height, number and pattern of street fixtures. Increased and/or more efficient use of lighting deters crime and improves public safety.

Transportation

Moon City Creative District is located in a low traffic area of the City. Most sidewalks are intact on all streets within the district except for Chase St. Many of the sidewalks are the original brick walks that enhance and lend historic charm to this area. The Link (a planned inner city route to encourage and promote walking and biking) and City Utilities public transit system present MCCD with viable alternative transportation modes. Existing streets are adequate to effectively

move vehicular traffic through the district. A bicycle rack at the Jefferson Ave. Footbridge landing would be a convenience for individuals in the neighborhood traveling to and from Commercial St.

Moon City Creative District and Commercial St. would benefit greatly from the initiation of a trolley route to serve the two districts as well as Downtown Springfield. The trolley would provide nostalgic but effective service to the three areas. The trolley could be routed by historic homes and sites within the urban neighborhoods footprint, through the Downtown business district, down Commercial St. and into Moon City past the galleries and homes/studios that are being restored as part of the development of the district. Weekends, First Friday Art Walk, and special events that bring residents and visitors to these areas would provide ridership.

Contributing Revitalization Strategy

Artist Relocation Program

The most important component for a Woodland Heights revitalization effort is to initiate the Moon City Creative District. With it comes the means for attracting an influx of new residents and homeownership, focus on the rehabilitation of structures, new investment both of time and money, and the ability to attract commercial and retail elements that can provide a healthy financial foundation currently missing in this area. Thus, MCCD presents an opportunity for the City to begin a comprehensive revitalization program of an entire neighborhood on a relatively fast track. If we are successful here, the Moon City revitalization effort can provide a blueprint to be emulated in other neighborhoods throughout the City.



We expect that the promotion of Moon City Creative District on a community level will add cultural and economic diversity to the City as well as encourage and establish the co-location of artistic and creative individuals to a centralized, synergistic community. It has been well documented that many cities that adopted and developed creative/artist districts, have experienced higher revenues from them in terms of higher property tax bases, increased sales taxes, lodging and entertainment taxes, tourism dollars, and new building and re-development investments.

Moon City Creative District will begin an Artist Relocation Program. The idea of this process is patterned after the success of a similar program in Paducah, KY. There, several artists have purchased structures – residential, commercial and industrial for re-development. This has produced excellent results for the community. The City of Springfield may consider a partnership in this initiative upon reviewing the achievements for Paducah.

The Artist Relocation Program will expand upon the activities that are attracting residents and commercial development to the Springfield Downtown and Commercial St. and duplicate those efforts in Moon City. Opportunities abound for working with the Springfield Visitors Bureau; Springfield – Greene County Park Board; Convention and Event Planners; Springfield Arts Council as well as other state and regional organizations to market the artists, their work, and Moon City events.

Setting Boundaries and Land Use

The first task was to delineate a study area. Careful consideration for inclusion in the study was given to the area that was directly linked to Commercial Street via the Jefferson Ave. Footbridge and the three underpasses that provide access to Commercial St. The proximity to this eclectic business district is vital to the collaborative success of the creative district and Commercial Street's gallery spaces. The study area for this plan extends from N. Washington Ave. to N. Broadway Ave. and from E. Chase St. to E. Atlantic St. Roughly, Moon City Creative District is a 12 square block area. The boundary is shown below (See Map # 1).

A comprehensive existing inventory for MCCD was assembled next. A database of information was gathered on approximately 250 parcels of land in the study area to determine the number of single family, multi-family, industrial, commercial units and vacant lots in the area. The data provided the foundation for this analysis. Existing Land Use Map (See Map # 2).

For the purpose of this analysis we have simplified the land uses into 4 categories: Single Family, Multi-Family, Commercial, and Vacant lots. Table 1 is a land use summation of the Moon City Creative District study area inventory.

Table 1			
Land Use	Frequency	Percent	Rank
Single Family	185	74.0%	1
Multi – Family	24	9.6%	2
Commercial/Industrial	32	12.8%	3
Vacant Lots	9	3.6%	4
Total	250	100%	

When completing a detailed review of the land use inventory, several patterns of commercial and residential land uses distinguish them. In the area from Washington to Broadway, and between Chase and Atlantic, a majority of all lots contain single family residences. However, on Chase, a majority of the structures are industrial and commercial in character. Lastly, a final pattern exists in the three-block area of Atlantic between Campbell and Grant and the Atlantic and Broadway intersection, both of which are a mix of residential, institutional and commercial properties.

The residential pattern in the neighborhood is largely concentrated in the north/south area between Washington Ave. and Broadway Ave. Ninety percent of the residential structures in the MCCD are concentrated in this section. Of the 209 total residential units in the district, 185 (88.5 %) are represented as single family, while 24 (11.5 %) are represented as multi-family.

Of the 185 single-family structures in the district, 139 are 1-story structures. 46 single-family structures have 2 or more floors. The total square feet of the 185 single-family structures in the district is 222,000 square feet with an average of 1,200 per unit.

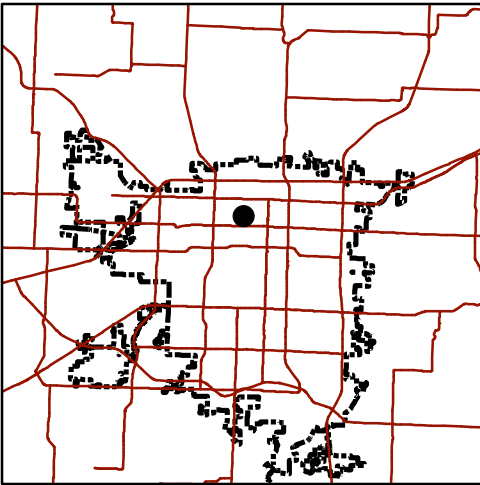
Of the 24 multi-family structures in the district, 8 are 1-story structures. 16 multi-family structures have 2 or more floors.

The Commercial land uses are found around the perimeter of the district. Of the 32 commercial structures identified, 31 have one story and 1 has two or more floors.

Adjacent Land Uses

The adjacent fringe areas surrounding Moon City Creative District are defined by the Robberson Neighborhood to the east and commercial districts to the north (Kearney St.) and south (Commercial St.). The most western neighborhood boundary is Kansas Expressway. The 13 Burlington Northern–Sante Fe rail lines dissect the district from Commercial St. on the south.

August 21, 2014



Zoning & Subdivision Report

Planning & Development - 417/864-1031

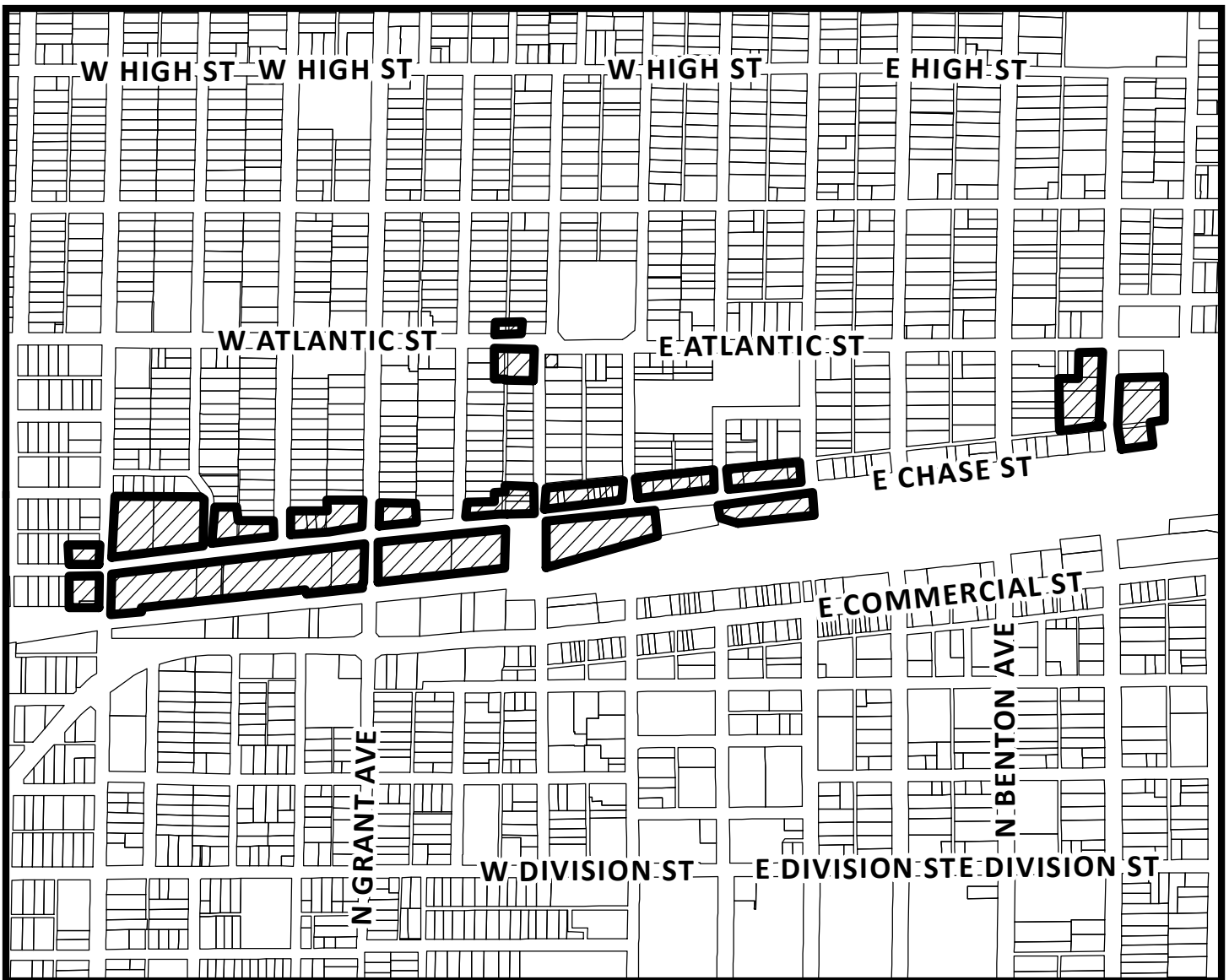
840 Boonville - Springfield, Missouri 65802

Planned Development District No. 347

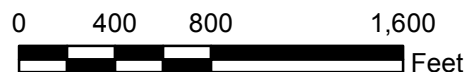
LOCATION: Bounded by Chase, Washington, Broadway and Atlantic

CURRENT ZONING: HM, CS, LI, R-SF, LB

LOCATION SKETCH



- Area of Proposal



1 inch = 800 feet

EXPLANATION TO COUNCIL BILL NO. 2015-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 52 acres of property generally located on the north and south sides of Chase Street between Broadway Avenue and Robberson Avenue, and those properties located on the east and west sides of Washington Avenue between Chase Street and Atlantic Street and properties located at the intersection of Lyon Street and Atlantic Avenue to establish Planned Development District No. 347.

BACKGROUND INFORMATION:

PLANNED DEVELOPMENT DISTRICT No. 347

On December 15, 2014, City Council adopted Resolution #10187 which accepted the Moon City Creative District Strategic Plan which initiated the proposed Planned Development District rezoning, in addition to a proposed Live/Work Overlay District rezoning for the residential properties in the Moon City Creative District. Springfield Planning and Development Department staff assisted the neighborhood residents with drafting the strategic plan; the proposed Planned Development District; and the proposed Live/Work Overlay District. The vision of the Plan is:

“To establish the Moon City Creative District as a *vibrant, unique and livable* area that provides a wide range of arts, cultural, employment and living opportunities for artists, artisans, residents, workers and visitors and supports the continued revitalization of the Woodland Heights Neighborhood.”

The proposed Planned Development District is for the properties that front on both sides of Chase Street and Washington Avenue and the properties centered round the intersection of Atlantic Street and Lyon Avenue. Most of the properties are currently zoned industrial and commercial services. A few are zoned residential. The proposed Planned Development District generally preserves the uses currently permitted in the existing non-residential zoning districts while permitting commercial and residential uses that add to the vitality of the Moon City Creative District. There are two areas, A & B, defined in the Planned Development District. Area A generally includes the properties

currently zoned Heavy Manufacturing (HM). Area B generally includes the properties that are zoned Commercial Services (CS).

REMARKS: The Planning and Development Department staff recommends Planned Development District No. 347 be approved.

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of Planned Development District No.347 is consistent with the accepted Moon City Creative District Strategic Plan.
2. The Planned Development District will expanded business opportunities for the current industrial and commercial areas by promoting revitalization and preservation of neglected structures, increased City's tax revenues, expanded tourism, financial benefits for existing businesses, and continued revitalization of the historic Woodland Heights neighborhood.

Submitted by:



Randall Whitman, 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, Planned Development District Requirements

Exhibit D, Zoning and Subdivisions Staff Report

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Neighborhood Meeting Summary

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EXHIBIT A
RECORD OF PROCEEDINGS
PLANNED DEVELOPMENT DISTRICT NO. 347

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

EXHIBIT B
LEGAL DESCRIPTION
PLANNED DEVELOPMENT DISTRICT NO. 347

A PART OF SECTIONS 11 AND 12 IN TOWNSHIP 29 NORTH, RANGE 22 WEST, AND INCLUDING PARTS OF SEVEN RECORDED SUBDIVISIONS, ALL IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, DESCRIBED AS FOLLOWS:

A PART OF "NORTH SPRINGFIELD" SUBDIVISION, AS SHOWN ON THE FINAL PLAT THEREOF, DESCRIBED AS:

IN BLOCK 41: ALL OF LOTS 3, 4, AND 5; AND ALL OF LOTS 9 THROUGH 15.

IN BLOCK 42: ALL OF THE EAST 119 FEET OF LOTS 1 AND 2. ALSO, ALL OF LOTS 3 THROUGH 6.

IN BLOCK 45: ALL OF LOTS 8 THROUGH 25.

IN BLOCK 46: ALL OF LOTS 10 THROUGH 22.

IN BLOCK 47: ALL OF THE WEST 60 FEET OF LOT 32. ALSO, ALL OF LOTS 10 THROUGH 22.

IN BLOCK 48: ALL OF LOTS 1 THROUGH 3, EXCEPT ALL THAT PART OF SAID LOT 1 TAKEN OR USED AS ATLANTIC STREET RIGHT-OF-WAY. ALSO, ALL OF LOTS 12 AND 13, AND ALL OF THE SOUTH 6 FEET OF LOT 11.

A PART OF "WOODLAND HEIGHTS ADDITION", AS SHOWN ON THE FINAL PLAT THEREOF, DESCRIBED AS:

IN BLOCK 10: ALL OF THE WEST 65 FEET OF LOT 12; AND ALL OF THE EAST 55 FEET OF LOT 13. ALSO, A 10 FEET WIDE STRIP OF LAND ALONG THE SOUTH SIDE OF SAID WEST 65 FEET OF LOT 12 IN BLOCK 10, AND A 10 FEET WIDE STRIP OF LAND ALONG THE SOUTH SIDE OF SAID EAST 55 FEET OF LOT 13 IN BLOCK 10. SAID STRIPS OF LAND BEING THE NORTHERLY VACATED PORTION OF THE ATLANTIC STREET RIGHT-OF-WAY.

IN BLOCK 16: ALL OF LOTS 18 AND 19.

IN BLOCK 17: ALL OF LOTS 16 THROUGH 20.

IN BLOCK 18: ALL OF LOTS 13 AND 14.

IN BLOCK 19: ALL OF LOT 11, AND ALL OF THE EAST 40 FEET OF LOT 10.

ALL OF BLOCKS 20 AND 21. ALSO, A 10 FEET WIDE STRIP OF LAND ALONG THE EAST SIDE OF SAID BLOCK 21, BEING THE WESTERLY PORTION OF THE VACATED GRANT AVENUE RIGHT-OF-WAY. ALSO, A 22.1 FEET WIDE STRIP OF LAND ALONG THE SOUTH SIDE OF SAID BLOCK 21, SAID STRIP EXTENDING FROM THE SOUTHEAST CORNER OF SAID BLOCK 21, WESTERLY TO A POINT APPROXIMATELY 270 FEET TO THE WEST, AND BEING ALL THAT LAND LYING NORTH OF THE EXISTING RAILROAD RIGHT-OF-WAY, AND SOUTH OF SAID BLOCK 21.

A PART OF "RAMSEY'S WOODLAND HEIGHTS ADDITION", AS SHOWN ON THE FINAL PLAT THEREOF, DESCRIBED AS:

ALL OF THE EAST 50 FEET OF LOT 1 AND THE EAST 50 FEET OF THE NORTH 20 FEET OF LOT 2. ALSO, ALL OF THE EAST 48 FEET OF LOT 3 AND THE EAST 48 FEET OF THE SOUTH 30 FEET OF LOT 2.

A PART OF "OZARK HEIGHTS ADDITION", AS SHOWN ON THE FINAL PLAT THEREOF, DESCRIBED AS:

IN BLOCK 1: ALL OF THE NORTH 123 FEET OF LOT 2; AND ALL OF LOT 3.

A PART OF "NEW OZARK HEIGHTS ADDITION", AS SHOWN ON THE FINAL PLAT THEREOF, DESCRIBED AS:

ALL OF LOTS 59 AND 60, AND ALL OF THE SOUTH 100 FEET OF LOTS 56, 57 AND 58.

A PART OF "SMITH HEIGHTS FIRST ADDITION", AS SHOWN ON THE FINAL PLAT THEREOF, DESCRIBED AS:

ALL OF LOTS 4, 5, 6, 8, 9, 10, AND 11.

A PART OF SAID SECTION 11 DESCRIBED AS:

BEGINNING AT THE SOUTHEAST CORNER OF "SMITH HEIGHTS" SUBDIVISION; THENCE WEST, ALONG THE SOUTH LINE OF SAID "SMITH HEIGHTS", TO THE EAST RIGHT-OF-WAY LINE OF BROADWAY AVENUE; THENCE SOUTH, ALONG SAID EAST RIGHT-OF-WAY LINE, TO THE NORTH RIGHT-OF-WAY LINE OF CHASE STREET; THENCE EAST, ALONG SAID NORTH RIGHT-OF-WAY LINE, TO THE SOUTHWEST CORNER OF "SMITH HEIGHTS FIRST ADDITION";

THENCE NORTH, ALONG THE WEST LINE OF SAID "SMITH HEIGHTS FIRST ADDITION" TO THE POINT OF BEGINNING.

ALSO, BEGINNING AT THE NORTHWEST CORNER OF LOT 12 IN BLOCK 21 OF SAID "WOODLAND HEIGHTS ADDITION"; THENCE WEST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF CHASE STREET, TO THE EAST RIGHT-OF-WAY LINE OF BROADWAY AVENUE; THENCE SOUTH, ALONG SAID EAST RIGHT-OF-WAY LINE, TO THE NORTH RIGHT-OF-WAY LINE OF THE BNSF RAILWAY; THENCE EAST, ALONG SAID NORTH RIGHT-OF-WAY LINE, TO THE SOUTHWEST CORNER OF SAID LOT 12; THENCE NORTH, ALONG THE WEST LINE OF SAID LOT 12, TO THE POINT OF BEGINNING.

A PART OF SAID SECTIONS 11 AND 12 DESCRIBED AS:

BEGINNING AT THE POINT OF INTERSECTION OF THE WEST LINE OF SAID SECTION 12 AND THE SOUTH RIGHT-OF-WAY LINE OF CHASE STREET; THENCE NORTHEASTERLY, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 50 FEET; THENCE SOUTHEASTERLY, ON A DEFLECTION ANGLE OF 90 DEGREES TO THE RIGHT, A DISTANCE OF APPROXIMATELY 100 FEET TO A POINT 30 FEET NORTHWESTERLY OF THE BNSF RAILWAY'S "LADDER

TRACK' CENTERLINE; THENCE SOUTHWESTERLY, 250 FEET TO A POINT 130 FEET SOUTHERLY (AS MEASURED AT RIGHT ANGLES) FROM THE SOUTH RIGHT-OF-WAY LINE OF CHASE STREET; THENCE WESTERLY, PARALLEL WITH SAID SOUTH RIGHT-OF-WAY LINE OF CHASE STREET, TO THE EAST RIGHT-OF-WAY OF LYON AVENUE; THENCE NORTH, ALONG SAID EAST RIGHT-OF-WAY LINE, TO THE SOUTH RIGHT-OF-WAY LINE OF CHASE STREET; THENCE EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, TO THE POINT OF BEGINNING.

A PART OF SAID SECTION 12 DESCRIBED AS:

BEGINNING ON THE SOUTH RIGHT-OF-WAY LINE OF CHASE STREET, AT THE POINT OF INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE EAST RIGHT-OF-WAY LINE OF BOONVILLE AVENUE (BEING THE WEST LINE OF LOT 25 OF BLOCK 45 IN SAID "NORTH SPRINGFIELD" SUBDIVISION); THENCE EASTERLY, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 375 FEET; THENCE SOUTHERLY, ALONG A LINE PERPENDICULAR TO THE BNSF RAILWAY'S "MAIN TRACK" CENTERLINE, TO A POINT 8.5 FEET NORTH OF THE BNSF RAILWAY'S "IRON BRIDGE SPUR TRACK" CENTERLINE; THENCE WESTERLY, PARALLEL WITH SAID "IRON BRIDGE SPUR TRACK" CENTERLINE, A DISTANCE OF 450 FEET; THENCE NORTHERLY TO THE POINT OF BEGINNING.

EXHIBIT 1
PLANNED DEVELOPMENT DISTRICT NO. 347

A. APPLICATION

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

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

NOTE: Unless specified, the requirements of this District apply to all Areas of the District.

B. INTENT

The intent of this District is to facilitate the development of the Moon City Creative District as a space within the community where people want to live, visit, shop or work. This District is intended to be a mixed-use, urban district that accommodates a wide range of arts, cultural, employment and living opportunities for artists, artisans, residents, workers and visitors. This District is also designed to promote active transportation (walking, biking and transit) by encouraging buildings to be located on street frontages and reducing the required off-street parking for retail, personal services, office and residential uses.

Area A: This Area consists primarily of properties zoned for heavy industrial uses. Many of these uses will still be permitted while allowing for retail, services and multi-family uses that will encourage development consistent with the Moon City Strategic Plan.

Area B: This Area consists primarily of properties zoned for commercial services uses. Many of these uses will still be permitted while allowing for retail, services and residential uses that will encourage development consistent with the Moon City Strategic Plan.

C. DEFINITIONS

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

D. USES PERMITTED

The following uses shall be permitted in both area A and B:

1. Accessory Uses, as permitted by *Section 5-1000, Accessory Structures and Uses*.
2. Ambulance services.

3. Any establishment which provides supplies and/or services primarily to commercial and industrial customers, such as janitorial services, sign shops, packaging or shipping service, locksmith or printing, lithographing, engraving, photocopying, blueprinting, publishing and binding establishments.
4. Art and craft establishments such as ceramics, painting, photography, sculpture, woodwork, and similar cottage industries.
5. Auction sales, flea markets, and swap meets.
6. Automobile service garages including body and fender repair and paint shops.
7. Automobile service stations.
8. Awning and canvas sales and rental.
9. Carpenter and cabinet shops.
10. Churches and other places of worship, including parish houses, and Sunday schools, but excluding overnight shelters.
11. Catering businesses.
12. Commercial laundry and dry cleaning establishments.
13. Commercial Gardens and/or Farmers Markets with retail and/or wholesale sales on-site.
14. Commercial off-street parking lots and structures.
15. Eating and Drinking Establishments Use Group.
16. Entertainment-Oriented Use Group.
17. Furniture refinishing/antique restoration.
18. General Office Use Group.
19. General or Medical Office/Retail Sales/Warehouse combinations.
20. Glass and mirror sales.

21. Household resource recovery collection centers, screened from all residential districts and public rights-of-way in conformance with *Section 6-1000, Screening and Fencing*.
22. Linen, towel and diaper services.
23. Medical Office Use Group.
24. Monument sales.
25. Multi-family dwellings.
26. Newspaper and magazine distribution agencies.
27. Noncommercial, non-for-profit residential neighborhood facilities, including indoor and outdoor recreational facilities, community centers, offices of property owners associations and maintenance facilities operated by a neighborhood or community organization or property owners association in accordance with the provisions of *Section 5-2700, Noncommercial Not-for-Profit Neighborhood Facilities*.
28. Nurseries, greenhouses and garden stores.
29. Personal Services Use Group.
30. Pest control services.
31. Police and fire stations.
32. Private clubs and lodges.
33. Public and private parks, playgrounds, and golf courses, including miniature golf courses and driving ranges.
34. Public service and public utility uses, as follow:
 - a. Tier I wireless facilities in accordance with *Section 5-2600, Telecommunications Towers*.
 - b. Tier III wireless facilities in accordance with *Section 5-2600, Telecommunications Towers*, provided wireless towers sixty (60) feet or greater in height allow collocation of at least one (1) additional provider's facilities.

- c. Tier IV wireless facilities in accordance with *Section 5-2600, Telecommunications Towers*, provided wireless towers are setback from any residential district at least two (2) feet for every one (1) foot of tower height and allow collocation of at least one (1) additional provider's facilities or at least two (2) additional provider's facilities if the tower height is one-hundred-twenty (120) feet or greater.
- d. Water reservoirs, water standpipes, and elevated and ground-level water storage tanks.

35. Repair shops, home appliance.

36. Repair shops, small engine.

37. Retail Sales Use Group.

38. Schools or development centers for persons with handicaps or development disabilities.

39. Schools, industrial and business.

40. Self-service storage facilities.

41. Swimming pool sales and display.

42. Taxidermists.

43. Temporary uses, as permitted by *Section 5-1200, Temporary Uses*.

44. Temporary vendors as permitted under *Subsection 5-1203.B.2*.

45. Towers other than wireless facilities, less than one-hundred (100) feet in height, and related facilities.

46. Upholstery shops.

47. Veterinary clinics and animal hospitals excluding outdoor kennels.

48. Wholesale Sales Use Group.

Area A Only:

- 1. Any manufacturing, production, processing, cleaning, servicing, testing, repair or storage of materials, goods or products, and business and sales offices accessory thereto.

2. Bus garages.
3. Feed stores.
4. Grain elevators.
5. Railroad terminals, railroad switching and classification yards, and railroad cars and locomotive repair shops.
6. Recycling centers.
7. Vehicle rental, towing and storage services.
8. Warehouses, storage and distribution centers.

Area B Only:

1. Live/Work Units as defined and regulated by the *Building Code* as adopted, and in effect, by the City of Springfield.
2. Single-family, detached dwellings.
3. Single-family, semi-detached dwellings, such as patio-court homes and twin houses.
4. Townhouses.
5. Zero-lot-line construction, in accordance with *Section 3-3200, Zero-Lot-Line Construction*.
6. Day care centers in accordance with Chapter 36, Article XI, Springfield City Code.

E. USE LIMITATIONS

1. No motor vehicle repair or maintenance work shall take place outdoors within two hundred (200) feet of the boundary of any residential district.
2. All sales, display or outdoor storage areas that would be routinely disturbed because of the nature of the activity being conducted or because of vehicular traffic, except those areas of nurseries or garden centers where living plants are located, shall be paved or otherwise improved with an all-weather, dust-free surface.

3. No dust, particulate matter or noxious or toxic matter of any sort shall be emitted or discharged at any time.
4. All uses shall operate in accordance with the noise standards contained in *Section 6-1500 of the Springfield Zoning Ordinance*.
5. Storage may be maintained outside a building in side yards or rear yards if such storage area is screened from public streets and from other property.
6. All outdoor storage shall be at least one hundred (100) feet from any residential district boundary.
7. No use shall emit an odor that creates a nuisance as determined by *Chapter 2A, Article X, Springfield City Code*.
8. No junk, scrap, salvage, or automobile wrecking yard shall be located within five-hundred (500) feet of any residential district.
9. There shall be a separate platted lot of record for each single family semi-detached or townhouse dwelling unit.

F. BULK, AREA AND HEIGHT REQUIREMENTS

Area A:

1. Maximum structure height: None
2. Yard requirements:
 - a. Front yard: None
 - b. Side yard: None
 - c. Rear yard: None

Area B:

1. Maximum structure height: Two and one-half (2½) stories or thirty-five (35) feet above the finished street grade.
2. Yard requirements:
 - a. Front yard: None
 - b. Side yard: None
 - c. Rear yard: None
3. Open space requirements:
 - a. Minimum open space: Not less than ten (10) percent of the total lot area shall be dedicated to open space including required yards and bufferyards unless modified in accordance with *Subsection 6-1215*. Open space shall not include areas covered by buildings, structures, parking areas, driveways and internal streets. Open space shall contain living ground cover and other landscaping materials.

- b. Maximum impervious surface: The combined area occupied by all main and accessory buildings or structures, parking areas, driveways and any other surfaces which reduce and prevent absorption of stormwater shall not exceed ninety (90) percent of the total lot area unless modified in accordance with *Subsection 6-1215*.

G. BUFFERYARDS

A minimum six (6) foot solid wood fence, solid masonry/brick wall or solid evergreen hedge shall be provided along any boundary adjacent to any residential district.

H. EXTERIOR LIGHTING

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

I. DESIGN REQUIREMENTS

1. All off-street parking and vehicular use areas shall be screened from all residential uses in accordance with *Section 6-1000, Screening and Fencing*.
2. Refuse storage areas shall be screened from view in accordance with *Section 6-1000, Screening and Fencing*.
3. Mechanical and electrical equipment, including air conditioning units, shall be screened from view in accordance with *Section 6-1000, Screening and Fencing*.
4. Accessory buildings and structures shall meet the requirements of *Section 5-1000, Accessory Structures and Uses*.

Area B Only:

1. The maximum length of any cluster of townhouse dwelling units within Area B shall not exceed six (6) units, or two hundred (200) linear feet.
2. Storage of maintenance or other equipment incidental to any permitted use except single-family detached and single-family-semi-detached dwellings shall be screened from view in accordance with the provisions of *Section 6-1000, Screening and Fencing*.

J. OFF-STREET PARKING

The City's off-street parking requirements, off-street loading requirements as well as the off-street parking and loading area design standards, *Sections 5-1500, 5-1600 and 6-1300* from the *Springfield Zoning Ordinance* in effect at the time of development shall apply to development as permitted in this district, except as follows.

1. Retail, Personal Services and Office Uses: One-half (1/2) the off-street parking required by *Section 5-1500*. If off-street parking is located on the property within twenty (20) feet of a street frontage without an intervening building, a fence, wall,

or hedge at least four (4) feet in height, which screens the parking from the street, shall be provided except at approved driveways.

2. Dwelling Unit: One (1) off-street parking space per dwelling unit.

K. SIGNS

Signage within this district shall comply with *Section 5-1400, Signs*, in effect at the time of development.

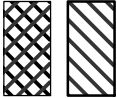
L. FINAL DEVELOPMENT PLAN

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

1. The intent of Exhibit 2 is to show the boundary of this district and define Areas A and B.
2. A final development plan shall only be approved if it is in substantial conformance with Exhibit 1 as defined by *Subsection 4-2509.C* of the *Springfield Zoning Ordinance*.
3. The Administrative Review Committee is hereby authorized to, acting jointly; approve the final development plan(s) provided such plan substantially conforms to the provisions of this ordinance. The ARC is hereby authorized, at its discretion, to approve minor adjustments and modifications to the site plan. Such authority shall not, however, be construed to permit:
 - A. Any uses within this District other than those specifically prescribed by the ordinance.
 - B. Any increase in the intensity of use permitted within this District.



Planned Development Exhibit 2



Planned Development District - Area A

Planned Development District - Area B

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.

ATTACHMENT 1
BACKGROUND REPORT
PLANNED DEVELOPMENT DISTRICT NO. 347

DATE: February 18, 2015

LOCATION: On the north and south sides of Chase Street between Broadway Avenue and Robberson Avenue, on the east and west sides of Washington Avenue between Chase Street and Atlantic Street and at the intersection of Lyon Street and Atlantic Avenue.

APPLICANT: City of Springfield

TRACT SIZE: Approximately 52 acres

EXISTING USE: Industrial and commercial businesses, single-family residential homes and vacant

PROPOSED USE: Industrial and commercial businesses, multi-family and live/work units.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	RSF	Single-family residential
East	HM	Industrial uses, solid waste operations and railroad tie-yard
South	COM 1 & 2	Commercial Street Historic District
West	RSF	Single-family residential

HISTORY:

The Woodland Heights Neighborhood initiated the development of the Moon City Creative District through a series of independent neighborhood meetings to help increase homeownership and reduce the influx of crime and nuisances.

COMPREHENSIVE PLAN: As an extension of the City's Comprehensive Plan, many neighborhoods, such as Woodland Heights completed Neighborhood Assessments. The assessment for the Woodland Heights Neighborhood, adopted by City Council in 2002, identified priorities within an action plan for the neighborhood and City to share in implementing. The number one priority for the Woodland Heights Neighborhood was to "Develop a redevelopment plan for Atlantic, Chase, Lyon vicinity."

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not have any issues with the requested rezoning of the subject property.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

No traffic issues with rezoning.

STORMWATER COMMENTS:

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 stormwater requirements in effect at the time of development:

CLEAN WATER SERVICES COMMENTS:

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

CITY UTILITIES:

City Utilities has no objection to the zoning change.

ADJACENT PROPERTY OWNER COMMENTS:

51 property owners within the area proposed to be rezoned and 130 property owners within one hundred eighty-five (185) feet of the area proposed to be rezoned were notified by mail of this request. No one has objected to date.

NEIGHBORHOOD MEETING:

City staff held a neighborhood meeting on January 20, 2015. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. Springfield Planning and Development Department staff assisted the neighborhood residents with drafting the strategic plan; the proposed Planned Development District; and the proposed Live/Work Overlay District.
2. Rezoning the areas along Chase Street, Washington Avenue and Atlantic Street to a Planned Development District will generally preserve the uses currently permitted while permitting additional commercial and residential uses that will add to the vitality of the Moon City Creative District.

3. Intense uses not appropriate for the corridor, such as airports, concrete paving plants, cemeteries, stockyards and salvage yards were removed from the list of permitted uses. Additional retail and commercial use groups, including eating and drinking establishments were added to both Areas A and B, as well as allowing multi-family dwellings. Single-family, townhouses, and Live /work units will be allowed in Area B only,
4. The objectives of this project and the rezoning are to revitalize and preserve neglected structures, increase the City's tax revenues, expand tourism, financially benefit our existing businesses, and continue to revitalize the historic Woodland Heights Neighborhood.

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of the Planned Development 347 District is consistent with the accepted Moon City Creative District Strategic Plan.
2. The Planned Development District No 347 will allow expanded business opportunities in the Manufacturing and industrial properties by promoting revitalization and preservation of neglected structures, increased City's tax revenues, expanded tourism, financial benefits for existing businesses, and continued revitalization of the historic Woodland Heights Neighborhood.

RECOMMENDATION:

Staff recommends **approval** of Planned Development District No. 347.

STAFF CONTACT PERSON:

Randall Whitman
Senior Planner
864-1831

ATTACHMENT 2
NEIGHBORHOOD MEETING SUMMARY
PLANNED DEVELOPMENT DISTRICT NO. 347

Woodland Heights Presbyterian Church - 722 West Atlantic Street

Ralph Rognstad Jr. and Randall Whitman represented the City, as applicants, along with Neighborhood and Moon City Steering Committee representatives Phyllis Ferguson, Steve Miller, Linda Passeri and Becky Volz. Approximately 30 participants from inside and outside the neighborhood were in attendance. Some were concerned residents seeking more information; others were artists interested in relocating to the District.

Ralph provided an overview of the project including a brief history, the process, and the proposed zoning changes the City's Planning and Zoning Commission and City Council would be considering in March and April.

Particular discussion and comments arose regarding what residents could expect to see if homes were used as live/work units and how that might change the neighborhood. Specifically, Ralph explained that while an artist can currently work out of their home under the city's home occupation ordinance, they cannot have a sign, could not employ anyone outside of the family and they could not conduct retail sales from the home business. He explained how these aspects would be allowed under the proposed live/work arrangements, reciting the use limitations from the live/work provisions regarding signage, employees and residential area allowances for retail use. Ralph answered additional questions regarding how the live/work provisions would regulate hours of operation and parking, explaining that while there were no hours of operation proposed for live/work units, there were limitations on group classes for dance, art, and related activities. He also explained that no parking requirements were proposed as part of the zoning amendment and that on-site and on-street parking would be permitted without restriction.

One resident was concerned that quiet neighborhood streets would turn into busy retail areas, if stricter restrictions were not imposed on parking and limiting hours of operation, especially given that each could potentially have two employees, customers, in addition to the normal household vehicles (teenagers, etc.) all on narrow lots, some without driveways or shared driveways. Ralph explained that while the proposed creative district is a new concept in Springfield, this is not the first place one has been introduced. He, and members of the steering committee, reiterated that many other communities across the nation have created very successful arts districts, just like Moon City. It was pointed out that while some aspects of the district's creation may be experimental and may be based on trial and error, the benefits to the neighborhood and City would likely exceed the down-sides. He reassured the audience that issues with parking or other district provisions could be reevaluated at any time and modifications

made, as needed, but many of these matters should be self-policed by the residents, working issues out through discussion and compromise. Lastly he pointed-out that individuals who used equipment that produced excessive noise, smoke or other emissions would be under the same restrictions as any other residential district. Furthermore, trades such as cabinet-making, construction, fabricating, or manufacturing would be evaluated, on a-case-by-case basis, for exceeding the parameters of the district provisions for artisans and crafts, if complaints were received by the City.

Discussion continued with regard to the positive impacts the district could have on increasing owner-occupancy in the neighborhood, on reducing crime, increasing pride and an overall increase in quality of life issues the Woodland Heights neighborhood has encountered. Several members of the Moon City Steering Committee explained that while visiting other art districts in Paducah and Seattle they experienced no major changes in the atmosphere of the neighborhood that suggested high volume retail sales, street traffic or noise. That many were self-restricted with regard to use of signs and hours of operation, so as to not disrupt their work or family life. In addition, members of the steering committee did not express any interest in pursuing or encouraging expansion of Springfield's "First Friday" art-walk to include Moon City. Rather their vision was for Moon City to be primarily a passive residential area, with an opportunity for artists to work from home. This, they believe, would help to bring new residents to the neighborhood, increasing ownership in the district and contributing to an improved quality of life, reduction in crime and neighborhood involvement.

Beyond the discussion about the impact on the residential areas of the proposed district, one property owner of a commercial property expressed concern that amending the zoning code for the properties along Chase would instantly increase property taxes. Ralph explained that was not the case; that during prior conversations with the Greene County Assessor, he learned that a change in zoning does not trigger an increase in ones individual property evaluation. The Assessor increases tax assessments when improvements to the property are made, structures are built, or comparable evaluations are made in the area that show property values are increasing.

Staff lingered for follow-up questions and all departed the church around 7:45pm.

Uses not included in Area A. of the Moon City Planned Development list of Permitted Uses, which were previously included in the Heavy Manufacturing (HM) District.

Section 4-4300. HM - Heavy Manufacturing District.

4-4302. Permitted Uses. (G.O. 5879, 7/26/10)

- A. Accessory Uses, as permitted by *Section 5-1000, Accessory Structures and Uses*.
- ~~B. Airports.~~
- C. Any manufacturing, production, processing, cleaning, servicing, testing, repair or storage of materials, goods or products, and business and sales offices accessory thereto.
- D. Any residential dwellings existing at the time the district is mapped. As a conforming use, such a dwelling can be expanded or, if destroyed, replaced with another dwelling of the same type within eighteen (18) months of being destroyed. (G.O. 6042, 04/08/13)
- E. Auction sales, flea markets, and swap meets.
- F. Automobile service garages including body and fender repair and paint shops. (G.O. 5127, 10/29/01)
- ~~G. Battery recycling and reprocessing.~~
- ~~H. Bulk storage of flammable liquids for wholesale, subject to the provisions of the City and State Fire Codes.~~
- I. Bus garages.
- ~~J. Cemeteries.~~
- ~~K. Central mixing plants for cement, asphalt, or paving material.~~
- L. Churches and other places of worship, including parish houses, and Sunday schools. (G.O. 5471, 06/27/05)
- M. Commercial off-street parking lots and structures. (G.O. 5758, 06/02/08)
- N. Commercial Gardens and/or Farmers Markets with retail and/or wholesale sales on-site. (G.O. 5843, 11/09/09) (G.O. 5880, 7/26/10)
- O. Commercial Outdoor Recreation Use Group.
- ~~P. Construction equipment storage yards. (G.O. 5127, 10/29/01)~~
- ~~Q. Electric and steam power plants.~~
- R. Overnight shelters or transitional service shelters for fifty (50) or fewer residents, or soup

kitchens, and located at least five hundred (500) feet from a residential district, as measured from property lines provided that no overnight shelter, transitional service shelter or soup kitchen may locate within two thousand (2,000) of any other overnight shelter, transitional service shelter, soup kitchen, or substance abuse treatment facility or community corrections facility as measured from property lines, in accordance with *Subsection 3-3310.B.5*. In no event shall a Certificate of Occupancy be issued for an overnight or transitional service shelter herein if it is less than one thousand (1,000) feet from an elementary or secondary school as measured from property lines. (G.O. 4763, 12/15/97) (G.O. 4792, 04/13/98) (G.O. 5343, 01/12/04) (G.O. 5516, 01/23/06) (G.O. 6058, 06/17/13)

S. Entertainment-oriented Use Group.

T. Feed stores.

U. General Office Use Group.

V. Grain elevators.

~~W. Heliports.~~

X. Household resource recovery collection centers, screened from all residential districts and public rights-of-way in conformance with *Section 6-1000, Screening and Fencing*, (non-household resource recovery collection centers are permitted by D above).

~~Y. Junk yards and automobile wrecking yards (No limitation on floor area for retail sales), in accordance with *Section 5-2200, Scrap, Salvage, Junk and Automobile Wrecking Yards*.~~

~~Z. Manufacturing and production of paving, roofing and other construction materials, using asphaltic and petroleum based coatings and preserving materials.~~

~~AA. Motor freight terminals.~~

BB. Pest control services.

CC. Police and fire stations.

~~DD. Primary and secondary metal industries that manufacture, produce, smelt or refine ferrous and non ferrous metals.~~

EE. Public and private parks, playgrounds, and golf courses, including miniature golf courses and driving ranges.

FF. Public service and public utility uses, as follow: (G.O. 5094, 7/9/01)

1. Tier I wireless facilities in accordance with *Section 5-2600, Telecommunication Towers*.
2. Tier III wireless facilities in accordance with *Section 5-2600, Telecommunication Towers*, provided wireless towers sixty (60) feet or greater in height allow collocation of at least one (1) additional provider's facilities.
3. Tier IV wireless facilities in accordance with *Section 5-2600, Telecommunication*

Towers, provided wireless towers are setback from any residential district at least two (2) feet for every one (1) foot of tower height and allow collocation of at least one (1) additional provider's facilities or at least two (2) additional providers' facilities if the tower height is one-hundred-twenty (120) feet or greater.

4. Water reservoirs, water standpipes, and elevated and ground-level water storage tanks.
- GG. Railroad terminals, railroad switching and classification yards, and railroad cars and locomotive repair shops.
- HH. Recycling centers.
- II. Retail Sales Use Group provided the sale of products is related to the principal use and provided that the gross amount of floor area devoted to sales and display does not exceed twenty-five (25) percent of the gross floor area of the structure or ten thousand (10,000) square feet, whichever is less. Products related to the principal use include products produced, distributed or sold wholesale on-site by the principal use.
- JJ. Schools, industrial and business. (G.O. 5585, 07/24/06)
- ~~KK. Scrap and salvage yards, in accordance with Section 5-2200, Scrap, Salvage, Junk and Automobile Wrecking Yards.~~
- LL. Self-service storage facilities. (G.O. 5127, 10/29/01)
- ~~MM. Stockyards or feed lots.~~
- NN. Substance abuse treatment facilities for fifty (50) or fewer residents, provided the facility: (G.O. 5343, 01/12/04)
1. Is located at least two thousand (2000) feet from any other substance abuse treatment facility, or two thousand (2000) feet from any emergency shelter, soup kitchen, transitional service shelter or community corrections facility, as measured from property lines; and
 2. A plan of operation, including but not limited to: Administration contact information, patron access requirements, hours of operations and security measures, is on file with the City of Springfield Planning and Development Department.
- OO. Swimming pool sales and display.
- PP. Temporary uses, as permitted by *Section 5-1200, Temporary Uses*.
- QQ. Towers other than wireless facilities, less than one-hundred (100) feet in height, and related facilities. (G.O. 5094, 07/09/01)
- RR. Upholstery shops. (G.O. 5127, 10/29/01)
- SS. Vehicle rental, towing and storage services.
- TT. Veterinary clinics, animal hospitals and outdoor kennels provided that at the time the use is established any outdoor activities are clearly accessory to the primary use and provided that no

outdoor activities are located closer than a three hundred (300) foot radius from a building used for a church, school, hotel, motel, or restaurant, or from a property zoned residential or a building used for residential purposes. (G.O. 4570, 11/27/95) (G.O. 5471, 06/27/05)

UU. Warehouses, storage and distribution centers.

VV. Wholesale Sales.

~~WW. Wood preserving operations using formulations of Chrome Copper Arsenate (CCA), pentachlorophenol (PENTA), creosote, and related chemicals.~~

Uses added to Area A of the Moon City Planned Development District (HM District)

1. Ambulance services.
2. Any establishment which provides supplies and/or services primarily to commercial and industrial customers, such as janitorial services, sign shops, packaging or shipping service, locksmith or printing, lithographing, engraving, photocopying, blueprinting, publishing and binding establishments.
3. Art and craft establishments such as ceramics, painting, photography, sculpture, woodwork, and similar cottage industries.
4. Automobile service stations.
5. Awning and canvas sales and rental.
6. Carpenter and cabinet shops.
7. Catering businesses.
8. Commercial laundry and dry cleaning establishments.
9. Eating and Drinking Establishments Use Group.
10. Furniture refinishing/antique restoration.
11. General or Medical Office/Retail Sales/Warehouse combinations.
12. Glass and mirror sales.
13. Linen, towel and diaper services.
14. Medical Office Use Group.
15. Monument sales.
16. Multi-family dwellings.
17. Newspaper and magazine distribution agencies.
18. Noncommercial, non-for-profit residential neighborhood facilities, including indoor and outdoor recreational facilities, community centers, offices of property owners associations and maintenance facilities operated by a neighborhood or community organization or property owners association in accordance with the provisions of *Section 5-2700, Noncommercial Not-for-Profit Neighborhood Facilities*.
19. Nurseries, greenhouses and garden stores.
20. Personal Services Use Group.
21. Private clubs and lodges.

- 22. Repair shops, home appliance.
- 23. Repair shops, small engine.
- 24. Schools or development centers for persons with handicaps or development disabilities.
- 25. Taxidermists.
- 26. Temporary vendors as permitted under *Subsection 5-1203.B.2*.
- 27. Veterinary clinics and animal hospitals excluding outdoor kennels.
- 28. Wholesale Sales Use Group.

Uses added to Area B of the Moon City Planned Development District (Commercial Services District)

1. Live/Work Units as defined and regulated by the *Building Code* as adopted, and in effect, by the City of Springfield.
2. Single-family, detached dwellings.
3. Single-family, semi-detached dwellings, such as patio-court homes and twin houses.
4. Townhouses.
5. Zero-lot-line construction, in accordance with *Section 3-3200, Zero-Lot-Line Construction*.
6. Day care centers in accordance with Chapter 36, Article XI, Springfield City Code.

EXPLANATION TO COUNCIL BILL NO: 2015-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To amend Sections 1-1323, Travel Trailer, Camper, Recreational Vehicle, and Other Trailer Parking, and 4-1500, R-MHC, Manufactured Home Community District, of the Zoning Ordinance to allow recreational vehicle (RV) parks in the R-MHC District. (Staff recommends approval)

BACKGROUND INFORMATION:

ZONING ORDINANCE TEXT AMENDMENT – RECREATIONAL VEHICLE PARK AMENDMENTS

City Council initiated amendments to consider adding recreational vehicle parks to the list of permitted uses within the R-MHC, Manufactured Home Community District with restrictions at their meeting on August 13, 2012. This initiation was in response to a letter from Mr. Craig F. Lowther (Exhibit B).

Currently, the regulations for the R-MHC District state that recreational vehicles (RV's) may not be occupied as dwellings. Recreational vehicle parks, along with campgrounds, are only permitted in the HC, Highway Commercial and CS, Commercial Service Districts.

The proposed amendments will allow recreational vehicle parks in the R-MHC District if the district has direct access to a collector or higher classified roadway. This will concentrate any recreational vehicle parks within these manufactured home developments to be located along major highways so that the traveling public can have quick access without disturbing any adjacent residential neighborhoods. This will provide additional locations for tourists, construction crews and other visitors to temporarily reside.

The Development Issues Input Group (DIIG), Urban Districts Alliance (UDA), Environmental Advisory Board (EAB) and all registered Neighborhood Associations were notified of these amendments and have made no objections to date.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on March 5, 2015, and recommended _____, by a vote of ___ to ___, of the proposed changes to the Zoning Ordinance described in Exhibit A.

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

FINDINGS FOR STAFF RECOMMENDATION:

1. The proposed amendment will allow for additional areas for the traveling public to temporarily reside.

Submitted by:

Bob Hosmer, AICP
Principal Planner

Greg Burris, City Manager

EXHIBIT A
RECREATIONAL VEHICLE PARK AMENDMENTS

Note: Language to be deleted is ~~stricken~~

- 1-1323. **Travel Trailer, Camper, Recreational Vehicle, and Other Trailer Parking.** The parking of a travel trailer, camper, or recreational vehicle for overnight accommodations or dwelling purposes in any district shall be prohibited except when such travel trailer, camper, or recreational vehicle is located in a licensed campground or recreational vehicle park. The parking or storing of a travel trailer, camper or recreational vehicle other than a mobile home in any district not in a licensed campground or recreational vehicle park, shall be permitted provided that no living quarters shall be maintained while such travel trailer, camper or recreational vehicle is parked or stored. No travel trailer, camper, recreational vehicle or any other trailer shall be parked in the required front yard of a lot or tract of land in any residential district or a lot or tract of land used for residential purposes in any other district except in a driveway leading to a required off-street parking space for a single-family-detached, single-family-semi-detached, duplex or townhouse dwelling unit or mobile home on an individual lot.
- 4-1502. **Permitted Uses in the R-MHC District.**
- A. Single -family-detached dwellings, including mobile homes, on individual building lots.
 - B. Single-family-semi-detached dwellings, in accordance with *Section 3-3100, Cluster Developments*.
 - C. Manufactured housing developments (mobile home parks).
 - D. Accessory apartments in owner-occupied single-family-detached dwellings, in accordance with *Section 5-2400, Accessory Apartments*.
 - E. Accessory Uses, as permitted by *Section 5-1000, Accessory Structures and Uses*.
 - F. Churches and other places of worship, including parish houses and Sunday schools, but excluding overnight shelters and temporary outdoor revivals. (G.O. 4519, 06/12/95) (G.O. 4852, 11/23/98) (G.O. 5471, 06/27/05) (G.O. 6058, 06/17/13)
 - G. Community Gardens without retail or wholesale sales on-site in accordance with the performance standards of *Section 5-3000, Community Gardens*. (G.O. 5843, 11/9/09)
 - H. Day care homes, in accordance with *Chapter 36, Article XI, Springfield City Code*. (G.O. 4570, 11/27/95)
 - I. Group homes, residential, in accordance with *Section 5-2500, Residential Group Homes*.
 - J. Home occupation uses, as permitted by *Section 5-1100, Home Occupations*.

- K. Noncommercial, not-for-profit residential neighborhood facilities, including indoor and outdoor recreational facilities, community centers, offices of property owners associations and maintenance facilities operated by a neighborhood or community organization or a property owners association in accordance with the provisions of *Section 5-2700, Noncommercial Not-For-Profit Neighborhood Facilities*. (G.O. 4759, 11/10/97)
- L. Outdoor storage areas in mobile home parks, including storage areas for recreational vehicles. Such areas shall be screened from adjoining uses and shall occupy, in total, not more than five (5) percent of the area of the mobile home park. Use of such storage area shall be limited to the occupants of the mobile home park.
- M. Police and fire stations.
- N. Recreational vehicle park in a manufactured housing development with direct access to a collector or higher classified roadway.
- ~~N.O.~~ Schools, elementary and secondary, and schools or development centers for elementary- and secondary-school-age children with handicaps or development disabilities, on a minimum of five (5) acres of land.
- ~~O.P.~~ Temporary uses, as permitted by *Section 5-1200, Temporary Uses*.
- ~~P.Q.~~ Tier I and II wireless facilities in accordance with *Section 5-2600, Telecommunication Towers*. (G.O. 5094, 7/9/01)
- ~~Q.R.~~ Transitional housing for single-family use. (G.O. 4763, 12/15/97)
- ~~R.S.~~ Zero-lot-line construction, in accordance with *Section 3-3200, Zero-Lot-Line Construction*.

4-1504.

Use Limitations.

- A. In manufactured housing communities, ~~recreational vehicles shall not be occupied as dwellings and~~ manufactured home sales lots shall not be permitted.
- B. All uses shall operate in accordance with the noise standards contained in *Section 6-1500, Noise Standards*.
- C. No use shall emit an odor that creates a nuisance as determined by *Chapter 2A, Article X, Springfield City Code*.

Emer. _____
P. Hrngs. _____
Pgs. 5
Filed: 08-07-12

Sponsored by: Fisk

COUNCIL BILL NO. 2012- 235

RESOLUTION NO. 9979

A RESOLUTION

1 TO INITIATE an amendment to the Springfield Land Development Code, Article I,
2 Zoning Ordinance, to consider modifying the permitted uses within the
3 R-MHC, Manufactured Home Community District to include recreational
4 vehicle parks with certain restrictions. (Planning Staff recommends
5 approval.)
6 _____
7

8 WHEREAS, the R-MHC, Manufactured Home Community District states that
9 recreational vehicles may not be occupied as dwellings; and
10

11 WHEREAS, the property at 4219 South Nature Center Way is zoned R-MHC,
12 Manufactured Home Community District; and
13

14 WHEREAS, a letter was received from the property owner's representative
15 requesting the Zoning Ordinance be amended to permit recreational vehicle parks with
16 certain limitations; and
17

18 WHEREAS, Councilwoman Fisk requested Council initiate an amendment to the
19 Zoning Ordinance to consider adding recreational vehicle parks to the list of permitted
20 uses within the R-MHC, Manufactured Home Community District with restrictions.
21

22 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY
23 OF SPRINGFIELD as follows, that:
24

25 Section 1 – The Council initiate an amendment to the Springfield Land
26 Development Code, Article I, Zoning Ordinance, to consider modifying the permitted
27 uses within the R-MHC, Manufactured Home Community District to include recreational
28 vehicle parks with certain restrictions.
29

30 Section 2 – The proposal for this amendment to the Land Development Code,
31 Article I, Zoning Ordinance, shall be transmitted to the Planning and Zoning
32 Commission for Commission's report and recommendation, as provided in Section
33 3-3702 of the Zoning Ordinance.
34

EXPLANATION TO COUNCIL BILL NO: 2012- 235

FILED: 08-07-12

ORIGINATING DEPARTMENT: Planning and Development Department.

PURPOSE: To approve a resolution initiating an amendment to the Springfield Zoning Ordinance to consider modifying the requirements for the R-MHC, Manufactured Home Community District with regard to recreational vehicle parks.

BACKGROUND INFORMATION:

The property at 4219 South Nature Center Way is zoned R-MHC, Manufactured Home Community District. The regulations for the R-MHC District state that recreational vehicles may not be occupied as dwellings. Recreational vehicle parks, along with campgrounds, are only permitted in the HC, Highway Commercial and CS, Commercial Service Districts. A letter was received from the property owner's representative requesting the ordinance be changed to permit recreational vehicle parks within the R-MHC District with certain limitations (Exhibit 1). Councilwoman Fisk requested Council initiate an amendment to the Zoning Ordinance to consider adding recreational vehicle parks to the list of permitted uses within the R-MHC, Manufactured Home Community District with certain restrictions.

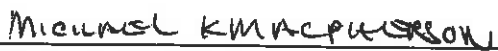
REMARKS:

By initiating this amendment, the City will be incurring the costs of processing the amendment, including staff time and advertising costs.

Approval of this resolution will not amend the Zoning Ordinance, but only begins the process of review and recommendations by staff and the Planning and Zoning Commission. Staff will return to City Council with those recommendations at a public hearing at a later date.

Submitted by:


Alana D. Owen, AICP, Senior Planner


Michael MacPherson, Principal Planner


Greg Burris, City Manager



EXHIBIT 1

MEMBERS

THEODORE L. JOHNSON, III
CRAIG F. LOWTHER
MICHAEL K. CULLY¹
JOHN W. HOUSLEY
DAVID A. FIELDER
GLENN P. GREEN
THOMAS M. BENSON
RANDY J. REICHARD
ANGELA K. DRAKE²
LEE J. VIOREL
MICHAEL L. MILLER
KORY D. STUBBLEFIELD

ASSOCIATES

MATTHEW L. PLACZEK
AARON M. KLUSMEYER

OFFICE ADMINISTRATOR

SAMIE K. PAYNE

¹ ALSO ADMITTED IN ARIZONA

² ALSO ADMITTED IN KANSAS

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July 20, 2012

Jan A Fisk
1535 E. Meadowmere
Springfield, MO 65804

RE: **City of Springfield v. Fowler**
4219 S. Nature Center Way
SVC2012-00634
Matter ID 18415-352

Dear Jan:

I am writing to request a text amendment be made to the zoning code. A problem has arisen in the zoning code in that it does not cover a common situation which exists throughout the City, and throughout the country. Unfortunately, the zoning code has not yet addressed this and this common usage is a violation, as the ordinance is currently written.

The problem is that most all trailer parks allow an RV to come in over night, hook up to utilities, and leave the next day. Sometimes these one night stays are much longer. For instance, a crew may come in to town to build a McDonalds store because they build McDonald stores all over the country. They will have an RV that is fully equipped with bathroom, kitchen, sleeping quarters. They live there for the 60-70 days it takes to build the McDonalds then unhook the RV from the RV park and go home. Almost every major chain has their preferred builders who go from town to town and it is quite common for people to park their RV's for several days, or for 60-90 days, for a construction project.

The problem is that the zoning code for mobile home parks, as it is currently written, does not allow RVs that come and go. The RVs that come in and hook up for a few days, or a few months are totally compatible with a mobile home park. These people do not cause trouble, don't burden any of the infrastructure and the use is almost identical, except they do not have the unit tied down permanently.

I would ask that your request staff to draw up a proposed text amendment to the RMHC section and to add, as a permitted use something like "A recreational vehicle facility where mobile trailers and recreational vehicles can stay without being permanently attached to the land."

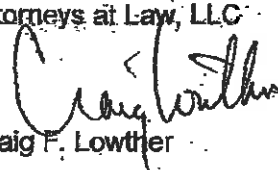
Janice A Fisk
July 20, 2012
Page 2

I am sure that language needs to be tweaked a little bit, but the basic theory is to allow an RV to be in a mobile home park for a time not to exceed 90 days. That should take care of all the construction people who are temporarily in town and need a place to park, and would make sure that all of the current mobile home parks (that already allow RV parking) are in zoning compliance.

Congratulations on you being a new council member and I look forward to working with you on this project. As always, if you have any questions please do not hesitate to contact me.

Very truly yours,

LOWTHER JOHNSON
Attorneys at Law, LLC



Craig F. Lowther

CFL:h1b

EXPLANATION TO COUNCIL BILL NO: 2015-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To accept the dedication of the public streets and easements as shown on the Preliminary Plat of **MENARDS WEST** generally located at 3705 West Sunshine Street. (Staff recommends that City Council accept the public streets and easements.)

BACKGROUND INFORMATION:

- A. The Preliminary Plat of **MENARDS WEST** dated February 13, 2015, 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 March 5, 2015 and _____ the preliminary plat and a subdivision variance 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. Sanitary sewers shall be extended to all building sites. The sewer as shown on the plat will require public improvement plans. A portion of the property is covered by a \$0.033 per square foot trunkline connection fee. This fee has to be paid when the engineering and inspection fees for the public improvements are paid.
 - b. Off-site construction easements may need to be obtained to connect to existing sewer. All required easements will need to be approved and executed before the public improvement plans can be approved.
 - c. Stormwater detention and water quality will be required to be constructed on-site so that the post development peak runoff rate is no greater than the predevelopment peak runoff rate. On-site public improvements will be required for concentrated runoff crossing lot lines as well as for detention/water quality features serving more than one lot. These Improvements will need to be constructed prior to final plat approval or issuance of a building permit.

- d. Downstream improvements will be required to convey runoff from the development to prevent downstream flooding problems. Concentrated points of discharge from these improvements will be required to discharge to a public right-of-way, drainage easement or certified natural surface water channel. Greene County approval will be required for these improvements.
 - e. Sidewalks are required along the property frontage of Zimmer Avenue (Farm Road 129) and along both sides of the relocated portion of Farm Road 148 (University Street).
- 2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. No access is allowed to State Highway 413 from lots 1, 2 and 3 unless otherwise dictated on the final plat.
 - b. Proposed easements are acceptable, but exact size and locations will be determined at design stage. Short extensions will be needed to serve all lots and will be determined at design stage. City Utilities will determine the necessary easements prior to final plat approval.
- 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.

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:

Daniel Neal, Senior Planner

Reviewed by:

Approved by:

Bob Hosmer, AICP, Principal Planner

Greg Burris, City Manager

EXHIBITS:

Exhibit A, Record of Proceeding

Exhibit B, Zoning and Subdivision Staff Report

ATTACHMENTS:

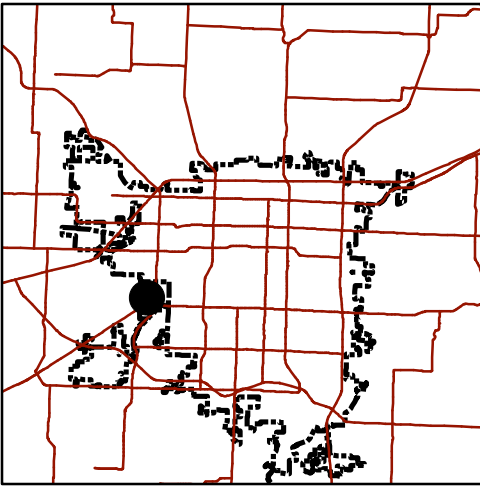
Attachment 1, Background Report

Attachment 2, Subdivision Variance Approval Criteria

Attachment 3, Preliminary Plat

EXHIBIT A
BACKGROUND REPORT
PRELIMINARY PLAT – MENARDS WEST

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



Zoning & Subdivision Report

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

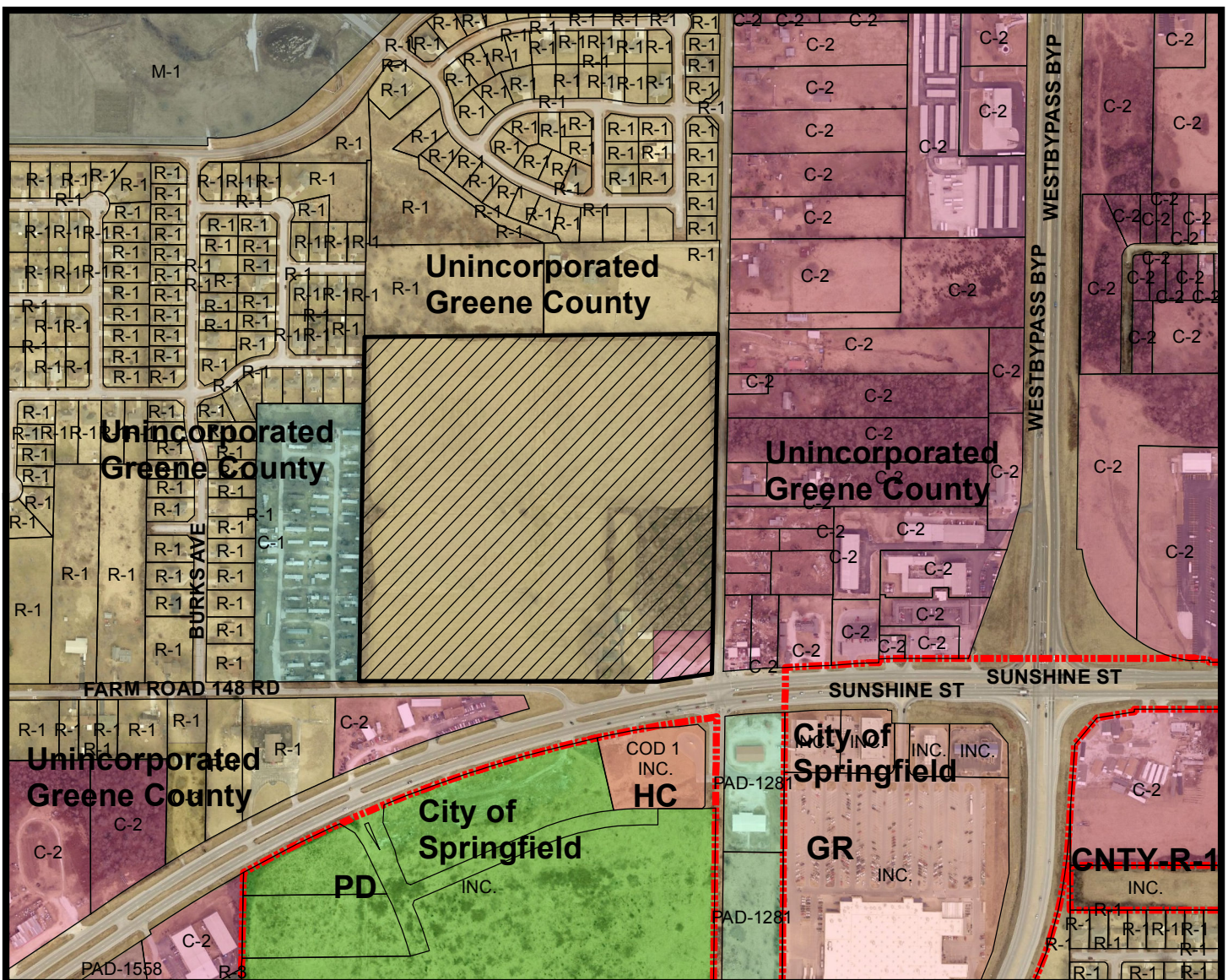
Preliminary Plat - Menards West

Location: 3705 W. Sunshine St.

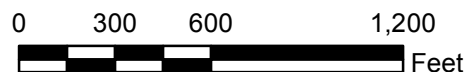
Current Zoning: County R-1, Suburban Residence District and
County C-2, General Commercial District

Proposed Zoning: HC, Highway Commercial with COD #85

LOCATION SKETCH



- Area of Proposal



1 inch = 600 feet

Zoning & Subdivision Report

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

PRELIMINARY PLAT – MENARDS WEST

DATE: February 24, 2015

PURPOSE: To approve a preliminary plat to subdivide approximately 39.13 acres into a five (5) lot commercial subdivision with a subdivision variance to not require a turnaround at the end of a dead-end street (Portland St.).

BACKGROUND:

LOCATION: 3705 W. Sunshine Street

APPLICANT: Donald and Patricia McCurry

TRACT SIZE: Approximately 39.13 acres

EXISTING USE: Single-family residence and vacant/undeveloped land

PROPOSED USE: Uses permitted in the HC, Highway Commercial District

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. Sanitary sewers shall be extended to all building sites. The sewer as shown on the plat will require public improvement plans. A portion of the property is covered by a \$0.033 per square foot trunkline connection fee.

This fee has to be paid when the engineering and inspection fees for the public improvements are paid.

- b. Off-site construction easements may need to be obtained to connect to existing sewer. All required easements will need to be approved and executed before the public improvement plans can be approved.
 - c. Stormwater detention and water quality will be required to be constructed on-site so that the post development peak runoff rate is no greater than the predevelopment peak runoff rate. On-site public improvements will be required for concentrated runoff crossing lot lines as well as for detention/water quality features serving more than one lot. These Improvements will need to be constructed prior to final plat approval or issuance of a building permit.
 - d. Downstream improvements will be required to convey runoff from the development to prevent downstream flooding problems. Concentrated points of discharge from these improvements will be required to discharge to a public right-of-way, drainage easement or certified natural surface water channel. Greene County approval will be required for these improvements.
 - e. Sidewalks are required along the property frontage of Zimmer Avenue (Farm Road 129) and along both sides of the relocated portion of Farm Road 148 (University Street).
2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
- a. No access is allowed to State Highway 413 from lots 1, 2 and 3 unless otherwise dictated on the final plat.
 - b. Proposed easements are acceptable, but exact size and locations will be determined at design stage. Short extensions will be needed to serve all lots and will be determined at design stage. City Utilities will determine the necessary easements prior to final plat approval.
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 – MENARDS WEST

AT&T COMMENTS:

AT&T facilities are located along both farm roads 148 and 129. All will have to be addressed individually. The facilities along farm rd 148 will require utility easements. Facilities along farm rd 129 appear to be located on the east side. Utility locates will have to be done to determine if there are any conflicts.

BUILDING DEVELOPMENT SERVICES COMMENTS:

No comments

CITY UTILITIES COMMENTS:

No objection to approving the preliminary plat. Proposed easements are acceptable. Exact size and locations will be determined at design stage. Short extensions will be needed to serve all lots and will be determined at design stage. Replacement easements will be needed, or utilities relocated if Farm Road 148 is vacated.

FIRE DEPARTMENT COMMENTS:

No issues with Fire Department.

TRAFFIC DIVISION COMMENTS:

There are no issues with the preliminary plat.

1. Sidewalks are required along the property frontage of Zimmer Avenue (Farm Road 129) and along both sides of the relocated portion of Farm Road 148 (University Street).
2. No access is allowed to State Highway 413 from lots 1, 2 and 3 unless otherwise dictated on the final plat.

The following improvements are required based on the results of the traffic study:

1. Farm Road 148 will be realigned north and intersect with Zimmer Road (Farm Road 129) no closer than 250 feet from the right of way line of MO 413 (Sunshine Expressway). The new intersection of Zimmer Road (Farm Road 129) and Farm Road 148 (University Street) will include the following elements:
 - a. Southbound right turn lane
 - b. Eastbound left turn lane
 - c. Eastbound right turn lane
 - d. Northbound left turn lane

2. The existing intersection at Zimmer Road (Farm Road 129) and MO 413 (Sunshine Expressway) will require the following improvements:
 - a. Westbound right turn lane, 200 feet in length
 - b. Southbound right turn lane, 120 feet in length
 - c. Southbound left turn lane creating dual lefts (one extending to the realigned Farm Road 148 (University Street), one approximately 120 feet in length)
 - d. Lengthen eastbound left turn lane to 350 feet in length
3. McCurry Avenue will be extended from Farm Road 148 (University Street) to MO 413 (Sunshine Expressway). Enough right-of-way will be provided to meet existing street and intersection standards.

MISSOURI DEPARTMENT OF TRANSPORTATION (MoDOT) COMMENTS:

MoDOT has no objections to the preliminary plat as presented.

STORMWATER COMMENTS:

There are no stormwater issues with the Preliminary Plat. Please note, however, that development of the property will be subject to the following conditions at the time of development:

1. Stormwater detention and water quality will be required to be constructed on site so that the post development peak runoff rate is no greater than the predevelopment peak runoff rate.
2. On-site public improvements will be required for concentrated runoff crossing lot lines as well as for detention/water quality features serving more than one lot. These Improvements will need to be constructed prior to final plat approval or issuance of a building permit.
3. Downstream improvements will be required to convey runoff from the development to prevent downstream flooding problems. Concentrated points of discharge from these improvements will be required to discharge to a public right-of-way, drainage easement or certified natural surface water channel. Greene County approval will be required for these improvements.

GREENE COUNTY COMMENTS:

Greene County Highway Department will not require a T-turnaround at the end of Portland Ave. and has no issues with the Preliminary Plat. Some additional public drainage improvements may be required on Farm Road 129 at the proposed plat boundary onto County right-of-way.

CLEAN WATER SERVICES COMMENTS:

1. There are minor comments on the location of the proposed sanitary sewer that can be corrected when the public improvement plans are submitted. See changemarks.

2. The sewer as shown on the plat will require public improvement plans. Submit plans by completing the application for public improvements on the developers resource website.
3. A portion of the property is covered by a \$0.033 per square foot trunkline connection fee. This fee has to be paid when the engineering and inspection fees for the public improvements are paid. Based on our GIS, the area of the property within the trunkline agreement is 895,693 sq. feet. The trunkline fee will be \$29,557.87 based on this area.
4. Offsite construction easements may need to be obtained to connect to existing sewer. All required easements will need to be approved and executed before the public improvement plans can be approved.

STAFF COMMENTS:

1. The applicant is proposing to subdivide approximately 39.13 acres into a five (5) lot commercial subdivision named "MENARDS WEST". The property is currently zoned County R-1 and C-2, however application has been filed to annex and rezone the property to an HC, Highway Commercial District with Conditional Overlay District #85.
2. The applicant is also requesting a subdivision variance to not require a turnaround at the end of a dead-end street (Portland St.) (see ATTACHMENT 2). Staff and Greene County support the request.
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.

CITY COUNCIL: March 23, 2015

STAFF CONTACT:

Daniel Neal
Senior Planner

ATTACHMENT 2
SUBDIVISION VARIANCE APPROVAL CRITERIA
PRELIMINARY PLAT – MENARDS WEST

The applicant is requesting a subdivision variance from Section 403(6) of the Subdivision Regulations which requires a turnaround or cul-de-sac at the end of a dead-end street. Portland Street dead-ends into proposed Lot 4 and is not shown to be extended or ended with a turnaround or cul-de-sac. Staff supports this variance request because the length of the dead-end street is not significant and has existed for over 10 years when the subdivision was first constructed. Also, at the developer's neighborhood meeting, residents wanted the existing vegetation to remain as a buffer between the proposed commercial development and the existing residential subdivision. Greene County supports the request, too.

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:

Constructing a turnaround at the end of Portland St would reduce the amount of space that could be utilized as stormwater detention on this property. It would also require the removal of the existing tree buffer between the residential homes and the Menards development. The neighbors have been insistent that they want that buffer to remain as a buffer between the two land uses. This neighborhood has lived without any turnaround for many years and never reported a problem. Constructing the turnaround would create an unnecessary financial hardship on Menards if forced to construct a turnaround that no one wants.

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

APPLICANT'S RESPONSE:

In the case of this particular variance Menard, Inc. is looking out for the neighboring property owners and their quality of life. Removing that tree buffer would reduce the buffer between the properties potentially increasing the visual impact Menards would have on the neighbors. Granting the variance will keep the property owners ability to enjoy their property as high as it is today without any changes.

- (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:

This neighborhood has lived without a turnaround for many years with no negative impacts and they have expressed the desire it is never built so they can preserve their quality of life. Keeping the existing conditions as-is will not be a detriment to anyone, in fact everything will stay exactly the same as it is today if it is never built.

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

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 revised Preliminary Plat of **THE HILL** generally located at 2915 South Lone Pine Avenue. (Staff recommends that City Council accept the public streets and easements.)

BACKGROUND INFORMATION:

- A. The revised Preliminary Plat of **THE HILL** dated February 25, 2015, 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 4.
- B. The Planning and Zoning Commission held a public hearing on March 5, 2015 and _____ the preliminary plat by a vote of __ to __, subject to the following conditions:
 - 1. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.
 - a. Public sewer must be extended to all lots. Submit public improvement plans for review and approval. Plans must be approved, filed and constructed or escrowed before the final plat can be approved.
 - b. Public Improvement Plans are required for conveying off-site runoff through development. Public Improvements must be escrowed or constructed and approved prior to Final Plat approval.
 - c. Private streets must be built to City of Springfield public works design street standards, any approved variances and will require public improvement plans. Please include sidewalk in the public improvement plans. Public Improvement Plans must be approved and improvements constructed or funds escrowed prior to the approval of building plans. Fees for required street signs must be paid prior to approval of the final plat.
 - 2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.

- a. Need to include the standard drainage maintenance and surface drainage statements on Final Plat.
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

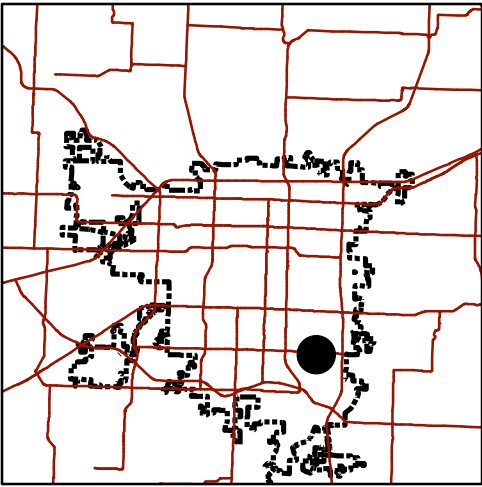
ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Subdivision Variance Approval Criteria

Attachment 3, Subdivision Variance Approval Criteria

Attachment 4, Revised Preliminary Plat



Zoning & Subdivision Report

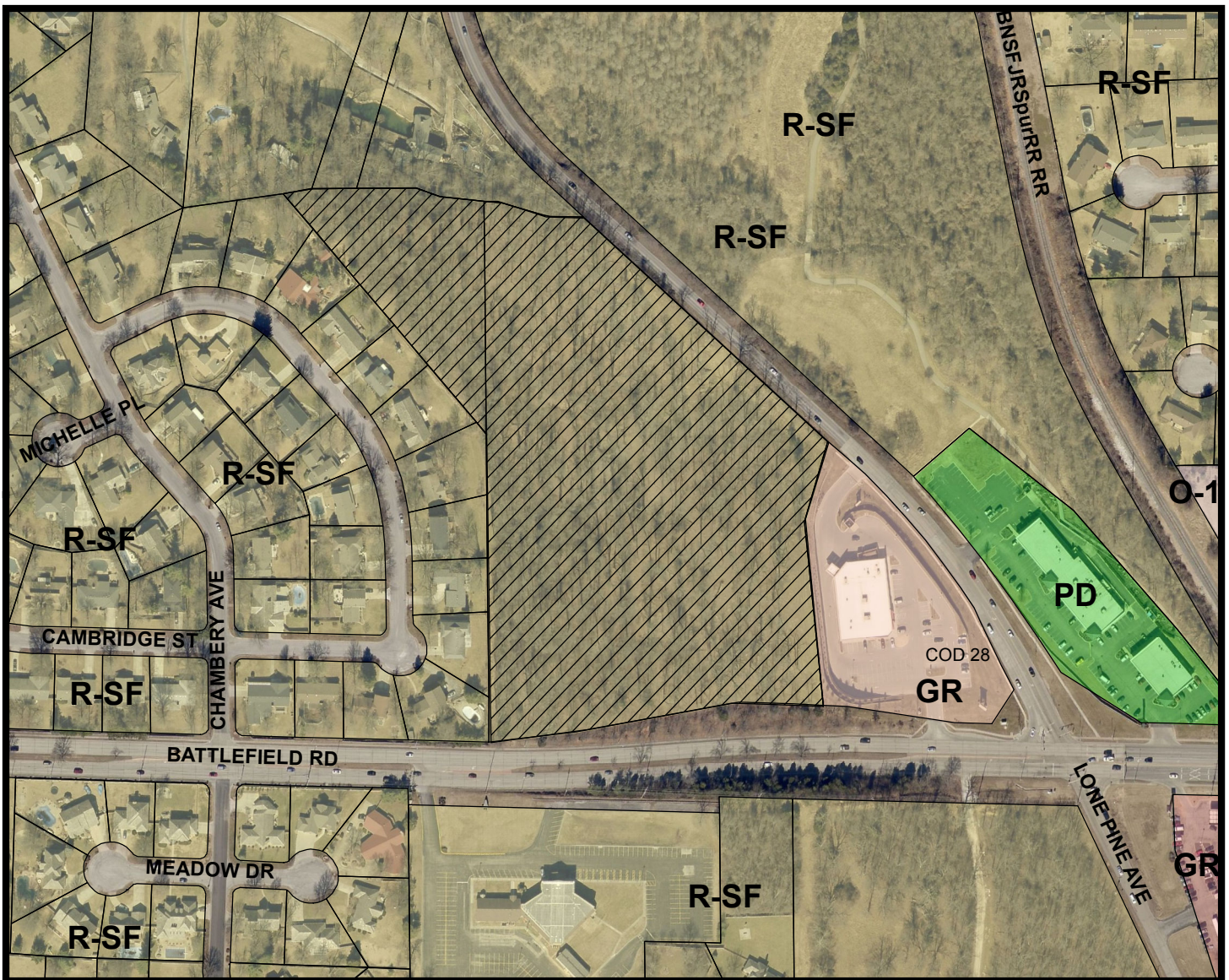
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Preliminary Plat - The Hill

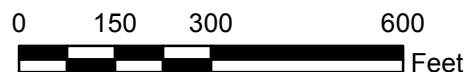
Location: 2915 S. Lone Pine Ave.

Current Zoning: R-SF, Single-Family Residential

LOCATION SKETCH



- Area of Proposal



1 inch = 300 feet

Zoning & Subdivision Report

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

REVISED PRELIMINARY PLAT – THE HILL

DATE: February 25, 2015

PURPOSE: To approve a revised preliminary plat to subdivide approximately 12.89 acres into an eight (8) lot residential subdivision with subdivision variances and common area.

BACKGROUND:

LOCATION: 2915 S. Lone Pine Ave.

APPLICANT: The Hill At Lone Pine, LLC c/o John and Nancy Prine.

TRACT SIZE: Approximately 12.89 acres

EXISTING USE: Vacant/undeveloped land

PROPOSED USE: Single-family residential subdivision

RECOMMENDATION:

The request be **approved**.

FINDINGS:

1. The applicant's proposal, with the conditions listed below and approval of the subdivision variances, 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. Public sewer must be extended to all lots. Submit public improvement plans for review and approval. Plans must be approved, filed and constructed or escrowed before the final plat can be approved.

- b. Public Improvement Plans are required for conveying off-site runoff through development. Public Improvements must be escrowed or constructed and approved prior to Final Plat approval.
 - c. Private streets must be built to City of Springfield public works design street standards, with any approved variances and will require public improvement plans. Please include sidewalk in the public improvement plans. Public Improvement Plans must be approved and improvements constructed or funds escrowed prior to the approval of building plans. Fees for required street signs must be paid prior to approval of the final plat.
- 2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. Need to include the standard drainage maintenance and surface drainage statements on Final Plat.
- 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
REVISED PRELIMINARY PLAT – THE HILL

AT&T COMMENTS:

Need U/E to be continuous around all proposed road. I'm not seeing the width listed recommend 15 feet to keep us from being right on top of each other. Also will need U/E dedicated along Lone Pine for entire proposed length, recommend 15 feet. Developer has already inquired about removing our aerial run along Lone Pine and we would need a place to go. Telco Facilities on south of proposed development are in easement that isn't shown.

BUILDING DEVELOPMENT SERVICES COMMENTS:

The front yard setback lines for the lots along the cul-de-sac are improperly shown. However, this can be corrected on the final plat.

CITY UTILITIES COMMENTS:

No objection to preliminary plat. CU has been in discussion regarding utility extensions, easements, street light options, etc. These details will be finalized at the design stage. The street ROW will need to be dedicated as a public utility easement and a private street dedicated to the POA. Street lighting options will be per CU's Lighting Policy.

FIRE DEPARTMENT COMMENTS:

No issues.

TRAFFIC DIVISION COMMENTS:

1. A "Stop" sign with "Street" names is required to be installed and will cost \$157.00. Please coordinate installation of signs with City of Springfield Sign Crew. Fees for required street signs must be paid prior to approval of the final plat.

2. Turnarounds must meet current ST-20 standard, including radii.

3. Private streets must be built to City of Springfield public works design street standards, with any approved variances and will require public improvement plans. Please, include sidewalk in the public improvement plans. Public Improvement Plans must be approved and improvements constructed or funds escrowed prior to the approval of building plans.

STORMWATER COMMENTS:

Stormwater does not have any issues with the Preliminary Plat. Water quality exists in regional water quality basin on south side of Lone Pine. Detention will need to be met per City requirements. Public Improvement Plans will be required to convey off-site

stormwater runoff through the site. These improvements must be constructed or escrowed prior to final plat approval.

CLEAN WATER SERVICES COMMENTS:

Submit public improvement plans for review and approval. Plans must be approved, filed and constructed or escrowed before the final plat can be approved. A portion of lot 7 will not be able to be served by the proposed sewer in Morningway Drive, but this area will be removed by the forthcoming lot line adjustment.

STAFF COMMENTS:

1. The applicant is proposing to subdivide approximately 12.89 acres into an eight (8) lot residential subdivision named "The Hill". The property is currently zoned R-SF, Single-Family Residential District. The lots will be accessed by a private street with a gate which will be dedicated as common area. The common open space requirements of Section 5-2300 and gates across private street requirements in Section 5-2800 of the Zoning Ordinance must be met. The only differences between the revised preliminary plat and the original is that they have eliminated one private street and reduced the number of lots from 10 to 8.
2. The applicant is also requesting a subdivision variance for a lot without full frontage on a public street and two subdivision variances from the Public Works Design Standards for Street Design (see ATTACHMENTS 2 & 3). Staff supports the subdivision variance requests.
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
REVISED PRELIMINARY PLAT – THE HILL

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 7 will have an unusual configuration which will not have full frontage along Morningway Drive, a private street. Staff supports the request because the property will have at least fifty (50) feet of street frontage to allow for safe access onto the residential street system which will have low volumes of traffic and speeds.

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 strict application of this provision would deprive the owner of the reasonable use of his land based on topographic and access constraints. An alternate configuration to meet the regulation would require frontage and access from Lone Pine Ave., which is not desirable by staff or the Owner.

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

APPLICANT'S RESPONSE:

The variance is necessary for the preservation and enjoyment of the Owner's right to provide acceptable access to all parts of the property. Access from Lone Pine Ave. would not only pose a potential hazard but would eliminate a significant portion of the natural buffer the Owner is trying to maintain along Lone Pine Ave.

- (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 for a lot not providing full frontage on a public street would not be detrimental to the public safety, convenience or welfare or be injurious to the other property in the vicinity. Rather, the variance would allow access from the internal subdivision street and prevent direct access from

Lone Pine Ave. thus eliminating additional drives and conflicts along Lone Pine Ave.

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

ATTACHMENT 3
SUBDIVISION VARIANCE APPROVAL CRITERIA
REVISED PRELIMINARY PLAT – THE HILL

The applicant is requesting two subdivision variances from Section 403(15) of the Subdivision Regulations which requires street grades to be in accordance with specifications set forth in the City of Springfield Design Standards for Public Improvements (**8.1.3.7 Intersections**. Intersections shall be approached on all sides by leveling areas. Where the approach grade for either or both streets exceed 3 percent, the leveling area shall be a minimum length of 100 feet measured from the intersection of the edge of gutter flag or edge of road, within which no grade shall exceed a maximum of 3 percent). Staff supports the requests due to the limitations of the existing topography and because the proposed variances will not adversely affect safety due to the low volume of traffic and speeds on the private streets in this proposed gated neighborhood (see applicant's response below).

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 strict application of this provision would deprive the owner of the reasonable use of his land based on the same topographic and access constraints. Adherence to these grade requirements would not permit development of the property with accessible residential lots. Excessive excavation would be required providing inadequate access for residential lot development as well as the removal of a significant number of trees which would have a negative impact on the development.

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

APPLICANT'S RESPONSE:

The variance is necessary for the preservation and enjoyment of the Owner's right to provide a design having minimal negative impact to the property. Meeting the design guidelines would eliminate a significant portion of the natural beauty for the residential development. The Owner is trying to maintain as much of the vegetation as possible.

- (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 for not meeting the Public Works required landing distances would not be detrimental to the public safety, convenience or welfare or be injurious to the other property in the vicinity. With the street in the subdivision providing access only to the 8 lots, the alignment and grades have been reviewed with Public Works Staff to provide for adequate safety given the anticipated traffic loads and driving speeds.

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

MINIMUM YARD REQUIREMENTS:	
FRONT:	25' ALONG COLLECTOR OR HIGHER
REAR:	20' ALONG LOCAL STREET
SIDE:	5' (12.5' AT CORNER LOT)

OWNER / DEVELOPER
THE HILL AT LONE PINE, LLC
John & Nancy Price
5008 E Stonington Ct.
Springdale, MO 65759
417-343-8205
jprice@lonepine.net

SOURCE OF TITLE
Book: 2014 Page: 032708-14

A location map showing a grid. A circle labeled '4' is labeled 'PROJECT LOCATION'. A shaded area labeled 'CONE OF FIRE' is adjacent to it. A line labeled 'BATTLEFIELD RD' runs vertically through the circle.

LOCATION MAP

SCALE = 1" = 2000'

[illegible]

OWNER / DEVELOPER
THE HILL AT LONE PINE, LLC
John & Nancy Price
5008 E Stonington Ct.
Springdale, MO 65759
417-343-3205
jprice@lonepine.net

SOURCE OF TITLE
Book: 2014 Page: 032708-14

A location map showing a grid. A circle labeled '4' is labeled 'PROJECT LOCATION'. A shaded area is labeled 'CONE OF FIRE'. A line points to a shaded area labeled 'BATTLEFIELD NO. 1'.

LOCATION MAP

SCALE = 1" = 2000'

[illegible][illegible]

HEI
535 W. Battlefield St.
Springfield, MA 01103
(417) 887-3230
FAX: (417) 887-3340
<http://www.heiweb.com>
HEI@heiweb.com

Heithaus Engineering & Assoc., Inc.
1000 W. 10th St.
Lawrence, MA 01840
(978) 686-1100
<http://www.heithaus.com>

[illegible]

OF 1 SHEETS SHEET 1	Design:	THE HILL AT LONE PINE, LLC
	Drawn: ANB/TAD	
	Checked: KMH/TAD	
	Date: 2/25/2015	
	Job No. 202053JP	
	Dwg # 202053JP	
	Scale: 1" = 40'	
		PRELIMINARY PLAT

Zoning & Subdivision Report

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

Repeal of the University Plaza Exhibition Hall and Trade Center Redevelopment Plan

DATE: February 24, 2015

PURPOSE: To repeal the Redevelopment Plan for the University Plaza Exhibition Hall and Trade Center Redevelopment Area

LOCATION: North side of the 600 block and south side of the 700 block of East Saint Louis Street

APPLICANT: City of Springfield

STAFF RECOMMENDATION:

Staff recommends the Redevelopment Plan for the University Plaza Exhibition Hall and Trade Center Redevelopment Area be **repealed**.

FINDINGS:

The University Plaza Exhibition Hall and Trade Center Redevelopment Plan has been fully implemented, resulting in the revitalization and remediation of blight within the University Plaza Exhibition Hall and Trade Center Redevelopment Area. The Redevelopment Plan is no longer necessary and may therefore, be repealed.

STAFF CONTACT:

Matt D. Schaefer
Senior Planner
417-864-1100

ATTACHMENTS:

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

ATTACHMENT A
Background Report
Repeal of the University Plaza Exhibition Hall and Trade Center Redevelopment Plan

Applicant's Proposal:

The University Plaza Exhibition Hall and Trade Center Redevelopment Area was declared blighted as part of a proposal to redevelop the Area pursuant to Missouri's Urban Redevelopment Corporations Law (Chapter 353, RSMo). The Statute allowed the Center City Redevelopment Corporation and its successors to receive up to 25 years of partial real property tax abatement, provided the Redevelopment Area was redeveloped according to the adopted University Plaza Exhibition Hall and Trade Center Redevelopment Plan.

The Redevelopment Plan has been fully implemented, resulting in the construction of the Center City Exhibition Hall and Trade Center and the University Plaza Exhibition Hall and Trade Center. These buildings are known today as the Springfield Expo Center and the University Plaza Convention Center. The Redevelopment Area received 25-years of partial real property tax abatement, which ended in 2013. The Redevelopment Plan is no longer necessary and may be repealed.

History

On May 2, 1983, City Council adopted Resolution No. 6962, which declared approximately 4.85 acres along the north side of the 600 block of East Saint Louis Street (site of the former Sear's department store) a blighted area pursuant to Chapter 99.320, RSMo and authorized the Land Clearance for Redevelopment Authority to prepare a redevelopment plan for this area.

The LCRA drafted and submitted to City Council the Center City Exhibition Hall and Trade Center Redevelopment Plan proposed by the Civic Center Redevelopment Corporation, an Urban Redevelopment Corporation organized pursuant to Chapter 353, RSMo. On June 27, 1983, City Council approved Special Ordinance No. 19692, which reaffirmed the previous blight declaration and adopted the Center City Exhibition Hall and Trade Center Redevelopment Plan. The Plan proposed to rehabilitate and convert the former Sear's department store into an exhibition hall and trade center.

In February 1989, the Center City Redevelopment Corporation requested the 2.57 acre site of the former University Inn Motel, located along the south side of the 700 block of East Saint Louis Street be declared a blighted area. The Redevelopment Corporation further requested that the Redevelopment Plan for the Center City Exhibition Hall and Trade Center be amended to include said property as Tract B to facilitate construction of a new 20,000 square foot exhibition hall that will be designed to complement the exhibition hall located on the site of the former Sear's department store. City Council

declared the site of the former University Inn Motel a blighted area and amended the Redevelopment Plan on June 5, 1989 by Special Ordinance No. 21470. The area was renamed the University Plaza Exhibition Hall and Trade Center as result. A map and legal description of the Redevelopment Area is attached as Exhibits 1 and 2.

The Redevelopment Area has been redeveloped in accordance with the Redevelopment Plan and received 25 years of partial real property tax abatement pursuant to Chapter 353, RSMo, which ended in 2013.

Staff Comments:

1. Chapter 353, RSMo and Chapter 36, Springfield City Code authorize the establishment of Urban Redevelopment Corporations for purposes of redeveloping blighted areas. In accordance with the Statute, the City of Springfield may grant up to 25 years of partial real property tax abatement to encourage redevelopment of blighted areas. Taxes are abated during the first ten years, based on 100% of the increase in assessed value of land and improvements. During the remaining 15 years, taxes are abated based on 50% of the assessed value of land and improvements. In order to receive the abatement, the redevelopment area must be redeveloped and used in accordance with an adopted development plan. The University Plaza Exhibition Hall and Trade Center Redevelopment Area received 25 years of partial real property tax abatement pursuant to Chapter 353, RSMo, which ended in 2013.
2. It is City policy for the Planning and Zoning Commission to review Chapter 353, RSMo redevelopment plans for conformance to the Comprehensive Plan and to forward its recommendations to City Council for adoption. Likewise, it is City policy for the Commission to forward its recommendations to Council for the repeal of redevelopment plans.
3. On March 3, 2015, the Springfield Land Clearance for Redevelopment Authority will consider a resolution recommending the University Plaza Exhibition Hall and Trade Center Redevelopment Area be declared free of blight and that the Redevelopment Plan for said Area be repealed.

EXHIBIT I
Legal Description
Repeal of the University Plaza Exhibition Hall and Trade Center Redevelopment Plan
Tract A

Beginning at the north line of St. Louis Street in the City of Springfield, Greene County, Missouri at a point 10 feet west of the southwest corner of Lot 2, in Block 1, W.C. Price's Addition; thence, in a northerly direction and parallel with the west line of Lots 2 and 3 in Block 1 of said Addition, 398.6 feet, more or less to the south line of East Trafficway, formerly Olive Street, as the same is now located; thence in an easterly direction along the south line of said East Trafficway, 526.79 feet, more or less, to an iron pin, the same being the northeast corner of the real estate conveyed by Zelma Crunkleton and W.O. Crunkleton, her husband, to Sears, Roebuck and Co., by Deed dated February 14, 1951, recorded in Book 900, Page 489; thence south 400.5 feet, more or less, to the north line of St. Louis Street, said point being the southeast corner of the real estate conveyed by the Deed above mentioned; thence west along the north line of St. Louis Street 524 feet, more or less, to the point of beginning.

More particularly described as a rectangular shaped tract all lying in the north half of Section 24, Township 29 north, Range 22 West, City of Springfield, Greene County, Missouri. Beginning at a point lying on the north right of way of St. Louis Street, said point being the southwest corner of the tract and lying south $68^{\circ} 34' 54''$ east, 2538.74 feet from the northwest corner of Section 24, Township 29 north, Range 22 west; thence north $1^{\circ} 39' 02''$ east, 398.60 feet, to a point on the south right of way of East Trafficway; thence along said right of way south $88^{\circ} 58' 58''$ east, 526.69 feet; thence leaving said right of way south $2^{\circ} 02' 02''$ west, 400.48 feet, to a point on the north right of way of St. Louis Street; thence along said right of way north $89^{\circ} 02' 28''$ west, 354.00 feet; thence north $88^{\circ} 14' 28''$ west, 170.00 feet, to the point of beginning.

Tract B

A parcel of land located in the North 1/2 of Section 24, Township 29 North, Range 22 West, Greene County, Missouri, being more particularly described as:

Beginning at the NW corner of University Plaza, Planned Development District #18 and on the South line of St. Louis St., thence S $0^{\circ}13'39''$ E along the West line of said University Plaza 508.43 feet to the NE corner of Lot 5 of Henry Sheppards 2nd Addition; thence, N $88^{\circ}23'53''$ W along the North line of said Henry Sheppards 2nd Addition 256.83 feet to the NW corner of Lot 3 of said Addition and on the East line of Kentwood Arms Hotel tract; thence N $01^{\circ}33'17''$ E along said hotel tract 15.00 feet; thence N $28^{\circ}33'17''$ E along said hotel tract 41.00 feet; thence N $21^{\circ}18'17''$ E along said hotel tract 59.00 feet; thence N 0° E along said hotel tract 65.78 feet to a point on the South line of the "Mabel Friend Lease"; thence N $89^{\circ}22'23''$ W along said hotel tract and said lease 4.10 feet; thence N $0^{\circ}14'03''$ E along said hotel tract and said lease 331.80 feet to a point on the South line of said St. Louis Street; thence S $89^{\circ}22'23''$ E (basis of bearing) along the South line of said St. Louis Street 216.03 feet to the beginning. Containing 112034.83 Sq. Ft. = 2.57 acres. Subject to any and all easements, rights-of-way, or other encumbrances of record.

EXHIBIT II
Location Map
Repeal of the University Plaza Exhibition Hall and Trade Center Redevelopment Plan



University Plaza Exhibition Hall
and Trade Center Redevelopment Area

