



Springfield Planning and Zoning Commission

Busch Building Fourth Floor Conference Room
(840 Boonville)

Date: May 7, 2015
Time: 6:30 p.m.

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

1. ROLL CALL

2. APPROVAL OF MINUTES

April 9th 2015 Minutes

Documents: [PNZ MINUTES 04-09-2015.PDF](#)

3. COMMUNICATIONS

City Council Meeting Summary - April 13, 2015

Documents: [COUNCIL SUMMARY 04-13-2015.PDF](#)

City Council Meeting Summary - April 27, 2015

Documents: [COUNCIL SUMMARY 04-27-2015.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 822

2729 North Cedarbrook Avenue, Northcreek Development, Inc.

Documents: [RE822 REPORT.PDF](#)

6. Relinquish Easement 823

3151 South Kansas Expressway, Pennock Development, LLC

Documents: [RE 823 REPORT.PDF](#)

7. Relinquish Easement 824

425 South Western Avenue, PC Property Management, LLC

Documents: [RE 824 REPORT.PDF](#)

8. PUBLIC HEARINGS

9. Z-15-2015

1216 East Bennett Street, Mexican Villa, Inc.

Documents: [Z-15-2015.PDF](#)

10. Z-16-2015

837 South Glenstone, Jean Gwin

Documents: [Z-16-2015.PDF](#)

11. Z-18-2015

814 - 850 blocks South Robberson Avenue, east side, Burning Tree Consulting, LLC

Documents: [Z-18-2015.PDF](#)

12. Z-19-2015

1911 S. National Avenue, Diversity Commercial Investments, LLC

Documents: [Z-19-2015.PDF](#)

13. Planned Development 347

Chase Street, City of Springfield

Documents: [PD 347.PDF](#)

14. Planned Development 349

1900 - 2200 block Chesterfield Blvd, Chesterfield Square Property Owner's Association

Documents: [PD 349.PDF](#)

15. Street Name Change No.76

3600 - 3804 block South Glenstone Avenue, outer road east side of Glenstone Avenue, City of Springfield Public Works

Documents: [STREET NAME CHANGE 76.PDF](#)

16. Preliminary Plat Republic Kansas Subdivision

1545 West Republic Street, Curtis Jared

Documents: [REPUBLIC KANSAS SUBDIVISION.PDF](#)

17. Subdivision Variance 351

1911 South National Avenue, Diversity Commercial Investments, LLC

Documents: [SUBDIVISION VARIANCE 351.PDF](#)

18. Robberson Avenue Panhellenic Redevelopment Plan

814 - 850 South Robberson Avenue, City of Springfield

Documents: [ROBBERSON AVENUE PANHELLENIC REDEVELOPMENT PLAN.PDF](#)

19. ANY OTHER MATTERS UNDER COMMISSION JURISDICTION

20. 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 April 9, 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, Randall Doennig, Andrew Cline and Cameron Rose.
Absent: None.

Staff in attendance: Mary Lilly Smith, Director of Planning, Bob Hosmer, Principal Planner, Sarah Kerner, Assistant City Attorney, Matt Schaefer, Senior Planner, Dawne Gardner, Public Works, Martin Gugel Traffic Engineer, Colton Harris, Public Works and Sandy Goddard, Administrative Assistant.

Minutes: The minutes of March 5, 2015 were approved unanimously.

Communications : Mr. Hosmer remarked that staff would like to combine public hearing items number 7 and 8 together which is the Menard's plat and rezoning and combine in a public hearing items number 12 and 13, PD 348 and the Historic Patterson House Redevelopment Area; they are the same piece of property.

Mr. Edwards motioned to **combine** the requested case items. Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Ray, Edwards, Shuler, Rose, Cline, Doennig and Cox. Nays: None. Abstain: None. Absent: None.

Mr. Baird recognized and welcomed Cameron Rose as the newest member of the Planning and Zoning Commission.

The Consent Agenda items were approved as presented.

Unfinished Business:

*Z-04-2015 w/Conditional Overlay District No. 85
and Preliminary Plat Menards West
Patricia McCurry*

Donald &

Mr. Hosmer stated the applicant is proposing to rezone the subject property located at Sunshine and Zimmer Road, from a County R-1, Suburban Residence District and C-2, General Commercial District 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 approved by City Council on March 9, 2015. The adjacent property is Wal-Mart across the street which is zoned GR, General Retail. 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.

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, Sunshine Street, and two collectors, Zimmer Avenue and Farm Road 148 (University St.) 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). 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 (University St.) and closure of its direct access onto Sunshine Street 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. With the recommendations from the West Sunshine Corridor Study, Farm Road 148 (University St.) will be realigned north and intersect with Zimmer Avenue. 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 and 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 (University St.) and Sunshine Street and no access will be allowed to 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.). 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 (University St.). 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. The Conditional Overlay District will require the completion of certain public improvements with development of this district including the realignment of Farm Road 148 (University St.) through the property, the vacation and closure of Farm Road 148 as it intersects Sunshine St., improvements to the intersection of Zimmer Avenue and Sunshine Street and extension of McCurry Avenue north of 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. 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. No lots will have access to Sunshine; all will have access off University Street.

The Zoning Ordinance requires a Bufferyard "F" between the HC, 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.

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.

Mr. Hosmer explained that part of this is the Menards West Subdivision Preliminary Plan that we are looking at and once again the realignment of the road was not something that Menard's wanted to do but it was part of the City's plan and discussed and negotiated with them to put the realignment of the road at this location. The Plat requirements are no access to Sunshine Street from lots 1, 2 and 3. There will be sidewalks required on Zimmer Avenue frontage; sidewalks required on both sides of relocated University Street; Stormwater and Detention and water quality required to be constructed on site. There will be sanitary sewer extensions required to each of the lots. All improvements must comply with City Design Standards. There is a subdivision variance request to not require a turnaround at the end of Portland Street which is a dead-end street. Staff believes there is a better connection to the north of the area that would connect the subdivision into Farm Road 129; it would not go through a commercial development. Staff recommends approval of the rezoning and the preliminary plat. Mr. Hosmer noted that Public Works Department Traffic Division will do a presentation and the Stormwater Division will discuss the specifics as well.

Mr. Martin Gugel noted that any development with rezoning activity that occurs within the City is reviewed and determined if the need exists for a larger traffic study. Initial calculations are done to determine based off the requests, what the impact would be with the additional trip generation. If they meet certain thresholds there is a requirement that the applicant would perform a large scale traffic study to determine the true impacts of the development. Those must be prepared by a qualified civil engineer and staff then takes that information to review and analyze it. In this particularly case staff received

the original traffic study in November, 2014 and performed an analysis on it, made comments based off the findings that they felt like areas that needed to be corrected that didn't meet up with staff's expectations; staff received a revised traffic study reflecting those changes submitted in December, 2014 and upon satisfaction that the changes were made and met, they approved the traffic study as submitted. Mr. Gugel discussed trip distribution, where the traffic would be coming to and leaving from the site with different access points. When the traffic study was received from the applicant those percentages matched fairly closely what staff expected to see. Mr. Gugel reviewed the percentage distributions and the different connection points on the display map and discussed the street improvements requirements based on the results of the traffic study.

Mr. Colton Harris discussed the stormwater issues and reviewed the graphic to help orient everyone with the map. Mr. Harris outlined the overall contributing water shed that the site will drain to and reviewed the waterway or watercourse that all the runoff drains to and eventually flows in a north westerly fashion to Wilson's Creek. The Preliminary Plat requires that the post development peak flows do not exceed the pre-development peak flows. The developer submitted a preliminary stormwater report and this report indicated that held true based on the fact that there is adequate room for the estimated detention that will be needed to ensure that those post flows will not be exceeded. The overall drainage area is three hundred (300) acres and the development is thirty-nine (39) and in the one hundred (100) year event the existing peak flows would be three hundred fifty (350) cubic feet per second and the discharge of the development would be seventeen (17) cubic feet per second so in relation to the overall watershed the proposed development contributes a very small amount. The onsite drainage easements must be shown so the proposed detention area is shown on the plat as well as any conveyance; any easements that would be used for conveyance. Mr. Harris outlined the current proposed detention area; the site will now flow to the north through that detention and then there will be two options to flow through the adjacent property to the north on the west side or the east side there and will eventually go to the certified natural channel that goes to Wilson's Creek. Greene County has recommend that the site flow to the north because that channel has the capacity to accept that discharge. The three requirements before the next step of the development can happen in the construction process is the public improvements plans will need to be constructed; the property line is the boundary line so if the site discharges offsite, it is discharging into Greene County so they will need the approval of Greene County to do so. The property to the north will need to obtain easements and construct improvements to ensure that the discharge stays inside the easement and the downstream impact is minimized.

Mr. Doennig asked if the intersection of Farm Road 146 and West Bypass has a traffic signal there currently.

Mr. Gugel stated there is not.

Mr. Doennig asked about the county zoning on the property to the east of Zimmer Road; is what you are telling us if Menard's was interested in building on the property to the

east that the zoning is already essentially in place for them there.

Mr. Hosmer stated No that property is in the County with a C-2 zoning, however, if it was annexed into the City it would match up with HC zoning.

Mr. Baird opened the public hearing.

Mr. Tyler Edwards, 5101 Menard Drive, Eau Claire, Wisconsin 54701 commented he is available for questions, adding Menards has met and or exceeded all the requirements put before them to develop this site. There is a land use in place for retail development here and there are some setbacks that they have exceeded on the east and north side of the site. Menards operates from 6 am to 10 pm every night; there are no overnight deliveries or trucks parking in the parking lots. The fork lifts are propane powered and do not have backup beepers so there will not be the noise that come with a development like this. The traffic currently is operating at an acceptable level of service with their improvements.

Mr. Baird asked Mr. Tyler Edwards to outline the detention plan and discharge. Mr. Tyler Edwards reviewed the detention and discharge plan.

Mr. Steve Edmondson, 1614 S. Farm Road 129, Springfield spoke in opposition to the proposal citing it is not a good fit for a residential neighborhood. Menards has had numerous run ins with the Wisconsin DNR because of numerous violations for air and water pollution and hazardous waste disposal dating back to 1976 and the ensuing fines. The site discharge will be within one thousand (1000) feet of the Rutledge Wilson Farm. Water runoff is a concern.

Mr. Baird asked Mr. Edmondson about his video and if one of the photos was taken from his property.

Mr. Edmondson stated the photo is of the residential neighborhood from Portland Street.

Mr. Baird asked Mr. Edmondson asked what his understanding is of what will be done with the tree line at the end of Portland.

Mr. Edmondson said he does not know, he lives on Zimmer Road, his mother's property. The stormwater drainage from Sunshine comes through her property. Fences have washed out. Mr. Edmondson stated the traffic on the road is horrendous currently. Wal-Mart is a priority because there is only one entrance and exit for traffic coming from Springfield. If you add the traffic from Menards, that intersection will back up.

Ms. Joni Perry, 3954 W. Portland spoke in opposition to the proposal saying it is right outside their front door. Ms. Perry stated there is a letter in the staff report in response to a letter she sent the City; it was answered by Mr. Tyler Edwards from Menards and in this letter he stated they are not in the middle of residential housing. Ms. Perry stated she is one of the residents who live one hundred eighty-five (185) feet from this project.

Rutledge Wilson Park is utilized by the community with the Easter Egg hunt, Oktoberfest, and Christmas in the Park. It is well attended and traffic is an issue. Traffic on Farm Road 146 is difficult to get through and that is north of the proposed project. Pedestrian safety is a big issue. It will have a detrimental impact on the neighborhood. Mr. Perry expressed concern about five (5) commercial lots being considered which was not what the neighborhood was told. They are concerned about the lights, noise, potential crime and pollution for Wilson's Creek. The neighborhood is concerned about the flooding of Farm Road 146 and Wilson's Creek. Many times the road is closed because of the water level. They are concerned with what will end up in the waterways. It will threaten the peace of the community. It is not the best use of the land and asks Commission to not rezone it to allow any large commercial business in the area. Ms. Perry asked why neighborhoods were not asked their opinions other than make decisions that effect their lives.

Mr. Baird addressed the neighborhood notification question from Ms. Perry.

Mr. Hosmer mentioned staff meets with an applicant to see if the proposed project is compliant with the Comprehensive Plan. There are neighborhood meetings approximately one (1) month in advance; neighbors within five hundred (500) feet of the area are notified and the meeting is held by the applicant and in this case was held by the applicant and twenty-four (24) people attended the meeting. People within one hundred eighty-five (185) feet are notified at least fifteen (15) days prior to the public hearing. The rezoning request is advertised in a local newspaper and the site is posted with public hearing signs.

Mr. Cline asked Ms. Perry if her understanding is that Portland is going to be extended through the property.

Ms. Perry stated they have a concern about that because they do not know a lot of what is going on.

Mr. Cline asked staff or traffic to address that for Ms. Perry because that is not Commission's understanding of what is happening.

Mr. Hosmer stated that Portland will not be extended through the property. There would have to be a subdivision variance for not extending the road into the property.

Tara Barham, 4202 West Stanford St., in Jackson Place, stated she does not support this proposed rezoning. They purchased their home because of the Greenways Nature Trail, Wilson's Creek, and Rutledge Wilson Farm. This is not a good fit for the area. Has Menards worked with DNR, studies done to make sure there are not wildlife living in that area; are there natural habitats that are going to be destroyed for protected species. Have they identified the plants living there to make certain those things are not negatively impacted. As was stated earlier, Menards has a record of putting things down their drains that don't belong there and polluting natural waterways and natural water sources. Ms. Barham stated they are concerned about the things they will interact

with on a daily basis; runoff from a parking lot like oil and gas and what will be penetrating the ground from this site. The company does not have a good track record. This is too big for the use.

Mr. Joseph DeVries, 3944 S. Linwood, commented he is speaking for his wife Shannon DeVries and his children Raymond and Adeline. Mr. DeVries stated the neighborhood will be adversely affected and the community as a whole with the stormwater runoff which will go directly into Wilson's Creek and impact drinking water in some capacity. Mr. DeVries voiced concern with regard to public safety issues, the environmental impact, property values as well as noise and light and traffic.

Mr. Baird remarked that it is his understanding that Farm Road 148 will be realigned and connect to Farm Road 129 and it appears that would make it a safe intersection for entrance and exit asking Mr. DeVries if that is a factor at all.

Mr. DeVries stated the majority of the traffic they know goes directly through Farm Road 129 so its routed across Zimmer and there are the families on Zimmer that will be impacted.

Ms. Patricia Mobley, 1547 S. Farm Road 129 commented her property is on the northwest corner on the northwest half of the Menards property. Ms. Mobley stated the runoff will go over her property asserting she feels she has been coerced into dealing with Menard's stormwater problem so it doesn't flood her well and septic lines. This will be within seventy-five feet of their stormwater detention basin which collects not just rain but the petroleum and asphalt, broken bags of fertilizer in the lawn and garden area. Farm Road 129 is a very narrow asphalt road; there are places where the white line was painted on the dirt because the asphalt is so narrow. There is concern about pedestrian traffic, children and pets. The trucks from Frito Lay and Wil Fischer that come down south on 129 to Sunshine to turn because you cannot turn out onto West Bypass to go north from Farm Road 142 or Farm Road 146. Traffic is a nightmare there. Why do they need a dedicated right turn lane going south into the site and a dedicated left turn lane going north if it is not going to be an traffic issue. Ms. Mobley stated the County has told her they will do nothing, other than reduce the speed limit but they will not do anything to Farm Road 129 north of Menards, so they are still going to have the traffic problems. Menards will benefit, but the residents won't.

Mr. Ray asked to be shown the dedicated turn lanes will be on Farm Road 129; is that going into the new proposed University Street.

Mr. Gugel stated Zimmer and University is where they are planning on putting the left and southbound right turn into University and the northbound left onto University so its not for their particular driveway. The right turn lanes can somewhat be a function of volume but they are used primarily in order to get turning traffic out of the way of through traffic so even the length of the right turn and left turn lanes are usually dictated by the volume you expect not the presence of them so the goal is to get the traffic out of the way of through traffic that wants to make a turn.

Mr. Baird asked what role the County play in this; an opinion. Is this strictly a city thing.

Mr. Harris stated the easement negotiations will be between Ms. Mobley and the developer. Those easements will need to be acquired for the development because the offsite drainage needs to make it to the certified natural drainage way.

Ms. Janet Johnson, 1684 S. Farm Road 129, stated she would like to express her concern about this project being built in her front door. Their property is ninety (90) plus feet across the road from the field where they want to purchase. Ms. Johnson stated this is not suitable use for this property. Ms. Johnson stated their driveway will be only a few feet from the proposed entrance and exit of the driveway to Menards. They have trouble getting in and out of their driveway now and to add more traffic may block them from getting in and out. All the people on the east side of the road are on wells and have concerns about their wells. Ms. Johnson expressed her concern for the potential danger to the neighborhood.

Mr. Dennis Perry, 3954 W. Portland stated that first and foremost, this has nothing to do with Menards. This has to do with where they are putting this store. Mr. Perry pointed out the single family dwellings on the four corners of this property, in one form or another. The big box retail is inappropriate because it will be bordered on all four sides by single family dwellings. Mr. Perry expressed concern about the water detention, stating on the west end of his property he has had to landscape to keep his back yard from being taken away. The traffic is bad. A family based usage of the property is far more appropriate.

Mr. Baird asked for the Preliminary Plat map to be put up for viewing asking Mr. Hosmer about the residence in the southeast corner, that it would stay.

Mr. Hosmer stated yes that is his understanding until they have time to develop the site, the residence would remain.

Mr. Baird clarified that the whole piece would be rezoned and that will effectively become Lot 1.

Mr. Hosmer stated currently they have a five (5) lot subdivision and Lot 2 will be where the residence will be.

Mr. Baird asked if this moves forward tonight and goes through City Council, that could be developed at any point in time.

Mr. Hosmer stated that is correct.

Chip, stated he lives on Stanford Street across from the lady who spoke earlier stating he is concerned about the box store. Chip stated he knows the noise diesel trucks make and there will be noise adding he feels there will be some quality of life issues and feels

the property is suited to residential development than commercial. Truck drivers do get lost and make wrong turns and there are a number of areas they could end up in that will be troublesome if they miss getting into Menards.

Ms. Jane DeVore, 3946 W. Portland Street, asked for the video to be brought up which shows a white sheet; that's fourteen (14) feet tall. Mr. Edmondson put that up so everyone could see what they would have to look at, at the end of their street wondering what the fence would be constructed of. Ms. DeVore stated it will be noisy with the truck deliveries and the light shining on her home. Ms. DeVore stated that at the neighborhood meeting, they were ignored, but the neighbors let the representative know what their wishes were.

Mr. Baird stated they do get information from the neighborhood meeting and any correspondence that goes to and from staff to the developer and the developer to the residents; it appears that Menards tried to respond to some of the concerns and keep the communication going. Mr. Baird asked the location of the white sheet.

Mr. Edmondson responded that the photo was taken at the end of his driveway.

Mr. Edwards asked Mr. Tyler Edwards his concept of what the fence would be.

Mr. Tyler Edwards commented that the picture with the white sheet is at the edge of the road; the actual fence is approximately one hundred (100) feet further into the property. It will not be a real visual impact and there will be evergreen plantings on the outside of it.

Mr. Doennig noted that in Mr. Tyler Edwards earlier comments that this was a package deal asking what he meant by that.

Mr. Tyler Edwards stated that what he meant is they are going two (2) stores in Springfield; they are not inner-related.

Mr. Shuler asked Mr. Tyler Edwards if they will widen Farm Road 129 immediately adjacent to the property; how far back will it go.

Mr. Tyler Edwards stated it goes all the way back to the entrance of Menards where the new University Street meets up.

Mr. Shuler asked if people approaching from the north will still be driving down Farm Road 129 as it currently exists.

Mr. Tyler Edwards said yes.

Mr. Robert Coverston, 3959 W. Ildereen Street commented that when he heard a Menards was coming he was excited; however, when he discovered where the store was going he became a lot concerned that something of this magnitude going in there.

Mr. Coverston stated with all due respect for the projections for the traffic, he would suggest they go to Lowe's or Home Depot and observe their parking lots on a Saturday; count the number of cars that come in and out and then think about how they are going to get in and out of Menards on Farm Road 129 and University. This will also have the tendency to impact the ingress/egress for Springview Heights because many of us go on Farm Road 148 to Burks and up Burks and then to where ever we go from there. They will now have to go up Zimmer to University Heights across in front of Menards out to Burks so they will have to make a right and a left; will there be a light or a left turn lane northbound on Zimmer into University Heights. Mr. Coverston stated he believes there will be a major issue on traffic in this area with this store.

Mr. Chad Shumate stated he lives in the Stonehinge Subdivision just north of what they always referred to as the goat farm. Mr. Shumate stated he agrees with all that has been said tonight with concerns on the water pollution, the traffic, but his concern is property value. For his property value to go down would hurt his equity and it is a visual issue. Mr. Shumate stated he is not concerned about the development of the property, its the size of the building.

Ms. Melissa Bakke, 3983 W. Ildereen Street commented she agrees with the comments made by everyone speaking this evening. Ms. Bakke commented she is concerned about pollution and the traffic and rerouting Farm Road 148. The intersection on Zimmer and Farm Road 146 is already a scary, potentially dangerous intersection. It is a two way stop so if you are traveling down 146 you go straight through the intersection and the people on Zimmer stop. Not everyone realizes that and thinks it is a four-way stop.

Ms. Mary Gorman, 3957 W. Portland Street, commented she has the same concerns as everyone here. She is concerned about the safety of her grandson and is concerned about this store coming in and wrecking the neighborhood.

Ms. Kimberly Harvey, 1441 S. Farm Road 133, commented she is on the east side of the West Bypass and expressed concern about the very narrow county roads. This is a disservice to the neighborhood, to Rutledge Wilson Park with the current road conditions they way they are. There is a signal light at Farm Road 133 and Sunshine and at Farm Road 146 and West Bypass is a busier intersection than 133 and Sunshine currently is. There is a lot of infrastructure that the County has to work out if this development proceeds. Even if the Springfield Plaza Development begins there is a lot of infrastructure in that general area because people will use the back roads. If the expansion only goes to the Menards entrance there will be a lot of issues created further down Zimmer and Farm Road 146.

Mr. Walter Swearingen, 4188 W. Stanford, in the Jackson Place Subdivision, stated his concern is being able to leave his home and get out on Sunshine. Zimmer Road/Farm Road 129 is such a narrow road. When you get up to Farm Road 146 and Farm Road 129 that is a dangerous intersection. Mr. Swearingen stated he does work for Frito Lay which is up the road from there, still it is hard to get in and out to West By Pass going

north from FR 146 or FR 142 and when they leave, they go out to Sunshine to go to the stop light at Sunshine and West By Pass so they can go north because it is impossible to go there from FR 146. Why cannot Menards build across the street from Wal-Mart; there is plenty of room there.

Ms. Florence Edmondson, 1614 S. Farm Road 129 commented they have had four (4) different addresses since she has lived at her residence. Ms. Edmondson stated she feels the City is trying to shove her out of her property on Farm Road 129 and the other roads around them. Ms. Edmondson expressed concern for the pictures on the video that was shown; she went to Menards in Illinois and there was so much debris around the store. The corn fields, the fields in front of the store were littered with trash and the store does not take care of it and it has been there for months. The ditch that runs along side the store has polluted water in it, adding it is a disgrace that the City of Springfield wants these people in the town.

Mr. Baird closed the public hearing.

Mr. Edwards asked Mr. Tyler Edwards, as the Menards Company representative; they have been called out for some of their practices in other places adding it is incumbent of Commission to ask or give the opportunity to address that.

Mr. Tyler Edwards stated he does not think that has anything to do with what they are talking about.

Mr. Edwards noted he feels it does and would like an answer; Mr. Edwards expressed concern about the potential of polluting this site.

Mr. Tyler Edwards said no they would not pollute the site.

Mr. Edwards stated he wanted to give Mr. Tyler Edwards the opportunity to address some of this. Mr. Edwards asserted this is our community and Menards is asking to come in here and asking Commission to make accommodations for them.

Mr. Tyler Edwards stated he is not sure he can address the specific incidents; companies have a long history and there are certainly accidents that happen or mistakes that are made. This is over a sixty (60) year span and he does not know all the back stories on them. Mr. Tyler Edwards stated there is nothing in the store that is hazardous material or could be poured down the drain. Mr. Tyler Edwards stated they do not actively pollute on purpose and cannot speak to the past, but it is not an active practice.

Mr. Baird commented he could go out and find the worst asphalt parking lot in this town and take a picture of it and say this is why you should use concrete. As everyone here knows, that is probably not a fair assumption to take a bad example and put it up here. Mr. Baird stated that he believes they have gotten off the path here because Commission is looking specifically at the question of does this make sense to rezone

this property for this development or future development in case Menards decides to, for whatever reason, develop this site.

Ms. Smith stated she wanted to remind Commission that their purview is to look at the zoning and whether it is an appropriate zoning; is it consistent with the Comprehensive Plan and all the other adopted plans for the City and does the Preliminary Plat meet the standards and guidelines that are contained in the Subdivision Regulations. It is not the purview of Commission to consider business practices or even who the tenant is going to be on the property.

Mr. Baird stated that a lot of times they will get developers that come before Commission and Commission does not know who the end user is going to be. In this case we do and they have supplied Commission with basic information to review and look at the surrounding area to determine whether it does fit in the neighborhood and in the community.

Mr. Shuler stated to him the biggest concern is the traffic issue adding he has driven down Farm Road 129 and Farm Road 146; if those were widened with turn lanes and stop lights he could support this, but this is a traffic nightmare and it is not safe.

Mr. Cline commented that the more he looks at this and at the City border to the southwest, rezoning this site to commercial just contributes to sprawl. This property is going to be developed, adding he does not have a lot of sympathy for a lot of things heard tonight because of those types of realities, but if that is to be developed, Mr. Cline stated he believes people should live on that ground and will not support the proposal.

Mr. Edwards commented Commission has seen a lot of cases like this over the years; several Wal-Marts and different box stores and Ms. Smith's comments are correct on what Commission's purview is and the comments are a lot of the same things over time. The reality is, that piece of land went up for sale and that's the buyer that bought it and they have rights to develop it under certain guidelines that the City has put forward. The question before this body is have they fulfilled those guidelines that Commission can make a recommendation on to City Council that they have fulfilled their obligations legally. Mr. Edwards stated he has concerns and has raised them but again that is for another group of people. If there is any pollution, DNR will be there and Mr. Edwards stated he is not concerned that someone is going to get away with something. The traffic is not an ideal situation but that is something that will be remedied after the fact as these things often happen to be. As for sprawl, it is sprawl. Commission has two duties; we want to protect our citizens as best we can but we also have to fulfill our obligations of what Commission is here to do and will support this request.

Ms. White commented that Commission members do actually go to the neighborhoods; this is not something looked at on a tablet and decided from here. Ms. White commented they really do care what is going on in these areas. Ms. White stated she heard a lot of concern from the neighborhood about Portland Street. It has been reiterated that Portland Street is not going to be extended through there unless they go

back to the City and the City has said they do not want them to do that not to mention the fact that they are going to have a drainage place there that is going to be in that same area so stormwater will have issues with that as well. The issue of Portland Street being opened up is not an issue. Ms. White noted that while she hears the concerns about the children and the protection of the neighborhoods it is not going to become a through street issue. Ms. White stated that Commission is often asked to make these kinds of decisions on the borders of neighborhoods and we often look for mixed-use housing instead or buffers that way, but in this instance that is not whose come to us and asked for the zoning. The studies denote they are going to go this way and Commission understands it is going to be painful but the developer is willing to work with the neighborhood and put in things the City does not require them to do and that shows good faith and Ms. White stated she will support the project.

Ms. Cox asked staff if there will be any further discussion in reference to the traffic situation; along Farm Road 129 Ms. Cox has concerns about that type of ingress/egress. Will there be any other discussions about potential improvements along that area that may relieve some of the traffic concerns alleviated.

Mr. Gugel stated there would be nothing as far as requirements for the developer. Each development is responsible, each rezoning case, that property is responsible for addressing the impacts that they contribute. If there are other problems on that street further south on West Bypass that is not the responsibility of the developer to fix.

Mr. Ray pointed out that no matter how Commission votes, to approve or deny this request, Commission is only making a recommendation that goes to City Council. Everyone will have another opportunity to express their concerns and they can address some other factors that Planning and Zoning Commission doesn't typically take into consideration. Mr. Ray noted he agrees with Ms. Smith that Commission does need to look at whether the applicant has fulfilled all the requirements; consider whether this is in accordance with the Comprehensive Plan and whether Commission thinks this is a good use of the tract of land. Mr. Ray stated he is aware this is called an activity center, and activity doesn't necessarily mean a big box retail store and would be happy to see the relocation of Farm Road 148 because he does travel the road and vehicles darting out across Sunshine Street is a problem so a development of this tract would be great to address that transportation issue. Mr. Ray stated he too was surprised to see the location after hearing about a possible development in this area, also thinking it was to be to the south where perhaps it is more suitable location for this use. Mr. Ray stated he has had a difficult time being convinced that it is an appropriate use of this piece of land, and agrees with a lot of people that spoke this evening saying this should remain residential zoning and with that, Mr. Ray said he plans to vote no.

Mr. Edwards motioned to **approve** Z-04-2015 w/Conditional Overlay District No. 85 and Preliminary Plat Menards West. Mr. Ray **seconded** the motion. The motion was **denied** as follows: Ayes: Baird, White, Edwards and Rose. Nays: Ray, Shuler, Cline, Cox and Doennig. Abstain: None. Absent: None.

Public Hearings :

*Vacation 778
Springfield
(2500 block East Elm Street)*

City of

Mr. Hosmer said the City is requesting the vacation of a portion of unimproved right-of-way in the 2500 block of East Elm Street. A street was never constructed within this right-of-way and the City does not intend on using it in the future since all surrounding lots have access to other public streets. The proposed vacation meets the approval criteria for vacating right-of-way. Replacement easements are being provided to City Utilities and AT&T. Mr. Hosmer said staff recommends approval.

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

Mr. Ray motioned to **approve** Vacation 778. Mr. Doennig **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Ray, Edwards, Shuler, Rose, Cline, Doennig and Cox. Nays: None. Abstain: None. Absent: None.

*Z-14-2015 w/Conditional Overlay District No. 92
Properties, LLC
(3200 East Sunshine)*

Sunshine

Mr. Hosmer stated the applicant is proposing to rezone this property located at 3200 East Sunshine Street from a Planned Development District No. 9 to a GR, General Retail District; and establishing Conditional Overlay District No. 92. The Conditional Overlay District that accompanies this request requires the dedication of right-of-way on Mayfair Avenue and at the corner of Mayfair Avenue and Sunshine Street, requires access on Mayfair Avenue to be located at least one-hundred-fifty (150) from Sunshine Street, prohibits access on Washita Street and requires a traffic study to be completed at the time of development. Approval of this application will provide for the redevelopment of this property and is consistent with the surrounding zoning and development. The existing zoning only permits wholesale and retail sales of home building supplies and materials including lumber, appliances and tools. If approved, any use permitted in the GR district will be permitted which includes restaurants, banks and offices. The subject property was part of the Meeks development to the east but is now vacant. Approval of GR zoning will provide more opportunities for the redevelopment and reuse of the subject property in a manner consistent with surrounding properties.

The Conditional Overlay District that accompanies this request will require the dedication of additional right-of-way for Mayfair Avenue and at the corner of Mayfair and Sunshine. In addition, the Overlay District will prohibit access to Washita Street and require access on Mayfair Avenue to be located at least 150 feet south of Sunshine Street. Finally, the Conditional Overlay District will require the completion of a traffic study at the time of development based on what is being developed. Approval of this

request will provide for the redevelopment of this property consistent with the surrounding property and will provide for the productive use of this property where investments in public infrastructure and services have already been made. The Conditional Overlay District will provide for the dedication of right-of-way for adjacent streets, govern access to adjacent streets and require a traffic study at the time of development.

Mr. Baird opened the public hearing.

Mr. John Williams, CJW Transportation Consultants, representing the developer stated they have the potential to redevelop some asphalt parking lot that currently exists into a restaurant and potential another business use. Mr. Williams stated they intend to do landscape screening to provide buffering and intend to provide water quality.

Mr. Baird closed the public hearing.

Mr. Edwards motioned to **approve** Z-14-2015 w/ Conditional Overlay District No. 92. Ms. Cox **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Ray, Edwards, Shuler, Rose, Cline, Doennig and Cox. Nays: None. Abstain: None. Absent: None.

Z-17-2015 w/Conditional Overlay District No. 91
Scott Tillman
(3200 East Sunshine)

Mr. Hosmer said this is a request to rezone approximately 0.77 acres of property generally located on the west side 2600 block of South Jefferson Avenue from an R-SF, Single Family Residential District to an R- MD, Medium Density Multi-Family Residential District, and establishing Conditional Overlay District No. 91. The Conditional Overlay District that accompanies this request will limit the development to a maximum eleven (11) dwelling units per acre on the subject property, require the subject property to be combined with the existing R-MD zoned property to the south for development and require the dedication of additional right-of-way for Jefferson Avenue. The applicant is proposing to rezone the subject property from an R-SF, Single Family Residential District to an R-MD, Medium Density Multi-Family Residential District with Conditional Overlay District No. 91. The subject property will be combined with the existing R-MD zoned property to the south and developed in conjunction with that property. The Conditional Overlay District that accompanies this request will restrict the development on the subject property to a maximum of eleven (11) dwelling units per acre which is significantly less intense than what is permitted in the R-MD district and is consistent with the density permitted in the adjacent R-TH zoning. In addition to restricting the maximum density on the property, the accompanying Conditional Overlay District will require the subject property to be combined with the existing R-MD zoned property to the south for development. The Overlay District will also require the dedication of additional right-of-way for Jefferson Avenue per City standards for a collector roadway. A Type B Bufferyard is required

along the north and west property line of the subject property to provide some visual separation between this proposed development and the existing residential development to the north and west. If there is a parking lot or vehicle use area is within 50 feet of Jefferson Avenue and there is no intervening building; then a perimeter landscaping area shall be provided along the right-of-way. Approval of this request will provide for this property to be developed with the existing R-MD, Medium Density Multi-Family Residential zoned property to the south. Staff recommends approval.

Mr. Baird opened the public hearing.

Ms. Cox asked for clarification on the properties being combined.

Mr. Hosmer noted the Conditional Overlay District is only for the tract that is being rezoned which limits the density to eleven (11) dwelling units per acre only on this tract.

Ms. Cox clarified that the lower tract that is being combined will stay the same with no conditional overlay.

Mr. Hosmer stated that is correct.

Mr. Cline questioned if the Greenway that goes through the property and there will be no impact to the Greenway.

Mr. Hosmer said that is correct.

Mr. Brent Stevens, H. Design Group, 5051 S. National Avenue Suite 7A, commented he is representing the potential developer. This is one piece of property right now and there are two separate zoning classifications on this piece of property so this will unify the property into one single standard zoning classification. It works with the step down zoning.

Mr. Baird closed the public hearing.

Mr. Ray motioned to **approve** Z-17-2015 w/ Conditional Overlay District No. 91. Mr. Edwards **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Ray, Edwards, Shuler, Rose, Cline, Doennig and Cox. Nays: None. Abstain: None. Absent: None.

*Planned Development 348
Patterson House, LLC
(1215 & 1225 North Benton Avenue)*

Historic

Mr. Shuler recused himself from the public hearing.

Mr. Hosmer commented this is to rezone approximately 0.89 acres of property generally located at 1215 and 1225 North Benton Avenue from R-SF, Single Family Residential

District and R-MD, Medium Density Multi-Family Residential District and Mid-Town UCD No. 3 Area A to a Planned Development District No. 348 and Mid-Town Urban Conservation District No. 3 Area E. The applicant is proposing to rezone the subject property to a Planned Development 348 to allow for bed and breakfast, restaurant and residential uses. The subject property is within walking and bicycling distance of the Drury and OTC campus, the downtown area and bus stops. In addition there is a good sidewalk system, greenway and marked bike routes in the area. The proposed planned development is within the Mid-Town Neighborhood Plan which was updated on April 2, 2001. The Plan identifies these two properties within the Mid-Town Historic District as contributing to the District on the National Historic Registry. The Plan states that any institutional expansion in this area should utilize and preserve contributing structures. The property at 1215 and 1225 North Benton Avenue are not on the historic register of historic places, however, the property owners are seeking historic designation. This property is within the Mid-Town Urban Conservation District No.3, Area A which allows for Bed and Breakfast uses by a conditional use permit provided the existing structure is preserved and built before January 1, 1940 with a limit of five guest rooms. Area A does not allow restaurants. Both structures were built before 1940. The Planned Development will allow for the rehabilitation and use of these two properties while preserving the architectural significant structures and design within the Mid-Town neighborhood. The Planned Development is written with similar language as the UCD Area A requirements while allowing for the bed and breakfast and restaurant use while preserving the contributing historic structures. The Planned Development will be the underlying zoning district while keeping the UCD No 3 Area E designation. The Area E is a reserve area that does not have any UCD requirements other than requiring Mid-Town Neighborhood Association notification of proposed changes through the Administrative Review Committee (ARC) process. The proposed planned development will mitigate the potential impact between the permitted uses and the adjacent apartment by retaining a 3.5 feet wood fence between the apartment property parking lot to the west as outlined in Exhibit 1 and Exhibit 2. The proposed expansion will not have a significant impact on the surrounding neighborhood.

Mr. Baird opened the public hearing.

Mr. Michael Textor, 3814 E. San Poppi Court, Ozark, Missouri commented he and his wife are the applicants for this project, adding this is a really cool opportunity to preserve a couple of neat historic structures in the community. They will be using historic tax credit process to help finance this. Everyone at the neighborhood meeting is very excited about this project.

Mr. Rick Wilson, Wilson Surveying, 2012 S. Stewart stated they will be doing the engineering work on this project. This will be a low impact project; adding some impervious surface for parking with limited discharge.

Mr. Baird closed the public hearing and moved forward with the public hearing for the Redevelopment Plan.

*Historic Patterson House Redevelopment Area
Patterson House, LLC
(1225 North Benton Avenue)*

Historic

Mr. Shuler recused himself from the public hearing.

Mr. Schaefer said this is a request to approve the Redevelopment Plan for the Historic Patterson House

Redevelopment Area adding it will be an abbreviated presentation because this really pairs closely with Planned Development 348. Historic Patterson House, LLC has filed an application requesting approval of a redevelopment plan pursuant to Sections 99.300-99.715, RSMo, the Land Clearance for Redevelopment Authority (LCRA) Law, for a redevelopment project located at 1225 North Benton Avenue. The proposed Redevelopment Plan is one component of the applicant's request to obtain partial real property tax abatement pursuant to the Land Clearance for Redevelopment Law ("Chapter 99, RSMo"). Chapter 99 tax abatement is an A-3 economic development incentive used to encourage redevelopment within blighted areas through partial real property tax abatement. Within Council approved redevelopment areas, the Land Clearance for Redevelopment Authority may authorize partial real property tax abatement for projects that conform to an approved redevelopment plan. Real property tax abatement is based on 100% of the assessed value of qualified new construction or rehabilitation for 10 years.

Mr. Schaefer stated the Planning and Zoning Commission is required by Statute to review the proposed Redevelopment Plan for conformance with the City's general plan for the development of the City as a whole. The purpose of the Redevelopment Plan for the Historic Patterson House Redevelopment Area is to remove blight and facilitate the adaptive reuse of a historic single-family residential structure located in the Mid-Town Neighborhood. The Redevelopment Area consists of a 0.49 acre parcel that is occupied by the historic Patterson House, which was constructed in 1904 as a single-family residential dwelling and subsequently converted into apartments in 1939. The house is recognized as a contributing structure within the Mid-Town National Historic District and is listed in the Springfield Historic Register as a local historic site. The House has experienced significant deterioration over the past couple decades and now sits vacant and in need of rehabilitation. The Redevelopment Plan proposes to rehabilitate the Patterson House, in conjunction with an adjoining property immediately outside of the Redevelopment Area to the south at 1215 North Benton Avenue, into a 14-unit bed and breakfast and restaurant in accordance with the requirements and standards applicable to Planned Development District No. 348. The current design for the Patterson House contemplates constructing up to eight bed and breakfast units as part of an adaptive reuse of this historic structure. Mr. Schaefer stated that prior to the meeting, a memo was distributed to Commission members to request that the Redevelopment Plan be considered with certain amendments considered earlier this week by the LCRA; the amendments clarify that the Redevelopment Plan shall prohibit single family residential use so it leaves bed and breakfast and restaurant uses as permitted uses under that plan. That ensures the project would be a bed and breakfast and restaurant for at least

the next ten (10) years. Staff recommends approval of the Redevelopment Plan with the suggested amendments.

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

Ms. Kerner recommended that Commission vote on these two (2) items separately since there can be one approved without the other.

Mr. Edwards motioned to **approve** Planned Development 348. Mr. Cline **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Ray, Edwards, Rose, Cline, Doennig and Cox. Nays: None. Abstain: Shuler. Absent: None.

Ms. Cox motioned to **approve** Historic Patterson House Redevelopment Area. Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Ray, Edwards, Rose, Cline, Doennig and Cox. Nays: None. Abstain: Shuler. Absent: None.

*Temporary Uses/Special Events Text Amendment
of Springfield
(City-Wide)*

City

Ms. Kerner noted this is to amend Section 2-1100, Definitions, Section 5-1000, Accessory Structures and Uses, 5-1200, Temporary Uses, and 6-1500, Noise Standards in the Springfield Zoning Ordinance. City Council approved a Resolution 9899 on August 22, 2011, to initiate amendments to the Zoning Ordinance that would eliminate conflicts with regard to temporary promotional activities, event requirements and temporary vendor requirements. Ms. Kerner stated the plan is to create a consolidated ordinance within the City Code that deals with all the various parts of special events which involves the Fire Department, Police Department, Planning and Zoning, Building Development Services; there are many moving pieces and attempting to simplify for both applicants and city staff and make certain everyone on the same page.

Since the last Planning and Zoning Commission meeting, the City has decided not to move two zoning code sections into this special events code. The two sections that are not going to move are Temporary Promotional Activities (Section 5-1203 B(3)(b)) and Residential Fundraising (Section 5-1203 B(1)). Everything else impacting the zoning code has stayed the same since the last meeting. There were some minor changes to the code related to the definition of special event and amplified sound. The Planning and Zoning Commission is only responsible for reviewing amendments to the Zoning Ordinance. The proposed amendments will not be changing any of the processes or permitted uses in the Accessory Uses and Temporary Uses sections of the Zoning Ordinance. It will only change their location in the City's Code so that the proper department may review, inspect and enforce any Temporary Use or Special Event issues.

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

Mr. Edwards motioned to **approve** Temporary Uses/Special Events Text Amendment. Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Ray, Edwards, Shuler, Rose, Cline, Doennig and Cox. Nays: None. Abstain: None. Absent: None.

*Front Yard Parking Exception for Disabled Persons Text Amendment
City of Springfield
(City-wide)*

Mr. Hosmer mentioned this is a request to amend Section 5-1500, Off-Street Parking Requirements, of the Zoning Ordinance to allow the Director of Building Development Services to grant exemptions to the off-street parking requirements to make reasonable accommodations to persons with disabilities under certain conditions. Planning and Zoning Commission initiated amendments to Section 5-1500, Off-Street Parking Requirements and other related sections of the Zoning Ordinance to allow review and consideration for persons with disabilities at their meeting on October 3, 2013. The Federal Fair Housing Act requires the City to apply its regulations in a manner that does not discriminate against persons with disabilities. Currently, off-street parking in the front yard is not permitted for residentially zoned properties. The City is required by Federal law to provide “reasonable accommodation”, and Building Development Services currently applies that standard to requests received for modification to single-family dwellings for medical needs. At this time, the City has not received many requests for accommodation to the off-street parking requirements. The proposed amendments will allow the Director of Building Development Services to grant exemptions to the off-street parking requirements to make reasonable accommodations for persons with disabilities following the conditions in Exhibit A. These amendments will replace the current Administrative Ruling (2011) and City Council resolution (2004) that BDS currently uses in these situations.

Mr. Doennig clarified that the Fair Housing Act essentially is making the City allow anyone with a disability sticker to essentially park in their front yard; is that what you are saying.

Mr. Hosmer stated more or less.

Mr. Doennig stated the only way to allow them to do that is to allow them to park in the front yard.

Mr. Hosmer said with reasonable accommodation; if there are other means to access they can certainly not locate it in the front yard.

Mr. Doennig asked if there are specific standards for what is reasonable and what is not.

Mr. Hosmer stated he believes so with the ADA requirements and state statutes.

Mr. Baird asked where this amendment is coming from.

Mr. Hosmer commented they have been working off of a 2004 resolution and staff has been applying that already. Now they are attempting to codify it.

Mr. Rose asked if this sets up a different kind of system where they can get a sticker to park in the front yard.

Mr. Hosmer said no this just allows provisions for them to park in the front yard. Currently it is a violation to park in the front yard, and this will allow them to park in the front yard.

Mr. Edwards asked if police offices ticket people for this.

Mr. Hosmer stated it would be on a complaint basis.

Mr. Edwards clarified this is not complaint generated, this is just compliance.

Mr. Hosmer said yes.

Mr. Baird asked if there is someone in need of using this, they must go to BDS to get it approved.

Mr. Hosmer stated that is correct.

Mr. Baird asked if it would be easier if the person has a blue handicap placards, shouldn't that suffice.

Mr. Hosmer stated the way it is written they would have to approach BDS first.

Mr. Baird closed the public hearing.

Mr. Edwards motioned to **approve** Front Yard Parking Exception for Disabled Persons Text Amendment. Ms. Cox **seconded** the motion. The motion **carried** as follows: :
Ayes: Baird, White, Ray, Edwards, Shuler, Rose, Cline, Doennig and Cox. Nays: None.
Abstain: None. Absent: None

*Preliminary Plat Westwood Hills 3rd Addition Renewal
Hoppy, LLC
(900 block South West Bypass)*

Mr. Hosmer commented this is a request to accept the dedication of the public streets and easements as shown on the Preliminary Plat Renewal of WESTWOOD HILLS 3rd

ADDITION generally located on the west side of the 900 block South West Bypass and approve a preliminary plat to subdivide 29.74 acres into a twenty-eight (28) lot single-family residential and commercial subdivision with common area. Lots 1-27 will be for single family residential development (R-SF) and Lot 28 would be for commercial development (HC and COD #2) as permitted by zoning case Z-02-2007 which was approved in 2007. The applicant has also proposed a phasing plan. The applicant is proposing to renew the preliminary plat of Westwood Hills 3rd Addition that was previously approved by City Council on May 21, 2007 and renewed on June 1, 2009, June 13, 2011 and June 3, 2013. The Parks, Open Space and Greenways Plan Element indicates that the proposed greenway system would extend along this segment of Wilson Creek. A fifty (50) foot wide, east/west, recreation easement for the Wilson Creek Greenway will be dedicated on the final plat. It will be located on the south side of Grand Street. A north/south recreation easement will begin on the south side of the Grand/Kay Pointe intersection and extend to the east/west easement. Staff recommends approval.

Mr. Baird opened the public hearing.

Mr. Jared Rasmussen, 550 E. St. Louis, stated he represented the applicant.

Ms. Cox asked Mr. Rasmussen why this is has been renewed so many times.

Mr. Rasmussen stated this came through in 2007 about the time the economy fell apart; they have been keeping it on the books as they move forward.

Mr. Baird closed the public hearing.

Mr. Doennig motioned to **approve** Preliminary Plat Westwood Hills 3rd Addition Renewal . Ms. Cox **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Ray, Edwards, Shuler, Rose, Cline, Doennig and Cox. Nays: None. Abstain: None. Absent: None

Mr. Baird asked Ms. Smith to give a brief description of Commission's purview here; there are several new members on Commission.

Ms. Smith addressed Commission stating that while Commission reviews zoning cases much more often then they do plans, everything staff does is based on the City's Comprehensive Plan and all the studies that have been adopted by this body and City Council and also in light of the Zoning Ordinance and the Subdivision Regulations. That is one of the reasons why when the Menards presentation was started staff felt it was important to talk about what does the Comprehensive Plan say about a specific area and about development in general. Commission's decisions should be based on the consistency of a proposal with the Comprehensive Plan and it's consistency with the Zoning Ordinance and the Subdivision Regulations. That is why Commission receives information about required traffic studies; does the proposed development have mitigating factors if there is an impact on traffic or on

stormwater which will be part of Commission's consideration. What is not in Commission's purview is what is the specific tenancy of the building, so you are looking at land use. Is it appropriate for a commercial use or multi-family use; is the land use appropriate and it doesn't really matter if its a Menards, Hy-Vee or Wal-Mart, the question is if the land use is appropriate. Philosophically, Ms. Smith noted she has been the Economic Development Director for fifteen (15) years and has recently moved into the position of Planning Director, but philosophically they have always taken the perspective that its not our responsibility to determine what the market is and so we are not going to come to Commission and say staff thinks there are enough apartments in Springfield or enough loft developments or Chinese restaurants so we are not going to allow a rezoning if it is going to have a Chinese restaurant as a tenancy. We believe in the free market in that respect and so really it all boils down to is the land use appropriate; is it consistent with the Comprehensive Plan and are they meeting the requirements of the Zoning Ordinance and the Subdivision Regulations. Ms. Smith asked if that answered Commission's question.

Mr. Cline noted that his vote had nothing to do with Menard's and actually very little to do with anything the public said. Mr. Cline stated he disagrees with staff; he does not feel it is a good use primarily because that we can't just keep slopping the City farther and farther out and while in one sense it fits, in another sense its just more sprawl. Unless Commission is rubberstamping city staff, which he hopes is not what they are doing, then he is very comfortable with his no vote and quite happy with the outcome.

Mr. Baird commented he doesn't know whether it has to do with what staff wants or doesn't want; what they do is bring Commission potentially viable plans and it is Commission's job to determine whether it is appropriate. Mr. Baird observed that City Staff gets a lot of heat because it is the City doing this, its the City wanting Menards, and it is really not and noted that is why Commission is here.

Mr. Edwards mentioned that there are certain things about consistency and how over time this body and City Council have signaled, for lack of a better word, to the development community and the reasoning for Mr. Cline's vote is sound adding Mr. Cline is on this Commission to cast the best vote and the best judgments the way necessary to do his civic duty. Mr. Edwards commented the important thing to consider for the development community is some consistency. Mr. Edwards stated while he disagreed with the majority on this opinion, he does not have a problem with that on this case and he is not really speaking to this case as much, but to remember that Commission is setting precedent in a way, week by week and following precedent week by week so we want to have a consistent set of rules that people can expect and that helps developers know what they need to do. Staff does a pretty good job of that overall and Commission does signal things to the development community up here on how they can expect to be treated when they come here. Another thing to remember is that Commission can easily rezone a piece of land and then someone come in and do a far different thing and they would not have to come back to Commission.

There being no further business, the meeting was adjourned at approximately 9:35 p.m.

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

Bob Hosmer, AICP
Principal Planner

Springfield City Council
Summary of Most Recent Meeting
April 13, 2015

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

Council Bill 2015-067. (PASSES UNANIMOUSLY)

A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately 24 acres of property, generally located north of Chase Street, west of Washington Street, south of Atlantic Street and east of Broadway Avenue, from an R-SF, Single-Family Residential District and R-TH, Residential Townhouse District to R-SF, Single-Family Residential District and R-TH, Residential Townhouse District with a Live/Work Overlay District No. 1. (Planning and Zoning Commission and staff recommend approval.) (By: City of Springfield; Woodland Heights Neighborhood; **Z-13-2015, Live/Work Overlay District No. 1.**)

Council Bill 2015-068. (PASSES 7-2 WITH HOSMER AND RUSHEFSKY IN OPPOSITION)

A general ordinance amending the Springfield Land Development Code, Article I, Zoning Ordinance, Section 1-1323, Travel Trailer, Camper, Recreational Vehicle, and Other Trailer Parking, and Section 4-1500, R-MHC, Manufactured Home Community District, of the Zoning Ordinance to allow recreational **vehicle (RV) parks in the R-MHC District.** (Both Planning and Zoning Commission and staff recommend approval.)

Council Bill 2015-069. (PASSES UNANIMOUSLY)

A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning 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; establishing Conditional Overlay District No. 89; and adopting an updated Official Zoning Map. (Planning and Zoning Commission and staff recommend approval.) (By: Great Southern Bank; 1858 and 1866 East Cairo Street; **Z-11-2015 & Conditional Overlay District No. 89.**)

Council Bill 2015-070. (Rushefsky) (PASSES UNANIMOUSLY)

A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning 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; establishing Conditional Overlay District No. 90; and adopting an updated Official Zoning Map. (Planning and Zoning Commission and staff recommend approval.) (By: Great Southern Bank; 1859 and 1863 East Walnut Street; **Z-12-2015 & Conditional Overlay District No. 90.**)

Council Bill 2015-072. (PASSES UNANIMOUSLY)

A special ordinance declaring that the **University Plaza Exhibition Hall and Trade Center Redevelopment Area** is free of blight and that the Redevelopment Plan for said Area be terminated. (The Planning and Zoning Commission, Land Clearance for Redevelopment Authority, and City staff recommend approval.)

Council Bill 2015-073. (PASSES UNANIMOUSLY)

A special ordinance declaring a portion of the former **Southwest Missouri State College Urban Renewal Area** generally bounded by East Cherry Street to the north, East Grand Street to the south, South National Avenue to the east, and South Holland Avenue to the west, has been revitalized and is no longer a blighted area. (The Land Clearance for Redevelopment Authority and City Staff recommend approval.)

CONSENT AGENDA – SECOND READING BILLS. Citizens Have Spoken. May Be Voted On.

Council Bill 2015-077. (PASSES UNANIMOUSLY)

A special ordinance authorizing the Director of Planning and Development 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, 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.)

Summary of Most Recent Meeting

April 27, 2015

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

Council Bill 2015-105. (WILL VOTE IN TWO WEEKS; 13 SPEAKERS IN FAVOR; 12 IN OPPOSITION)

A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately 39.13 acres of property generally located at 3705 West Sunshine Street from a County R-1, Suburban Residence District and C-2, General Commercial District to an HC, Highway Commercial District; and establishing Conditional Overlay District No. 85 (Planning and Zoning Commission recommends denial and staff recommends approval). (By: Donald and Patricia McCurry; 3705 West Sunshine Street; **Z-04-2015 & Conditional Overlay District No. 85.**)

*Council Bill 2015-106. (Fishel) (WILL VOTE IN TWO WEEKS)

A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately 1.66 acres of property generally located at 3200 East Sunshine Street from Planned Development District No. 9 to a GR, General Retail District; and establishing Conditional Overlay District No. 92 (Planning and Zoning Commission and staff recommend approval). (By: Sunshine Commercial Property LLC; 3200 East Sunshine Street; **Z-14-2015 & Conditional Overlay District No. 92.**)

*Council Bill 2015-107. (WILL VOTE IN TWO WEEKS)

A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately 0.77 acres of property generally located on the west side 2600 block of South Jefferson Avenue from an R-SF, Single Family Residential District to an R-MD, Medium Density Multi-Family Residential District; and establishing Conditional Overlay District No. 91 (Planning and Zoning Commission and staff recommend approval). (By: South Creek Crossing LLC; West side 2600 block South Jefferson Avenue; **Z-17-2015; Conditional Overlay District No. 91.**)

*Council Bill 2015-108. (WILL VOTE IN TWO WEEKS)

A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately 0.89 acres of property generally located at 1215 and 1225 North Benton Avenue from an R-SF, Single Family Residential District and an R-MD, Medium Density Multi-Family Residential District and Mid-Town Urban Conservation District No. 3 Area A to Planned Development District No. 348 and Mid-Town Urban Conservation District No. 3 Area E (Both Planning and Zoning Commission and Staff recommend approval). (By: Mike and Hannah Textor; 1215 and 1225 North Benton Avenue; **Planned Development 348.**)

*Council Bill 2015-109. (WILL VOTE IN TWO WEEKS)

A special ordinance adopting the **Historic Patterson House Redevelopment Plan** and Blight Report for 1225 North Benton Avenue, and declaring the Area to be a blighted area and its redevelopment necessary for the preservation of the public peace, prosperity, health, safety, morals, and welfare. (The Land Clearance for Redevelopment Authority, the Planning and Zoning Commission, and Staff recommend approval.)

*Council Bill 2015-110. (WILL VOTE IN TWO WEEKS)

A general ordinance amending the Springfield Land Development Code, Article I, Zoning Ordinance, Section 5-1500, **Off-Street Parking Requirements**, in the Springfield Zoning Ordinance to allow the Director of Building Development Services to grant exemptions to the off-street parking requirements to make reasonable accommodations to **persons with disabilities** under certain conditions. (Both Planning and Zoning Commission and staff recommend approval.)

FIRST READING BILLS. Citizens May Speak. Not Anticipated To Be Voted On.

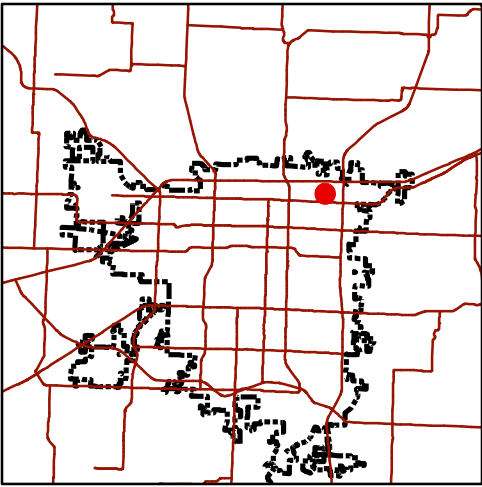
* Council Bill 2015-112. (WILL VOTE IN TWO WEEKS)

A special ordinance approving and authorizing the Director of Planning and Development to accept dedication of the public streets and easements to the City of Springfield as shown on the **Preliminary Plat of Menards West**, generally located at 3705 West Sunshine Street, 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 recommends denial and staff recommends that City Council accept the public streets and easements.)

CONSENT AGENDA – FIRST READING BILLS.

* Council Bill 2015-116.

A special ordinance authorizing the Director of Planning and Development to accept dedication of the public streets and easements to the City of Springfield as shown on the **Preliminary Plat Renewal of Westwood Hills 3rd Addition**, generally located on the west side of the 900 block South West Bypass, 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.)



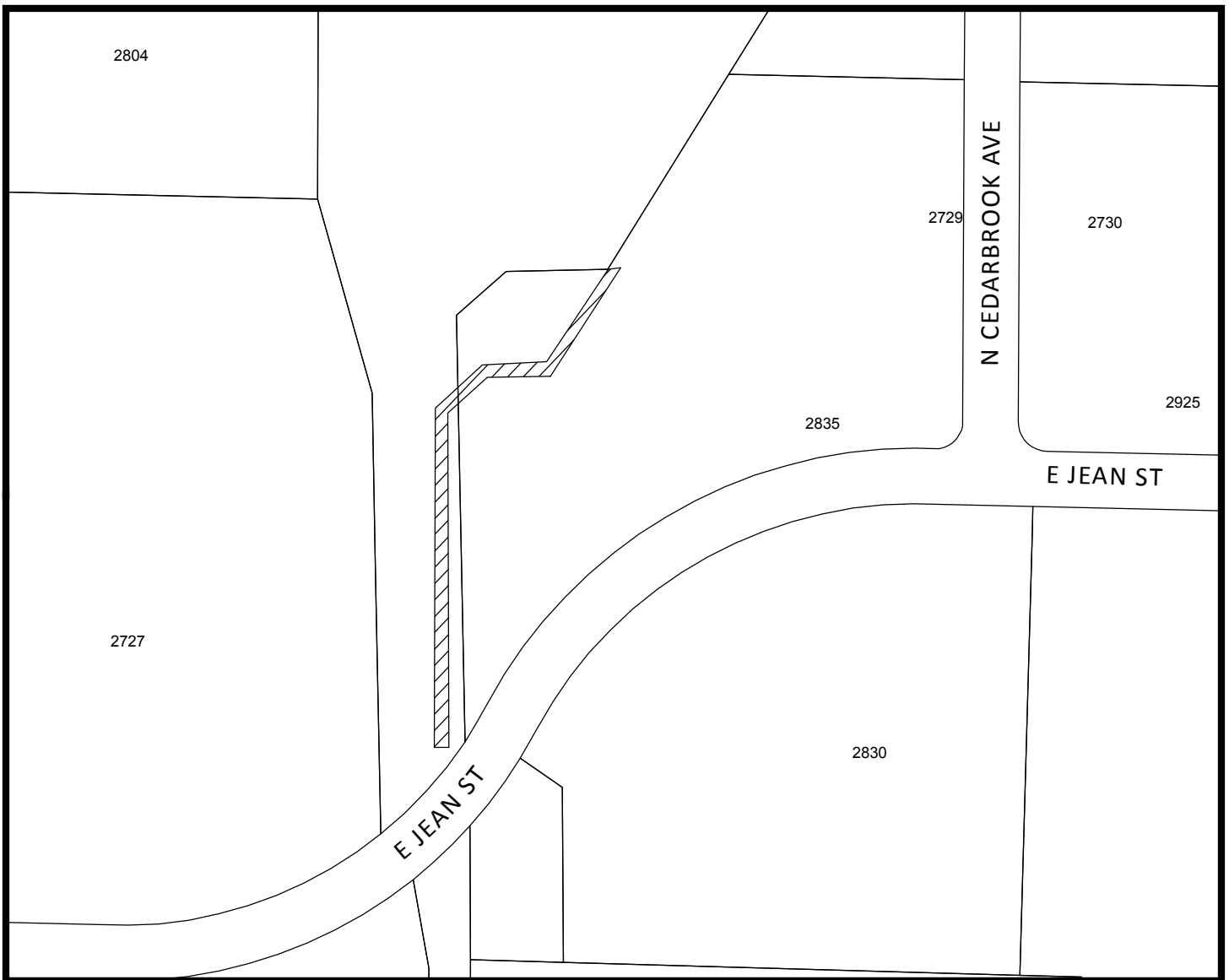
Zoning & Subdivision Report

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

Relinquish Easement 822

LOCATION: 2729 N. Cedarbrook Avenue

LOCATION SKETCH



- Area of Proposal



1 inch = 175 feet

Zoning & Subdivision Report

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

REQUEST TO RELINQUISH EASEMENT NUMBER 822

DATE: April 28, 2015
PURPOSE: To relinquish a utility easement
LOCATION: 2729 N. Cedarbrook Avenue
APPLICANT: Northcreek Development, 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. 822
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish a utility easement to facilitate the development of the site. An administrative lot-line adjustment has been approved by the City and the subject easement now lies within the developable part of the property. The easement is not longer needed.

CLEAN WATER SERVICES COMMENTS;

No objection to relinquishment.

CITY UTILITIES COMMENTS;

No objection to relinquishment. No City Utilities facilities impacted.

AT&T COMMENTS:

No objection to relinquishment. No AT&T facilities or future needs impacted.

STAFF COMMENTS:

1. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect public utilities.
2. The relinquishment of the easements will facilitate the development of the site. An administrative lot-line adjustment moved the western line of the property and the easement now runs through the property. The relinquish of the easement will facilitate the development of the property.
3. No one has objected to this request to date.

ATTACHMENT B
RELINQUISH EASEMENT NO. 822
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 easements to date.

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

STAFF RESPONSE:

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

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

STAFF RESPONSE:

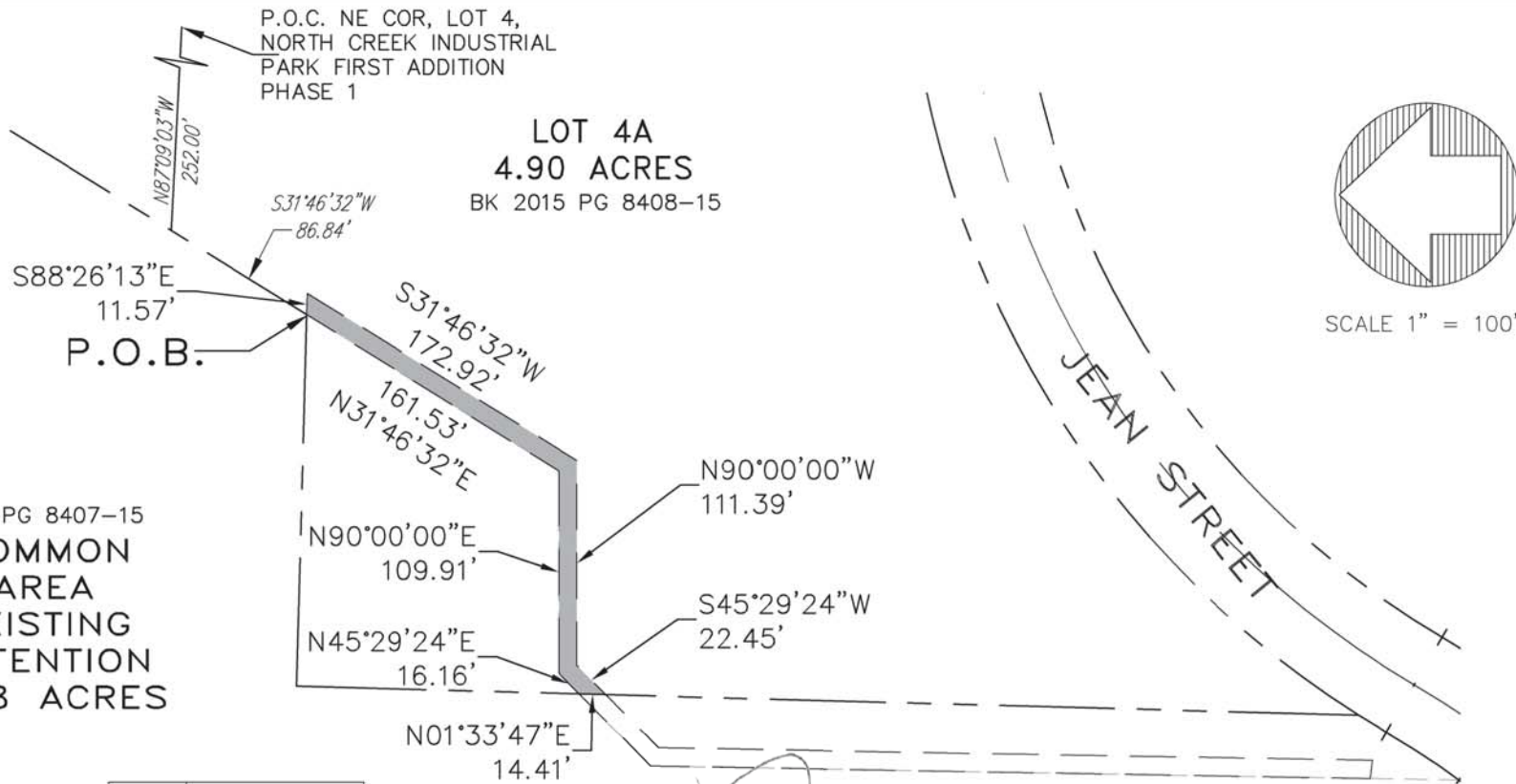
The retention of the subject easement no longer serves a public purpose.

RELINQUISH EASEMENT NO. 822
EXHIBIT 1

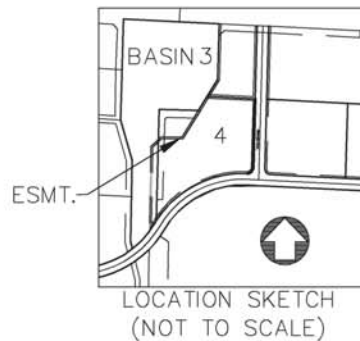
COMMENCING AT THE NORTHEAST CORNER OF LOT 4 OF NORTH CREEK INDUSTRIAL PARK FIRST ADDITION PHASE 1, AS SHOWN ON THE RECORDED PLAT THEREOF; THENCE NORTH 87°09'03" WEST ALONG THE NORTH LINE OF SAID LOT, A DISTANCE OF 252.00 FEET; THENCE SOUTH 31°46'32" WEST ALONG THE WEST LINE OF SAID LOT, A DISTANCE OF 86.84 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 88°26'13" EAST LEAVING SAID LOT LINE, A DISTANCE OF 11.57 FEET; THENCE SOUTH 31°46'32" WEST, A DISTANCE OF 172.92 FEET; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 111.39 FEET; THENCE SOUTH 45°29'24" WEST, A DISTANCE OF 22.45 FEET; THENCE NORTH 01°33'47" EAST, A DISTANCE OF 14.41 FEET; THENCE NORTH 45°29'24" EAST, A DISTANCE OF 16.16 FEET; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 109.91 FEET; THENCE NORTH 31°46'32" EAST, A DISTANCE OF 161.53 FEET TO THE POINT OF BEGINNING, CONTAINING 2972 SQUARE FEET MORE OR LESS.

and

COMMENCING AT THE NORTHEAST CORNER OF LOT 4 OF NORTH CREEK INDUSTRIAL PARK FIRST ADDITION PHASE 1, AS SHOWN ON THE RECORDED PLAT THEREOF; THENCE NORTH 87°09'03" WEST ALONG THE NORTH LINE OF SAID LOT, A DISTANCE OF 252.00 FEET; THENCE SOUTH 31°46'32" WEST ALONG THE WEST LINE OF SAID LOT, A DISTANCE OF 86.84 FEET; THENCE NORTH 88°26'13" WEST, LEAVING SAID LOT LINE, A DISTANCE OF 202.36 FEET; THENCE SOUTH 01°33'47" WEST, A DISTANCE OF 154.23 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01°33'47" WEST, A DISTANCE OF 14.41 FEET; THENCE SOUTH 45°29'24" WEST, A DISTANCE OF 40.68 FEET; THENCE SOUTH 00°58'48" WEST, A DISTANCE OF 388.89 FEET; THENCE NORTH 83°16'23" WEST, A DISTANCE OF 10.05 FEET; THENCE NORTH 00°58'48" EAST, A DISTANCE OF 391.98 FEET; THENCE NORTH 45°29'24" EAST, A DISTANCE OF 55.15 FEET TO THE POINT OF BEGINNING, CONTAINING 4384 SQUARE FEET MORE OR LESS.

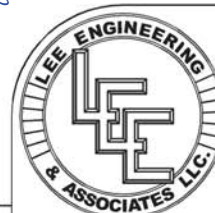
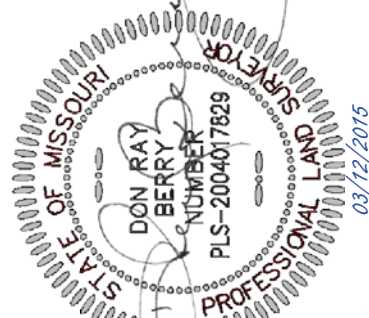


BK 2015 PG 8407-15
**COMMON
AREA
EXISTING
DETENTION
7.38 ACRES**



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.



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

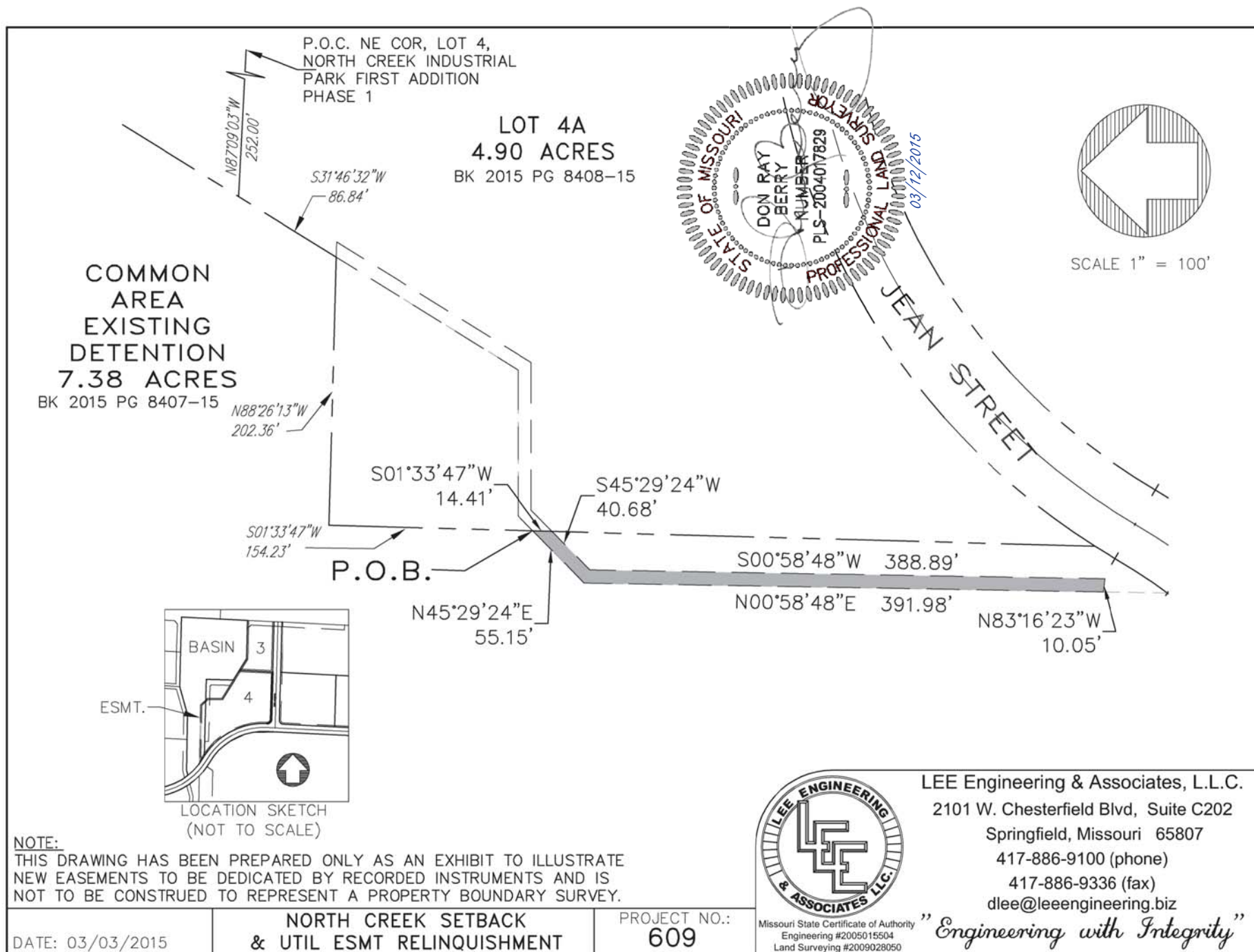
"Engineering with Integrity"

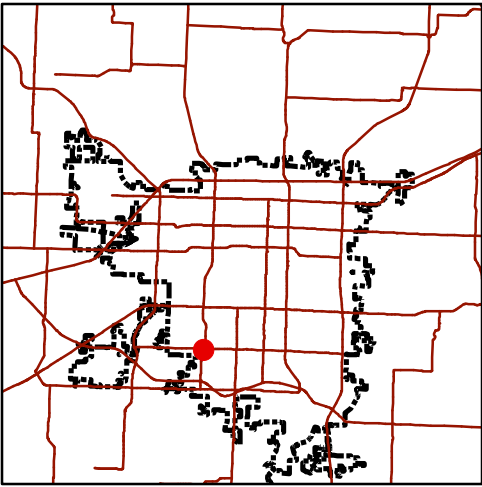
DATE: 03/03/2015

**NORTH CREEK SETBACK
& UTIL ESMT RELINQUISHMENT**

PROJECT NO.:
609

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





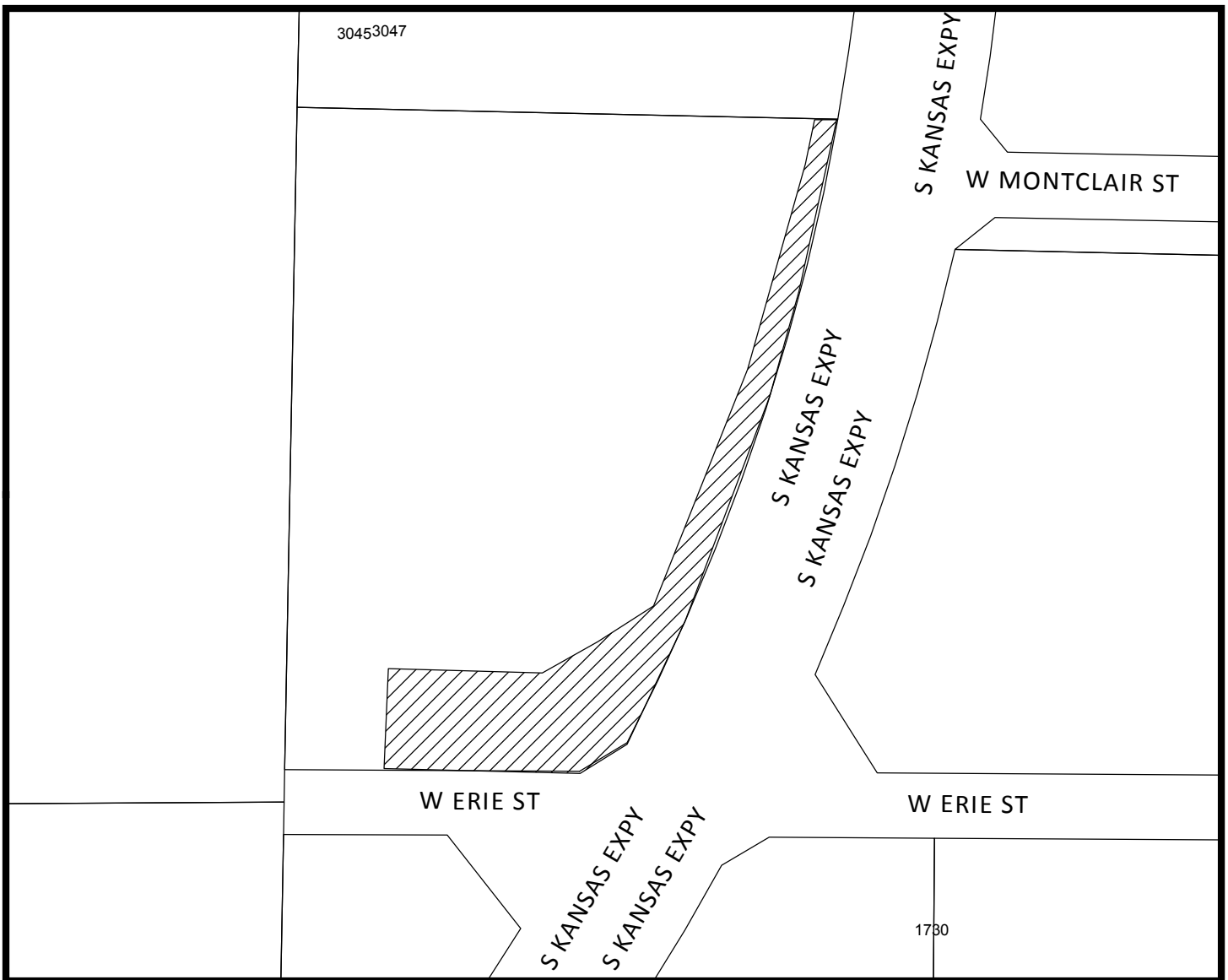
Zoning & Subdivision Report

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

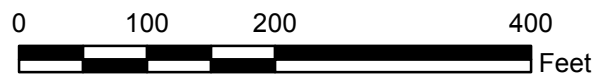
Relinquish Easement 823

LOCATION: 3151 S. KANSAS EXPY

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 823

DATE: April 28, 2015

PURPOSE: To relinquish an access and ingress/egress easement

LOCATION: 3151 S. Kansas Expressway

APPLICANT: Pennock Development, LLC

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. 823
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish an access and ingress/egress easement to facilitate the development of the site. An administrative re-plat has been submitted to the City which will reconfigure the lots. A replacement easement will be provided on the re-plat. The easement is not longer needed.

TRAFFIC COMMENTS;

No city traffic issues with the easement relinquishment. A replacement easement is being provided.

STAFF COMMENTS:

1. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect public utilities.
2. The relinquishment of the easements will facilitate the development of the site. An administrative re-plat has been submitted to the City which will reconfigure the lots. A replacement easement will be provided on the re-plat. The easement is not longer needed.
3. No one has objected to this request to date.

ATTACHMENT B
RELINQUISH EASEMENT NO. 823
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 easements to date.

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

STAFF RESPONSE:

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

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

STAFF RESPONSE:

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

RELINQUISH EASEMENT NO. 823
EXHIBIT 1

RELINQUISHMENT OF EASEMENT DESCRIPTION

A RELINQUISHMENT OF EASEMENT BEING PART OF LOT 2, TRACT 1, OF THE FINAL PLAT IN BATTLEFIELD WEST SUBDIVISION; SAID RELINQUISHMENT OF EASEMENT ALSO BEING PART OF SECTION 3, TOWNSHIP 28 NORTH, RANGE 22 WEST OF THE FIFTH PRINCIPAL MERIDIAN, ST. CHARLES COUNTY, MISSOURI; SAID RELINQUISHMENT OF EASEMENT BEING SHOWN ON THE ATTACHED EXHIBIT "A" AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 28 NORTH, RANGE 22 WEST;

THENCE, SOUTH 02 DEGREES 32 MINUTES 14 SECONDS WEST, A DISTANCE OF 676.66 FEET, TO A POINT AT THE NORTHWEST CORNER OF THE AFORMENTIONED LOT 2;

THENCE, ALONG THE NORTH LINE OF SAID LOT 2, SOUTH 87 DEGREES 22 MINUTES 21 SECONDS EAST, A DISTANCE OF 469.44 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED RELINQUISHMENT OF EASEMENT;

THENCE, CONTINUING ALONG SAID NORTH LINE, SOUTH 87 DEGREES 22 MINUTES 21 SECONDS EAST, A DISTANCE OF 30.36 FEET TO A POINT AT THE NORTHEAST CORNER OF THE AFOREMENTIONED LOT 2;

THENCE, ALONG THE EAST LINE OF THE AFOREMENTIONED LOT 2, A CURVE TO THE RIGHT HAVING A RADIUS OF 2033.41 FEET, AN ARC LENGTH OF 611.10 FEET, A CHORD DIRECTION OF SOUTH 61 DEGREES 21 MINUTES 13 SECONDS EAST, A CHORD LENGTH OF 608.81 FEET, AND A DELTA ANGLE OF 17 DEGREES 13 MINUTES 09 SECONDS TO A POINT ON THE SOUTH LINE OF THE AFOREMENTIONED LOT 2;

THENCE, ALONG SAID SOUTH LINE, SOUTH 60 DEGREES 21 MINUTES 39 SECONDS WEST, A DISTANCE OF 51.27 FEET TO A POINT;

THENCE, CONTINUING ALONG SAID SOUTH LINE, NORTH 88 DEGREES 20 MINUTES 50 SECONDS WEST, A DISTANCE OF 185.00 FEET TO A POINT;

THENCE, DEPARTING SAID SOUTH LINE, NORTH 01 DEGREES 39 MINUTES 10 SECONDS EAST, A DISTANCE OF 115.00 FEET TO A POINT;

THENCE, SOUTH 88 DEGREES 20 MINUTES 50 SECONDS EAST, A DISTANCE OF 139.28 FEET TO A POINT;

THENCE, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 150.00 FEET, AN ARC LENGTH OF 178.87 FEET, A CHORD DIRECTION OF NORTH 57 DEGREES 29 MINUTES 27 SECONDS EAST, A CHORD LENGTH OF 168.46 FEET, AND A DELTA ANGLE OF 68 DEGREES 19 MINUTES 25 SECONDS TO A POINT;

THENCE, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 2003.41, AN ARC LENGTH OF 411.51 FEET, A CHORD DIRECTION OF NORTH 17 DEGREES 26 MINUTES 40 SECONDS EAST, A CHORD LENGTH OF 410.79 FEET, AND A DELTA ANGLE OF 11 DEGREES 46 MINUTES 08 SECONDS BACK TO THE POINT OF BEGINNING AND THIS RELINQUISHMENT OF EASEMENT CONTAINING APPROXIMATELY 44,818 SQUARE FEET, OR 1.029 ACRES, MORE OR LESS, ACCORDING TO CALCULATIONS MADE BY COCHRAN DURING THE MONTH OF MARCH, 2015.

RELINQUISHMENT OF EASEMENT EXHIBIT "A"

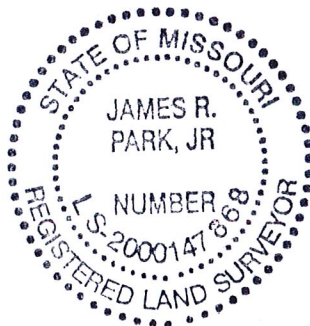
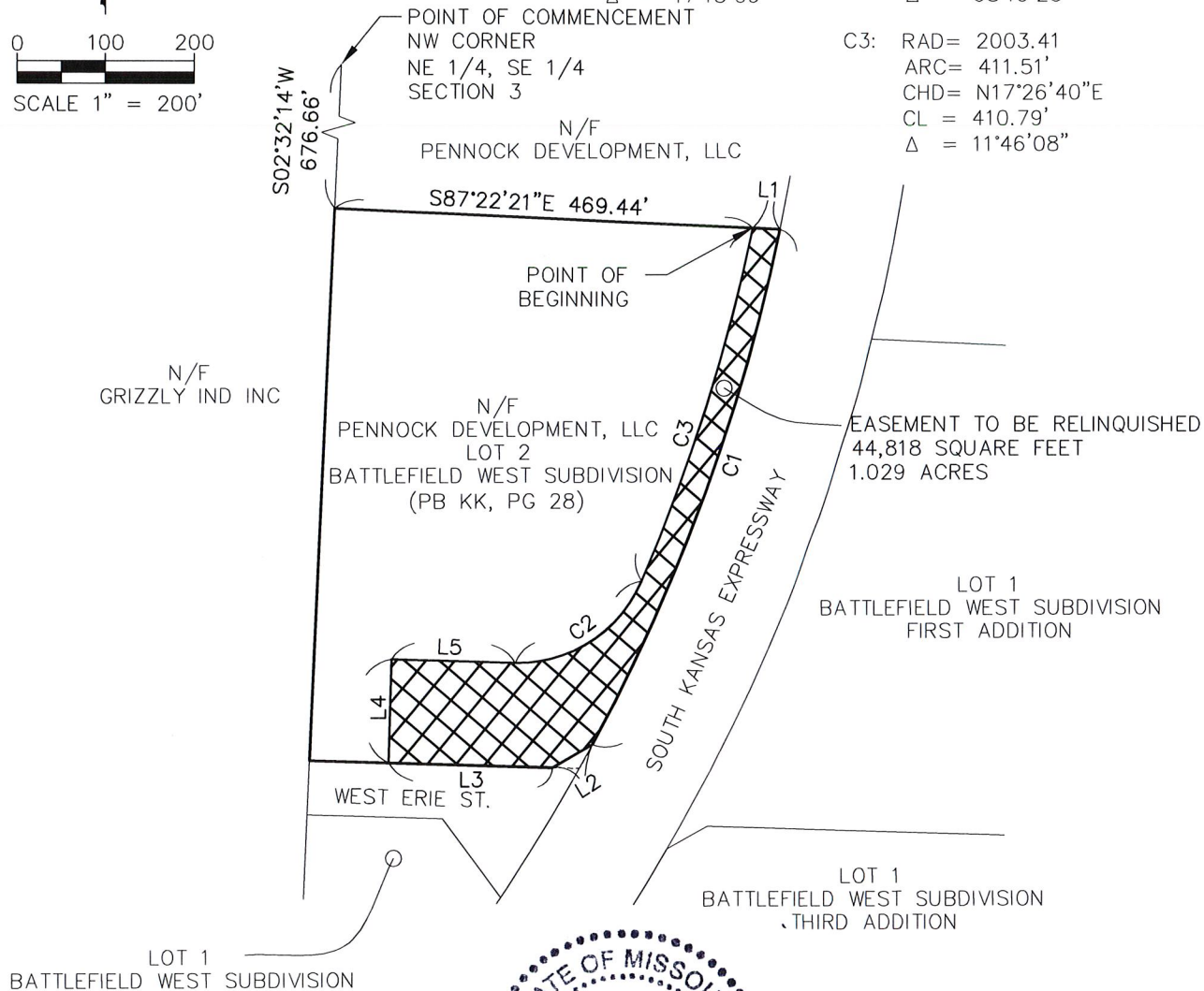
L1: S87°22'21"E 30.36'
L2: S60°21'39"W 51.27'
L3: N88°20'50"W 185.00'
L4: N01°39'10"W 115.00'
L5: S88°20'50"E 139.28'

C1: RAD= 2033.41
ARC= 611.10'
CHD= S20°02'13"W
CL = 608.81'
Δ = 17°13'09"

C2: RAD= 150.00
ARC= 178.87'
CHD= N57°29'27"E
CL = 168.46'
Δ = 68°19'25"

C3: RAD= 2003.41
ARC= 411.51'
CHD= N17°26'40"E
CL = 410.79'
Δ = 11°46'08"

0 100 200
SCALE 1" = 200'



M. ENGINEERING, LLC
(D.B.A.) COCHRAN
LS-2005011846 D

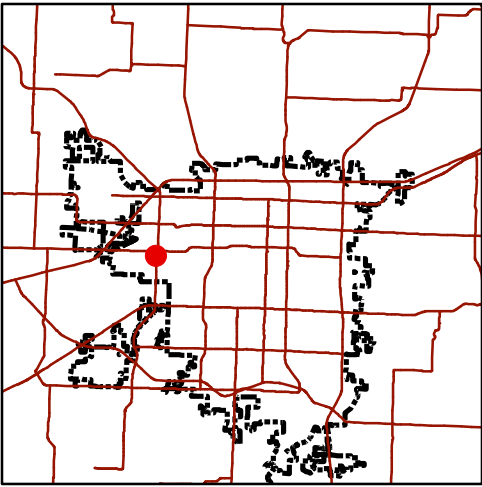
BY:
JAMES R. PARK JR., P.L.S.
MISSOURI L.S. 2000147868
FOR COCHRAN

PROJECT NO: M14-7088B-VAC
DATE: MAR. 30, 2015
SHEET 1 OF 1



NORTH OFFICE
8 EAST MAIN STREET
WENTZVILLE, MISSOURI 63385
636-332-4574 (tel.)
636-327-0760 (fax)
wentmail@cochraneng.com

PART OF LOT 2, TRACT 1, OF THE FINAL PLAT
IN BATTLEFIELD WEST SUBDIVISION,
A SUBDIVISION BEING PART OF
SECTION 3, T28N, R22W OF THE FIFTH P.M.,
CITY OF SPRINGFIELD,
GREENE COUNTY, MISSOURI



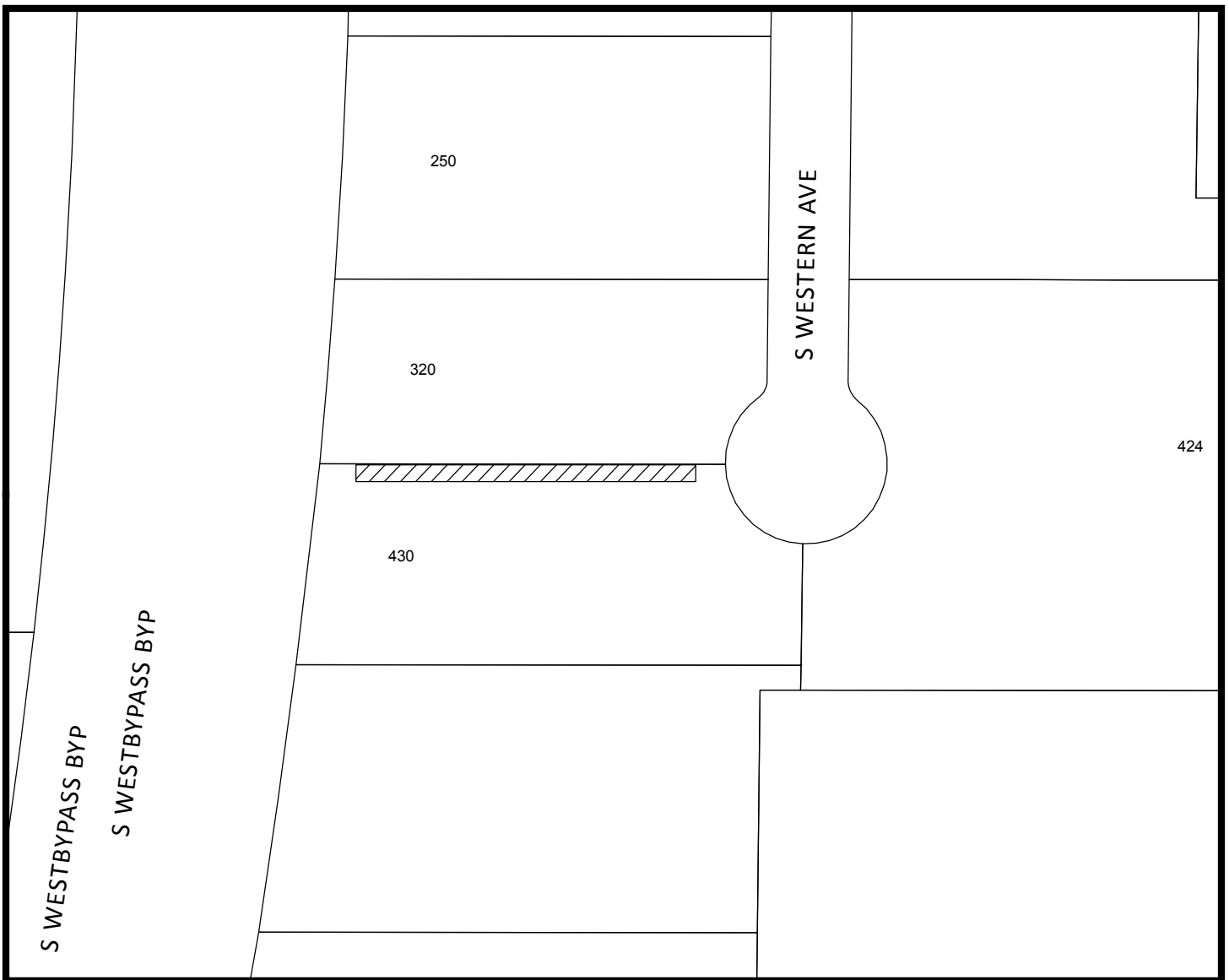
Zoning & Subdivision Report

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

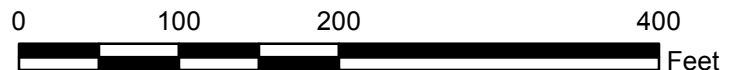
Relinquish Easement 824

LOCATION: 425 S. Western Avenue

LOCATION SKETCH



- Area of Proposal



1 inch = 120 feet

Zoning & Subdivision Report

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

REQUEST TO RELINQUISH EASEMENT NUMBER 824

DATE: April 28, 2015
PURPOSE: To relinquish a utility easement
LOCATION: 425 South Western Avenue
APPLICANT: PC Property Management, LLC

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. 824
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish a utility easement to facilitate the development of the site. An administrative lot combination has been submitted to the City to combine lots on which the subject easement exists. When the lots are combined the easement will be in the developable area of the lot.

CLEAN WATER SERVICES COMMENTS:

No objection to relinquishing subject easement.

CITY UTILITIES COMMENTS:

No objections to relinquishing subject easement.

AT&T COMMENTS:

No objections to relinquishing 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 utility easement to facilitate the development of the site. An administrative lot combination has been submitted to the City to combine lots on which the subject easement exists. When the lots are combined the easement will be in the developable area of the lot. The portion of this easement requested to be relinquish no longer serves a purpose.
3. No one has objected to this request to date.

ATTACHMENT B
RELINQUISH EASEMENT NO. 824
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 easements to date.

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

STAFF RESPONSE:

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

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

STAFF RESPONSE:

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

RELINQUISH EASEMENT NO. 824
EXHIBIT 1

RELINQUISHMENT OF EASEMENT

A RELINQUISHMENT OF EASEMENT BEING PART OF LOT 7 OF CHESTNUT CROSSING PHASE 1; SAID RELINQUISHMENT OF EASEMENT ALSO BEING PART OF SECTION 21, TOWNSHIP 29 NORTH, RANGE 22 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI; SAID RELINQUISHMENT OF EASEMENT BEING SHOWN ON THE ATTACHED EXHIBIT "A" AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 7 OF CHESTNUT CROSSING PHASE 1;

THENCE, ALONG THE NORTH LINE OF SAID LOT 7, SOUTH 88 DEGREES 49 MINUTES 32 SECONDS EAST, A DISTANCE OF 40.18 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED RELINQUISHMENT OF EASEMENT; SAID POINT OF BEGINNING ALSO BEING ON THE EAST LINE OF A 40 FOOT BUILDING SETBACK AND UTILITY EASEMENT PER PLAT BOOK ZZ, PAGE 200 OF THE GREENE COUNTY RECORDS;

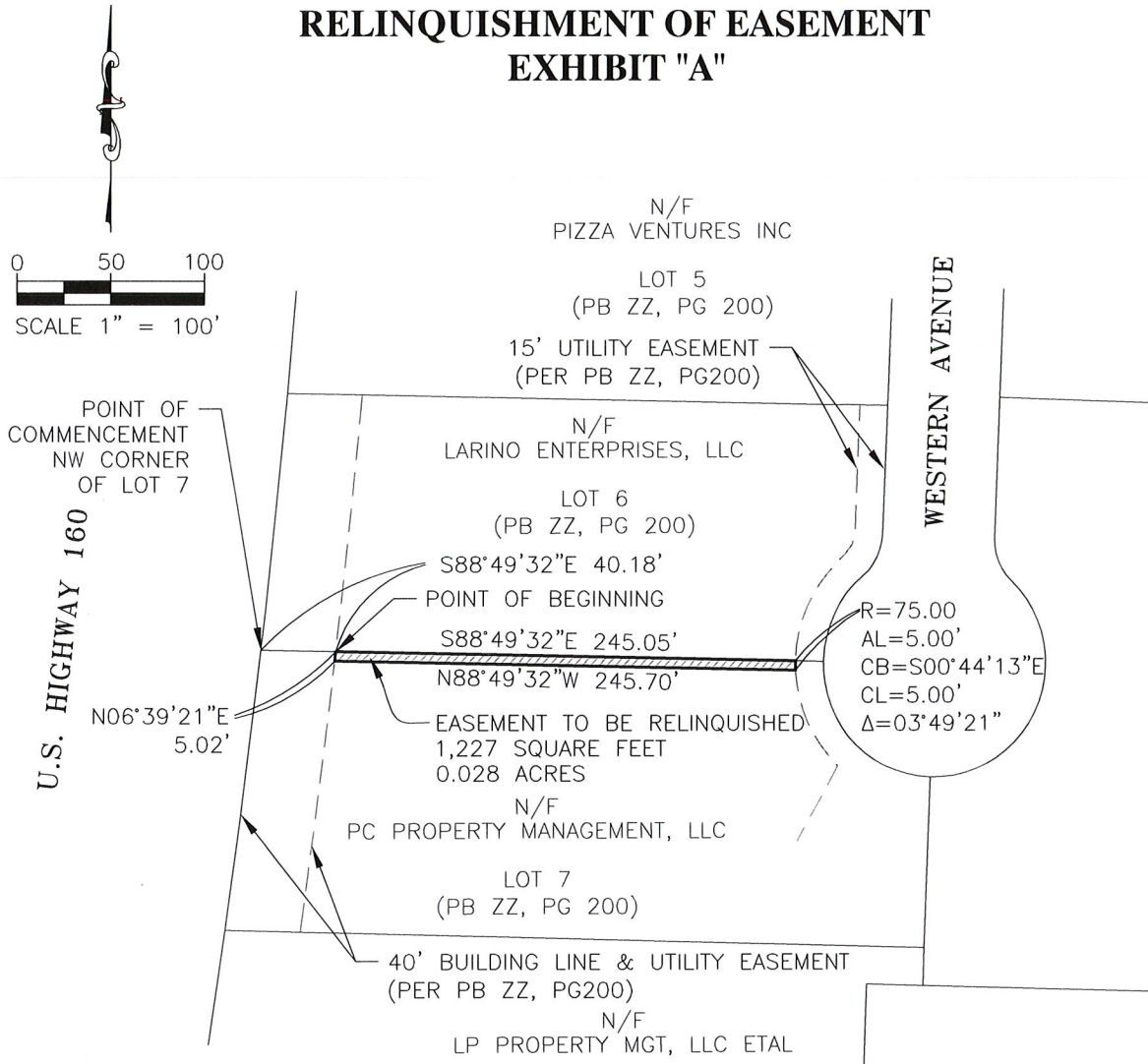
THENCE, CONTINUING ALONG SAID NORTH LINE OF LOT 7, SOUTH 88 DEGREES 49 MINUTES 32 SECONDS EAST, A DISTANCE OF 245.05 FEET TO A POINT ON THE WEST LINE OF A 15 FOOT WIDE UTILITY EASEMENT PER PLAT BOOK ZZ, PAGE 200 OF THE GREEN COUNTY RECORDS;

THENCE, DEPARTING SAID NORTH LINE OF LOT 7, ALONG THE AFORMENTIONED WEST LINE OF A 15 FOOT WIDE UTILITY EASEMENT PER PLAT BOOK ZZ, PAGE 200, A CURVE TO THE LEFT HAVING A RADIUS OF 75.00 FEET, AN ARC LENGTH OF 5.00 FEET, A CHORD DIRECTION OF SOUTH 00 DEGREES 44 MINUTES 13 SECONDS EAST, A CHORD LENGTH OF 5.00 FEET, AND A DELTA ANGLE OF 03 DEGREES 49 MINUTES 21 SECONDS TO A POINT;

THENCE, DEPARTING SAID WEST LINE, NORTH 88 DEGREES 49 MINUTES 32 SECONDS WEST, A DISTANCE OF 245.70 FEET TO A POINT ON THE AFOREMENTIONED EAST LINE OF A 40 FOOT WIDE BUILDING SETBACK AND UTILITY EASEMENT;

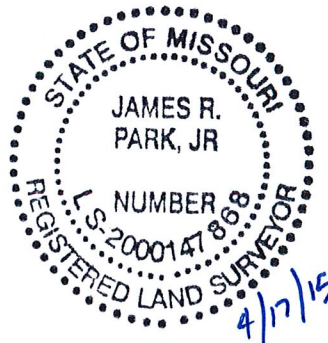
THENCE, ALONG SAID EAST LINE, NORTH 06 DEGREES 39 MINUTES 21 SECONDS EAST, A DISTANCE OF 5.02 FEET BACK TO THE POINT OF BEGINNING AND THIS RELINQUISHMENT OF EASEMENT CONTAINING APPROXIMATELY 1,227 SQUARE FEET, OR 0.028 ACRES, MORE OR LESS, ACCORDING TO CALCULATIONS MADE BY COCHRAN DURING THE MONTH OF APRIL, 2015.

RELINQUISHMENT OF EASEMENT EXHIBIT "A"



NOTE: BEARINGS BASED ON LOT 7
OF CHESTNUT CROSSING PHASE 1,
A SUBDIVISION RECORDED IN PLAT
BOOK ZZ, PAGE 200 OF THE
GREENE COUNTY RECORDS.

DETENTION AND
COMMON AREA
(PB ZZ, PG 200)



M. ENGINEERING, LLC
(D.B.A.) COCHRAN
LS-2005011846 D

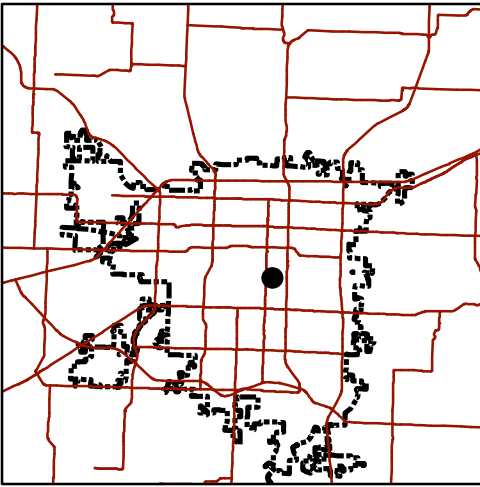
BY: 
JAMES R. PARK JR., P.L.S.
MISSOURI L.S. 2000147868
FOR COCHRAN

PROJECT NO: M14-7088A-VAC
DATE: APRIL 17, 2015
SHEET 1 OF 1



NORTH OFFICE
8 EAST MAIN STREET
WENTZVILLE, MISSOURI 63385
636-332-4574 (tel.)
636-327-0760 (fax)
wentmail@cochraneng.com

PART OF LOT 7 OF
CHESTNUT CROSSING PHASE 1,
A SUBDIVISION BEING PART OF
SECTION 21, T29N, R22W OF THE FIFTH P.M.,
CITY OF SPRINGFIELD,
GREENE COUNTY, MISSOURI



Zoning & Subdivision Report

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

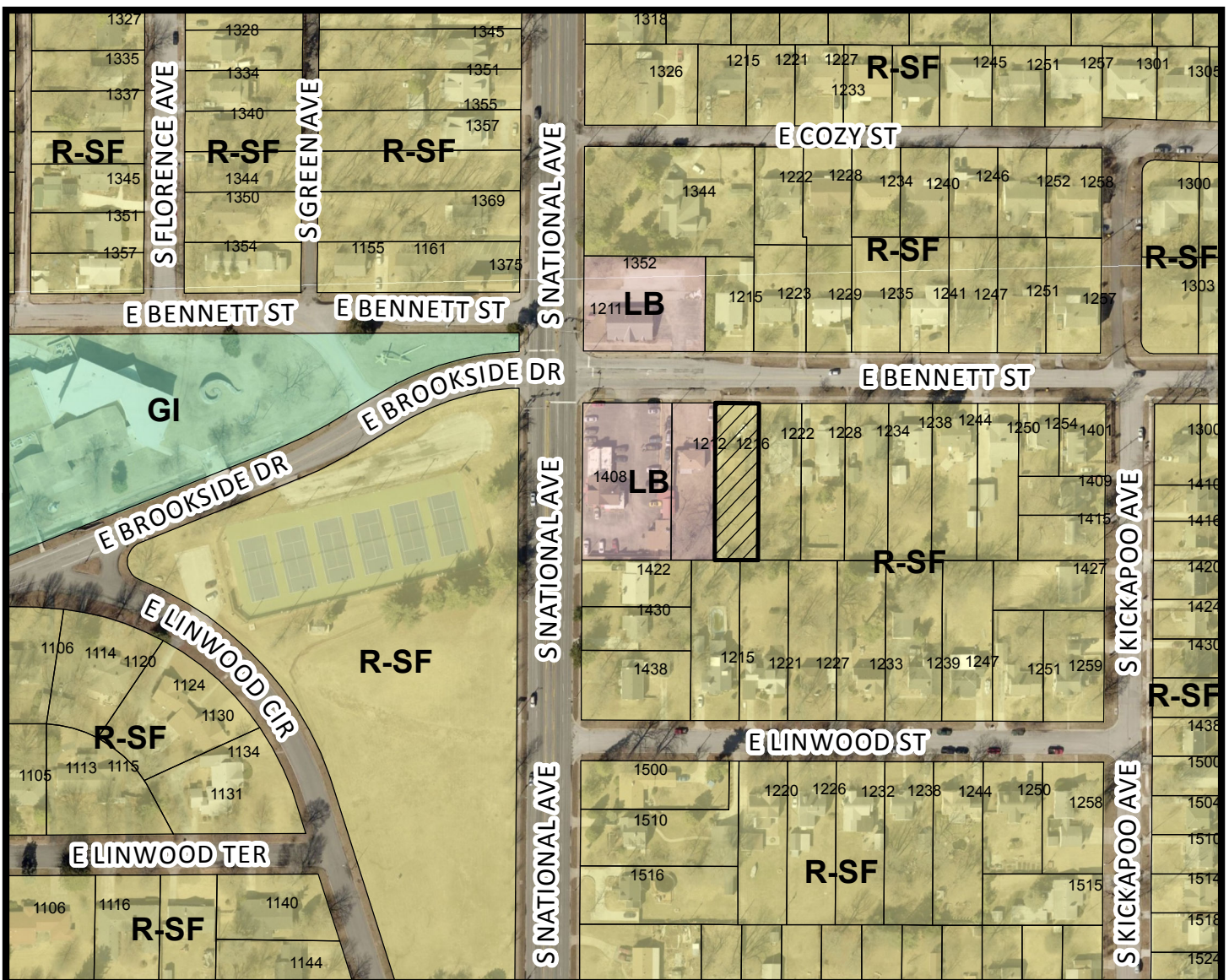
Zoning Case Z-15-2015

LOCATION: 1216 East Bennett Street

CURRENT ZONING: R-SF, Single Family Residential District

PROPOSED ZONING: LB, Limited Business District

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 0.24 acres of property generally located at 1216 East Bennett Street from an R-SF, Residential Single Family District to a LB, Limited Business District (Planning and Zoning Commission and Staff recommend _____).

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-15-2015

The applicant is proposing to rezone this property from a Residential Single-Family District to a LB, Limited District for a parking lot at the existing Mexican Villa Restaurant at Bennett Street and National Avenue.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on May 7, 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** (see the attached Zoning and Subdivision Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of this request will provide for the redevelopment of this property consistent with the surrounding property.
2. Approval of this request will provide for the productive use of this property where investments in public infrastructure and services have already been made.
3. Supports the following Field Guide 2030 goal(s): Chapter 6, Major Goal 4: Develop the community in a sustainable manner. Objective 4a.
4. The Springfield - Greene County Comprehensive Growth Management and Land Use Plan supports low-density housing, however, due to the location at an intersection of a primary arterial and collector street classification the plan can support a Limited Business zoning classification.

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, Zoning and Subdivisions Staff Report

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Neighborhood Meeting Summary

EXHIBIT A
RECORD OF PROCEEDINGS
ZONING CASE Z-15-2015

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

EXHIBIT B
LEGAL DESCRIPTION
ZONING CASE Z-15-2015

1216 EAST BENNETT STREET, (0.2405 ACRES)
ALL OF THE EAST ONE-HALF (E 1/2) OF LOT FIVE (5), BLOCK THREE (3)
MEADOWBROOK ADDITION, IN THE CITY OF SPRINGFIELD, GREENE COUNTY,
MISSOURI, SUBJECT TO ANY PART THEREOF TAKEN, DEEDED OR USED FOR ROAD
OR HIGHWAY PURPOSES.

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-15-2015

DATE: April 13, 2015

LOCATION: 1216 East Bennett Street

APPLICANT: Mexican Villa Food Products, Inc.

TRACT SIZE: Approximately 0.24 acres

EXISTING USE: Vacant house

PROPOSED USE: Uses permitted in the LB, Limited Business District

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	LB	Dental Office
East	R-SF	Single family homes
South	R-SF	Single family homes
West	GI and R-SF	Art Museum and Park

BUILDING DEVELOPMENT SERVICES COMMENTS:

No BDS issues with rezoning to LB. However, this will render the existing single family structure to be a permitted use with restrictions. See section 4-3002.B of the zoning ordinance.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

No objections to the rezoning. When the lots are combined for a parking area, existing driveway approaches for all three lots will need to be closed, moved, adjusted and/or reconstructed to meet current city code.

STORMWATER COMMENTS:

There are no Stormwater issues with rezoning this property; however, please note that development of the subject property will be subject to the following conditions at the time of development:

- 1) Any increase in impervious area from 1985 aerial photo information will require

the development to meet current detention and water quality requirements.

2) Based upon City data, there is a significant amount of offsite concentrated stormwater crossing the subject property in a box culvert. A drainage easement must be provided for this box culvert and no structures will be allowed to be constructed on top of the box or in the easement.

CLEAN WATER SERVICES COMMENTS:

No objections to rezoning or lot combination.

CITY UTILITIES:

City Utilities does not have any objection to this request.

ADJACENT PROPERTY OWNER COMMENTS:

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

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on April 9, 2015. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. The Comprehensive plan designates this area as low-density housing. The subject property is adjacent to a primary arterial classified roadway (National Ave) and a collector classified roadway (Bennett Street) which supports commercial businesses at intersections of major arterials and collectors.
2. The applicant is requesting to rezone this tract from a R-SF Single Family District to a LB, Limited Business District for a restaurant parking lot. The restaurant property is currently zoned LB. The existing residential structure will be removed and combined with the adjacent restaurant property.
3. The Limited Business zoning limits any use to a gross floor area of 5,000 square feet. If approved, any use permitted in the LB district will be permitted which includes restaurants, personal services and office uses.
4. The Limited Business zoning district is intended for uses that provide convenience goods or personal services primarily to people residing in adjacent residential areas. This district should be located along or at the intersections of collector or higher classification streets.

5. The LB, Limited Business zoning district requires a maximum building height of 25 feet and requires a 30 degree bulk plane as measured from the property line of any R-SF, Single Family Residential district. The LB also requires at least a 15 feet bufferyard with fence and landscaping plantings when adjacent to R-SF zoned property.
6. Approval of LB zoning will provide more opportunities for the redevelopment and reuse of the subject property in a manner consistent with surrounding zoning.

FINDINGS FOR STAFF RECOMMENDATION:

1. The subject property is at a primary arterial and collector roadway which is appropriate for commercial activity.
2. Approval of this request will provide for the redevelopment of this property consistent with the surrounding property.
3. Approval of this request will provide for the productive use of this property where investments in public infrastructure and services have already been made.

RECOMMENDATION:

Staff recommends **approval** of this request.

CITY COUNCIL PUBLIC HEARING: May 26, 2015

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner
864-1834

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING

I, DAVID LUNDSTROM (print name), attest that the invitation letter to the neighborhood meeting (attached) was mailed ten (10) days prior to the neighborhood meeting on 03/23/15 (month/date/year), the neighborhood meeting is scheduled to be held on 04/09/15 (month/date/year), which is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Exhibit 1: Neighborhood Notification and Meeting Process."


Signature of person completing mailings

DAVID A. LUNDSTROM, P.E.
Printed name of person completing mailings

**NOTE: this affidavit must be submitted by the Friday following the application deadline.*

EXHIBIT 2: NEIGHBORHOOD MEETING SUMMARY

1. Project Case No.: PLN 2015 - 00081
2. Meeting Date & Time: APRIL 9, 2015 ; 4:00p - 6:00p
3. Meeting Location: NATIONAL AVE. CHRISTIAN CHURCH , 1515 S. NATIONAL AVE, SPRINGFIELD , MO
4. Number of invitations that were sent: 125
5. How was the mailing list generated: CITY OF SPRINGFIELD STAFF - MICHAEL SPARLIN
6. Number of neighbors in attendance (attach a sign-in sheet): 4
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.)

(SEE ATTACHED)

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

COMMENT FORMS ATTACHED.

SEE RESPONSE TO #7 (ATTACHED) FOR HOW WE PLAN TO ADDRESS THE ISSUE.

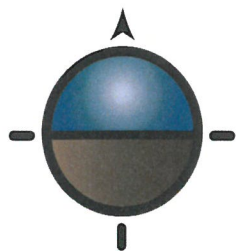
Exhibit 2: Neighborhood Meeting Summary

1216 E. Bennett – Rezoning

PLN2015-00081

7. Four people attended the meeting (see sign-in sheet, however one did not want to sign the sheet). While all four attendees were in favor of the proposed rezoning, two people took the time to fill out comment forms. Both completed forms commented on the same issue: The neighbor to the south of the property has a gate in her back yard and currently crosses the subject property to get to her property via said gate. They asked if they would still be able to get to their rear gate through the parking lot proposed to be built on this property.

To address this concern, we will ask the City to allow a break in the rear buffer yard and a gate in the privacy fence to be constructed in the rear buffer yard.

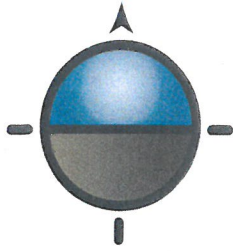


GRE
GREAT RIVER
ENGINEERING

REZONING
1216 E. BENNETT ST.
R-SF (RESIDENTIAL – SINGLE FAMILY) TO LB (LIMITED BUSINESS)
NEIGHBORHOOD MEETING
SIGN-IN SHEET

Date: April 9, 2015
4:00 PM – 6:00 PM

Name	Address	Phone	E-mail
JOHN HOLTSMANN John H. Holt	1220 E Linwood	417 865-7217	
W Gene Campbell	1221 E minute city	417 720 1004	Warren gene 2 @yahoo.com
Pattie Healey	1215 E Linwood	863-1770	



GRE
GREAT RIVER
ENGINEERING

REZONING
1216 E. BENNETT ST.
R-SF (RESIDENTIAL – SINGLE FAMILY) TO LB (LIMITED BUSINESS)
PUBLIC MEETING
COMMENT FORM

Date: April 9, 2015
4:00 PM – 6:00 PM

NAME: Pattie Healey

ADDRESS: 1215 E. Linwood St

CITY: Springfield STATE: mo ZIP: 65804

☐ In favor of

☐ In opposition to

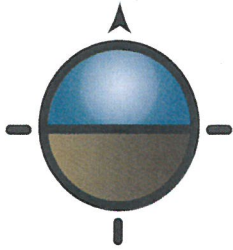
COMMENTS: we have a double gate
in our back yard that we
would like to keep access
to.

Please let them break the plant
buffer yard so we can still use
our back gate.

Please leave forms in the drop box as you leave. Alternately, forms may be faxed to Great River Engineering at (417) 886-7591 or mailed to: Great River Engineering

2826 South Ingram Mill Road
Springfield, MO 65804

Forms will be accepted until April 17, 2015.



GRE
GREAT RIVER
ENGINEERING

**REZONING
1216 E. BENNETT ST.
R-SF (RESIDENTIAL – SINGLE FAMILY) TO LB (LIMITED BUSINESS)
PUBLIC MEETING
COMMENT FORM**

Date: April 9, 2015
4:00 PM – 6:00 PM

NAME: Gene Campbell

ADDRESS: 1221 E Munster St

CITY: Spba STATE: Mo ZIP: 65807

☒ In favor of Yes!!!

☐ In opposition to

COMMENTS: Please help the lady to the south to have

a gated access. Thanks. Thanks for
getting rid of 2 eye sore houn.

Please leave forms in the drop box as you leave. Alternately, forms may be faxed to Great River Engineering at (417) 886-7591 or mailed to: Great River Engineering
2826 South Ingram Mill Road
Springfield, MO 65804

Forms will be accepted until April 17, 2015.

March 18, 2015

From:
Mexican Villa Food Products, Inc.
1100 W. Sunshine St.
Springfield, MO, 65807

RE: PUBLIC MEETING FOR REZONING OF 1216 E. BENNETT ST.

Dear Sirs or Madams:

A public meeting to discuss a proposed rezoning at 1216 E. Bennett Street is being hosted by Mexican Villa. Mexican Villa is having a public meeting with our neighbors to discuss our upcoming request to the City of Springfield for a rezoning of the property to provide additional parking for its customers. **The meeting will be on Thursday evening April 9th, 2015, from 4:00 PM to 6:00PM.** This will be an **Open House type meeting** so just come by and visit with us and the project design team. The meeting will be held at the nearby National Avenue Christian Church specifically located at 1515 S. National Avenue.

We will be available to answer your questions about our exciting project and the Rezoning request.

Forms will be available at the meeting if you wish to write down any comments you may have. The comments collected on these forms will be turned in to the City of Springfield Planning Department for their review and use during the Planning and Zoning hearing.

If you have any questions please call David Lundstrom with Great River Engineering at (417) 886-7171.

I hope to see you here.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Ferguson", written over a horizontal line.

Garin W. Ferguson
Mexican Villa

EXPLANATION TO COUNCIL BILL NO: 2015-

FILED:

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 0.45 acres of property generally located at 837 South Glenstone Avenue from an R-SF, Single Family Residential District to an HC, Highway Commercial District (Staff recommends approval).

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-16-2015

The applicant is proposing to rezone this property from an R-SF, Single Family Residential District to an HC, Highway Commercial District. The subject property is part of a split-zoned tract of land with the eastern portion of the property along Glenstone Avenue zoned HC. The applicant is requesting to rezone the subject property to provide for consistent zoning on this tract of land.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on May 7, 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** (see the attached Zoning and Subdivision Report).

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of this request will provide for consistent zoning on this tract of land which is already zoned HC, Highway Commercial along Glenstone Avenue.
2. Approval of this request will provide for the productive use of this property where investments in public infrastructure and services have already been made.
3. Approval will allow for the support and expansion of the existing commercial use without the need to relocate to another location for further development/redevelopment.
4. This request is consistent with the recommendations of the *Comprehensive Plan* which identifies this area, along a primary arterial roadway, as an appropriate area for increased intensity.
5. Supports the following Field Guide 2030 goal(s): Chapter 6, Major Goal 4: Develop the community in a sustainable manner. Objectives 4a and 4b

Submitted by:



Alana D. Owen, AICP, Senior Planner

Reviewed by:



Bob Hosmer, AICP, Principal Planner

Approved by:

Greg Burris, City Manager

EXHIBITS:

Exhibit A, Record of Proceedings

Exhibit B, Legal Description

Exhibit C, Zoning and Subdivisions Staff Report

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Neighborhood Meeting Summary

EXHIBIT A
RECORD OF PROCEEDINGS
ZONING CASE Z-16-2015

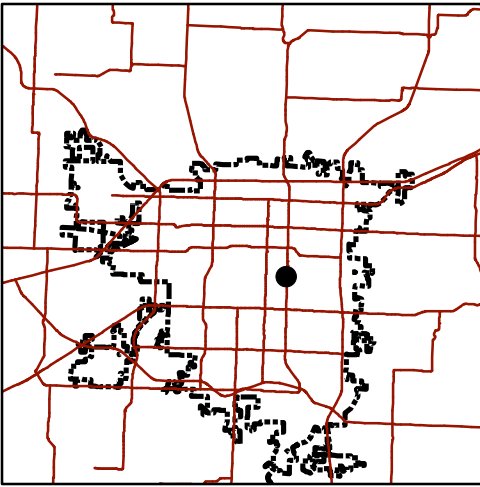
(The Record of Proceedings will be prepared for the City Council meeting)

EXHIBIT B
LEGAL DESCRIPTION
ZONING CASE Z-16-2015

BEGINNING 40 FEET EAST OF THE SOUTHEAST CORNER OF LOT FOUR (4) IN SECOND ADDITION TO PARKHAZEL, THENCE EAST TO THE EAST LINE OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION NINETEEN (19), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-ONE (21); THENCE NORTH TO THE SOUTH RIGHT-OF-WAY LINE OF THE ST. LOUIS SAN FRANCISCO RAILROAD; THENCE NORTHWESTERLY ALONG THE SOUTH RAILROAD RIGHT-OF-WAY TO A POINT EAST OF THE NORTHEAST CORNER OF LOT ONE (1) OF SAID ADDITION; THENCE WEST TO A POINT 40 FEET EAST OF THE NORTHEAST CORNER OF LOT ONE (1) OF SAID ADDITION; THENCE SOUTH 240 FEET TO THE POINT OF BEGINNING, ALL IN SPRINGFIELD, GREENE COUNTY, MISSOURI.

PLUS

THE SOUTHWESTERLY 30.0 FEET OF THE BURLINGTON NORTHERN AND SANTE FE RAILWAY COMPANY'S (FORMERLY ST. LOUIS FRANCISCO RAILWAY COMPANY) 100.0 FOOT WIDE BRANCH LINE RIGHT-OF-WAY AT SPRINGFIELD, MISSOURI, BEING 50.0 FEET WIDE ON EACH SIDE OF SAID RAILWAY COMPANY'S MAIN TRACK CENTERLINE AS LOCATED AND CONSTRUCTED UPON, OVER AND ACROSS THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION NINETEEN (19), TOWNSHIP TWENTY-NINE (29) NORTH, RANGE TWENTY-ONE (21) WEST OF THE FIFTH PRINCIPAL MERIDIAN, GREENE COUNTY, MISSOURI, LYING BETWEEN TWO LINES DRAWN PARALLEL WITH AND DISTANT, RESPECTIVELY, 20.0 FEET AND 50.0 FEET SOUTHWESTERLY OF, AS MEASURED AT RIGHT ANGLES FROM SAID MAIN TRACK CENTERLINE, AND BOUNDED BETWEEN THE WEST LINE OF STATE HIGHWAY ROUTES U.S. 60, 65 AND 166, AND A LINE DRAWN AT RIGHT ANGLES TO SAID MAIN TRACK CENTERLINE DISTANCE 60.0 FEET NORTHWESTERLY OF SAID WEST LINE OF SAID STATE HIGHWAY, AS MEASURED ALONG A LINE DRAWN PARALLEL WITH AND DISTANT 50.0 FEET SOUTHWESTERLY OF, AS MEASURED AT ANGLES FROM SAID MAIN TRACK CENTERLINE, EXCEPT THAT PART ALREADY ZONED HC, HIGHWAY COMMERCIAL DISTRICT.



Zoning & Subdivision Report

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

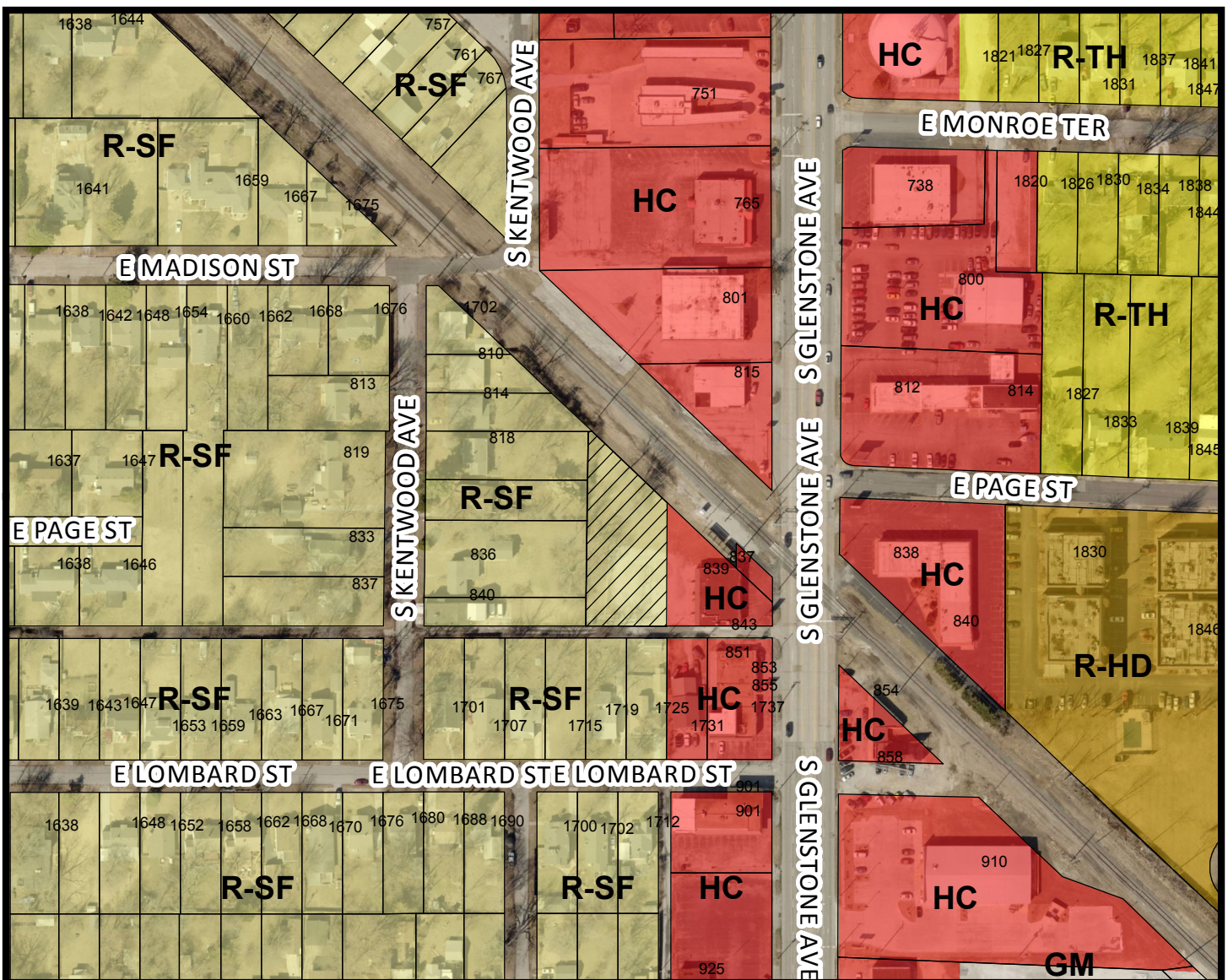
Zoning Case Z-16-2015

LOCATION: 837 South Glenstone Avenue

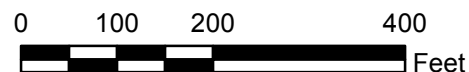
CURRENT ZONING: R-SF, Single Family Residential

PROPOSED ZONING: HC, Highway Commercial District

LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-16-2015

DATE: April 23, 2015

LOCATION: 837 South Glenstone Avenue

APPLICANT: Jean A. Gwin

TRACT SIZE: Approximately 0.45 acres

EXISTING USE: Undeveloped land

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

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	HC	Railroad tracks; commercial and office uses
East	HC	Commercial uses
South	R-SF	Single family homes
West	R-SF	Single family homes

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not have any issues with this requested rezoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

There are no traffic issues with rezoning this property. However, when the property develops (or redevelops), the alley may have to be improved along the property frontage.

STORMWATER COMMENTS:

1. There are no stormwater issues with rezoning this property; however, please note that development (or re-development) of the property will be subject to the following conditions at the time of development:
 - a. Any increase in impervious area from 1985 aerial photo information will require the development to meet current detention and water quality

requirements. Impervious surfaces in place prior to 1985 and currently in good condition can be credited as existing impervious surface. Existing gravel surfaces meeting the above definition are only eligible for 50% credit.

- b. Payment in lieu of construction of detention facilities is not an option for this site due to existing downstream flooding problems.
- c. The proposed percent of impervious surfacing must not exceed the maximum impervious surfacing allowed for site by zoning, platting, and/or previous stormwater reports.

CLEAN WATER SERVICES COMMENTS:

No objection to rezoning.

Sewer is available along Glenstone however we have no records of sewer permits or service laterals for this address.

CITY UTILITIES:

City Utilities does not object to this requested rezoning.

ADJACENT PROPERTY OWNER COMMENTS:

Fifteen (15) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. Staff received one phone call from a citizen requesting more information about the application.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on April 15, 2015. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. The applicant is proposing to rezone the subject property from an R-SF, Single Family Residential District to an HC, Highway Commercial District. The subject property is part of a larger tract of land that is split-zoned with HC, Highway Commercial District zoning along Glenstone Avenue. Approval of this application will provide for consistent zoning on this tract of land.
2. The portion of the larger tract of land, which the subject property is a part, is zoned HC and is developed with a commercial strip center. Approval of this application will allow the subject property to be used to support and/or expand

the existing commercial use on the property. Approval of this request will allow for the productive use of the subject property.

3. 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. The HC, Highway Commercial District is one of the identified zoning districts appropriate for this location. In addition, the subject property is located along Glenstone Avenue, a primary arterial roadway, which is an appropriate location for higher intensity commercial uses.

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of this request will provide for consistent zoning on this tract of land which is already zoned HC, Highway Commercial along Glenstone Avenue.
2. Approval of this request will provide for the productive use of this property where investments in public infrastructure and services have already been made.
3. Approval will allow for the support and expansion of the existing commercial use without the need to relocate to another location for further development/redevelopment.
4. This request is consistent with the recommendations of the *Comprehensive Plan* which identifies this area, along a primary arterial roadway, as an appropriate area for increased intensity.

RECOMMENDATION:

Staff recommends **approval** of this request.

CITY COUNCIL PUBLIC HEARING: May 26, 2015

STAFF CONTACT PERSON:

Alana D. Owen, AICP
Senior Planner
864-1831

: NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: RSF to HC
(existing zoning) (proposed zoning)
2. Meeting Date & Time: Wednesday April 15, 2015 4:00-6:30 PM
3. Meeting Location: Rear Parking Lot (area of rezoning) 837-843 S. Glenstone
4. Number of invitations that were sent: 122 sent
5. How was the mailing list generated: City provided labels
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.)

No one appeared at meeting.

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

April 4, 2015

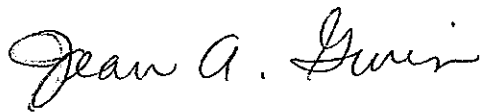
Re: Proposed Rezone
837 South Glenstone
Springfield, Missouri

Dear Property Owner:

A neighborhood meeting will be held Wednesday, April 15, 2015 to discuss a proposed rezone on the Property listed above. I would like to rezone the back half of this property from RSF (Residential Single Family) to HC (Highway Commercial) to match the current commercial building at 837-843 South Glenstone building zoning.

The neighborhood meeting will be held at 837-843 South Glenstone in the rear parking lot between 4:00 and 6:30p.m. I will be present to answer any questions you may have concerning this proposed rezone. Please feel free to come and go between 4:00 and 6:30p.m.

Sincerely,

A handwritten signature in cursive script that reads "Jean A. Gwin".

Jean A. Gwin
Property Owner
837 South Glenstone

EXPLANATION TO COUNCIL BILL NO: 2015-

FILED:

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 1.47 acres of property generally located at 814, 820, 824, 832, 838, 842, 846 and 850 South Robberson Avenue from an R-HD, High Density Multi-Family Residential District to an R-HD, High Density Multi-Family Residential District with a UN, University Combining Overlay District (Staff recommends approval).

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-18-2015

The applicant is proposing to rezone the subject property to add a UN, University Combining District Overlay to the existing R-HD, High Density Multi-Family Residential District zoning. If approved, the UN Overlay District will permit additional uses that are not otherwise permitted by the existing R-HD zoning, including fraternities and sororities. The applicant's intent is to develop the property with housing to serve Missouri State University students.

RECOMMENDATIONS:

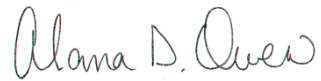
The Planning and Zoning Commission held a public hearing on May 7, 2015, and recommended , by a vote of to , of the proposed zoning on the tract of land described on the attached sheet (see the attached Record of Proceedings).

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

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of this request will provide for a more diverse type of student housing to serve the MSU campus.
2. The proposed project is consistent with other redevelopment projects within the area to provide additional housing.
3. This request is consistent with the recommendations of the *Comprehensive Plan*, which identifies the MSU campus and surrounding area as a major Activity Center and is located within an area of redevelopment as MSU continues to grow and expand.
4. Supports the following Field Guide 2030 goal(s): Chapter 6, Major Goal 4: Develop the community in a sustainable manner. Objectives 4a and 4b

Submitted by:



Alana D. Owen, AICP, Senior Planner

Reviewed by:

Approved by:



Bob Hosmer, AICP, Principal Planner

Greg Burris, City Manager

EXHIBITS:

Exhibit A, Record of Proceedings

Exhibit B, Legal Description

Exhibit C, Zoning and Subdivisions Staff Report

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Neighborhood Meeting Summary

EXHIBIT A
RECORD OF PROCEEDINGS
ZONING CASE Z-18-2015

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

EXHIBIT B
LEGAL DESCRIPTION
ZONING CASE Z-18-2015

A TRACT OF LAND BEING ALL OF LOTS 11, 12, 13 AND 14 IN CLEVELAND ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI AND PART OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION 24, TOWNSHIP-29 N, RANGE 22 W, TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT AN "X" CUT IN CONCRETE AT THE SOUTHWEST CORNER OF ABOVE MENTIONED LOT 14 OF CLEVELAND ADDITION (SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF ROBBERSON AVENUE); THENCE N 01°36'18" E ALONG THE WEST LINES OF LOT 14, 13, 12 AND 11, A DISTANCE OF 204.85 FEET TO AN "X" CUT IN CONCRETE AT THE NORTHWEST CORNER OF SAID LOT 11; THENCE S 88°34'59" E ALONG THE NORTH LINE OF SAID LOT 11, 170.08 FEET TO AN IRON PIN IN THE CENTERLINE OF A VACATED ALLEY; THENCE S 02°19'03" W ALONG SAID CENTERLINE 100.18 FEET TO AN IRON PIN; THENCE S 02°02'44" W ALONG SAID CENTERLINE 105.50 FEET TO AN IRON PIN; THENCE N 88°17'04" W 18.06 FEET TO A POINT ON THE SOUTH LINE OF ABOVE MENTIONED LOT 14; THENCE S 01°15'52" W 111.45 FEET TO AN IRON PIN; THENCE S 01°43'54" W 91.02 FEET TO AN IRON PIN SAID POINT BEING 8 FEET NORTH OF THE NORTH LINE OF KENTON'S FIRST SUBDIVISION TO THE CITY OF SPRINGFIELD; THENCE N 88°17'29" W 150.43 FEET TO THE EAST RIGHT-OF-WAY LINE OF ROBBERSON AVENUE; THENCE N 01°36'18" E ALONG SAID EAST RIGHT-OF-WAY LINE 202.48 FEET TO THE POINT OF BEGINNING.

Zoning & Subdivision Report

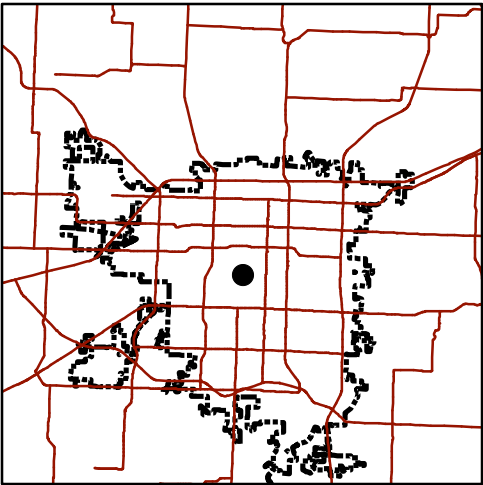
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Zoning Case Z-18-2015

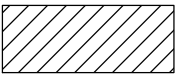
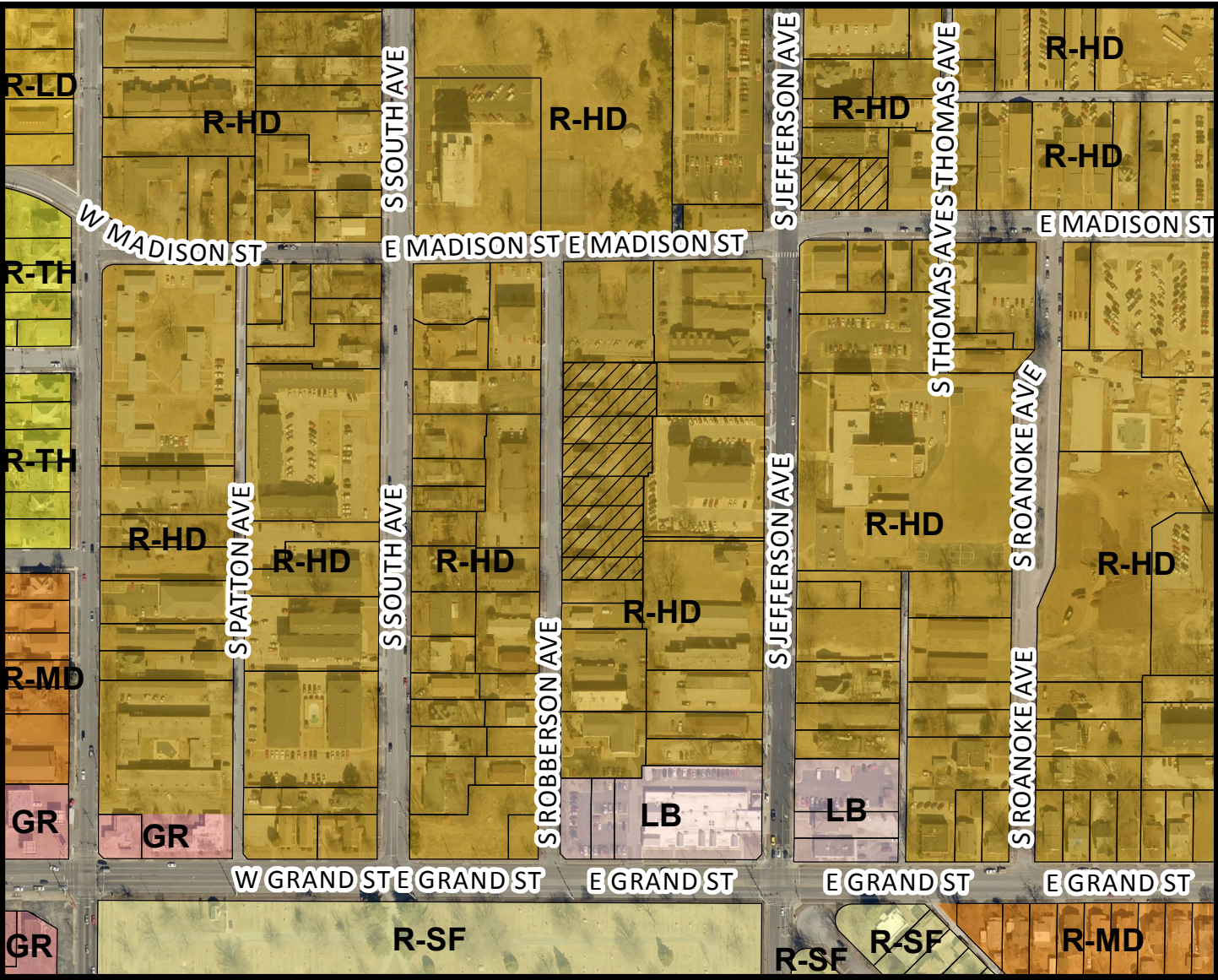
LOCATION: 814, 816, 820, 824, 832, 838, 842, 846 and 850
South Robberson Avenue

CURRENT ZONING: R-HD, High Density Multi-Family
Residential

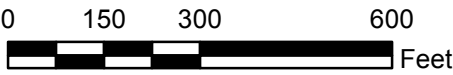
PROPOSED ZONING: R-HD, High Density Multi-Family
Residential with UN, University Combining Overlay District



LOCATION SKETCH



- Area of Proposal



1 inch = 300 feet

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-18-2015

DATE: April 27, 2015

LOCATION: 814, 820, 824, 832, 838, 842, 846 and 850 South Robberson Avenue

APPLICANT: Burning Tree Consulting LLC

TRACT SIZE: Approximately 1.47 acres

EXISTING USE: Single family and multi-family housing

PROPOSED USE: Uses permitted in the R-HD, High Density Multi-Family Residential District with UN, University Combining Overlay District

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-HD	Multi-Family residential housing
East	R-HD	Multi-family residential housing
South	R-HD	Single family and multi-family housing
West	R-HD	Multi-family housing

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not have any objections to the proposed UN, University Combining Overlay District. The property is not adjacent to other UN overlay property, but is close enough to the campus and other UN property to consider.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

Traffic has no issues with the rezoning from R-HD to R-HD with a UN, University Combining Overlay District.

STORMWATER COMMENTS:

1. There are no stormwater issues with rezoning this property; however, please note that development (or re-development) of the property will be subject to the following conditions at the time of development:

- a. Any increase in impervious area from 1985 aerial photo information will require the development to meet current detention and water quality requirements. Impervious surfaces in place prior to 1985 and currently in good condition can be credited as existing impervious surface. Existing gravel surfaces meeting the above definition are only eligible for 50% credit.
 - b. Payment in lieu of construction of detention facilities is not an option for this site due to existing downstream flooding problems.
 - c. The proposed percent of impervious surfacing must not exceed the maximum impervious surfacing allowed for site by zoning, platting, and/or previous stormwater reports.
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.

CLEAN WATER SERVICES COMMENTS:

No objections to rezoning however public sewer for 838-850 is on the adjacent properties to the east. Need to verify that there is an existing sewer easement in place in order to access public sewer on those properties. Easement would need to extend to the west property line of those tracts.

CITY UTILITIES:

City Utilities does not have any objections to this proposed rezoning.

ADJACENT PROPERTY OWNER COMMENTS:

Nineteen (19) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. Staff received one phone call from a nearby property owner requesting more information about the application.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on April 15, 2015. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. The applicant is requesting to rezone the subject property to add the UN, University Combining Overlay District to the existing R-HD, High Density Multi-Family Residential District zoning. The UN district is an overlay district intended to be used in combination with any one of the multifamily residential districts. The principal function of the district is to permit in multifamily residential districts

abutting colleges and universities the establishment of the types of uses which cluster about a university, but which are not located on university property. The overlay district provides for increased densities for student housing in multi-family districts without disturbing density in those multi-family residential districts when they are located elsewhere. In addition, the UN overlay district allows a greater reduction in off-street parking spaces with the provision of bicycle parking. Developments within the UN overlay district can reduce their required off-street parking by twenty (20) percent with the provision of additional bicycle parking instead of ten (10) percent which is permitted in other districts.

2. The applicant has submitted this application in conjunction with a Redevelopment Plan for the Robberson Avenue Pan-Hellenic Redevelopment Area which appears on this same agenda. The applicant intends to develop the property with housing to serve Missouri State University students which may include fraternity and/or sorority housing. This project is consistent with other student housing projects approved or constructed nearby within the last several years including The One House Development on the northeast corner of Madison Street and Jefferson Avenue and the Jefferson Avenue Apartments east of the subject property.
3. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies Missouri State University and surrounding area as a major Activity Center, which is to be a location of employment, housing, business and entertainment. While the subject property might be located outside the immediate area identified as the activity center, the University has experienced significant growth since the activity map was adopted. The subject property is located west of the main campus which is an area, along with areas to the north, that has been the focus of redevelopment for student housing and is a logical area for continued redevelopment as MSU continues to grow and expand.
4. The subject property is already zoned for high-density multi-family housing and the addition of the UN overlay district to allow additional university related uses is appropriate at this location. The subject property has good pedestrian accessibility to the MSU campus to the east with existing sidewalks on Madison Street and is in close proximity with good access to existing goods and services in the downtown area.

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of this request will provide for a more diverse type of student housing to serve the MSU campus.
2. The proposed project is consistent with other redevelopment projects within the area to provide additional housing.

3. This request is consistent with the recommendations of the *Comprehensive Plan*, which identifies the MSU campus and surrounding area as a major Activity Center and is located within an area of redevelopment as MSU continues to grow and expand.
4. Supports the following Field Guide 2030 goal(s): Chapter 6, Major Goal 4: Develop the community in a sustainable manner. Objectives 4a and 4b

RECOMMENDATION:

Staff recommends **approval** of this request.

CITY COUNCIL PUBLIC HEARING: May 26, 2015

STAFF CONTACT PERSON:

Alana D. Owen, AICP
Senior Planner
864-1831

NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: R-HD to R-HD UN
(existing zoning) (proposed zoning)
2. Meeting Date & Time: Wednesday, April 15, 2015 4:30-6:30PM
3. Meeting Location: Bear Village Community Room (815 S. Kimbrough)
4. Number of invitations that were sent: 133
5. How was the mailing list generated: Received from Michael Sparlin (City of Springfield)
6. Number of neighbors in-attendance (attach a sign-in sheet): 3
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

The three main comments related to parking, drainage and how traffic (pedestrian). Developer is still in the preliminary stages of design, but Developer is willing to implement necessary engineering methods to improve drainage. In addition, Developer is considering installing a fence to cut down on through traffic. Any development will contain the allotted number of parking spaces as required by Code.

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

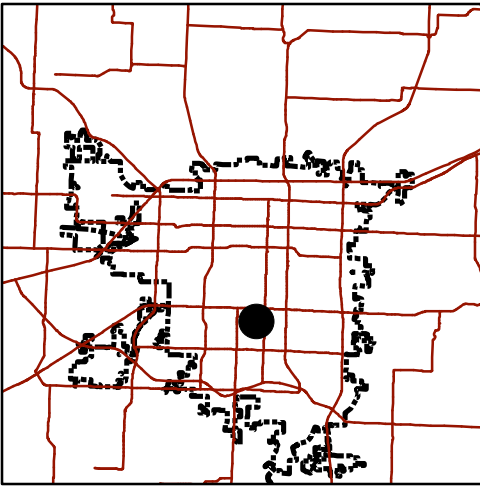
n/a

MEETING SIGN-IN

Date: April 15, 2015

Location: Bear Village

[illegible]



Zoning & Subdivision Report

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

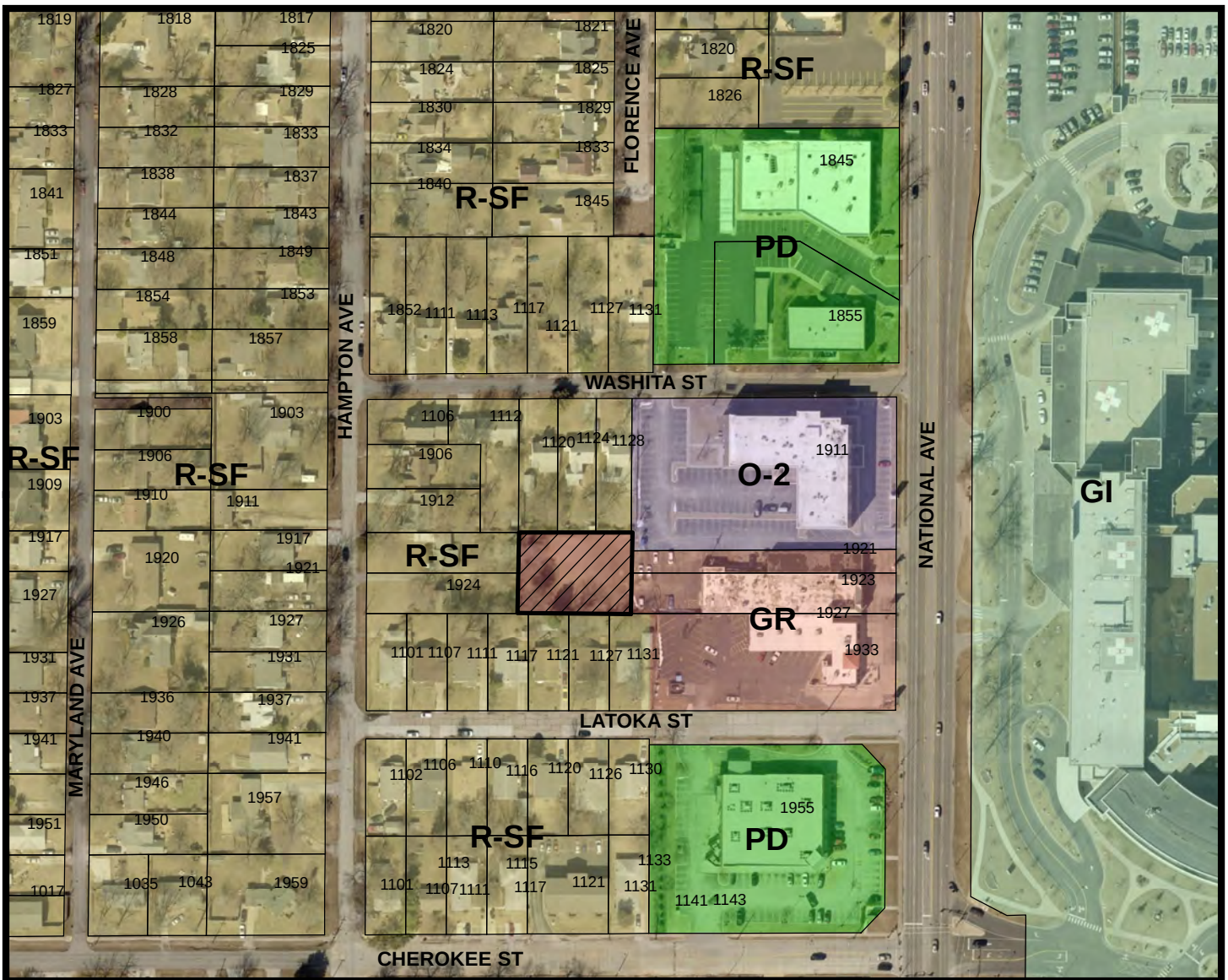
Z-19-2015

Location: 1911 S. National Ave.

Current Zoning: GR, General Retail District

Proposed Zoning: O-2, Office District

LOCATION SKETCH



- Area of Proposal

0 50 100 200
Feet

1 inch = 200 feet

EXPLANATION TO COUNCIL BILL NO: 2015-

FILED:

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 0.32 acres of property generally located at 1911 South National Avenue from an GR, General Retail District to an O-2, Office District (Staff recommends approval).

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-19-2015

The applicant is requesting to rezone the subject property from a GR, General Retail District, to an O-2, Office District. This is considered a down zoning since the GR District allows more intense uses than the O-2 District. This will facilitate an administrative replat to combine the subject property and the office building property at 1911 South National Avenue to allow for an expansion of off-street parking for the office building.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on May 7, 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** (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 Mercy Hospital as described in the plan. The requested O-2, Office District zoning is consistent with the recommendation.
2. The subject property will be replatted along with other property along National Avenue and is consistent with the adjacent zoning along this corridor.
3. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies Mercy Hospital and related clinics as a major Activity Center. It also states that this area will form a foundation for long-term growth and change in the immediate vicinity. While the subject property might be located outside the Mercy campus area identified as the activity center, the subject property is located west of the main campus and will be combined with an existing office

building which may lease to a business that is related to Mercy or the healthcare industry. The plan indicates that Activity Centers are areas where the concentration of employment, housing and businesses are to be located

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

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, Zoning and Subdivisions Staff Report

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Neighborhood Meeting Summary

EXHIBIT A
RECORD OF PROCEEDINGS
ZONING CASE Z-19-2015

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

EXHIBIT B
LEGAL DESCRIPTION
ZONING CASE Z-19-2015

ALL OF LOTS TEN (10), ELEVEN (11) AND TWELVE (12), IN KILLIAN SUBDIVISION,
A SUBDIVISION IN SPRINGFIELD, GREENE COUNTY, MISSOURI.

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-19-2015

DATE: April 27, 2015

LOCATION: 1911 South National Avenue

APPLICANT: Diversity Commercial Investments, LLC

TRACT SIZE: Approximately 0.32 acres

EXISTING USE: Vacant/undeveloped land

PROPOSED USE: Off-street parking or other uses permitted in the O-2, Office District

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF	Single-family residential housing
East	GR	General retail uses
South	R-SF	Single-family residential housing
West	R-SF	Single-family residential housing

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues with rezoning to O-2.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

No traffic issues with the proposed rezoning.

STORMWATER COMMENTS:

1. There are no stormwater issues with the proposed zoning map classification change. Please note, however, that development of the property will be subject to the following conditions at the time of development:
 - a. Current detention and water quality requirements must be met for all lots within the subdivision.
 - b. A payment in lieu of construction of detention facilities is not an option for this site due to existing downstream conditions.

- c. 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.
- d. Drainage patterns for any runoff currently flowing across the site must not be blocked or altered by any future construction.

CLEAN WATER SERVICES COMMENTS:

No objections to rezoning or new parking lot however 1923 S National, which is part of AS 5489, does not have public sewer. The director of Environmental Services is willing to waive the requirement of extending public sewer to 1923, since the pre-app review, PRE2015-00077, did not mention it. Additional public sewer easements across the proposed parking lot and house to the east may be required so that a future sewer extension could be constructed. Minimum width of a public sewer easement is 15 feet.

CITY UTILITIES:

City Utilities does not have any objections to this proposed rezoning request.

ADJACENT PROPERTY OWNER COMMENTS:

Nineteen (19) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. Staff has received no objections to date.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on May 9, 2015. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. The applicant is requesting to rezone the subject property from a GR, General Retail District, to an O-2, Office District. This is considered a down zoning since the GR District allows more intense uses than the O-2 District. This will facilitate an administrative replat to combine the subject property and the office building property at 1911 S. National Avenue to allow for an expansion of off-street parking. The applicant has cited a shortage of parking for the office building.
2. The proposed off-street parking lot will be required to provide a bufferyard along three of its four sides. The off-street parking and bufferyard will require a six foot solid board fence and landscaping adjacent to the R-SF, Single-Family Residential District.

3. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies Mercy Hospital and related clinics as a major Activity Center. It also states that this area will form a foundation for long-term growth and change in the immediate vicinity. While the subject property might be located outside the Mercy campus area identified as the activity center, the subject property is located west of the main campus and will be combined with an existing office building which may lease to a business that is related to Mercy or the healthcare industry. The plan indicates that Activity Centers are areas where the concentration of employment, housing and businesses are to be located.
4. 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 O-2, Office District.

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 Mercy Hospital as described in the plan. The requested O-2, Office District zoning is consistent with the recommendation.
2. The subject property will be replatted along with other property along National Avenue and is consistent with the adjacent zoning along this corridor.

RECOMMENDATION:

Staff recommends **approval** of this request.

CITY COUNCIL PUBLIC HEARING: May 26, 2015

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

EXHIBIT 2: NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: GR to O-2

(existing zoning)
(proposed zoning)
2. Meeting Date & Time: Thursday May 9, 2015 - 4:00pm to 5:30pm
3. Meeting Location: 1911 S. National Springfield MO 65804- Conference Room
4. Number of invitations that were sent: _____
5. How was the mailing list generated: Through the City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 6
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.)

1) Will there be an at least 8 ft Privacy Fence around the property to avoid pass through access to neighbors yards?

2) Will There be sufficient lighting in the parking lot to detract transient people hanging out in the parking lot?

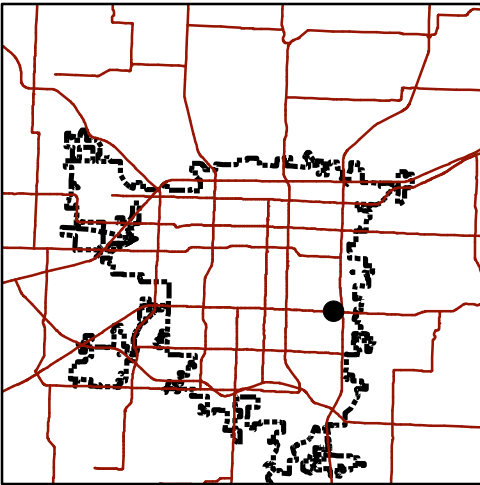
3) What type of paving will they be using for draining purposes?

4) What about the trees that exist on the property? 5) Can you provide security cameras for the area?
8. List or attach the written comments and how you plan to address any issues:

How we plan to address the above questions? 1) We will let the city determine requirements in regards to the fence type and height required and we will install it. 2) We will install sufficient lighting for the safety of our tenants as well. 3) We will follow the city requirements for impervious pavement and the calculations for drainage drawn up by our engineers. 4) We have left all existing trees on the property. 5) we had not planned on cameras.

Signature and Date

[illegible]



Zoning & Subdivision Report

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

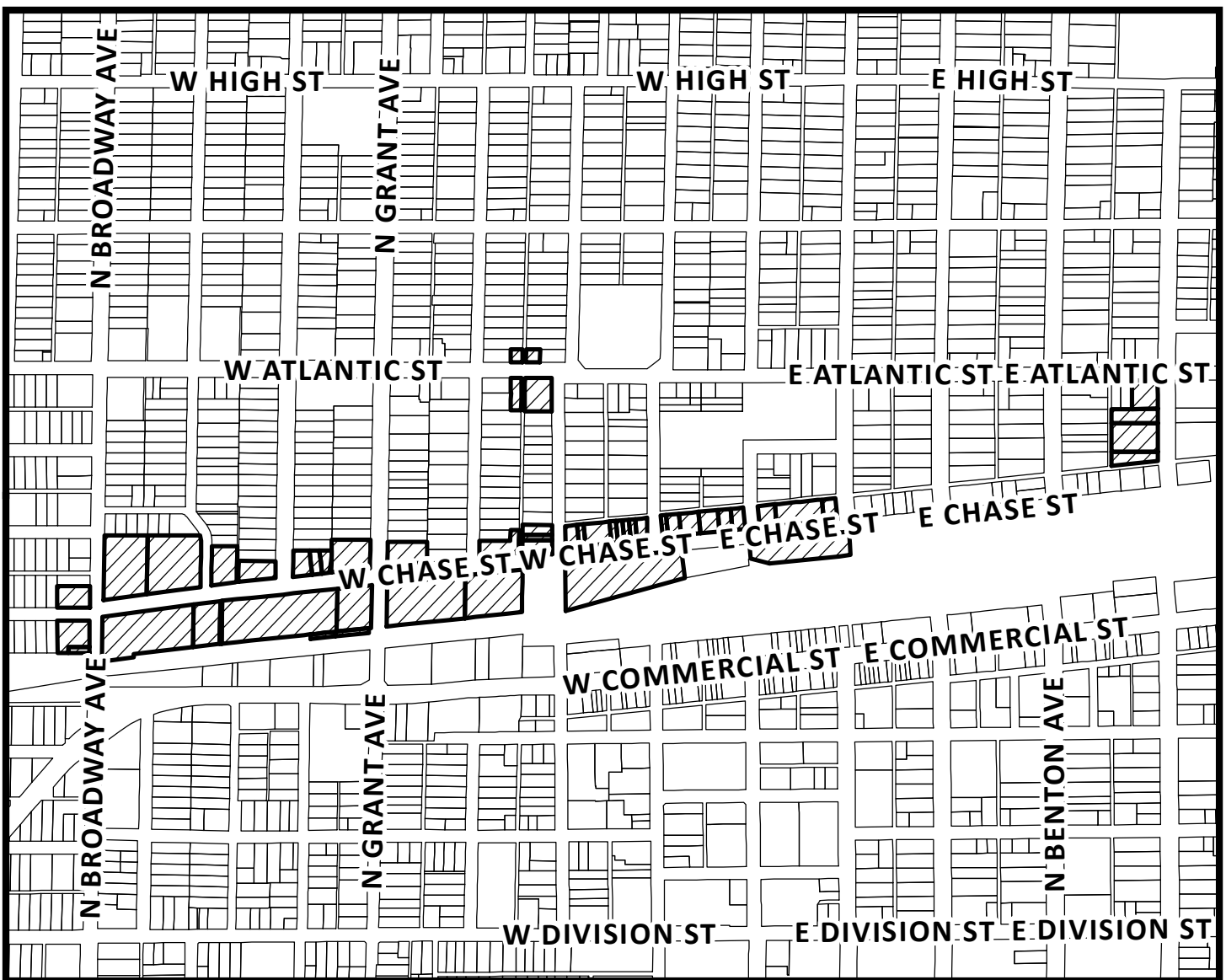
Planned Development No. 347

LOCATION: Bounded by Chase, Washington, Broadway and Atlantic

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

PROPOSED ZONING: PD 347

LOCATION SKETCH



- Area of Proposal

0 100 200 400



Feet

1 inch = 750 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 from an HM, Heavy Manufacturing, Light Industrial, Commercial Services, LB, Limited Business, and R-SF, Residential Single Family District to a 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 and 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. 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:

At the March 5, 2015, Planning and Zoning Commission meeting, Commission recommended amending the proposed zoning by including construction equipment storage yards as a permitted use in both Areas A and B of the proposed Planned Development District.

After the public hearing, staff met with property owners and made changes to Section E, Use Limitations, Item No. 6, after further review and discussions. The initial language prohibited outdoor storage within 100 feet of adjacent residential properties. There are properties along Chase Street, within the planned district, that are adjacent to residential properties but are only about 100 feet wide. Restricting outdoor storage within 100 feet of residential properties would not allow these properties to have outdoor storage. Some of these properties currently have outdoor storage and would otherwise become nonconforming uses. Staff believes allowing outdoor storage with a six-foot privacy fence and not allowing storage of materials to be higher than the fence height would help mitigate any adverse affects associated with outside storage of materials.

Staff also reviewed the proposed bufferyard language in Section G, Bufferyards, of the planned development district, regarding non-residential use when it is adjacent to a residential district. Staff recommends using the same parameters contained in the Zoning Ordinance when bufferyards are required. The proposed change requires a six-foot wood fence, masonry fence, or hedge when adjacent to a residential district or an alley. Staff was also contacted by one property owner requesting that their property be removed from the planned development district entirely. This property is owned by Moore's Trash Service.

At the, March 23, 2015, City Council meeting due to the changes recommended by the Commission, Planning and Development Staff, the one property owner, and requirements of a new legal description City Council recommended that this project be remanded back to the Planning and Zoning Commission for public hearing.

RECOMMENDATIONS:

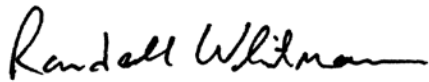
The Planning and Zoning Commission held a public hearing on May 7, 2015, and recommended approval, by a vote of _ to _, of the proposed zoning on the tract of land described on the attached sheet (see the attached Record of Proceedings).

The Planning and Development staff recommends the application be **approved** as amended.

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 expand business opportunities for the current industrial and commercial areas by promoting revitalization and preservation of neglected structures, increase City tax revenues, promote tourism, and continue the revitalization of the historic Woodland Heights neighborhood.
3. Supports the following Field Guide 2030 goal(s): Chapter 6, Major Goal 4: Develop the community in a sustainable manner. Objective 4a.
4. The Springfield - Greene County Comprehensive Growth Management and Land Use Plan supports Medium Intensity Retail, Office or Housing as well as Low-Density Housing in this area.

Submitted by:



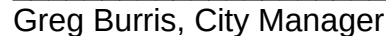
Randall Whitman, Senior Planner

Reviewed by:

Approved by:



Bob Hosmer, AICP, Principal Planner



EXHIBITS:

Exhibit A, Legal Description

Exhibit B, Record of Proceedings

Exhibit C, Zoning and Subdivisions Staff Report

Attachment 1, Background Report

Attachment 2, Neighborhood Meeting Summary

PLANNED DEVELOPMENT 347 EXHIBITS:

Exhibit 1, Planned Development Ordinance Text

Exhibit 2, Preliminary Development Plan

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.

ATTACHMENT 1
BACKGROUND REPORT
PLANNED DEVELOPMENT DISTRICT NO. 347

DATE: April 22, 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 land

PROPOSED USE: Industrial, 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	R-SF	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:

Fifty-one (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.

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.
5. At the March 5, 2015, Planning and Zoning Commission meeting, Commission recommended amending the proposed zoning by including construction equipment storage yards as a permitted use in both Areas A and B of the proposed Planned Development District.
6. After the public hearing, staff met with property owners and made changes to Section E, Use Limitations, Item No. 6, after further review and discussions. The initial language prohibited outdoor storage within 100 feet of adjacent residential properties. There are properties along Chase Street, within the planned district, that are adjacent to residential properties but are only about 100 feet wide. Restricting outdoor storage within 100 feet of residential properties would not allow these properties to have outdoor storage. Some of these properties currently have outdoor storage and would otherwise become nonconforming uses. Staff believes allowing outdoor storage with a six-foot privacy fence and not allowing storage of materials to be higher than the fence height would help mitigate any adverse affects associated with outside storage of materials.
7. Staff also reviewed the proposed bufferyard language in Section G, Bufferyards, of the planned development district, regarding non-residential use when it is adjacent to a residential district. Staff recommends using the same parameters contained in the Zoning Ordinance when bufferyards are required. The proposed change requires a six-foot wood fence, masonry fence, or hedge when adjacent to a residential district or an alley.
8. Staff was also contacted by one property owner requesting that their property be removed from the planned development district entirely. The Moore's Trash Service property has been removed from the planned development.

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.

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. Construction equipment storage yards
16. Eating and Drinking Establishments Use Group.
17. Entertainment-Oriented Use Group.
18. Furniture refinishing/antique restoration.
19. General Office Use Group.
20. General or Medical Office/Retail Sales/Warehouse combinations.
21. Glass and mirror sales.

22. Household resource recovery collection centers, screened from all residential districts and public rights-of-way in conformance with *Section 6-1000, Screening and Fencing*.
23. Linen, towel and diaper services.
24. Medical Office Use Group.
25. Monument sales.
26. Multi-family dwellings.
27. Newspaper and magazine distribution agencies.
28. 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*.
29. Nurseries, greenhouses and garden stores.
30. Personal Services Use Group.
31. Pest control services.
32. Police and fire stations.
33. Private clubs and lodges.
34. Public and private parks, playgrounds, and golf courses, including miniature golf courses and driving ranges.
35. 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.

36. Repair shops, home appliance.

37. Repair shops, small engine.

38. Retail Sales Use Group.

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

40. Schools, industrial and business.

41. Self-service storage facilities.

42. Swimming pool sales and display.

43. Taxidermists.

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

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

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

47. Upholstery shops.

48. Veterinary clinics and animal hospitals excluding outdoor kennels.

49. 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 of materials located within one hundred (100) feet from any residential district boundary shall be screened from view with a six feet privacy fence. All outside storage of materials shall not exceed the height of the fence.
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 at the time of planting shall be provided where a non-residential use abuts a residential district or is separated by an alley.

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

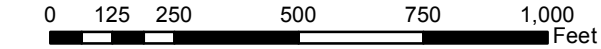
A final development plan, showing conformance with the requirements of this Exhibit, shall be submitted to the Planning and Development Department and approved in the manner described below prior to the issuance of any building permits or prior to the commencement of any of the permitted uses or improvements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



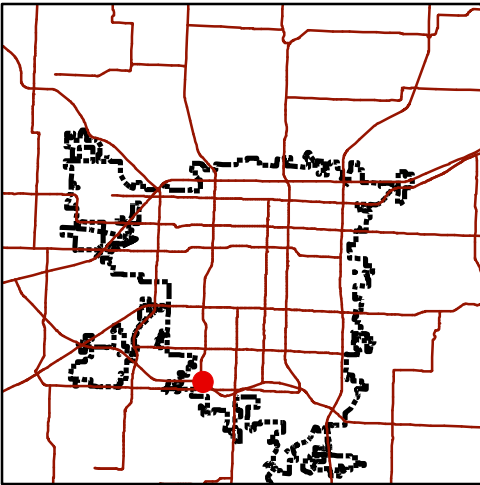
Planned Development Exhibit 2

City of Springfield, Missouri
February 2015



-  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.



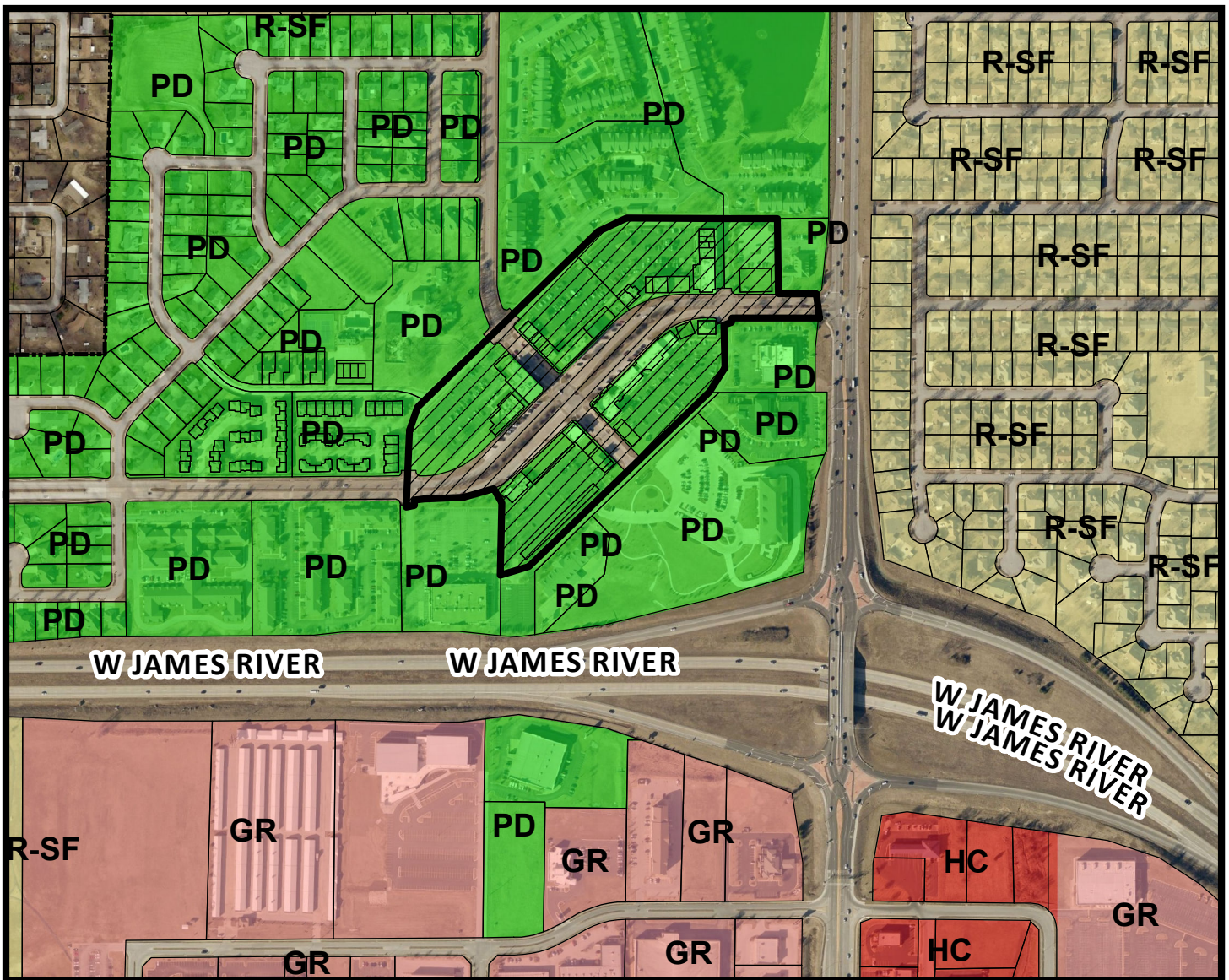
Zoning & Subdivision Report

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

Planned Development 349

LOCATION: Chesterfield Village
CURRENT ZONING: PD 141, 2nd, PD 141, 4th and PD 329 and PD 334
PROPOSED ZONING: PD 349

LOCATION SKETCH



- Area of Proposal

0 100 200 400

Feet

1 inch = 557.596738 feet

EXPLANATION TO COUNCIL BILL NO. 2015 –

FILED:

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 19.43 acres of property generally located at 2005, 2101 to 2218 West Chesterfield Blvd and 3804 to 3859 South Cox Avenue from Planned Development District No. 141 2nd, 141 4th, 329 and 334 to a Planned Development District No. 349 (Planning and Zoning Commission and Staff recommend _____).

BACKGROUND INFORMATION:

PLANNED DEVELOPMENT DISTRICT NO. 349

The applicant is proposing to rezone the subject property to a Planned Development District No. 349 to clarify language within four (4) existing planned developments. The original Planned Development 141 was approved by City Council March 23, 1992. There have since been multiple amendments, Planned Development 141 2nd amendment was approved in 1999, Planned Development 141 4th amendment was approved by City Council in 1994. There have been two new Planned Development Districts; Planned Development 329 which was approved in 2009 and Planned Development 334 was approved in 2010. Staff was contacted by the owner of several vacant 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 while providing parking and open space within the common areas. This was the original concept for Chesterfield Village. However, the current zoning ordinance requires that each individual lot must have at least 20% open space and provide onsite parking. The existing Planned Developments does not allow for this to occur. This new Planned Development will contain all the same permitted uses and development standards as all the current Planned Developments. The intent of this rezoning is to clarify the language 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. This request also involves property not owned by the applicant of which staff initiated a rezoning change at the February 5, 2015 Planning and Zoning Commission meeting.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on May 7, 2015 and recommended ___, by a vote of _ to __, of the proposed zoning on the tracts of land described on the attached sheet (see the attached Record of Proceedings).

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

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of this 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.
2. This proposal keeps with the intent of the existing Planned Development for a mixture of permitted uses.
3. Supports the following Field Guide 2030 goal(s): Chapter 6, Major Goal 4: Develop the community in a sustainable manner. Objective 4a.
4. The Springfield - Greene County Comprehensive Growth Management and Land Use Plan supports the rezoning.

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, Zoning and Subdivision Report

Attachment 1, Background Report

Attachment 2, Neighborhood meeting summary

PLANNED DEVELOPMENT 349 EXHIBITS:

Exhibit 1, Planned Development Ordinance Text

Exhibit 2, Pervious Surface Areas

Exhibit 3, Intensity of Development and Parking

EXHIBIT A
RECORD OF PROCEEDINGS
PLANNED DEVELOPMENT NO 349

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

EXHIBIT B
LEGAL DESCRIPTION
PLANNED DEVELOPMENT NO 349

Beginning at the Northeast corner of Chesterfield Square Phase 1; thence, South 00°57'29" West along the east line of said Chesterfield Square Phase 1, a distance of 260.00 feet to the North Right-of-Way line of Chesterfield Boulevard as it now exists; thence, South 89°02'35" East along said North Right-of-Way line, a distance of 136.15 feet; thence, North 45°57'29" East, a distance of 20.15 feet to a point on the West Right-of-Way line of Kansas Expressway as it now exists; thence, South 07°14'05" West along said West Right-of-Way, a distance of 114.81 feet; thence, North 40°50'04" West, leaving said West Right-of-Way, a distance of 26.65 feet; thence, North 89°02'59" West, a distance of 264.91 feet to a tangent curve to the left having a radius of 15.00 feet and a chord length of 21.21 feet, an arc length of 23.56 feet to the East line of a platted Utility, Sanitary Sewer and Access Easement; thence, South 00°56'54" West, along and with said East line, a distance of 112.60 feet to a tangent curve to the right having a radius of 200.00 feet and a chord length of 137.44 feet, an arc length of 140.30 feet; thence, North 89°02'59" West, leaving said East line, a distance of 34.51 feet to the Easterly line of Chesterfield Square Phase 5; thence, South 46°56'34" West, along and with the Easterly lines of Chesterfield Square Phase 5 and Chesterfield Square Phase 3, a distance of 824.09 feet to a tangent curve to the right, having a radius of 175.00 feet and a chord length of 131.13 feet, an arc length of 134.41 feet to a point on the East line of Lot 3 of Chesterfield Village Phase 5; thence, North 01°56'33" East along said East line of Lot 3, a distance of 260.04 feet; thence, North 26°31'47" West along said East line of Lot 3, a distance of 42.60 feet to a point on the South Right-of-Way line of Chesterfield Boulevard, as it now exists; thence, along said South Right-of-Way line on a non-tangent curve to the right, having a chord bearing of South 77°12'39" West, a chord length of 159.13 feet and a radius of 335.00 feet, an arc length of 160.66 feet; thence, North 89°03'30" West along said South Right-of-Way line, a distance of 108.32 feet to a tangent curve to the left having a radius of 15.00 feet and a chord length of 21.21 feet, an arc length of 23.56 feet; thence, South 00°56'54" West, a distance of 5.00 feet; thence, North 89°03'06" West, a distance of 25.00 feet to the extended West line of Chesterfield Square Phase 4; thence, North 00°53'15" East along and with the Westerly line of said Chesterfield Square Phase 4, a distance of 227.89 feet to a tangent curve to the right, having a radius of 175.00 feet and a chord length of 136.94 feet, an arc length of 140.69 feet; thence, North 46°57'39" East along and with the Westerly line of Chesterfield Square Phases 4, 2 and 1, a distance of 828.42 feet, to a tangent curve to the right, having a radius of 175.00 feet and a chord length of 131.13 feet, an arc length of 134.41; thence, South 89°02'31" East along and with the North line of Chesterfield Square Phase 1, a distance of 503.14 feet to the POINT OF BEGINNING, containing 19.43 acres and being subject to easements, restrictions and rights-of-way, if any.

ATTACHMENT 1
BACKGROUND REPORT
PLANNED DEVELOPMENT NO. 349

DATE: April 14, 2015

LOCATION: 2005, 2101 to 2218 West Chesterfield Blvd and 3804 to 3859 South Cox Avenue

APPLICANT: Chesterfield Square Property Owners Association

TRACT SIZE: Approximately 19.43 acres

EXISTING USE: Mixed use development

PROPOSED USE: Mixed use development

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	Planned Development	Planned Development residential uses
East	Planned Development	Planned Development retail and office uses
South	PD, Right of way	Planned Development retail and office uses and James River Freeway
West	Planned Development	Planned Development retail, office and residential uses

TRAFFIC DIVISION COMMENTS:

No traffic issues with the rezoning. No traffic study will be required.

BUILDING DEVELOPMENT SERVICES COMMENTS:

This request is acceptable to Building Development Services.

STORMWATER COMMENTS:

There are no stormwater issues with the proposed zoning map classification change. The Planned Development has a regional detention basin sized for up to 80% impervious surfacing. The overall impervious surface ratio for PD has not changed from the existing 0.80.

CLEAN WATER SERVICES COMMENTS:

No objection to the change in language as long as access and maintenance of private sewer language for individual units remains in the subdivision covenants

ADJACENT PROPERTY OWNER COMMENTS:

Thirty-Four (34) property owners are in and within 185 feet of the subject property and were notified by mail of this request.

NEIGHBORHOOD MEETING:

The applicant and city staff held a neighborhood meeting on April 8, 2015. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. The Springfield - Greene County Growth Management Land Use Plan designates this area as High Intensity Retail, Office or Housing land use. A Planned Development District is an appropriate zoning district for this designation.
2. The original Planned Development 141 was approved by City Council March 23, 1992 to permit a mixture of retail and residential uses. There have since been multiple amendments, Planned Development 141 2nd amendment was approved in 1999, Planned Development 141 4th amendment was approved in 1994. There have been two new Planned Development Districts; Planned Development 329 which was approved in 2009 and Planned Development 334 which was approved in 2010.
3. Staff was contacted by the owner of several vacant tracts within four (4) Planned Developments about future development requirements. The owner wishes to develop future vacant tracts with lots that would cover 100% of the lot. This was the original concept for Chesterfield Village. The current zoning ordinance requires that each lot must have at least 20% open space and provide onsite parking. The existing Planned Developments do not allow for this to occur. This new Planned Development will contain all the same permitted uses and development standards as the four (4) 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 original concept of Chesterfield Village requirements.

4. This request involves property not owned by the applicant of which staff initiated a rezoning change at the February 5, 2015 Planning and Zoning Commission meeting for the property not owned by the applicant.
5. This new Planned Development will allow the developer to build lots adjacent to the streets or access easements with 100% lot coverage while providing parking and open space requirements for the entire Planned Development in the existing common areas. The existing intensity and uses permitted will remain the same as the original planned developments. This planned developments will allow future development to be consistent with the original concept plan of Chesterfield Village.

RECOMMENDATION:

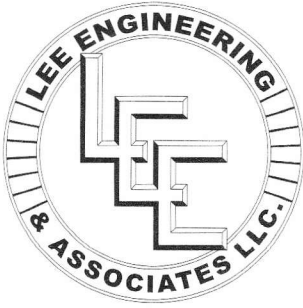
Staff recommends **approval** of this request.

CITY COUNCIL PUBLIC HEARING DATE:

May 26, 2015

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner



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

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

March 26, 2015

Re: Proposed Rezone
Chesterfield Village
Springfield, Missouri

Dear Property Owner:

A neighborhood meeting will be held Wednesday, April 8, 2015 to discuss a proposed rezone on the property shown in the attached exhibit. The City is proposing uniform PD language to more clearly allow 100% building coverage on the lots.

The neighborhood meeting will be held at Lee Engineering, 2101 W. Chesterfield Blvd, Suite C202, Springfield, Mo., between 4:00 and 6:30pm. Lee Engineering is located between Garbo's and The Mailbox, in the back on the 2nd floor. A representative from the City of Springfield will be present to answer any questions you may have concerning this proposed rezone. Please feel free to come and go between 4:00 and 6:30pm. If you have any questions prior to the meeting regarding the property that you own and how the rezone is going to affect it, please direct your calls to Mr. Bob Hosmer with The City of Springfield, his contact information is attached.

Sincerely,

Leslie K. Chrystal
Office Manager

EXHIBIT 2: NEIGHBORHOOD MEETING SUMMARY

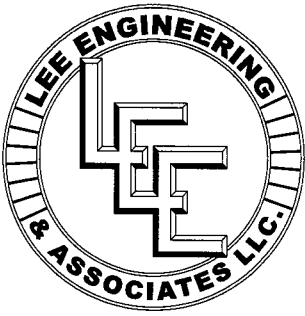
1. Request change to zoning from: PD329,PD334,PD141-Am2 & Am. 4 to PD 349

(existing zoning) *(proposed zoning)*
2. Meeting Date & Time: April 8, 2015 4 to 6:30 pm
3. Meeting Location: Lee Engineering, 2101 W. Chesterfield Blvd, C202, Springfield, Mo.
4. Number of invitations that were sent: 105
5. How was the mailing list generated: City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 3 Neighbors/3 Representatives
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.)

Verbal comments were same as the written comments attached.

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

See Attached - 2 written comments



LEE ENGINEERING AND ASSOCIATES, L.L.C.

CIVIL ENGINEERING & DESIGN

2101 W. CHESTERFIELD BLVD., SUITE C202, SPRINGFIELD, MO 65807

TELEPHONE: (417) 886-9100 • FACSIMILE: (417) 886-9336 • dlee@leeengineering.biz

SIGN IN SHEET

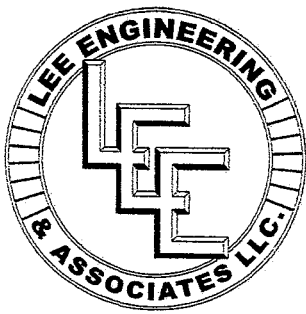
Neighborhood Meeting

Wednesday, April 8, 2015

**Re: Proposed Rezone
Chesterfield Square
Phase I, II, III, IV & V
Springfield, Missouri**

PLN 2015-00105

[illegible]



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

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

①

COMMENT SHEET

Neighborhood Meeting

Wednesday, April 8, 2015

Re: Proposed Rezone
Chesterfield Square
Phase I, II, III, IV & V
Springfield, Missouri

PLN2015-00105

NAME	ADDRESS	PHONE
Greg Aleshire	2847 S. Ingram Mill Rd Suite A-102	869-3737

COMMENTS:

I represent TWP's, LLC which owns the Schultz & Dooley's building. My client would ^{like} to change the PD to allow the property at 2210 to add a drive-thru window in the future.

Thank you.

Leslie Chrystal

PLN2015 - 00175

From: Mike Fusek <mike.fusek@svn.com>
Sent: Friday, April 10, 2015 10:16 AM
To: dlee@leeengineering.biz; lchrystal@leeengineering.biz
Subject: Chesterfield Meeting Comment Sheet

(2)

To Whom it may concern:

Adding drive thru's in Chesterfield Village is dangerous and the language should be completely removed. By design, the current PD specifically does not allow them.

Adding a drive thru to the Schultz & Dooley's building creates significant accident liability. There is no room for proper stacking, and each day over 100 people from the new Chesterfield Lofts would have to walk thru the drive thru lane, just to get into (and out of) their apartment building.

How can we create safe urban neighborhoods for Springfield, if we add drive thru lanes thru pedestrian sidewalks and walkways?

Can you imagine residents of 33 apartments and employees of 9 businesses walking thru a drive thru lane to get into their building?

We respectfully request you remove the proposed drive thru language.

Thank you for your understanding.

Mike Fusek, CCIM | Senior Advisor

Sperry Van Ness | Rankin Co. LLC
2808 S. Ingram Mill, A100 | Springfield, MO 65804
Direct (417) 849-5703 | Office (417) 887-8826
Mike.Fusek@svn.com | www.svnrankinco.com | www.svn.com
Mike's Bio: [Click Here](#)

Top 4% National Advisor in SVN International – 2014, 2013, 2012, 2011, 2010, 2009

"All Sperry Van Ness® Offices Independently Owned and Operated"

Comments from
Neighborhood Meeting
held - April 8th
Chesterfield PD349

NOTICE

Enclosed you have received a notice of a "Neighborhood Meeting" submitted by the applicant to discuss a change in land use or zoning in your neighborhood. For all development applications involving an advertised public hearing, City Council requires developers to hold a neighborhood meeting and invite the property owners within 500 feet of the project along with any recognized neighborhood organizations.

A "Neighborhood Meeting" is held early enough to provide adequate time for the developer to negotiate with the neighborhood in order to resolve any issues and provide any proposed changes to City staff to evaluate and include in City staff reports.

If the applicant submits, an application for a change in land use or zoning the property will be posted and there will be public notifications in the newspaper and by mail to the property owners within 185 feet of the project.

The Land Use or Zoning Change Process:

1. Neighborhood Meeting (500 feet notification from subject property)
2. Planning and Zoning Commission Public Hearing (185 feet notification from subject property)
3. 1st City Council Public Hearing (185 feet notification from subject property)
4. 2nd City Council Meeting to decide either to approve or to deny the change in land use or zoning

City staff is available to meet with you or your neighborhood association representative(s) to discuss the proposed change in land use or zoning and answer questions at 417-864-1611.

Staff submits a report with a recommendation one week prior to the date of the public hearing before the Planning and Zoning Commission. If you desire to submit input for consideration we would request that you do so at your earliest opportunity so your comments can be included in the staff report. You can provide comments in writing by mail or online at zoning@springfieldmo.gov . Please include your name, address and telephone number as well as the address of the project in your correspondence.

Bob Hosmer, AICP
Principal Planner
City of Springfield

Development Review Office – Zoning and Subdivision

840 Boonville Ave, Springfield Missouri 65801

EXHIBIT 1
Requirements and Standards Applicable to
Planned Development District No. 349

A. APPLICATION

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

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

B. INTENT

The intent of this amended Planned Development is to:

1. Revise the PD language to more clearly allow 100% building coverage on the lots.

C. DEFINITIONS

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

D. USES PERMITTED

1. Accessory uses as permitted in Section 5-1000 and the following accessory structures and uses:
 - a. Greenhouses provided the floor area does not exceed twenty (20) percent of the primary structure floor area;
 - b. Air conditioning equipment on an exterior pad;
 - c. Satellite dishes; and
 - d. Accessory outdoor garden supply sales and storage.
2. Art galleries, libraries and museums.
3. Athletic clubs, fitness centers and indoor sports facilities.
4. Automobile parts and accessory stores, entirely within enclosed buildings and excluding service and repair when not located as part of a shopping center complex.
5. Banks and financial institutions including automatic teller machines and drive-through banking facilities.
6. Churches and other places of worship.

7. Commercial amusements including bowling alleys, dance halls video game arcades, billiard parlors, roller skating and ice skating arenas and motion picture theaters (excluding drive-in theaters).
8. Convenience stores, with or without pumps.
9. Adult day care centers in accordance with Chapter 36, Article XI, Springfield City Code.
10. Furniture and appliance stores.
11. Governmental buildings and uses.
12. Hardware and home improvement stores, however, any outdoor storage shall be fully screened from view of the public right-of-way and residential districts. Outdoor storage shall be limited to one-third (1/3) of the enclosed building floor area.
13. Hotels, motels and inns with outdoor dining and outdoor pools.
14. Interactive entertainment retailing facilities which provide for a combination of retail sales of food or goods with some sort of interactive entertainment venue.
15. Locksmiths.
16. Offices, administrative, business, finance and professional.
17. Offices, medical and dental.
18. Personal service establishments, including beauty parlors, barber shops, dry cleaning, and laundry pickup, shoe repair, dietary clinics, self service Laundromats, express mailing offices and hearing aid and eyeglass shops.
19. Pet stores and pet grooming with no outside kennels or overnight pet hotel accommodations.
20. Photo processing, including drive-through facilities only when part of a shopping center complex.
21. Police and fire stations
22. Print shops and photocopying establishments.
23. Private clubs and lodges.
24. Recording studios.
25. Residential uses, provided such uses are located above the first floor, or behind non-residential uses so as to promote continuous non residential uses along all street frontages.
26. Restaurants, pubs, taverns, sports/wine bars. Restaurants may have a cocktail lounge within the establishment and may have outdoor dining areas.

27. Restricted production and repair establishments (for retail sale on the premises only), including but not limited to the following types of activities: custom tailoring, and alteration of clothing, jewelry from precious metals, watches, dentures and optical lenses, draperies, custom furniture and home decoration items.
28. Retail establishments for the following types of uses: bakery, package liquor, books, candy, dairy products, drugs, groceries, flowers, gifts, jewelry, hobby materials, meat, fish and poultry, newsstands, wearing apparel, shoes, clothing, toys, pipe and tobacco, musical instruments, pottery, and video rental.
29. Retail Use Group.
30. Schools and studios of art, music, dancing, drama, photography, interior decorating, culinary arts, or similar courses of study.
32. Schools, professional, business and trade.
32. Seasonal outdoor sales and related storage limited to four (4) months per year. However, storage containers or utilizing semi-trailer trucks as storage shall be prohibited.
33. Veterinary clinics with no outside kennels or overnight pet hotel services.
34. Multi-unit parking garages
35. The following temporary uses shall be allowed as permitted in 5-1200 of the *Zoning Ordinance*:
 - a. Farmer's Market. Temporary outdoor market not requiring a street closing but allowing vending outside on existing undeveloped land.
 - b. Temporary uses to include street festivals such as Roadster Rally Days, Balloon Fest, and other similar events. Outdoor sales of food and merchandise shall be permitted during these festivals.
 - c. Contractors office and equipment sheds (containing no sleeping or cooking accommodations) accessory to a construction project are permitted only during the duration of such project and shall be located on the same property or on property in a district in which the use being constructed is allowed.
 - d. Mixing plants for cement, asphalt or paving material, staging areas and materials storage areas subject to the following restrictions.
 - (1). The temporary use is accessory to a project for the construction of streets or other public improvements.
 - (2). The temporary use is located on the same property or right-of-way, or directly adjacent to the same property or right-of-way, as the construction project.

- (3). The temporary use shall be removed upon completion of the construction project.
 - (4). The applicant shall provide a plan for adequately ensuring that during actual operations there will be no adverse environmental impact on adjacent and nearby properties. Said plan shall include provisions for noise abatement, sanitary needs, dust, and litter controls. Any violation of said plan shall provide grounds for an immediate revocation of a permit granted under the provisions of this section.
 - (5). A permit for such use has been issued by the Director of Building Development Services finding that all of the foregoing conditions have been, or will be, satisfied.
- e. Temporary seasonal outdoor sales of plants and garden supplies for a period not to exceed four (4) months during a one (1) year period.
 - f. Christmas tree sales for a period not to exceed sixty (60) days. Display of Christmas trees need not comply with the yard and setback requirements of this ordinance, provided, that no tree shall be displayed within thirty (30) feet of the intersection of the curb line of any two (2) streets or any sight triangle.
 - g. Temporary promotional activities subject to the following restrictions:
 - (1). No permit shall be granted for a period exceeding six (6) days exclusive of a reasonable period during which the promotional uses are erected or taken down.
 - (2). No more than two (2) permits for a temporary promotional use for the same property shall be issued during any six (6) month period.
 - (3). Temporary promotional uses shall not occupy more than ten (10) percent of any paved parking area.
 - (4). Retail businesses may display merchandise that is for sale within the building in the area immediately adjacent to the building subject to the following conditions.
 - (a) No portion of the display shall be on publicly owned property unless the applicant shall first have obtained approval for such use from the Director of Building Development Services.
 - (b) No food or drink may be displayed outside the building except in accordance with standards and prior written approval of the Department of Public Health and welfare.

- (c) These provisions shall in no way be deemed to authorize the outdoor display or the sale of used furniture, appliances, housewares, or other second-hand merchandise in those districts which do not otherwise permit such uses.
- (5) In granting a permit for a temporary promotional use, the Director of Building Development Services shall determine that pedestrian and vehicular traffic will not be impaired by such temporary use. The Director of Building Development Services must also determine that the applicant has a reasonable plan for traffic control approved by the Traffic Engineer and has provided adequate evidence that said plan will be implemented.
- (6) No permit shall be granted where the lighting, promotional activities, noise or increased traffic associated therewith will unreasonably disturb the surrounding residential neighborhoods.
- (7) No temporary promotional use shall be located within three-hundred (300) feet of the lot line of occupied residential property, except for the display of goods and merchandise where a building is located between the temporary promotional use and the occupied residential property so that the occupied residential property is completely shielded from the temporary promotional use.

The following additional uses shall be allowed as permitted in Planned Development 141, 4th Amendment;

1. Consumer research and product development facilities, not including the manufacture of products for general sale or distribution, provided no toxic substances, explosives, radioactive material, highly flammable substances or other materials that pose a threat to public health and safety, due to their quantities or location, are utilized in the research operations.
2. Microbrewery whose primary activity is the brewing and selling of beer provided its maximum brewing capacity does not exceed fifteen (15) barrels.

E. USE LIMITATIONS

1. All uses shall operate in accordance with the noise standards contained in *Section 6-1500* of the *Springfield Zoning Ordinance*.
2. No use shall emit an odor that creates a nuisance as determined by *Chapter 2A, Article X, Springfield City Code*.
3. No outside public address systems shall be allowed.

4. All activities and permitted uses shall be conducted entirely within enclosed buildings except:
 - a. Off-street parking and loading facilities;
 - b. Permitted drive-in, drive-through and pick-up facilities;
 - c. Seasonal outdoor sales and related storage;
 - d. Accessory outdoor garden supply sales and storage; and
 - e. Outdoor storage for hardware and home improvement stores.
 - f. Outdoor pools
 - g. Outdoor dining areas.

F. INTENSITY OF DEVELOPMENT

Development shall adhere to the following standards.

1. The allowable intensity of use is as follows.
 - a. A maximum of 288,580 total square feet for office, retail and commercial uses. Of that square footage 149,470 square feet may be used for retail and commercial uses. See Exhibit 3 for current Intensity and Uses.
2. A maximum of ten (10) percent of the permitted total square feet of gross floor area for office uses is permitted for incidental retail activities as defined by this ordinance.

G. BULK, AREA AND HEIGHT REQUIREMENTS

Development shall adhere to the following standards.

1. The following minimum structure and vehicle use area setbacks are required:
 - a. Fifty (50) foot building and twenty-five (25) foot vehicular use area setbacks from Kansas Expressway.
2. No structure shall exceed a height of six (6) stories.
3. The impervious surface ratio is 1.0 for individual platted lots.
4. The intent of the PD is to allow 100% lot coverage for buildings on platted lots. Balconies and doors are permitted to hang over common areas such as private sidewalks and parking lots.
5. The overall impervious surface ratio within the PD area is 0.80 (See Exhibit 2 for current Pervious Area).

H. OPEN SPACE, LANDSCAPING & SCREENING

1. Landscaping is provided in the overall development. The intent is for each lot to have 100% building coverage.

I. EXTERIOR LIGHTING

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

J. ACCESS TO PUBLIC THOROUGHFARES

Development shall adhere to the following:

1. Access is not permitted to Kansas Expressway other than Chesterfield Boulevard.
2. Access is not permitted to James River Freeway.
3. All other access shall be permitted in accordance with accepted City standards at the time of development.

K. OFF-STREET PARKING

Development shall adhere to the following:

1. Parking will be provided in common areas. Parking will be shared by all the uses. Off-site parking in common areas shall count towards the parking requirements for each lot. See Exhibit 3 for existing parking.
2. 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.

L. SIGNS

Development shall adhere to the following:

1. One (1) freestanding sign may be located at the corner of Kansas Expressway and James River Freeway as shown on Exhibit 2 in Planned Development No. 141, 5th Amendment, General Ordinance No. 5124. The sign may be a combination of subdivision identification sign with copy for each lot tenant located within Tract I (up to a maximum of 10), the sign may include a clock tower and low level fountain and may be located at the corner of Kansas Expressway and James River Freeway. The sign shall not exceed a height of forty (40) feet above the street grade level nor an effective area of three hundred fifty (350) square feet. The sign may have a zero foot setback from either Kansas Expressway or James River Freeway, except that no portion of the sign may extend into the public right-of-way.

2. Each lot will be permitted one (1) pylon sign fronting on Overland Street. Each sign will be a five (5) foot by eight (8) foot berm sign with a two (2) foot by eight (8) foot brick and/or cut stone base. (See Planned Development No. 141, 5th Amendment, General Ordinance No. 5124, Exhibit 3 for sign specifications).
3. The City's sign codes for the appropriate development type from Section 5-1400 of the *Springfield Zoning Ordinance* in effect at the time of development shall apply.
4. Off-premise signs, as defined by the City sign code, are prohibited.

M. MAINTENANCE OF COMMON AREAS AND FACILITIES

The maintenance of common areas and facilities within the District shall remain the responsibility of the developer(s) or shall be assumed by a duly constituted property owners association meeting all legal requirements prescribed by the City Attorney.

N. FINAL DEVELOPMENT PLAN

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

1. The 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*.
2. 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. Such authority shall not, however, be construed to permit:
 - A. Any uses within the District other than those specifically prescribed by the ordinance.
 - B. Any increase in the intensity of uses permitted within the District.

TRACT 'E'
121,097 S.F. (2.78 AC.)
16,536.94 S.F. (0.38 AC.) PERVIOUS 13.66%

PERVIOUS
PHASE V
LOT 4 (REPLAT)

1919.67 S.F.
5812.11 S.F.
2563.48 S.F.
165.80 S.F.
3600.03 S.F.
1132.31 S.F.
380.73 S.F.
136.57 S.F.
136.57 S.F.
136.57 S.F.
136.57 S.F.
138.38 S.F.
87.32 S.F.
61.70 S.F.
129.13 S.F.
16,536.94 S.F.

PERVIOUS
PHASE V
LOT 1

1988.57 S.F.
876.98 S.F.
526.27 S.F.
91.07 S.F.
91.07 S.F.
91.79 S.F.
91.79 S.F.
58.95 S.F.
234.27 S.F.
495.94 S.F.
124.57 S.F.
124.57 S.F.
1006.98 S.F.
1608.31 S.F.
1393.16 S.F.
8,896.08 S.F.

TRACT 'F'
119,530 S.F. (2.74 AC. LOT 1)
47,552 S.F. (1.09 AC. LOT 2)
44,409 S.F. (1.02 AC. LOT 3)
84,443 S.F. (1.94 AC. LOT 5)
TOTAL (295,934 S.F., 6.79 AC.)
59,547.84 S.F. (1.36 AC.) PERVIOUS 20.12%

PERVIOUS
PHASE II
LOT 2

4154.46 S.F.
7733.17 S.F.
310.81 S.F.
174.64 S.F.
470.71 S.F.
12,843.79 S.F.

PERVIOUS
PHASE II
LOT 3

27702.58 S.F.
127.74 S.F.
413.89 S.F.
270.75 S.F.
1767.57 S.F.
30,282.53 S.F.

PERVIOUS
PHASE I
LOT 5

1079.67 S.F.
928.69 S.F.
91.07 S.F.
91.07 S.F.
91.07 S.F.
164.64 S.F.
164.64 S.F.
314.23 S.F.
257.09 S.F.
180.92 S.F.
1413.10 S.F.
2749.25 S.F.
7,525.44 S.F.

TRACT 'H'
119,870 S.F. (2.75 AC. LOT 2)
158,119 S.F. (3.63 AC. LOT 3)
TOTAL (277,989 S.F., 6.38 AC.)
41,855.72 S.F. (0.96 AC.) PERVIOUS 15.06%

PERVIOUS
PHASE V
LOT 2

65.93 S.F.
200.39 S.F.
471.05 S.F.
156.56 S.F.
1450.81 S.F.
2002.98 S.F.
1358.02 S.F.
188.84 S.F.
321.80 S.F.
1275.37 S.F.
2121.23 S.F.
947.05 S.F.
351.31 S.F.
91.07 S.F.
161.63 S.F.
164.63 S.F.
91.14 S.F.
130.01 S.F.
1898.37 S.F.
790.02 S.F.
14,551.54 S.F.

PERVIOUS
PHASE V
LOT 3

92.36 S.F.
450.46 S.F.
11977.21 S.F.
651.60 S.F.
51.22 S.F.
51.22 S.F.
51.22 S.F.
78.95 S.F.
136.57 S.F.
136.57 S.F.
136.57 S.F.
277.23 S.F.
78.95 S.F.
278.27 S.F.
16.84 S.F.
1742.19 S.F.
590.00 S.F.
296.67 S.F.
8828.58 S.F.
231.67 S.F.
433.71 S.F.
297.08 S.F.
4.39 S.F.
231.25 S.F.
74.56 S.F.
27,304.18 S.F.

TRACT 'J'
121,659 S.F. (2.79 AC. LOT 1)
91,620 S.F. (2.10 AC. LOT 4)
TOTAL (213,279 S.F., 4.89 AC.)
47,167.48 S.F. (1.08 AC.) PERVIOUS 22.12%

PERVIOUS
PHASE V
LOT 1

650.96 S.F.
429.27 S.F.
360.06 S.F.
161.91 S.F.
150.41 S.F.
265.61 S.F.
120.74 S.F.
4187.16 S.F.
120.74 S.F.
120.74 S.F.
489.98 S.F.
25.72 S.F.
102.39 S.F.
120.74 S.F.
120.74 S.F.
266.27 S.F.
440.97 S.F.
113.76 S.F.
3043.20 S.F.
196.57 S.F.
234.49 S.F.
108.91 S.F.
234.93 S.F.
2881.27 S.F.
493.19 S.F.
15,440.23 S.F.

PERVIOUS
PHASE II
LOT 4

284.24 S.F.
4466.70 S.F.
570.62 S.F.
1790.62 S.F.
174.97 S.F.
173.67 S.F.
1515.90 S.F.
1868.33 S.F.
765.20 S.F.
9189.37 S.F.
220.53 S.F.
10707.10 S.F.
31,727.25 S.F.

PERVIOUS
36,036.48 S.F. (0.83 AC.)
CHESTERFIELD BOULEVARD MEDIANS
CHESTERFIELD BLVD. MEDIANS

16,339.63 S.F. (0.38 AC.) MEDIAN
16,418.32 S.F. (0.38 AC.) MEDIAN
3,278.53 S.F. (0.07 AC.) MEDIAN
36,036.48 S.F. (0.83 AC.)

CHESTERFIELD SQUARE
PHASE IV
REPLAT LOT 4
121,097 S.F. (2.78 AC.)
TRACT 'E'
16,536.94 (0.38 AC.) PERVIOUS 13.66%

CHESTERFIELD VILLAGE
PHASE V
LOT 3
158,119 S.F. (3.63 AC.)
TRACT 'H'
27,304.18 S.F. (0.63 AC.) PERVIOUS 17.27%

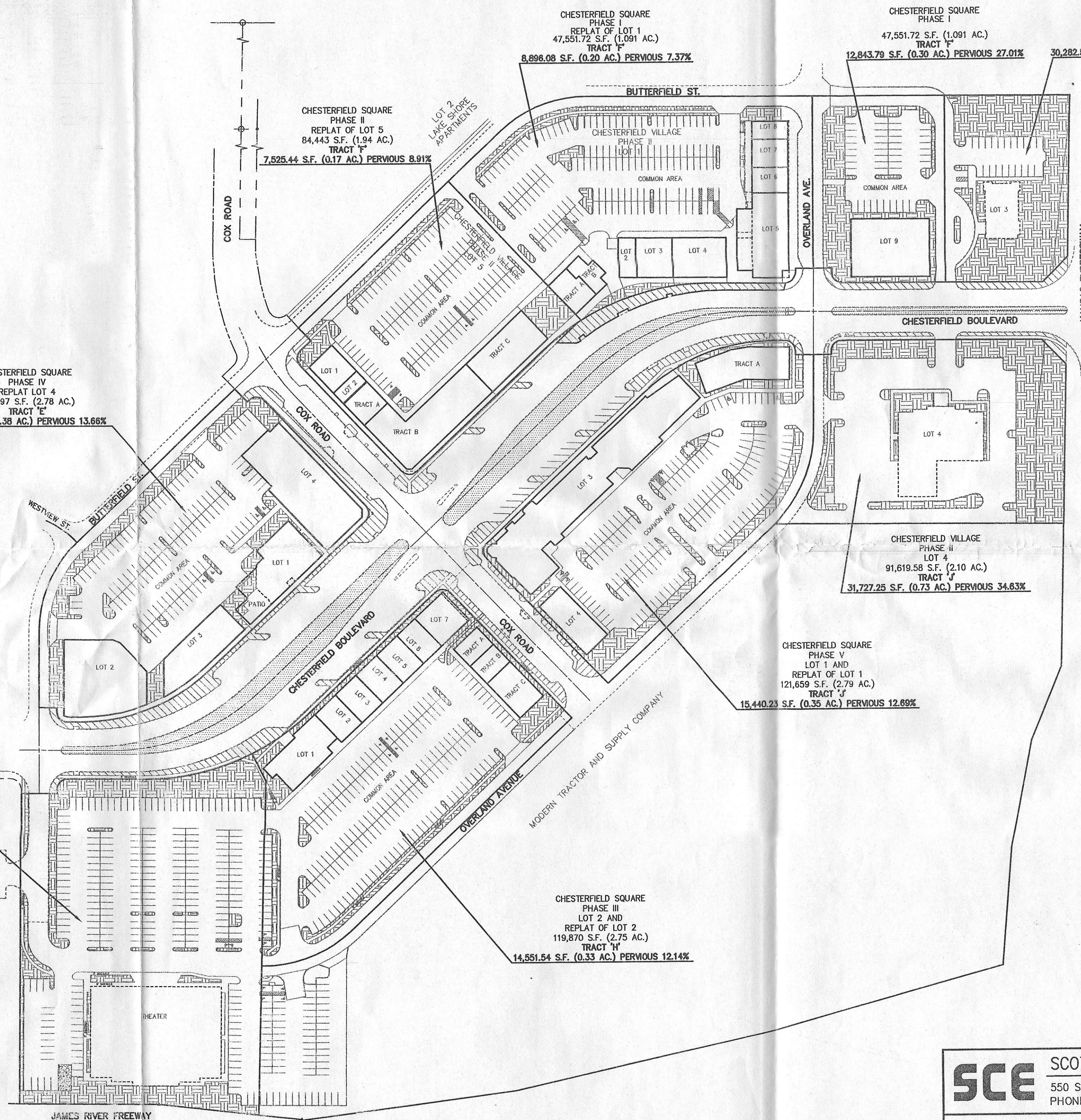


TABLE OF LOTS (AS OF 3-10-04)

CHESTERFIELD SQUARE PHASE I	
TRACT A	BUILT
TRACT B	BUILT
LOT 2	BUILT
LOT 3	BUILT
LOT 4	BUILT
LOT 5	BUILT
LOT 6	BUILT
LOT 7	BUILT
LOT 8	BUILT
LOT 9	UNDEVELOPED
COMMON AREA	

CHESTERFIELD SQUARE PHASE II	
LOT 1	BUILT
LOT 2	BUILT
TRACT A	UNDEVELOPED
TRACT B	BUILT
TRACT C	UNDEVELOPED
COMMON AREA	

CHESTERFIELD SQUARE PHASE III	
LOT 1	BUILT
LOT 2	UNDEVELOPED
LOT 3	UNDEVELOPED
LOT 4	UNDEVELOPED
LOT 5	UNDEVELOPED
LOT 6	UNDEVELOPED
LOT 7	BUILT
TRACT A	UNDEVELOPED
TRACT B	UNDEVELOPED
TRACT C	UNDEVELOPED
COMMON AREA	

CHESTERFIELD SQUARE PHASE IV	
LOT 1	BUILT
LOT 2	UNDEVELOPED
LOT 3	UNDEVELOPED
LOT 4	UNDEVELOPED
COMMON AREA	

CHESTERFIELD SQUARE PHASE V	
TRACT A	BUILT (PARTIAL)
LOT 3	BUILT
LOT 4	UNDEVELOPED
COMMON AREA	

CHESTERFIELD VILLAGE PHASE II	
LOT 3	BUILT
LOT 4	BUILT

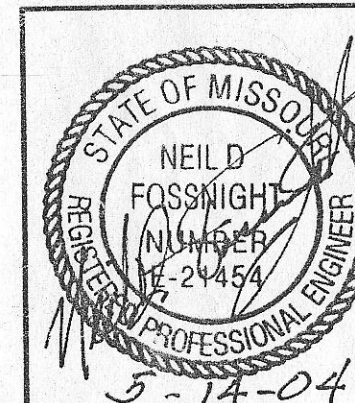
CHESTERFIELD VILLAGE PHASE V	
LOT 3	BUILT

SUMMARY TABLE

TRACT	PLAT ACRES (TOTAL)	PERVIOUS AREA	% PERVIOUS*
E	2.78 AC	0.38 AC	13.66%
F	6.79 AC	1.36 AC	20.12%
H	6.38 AC	0.96 AC	15.06%
J	4.89 AC	1.08 AC	22.12%
BLVD. MEDIAN	0.83 AC	0.83 AC	100.0%
TOTALS	21.67 AC	4.61 AC	21.27%

*AT FULL DEVELOPMENT

PERVIOUS AREA - TRACTS E,F,H AND J
PERVIOUS AREAS - ROADWAYS
PERVIOUS AREAS - MEDIANS



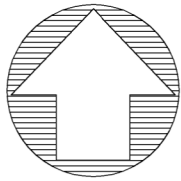
SCE SCOTT CONSULTING ENGINEERS, P.C.
550 ST. LOUIS STREET, SPRINGFIELD, MISSOURI, 65806
PHONE (417) 866-8644 FAX (417) 866-3035

DEPARTMENT OF PUBLIC WORKS
SPRINGFIELD, MISSOURI

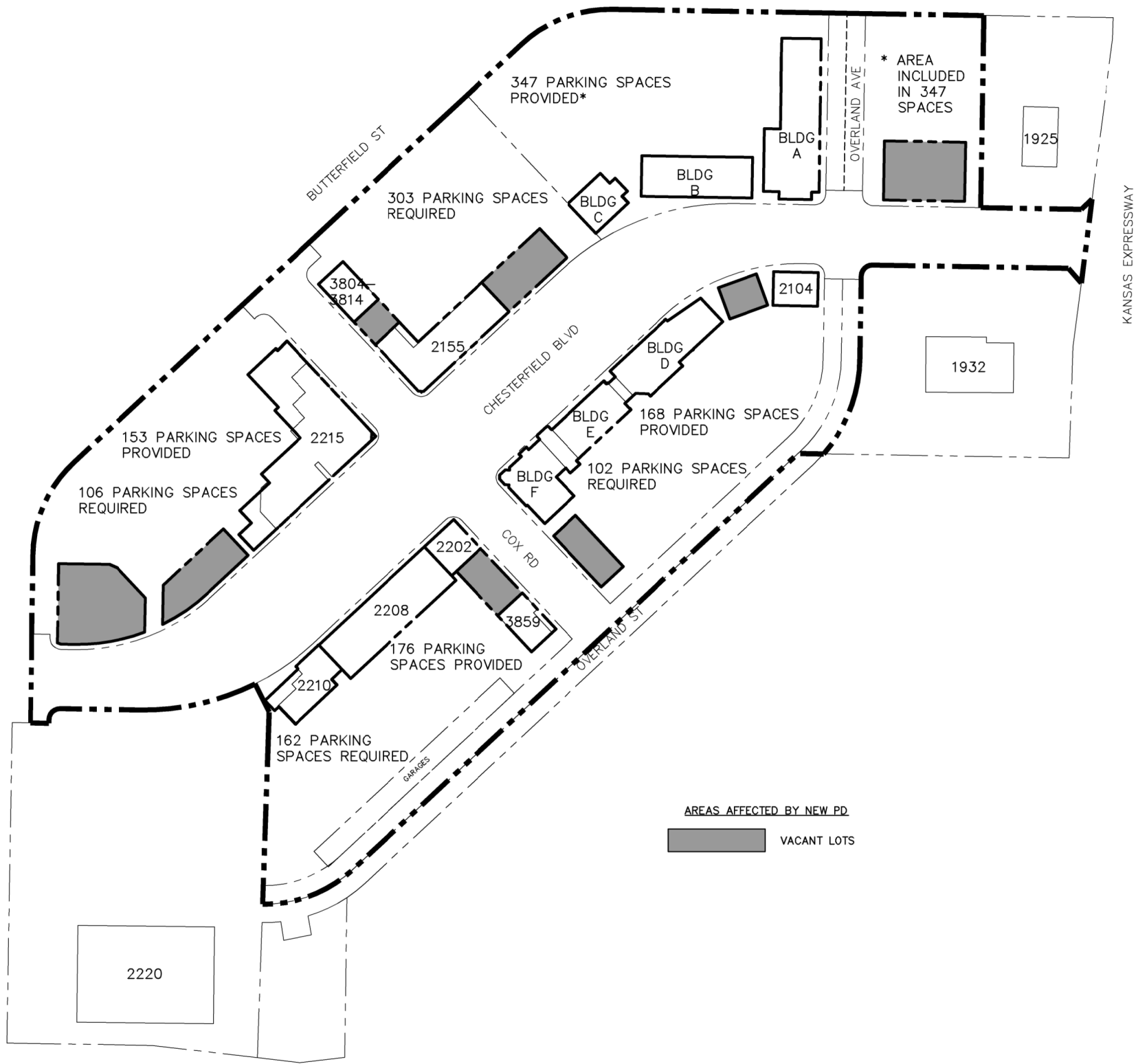
CHESTERFIELD VILLAGE
PERVIOUS SURFACE AREAS
AT FULL DEVELOPMENT

APPROVED BY _____ DATE _____
DIRECTOR OF PUBLIC WORKS

DATE	3-12-04	DESIGN	NDF	SCALES	SHEET	1
PROJ. NO.	91108.46	DRAWN	HSM	HOR 1"=100'	OF	1
DWG. NO.	PAR2/9/04	CHECKED		VERT	FILE	

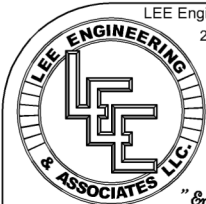


CHESTERFIELD SQUARE NEW PD
INTENSITY OF DEVELOPMENT EXHIBIT 3



Location	Tenant	Office SF	Retail SF	Restaurant SF	Residential SF	Parking Required
A100	Primas Mexican Grill			7,250		90.6
A101	West Central Motor Freight	1,917				5.5
A102	State Farm	850				2.4
A103	HDoubler Chiropractic	1,080				3.1
A104	Bao Bao Chinese Bistro			1,350		16.9
A201	Cohesity Solutions	1,917				5.5
A202	Christopher Hazelrigg Attorney	850				2.4
A203	Three Rivers Hospice	950				2.7
A204	Cohesity Solutions	1,080				3.1
B100	The Cutting Edge		1,135			5.7
B101	Wells Medical Clinic	1,080				3.1
B102	Vacant Restaurant			1,000		12.5
B103-105	Mettemeyer Engineering	3,973				11.4
B201	Vacant Office	994				2.8
B202	The Keating Group	1,144				3.3
C100	The Mailbox		1,069			5.3
C101	Garbo's			2,727		34.1
C102	Henry Schein Dental	830				2.4
C202	Lee Engineering	1,770				5.1
D101	Bankers Life	2,563				7.3
D102	Center for Resolutions	1,501				4.3
D103	Conservatory of the Ozarks	488				1.4
D104	Piano, Voice & Guitar Lessons	488				1.4
D105	Lloyds Cleaners		475			2.4
D106-107	Focused Physician, LLC	854				2.4
D201	Mortgage Office	2,120				6.1
D202	Sunshine Realty & Sunshine Tax	1,968				5.6
E100-111	Progressive Insurance	4,286				12.2
E201	Burly R. Jenkins Group, LLC	640				1.8
E202	Tranquil Waters Counseling	810				2.3
E203	Rob Jump Agency	277				0.8
E204	Andrew Garrett Investments	983				2.8
E205	Krispy Kreme of the Ozarks	982				2.8
F101	Traveling Chef		4,875			24.4
F102	McKinney Insurance	1,578				4.5
F200	University of Missouri Extension	3,744				10.7
F201	Kent W. Franks	382				1.1
F202	Comp Rad, LLC	456				1.3
2104 W Chesterfield	Chesterfield Family Dental	2,280				6.5
2155 W Chesterfield	The Summit	26,512				75.7
2202 W Chesterfield	Roberts & Easley, LLC	5,200				14.9
2208 W Chesterfield	The Lofts	6,783	946		23,187	60.0
2210 W Chesterfield	Schultz & Dooley's			4,261		53.3
2215 W Chesterfield	Noble	37,185				106.2
3804 S Cox	Burns Law & Inmon Legal	983				2.8
3808 & 3812 S Cox	Edward Jones Investments	1,254				3.6
3814 S Cox	Keltner Properties, LLC	947				2.7
3859 S Cox	Advanced Plan Designs	4,138				11.8
Combined SF		127,837	8,500	16,588	23,187	

VACANT LOT AREA = 44,121 SF



LEE Engineering & Associates, L.L.C.
2101 W. Chesterfield Blvd,
Suite C202
Springfield, MO 65807
417-886-9100 (phone)
417-886-9336 (fax)
Missouri State Certificate of Authority
Engineering #2005015504
Land Surveying #2006028050
dlee@leeengineering.biz
"Engineering with Integrity"

DWG: Chesterfield PD 2015 30-COUNCIL EXHIBIT .dwg
DATE: 4/29/2015
PROJECT NO.: 340

CHESTERFIELD SQUARE PD 349			
INTENSITY OF DEVELOPMENT EXHIBIT 3			
SURVEY BY TSS	DESIGN n/a	SCALES HOR. 1"=80'	SHEET 1
FIELD BK	DRAWN TSS	OF 1	SHEETS
LEVEL BK	CHECKED LEE	VERT. n/a	FILE NO. 340

PLANNING AND ZONING DEPARTMENT
INTEROFFICE MEMORANDUM

DATE: April 30, 2015

TO: Members of the Planning and Zoning Commission

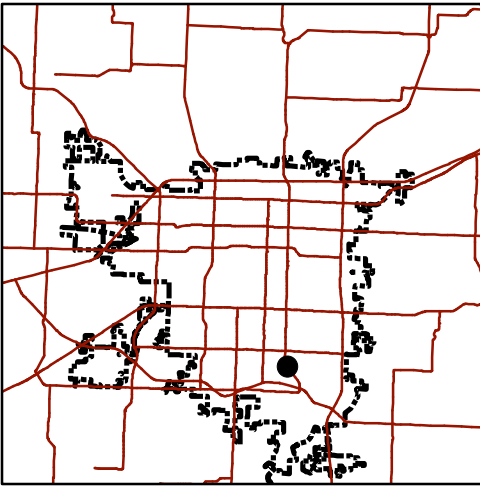
FROM: Alana D. Owen, AICP
Senior Planner

SUBJECT: Street Name Change 76

Street Name Change 76 is a request to assign 3600-3804 South Glenstone outer road (east side of Glenstone Avenue) the name of Glenstone Terrace.

This case was originally scheduled for a public hearing at your May 7, 2015 meeting, however staff is requesting this case be tabled to a later date.

Please feel free to contact me at 417-864-1831 if you have any questions or need any additional information.



Zoning & Subdivision Report

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

Street Name Change 76

LOCATION: 3600-3804 South Glenstone Avenue outer road
PROPOSED NAME: Glenstone Terrace

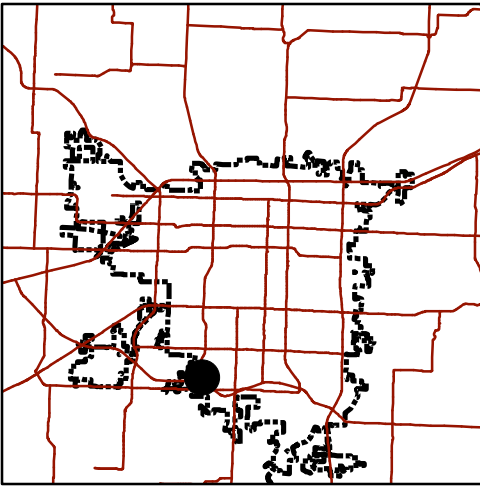
LOCATION SKETCH



- Area of Proposal



1 inch = 600 feet



Zoning & Subdivision Report

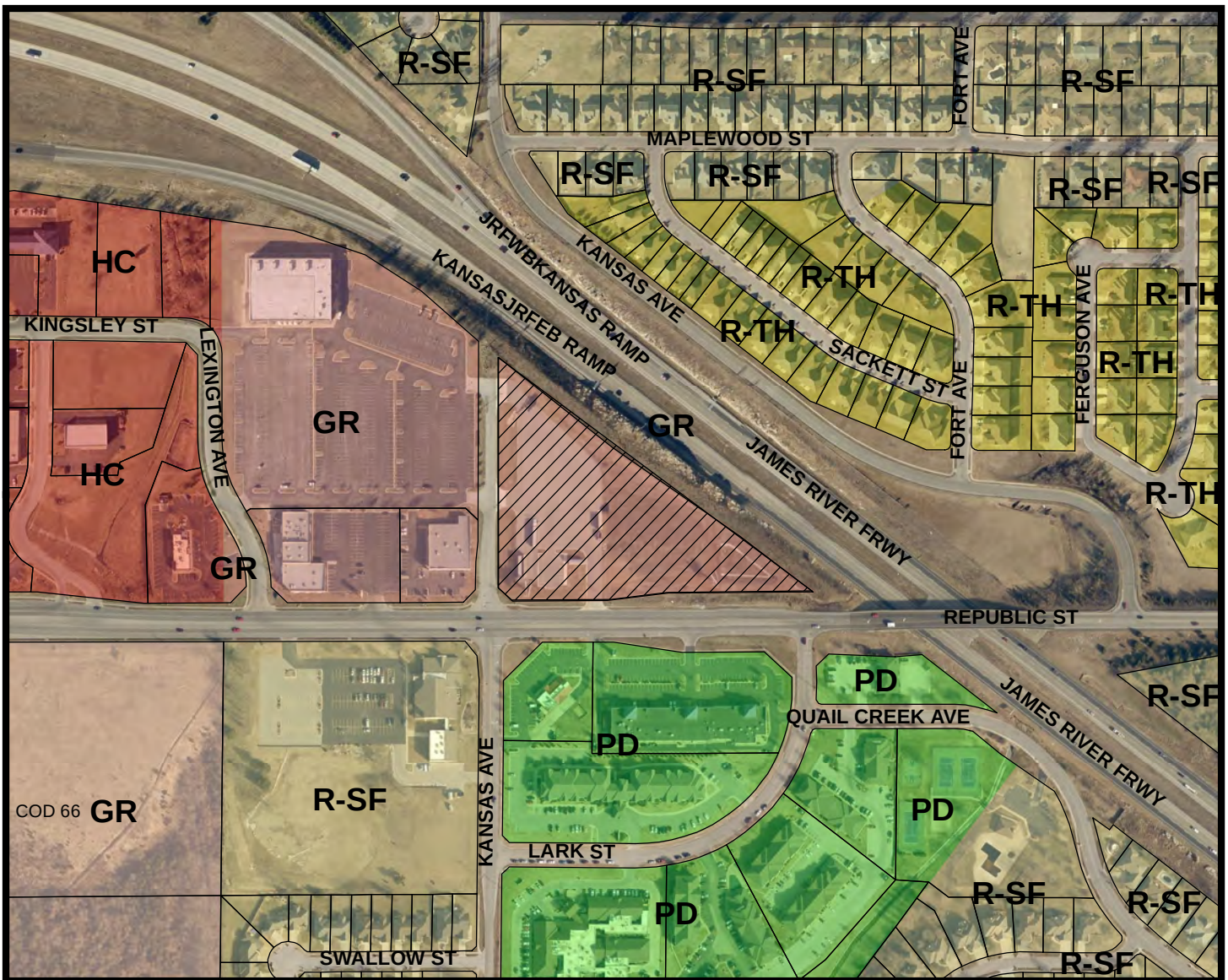
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Preliminary Plat - Republic Kansas Subdivision

Location: 1545 W. Republic St.

Current Zoning: GR, General Retail

LOCATION SKETCH



- Area of Proposal

0 200 400 800 Feet

1 inch = 400 feet

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 **REPUBLIC KANSAS SUBDIVISION** generally located at 1545 West Republic Street. (Staff recommends that City Council accept the public streets and easements.)

BACKGROUND INFORMATION:

- A. The Preliminary Plat of **REPUBLIC KANSAS SUBDIVISION** dated April 20, 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 2.
- B. The Planning and Zoning Commission held a public hearing on May 7, 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.
 - 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 James River Freeway.
 - b. All existing and proposed easements shown. Add 15 foot utility easement along Republic Rd. frontage. This is for the mains recently extended to Lot 2. 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, Preliminary Plat

EXHIBIT A
BACKGROUND REPORT
PRELIMINARY PLAT – REPUBLIC KANSAS SUBDIVISION

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

Zoning & Subdivision Report

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

PRELIMINARY PLAT – REPUBLIC KANSAS SUBDIVISION

DATE: April 24, 2015

PURPOSE: To approve a preliminary plat to subdivide approximately 5.18 acres into a two (2) lot commercial subdivision

BACKGROUND:

LOCATION: 1545 W. Republic Street

APPLICANT: 1545 W Republic Rd., LLC

TRACT SIZE: Approximately 5.18 acres

EXISTING USE: Automotive services, cellular tower and vacant/undeveloped land

PROPOSED USE: Uses permitted in the GR, General Retail 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.
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 James River Freeway.

- b. All existing and proposed easements shown. Add 15 foot utility easement along Republic Rd. frontage. This is for the mains recently extended to Lot 2. 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 – REPUBLIC KANSAS SUBDIVISION

AT&T COMMENTS:

Approved with utility easements as shown.

BUILDING DEVELOPMENT SERVICES COMMENTS:

No comments.

CITY UTILITIES COMMENTS:

No objection to approving the preliminary plat. All existing and proposed easements shown.

FIRE DEPARTMENT COMMENTS:

No comments.

TRAFFIC DIVISION COMMENTS:

There are no issues with the preliminary plat as shown.

MISSOURI DEPARTMENT OF TRANSPORTATION (MoDOT) COMMENTS:

MoDOT has no objections to the preliminary plat as presented.

STORMWATER COMMENTS:

Detention and Water Quality are existing so Preliminary Plat is acceptable. Drainage Easements are shown.

CLEAN WATER SERVICES COMMENTS:

1. Public sewer and service laterals currently available for both lots.
2. Plat is approved with easements as shown.

STAFF COMMENTS:

1. The applicant is proposing to subdivide approximately 5.18 acres into a two (2) lot commercial subdivision named "REPUBLIC KANSAS SUBDIVISION". The property is currently zoned GR, General Retail and has a cellular tower and tire shop on it.

2. 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: May 26, 2015

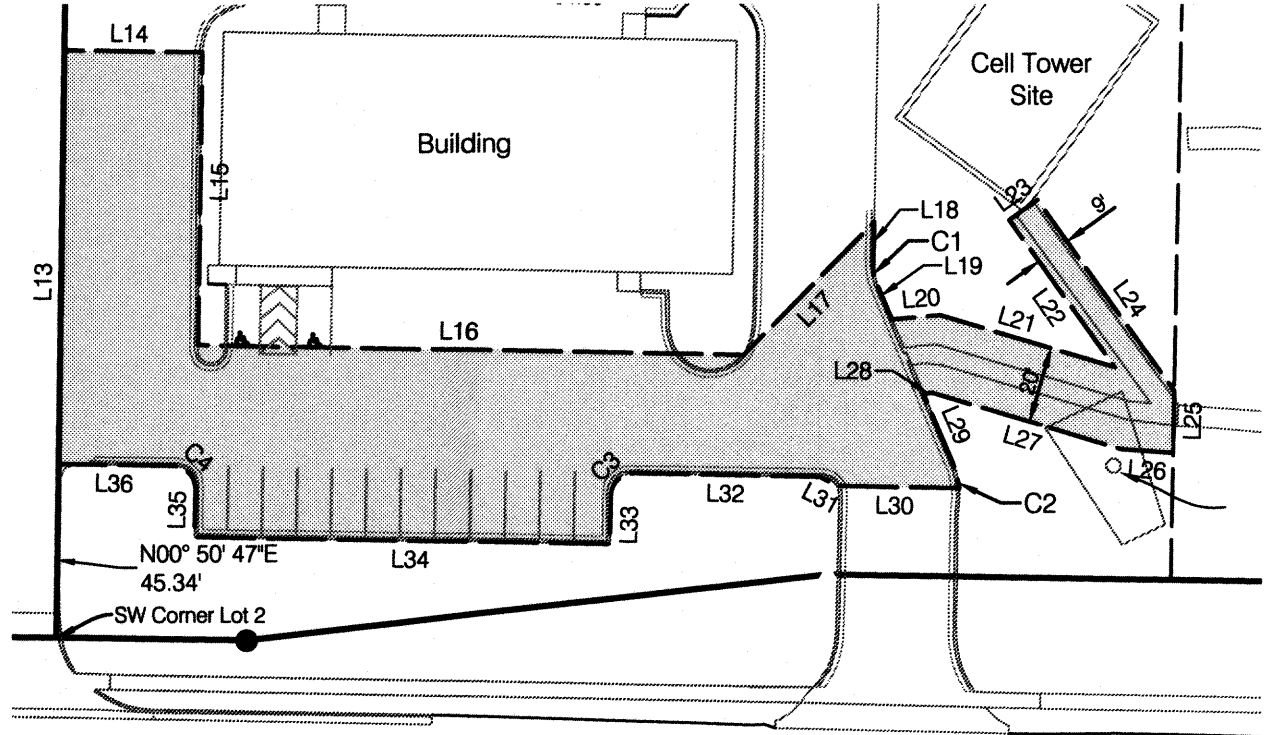
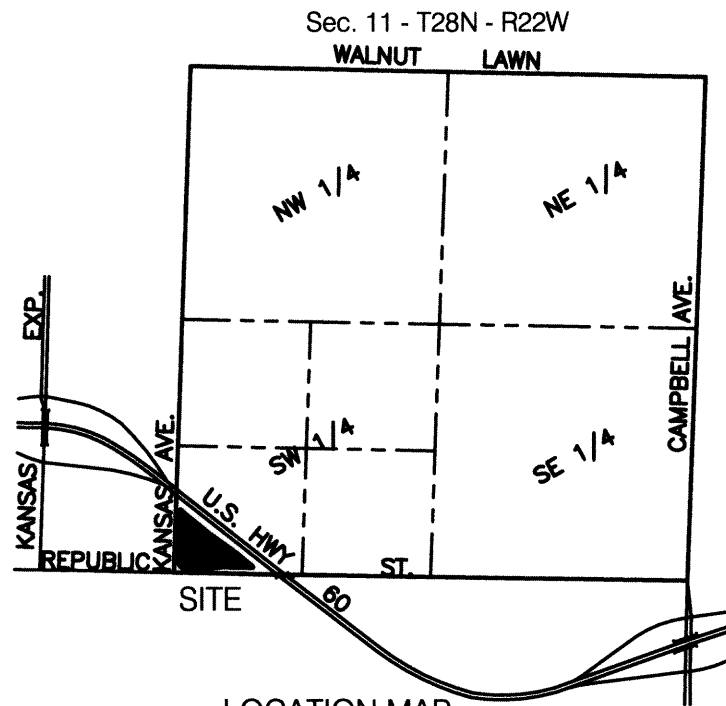
STAFF CONTACT:

Daniel Neal
Senior Planner

PRELIMINARY PLAT
REPUBLIC KANSAS SUBDIVISION

A Subdivision in Springfield, Greene County, Missouri
SW1/4, SW1/4, SEC. 11, TWP 28-N, RNG 22-W

OWNERS/DEVELOPERS
1545 W. REPUBLIC RD. LLC, 2870 S. INGRAM MILL RD., SPRINGFIELD, MO 65804
AND X, X, X



Utility Disclaimer:

Information shown on this drawing concerning type and location of underground and other utilities is not guaranteed to be accurate or all inclusive. Contractors are responsible for making their own determination as to the type and location of utilities as may be necessary to avoid damage thereto. Information shown is from maps provided or discovered from utility providers.

PROPERTY DESCRIPTION

A tract of land being a part of the Southwest Quarter of the Southwest Quarter (SW1/4, SW1/4) of Section 11, Township 28 North, Range 22 West of the 5th Principal Meridian, in the City of Springfield, Greene County, Missouri, being more particularly described as follows:

Commencing at the Southwest corner of said Section 11; Thence N01°38'00"E, 100.31 feet; Thence S88°23'57"E, 18.15 feet to an existing 5/8 inch iron pin, with cap stamped "LC-2007008003" on the east right-of-way line of Kansas Avenue for a Point of Beginning;

Thence N01°38'00"E, 585.65 feet, along said East right-of-way line, to an existing iron pin, with cap stamped "LC-2007008003" on the Southerly right-of-way line of U.S. Route 60 (James River Freeway);

Thence Southeasterly along said Southerly right-of-way line, the following four (4) courses:

- S47°29'37"E, 68.85 feet, to an existing steel MoDOT right-of-way marker;
- S50°49'10"E, 300.39 feet, to an existing steel MoDOT right-of-way marker;
- S54°04'03"E, 365.61 feet (365.76 feet Deed), to an existing steel MoDOT right-of-way marker;
- S50°54'02"E, 221.25 feet (221.00 feet Deed), to an existing steel MoDOT right-of-way marker on the north right-of-way line of Republic Road;

thence Westerly along said North right-of-way line, the following four (4) courses:

- N89°09'51"W, 314.50 feet (316.81 feet Deed), to an existing steel MoDOT right-of-way marker;
- S83°34'53"W, 152.12 feet to an existing 5/8 inch iron pin, with cap stamped "LC-2007008003";
- N89°11'04"W, 262.71 feet to an existing 5/8 inch iron pin, with cap stamped "LC-2007008003";
- N43°47'05"W, 56.28 feet to the Point of Beginning.

Containing 5.18 acres. Subject to all rights of way, easements, covenants and restrictions of record.

CERTIFICATION:

I hereby declare to 1545 W Republic, LLC and The City of Springfield, Missouri that the information contained hereon is based upon an actual survey of the land described, which was performed under my personal supervision, and to the best of my knowledge and belief, this survey is in accordance with the current Missouri Minimum Standards for Property Boundary Surveys. Physical evidence of improvements shown are from information taken by visual inspection of the premises. Boundary and monumentation and conditions found are as shown.

James L. Payne, PLS 2008000727

Dated:

No.:	Revision:	Date:
PRELIMINARY PLAT OF REPUBLIC KANSAS SUBDIVISION		
SPRINGFIELD, MISSOURI SW1/4 SW1/4 SEC. 11, TWP. 28N, RNG. 22W		
SURVEY BY CJW	DESIGN CJW	SCALES HOR. 1"=50' VERT. N/A
DATE 2-12-15	DRAWN CJW	SHEET OF 1 SHEETS
DWG:5010 PRELIM PLAT	CHECKED CJW	FILE NO. 15010

Prepared by:

CJW

CJW Transportation Consultants, L.L.C.

5051 S. National Suite 4-110 Springfield, MO 65810

Tel: 417.889.3400 Fax: 417.889.3402

www.GoCJW.com

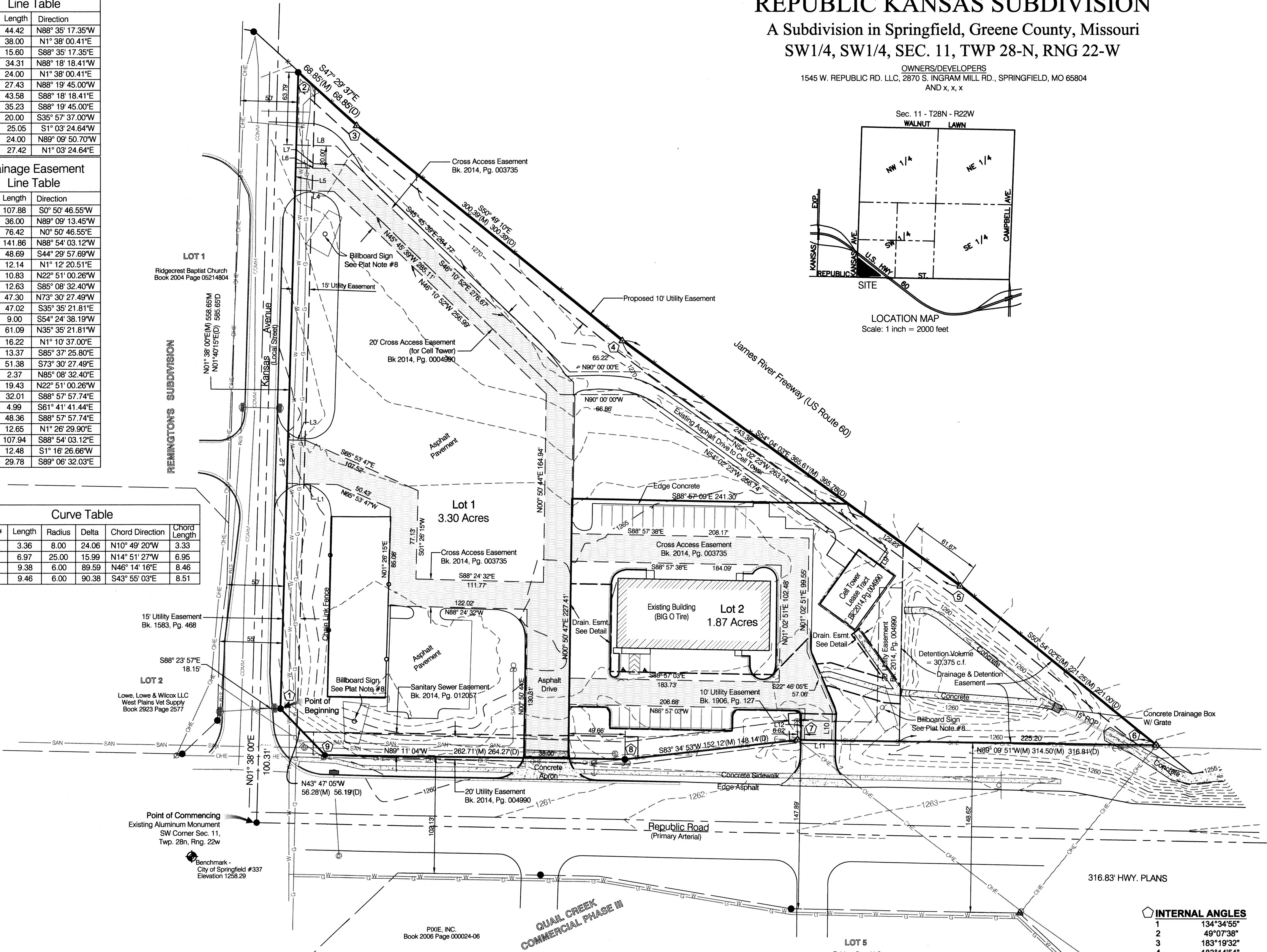
James L. Payne, PLS 2008000727

1545 W. REPUBLIC RD. LLC, 2870 S. INGRAM MILL RD., SPRINGFIELD, MO 65804

Access Easement Line Table		
Line #	Length	Direction
L1	44.42	N88° 35' 17.35"W
L2	38.00	N1° 38' 00.41"E
L3	15.60	S88° 35' 17.35"E
L4	34.31	N88° 18' 18.41"W
L5	24.00	N1° 38' 00.41"E
L6	27.43	N88° 19' 45.00"W
L7	43.58	S88° 18' 18.41"E
L8	35.23	S88° 19' 45.00"E
L9	20.00	S35° 67' 37.00"W
L10	25.05	S1° 03' 24.64"W
L11	24.00	N89° 09' 50.70"W
L12	27.42	N1° 03' 24.64"E

Drainage Easement Line Table		
Line #	Length	Direction
L13	107.88	S0° 50' 46.55"W
L14	36.00	N89° 09' 13.45"W
L15	76.42	N0° 50' 46.55"E
L16	141.86	N88° 54' 03.12"W
L17	48.69	S44° 29' 57.69"W
L18	12.14	N1° 12' 20.51"E
L19	10.83	N22° 51' 00.26"W
L20	12.63	S85° 08' 32.40"W
L21	47.30	N73° 30' 27.49"W
L22	47.02	S35° 35' 21.81"E
L23	9.00	S54° 24' 38.19"W
L24	61.09	N35° 35' 21.81"W
L25	16.22	N1° 10' 37.00"E
L26	13.37	S85° 37' 25.80"E
L27	51.38	S73° 30' 27.49"E
L28	2.37	N85° 08' 32.40"E
L29	19.43	N22° 51' 00.26"W
L30	32.01	S88° 57' 57.74"E
L31	4.99	S61° 41' 41.44"E
L32	48.36	S88° 57' 57.74"E
L33	12.65	N1° 26' 29.90"E
L34	107.94	S88° 54' 03.12"E
L35	12.48	S1° 16' 26.66"W
L36	29.78	S89° 06' 32.03"E

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	3.36	8.00	24.06	N10° 49' 20"W	3.33
C2	6.97	25.00	15.99	N14° 51' 27"W	6.95
C3	9.38	6.00	89.59	N46° 14' 16"E	8.46
C4	9.46	6.00	90.38	S43° 55' 03"E	8.51



PLAT NOTES:

- According to FEMA Community-Panel Number 290149 0339 E, dated December 17, 2010 the property is located in Zone X, areas determined to be outside the 0.2% annual chance of floodplain.
- The survey shown hereon was performed to meet or exceed the requirements for Urban Class Property.
- Current Zoning - General Retail (GR).
Front Yard Setback: 50 feet from centerline of Republic Road plus 25 feet.
25 feet from centerline of Kansas Avenue plus 15 feet.
Side Yard Setback: none.
Rear Yard Setback: none.
- Sidewalk is required to be constructed along Kansas Avenue.
- No work or access allowed onto James River Freeway, U.S. Route 60.
- No additional access allowed to Kansas Avenue or Republic Road.
- Nothing can be constructed within the Cross Access Easement.
- Existing billboards on Lot 1 must advertise for business on Lot 1 only or be removed. Existing Billboard on Lot 2 must advertise for the business on Lot 2 or be removed.
- Green Space for Lot 1 = 40.61% of lot. Lot 2 = 45.99% of lot.
- Maintenance of any area referred to as drainage easement or drainage detention is the responsibility of the property owners.

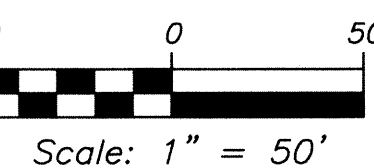
INTERNAL ANGLES

1	134°34'56"
2	49°07'38"
3	183°19'32"
4	183°14'54"
5	176°49'59"
6	38°15'48"
7	187°15'16"
8	172°45'57"
9	134°38'01"
Total =	1260°00'00"
(N-2 X 180)=1260°00'00"	

Legend

- Existing Iron Pin as noted
- Existing RAW Marker
- Iron Pin Set "LC-2007008003"
- Fire Hydrant
- Water Valve
- Water Meter
- Gas Meter
- Gas Valve
- Sanitary Sewer Manhole
- Storm Sewer Manhole
- Electric Manhole
- Clean Out
- Powerpole
- Guy Anchor
- Sign
- Light Pole
- Electric Junction Enclosure
- Telephone Pedestal
- Underground Telephone
- Fiber Optic
- Overhead Electric
- Sanitary Sewer Line
- Water Line
- Gas Line
- Storm Sewer Line

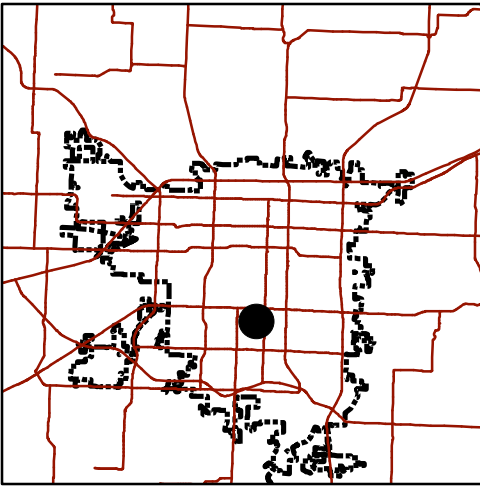
North Based on Missouri State Plane Coordinate System - Central Zone - NAD83



Land Reference Control Points

Vertical Control Point:
City of Springfield
Benchmark #337
NAVD-88 Elevation - 1258.29

Horizontal Control Point (NAD-83):
Missouri Geographic Reference System
Station: GR-90
North: 145113.8955 meters
East: 426511.1971 meters
Grid Scale Factor: 0.9999430



Zoning & Subdivision Report

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

Subdivision Variance 351

Location: 1911 S. National Ave.

LOCATION SKETCH



- Area of Proposal

0 50 100 200
Feet

1 inch = 200 feet

Zoning & Subdivision Report

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

SUBDIVISION VARIANCE NUMBER 351

DATE: April 27, 2015

PURPOSE:

The applicant is requesting a variance from Section 407(2) of the Subdivision Regulations, which requires all lots to abut by their full frontage on a publicly dedicated street.

BACKGROUND:

LOCATION: 1911 South National Avenue

APPLICANT: Diversity Commercial Investments, LLC

TRACT SIZE: 1.72 Acres (Approximately)

EXISTING USE: Office uses and vacant/undeveloped land

PROPOSED USE: Office uses

RECOMMENDATION:

Staff recommends the Subdivision Variance be **approved** to allow the subject property to be subdivided, thus creating lots that abut by less than its full frontage on a publicly dedicated street.

FINDINGS:

1. The requested subdivision variance satisfies the conditions for variance approval outlined in Section 106(3) of the Subdivision Regulations.

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

Attachment A – Staff Background Report
Attachment B – Approval Criteria
Exhibit 1 – Proposed Administrative Re-plat

ATTACHMENT A
BACKGROUND REPORT
SUBDIVISION VARIANCE NUMBER 351

APPLICANT'S PROPOSAL:

The applicant is proposing a subdivision variance that will allow a portion of a lot at 1923 S. National Ave. (AS5489) to be replatted with the office use at 1911 S. National Ave.

BUILDING DEVELOPMENT SERVICES COMMENTS:

No BDS objections.

CLEAN WATER SERVICES COMMENTS:

No impact on public sewer.

CITY UTILITIES COMMENTS:

CU recommends approval of variance. The section appears to be written that any lot that is not square or rectangular would not be in compliance. There are some issues with conflicts with utility pole anchors, but that is not impacted by the variance.

FIRE DEPARTMENT COMMENTS:

No comments.

TRAFFIC ENGINEERING COMMENTS:

Since this lot will be used for parking only, traffic has no issues with this subdivision variance.

STORMWATER COMMENTS:

There are no stormwater issues with the proposed subdivision variance.

STAFF COMMENTS:

1. The proposed administrative re-plat will allow a portion of a lot at 1923 South National Ave. (AS5489) to be combined with property at 1911 S. National Ave. Planning staff supports the request for a lot without full frontage on a public street because the proposed administrative re-plat will increase the street frontage that will serve this property. The proposed area is also more conducive to being developed with the property to the east due to its shortage of off-street parking.

ATTACHMENT B
APPROVAL CRITERIA
SUBDIVISION VARIANCE NUMBER 351

Section 106 of the Subdivision Regulations states in part:

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

1. 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;

APPLICANT'S RESPONSE:

The property is currently a part of AS5489 and if this variance is approved it will be split from the parent tract and combined with the property at 1911 S. National through an administrative replat. The previous AS5489 was granted to allow the property at 1923 S. National expand their parking, which at this time the property owner has chosen not to pursue and sold the property to Diversity Commercial Investments, who also owns the property at 1911 S. National.

2. The variance is necessary for the preservation and enjoyment of a substantial property right of the owner, and;

APPLICANT'S RESPONSE:

The proposed development of this property, in order to provide needed additional off-street parking, does not impact natural gas or water facilities. It does not interfere with existing CU electric facilities nor does it require additional CU electric work. With the property being developed for off-street parking there would be no impact on the existing public sewer system and no need to extend any public sewer mains.

3. 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.

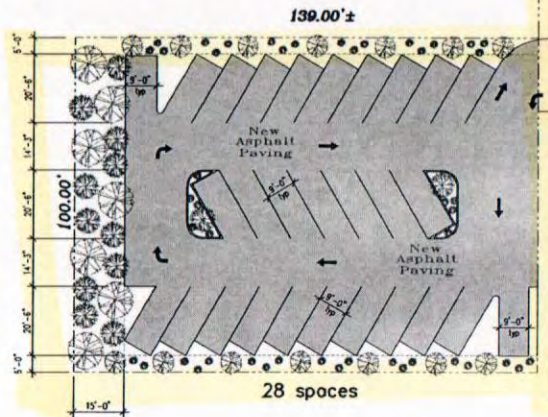
APPLICANT'S RESPONSE:

As the property is to be developed as additional parking for the building at 1911 S. National Avenue and the property had been previously considered for the same type of development, granting of the variance would not be detrimental to the public safety, convenience or welfare. The development of this property would help the current parking congestion for the current business leasing space in the building at 1911 S. National.

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

Exhibit 1

PROJECT IS LIMITED TO AN ADDITION TO AN THE EXISTING
PARKING LOT FOR 1911 SOUTH NATIONAL OFFICE BUILDING.
ARBA WILL PROVIDE 28 ADDITIONAL SPACES.



SUBJECT PARCEL

LEGAL DESCRIPTION:

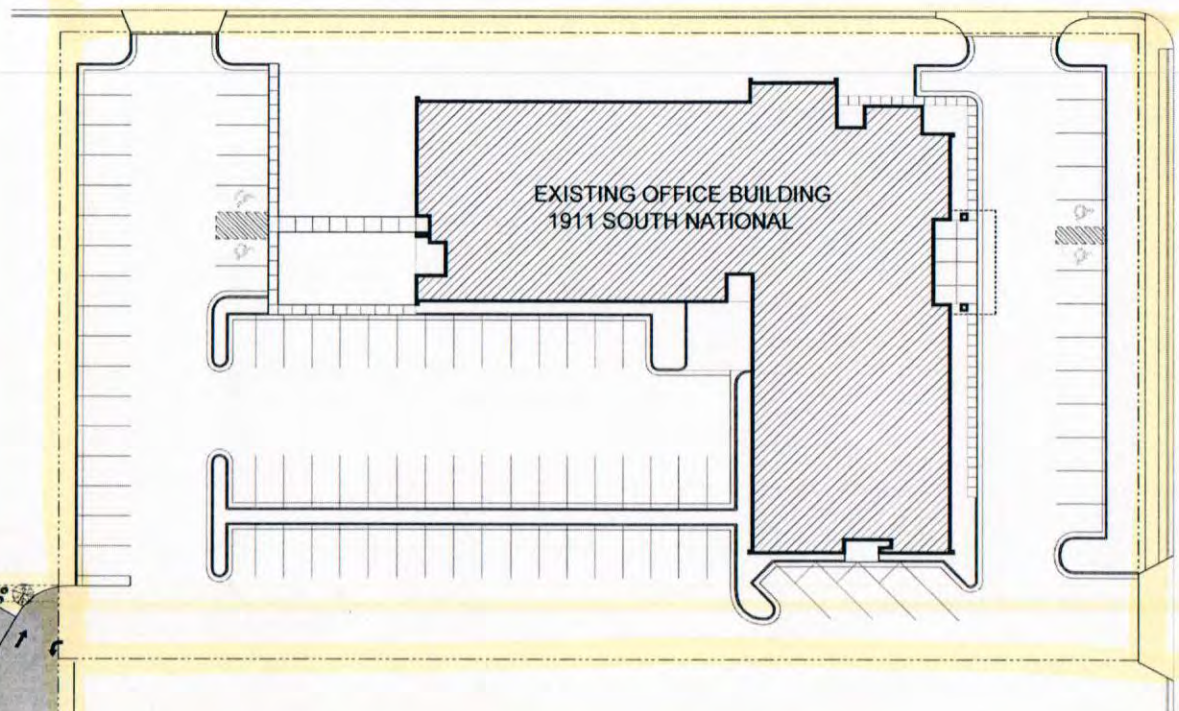
ALL OF LOTS 10, 11 & 12 - KILLIAN SUBDIVISION
SPRINGFIELD, GREENE COUNTY, MISSOURI

Site Plan

Scale 1" = 20'-0"



Waphila Street



National Avenue

PARENT PARCEL

LEGAL DESCRIPTION:

THE EAST ONE-HALF (E 1/2) OF LOTS FIFTY-THREE (53) AND FIFTY-FOUR (54),
EXCEPT THE SOUTH SEVENTY-SIX (76) FEET OF LOT FIFTY-FOUR (54),
LATOKA HEIGHTS SUBDIVISION, IN SPRINGFIELD, GREENE COUNTY, MISSOURI,
ACCORDING TO THE RECORDED PLAT THEREOF.



Zoning & Subdivision Report

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

Redevelopment Plan for the Robberson Avenue Panhellenic Redevelopment Area

DATE: April 28, 2015

PURPOSE: To approve the Redevelopment Plan for the Robberson Avenue Panhellenic Redevelopment Area.

LOCATION: Generally located along the east side of South Robberson Avenue between East Madison Street and East Grand Street (814-850 South Robberson Avenue).

APPLICANT: Burning Tree Consulting, LLC

STAFF RECOMMENDATION:

Staff recommends the Redevelopment Plan for the Robberson Avenue Panhellenic Redevelopment Area be **approved**.

FINDINGS:

The proposed Redevelopment Plan for the Robberson Avenue Panhellenic Redevelopment Area is in conformance with the *Springfield-Greene County Comprehensive Plan*.

STAFF CONTACT:

Matt D. Schaefer
Senior Planner
417-864-1100

ATTACHMENTS:

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

ATTACHMENT A
Background Report
Redevelopment Plan for the Robberson Avenue Panhellenic Redevelopment Area

Applicant's Proposal:

Burning Tree Consulting, LLC has filed an application requesting approval of a redevelopment plan pursuant to Sections 99.300-99.715, RSMo, the Land Clearance for Redevelopment Authority (LCRA) Law, for a redevelopment project generally located along the east side of South Robberson Avenue between East Madison Street and East Grand Street (*Exhibits I&II*). The Planning and Zoning Commission is required by Statute to review the proposed Redevelopment Plan (*Exhibit III*) for conformance with the City's general plan for the development of the City as a whole.

The purpose of the Redevelopment Plan for the Robberson Avenue Panhellenic Redevelopment Area is to remove blight and redevelop the area into a new housing development for fraternities and sororities that will be associated with Missouri State University. The Redevelopment Area consists of eight parcels of land (1.50 acres) that are currently occupied by two duplexes and six single-family residential structures, which were constructed between the years 1900 and 1974. The Plan proposes to demolish the existing structures and construct a fraternity and sorority development consisting of up to six, four-story buildings. The buildings will be leased to college fraternities and sororities and will each serve as the residence for up to 25 students, as well as a location for chapter meeting and activities. In addition to fraternity and sorority use, the Redevelopment Plan allows one or more of the buildings to be converted and used for multi-family residential housing if the developer is unable to lease one or more of buildings to a fraternity or sorority. Off-street parking will be provided as required in the R-HD, High-Density Multi-Family Residential District and the UN, University Combining District Overlay.

Comprehensive Plan:

1. The Redevelopment Area is located within the area included in the *Center City Plan Element* of the *Springfield –Greene County Comprehensive Plan*. The Plan mentions the Center City area suffers from physical deterioration and economic obsolescence. It also states that although there are several properties within Center City that have been well maintained or recently constructed, the overall tone is one of an area that could use revitalization and new investment. The Redevelopment Plan addresses those issues by proposing to remove existing blight and redevelop the area into a new fraternity and sorority development.
2. The *Growth Management and Land Use Element* of the *Springfield-Greene County Comprehensive Plan* designates the land within and surrounding the Redevelopment Area for Medium- or High-Density Residential Housing. This

land use designation includes all types of multi-family residential housing with densities greater than six dwelling units per acre. The Plan recommends this type of land use be located where there is good traffic access, preferably along arterials and collectors. It also recommends that it be located between low-density housing and non-residential land uses, as well as near high-amenity areas.

The Redevelopment Plan satisfies these recommendations by proposing new high-density residential housing along South Robberson Avenue (local street) approximately one-half block north of East Grand Street (primary arterial). Furthermore, the Redevelopment Area is located within a 675 foot walking distance of one Missouri State University Bear Line Shuttle stop (near the southeast corner of South Avenue and East Madison Street) and two City Utilities bus stops (near the southwest corner of South Jefferson Avenue and East Madison Street and the northeast corner of South Avenue and East Madison Street). The Redevelopment Area is also located immediately south of Jenny Lincoln Park and is served by sidewalks and a designated bicycle route running along East Madison Street.

Staff Comments:

1. The proposed Redevelopment Plan is one component of the applicant's request to obtain partial real property tax abatement pursuant to the Land Clearance for Redevelopment Law ("Chapter 99, RSMo"). Chapter 99 tax abatement is an economic development incentive used to encourage redevelopment within blighted areas through partial real property tax abatement. Within Council-approved redevelopment areas, the Land Clearance for Redevelopment Authority may authorize partial real property tax abatement for projects that conform to an approved redevelopment plan. Real property tax abatement is based on 100% of the assessed value of qualified new construction or rehabilitation for 10 years.

The applicant is required to submit an application that includes a redevelopment plan as well as a blight report if the redevelopment area is not currently declared a blighted area. The Planning and Zoning Commission's responsibility is to review the redevelopment plan for conformance with the City's general plan for the development of the City as a whole and make a recommendation regarding the same to City Council.

2. The Redevelopment Area is located within the South Central "A" Urban Renewal Area. City Council declared the Area a blighted area in 1964 (Resolution No. 4282) and adopted an Urban Renewal Plan for the Area in 1967 (Resolution No. 4794). The requirements of the Urban Renewal Plan have become obsolete and are impractical by today's standards for new multi-family residential construction in Center City. In order to facilitate redevelopment, the Developer has submitted a new redevelopment plan for the Robberson Avenue Panhellenic

Redevelopment Area, which will replace the existing Urban Renewal Plan within said Redevelopment Area.

3. The Redevelopment Area is currently zoned R-HD, High -Density Multi-Family Residential District, which does not permit fraternities and sororities. The applicant has filed an application requesting the Area be rezoned to add the UN, University Combining District Overlay to permit additional uses that are not otherwise permitted by the existing R-HD zoning, including fraternities and sororities. The Planning and Zoning Commission and City Council will consider the proposed rezoning (Zoning Case Z-18-2015) and Redevelopment Plan concurrently at the same meetings.
4. The Redevelopment Plan is consistent with City policy, which encourages off-campus student housing be constructed near college and university campuses. This may help reduce vehicular traffic by allowing more students to walk and bike to class, as opposed to driving.
5. The City of Springfield and Missouri State University have worked collaboratively on plans to direct university and university-related growth to the north and west. The Redevelopment Plan is consistent with those efforts.

EXHIBIT I
Legal Description
Redevelopment Plan for the Robberson Avenue Panhellenic Redevelopment Area

A TRACT OF LAND BEING ALL OF LOTS 11, 12, 13 AND 14 IN CLEVELAND ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI AND PART OF THE SOUTHWEST QUARTER (SW¼) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 24, TOWNSHIP-29 N, RANGE 22 W, TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT AN "X" CUT IN CONCRETE AT THE SOUTHWEST CORNER OF ABOVE MENTIONED LOT 14 OF CLEVELAND ADDITION (SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF ROBBERSON AVENUE); THENCE N 01°36'18" E ALONG THE WEST LINES OF LOT 14, 13, 12 AND 11, A DISTANCE OF 204.85 FEET TO AN "X" CUT IN CONCRETE AT THE NORTHWEST CORNER OF SAID LOT 11; THENCE S 88°34'59" E ALONG THE NORTH LINE OF SAID LOT 11, 170.08 FEET TO AN IRON PIN IN THE CENTERLINE OF A VACATED ALLEY; THENCE S 02°19'03" W ALONG SAID CENTERLINE 100.18 FEET TO AN IRON PIN; THENCE S 02°02'44" W ALONG SAID CENTERLINE 105.50 FEET TO AN IRON PIN; THENCE N 88°17'04" W 18.06 FEET TO A POINT ON THE SOUTH LINE OF ABOVE MENTIONED LOT 14; THENCE S 01°15'52" W 111.45 FEET TO AN IRON PIN; THENCE S 01°43'54" W 91.02 FEET TO AN IRON PIN SAID POINT BEING 8 FEET NORTH OF THE NORTH LINE OF KENTON'S FIRST SUBDIVISION TO THE CITY OF SPRINGFIELD; THENCE N 88°17'29" W 150.43 FEET TO THE EAST RIGHT-OF-WAY LINE OF ROBBERSON AVENUE; THENCE N 01°36'18" E ALONG SAID EAST RIGHT-OF-WAY LINE 202.48 FEET TO THE POINT OF BEGINNING.

EXHIBIT II
Location Map
Redevelopment Plan for the Robberson Avenue Panhellenic Redevelopment Area



0 100 200 400 Feet

EXHIBIT III

**REDEVELOPMENT PLAN
FOR
THE ROBBERSON AVENUE PANHELLENIC
REDEVELOPMENT AREA
SPRINGFIELD, MISSOURI**

April 21, 2015

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Addenda

Map of Blighted Area	Exhibit A
Map of Redevelopment Area	Exhibit B
Legal Description of Redevelopment Area.....	Exhibit C
Land Use Plan	Exhibit D

Redevelopment Plan

I. Introduction

Burning Tree Consulting, L.L.C., a Missouri limited liability company (the “**Developer**”), has prepared the following plan (the “**Redevelopment Plan**”) for the planned development of Panhellenic style (fraternity and sorority) residential housing which will be in the vicinity of Missouri State University’s campus and marketed primarily to students. The Redevelopment Plan proposes to completely redevelop the Redevelopment Area (as defined below) by constructing up to six (6) buildings with a maximum of four (4) stories and on-site parking lot (the “**Project**”). Upon completion of the Project, the Developer intends to master-lease each building to a separate Panhellenic organization (i.e. fraternities and sororities) associated with Missouri State University (“**Panhellenic Organization**”). Although the Developer fully expects to master-lease each building to a Panhellenic Organization, in the event Developer is unable to lease one or more of the buildings to a Panhellenic Organization, Developer intends to retrofit one or more of the buildings to be leased as market-rate housing marketed primarily to students, in conformance with any applicable zoning designation. If the Developer enters into a master-lease with a Panhellenic Organization, the Panhellenic Organization will then lease each building’s individual beds to their members for residential use. As further set forth below, partial real property tax abatement will be available for redevelopment in the Redevelopment Area (as defined below) that is consistent with this Redevelopment Plan.

In 1964, pursuant to Resolution No. 4282, the Springfield City Council (the “**City Council**”) blighted an area generally bounded on the south by East Grand Street, on the east generally by the back lot lines of properties that face South Kimbrough Avenue, on the north by the Downtown Redevelopment Plan Area (with some portions that overlap), and on the west by South Market Avenue and then South Campbell Avenue (the “**Blighted Area**”). The City Council reaffirmed the blight for the Blighted Area pursuant to Resolution No. 4794 which was adopted in 1967. A map identifying the Blighted Area is attached hereto as Exhibit A.

II. Description of the Project

A. Boundaries of the Redevelopment Area

The area to be redeveloped includes eight (8) parcels addressed at 814 South Robberson Avenue, 820 South Robberson Avenue, 824 South Robberson Avenue, 832 South Robberson Avenue, 838 South Robberson Avenue, 842 South Robberson Avenue, 846 South Robberson Avenue, and 850 South Robberson Avenue (the “**Redevelopment Area**”), which consists of approximately 1.50 acres of land and is situated on the east side of South Robberson Avenue, south of East Madison Street, and north of East Grand Street. A map identifying the Redevelopment Area is attached hereto as Exhibit B and the Redevelopment Area is legally described on Exhibit C attached hereto.

B. Need for Redevelopment

The Redevelopment Area and other surrounding property were initially blighted in 1964 by the City Council due to a predominance of deteriorating conditions. The prosecution of this Redevelopment Plan will eliminate such conditions and create a desirable living environment for residents while increasing the taxable revenues to the City of Springfield.

C. *Redevelopment Plan Objectives and Strategies*

1. Goals of the Springfield - Greene County Comprehensive Plan.

The Redevelopment Area is located within the Center City Study Area (as defined by the City of Springfield's Center City Plan Element (the "**CCPE**"), which is a component of the Vision 20/20 Springfield-Greene County Comprehensive Plan). The CCPE is a long-term guide for private investments and public improvements for a major part of central Springfield ("**Center City**").¹ One of the goals of the CCPE is that Center City will continue to be the focal point for higher education and technology development and that Springfield and Center City will be known as "an education and communications city" fulfilling the needs of businesses and students of tomorrow.²

Additionally, the City of Springfield and Missouri State University ("**MSU**") executed an agreement establishing direction for the future physical growth of MSU.³ This agreement evolved from the desire to redirect the physical expansion of MSU's campus away from the neighborhoods located to the south and east of MSU and to direct it instead toward Greater Downtown's core area around Park Central Square.⁴

The Redevelopment Area is located within the vicinity of MSU. The Growth Management and Land Use Plan ("**Land Use Plan**"), which is another component of the Vision 20/20 Springfield-Greene County Comprehensive Plan, indicates that the Redevelopment Area and surrounding property is an appropriate area for medium or high density housing. The Land Use Plan also identifies MSU and surrounding areas as an Activity Center.⁵ The Land Use Plan states that one of its objectives for areas identified as Activity Centers is that plans should promote additional or new employment, intensified retail business, higher density housing, and convenient transit service.⁶ While the Redevelopment Area is located outside the official Activity Center according to the Activity Center Map, MSU has experienced significant growth since the Activity Center Map was adopted. If the Map was updated today, it is likely the Redevelopment Area would be located within the official Activity Center boundaries. In addition, the Redevelopment Area conforms to the guidelines for higher-density residential uses, as described in the Land Use Plan.

The Redevelopment Area meets both the accessibility and connectivity criteria described in the Land Use Plan. Specifically, the Redevelopment Area is accessible due to the close proximity of collector and arterial streets. For instance, South Avenue, a collector, is located one block to the west of the Redevelopment Area; Jefferson Avenue, a secondary arterial is located one block to the east of the Redevelopment Area; and, West Grand Street, which runs directly south of the Redevelopment Area, is classified as a primary arterial. In addition, the Redevelopment Area is located near a bus transit routes in close proximity to MSU, is served by good sidewalks for pedestrian access and is located to several nearby parks and the Center City.

¹See page 1-1 of the CCPE.

²See page 1-2 of the CCPE.

³See page 3-38 of the CCPE.

⁴See page 3-38 of the CCPE.

⁵See page 18-34 of the Land Use Plan.

⁶See page 18-28 of the Land Use Plan.

Regarding bus transit routes, the Redevelopment Area is located near two City Utilities bus routes: one along South Avenue and another along Jefferson Avenue. In addition, MSU's Bear Line shuttle service has a route along Madison Avenue, which is directly north of the Redevelopment Area. Moreover, Madison Avenue is designated as a bicycle route.

2. Redevelopment Plan Objectives and Conformance with the Goals of the Springfield - Greene County Comprehensive Plan.

The primary objective of the Redevelopment Plan is to remove blight and to redevelop the area for Panhellenic style multi-family residential housing marketed primarily to college students. The Project involves the construction of up to six (6) buildings each up to four (4) stories in height that will serve as a residence for up to one hundred and fifty (150) residents. Each of the six (6) project buildings will be a maximum of approximately 8,000 square feet. The first floor of each building may consist of two (2) one-bedroom rooms, a kitchen, a dining room, a foyer/living area, and two (2) restrooms. The second, third floor, and fourth, if applicable, of every building may consist of four (4) two-bedroom rooms, and a communal restroom. In total, each building will serve as a residence for up to twenty-five (25) residents. In addition, each building will be designed to accommodate non-resident guests of the residents for various Panhellenic functions including meetings and meals. To accommodate residents and their guests, the Project will include onsite parking of approximately eighty-eight (88) parking spaces.

The Project will further the objectives of the Springfield - Greene County Comprehensive Plan in several different ways. It will provide for additional student housing in Center City which will help to further the CCPE's goal that Center City be a focal point for higher education and fulfill the needs of students. The Project also complies with the City's goals for MSU's growth since the Redevelopment Area is located to the west of MSU's main campus. In addition, the Project meets the guidelines for multi-family residential housing set forth in the Land Use Plan as a result of the vehicle and pedestrian accessibility of the Redevelopment Area to MSU, Center City and nearby parks and other City amenities via the bus transit routes and the sidewalks in the area.

III. Land Use Plan

A. *Former and Existing Land Use*

There are currently nine (9) residences located in the Redevelopment Area. Residences located at 814 S. Robberson, 816 S. Robberson, 820 S. Robberson, 838 S. Robberson, 824 S. Robberson, 842 S. Robberson, 846 S. Robberson, and 850 S. Robberson are currently occupied by tenants on month-to-month leases.

B. *Proposed Land Use*

The proposed land use for the Redevelopment Area is as up to six (6) fraternity/sorority buildings with a maximum of four (4) stories in height with on-site parking. Each building will be designed to serve as a residence for up to twenty-five (25) fraternity or sorority members and will also be able to accommodate various fraternity or sorority functions, such as chapter meetings and other events. Should the Developer be unable to enter into a master-lease with a Panhellenic Organization for one or more of the buildings, one or more of the buildings may be used as market-rate multi-family housing marketed primarily to students. Should a building be

used as market-rate multi-family housing, that particular building will be retrofitted to conform to the applicable zoning designation, accompanying density, and building code requirements. Land use plans showing proposed site plans for the Redevelopment Area are attached hereto as Exhibit D. The Project will substantially conform to the attached proposed plans.

C. *Existing and Proposed Zoning*

The existing zoning for the Redevelopment Area is High-Density Multi-Family Residential (R-HD). Developer is pursuing rezoning of the Redevelopment Area from R-HD to R-HD with the University Combining District (UN)—which allows for fraternity and sorority housing.

D. *Regulations and Controls*

Redevelopment of the Redevelopment Area shall be subject to all applicable Springfield, Missouri Codes and Ordinances.

IV. Execution of the Project

A. *Execution*

The Developer or its successors in interest will be responsible for executing the redevelopment of the Redevelopment Area in accordance with the Redevelopment Plan.

B. *Land Acquisition*

The Developer owns 814 S. Robberson Avenue, 816 S. Robberson Avenue, 820 S. Robberson Avenue, 824 S. Robberson Avenue, 832 S. Robberson Avenue, 838 S. Robberson Avenue, 842 S. Robberson Avenue, 846 S. Robberson Avenue, and 850 S. Robberson Avenue and does not require any additional land.

C. *Financing*

The Developer is utilizing conventional financing to finance the Project.

D. *Disposition of Property*

No property is proposed to be disposed of within the Redevelopment Area.

E. *Plan for Relocation Assistance*

All of the tenants currently occupying structures within the Redevelopment Area are on month-to-month leases. In accordance with the terms of these month-to month leases, the Developer will give the tenants proper notice of their intention to not renew these leases.

F. *Redevelopment Schedule and Estimated Dates of Completion*

The Developer estimates that each stage of the Project will be completed in accordance with the following schedule:

☐ Pre-Construction (Inspections/Permits): Completed by May 2015

- ☐ Site Work (Demolition): Completed by July 2015
- ☐ Construction of Building: Completed by March 2016

G. *Taxation*

The Developer or its successors in interest may apply to the Land Clearance for Redevelopment Authority for tax relief pursuant to Sections 99.700 to 99.715 of the Missouri Revised Statutes, 2000.

H. *Covenants*

The Redevelopment Plan shall run with the land for a period of twenty (20) years from the date of final approval (at which point it shall expire and shall be of no further force or effect) and shall, during such time, require the Developer and any successors in interest to redevelop the real property within the Redevelopment Area in accordance with the specified uses in the Redevelopment Plan if they wish to benefit from tax relief available under Sections 99.700 to 99.715 of the Missouri Revised Statutes, 2000.

V. Other Provisions

A. *Compliance with State and Local Law*

The Redevelopment Plan shall be implemented in conformance with the requirements of state and local law.

B. *Population Density*

The Project will provide housing for up to one-hundred fifty (150) residents on a 1.50 acre site.

C. *Public Facilities*

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

VI. Procedure for Changes or Modification of Plan

Upon application by the Developer or its successors in interest, the Redevelopment Plan may be amended or modified by the Land Clearance for Redevelopment Authority with the consent of the Planning and Zoning Commission. When the proposed amendment or modification substantially changes the Redevelopment Plan, the City Council must also approve the amendment or modification.

EXHIBIT A
Map of Blighted Area

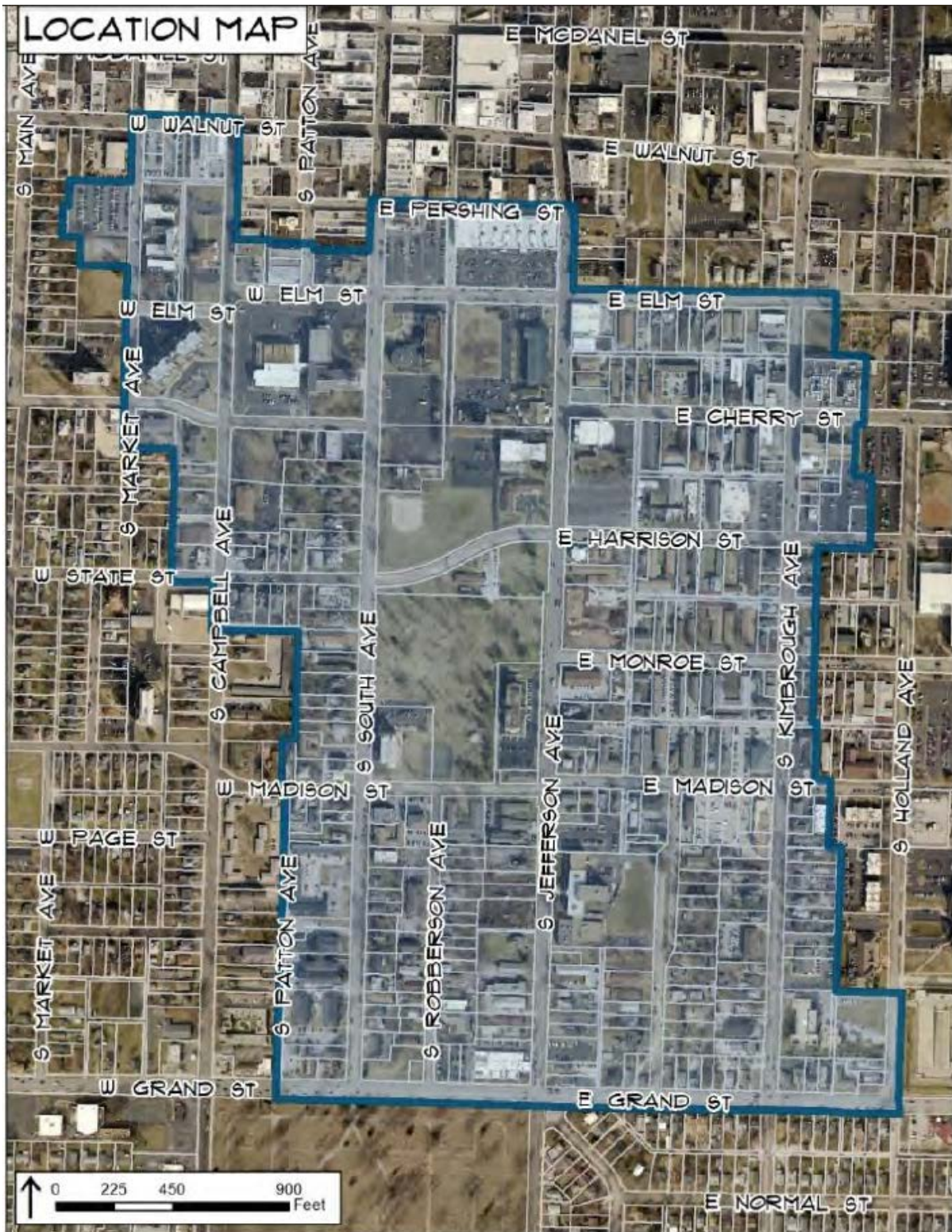


EXHIBIT B

Map of Redevelopment Area



EXHIBIT C

Legal Description of the Redevelopment Area

A TRACT OF LAND BEING ALL OF LOTS 11, 12, 13 AND 14 IN CLEVELAND ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI AND PART OF THE SOUTHWEST QUARTER (SW¼) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 24, TOWNSHIP-29 N, RANGE 22 W, TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT AN "X" CUT IN CONCRETE AT THE SOUTHWEST CORNER OF ABOVE MENTIONED LOT 14 OF CLEVELAND ADDITION (SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF ROBBERSON AVENUE); THENCE N 01°36'18" E ALONG THE WEST LINES OF LOT 14, 13, 12 AND 11, A DISTANCE OF 204.85 FEET TO AN "X" CUT IN CONCRETE AT THE NORTHWEST CORNER OF SAID LOT 11; THENCE S 88°34'59" E ALONG THE NORTH LINE OF SAID LOT 11, 170.08 FEET TO AN IRON PIN IN THE CENTERLINE OF A VACATED ALLEY; THENCE S 02°19'03" W ALONG SAID CENTERLINE 100.18 FEET TO AN IRON PIN; THENCE S 02°02'44" W ALONG SAID CENTERLINE 105.50 FEET TO AN IRON PIN; THENCE N 88°17'04" W 18.06 FEET TO A POINT ON THE SOUTH LINE OF ABOVE MENTIONED LOT 14; THENCE S 01°15'52" W 111.45 FEET TO AN IRON PIN; THENCE S 01°43'54" W 91.02 FEET TO AN IRON PIN SAID POINT BEING 8 FEET NORTH OF THE NORTH LINE OF KENTON'S FIRST SUBDIVISION TO THE CITY OF SPRINGFIELD; THENCE N 88°17'29" W 150.43 FEET TO THE EAST RIGHT-OF-WAY LINE OF ROBBERSON AVENUE; THENCE N 01°36'18" E ALONG SAID EAST RIGHT-OF-WAY LINE 202.48 FEET TO THE POINT OF BEGINNING.

EXHIBIT D

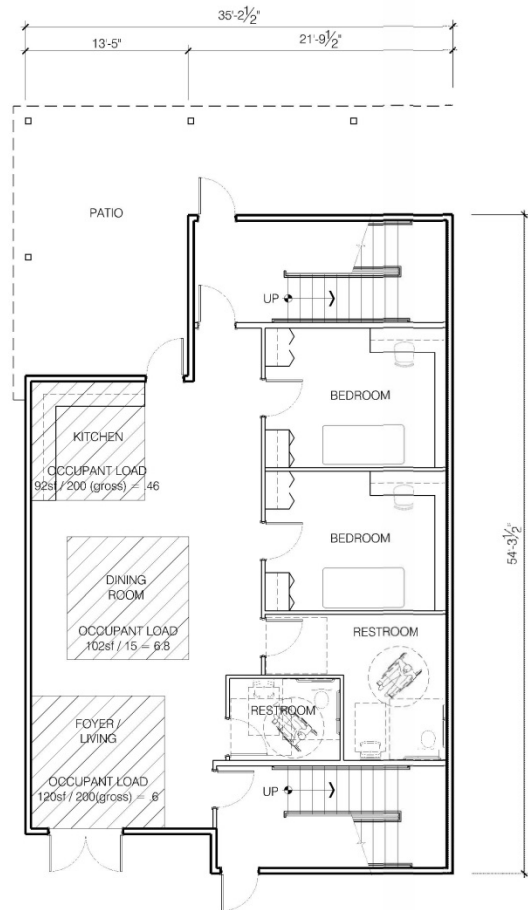
Land Use Plan

SPACE	OCCUPANT LOAD
• DINING ROOM	6
• KITCHEN	1
• FOYER	1
• BEDROOMS (10)	18
• TOTAL OCCUPANTS	26

TOTAL PARKING (ALL BLDGS)

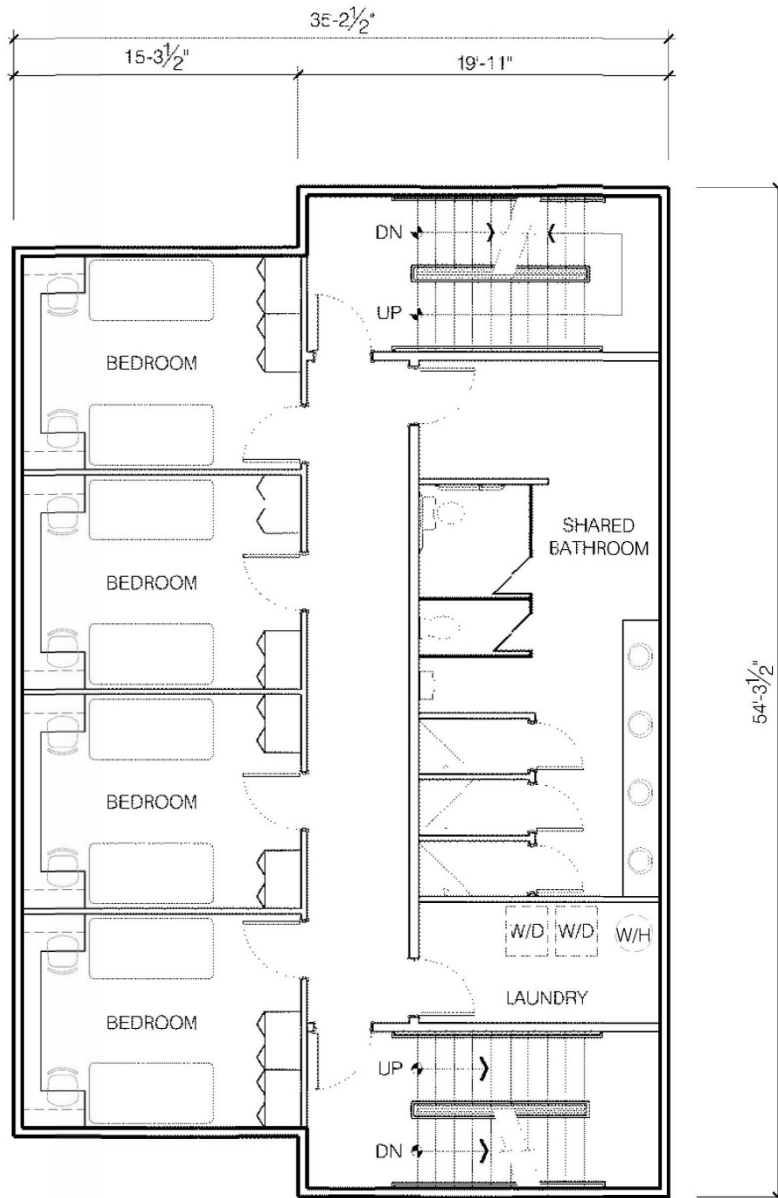
- (6) BLDGS = 108 BEDS @ 2 per 3 = 72 parking spots
- (6) BLDGS = 48 OTHER OCCUPANTS @ 1 per 3 = 16 parking spots
- TOTAL PARKING = 88 PARKING SPOTS
- BICYCLE REDUCTION = 10% (88 x 10% = 8.8)
- TOTAL REQ'D PARKING (88 - 8.8 = 86.4) = 79 SPACES
- TOTAL PARKING PROVIDED = 86 SPACES

- FOOTPRINT / BLDG = 1,684sf
- TOTAL BLDG = 5,308sf
- 10 BEDROOMS / BLDG
- 18 BEDS / BLDG



2 1ST LEVEL FLOOR PLAN

1/8" = 1'-0"



3 2nd & 3rd LEVEL FLOOR PLAN

1/8" = 1'-0"

