



Springfield Planning and Zoning Commission

City Council Chambers (830 Boonville)

Date: July 9, 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

June 4, 2015 Meeting

Documents: [PNZ MINUTES 06-04-2015.PDF](#)

3. COMMUNICATIONS

June 8, 2015 City Council Meeting

Documents: [CITY COUNCIL SUMMARY JUNE 8.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 826

444 West Grand, Wal-Mart Real Estate Business

Documents: [RE 826.PDF](#)

6. Request To Dispose 511

West side 2700-2800 block N. Farm Road 199, City Utilities

Documents: [REQUESTDISPOSE511.PDF](#)

7. Request To Acquire 512

3131 South Clifton Avenue, City of Springfield

Documents: [ACQUIRE 512.PDF](#)

8. Initiate Lighting Standards, Maximum Building Coverage In Residential Districts, Personal Storage

City-wide, City of Springfield

Documents: [INITIATE AMENDMENTS TO LIGHTING STANDARDS AND PERSONAL STORAGE MLS.PDF](#)

9. UNFINISHED BUSINESS

10. Z-20-2015 W/Conditional Overlay District No. 95

505 East Trafficway, Springfield Tool & Die

Documents: [Z-20-2015 COD 95.PDF](#)

11. Z-21-2015

3005 South Lakeside Avenue, In-Out, LLC

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

12. Z-25-2015

1929 East Dale Street, Loren Cook Company

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

13. Group Homes Text Amendments

City-wide, City of Springfield

Documents: [GROUP HOME AMENDMENTS MEMO TO TABLE.PDF](#)

14. Reasonable Accommodation Text Amendments

City-wide, City of Springfield

Documents: [REASONABLE ACCOMMODATION AMENDMENTS MEMO TO TABLE.PDF](#)

15. PUBLIC HEARINGS

16. Vacation 780

1100 North Hampton Avenue, Springfield-Greene County Park Board

Documents: [VAC780.PDF](#)

17. Planned Development 350

2645 West Delmar Street, The Vecino Group

Documents: [PD 350 SR.PDF](#)

18. Conditional Use Permit 415

934 South Kimbrough Avenue, Springfield R-12 School District

Documents: [UP415.PDF](#)

19. Preliminary Plat Roberts Industrial Park Renewal

1000 – 1200 North Farm Road 123, Javalina, LLC & Forerunner, LLC

Documents: [ROBERTSINDUSTRIALPARKRENEWAL.PDF](#)

20. ANY OTHER MATTERS UNDER COMMISSION JURISDICTION

21. Request To Amend Rules Of Procedure For Term Limits Section 6.1

Documents: [MEMO TO CHANGE RULE OF PROCEDURE TERM LIMITS OF PZ.PDF](#)

22. 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 June 4, 2015, in Busch Building fourth floor conference room. Chairman Tom Baird called the meeting to order.

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

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

Minutes: The minutes of May 7, 2015 were approved with a correction.

Mr. Edwards motioned to approve the minutes of May 7, 2015 with the requested correction. Mr. Cline seconded the motion. The motion carried as follows: Ayes: Baird, White, Edwards, Ray, Shuler, Doennig, and Cline. Nays: None. Abstain: None. Absent: Cox and Rose.

Communications :

Mr. Hosmer requested four items be tabled to the July 9, 2015 Planning and Zoning meeting; item number 10, Z-20-2015, item number 11, Z-21-2015, item number 16, Group Home Text Amendments and item number 17, Reasonable Accommodation Text Amendments.

Mr. Cline **motioned to table** Z-20-2015, Z-21-2015, Group Home Text Amendments, and Reasonable Accommodations Text Amendment. Mr. Edwards **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Edwards, Ray, Shuler, Doennig, and Cline. Nays: None. Abstain: None. Absent: Cox and Rose.

The Consent Agenda items were *approved* as presented.

Public Hearings :

Street Name Change No. 76 Works

City of Springfield Public

Mr. Hosmer explained this is a request to assign 3600-3804 South Glenstone Avenue (outer road, east side of Glenstone Avenue) the name of Glenstone Outer Road. 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

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.

Mr. Baird asked if there were any concerns voiced from business owners.

Mr. Hosmer explained that is why the request was tabled at the last meeting; staff wanted to go back and talk with neighbors and staff addressed those concerns.

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

Mr. Ray motioned to **approve** Street Name Change No. 76. Mr. Doennig **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Edwards, Ray, Shuler, Doennig, and Cline. Nays: None. Abstain: None. Absent: Cox and Rose.

Vacation 779

City of Springfield

Mr. Hosmer said 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. 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.

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

Mr. Doennig motioned to **approve** Vacation 779. Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Edwards, Ray, Shuler, Doennig, and Cline. Nays: None. Abstain: None. Absent: Cox and Rose.

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

Meek Lumber Company

Mr. Hosmer stated this is a request 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 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. 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 and 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 OO and Mulroy Rd. (Farm Road 199) as designated by the Major Thoroughfare Plan. Mr. Hosmer stated the applicant is proposing to dedicate thirty-five (35) feet of right of way from the centerline of Farm Road 112 and proposing a forty (40) foot landscape bufferyard along Farm Road 112. No access or driveways shall be allowed onto Farm Road 112. Access points are required to be 200 feet apart as required by City Code. Sidewalks are required along the property frontage on Farm Road 199 (Mulroy Rd.). 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.). 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 City, Greene County, and MO-DOT have a developer's agreement with this and the City and Greene County will have a cost share in the traffic signal at Kearney and Farm Road 199. There will be an eastbound right turn lane on Kearney and surfacing to widen Farm Road 199 at railroad crossing for extended gates and a northbound left turn lane. The City, Greene County, and MO-DOT have a developer's agreement with this and City and Greene County will have a cost share in the traffic signal at Kearney and Farm Road 199. There will be an eastbound right turn lane on Kearney and surfacing to widen Farm Road 199 at railroad crossing for extended gates and a northbound left turn lane. Staff recommends approval.

Mr. Baird asked that since this property is bordered on one side by the railroad, do they have any say or jurisdiction in this case or are they not part of this plan.

Mr. Hosmer clarified as far as if there is an objection to this, yes, they would; and they have not.

Mr. Cline asked if this parcel of property has been annexed yet or not.

Mr. Hosmer said it has not; it is going to City Council on June 22, 2015, the same time as the rezoning.

Mr. Cline asked why this action would not then be premature.

Mr. Hosmer stated they usually run the annexation and rezoning back to back to make certain they are consistent and reviewed at the same time.

Mr. Ray stated in communications to Commission regarding this case there were concerns about public notices and signage for the public meeting on the property asking Mr. Hosmer to address those concerns and if those guidelines were completed.

Mr. Hosmer reviewed the requirements of the property owner in posting the property ten (10) days before a public meeting, which was posted. Residents within one hundred eight-five (185) feet were notified. The neighborhood meeting was held for residents within five hundred (500) feet of the proposed site and the public hearing was advertised as well.

Mr. Baird opened the public hearing.

Mr. Jared Rasmussen, 550 East St. Louis Street, commented he is representing the applicant. Mr. Rasmussen stated he posted the public hearing signs on Farm Road 112 and on Farm Road 199. On the South property line, they will be showing an additional bufferyard, a heavy bufferyard that is not required in the zoning in addition to increased building setback. Their intent is not to have any vegetation disturbed in this area; there is no way this could ever be replaced as it is a very dense buffer. Mr. Rasmussen stated that Farm Road 116 is a primary arterial to the south.

Mr. Baird clarified that all the vegetation stays or some of it stays.

Mr. Rasmussen stated the intent is to leave all the vegetation there, adding there is no intent to remove the barbwire fence along Farm Road 112 either.

Mr. Justin Coin, Business Manager for the Regional Economic Development for the Springfield Area Chamber of Commerce remarked that this request is consistent with the Springfield Comprehensive Plan and expressed support for the proposed rezoning.

Mr. Cline asked Mr. Coin if he understood him correctly in suggesting the use of this property would make use of the rail.

Mr. Coin said not specifically, adding he was speaking more in general to this type of facility. There is rail access to this site, but cannot say that is the case. Rail access to land such as this is very attractive to businesses.

Ms. Smith noted as a point of clarification on the rail; the City has worked with BNSF and this is one of the few sites in the Springfield area that they will a spur. We cannot say whether the end user here plans to take advantage of that, but it is a site BNSF has indicated they would allow a spur because of the speed and amount of traffic, which is less than they have on other subdivisions of the rail lines through Springfield.

Ms. Teresa Grey, 2329 N. Farm Road 197 commented she has five (5) points she wanted to address.

First, there are Industrial Parks specifically developed to house industries. There are openings in the Friendship Industrial Park to the west. There are abandoned empty warehouses in Springfield that are waiting to be reconditioned and used. Ms. Grey quoted from the Comprehensive Plan and asked that the rural neighborhood be protected. Secondly, Farm Roads 112, 116 and 197 are not meant for heavy traffic. Citizens living along these roads are not being acknowledged. Ms. Grey quoted from Vision 20/20 and the Comprehensive Plan. Thirdly, increased traffic in this area will decrease safe available roads to bikers and walkers in the Springfield area. Farm Road 199 is a major road used by many bikers to cross over I-44 to the farm roads to the north. Putting industry on Farm Road 199 means bikers will have to contend with 18-wheelers and heavy traffic to get over I-44. Fourth, it does not make sense to put big trucks, big industry, and heavy traffic at the entrance of a future primary arterial. Fifth, there will be other issues such as odors, noise, and light in the neighborhood. There are many sinkholes in this area, which can cause watershed issues with the potential of polluting their wells.

Ms. Janet Dixon, 5374 East Farm Road 112 spoke in opposition to the proposed rezoning from agricultural to heavy manufacturing. Property values will be impacted, traffic volumes will increase, and noise will be an issue. The bufferyard is not adequate. Ms. Dixon asked that the developer put the setback two hundred (200) feet from the property line and a buffer zone of fifty (50) feet with sound panels with evergreen trees planted ten (10) feet apart. The chain link fence with metal slats that are proposed is something that belongs around a salvage yard. Farm Road 112 is on the Trail of Tears, which is an historical area and is mentioned in Vision 20/20.

Mr. Paul Grey, 2329 N. Farm Road 197, spoke in opposition to the proposed rezoning. Mr. Grey stated that it was mentioned earlier that this proposal is in line with the Comprehensive Plan for light manufacturing; this is a request for heavy manufacturing. Mr. Grey stated a representative of the Chamber of Commerce spoke stating this is the type of location to draw new industries. These are not new industries; they are existing businesses in Springfield. Mr. Grey discussed the current empty structures that previously housed industries. Mr. Grey stated that at the neighborhood meeting, they were told that the road is not the neighborhood's roads; well they are not the developer's roads either. Mr. Grey stated they respect that the County and the City provide these roads and they appreciate that, but they are not roads to be used by any trucking industry that is nearby. Look at the neighborhood around Kraft, Mueller's, Litton, and Lilly Tulip. This does not go along with Vision 20/20 or the Comprehensive Plan.

Mr. Ray commented on the Comprehensive Plan designating this area appropriate for light industrial yet the zoning is calling for Heavy Manufacturing, asking staff to address that conflicting information.

Mr. Hosmer stated there is a Conditional Overlay District that has limited many of the uses and has taken the heavy uses out of it; some of the more intensive uses that cause

issues with adjacent residential areas.

Mr. Ray asked if there is a different zoning category that would include the intended uses without requiring a conditional overlay that would prohibit the heavier district.

Mr. Hosmer stated he does not know what the intended use of the property long term will be and could not answer to that.

Mr. Edwards stated to clarify the applicant is asking for heavy manufacturing with the overlay; Commission approves the rezoning and the owner decides to sell, the Conditional Overlay will stay with the property no matter what and a new developer/owner could not put something more intensive there.

Mr. Hosmer stated yes.

Ms. Rebecca Bounous, 2470 N. Farm Road 199 and own 2530 N. Farm Road 199. The purchased the property to build their dream home and now they will be in the middle of manufacturing. Ms. Bounous stated it is concern that the neighborhoods rights and their dreams are not considered in this issue.

Mr. Rick Clark, 2157 N. Farm Road 197, asked how they intend to get trucks across the railroad track and is concerned about pedestrian traffic on the road. The turn at FR 199 and FR 112 or FR 199 and FR 116, a fifty-three (53) foot truck will not go through that intersection without falling into the ditch.

Mr. Shawn Whitney, 2133 E. Republic Road commented he is legal counsel for the proposed developer of this project. The bufferyard and setbacks in the Conditional Overlay are beyond what is required by zoning. At this point, there is no agreement between his client and any business. There is discussion and hope, but everything is contingent on what is being done this evening; financing, lease and so forth and without this, nothing goes forward. Mr. Whitney quoted from the Comprehensive Plan.

Ms. Nancy Mentis, 5368 East Farm Road 112, commented that the site that is in question has sinkholes on it and from what they have been told they are going to move Farm Road 199 over to the west and the junction of 199 will not come straight down as it does now. There will be more traffic congestion. It is a joke to go from agriculture to heavy manufacturing. They might consider something a little less invasive.

Mr. Colson stated there is a requirement to do a sinkhole evaluation study, a geologic and hydrologic study to determine what the impacts will be from development on the sinkhole so staff can address those. According to code, we try to avoid them or mitigate them. It is City Code requirement Chapter 96.

Mr. Baird asked about the relocation of Farm Road 199 asking if staff could address that issue.

Mr. Brandon Braun, Public Works, stated he has only seen concepts of the proposed relocation of Farm Road 199. The concept designs are working to avoid the sinkholes but a consulting engineer would be able to answer that question.

Mr. Cline stated the staff report says nothing about relocation of Farm Road 199 and if it is being discussed, why is not it in the report.

Mr. Hosmer pointed out this is not part of the rezoning case; what Commission is looking at is the rezoning of the property; the land uses and if they are appropriate. The development of the site and all the particulars will come with the development of the property.

Mr. Cline stated the report states that Farm Road 199 will be reconstructed to forty-eight (48) feet of pavement; a three lane section of forty (40) feet pavement; surely your not going to do that then move the road.

Mr. Hosmer said no; that will be worked out with engineering. Mr. Hosmer pointed out the sinkholes on the display map stating these are approximate locations. That will be addressed later with engineering and with studies that are more detailed. This is preliminary information they have.

Mr. Ray commented that with Commission's job of looking at whether this is an appropriate use for this land, they have to take into consideration the existing infrastructure or the proposed infrastructure to see that the impact of the land use is appropriate or handled appropriately. It is very significant for Commission to know that the infrastructure is going to look like and how that will flow and how to address the impacts of the proposed land use.

Mr. Hosmer noted they would do that with a subdivision or the development of the property. With the development of this site, they will have to look at a subdivision and look at making road improvements.

Mr. Edwards observed there is a series of steps in how development occurs. The land is rezoned and then the applicant comes back with their preliminary plat during which time Commission will have an opportunity to address the application and see if it is appropriate for the development.

Mr. Rasmussen stated they have gone through the exercise of determining where the road would go, knowing that there are sinkholes and karsts topography out here. The developers have expended financial resources to see if this property is even suitable for development from a geological standpoint and also a transportation and infrastructure standpoint. While they are looking to realign Farm Road 199 or Mulroy to avoid this sinkhole there is no change in the location of the intersection. This is just an alignment that has been adjusted to address the sinkholes that are in the area.

Mr. Baird asked if that is a developer's expense or the City's expense.

Mr. Rasmussen said this is a developer's expense. The road that was built by the community is over a sinkhole so if that road was to collapse into that sinkhole, that would be the communities expense whereas what they are doing here, the developer will be building this and will build outside the sinkhole.

Ms. Diane Russell, 2795 N. Stonecrest Lane, which is west of Farm Road 199. Ms. Russell stated a railroad crossing could be dangerous expressing concern about a serious safety issue at the intersection of Farm Road 199 and Kearney. Ms. Russell stated that Chad Zigafoose from MO-DOT expressed a bridge would be better because this is not ideal situation; you cannot control how fast people drive or when they stop.

Mr. Cline asked staff about the drawing Ms. Russell provided showing the distances measured in feet, of the intersection of Farm Road 199 and Kearney Street and the railroad track. Mr. Cline asked if this is an accurate representation of what would occur if a truck were at that intersection.

Mr. Braun stated that when the signal goes into this intersection traffic traveling north on Farm Road 199 would stop before the railroad tracks. There will be a signal system and a gate that comes down; there will be preemption from trains integrated with the signal not so all the timing will allow a truck or vehicle to be stuck within that intersection.

Mr. Cline clarified that the stop point will be to the south railroad; when the light turns green then the traffic will proceed across the track and into the intersection.

Mr. Braun stated correct. There will be an additional southbound right turn lane on the south side of Kearney. Traveling east you will have separate right turn lane there and then there will be an additional turn lane on Kearney.

Mr. Cline clarified that you will be able to pull up at the red light if you were going to make a right on red. Mr. Cline stated going north, stopped on the south side of the track while going right and this is a right turn on red state, what is the drivers move.

Mr. Braun stated you move is to stop there. There will be no right turn on red.

Mr. Cline stated that the scenario sketched out on this paper is unlikely event.

Mr. Braun stated yes; there will always be adequate timing for any vehicle to maneuver through the intersection.

Ms. Smith stated staff has worked extensively with Moot and BNSF on this and there will actually be positive train control signal technology that will be installed further down the rail line so that will essentially trip those signals, trip the gates well in advance of time so the traffic can clear before the trains come through.

Mr. Lloyd Connelly, 5032 East Farm Road 106 invited Commission out to visit the neighborhood,

asking Commission if they would want this in their back yard.

Mr. Ben Nichols, 5368 East Farm Road 112 commented that Farm Road 199 is extremely hilly and with increased traffic, it will become an issue.

Ms. Andria Grey, 2329 N. Farm Road 197 commented that she is a runner adding there is no shoulder on 197 and with increased traffic; she would lose the ability to run on that road and for other to walk or bike.

Mr. Roger Dixon, 5374 East Farm Road 112 commented he is opposed to the rezoning citing increased traffic and the impact on walkers and cyclists.

Mr. Baird closed the public hearing.

Mr. Cline stated this is sprawl; there are places in Springfield that can be developed, adding he is against the proposed rezoning.

Mr. Ray remarked he did not have any preconceived notions stating he has been through the area to look at it. Staff has addressed the concerns he had regarding transportation. With this particular site and location and its access to the interstate, the rail and the fact that there is not much development around it. Looking at the land use, Mr. Ray said he does feel it is an appropriate use for this area. Considering the Comprehensive Plan, which has been used by both sections, it is a prime example of how you can use the Comprehensive Plan to argue both sides of the case. Mr. Ray pointed out this is a clear case in point that it is time to update the Comprehensive Plan. It is an appropriate site for this use adding he is not considering jobs or tax revenue; that is not within Commission's purview adding he will support the proposal.

Mr. Doennig stated when you look at this simply from the case of land use; currently the County zones this as an A-1 designation. We are talking about a parcel that is more than fifty (50) acres in size and under the County's own zoning some allowable uses would be garbage dumps, stables, concentrated animal feeding operations and other very different uses than exists there today. All those uses could happen without a request for rezoning because it is currently zoned for that use and there would be no required infrastructure improvements that would come with that. The developer has a reasonable plan with the conditional overlay and the additional buffers. Mr. Doennig stated it is a reasonable proposal and plans to vote yes for those reasons.

Mr. Edwards said this is a designated activity center along a major thoroughfare and corridor and will be developed similar to the Menards rezoning. Mr. Edwards stated his decision is based on the applicant, who is the owner of the property and their rights that they have to apply to City Council to make these changes to the property and whether or not they have fulfilled their duty to the citizens to bring a case here that has been studied and meets the requirements. Mr. Edwards stated that as far as he is concerned they have met the requirements to take this petition to Council who will take into account jobs and taxes in their decision-making. Mr. Edwards stated he would vote in favor of the

proposed rezoning.

Mr. Ray stated to clarify that he is not in agreement with Mr. Edwards; this is not similar to the Menards case. Mr. Ray stated the reason he is voting in favor of this rezoning and did not vote in favor of the Menards case is because of the density of the development surrounding it, the location of this site and the access to the infrastructure adding he wanted to differentiate in case anyone is keeping track of how he is voting. Mr. Ray said he wanted to say what the differences in his votes are.

Mr. Doennig stated he feels called upon to echo that as well. In this particular case, the adjacent properties are zoned A-1. The County has a number of different zoning classifications which include residential, R-1 and then a whole multitude after that and none of these properties are designated for that; all of them are A-1 meaning that any one of those parcels that was more than twenty (20) acres would be eligible for some of the things mentioned earlier which are allowed uses under that classification of zoning. Mr. Doennig explained that in the Menards case that was not the issue. There was residential zoning, R-1, which was directly adjacent to the parcel adding he does not see the parallel between this case and that case.

Mr. Cline stated this is not Springfield yet and so yes the County has it zoned the way it is zoned and you could probably put all kinds of things there now. But what we are suggesting we do is grab this piece of ground for Springfield and then we say what you can and cannot do and Mr. Cline stated that is exactly the process that he does not wish to see happen here. If this was to be denied, and something worse was to be developed, that is a County issue. It is not Springfield yet.

Mr. Doennig stated the other side of that is that an individual or company owns this property, they have the right as the owner to ask to become part of the City of Springfield, and if they are asking that, we are not imposing that annexation upon them they are requesting it. In this case, there is not a justifiable reason to say no to their petition to join the City and be offered the same city services that are offered to many of the other property's that are in the City. Mr. Doennig said that is how he sees the annexation issue; it is not a grab, it is a request.

Mr. Edward noted that he really appreciates the distinction between the two cases; it is very clarifying. Mr. Edwards said his point is that what Commission is seeing is the development of rural areas along activity centers and that is the parallel that he sees between the two cases. It is simply a matter of where we see the growth coming where the market dictates; its going to eat up these large parcels of land that are in conjunction with other large parcels. One man's sprawl is another man's job so that is something we have to take on an individual basis.

Mr. Baird stated this is somewhat of a tough case; however, one has to look at the access to the existing services and existing infrastructure.

Mr. Ray motioned to **approve** Z-22-2015 w/Conditional Overlay District No. 93. Mr. Edwards **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White,

Edwards, Ray, Shuler, and Doennig. Nays: Cline. Abstain: None. Absent: Cox and Rose.

Z-23-2015 w/Conditional Overlay District No. 94 SRC Holdings Corporation

Mr. Hosmer explained this is a request 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. 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.). 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. The applicant is reducing permitted uses allowed in the HM District as well and as part of the COD which is listed in the Conditional Overlay District. Farm Road 199 is classified as a Primary Arterial and will have limitations on driveway access every two-hundred (200) feet. There will be sidewalks built as required. There will be improvements similar to the previous zoning case and provisions for internal streets system for the property to the west. These properties at this location have their only access out across the railroad track. The long-term plan is to have some type of road system that would connect these properties for better access and not have to cross the railroad at that location. There will be bufferyards along the property adjacent to the GI as well as the A-R A-1 agricultural property to the west. There is a developer's agreement on this property with the City of Springfield, Greene County, and MoDOT similar to the previous rezoning case. There will be traffic signal improvements at Kearney and Farm Road 199. An eastbound right turn lane will be provided on Kearney; surfacing to widen Farm Road 199 at the railroad crossing and extension gates and north bound left turn lane and MoDOT will contribute the cost share of the railroad tracks resurfacing. Staff recommends approval.

Mr. Baird opened the public hearing.

Mr. Jared Rasmussen, Olsson Associates, 550 East St. Louis Street stated he wanted to clarify the improvements to Farm Road 199 are per the requirements of the City. The City has established what the roadway width is and have criteria for the profile of the road so where it was a roller coaster before now it will be a smooth road with more visibility and safer for drivers. This existing PD is an industrial type of PD; they are modifying a few things that are in the PD. Mr. Rasmussen stated they are trying to simplify the process.

Mr. Ray commented on previously voiced concerns about pedestrian and bicycle activity in the area; obviously, this comes with a requirement of building a sidewalk or payment in lieu of sidewalk.

Mr. Rasmussen stated it is not a guarantee that they have payment in lieu of sidewalks; they must go before the Director level at the City to ask for that approval.

Mr. Paul Grey, 2329 N. Farm Road 197 asked for clarification on the proposed development asking if SRC is the property owner.

Mr. Baird said SRC is the property owner.

Mr. Grey spoke in opposition to the rezoning. Mr. Grey stated that traveling into town it appears there are two SRC buildings that look vacant adjacent to the railroad tracks and within one thousand (1000) feet of Highway 65. Mr. Grey said if SRC is planning to use this land he does not understand how you cannot call that sprawl; close the business inside the city and move further outside.

Mr. Baird stated it would be great, from the outside, if the City had a way to make businesses move where we wanted them to or move where they fit, away from a park like green space to the center of the city or take a vacant warehouse and move into it. Mr. Edwards stated there are many things Commission would love to do but there are not laws and rules in place to make them happen. Commission attempts to represent to the best of their ability everyone's point of view and have a fair process.

Ms. Teresa Grey, 2329 N. Farm Road 197 spoke in opposition to the proposed rezoning citing the same reasons shared in the previous case.

Mr. Dennis Shepherd, 531 S. Union, stated he is general counsel for SRC. Mr. Shepherd remarked they have no empty space or empty buildings. The company has been looking for buildings for almost a year and has not found anything suitable for their needs. The property, which the company owns, has been owned for fifteen (15) years and has been annexed into the City for about the same period; they believe it is time to develop the land. Fortunately, the business is growing and additional space is necessary.

Mr. Baird closed the public hearing.

Mr. Doennig motioned to approve Z-23-2015 w/Conditional Overlay District No. 94. Mr. Edwards seconded the motion. The motion carried as follows: Ayes: Baird, White, Edwards, Ray, Shuler, and Doennig. Nays: Cline. Abstain: None. Absent: Cox and Rose.

**Z-24-2015
Key**

Horst Revocable Trust Deanna

Mr. Hosmer stated this is a request 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. 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.

Mr. Baird asked why the property to the south of this zoned residential.

Mr. Hosmer said that property is the Living Memorial Park property; it is a public park.

Mr. Baird opened the public hearing.

Mr. Bill Horst, 515 E. Weaver Road, commented his parents purchased the property in 1966 and built a building that has been in continuous commercial use since the early 1970's.

Mr. Baird asked why this request is coming forward at this time.

Mr. Hosmer commented there was a business license that was pulled; it was a non-conforming situation.

Ms. Lisa Bailey, 4533 S. Crisman, spoke in support of the request.

Mr. Baird closed the public hearing.

Mr. Cline motioned to **approve** Z-24-2015. Ms. White **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Edwards, Ray, Shuler, Doennig, and Cline. Nays: None. Abstain: None. Absent: Cox and Rose.

Z-25-2015

Loren Cook Company

Mr. Edwards recused himself from the hearing.

Mr. Hosmer reviewed the staff report.

Mr. Doennig notified staff that the advertisement for zoning case Z-25-2015 had the wrong public hearing date.

Ms. Kerner communicated that the statutory public notice requirement has not been met and the issue would need to be tabled to the next meeting.

Mr. Doennig **motioned to table** Z-25-2015 to the July 9, 2015 Planning and Zoning

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

Planning & Zoning Rules of Procedures Amendment City of Springfield

Mr. Hosmer explained Staff reviewed the amendments to the Rules of Procedure with the Planning and Zoning Commission on May 21, 2015. 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 automatically go to City Council instead of requiring an application for an appeal. This is the process used by most city planning and zoning commissions, since the Planning and Zoning Commission makes recommendations to the City Council. Items receiving Commission recommendations, whether positive or negative, shall be automatically forwarded to City Council for final action.

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

Mr. Baird commented he has an issue with automatically forwarding an application on. Mr. Baird stated that his hope is that if a developer came here with a plan and Commission did not approve of the plan, Mr. Baird stated he would like the applicant to possibly rework their plan and bring it back to Commission. Mr. Baird stated he is aware that Commission is a recommending Board and not the final authority, adding he is not in support of the request.

Mr. Ray commented that in his professional experience, the current rules of procedure are not in line with what other cities follow, however, he agrees with Mr. Baird's viewpoint. It is inconsistent with the way other cities do it but that does not necessarily mean it is wrong.

Mr. Edwards stated he is in agreement with both Mr. Baird and Mr. Ray. The automatic forwarding of an application might minimize the Commissions role somewhat, adding he does not want to do that.

Mr. Hosmer stated that one of the reasons is the neighbors do not realize or know when someone has appealed an application. If it were automatically put before City Council, citizens would know that they need to attend the next meeting. From the citizen's perspective, this would provide more transparency that they know how the process works.

Ms. White stated she has a problem with the language with the word "appeal," and that is what you are really talking about here. Commission's job is to make a recommendation so if you are going to say that we are being "appealed," that implies that what Commission does is the definitive answer and it is not. Ms. White stated she

would support the change purely because it identifies that Commission is not the final decision maker, this is just moving on to the next stage.

Mr. Shuler stated his thinking is that it is not an appeal either, adding he supports the change.

Mr. Doennig said it makes sense if Commission is mirroring what is the norm across the state and the nation is in terms of how these bodies function. Mr. Doennig disclosed he believes this is a reasonable move adding he does not believe it will diminish the importance of this process because there is opportunity to speak and explain why an individual Commissioner does or does not support a particular case or proposal and hopefully those thoughts will be communicated adequately to City Council. Mr. Doennig stated he is in support of the change and hopes to see strong reporting of the issues and reasons behind the decisions made by this body and improve dialog between Commission and City Council in the future.

Mr. Hosmer remarked that Commission has the opportunity to table issues for discussions and request the applicant meet with the neighborhood to resolve issues and concerns. There is the opportunity to stop the process to get resolution and move forward.

Mr. Edwards motioned to **approve** the Planning & Zoning Rules of Procedures Amendment. Mr. Cline **seconded** the motion. The motion **carried** as follows: Ayes: White, Edwards, Ray, Shuler, Doennig, and Cline. Nays: Baird. Abstain: None. Absent: Cox and Rose.

***Robberson Avenue Panhellenic Redevelopment Plan
Consulting, LLC***

Burning Tree

Mr. Schaefer commented that this is a request to approve the Redevelopment Plan for the Robberson Avenue Panhellenic Redevelopment Area generally located along the east side of South Robberson Avenue between East Madison Street and East Grand Street (814-850 South Robberson Avenue). The proposed Redevelopment Plan is one component of the applicant's request to obtain partial real property tax abatement pursuant to the Land Clearance for Redevelopment Law ("Chapter 99, RSMo"). Chapter 99 tax abatement is an economic development incentive used to encourage redevelopment within blighted areas through partial real property tax abatement. 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. 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. 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.

Mr. Baird opened the public hearing.

Mr. Shawn Whitney, 2133 E. Republic Road, commented he represents the proposed developer, Burning Tree Consultants and asking for Commission support of the request.

Mr. Titus Williams, 424 Patricia, Nixa, Mo., commented he is one of the owners of this project stating he is available for questions.

Mr. Baird closed the public hearing.

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

Amended Brewery District Lofts Redev. Plan Brewery District Lofts Redev. Corp

Mr. Schaefer stated this is a request to approve the Amended Redevelopment Plan for the Brewery District Lofts Redevelopment Area located along the north side of West Walnut between South Market Avenue and South Main Avenue. The original Redevelopment Plan was adopted by City Council on November 4, 2013. 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.

Mr. Baird opened the public hearing.

Kevin Hoffmeyer, 2133 E. Republic Road, commented he is available for questions.

Mr. Baird closed the public hearing.

Mr. Ray motioned to **approve** Amended Brewery District Lofts Redevelopment Plan. Ms. White **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Edwards, Ray, Shuler, Doennig, and Cline. Nays: None. Abstain: None. Absent. Cox and Rose.

Mapping of East/West Arterial Corridor

City of Springfield

Mr. Hosmer stated this is a proposal for the East/West Arterial located between the intersection of Southwood Avenue and Riverbluff Boulevard to Kissick Avenue. This is the first phase of this project. 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. The City has prepared preliminary designs for the alignment of the East-West Arterial in this location. On the plan, it shows a line on a map and staff is trying to get more detailed exact locations. Once the survey is complete, there will be a public hearing to notify property owners along the alignment of the East/West Arterial. Staff is requesting that the Planning and Zoning Commission cause to be made an initiation of a survey (including staked survey) of the exact location of the right of way line of the East-West Arterial corridor.

Mr. Baird noted that it shows on the location sketch the arterial as going right behind a neighborhood asking if that is correct. Mr. Baird said it seems like many people would

have an issue with that.

Ms. Smith stated that the alignment you see on the display is the alignment that is on the Major Thoroughfare Plan. The actual alignment is slightly different and actually goes further to the south than that. Originally, it was designed or the developer actually platted part of the east/west arterial. What you see on the yellow line on the map is the current location and the city has done some extensive design work on that and now staff wants to go to the extent of actually surveying it. The next step after that would involve public hearings on that location and then the street would be mapped and no construction could occur within that mapped corridor. The goal is to protect the corridor for future construction.

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

Mr. Ray asked for clarification on what Commission's action is and what they are doing with this request.

Ms. Smith explained that the City Charter requires that Commission cause a survey to be made; Commission is directing staff to have a survey completed of the alignment of the East/West Arterial.

Mr. Doennig commented with a survey, would the City want title reports on all the properties that will be located there since those orders are going to come through him.

Ms. Kerner suggested Mr. Doennig step away from the discussion.

Mr. Doennig recused himself from further discussion of the request.

Mr. Edwards asked if this item would go forward to Council.

Mr. Hosmer stated that it goes forward to Council; Commission is making a recommendation for survey to be done. Once that is completed, it will be advertised and the request will come before Commission and have a public hearing on the exaction locations with detailed drawings.

Mr. Ray motioned to **approve** the initiation of a survey for the exact location of the right of way line of the East/West Arterial Corridor. Ms. White **seconded** the motion. The motion **carried** as follows: Ayes: Baird, White, Edwards, Ray, Shuler, and Cline. Nays: None. Abstain: Doennig, Absent. Cox and Rose.

Mr. Hosmer mentioned that Commission has the Springfield Cardinals Game scheduled for July 16, 2015 at 7:00 pm.

There being no further business, the meeting was adjourned at approximately 9:30 p.m.



Bob Hosmer, AICP
Principal Planner

City Council Summary June 8, 2015

Rezoning: Council Bill 2015-137. A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately 0.24 acres of property, generally located at 1216 East Bennett Street from R-SF, Single-Family Residential District to LB, Limited Business District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Mexican Villa Food Products, Inc.; 1216 East Bennett Street; **Z-15-2015**.)

General Ordinance 6197 was **approved** by the following vote: Ayes: Burnett, Schilling, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: Fishel. Abstain: Ferguson. **7/0 (1 abstain)**

Rezoning: 837 South Glenstone Avenue Council Bill 2015-138. A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately 0.45 acres of property, generally located at 837 South Glenstone Avenue, from R-SF, Single-Family Residential District, to HC, Highway Commercial District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Jean A. Gwin; 837 South Glenstone Avenue; **Z-16-2015**.)

General Ordinance 6198 was **approved** by the following vote: Ayes: Burnett, Schilling, McClure, Fisk, Hosmer, Fulnecky, Ferguson, and Stephens. Nays: None. Absent: Fishel. Abstain: None. **8/0**

Rezoning: 814, 820, 824, 832, 838, 842, 846, and 850 South Robberson Avenue Council Bill 2015-139. A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately 1.47 acres of property, generally located at 814, 820, 824, 832, 838, 842, 846 and 850 South Robberson Avenue, from R-HD, High-Density Multi-Family Residential District, to R-HD, High-Density Multi-Family Residential District with an overlay of UN, University Combining District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Burning Tree Consulting LLC; 814, 820, 824, 832, 838, 842, 846 and 850 South Robberson Avenue; **Z-18-2015**.)

Councilman Schilling asked for clarification regarding traffic concerns on Robberson Avenue and Grand Street. Mary Lilly Smith, Director of Planning and Development, responded a traffic study was not required for the proposed. She added the actual traffic density would be less than what is currently allowed by the zoning.

General Ordinance 6199 was **approved** by the following vote: Ayes: Burnett, Schilling, McClure, Fisk, Fulnecky, Ferguson, and Stephens. Nays: Hosmer. Absent: Fishel. Abstain: None. **7/1**

Rezoning: 1911 South National Avenue Sponsor: Fishel. Council Bill 2015-140. A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately 0.32 acres of property generally located at 1911 South National Avenue from GR, General Retail District, to O-2, Office District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Diversity Commercial Investments, LLC; 1911 South National Avenue; **Z-19-2015**.)

General Ordinance 6200 was **approved** by the following vote: Ayes: Burnett, Schilling, McClure, Fisk, Hosmer, Fulnecky, Ferguson, and Stephens. Nays: None. Absent: Fishel. Abstain: None. **8/0**

Rezoning: Chase Street between Broadway Avenue and Robberson Avenue Amended Council Bill 2015-141. A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately 52 acres of property generally located on the north and south sides of Chase Street between Broadway Avenue and Robberson Avenue, and on the west side of Washington Avenue between Chase Street and Atlantic Street, at the intersection of Lyon Avenue and Atlantic Street, from HM, Heavy Manufacturing District; LI, Light Industrial District; CS, Commercial Services District; LB, Limited Business District, and R-SF, Single-Family Residential District; to Planned Development District No. 347; and adopting an updated Official Zoning Map. (Both Planning and Zoning Commission and Staff recommend approval.) (By: City of Springfield; On the north and south sides of Chase Street between Broadway Avenue and Robberson Avenue, and on the east and west sides of Washington Avenue between Chase Street and Atlantic Street and at the intersection of Lyon Avenue and Atlantic Street; **Planned Development District No. 347** .)

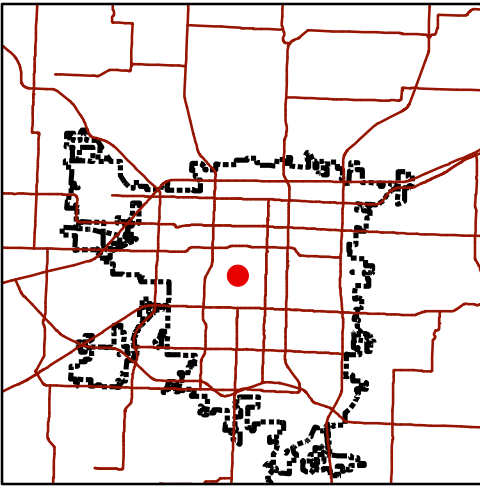
General Ordinance 6201 was **approved** by the following vote: Ayes: Burnett, Schilling, McClure, Fisk, Fulnecky, Ferguson, and Stephens. Nays: None. Absent: Fishel. Abstain: Hosmer. **7/0 (1 abstain)**

Rezoning: 2005, 2101, to 2218 West Chesterfield Boulevard Council Bill 2015-142. A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately 19.31 acres of property generally located at 2005, 2101 to 2218 West Chesterfield Boulevard, and 3804 to 3859 South Cox Avenue from Planned Development District No. 141 2nd, 141 4th, 329 and 334 District to Planned Development District No. 349; and adopting an updated Official Zoning Map. (Both Planning and Zoning Commission and Staff recommend approval.) (By: Chesterfield Square Property Owners Association; 2005, 2101 to 2218 West Chesterfield Blvd. and 3804 to 3859 South Cox Avenue; **Planned Development No. 349.**)

General Ordinance 6202 was **approved** by the following vote: Ayes: Burnett, Schilling, McClure, Fisk, Hosmer, Fulnecky, Ferguson, and Stephens. Nays: None. Absent: Fishel. Abstain: None. **8/0**

Preliminary Plat of Republic Kansas Subdivision Council Bill 2015-147. A special ordinance authorizing the Director of Planning and Development to accept the dedication of the public streets and easements to the City of Springfield as shown on the Preliminary Plat of Republic Kansas Subdivision, generally located at 1545 West Republic 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 and Staff recommend that City Council accept the public streets and easements.)

Special Ordinance 26584 was **approved** by the following vote: Ayes: Burnett, Schilling, McClure, Fisk, Hosmer, Fulnecky, Ferguson, and Stephens. Nays: None. Absent: Fishel. Abstain: None. **8/0**



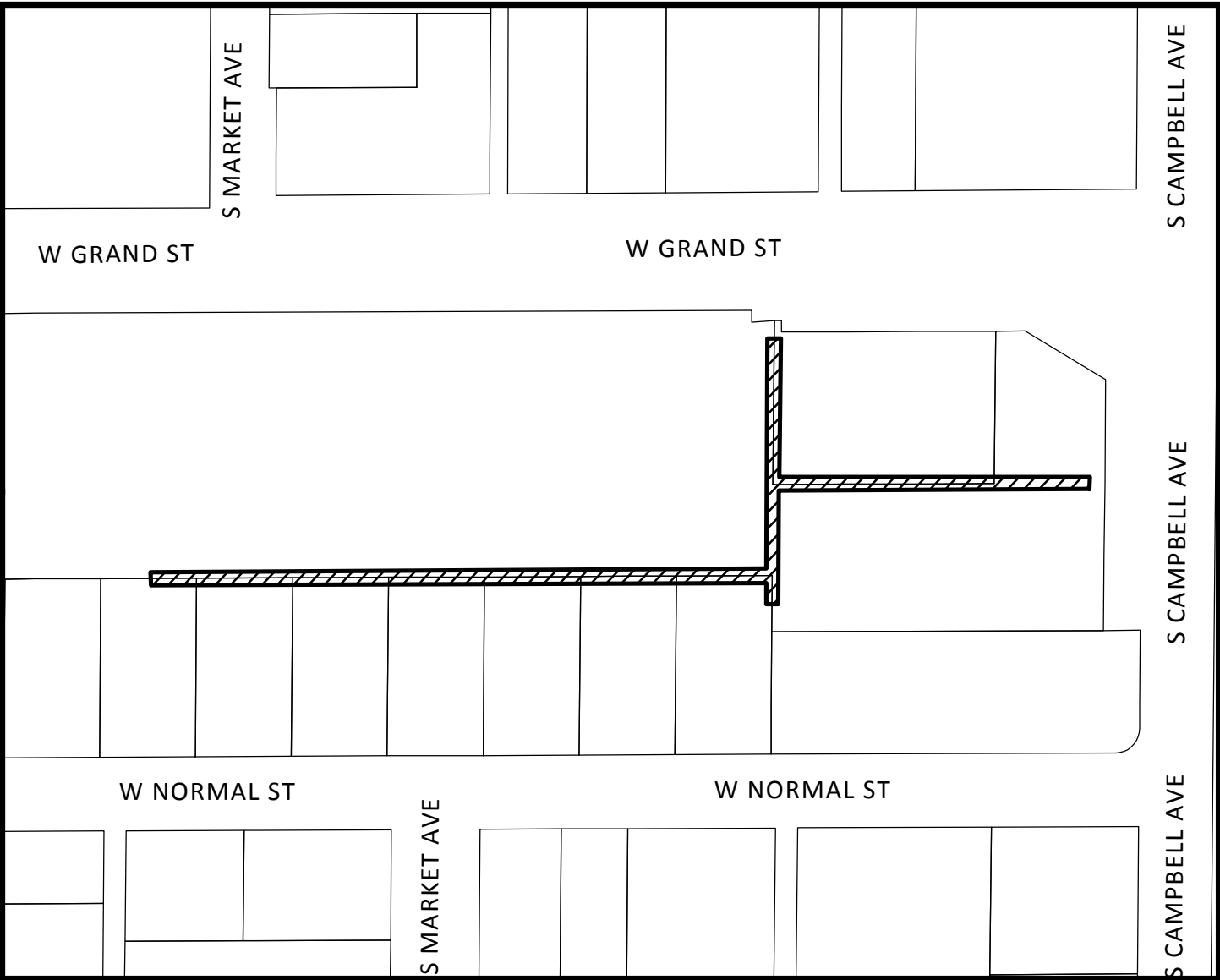
Development Review Staff Report

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

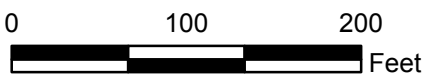
Relinquish Easement 826

LOCATION: 444 W. Grand Avenue
CURRENT ZONING: GR, General Retail and GR, General Retail with C.O.D. #54

LOCATION SKETCH



- Area of Proposal



1 inch = 110 feet

Development Review Report

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

REQUEST TO RELINQUISH EASEMENT NUMBER 826

DATE: June 26, 2015

PURPOSE: To relinquish a utility easement

LOCATION: 444 W. Grand Street

APPLICANT: Wal-Mart Real Estate Business

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. 826
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish a utility easement to facilitate the development of the site.

CITY UTILITIES COMMENTS:

No objection to relinquishment.

AT&T COMMENTS:

No objections to relinquishment.

MEDIACOM COMMENTS:

No objections to relinquishment.

CLEAN WATER SERVICES COMMENTS:

No objections to relinquishment. The houses have been demolished and the church is being demolished.

STAFF COMMENTS:

1. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect public utilities.
2. The applicant is requesting to relinquish a utility easement to facilitate the development of the site. The houses and Church have been demolished. The easement is no longer needed to serve utilities to the site. The easement to be relinquished will be in conflict with a building proposed to be constructed.
3. The subject easement is located on Lot 1 of Miles George - Parkview Subdivision Plat 2, an Administrative Replat, finalized on May 6th, 2015.
4. No one has objected to this request to date.

ATTACHMENT B
RELINQUISH EASEMENT NO. 826
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. 826
EXHIBIT 1

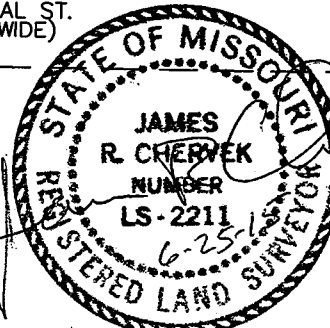
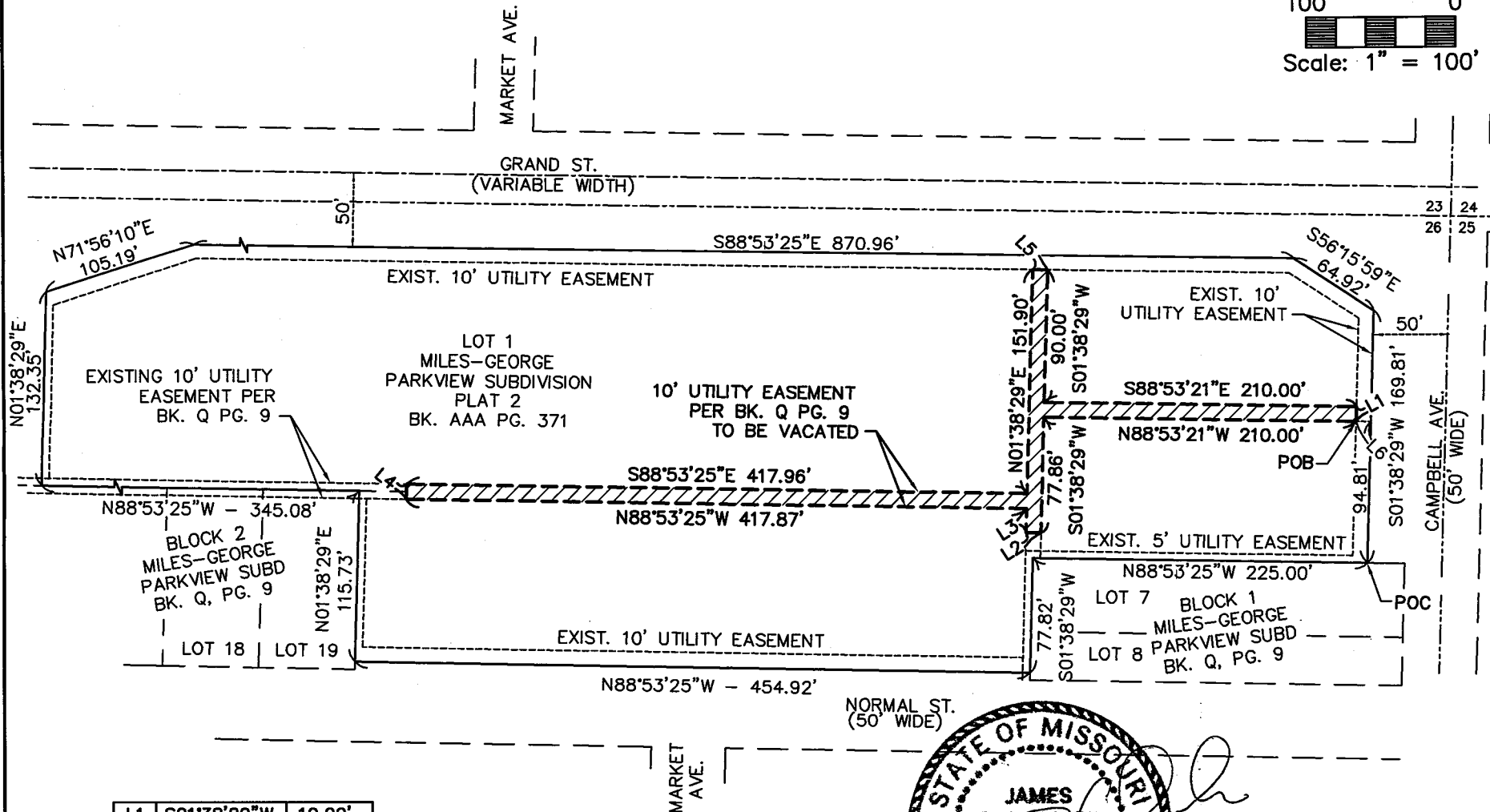
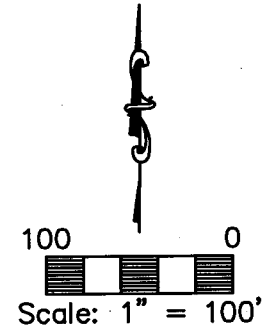
RELINQUISHMENT OF EASEMENT

A tract of land being part of Lot 1 of Miles-George Parkview Subdivision Plat 2 as recorded in Book AAA Page 371, located in the Northeast Quarter of Section 26, Township 29 North, Range 22 West of the 5th P.M. City of Springfield, Green County, Missouri and being more particularly described as follows:

Commencing at the Southeast corner of said Lot 1 being on the West right of way line of Campbell Avenue; thence along said West right of way line N01°38'29"E 94.81 feet; thence departing said West right of way line N88°53'21"W 10.00 feet to the point of beginning of the herein described tract; thence N88°53'21"W 210.00 feet; thence S01°38'29"W 77.86 feet; thence N88°53'25"W 10.00 feet; thence N01°38'29"E 15.96 feet; thence N88°53'25"W 417.87 feet; thence N01°06'35"E 10.00 feet; thence S88°53'25"E 417.96 feet; thence N01°38'29"E 151.90 feet; thence S88°53'25"E 10.00 feet; thence S01°38'29"W 90.00 feet; thence S88°53'21"E 210.00 feet; thence S01°38'29"W 10.00 feet to the point of beginning.

EXHIBIT "A"

PART OF LOT 1 OF MILES-GEORGE PARKVIEW SUBDIVISION PLAT 2 RECORDED IN
BOOK AAA PAGE 371, ALL IN THE NORTHEAST QUARTER OF SECTION 26,
TOWNSHIP 29 NORTH, RANGE 22 WEST OF THE 5TH P.M., CITY OF SPRINGFIELD,
GREENE COUNTY, MISSOURI



530a E. Independence Dr.
Union, Missouri 63084

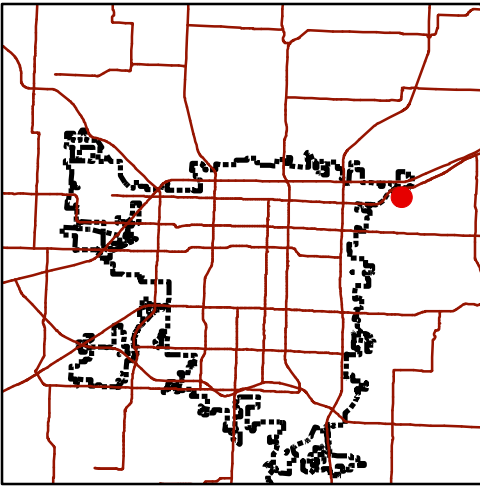
636-584-0540 (tel.)
636-584-0512 (fax)
mail@cochronan.com

- Civil Engineering
- Land Surveying
- Architecture
- Site Development
- General Consulting
- Master Planning

DRAWN BY: JRC

DATE: 6-08-15

PROJ. NO.: 10-4540K



Development Review Staff Report

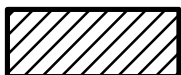
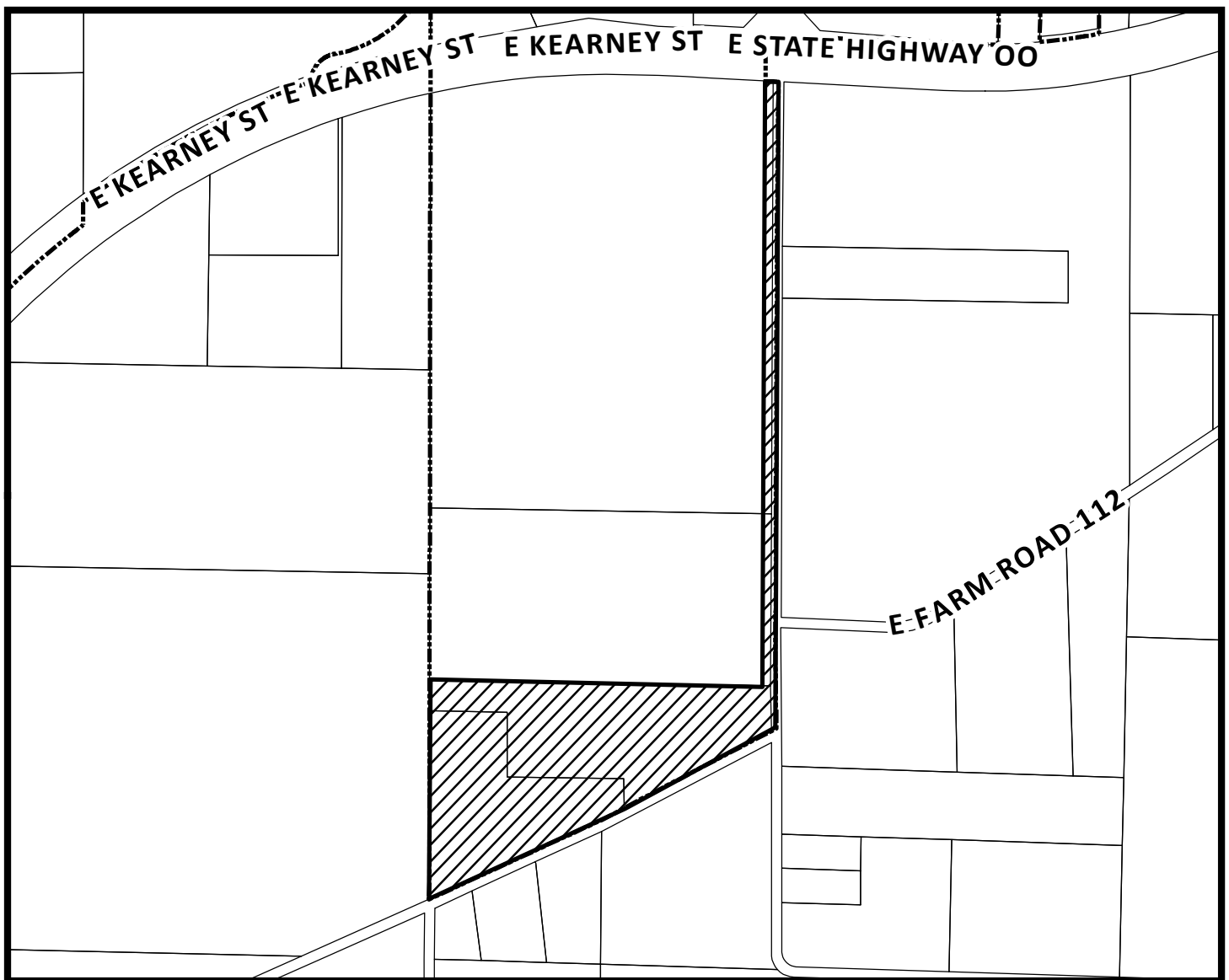
*Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802*

Request to Dispose 511

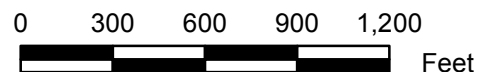
LOCATION: West side 2700-2800 block N. Farm Road 199
(Mulroy)

CURRENT ZONING: Planned Development 225 and GI,
Government and Institutional

LOCATION SKETCH



- Area of Proposal



1 inch = 625 feet

Development Review Report

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

REQUEST TO DISPOSE #511

DATE: June 26, 2015

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

APPLICANT: City Utilities of Springfield

EXISTING USE: None, undeveloped land

RECOMMENDATION: The request be **approved**.

FINDINGS:

1. The subject property is within the City limits of the City of Springfield.
2. The proposed disposal will not adversely affect City Utilities operations.
3. The proposed disposal will allow the City of Springfield to obtain right-of-way on Farm Road 199 (Mulroy) for future road improvements.

STAFF CONTACT PERSON:

Michael G. Sparlin
Assistant City Planner

Attachment 1: Background Report
Attachment 2: Land Disposal Policy
Exhibit A: Legal Description

ATTACHMENT 1
BACKGROUND REPORT
REQUEST TO DISPOSE NUMBER 511

APPLICANT'S PROPOSAL:

City Utilities of Springfield proposes to dispose of two properties. They are requesting that a fifty (50) foot strip along the west right-of-way line of Farm Road 199 (Mulroy Road), approximately 2.88 acres in size, be transferred to the City of Springfield for right-of-way improvements. They are also requesting permission to transfer a 15.36 acre tract to a private owner following the standard surplus process.

STAFF COMMENTS:

1. City Utilities no longer has a need for the two (2) properties, once planned for a future water tank and communications tower. The proposed disposal will not adversely affect City Utilities operations.
2. The City of Springfield desires to obtain the fifty (50) strip as right-of-way for future road improvements to Farm Road 199 (Mulroy).

ATTACHMENT 2
REQUEST TO DISPOSE NUMBER 511
LAND DISPOSAL POLICY

Planning and Zoning Commission adopted the following policy statement for land disposals by public bodies:

1. Where is the property located?

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

2. Please include a copy of the legal description of the property.

Staff Comment: The legal description of the property is attached (Exhibit A).

3. Why doesn't the city need the property anymore? How have circumstances changed?

Staff Comment: The properties are no longer necessary or useful in the operation of City Utilities.

4. When did City of Springfield purchase the property?

Staff Comment: The property derived from three (3) separate acquisitions on the following dates: 12/29/1986; 09/18/1992; 04/07/1997.

5. Why was the property acquired?

Staff Comment: City Utilities' original intent was for water storage tanks and/or cellular tower.

6. Who will purchase the property?

Staff Comment: The 2.88 strip of land will be transferred to the City of Springfield. The large tract will go through the standard surplus process to determine an owner, not yet known at this time.

EXHIBIT A
REQUEST TO DISPOSE NUMBER 511

50 FOOT STRIP:

A PART OF THE WEST HALF OF SECTION 1, TOWNSHIP 29 NORTH, RANGE 21 WEST, GREENE COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 1, THENCE NORTH 01 DEGREES 27 MINUTES 14 SECONDS EAST, ALONG THE WEST LINE OF SAID SECTION 1, A DISTANCE OF 223.08 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF FARM ROAD 116; THENCE NORTH 67 DEGREES 07 MINUTES 29 SECONDS EAST, ALONG SAID RIGHT-OF-WAY LINE, 728.44 FEET; THENCE NORTH 63 DEGREES 22 MINUTES 28 SECONDS EAST ALONG SAID RIGHT-OF-WAY LINE, 715.04 FEET TO A POINT 50.00 FEET WEST OF THE EAST LINE OF THE WEST HALF OF THE WEST HALF OF SAID SECTION 1 AND THE POINT OF BEGINNING; THENCE NORTH 01 DEGREES 31 MINUTES 34 SECONDS EAST, PARALLEL WITH SAID EAST LINE, 2526.84 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF THE SAINT LOUIS AND SAN FRANCISCO RAILROAD; THENCE SOUTH 85 DEGREES 38 MINUTES 35 SECONDS EAST, ALONG SAID SOUTH RAILROAD RIGHT-OF-WAY LINE, 50.07 FEET TO SAID EAST LINE OF THE WEST HALF OF THE WEST HALF; THENCE SOUTH 01 DEGREES 31 MINUTES 34 SECONDS WEST, ALONG SAID EAST LINE OF THE WEST HALF OF THE WEST HALF, 2497.61 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF FARM ROAD 116; THENCE SOUTH 63 DEGREES 22 MINUTES 28 SECONDS WEST, ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, 56.71 FEET TO THE POINT OF BEGINNING. CONTAINING 2.88 ACRES, MORE OR LESS. LESS ANY PART THEREOF TAKEN, DEEDED, OR USED FOR RIGHT-OF-WAY.

and

SOUTHERN TRACT:

A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 29 NORTH, RANGE 21 WEST, GREENE COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 1, THENCE NORTH 01 DEGREES 27 MINUTES 14 SECONDS EAST, ALONG THE WEST LINE OF SAID SECTION 1, A DISTANCE OF 223.08 FEET TO THE NORTH RIGHT-OF-WAY OF FARM ROAD 116 AND THE POINT OF BEGINNING; THENCE CONTINUING NORTH 01 DEGREES 27 MINUTES 14 SECONDS EAST, 822.20 FEET; THENCE SOUTH 88 DEGREES 32 MINUTES 46 SECONDS EAST, 1294.87 FEET TO A POINT 50.00 FEET WEST OF THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1; THENCE SOUTH 01 DEGREES 31 MINUTES 34 SECONDS WEST, PARALLEL WITH SAID EAST LINE, 185.54 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF FARM ROAD 116; THENCE SOUTH 63 DEGREES 22 MINUTES 28 SECONDS WEST, ALONG SAID RIGHT-OF-WAY LINE, 715.04 FEET; THENCE SOUTH 67 DEGREES 07 MINUTES 29 SECONDS WEST ALONG SAID RIGHT-OF-WAY LINE, 728.44 FEET TO THE POINT OF BEGINNING. CONTAINING 15.36 ACRES, MORE OR LESS. LESS ANY PART THEREOF TAKEN, DEEDED, OR USED FOR RIGHT-OF-WAY.

5/8" IRON PIN
NW CORNER LOT 1 NW 1/4
SECTION 1-29-21
PER COUNTY SURVEY
BK. 29, PG. 259

N86°55'29"W
1349.09'

NE CORNER LOT 1 NW 1/4
SECTION 1-29-21
PER LS 2077,
DRAWING DATED 4/14/86

GRID NORTH

MISSOURI COORDINATE SYSTEM OF 1983 CENTRAL ZONE
BASED ON SPRINGFIELD/GREENE COUNTY GEOGRAPHIC
REFERENCE SYSTEM MONUMENTATION GR-38

GRAPHIC SCALE



(IN FEET)
1 inch = 200 ft.

GRID

SRC HOLDINGS CORP.
BOOK 2601 PAGE 795

50 FOOT STRIP:
A PART OF THE WEST HALF OF SECTION 1, TOWNSHIP 29 NORTH, RANGE 21
WEST, GREENE COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS
FOLLOWS:

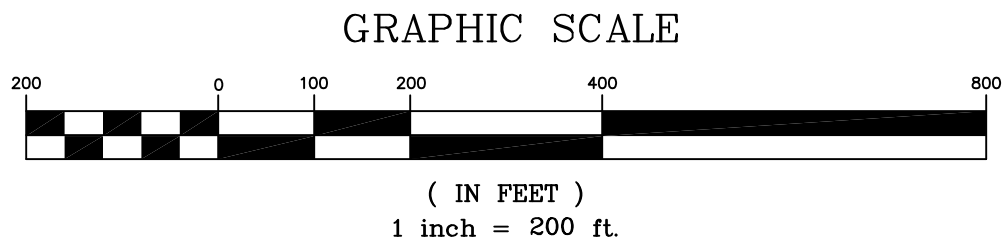
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THEREOF TAKEN, DEEDED, OR USED FOR RIGHT-OF-WAY.

SRC HOLDINGS CORP.
BOOK 2758 PAGE 80

50 FOOT STRIP
2.88 ACRES

5/8" IRON PIN
SE CORNER SW 1/4 SW 1/4
SECTION 1-29-21
PER CO. SURVEY
BK.45, PG.163

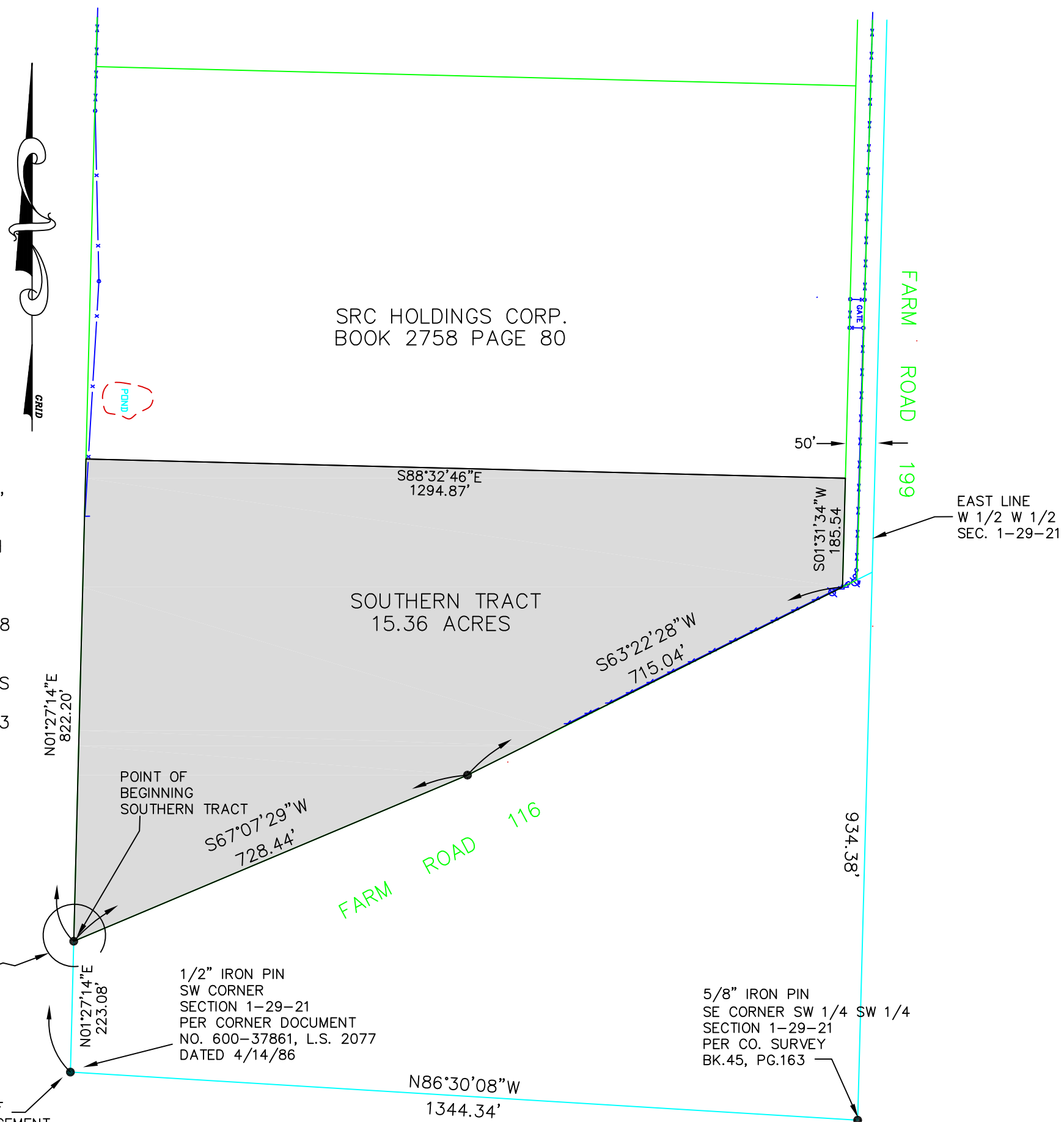
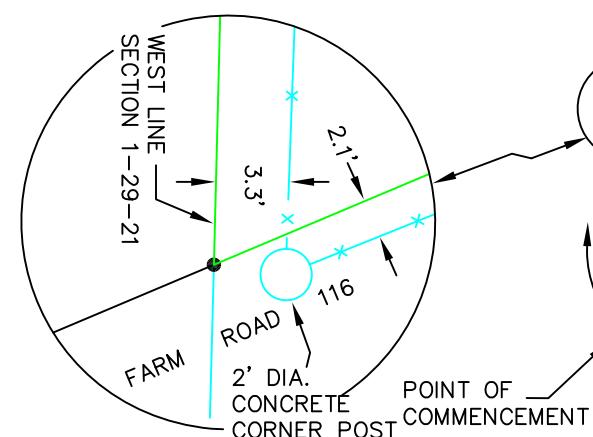
1/2" IRON PIN
SW CORNER
SECTION 1-29-21
PER CORNER DOCUMENT
NO. 600-37861, L.S. 2077
DATED 4/14/86

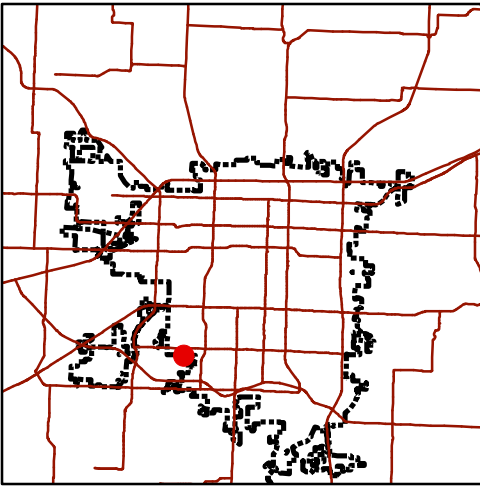


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Development Review Staff Report

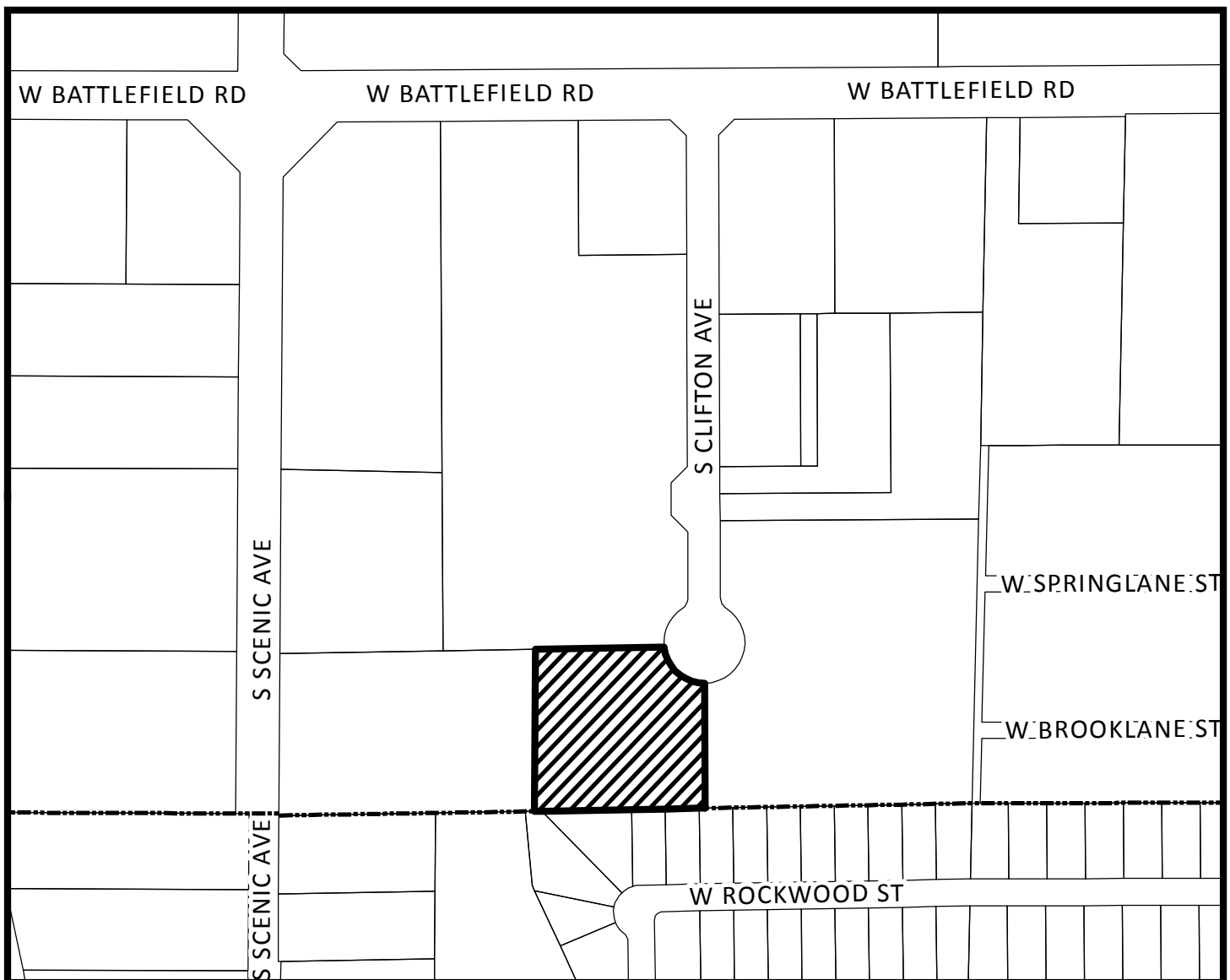
*Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802*

Property Acquisition #512 and Change of Use

LOCATION: 3131 S. Clifton Avenue Street

CURRENT ZONING: IC, Industrial Commercial

LOCATION SKETCH



- Area of Proposal

0 100 200 400
Feet

1 inch = 300 feet

Development Review Report

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

REQUEST TO ACQUIRE NUMBER 512

DATE: June 24, 2015

PURPOSE: To approve the acquisition of property by the City of Springfield Fire Department

BACKGROUND:

LOCATION: 3131 S. Clifton

APPLICANT: City of Springfield Fire Department

TRACT SIZE: Approximately 2.06 acres

EXISTING USES: Office

RECOMMENDATION:

Staff recommends that this request be **approved**.

FINDINGS:

1. The request is consistent with the Planning and Zoning Commission's land acquisition policy (Attachment 2).

STAFF CONTACT PERSON:

Michael Sparlin
Assistant Planner

ATTACHMENT 1
REQUEST TO ACQUIRE NUMBER 512

APPLICANT'S PROPOSAL:

The City of Springfield Fire Department is proposing to acquire the property at 3131 S. Clifton Avenue for classroom space for personnel training and storage space purposes and construction of a fire training tower.

PLANNING AND ZONING COMMISSION REVIEW:

The *Springfield City Charter* requires the Planning and Zoning Commission to review all proposals to acquire real property by the City for public use. Commission's function in this matter is to determine whether the proposal is generally consistent with the *Comprehensive Plan*.

COMPREHENSIVE PLAN:

The subject property is zoned IC, Industrial Commercial District. The proposed use is generally consistent with the *Comprehensive Plan*. The Growth Management and Land Use Comprehensive Plan designates this area as appropriate for Light Industrial, Office and Office Warehouse land uses.

STAFF COMMENTS:

1. Approval of this request is consistent with the Growth Management and Land Use Plan of the Comprehensive Plan which identifies this as an appropriate area for Light Industrial, Office and Office Warehouse.
2. Approval will allow for the productive use of this property as a training facility for the Fire Department.
3. The following language from Article XI, Section 11.7.3, of the City Charter sets forth the Planning and Zoning Commission's function regarding the acquisition of property and the process for appeal of such decision:

“In reviewing and approving all such proposals, the function of the planning and zoning commission shall be to determine whether they are generally consistent with the master plan of the city. No such proposals shall be constructed or authorized until the location, extent and character thereof has been submitted and approved by the planning and zoning commission.

In case of disapproval, the commission shall communicate its reasons to the city council, and the city council, by vote of not less than two-thirds of its entire membership, may overrule the disapproval and, upon the overruling, the city council or the appropriate board or officer may proceed, except that if the proposal is by an agency other than an agency of the city and the authorization or

financing does not fall within the province of the city council, then the submission to the planning commission shall be by the agency having jurisdiction, and the planning commission's disapproval may be overruled by that agency by a vote of not less than two-thirds of its entire membership.”

In the case of this proposed property acquisition, appeal of the decision of the Planning and Zoning Commission would be to City Council.

ATTACHMENT 2
REQUEST TO ACQUIRE NUMBER 512
LAND ACQUISITION POLICY

The Planning and Zoning Commission has adopted a policy statement for land acquisitions by public bodies. The individual sections of the policy statement are followed by the applicant's response to that section.

1. All land acquisitions shall be consistent with the adopted Plans and Policies of the City of Springfield.

RESPONSE:

The proposed use of this property is generally consistent with the "Master Plan of the City", and is consistent with the Capital Improvements Program submitted by the Fire Department.

2. Proposals for land acquisition and public uses shall consider the effect of the proposed use on the surrounding land uses and shall include measures to mitigate any adverse effects of the proposed use on the surrounding uses.

RESPONSE:

The basic use of the subject property will transition from a commercial occupancy to a facility for use by the Fire Department for "classroom space" and "storage space"

3. If no immediate use is intended for the land proposed for acquisition and the negotiated contract does not include the previous owner removing the structure, existing sound structures should be retained unless such retention is not economically feasible. The current use should be continued, the structure should be used in a manner consistent with adopted Plans until such time as the land will be cleared for the use for which it was acquired, or the structure should be moved to a suitable location.

RESPONSE:

It is the intent of the Fire Department that the facility be used as "classroom space" and "storage space" to support the activities of the Fire Department. A drill tower may be added immediately adjacent to the current structure to allow for additional training opportunities as budget allows. This will allow for the replacement of the current drill tower, and is consistent with the Capital Improvements Program.

4. At a minimum, the acquiring agency should either attempt to preserve architecturally or historically significant structures in place, or make the structures available to the previous owner or public for moving, or solicit bids from individuals and firms interested in salvaging those items which have architectural significance. Disposition of property when conducted by a City agency shall be made pursuant to City ordinances including the City Purchasing Manual.

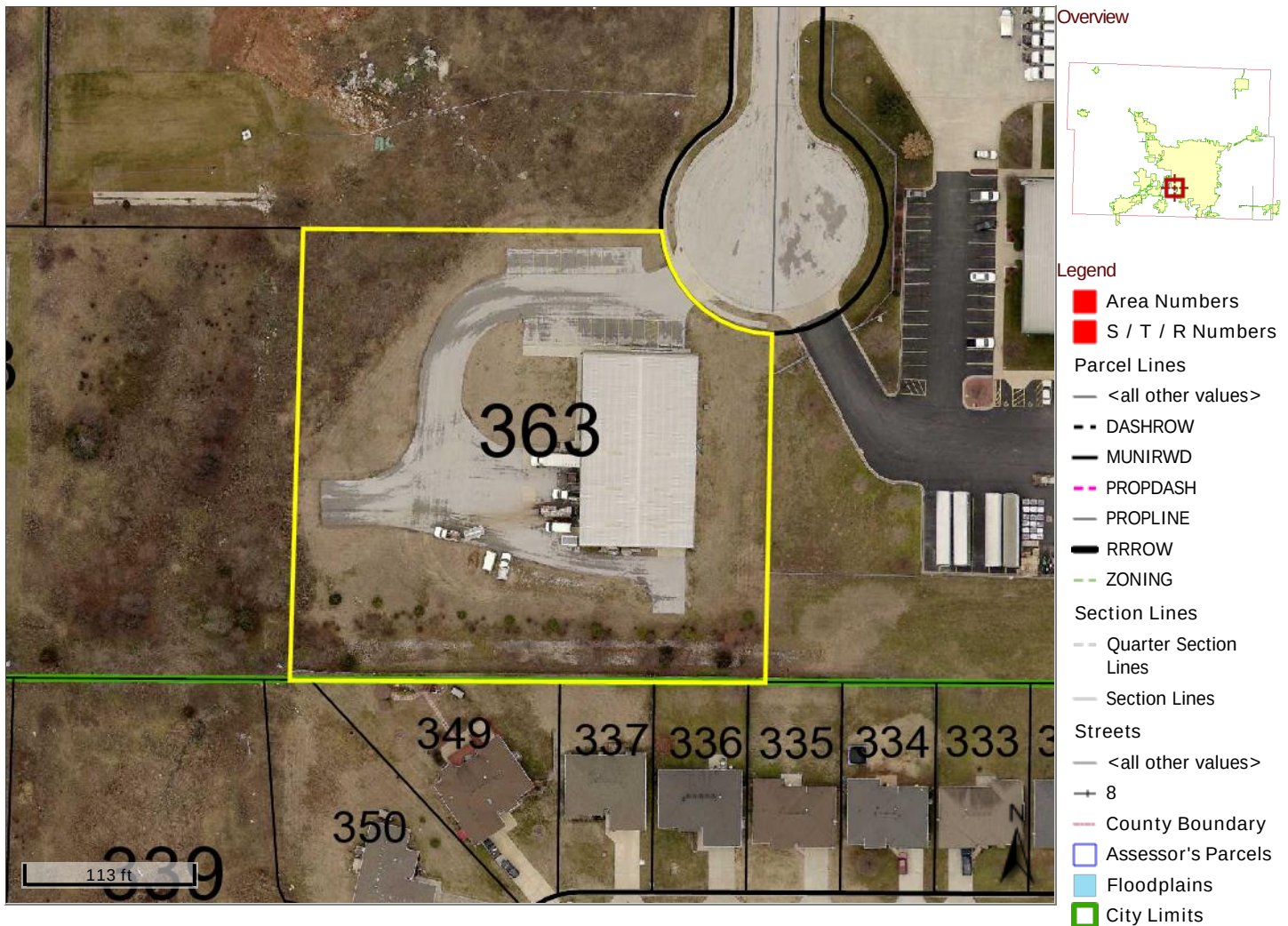
RESPONSE: *The current structure will be used. It is not listed on the Historic Registry.*

5. To the extent possible, the acquiring agency shall make all structures to be removed, regardless of historical or architectural significance, available to the previous owner or public for moving and reuse at another location. Disposition of property when conducted by a City agency shall be made pursuant to City ordinances including the City Purchasing Manual.

RESPONSE:

There is no plan to remove the current structure. The structure will be necessary for the operation of the Fire Department, specifically the Training Division.

Date Created: 6/25/2015



Parcel ID	881803301363	Alternate ID n/a	Owner Address	HI POINT PROP LLC
Sec/Twp/Rng	3-28-22	Class C		PO BOX 13620
Property Address	3131 S CLIFTON AVE SPRINGFIELD	Acreage 2.068		NORTH LITTLE ROCK AR 72113

District	105
Brief Tax Description	BATTLEFIELD/SCENIC BUSINESS DIST PH 5 LOT 3

(Note: Not to be used on legal documents)

Last Data Upload: 6/25/2015 1:39:04 AM

The sinkhole layer represents surface depressions from LiDAR imaging obtained in 2010 and 2011. Most of the sinkholes shown have not been field verified and are provided for informational purposes only. This layer should not be used as a substitute for a geological or geotechnical investigation. Questions regarding



developed by
The Schneider Corporation
www.schneidercorp.com

**PLANNING AND DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW
MEMORANDUM**

DATE: June 29, 2015

TO: Planning and Zoning Commission

FROM: Daniel Neal
Senior Planner

SUBJECT: Initiate amendments to the Lighting Standards, Personal Storage Business Definition, Maximum Building Coverage in Residential Districts, and Sidewalk Requirements for Commercial Redevelopment

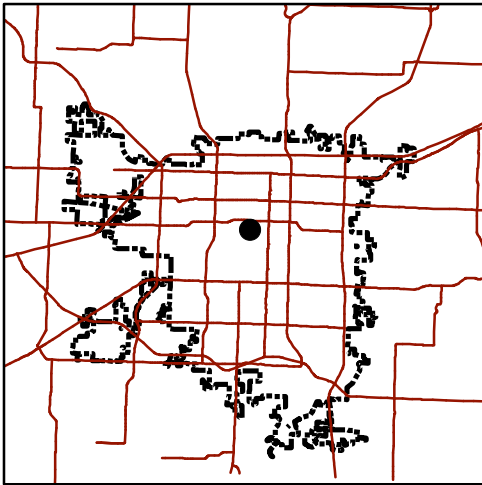
Staff has recently found issues with the current Lighting Standards in Section 6-1400 of the Zoning Ordinance. The current Lighting Standards do not permit more than a footcandle of lighting beyond a property line even when abutting a public right-of-way. Staff is proposing to modify the Zoning Ordinance to allow the maximum lighting when abutting a public street to the centerline of the public right-of-way which will allow for more lighting along the sidewalk and right-of-way shoulders.

Staff is also proposing to modify the Lighting Standards 6-1400 to consider multiple lots that are functioning as a premise to not restrict the light spill over at the interior lot lines. A premise is defined as either having shared parking, common management, common identification, common access or shared circulation. This will allow such developments to use lighting sources across the interior property lines and not restrict each lot to contain the lighting.

Our current Zoning Ordinance makes reference to a personal storage business, but does not define it. Staff is proposing to define a personal storage business and modify any other sections of the Zoning Ordinance to address this clarification.

A previous amendment removed the maximum building coverage requirements from all zoning districts. However, staff has found that in our Accessory Structure and Uses section it still refers to maximum building coverage for residential properties. Staff is proposing to modify this section to regulate accessory structures by the maximum open space allowed per the zoning code instead of a maximum building coverage.

The Zoning Ordinance was amended in 2014 to require sidewalks at the time of development for any commercial redevelopment involving site work. Staff has identified problems associate with the implementation of Section 5-3103 and wishes to propose amendments to address those concerns.



Development Review

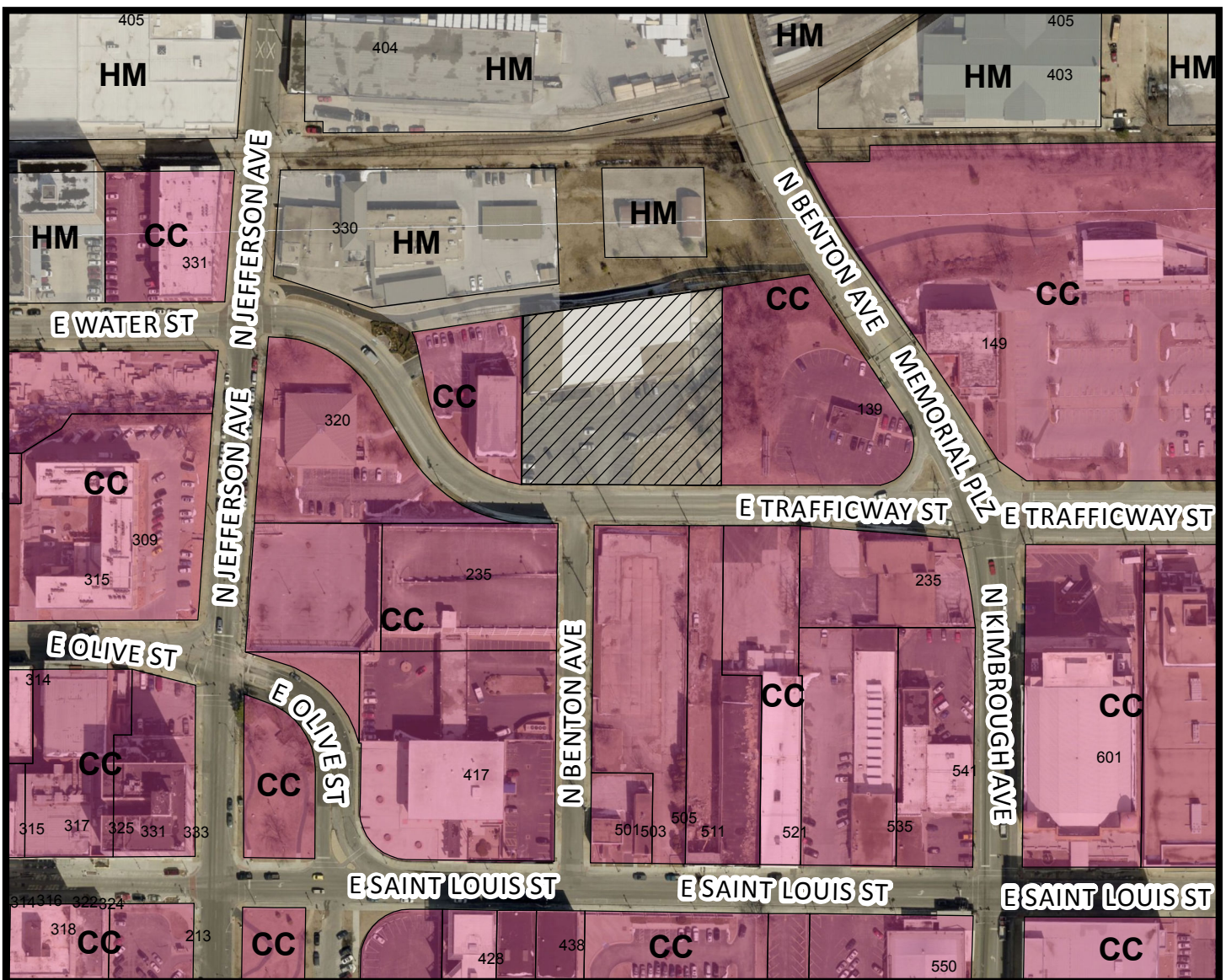
Staff Report

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

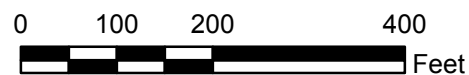
Zoning Case Z-20-2015/ Conditional Overlay District No. 95

LOCATION: 505 East Trafficway
CURRENT ZONING: HM, Heavy Manufacturing District
PROPOSED ZONING: CC, Center City District with COD #95

LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-20-2015 & CONDITIONAL OVERLAY DISTRICT NO. 95

PURPOSE: To rezone approximately 1.26 acres of property generally located at 505 East Trafficway from an HM, Heavy Manufacturing District to a CC, Center City District; and establishing Conditional Overlay District No. 95.

REPORT DATE: June 18, 2015

LOCATION: 505 East Trafficway

APPLICANT: Springfield Tool & Die

TRACT SIZE: Approximately 1.26 acres

EXISTING USE: Flea market

PROPOSED USE: Mixed-use development as permitted in the CC, Center City District

FINDINGS FOR STAFF RECOMMENDATION:

1. The requested CC zoning is consistent with the existing CC zoning to the west, south and east.
2. The Comprehensive Plan recommends more density and intensity in the greater downtown are similar to the land uses permitted within the Center City District.
3. The proposed zoning will accommodate mixed-use buildings with strong pedestrian orientation at this location which is recommended and encouraged within the greater downtown area.

RECOMMENDATION:

Staff recommends approval of this request with the requirements of Conditional Overlay District No. 95 (see ATTACHMENT 1).

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	HM	office and commercial and warehousing uses
East	CC	restaurant
South	CC	office and commercial uses
West	CC	office uses

HISTORY:

City Council approved General Ordinance 5445 in February 2005 to rezone the property to the west of the subject property from HM, Heavy Manufacturing to CC, Center City.

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* element designates this area within the Greater Downtown land use district. This district which pertains to the downtown and University Plaza portions of Center City, promotes high-intensity office, retail and housing, preferably in mixed-use buildings with strong pedestrian orientation. It suggests that the most appropriate zoning district for this location would be the Center City District.

STAFF COMMENTS:

1. This is a request to rezone this property from an HM, Heavy Manufacturing District to a CC, Center City District to allow for mixed uses at this location. The subject property is within the Center City Activity Center as shown in the *Growth Management and Land Use Plan* element of the *Comprehensive Plan*. Activity Centers area identified as areas of significant business and high-density housing. It is intended that additional development be concentrated in and around these activity centers to optimize transportation investments, citizen convenience, investor confidence and a compact growth pattern. Properties within Activity Centers are to be intensively and efficiently used. The subject property would fit within these criteria.
2. Approval of CC zoning on the subject property would be consistent with the existing CC zoning to east, west and south and is consistent with City Council's approval of CC zoning on the property west of the subject property and other properties City Council has approved for CC zoning to assist in the downtown's revitalization.
3. The rezoning is approved would have to comply with *Section 4-3400, Center City District*, the *Zoning Ordinance* and any other applicable city codes.

4. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 2.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on June 10, 2015 regarding the request for CC, Center City zoning with Conditional Overlay District No. 95. A summary of the meeting is attached (Attachment 3).

PUBLIC COMMENTS:

Seven (7) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. Staff has not received any comments.

CITY COUNCIL MEETING:

July 27, 2015

STAFF CONTACT PERSON:

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

ATTACHMENT 1
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-20-2015 & CONDITIONAL OVERLAY DISTRICT NO. 95

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

Additional Design Requirements

1. Additional right-of-way shall be dedicated for Trafficway to total thirty-five (35) feet from the centerline.
2. Access points are required to be 150 feet apart as required by City Code. The existing driveway approaches must be reconstructed to meet the spacing requirements.
3. A traffic study is required to be completed at the time of development or when the use changes on the property.

ATTACHMENT 2
DEPARTMENT COMMENTS
ZONING CASE Z-20-2015 & CONDITIONAL OVERLAY DISTRICT NO. 95

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not have any objections to the proposed CC, Center City zoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

1. Trafficway is classified as a secondary arterial which requires 35 feet of right of way from the centerline. It appears approximately 10 feet is needed.
2. Rezoning to CC triggers an automatic traffic study. The traffic study can be done as part of the rezoning based on the highest most intense use allowed in CC or a conditional overlay can be submitted to do a traffic study at development of the property when it changes use.
3. The driveways do not meet city code for spacing on a secondary arterial. 150 feet is required between driveways. The driveway approaches will need to be reconstructed to meet this requirement.

STORMWATER COMMENTS:

1. There are no stormwater issues with rezoning this property; however, please note that development (or re-development) of the property will be subject to the following conditions at the time of development:
 - a. Any increase in impervious area from 1985 aerial photo information will require the development to meet current detention and water quality requirements. Impervious surfaces in place prior to 1985 and currently in good condition can be credited as existing impervious surface. Existing gravel surfaces meeting the above definition are only eligible for 50% credit.
 - b. Payment in lieu of construction of detention facilities may be approved on a case by case basis, depending on downstream and other conditions. A Buyout Application must be submitted for full consideration.
 - c. The proposed percent of impervious surfacing must not exceed the maximum impervious surfacing allowed for site by zoning.
2. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or a drainage easement.
3. Connect private drainage facilities to public drainage system whenever possible which will require a public improvement plan or excavation permit.

4. A license agreement will be required with the City for the existing public drainage pipe running through the site and underneath the existing building prior to approval of any new construction.

CLEAN WATER SERVICES COMMENTS:

1. No objections to rezoning however the applicant needs to be aware that there is existing public sewer beneath the building.
2. Need to check for an existing sewer easement for this sewer main. If none exists a new easement will be required.
3. No new structures can be built on top of the existing sewer. The existing sewer has been recently rehabilitated and lined.
4. If any new construction is to be done, a build over sewer agreement may be required.
5. If a build over sewer agreement is not desired a sewer relocation could be pursued to eliminate the portion of sewer beneath the building.

CITY UTILITIES:

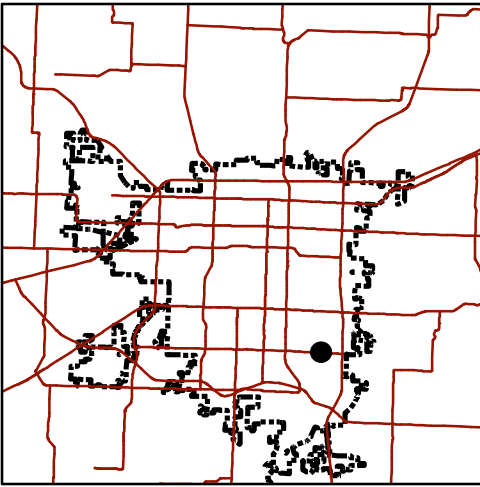
City Utilities does not have any objection to the proposed rezoning. Although CC zoning allows zero setbacks, there are utilities in the adjacent streets that could determine actual building locations due to NESC and other code required clearances.

ATTACHMENT 3
NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: Heavy Manufacturing to Center City
*(existing zoning)**(proposed zoning)*
2. Meeting Date & Time: June 10, 2015 5:30 PM
3. Meeting Location: 319 Event Center
4. Number of invitations that were sent: 38
5. How was the mailing list generated: City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 2
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

Is the area around the proposed zoning Center City as well? Was an incentive offered for the request to re-zone?
How will the change effect parking? If improvements are to be made, how high will the roof be?
The change of rezoning was requested to coincide with the surrounding area. There are plans to upgrade the face of the building;however, there are no definite plans drawn.

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



Development Review

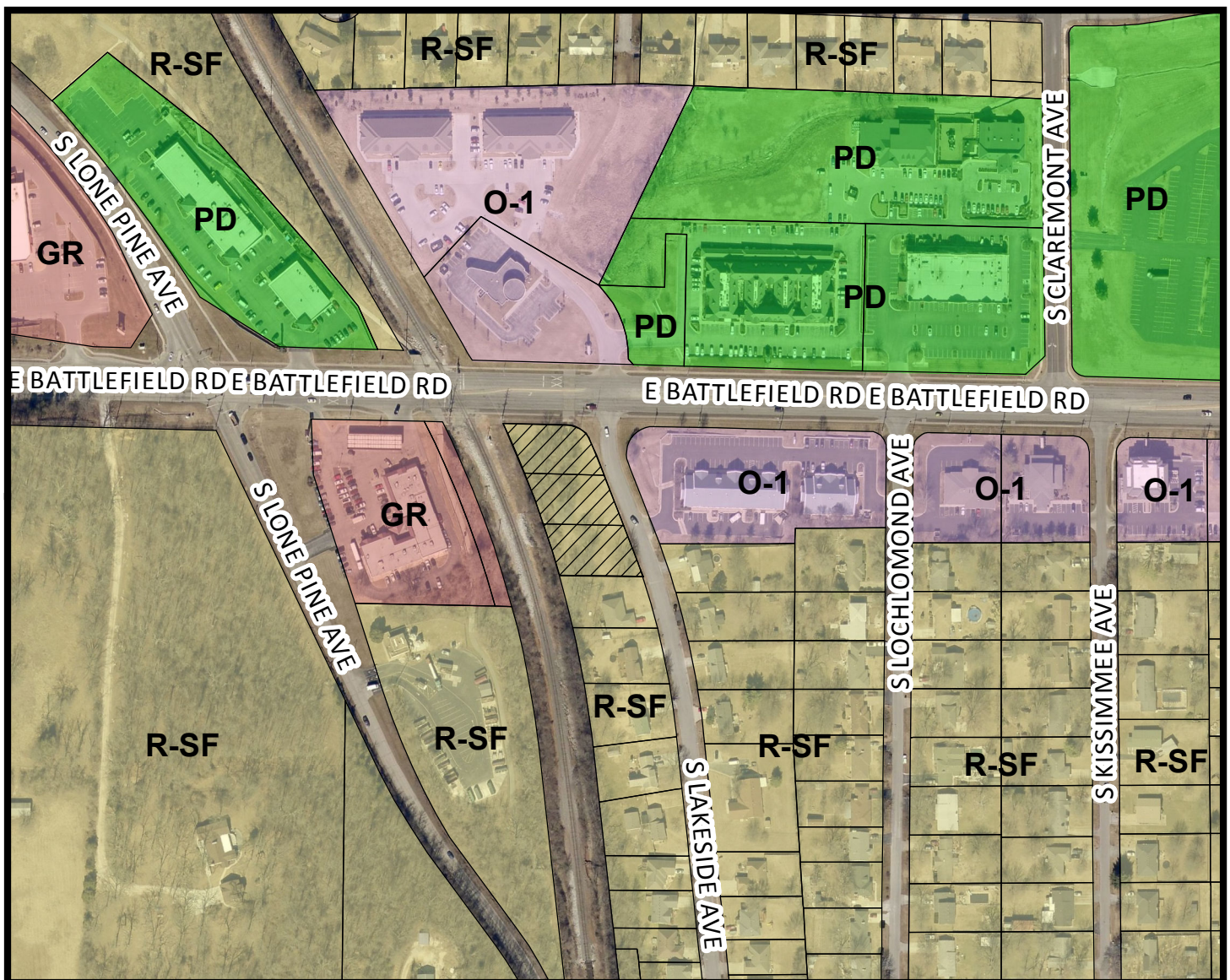
Staff Report

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

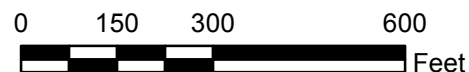
Zoning Case Z-21-2015

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

LOCATION SKETCH



- Area of Proposal



1 inch = 300 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-21-2015

PURPOSE: To rezone approximately 1.03 acres of property generally located at 3005, 3015 and 3027 South Lakeside Avenue from an R-SF, Single Family Residential District to an O-1, Office District.

REPORT DATE: June 22, 2015

LOCATION: 3005, 3015 and 3027 South Lakeside Avenue

APPLICANT: Battlefield Station LLC

TRACT SIZE: Approximately 1.03 acres

EXISTING USE: Undeveloped land

PROPOSED USE: Office uses as permitted in the O-1, Office District

FINDINGS FOR STAFF RECOMMENDATION:

1. The subject property is located along Battlefield, a primary arterial roadway, which is an appropriate location for office development.
2. The proposed O-1 zoning is consistent with the recommendations of the *Comprehensive Plan* to locate for low volume office developments along arterial roadways and as transitions and buffers between higher intensity uses and residential development.
3. The requested O-1 zoning is consistent and compatible with the existing O-1 zoning to the east and north and GR, General Retail zoning to the west and is consistent with the previous approval from City Council for the subject property.

RECOMMENDATION:

Staff recommends approval of this request with the following conditions:

1. A deed of access limitations is approved, with the City of Springfield being a party, and recorded with the Greene County Recorder's Office which prevents vehicular access to Battlefield Road from this tract.
2. The property shall be combined into one tract of land for development or a cross access easement shall be approved and recorded which allows all three lots to access one, centralized permitted driveway on Lakeside Avenue which shall be located across from the existing access on the east side of Lakeside.

If the above conditions are not met within three (3) years after City Council's approval, that approval is null and void and the zoning will remain R-SF, Single Family Residential District.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	O-1, PD 346, PD 140	Bank, office, retail and restaurant uses
East	O-1	Office uses
South	R-SF	Single family homes
West	GR	Retail and restaurant uses

HISTORY:

City Council approved General Ordinance 5639 in January 2007 to rezone the subject property from R-SF, Single Family Residential to O-1, Office District subject to the applicant completing a deed of access limitations preventing direct access to Battlefield and either combining the subject property into a single property for development or providing a cross access easement across all the lots to access one centralized driveway on Lakeside Avenue. The applicant at the time failed to complete the requirements within the six month deadline established in the approved Ordinance and the O-1 zoning became null and void. This is the same request as was previously approved by City Council.

COMPREHENSIVE PLAN:

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. This mixed category indicates that a variety of office, commercial and/or mid-or high-density housing may be appropriate at major intersections or along certain roadway corridors. The Office Land Use Guidelines specify that the location of office districts should be carefully planned and low volume office developments should be used as transitions and buffers between commercial and residential areas.

STAFF COMMENTS:

1. The subject property is located along Battlefield Road, a primary arterial roadway, and is sandwiched between office zoning to the east and general retail zoning to the west. Approval of O-1 zoning at this location is consistent and compatible with the existing zoning and development along Battlefield Road and provides a transition between the high traffic roadway and higher intensity uses on the north side of Battlefield and the residential development to the south.

2. City Council approved a similar request on the subject property in January 2007. The same requirements that were established in the approved Ordinance in 2007 are required with this proposal as well including a deed of access limitations preventing direct access to Battlefield from the subject property and a cross access easement between the lots or a lot combination to combine all the lots into one tract for development. In addition, access on Lakeside must be located across from the existing access on the east side of Lakeside.
3. The rezoning is approved would have to comply with *Section 4-2000, Office Districts*, the Zoning Ordinance and any other applicable city codes.
4. Upon development of the subject property a bufferyard will be required along the south property line of the subject property adjacent to the single family residential zoning and along the east property line where the subject property across the street is zoned single family residential because the right-of-way width of Lakeside is less than seventy (70) feet.
5. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on June 3, 2015 regarding the request for O-1, Office District zoning. A summary of the meeting is attached (Attachment 2).

PUBLIC COMMENTS:

Twenty-eight (28) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. Staff has not received any comments.

STAFF CONTACT PERSON:

Alana D. Owen, AICP
Senior Planner
864-1831

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-21-2015

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not have any issues with the proposed rezoning to O-1. Development of the property will need to take into account the floodplain on the property.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

1. Access must be located across from the existing access on the east side of Lakeside. No access is allowed to Battlefield Road.
2. A sidewalk is required to be constructed along the property frontage when the property develops.

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.
 - b. Payment in lieu of construction of detention facilities will be allowed since the site drains to the FEMA floodplain. However, water quality will need to be provided on site.
 - c. The proposed percent of impervious surfacing must not exceed the maximum impervious surfacing allowed for site by zoning.
2. Based upon City data, there is a significant amount of offsite concentrated stormwater crossing the subject property. Although stormwater detention and water quality do not have to be provided for these flows, drainage easements will be required to convey these flows across the subject property.

CLEAN WATER SERVICES COMMENTS:

Clean Water Services does not have any objections to the proposed rezoning. Public sewer is available to the subject property.

CITY UTILITIES:

City Utilities does not have any objection to the proposed rezoning request.

ATTACHMENT 2

NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: R-SF to O-1

(existing zoning)(proposed zoning)
2. Meeting Date & Time: June 3, 2015
3. Meeting Location: 2808 St. Ingram Mill Rd., Suite A100 Springfield, MO 65804
4. Number of invitations that were sent: 40, three were Return to Sender
5. How was the mailing list generated: City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 5, including Mr. Taunt.
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

SEE ATTACHED

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

Neighborhood Meeting Questions

- 1) How will the property lines be established?
- 2) How will a proposed building effect the Greenway's Trail and the creek below?
- 3) Will there be a variance from O-1 allowed in the future?
- 4) What will be the design of the building?

Neighborhood Meeting Answers

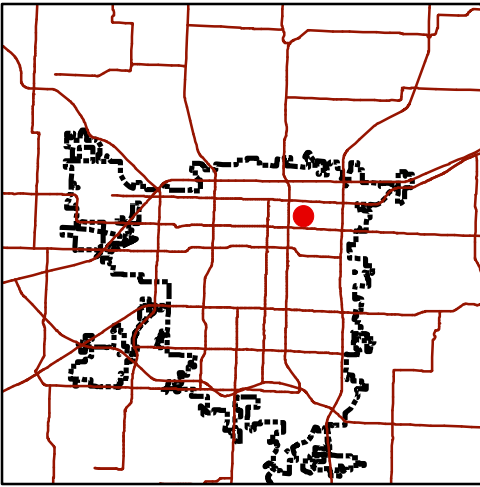
- 1) Property lines will be verified or re-established in accordance with Missouri statues and City of Springfield subdivision regulations
- 2) The proposed development should have little or no impact on the Greenway's since the Greenway does not cross the property in question.
- 3) Any future change in use will be subject to a new public hearing. The current application will not permit eating and drinking establishments.
- 4) Designs of a building for this site are not yet developed.

NEIGHBORHOOD MEETING

APPLICANT: Battlefield Station LLC

CASE NO 00163

[illegible]



Development Review Staff Report

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

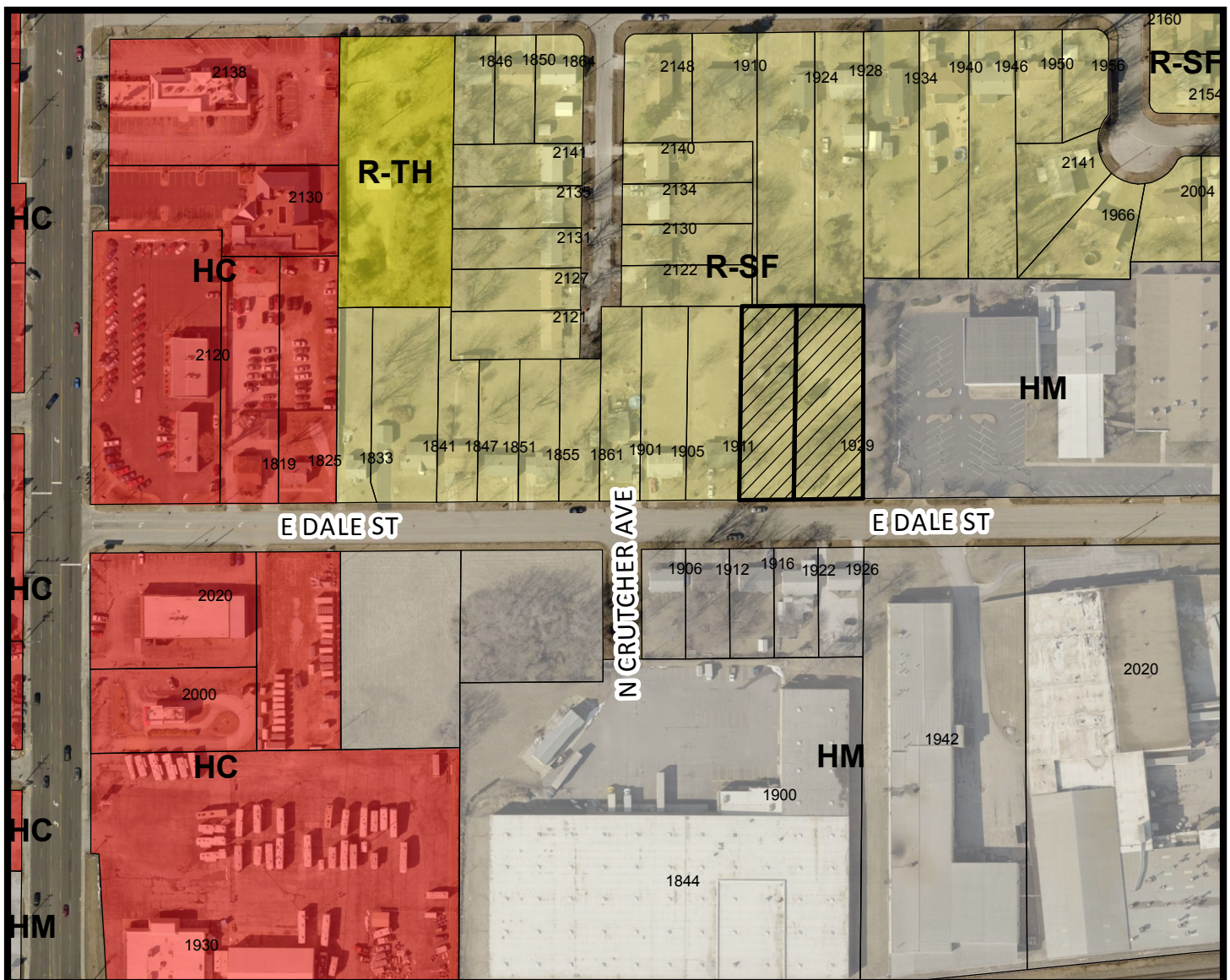
Zoning Case Z-25-2015

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

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-25-2015

REPORT DATE: June 15, 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

FINDINGS FOR STAFF RECOMMENDATION:

1. Growth Management and Land Use Comprehensive Plan and roadway system 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

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 a parking lot. This property provided a 40 feet landscaped bufferyard between the R-SF property to the north and west and the proposed parking lot.

COMPREHENSIVE PLAN:

1. The *Growth Management and Land Use* element of the 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.

STAFF COMMENTS:

1. 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.
2. 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.

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).

PUBLIC 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.

CITY COUNCIL MEETING:

July 27, 2015

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner
864-1834

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-25-2015

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.

Attachment 2: NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: _____ to _____
(existing zoning) (proposed zoning)

2. Meeting Date & Time: _____

3. Meeting Location: _____

4. Number of invitations that were sent: _____

5. How was the mailing list generated: _____

6. Number of neighbors in attendance (attach a sign-in sheet): _____

7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

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

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

**PLANNING AND DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW
MEMORANDUM**

DATE: June 29, 2015

TO: Planning and Zoning Commission

FROM: Daniel Neal
Senior Planner

SUBJECT: Group Home Amendments.

Staff is requesting that Planning and Zoning Commission vote to table the Group Home Amendments until such time as staff brings forward a revised proposal.

**PLANNING AND DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW
MEMORANDUM**

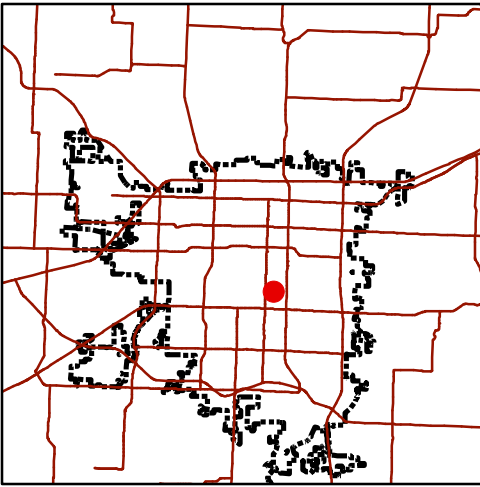
DATE: June 29, 2015

TO: Planning and Zoning Commission

FROM: Daniel Neal
Senior Planner

SUBJECT: Reasonable Accommodation Amendments

Staff is requesting that Planning and Zoning Commission vote to table the Reasonable Accommodation Amendments until such time as staff brings forward a revised proposal.



Development Review

Staff Report

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

Vacation #780

LOCATION: 1100 North Hampton

LOCATION SKETCH



- Area of Proposal



1 inch = 500 feet

DEVELOPMENT REVIEW STAFF REPORT
VACATION NO. 780

PURPOSE: To vacate several portions of obsolete right-of-way within Silver Springs Park to accommodate the placement of Timmons Temple within the Park and to eliminate other unused portions of right-of-way.

REPORT DATE: June 23, 2015

LOCATION: 1100 North Hampton Avenue

APPLICANT: Springfield-Greene County Park Board

FINDINGS FOR STAFF RECOMMENDATION:

1. The requested Vacation #780 meets the approval criteria listed in Attachment 2.

RECOMMENDATION:

Staff recommends **approval** of this request.

STAFF CONTACT PERSON:

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

ATTACHMENT 1
BACKGROUND REPORT
VACATION NO. 780

APPLICANT'S PROPOSAL:

The Park Board is requesting the vacation of several portions of obsolete right-of-way within Silver Springs Park. The intent of the vacation is to accommodate the placement of Timmons Temple within the Park and to eliminate additional segments of unimproved and unused rights-of-way within the park.

TRAFFIC ENGINEERING COMMENTS:

Traffic Engineering does not have any issues with this proposed vacation.

CITY UTILITIES COMMENTS:

Replacement utility easements are needed for existing facilities within the right-of-way proposed to be vacated.

STORM WATER COMMENTS:

There are no issues with storm water as part of the requested vacation. Easements are not required for Jordan Creek since the City will still own the property.

CLEAN WATER SERVICES:

There are no issues with Clean Water Services. Any necessary easements will be retained.

ADJACENT PROPERTY OWNER COMMENTS:

Forty-seven (47) property owners are within three hundred (300) feet of this site and have been notified of this action. Staff has not received any comments.

STAFF COMMENTS:

1. This is a request to vacate six segments of unimproved rights-of-way within Silver Springs Park to accommodate the placement of Timmons Temple within the park and to eliminate additional unused portions of right-of-way. The subject rights-of-way were platted as part of the Fairbanks Addition and J.M. Richardson 4th Addition. The rights-of-way are unimproved and are not needed. Approval of this request will accommodate the placement of the Timmons Temple within the park as the structure is located over one of the existing rights-of-way.

2. All necessary easements to accommodate existing facilities within the subject rights-of-way will be retained as part of this vacation.
3. The proposed vacation meets the approval criteria for vacating right-of-way.

ATTACHMENT 2
APPROVAL CRITERIA
VACATION NO. 780

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:

The adjacent property is all part of Silver Springs Park.

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 Springfield-Greene County Park Board 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 rights-of-way serves no useful purpose since they are unimproved and not needed.

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 #780

DESCRIPTION FOR STREET VACATION:

Tract 1: All that part of Hampton Avenue in Silver Springs Park described as follows: Beginning at the Southeast corner of Lot 14 of Block 17 of J. Fairbanks Addition; Thence North along the east line of said Block 17 and the west right of way line of Hampton Avenue a distance of 314.3 feet, more or less, to the easterly right of way of the Burlington Northern Railroad; Thence Northeasterly along the said right of way a distance of 120.0 feet, more or less to the west line of Block 25 of J. Fairbanks Addition and the east right of way of Hampton Avenue; Thence South along the said east right of way of Hampton Avenue a distance of 417.4 feet, more or less, to the north right way of Webster Street; Thence West along said north right of way a distance of 60.0 feet to the Point of Beginning. Containing 0.5 acres, more or less.

Tract 2: All that part of Webster Street in Block 25 of J. Fairbanks Addition. Containing 0.6 acres, more or less.

Tract 3: All that part of Calhoun Street in Silver Springs Park described as follows: Beginning at the Southeast corner of Lot 27 of J. M. Richardson's Fourth Addition; Thence South a distance of 50.0 feet to the south right of way of said Calhoun Street; Thence West along said south right of way a distance of 439.1 feet, more or less, to the easterly right of way of the Burlington Northern Railroad; Thence Northeasterly along said right of way a distance of 57.7 feet, more or less, to the Southwest corner of Lot 34 of J. M. Richardson's Fourth Addition, which is on the north right of way of said Calhoun Street; Thence East along the said north right of way a distance of 410.2 feet to the Point of Beginning. AND ALSO, any part of Calhoun Street lying and being West of the west right of way of Florence Avenue in Block 25 of J. Fairbanks Addition. Containing 0.5 acres, more or less.

Tract 4: All of that part of Lynn Street in Silver Springs Park described as follows: Beginning at a point 30 feet East of the Southeast corner of Lot 1 of J. M. Richardson's Fourth Addition, said point being on the west right of way of National Avenue; Thence West along the north right of way of Lynn Street a distance of 301.5 feet to the easterly right of way of the Burlington Northern Railroad; Thence Southwesterly along said right of way a distance of 57.7 feet, more or less, to the Northwest corner of Lot 18 of J. M. Richardson's Fourth Addition, which is on the south right of way of said Lynn Street; Thence East along the said south right of way a distance of 329.7 feet to the said west right of way of National Avenue; Thence North along the said west right of way a distance of 50 feet to the Point of Beginning. Containing 0.36 acres, more or less.

Tract 5: All of that part of an alley in Silver Springs Park described as follows: Beginning at a point 30 feet East of the Southeast corner of Lot 23 of J. M. Richardson's Fourth Addition, said point being on the west right of way of National Avenue; Thence West along the north right of way of the said alley a distance of 455.4 feet to the easterly right of way of the Burlington Northern Railroad; Thence Southwesterly along the said right of way a distance of 18.5 feet to the corner of Lot 32 of J. M. Richardson's

Fourth Addition, which is on the south right of way of the said alley; Thence East along the said south right of way a distance of 464.3 feet to the said west right of way of National Avenue; Thence North along the said west right of way a distance of 16 feet to the Point of Beginning. Containing 0.54 acres, more or less.

Tract 6: All of that part of an unnamed street dedicated at the Springfield Public Park Board meeting on May 19, 1941, described verbatim as follows: A strip of land 50.0 feet wide 25 feet on each side of the following described center line; beginning 4.5 feet north of the southwest corner of Block 25 Fairbanks addition to the City of Springfield; thence north $40^{\circ}50'$ east 307.2 feet; thence on a 17° curve to the right 146.08 feet; thence on a tangent 67.62 feet; thence on a 34° curve to the left 193.6 feet; thence on a tangent 278.15 feet; thence on a 35° curve 154.3 feet; thence on a tangent 136 feet to the west line of National Avenue.

Development Review Staff Report

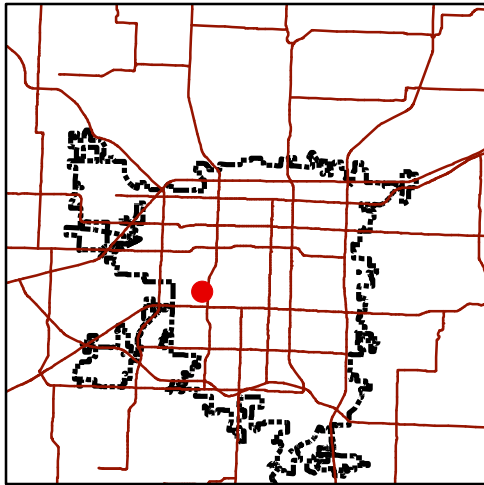
Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802

Planned Development 350

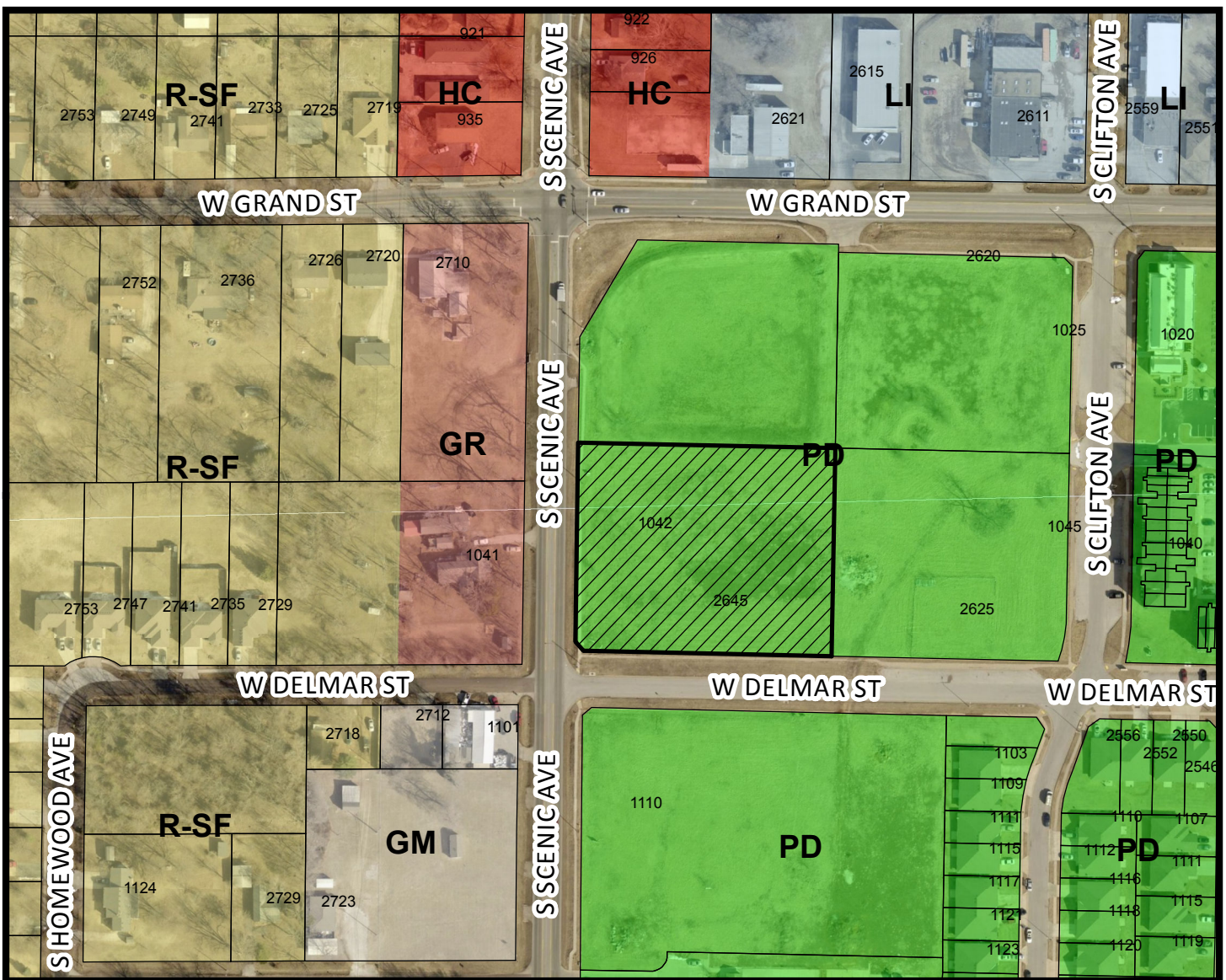
LOCATION: West Delmar Street and South Scenic Avenue

CURRENT ZONING: Planned Development 269

PROPOSED ZONING: Planned Development 350



LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

DEVELOPMENT REVIEW STAFF REPORT
PLANNED DEVELOPMENT 350

PURPOSE: To rezone approximately 1.78 acres of property generally located at 1042 South Scenic Avenue from Planned Development No. 269 to Planned Development No. 350.

REPORT DATE: June 18, 2015

LOCATION: 1042 South Scenic Avenue

APPLICANT: Vecino Group

TRACT SIZE: Approximately 1.78 acres

EXISTING USE: Undeveloped

PROPOSED USE: Multi-Family Development

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of this application is consistent with Planned Development No. 269 which allows for a mixture of uses such as retail, office and multi-family uses.
2. This Planned Development will limit the permitted uses to 26 dwelling units per acre and to affordable multi-family uses that provide supportive service housing for targeted populations including domestic violence victims, veterans, seniors and/or intergenerational housing for youth that are aging out of foster care.

RECOMMENDATION:

Staff recommends **approval** of this request with the requirements of the Planned Development Exhibit 1 and 2 (see attached Exhibit 1 and 2).

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	Planned Development 269	Vacant land
East	Planned Development 269	Vacant land
South	Planned Development 269	Vacant land
West	GR	Residential uses

HISTORY:

City Council approved General Ordinance 5370 in May 2004 to rezone property at southeast corner of Grand Street and Scenic Avenue from GM, General Manufacturing, GR, General Retail, R-TH, Residential Townhouse and R-SF, Single Family Residential Districts to a Planned Development 269 for a mixed use retail, office and residential development. The Planned Development site plan designates the subject property at Delmar Street and Scenic Avenue as a convenience store.

COMPREHENSIVE PLAN:

1. The Growth Management and Land Use Plan designated this area as Light Industrial, Office and Office-Warehouse. The transportation plan classifies Delmar Street as a local roadway and Scenic Avenue as a secondary arterial roadway. Secondary arterial roadways are appropriate for multi-family developments.

STAFF COMMENTS:

1. This property is part of Planned Development No. 269 which was approved for a mixed use development consisting of retail, office and residential uses. This property was approved for a convenience store. Clifton Heights and Scenic Station multi-family developments are located to the east of this property.
2. The applicant is requesting to construct 10 one-bedroom affordable apartments and 36 two- or three-bedroom affordable apartments that provide supportive service housing for targeted populations including domestic violence victims, veterans, seniors and/or intergenerational housing for youth that are aging out of foster care. The maximum density for the development will be 26 dwelling units per acre for the 1.78 acres of property.
3. The current ordinance allows for up to a 10% off-street reduction for bicycle parking (one space per two bike spaces). The project is providing approximately 8 bicycle parking spaces on the site for a 4 space off-street parking reduction. The residential uses within the proposed planned development will not exceed more than 26 dwelling units per acre and require 74 parking spaces (including 12 angled street parking spaces).
4. The subject property is within walking distance of Ewing Park located to the south and the Jordan Creek Greenway.
5. This proposal required a Multi-Family Location and Design Guidelines assessment. The request is consistent with the Multi-Family Development Location and Design Guidelines as approved by the Planning and Zoning Commission and City Council (see Attachment 2 for the assessment).
6. The applicant is required to dedicate right-of-way or a sidewalk easement to allow the existing sidewalk to be located within the public right of way.
7. The rezoning, if approved, would have to comply with the Planned Development Exhibit 1 and Exhibit 2 (site plan), the Zoning Ordinance and any other applicable city codes.

8. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 2.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on June 16, 2015. A summary of the meeting is attached (Attachment 3).

PUBLIC COMMENTS:

Ten (10) property owners are within one hundred eighty-five (185) feet of the subject property and were notified by mail of this request. Staff has not received any comments.

CITY COUNCIL MEETING:

July 27, 2015

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner
864-1834

ATTACHMENT 1
DEPARTMENT COMMENTS
PLANNED DEVELOPMENT 350

BUILDING DEVELOPMENT SERVICES COMMENTS:

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

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

1. The site plan shows the sidewalk on Scenic and Delmar on private property. Enough right of way is needed to locate the sidewalk on public property. Please verify through a survey how much right of way will be needed to locate sidewalk in public right of way or sidewalk easement.
2. No traffic study is required.

STORMWATER COMMENTS:

1. There are no stormwater issues with rezoning this property; however, please note that development (or redevelopment) 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.

ATTACHMENT 2
MULTI FAMILY DEVELOPMENT LOCATION AND DESIGN GUIDELINES
ASSESSMENT FOR PLANNED DEVELOPMENT 350

According to the Multi-Family Location and Design Assessment Matrix, the proposed development has attained 11 points, thus permitting a housing density of 18-20 dwelling units/acre. The applicant is requesting 10 one-bedroom apartments and 36 two- and three-bedroom apartments which equates to approximately 26 dwelling units per acre for the 1.78 acres of property. Staff may consider a recommendation of a higher density than that determined by the matrix calculation when the site is located in close proximity to higher density with a need for additional housing. Below is an analysis of the five categories used to calculate the Matrix score.

A. Land Use Accessibility (1/3 points)

Two points were given for land use accessibility. One point for neighborhood retail at State and Scenic. There is a recreational-park/greenway at Bennett Street (Ewing Park and Jordan Creek Greenway) however, the points were not awarded since the park was not at least half way within the 1/2 assessment area.

B. Connectivity Analysis (2/5 points)

Two out of a maximum of five points were given for connectivity analysis.

C. Road Network Evaluation (2/2 points)

A maximum of two points were given for the road network evaluation.

D. Design Guidelines (6/6 points)

Six points were given for design guideline criteria. Below are some of the design considerations that have been incorporated into the proposed development.

1. Pedestrian Amenities - Pedestrian amenities shall include benches placed near walkways at appropriate locations throughout the development. Pedestrian-scale lighting shall be provided within the development lighting sources or luminaries that do have a cutoff shall not exceed a maximum of 30 feet in height. All lighting shall be glare-free and shielded from the sky and adjacent residential properties and structures, either through external shields or through optics within the fixture. A site lighting and photometric plan shall be submitted conforming to these requirements for building permits.
2. Building Scale and Articulation - Street facing walls that are greater than 50 feet in length shall be articulated at least each 25 feet with bays, projections or recesses. Articulation means a difference in the vertical plane of the building at least 18 inches or more. This project shall be in compliance with the attached site plan and elevations

3. Building Orientation and Interior Landscaping - Building orientation shall address the Streets and building alignments per submitted site plan. Landscaping and open spaces shown shall be provided with approved ground cover and/or plantings per required city ordinances and zoning requirements. Landscaping islands with plantings shall be located throughout the parking lot. A landscaping plan shall be submitted conforming to these requirements for building permits.
4. Avoidance of Blank Walls along pedestrian circulation areas - Facades that face public streets or connecting pedestrian frontage that are greater than 25 feet in length shall be subdivided and proportioned using at least one or more of the following features windows, entrances, arcades, arbors, awning (over windows or doors), distributed along the façade at least once every 25 feet. This project shall be in conformance with the attached site plan and elevations
5. Internal Connectivity – Internal sidewalks shall connect internally and to the public sidewalk system in accordance to the attached site plan.
6. Useable Recreational Area/Facility – Benches will be located throughout the common areas providing for useable tenant amenities. A minimum of 15% usable open space shall be provided in accordance with the attached site plan.
7. Amenity Calculation – The following amenities shall be provided: Outdoor recreation areas such as picnic tables and grills will be located in the two locations per the site plan. The recreation area and benches shall be in accordance with the attached site plan.
8. Preservation of Trees –All existing trees of 6” caliper or greater shall be preserved or replaced with 2-inch caliper trees in accordance with the attached site plan and the city ordinance.
9. Maximum density (du/acre) shall not exceed maximum 26 units per acre for PD 350 zoning as indicated on the attached site plan.

Density Bonus:

The Guidelines allows for a density bonus which is allowed if a development has met the minimum matrix points for a specified density, at least half the design guidelines are met, and will not exceed 40 dwelling units per acre (du/ac). The total additional bonus dwelling units are as follows;

Affordable Housing: An increase of 2 dwelling units per acre for providing affordable housing. The affordable housing obligation may be fulfilled by a set-aside of no less than 20 percent of the units for occupancy by, and at rates affordable to, households earning

no more than 65 percent of the median area income, adjusted for family size (Income figures shall be obtained from the U.S. Dept. of Housing & Urban Development); Affordable rates are units available for rent without spending more than thirty (30) percent of their gross income.

In order to qualify for the affordable housing bonus, the following is required: an agreement with the City or deed restrictions specifying 1) the number of affordable units provided; 2) the income limits; 3) maximum rent limits subject to annual change; and 4) the period of time that these units must remain affordable (minimum ten (10) years). In the event that rental units cease to be affordable before the expiration of the minimum period of affordability, the City shall be entitled to capture the increase in value over the original purchase value of the rental unit that makes it no longer affordable as defined above.

Staff recommends approval for 2 additional dwelling units per acre for affordability.

Green Building: An increase of 1 du/ac for Certified, 1.5 du/ac for Silver, 2 du/ac for Gold and 2.5 du/ac for Platinum as defined by the Leadership in Energy and Environmental Design (LEED) Green Building Rating System or similar nationally recognized program as approved by the Planning and Zoning Commission and City Council. An increase of 0.50 du/ac for a rating between 1- 50, 1.0 du/ac for a rating between 51-74 and 1.25 du/ac for a rating between 75- 100 for EPA Energy Star. An increase of 0.25 du/ac for Bronze, 0.5 du/ac for Silver and 1.0 du/ac for Gold rating of the National Association of Home Builders Green Building Guidelines (see EPA Energy Star and NAHB Green Building guidelines for more information).

The applicant is proposing on obtaining at least 1 dwelling unit per acre for meeting the Green Building requirements

Opportunities and Constraints

The opportunities and constraints listed in this document must be considered in evaluating a site for higher residential density.

These opportunities and constraints could alter the overall site evaluation in the following ways:

1. A site that has not scored the minimum number of points may be deemed appropriate for a density increase;
2. A site that has scored the minimum number of points may be deemed inappropriate for a given density, or for any density increase; or,
3. A site that has scored the minimum points for some density increase may be deemed appropriate for an even higher density.

1. Is the proposed project a small site —"sandwiched" between higher intensity uses?

Staff may consider a recommendation of a higher density than that determined by the matrix calculation when the site is contiguous to higher intensity uses such as higher density multi-family, retail, office, and institutional uses on two or more

sides. When abutting single-family detached and two-family uses, staff may require additional design elements to encourage compatibility with the surrounding neighborhood.

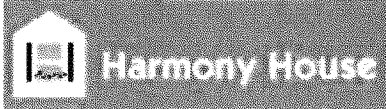
Although the maximum density based on the Multi-family guidelines evaluation did not recommend more than 20 dwelling units per acre, additional density can be allowed based on special circumstances as described in the Guidelines Opportunity and Constraints section. Staff can support an increase in density based on the proximity of the project to adjacent multi-family developments to the east. Staff can support a Planned Development with 10 one-bedroom apartments and 36 two- and three-bedroom affordable apartments at this location.

2. How much higher density exists or is planned or approved for the area?

If the Vision 20/20 Comprehensive Plan or other adopted plans or studies recommend a lower or higher density than that determined by the matrix calculation, staff may consider recommendation of a density more consistent with approved plans

Although the maximum density based on the Multi-family guidelines evaluation did not recommend more than 20 dwelling units per acre, additional density can be allowed based on special circumstances as described in the Guidelines Opportunity and Constraints section. The Growth Management and Land Use Plan recommended higher intensity at this location. The Plan recommended light industrial, office or office warehouse land uses. Staff can support a higher density with the Planned Development for affordable apartments which would be a lower intensity/density than the plan recommended.

ASSESSMENT	DWELLING UNITS PER ACRE
Multi-Family Development Design Guidelines Assessment	20 dwelling units per acre
Density Bonus (Affordability 2 du/ac)	2 dwelling units per acre
Density Bonus (Green Building 1 du/ac)	1 dwelling unit per acre
Opportunities and Constraints Assessment	3 dwelling units per acre
Total Dwelling Units Per Acre	26 dwelling units per acre
Total Units Approved for 1.78 acres x 26 du/ac	46 units



Please join us for a community meeting concerning a zoning change proposed for 2645 W. Delmar. The meeting will be held Tuesday, June 16th, at 5:00 p.m. in the Stalnaker Special Events Room of the Boys and Girls Club at 720 S. Park Avenue, Springfield, MO.

Thank you in advance for your time and participation.



NOTICE

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

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

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

The Land Use or Zoning Change Process:

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

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

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

Bob Hosmer, AICP
Principal Planner
City of Springfield

Development Review Office – Zoning and Subdivision

840 Boonville Ave, Springfield Missouri 65801

EXHIBIT 2: NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: Planned Development to Multi-Family Medium Density
(existing zoning) (proposed zoning)
2. Meeting Date & Time: Tuesday June 16th, 5p.m.
3. Meeting Location: Boys & Girls Club, 7
4. Number of invitations that were sent: 94
5. How was the mailing list generated: City generated mailing labels
6. Number of neighbors in attendance (attach a sign-in sheet): 6
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

1) Residents concerned about safety. Would past abusers be a threat to neighborhood? - VB & HTH stressed security measures that will be integrated in development, as well as Harmony House track record of zero violent incidents on-site @ existing shelter.
(see below)

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

No written comments were submitted.

- 2) Residents interested in current zoning & proposed change.
- VB & HTH explained differences & addressed potential current uses.
 3. Residents curious about on-site property management.
- VB & HTH explained a 40-hour-a-week supportive service provider/case manager would be on-site, as well as a full time property manager.
- overall, low attendance (6 individuals) & open minds seemed to be the general take away from meeting.

Neighborhood Meeting Sign-up Sheet

[illegible]

EXHIBIT 1

Requirements and Standards Applicable to Planned Development District No. 350

No building or other permits may be issued for development permitted by this planned development nor can any changes be made to this property until the final development plan has been approved in the manner described at the end of this exhibit.

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

DEFINITIONS: For purposes of this ordinance, the following definitions shall apply:

Density: The number of dwelling units per unit of land normally expressed as dwelling units per acre. Gross density includes all the land within the boundaries of the particular area including land that may eventually be devoted to streets, public lands and common area. Net density excludes streets, public lands and common area and its calculation shall generally be based on a tract(s) of record satisfying the requirements of Chapter 36, Article II, Subdivision Regulations, Code of the City of Springfield.

Dwelling Unit: One or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household.

Dwelling, Attached: A one-family dwelling attached to two or more one-family dwellings by common vertical walls.

Dwelling, Multifamily: Attached dwellings, involving no horizontal subdivision of land, shall be treated as multifamily dwellings.

Dwelling, semi-detached: A one-family dwelling attached to one other one-family dwelling by a common vertical wall and each dwelling located on a separate lot. These units are also referred to as townhouses or patio homes.

Dwelling, Patio Home: A one-family dwelling on a separate lot with open space setbacks on three sides and a court. Patio homes may be attached to similar homes on adjacent lots and still satisfy this definition. Also known as zero lot line homes.

Floor Area, Gross: The sum of the gross horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including parking or loading spaces for motor vehicles. The gross floor area shall include public or common areas such as public toilets, corridors, stairwells, elevators, machine and equipment rooms, lobbies or mall areas, whether closed or enclosed and shall also include all outdoor areas devoted to retail sales, storage or other activities incidental to the building.

Floor Area Ratio (FAR): The gross floor area of all buildings on a lot divided by the lot area.

$$\text{FAR} = \frac{\text{Gross Floor Area}}{\text{Total Site Area}}$$

Impervious Surface: Any part of a lot that is covered by buildings, structures, parking areas, driveways and any other surfaces which reduce or prevent absorption of storm water.

Impervious Surface Ratio (ISR): The proportion of the site covered by impervious surfaces, and shall be determined as follows:

$$\text{ISR} = \frac{\text{Area covered by impervious surfaces}}{\text{Total site area}}$$

Open Space: Any occupied space on a lot that is unobstructed to the sky except for the ordinary projection of cornices and eaves. Open space shall not include areas covered by structures, decks, porches, parking areas, driveways, internal streets and other forms of impervious surface.

Open Space Ratio (OSR): The proportion of a site covered by open space which shall be determined as follows:

$$\text{OSR} = \frac{\text{Area covered by open space}}{\text{Total site area}}$$

Vehicular Use Area: That portion of a lot that is used by vehicles for access, circulation, parking and loading and unloading. It comprises the total of circulation areas, loading and unloading areas, and parking areas.

USES PERMITTED: The following uses shall be permitted in Lot 3:

1. Residential Uses: Attached dwellings such as townhouses, residential condominiums or multi-family dwellings that are for affordable housing through Missouri Housing Development

Commission (MHDC) Low Income Housing Tax Credits, providing supportive service housing for targeted populations including domestic violence victims, veterans, seniors or intergenerational housing for youth that are aging out of foster care. If not funded through one of these types of programs and providing these types of services, the parking requirements will revert back to city standards in effect at the time of development.

1. Accessory uses: Uses incidental to residential development designed for and available to residents but not open to the public on a common basis. Typical uses include administrative offices for property management and resident specific amenity spaces, model units, carports, garages, maintenance buildings, and gate houses.
2. Community and recreational facilities incidental to residential development: Uses designed for and available to residents but not open to the public on a commercial basis. Typical uses include community rooms, swimming pools, tennis and basketball courts, fitness centers, etc.

USE LIMITATIONS:

1. All uses shall operate in accordance with the noise standards contained in *Section 6-1500 of the Springfield Zoning Ordinance*.
2. All activities or permitted uses shall be conducted within a completely enclosed building, except:
 - a. Automobile parking lots and passenger drop off;
 - b. Accessory outdoor garden and playground area.
3. Screening and fencing shall be provided in accordance with Section 6-1000 of the *Springfield Zoning Ordinance*.

INTENSITY OF DEVELOPMENT: Development shall adhere to the following:

1. The maximum gross residential density for development within Lot 3 is twenty-six (26) dwelling units per acre.
2. Affordable Housing: An increase of 2 dwelling units per acre for providing affordable housing. The affordable housing obligation may be fulfilled by a set-aside of no less than 20 percent of the units for occupancy by, and at rates affordable to, households earning no more than 65 percent of the median area income, adjusted for family size (Income figures shall be obtained

from the U.S. Dept. of Housing & Urban Development); Affordable rates are units available for rent without spending more than thirty (30) percent of their gross income. In order to qualify for the affordable housing bonus, the following is required: an agreement with the City or deed restrictions specifying 1) the number of affordable units provided; 2) the income limits; 3) maximum rent limits subject to annual change; and 4) the period of time that these units must remain affordable (minimum ten (10) years). In the event that rental units cease to be affordable before the expiration of the minimum period of affordability, the City shall be entitled to capture the increase in value over the original purchase value of the rental unit that makes it no longer affordable as defined above.

The project is proposing on obtaining at least 2 dwelling units per acre.

3. Green Building: An increase of 1 du/ac for Certified, 1.5 du/ac for Silver, 2 du/ac for Gold and 2.5 du/ac for Platinum as defined by the —Leadership in Energy and Environmental Design || (LEED) Green Building Rating System or similar nationally recognized program as approved by the Planning and Zoning Commission and City Council. An increase of 0.50 du/ac for a rating between 1- 50, 1.0 du/ac for a rating between 51-74 and 1.25 du/ac for a rating between 75- 100 for EPA Energy Star. An increase of 0.25 du/ac for Bronze, 0.5 du/ac for Silver and 1.0 du/ac for Gold rating of the National Association of Home Builders Green Building Guidelines (see EPA Energy Star and NAHB Green Building guidelines for more information).

The project is proposing on obtaining at least 1 dwelling unit per acre for meeting the Green Building requirements.

DESIGN REQUIREMENTS:

The design requirements shall adhere to the standards shown on Exhibit 2 and in the following:

Design to Encourage Pedestrian Activity

1. The project will provide pedestrian amenities such as pedestrian scale lighting and non right-of- way street furniture to enhance the pedestrian environment. Lighting sources or luminaries that do not have a cutoff and are used in parking lots and pedestrian ways shall not exceed a maximum of 15 feet in height. Lighting sources or luminaries that do have a cutoff shall not exceed a maximum 30 feet in height. Parking lot lighting and pedestrian lighting should be appropriate to create adequate visibility at night and evenly distributed to increase security. All lighting should be glare-free and shielded from the sky and adjacent residential properties and structures, either through exterior shields or through optics within the fixture. Street furniture may include but is not limited to benches; shelters; and decorative

trash bins. There shall be one (1) street/park bench provided within each multi-family development, thereafter, one (1) park/street bench for every 50 dwelling units.

2. The project will blend the building scale and set back with existing developments that are consistent with these guidelines. Street facing walls that are greater than 50 feet in length must be articulated at least each 25 feet with bays, projections, or recesses. Articulation means a difference in the vertical plane of the building of at least 18 inches or more.
3. Buildings adjacent to the street will be situated on the site to provide pedestrian access to the street. Additional interior lot buildings may be oriented toward parking lots or public/common open space. Buildings adjacent to the street shall not have parking lots located between the building and the street. Corner lots may have parking on one street face. Interior areas of parking and vehicular use areas shall contain planting islands every 20 contiguous parking spaces whether double staked or linear. The size of the planting island shall be the equivalent area of one parking space. This shall be used toward satisfying the 5% interior landscaping requirements.
4. Avoid blank walls along pedestrian circulation areas. Facades that face streets or connecting pedestrian frontage that are greater than 25 feet in length shall be subdivided and proportioned using at least one or more of the following features; windows, entrances, arcades, arbors, awnings (over windows or doors), distributed along the façade at least once every 25 feet.
5. The project proposes use of on-street angled parking to encourage pedestrian activity and traffic calming which must have prior approval from the City Public Works Department.

Provide a Good Circulation System

3. The project will provide connectivity by including direct vehicular or access easements, pedestrian and bicycle connections between abutting or adjacent developments, including retail centers and bus stops, wherever possible.
4. Design streets considering pedestrian safety and comfort (i.e. sidewalks, bump outs, crosswalks, street trees). All multi-family development site plans proposing multiple buildings shall connect building entrances to one another and to sidewalks on adjacent public and/or private streets via a minimum four (4) foot wide sidewalk separated from vehicular traffic by a four foot wide planting strip (the 4 foot planting strip does not apply to parking lots where the sidewalk is intended to provide access to the parking lot). Public sidewalks may be considered part of the walkway system if they provide convenient movement between structures. Fences, landscaping and other site improvements shall be located so as not to impede safe and convenient pedestrian circulation. On-site sidewalks shall be designed to connect to off-site sidewalks on adjoining properties and public and/or private streets. Sidewalks shall connect parking areas or parking structures that serve the principal multi-family building; community amenities, such as swimming pools, community centers, other recreational facilities, or common open space; and sub-community facilities intended to serve the particular multi-family building, such as mail centers or bike racks.
5. Each multi-family development shall provide pedestrian and bicycle connections to adjacent existing or proposed parks, greenways, bikeways, and trails wherever practical. There are no practical connections at this property.

6. Provide shared driveways, cross access driveways and/or other forms of connectivity and secondary access to existing or future adjacent developments. We are proposing a possible shared access drive along the north.

Respect the Natural Environment

1. Provide a meaningful amount of useable and accessible recreational area/facility. Each multi-family development shall include at least 15% of the total site or premise as a usable recreational area and/or facility. Usable recreational area/facility is defined as an open recreational area or recreational facility which are designed and intended to be used for outdoor living and/or recreation, and/or amenity. Usable open recreational areas shall not include land occupied by buildings, structures, streets, sidewalks, driveways, or parking areas but may include outdoor recreational facilities such as walkways used solely for recreational purposes/connections, swimming pools, sports courts, clubhouse, community center, exercise room or other amenities as defined in these guidelines. The 15% usable recreational area or facility does not reduce the required 20% open space. All common open recreational areas on the site, including recreational facilities, shall be readily accessible to all occupants and should, wherever possible, be physically connected to other common open space areas on and off the site. Generally, usable open recreational areas should have a minimum dimension of thirty (30) feet in any direction and minimum area of nine hundred (900) square feet; however, it is recognized that open recreational areas can be of a smaller minimum dimension or area provided it meets the definition. The usable open recreational area required shall be generally contiguous and moderately level, with an overall gradient not exceeding ten (10%) percent.
2. Incorporate functional amenities, in the open space and recreational areas. Multifamily development site shall incorporate recreational amenities or facilities from the list below in the following amounts: Multi-family development site with 20 to 50 dwelling units: 1 amenity; Multi-family development sites with 51 to 100 dwelling units: 2 amenities; and Multi-family development sites with more than 100 dwelling units: 3 amenities. There must be at least two (2) different amenities used for Multi-family development sites with more than 100 units. Allowable recreational amenities:
 - a) Exercise room and/or recreation building
 - b) Children's play area,
 - c) Covered Bicycle parking,
 - d) Any proposed amenity found by the City Council to provide recreation or meet the needs of the multi-family development residents to a level similar to that provided by the above
3. A tree six inches or greater in diameter measured 4 1/2 feet above ground must be preserved or replaced with a tree of at least two inches (2) inch diameter—for a maximum total of 7 trees per acre. Trees meeting the landscape requirements in the zoning ordinance may be counted toward this requirement. A tree survey site plan must be submitted with a zoning application in order to assess this requirement. The life of all planted or saved trees shall be guaranteed and maintained for a period of 5 years or shall be replaced with an equal diameter tree. If this is not possible then the total diameter of trees at the time they are lost shall be replaced with an equal diameter amount of trees with no less than 2 inch diameter throughout the project area.

BULK, AREA AND HEIGHT REQUIREMENTS: Development shall adhere to the following:

5. The intent of the following setbacks is to provide for development that is in substantial conformance with that as shown on Exhibit 2 with the buildings placed up to the street with the parking generally placed to the rear or to the side of the building(s).

The following building setbacks are required:

- a. Lot 3: Maximum twenty-five (25) foot setback along Scenic and a minimum ten (10) foot setback along the north and south boundaries and a minimum twenty (20) foot setback along the eastern boundary.

The following vehicular use area, excluding drives to adjoining streets, setbacks are required:

Lot 3: Minimum ten (10) foot setback along Scenic.

5. Maximum height on Lot 3 shall be 4 stories.
6. The maximum impervious surface ratio shall not exceed 0.70 for residential development on each buildable lot.

REQUIRED IMPROVEMENTS. Public and private improvements are necessary to adequately accommodate the intensity of development proposed in this District. The improvements shall be constructed prior to or concurrently with the development of the property. If the development of the property is phased, the construction of the improvements may also be phased provided there is a logical relationship between each phase of the development and the construction of the required improvements. The applicant or subsequent owners shall include with the Final Development Plan(s) a schedule for completion of the required improvements. Prior to building permits being issued to the applicant, or subsequent owners:

- A. The required improvements shall be constructed; or
- B. Assurances satisfactory to the Director of Public Works guaranteeing that all required improvements will be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department shall be provided to the City.

No certificate of occupancy shall be issued for any structure within this District, or phase of the development, unless:

- A. The required improvements are completed prior to occupancy of the structures; or
- B. The Director of Public Works has determined that such required improvements, if not completed, have little or no effect on the occupancy of the facility or conditions beyond the control of the contractor, i.e., strikes, weather, etc., have delayed the completion of the improvements.

If one of these conditions occur, the Director of Building Development Services may permit occupancy under conditions satisfactory to the Director of Public Works that the required improvements will be completed as required by this ordinance within a reasonable time.

Improvements necessary to adequately accommodate the intensity of development proposed in this District include the following:

- 1. The property must be subdivided with a major subdivision, in accordance with the requirements of this planned development, by a separate action by the Planning and Zoning Commission and City Council concurrent with or prior to any development within this district.
- 2. Sidewalks in accordance with Public Works standards are along Scenic Avenue on the frontage of this property. A sidewalk already exists along Scenic, part of which encroaches into Lot 3. An easement or right-of-way dedication will be provided along the west side of the property for the encroachment. Private sidewalks within Lots 3 must connect to the public sidewalk system at appropriate and convenient locations.

ACCESS TO PUBLIC THOROUGHFARES: Development shall adhere to the following:

Access to adjoining public thoroughfares shall be situated in substantial conformance with Exhibit 2.

OFF-STREET PARKING: Development shall adhere to the following:

- 1. The City's off-street parking requirements, off-street loading requirements as well as the off-street parking and loading area design standards, Sections 5-1500, 5-1600 and 6-1300 from the *Springfield Zoning Ordinance* in effect at the time of development shall apply.
- 2. For Lot 3, the parking ratio shall be as follows: One parking space for each dwelling unit plus 10 spaces for staff and visitors.
- 3. Angled head-in parking or loading zones shall be allowed on the south side of Lot 3.

SIGNS: Development shall adhere to the following:

1. All signage within the Planned Development shall be monument type signs.
2. Off-premise signs, as defined by the City sign code, are prohibited.
3. All other provisions of the *Springfield Zoning Ordinance* for signage permitted for business areas shall be complied with.

PERIMETER TREATMENT: Development shall adhere to the following:

1. Screening and fencing, and landscaping requirements for off-street parking and vehicular use areas is required in accordance with Sections 6-1000 and 6-1200 of the *Springfield Zoning Ordinance* in effect at the time of development.
2. No structures, signs, mechanical equipment, vehicular use areas (except those drives required to provide access to adjoining public thoroughfares) are permitted within these bufferyards. The surface of these bufferyards, or other required landscaped areas, shall be maintained with a living ground cover.
3. Waste cans, dumpster units, or other forms of litter control and refuse disposal devices shall be placed within the district where they are least visible from a public street or adjoining properties. Screening of these devices, in the form of a sight-proof fence or wall, shall be provided. These devices may not occupy parking spaces required by this exhibit.
4. A landscape plan, showing conformance with these requirements, shall be submitted with the final development plan.

EXTERIOR LIGHTING: Development shall adhere to the following:

The purpose of this section is to regulate the spillover and glare on operators of motor vehicles, pedestrian and land uses in the proximity of the light source. With respect to motor vehicles in particular, safety considerations form the basis of the regulations contained herein. In other cases, both the nuisance and hazard aspects of glare are regulated. This section is not intended to apply to public street lighting, signs or seasonal displays.

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

DESIGN REQUIREMENTS: Development shall adhere to the following:

1. Structures on Lot 3 shall display a similar level of quality on all building facades.
2. Building elevations, showing compliance with these requirements and detailing the architectural elements, shall be submitted with the final development plans for structures within lot 3.

PHASING: Development shall adhere to the following:

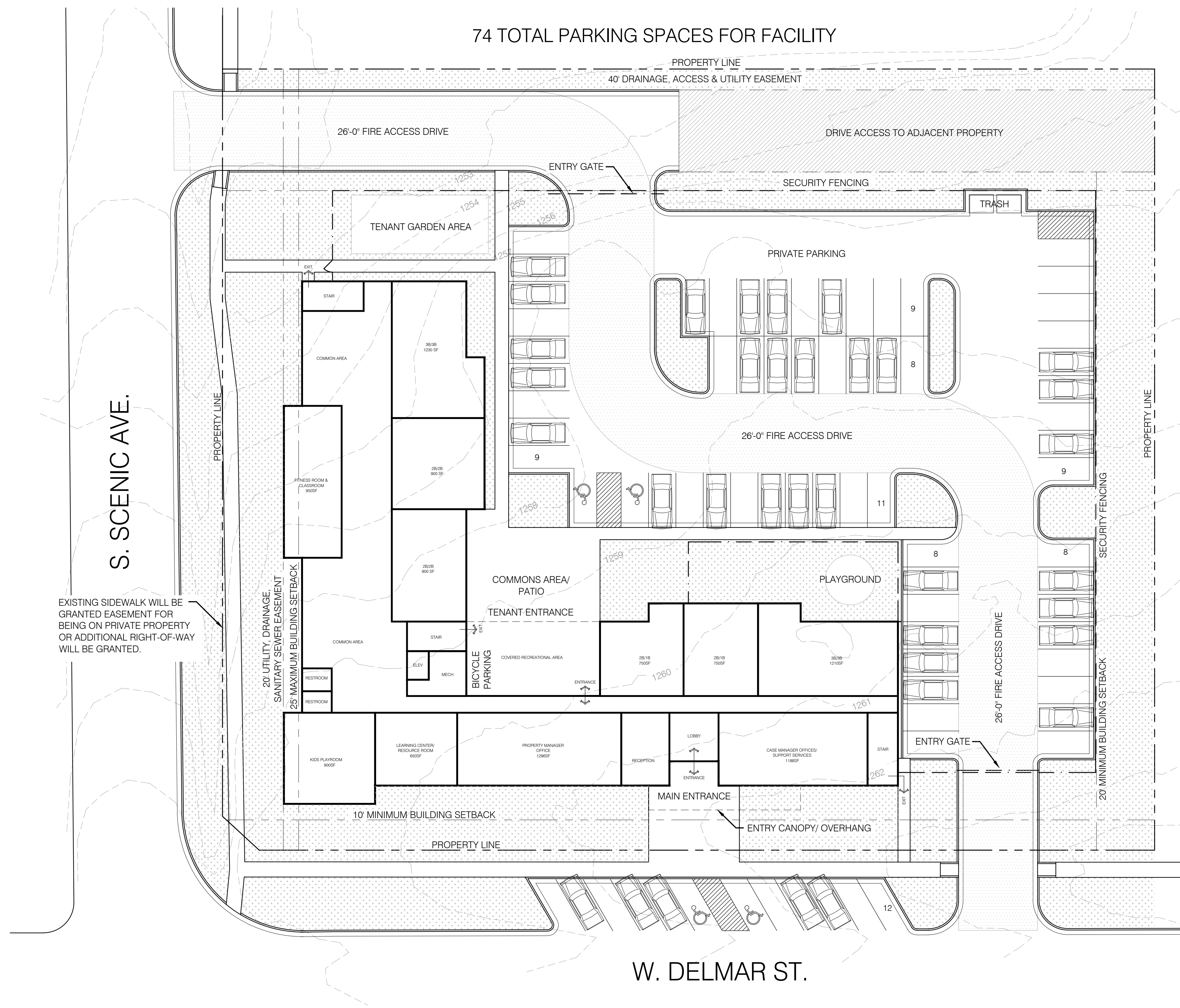
Development of Lot 3 will not be phased.

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

The Administrative Review Committee is hereby authorized to, acting jointly, approve the final development plan(s) for Lots 3 provided such plan substantially conforms to the provisions of the ordinance.

The Administrative Review Committee is hereby authorized, at its discretion, to approve minor adjustments and modifications to the site plan. Such authority shall not, however, be construed to permit:

- a. Any uses within the district other than those specifically prescribed by the ordinance.
- b. Any increase in the intensity of use permitted within the district.
- c. Any deviation from the height and setback standards prescribed by the ordinance.
- d. Any reduction in the required parking prescribed by the ordinance.



ARCHITECTURE | INTERIOR DESIGN
1435 E. Bradford Parkway, Suite 100 Springfield, Mo 65804
Voice: 417.890.5543 Fax: 417.890.5563

NOT FOR CONSTRUCTION

MULTI-FAMILY LOCATION & DESIGN ASSESSMENT MATRIX:	
PLEASE NOTE THAT THE POINTS INCLUDED IN THE INFORMATION BELOW WERE PROVIDED BY CITY STAFF FOR SECTIONS 5.3, 5.4 AND 5.5. SECTIONS 5.2 AND 5.6 ARE DEPENDENT UPON THE SITE DESIGN LAYOUT AS HEREBY PROVIDED. WE HAVE INDICATED THE ANTICIPATED POINTS THAT WOULD BE AWARDED TO COMPLY WITH THE DENSITY PROPOSED.	
POINTS NEEDED FOR R-LD ZONING (18 UNITS/ACRE) =	11 POINTS
5.4: LAND USE ACCESSIBILITY	1 POINT
5.5: CONNECTIVITY ANALYSIS	2 POINTS
5.6: ROAD NETWORK EVALUATION (DETERMINED BY STAFF CALCULATIONS)	2 POINTS
SUB-TOTAL:	5 POINTS (MINIMUM POINTS MET WITHOUT DESIGN POINTS)
5.7: DESIGN GUIDELINES	6 POINTS PROPOSED
A. DESIGN TO ENCOURAGE PEDESTRIAN ACTIVITY:	
1. PEDESTRIAN AMENITIES	PROVIDED (BENCHES, BIKE PARKING, LIGHTING PROVIDED)
2. BUILDING SCALE AND ARTICULATION	PROVIDED (3 STORIES WITH ARTICULATED FACADE)
3. BUILDING ORIENTATION & INT. LANDSCAPING	PROVIDED (BLDG. ORIENTATION ADDRESSES SCENIC AVE AND DELMAR STREET; MATCHES ALIGNMENT WITH ADJACENT STRUCTURES)
4. AVOIDANCE OF BLANK WALLS	PROVIDED (DIFFERENT MATERIALS AND ARTICULATION IN MASSING AND FACADE)
5. HISTORIC DECONSTRUCTION	NOT APPLICABLE - VACANT LOT
6. ON-STREET PARALLEL PARKING	PARALLEL PARKING NOT PROVIDED, BUT ON-STREET ANGLED PARKING IS PROVIDED.
B. PROVIDE A GOOD CIRCULATION SYSTEM	
1. EXTERNAL CONNECTIVITY	PROVIDED (FUTURE ACCESS PROVIDED TO ADJACENT LOT, 1 ACCESS POINT TO DELMAR STREET)
2. INTERNAL CONNECTIVITY	PROVIDED (WALKPATHS ALLOW EASY ACCESS TO PUBLIC SIDEWALKS AND AMENITIES ON THE SITE)
3. TRAIL CONNECTIONS	NO NEW IMPROVEMENTS FOR THIS - SIDEWALKS ARE PROVIDED ALONG SCENIC AVENUE AND DELMAR STREET. JORDAN CREEK TRAIL CONNECTION IS LESS THAN ONE MILE FROM SITE
4. SHARED DRIVEWAYS	PROVIDED (FUTURE ACCESS PROVIDED TO ADJACENT LOT, 1 ACCESS POINT TO DELMAR STREET)
5. INTERNAL STREETS	NOT APPLICABLE
C. RESPECT THE NATURAL ENVIRONMENT	
1. USEABLE RECREATIONAL AREA/FACILITY	PROVIDED (OUTDOOR COMMON PARK AREA CENTRALLY LOCATED W/ USEABLE TENANT AMENITIES, SUCH AS PLAYGROUND, PATIO, GARDEN, ETC. ON-SITE FITNESS FACILITY IS ALSO PROVIDED.)
2. AMENITY CALCULATION	PROVIDED AS FOLLOWS: OUTDOOR PATIO AREA, FITNESS CENTER ON-SITE, BICYCLE PARKING, SECURITY FENCING & GATED ENTRANCE
3. PRESERVATION OF STEEP SLOPES	NOT APPLICABLE
5.9: DENSITY BONUS	
1. ACTIVITY CENTER	NOT APPLICABLE
2. BUS TRANSFER FACILITY	NOT APPLICABLE
3. BUS STOP SHELTER AND TURN OUTS	NOT APPLICABLE
4. MIXED USE DEVELOPMENTS	NOT APPLICABLE
5. GREEN BUILDING DESIGN	PROVIDED
6. AFFORDABLE HOUSING	PROVIDED
TOTAL POINTS PROBABLE:	11 POINTS + BONUS
DENSITY CATEGORY	
20 DWELLING UNITS PER ACRE	11 POINTS NEEDED
BONUS DENSITY	1 DWELLING UNIT / ACRE FOR GREEN BUILDING DESIGN 2 DWELLING UNIT / ACRE FOR AFFORDABLE HOUSING

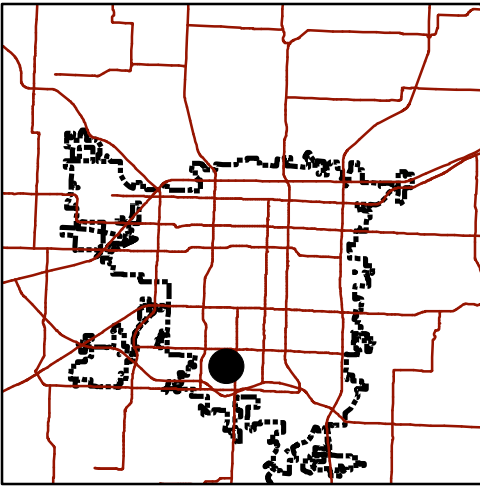
Exhibit 2 - Site Plan

West Delmar Street & South Scenic Avenue

Scale: 1" = 20'-0"

Date: 6.25.15

NOT FOR CONSTRUCTION



Development Review Staff Report

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

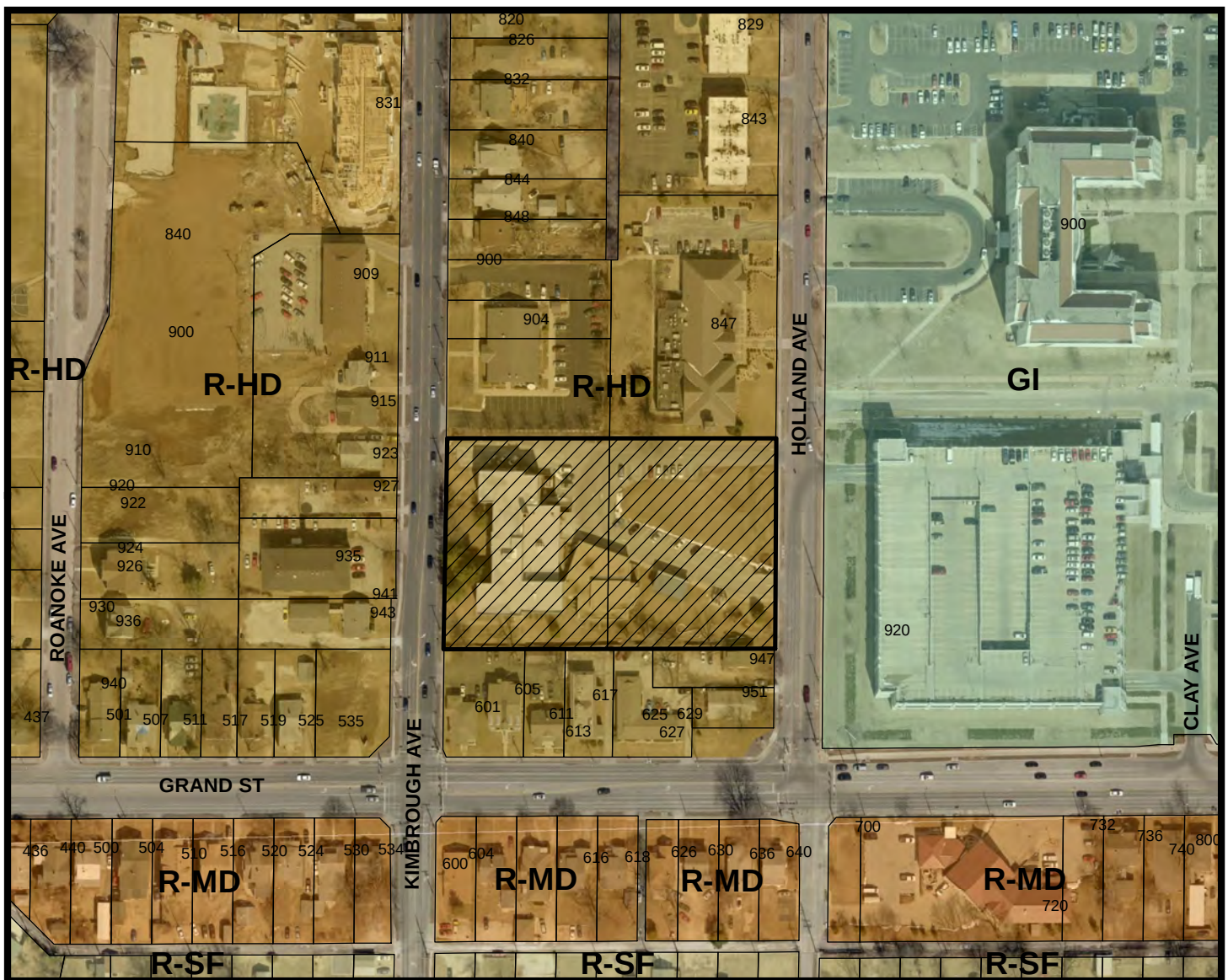
Use Permit 415

Location: 934 S. Kimbrough Ave.

Current Zoning: R-HD, High-Density Multi-Family Residential

Proposed Use: Conditional Use Permit to allow an electronic message board sign in a non-business district

LOCATION SKETCH



- Area of Proposal

0 100 200 400
Feet

1 inch = 200 feet

DEVELOPMENT REVIEW STAFF REPORT
CONDITIONAL USE PERMIT 415

PURPOSE: To allow an electronic message center sign in a non-business area generally located at 934 South Kimbrough Avenue and in a R-HD, High-Density Multi-Family District and UN, University Combining District.

REPORT DATE: June 25, 2015

LOCATION: 934 S. Kimbrough Avenue

APPLICANT: Springfield R-12 School District

TRACT SIZE: Approximately 2.28 acres

EXISTING USE: Phelps Center for Gifted Education (school district use)

PROPOSED USE: Same school district use with an electronic message center sign

FINDINGS FOR STAFF RECOMMENDATION:

1. The proposed sign will be located along Holland Avenue which is adjacent and across from other non-residential uses and will have no adverse affect on neighboring residential properties.
2. This application meets the approval standards for a Conditional Use Permit and is in conformance with the *Comprehensive Plan*.

RECOMMENDATION:

Staff recommends approval of this request with the following conditions:

1. The regulations and standards on Attachment 3 shall govern and control the use and development of the land in Use Permit Number 415 in a manner consistent with Attachment 6, except as modified by Attachment 2, and except any changes made by the Planning and Zoning Commission.
2. The proposed electronic message center sign must be located and constructed in substantial conformance to the attached site plan and elevation.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-HD w/ UN overlay	Church uses
East	GI	Parking garage for MSU
South	R-HD w/ UN overlay	Single and multi-family housing
West	R-HD	Multi-family housing

ZONING ORDINANCE REQUIREMENTS:

1. The conditional use permit procedure is designed to provide the Planning and Zoning Commission and the City Council with an opportunity for discretionary review of requests to establish or construct uses or structures which may be necessary or desirable in a zoning district, but which may also have the potential for a deleterious impact upon the health, safety and welfare of the public. In granting a conditional use, the Planning and Zoning Commission may recommend, and the City Council may impose such conditions, safeguards and restrictions upon the premises benefited by the conditional use as may be necessary to comply with the standards set out in the Zoning Ordinance to avoid, or minimize, or mitigate any potentially adverse or injurious effect of such conditional uses upon other property in the neighborhood. The general standards for conditional use permits are listed in Attachment 3.
2. No conditional use permit shall be valid for a period longer than 18 months from the date City Council grants the conditional use permit, unless within this 18 months:
 - a. A building permit is obtained and the erection or alteration of a structure is started; or
 - b. An occupancy permit is obtained and the conditional use is begun.

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for Community and Public Land Uses. This category includes schools, colleges, public buildings and cemeteries. The Government and Institutional use zoning district should be applied in this land use plan category.

STAFF COMMENTS:

1. The City's Sign Code was amended last year to require any electronic message center signs in a non-business area to be reviewed and approved by Planning and Zoning Commission and City Council. Commission and Council are reviewing whether the location of this type of sign is appropriate in a residentially

zoned district. In this particular case, the proposed sign will be located on Holland Avenue on a public school-owned property across from Missouri State University. The adjacent properties are being used for church or multi-family uses. Staff believes that the proposed sign will create no adverse impacts to the neighboring properties.

2. Staff has reviewed the applicant's request for a Conditional Use Permit and has determined that it satisfies the standards for Conditional Use Permits outlined in Section 3-3310 of the Zoning Ordinance. Any redevelopment of this property must also follow the R-HD, High-Density Multi-Family District and UN, University Combining District requirements.
3. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on June 16, 2015 regarding the request for a conditional use permit. A summary of the meeting is attached (Attachment 4).

PUBLIC COMMENTS:

Six (6) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. Staff has not received any comments.

CITY COUNCIL PUBLIC HEARING: July 27, 2015

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
DEPARTMENT COMMENTS
CONDITIONAL USE PERMIT 415

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not have any issues with the proposed conditional use permit.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

Traffic has no issues with this request.

STORMWATER COMMENTS:

The proposed conditional use permit has no impact on public stormwater.

CLEAN WATER SERVICES COMMENTS:

This conditional use permit has no impact on public sewer.

CITY UTILITIES:

City Utilities does not have any objection to the proposed conditional use permit.

ATTACHMENT 2
REQUIREMENTS FOR CONDITIONAL USE PERMIT 415

1. The proposed electronic message center sign must be located and constructed in substantial conformance to the attached site plan and elevation.
2. All other standards of the Zoning Ordinance and other applicable ordinances shall be adhered to.

ATTACHMENT 3
STANDARDS FOR CONDITIONAL USE PERMITS
CONDITIONAL USE PERMIT 415

An application for a conditional use permit shall be granted only if evidence is presented which establishes the following: (see attached Attachment 5 for the applicant's response)

1. The proposed conditional use will be consistent with the adopted policies in the Springfield Comprehensive Plan;
2. The proposed conditional use will not adversely affect the safety of the motoring public and of pedestrians using the facility and the area immediately surrounding the site;
3. The proposed conditional use will adequately provide for safety from fire hazards, and have effective measures of fire control;
4. The proposed conditional use will not increase the hazard to adjacent property from flood or water damage;
5. The proposed conditional use will not have noise characteristics that exceed the sound levels that are typical of uses permitted as a matter of right in the district;
6. The glare of vehicular and stationary lights will not affect the established character of the neighborhood, and to the extent possible such lights will be visible from any residential district, measures to shield or direct such lights so as to eliminate or mitigate such glare as proposed;
7. The location, lighting and type of signs and the relationship of signs to traffic control is appropriate for the site;
8. Such signs will not have an adverse effect on any adjacent properties;
9. The street right-of-way and pavement width in the vicinity is or will be adequate for traffic reasonably expected to be generated by the proposed use;
10. The proposed conditional use will not have any substantial or undue adverse effect upon, or will lack amenity or will be incompatible with, the use or enjoyment

of adjacent and surrounding property, the character of the neighborhood, traffic conditions, parking utility facilities, and other matters affecting the public health, safety and general welfare.

11. The proposed conditional use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. In determining whether the proposed conditional use will so dominate the immediate neighborhood, consideration shall be given to:
 - a. The location, nature and height of buildings, structures, walls and fences on the site; and
 - b. The nature and extent of landscaping and screening on the site;
12. The proposed conditional use, as shown by the application, will not destroy, damage, detrimentally modify or interfere with the enjoyment and function of any significant natural topographic or physical features of the site;
13. The proposed conditional use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance;
14. The proposed conditional use otherwise complies with all applicable regulations of the Article, including lot size requirements, bulk regulations, use limitations and performance standards;
15. The proposed conditional use at the specified location will contribute to or promote the welfare or convenience of the public;
16. Off-street parking and loading areas will be provided in accordance with the standards set out in 5-1500, 5-1600 and 6-1300 of this Article, and such areas will be screened from any adjoining residential uses and located so as to protect such residential uses from any injurious effect.
17. Adequate access roads or entrance or exit drives will be provided and will be designed so as to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.
18. The vehicular circulation elements of the proposed application will not create hazards to the safety of vehicular or pedestrian traffic on or off the site, disjointed

vehicular or pedestrian circulation paths on or off the site, or undue interference and inconvenience to vehicular and pedestrian travel.

19. The proposed use, as shown by the application, will not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way;
20. In the case of existing structures proposed to be converted to uses requiring a conditional use permit, the structures meet all fire, health, building, plumbing and electrical requirements of the City of Springfield, and;
21. The proposed conditional use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services.



STANDARDS FOR CONDITIONAL USE PERMITS:

The proposed Conditional Use Permit Application for the Phelps Center For Gifted Education, 934 South Kimbrough Avenue, Springfield, Missouri, proposes the construction of a new freestanding detached pylon sign on East side of the Phelps Center property adjacent to Holland Street. The proposed sign will have an overall height of Thirteen Feet Three inches (13'-3"). The proposed sign will display the name of the Phelps Center and contain an Electronic Message Center (EMC) component used to convey Phelps Center messages to the general public, students and student families. The current Springfield Sign Code establishes that use of an EMC in residential zoned properties requires a Conditional Use Permit before installation of said sign.

To address specific concerns, the proposed conditional use shall:

1. The proposed conditional use will not be in opposition to the adopted policies in the *Springfield Comprehensive Plan*, in that said proposed use will have minimum impact or negative affect upon the implementation of the *Springfield Comprehensive Plan*. The proposed conditional use will not change the designated use of any of the real property, or increase any traffic flow at the location.
2. The proposed conditional use will not increase traffic flow at the proposed address and will not adversely affect the safety of the motoring public and of pedestrians using the facility and the immediate surrounding area. The EMC unit will be configured to specifications as set forth and required by Section 5-1408 of the Springfield Sign Code which include limitation to static images only. Static image to hold the display for minimum of 8 seconds before transition to another image. No framing effects, animation, or flashing will be used. Automatic dimming will be integrated into the unit to comply with Section 5-1408.c. The brightness setting of the unit will be set to comply with Section 5-1408.d and the message center component of the sign will not exceed forty percent (40%) of the sign copy area. By remaining within these parameters the sign will not be a distraction to motorists thus increasing the safety risk and will not affect pedestrian traffic safety.
3. The proposed conditional use will adequately provide for safety from fire hazards and will have effective measures of fire control in that all the sign components will be UL listed and approved components for safety standards. Further, all electrical power sources shall be installed by certified and licensed electricians. All power sources and connections will be made and installed pursuant to IBC 2012 standards as required by current Springfield Building Code requirements.

4. The proposed conditional use will not increase the hazard of flooding and water damage to adjacent properties. The sign location and landscaping will serve to reduce flooding, and the sign footprint is miniscule in relation to the surface area of the property, and will not significantly decrease the water retention or absorption property rates of the subject property.
5. The proposed conditional use will not increase any noise signature for the area, in that the EMC unit's noise level at operation is minimal if non-existent. Current model EMC's have no significant sound output. There are no mechanical parts or motors to generate sound or noise signatures. Any sound emitted by the proposed unit will below sound levels that are typical of uses permitted in the immediate district.
6. The proposed use will not produce glare of stationary lights at the location that will affect the established character of the neighborhood, and the unit will be set pursuant to the standards set forth in paragraph 2 above, which shall include automatic dimming technology and settings that do not exceed the brightness standards for residential areas as prescribed by Section 5-1408.d.
7. The proposed conditional use by its location, lighting as described herein and type of sign proposed will not adversely affect the traffic control in the site and surrounding area. The sign will be placed outside of sight triangles as designated by Section 5-1411 of the Springfield Sign Code, and will not mimic or interfere with any adjacent or nearby traffic control instruments.
8. The proposed conditional use will not have an adverse effect on any adjacent properties, in that said proposed sign will be illuminated in compliance with the established maximum brightness level of Section 5-1408.d. Further, the proposed sign is not of large dimensions to be obtrusive to sight lines of adjacent properties and shall constructed of high quality material and workmanship and thus not present an eyesore or be burdensome to the aesthetic beauty of the surrounding area.
9. The proposed conditional use will not increase the traffic in the area or vicinity, and thus the present street right-of-way and pavement width will be adequate for the purpose as established. The sign will be used for informational messages and not for advertising to attract higher traffic counts.
10. The proposed conditional use will be constructed, arranged and operated so as not to have any substantial negative or adverse effect upon the enjoyment of the adjacent and surrounding property. The conditional use will not be adverse to the character of the neighborhood, in that the surrounding and adjacent area is already being used for purposes other than strict residential, including the MSU parking facility to the East of the property and the office building immediately to the North of the

proposed placement of the sign. The proposed conditional use will not affect traffic conditions, parking facilities and any other matter affecting the public health, safety and general welfare of the public.

11. The proposed conditional use will not adversely affect or dominate the immediate vicinity or interfere with the development and use of neighboring property. As stated the immediate vicinity is already subject to restricted use such as educational purposes (MSU) and other non-residential uses. The placement of this sign is in overall conformity with the established theme of the surrounding area for mixed non-residential use, but not full commercial use. The location and height of the sign structure is not intrusive so as to dominate the physical characteristics of the surrounding area. Also, landscaping will be used to enhance and integrate the sign location with the surrounding landscape on the premise. There is established trees and vegetation on the South edge of the property to create a visual buffer and screening of the sign from the immediately adjacent residential property along the South boundary of the property.
12. The proposed conditional use will not destroy, damage or detrimentally modify or interfere with the enjoyment and function of any significant natural topographic or physical features of site. The proposed sign will have a minimum footprint in regard to the footing required for the sign. There will be no extruding guy line or support structure. Further, no significant site excavation will be required that will change the current elevation of the property or its flow and topographical contour. The physical features of the property will have no change with the exception of the sign itself and the surrounding landscape vegetation placed at the sign footing.
13. The proposed conditional use will not will not result in any destruction, loss or damage of any natural, scenic or historical feature of the property. The proposed placement is in empty lawn area covered by grass. No existing structure or landscape vegetation, foliage or trees will be removed or affected by the placement of the proposed sign.
14. The proposed conditional use will have no impact and will not change the properties compliance with all applicable regulations of the zoning classification, including lot size requirements, bulk regulations, use limitations and performance standards as established by the current zoning code and property classification.
15. The proposed conditional use at this location will significantly contribute to and promote the welfare and convenience of the public, in that the EMC unit will be used to convey public awareness messages for the operation of the Phelps Center and its activities. This will be a great benefit to students and their

families that attend or utilize the Phelps Center. The EMC unit will also serve as a means of communication to the general public of Springfield Public School information for district wide events and activities. Increasing public awareness and enhancing public knowledge of the School District and the Phelps Center activities and operations will be an increased benefit to the general public and Springfield community as a whole.

16. The proposed conditional use will not have any impact upon the current off-street parking and loading areas of the property or adjacent property, and thus have no injurious effect on residential uses in the area.
17. The proposed conditional use makes no change or alteration of the existing road entrances or exit drives, and will not be within a sight triangle of any drive. Thus there will be no change to the existing traffic patterns or change to the traffic congestion in public streets or alleys.
18. The proposed conditional use will not change or affect the existing traffic patterns or vehicular circulation elements, and thus not create hazards to the safety of the vehicular or pedestrian traffic on or off the property. The proposed location of the sign will not conflict with any established pedestrian walk ways or sidewalks and will not interfere with any pedestrian circulation paths or travel patterns.
19. The proposed conditional use does not interfere with any easements, rail lines, utilities and public rights-of-way.
20. The proposed conditional use does not impact, affect or change any structure, or require any conversion of any structure, thus all such fixtures and structures will continue to meet all fire, health, building, plumbing, and electrical requirements of the City of Springfield.
21. The proposed conditional use will be served adequately by public facilities, as the only public facility or utility needed in electric power source. All other facility concerns such as highways, streets, parking, police and fire protection, drainage and storm water structures, and refuse disposal will have no effect. Public school facilities will be enhanced by the proposed conditional use. The proposed sign will be an enhancement to the public school system. The Springfield School District will be responsible for the establishment and maintenance of the proposed sign and as such can be expected to adequately provide upkeep and essential services for the proposed sign.



As a result of the factors as set forth above, the applicant herein respectfully submits that all standards as required by Section 3-3310 of the Springfield Zoning Code have been established, and that said factors constitute evidence which establish and verify all of the conditions as set forth by Section 3-3310.

B. The proposed conditional use will be designed and operated in a way that complies with all city sign ordinances, and the operation of the proposed conditional use will not deter or hinder development or use of neighboring property in accordance with applicable district regulations, and that the value, use and reasonable enjoyment of the such property will be enhanced by the additional community communication services such use will provide, and will not impair or adversely affect the neighboring properties.

C. The only foreseeable negative effect of the proposed use might be light transmitted from the sign at night. This will be mitigated in that the sign is equipped with automatic dimming technology that will automatically reduce the brightness based on ambient light, and that the brightness will be within Springfield established sign code standards.

Respectfully Submitted:

Tim Harris

Pinnacle Sign Group, Inc.

By: Tim Harris, Permitting Manager

Acting on behalf of the Springfield Public School System as Agent pursuant to Limited Power of Attorney.



Tim Harris Permitting Specialist
PINNACLE SIGN GROUP
505 N. GLENSTONE,
SPRINGFIELD, MO 65802
O – 417.869.6468 | F – 417.869.1545
www.PinnacleSignGroup.com

ATTACHMENT 5: NEIGHBORHOOD MEETING SUMMARY

1. Conditional Use Permit for: _____

2. Meeting Date & Time: _____

3. Meeting Location: _____

4. Number of invitations that were sent: _____

5. How was the mailing list generated: _____

6. Number of neighbors in attendance (attach a sign-in sheet): _____

7. List the verbal comments and how you plan to address any issues:

(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

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

MEETING SIGN-IN SHEET			
Project:	Phelps Center for Gifted Education 934 S. Kimbrough	Meeting Date:	June 16, 2015 4:00 p.m. – 6:30 p.m.
Facilitator:	Pinnacle Sign Group, Inc. c/o Tim Harris	Place/Room:	Pinnacle Conference Room

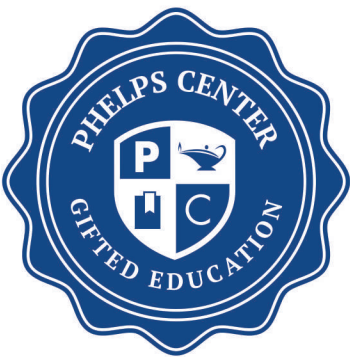
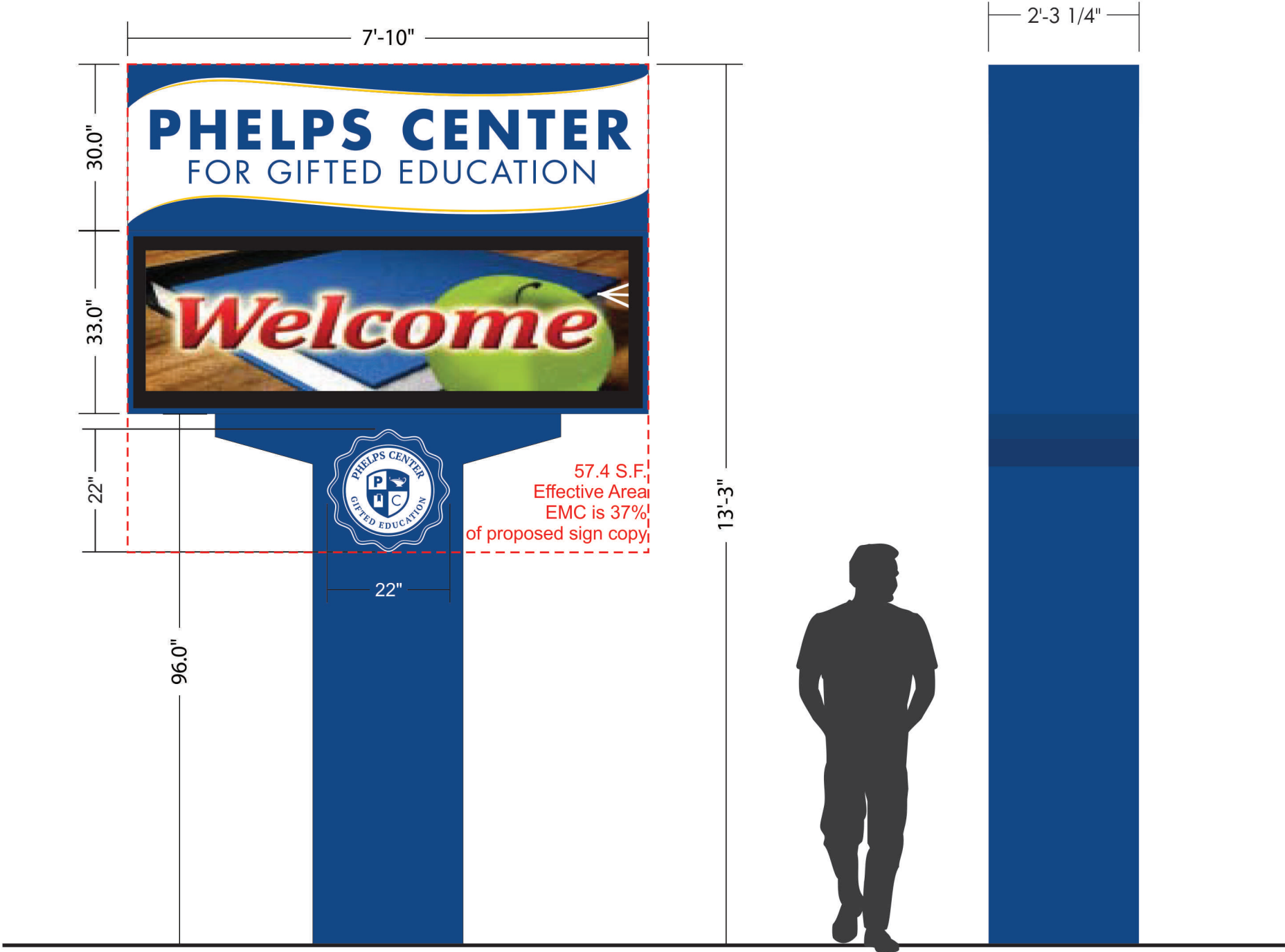
MEETING SIGN-IN SHEET			
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Facilitator:	Pinnacle Sign Group, Inc. c/o Tim Harris	Place/Room:	Pinnacle Conference Room

[illegible]



-APPLIED VINYL

PERMITTING INFORMATION

HEIGHT ALLOWED:	25 FT
HEIGHT USED:	13'3"
ALLOWABLE SIGNAGE:	100 SF
TOTAL SIGNAGE:	57.6 SF

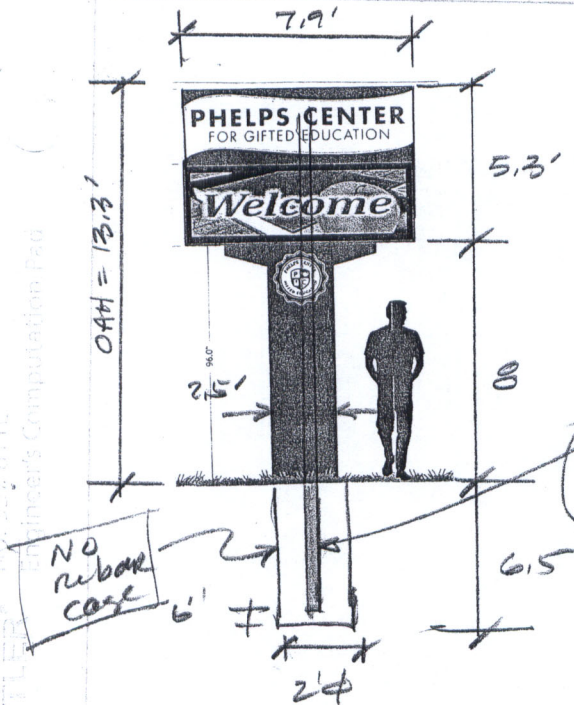
- NO COLOR ALUMINUM PLATE
- NO COLOR CUT-OUT LETTERS

- A Overall Dimensions - 13'9" high x 7'10" wide
- B Identification Panel (Non-Backlit)
2'6" high x 7'10" wide (above Message Center)
- C Daktronics Message Display
AF-3500-32x112-20-R-2V
2'9" high x 7'10" wide cabinet (2'1" x 7'3" active)
-Electronic-message center signs shall be limited to static images only that hold the display for 8 seconds before transitioning
NOTE: Frame effects and animation are prohibited
-sign will be equipped with automatic dimming technology and shall not exceed a brightness level of 0.3 foot candles above ambient light
- D Support Base (Non-Backlit)
8'0" high

PYLON 1-POUS
13.3' OAH

PINNACLE SIGN
PHELPS CENTER

934 S. KIMBROUGH
SPRINGFIELD MO



$$q_z = 0.00254(0.85)(1)(1)(115^2)(1) = 28.8$$

$$F = (28.8)(.85)(1.2) = 29.4$$

use 30

Steel

F

M

$$7.9 \times 5.3 \times 30 = 1256 \times 10.7 = 13,377$$

$$2.5 \times 8 \times 30 = \frac{600 \times 4}{1856 \text{ lbs}} = \frac{2,400}{15,777 \text{ lbs}}$$

1856 lbs

15,777 lbs

$$S_R = \frac{15,777 \times 12}{21,600 \times 1.33} = 6.60 \text{ in}^3$$

$$S_P = \frac{6'' \text{ pipe}}{6.625 \times 0.280} = 8.50 \text{ in}^3$$

$$S_P \times S_R \text{ OK}$$

$$P = 1856$$

2' x 6'

$$M = 15,777$$

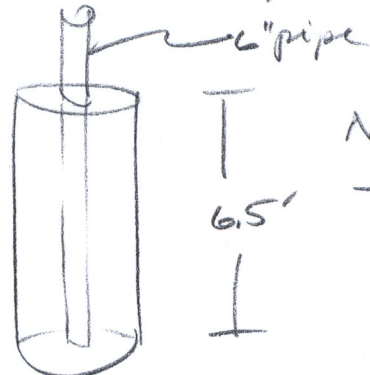
$$h = 8.5$$

$$b = 2$$

$$S_t = (150)(2)\left(\frac{4}{3}\right)\left(\frac{6}{3}\right) = 800$$

$$d = \frac{(1.17)(1856)}{(2)(800)} \left[1 + \sqrt{1 + \frac{1186(800)(2)(8.5)}{1856}} \right]$$

$$d = 6.5 \text{ use } 2' \times 6.5' \text{ deep}$$



NO rebar case

WIND @ 30 PSF 115 mph C1 D struct
SNOW @ 20 PSF
SOILS AT 2000 PSF (ASSUMED)
LATERAL SOIL LOADING AT 150
FOOTING/FOUNDATION 2' x 6.5' dp

POUR CONCRETE AGAINST UNDISTURBED SOILS, NOT BACKFILL
ALL DESIGN, DETAILING, FABRICATION, AND CONSTRUCTION
SHALL CONFORM TO THE FOLLOWING CODES AND
SPECIFICATIONS:

- IBC 2012 - EXP "C" (3-SEC GUST)
- CURRENT INTL. BLDG CODE (IBC)
- AMERICAN SOCIETY OF TESTING MAT'L'S (ASTM)
- BLDG CODE RECOMM. REINF CONC (ACI 318-83)
- CODE FOR WELDING IN BUILDING CONSTRUCTION OF THE AMERICAN WELDING SOCIETY.
- CURRENT SPECS - AMERICAN INST OF STEEL CONST (AISC) - DESIGN, FAB, & ERECTION.
- CONCRETE 3000 P.S.I. @ 28 DAYS COMP STR. (150 P.C.F.)
- REINF STL - ASTM A-615, GR 60, (IF REQD). WELDED WIRE FABRIC (WWF) - ASTM A185
- ALL REINF SHALL BE FREE FROM MUD, OIL, RUST OR COATINGS THAT WOULD REDUCE OR DESTROY BOND
- ALL REINF BARS SHALL LAP 30 DIAMETERS OR 12" MINIMUM, EXCEPT AS NOTED.
- MIN CONC COVER ON TIES, STIRRUPS AND MAIN BARS SHALL BE 1 INCH FOR SLAB, WALL AND SURFACES NOT EXPOSED TO WEATHER OR IN CONTACT WITH GROUND ± 3 INCHES FOR UNFORMED SURFACES DEPOSITED AGAINST GROUND EXCEPT AS NOTED.

STRUCTURAL STEEL AND PLATES - A-36.
STRUCTURAL TUBING - ASTM A-500, GR B, FY=46 KSI.
STRUCT PIPE - ASTM A-53, GR B, FY=36 KSI.
ANCHOR BOLTS ASTM A-307, EXCEPT AS NOTED.
HI STRENGTH BOLTS - CONNECTIONS - ASTM A-325, U.N.O.
WELDING ELECTRODES - AWS D1.1-85, E70xx.
CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS IN THE FIELD BEFORE ERECTION AND NOTIFY THE ENGINEER OF ANY DISCREPANCIES.

NO CABINET ENGINEERING PROVIDED. IF CABINET ENGRG IS REQD, CONTACT THE ENGINEER FOR ADD'L SVCS.
6" OF CONCRETE OR GRAVEL PLACED IN BOTTOM OF FOUNDATION PRIOR TO MAIN POUR.

ISOLATE ALUMINUM FROM STEEL.
ALL BOLT HOLES TO BE DRILLED OR PUNCHED.
ALL PIPE SIZES SHOWN ARE MINIMUM SIZES. PIPE WITH A LARGER DIAMETER, GREATER YIELD STRENGTH, AND/OR GREATER SCTN MOD MAY BE SUBSTITUTED.
ALL STRUCTURAL LENGTHS REQUIRED ARE APPROXIMATIONS ONLY. ACTUAL LENGTH MAY SLIGHTLY VARY DEPENDING ON SIGN CABINET CONDITIONS.
ALL WORK PERFORMED ON SITE SHALL BE DONE ACORDING TO APPLICABLE OSHA REGULATIONS
WATER SHOULD NOT BE ALLOWED TO POND IN THE EXCAVATION PRIOR TO CONCRETE PLACEMENT OR ABOVE CONCRETE AFTER THE PDN IS COMPLETED
EXERCISE CARE DURING EXCAVATION OF THE FOUNDATION TO MINIMIZE DISTURBANCE TO THE SURROUNDING SOILS.

CALCULATIONS SHOWN ON THESE SHEETS ARE ONLY FOR THE BASE POLE(S) AND CONCRETE BASE-FOUNDATION

SR = SECTION MODULUS REQUIRED
SP = SECTION MODULUS PROVIDED



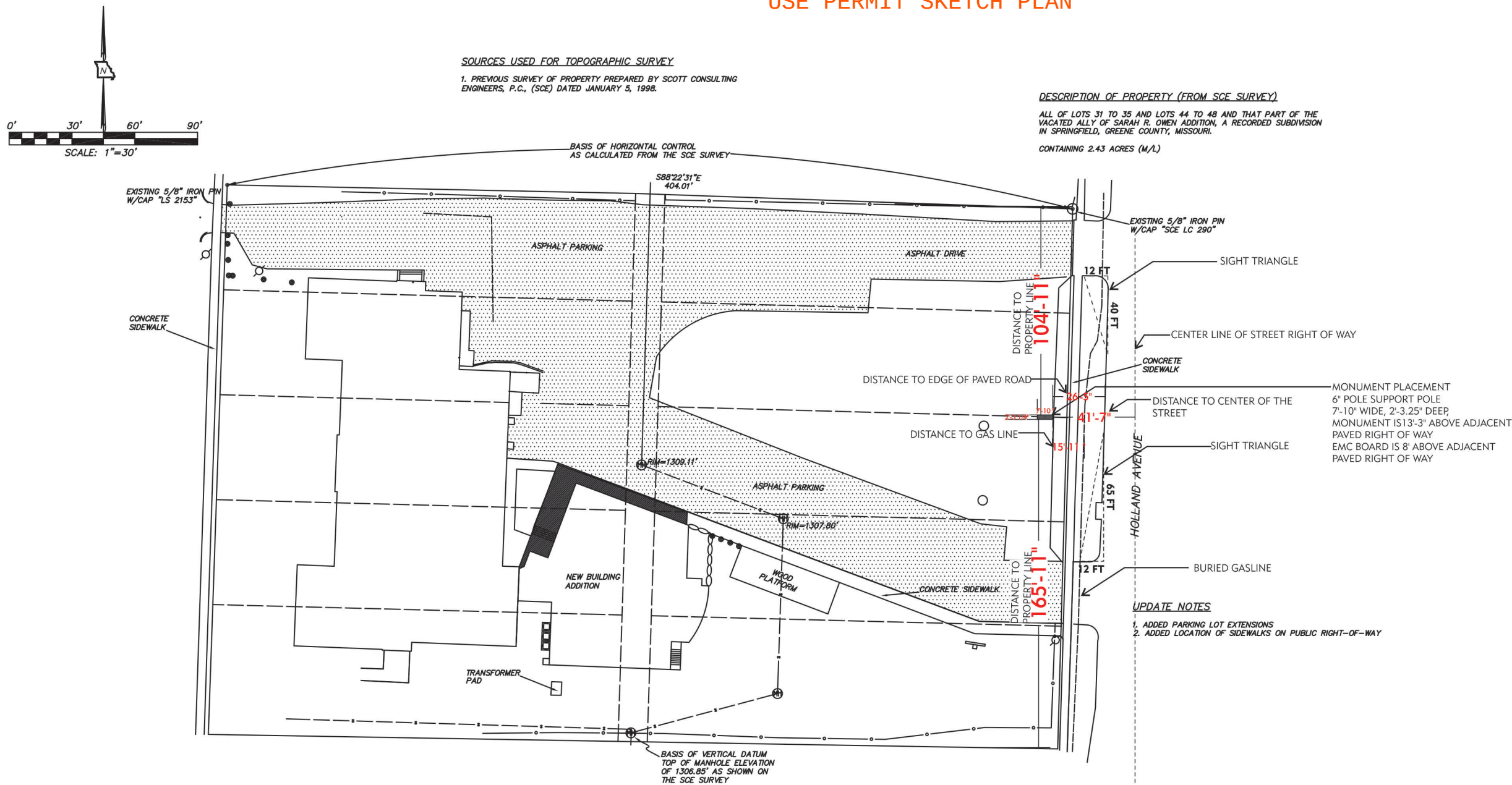
Know what's below.
Call before you dig.



2014-06-09

CROCKER
3211 E. SHADY GLEN ST
SPRINGFIELD MO 65804

USE PERMIT SKETCH PLAN



- SYMBOL INDEX
- MANHOLE
 - POLE or POST
 - UTILITY POLE
 - SIGN
 - A/C UNIT
 - SANITARY SEWER LINE
 - CHAIN-LINK FENCE

SURVEYORS DECLARATION

I HEREBY DECLARE TO THE SPRINGFIELD PUBLIC SCHOOL DISTRICT:
THAT THE TOPOGRAPHIC SURVEY INFORMATION AS SHOWN HEREON, HAS BEEN COMPLETED UNDER MY DIRECT SUPERVISION, AND IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

MICHAEL WHITE - MISSOURI PROFESSIONAL LAND SURVEYOR #2488 DATE:
WHITE LAND SURVEYING, LLC - MISSOURI PROFESSIONAL LAND SURVEYING CORPORATION #2003000370



© Copyright 2010 - White Land Surveying, LLC

REVISED TOPOGRAPHIC SURVEY UPDATE OF PHELPS SCHOOL PREPARED FOR THE SPRINGFIELD R-12 SCHOOL DISTRICT		
114 WEST GRANT STREET REPUBLIC, MISSOURI C:\white logo.BMP PHONE: 417.732.0005 FAX: 417.732.0010 email: info@whitelandsurvey.com www.whitelandsurvey.com		
DRAWN BY: JW PN#: 2010-0006.14 SCALE: 1"=30'	SURVEY DATE(S): 04/03/08 02/05/10 DWG DATE: 02/12/10	SECTION: 24 TOWNSHIP: 29N RANGE: 22W

PINNACLE SIGN



SPRINGFIELD PUBLIC SCHOOLS - PHELPS CENTER

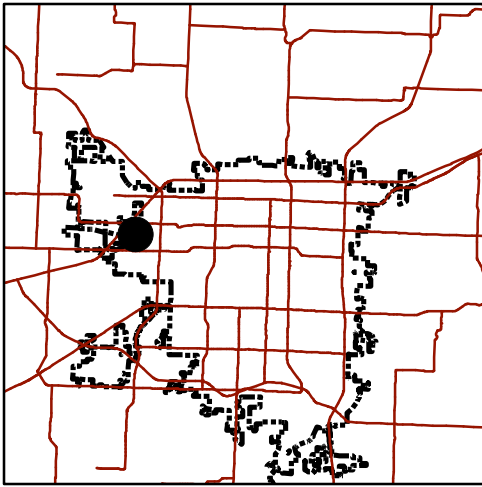
DRAWING # 14-0501-PYLON-1
LOCATION - SPRINGFIELD, MO

PROJECT MANAGER - JOE MYLER
DESIGNER - TROY KUKES

SCALE - 1" = 30'
DATE REVISED - 07.11.14

PINNACLESIGNGROUP.COM

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Development Review Staff Report

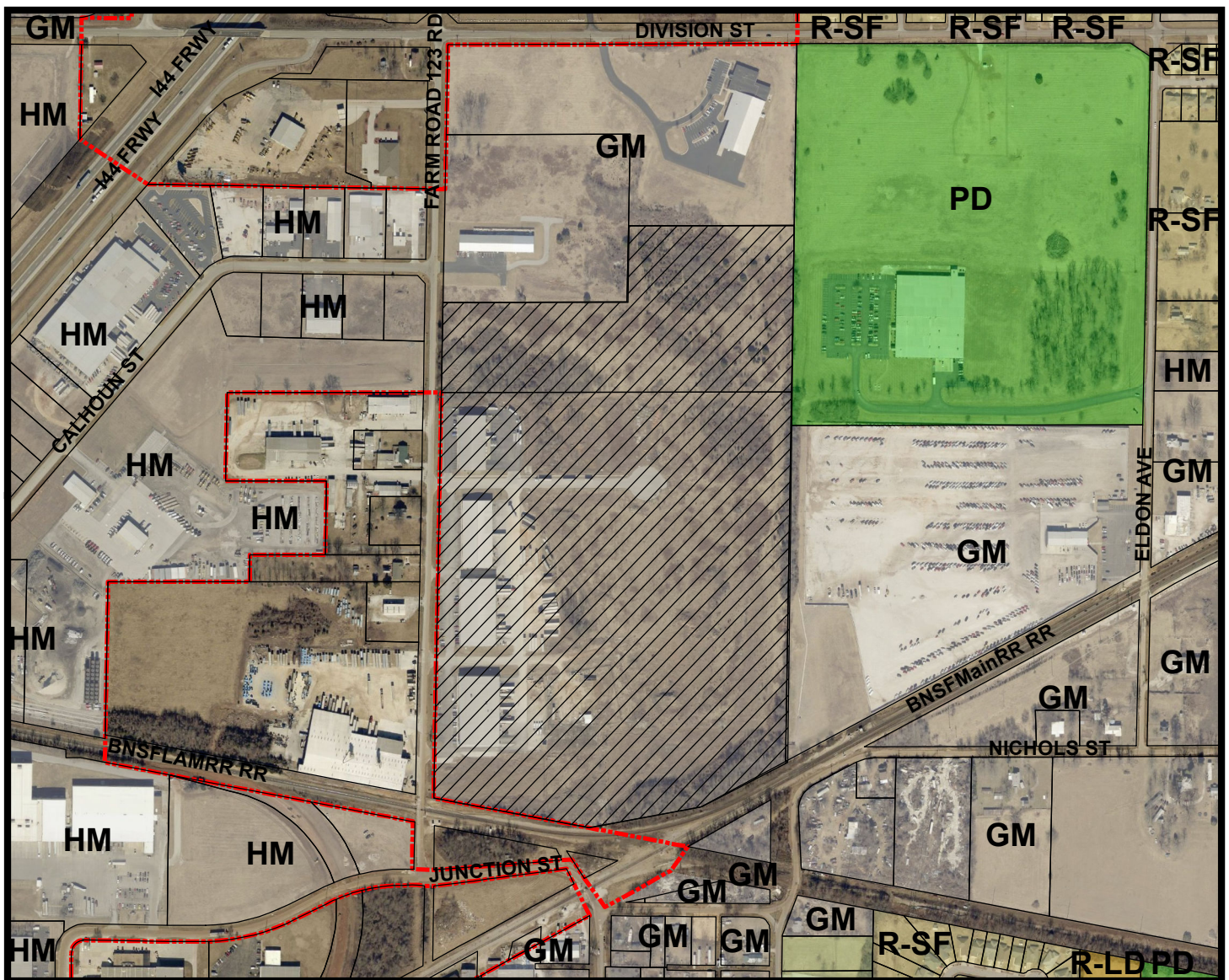
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Preliminary Plat Renewal - Roberts Industrial Park

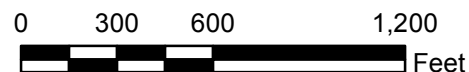
Location: 1000-1200 block e/s N. Farm Road 123 (Westgate)

Current Zoning: HM, Heavy Manufacturing District

LOCATION SKETCH



- Area of Proposal



1 inch = 600 feet

DEVELOPMENT REVIEW STAFF REPORT
PRELIMINARY PLAT RENEWAL – ROBERTS INDUSTRIAL PARK

PURPOSE: To approve a preliminary plat to subdivide approximately 60 acres into a nine (9) lot manufacturing subdivision with common area.

REPORT DATE: June 26, 2015

LOCATION: 1000-1200 block N. Farm Road 123 (Westgate Ave.)

APPLICANT: Javalina, LLC and Forerunner, LLC

TRACT SIZE: Approximately 60.18 acres

EXISTING USE: Industrial/manufacturing uses

PROPOSED USE: Industrial/manufacturing uses

FINDINGS FOR STAFF RECOMMENDATION:

1. The applicant's proposal, with the conditions listed below, is consistent with the City's *Subdivision Regulations*.

RECOMMENDATION:

Staff recommends the Planning and Zoning Commission **approve** the Preliminary Plat, with the conditions listed below:

1. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department, and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works, except for any standards modified by the applicant's request for a subdivision variance, if approved.
 - a. Sanitary sewers shall be extended to all building sites.
 - b. Sidewalks shall be provided along the north side of Webster Street and the east side of Farm Road 123 (Westgate Avenue)
 - c. All required storm water detention and water quality facilities must be constructed prior to approval of the Final Plat.
 - d. An approved fire apparatus turn-around shall be constructed at the end of Webster Street, as shown on Attachment 2.

2. All required street rights-of-way; drainage, utility, and cross-access easements; and limitations of access shall be dedicated on the Final Plat.
 - a. Additional right-of-way shall be dedicated for Farm Road 123 (Westgate Avenue) to total forty (40) feet from the centerline.
 - b. Drainage easements for the conveyance and detention of storm water shall be provided, as shown on Attachment 2. The final placement of the easement across Lot 7 will be established on the final plat as the final grading of the site will determine the final placement of the drainage easement.
 - c. A 10 foot wide utility easement shall be provided on lots 1 through 6, directly abutting Farm Road 123 (Westgate Avenue).
 - d. A 10 foot wide utility easement shall be provided on lots 4 through 9, directly abutting Webster Street.
 - e. A 30 foot wide sanitary sewer easement shall be provided along the south property line of lot 8.
 - f. A 10 foot wide sanitary sewer easement shall be provided across lots 2, 3, and 8.
 - g. An avigation easement shall be provided over all portions of the subdivision that are located within the boundaries of Airport Overlay District – 3.
 - h. An off-site detention agreement will be required with the City of Springfield Legal Department.
 - i. An irrevocable consent to dedicate right-of-way, acceptable to the City Attorney shall be tendered to the City for the future extension of Webster Street to the east side of the property.
 - j. The detention/water quality basin shall be platted within Common Areas to be owned and maintained by the property owners association. The flooding limits for the sinkholes shall be dedicated as drainage easements which extend fifty (50) feet into the property from the flooding limit as shown on Exhibit A.
3. Additional detail regarding the perimeter of the sinkholes shall be part of the Final Plat submittal in addition to clearly delineating and describing the limits of the no-build zones surrounding all of the sinkholes.
4. The avigation easement over the subject property shall be clearly identified and labeled on the Final Plat.
5. The following note shall replace the surveyor's note on the Final Plat:
"Development and use of the land within the avigation easement shall comply with and shall be governed by standards for Airport Overlay District AO-3 as set out in the Springfield Zoning Ordinance."

6. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.
7. The developer shall be responsible for the relocation costs of any existing utility services and shall be responsible for clearing all utility easements of trees, brush and overhanging tree limbs.
8. It is determined that the public interest requires assurance concerning adequate maintenance of common space areas and improvements. The restrictive covenants, rules and bylaws creating the common ownership must therefore provide that if the owners of the Property Owners Association shall fail to maintain the common areas or improvements in reasonable order and condition in accordance with the approved plans, the City may, after notice and hearing, maintain the same and assess the costs against the units or lots, per the Common Open Space and Common Improvement Regulations section of the Zoning Code.
9. All other requirements necessary for this subdivision shall be in compliance with the *Subdivision Regulations*

If the request is recommended for denial by the Commission and the applicant requests City Council consideration, all the above conditions, plus any amendments made by the Planning and Zoning Commission, shall be included in the Council Bill.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	GM	Manufacturing uses
East	GM and PD	Manufacturing uses
South	GM & Railroad ROW	Vacant land and railroad right-of-way
West	County M-1	Manufacturing uses permitted in the County

HISTORY:

The original Preliminary Plat for Roberts Industrial Park was approved by City Council on October 3, 2005. The Preliminary Plat was renewed by City Council on October 8, 2007 (Special Ordinance No. 25278), October 12, 2009 (Special Ordinance No. 25673), August 8, 2011 (Special Ordinance No. 25945), and most recently on September 9, 2013 (Special Ordinance No. 26309). This will be the fifth renewal that the City has reviewed and approved.

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for General Industry. This category includes

industry that involves railroad service, heavy truck traffic, extensive outdoor storage, noise or odors, and the handling of raw materials. It also includes railroad yards, power plants and the airports. The most appropriate zoning district would be Heavy Manufacturing.

STAFF COMMENTS:

1. According to Section 206(3)(h) of the Subdivision Regulations, the approval of a Preliminary Plat shall be effective for a period of two years. Within this time period, a Final Plat shall be submitted; otherwise, the plat will expire and be considered null and void. However, upon request by the subdivider, the Planning and Zoning Commission may extend the effective period of the preliminary plat for an additional two years. If any design standards change in the future, the preliminary and final plat must meet those current standards.
2. A cul-de-sac designed in accordance with the City's design standards will terminate Webster Street on this property at this time. The Preliminary Plat will contain a 60 foot wide strip of land reserved for the future extension of Webster Street to the east boundary of the subdivision.
3. The Preliminary Plat for Roberts Industrial Park was approved with Subdivision Variances from Sections 403(4) and 403(6) of the Subdivision Regulations. More specifically, the approved Subdivision Variances permit Webster Street to exceed 800 ft in length (maximum length of cul-de-sac). They also remove the requirement to extend Webster Street to the east boundary of the subdivision. In lieu of extending the street, an irrevocable consent to dedicate right-of-way will be provided, thus allowing Webster Street to be extended in the future.
4. As requested by City Utilities, 10 foot wide utility easements will be required along the street side of all lots with public street frontages
5. A portion of the subdivision lies within the Airport Overlay District-3. According to Section 4-2600 of the Zoning Ordinance, an avigation easement is required upon subdividing property located within this zone. This easement shall establish a height restriction on the use of the property (development no greater than 50 ft in height) and hold the public harmless from any damages caused by noise vibration, fumes, dust, fuel, fuel particles, or other effects that may be caused by the operation of aircraft taking off, landing, or operating on or near the Springfield-Branson National Airport.
6. An avigation easement is shown on the Preliminary Plat. Prior to recording of the Final Plat, the following will apply:
 - a. The portions of the subdivision that are located with the avigation easement shall be clearly identified (perhaps hash marked or shaded) and labeled on the Final Plat.
 - b. The following note shall replace the surveyor's note on the Final Plat: "Development and use of the land within the avigation easement shall comply with and shall be governed by standards for Airport Overlay District AO-3 as set out in the Springfield Zoning Ordinance"

CITY COUNCIL PUBLIC HEARING: July 27, 2015

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
DEPARTMENT COMMENTS
PRELIMINARY PLAT RENEWAL – ROBERTS INDUSTRIAL PARK

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not have any objections.

PUBLIC WORKS TRAFFIC COMMENTS:

Traffic has no issues with this request as shown on the preliminary plat.

PUBLIC WORKS STORMWATER COMMENTS:

There are no stormwater issues with the Preliminary Plat renewal.

CLEAN WATER SERVICES COMMENTS:

Preliminary Plat is the same as case number PLN2013-00173.

CITY UTILITIES COMMENTS:

City Utilities does not have any objection to the renewal. There are existing utilities in the undedicated street. I believe easements were recorded for these utilities at the time of the last renewal.

AT&T COMMENTS:

Utility easements will have to be provided along all roadways for future service requirements.

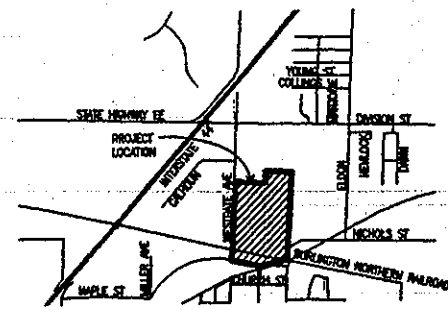
FIRE DEPARTMENT COMMENTS:

No issues.

PRELIMINARY PLAT
ROBERTS INDUSTRIAL PARK
 A SUBDIVISION IN THE CITY OF SPRINGFIELD
 GREENE COUNTY, MISSOURI

OWNER/DEVELOPER
**JAVALINA, LLC AND
 FORERUNNER, LLC**
 1300 W. POPLAR STREET, SUITE 200
 SPRINGFIELD, MO 65802
ERIC ROBERTS, MEMBER OF JAVALINA, LLC
JOE R. ROBERTS, MEMBER OF FORERUNNER, LLC

CURVE TABLE					
CURVE	ANGLE	LENGTH	CHORD	CHORD BEARING	
C1	25.00	24.71	84.3734	33.72	N45°13'57"E
C2	70.00	363.89	287.1707	82.50	N07°17'34"E
C3	25.00	24.71	84.3734	33.72	N07°17'34"E



SECTION 17,
 TOWNSHIP 29N, RANGE 22W
 SCALE: 1" = 2000.00'

SITE LEGEND

- EXISTING IRON PIN EXCEPT AS NOTED
- 5/8" IRON PIN SET LC 2003023545
- ✕ IN CONCRETE
- EXISTING STONE
- △ RIGHT-OF-WAY MARKER
- PROPERTY LINE
- - - SECTION LINE
- WIRE FENCE
- CHAIN LINK FENCE
- WOOD FENCE
- FLOOD PLAIN
- WATER LINE
- WATER VALVE
- GAS LINE
- MANHOLE
- SANITARY SEWER LINE
- OVERHEAD ELECTRIC
- ▨ NON ANNOTED EASEMENT

DEVELOPMENT NOTES

- TOTAL AREA = 60.18 ACRES
- TOTAL LOTS = 8 LOTS
- SMALLEST LOT = LOT 5 - 2.19 ACRES
- LARGEST LOT = LOT 6 - 13.75 ACRES
- ZONING DISTRICT = RM
- SOURCE OF TITLE = BOOK 2706, PAGE 1292; BOOK 2858, PAGE 2038

BUILDING SETBACKS

- FRONT YARD SETBACK = 25 FEET
- SIDE YARD SETBACK = 10 FEET
- REAR YARD (ADJ TO STREET) = 15 FEET
- REAR YARD = 10 FEET

DESCRIPTION

A TRACT OF LAND BEING THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) AND THAT PART LYING NORTH OF THE BURLINGTON NORTHERN RAILROAD IN THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 17, TOWNSHIP 29 NORTH, RANGE 22 WEST, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 17; THENCE NORTH 89°44'45" EAST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 17; A DISTANCE OF 17.46 FEET TO THE EAST RIGHT-OF-WAY LINE OF FARM ROAD 123 (A/N WESTGATE AVENUE) AND ALSO BEING THE POINT OF BEGINNING; THENCE NORTH 07°01'57" EAST ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1331.82 FEET TO THE NORTH LINE OF SAID NORTH LINE; A DISTANCE OF 1312.16 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4); THENCE NORTH 89°44'45" EAST ALONG SAID NORTH LINE, A DISTANCE OF 1312.16 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4); THENCE SOUTH 07°01'57" WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4); A DISTANCE OF 1331.80 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER (SW 1/4) OF THE NORTHWEST QUARTER (NW 1/4); THENCE SOUTH 07°01'57" WEST ALONG THE EAST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4); A DISTANCE OF 49.86 FEET TO THE NORTH RIGHT-OF-WAY LINE OF BURLINGTON NORTH RAILROAD; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE THE FOLLOWING 5 COURSES: SOUTH 87°13'28" WEST, A DISTANCE OF 308.81 FEET; THENCE SOUTH 78°57'43" WEST, A DISTANCE OF 49.26 FEET; THENCE SOUTH 72°15'25" WEST, A DISTANCE OF 100.40 FEET; THENCE SOUTH 78°57'43" WEST, A DISTANCE OF 291.30 FEET; THENCE NORTH 78°22'31" WEST, A DISTANCE OF 88.50 FEET TO THE EAST RIGHT-OF-WAY LINE OF FARM ROAD 123 (A/N WESTGATE AVENUE); THENCE NORTH 07°01'57" EAST ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 163.44 FEET TO THE POINT OF BEGINNING, CONTAINING 46.43 ACRES, ALL LYING IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. SUBJECT TO ANY PART THEREIN, DEEDED OR USED FOR ROAD OR HIGHWAY PURPOSES, SUBJECT ALSO TO ANY EASEMENTS OF RECORD.

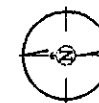
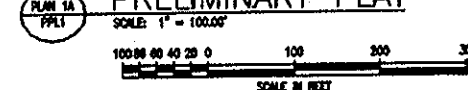
ALSO

A TRACT OF LAND BEING PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) IN SECTION 17, TOWNSHIP 29 NORTH, RANGE 22 WEST, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 17; THENCE NORTH 89°44'45" EAST ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4); A DISTANCE OF 17.46 FEET TO THE POINT OF BEGINNING; THENCE NORTH 07°01'57" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF WESTGATE AVENUE, A DISTANCE OF 1335.54 FEET; THENCE SOUTH 08°50'20" EAST, A DISTANCE OF 888.51 FEET; THENCE NORTH 07°01'57" EAST, A DISTANCE OF 282.35 FEET; THENCE NORTH 07°52'40" EAST, A DISTANCE OF 612.85 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4); THENCE SOUTH 07°01'57" WEST ALONG SAID EAST LINE, A DISTANCE OF 822.84 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4); THENCE SOUTH 08°44'45" WEST ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4); A DISTANCE OF 1312.36 FEET TO THE POINT OF BEGINNING, CONTAINING 58.624 ACRES, ALL LYING IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. SUBJECT TO ANY PART THEREIN, DEEDED OR USED FOR ROAD OR HIGHWAY PURPOSES, SUBJECT ALSO TO ANY EASEMENTS OF RECORD.

SURVEYOR'S NOTES

- PROPERTY IS SUBJECT TO AN ANNOTED EASEMENT WITHIN THE AD-3 DISTRICT, EXCEPT THE NORTHWEST CORNER AS SHOWN.
- THE FINAL PLACEMENT OF THE 20.00' WIDE DRAINAGE EASEMENT ACROSS LOT 7 WILL BE ESTABLISHED ON THE FINAL PLAT IN ANTICIPATION OF THE FINAL GRADING ON THE LOT.

PRELIMINARY PLAT



NORTH BASED ON SURVEY BY WILSON SURVEYING, INC. DATED JANUARY 23, 2001.

DECLARATION BY SURVEYOR

I, DEBRAH WOLFE, HEREBY STATE THAT THIS PLAT WAS PREPARED UNDER MY PERSONAL SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED DATED APRIL, 2006, AND THAT THE CORNER MONUMENTS AND LOT CORNER PINS SHOWN HEREON WERE PLACED UNDER PERSONAL SUPERVISION OF DEBRAH WOLFE, IN ACCORDANCE WITH THE MISSOURI SURVEYING STANDARDS FOR PROPERTY BOUNDARY SURVEYS, AND IN ACCORDANCE WITH THE SURVEYING REGULATIONS, FOR THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

Debrah Wolfe
 DEBRAH WOLFE
 MISSOURI PLS NO. 2000161241

APR 17, 2009
 DATE PREPARED

Prepared For:
Javalina, LLC & Forerunner, LLC
 1300 W Poplar St. Suite 200
 Springfield, Missouri 65802

DRAWN BY: DMW
 DATE: APR. 17, 2009

JOB NO.: 080903
 ACCURACY STANDARD:
 TYPE: URBAN

Stribling Surveying, LLC

Phone (417) 742-0585

Fax (417) 742-5228

102 South Street

P.O. Box 28

Willard, Missouri 65781



MISSOURI STATE CERTIFICATE OF AUTHORITY # LS-373-0

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

DATE: July 6, 2015

TO: Planning and Zoning Commission

FROM: Bob Hosmer, AICP Principal Planner

SUBJECT: Changes to the Rules of Procedure for the Planning and Zoning Commissioner terms

Staff is proposing to modify the Rules of Procedure for the Planning and Zoning Commission to change the term limits of the Planning and Zoning Commission from 3 years to 4 years. It was brought to our attention that the Missouri State law and the City Charter are in conflict as to the term limits of planning and zoning commissioners. State law requires 4 year terms and our city Charter requires 3 year terms for all our boards and commissions.

Staff will review the proposed amendments to the Rules of Procedure with the Planning and Zoning Commission on July 9, 2015 and recommend approval at the next Planning and Zoning Commission meeting, August 6, 2015, as required by the Rules and Procedures.

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

Section 6.0 Behavior; Ethics

6.1 Member Service Membership on the Planning and Zoning Commission is accepted as public service. Members are appointed by the City Council for a term of ~~three (3)~~ four (4) years and until their successors are appointed and qualified. Any member who misses three (3) consecutive regular meetings of the Planning and Zoning Commission shall be deemed to have resigned unless the City Council reaffirms such appointment. Any member may be removed from the Planning and Zoning Commission by action of the City Council. The removal of any such member shall be in accordance with Article IV, Section 15.6 of the Charter and notification of such removal shall be made in writing stating the reasons for such removal and sent to such member at his residence address by United States Mail.

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.