



Springfield Planning and Zoning Commission

City Council Chambers (830 Boonville)

Date: June 4, 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

May 7, 2015 Meeting

Documents: [PNZ MINUTES 05-07-2015.PDF](#)

3. COMMUNICATIONS

City Council Summary, May 11, 2015 Meeting

Documents: [COUNCIL SUMMARY 05-11-15.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 825

730 North Glenstone, Community Foundation of the Ozarks

Documents: [RE 825 REPORT.PDF](#)

6. UNFINISHED BUSINESS

7. 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](#)

8. PUBLIC HEARINGS

9. Vacation 779

West Madison Street, City of Springfield

Documents: [VAC779.PDF](#)

10. Z-20-2015

505 East Trafficway, Springfield Tool & Die

Documents: [Z-20-2015 TABLE MEMO.PDF](#)

11. Z-21-2015

3005 South Lakeside Avenue, In-Out, LLC

Documents: [Z-21-2015 TABLE MEMO.PDF](#)

12. Z-22-2015 W/Conditional Overlay District No. 93

2700-2800 North Farm Road 199, Meek Lumber Company

Documents: [Z-22-2015 COD93.PDF](#)

13. Z-23-2015 W/Conditional Overlay District No. 94

2700-2800 South Farm Road 199, SRC Holdings Corporation

Documents: [Z-23-2015 COD94.PDF](#)

14. Z-24-2015

4265 South Nature Center Way, Horst Revocable Trust DeAnna Key

Documents: [Z-24-2015.PDF](#)

15. Z-25-2015

1929 East Dale Street, Loren Cook Company

Documents: [Z-25-2015.PDF](#)

16. Group Home Text Amendments

City-wide, City of Springfield

Documents: [GROUP HOME AMENDMENTS SR.PDF](#)

17. Reasonable Accommodation Text Amendments

City-wide, City of Springfield

Documents: [REASONABLE ACCOMMODATION POLICY AND PROCEDURE AMENDMENTS SR \(3\) MLS BH.PDF](#)

18. Planning & Zoning Rules Of Procedures Amendment

City-wide, City of Springfield

Documents: [MEMO APPEAL TO CC RULE OF PROCEDURE.PDF](#)

19. Robberson Avenue Panhellenic Redevelopment Plan

814-850 South Robberson Avenue, Burning Tree Consulting, LLC

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

20. Amended Brewery District Lofts Redev. Plan

507 West Walnut Street, Brewery District Lofts Redev. Corp

Documents: [AMENDED BREWERY DISTRICT LOFTS REDEVELOPMENT PLAN PZ SR.PDF](#)

21. Mapping Of East/West Arterial Corridor

Intersection of Southwood Avenue & Riverbluff Boulevard to Kissick Avenue, City of Springfield

Documents: [EAST WEST MAPPING SR.PDF](#)

22. ANY OTHER MATTERS UNDER COMMISSION JURISDICTION

23. 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 May 7, 2015, in Busch Building fourth floor . The meeting was called to order by Chairman Tom Baird.

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

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

Minutes: The minutes of April 9, 2015 were approved unanimously.

Communications :

Mr. Hosmer requested items number 15, Street Name Change No. 76 and number 18, Robberson Avenue Panhellenic Redevelopment Plan be tabled to the June 4, 2015 Planning and Zoning meeting. Mr. Hosmer mentioned that Planning and Zoning will be holding a training workshop on May 21, 2015 in the fourth floor conference room of the Busch Building at 5:30.

Ms. White **motioned to table** items number 15, Street Name Change No. 76 and number 18, Robberson Avenue Panhellenic Redevelopment Plan to the June 4, 2015 Planning and Zoning meeting. Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Ray, Shuler, Doennig, Cline, and Rose. Nays: None. Abstain: None. Absent: Edwards and Cox.

The Consent Agenda items were *approved* as presented.

Public Hearings :

Z-15-2015

Mexican Villa, Inc.

Mr. Hosmer commented this is a request 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. 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. 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. The applicant is requesting to rezone this tract for restaurant parking lot. The restaurant property is currently zoned LB. The

existing residential structure will be removed and combined with the adjacent restaurant property. 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. 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. 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. A traffic study was not required. Staff recommends approval.

Mr. Baird opened the public hearing.

Mr. King Coltrin, Great River Engineers, 2826 S. Ingram Mill stated he represents the owner Mexican Villa; this is a fifty (50) foot wide strip with an old house on it. LB is set up to be next to R-SF and they plan on buffering with fence to limit impact. Mr. Coltrin stated they met with the neighbors and they are happy.

Mr. Baird asked about a neighbor who attended the neighborhood meeting with concerns about access to a gate.

Mr. Coltrin said a pair of sisters live adjacent to the property and have an existing gate they use for gardening; using this access to bring in dirt and gardening supplies. Mr. Coltrin explained the sisters requested a gate in the wood fence so they will be putting the gate opening on their side so they can control the access.

Mr. Doennig asked if there is need to make an exception for the gate as it is not designated in the staff report.

Mr. Coltrin affirmed they have spoken with City staff and there is not a problem with that access being at that point.

Mr. Hosmer clarified that City Code allows access through a bufferyard area so the applicant can provide that.

Mr. Baird closed the public hearing.

Mr. Ray asked staff if it is correct for potential future use of this tract that it is limited to restaurants, personal services and offices uses.

Mr. Hosmer said no and reviewed all the uses allowable in an LB, Limited Business District.

Mr. Cline motioned to **approve** Z-15-2015. Mr. Doennig **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Ray, Shuler, Doennig, Cline, and Rose. Nays: None. Abstain: None. Absent: Edwards and Cox.

Z-16-2015

Jean Gwin

Mr. Hosmer remarked the applicant is proposing to rezone this property located at 837 South Glenstone Avenue 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. 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. 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. Mr. Hosmer reviewed the thirty (30) degree bulk plane requirement and at least a twenty (20) foot bufferyard with fence and landscaping plantings from the residential area. 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. Staff recommends approval.

Mr. Baird opened the public hearing.

Ms. Jean Gwinn, owner of 837 S. Glenstone stated they are trying to tie those two (2) tracts together to get a cleaner use of the land there.

Mr. Baird closed the public hearing.

Mr. Ray motioned to **approve** Z-16-2015. Mr. Doennig **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Ray, Shuler, Doennig, Cline, and Rose. Nays: None. Abstain: None. Absent: Edwards and Cox.

Z-18-2015

Burning Tree

Consulting, LLC

Mr. Hosmer stated this is a request to rezone approximately 1.47 acres of property generally located at 814, 816, 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. 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. The applicant intends to develop the property with housing to serve Missouri State University students which may include fraternity and/or sorority housing. No traffic study is required and staff recommends approval.

Mr. Baird opened the public hearing.

Mr. Kevin Hoffmeyer, 2144 E. Republic Road, Suite E300, explained the UC District allows uses that traditionally about a University, but are not allowed in traditional multi-family housing. The current plan calls for 108 beds and approximately 83 parking spaces. The University supports the project. There are several fraternity houses along National Avenue that would like to relocate to this redevelopment area. The University has communicated with the owner that Sororities have approached them about expanding to this area because currently there is not enough Sorority housing on campus.

Mr. Cline asked if this was affiliated with the University of Missouri.

Mr. Hoffmeyer said no.

Mr. Baird clarified that the owner of the property owns only this section of property and does not own any property on the other side of it; stating that is why the zoning would be contained to just this area only.

Mr. Hoffmeyer said yes.

Mr. Walt Carnahan, 2655 E. Madison expressed he is the owner of 900 S. Robberson and believes adjoins the proposed parcel. Mr. Carnahan stated no one has contacted him and does not know what the project entails adding he feels it should include the whole block.

Mr. Baird remarked the property can only be rezoned at the request of the owner. Mr. Baird disclosed that notices were sent out for the public meeting and the property has to be posted.

Mr. Carnahan stated he could have missed that because he has been out of town. Mr. Carnahan stated that he felt that anyone on the Commission would want that extended and the whole block cleaned up.

Mr. Baird clarified that the developer has requested to rezone the property that he has control of and that is what Commission is reviewing this evening.

Mr. Steve Stinnett with Miller Commerce, 431 S. Jefferson representing Burning Tree Development Company; Titus Williams is the owner of the property. Mr. Stinnett mentioned there was a neighborhood meeting two (2) weeks ago explaining the whole development at that meeting. Mr. Stinnett stated a couple of things came out of the neighborhood meeting and the owner has agreed to a privacy fence on the east side and in regard to stormwater, they had a meeting with the City; they do not qualify for a buyout, but they will go ahead and design the detention facility.

Mr. Baird closed the public hearing.

Mr. Doennig **motioned** to approve Z-18-2015. Ms. White **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Ray, Shuler, Doennig, Cline, and Rose. Nays: None. Abstain: None. Absent: Edwards and Cox.

Z-19-2015
Investments, LLC

Diversity Commercial

Mr. Hosmer remarked this is a request to rezone 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. 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. The applicant has cited a shortage of parking for the office building. 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. Staff recommends approval. Mr. Hosmer noted that on the agenda there is a Subdivision Variance for this site because they do not have full frontage along a public street with the combine of the lots.

Mr. Baird opened the public hearing.

Mr. Chris Slayden, 2107 E. Rockhurst commented he is with Diversity Commercial Investments, the owner of the property. They are attempting to rezone the property to add additional parking to the existing office building so the zoning will be the same.

Mr. Baird closed the public hearing.

Mr. Cline asked if they can combine this case with the Subdivision Variance as its a related item.

Subdivision Variance 351
Investments, LLC

Diversity Commercial

Mr. Hosmer stated 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. 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. 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. Mr. Hosmer mentioned that staff is looking at amending the subdivision regulations so there would not have to be all these subdivision variances when there is not full frontage on the street.

Mr. Baird asked if this is part of the plat that was zoned GR.

Mr. Hosmer remarked he believed it was a part of two (2) tracts and the reason it came forward was it was an illegal lot split. It was not done through the City's process but it is being cleaned up with a subdivision that would allow the irregular shape.

Mr. Baird opened the public hearing.

Mr. Chris Slayden, 2107 E. Rockhurst commented he is available for questions.

Mr. Baird closed the public hearing.

Mr. Cline **motioned** to approve Z-19-2015. Mr. Doennig **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Ray, Shuler, Doennig, Cline, and Rose. Nays: None. Abstain: None. Absent: Edwards and Cox.

Ms. White **motioned** to approve Subdivision Variance 351. Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Ray, Shuler, Doennig, Cline, and Rose. Nays: None. Abstain: None. Absent: Edwards and Cox.

Planned Development 347

City of
Springfield

Mr. Hosmer stated this is a request 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. 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. The Planning and Zoning Commission, after the public hearing and discussion, recommended amending the

proposed zoning by including construction equipment storage yards as a permitted use in both Area A and B of the proposed Planned Development. Additionally, staff made changes to the use limitations section E, item number 6, after further discussions with the property owners. The initial language prohibited outdoor storage within 100 feet of adjacent residential properties. There are properties along Chase Street that are adjacent to residential properties but they are only about 100 feet wide. Restricting outdoor storage within 100 feet of residential properties would not allow these properties to have outdoor storage. Staff believes that allowing outdoor storage with a six feet privacy fence and not allowing storage of materials to be any higher than the fence height would help mitigate any adverse affects associated with outside storage of materials. After the public meeting, staff met with a property owner and their attorney who requested their property be removed from the District; that was Moore's Trash Service. Staff recommends approval. Mr. Baird reviewed the revised map of the PD with Commission members.

Mr. Cline noted that Commission made those changes primarily for Moore's Trash service, asking what happened.

Mr. Hosmer remarked he did not know.

Mr. Baird asked about properties to the north and far east that are included in this plan asking why it is not a more uniform area asking if people had the option to opt in or out of this asking how they got a few property to the north and east.

Mr. Hosmer stated he believes they were existing commercial properties and they wanted to allow them more flexibility and uses so it was looking at the land uses there and they left the residential area as the live work area. Mr. Hosmer stated looking at the big picture it does become a complete package.

Mr. Baird asked if a developer were to come in and purchase a couple of properties on Atlantic Street that are currently not part of this planned development, could they add those in.

Mr. Hosmer said rezone to this Planned Development; that is an option but at their own expense. This is a City initiated rezoning

Mr. Doennig clarified that since Moore's Trash Service opted out, the map is not correct any longer because the boundary is now Washington Avenue.

Mr. Hosmer said no they are still in the Creative District as far as the plan; the grey area is part of that planning area. They are no longer in the Live/Work District or the Planned Development.

Mr. Baird asked if the grey line indicates the Live/Work District.

Mr. Hosmer stated that is the planning area adding the other areas which has the zoning

change have the uses they have previously plus commercial and residential uses allowing them more uses that they did not have before.

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

Mr. Cline **motioned** to approve Planned Development 347. Mr. Doennig **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Ray, Shuler, Doennig, Cline, and Rose. Nays: None. Abstain: None. Absent: Edwards and Cox.

Planned Development 349
Owner's Association

Chesterfield Square Property

Mr. Hosmer explained this is a request to rezone approximately 19.31 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. 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. Staff recommends approval.

Mr. Baird opened the public hearing.

Mr. Hosmer noted that Mr. Lee had another meeting to attend and Mr. Hosmer is representing Mr. Lee and would answer any questions.

Mr. Baird stated that there was a concern about the drive through window being able to be part of this development.

Mr. Hosmer stated that Schultz and Dooley"s wanted to have a drive through facility added to this; from discussions with the developer the intent was to meet what was existing and keep that in the same development standards. The stacking lanes would go back to the new residential and office development and it would block buildings and staff did not think it was appropriate at this time as they were trying to meet the existing PD. Mr. Hosmer stated it is not part of this proposal.

Mr. Baird closed the public hearing.

Mr. Ray **motioned** to approve Planned Development 349. Ms. White **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Ray, Shuler, Doennig, Cline, and Rose. Nays: None. Abstain: None. Absent: Edwards and Cox.

Street Name Change No. 76

City of Springfield Public Works

Mr. Hosmer requested Street Name Change No. 76 be tabled to the June 4, 2015 Planning and Zoning Meeting.

Ms. White **motioned** to table Street Name Change No. 76 be tabled to the June 4, 2015 Planning and Zoning Meeting. Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Ray, Shuler, Doennig, Cline, and Rose. Nays: None. Abstain: None. Absent: Edwards and Cox.

Preliminary Plat Republic Kansas Subdivision (1545 West Republic Street)

Curtis Jared

Mr. Hosmer stated this is a request 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. There is also a billboard located on the site. No new roads are being proposed and there will be no access to James River Freeway. If Planning and Zoning Commission approves the preliminary, then the plat will be forwarded to City Council for acceptance of public streets and easements. Mr. Hosmer reviewed the access that are currently allowed. Staff recommends approval.

Mr. Baird opened the public hearing.

Mr. Casper Winn, 5051 S. National commented he is representing the owner. Mr. Winn stated their goal is to plat the property to get a legal tract of record for the properties.

Mr. Baird closed the public hearing.

Mr. Ray **motioned** to approve Preliminary Plat Republic Kansas Subdivision. Mr. Doennig **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Ray, Shuler, Doennig, Cline, and Rose. Nays: None. Abstain: None. Absent:

Edwards and Cox.

There being no further business, the meeting was adjourned at approximately 7:30 p.m.

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

Bob Hosmer, AICP
Principal Planner

Summary of Most Recent Meeting

May 11, 2015

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

Council Bill 2015-105. **(PASSED 7-2 WITH SCHILLING AND HOSMER 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. **(PASSED UNANIMOUSLY)**

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. **(PASSED UNANIMOUSLY)**

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. **(PASSED UNANIMOUSLY)**

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. (**PASSED UNANIMOUSLY**)

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.)

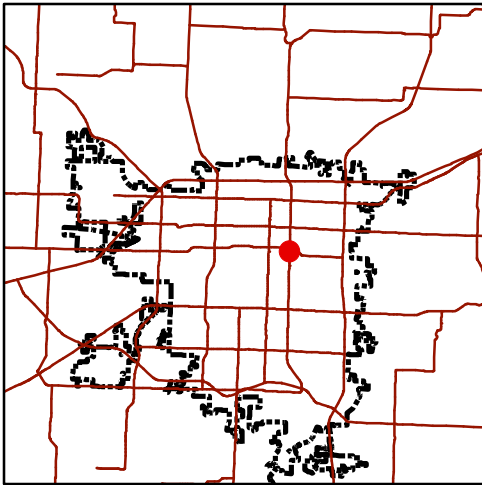
Council Bill 2015-112. (**PASSED 7-2 WITH HOSMER AND SCHILLING IN OPPOSITION**)

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

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.) Passes Unanimously.



Zoning & Subdivision Report

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

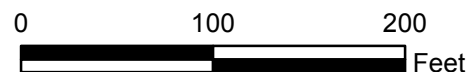
Relinquish Easement 825

LOCATION: 730 N. Glenstone Avenue

LOCATION SKETCH



- Area of Proposal



1 inch = 100 feet

Zoning & Subdivision Report

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

REQUEST TO RELINQUISH EASEMENT NUMBER 825

DATE: May 26, 2015
PURPOSE: To relinquish an electric line easement
LOCATION: 730 N. Glenstone
APPLICANT: Community Foundation of the Ozarks

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. 825
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish an electric line easement to facilitate the development of the site.

CITY UTILITIES COMMENTS:

No objection to relinquishment. City Utilities has no facilities within the easement. No replacement easement is required.

AT&T COMMENTS:

No objections. AT&T has no facilities with said easement. However, AT&T does have facilities with the 10' easement along Glestone. The development may require existing facilities to be relocated at the developer's expense.

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 an electric line easement to facilitate the development of the site. The easement is no longer in use and is not needed for the future development of the site.
3. No one has objected to this request to date.

ATTACHMENT B
RELINQUISH EASEMENT NO. 825
APPROVAL CRITERIA

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

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

STAFF RESPONSE:

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

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

STAFF RESPONSE:

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

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

STAFF RESPONSE:

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

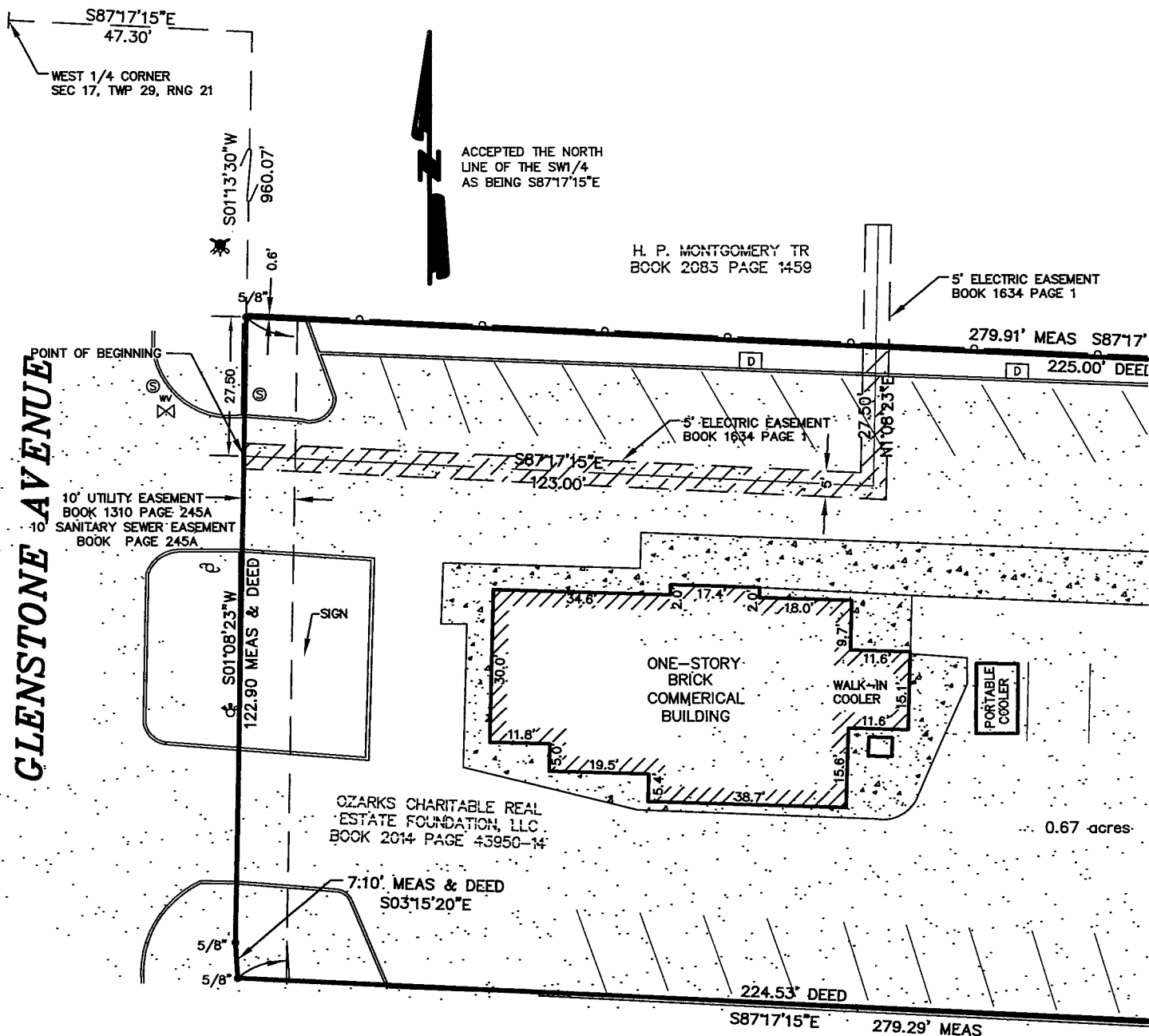
RELINQUISH EASEMENT NO. 825
EXHIBIT 1

RELINQUISHMENT OF EASEMENT

A 5 FOOT STRIP OF GROUND BEING 2.5 FEET EACH SIDE AND BEING EXTENDED OR TRUNCATED AS NEEDED AT PROPERTY LINES OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 17, TOWNSHIP 29, RANGE 21, GREENE COUNTY, MISSOURI; THENCE S87°17'15"E, ALONG THE NORTH LINE OF SAID QUARTER, A DISTANCE OF 47.30 FEET TO THE EAST RIGHT-OF-WAY LINE OF GLENSTONE AVENUE; THENCE S01°13'30"W, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 960.07 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND RECORDED IN BOOK 2014 AT PAGE 43950-14 IN THE RECORDER'S OFFICE, GREENE COUNTY, MISSOURI; THENCE S01°08'23"W, CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE AND THE WEST PROPERTY LINE OF SAID TRACT OF LAND, A DISTANCE OF 27.50 FEET TO THE POINT OF BEGINNING; THENCE S87°17'15"E, PARALLEL WITH THE NORTH LINE OF SAID QUARTER, A DISTANCE OF 123.00 FEET; THENCE N01°08'23"E, PARALLEL WITH THE EAST RIGHT-OF-WAY LINE OF GLENSTONE AVENUE, A DISTANCE OF 27.50 FEET TO THE NORTH LINE OF SAID TRACT OF LAND FOR A POINT OF TERMINATION.

EXHIBIT B



SCALE 1" = 30'

THIS EXHIBIT IS BASED ON A SURVEY OF THE PROPERTY SHOWN. THE FIELD PROCEDURES MEET THE CURRENT MINIMUM STANDARDS.

THIS IS **NOT** A PROPERTY BOUNDARY SURVEY DRAWING AND THE DRAWING DOES **NOT** MEET THE CURRENT MINIMUM STANDARDS FOR PROPERTY SURVEYS.

WILSON SURVEYING CO., INC.

Surveying / Engineering / Land Planning

2012 S. Stewart Springfield, Missouri 65804

Email: Rick.Wilson@wilsurveyinc.com

(417) 522-7870

PREPARED FOR:

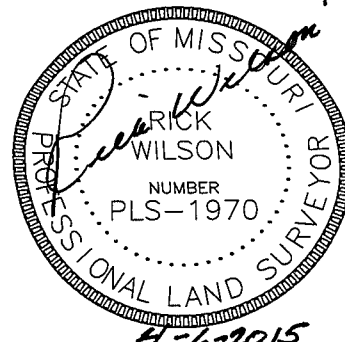
OZARKS CHARITABLE REAL ESTATE FOUNDATION, LLC

DATE: APRIL 7, 2015

DRAWN BY: APW
CREW CHIEF: GAD

PROJECT NO.: 15052
DRAWING NO.: WA-104-823-EX

SHEET NO.
1 of 1



EXPLANATION TO COUNCIL BILL NO: 2015-_____

FILED:

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To assign 3600-3804 South Glenstone Avenue (outer road, east side of Glenstone Avenue) the name of Glenstone Outer Road. (Staff recommends approval.)

BACKGROUND INFORMATION:

STREET NAME CHANGE NO. 76

This is a request to assign 3600-3804 South Glenstone Avenue, outer road east side the name of Glenstone Outer Road to provide clarity for emergency response.

REMARKS:

The Planning and Zoning Commission held a public hearing on June 4, 2015, and recommended _____, by a vote of ___ to ___, of this street name change.

The Planning and Development staff recommends approval of the proposed street name change (see attached Zoning and Subdivision Report).

Submitted by:

Alana D. Owen, AICP, Senior Planner

Reviewed by:

Approved by:

Mary Lilly Smith, Director

Greg Burris, City Manager

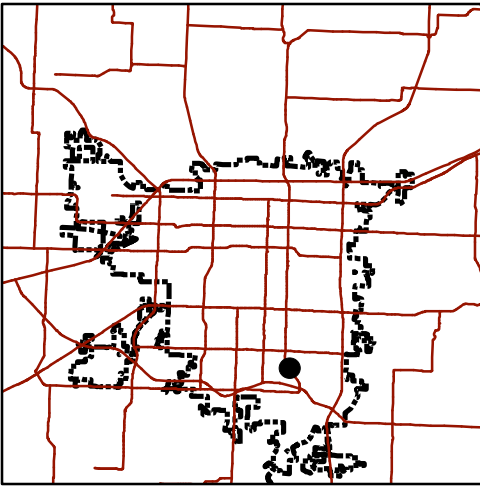
EXHIBITS:

Exhibit A, Record of Proceedings

Exhibit B, Zoning and Subdivisions Staff Report

ATTACHMENTS:

Attachment 1, Background Report



Zoning & Subdivision Report

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

Street Name Change No. 76

LOCATION: 3604-3800 South Glenstone, outer road east side of Glenstone

PROPOSED NAME: Glenstone Outer Road

LOCATION SKETCH



 - Area of Proposal

0 300 600 1,200
 Feet

1 inch = 600 feet

Zoning & Subdivision Report

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

STREET NAME CHANGE 76

DATE: May 22, 2015

PURPOSE: To assign 3600-3804 South Glenstone Avenue, outer road east side of Glenstone Avenue the name of Glenstone Outer Road.

LOCATION: 3600-3804 South Glenstone Avenue, outer road east side of Glenstone Avenue

APPLICANT: City of Springfield

RECOMMENDATION:

Staff recommends **approval**.

FINDINGS:

1. This request provides an official name for this previously private road which will reduce confusion and improve emergency response.

STAFF CONTACT PERSON:

Alana D. Owen, AICP
Senior Planner
417-864-1831

ATTACHMENT 1
BACKGROUND REPORT
STREET NAME CHANGE 76

APPLICANT'S PROPOSAL:

The subject roadway was previously a private road. With the relocation of Luster Avenue and intersection improvements at Independence and Luster, the outer roadway was turned over to the City as a public street. This is a request to assign the name of Glenstone Outer Road to this segment of the roadway to provide for clarity for 911 and other emergency purposes.

E-911 COMMENTS:

Emergency 911 supports the request.

POLICE DEPARTMENT COMMENTS:

The Police Department supports this request.

FIRE DEPARTMENT COMMENTS:

The Fire Department has no objection to this proposal.

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not object to this request.

SANITARY SEWER COMMENTS:

The proposed Street Name Change would have no impact on public sewer.

TRAFFIC ENGINEERING COMMENTS:

Traffic Engineering supports this proposed street name change.

STORMWATER COMMENTS:

No concerns regarding the proposed Street Name Change.

CITY UTILITIES COMMENTS:

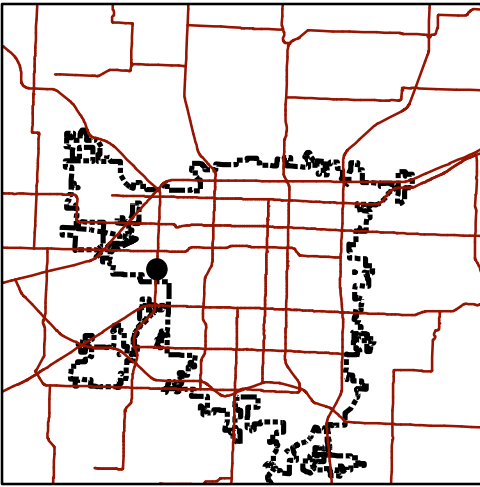
City Utilities has no objection to the proposed street name change.

COMMENTS FROM ADJACENT LANDOWNERS:

No comments received on the request to name the roadway to Glenstone Outer Road.

STAFF COMMENTS:

1. As required for changes of street names, staff posted the affected street and mailed letters to all the owners and tenants on the affected street. This segment of roadway was previously a private road and businesses along the roadway are addressed off of Glenstone Avenue. With the relocation of Luster Avenue and improvements to the intersection of Independence and Luster, the roadway was turned over to the Missouri Department of Transportation and then to the City as a public street. This request is to assign the name of Glenstone Outer Road to the roadway segment to reduce confusion and assist with emergency response.
2. Planning and Zoning Commission's recommendation on this case will be sent to City Council for final approval.



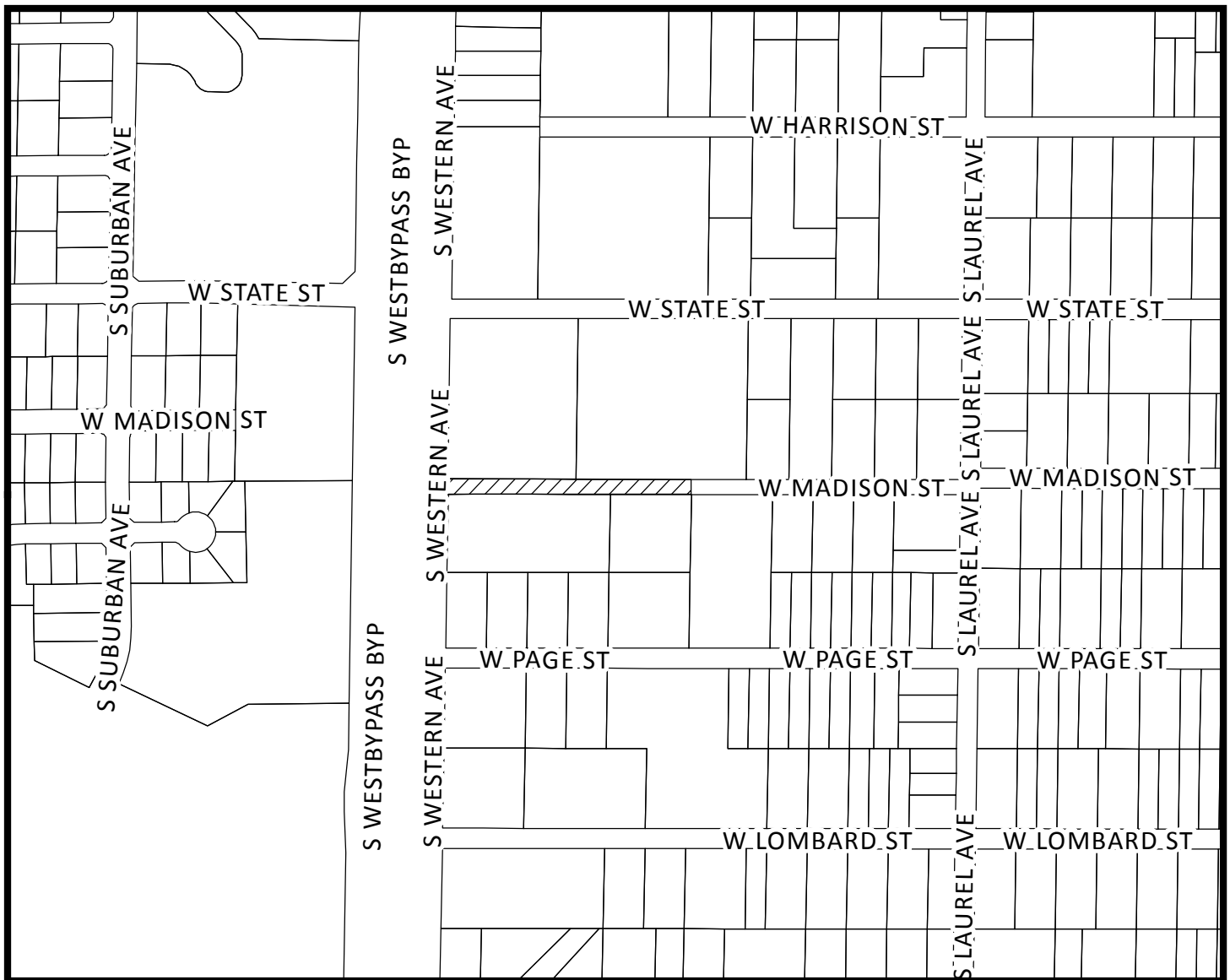
Zoning & Subdivision Report

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

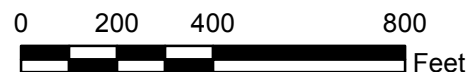
Vacation No. 779

LOCATION: 3400 block West Madison Street

LOCATION SKETCH



- Area of Proposal



1 inch = 400 feet

Zoning & Subdivision Report

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

VACATION #779

DATE: May 22, 2015

PURPOSE: To vacate a portion of unimproved Madison Street right-of-way east of Western Avenue.

BACKGROUND:

LOCATION: 3400 block West Madison Street

APPLICANT: City of Springfield Public Works

RECOMMENDATION:

Staff recommends **approval** of this request.

FINDINGS FOR STAFF RECOMMENDATION:

The requested Vacation #779 meets the approval criteria listed in Attachment 2.

STAFF CONTACT:

Alana D. Owen, AICP
Senior Planner

ATTACHMENT 1
BACKGROUND REPORT
VACATION #779

APPLICANT'S PROPOSAL:

The City is requesting the vacation of a portion of unimproved right-of-way in the 3400 block of West Madison 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.

TRAFFIC ENGINEERING COMMENTS:

Traffic has no issues with vacating this portion of Madison Street.

CITY UTILITIES COMMENTS:

No objection to vacation subject to an easement being granted for the gas and water mains in the existing ROW. The mains provide gas/water service to 3436 W. State and 800 S Western Ave. The width of the easement will be per CU's Easement Guidelines unless the adjacent property owners can provide input on future development or use of the land.

STORM WATER COMMENTS:

Storm Water does not object to the proposed street vacation. There is no impact on public storm water.

FIRE DEPARTMENT COMMENTS:

The Fire Department does not have any objections to the proposed vacation.

CLEAN WATER SERVICES:

Clean Water Services does not have any objections to the proposed vacation.

BUILDING DEVELOPMENT SERVICES:

Building Development Services does not have any objections to this proposal. The existing addresses will not be affected.

ADJACENT PROPERTY OWNER COMMENTS:

Eighteen (18) property owners are within three hundred (300) feet of this site and have been notified of this action. Staff received two calls from adjacent property owners requesting information about the request, however no one has objected to date.

STAFF COMMENTS:

1. This is a request to vacate a portion of Madison Street from South Western Avenue to 600 feet east. The City received this street right-of-way via plat in 1946. The right-of-way is unimproved and has not been used for access. The requested portion of the street to be vacated is no longer a benefit to the city street system and the traveling public.
2. All properties adjacent to Madison Street will still have access to a public street. In addition, all necessary easements are being retained as part of this vacation.
3. The proposed vacation meets the approval criteria for vacating right-of-way.

ATTACHMENT 2
APPROVAL CRITERIA
VACATION #779

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

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

STAFF RESPONSE:

All adjacent property owners have access to other public streets.

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

STAFF RESPONSE:

The Director of Public Works initiated this request.

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

STAFF RESPONSE:

The retention of the right-of-way serves no useful purpose since all adjacent lots have access to other public streets.

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

STAFF RESPONSE:

The proposed vacation will not adversely affect the ability to use utilities, public or private. All necessary easements will be retained.

EXHIBIT A
LEGAL DESCRIPTION
VACATION #779

DESCRIPTION FOR STREET VACATION:

Beginning at the Northwest corner of Lot 13 in Block 2 of West Highlands Subdivision, a subdivision in the City of Springfield, Greene County, Missouri; Thence East along the south right of way of Madison Street a distance of 600.0 feet to the Northeast corner of Lot 8 in said Block 2; Thence North a distance of 30.0 feet to the north right of Madison Street and a point on the south line of Lot 7 in Block 9 of Highland Gardens Subdivision, a subdivision in the City of Springfield, Greene County, Missouri; Thence West along the north right of way of Madison Street a distance of 600.0 feet to the Southwest corner of Lot 12 in said Block 9; Thence South a distance of 30.0 feet to the point of beginning. Containing 18,000.0 square feet, 0.41 acres, more or less.

PLANNING AND ZONING DEPARTMENT
INTEROFFICE MEMORANDUM

DATE: May 28, 2015

TO: Members of the Planning and Zoning Commission

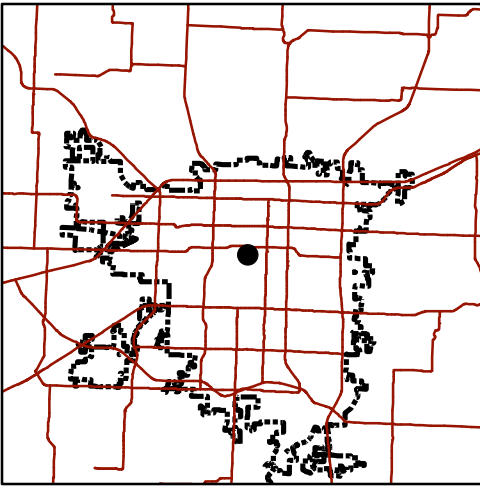
FROM: Alana D. Owen, AICP
Senior Planner

SUBJECT: Zoning Case Z-20-2015

Zoning Case Z-20-2015 is a request to rezone 505 East Trafficway from an HM, Heavy Manufacturing District to a CC, Center City District.

This case was originally scheduled for a public hearing at your June 4, 2015 meeting, however this case is being tabled to the July 7, 2015 meeting because the neighborhood meeting was not completed as required.

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

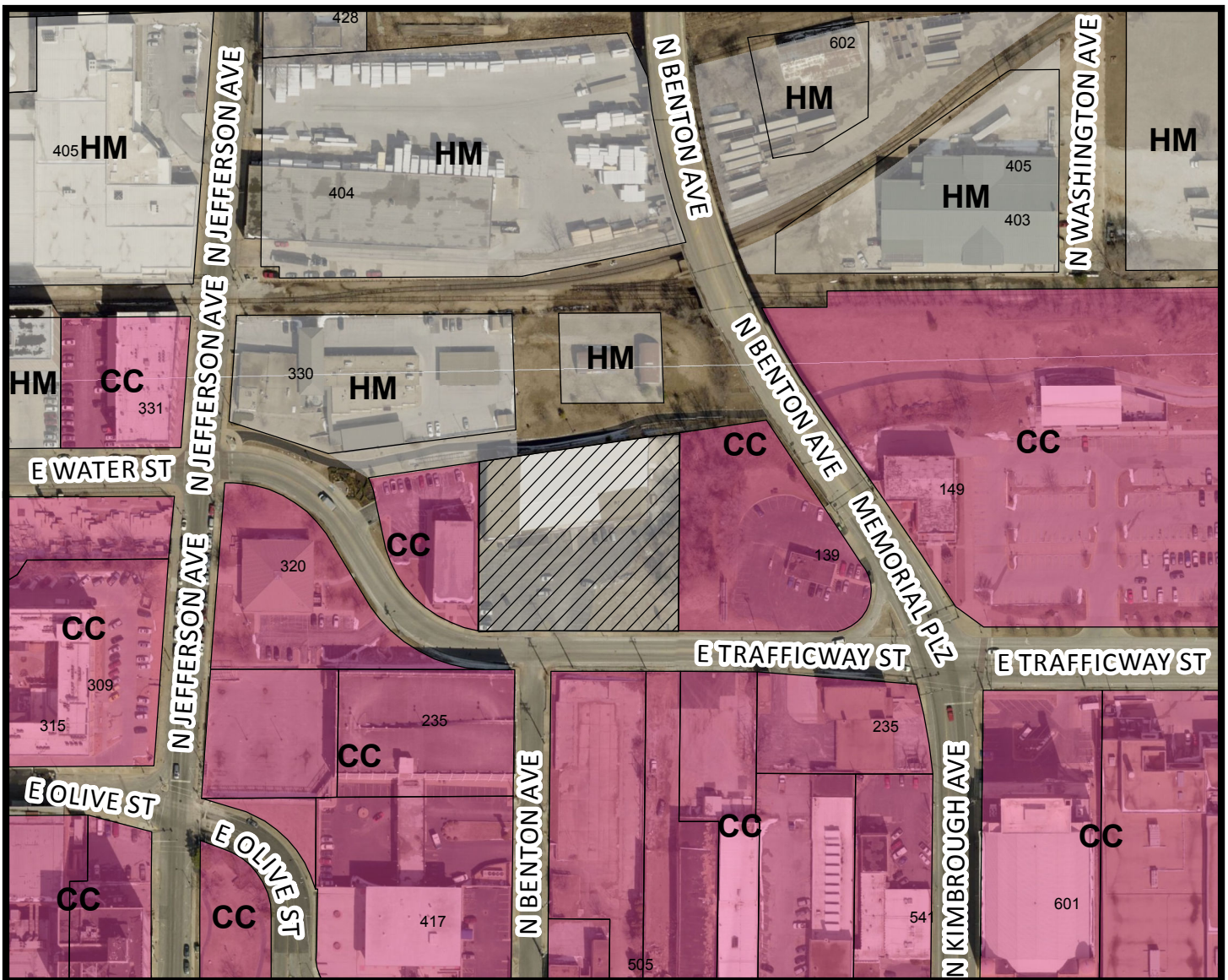
Zoning Case Z-20-2015

LOCATION: 505 East Trafficway

CURRENT ZONING: HM, Heavy Manufacturing District

PROPOSED ZONING: CC, Center City District

LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

PLANNING AND ZONING DEPARTMENT
INTEROFFICE MEMORANDUM

DATE: May 28, 2015

TO: Members of the Planning and Zoning Commission

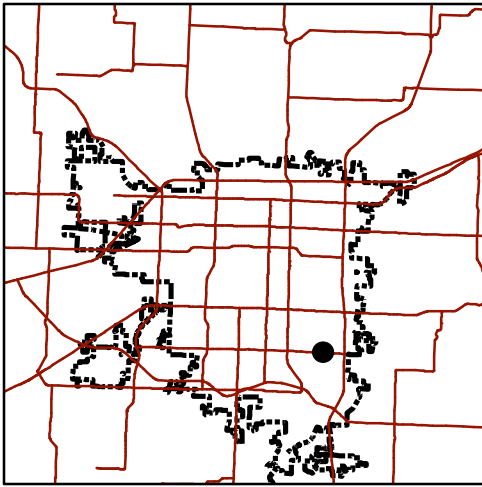
FROM: Alana D. Owen, AICP
Senior Planner

SUBJECT: Zoning Case Z-21-2015

Zoning Case Z-21-2015 is a request to rezone 3005, 3015 and 3027 South Lakeside Avenue from an R-SF, Single Family Residential District to an O-1, Office District.

This case was originally scheduled for a public hearing at your June 4, 2015 meeting, however this case is being tabled to the July 7, 2015 meeting because the neighborhood meeting was not completed as required.

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



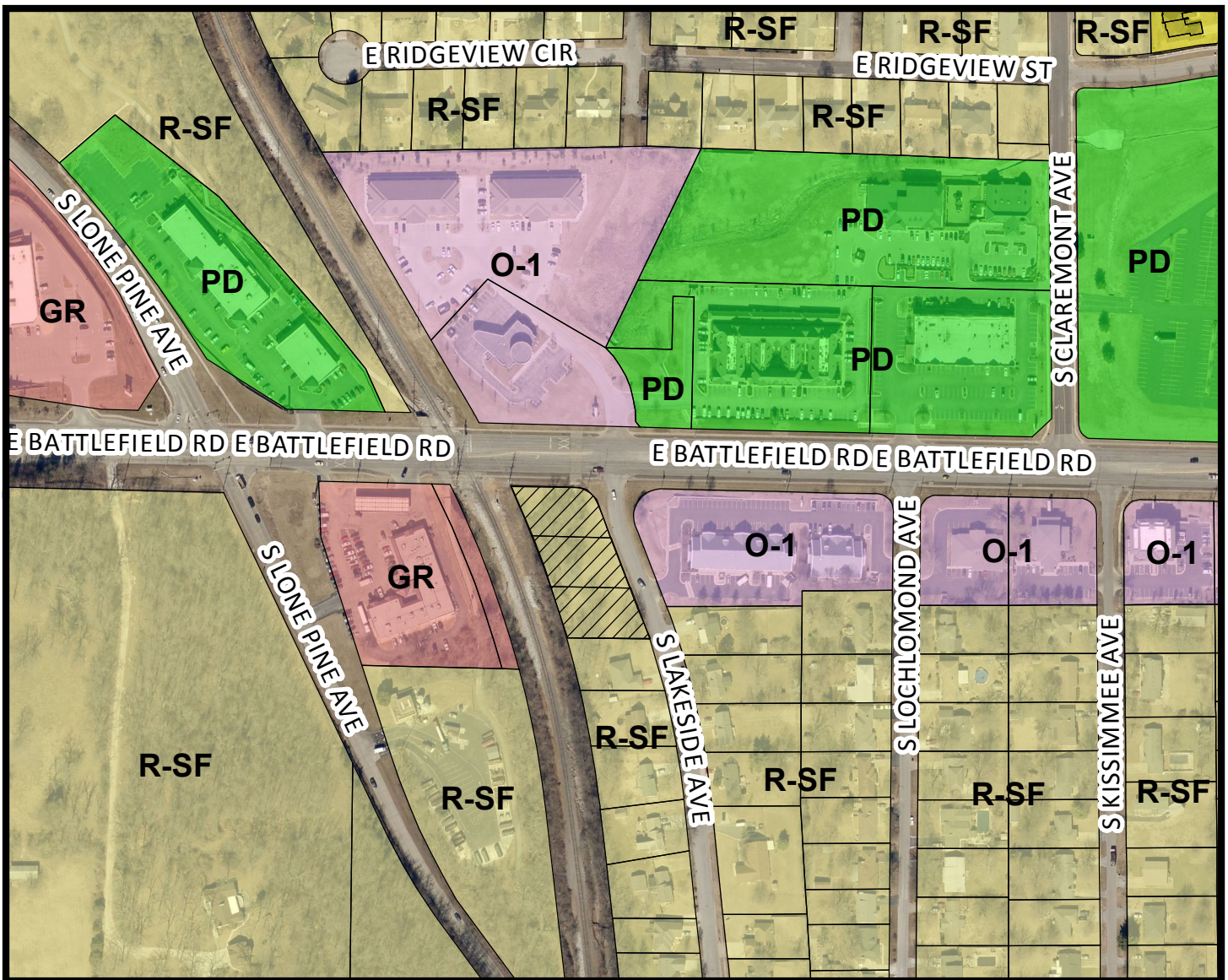
Zoning & Subdivision Report

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

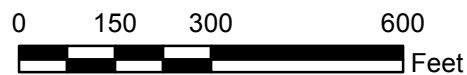
Zoning Case Z-21-2015

LOCATION: 3005, 3015 and 3027 South Lakeside Avenue
CURRENT ZONING: R-SF, Single Family Residential District
PROPOSED ZONING: O-1, Office District

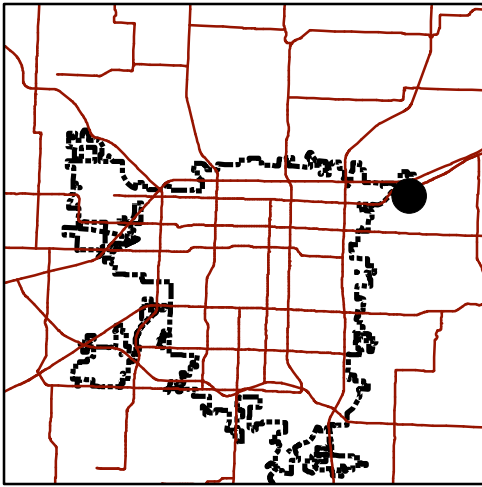
LOCATION SKETCH



- Area of Proposal



1 inch = 300 feet



Zoning & Subdivision Report

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

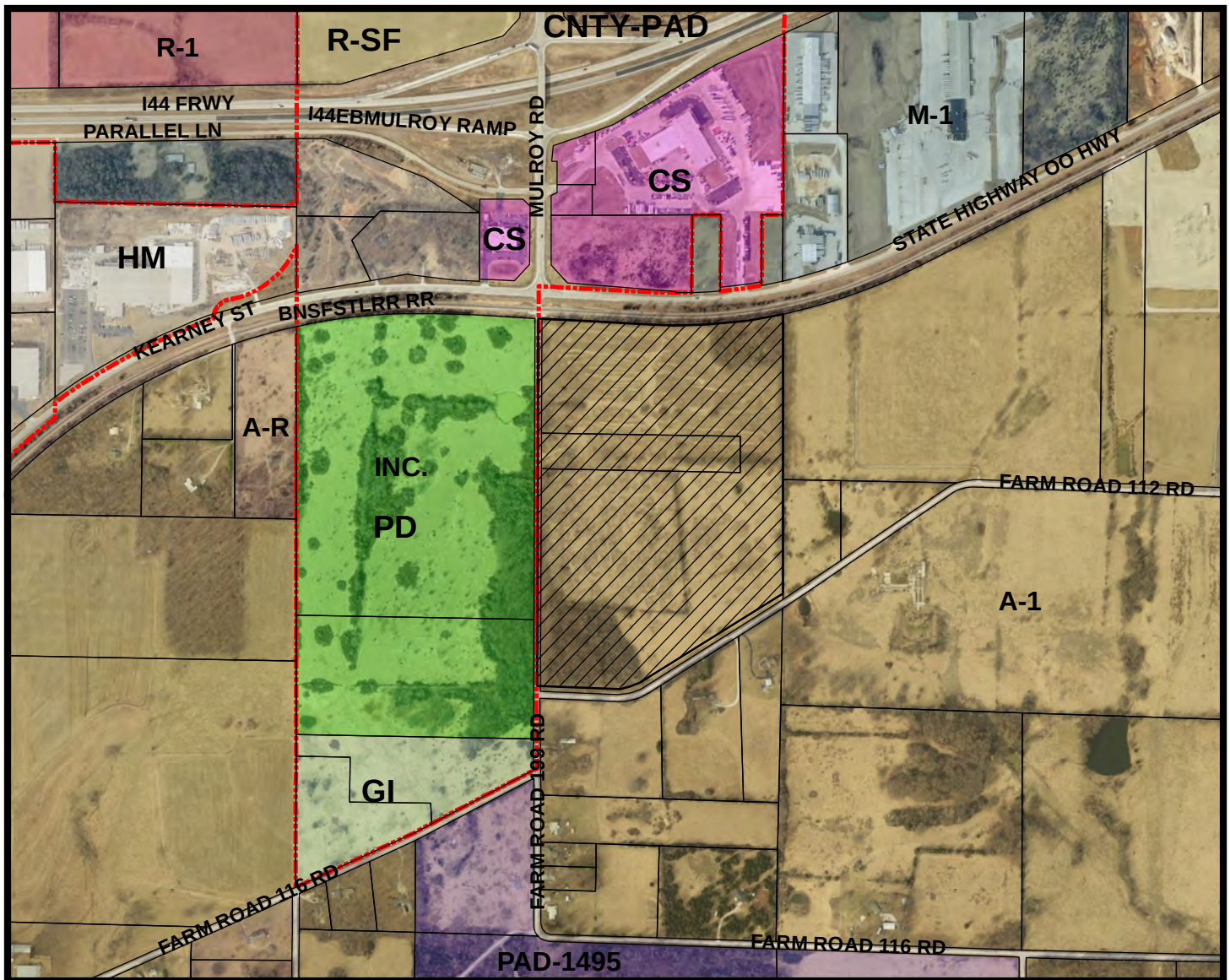
Z-22-2015/Conditional Overlay District No. 93

Location: East side 2700-2800 block N. Farm Road 199 (Mulroy)

Current Zoning: County A-1, Agriculture District

Proposed Zoning: HM, Heavy Manufacturing District/COD #93

LOCATION SKETCH



- Area of Proposal



1 inch = 900 feet

EXPLANATION TO COUNCIL BILL NO: 2015-_____

FILED:

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 57.4 acres of property generally located on the east side of the 2700-2800 blocks of N. Farm Road 199 (Mulroy Rd.) from a County A-1, Agriculture District to a HM, Heavy Manufacturing District; and establishing Conditional Overlay District No. 93.

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-22-2015/CONDITIONAL OVERLAY DISTRICT NO. 93

The applicant is proposing to rezone the subject property from a County A-1, Agriculture District to a HM, Heavy Manufacturing District with Conditional Overlay District No. 93 to facilitate the development of the site. The Conditional Overlay District will restrict uses, provide bufferyards and building setbacks along the south property line adjacent to Farm Road 112, require the dedication of additional right-of-way along Farm Road 199 (Mulroy Rd.), restrict access to Farm Road 199 (Mulroy Rd.), restrict access to Farm Road 112, and require the completion of public improvements to a portion of Farm Road 199 (Mulroy Rd.). These improvements will include the reconstruction of Farm Road 199 (Mulroy Rd.) and sidewalks along Farm Road 199 (Mulroy Rd.). This rezoning is being processed with the Annexation A-2-15.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on June 4, 2015, and recommended _____, by a vote of ___ to __, of the proposed zoning on the tract of land described on the attached sheet (see the attached Record of Proceedings).

The Planning and Development staff recommends the application be **approved** with the requirements of Conditional Overlay District No. 93 (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 light industry, office or office-warehouse. This area is also within the emerging Activity Center of I-44 and Mulroy Road as described in the plan. The proposed HM, Heavy Manufacturing zoning district with COD #93 is consistent with the recommendation.
2. Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use Major Goal 4: Develop the community in a

sustainable manner. Objective 4a, Increase density in activity centers and transit corridors

3. The request is consistent with the adjacent zoning along Kearney Street/State Highway OO and the intent of the HM district to be located with good accessibility provided to major rail, air facilities and highways.
4. The proposed conditional overlay district will mitigate the potential impact between the industrial and residential uses by requiring improvements to the surrounding public infrastructure and requiring additional setbacks, fencing and landscaping along Farm Road 112. The proposed conditional overlay district and the development requirements in the HM District are adequate for mitigating any potential impacts of the proposed development on the adjoining properties.

Submitted by:

Daniel Neal, Senior Planner

Reviewed by:

Approved by:

Mary Lilly Smith, Director

Greg Burris, City Manager

EXHIBITS:

Exhibit A, Record of Proceedings

Exhibit B, Legal Description

Exhibit C, Conditional Overlay Provisions

Exhibit D, Zoning and Subdivisions Staff Report

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Neighborhood Meeting Summary

Attachment 3, 185 foot Property Owners List

Attachment 4, Neighborhood E-mails/Letters

EXHIBIT A
RECORD OF PROCEEDINGS
ZONING CASE Z-22-2015 & CONDITIONAL OVERLAY DISTRICT NO. 93

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

EXHIBIT B
LEGAL DESCRIPTION
ZONING CASE Z-22-2015 & CONDITIONAL OVERLAY DISTRICT NO. 93

All that part of the East Half of Lot 1 of the Northwest Quarter and all that part of the Northeast Quarter of the Southwest Quarter in Section 1, Township 29 North, Range 21 West, Greene County, Missouri, being a part of the tract of land described in the Corporate Warranty Deed duly recorded in the Greene County Recorder's Office in Book 2007, at Page 023545-07, being all that part of the tract of land described in the General Warranty Deed duly recorded in the Greene County Recorder's Office in Book 2007, at Page 023546-07, and being more particularly described as follows:
Commencing at the Northwest corner of the said East Half of Lot 1 of the Northwest Quarter; thence South 01 Degrees 31 Minutes 21 Seconds West, along the West line of said Lot 1, a distance of 586.6 feet, more or less, to the South Right-of-Way line of the St. Louis-San Francisco Railroad, as now established; thence South 85 Degrees 31 Minutes 14 Seconds East along said South Right-of-Way line, a distance of 10.79 feet to the POINT OF BEGINNING; thence continuing along said South Right-of-Way line South 85 Degrees 31 Minutes 14 Seconds East, a distance of 488.37 feet to a found 5/8" iron bar with cap, "314D"; thence continuing along said South Right-of-Way line, along a non-tangent curve to the left having a Radius of 3,180.77 feet and a Chord that bears North 87 Degrees 54 Minutes 44 Seconds East, a distance of 855.71 feet to a found 5/8" iron bar with cap, "314D"; thence departing said South Right-of-Way line South 01 Degrees 34 Minutes 24 Seconds West along the East line of said East Half of Lot 1, and beyond, along the East line of said Northeast Quarter of Southwest Quarter, a distance of 1,544.84 feet; thence departing said East line South 58 Degrees 47 Minutes 36 Seconds West along a line being 55.0 feet North of and parallel with the centerline of Old Wire Road (Farm Road 112), as now established, a distance of 915.75 feet; thence continuing along said parallel line, along a tangent curve to the right having a Radius of 245.00 feet and a Chord that bears South 76 Degrees 21 Minutes 32 Seconds West, a distance of 150.22 feet; thence continuing along said parallel line North 86 Degrees 04 Minutes 33 Seconds West, a distance of 428.74 feet to a point in the East Right-of-Way line of Farm Road 199, as depicted on the survey for Bill Beall Company, as prepared by Ozark Mountain Consulting Engineers & Surveyors, Inc., dated and signed on February 23, 2006; thence departing said parallel line North 01 Degrees 37 Minutes 32 Seconds East along said East Right-of-Way line, a distance of 2,032.14 feet to the POINT OF BEGINNING, and containing 2,500,349 square feet or 57.400 acres of land, more or less.

EXHIBIT C
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-22-2015 & CONDITIONAL OVERLAY DISTRICT NO. 93

The requirements of *Section 4-4300* of the *Springfield Zoning Ordinance* shall be as modified herein for development within this district.

Permitted Uses Allowed under this Overlay District

- A. Accessory Uses, as permitted by *Section 5-1000, Accessory Structures and Uses*.
- B. Any manufacturing, production, processing, cleaning, servicing, testing, repair or storage of materials, goods or products, and business and sales offices accessory thereto.
- C. Auction sales, flea markets, and swap meets.
- D. Automobile service garages including body and fender repair and paint shops.
- E. Battery recycling and reprocessing.
- F. Bulk storage of flammable liquids for wholesale, subject to the provisions of the City and State Fire Codes.
- G. Bus garages.
- H. Churches and other places of worship, including parish houses, and Sunday schools.
- I. Commercial off-street parking lots and structures.
- J. Commercial Gardens and/or Farmers Markets with retail and/or wholesale sales on-site.
- K. Construction equipment storage yards.
- L. Feed stores.
- M. General Office Use Group.
- N. Motor freight terminals.
- O. Pest control services.
- P. Police and fire stations.
- Q. Public and private parks, playgrounds, and golf courses, including miniature golf courses and driving ranges.
- R. Public service and public utility uses, as follow: (G.O. 5094, 7/9/01)
 - 1. Tier I wireless facilities in accordance with *Section 5-2600*,
 - 2. Tier III wireless facilities in accordance with *Section 5-2600, Telecommunication Towers*, provided wireless towers sixty (60) feet or greater in height allow collocation of at least one (1) additional provider's facilities.
 - 3. Tier IV wireless facilities in accordance with *Section 5-2600, Telecommunication Towers*, provided wireless towers are setback from any residential district at least two (2) feet for every one (1) foot of tower height and allow collocation of at least one (1) additional provider's facilities or at least two (2) additional providers' facilities if the tower height is one-hundred-twenty (120) feet or greater.

4. Water reservoirs, water standpipes, and elevated and ground-level water storage tanks.
- S. Railroad terminals, railroads switching and classification yards, and railroad cars and locomotive repair shops.
- T. Retail Sales Use Group provided the sale of products is related to the principal use and provided that the gross amount of floor area devoted to sales and display does not exceed twenty-five (25) percent of the gross floor area of the structure or ten thousand (10,000) square feet, whichever is less. Products related to the principle use include products produced, distributed or sold wholesale on-site by the principle use.
- U. Schools, industrial and business.
- V. Self-service storage facilities.
- W. Swimming pool sales and display.
- X. Temporary uses, as permitted by *Section 5-1200, Temporary Uses*.
- Y. Towers other than wireless facilities, less than one-hundred (100) feet in height, and related facilities.
- Z. Upholstery shops.
- AA. Warehouses, storage and distribution centers.
- BB. Wholesale Sales.

Use Limitations/Landscaping and Bufferyards

1. A building setback of 150 feet shall be provided along the length of Farm Road 112.
2. A bufferyard 40-feet in depth shall be provided along Farm Road 112. This bufferyard shall consist of six (6) evergreen trees per 100 linear feet evenly spaced. At the time of planting, trees shall be at least 5-feet tall. Should the existing heavily vegetated area located in the southwest corner of the property and extending approximately 550-feet east of Farm Road 199 remain, at a minimum depth of 40-feet, this vegetated area shall replace the requirement of the 40-foot buffer plantings along this distance. In addition an eight foot opaque barrier (which could include chain-link fencing with privacy slats) shall be established between the bufferyard and the southern limit of the either a building or intervening vehicular use area within 200-feet of the southern property line.
3. No access shall be allowed onto Farm Road 112.

Infrastructure Improvement Requirements

1. Farm Road 199 (Mulroy Rd.) is classified as a Primary Arterial which requires 50 feet of right of way from the centerline.
2. Access points are required to be 200 feet apart as required by City Code. They must be located directly across from access points on the property to the west.
3. Reconstruct Farm Road 199 (Mulroy Rd.) to forty eight (48) feet of pavement – a three lane section with forty (40) feet of pavement along with two (2) four (4) foot shoulders on each side from Kearney Street to the first driveway approach and

as acceptable to the Director of Public Works. Public improvements plans are required to be submitted and approved for the infrastructure improvements.

4. Sidewalks are required along the property frontage on Farm Road 199 (Mulroy Rd.). The developer has the option to request to pay a fee in lieu of constructing sidewalks through the ARC. If a fee-in-lieu is approved the developer must provide grading for future construction of sidewalk at development.

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-22-2015 & CONDITIONAL OVERLAY DISTRICT NO. 93

DATE: May 20, 2015

LOCATION: East side of the 2700-2800 block S. Farm Road 199 (Mulroy Rd.)

APPLICANT: Meek Lumber Company

TRACT SIZE: Approximately 57.4 acres

EXISTING USE: Vacant/undeveloped land

PROPOSED USE: Uses permitted in the HM, Heavy Manufacturing District and as permitted by Conditional Overlay District No. 93

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	CS	Automotive sales and service
East	County A-1	City Utilities owned vacant land
South	County A-1	Single-family residences
West	PD 225	Vacant/undeveloped land

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues with HM zoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

A traffic study was not required as part of the rezoning request due to the fact that the developer realized that improvements would be required based on the prior rezoning (Planned Development 225) of the property on the west side of Farm Road 199 which has similar uses. Based on uses in the HM district and future trips anticipated by the site, discussions took place between the two developers on both sides of Farm Road 199, the City and Greene County with all four partners sharing in improvements necessary to mitigate for any traffic impacts to the system caused by the new development. The improvements required of the city/county and by the developer of this property are as follows:

Developer – East side of Farm Road 199 (requirements in the conditional overlay)

- Reconstruct Farm Road 199 to forty eight (48) feet of pavement – a three lane section with forty (40) feet of pavement along with two (2) four (4) foot shoulders on each side from Kearney Street to the first driveway approach.
- Provide grading for future construction of sidewalk at development
- No access is allowed to Farm Road 112

City of Springfield/Greene County

- Traffic signal at Kearney and Farm Road 199
- Eastbound right turn lane on Kearney
- Surfacing to widen Farm Road 199 at railroad crossing for extended gates and a northbound left turn lane.

MoDOT Multimodal , BNSF and the developer will share in the cost of the RR track surfacing.

GREENE COUNTY HIGHWAY DEPARTMENT COMMENTS:

No issues.

MISSOURI DEPARTMENT OF TRANSPORTATION (MODOT):

No issue with rezoning.

STORMWATER COMMENTS:

1. There are no stormwater issues with the 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. 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.

3. Drainage easements will be required where concentrated flow drains from one

lot to another or from offsite onto the proposed subdivision. Such easement shall be sized for the 100-year peak flow rate.

4. Based upon City contour and sinkhole information, it appears a sinkhole and/or sinkhole watershed may exist on this site. For this reason, a sinkhole evaluation – to include geological and hydrological evaluation – must be completed by a qualified professional engineer or geologist for this site.

5. Based upon City data, no significant offsite concentrated stormwater flow exists upstream of the subject property

CLEAN WATER SERVICES COMMENTS:

No objections to rezoning however see the following comments;

1. Tract does not have access to public sewer. It has been discussed that we would be in favor of allowing the property to connect to public sewer via private force main.

CITY UTILITIES:

No objections to rezoning.

ADJACENT PROPERTY OWNER COMMENTS:

Seven (7) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. E-mails/letters in opposition have been attached (Attachment 4).

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on May 13, 2015. A summary of the meeting and sign-in sheet is attached (Attachment 2).

STAFF COMMENTS:

1. The applicant is proposing to rezone the subject property from a County A-1, Agriculture District to an HM, Heavy Manufacturing District with Conditional Overlay District #93 to facilitate the development of the site. This rezoning is being processed with the Annexation A-2-15.
2. The Growth Management and Land Use Plan of the Comprehensive Plan designates this area as appropriate for light industry, office and office-warehouse. This category indicates that manufacturing, assembly, office and warehousing activities are appropriate uses in these designated areas. Appropriate zoning districts include the HM, Heavy Manufacturing District if uses are restricted appropriately. This location's proximity to the railroad makes this

site conducive to industrial/manufacturing uses since this line of the railroad allows spurs to be added under certain restrictions.

3. The Growth Management and Land Use Plan also shows this area as an emerging Activity Center which is immediately adjacent to Partnership Industrial Center. Development in this area could be related to the I-44 - U.S. 65 Activity Center, the Partnership Industrial Center, or could contain characteristics related to both. The I-44 - U.S. 65 Activity Center is a significant regional Activity Center that makes this area a major employment center. This project is located at the intersection of two primary arterials, Kearney Street/State Highway 00 and Mulroy Rd. (Farm Road 199) as designated by the Major Thoroughfare Plan. The HM District is intended for heavy industrial uses. The intensity of uses permitted in this district make it necessary to separate it from all residential districts wherever possible with good accessibility provided to major rail, air facilities and highways. Staff believes the subject site meets the recommendations of the City's Comprehensive Plan and intent of the HM District.
4. A traffic study was not required as part of the rezoning request due to the fact that the developer realized that improvements would be required based on the prior rezoning (Planned Development 225) of the property on the west side of Farm Road 199 which has similar uses. Based on uses in the HM district and future trips anticipated by the site, discussions took place between the two developers on both sides of Farm Road 199, the City and Greene County with all four partners sharing in improvements necessary to mitigate for any traffic impacts to the system caused by the new development. These improvements are as follows:

Developer – East side of Farm Road 199 (requirements in the conditional overlay)

- Reconstruct Farm Road 199 to forty eight (48) feet of pavement – a three lane section with forty (40) feet of pavement along with two (2) four (4) foot shoulders on each side from Kearney Street to the first driveway approach.
- Provide grading for future construction of sidewalk at development
- No access is allowed to Farm Road 112

City of Springfield/Greene County

- Traffic signal at Kearney and Farm Road 199
- Eastbound right turn lane on Kearney
- Surfacing to widen Farm Road 199 at railroad crossing for extended gates and a northbound left turn lane.

MoDOT Multimodal , BNSF and the developer on the east will share in the cost of the RR track surfacing.

5. The Conditional Overlay District will restrict uses, increase bufferyards and building setbacks along the south property line adjacent to Farm Road 112,

require the dedication of additional right-of-way along Farm Road 199 (Mulroy Rd.), restrict access to Farm Road 199 (Mulroy Rd.), restrict access to Farm Road 112, and require the completion of public improvements to a portion of Farm Road 199 (Mulroy Rd.). These improvements will include the reconstruction of Farm Road 199 (Mulroy Rd.) into a three lane roadway and sidewalks along Farm Road 199 (Mulroy Rd.) or a fee-in-lieu.

6. The Zoning Ordinance does not require a bufferyard when there is more than seventy (70) feet of right-of-way between two different zoning districts which is the case for the subject property and the property across Farm Road 112 to the south which is zoned County A-1, Agriculture District. The applicant is proposing a bufferyard and building setbacks in the conditional overlay district (Exhibit C) beyond what is required by the Zoning Ordinance. A Bufferyard "I" is required between the subject property and the City Utilities property zoned A-1, Agriculture District to the east. 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 other lighting, noise, landscaping requirements shall be met as required by the Zoning Ordinance.

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 light industry, office or office-warehouse. This area is also within the emerging Activity Center of I-44 and Mulroy Road as described in the plan. The proposed HM, Heavy Manufacturing zoning district with COD #93 is consistent with the recommendation.
2. Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use Major Goal 4: Develop the community in a sustainable manner. Objective 4a, Increase density in activity centers and transit corridors
3. The request is consistent with the adjacent zoning along Kearney Street/State Highway OO and the intent of the HM district to be located with good accessibility provided to major rail, air facilities and highways.
4. The proposed conditional overlay district will mitigate the potential impact between the industrial and residential uses by requiring improvements to the surrounding public infrastructure and requiring additional setbacks, fencing and landscaping along Farm Road 112. The proposed conditional overlay district and the development requirements in the HM District are adequate for mitigating any potential impacts of the proposed development on the adjoining properties.

RECOMMENDATION:

Staff recommends **approval** of this request with the requirements of Conditional Overlay District No. 93.

CITY COUNCIL PUBLIC HEARING: June 22, 2015

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

EXHIBIT 2: NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: Agriculture in the County to HM w/ COD

(existing zoning)(proposed zoning)
2. Meeting Date & Time: May 13, 2015 - From 4:30 to 6:30
3. Meeting Location: Ramada Oasis Conference Room
4. Number of invitations that were sent: 40
5. How was the mailing list generated: By the City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 12
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 summer of meeting

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

no written comments were received by Olsson or the property owner.

May 19, 2015

City of Springfield
Planning & Development

RE: Zoning Case Z-22-2015 COD #93 – Neighborhood Meeting Summary

To Whom it May Concern:

The neighborhood meeting for the above reference zoning case was held Wednesday May 13th, 2015, at the Springfield Ramada Oasis Convention Center from 4:30 – 6:30 p.m. At the meeting, the following items were discussed.

- ***Increased Traffic***

- **Neighborhood Comments**

- o Several neighbors were concerned with the added traffic generated by future development allowed by the proposed rezoning. Neighbors were concerned not only with added traffic to FR 199, but also to the surrounding roads of FR 112, FR 116, & FR 197. The neighbors stated that increase traffic would negatively affect safety and their ability to access their properties.

- **Developer's Response**

- o An added restriction has been added to the COD that would prevent any direct access to FR 112.
 - o Improvements to FR 199 are a requirement of the City and are included as a part of the COD. Improvements, along with a visual representation, were discussed at the meeting.
 - o It was discussed with the neighbors that the proposed rezoning and future development of the property was due to future growth plans identified by the community through past comprehensive plans. FR 199, 116, & 112 are all identified as Future Primary Arterial.

- ***Safety of the existing FR 199 RR-Crossing & Hwy 00 Intersection***

- **Neighborhood Comments**

- o Several neighbors were concerned with the functionality of the RR-Crossing & the Hwy 00 Intersection. The neighbors felt that the added traffic from the rezoned area would increase wait times crossing or accessing Hwy 00. They were also concerned with the backups that could be created south of the RR-ROW after the crossing of a train, and how these backups would be mitigated.
 - o Neighbors were also concerned with adequate advance warning of the RR-Crossing. They were concerned that intersection signals and RR warning lights might create a safety issue with oncoming trains.

- **Developer's Response**

- o The developer is partnering with the City to complete improvements at the RR-Crossing and Hwy 00 intersection. RR Signals along with gates are being added for safety. The RR Crossing is being widened to accommodate the improvements to FR 199. The Intersection at Hwy 00 and FR 199 is being

signalized and a southbound left turn lane is being added to the eastbound lane of Hwy 00.

- ***Truck traffic heading south on FR 199***

Neighborhood Comments

- o Neighbors were concerned with truck traffic accessing FR 112 and FR 116 south of FR 199. They were concerned that truck traffic would be unsafe on these roads and since the roads are unimproved that truck traffic would become stuck and forced to turn around on/in their property.

Developer's Response

- o It was discussed with the neighbors that while truck traffic cannot be restricted from accessing these southern roads, it is unlikely that truck traffic would intentionally use these roads. Common practice would indicate that truck traffic should stay on FR 199 and should not head south on FR 199 beyond entrances into future development.

- ***Proximity of existing residential uses and visibility of potential uses***

Neighborhood Comments

- o Neighbors along the southern boundary of the proposed zoning were concerned with screening of the proposed development.

Developer's Response

- o Added restrictions have been incorporated in the COD that require the following:
 - A building set back of 150-feet shall be provided along the length of Farm Road 112.
 - A bufferyard 40-feet in depth shall be provided along Farm Road 112. This bufferyard shall consist of six (6) evergreen trees per 100 linear feet evenly spaced. At the time of planting, trees shall be at least 5-feet tall. Should the existing heavily vegetated area located in the southwest corner of the property and extending approximately 550-feet east of Farm Road 199 remain, at a minimum depth of 40-feet, this vegetated area shall replace the requirement of the 40-foot buffer plantings along this distance. In addition an eight foot opaque barrier (which could include chain-link fencing with privacy slats) shall be established between the bufferyard and the southern limit of the either a building or intervening vehicular use area within 200-feet of the southern property line.

- ***Uses that could be allowed & those restricted***

Neighborhood Comments

- o Neighbors were concerned with the type of uses that could be allowed under the straight HM zoning district.

Developer's Response

- o Uses have been restricted by the COD.

- ***Light Spillage from zoning district***

Neighborhood Comments

- o Neighbors were concerned with lights from future developments that would shine onto their properties.

Developer's Response

- o It was discussed that City design regulations prevent this from occurring.

- ***Impact to existing water wells***

Neighborhood Comments

- o Neighbors were concerned future development would impact their supply of water from their existing wells.

Developer's Response

- o It was discussed the development would be required to connect to the existing public water supply system.

Sincerely,

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

Olsson Associates
Jared Rasmussen, PE

Neighborhood Meeting

~~REZONING~~
May 13, 2015
4:30 p.m. – 6:30 p.m.

Name	Address	Phone
Jared Kasmussen	550 E. St Louis St. Springfield, MO 65806	890-8802
Chris Jones	4520 Madison Ave, KC, MO 64111	
Mike & Rebecca Bournous	2530 W FR 199 Strafford	866-1375
Jim & Diane Russell	2795 N. Stonerock Spfld	2340132
Roger & Janett Dixon	5374 E. FR 112 Strafford MO.	831-7472
Teresa Gray	2329 N. FR 197 Springfield mo	827-5444
Nancy Mentis	5368 E FR 112 Strafford	865-2333
LINDA HILLS	PO Box 3834, Spfld. 65808	831-1392
Mike Schilling	1027 S. New, Spfld. 65807	862-2272
Stephanie Montgomery	5051 S. Wational Ave 65810	889-4300
Mark Thomson	4803 E Farm Road 116	839-9798

Attachment 3

OWN1	ADRNO	ADRDIR	ADRSTR	ADRSUF	CITYNAME STATECODE
RLR INVESTMENTS LLC	0		PO BOX 27		WILMINGT OH
CITY UTILITIES	301	E	CENTRAL	ST	SPRINGFIE MO
LARSON PROP LLC	3026	N	MULROY	RD	STRAFFORI MO
BOUNOUS, MICHAEL E	2530	N	FARM ROA		STRAFFORI MO
DIXON, ROGER ETAL	5374	E	FARM ROA		STRAFFORI MO
NICHOLS, BENJAMIN B	5368	E	FARM ROA		STRAFFORI MO
SRC HOLDINGS CORP	531	S	UNION	AVE	SPRINGFIE MO
CITY UTILITIES	301	E	CENTRAL	ST	SPRINGFIE MO

From: [Janett Dixon](#)
To: Zoning@springfieldmo.gov
Subject: Property at Mulroy and Old Wire Rd
Date: Friday, May 01, 2015 7:48:46 AM

We received a letter April 28th and I am extremely concerned and we protest of the re-zoning and annexing regarding the property at 2808 N. Mulroy Road and property west on 199. We feel this is unfair and very disappointing that this is happening again. This is what I call, Industrial commercial greed in the name of development. We are homesteaders that live across the street and have for 30 years, raised children and grandchildren here. We have worked very hard all of our life's not taking vacations so we can put it into our house and land. Just when you think you can retire with peace and quiet this happens. City Utilities already owns land next to us. We will be watching our life's work and savings go down the drain if this goes thru. How would you like it if this moved next to you, I'm sure you wouldn't. We have already had to deal with Peterbilt, the Industrial Park, City Utilities Power Plant, the Solar Park and now this (really). There taking all the farmland at a alarming rate, Missouri is a fam state, last time I checked they weren't making any more land. There is factories going out of business and still room in the industrial park or land still Up and down Kearney St. by them. Please have a heart don't let this go thru. Help us please
Thank you for your consideration.

Roger & Janett Dixon
5374 East FR 112
Strafford, Mo. 65757
417-831-7472

Janett Dixon
Telepsychiatry Coordinator
U.S.Medical Center For Federal Prisoners
1900 West Sunshine
Springfield, Mo. 65807
417-874-1650

May 18, 2015

This letter is in regards to the 58 acre property located east of Farm Road 199, north of Farm Road 112. We had a neighborhood meeting on 5-13-15. We do not want this project to go any further. We were told they were going to widen FR 199 and rezoning and annexing but there has never been a sign on that property, or no one has ever gotten a letter from the City of Springfield or County in regards to this as of the time of this letter. Olsson Associates would not say defiantly who was going in on the property, which is going to be two businesses, but we do know it is FedEx. We ask many questions like, how large the building would be, how many docking door stations were there, what about noise level since they are open 24-7 are they going to be waking us up at 2 a.m. coming and going when we have to get up at 4:50 a.m. to go to work ourselves, will there be intercoms in the parking lot and what about the lighting will there be 40ft, 50ft or 75ft poles and how many, how many employees will work there. We did not get answers on any of these questions. How do you expect someone to make sound decisions if they don't even know what they are up against? We would like to ask for the building to set back at **least 200-feet** and a Buffer zone of 40 feet with 6 evergreen trees every 100 feet is not an antiquate buffer at all. May we **suggest evergreens every 10 foot and a sound barrier like they have on the HWY so the noise is not as disturbing as it will be loud.** A chain link fencing that has metal slats going through them is ugly and we already have to endure enough. Our property value will decrease dramatically as it is; please do not let this happen any further by doing that. If this is such a good ideal and everything is on the up and up being honest why is everything a big secret? They have already done surveys, core sampling, started cutting trees down, they have already given the bid for Construction of the building and more, all this has taken place before the neighborhood and City Council meetings took place. The widening of 199 will start at the end of August this summer, which was just totally redone last year so that was a total waste of money. When these things occur, everything should be honest and up front so we as citizens and voters can understand and get our heads rapped around what's going on and maybe we could give them suggestions on things that could help out everyone not just them. I think businesses should not be able to do all this even before they come before you or is something going on under the table and it has already been decided. That to me is not fare or honest, you're dealing with people that have worked hard all their life's to get what they have and you're willing to pull the rug right out from under them. These roads are also heavily used for the biking community and joggers, how many of them are going to get run over just so they can make a buck. We already have all the trucks and traffic from Peterbilt and the Industrial park on these back roads getting stuck in ditches now. If you get off at I-44 and sit at the (stoplight) that they are putting in with 2 or 3, 18 wheelers in front of you that is going straight across you will be having cars backed up down to I-44. Trucks and all this added traffic including employees will be going down all the back roads causing cluster traffic. Farm Rd 112 is also supposed to be on the Trail of Tears isn't that historical? Do we really have to have a building on every corner, why not start re-using some of the buildings that have went out of business already and not keep building new ones all the time. Why should people work hard and keep property looking good if you just move in heavy Industrial Corporations next to them. Will they have their own Diesel pumps for the trucks or will they have a maintenance shop? "That brings more questions and concerns" I know it's all about growth and money but you're letting the big business guy's squeeze out the community and homesteaders that look up to you guys help us out. I feel we have done our part helping support the community already. We have The Industrial Park, Peterbilt, C.U. Power plant "were we can already hear the turbans when they are on" and the Solar Park in our area already isn't that enough in one spot, where were still trying to live in peace and quiet. Last time I checked they weren't making any more land.

Help us please; do not let this go through. This is very disconcerting

Sincerely,

Roger & Janett Dixon

5374 East FR 112
Strafford, Mo. 65757
417-831-7472

From: [Teresa Gray](#)
To: [Neal, Daniel](#)
Subject: Annexing and rezoning of land parcels on N. Farm Road 199
Date: Sunday, May 17, 2015 11:19:56 PM

Dear Mr. Neal, My name is Teresa Gray and I live at 2329 N. Farm Road 197. It has come to my attention that there is proposed heavy industry coming to my neighborhood. The proposed industry is SRC Industries to be located on the corner of Farm Road 116 and N. Farm Road 199 and a large Distribution Center rumored to be FedEx that will be located on the corner of Farm Road 112 and N. Farm Road 199. I am very much opposed to these industries being located in my neighborhood. I am right around the corner from both of these proposed industries which will bring horrible consequences to an area that does not need to have heavy industry.

First of all, why are these industries being proposed in this area anyway? There are industrial parks that are not full, empty warehouses and buildings that could house these industries that are sitting vacant. Why use green space that is going to bring havoc to a now quiet area?

Due to the large amount of workers that will be driving to work night and day, our Farm Roads that are built for no more traffic than what they currently have, will be inundated with traffic making our roads, particularly Farm Road 116, N. Farm Road 197, Farm Road 112, and N. Farm Road 199 unsafe. These roads will not only be unsafe for people that live on these roads to access with their cars, but will make them completely unsafe for walking our dogs, riding our bikes, and running, activities that we currently are able to enjoy. This is not just a problem for the inhabitants of this area, but the biking community as a whole ride these Farm Roads on a regular basis. This is part of the beauty for us that ride in Springfield, that we are able to ride safely on Farm Roads that are easily accessed from town. That is not going to be the case if these industries are built. N. Farm Road 199 will become a thorough fare for 18-wheelers and other big trucks to access I-44 day and night and will become unsafe for biker trying access Farm Roads to the North of I-44. I know because I have been riding these roads for 18 years. Workers taking the back roads to work will be a danger to bikers in general. And will 18-wheelers be driving down the Farm Roads?? At what point do you say quality of life in an area is more important than making money for an industry? Especially an industry that could be located in a much more appropriate area.

If these big industries do come to our community, they will also cause excessive noise, particularly possible from a large distribution center with loud speaker systems running night and day. The lighting at these facilities are sure to light up our skies at night. And what about our wells and possible contamination from these industries?

I am also appalled that these matters have been planned without notifying the neighborhood as a whole, with only a handful of people being notified regarding this latest development with most of these people being elderly. I am requesting that I be notified regarding any zoning meetings, city council meetings, any meetings that have anything to do with annexing of these properties or rezoning of these

properties. The website for the planning and zoning does not seem to be very specific regarding subjects being discussed at the meetings, unless I am looking in the wrong place.

Thanks you for your consideration of this matter. It is greatly appreciated.

Sincerely,

Teresa Gray
2329 N. Farm Road 197
Springfield, MO 65802
(417)827-5444

From: [Sally Clark](#)
To: Zoning@springfieldmo.gov
Subject: Please reconsider zoning at FR 199
Date: Sunday, May 17, 2015 3:27:32 PM

Dear Sirs:

We have been informed by neighbors today that Springfield City Council intends on annexing some agricultural land that is in a residential area outside of the city limits, just south of Kearney on FR 199 on June 4th. If it is annexed, they are going to allow SRC to build a plant on the west side of the road, Meeks to build a distribution center on the northeast end of the road and Fed Ex to put in a major distribution center on the southeast side of the road. I have looked up the location of the current Fed Ex distribution center and it is not built near any homes (by the Springfield Branson airport). Not only would it lower the home values of those that live near this proposed site, but it would also make it impossible for those living within close proximity to the Fed Ex center to get sleep at night or have any peace during the day due to the noise and light pollution. We live on Farm Road 197 and it has been mentioned that there are plans to widen FR 197 in order to have more traffic on it. I understand the need for progress, but there is a lot of land close to I44 that is not near homes. I walk my dog on the farm road and if it was widened and traffic increases, that would be very dangerous. Our area is well known as a route for many bike marathons and runs, which would be also made unnecessarily dangerous.

No signs were put up about rezoning, nor were we informed in any other way that any of this was taking place.

All of those living in Wild Horse, the subdivision behind Wild Horse , and numerous houses on several acres each would all be directly affected with increased traffic, noise and light and lowering of property values.

It would be better for all concerned if these industries found alternate locations. If this land is rezoned, we will be contacting the EPA to see if analysis of the land has been done to show that no oils or other pollutants will leak into the water system. There are obvious wet areas that might be construed as wetlands that could very easily pollute the water for us all.

Lets keep the area south of Kearney agricultural and residential only!

Mrs. Sally Clark
2157 N FR 197
Springfield, MO 65802
417-883-5230

From: [Rick Clark](#)
To: Zoning@springfieldmo.gov
Subject: Rezoning farm land for heavy industry
Date: Sunday, May 17, 2015 3:22:36 PM

Sir:

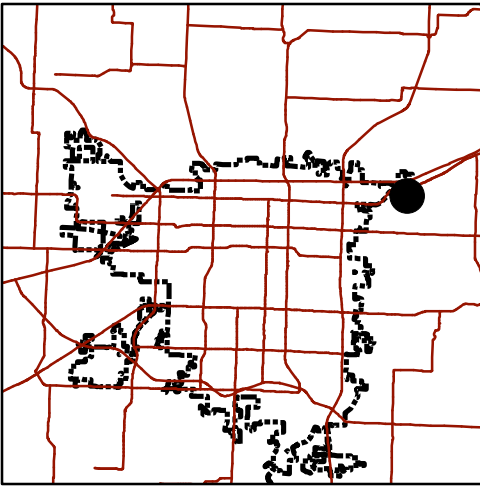
We live about five miles outside of Springfield near the Wild Horse subdivision. We just learned of plans to rezone farm land to build a very large SRC building, a 100 dock FedEx facility, and a Meek's Lumber storage facility on Farm Road 199. The city has already built an emergency electric generating facility and an extremely large solar panel farm in the area. Although no signs have been put up concerning the city annexation of the property so they can rezone it for heavy industry, there are plans to rezone the land at the Springfield City Council meeting of June 4th.

My wife and I are totally against the plans. We must assume that we will have a marked increase in heavy truck traffic on our farm road and that the area will suffer from the noise and light pollution that will necessarily be caused by these facilities which will very adversely affect our quality of life and the value of our homes. To our knowledge these companies have not done Environmental Studies to determine the affects they may have. The current FedEx facility has no homes in the surrounding area.

We believe that the E.P.A. to look into these plans. There are several families who live close to these planned facilities that do not have the money to fight these corporation and who will be very adversely affected both monetarily in their home values and by degradation of their rural quality of life. We walk our dog on Farm Road 199 and 197, we enjoy our rural quiet, and the area is well known for major bicycle races that are held on our roads. Please help us to ensure that we can still live our rural life in this beautiful country of ours.

Please. Do not rezone this area! Surely these companies can find industrial areas to build in Springfield.

Rick Clark
2157 N Farm Road 197
Springfield, MO 65802-9285



Zoning & Subdivision Report

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

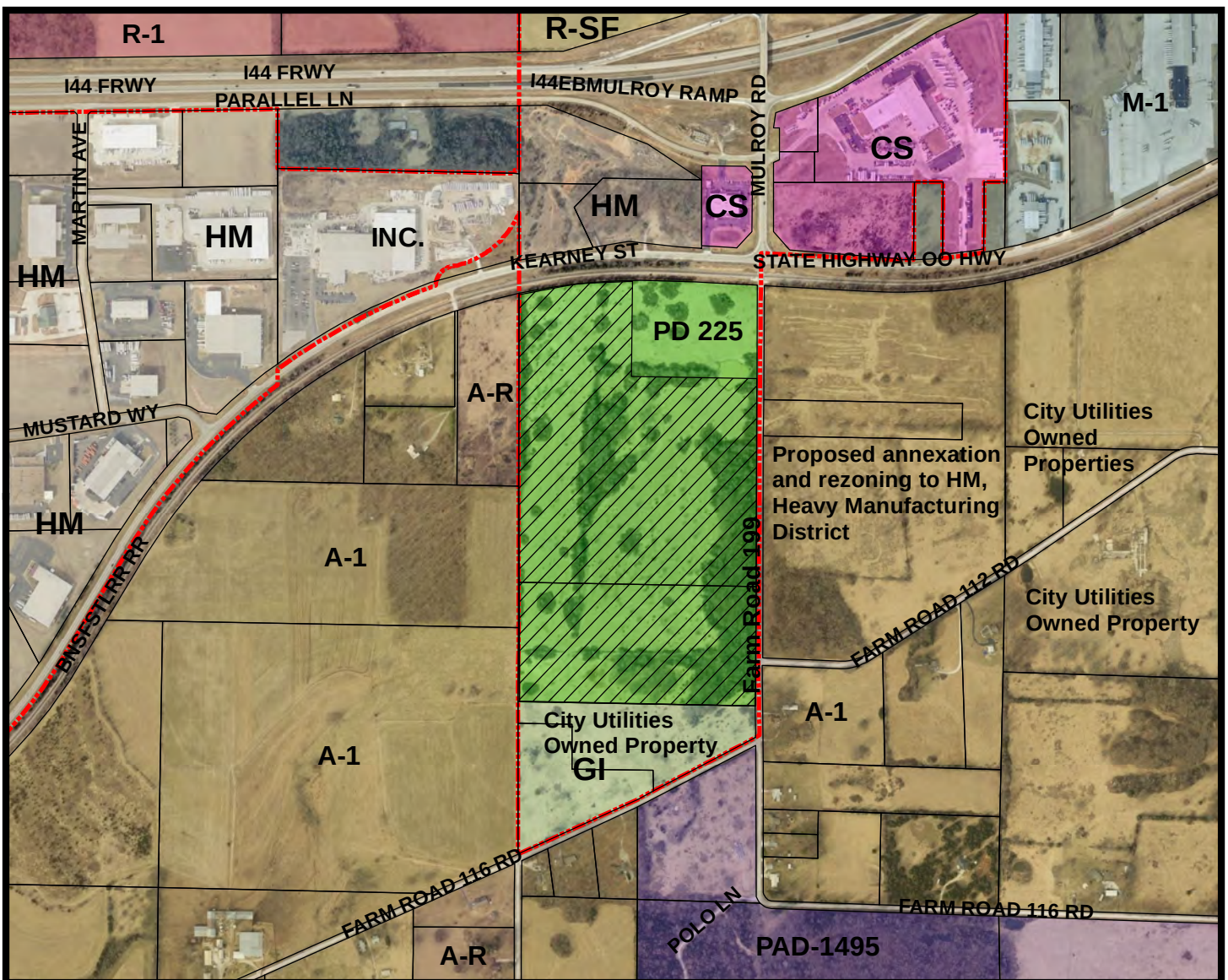
Z-23-2015/Conditional Overlay District No. 94

Location: West side 2700-2800 block N. Farm Road 199 (Mulroy)

Current Zoning: Planned Development 225

Proposed Zoning: HM, Heavy Manufacturing District/COD #94

LOCATION SKETCH



- Area of Proposal



1 inch = 900 feet

EXPLANATION TO COUNCIL BILL NO: 2015-_____

FILED:

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To rezone approximately 59 acres of property generally located on the west side of the 2700-2800 blocks of N. Farm Road 199 (Mulroy Rd.) from a Planned Development 225 to a HM, Heavy Manufacturing District; and establishing Conditional Overlay District No. 94.

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-23-2015/CONDITIONAL OVERLAY DISTRICT NO. 94

The applicant is proposing to rezone the subject property from a Planned Development 225 to a HM, Heavy Manufacturing District with Conditional Overlay District No. 94. The Conditional Overlay District will restrict uses, require the dedication of additional right-of-way along Farm Road 199 (Mulroy Rd.), restrict access to Farm Road 199 (Mulroy Rd.), require provisions for an internal public street for future extension to the west property line and require the completion of public improvements to a portion of Farm Road 199 (Mulroy Rd.). These improvements will include the construction of sidewalks and reconstruction of Farm Road 199 (Mulroy Rd.).

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on June 4, 2015, and recommended _____, by a vote of ___ to ___, of the proposed zoning on the tract of land described on the attached sheet (see the attached Record of Proceedings).

The Planning and Development staff recommends the application be **approved** with the requirements of Conditional Overlay District No. 94 (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 light industry, office or office-warehouse. This area is also within the emerging Activity Center of I-44 and Mulroy Road as described in the plan. The proposed HM, Heavy Manufacturing zoning district with COD #94 is consistent with the recommendation.
2. Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use Major Goal 4: Develop the community in a sustainable manner. Objective 4a, Increase density in activity centers and transit corridor.

3. The request is consistent with the previously approved Planned Development 225 requirements and the adjacent zoning along Kearney Street/State Highway OO and the intent of the HM district to be located with good accessibility provided to major rail, and highways.
4. The proposed conditional overlay district will mitigate the potential impact between the industrial and residential uses by requiring improvements to the surrounding public infrastructure and requiring provisions for an internal public street for future extension to the west property line. The proposed conditional overlay district and the development requirements in the HM District are adequate for mitigating any potential impacts of the proposed development on the adjoining properties.

Submitted by:

Daniel Neal, Senior Planner

Reviewed by:

Approved by:

Mary Lilly Smith, Director

Greg Burris, City Manager

EXHIBITS:

Exhibit A, Record of Proceedings

Exhibit B, Legal Description

Exhibit C, Conditional Overlay Provisions

Exhibit D, Zoning and Subdivisions Staff Report

ATTACHMENTS:

Attachment 1, Background Report

Attachment 2, Neighborhood Meeting Summary

Attachment 3, 185 foot Property Owners List

Attachment 4, Neighborhood E-mails/Letters

EXHIBIT A
RECORD OF PROCEEDINGS
ZONING CASE Z-23-2015 & CONDITIONAL OVERLAY DISTRICT NO. 94

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

EXHIBIT B
LEGAL DESCRIPTION
ZONING CASE Z-23-2015 & CONDITIONAL OVERLAY DISTRICT NO. 94

A PART OF THE WEST HALF (W ½) OF SECTION ONE (1), TOWNSHIP TWENTY-NINE (29) NORTH, RANGE TWENTY-ONE (21) WEST, GREENE COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION ONE (1); THENCE NORTH 01°27'14" EAST ALONG THE WEST LINE OF SAID SECTION ONE (1), A DISTANCE OF 1714.44 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 01°27'14" EAST 1624.24 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF THE SAINT LOUIS AND SAN FRANCISCO RAILROAD; THENCE NORTHEASTERLY ALONG A NON-TANGENT CURVE TO THE RIGHT AND ALONG SAID SOUTH RAILROAD RIGHT-OF-WAY THROUGH A CENTRAL ANGLE OF 14°51'20", WITH A RADIUS OF 3397.91 FEET AND A CHORD BEARING OF NORTH 86°55'45" EAST, AN ARC DISTANCE OF 881.00 FEET; THENCE SOUTH 85°38'35" EAST 422.56 FEET TO A POINT OF 50.00 FEET WEST OF THE EAST LINE OF THE WEST HALF (W 1/2) OF THE WEST HALF (W1/2) OF SAID SECTION ONE (1); THENCE SOUTH 01°31'34" WEST PARALLEL WITH SAID EAST LINE, 1672.15 FEET; THENCE NORTH 88°32'46" WEST 1295.70 FEET TO THE POINT OF BEGINNING. ALL IN GREENE COUNTY, MISSOURI, EXCEPT ANY PART THEREOF TAKEN, DEEDED OR USED FOR ROAD OR HIGHWAY PURPOSES. ALSO EXCEPT A 10 ACRE PARCEL OF LAND IN THE NORTHEAST CORNER THEREOF, MEASURING APPROXIMATELY 630 FEET NORTH-SOUTH BY APPROXIMATELY 700 FEET EAST-WEST.

ALSO, A TRACT OF LAND DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF SECTION ONE (1), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-ONE (21); THENCE ALONG THE WEST LINE OF SAID SECTION NORTH 01°27'33" EAST, 1045.28 FEET FOR A POINT OF BEGINNING; THENCE CONTINUING ALONG THE WEST LINE OF SAID SECTION ONE (1), NORTH 01°27'33" EAST, 664.29 FEET; THENCE SOUTH 88°32'27" EAST, 1290.36 FEET; THENCE SOUTH 01°38'27" EAST, 664.29 FEET; THENCE NORTH 88°32'27" WEST, 1288.26 FEET TO THE POINT OF BEGINNING, ALL LYING IN THE SOUTHWEST QUARTER (SW ¼) OF SECTION ONE (1), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-ONE (21), GREENE COUNTY, MISSOURI, EXCEPT ANY PART THEREOF DEEDED, TAKEN OR USED FOR ROAD OF HIGHWAY PURPOSES.

EXHIBIT C
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-23-2015 & CONDITIONAL OVERLAY DISTRICT NO. 94

The requirements of *Section 4-4300* of the *Springfield Zoning Ordinance* shall be as modified herein for development within this district.

Permitted Uses Allowed under this Overlay District

1. Accessory Uses, as permitted by *Section 5-1000, Accessory Structures and Uses*.
2. Any establishment that provides supplies and/or services primarily to commercial and industrial customers.
3. Any manufacturing, production, processing, cleaning, servicing, testing, repair or storage of materials, goods or products, and business and sales office accessory thereto.
4. Battery recycling and reprocessing.
5. Construction equipment storage yards.
6. Commercial laundry.
7. Electric and steam power plants.
8. Heliports.
9. Office, administrative, business, finance, and professional.
10. Motor freight terminals.
11. Police and fire stations.
12. Public services and public utility uses.
13. Retail Sales Use Group provided the sale of products is related to the principal use and provided that the gross amount of floor area devoted to sales and display does not exceed twenty-five (25) percent of the gross floor area of the structure or ten thousand (10,000) square feet, whichever is less. Products related to the principle use include products produced, distributed or sold wholesale on-site by the principle use.
14. Schools, professional commercial, industrial and trade.
15. Warehousing, storage and distribution center.
16. Wholesale Sales.

Infrastructure Improvement Requirements

1. Farm Road 199 (Mulroy Rd.) is classified as a Primary Arterial which requires 50 feet of right of way from the centerline.
2. Access points are required to be 200 feet apart as required by City Code. They must be located directly across from access points on the property to the east.
3. Reconstruct Farm Road 199 (Mulroy Rd.) to forty eight (48) feet of pavement – a three lane section with forty (40) feet of pavement along with two (2) four (4) foot shoulders on each side from Kearney Street to Farm Road 112 as acceptable to the Director of Public Works. Public improvements plans are required to be submitted and approved for the infrastructure improvements.

4. Sidewalks are required along the property frontage on Farm Road 199 (Mulroy Rd.). The developer has the option to request to pay a fee in lieu of constructing sidewalks through the ARC. If a fee-in-lieu is approved the developer must provide grading for future construction of sidewalk at development.
5. Provisions for an internal public street may need to be provided if the property is subdivided in the future. This will provide access to the residential properties to the west.

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-23-2015 & CONDITIONAL OVERLAY DISTRICT NO. 94

DATE: May 20, 2015

LOCATION: West side of the 2700-2800 block S. Farm Road 199 (Mulroy Rd.)

APPLICANT: SRC Holdings Corporation

TRACT SIZE: Approximately 59 acres

EXISTING USE: Vacant/undeveloped land

PROPOSED USE: Uses permitted in the HM, Heavy Manufacturing District and as permitted by Conditional Overlay District No. 94

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	HM and CS	Commercial Service uses and vacant land
East	County A-1	Vacant land (proposed rezoning to HM)
South	GI	City Utilities owned property
West	County A-1 & A-R	Vacant/undeveloped land and single-family residences

BUILDING DEVELOPMENT SERVICES COMMENTS:

No BDS issues with proposed rezoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

A traffic study was not required as part of this rezoning request because a traffic study was previously submitted when the property was rezoned as Planned Development 225 and the uses remain the same for this rezoning. Based on uses in the HM district and future trips anticipated by the site, discussions took place between the two developers on both sides of Farm Road 199, the City and Greene County with all four partners sharing in improvements necessary to mitigate for any traffic impacts to the system caused by the new development. These improvements required by the City/County and the developer are as follows:

Developer – West side of Farm Road 199 (requirements in the conditional overlay)

- Reconstruct Farm Road 199 to forty eight (48) feet of pavement – a three lane section with forty (40) feet of pavement along with two (2) four (4) foot shoulders on each side from Kearney Street to Farm Road 112.
- Provide grading for future construction of sidewalk at development

City of Springfield/Greene County

- Traffic signal at Kearney and Farm Road 199
- Eastbound right turn lane on Kearney
- Surfacing to widen Farm Road 199 at railroad crossing for extended gates and a northbound left turn lane.

GREENE COUNTY HIGHWAY DEPARTMENT COMMENTS:

No issues.

MISSOURI DEPARTMENT OF TRANSPORTATION (MODOT):

No issue with rezoning.

STORMWATER COMMENTS:

1. There are no stormwater issues with the 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. 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.

3. Drainage easements will be required where concentrated flow drains from one lot to another or from offsite onto the proposed subdivision. Such easement shall

be sized for the 100-year peak flow rate.

4. Based upon City contour and sinkhole information, it appears a sinkhole and/or sinkhole watershed may exist on this site. For this reason, a sinkhole evaluation – to include geological and hydrological evaluation – must be completed by a qualified professional engineer or geologist for this site.

5. Based upon City data, no significant offsite concentrated stormwater flow exists upstream of the subject property

CLEAN WATER SERVICES COMMENTS:

No objections to rezoning however public sewer is not directly available for this property.

Development of the northern Tract will require a public sewer extension beneath Kearney and the railroad which will require permission from both entities and public improvement plans.

CITY UTILITIES:

No objection to rezoning request. CU owns a strip of land on the west side of Farm Road 199. Part of the ROW dedication requirement is on this property. CU will cooperate in the dedication of ROW.

ADJACENT PROPERTY OWNER COMMENTS:

Thirteen (13) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. E-mails/letters in opposition have been attached (Attachment 4).

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on May 12, 2015. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. The applicant is proposing to rezone the subject property from a Planned Development 225 to an HM, Heavy Manufacturing District with Conditional Overlay District #94.
2. The Growth Management and Land Use Plan of the Comprehensive Plan designates this area as appropriate for light industry, office and office-warehouse. This category indicates that manufacturing, assembly, office and

warehousing activities are appropriate uses in these designated areas. Appropriate zoning districts include the HM, Heavy Manufacturing District if uses are restricted appropriately. This location's proximity to the railroad makes this site conducive to industrial/manufacturing uses since this line of the railroad allows spurs to be added under certain restrictions.

3. The Growth Management and Land Use Plan also shows this area as an emerging Activity Center which is immediately adjacent to Partnership Industrial Center. Development in this area could be related to the I-44 - U.S. 65 Activity Center, the Partnership Industrial Center, or could contain characteristics related to both. The I-44 - U.S. 65 Activity Center is a significant regional Activity Center that makes this area a major employment center. This project is located at the intersection of two primary arterials, Kearney Street/State Highway 00 and Mulroy Rd. (Farm Road 199) as designated by the Major Thoroughfare Plan. The HM District is intended for heavy industrial uses. The intensity of uses permitted in this district make it necessary to separate it from all residential districts wherever possible with good accessibility provided to major rail, air facilities and highways. Staff believes the subject site meets the recommendations of the City's Comprehensive Plan and intent of the HM District.
4. The major difference between the existing Planned Development 225 and the proposed HM District is that the proposed HM district does not require submittal of a Preliminary Development Plan. The existing PD 225 preliminary development plan shows the specific location of streets and buildings. The applicant's plans have changed and they want more flexibility in the development of the property. The proposed rezoning will not significantly increase the intensity of uses or development on the site. The following differences have been proposed:
 - a. The proposed HM District and COD #94 allow the same manufacturing uses except it also allows motor freight terminals, Retail Sales Use Group provided the sale of products is related to the principal use and provided that the gross amount of floor area devoted to sales and display does not exceed twenty-five (25) percent of the gross floor area of the structure or ten thousand (10,000) square feet, whichever is less, and wholesale sales uses.
 - b. The proposed HM District and COD #94 do not limit all industrial operations inside a building with related storage screened from surrounding properties as required by the existing PD 225.
 - c. The proposed HM District and COD #94 do not limit the floor area ratio for permitted structures to a 1.0 on each buildable lot as required by the existing PD 225.

- d. The proposed HM District and COD #94 do not have any maximum height, minimum yard requirements or open space requirements. The existing PD 225 has a maximum structure height of 60 feet above the elevation of the lot, a 40 foot front yard and 15 foot side and rear yard building setbacks, and an open space requirement of 20% for each buildable lot.
 - e. The proposed COD#94 is not as specific as PD 225 in the location of access to Farm Road 199 (Mulroy Rd.). COD #94 states that access points are required to be 200 feet apart per City Code and that they must be located directly across from access points on the property to the west.
 - f. The proposed COD #94 does not specify the number, height or square footage of signage as does PD 225. The current Sign Code will apply.
 - g. The perimeter treatment or bufferyards have changed significantly because there is not a specific internal street system or building layout in COD #93 as shown in PD 225. The applicant will have to put bufferyards and perimeter landscaping as required by the current Zoning Ordinance requirements which appear to be more than what is required in the existing PD.
 - h. The proposed COD#94 does not require that the final development be developed in substantial conformance with the preliminary development plan shown in PD 225.
5. A traffic study was not required as part of the rezoning request due to the fact that the developer realized that improvements would be required based on the prior rezoning (Planned Development 225) of this property. Based on uses in the HM district and future trips anticipated by the site, discussions took place between the two developers on both sides of Farm Road 199, the City and Greene County with all four partners sharing in improvements necessary to mitigate for any traffic impacts to the system caused by the new development. These improvements are as follows:

Developer – West side of Farm Road 199 (requirements in the conditional overlay)

- Reconstruct Farm Road 199 to forty eight (48) feet of pavement – a three lane section with forty (40) feet of pavement along with two (2) four (4) foot shoulders on each side from Kearney Street to Farm Road 112.
- Provide grading for future construction of sidewalk at development

City of Springfield/Greene County

- Traffic signal at Kearney and Farm Road 199
- Eastbound right turn lane on Kearney

- Surfacing to widen Farm Road 199 at railroad crossing for extended gates and a northbound left turn lane.

MoDOT Multimodal, BNSF and the developer on the east will share in the cost of the RR track surfacing.

6. The Conditional Overlay District (Exhibit C) will restrict uses, require the dedication of additional right-of-way along Farm Road 199 (Mulroy Rd.), restrict access to Farm Road 199 (Mulroy Rd.), require provisions for an internal public street for future extension to the west property line and require the completion of public improvements to a portion of Farm Road 199 (Mulroy Rd.). These improvements will include the construction of sidewalks and reconstruction of Farm Road 199 (Mulroy Rd.) The developer has the option to request to pay a fee in lieu of constructing sidewalks through the ARC.
7. The Zoning Ordinance requires a Bufferyard "I" between the HM, Heavy Manufacturing District and adjacent County A-1 and A-R, Agriculture Districts to the west. The Bufferyard "I" requires a minimum open space of forty (40) feet wide with the following plantings per one hundred (100) linear feet: five (5) canopy trees, four (4) understory trees, five (5) evergreen trees and thirty-four (34) shrubs if the amount of open space is increased, then the density of landscaping can be reduced. A six-foot solid wood fence, masonry wall, solid evergreen hedge or earthen berm is required along the property boundary if a forty (40) or sixty (60) foot bufferyard is provided. A Bufferyard "B" is required adjacent to the GR, General Retail District to the northeast. A Bufferyard "C" is required adjacent to the City Utilities property to the south which is zoned GI, Government Institutional. There is no bufferyard required or proposed at the southeast corner since the right-of-way for Farm Road 199 (Mulroy Rd.) will be 70 feet or greater in width. 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 other lighting, noise, landscaping requirements shall be met as required by the Zoning Ordinance.

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 light industry, office or office-warehouse. This area is also within the emerging Activity Center of I-44 and Mulroy Road as described in the plan. The proposed HM, Heavy Manufacturing zoning district with COD #94 is consistent with the recommendation.
2. Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use Major Goal 4: Develop the community in a sustainable manner. Objective 4a, Increase density in activity centers and transit corridor.

3. The request is consistent with the adjacent zoning along Kearney Street/State Highway OO and the intent of the HM district to be located with good accessibility provided to major rail, air facilities and highways.
4. The proposed conditional overlay district will mitigate the potential impact between the industrial and residential uses by requiring improvements to the surrounding public infrastructure and requiring provisions for an internal public street for future extension to the west property line. The proposed conditional overlay district and the development requirements in the HM District are adequate for mitigating any potential impacts of the proposed development on the adjoining properties.

RECOMMENDATION:

Staff recommends **approval** of this request with the requirements of Conditional Overlay District No. 94.

CITY COUNCIL PUBLIC HEARING: June 22, 2015

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

Attachment 2

EXHIBIT 2: NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: PD 225 to HM w/ COD

*(existing zoning)**(proposed zoning)*
2. Meeting Date & Time: May 13, 2015 - From 4:30 to 6:30
3. Meeting Location: Ramada Oasis Conference Room
4. Number of invitations that were sent: 35
5. How was the mailing list generated: By the City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 10
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 summer of meeting

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

no written comments were received by Olsson or the property owner.

May 19, 2015

City of Springfield
Planning & Development

RE: Zoning Case Z-23-2015 COD #94 – Neighborhood Meeting Summary

To Whom it May Concern:

The neighborhood meeting for the above reference zoning case was held Wednesday May 12th, 2015, at the Springfield Ramada Oasis Convention Center from 4:30 – 6:30 p.m. At the meeting, the following items were discussed.

- ***Increased Traffic***

- **Neighborhood Comments**

- o Several neighbors were concerned with the added traffic generated by future development allowed by the proposed rezoning. Neighbors were concerned not only with added traffic to FR 199, but also to the surrounding roads of FR 112, FR 116, & FR 197. The neighbors stated that increase traffic would negatively affect safety and their ability to access their properties.

- **Developer's Response**

- o An added restriction has been added to the COD that would prevent any direct access to FR 112.
 - o Improvements to FR 199 are a requirement of the City and are included as a part of the COD. Improvements, along with a visual representation, were discussed at the meeting.
 - o It was discussed with the neighbors that the proposed rezoning and future development of the property was due to future growth plans identified by the community through past comprehensive plans. FR 199, 116, & 112 are all identified as Future Primary Arterial.

- ***Safety of the existing FR 199 RR-Crossing & Hwy 00 Intersection***

- **Neighborhood Comments**

- o Several neighbors were concerned with the functionality of the RR-Crossing & the Hwy 00 Intersection. The neighbors felt that the added traffic from the rezoned area would increase wait times crossing or accessing Hwy 00. They were also concerned with the backups that could be created south of the RR-ROW after the crossing of a train, and how these backups would be mitigated.
 - o Neighbors were also concerned with adequate advance warning of the RR-Crossing. They were concerned that intersection signals and RR warning lights might create a safety issue with oncoming trains.

- **Developer's Response**

- o The developer is partnering with the City to complete improvements at the RR-Crossing and Hwy 00 intersection. RR Signals along with gates are being added for safety. The RR Crossing is being widened to accommodate the improvements to FR 199. The Intersection at Hwy 00 and FR 199 is being

signalized and a southbound left turn lane is being added to the eastbound lane of Hwy 00.

- ***Truck traffic heading south on FR 199***

Neighborhood Comments

- o Neighbors were concerned with truck traffic accessing FR 112 and FR 116 south of FR 199. They were concerned that truck traffic would be unsafe on these roads and since the roads are unimproved that truck traffic would become stuck and forced to turn around on/in their property.

Developer's Response

- o It was discussed with the neighbors that while truck traffic cannot be restricted from accessing these southern roads, it is unlikely that truck traffic would intentionally use these roads. Common practice would indicate that truck traffic should stay on FR 199 and should not head south on FR 199 beyond entrances into future development.

- ***Uses that could be allowed & those restricted***

Neighborhood Comments

- o Neighbors were concerned with the type of uses that could be allowed under the straight HM zoning district.

Developer's Response

- o Uses have been restricted by the COD.
- o It was discuss that the current zoning allows the same uses that are being proposed in the rezoning.

- ***Light Spillage from zoning district***

Neighborhood Comments

- o Neighbors were concerned with lights from future developments that would shine onto their properties.

Developer's Response

- o It was discussed that City design regulations prevent this from occurring.

- ***Access to western properties***

Neighborhood Comments

- o One of the neighbors immediately west of the proposed rezoning had concerns with traffic from future development accessing through their property and over their existing RR Crossing.

Developer's Response

- o It was discussed that City design regulations prevent this from occurring.

- ***Impact to existing water wells***

Neighborhood Comments

- o Neighbors were concerned future development would impact their supply of water from their existing wells.

Developer's Response

- o It was discussed the development would be required to connect to the existing public water supply system.

Sincerely,

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

Olsson Associates
Jared Rasmussen, PE

Neighborhood Meeting

SRC Rezoning

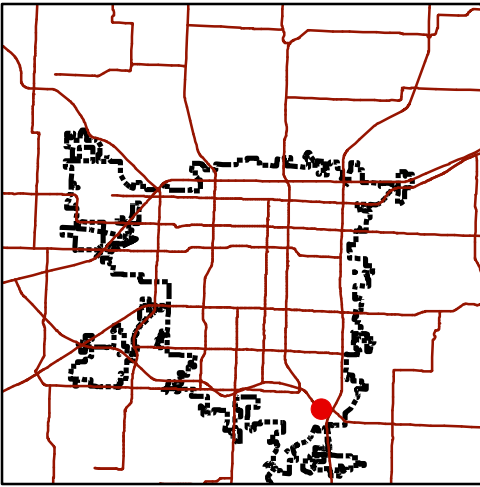
May 12, 2015

4:30 p.m. – 6:30 p.m.

Name	Address	Phone
Jared Rasmussen	550 E. St. Louis St. Springfield	417-890-8802
Mark Thomson	4803 E Farm Road 116	417-839-9798
STEVEN CONLEY	5032 E FR RD 116	417-863-0007
Stephanie Montgomery	5051 S. National, Bldg 5-100 6580	417-889-4300
Roger + Janet Dixon	5374 E. FR 112 Strafford MO.	417-831-7472
Jim + Diane Russell	2795 N. Stonercrest Springfield, MO	417 234 0132
Mike + Rebecca Bounous	2470 N. Farm Rd 199, Strafford	417-866-1375
Nancy Mertis / D. Nichols	5368 E Farm Rd 112 Strafford	417 865-2333

Attachment 3

OWN1	ADRNO	ADRDIR	ADRSTR	ADRSUF	CITYNAME STATECOD
MAY, JEFFREY	2404	N	FARM ROAD 197		SPRINGFIE MO
CONLEY, STEVEN P	5032	E	FARM ROAD 116		SPRINGFIE MO
ANDREWS, MARION E	5062	E	FARM ROAD 116		SPRINGFIE MO
WILD HORSE HOLDINGS LLC	5051	S	NATIONAL	AVE	SPRINGFIE MO
BOUNOUS, MICHAEL E	2530	N	FARM ROAD 199		STRAFFORI MO
BOUNOUS, MICHAEL E	2530	N	FARM ROAD 199		STRAFFORI MO
CITY UTILITIES	301	E	CENTRAL	ST	SPRINGFIE MO
MEEK LUMBER CO	1311	E	WOODHURST	DR	SPRINGFIE MO
MEEK LUMBER CO	1311	E	WOODHURST	DR	SPRINGFIE MO
SRC HOLDINGS CORP	531	S	UNION	AVE	SPRINGFIE MO
CITY UTILITIES	301	E	CENTRAL	ST	SPRINGFIE MO
SADE, RANDALL G ETAL	8651	E	SQUIRREL	LN	ROGERSVII MO
LING, JANICE T	4612	E	FARM ROAD 116		SPRINGFIE MO
THOMSON, ROBERT F JR ETAL TR	4803	E	FARM ROAD 116		SPRINGFIE MO
JONES, JOHN K	4956	E	FARM ROAD 116		SPRINGFIE MO
	0				



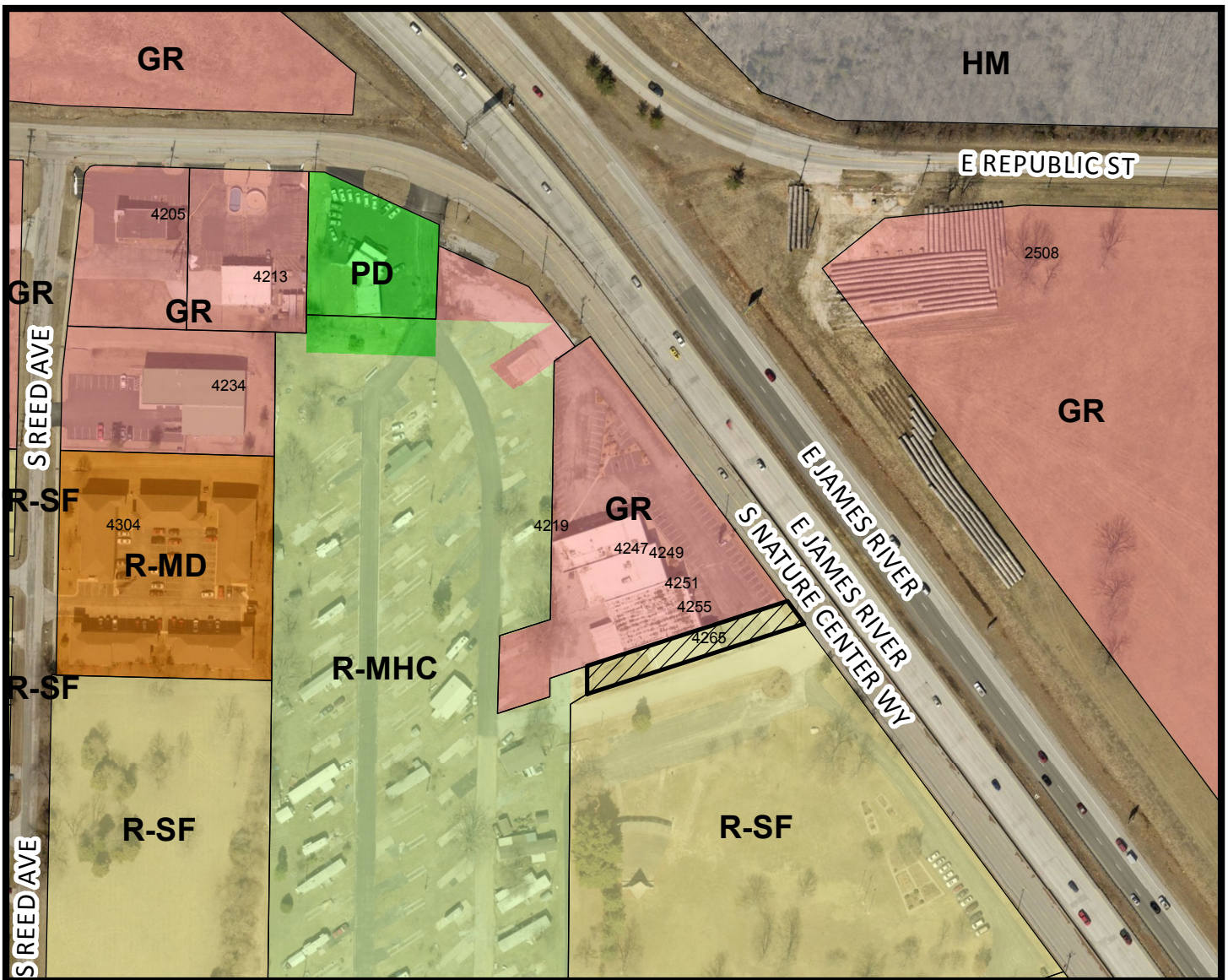
Zoning & Subdivision Report

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

Zoning Case Z-24-2015

LOCATION: 4265 South Nature Center Way
CURRENT ZONING: R-SF, Single Family Residential
PROPOSED ZONING: GR, General Retail 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 0.19 acres of property generally located at 4265 South Nature Center Way from an R-SF, Residential Single Family District to a GR, General Retail District (Planning and Zoning Commission and Staff recommend_____).

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-24-2015

The applicant is proposing to rezone this property from a Residential Single-Family District to a GR, General Retail District for an existing business. Staff believes that when this property was annexed into the City of Springfield in 1968 it may have been mistakenly zoned R-SF.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on June 4, 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 use 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. The Growth Management and Land Use Plan supports medium intensity retail, office or housing, due to the location along a collector street classification.
4. Supports the following Field Guide 2030 goal(s): Chapter 6, Major Goal 4: Develop the community in a sustainable manner. Objective 4a.

Submitted by:

Bob Hosmer, AICP, Principal Planner

Reviewed by:

Approved by:

Mary Lilly Smith, Director

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-24-2015

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

EXHIBIT B
LEGAL DESCRIPTION
ZONING CASE Z-24-2015

Beginning 658.47 feet north and 350.12 feet east of the southwest corner of the northeast 1/4 of the northeast 1/4 of Section 17, Township 28, Range 21; thence northeasterly along the north right of way line of an existing 50 foot county road as shown on the plat of Intersection Heights, to the westerly right of way line of Highways 60 and 65; thence northwesterly along said right of way line 34.3 feet to the southeast corner of Lot 8 of Intersection Heights; thence southwesterly along the south line of Lot 8 of Intersection Heights 259.1 feet; thence south 34.58 feet to the point of the beginning; all being in Springfield, Greene County, Missouri; containing approximately 0.19 acres.

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-24-2015

DATE: May 20, 2015

LOCATION: 4265 South Nature Center Way

APPLICANT: Deanna Key Horst Revocable Trust

TRACT SIZE: Approximately 0.19 acres

EXISTING USE: Existing cleaning business

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

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	GR	Bryan College
East	Right of way and GR	James River Freeway vacant commercial zoning
South	R-SF	Living Memorial Park
West	R-MHC	Mobile Home Park

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues with the rezoning

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

No issues with the rezoning

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) The proposed percent of impervious surfacing must not exceed the maximum impervious surfacing allowed for site by zoning.

CLEAN WATER SERVICES COMMENTS:

No objections to rezoning however there is no public sewer available to this tract. The building may be connected to the private sewer that serves the individual trailers in the trailer park. The nearest public sewer is on the south end of the trailer park.

CITY UTILITIES:

City Utilities does not have any objection to this request.

ADJACENT PROPERTY OWNER COMMENTS:

Three (3) 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 May 1, 2015. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. The Comprehensive Plan designates this area for medium intensity retail, office or housing. The subject property is adjacent to a freeway classified roadway (James River Freeway) and along a collector classified roadway (Nature Center Way) which supports commercial businesses.
2. The applicant is requesting to rezone this tract from a R-SF Single Family District to a GR, General Retail District for an existing business. Staff believes that when this property was annexed into the City of Springfield in 1968 it may have been mistakenly zoned R-SF since this property was shown on two adjacent plats as vacant or unused right-of-way and not as the existing business. It is our normal policy to match the zoning to the existing use of the property prior to being annexed unless the Comprehensive Plan would not support the proposed zoning. However, the Plan does support GR or medium intensity retail, office or housing uses.
3. The GR, General Retail zoning district does not limit the maximum building height except that there shall be a 30 degree bulk plane as measured from the property line of any R-SF, Single Family Residential district. The GR also requires at least a 20 feet bufferyard with fence and landscaping plantings when

adjacent to R-SF zoned property (Living Memorial Park property) if it is redeveloped.

4. Approval of GR zoning will provide more opportunities for the existing use and reuse of the subject property in a manner consistent with surrounding zoning.

FINDINGS FOR STAFF RECOMMENDATION:

1. The subject property is located along a collector roadway which is appropriate for commercial activity.
2. Approval of this request will provide for the use 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.
4. The Growth Management and Land Use Plan supports medium intensity retail, office or housing, due to the location along a collector street classification.

RECOMMENDATION:

Staff recommends **approval** of this request.

CITY COUNCIL PUBLIC HEARING: June 22, 2015

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner
864-1834

PLN2015_00091

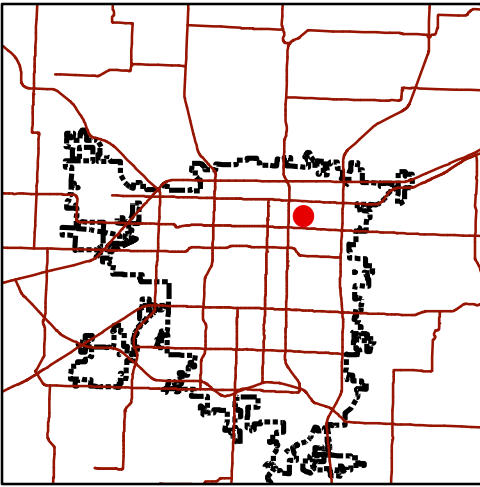
EXHIBIT 2: NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: R-SF to GR
(existing zoning) (proposed zoning)
2. Meeting Date & Time: FRIDAY, MAY 1, 2015 4:00^{PM} - 6:30^{PM}
3. Meeting Location: 4265 Nature Center Way
4. Number of invitations that were sent: Twelve (12)
5. How was the mailing list generated: prepared by City staff
6. Number of neighbors in attendance (attach a sign-in sheet): nobody attended
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.)

- na -

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

- na -



Zoning & Subdivision Report

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

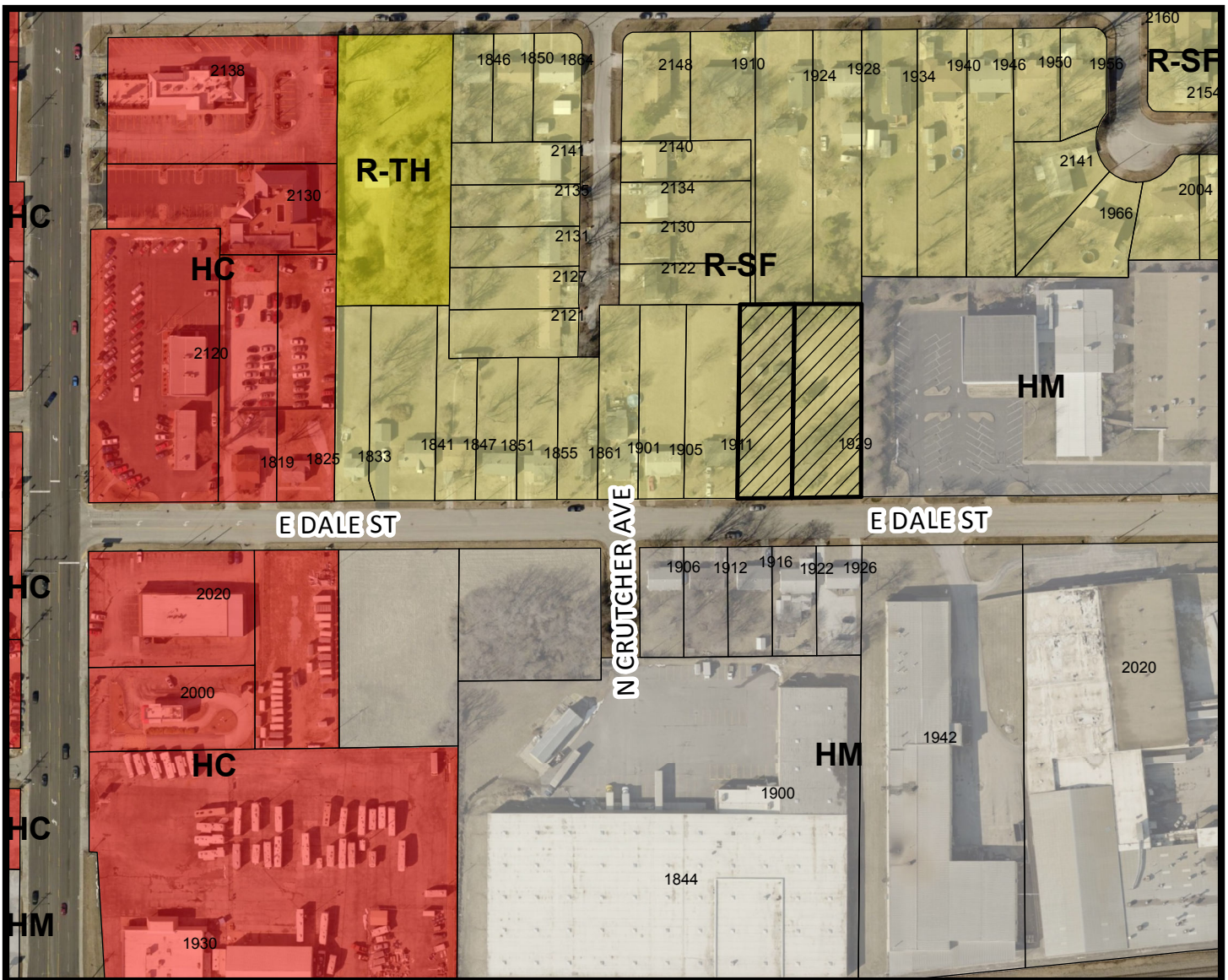
Zoning Case Z-25-2015

LOCATION: 1929 East Dale Street

CURRENT ZONING: R-SF, Single Family Residential District

PROPOSED ZONING: HM, Heavy Manufacturing 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 0.86 acres of property generally located at 1929 East Dale Street from an R-SF, Single Family Residential District to an HM, Heavy Manufacturing District (Staff and Planning and Zoning Commission recommend ____)

BACKGROUND INFORMATION:

ZONING CASE NUMBER Z-25-2015

The applicant is proposing to rezone the property from an R-SF, Single Family Residential District to an HM, Heavy Manufacturing District for a parking lot.

The normal bufferyard required between HM zoning and the adjacent R-SF zoned property is a minimum forty (40) feet wide with a fence, wall, hedge or earthen berm. The bufferyard and landscaping along the east and north property line will be required to meet the forty (40) foot wide bufferyard requirements between HM and R-SF zoning per City Zoning Ordinance.

RECOMMENDATIONS:

The Planning and Zoning Commission held a public hearing on June 4, 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**.

FINDINGS FOR STAFF RECOMMENDATION:

1. The Growth Management and Land Use Comprehensive Plan designates this area as appropriate for General Industry, Transportation and Utilities land uses
2. Supports the following Field Guide 2030 goal(s): Chapter 6, Major Goal 4: Develop the community in a sustainable manner. Objective 4a.
3. The approval of this request will allow for the productive use of this property.
4. The bufferyard along the north and west property line shall require a 40 bufferyard and landscaping plantings to provide for more separation and screening between the proposed parking lot use and the existing residential property.

Submitted by:

Bob Hosmer, AICP, Principal Planner

Reviewed by:

Approved by:

Mary Lilly Smith, Director

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-25-2015

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

EXHIBIT B
LEGAL DESCRIPTION
ZONING CASE Z-25-2015

A TRACT OF LAND AS BEING A PART OF LOT 7 OF STAFFORD'S SUBDIVISION, AS DESCRIBED IN PLAT BOOK C, PAGE 77 AND ALSO DESCRIBED IN THE GREENE COUNTY RECORDER'S OFFICE IN BOOK 2007, PAGE 042046-07 AND IN BOOK 2015, PAGE 000679-15 AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 7 OF STAFFORD'S SUBDIVISION, SAID POINT ALSO LYING ON THE NORTH RIGHT-OF-WAY OF DALE STREET; THENCE ALONG SAID NORTH RIGHT-OF-WAY, SOUTH 89°48'42" WEST, 150.04 FEET; THENCE LEAVING SAID NORTH RIGHT-OF-WAY, NORTH 00°44'50" EAST, 240.72 FEET; THENCE NORTH 89°38'40" EAST, 150.05 FEET TO A POINT LYING ON THE EAST LINE OF LOT 7 OF STAFFORD'S SUBDIVISION; THENCE ALONG SAID EAST LINE, SOUTH 00°44'50" WEST, 241.16 FEET TO THE POINT OF BEGINNING. CONTAINING 0.830 ACRES, MORE OR LESS. ALL LYING IN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 29 NORTH, RANGE 21 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE. CONDITIONS AND MONUMENTS ARE AS SHOWN ON ANDERSON ENGINEERING, INC. DRAWING NUMBER WB 110334.

ATTACHMENT 1
BACKGROUND REPORT
ZONING CASE Z-25-2015

DATE: May 21, 2015

LOCATION: 1929 East Dale Street

APPLICANT: Loren Cook Company

TRACT SIZE: Approximately 0.86 acres

EXISTING USE: Vacant/ Houses

PROPOSED USE: Uses permitted in the HM, Heavy Manufacturing District

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF	Single Family Residential
East	HM	Manufacturing uses
South	HM	Manufacturing uses
West	R-SF	Single Family Residential uses

HISTORY:

The City Council approved Z-23-1999 which rezoned property zoned R-SF, Single Family Residential District to a HM, Heavy Manufacturing District in 1999 for the expansion of a parking lot. This property provided for a 40 feet landscaped bufferyard between the R-SF property to the north and west of the proposed parking lot.

BUILDING DEVELOPMENT SERVICES COMMENTS:

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

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

1. No issues with the rezoning, however, please note that sidewalk will be required to be constructed at development, including a parking lot addition, per zoning code 5-3100

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.

CLEAN WATER SERVICES COMMENTS:

1. No objection to rezoning public sewer is available.

CITY UTILITIES:

1. City Utilities has no objection to the proposed rezoning.

ADJACENT PROPERTY OWNER COMMENTS:

Twenty-one (21) 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 May 14, 2015 regarding the request for HM, Heavy Manufacturing zoning. A summary of the meeting is attached (Attachment 2).

STAFF COMMENTS:

1. The Growth Management and Land Use Comprehensive Plan designates this area as appropriate for General Industry, Transportation and Utilities land uses. Dale Street is classified as a collector roadway which supports the proposed land use.
2. This is a request to rezone this tract from an R-SF, Single Family Residential District to an HM, Heavy Manufacturing District. The intended use of the

property is for a parking lot. The property to the south and east is zoned HM, Heavy Manufacturing District.

3. The property to the north and west of the subject property is zoned R-SF, Single Family Residential. The normal bufferyard required between HM zoning and the adjacent R-SF zoned property is a minimum forty (40) feet wide landscaped bufferyard with a fence, wall, hedge or earthen berm.

FINDINGS FOR STAFF RECOMMENDATION:

1. Growth Management and Land Use Comprehensive Plan and roadway both support the proposed rezoning.
2. The approval of this request is similar to the existing HM, Heavy Manufacturing zoning to the south and east.
3. Approval will allow for the productive use of this property as a parking lot.
4. The bufferyard along the north and west property line will provide for more separation and screening between the proposed use and the existing residential to the north and west.

RECOMMENDATION:

Staff recommends **approval** of this request

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner
864-1834

EXHIBIT 2: NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: RSF to HM

(existing zoning) *(proposed zoning)*
2. Meeting Date & Time: 05/14/2015 from 4 pm to 6:30 pm
3. Meeting Location: Loren Cook
4. Number of invitations that were sent: 87
5. How was the mailing list generated: City Staff
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.)

Only comment was about the no parking signs along Dale. All were in favor of the rezoning.

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

None received as of 5/15/15

May 14th, 2015

PROPERTY REZONING NEIGHBORHOOD MEETING SIGN UP SHEET

Building Addition for:
LOREN COOK COMPANY

Location:
2015 East Dale Street
Springfield, Missouri 65808

NAME: (Please Print) ADDRESS: PHONE NO.: EMAIL:

TOM FOX 1928 E. H 29th 863-0634

RIVALDO PANETTA 1934 E. HIGH

Ben Smith 1912 E. Dale

EXPLANATION TO COUNCIL BILL NO: 2015-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To amend Sections 2-1100, Definitions, 4-4000, Restricted Industrial District, 4-4100, Light Industrial District, 4-4200, General Manufacturing District, 4-4300, Heavy Manufacturing District, 4-4400, Industrial Commercial District and 5-2500, Residential Group Homes, of the Zoning Ordinance to address the appropriate uses and use restrictions of any kind for congregate residential living arrangements and for community correctional facilities (Staff recommends approval).

BACKGROUND INFORMATION:

ZONING ORDINANCE TEXT AMENDMENT – GROUP HOME AMENDMENTS

In 1985, the State of Missouri passed a law that requires cities to allow any home in which 8 or fewer unrelated mentally or physically handicapped persons reside with up to two house parents in a single-family residential district. City Council adopted an ordinance in conformance with State law in 1987.

In response to a location of congregate residential arrangements, City Council initiated amendments to the Zoning Ordinance with respect to the appropriate locations and restrictions on congregate residential arrangements and services for persons on the sexual offender registry and for community correctional facilities at their meeting on March 10, 2014 (Resolution No. 10113). City Council also adopted an interim management policy with respect to any applications for such use which directs the City Manager to process or where necessary delay the acceptance of applications or permits for such use for a period of 180 days. City Council has extended this administrative delay two additional times. The most recent administrative delay will expire on September 5, 2015, unless extended further by City Council action.

Staff has met with City Council on two separate occasions to discuss their recommendations for the proposed amendments. The latest discussion was on April 28, 2015, during a City Council luncheon. At that meeting, staff recommended amending the Group Home, Residential and Custodial use categories to clarify the prohibition of persons on probation or parole, creating a new Group Home, Corrections use category for persons on probation or parole and modifying the Community Corrections Facility definition. City Council instructed staff to remove the ability of a Group Home, Corrections facility to be permitted in any district other than the Industrial/Manufacturing Districts and to increase the separation of these facilities from certain uses.

The current ordinance allows a Group Home, Residential in the R-SF, Single-Family Residential, R-TH, Residential Townhouse and R-MHC, Manufactured Home Community Districts. The current definition, as adopted in 1987, is a single-family-

detached dwelling in which no more than ten (10) people reside, comprised of the following: eight or fewer unrelated mentally or physically handicapped persons, no more than two persons acting as houseparents or guardians who need not be related to each other or to any of the mentally or physically handicapped persons, residing in the dwelling, and the children of the houseparents or guardians.

The current ordinance allows a Group Home, Custodial in the R-LD, Low-Density Multi-Family Residential, R-MD, Medium-Density Multi-Family Residential and R-HD, High-Density Multi-Family Residential Districts. The current definition, as adopted in 1987, is a dwelling in which unrelated mentally or physically handicapped, or otherwise mentally or physically impaired persons reside with houseparents or guardians (Exhibit A).

While the current Group Home definitions do not explicitly prohibit those on probation or parole, the current definition of a Community Corrections Facility states that it must be licensed by the State of Missouri and provide multiple services to those that are criminal offenders on probation or parole who reside under the supervision of trained staff.

The current single-family residential occupancy requirements in the Zoning Ordinance allow for up to three (3) unrelated persons living as a single housekeeping unit to reside in any residential district. The current residential occupancy requirements increase to four (4) unrelated persons living as a single housekeeping unit in the multi-family residential districts.

The current group home registration process conducted by the Building Development Services Department evaluates the group home applications for compliance with the definition and separation distances from other group homes. There are currently 10 registered group homes. Staff is proposing that all existing group homes, residential or custodial, that are registered will be allowed to continue as a conforming or non-conforming use, as determined by the Director of Building Development Services. Registered non-conforming uses may continue to operate until such time that the use is discontinued or abandoned for a period of twelve consecutive months. At that time, no new group home, residential or custodial can be re-established without meeting all group home requirements.

The proposed amendments would add a clarifying statement to Group Home, Residential and Custodial by stating that "Persons on probation or parole are not permitted in residential/custodial group homes."

The proposed amendments will also require those persons who are on probation or parole and in a group home to be located in a new use category called a Group Home, Corrections which is a facility for the housing and rehabilitation of unrelated mentally or physically handicapped persons who may be criminal offenders on probation or parole, or who may be under supervision of State Board of Probation and Parole or a similar agency, and who reside under the supervision of trained staff.

The Group Home, Corrections use will be allowed as a permitted use in all Industrial Districts (RI, LI, GM, HM and IC) under certain restrictions. The restrictions are as follows:

1. A business license shall be obtained annually.
2. There shall be a maximum occupancy of thirty-two (32) residents.
3. No facility may be located within one thousand (1,000) feet of any elementary or secondary school or any residential zoning district as measured from property lines.
4. No Group Home, Corrections facility shall be located within one-quarter (1/4) mile (1,320 feet) of any other group home, community corrections facility, or any jails, prisons or detention facilities, overnight or transitional shelters, soup kitchens or substance abuse treatment facility as measured from property lines.

Staff has prepared a table of Zoning Ordinance Requirements for Group Homes and related uses (Exhibit B) and a map of permitted areas (Exhibit C), if the proposed changes were to go into effect.

The Development Issues Input Group (DIIG), Urban Districts Alliance (UDA), Environmental Advisory Board (EAB) and all registered Neighborhood Associations were notified of these amendments.

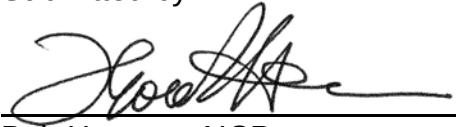
The Planning and Zoning Commission held a public hearing on June 4, 2015, and recommended _____, by a vote of __ to __, of the proposed changes to the Zoning Ordinance described in "Exhibit D."

The Planning and Development Staff recommends approval of the proposed amendments.

FINDINGS FOR STAFF RECOMMENDATION:

1. The proposed amendments will better define and clarify the group home uses within the community.
2. Objective 17 of the Growth Management and Land Use Element of the Comprehensive Plan states that Springfield should work to ensure a wide range of choice in living arrangements throughout the urbanized area.
3. Supports the following Field Guide 2030 goal(s): Chapter 7, Housing, Major Goal 3: Initiate and Implement Meaningful Regulation and Certification Reform. Objective 5a, Restructure Zoning Requirements to Allow for a Greater Mix of Blended Housing Options.

Submitted by:

A handwritten signature in black ink, appearing to read 'Bob Hosmer', written over a horizontal line.

Bob Hosmer, AICP
Principal Planner

Approved by:

Mary Lilly Smith, Director

Greg Burris, City Manager

EXHIBIT A
GROUP HOME AMENDMENTS
CURRENT DEFINITIONS AND REQUIREMENTS

Dwelling Unit: One or more rooms located within a dwelling that creates an independent housekeeping establishment for occupancy by one family with separate toilets and facilities for cooking and sleeping.

Economic and Housing Access Calamity Shelter: A shelter available during a declared economic and housing access calamity and operating under a Certificate of Occupancy which provides only lodging, or lodging and meals, but does not provide other services, is not located in a residential structure, and meets all other requirements of *Subsection 1-1334*. (G.O. 5978, 03/26/12)

Family: The following living arrangements shall constitute a family for the purposes of this Article:

- A. One (1) or more persons related by blood, marriage, adoption or custodial relationship living as a single housekeeping unit; or
- B. Three (3) or less unrelated persons living as a single housekeeping unit; or
- C. Two (2) unrelated persons, plus their biological, adopted or foster children or other minors for whom they have legally established custodial responsibility, living as a single housekeeping unit.

Domestic servants, employed on the premises, may be housed on the premises without being counted as part of the family. The term family shall not be construed to mean a fraternity, sorority, club, or institutional group.

Lodging House: An establishment or part thereof, in which lodging is provided by the owner or operator for at least three (3) but not more than eleven (11) persons for compensation, whether the compensation is paid directly or indirectly.

Overnight Shelter: A shelter that provides lodging and meals; whose services are available for up to thirty (30) days at any one time to any one resident.

Shelter: A building or other structure where lodging, or lodging and meals, are provided to a person or persons, unrelated by family to the provider, at no cost or at a charge that is less than the full cost of providing same, whether or not additional services are provided at that location. Such additional services may include, but are not limited to, counseling and drug or alcohol rehabilitation, except that "shelter" shall not include any of the following: (G.O. 4763, 12/15/97)

- (1) Residential or custodial group homes as defined in this section of the Zoning Ordinance;
- (2) Temporary lodging for non-Greene County resident families of patients, or patients themselves, of State-licensed health facilities within Greene County;
- (3) University or educational institution residence halls;
- (4) Fraternity or sorority houses;

- (5) State and city licensed nursing homes and day care centers;
- (6) Foster homes licensed under Chapter 210, RSMo;
- (7) Hospitals, mental institutions, residential care facility or institution that is licensed by the State of Missouri under Chapters 197, 198, and 630, RSMo.;
- (8) Emergency shelters as certified and identified by the American Red Cross, Regional Mass Care Provider, that may provide lodging, meals and services related to relocation and are available during or after a fire or natural disaster for a limited duration. Any spacing requirements and maximum occupancies in this Article shall not apply to emergency shelters; and (G.O. 6058, 6/17/13)
- (9) Facilities for victims of domestic violence.

Soup Kitchen: An establishment where meals are provided to a person or persons unrelated by family to the provider at no cost or at a charge that is less than the full cost of providing same and that the provision of such meals is the principal service of the establishment, whether or not additional services are provided; however, lodging is prohibited. (G.O. 4763, 12/15/97)(G.O. 6058, 6/17/13)

Substance Abuse Treatment Facility: A facility, not accessory to a hospital, for treatment of alcohol or other substance abuse, with or without the use of drugs or other medical intervention, for one (1) or more patients who are provided with care, meals and lodging and that is accredited by the State of Missouri, the Joint Chief Hospitals Operations Administration (JCHOA) or CARF. Additional services and programs may also be performed such as: (G.O. 5343, 01/12/04)

- A. Outpatient substance abuse treatment;
- B. Outreach to target populations to inform and facilitate access to services;
- C. Prevention programs;
- D. Support services including, but not limited to vocational training, education, psychological or psychiatric services, child development and placement services.

Transitional Housing: A shelter which provides only lodging, or lodging and meals, for longer than thirty (30) days at any one time for residents, but does not provide other services on a continuing basis. (G.O. 4763, 12/15/97)

Transitional Service Shelter: A shelter whose services are available for longer than thirty (30) days at any one time to a resident, and which provides services in addition to lodging and meals, or lodging alone, in a group setting on the same premises, including, but not limited to, job counseling, life or parenting skill courses, drug or alcohol rehabilitation, money management, or job training. Such shelter may include office for staff of the providers and for counselors. (G.O. 4763, 12/15/97)(G.O. 6058, 6/17/13)

EXHIBIT D
GROUP HOME AMENDMENTS

NOTE: Language to be added is underlined. Language to be deleted is ~~stricken~~.

Section 2-1100. Definitions.

Community Corrections Facility: A facility licensed, or exempt from licensing, by the State of Missouri, for ~~the housing, supervision, counseling, and rehabilitation~~on of and job training for individuals ~~persons in who~~ need ~~of~~ care ~~necessary~~ to return them to a productive role in society who are criminal offenders on probation, whose probation or parole has been revoked, who are within one hundred twenty (120) days of their release from a prison, jail sentence or custody from the State Department of Corrections, or who are under supervision of State Board of Probation ~~and~~or Parole or a similar agency, and who reside under the supervision of trained staff.

Group Home, Corrections: A facility for the housing and rehabilitation of unrelated mentally or physically handicapped persons who may be criminal offenders on probation or parole, or who may be under supervision of State Board of Probation and Parole or a similar agency, and who reside under the supervision of trained staff.

Group Home, Custodial: A dwelling in which unrelated mentally or physically handicapped, ~~or otherwise mentally or physically impaired~~ persons reside with houseparents or guardians. Persons on probation or parole are not permitted in custodial group homes.

Group Home, Residential: A single-family-detached dwelling in which no more than ten (10) ~~persons~~people reside, comprised of the following: eight or fewer unrelated mentally or physically handicapped persons, no more than two persons acting as houseparents or guardians who need not be related to each other or to any of the mentally or physically handicapped persons, residing in the dwelling, and the children of the houseparents or guardians. Persons on probation or parole are not permitted in residential group homes.

Section 4-4000. RI - Restricted Industrial District.

4-4002. **Permitted Uses.**

GG. Group homes, corrections, provided that a business license shall be obtained annually and there shall be a maximum occupancy of thirty-two (32) residents. No facility may be located within one thousand (1000) feet of any elementary or secondary school or any residential zoning district as measured from property lines. No group home corrections facility shall be located within one-quarter (1/4) mile of any other group home, community corrections facility, or any jails, prisons or detention facilities, overnight or transitional shelters, soup kitchens or substance abuse treatment facility as measured from property lines.

Section 4-4100. LI - Light Industrial District.

4-4102. Permitted Uses.

FF. Group homes, corrections, provided that a business license shall be obtained annually and there shall be a maximum occupancy of thirty-two (32) residents. No facility may be located within one thousand (1000) feet of any elementary or secondary school or any residential zoning district as measured from property lines. No group home corrections facility shall be located within one-quarter (1/4) mile of any other group home, community corrections facility, or any jails, prisons or detention facilities, overnight or transitional shelters, soup kitchens or substance abuse treatment facility as measured from property lines.

Section 4-4200. GM - General Manufacturing District.

4-4202. Permitted Uses.

LL. Group homes, corrections, provided that a business license shall be obtained annually and there shall be a maximum occupancy of thirty-two (32) residents. No facility may be located within one thousand (1000) feet of any elementary or secondary school or any residential zoning district as measured from property lines. No group home corrections facility shall be located within one-quarter (1/4) mile of any other group home, community corrections facility, or any jails, prisons or detention facilities, overnight or transitional shelters, soup kitchens or substance abuse treatment facility as measured from property lines.

Section 4-4300. HM - Heavy Manufacturing District.

4-4302. Permitted Uses.

XX. Group homes, corrections, provided that a business license shall be obtained annually and there shall be a maximum occupancy of thirty-two (32) residents. No facility may be located within one thousand (1000) feet of any elementary or secondary school or any residential zoning district as measured from property lines. No group home corrections facility shall be located within one-quarter (1/4) mile of any other group home, community corrections facility, or any jails, prisons or detention facilities, overnight or transitional shelters, soup kitchens or substance abuse treatment facility as measured from property lines.

Section 4-4400. IC - Industrial Commercial District.

4-4402. Permitted Uses.

WW. Group homes, corrections, provided that a business license shall be obtained annually and there shall be a maximum occupancy of thirty-two (32) residents. No facility may be located within one thousand (1000) feet of any elementary or secondary school or any residential zoning district as measured from property lines. No group home corrections facility shall be located within one-quarter (1/4) mile of any other group home, community corrections facility, or any jails, prisons or detention facilities, overnight or

transitional shelters, soup kitchens or substance abuse treatment facility as measured from property lines.

Section 5-2500. Residential Group Homes.

- 5-2501 **Purpose.** It is necessary and desirable to provide suitable sites for residential group homes, as defined in *Section 2-1100, Definitions*, in single-family residential areas provided that, in furtherance of the goals of de-institutionalization of handicapped persons and allowing residential group homes to be integrated throughout the community, residential group homes are not concentrated in particular neighborhood.
- 5-2502. **Residential Group Home Location Requirements.** Residential group homes are permitted in the R-SF, R-TH, and R-MHC Districts provided that no residential group home shall be located within ~~a~~ one-quarter (1/4) mile radius of another residential, ~~or~~ custodial or corrections group home as measured from property lines.

EXHIBIT A
GROUP HOME AMENDMENTS
CURRENT DEFINITIONS AND REQUIREMENTS

Dwelling Unit: One or more rooms located within a dwelling that creates an independent housekeeping establishment for occupancy by one family with separate toilets and facilities for cooking and sleeping.

Economic and Housing Access Calamity Shelter: A shelter available during a declared economic and housing access calamity and operating under a Certificate of Occupancy which provides only lodging, or lodging and meals, but does not provide other services, is not located in a residential structure, and meets all other requirements of *Subsection 1-1334*. (G.O. 5978, 03/26/12)

Family: The following living arrangements shall constitute a family for the purposes of this Article:

- A. One (1) or more persons related by blood, marriage, adoption or custodial relationship living as a single housekeeping unit; or
- B. Three (3) or less unrelated persons living as a single housekeeping unit; or
- C. Two (2) unrelated persons, plus their biological, adopted or foster children or other minors for whom they have legally established custodial responsibility, living as a single housekeeping unit.

Domestic servants, employed on the premises, may be housed on the premises without being counted as part of the family. The term family shall not be construed to mean a fraternity, sorority, club, or institutional group.

Lodging House: An establishment or part thereof, in which lodging is provided by the owner or operator for at least three (3) but not more than eleven (11) persons for compensation, whether the compensation is paid directly or indirectly.

Overnight Shelter: A shelter that provides lodging and meals; whose services are available for up to thirty (30) days at any one time to any one resident.

Shelter: A building or other structure where lodging, or lodging and meals, are provided to a person or persons, unrelated by family to the provider, at no cost or at a charge that is less than the full cost of providing same, whether or not additional services are provided at that location. Such additional services may include, but are not limited to, counseling and drug or alcohol rehabilitation, except that "shelter" shall not include any of the following: (G.O. 4763, 12/15/97)

- (1) Residential or custodial group homes as defined in this section of the Zoning Ordinance;
- (2) Temporary lodging for non-Greene County resident families of patients, or patients themselves, of State-licensed health facilities within Greene County;
- (3) University or educational institution residence halls;
- (4) Fraternity or sorority houses;

- (5) State and city licensed nursing homes and day care centers;
- (6) Foster homes licensed under Chapter 210, RSMo;
- (7) Hospitals, mental institutions, residential care facility or institution that is licensed by the State of Missouri under Chapters 197, 198, and 630, RSMo.;
- (8) Emergency shelters as certified and identified by the American Red Cross, Regional Mass Care Provider, that may provide lodging, meals and services related to relocation and are available during or after a fire or natural disaster for a limited duration. Any spacing requirements and maximum occupancies in this Article shall not apply to emergency shelters; and (G.O. 6058, 6/17/13)
- (9) Facilities for victims of domestic violence.

Soup Kitchen: An establishment where meals are provided to a person or persons unrelated by family to the provider at no cost or at a charge that is less than the full cost of providing same and that the provision of such meals is the principal service of the establishment, whether or not additional services are provided; however, lodging is prohibited. (G.O. 4763, 12/15/97)(G.O. 6058, 6/17/13)

Substance Abuse Treatment Facility: A facility, not accessory to a hospital, for treatment of alcohol or other substance abuse, with or without the use of drugs or other medical intervention, for one (1) or more patients who are provided with care, meals and lodging and that is accredited by the State of Missouri, the Joint Chief Hospitals Operations Administration (JCHOA) or CARF. Additional services and programs may also be performed such as: (G.O. 5343, 01/12/04)

- A. Outpatient substance abuse treatment;
- B. Outreach to target populations to inform and facilitate access to services;
- C. Prevention programs;
- D. Support services including, but not limited to vocational training, education, psychological or psychiatric services, child development and placement services.

Transitional Housing: A shelter which provides only lodging, or lodging and meals, for longer than thirty (30) days at any one time for residents, but does not provide other services on a continuing basis. (G.O. 4763, 12/15/97)

Transitional Service Shelter: A shelter whose services are available for longer than thirty (30) days at any one time to a resident, and which provides services in addition to lodging and meals, or lodging alone, in a group setting on the same premises, including, but not limited to, job counseling, life or parenting skill courses, drug or alcohol rehabilitation, money management, or job training. Such shelter may include office for staff of the providers and for counselors. (G.O. 4763, 12/15/97)(G.O. 6058, 6/17/13)

Group Home Amendments Table												
Zoning Ordinance Requirements												
Use Categories	Zoning District(s) Permitted	Zoning District(s) with Conditional Use Permit	Distance from Residential Districts	Distance from Child Care Facility	Distance from Elementary and Secondary Schools	Distance from Libraries and Museums	Distance from Parks	Distance between Group Homes	Distance from Substance Abuse Treatment Facility	Distance from Overnight & Transitional Service Shelters and Soup Kitchens	Distance between Community Corrections Facilities, Jails, Prisons or Detention Facilities	Maximum Residents
Group Home, Residential	R-SF, R-TH and R-MHC	None	None	None	None	None	None	1,320 feet	None	None	None	8 residents 2 caretakers
Group Home, Custodial	R-LD, R-MD and R-HD	CC and COM	None	None	None	None	None	1,320 feet	None	None	None	Depends on districts densities
Group Home, Corrections (proposed)	All Industrial Districts (RI, LI, GM, HM, IC)	None	1,000 feet	None	1,000 feet	None	None	1,320 feet	1,320 feet	1,320 feet	1,320 feet	32 residents
Community Corrections Facility	None	HM	750 feet	None	750 feet	750 feet	None	None	2,000 feet	2,000 feet	2,000 feet	65 beds
Jails, Prisons and Detention Facilities	None	GI and HM	750 feet	None	750 feet	None	750 feet	None	None	None	2,000 feet	Varies
Overnight and Transitional Service Shelters and Soup Kitchens	HC, CS, GM, HM	R-MD, R-HD, HC, CS, CC, COM, RI, LI, GM, HM, IC	500 feet; less than 500 feet requires CUP	None	1,000 feet	None	None	2,000 feet	2,000 feet	2,000 feet	2,000 feet	50 or fewer residents
Substance Abuse Treatment Facility	O, GI, HC, CS, CC, LI, GM, HM	COM	None	None	None	None	None	None	2,000 feet	2,000 feet	2,000 feet	50 residents
Certain Sex Offenders Registry State Law Requirements	N/A	N/A	None	500 feet	1,000 feet	None	500 feet with a pool or playground equipment	N/A	N/A	N/A	N/A	N/A

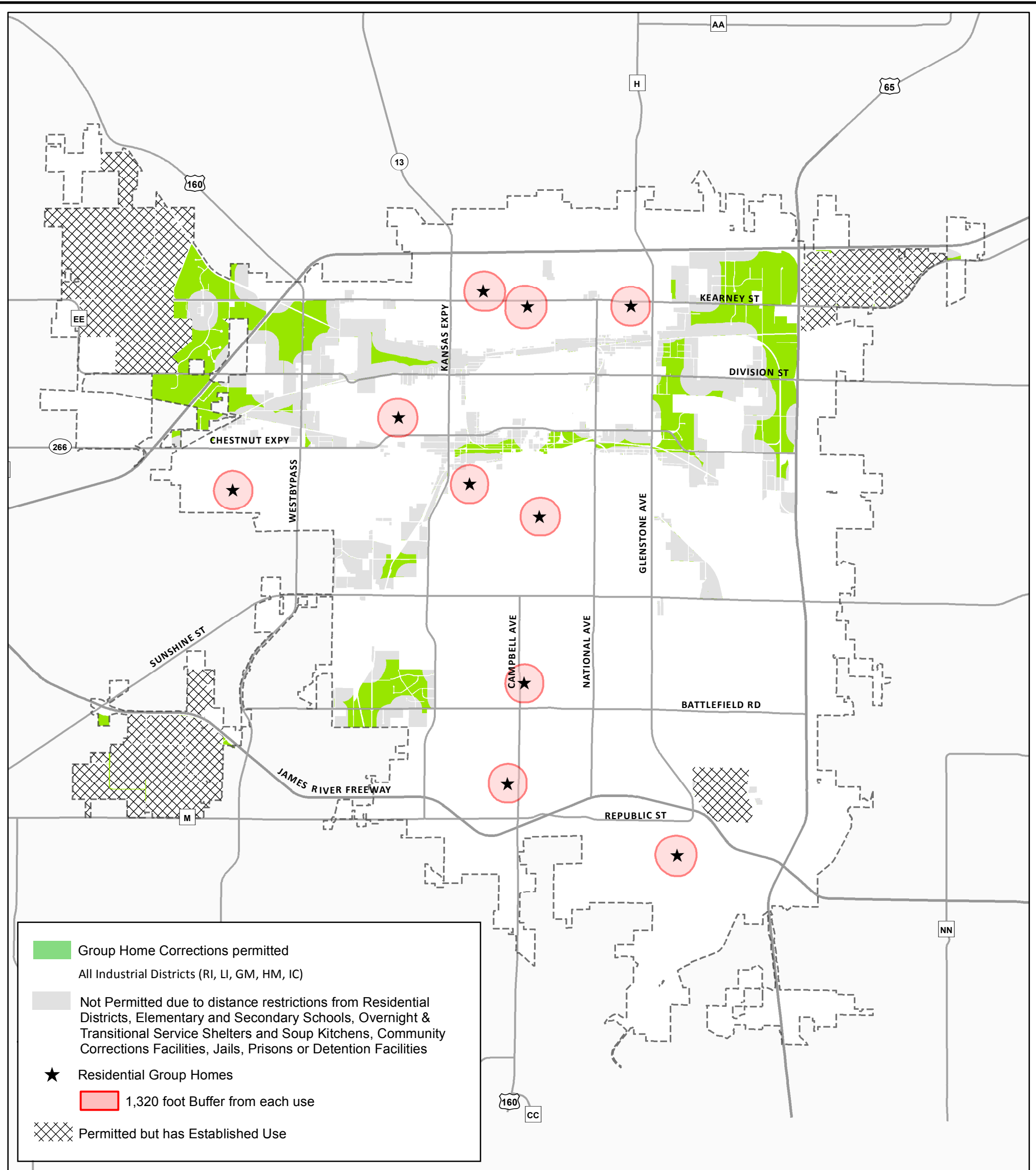


EXHIBIT D GROUP HOME AMENDMENTS

NOTE: Language to be added is underlined. Language to be deleted is ~~stricken~~.

Section 2-1100. Definitions.

Community Corrections Facility: A facility licensed, or exempt from licensing, by the State of Missouri, for ~~the housing, supervision, counseling, and~~ rehabilitation ~~on of and job training for individuals~~ persons in who need ~~of care necessary~~ to return them to a productive role in society who are criminal offenders on probation, whose probation or parole has been revoked, who are within one hundred twenty (120) days of their release from a prison, jail sentence or custody from the State Department of Corrections, or who are under supervision of State Board of Probation ~~and~~ Parole or a similar agency, and who reside under the supervision of trained staff.

Group Home, Corrections: A facility for the housing and rehabilitation of unrelated mentally or physically handicapped persons who may be criminal offenders on probation or parole, or who may be under supervision of State Board of Probation and Parole or a similar agency, and who reside under the supervision of trained staff.

Group Home, Custodial: A dwelling in which unrelated mentally or physically handicapped, ~~or otherwise mentally or physically impaired~~ persons reside with houseparents or guardians. Persons on probation or parole are not permitted in custodial group homes.

Group Home, Residential: A single-family-detached dwelling in which no more than ten (10) ~~persons~~ people reside, comprised of the following: eight or fewer unrelated mentally or physically handicapped persons, no more than two persons acting as houseparents or guardians who need not be related to each other or to any of the mentally or physically handicapped persons, residing in the dwelling, and the children of the houseparents or guardians. Persons on probation or parole are not permitted in residential group homes.

Section 4-4000. RI - Restricted Industrial District.

4-4002. Permitted Uses.

GG. Group homes, corrections, provided that a business license shall be obtained annually and there shall be a maximum occupancy of thirty-two (32) residents. No facility may be located within one thousand (1000) feet of any elementary or secondary school or any residential zoning district as measured from property lines. No group home corrections facility shall be located within one-quarter (1/4) mile of any other group home, community corrections facility, or any jails, prisons or detention facilities, overnight or transitional shelters, soup kitchens or substance abuse treatment facility as measured from property lines.

Section 4-4100. LI - Light Industrial District.

4-4102. Permitted Uses.

FF. Group homes, corrections, provided that a business license shall be obtained annually and there shall be a maximum occupancy of thirty-two (32) residents. No facility may be located within one thousand (1000) feet of any elementary or secondary school or any residential zoning district as measured from property lines. No group home corrections facility shall be located within one-quarter (1/4) mile of any other group home, community corrections facility, or any jails, prisons or detention facilities, overnight or transitional shelters, soup kitchens or substance abuse treatment facility as measured from property lines.

Section 4-4200. GM - General Manufacturing District.

4-4202. Permitted Uses.

LL. Group homes, corrections, provided that a business license shall be obtained annually and there shall be a maximum occupancy of thirty-two (32) residents. No facility may be located within one thousand (1000) feet of any elementary or secondary school or any residential zoning district as measured from property lines. No group home corrections facility shall be located within one-quarter (1/4) mile of any other group home, community corrections facility, or any jails, prisons or detention facilities, overnight or transitional shelters, soup kitchens or substance abuse treatment facility as measured from property lines.

Section 4-4300. HM - Heavy Manufacturing District.

4-4302. Permitted Uses.

XX. Group homes, corrections, provided that a business license shall be obtained annually and there shall be a maximum occupancy of thirty-two (32) residents. No facility may be located within one thousand (1000) feet of any elementary or secondary school or any residential zoning district as measured from property lines. No group home corrections facility shall be located within one-quarter (1/4) mile of any other group home, community corrections facility, or any jails, prisons or detention facilities, overnight or transitional shelters, soup kitchens or substance abuse treatment facility as measured from property lines.

Section 4-4400. IC - Industrial Commercial District.

4-4402. Permitted Uses.

WW. Group homes, corrections, provided that a business license shall be obtained annually and there shall be a maximum occupancy of thirty-two (32) residents. No facility may be located within one thousand (1000) feet of any elementary or secondary school or any residential zoning district as measured from property lines. No group home corrections facility shall be located within one-quarter (1/4) mile of any other group home, community corrections facility, or any jails, prisons or detention facilities, overnight or

transitional shelters, soup kitchens or substance abuse treatment facility as measured from property lines.

Section 5-2500. Residential Group Homes.

- 5-2501 **Purpose.** It is necessary and desirable to provide suitable sites for residential group homes, as defined in *Section 2-1100, Definitions*, in single-family residential areas provided that, in furtherance of the goals of de-institutionalization of handicapped persons and allowing residential group homes to be integrated throughout the community, residential group homes are not concentrated in particular neighborhood.
- 5-2502. **Residential Group Home Location Requirements.** Residential group homes are permitted in the R-SF, R-TH, and R-MHC Districts provided that no residential group home shall be located within ~~a~~ one-quarter (1/4) mile radius of another residential, ~~or~~ custodial or corrections group home as measured from property lines.

EXPLANATION TO COUNCIL BILL NO: 2015-_____

FILED: _____

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To add a new Section 3-3900, Reasonable Accommodation Policy and Procedure, to Subdivision 3, Review, Appeals, and Amendments, of the Zoning Ordinance that will provide a reasonable accommodation policy and procedure for persons that are handicapped (Staff recommends approval).

BACKGROUND INFORMATION:

ZONING ORDINANCE TEXT AMENDMENT – REASONABLE ACCOMMODATION
POLICY AND PROCEDURE AMENDMENT

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. 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 Zoning Ordinance requirements.

The proposed amendment will allow the Administrative Review Committee (ARC) the ability to grant exemptions to the Zoning Ordinance 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. Any appeals of ARC’s decisions would go to the Board of Adjustment for a public hearing.

The Development Issues Input Group (DIIG), Urban Districts Alliance (UDA), Environmental Advisory Board (EAB) and all registered Neighborhood Associations were notified of these amendments.

The Planning and Zoning Commission held a public hearing on June 4, 2015, and recommended _____, by a vote of ___ to __, of the proposed changes to the Zoning Ordinance described in “Exhibit A.”

The Planning and Development Staff recommends approval of the proposed amendments in “Exhibit A.”

FINDINGS FOR STAFF RECOMMENDATION:

1. The proposed amendment will allow staff the ability to make reasonable accommodations for persons with disabilities following certain criteria.
2. Objective 17 of the Growth Management and Land Use Element of the Comprehensive Plan states that Springfield should work to ensure a wide range of choice in living arrangements throughout the urbanized area.
3. Supports the following Field Guide 2030 goal(s): Chapter 7, Housing, Major Goal 2: Promote diversity of housing types in development and redevelopment patterns. Objective 2a, Remove barriers to innovative design concepts.

Submitted by:

Bob Hosmer, AICP
Principal Planner

Submit Approved by:

Mary Lilly Smith
Director

Approved by:

Greg Burris, City Manager

EXHIBIT A
REASONABLE ACCOMMODATION AMENDMENTS

NOTE: Language to be added is underlined. Language to be deleted is ~~stricken~~.

Section 3-3900. Reasonable Accommodation Policy and Procedure.

A. Purpose. This Section implements the policy of the City of Springfield on requests for reasonable accommodation in its rules, policies and procedures for persons with disabilities as required by the Fair Housing Act, as amended, 42 U.S.C. Section 3604(f)(3)(B) and Title II of the Americans with Disabilities Act, 42 U.S.C. § 12132. The policy of City is to comply fully with the provisions of the Fair Housing Act and Title II of the Americans with Disabilities Act.

Any person with disabilities and eligible under the Fair Housing Act or Title II of the Americans with Disabilities Act may request a reasonable accommodation with respect to the various land use or zoning laws, rules, policies, practices and/or procedures of the City as provided by the Fair Housing Act and Title II of the Americans with Disabilities Act pursuant to the procedures set out in this Section.

Nothing in this Section requires persons with disabilities or operators of group homes for persons with disabilities acting or operating in accordance with applicable zoning, licensing or land use laws or practices to seek reasonable accommodation under this Section.

B. Definitions. For the purposes of this Section, certain terms and words are hereby defined as follows:

ACTS. Collectively, the FHA and the ADA.

ADA. Title II of the Americans with Disabilities Act, 42 U.S.C. § 12131, *et seq.*, and its implementing regulations, 28 C.F.R. Part 35.

APPLICANT. An individual, group or entity making a request for reasonable accommodation pursuant to this Section.

DEPARTMENT. Building Development Services of the City of Springfield.

FHA. The Fair Housing Act, Title III of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, 42 U.S.C. §§ 3601 *et seq.*, as may be amended.

DISABLED PERSON. Any person who is “handicapped” within the meaning of 42 U.S.C. § 3602(h) or a “qualified individual with a disability” within the meaning of 42 U.S.C. § 12131(2).

DWELLING. A “dwelling” as defined in 42 U.S.C. § 3602(b).

ZONING ORDINANCE. The City of Springfield Zoning Ordinance.

Unless specifically defined in this section all terms have the same meaning as contained in 2-1100.

C. Requesting Reasonable Accommodations:

In order to make specific housing available to one or more individuals with disabilities, a disabled person or a person acting on his or her behalf at his or her request (collectively, the "Applicant") may request a reasonable accommodation relating to the various land use or zoning rules, policies, practices and/or procedure of the City applicable to such housing.

1. A request by an Applicant for reasonable accommodation relating to land use or zoning rules, policies, practices and/or procedures shall be made orally or in writing on a reasonable accommodation request form provided by the Department. The form shall contain:
 - a. the current zoning for the property;
 - b. the name, phone number and address of the owner of the fee interest of the property (if other than the Applicant);
 - c. the nature of the disability that requires the reasonable accommodation. In the event that the specific individuals who are expected to reside at the property are not known to the Applicant in advance of making the application, the Applicant shall not be precluded from filing the application, but shall submit details describing the range of disabilities that prospective residents are expected to have to qualify for the housing. The Applicant shall notify the Department, in the event the residents at the location are not within the range described. The Department shall then determine if an amended application and subsequent determination of reasonable accommodation is appropriate;
 - d. the specific type of accommodation requested by the Applicant. To the extent practicable, this portion should include information concerning the impact of the reasonable accommodation on the adjoining properties and area, the number of people who are expected to be availing themselves of the reasonable accommodation, the estimated number of people in an average week who will be necessary to provide services to the person(s) with disabilities at the property on an on-going basis, whether or not this type of reasonable accommodation is required to obtain a license from any state or county authority to operate, and any other information the Applicant thinks would assist in determining the reasonableness of the accommodation;
 - e. the Applicant should also note, if known, whether this accommodation requires any additional permits or licensure (e.g. business license); and
 - f. whether the accommodation requested may be necessary to afford one or more disabled persons equal opportunity to use and enjoy a specific dwelling.

The Department will provide the assistance necessary to an Applicant in making a request for reasonable accommodation, including information which the Department deems necessary to complete a reasonable accommodation request form. Upon the City's receipt of the necessary information to process the Applicant's request for reasonable accommodation, the Department shall use the information to complete a reasonable accommodation request form.

2. The Department will provide the assistance necessary to any Applicant wishing to appeal a denial of a request for reasonable accommodation to ensure the process is accessible to the Applicant. The Applicant is entitled to be represented at all stages of the proceedings identified in this Section by a person designated by the Applicant.
3. Should the information provided by the Applicant to the Department include medical information or records of the Applicant, including records indicating the medical condition, diagnosis or medical history of the Applicant, the Applicant may, at the time of submitting such medical information, request that the Department to the extent allowed by law, treat such medical information as confidential information of the Applicant.
4. The Department shall provide written notice to the Applicant, and any person designated by the Applicant to represent the Applicant in the application proceeding, of any request received by the Department for disclosure of the medical information or documentation which the Applicant has previously requested be treated as confidential by the Department. The Department will cooperate with the Applicant, to the extent allowed by law, in actions initiated by the Applicant to oppose the disclosure of such medical information or documentation.

D. Jurisdiction.

1. **Administrative Review Committee (ARC).** The ARC shall have the authority to consider and act on requests for reasonable accommodation. When a request for reasonable accommodation is filed with the Department, it will be referred to the ARC for review and consideration. The ARC shall issue a written determination within thirty (30) days of the date of receipt of a completed application and may: (1) grant the accommodation request, or (2) deny the request, in accordance with federal or state law. Any such denial shall be in writing and shall state the grounds therefore. All written determinations shall give notice of the right to appeal and the right to request reasonable accommodation in the appeals process. The notice of determination shall be sent to the Applicant by certified mail, return receipt requested and by regular mail.
2. If reasonably necessary to reach a determination on the request for reasonable accommodation, the ARC may, prior to the end of said thirty (30) day period, request additional information from the Applicant, specifying in detail what information is required. The Applicant shall have fifteen (15) days after the date of the request for additional information to provide the requested information. In the event a request for additional information is made, the thirty (30) day period to issue a written determination shall be stayed. The ARC shall issue a written determination within thirty (30) days after receipt of the additional information. If the Applicant fails to provide the requested additional information within said fifteen (15) day period, the ARC shall issue a written determination within thirty (30) days after expiration of said fifteen (15) day period.

E. Findings for Reasonable Accommodation.

The following findings, while not exhaustive of all considerations and findings that may be relevant, must be made before any action is taken to approve or deny a request for reasonable accommodation and must be incorporated into the record relating to such approval or denial:

1. Whether the accommodation requested may be necessary to afford one or more persons with disabilities equal opportunity to use and enjoy a specific dwelling;
2. Whether the requested accommodation would require a fundamental alteration to the City's zoning scheme; and
3. Whether the requested accommodation would impose undue financial or administrative burdens on the City.

A request for a reasonable accommodation shall not be denied for reasons which violate the provisions of the Acts. This order does not obligate the City to grant any accommodation request unless required by the provisions of the Acts or applicable Missouri State law.

F. Appeals.

1. Within thirty (30) days after the date the ARC mails a written adverse determination to the Applicant, the Applicant requesting reasonable accommodation may appeal the adverse determination.
2. All appeals shall contain a statement of the grounds for the appeal.
3. If an individual Applicant needs assistance in appealing a determination, the Department will provide the assistance necessary to ensure that the appeal process is accessible to the Applicant. All Applicants are entitled to be represented at all stages of the appeal proceeding by a person designated by the Applicant.
4. Appeals shall be to the Board of Adjustment pursuant to Section 3-3400. All determinations on appeal shall address and be based upon the finding that the accommodation requested is necessary to afford one or more disabled persons equal opportunity to use and enjoy a specific dwelling and shall be consistent with the Acts.
5. An Applicant may request reasonable accommodation in the procedure by which an appeal will be conducted.

G. Fees. The City shall not impose any additional fees or costs in connection with a request for reasonable accommodation under the provisions of this Section or an appeal of a denial of such request by the ARC. Nothing in this ordinance obligates the City to pay an Applicant's attorney fees or costs.

H. Stay of Enforcement. While an application for reasonable accommodation or appeal of a denial of said application is pending before the City, the City will not enforce the subject zoning ordinance against the Applicant.

I. Record-keeping. The City shall maintain records of all oral and written requests submitted under the provisions of this Section, and the City's responses thereto, as required by state law.

**PLANNING AND DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW OFFICE
MEMORANDUM**

DATE: May 22, 2015

TO: Planning and Zoning Commission

FROM: Bob Hosmer, AICP Principal Planner

SUBJECT: Changes to the Rules of Procedure for the Planning and Zoning Commission Appeal Process

Staff is proposing to modify the Rules of Procedure for the Planning and Zoning Commission to allow applications for rezoning, planned developments and conditional use permits that receive a recommendation for denial from Planning and Zoning Commission to automatically go to City Council instead of requiring an application for an appeal (see attached changes). This is the process used by most city planning and zoning commissions, since the Planning and Zoning Commission makes recommendations to the City Council.

Staff reviewed the amendments to the Rules of Procedure with the Planning and Zoning Commission on May 21, 2015 and recommends approval at the next Planning and Zoning Commission meeting, June 4, 2015, as required by the Rules and Procedures.

Proposed language to be added is underlined and language to be removed is ~~strikethrough~~

2.11 Recommendations Forwarded to Council

Items receiving ~~positive~~ Commission recommendations, whether positive or negative, shall be automatically forwarded to City Council for final action. It shall be the duty of the Executive Secretary, provided all notice requirements are satisfied, to place such items on the City Council agenda no later than the 3rd Council meeting following the Commission meeting at which action is taken.

~~Items receiving recommendations of disapproval by the commission will not be forwarded to City Council unless the applicant so requests in writing.~~
Commission shall not forward a recommendation to City Council when the applicant or a person acting in his behalf did not appear and present evidence in regard to the applicant's request for a change in zoning classification (7-1-99).

The process to change the rules of procedures are as follows;

7.1 Amendment to Rules of Procedure. The rules of procedure of this Commission shall be amended only with five (5) affirmative votes. Any proposed amendment or rescission of rules shall be voted upon only after the same has been reduced to writing, filed with the Secretary of the Commission and read at the regular meeting immediately preceding the meeting at which the same is voted upon. Debate on the proposed amendment or rescission shall be permitted at both the meeting where the proposed amendment or rescission was read and at the meeting where it is to be voted upon.

This amendment requires at least 5 affirmative votes in order to pass.

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: May 27, 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 1: Legal Description
Exhibit 2: Location Map
Exhibit 3: 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. 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 considered the proposed rezoning (Zoning Case Z-18-2015) on May 7, 2015 and recommended approval. The Springfield City Council is scheduled to vote on the rezoning on June 8, 2015.
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 1
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 (SW¹/₄) OF THE SOUTHWEST QUARTER (SW¹/₄) 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.

EXHIBIT 2
Location Map
Redevelopment Plan for the Robberson Avenue Panhellenic Redevelopment Area



EXHIBIT 3

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

May 11, 2015

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Legal Description of Redevelopment Area.....	Exhibit C
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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**”). The Panhellenic Organizations will then lease each of the building’s individual beds to their members for residential use. 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 will seek an amendment to this Redevelopment Plan to retrofit one or more of the buildings to be leased as market-rate housing marketed primarily to students. 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 fraternity and sorority housing marketed to Panhellenic Organizations and their members. 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 approximately two (2) restrooms. 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, the Developer will seek an

amendment to this Redevelopment Plan to allow one or more of the buildings to be used as market-rate multi-family housing marketed primarily to students. 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 July 2015

- ☐ Site Work (Demolition): Completed by September 2015
- ☐ Construction of Building: Completed by June 2016⁷

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.

⁷ While all of the site work will be completed along with the construction of the first building, the Developer does not intend to break ground on other buildings until the Developer receives commitments from Panhellenic Organizations. However, given the Developer's ongoing talks with various Panhellenic Organizations and national fraternity and sorority groups not currently associated with, but seeking to expand to Missouri State University, the Developer estimates that all six (6) structures will be completed in accordance with this schedule.

EXHIBIT A
Map of Blighted Area



EXHIBIT B

Map of Redevelopment Area

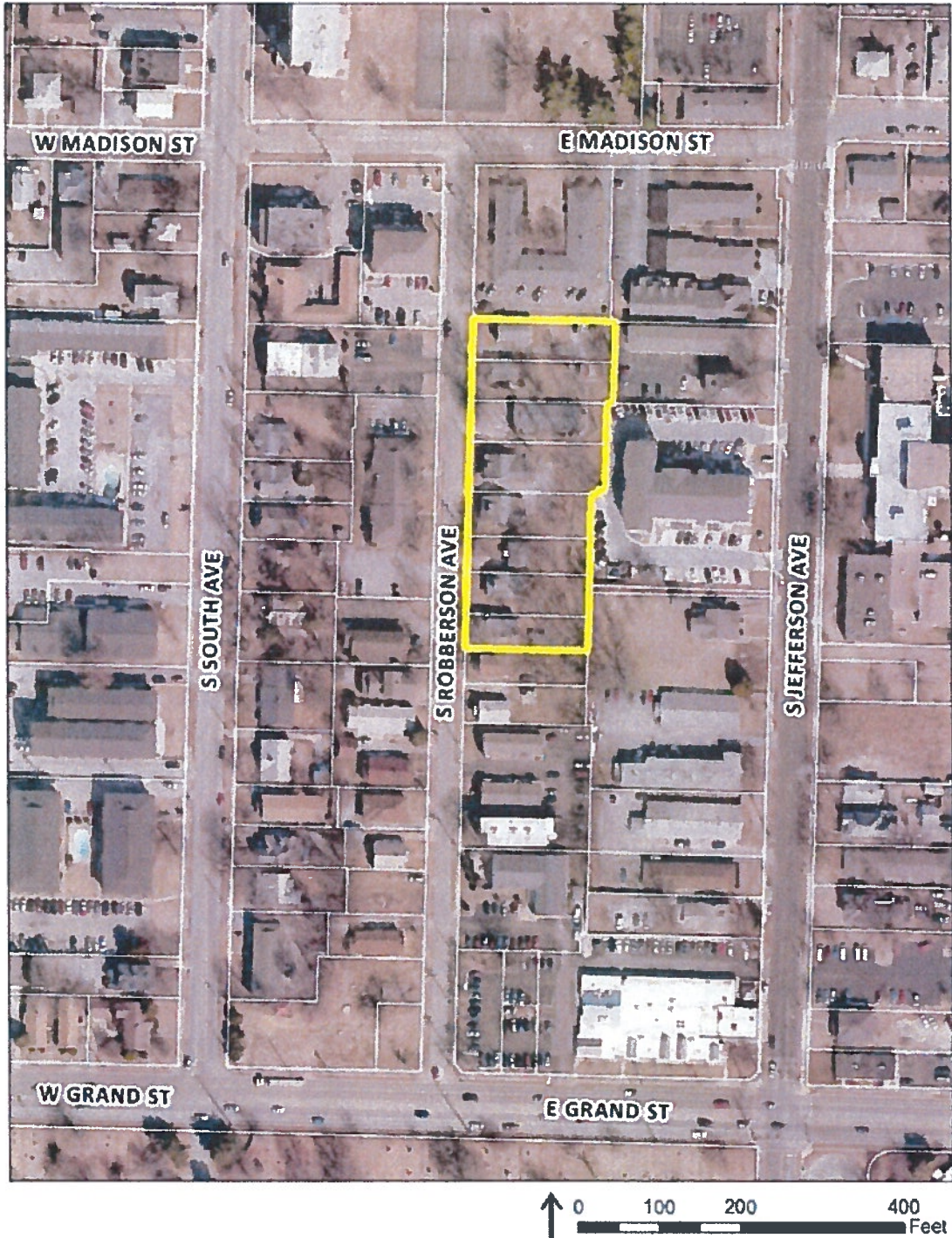


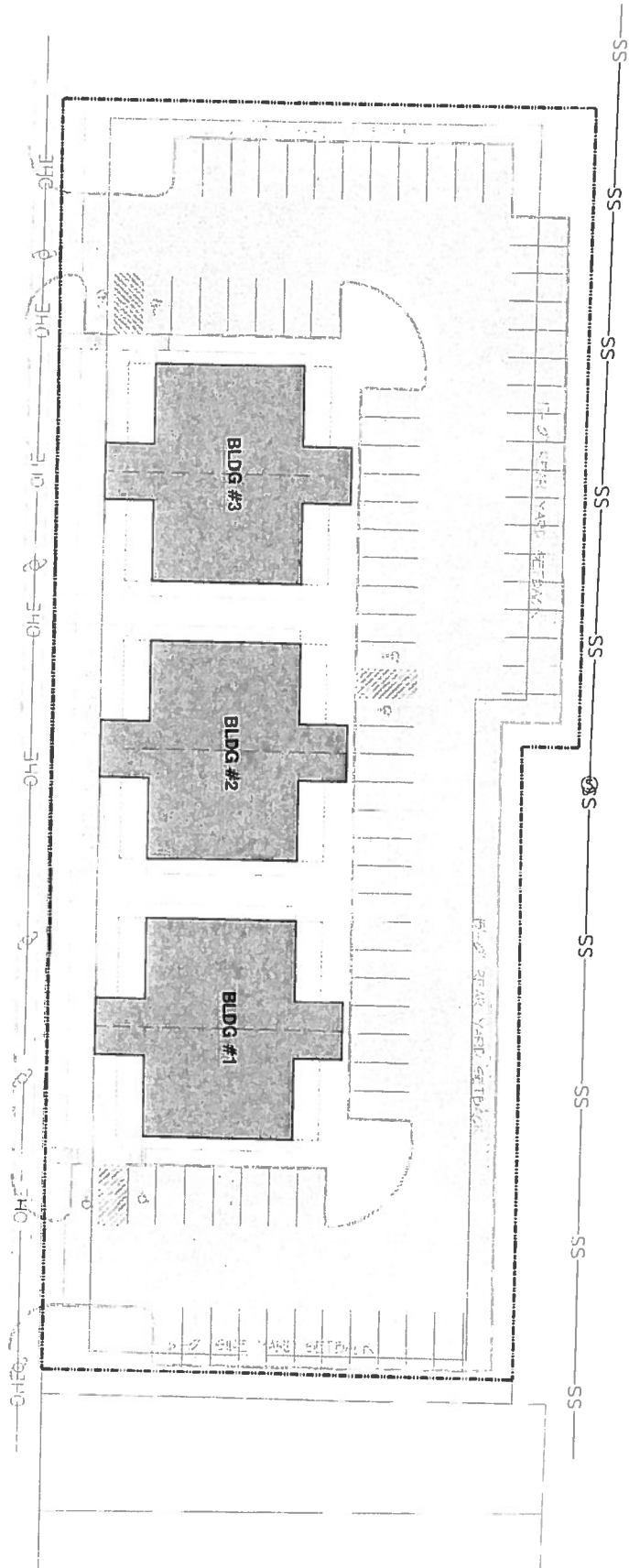
EXHIBIT C

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.

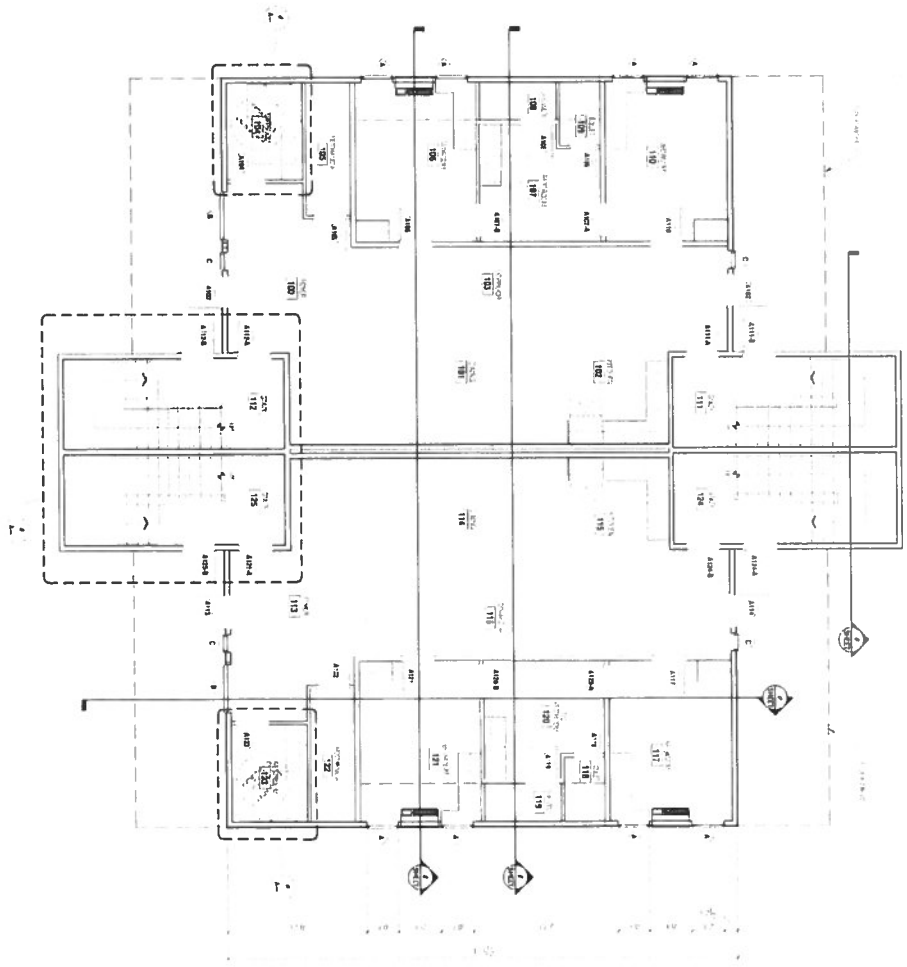
EXHIBIT D

Land Use Plan



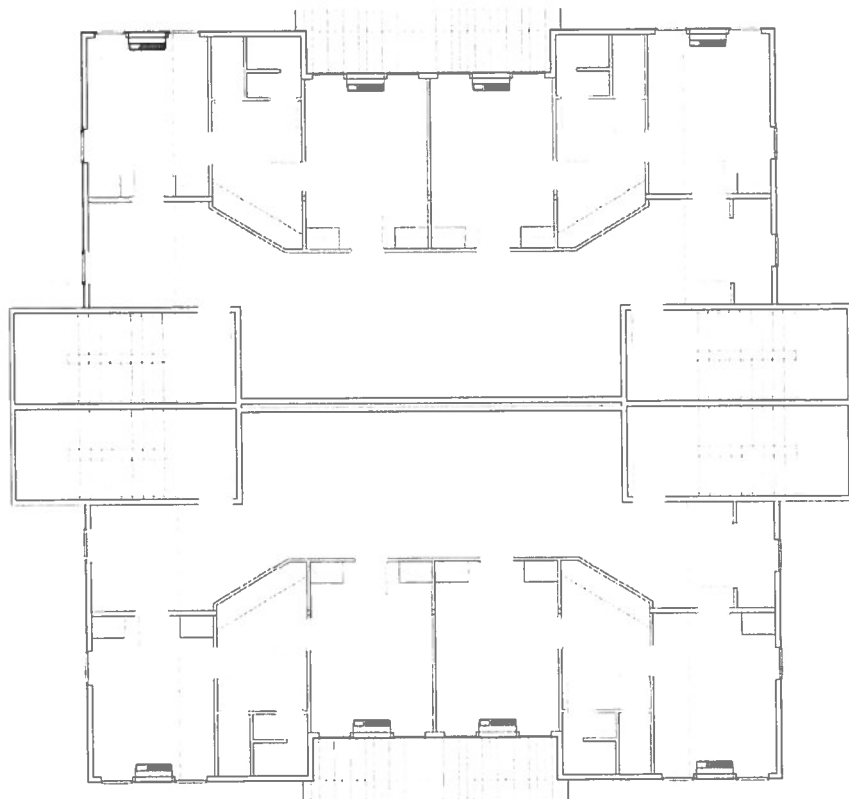
SITE

UNIT 7A-1' X UNIT 7A-2' X



1 BUILDING A - FIRST LEVEL
NORTH

1 BUILDING A - SECOND LEVEL





Zoning & Subdivision Report

Planning & Development Department ~ 417-864-1031
840 Boonville Avenue ~ Springfield, Missouri 65801

Amended Redevelopment Plan for the Brewery District Lofts Redevelopment Area

DATE: May 26, 2015

PURPOSE: To approve the Amended Redevelopment Plan for the Brewery District Lofts Redevelopment Area.

LOCATION: Generally located along the north side of West Walnut Street between South Market Avenue and South Main Avenue (507-535 West Walnut Street).

APPLICANT: Brewery District Lofts Redevelopment Corporation

STAFF RECOMMENDATION:

Staff recommends the Amended Redevelopment Plan for the Brewery District Lofts Redevelopment Area be **approved**.

FINDINGS:

The Amended Redevelopment Plan for the Brewery District Lofts 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 1: Legal Description
Exhibit 2: Location Map
Exhibit 3: Amended Redevelopment Plan

ATTACHMENT A
Background Report
Amended Redevelopment Plan for the Brewery District Lofts Redevelopment Area

Applicant's Proposal:

The Brewery District Lofts Redevelopment Corporation has filed an Amended Redevelopment Plan for the Brewery District Lofts Redevelopment Area (Exhibit III) to allow changes to be made to one of the proposed redevelopment projects. The original Redevelopment Plan was adopted by City Council on November 4, 2013 ([Special Ordinance No. 26328](#)). It proposed to rehabilitate and restore the building at 521 West McDaniel Street to a shell state to accommodate future expansion of the Springfield Brewing Company, as well as rehabilitate and convert the building at 507 West Walnut Street for use as a distillery. The Plan also proposed to demolish the buildings located at 535 West Walnut Street and construct a three-story residential and commercial mixed-use building that would consist of approximately 11,350 sq ft of retail, office, and banquet space on the first floor and 28 market-rate residential apartments on the upper floors. Since the Redevelopment Plan was approved, the buildings at 507 West Walnut Street and 521 West McDaniel Street have been rehabilitated in accordance with the Plan. However, construction of the commercial and residential mixed-use building at 535 West Walnut has not yet begun. During this time, plans for the proposed building have changed significantly, thus requiring the Redevelopment Plan to be amended.

The Amended Redevelopment Plan for the Brewery District Lofts Redevelopment Area proposes to demolish the buildings at 535 West Walnut Street and construct a completely redesigned three-story residential and commercial mixed-use building. The first floor will contain a mixture of commercial space, which will front onto West Walnut Street, as well as multi-family residential dwelling units, which will be located behind the commercial space and will front onto South Main Avenue. The upper floors will consist entirely of multi-family residential dwellings. In total, the building will accommodate approximately 3,271 sq ft of commercial space and a mixture of 25 one- and two-bedroom multi-family residential dwelling units. Off-street parking for approximately 28 vehicles will be provided onsite. The Amended Redevelopment Plan is necessary to accommodate the redesigned building and enable the project to receive partial real property tax abatement pursuant to Chapter 353, RSMo.

Comprehensive Plan:

1. According to the *Growth Management and Land Use Plan*, the area in and around the Brewery District Lofts Redevelopment Area is classified as "Greater Downtown." This land use category allows and promotes high-intensity office, retail, housing, academic, and public land uses, preferably in mixed-use buildings with a strong pedestrian orientation. The Plan identifies the Center City District as the most appropriate zoning district. The Brewery District Lofts Redevelopment Area is zoned CC, Center City, and will contain a mix of high-density multi-family residential and commercial uses. The proposed redevelopment will also have a strong pedestrian orientation due to its location in

downtown Springfield and its close proximity to public transit, retail shops, parks, restaurants, entertainment venues, and other downtown amenities.

2. The *Center City Plan Element* of the *Springfield-Greene County Comprehensive Plan* envisions the Greater Downtown District as an area that will be alive with business, shopping, and visitors. It will be the place to be for people of all ages – a well maintained, attractive, and inviting environment. The Amended Redevelopment Plan supports this vision by providing additional housing and commercial development within the Greater Downtown District.
3. An objective of the *Center City Plan Element* is to “Reestablish a unique position for Greater Downtown within the larger marketplace; one that is of value to the community and its residents.” One of the recommended actions for achieving that objective is to promote the emergence of a residential base in Greater Downtown. The Plan mentions that Greater Downtown housing can utilize vacant building space and help create round-the-clock activity, which should be a top priority. It also states that available incentives should be considered for such projects.
4. The *Center City Plan Element* also notes that the Center City area suffers from physical deterioration and economic obsolescence. It also states although there are several properties within Center City that have been well maintained or recently constructed, the overall tone of 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 residential and commercial mixed-use development.

Staff Comments:

1. Chapter 353, RSMo and Chapter 36, Springfield City Code authorize the establishment of Urban Redevelopment Corporations for purposes of redeveloping blighted areas. In accordance with the Statute, the City of Springfield may grant up to 25 years of partial real property tax abatement to encourage redevelopment of blighted areas. Taxes are abated during the first ten years, based on 100% of the increase in assessed value of land and improvements. During the remaining 15 years, taxes are abated based on 50% of the assessed value of land and improvements. In order to receive the abatement, the redevelopment area must be redeveloped and used in accordance with an adopted redevelopment plan.
2. The location of the proposed residential and commercial mixed-use development will offer its tenants and patrons convenient access to public transit and designated pedestrian and bicycle routes. The Redevelopment is located adjacent to a City Utilities bus route with nearby stops and a bicycle route.
3. Besides modifying the proposed building at 535 W Walnut Street, all other elements of the Amended Redevelopment Plan will remain substantially similar to the original Redevelopment Plan.

EXHIBIT 1
Legal Description
Amended Redevelopment Plan for the Brewery District Lofts Redevelopment Area

A REDEVELOPMENT DISTRICT AREA BOUNDARY BEING A PART OF THE NORTHEAST QUARTER OF SECTION TWENTY-THREE (23), TOWNSHIP TWENTY-NINE (29) NORTH, RANGE TWENTY-TWO (22) WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH ALONG THE EAST LINE THEREOF, A DISTANCE OF 1083.50 FEET TO A POINT BEING ON THE CENTERLINE OF WALNUT STREET, AS IT NOW EXISTS; THENCE LEAVING SAID EAST LINE AND WEST ALONG SAID CENTERLINE, A DISTANCE OF 784.32 FEET; THENCE LEAVING SAID CENTERLINE, NORTH 02 DEGREES 07 MINUTES 14 SECONDS EAST, A DISTANCE OF 30.11 FEET TO AN EXISTING IRON PIN AT THE NORTHEAST CORNER OF MAIN AND WALNUT STREETS, AS THEY NOW EXIST, FOR THE POINT OF BEGINNING:

THENCE NORTH 01 DEGREES 48 MINUTES 33 SECONDS EAST, ALONG THE EAST RIGHT-OF-WAY LINE OF MAIN STREET, AS IT NOW EXISTS, A DISTANCE OF 150.00 FEET TO AN EXISTING CROSS IN CONCRETE; THENCE SOUTH 87 DEGREES 50 MINUTES 15 SECONDS EAST, LEAVING SAID RIGHT-OF-WAY LINE, A DISTANCE OF 100.00 FEET TO AN EXISTING CROSS IN CONCRETE; THENCE SOUTH 01 DEGREES 48 MINUTES 33 SECONDS WEST, A DISTANCE OF 33.60 FEET TO A POINT; THENCE SOUTH 86 DEGREES 56 MINUTES 10 SECONDS EAST, A DISTANCE OF 65.61 FEET TO A POINT; THENCE NORTH 01 DEGREES 38 MINUTES 51 SECONDS EAST, A DISTANCE OF 111.47 FEET TO AN EXISTING CROSS IN CONCRETE, BEING A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF MCDANIEL STREET, AS IT NOW EXISTS; THENCE SOUTH 86 DEGREES 07 MINUTES 21 SECONDS EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE OF SAID MCDANIEL STREET, A DISTANCE OF 70.07 FEET TO AN EXISTING CROSS IN CONCRETE; THENCE SOUTH 01 DEGREES 51 MINUTES 27 SECONDS WEST, LEAVING SAID RIGHT-OF-WAY LINE, A DISTANCE OF 68.98 FEET TO AN EXISTING NAIL, BEING THE NORTHWEST CORNER OF LOT 3, PER SPRINGFIELD BREWING COMPANY FINAL PLAT, A RECORDED SUBDIVISION IN SPRINGFIELD, GREENE COUNTY, MISSOURI; THENCE SOUTH 87 DEGREES 54 MINUTES 11 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 51.37 FEET TO A POINT; THENCE SOUTH 02 DEGREES 02 MINUTES 51 SECONDS WEST, LEAVING SAID NORTH LINE AND ALONG THE EAST LINE OF SAID LOT 3 A DISTANCE OF 155.66 FEET, TO AN EXISTING NAIL ON THE NORTH RIGHT-OF-WAY LINE OF WALNUT STREET, AS IT NOW EXISTS; THENCE NORTH 88 DEGREES 00 MINUTES 01 SECONDS WEST, ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 50.85 FEET, TO AN EXISTING IRON PIN; THENCE NORTH 87 DEGREES 50 MINUTES 15 SECONDS WEST, CONTINUING ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 235.12 FEET, TO THE POINT OF BEGINNING, CONTAINING 46,294.66 SQUARE FEET OR 1.06 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

EXHIBIT 2
Location Map
Amended Redevelopment Plan for the Brewery District Lofts Redevelopment Area



EXHIBIT 3

Amended Redevelopment Plan

The Brewery District Lofts Redevelopment Area (the “*Redevelopment Area*”), which was most recently used as Menzies Auto Painting & Body, Rincon Latino Mexican Restaurant, and Dodson-Williams Auto Body, will be transformed into a mixed-use development that will be located adjacent to Springfield Brewing Company. Previously, the Redevelopment was blighted as part of the original redevelopment plan by the City Council on November 4, 2013 (Council Bill 2013-274). The proposed redevelopment will remediate the blighting conditions.

The buildings located at 535 W. Walnut Street¹ will be demolished to allow for construction of a three story retail/apartment loft facility. The first floor of the facility is proposed to contain approximately 3,271 square feet of space intended for office, retail, restaurant, or banquet space. Additionally, the first floor will contain approximately 5,816 square feet of residential space to be developed into loft apartments. The first floor residential units will not front on to W. Walnut Street, as only non-residential uses will front on to W. Walnut Street on the first floor. The second and third floors will each consist of approximately 7,828 square feet of residential space. Including common space, the retail/apartment loft facility will contain approximately 31,194 square feet of space. Collectively, the first, second, and third floors are proposed to be developed into twenty-five (25) loft apartments which will include twenty (20) one-bedroom units and five two-bedroom units. The facility is anticipated to be built using certain “green” building standards to maximize energy savings and may qualify for LEED Silver Certification. An adjacent parking lot will provide parking for about twenty-eight (28) vehicles.

Many of the improvements located at 507 W. Walnut Street and the 521 W. McDaniel Street have already been completed in accordance with the original redevelopment plan and the buildings are currently individually leased to Missouri Spirits and Springfield Brewing Company, respectively. The walls of the properties have been tuck-pointed and resealed, and the exposed steel ceiling structure has been sandblasted and repainted. Concrete flooring has been repaired, portions replaced, and resealed. Once the 527 and 535 W. Walnut Street redevelopment occurs, all metal windows and doors will be re-finished or replaced. In addition, the properties have had new sprinklers and new roofs installed. An HVAC system may potentially be added to the 521 Building according to the Springfield Brewing Company’s needs. Currently, the 521 Building is being used as Springfield Brewing Company warehouse expansion space and in the future may provide room for additional tanks and the expansion of the Brewery’s cooler space. The remainder of the 521 Building is anticipated to serve as industrial style event space. The 507 Building is currently being operated as a distillery and event space.

Diagrams of the projected floor plans, building elevations, site plan, and proposed land use plan for the Redevelopment Area are attached hereto and incorporated herein as Exhibit C.

¹ 535 W. Walnut Street, 527 W. Walnut Street, and a portion of 521 W. Walnut Street have been re-platted to form 535 W. Walnut Street. See Exhibit B.

The Redevelopment Area is zoned Center City and is located within the Center City Study Area (as defined by the city of Springfield's Center City Plan Element (the "***Center City Plan Element***"), which is a component of the Vision 20/20 Springfield-Greene County Comprehensive Plan). The Center City Plan Element is the City's guide for private investments and public improvements for a major part of central Springfield.² Center City includes some of the oldest parts of the Springfield community and, as demonstrated by the current condition of the Redevelopment Area, it suffers from problems commonly resulting from physical deterioration and economic obsolescence.³

Center City consists of several distinct districts, one of which is the Greater Downtown District. The Redevelopment Area is located on the western border of the Greater Downtown District and is about three blocks west of Park Central Square. One of the Center City Plan Element's overall goals for the Greater Downtown District is that it will be a well-maintained, attractive, and inviting environment that is alive with business, shopping, and visitors.⁴ One of the actions the Center City Plan Element recommends to achieve this goal and to create a vibrant, mixed-use urban center is to promote the emergence of a residential base in Greater Downtown.⁵ The Center City Plan Element suggests that Greater Downtown housing can utilize vacant building space and help create round-the-clock activity, so it should be a top priority.⁶ Thus, the Center City Plan Element encourages the City to promote private reinvestment and redevelopment of existing neighborhoods on the fringes of Greater Downtown.⁷ The Center City Plan Element also encourages increasing the compactness of land uses in Greater Downtown since compact, dense, pedestrian-oriented places help to retain urban vitality and interest.⁸ Additionally, the Center City Plan Element encourages active building uses to be located on the ground floor of buildings as it will help to better define public spaces.

The implementation of this Redevelopment Plan will transform the Redevelopment Area into an attractive location for new residents and businesses and will help to facilitate additional interest and activity in Greater Downtown. Additionally, the rehabilitation of the Redevelopment Area will increase the taxable revenues to the City, while placing a greater portion of Greater Downtown in congruence with the visions set forth in the Center City Plan Element.

The Developer estimates that: pre-site work will begin in May 2015, construction will begin in June 2015, and construction will be completed by January 2016.

² See page 1-1 of the Center City Plan Element.

³ See page 2-10 of the Center City Plan Element.

⁴ See page 1-1 of the Center City Plan Element.

⁵ See page 3-36 of the Center City Plan Element.

⁶ See page 3-36 of the Center City Plan Element.

⁷ See page 3-36 of the Center City Plan Element.

⁸ See page 3-37 of the Center City Plan Element.

EXHIBIT A
MAP OF REDEVELOPMENT AREA



EXHIBIT B

LEGAL DESCRIPTIONS

535 W. Walnut Street Tract:

**ALL OF LOT ONE (1) OF THE FINAL PLAT OF BREWERY DISTRICT, A SUBDIVISION
IN GREENE COUNTY, MISSOURI.**

521 W. McDaniel Street Tract:

**ALL OF LOT THREE (3) OF THE FINAL PLAT OF BREWERY DISTRICT, A
SUBDIVISION IN GREENE COUNTY, MISSOURI.**

507 W. Walnut Street Tract:

**ALL OF LOT THREE (3) OF THE FINAL PLAT OF SPRINGFIELD BREWING COMPANY,
A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.**

REDEVELOPMENT AREA

A REDEVELOPMENT DISTRICT AREA BOUNDARY BEING A PART OF THE NORTHEAST QUARTER OF SECTION TWENTY-THREE (23), TOWNSHIP TWENTY-NINE (29) NORTH, RANGE TWENTY-TWO (22) WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH ALONG THE EAST LINE THEREOF, A DISTANCE OF 1083.50 FEET TO A POINT BEING ON THE CENTERLINE OF WALNUT STREET, AS IT NOW EXISTS; THENCE LEAVING SAID EAST LINE AND WEST ALONG SAID CENTERLINE, A DISTANCE OF 784.32 FEET; THENCE LEAVING SAID CENTERLINE, NORTH 02 DEGREES 07 MINUTES 14 SECONDS EAST, A DISTANCE OF 30.11 FEET TO AN EXISTING IRON PIN AT THE NORTHEAST CORNER OF MAIN AND WALNUT STREETS, AS THEY NOW EXIST, FOR THE POINT OF BEGINNING:

THENCE NORTH 01 DEGREES 48 MINUTES 33 SECONDS EAST, ALONG THE EAST RIGHT-OF-WAY LINE OF MAIN STREET, AS IT NOW EXISTS, A DISTANCE OF 150.00 FEET TO AN EXISTING CROSS IN CONCRETE; THENCE SOUTH 87 DEGREES 50 MINUTES 15 SECONDS EAST, LEAVING SAID RIGHT-OF-WAY LINE, A DISTANCE OF 100.00 FEET TO AN EXISTING CROSS IN CONCRETE; THENCE SOUTH 01 DEGREES 48 MINUTES 33 SECONDS WEST, A DISTANCE OF 33.60 FEET TO A POINT; THENCE SOUTH 86 DEGREES 56 MINUTES 10 SECONDS EAST, A DISTANCE OF 65.61 FEET TO A POINT; THENCE NORTH 01 DEGREES 38 MINUTES 51 SECONDS EAST, A DISTANCE OF 111.47 FEET TO AN EXISTING CROSS IN CONCRETE, BEING A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF MCDANIEL STREET, AS IT NOW EXISTS; THENCE SOUTH 86 DEGREES 07 MINUTES 21 SECONDS EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE OF SAID MCDANIEL STREET, A DISTANCE OF 70.07 FEET TO AN EXISTING CROSS IN CONCRETE; THENCE SOUTH 01 DEGREES 51 MINUTES 27 SECONDS WEST, LEAVING SAID RIGHT-OF-WAY LINE, A DISTANCE OF 68.98 FEET TO AN EXISTING NAIL, BEING THE NORTHWEST CORNER OF LOT 3, PER SPRINGFIELD BREWING COMPANY FINAL PLAT, A RECORDED SUBDIVISION IN SPRINGFIELD, GREENE COUNTY, MISSOURI; THENCE SOUTH 87 DEGREES 54 MINUTES 11 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 51.37 FEET TO A POINT; THENCE SOUTH 02 DEGREES 02 MINUTES 51 SECONDS WEST, LEAVING SAID NORTH LINE AND ALONG THE EAST LINE OF SAID LOT 3 A DISTANCE OF 155.66 FEET, TO AN EXISTING NAIL ON THE NORTH RIGHT-OF-WAY LINE OF WALNUT STREET, AS IT NOW EXISTS; THENCE NORTH 88 DEGREES 00 MINUTES 01 SECONDS WEST, ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 50.85 FEET, TO AN EXISTING IRON PIN; THENCE NORTH 87 DEGREES 50 MINUTES 15 SECONDS WEST, CONTINUING ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 235.12 FEET, TO THE POINT OF BEGINNING, CONTAINING 46,294.66 SQUARE FEET OR 1.06 ACRES, MORE OR LESS, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

EXHIBIT C

ESTIMATED PROJECT COSTS

LAND COST			\$300,000
BUILDING CONSTRUCTION COST			\$3,255,000
<u>Site/Amenity</u>	<u>Sq Footage</u>	<u>Cost PSF</u>	Total Cost
Retail/Res/Common	[31122]	\$100	\$3,100,00
Contingency (5%)			\$155,000
BUILDING SOFT COST			\$472,000
LEED			\$60,000
Architect Fees			\$320,000
	Bates	\$200,000	
	Hdesign	\$120,000	
Legal Fees			\$40,000
Survey/Site Fees			\$12,000
Marketing			\$40,000
TOTAL PROJECT COST (LAND/CONSTRUCTION/SOFT)			\$4,027,000
Land			\$300,000
Building Construction			\$3,255,000
Building Soft Cost			\$472,000

EXHIBIT D
FLOOR/SITE PLAN





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Client

Brewery Flats
Address
Address
ph
fx

Consultants

Civil Engineer:
Name
Address
Address
ph
fx

Structural Engineer:
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Address
Address
ph
fx

MEP Engineer:
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Brent M. Stevens AIA - Architect
MO# A-2000151419

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New Multi-Family Residences for:

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FLOOR PLANS

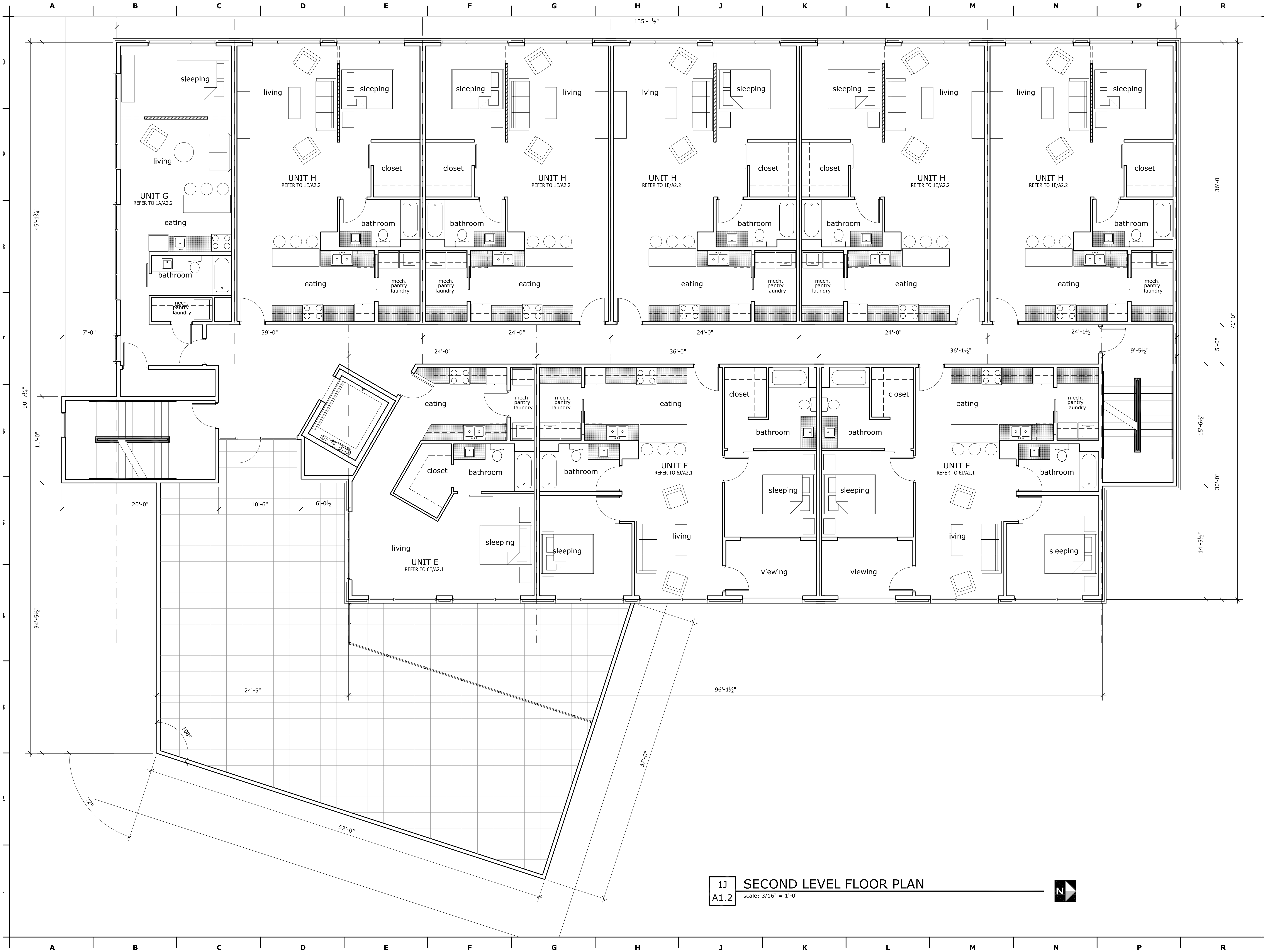
Project No: 14-XXX
Drawn By: JL
Reviewed By: BMS
Date: 10-10-2014

Sheet

A1.1

1J
A1.1
MAIN LEVEL FLOOR PLAN
scale: 3/16" = 1'-0"





1J SECOND LEVEL FLOOR PLAN
A1.2 scale: 3/16" = 1'-0"

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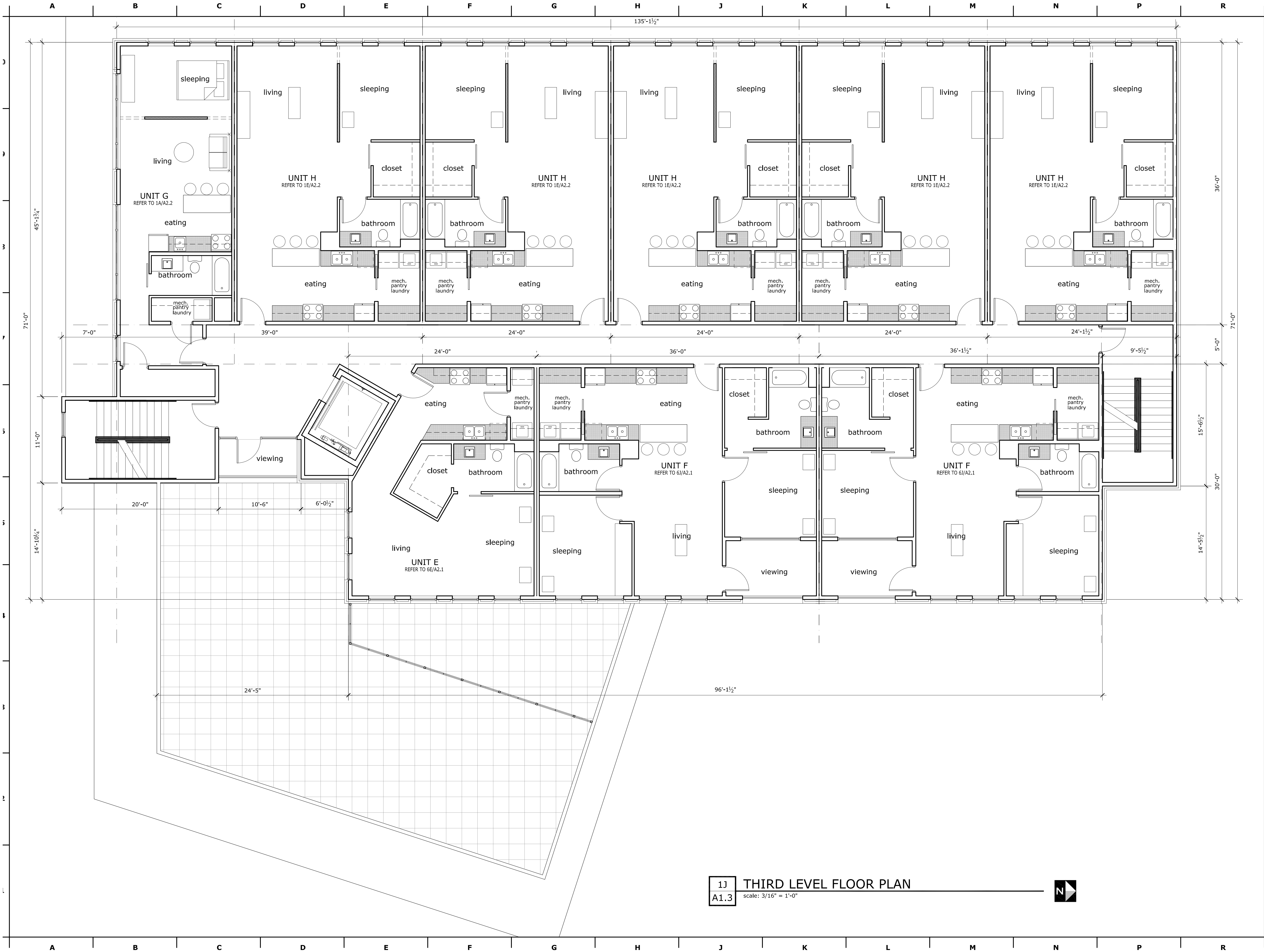
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Springfield, MO 65806

FLOOR PLANS

Project No: 14-XXX
Drawn By: JL
Reviewed By: BMS
Date: 10-10-2014

Sheet
A1.2



1J
A1.3

THIRD LEVEL FLOOR PLAN

scale: 3/16" = 1'-0"



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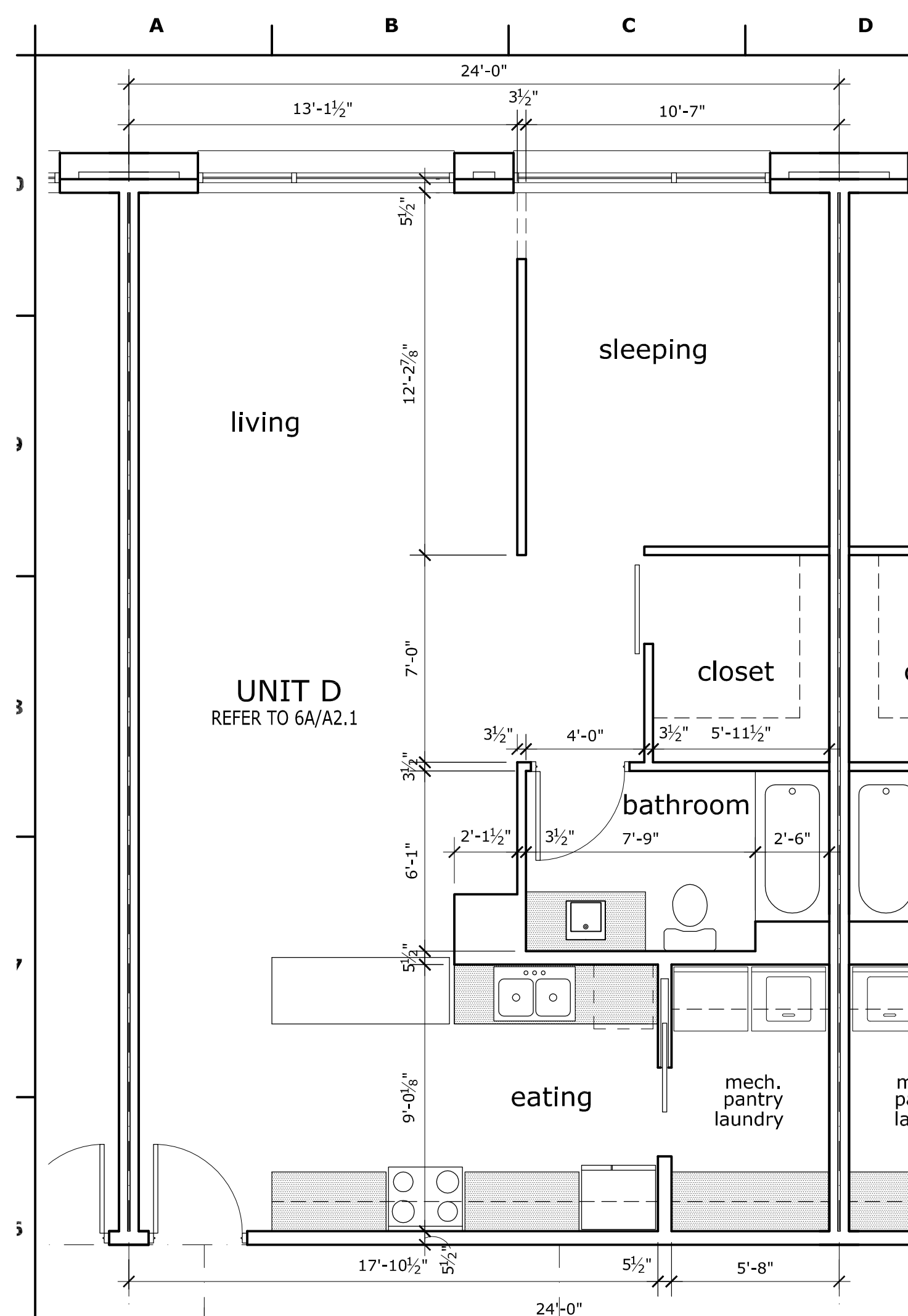
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FLOOR PLANS

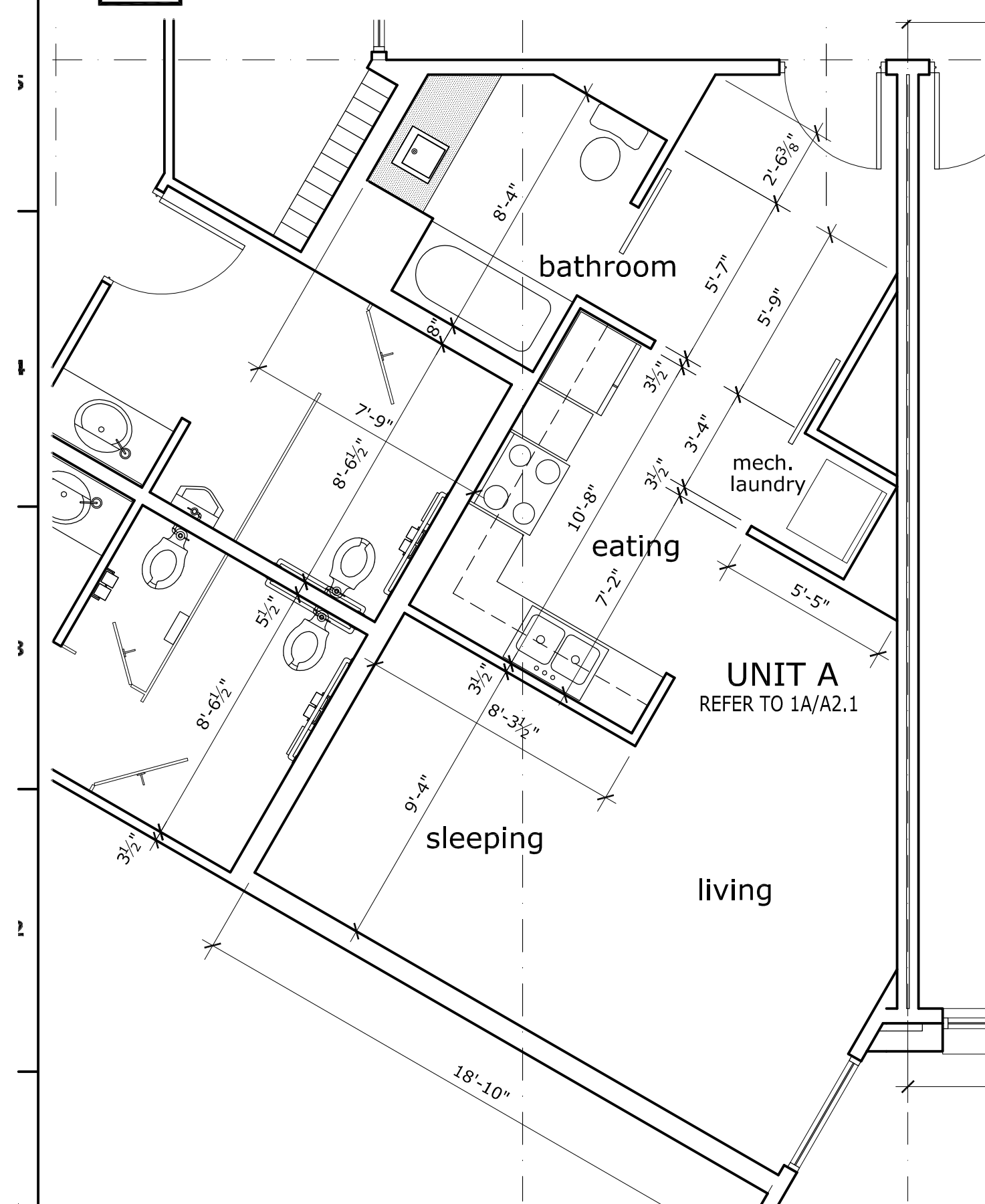
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Drawn By: JL
Reviewed By: BMS
Date: 10-10-2014

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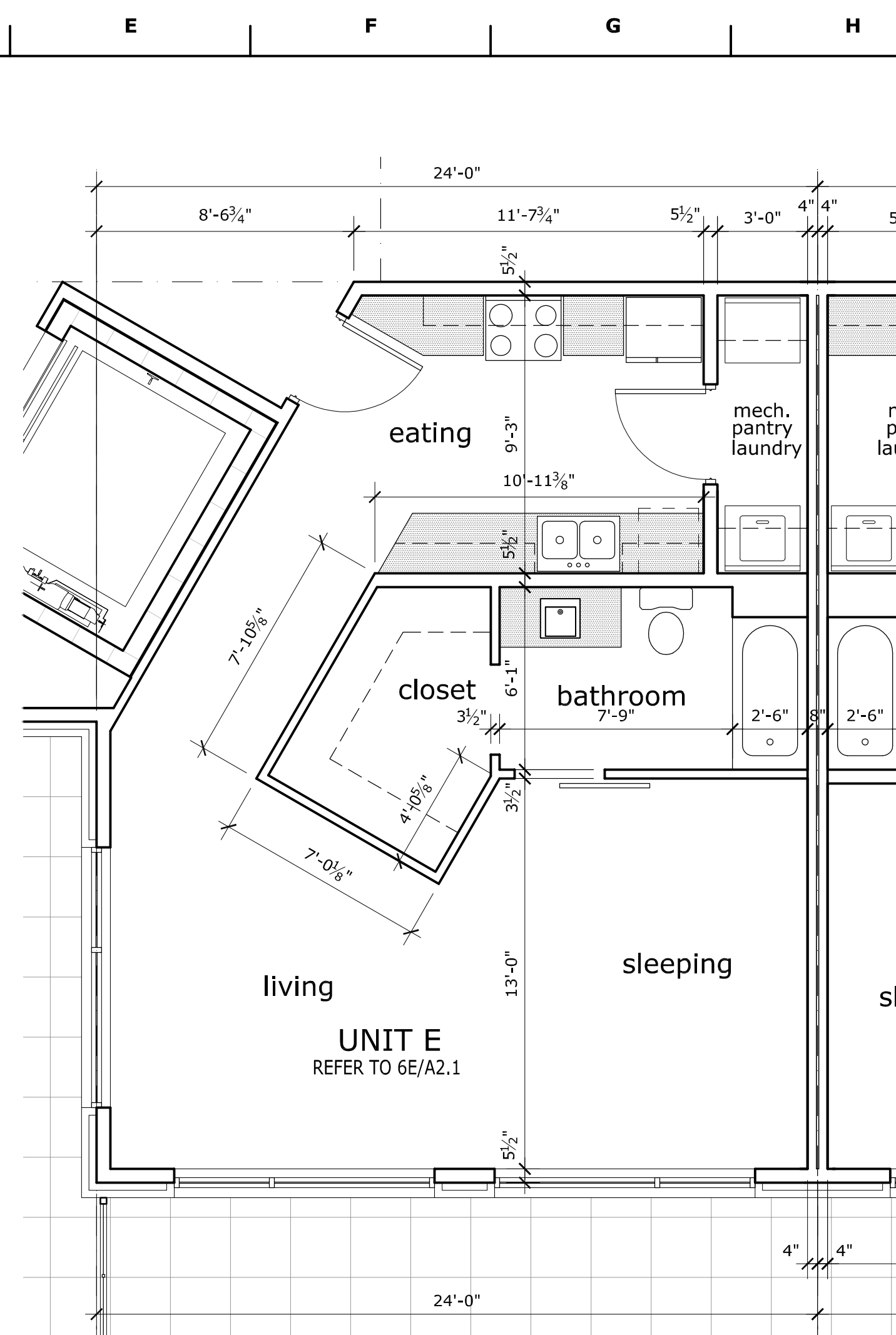
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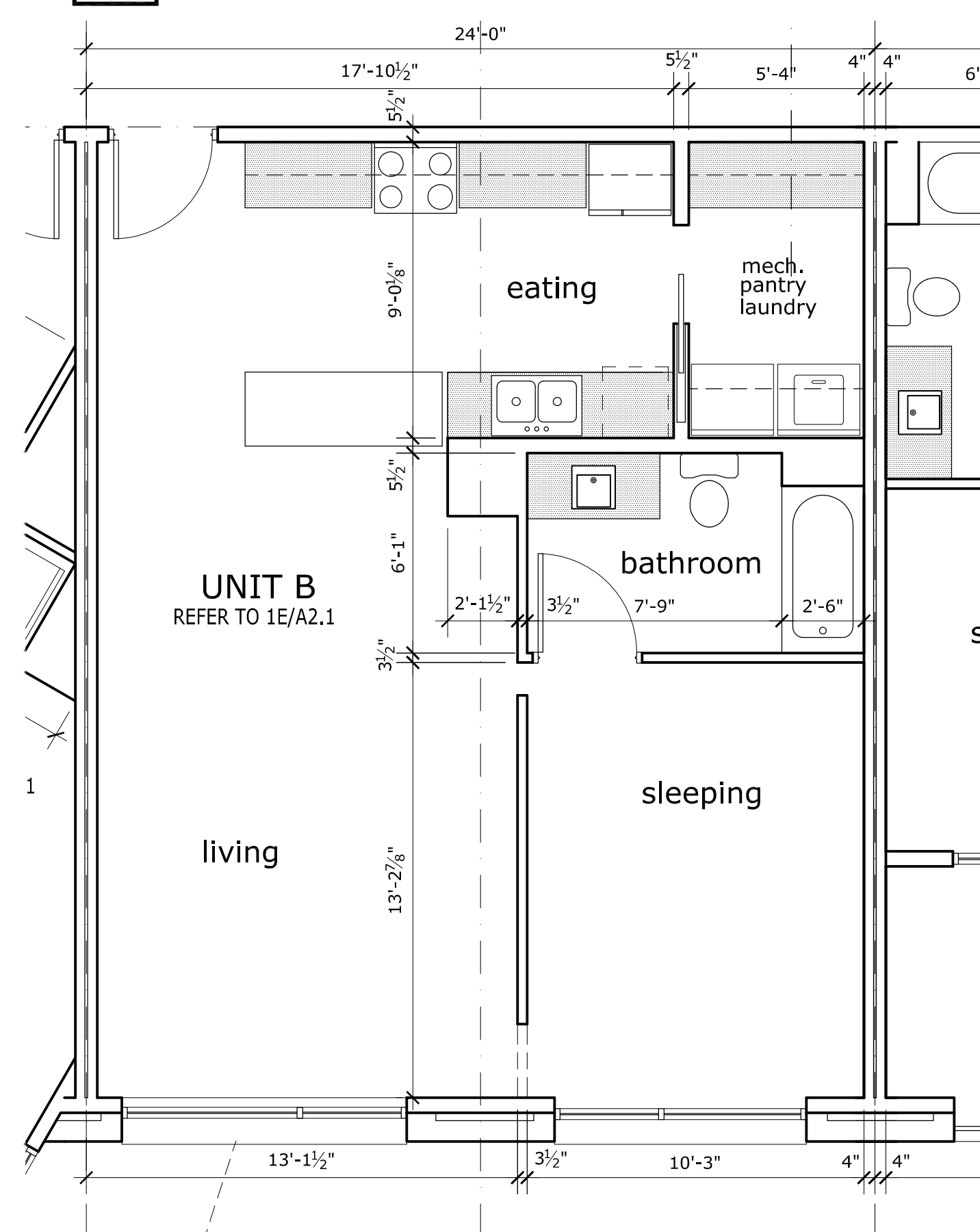
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A2.1	scale: 1/4" = 1'-0"



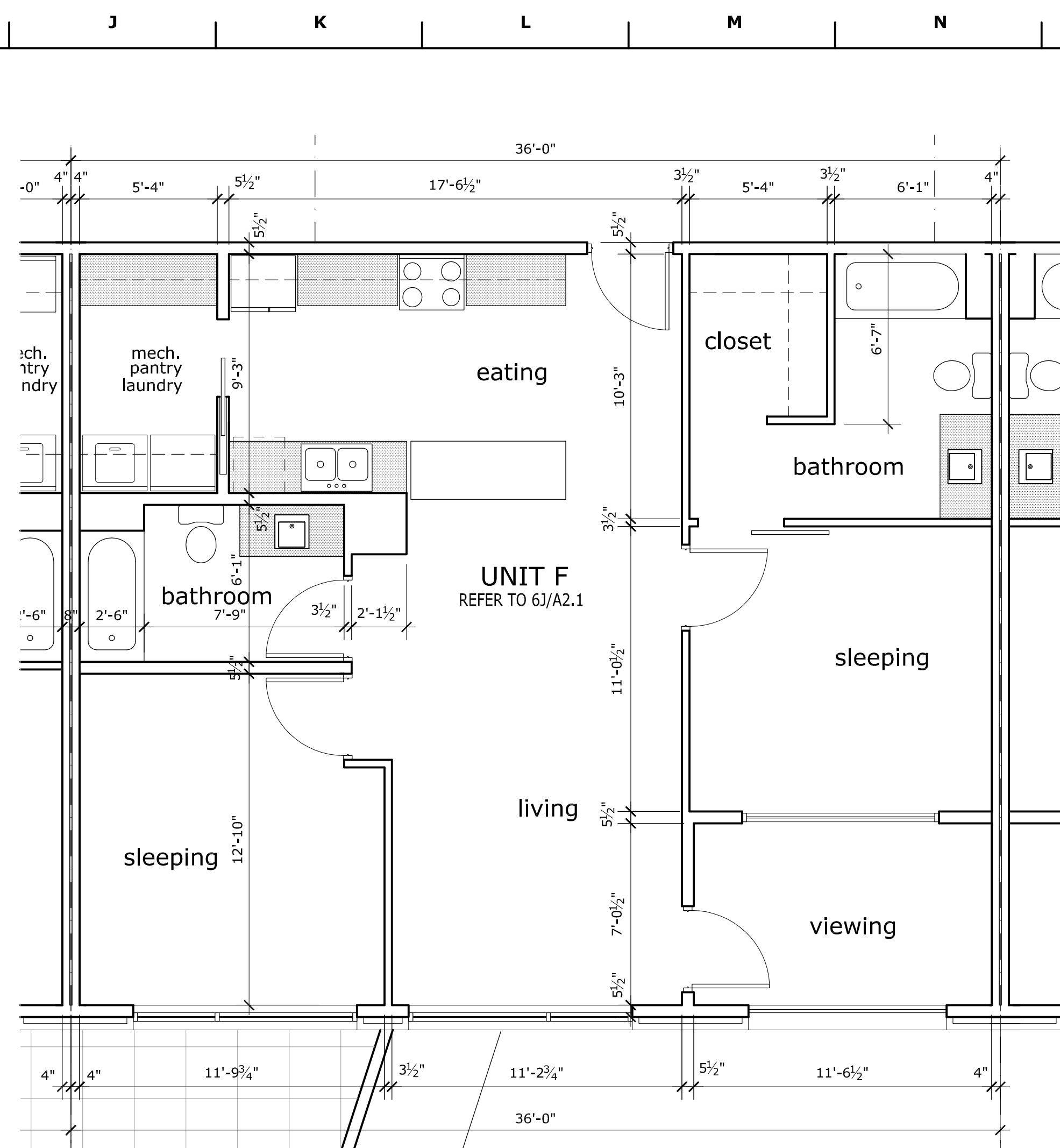
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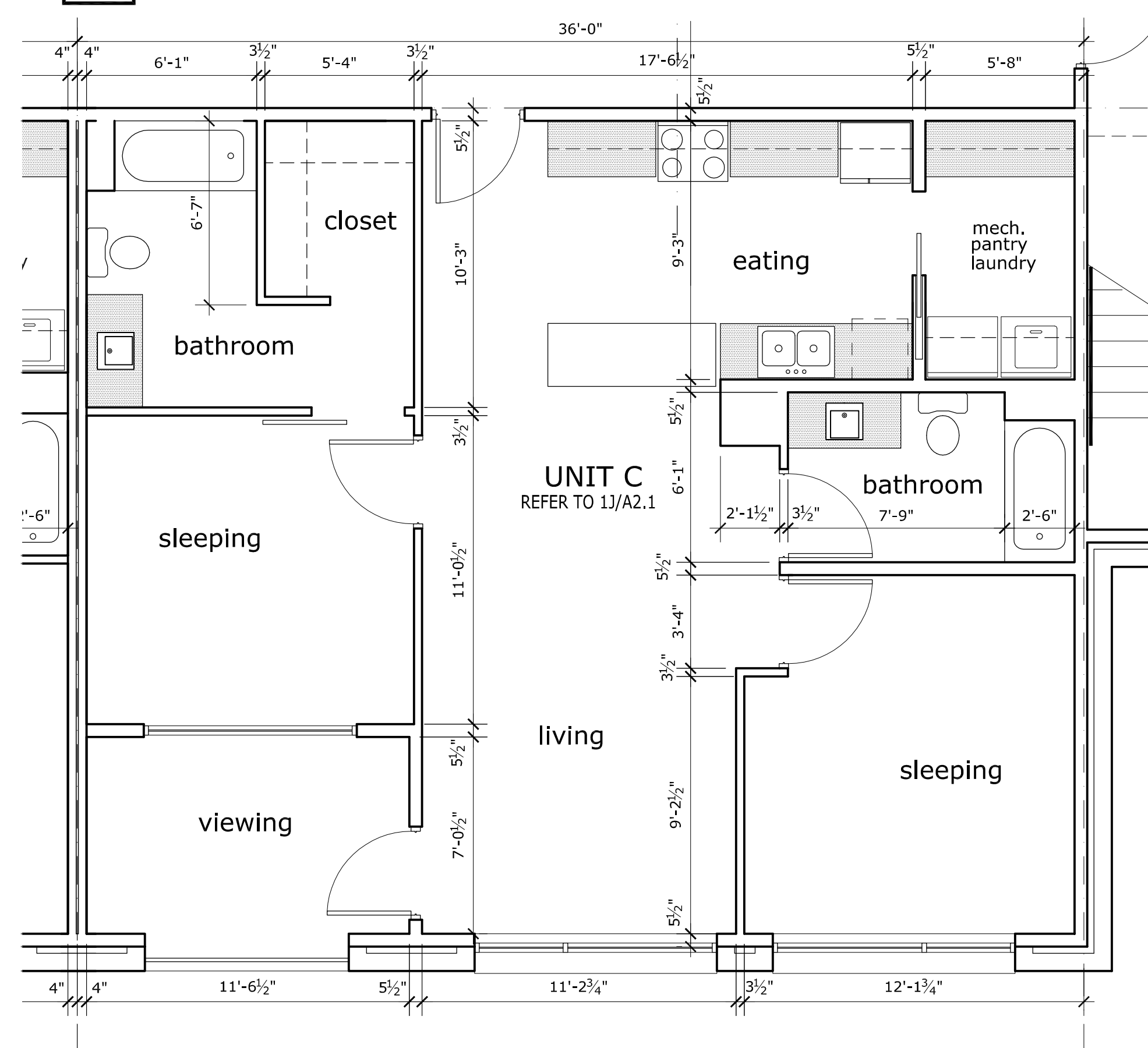
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A2.1	scale: 1/4" = 1'-0"



1E	TYPICAL UNIT "B" FLOOR PLAN
A2.1	scale: 1/4" = 1'-0"



6J	TYPICAL UNIT "F" FLOOR PLAN
A2.1	scale: 1/4" = 1'-0"



1J	TYPICAL UNIT "C" FLOOR PLAN
A2.1	scale: 1/4" = 1'-0"



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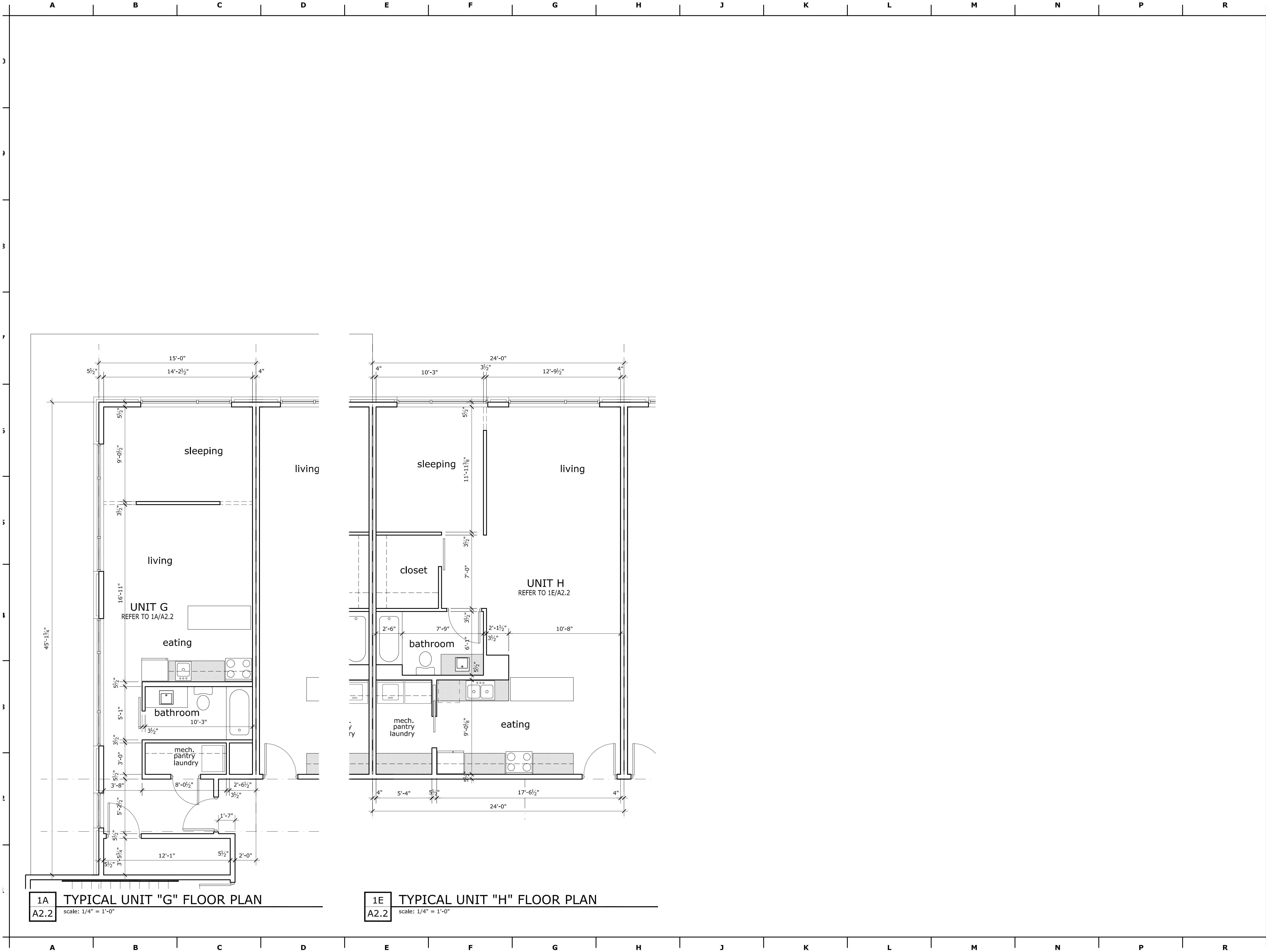
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ENLARGED UNIT PLANS

Project No: 14-XXX
Drawn By: JL
Reviewed By: BMS
Date: 10-10-2014

Sheet
A2.1



1A
A2.2
TYPICAL UNIT "G" FLOOR PLAN
scale: 1/4" = 1'-0"

1E
A2.2
TYPICAL UNIT "H" FLOOR PLAN
scale: 1/4" = 1'-0"



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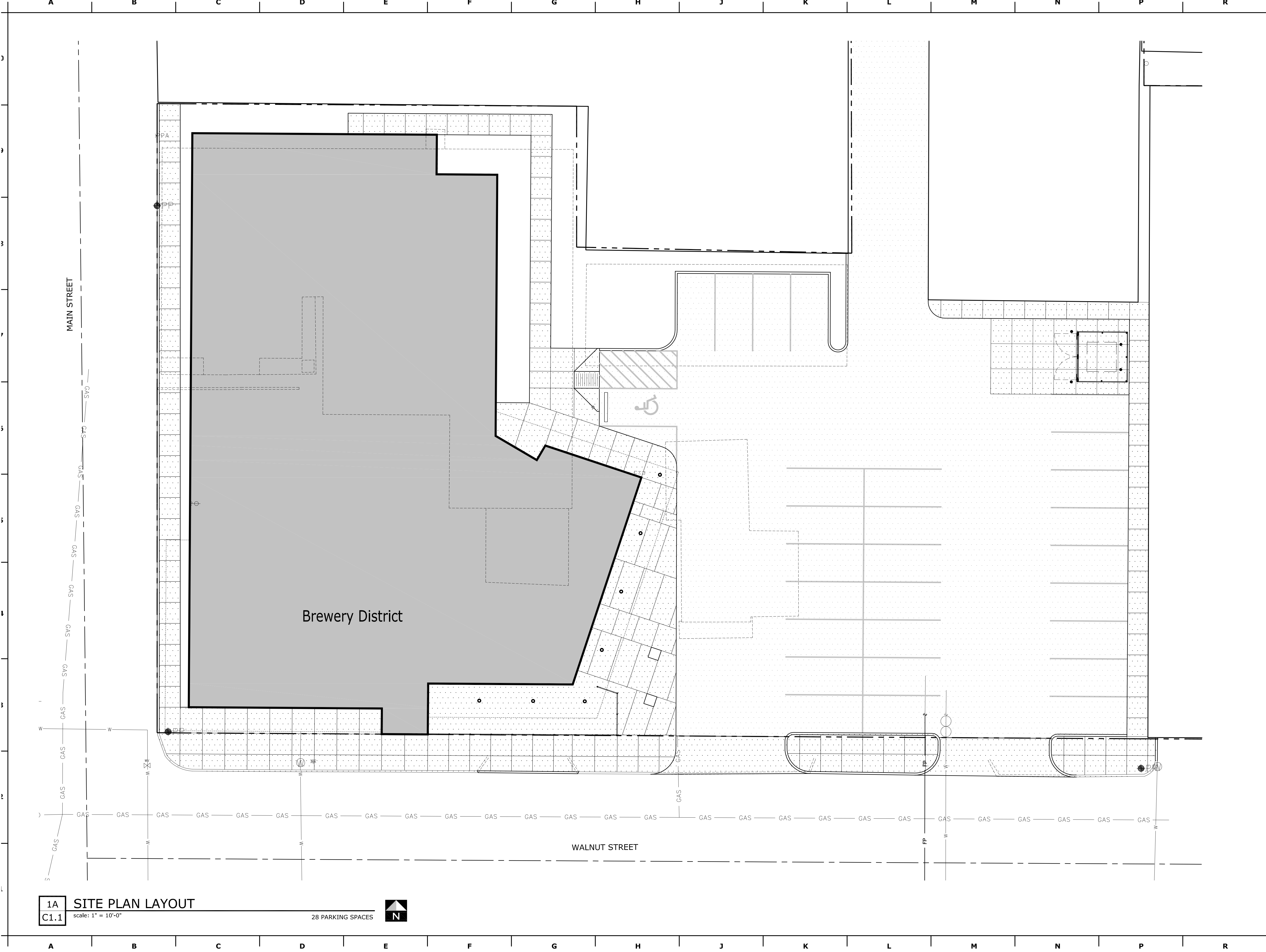
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ENLARGED UNIT PLANS

Project No: 14-XXX
Drawn By: JL
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Sheet
A2.2



1A SITE PLAN LAYOUT
C1.1

scale: 1" = 10'-0"

28 PARKING SPACES



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SITE PLAN LAYOUT

Project No: 14-XXX
Drawn By: JL
Reviewed By: BMS
Date: 10-10-2014

Sheet
C1.1



6A BUILDING ELEVATION - SOUTH
A4.1 scale: 1/8" = 1'-0"



1A BUILDING ELEVATION - EAST
A4.1 scale: 1/8" = 1'-0"



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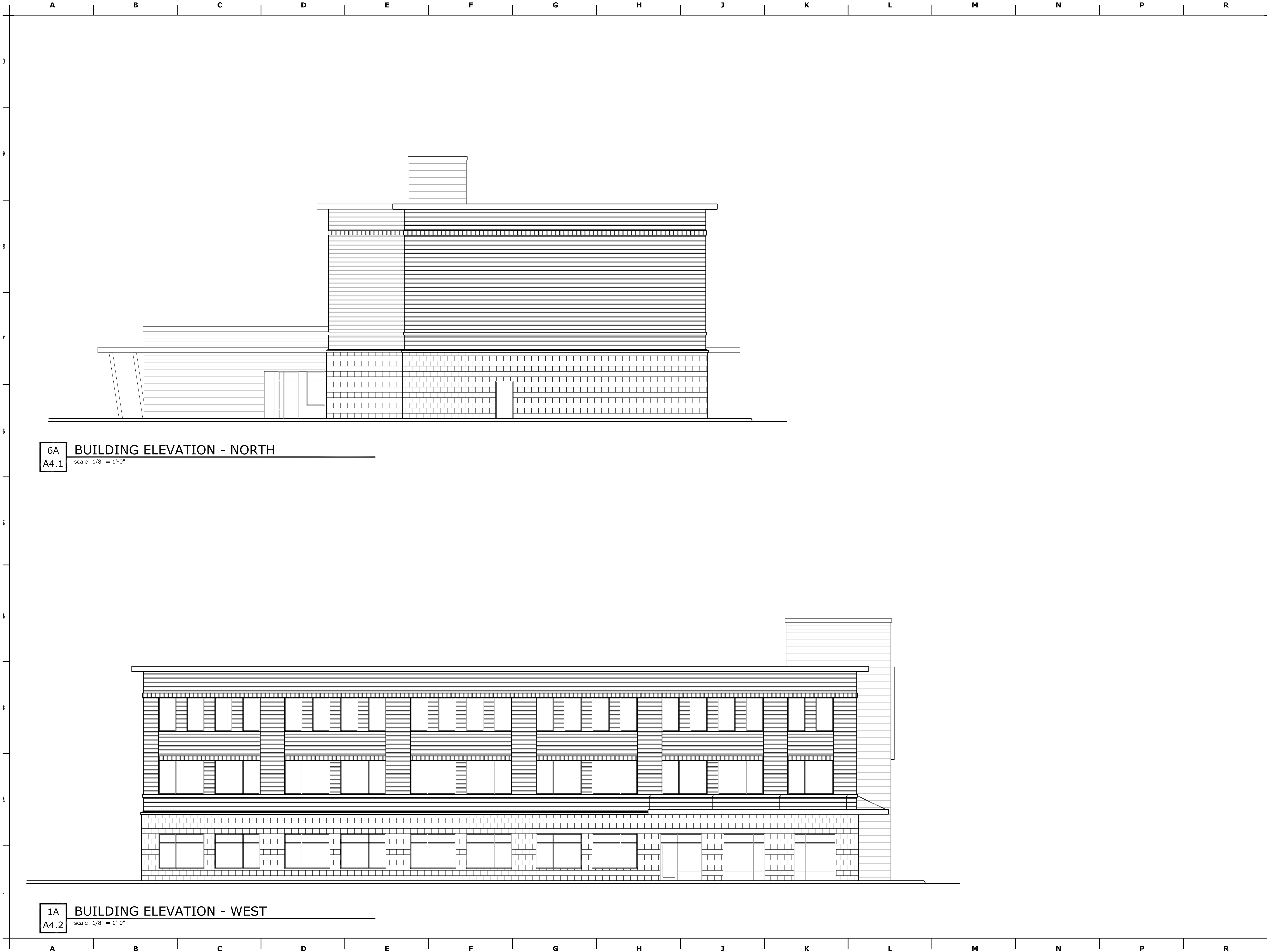
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Springfield, MO 65806

BUILDING ELEVATIONS

Project No: 14-XXX
Drawn By: JL
Reviewed By: BMS
Date: 10-10-2014

Sheet

A4.1



6A BUILDING ELEVATION - NORTH
A4.1 scale: 1/8" = 1'-0"

1A BUILDING ELEVATION - WEST
A4.2 scale: 1/8" = 1'-0"



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New Multi-Family Residences for:

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BUILDING ELEVATIONS

Project No: 14-XXX
Drawn By: JL
Reviewed By: BMS
Date: 10-10-2014

Sheet
A4.2

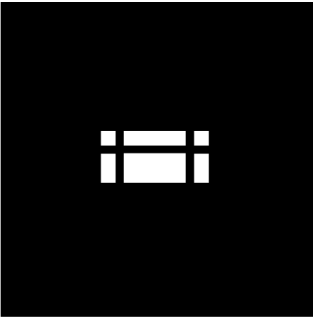


BREWERY FLATS - TRADITIONAL
Front Street View





BREWERY FLATS - TRADITIONAL
Corner Street View





BREWERY FLATS - TRADITIONAL

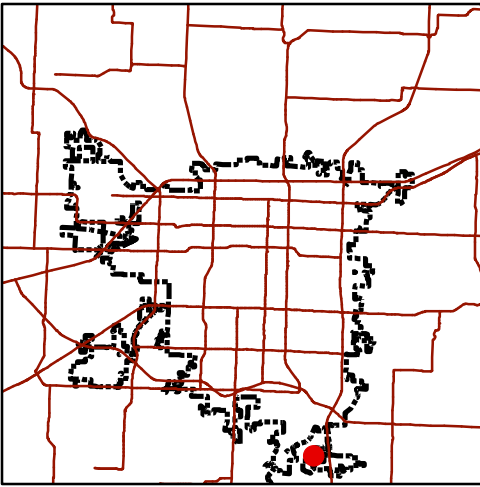
Aerial View



EXHIBIT H

Developer estimates that construction will be take place in accordance with the following schedule:

- Pre-Construction (inspections/permits): Completed by July 2015
- Site Work (Demolition): Completed August 2015
- Construction of Building: Completed by March 2016



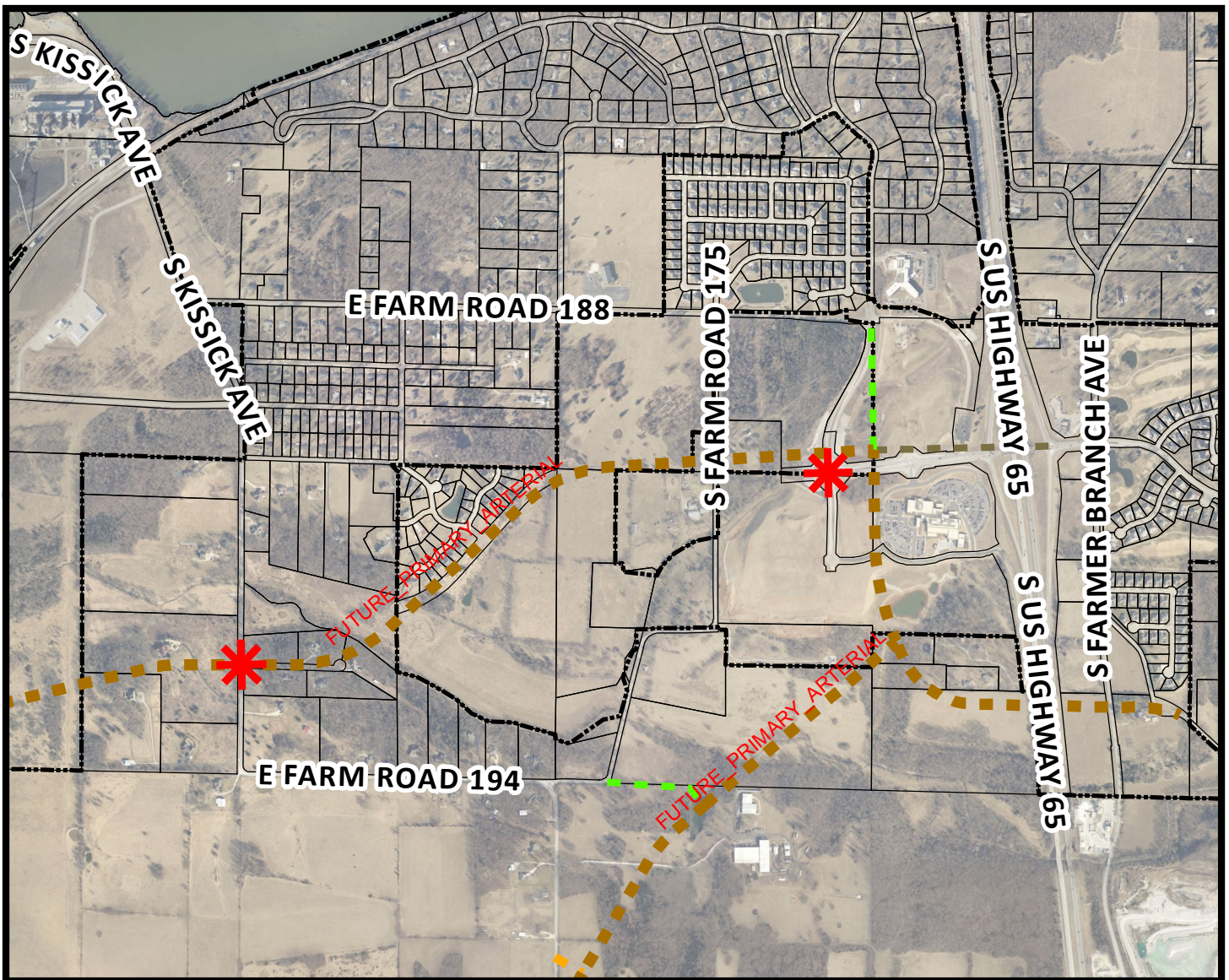
Zoning & Subdivision Report

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

East-West Arterial

LOCATION: Southwood to Kissick Ave
CURRENT ZONING: NA
PROPOSED ZONING: NA

LOCATION SKETCH



- Area of Proposal

0 200 400

Feet

1 inch = 1,362.156737 feet

**PLANNING AND DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW OFFICE
MEMORANDUM**

DATE: May 28 2015

TO: Planning and Zoning Commission

FROM: Bob Hosmer, AICP Principal Planner

SUBJECT: Request for a survey of the East-West Arterial Corridor

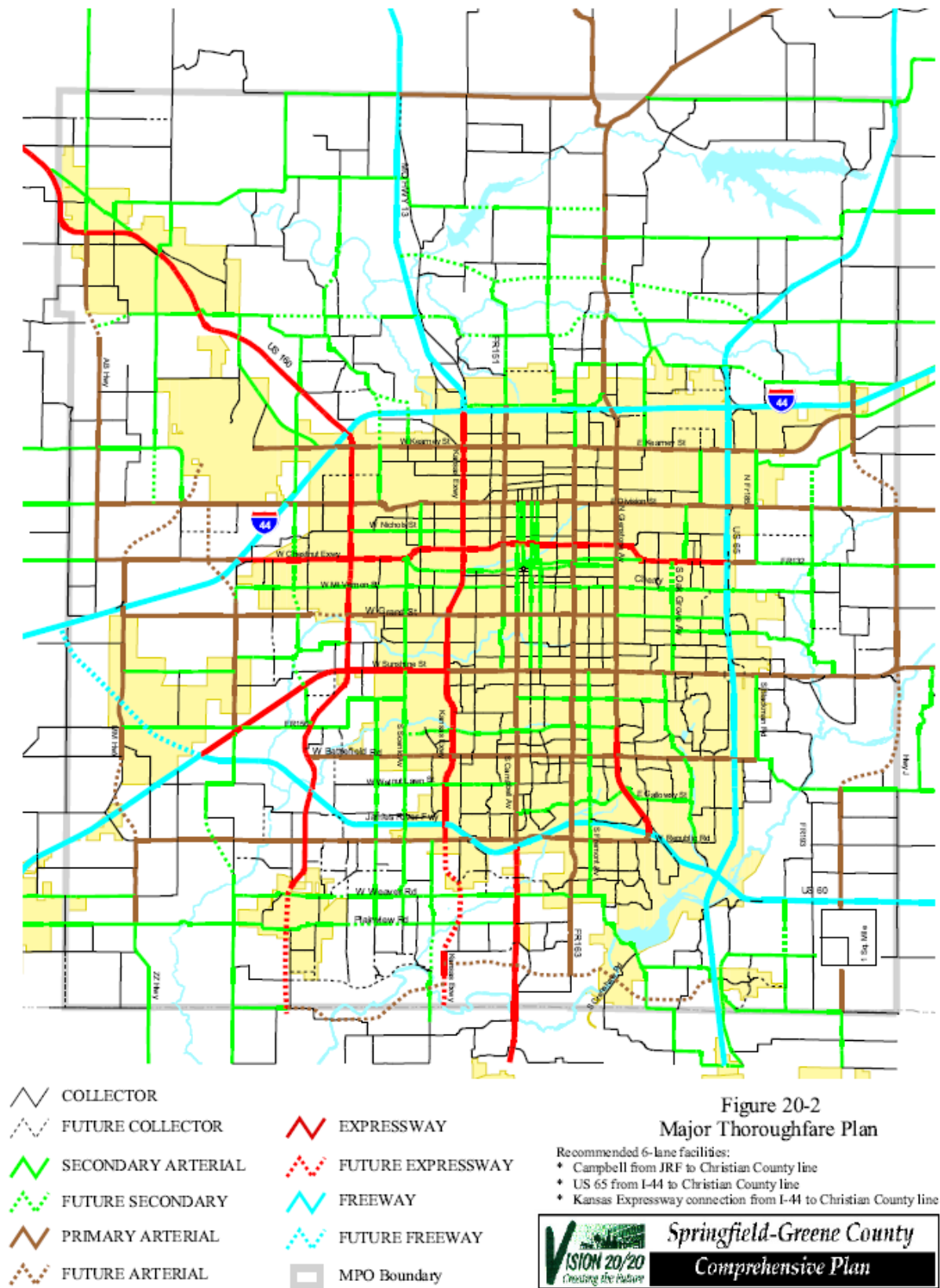
The East-West Arterial corridor is located between the intersection of Southwood Avenue and Riverbluff Boulevard to Kissick Avenue. The general location of the East-West Arterial was identified in the City of Springfield-Greene County Transportation Plan which was adopted June 11, 2001 (see attachment 1).

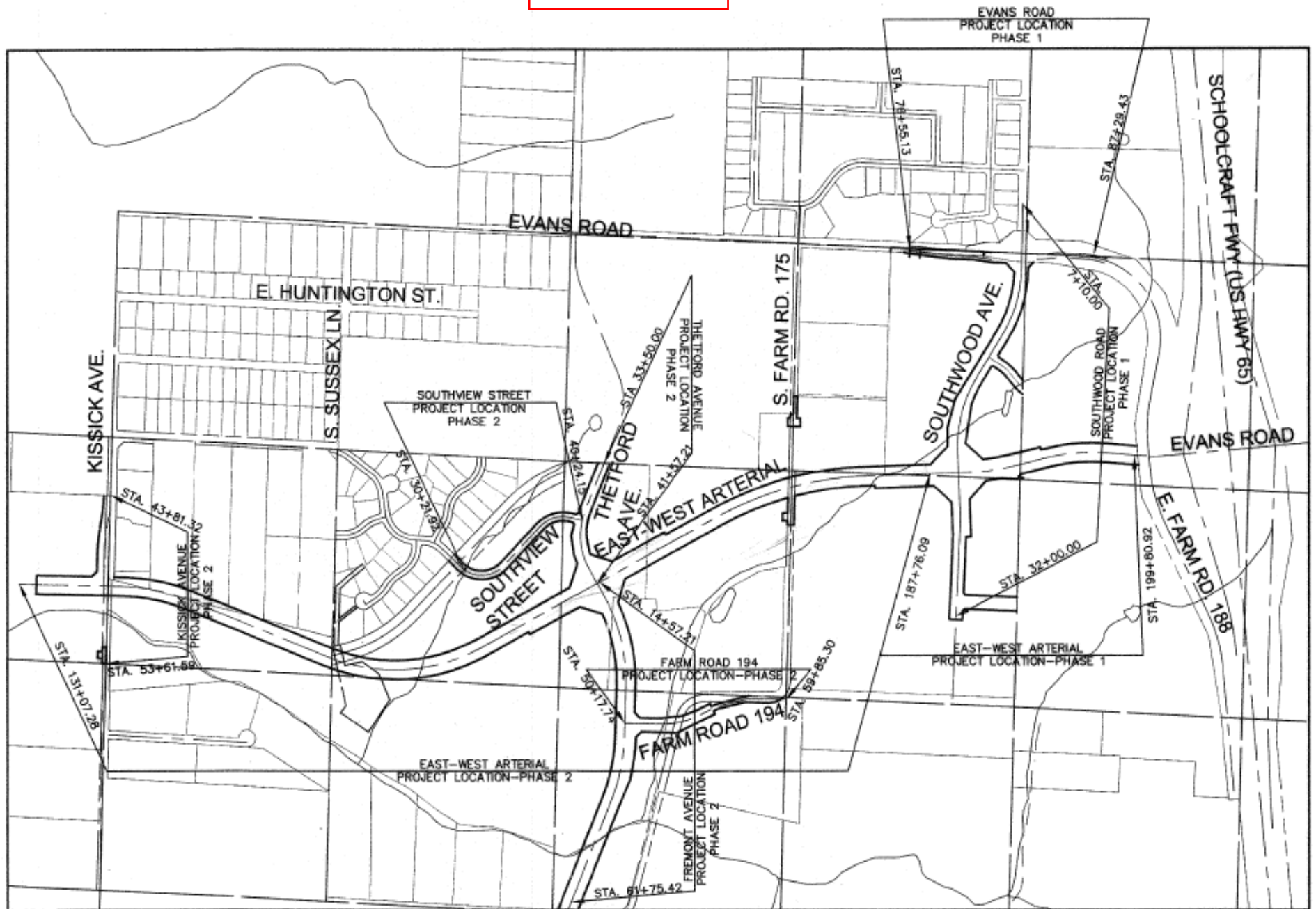
The City has prepared preliminary designs for the alignment of the East-West Arterial in this location (see attachment 2).

Staff is requesting that the Planning and Zoning Commission cause to be made a survey (including staked survey) of the exact location of the right of way line of the East-West Arterial corridor.

Once a survey is complete there will be a public hearing notifying property owners of the exact alignment of the East-West Arterial corridor location.

ATTACHMENT 1





LOCATION MAP