



Springfield Planning and Zoning Commission

City Council Chambers (830 Boonville)

Date: August 6, 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

July 9, 2015

Documents: [PNZ MINUTES 07-09-2015.PDF](#)

3. COMMUNICATIONS

Council Summary July 13, 2015

Documents: [CITY COUNCIL SUMMARY 07-13-2015.PDF](#)

4. FINALIZATION AND APPROVAL OF CONSENT ITEMS

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

5. Initiate Text Amendment To Change Term Limits Of Planning And Zoning Commissioners

City-wide, City of Springfield

Documents: [MEMO INITIATE TEXT AMENDMENT TERM LIMITS.PDF](#)

6. Dispose/Acquire 513

4400 W. Brookline Rd & 2821 S. State Highway FF

Documents: [ACQUIREDISPOSE513.PDF](#)

7. PUBLIC HEARINGS

8. Z-23-2015 COD #94

2700-2800 North Mulrov Road. SRC Holdings Corp

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

9. Z-26-2015 COD #96

300 West Tampa, Positronic Industries, Inc.

Documents: [Z-26-2015 COD 96 SR.PDF](#)

10. Z-27-2015

1255 East Chestnut Expwy, Arvest Bank

Documents: [Z-27-2015.PDF](#)

11. Z-28-2015

800 block South Waco, e/s, City of Springfield

Documents: [Z-28-2015.PDF](#)

12. Z-29-2015

5904 South Southwood Avenue, City of Springfield

Documents: [MEMO TO REMOVE Z-29-2015 FROM AGENDA.PDF](#)

13. Conditional Use Permit 416

4901 & 4939 West Chestnut Expressway, Joe E. & Patricia A. Jenkins & James C. & Doris Jean Jenkins

Documents: [UP416.PDF](#)

14. Developer/Neighborhood Meeting Text Amendment

City-Wide, City of Springfield

Documents: [NEIGHBORHOOD MEETING AMENDMENTS MLS.PDF](#)

15. Lighting Standards Text Amendment

City-wide, City of Springfield

Documents: [LIGHTING STANDARDS AMENDMENTS.PDF](#)

16. Sidewalk For Commercial Redevelopment Text Amendment

City-wide, City of Springfield

Documents: [SIDEWALK REQUIREMENTS FOR COMMERCIAL REDEVELOPMENT AMENDMENTS.PDF](#)

17. Escrow Of Public Improvements In A Subdivision Text Amendment

City-wide, City of Springfield

Documents: [PUBLIC IMPROVEMENT PLAN ESCROW AMENDMENTS.PDF](#)

18. Villas At Hickory Hills Condo Final Plat

3810 East Cherry Street, Hickory Investors, LLC

Documents: [VILLASATHICKORYHILLSCONDOFINALPLAT.PDF](#)

19. Madison & Kimbrough Redevelopment Plan Amended

800 block South Kimbrough Avenue, Bryan Properties

Documents: [AMENDED REDEV PLAN MADISON KIMBROUGH REDEV.PDF](#)

20. ANY OTHER MATTERS UNDER COMMISSION JURISDICTION

21. Rules Of Procedure Planning & Zoning Commission Term Limits

City-wide, City of Springfield

Documents: [MEMO TO CHANGE RULE OF PROCEDURE TERM LIMITS OF PZ 2ND MEMO
MLS.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 July 9, 2015, in the City Council Chambers. Chairman Tom Baird called the meeting to order.

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

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

Minutes: The minutes of June 4, 2015 were approved unanimously.

Mr. Edwards motioned to approve the minutes of June 4, 2015. Mr. Cline seconded the motion. The motion carried as follows: Ayes: Baird, White, Edwards, Ray, Shuler, Doennig, Cline, Cox, and Rose. Nays: None. Abstain: None.

Communications :

Mr. Hosmer requested that two items be tabled to an unspecified Planning and Zoning Commission meeting; item number 13, Group Home Text Amendments and item number 14, Reasonable Accommodation Text Amendments.

Ms. Cox **motioned to table** two items, 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, Cline, Cox, and Rose. Nays: None. Abstain: None.

The Consent Agenda items were *approved* as presented.

Public Hearings:

Z-20-2015 w/Conditional Overlay District No. 95 Springfield Tool & Die (505 East Trafficway)

Mr. Hosmer stated that this is a request to rezone 1.26 acres of property owned by the Springfield Tool & Die. The Growth Management Land Use plan element of the Comprehensive Plan designates this area within the Greater Downtown land use district. The plan states this is the most appropriate zoning district for the location of the Center City district. The Conditional Overlay District attached to this rezoning would require additional Right-of-way to be dedicated for Trafficway for a total of 35' from the center line of the street. The driveway access points are required to be 150' apart as required by City Code and the existing driveways and approaches would have to meet this spacing requirement. A traffic study would also be required to be completed at the

time of development or when the use changes on the property. City Council will have a public hearing on this item on July 27, 2015. Staff recommends approval.

Mr. Baird opened the public hearing.

Mr. Rick Wilson. Wilson Surveying, 2012 South Stewart representing the Springfield Tool & Die ownership. It is their desire to upgrade the property. It has been there for a long time. It is old and tired. They would like to go in and dress it up. Possibly reassign the uses for a portion of it, maybe for an event center, they are not really sure what they would like to do with it. Heavy manufacturing is no longer seems to appropriate for downtown and they felt this was and their neighbor properties were City Center, that this would them the most flexibility. The conditional use overlay district is asked for because it makes sense to do the work at that time of the their improvements are going on with the building, rather than going in and building new sidewalks only to drive heavy concrete trucks over them and break them up and then have to do them again.

Mr. Baird asked for any questions. No questions.

Mr. Baird closed the public hearing.

Mr. Cline moved to pass Z-20-2015. Mr. Ray seconded the motion. The motion carried as follows: Ayes: Barid, White, Edwards, Ray, Shuler, Doening, Cline, Cox, and Rose.

**Z-21-2015
(3005 South Lakeside Avenue)**

In-Out, LLC

Mr. Hosmer stated that this is a request to rezone 1.03 acres of property at South Lakeside Avenue. Property is undeveloped and owned by the applicant, Battlefield Station, LLC. The proposed O-1 Zoning is consistent with the recommendations of the Comprehensive Plan. The property is located along east Battlefield Road, which is primary arterial, which is appropriate location for an Office development. There are Offices to the east, GR to the west, and Offices across the street from this property. The City Council back in 2007 approved an Office, O-1 zoning with the conditions. They had to meet certain requirements as far as access limitations and required a lot combination. That condition was never completed, so therefore the zoning was never completed. If reverted back to the residential zoning. What we have before is the same rezoning that was submitted in 2007 with the same conditions. Once again they have 3 years to get these items completed. These conditions are for access limitations along Battlefield, a lot combination for all lots to be combined into one lot. There is a require a buffer yard along the south property line, along the residential area, and along the portion of the residential that is across the street from the residential neighborhood, since the road is less than 70' wide. City Council will have a public hearing on July 27, 2015. Staff recommends approval.

Mr. Baird asked for any questions. No questions.

Mr. Baird opened the public hearing.

Mr. Rick Wilson. Wilson Surveying, 2012 South Stewart, representing this property. We can complete the Administrative Subdivisions, combining the lots together. This survey has been initiated, we can complete it shortly after the zoning approved. This is highly under utilized piece of property. It was platted in 1960's for residential use. There has never been a house on any of three lots. It is somewhat challenged with a fairly large drainage channel to the northern lot. There is some floodplain associated with it. There is some flood plan on the adjoining properties to the west. So something greater than residential needs to be done there in order to be able to afford the improvements to the ground that needs to be done. I think this is least intrusive to the residential neighborhood.

Mr. Baird asked what will have to do to the property since some of it is in flood plain. Will you have to raise the elevation of the property? Or how will you handle that?

Mr. Wilson replied that the portion of the property in the flood plain will be maintained. We will maintain this channel that runs diagonally across the northern lot. We may try to channelize for parking purposes. I am not really certain. Don't have a plan for it yet. But that would be the only thing we might do with it.

Mr. Baird asked for further questions. No questions.

Mr. Baird closed the public hearing.

Mr. Doening moved to pass Z-21-2015. Mr. Ayes seconded the motion. The motion carried as follows: Ayes: Barid, White, Edwards, Ray, Shuler, Doening, Cline, Cox, and Rose.

**Z-25-2015
(1929 East Dale Street)**

Loren Cook Company

Mr. Edwards rescued himself for this case.

Mr. Hosmer stated that this a request to rezone 0.86 acres of property on Dale Street. The applicant is proposing to rezone a property from a R-SF district to a HM (Heavy Manufacturing District) for parking lot use. The parking lot is for an expansion of the building. There is a parking lot already existing, that was approved back sometime ago and they are extending the parking lot to this location. The Growth Management Land Use Plan recommends that this area is appropriate for general industry, transportation and utility land uses. The City Council approved Z-23-1999 which rezoned the existing parking lot in that location. Once again there will be buffer yard requirements along all the property where it is adjacent to the RSF on the north side and on the west side, a 40' buffer yard between the properties. There will be a public hearing at City Council on July 27, 2015. Staff recommends approval.

Mr. Baird asked for any questions.

Ms. Cox asked if there was any thought to a lesser intensity due to be being adjacent to RSF. Mr. Hosmer stated that staff did consider this but the problem would be that the applicant would have to buffer between the manufactured and lesser intense zone as well a buffer yard in the middle of the parking lot. While we are looking at this area long term is to be manufacturing district. That is what the long range plan recommends for this area. We have situations where we have residential uses that are adjacent to manufacturing uses and we try alleviate that situation with buffer yards. There would be a 40' landscaped buffer yard required. If you have been out to that site, the last time they had a substantial size berm that was put in and it buffered that area considerably. I think they are planning on doing the same thing here. They had a neighborhood meeting and no one really complained about any issues since they did a great job with working with the residents in that location. There is an unfortunate situation where you have residential and heavy intensity uses.

Ms. Cox acknowledges those issues and wondered in general.
Mr. Baird asked for any other questions.

Mr. Baird opened the public hearing.

Neil Brady, Anderson Engineering, representing Loren Cook who is the applicant. Our address is 2445 West Woodland; Springfield, MO. Loren Cook is going to relocate the berm to west side, which basically takes up almost the entire western lot. It is self buffering because of the requirement of the landscape. They are doing this, since they are going to build a building addition in the parking lot right below and further down and to the east. That is where the building is going to be. Right now they are using space across Dale Street for offices and they are wanting to consolidate back on their site. They are going to build that plus extra space for future growth as well. They have submitted building plans for the addition.

Mr. Baird asked for any questions.

Mr. Baird closed the public hearing.

Mr. Ray moved to pass Z-25-2015. Ms. Cox seconded the motion. The motion carried as follows: Ayes: Barid, White, Ray, Shuler, Doening, Cline, Cox, and Rose. Edwards rescued

**Vacation 780
(1100 North Hampton Avenue)**

Springfield-Greene County Park Board

Mr. Hosmer stated that this is a request for Vacation 780 to vacate a Right-of-way in Silver Springs Park. The applicant is the Springfield-Greene County Park Board. The request to vacate portions of unused, but they were platted streets and ROW within Silver Springs Park. This came about to get the Timmons Temple relocated in the park and to place the structure on parkland, however it was found that the structure was placed in the ROW. The City is proposing to vacate the existing ROW within the Park

so we won't have this problem again when if the park is redeveloped. All existing utilities will remain with replacement easements or under a license agreement. The request meets the vacation criteria. Staff recommends approval.

Mr. Baird asked for any questions. No questions.

Mr. Baird opened the public hearing.

Mr. Baird closed the public hearing.

Ms. White moved to forward Vacation 780. Mr. Edwards seconded the motion. The motion carried as follows: Ayes: Barid, White, Ray, Edwards, Shuler, Doening, Cline, Cox, and Rose.

**Planned Development 350
(2645 West Delmar Street)**

The Vecino Group

Mr. Hosmer stated that this is a request to rezone approximately 1.78 acres located at 1042 South Scenic Avenue from Planned Development 269 to a new Planned Development 350. The approval of this application is consistent with the Planned Development 269, which allows mixture of uses such as retail office and Multi-family Development. The Planned Development will limit the permit uses to 26 units per acres for an affordable multi-family use that provides supported service housing for targeted populations, such as domestic violence victims, veterans, seniors, or inter-generational housing for youth that are aging out of the foster care system. The growth management land use designates this area as light industrial office and office warehouse, this is a down zoning to a mixture of uses with multi-family. According to the site plan the applicant has submitted, the proposed property will be to construct ten (1) bedroom affordable apartments and 36 affordable 2-3 bedroom apartments. The applicant is required to dedicate ROW along Scenic to allow for a sidewalk that was constructed on private property. They will either have an easement of license agreement or have a dedicated public ROW to put the sidewalk into the ROW. The rezoning required the Multi-Family Location and Design guidelines assessment and we assess that. There were additional dwelling units awarded since the applicant is providing affordable housing and green building construction. The applicant is proposing to provide amenities under the design guidelines for multi-family, such as a fitness center, garden and playground area. There will also be on-street angled parking along Delmar Street. This is similar to what was developed with the original PD, there are angled parking with the multi-family development in that location. The reason why there wasn't angled parking here was this area was designated as a convenience store from the PD. If the rezoning is approved it would have to comply with PD exhibit 1 and 2. City Council will have a public hearing on July 27, 2015. Staff recommends approval.

Mr. Baird asked for any questions. No questions.

Mr. Baird opened the public hearing.

Lisa Farmer, Executive Director of Harmony House, 519 E. Cherry Street. Harmony House is the only domestic violence shelter for Springfield/Greene County. Our mission is to provide shelter, advocacy and education to domestic violence survivors'. We routinely shelter 110 women and children every night of the year and have been doing that for many years. Springfield has a significant domestic violence problem. We have the unfortunate distinction of having more domestic violence per capita than any other place in Missouri. Harmony House has seen the demand for services increase over the last four years. In 2010 we turned away 491 women and children because we did not have enough beds. In 2014 we turned 2,326 women and children. The Angelou apartment project is significant part of the solution to us and our ability to transition women and children out of shelters and into stable, permanent, safe secure housing. It is a huge part of the permanent solution in helping families break the cycle of violence. The lack of affordable housing is one of the primary reasons women return to their abuser or become homeless or choose another abusive partner. This is a significant opportunity for Springfield to help break the cycle of violence. The Angelou apartments would provide about 46 units, this would be high quality project fully furnished and something that these families can establish a permanent home. Harmony House will be responsible for screening and approving residents and providing on-site case management and other supportive services.

Mr. Baird closed the public hearing.

Mr. Ray moved to approve Planned Development 350. Mr. Edwards seconded the motion. The motion carried as follows: Ayes: Barid, White, Ray, Edwards, Shuler, Doening, Cline, Cox, and Rose.

**Conditional Use Permit 415
(934 South Kimbrough Avenue)**

Springfield R-12 School District

Mr. Hosmer stated that this is a request to allow electronic message center sign in a non-business area generally located at 934 South Kimbrough Avenue in an RHD High Density Multifamily District and University Combining District. The sign code was amended in 2014 to require any electronic message center signs in a business area to be reviewed by the Planning and Zoning Commission and by City Council with an conditional use permit. The applicant is Springfield R-12 School District and the property is located at the Phelps Center for gifted children at Kimbrough and Holland. The proposed sign would be located along Holland which is adjacent MSU and Church property. It is across from non-residential uses and will have no adverse affect on the residential properties. The sign will be on school property. The proposed center sign must be located in and constructed in substantial conformance to the attached site plan and elevations that are attached. The application meets the approval standards for the conditional use permit as addressed in City code and conforms with the Comprehensive Plan. City Council will have a public hearing July 27, 2015. Staff recommends approval.

Mr. Baird asked for any questions. No questions.

Mr. Baird opened the public hearing.

Tim Harris, Pennical Sign Company, we are representing Springfield R-12 School District. They are applying for the conditional use permit with an ENC unit, which is a lower section of the sign. Technically the Springfield sign code requires that ENC units in the residential area will be limited to static messages, so there will be no animation, no flashing lights, it just serves specially any residential area that are to the south. The funds raised for this does not necessarily come straight through the school budget, but was raised by the parents of Phelps Center. The primary reason was a youth message center to allow to display messages to parents as they are picking kids up. The sign location will be in the middle of the circle drive. The idea is to display messages for parents that are leaving and/or picking kids up and display messages for the school and educational purpose.

Mr. Baird closed the public hearing.

Mr. Edwards moved to accept Conditional Use Permit 415. Mr. Ayes seconded the motion. The motion carried as follows: Ayes: Barid, White, Ray, Edwards, Shuler, Doening, Cline, Cox, and Rose.

**Preliminary Plat Ro berts Industrial Park Renewal Javalina, LLC & Forerunner,
LLC
(1000-1200 North Farm Road 123)**

Mr. Hosmer stated that this is a property located south of Division Street along Farm Road 123. Our subdivision code requires that preliminary plats would be affective for a

period of 2 years until that time they have to get renewed. This is the 5th renewal of the Roberts Industrial Park. The applicant is aware that if we have any changes to our standards in the future, they will have to meet those requirements. If we change our street or storm water requirements, they will have to meet those requirements. Luckily nothing has sustainably changed as far as our codes, but the applicants are aware of that so they have another 2 years to get the completion of the project or come back or get another renewal. All improvements will have to be constructed prior to final platting or escrowed. All improvements will be constructed in accordance to the design standards. This will go to City Council on July 27, 2015.
Staff recommends approval.

Mr. Baird asked for any questions. No questions.

Mr. Baird opened the public hearing.

Eric Roberts, 1300 W. Popular, Suite 200, representing the owners and I am one of the owners. I am asking for approval of this renewal of the primary plat.

Mr. Baird closed the public hearing.

Mr. Ray moved to approve Preliminary Plat Roberts Industrial Park Renewal. Ms. Cox seconded the motion. The motion carried as follows: Ayes: Baird, White, Ray, Edwards, Shuler, Doening, Cline, Cox, and Rose.

Amend Rules of Procedure for Term Limits of the Planning and Zoning Commission.

Mr. Hosmer, stated that staff is proposing to modify the rules of procedures for the Planning and Zoning Commissioner terms from 3 years to 4 years. It was brought to our attention that state law requires 4 year terms and our City code only requires 3 years for all boards and commissions. Staff is recommending the state statute 4 year term. We will review amendments with the commission tonight and will have a vote at the August 6, 2015 meeting. The rules of procedure state that we have to have 5 affirmative votes after discussion and debate. The section that we are amending is the member services section changing 3 to 4 year terms. Staff has prepared an ordinance that will extend all existing planning commissioners terms an additional year that be going forward to City Council to make these changes.

Mr. Baird asked for any questions. No questions.

Mr. Rose asked if this is something in the charter? Mr. Hosmer replies that this is in our City Charter and it would take a election to change it. Ms. Kerner replied that the City Charter provision states that 3 years is related to all City boards and commissions and the state statute is specifically regarding the Planning and Zoning Commission for each individual city. We feel that our charter is superseded in this case and next time we take charter amendments to the vote of the people, which is how that can be changed, will include this in the package. But until then, we feel that a vote of this body to amend rules of procedure and that actually is your rules and charter are the only two places that

say 3 years. So we are going to have council reappoint you all for an extra year and this will clean it up.

There being no further business, the meeting was adjourned.

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

Bob Hosmer, AICP
Principal Planner

City Council Summary

July 13, 2015

Council Bill 2015-158.

A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning 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; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Deanna Key Horst Revocable Trust; 4265 South Nature Center Way; **Z-24-2015**.) Approved **9/0**

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Council Bill 2015-159.

A general ordinance amending the Official Map of Springfield, adopted pursuant to General Ordinance No. 1478, by changing the name of 3600-3804 South Glenstone Avenue outer road, which is located on east side of Glenstone Avenue, to Glenstone Outer Road. (Planning and Zoning Commission and Staff recommend approval. Street Name Change 76) Approved **9/0**

Council Bill 2015-160.

A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately 59 acres of property generally located on the west side of the 2700-2800 blocks of N. Farm Road 199 (Mulroy Road) from Planned Development 225 to HM, Heavy Manufacturing District; establishing Conditional Overlay District No. 94; and adopting an updated Official Zoning Map. (Planning and Zoning Commission and staff recommend approval.) (By: SRC Holdings Corporation; West side of the 2700-2800 block S. Farm Road 199 (Mulroy Rd.); Z-23-2015; Conditional Overlay District No. 94.)

Remanded back to P&Z Commission. Approved **9/0**

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Council Bill 2015-161.

A general ordinance amending the Springfield City Code, Chapter 1, Section 1-9, City Limits, by annexing approximately 57.4 acres of private property and 0.41 acres of Greene County right-of-way into the City of Springfield, generally located on the east side of the 2700-2800 blocks of North Farm Road 199 (Mulroy Road), generally referenced as Annexation A-2-15; and amending Springfield City Code, Chapter 46, Section 46-1, Boundaries of wards, precincts and council zones, by adding this property to the ward and precinct assigned by the County Clerk. Approved **9/0**

Council Bill 2015-162.

A general ordinance amending the Springfield Land Development Code, Section 1-1600, Zoning Maps, by rezoning approximately 57.4 acres of property generally located on the east side of the 2700-2800 blocks of N. Farm Road 199 (Mulroy Road) from County A-1, Agriculture District to HM, Heavy Manufacturing District; establishing Conditional Overlay District No. 93; and adopting an updated Official Zoning Map.

(Planning and Zoning Commission and staff recommend approval.) (By: Meek Lumber Company; East side of the 2700-2800 block N. Farm Road 199 (Mulroy Rd.); Z-22-2015 & Conditional Overlay District No. 93.) Approved **9/0**

Council Bill 2015-163.

A special ordinance adopting the Robberson Avenue Panhellenic Redevelopment Plan for an area located along the east side of South Robberson Avenue between East Madison Street and East Grand Street and declaring its redevelopment necessary for the preservation of the public peace, prosperity, health, safety, morals, and welfare.

(Planning and Zoning Commission, the Land Clearance for Redevelopment Authority and Staff recommend approval.) Approved **7/2**

Council Bill 2015-164.

A special ordinance amending Special Ordinance No. 26328 to approve an Amended Redevelopment Plan for the Brewery District Lofts Redevelopment Area; authorizing certain tax abatement within the plan area; and authorizing the City Manager to execute an amended and restated agreement with the Brewery District Lofts Redevelopment Corporation relating to the implementation of the amended redevelopment plan. (The Planning and Zoning Commission and City Staff recommend approval.) Approved **7/2**

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

DATE: July 24, 2015

TO: Planning and Zoning Commission

FROM: Bob Hosmer, AICP Principal Planner

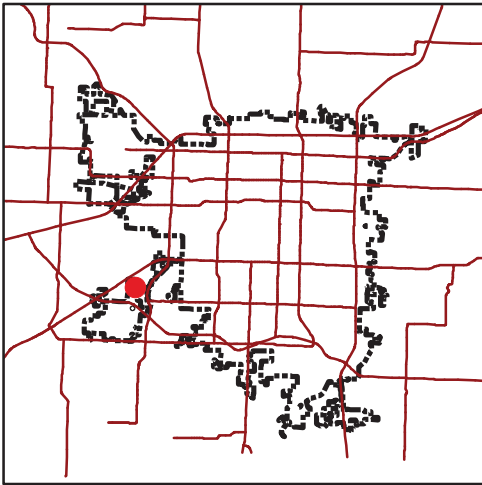
SUBJECT: Initiate Zoning Ordinance Text Amendment to change the term limits of Planning and Zoning Commissioners from 3 to 4 years

It has been recently brought to Staff's attention that the Missouri State Law, City Charter and Zoning Ordinance are in conflict as to the term limits of planning and zoning commissioners.

Currently our City Charter and Zoning Ordinance state that the terms of a planning and zoning commissioner are three years, while the state requires four years.

Staff is proposing a zoning text amendment to change the zoning ordinance language for term limits of Planning and Zoning Commissioners from three years to four years.

Staff requests that Commission initiate amendments to the Zoning Ordinance to change the term limits of commissioners from three years to four year terms.



Development Review Staff Report

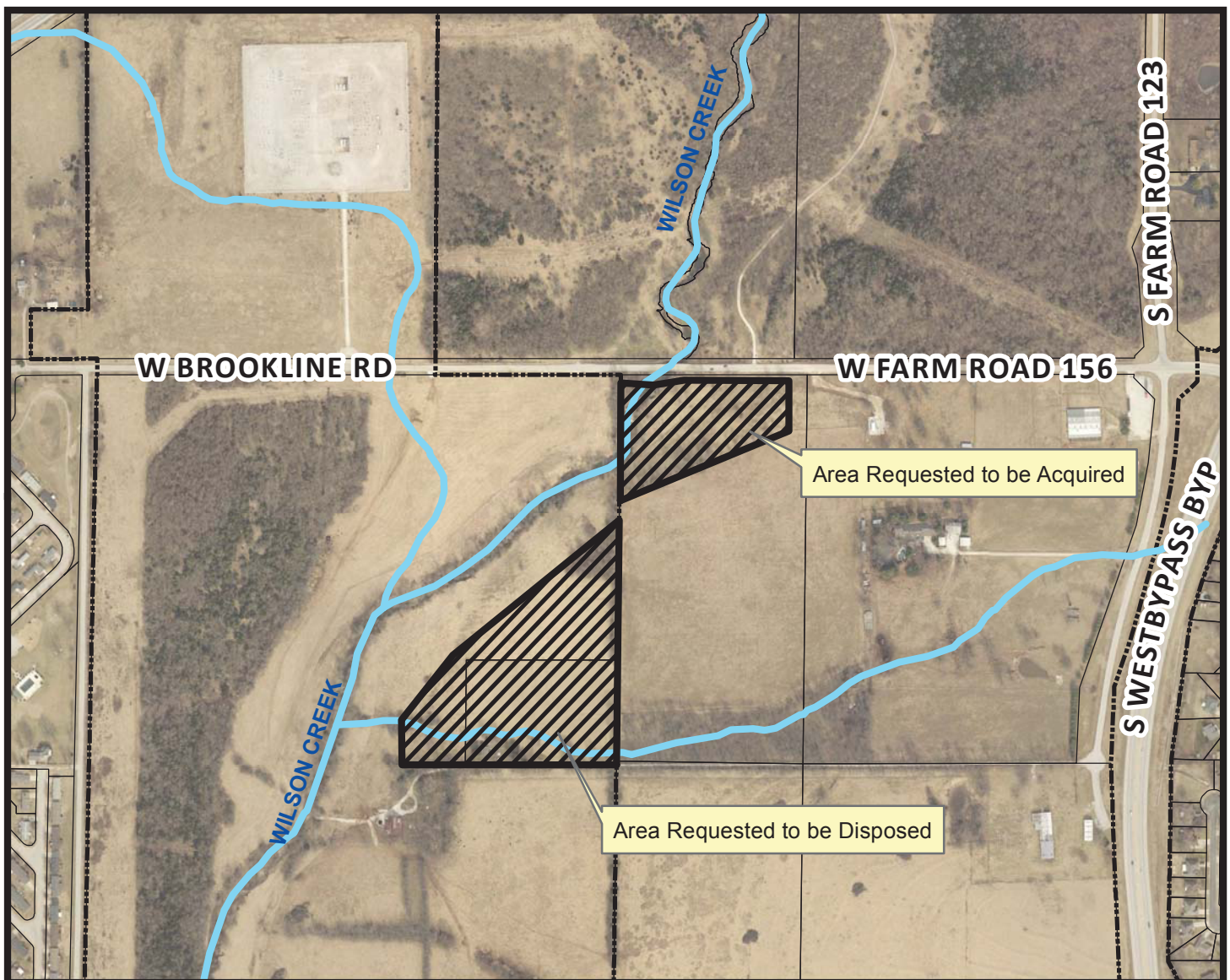
Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802

Request to Acquire/Dispose 513

LOCATION: 4400 block W. Brookline Road & 2821 S. State Highway FF

CURRENT ZONING: GI, Government and Institutional Use and County R-1

LOCATION SKETCH



- Area of Proposal



1 inch = 600 feet

DEVELOPMENT REVIEW STAFF REPORT
REQUEST TO ACQUIRE & DISPOSE NUMBER 513

PURPOSE: To approve the acquisition and disposal of property by the City of Springfield

REPORT DATE: July 24, 2015

LOCATION: 4400 block West Brookline Road & 2821 South State Highway FF

APPLICANT: City of Springfield

TRACT SIZE: Acquiring approximately 4.26 acres and disposing of approximately 10.57 acres.

EXISTING USE: Agriculture

FINDINGS FOR STAFF RECOMMENDATION:

1. The request is consistent with the Planning and Zoning Commission's land acquisition and disposal policy (Attachment 2 & 3).
2. The proposed acquisition and disposal will not adversely affect the City of Springfield Operations.
3. The proposed acquisition and disposal will allow the City of Springfield to preserve and enhance water quality of Wilson's Creek and provide a connection of two existing greenway trails; Wilson's Creek and South Creek Greenway trails.

RECOMMENDATION:

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

STAFF CONTACT PERSON:

Michael Sparlin
Assistant Planner

ATTACHMENT 1
REQUEST TO ACQUIRE/DISPOSE NUMBER 513

APPLICANT'S PROPOSAL:

The City of Springfield is proposing to exchange a portion of city-owned property for private property near Wilson's Creek and the City's Southwest Wastewater Treatment Plant. The City requests to acquire approximately 4.26 acres (described as "Tract 1" in Exhibit A) from an adjacent property owner, Phillip R. and Gloria J. Brown, in order to help protect Wilson's Creek, Wilson's Creek Conservation Easement and to connect the Wilson's Creek Greenway trail with the South Creek Greenway trail. In exchange, the City requests to dispose of approximately 10.57 acres (described as "Tract 2" in Exhibit A) to Phillip R. and Gloria J. Brown which will provide additional farming land. The City and the Brown's recognize and agree that an exchange of real estate tracts would be in the interest of both parties.

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 proposed use is generally consistent with the *Comprehensive Plan*. The Growth Management and Land Use Comprehensive Plan designates this area as appropriate for a Greenway.

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 a Greenway.
2. Approval will allow the City of Springfield to preserve and enhance water quality of Wilson's Creek, and provide a connection of two existing greenway trails, Wilson's Creek Greenway trail and South Creek Greenway trail
3. Approval supports Objective 16, Growth Management and Land Use Plan of the Comprehensive Plan which states, "The Springfield-Greene County community should treat environmental resources, particularly stream corridors, as a means of improving urban quality of life, safeguarding health, promoting private investment and creating long-term economic strength" and is consistent with the recommended Action Step:
"Work with Ozark Greenways on promoting the flood control and water quality benefits of protecting stream corridors as greenways."

4. Approval Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use; Major Goal 2: Increase connectivity and accessibility between and within the City of Springfield, Greene County, and surrounding municipalities; Objective 2b, Expand Greenways, "The Link," and other trail networks to provide better and safer bicycle and pedestrian traffic; Major Goal 5, Protect and preserve our natural resources for future generations; Objective 5a, Protect and expand our parks and open spaces; Objective 5b, Maintain high water quality and increase water quantity by securing and improving water resources for future generations. Chapter 8, Natural Environment; Major Goal 10, Integrate the natural and man-made environments through the use of green infrastructure and a green space system that links the region; Major Goal 16, Maintain or restore the pre-development hydrology of our watersheds and protect our waterways from pollution; Objective 16d, Riparian Corridor Restoration - Stabilize stream bank erosion and restore riparian corridors using geomorphic and bioengineering approaches and native plants.
5. The exchange of property will not adversely affect the operations of the Southwest Wastewater Treatment Plant.
6. The City and the Brown's recognize and agree that an exchange of real estate tracts would be in the interest of both parties.
7. 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."

An appeal of the Planning and Zoning Commission's decision for the proposed property acquisition would be to City Council.

ATTACHMENT 2
REQUEST TO ACQUIRE/DISPOSE NUMBER 513
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".

The Growth Management and Land Use Comprehensive Plan designates this area as appropriate for a Greenway.

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:

There are no anticipated adverse effects of the proposed use on the surrounding uses or areas. On the contrary, the acquisition of the 4.6 acres bordering Wilson's Creek will allow the City to preserve and enhance water quality in the Wilson's Creek riparian corridor and honor the Wilson's Creek Conservation Easement, while providing a smooth connection of two existing trails (Wilson's Creek Greenway trail and South Creek Greenway trail) without disturbance to Wilson's Creek.

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:

Refer to question #2. There are no existing structures on the land.

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: *There are no existing structures on the land.*

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 are no existing structures on the land.*

ATTACHMENT 3
REQUEST TO ACQUIRE/DISPOSE NUMBER 513
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: Portions of land located on 4400 block W. Brookline Road & 2821 S. State Highway FF, adjacent to Wilson's Creek.

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 City originally acquired the property as buffer for the Southwest Wastewater Treatment Plant. It is agricultural land. After the exchange, the land will continue to be used for agricultural use only. Circumstances have changed, because the piece of property the City will acquire, for the agricultural land, will greatly assist the City with stream buffer protection of the Wilson's Creek and will allow a smooth connection of two existing trails without disturbance to Wilson's Creek. The acquired land will be of great value to the City, and the continued agricultural use of the disposed land will not hinder operations or protection of the Southwest Wastewater Treatment Plant.

4. When did City of Springfield purchase the property?

Staff Comment: July 5, 1972 (Book 1559, Page 2137).

5. Why was the property acquired?

Staff Comment: See answer to Question #3.

6. Who will purchase the property?

Staff Comment: Dr. Phillip R. Brown and Gloria J. Brown, husband and wife, adjacent property owner

EXHIBIT A
REQUEST TO ACQUIRE/DISPOSE NUMBER 513

Tract 1, Brown to City of Springfield:

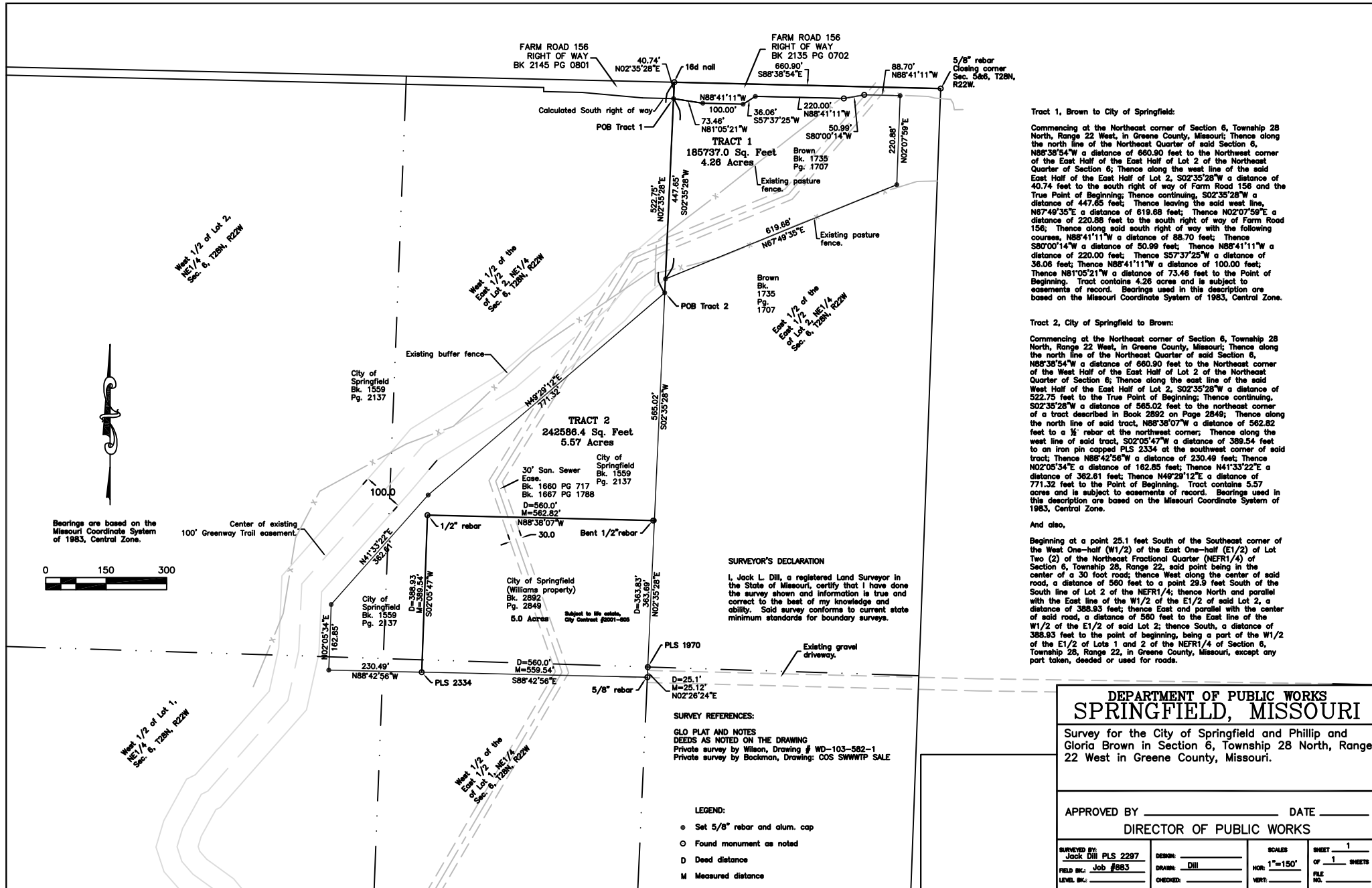
Commencing at the Northeast corner of Section 6, Township 28 North, Range 22 West, in Greene County, Missouri; Thence along the north line of the Northeast Quarter of said Section 6, N88°38'54"W a distance of 660.90 feet to the Northwest corner of the East Half of the East Half of Lot 2 of the Northeast Quarter of Section 6; Thence along the west line of the said East Half of the East Half of Lot 2, S02°35'28"W a distance of 40.74 feet to the south right of way of Farm Road 156 and the True Point of Beginning; Thence continuing, S02°35'28"W a distance of 447.65 feet; Thence leaving the said west line, N67°49'35"E a distance of 619.68 feet; Thence N02°07'59"E a distance of 220.88 feet to the south right of way of Farm Road 156; Thence along said south right of way with the following courses, N88°41'11"W a distance of 88.70 feet; Thence S80°00'14"W a distance of 50.99 feet; Thence N88°41'11"W a distance of 220.00 feet; Thence S57°37'25"W a distance of 36.06 feet; Thence N88°41'11"W a distance of 100.00 feet; Thence N81°05'21"W a distance of 73.46 feet to the Point of Beginning. Tract contains 4.26 acres and is subject to easements of record. Bearings used in this description are based on the Missouri Coordinate System of 1983, Central Zone.

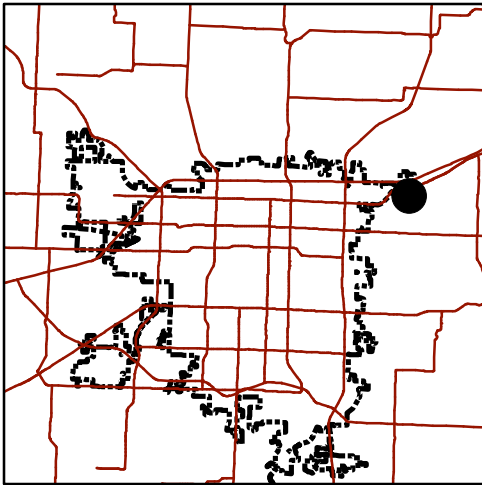
Tract 2, City of Springfield to Brown:

Commencing at the Northeast corner of Section 6, Township 28 North, Range 22 West, in Greene County, Missouri; Thence along the north line of the Northeast Quarter of said Section 6, N88°38'54"W a distance of 660.90 feet to the Northeast corner of the West Half of the East Half of Lot 2 of the Northeast Quarter of Section 6; Thence along the east line of the said West Half of the East Half of Lot 2, S02°35'28"W a distance of 522.75 feet to the True Point of Beginning; Thence continuing, S02°35'28"W a distance of 565.02 feet to the northeast corner of a tract described in Book 2892 on Page 2849; Thence along the north line of said tract, N88°38'07"W a distance of 562.82 feet to a ½" rebar at the northwest corner; Thence along the west line of said tract, S02°05'47"W a distance of 389.54 feet to an iron pin capped PLS 2334 at the southwest corner of said tract; Thence N88°42'56"W a distance of 230.49 feet; Thence N02°05'34"E a distance of 162.85 feet; Thence N41°33'22"E a distance of 362.61 feet; Thence N49°29'12"E a distance of 771.32 feet to the Point of Beginning. Tract contains 5.57 acres and is subject to easements of record. Bearings used in this description are based on the Missouri Coordinate System of 1983, Central Zone.

And also,

Beginning at a point 25.1 feet South of the Southeast corner of the West One-half (W1/2) of the East One-half (E1/2) of Lot Two (2) of the Northeast Fractional Quarter (NEFR1/4) of Section 6, Township 28, Range 22, said point being in the center of a 30 foot road; thence West along the center of said road, a distance of 560 feet to a point 29.9 feet South of the South line of Lot 2 of the NEFR1/4; thence North and parallel with the East line of the W1/2 of the E1/2 of said Lot 2, a distance of 388.93 feet; thence East and parallel with the center of said road, a distance of 560 feet to the East line of the W1/2 of the E1/2 of said Lot 2; thence South, a distance of 388.93 feet to the point of beginning, being a part of the W1/2 of the E1/2 of Lots 1 and 2 of the NEFR1/4 of Section 6, Township 28, Range 22, in Greene County, Missouri, except any part taken, deeded or used for roads.





Zoning & Subdivision Report

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

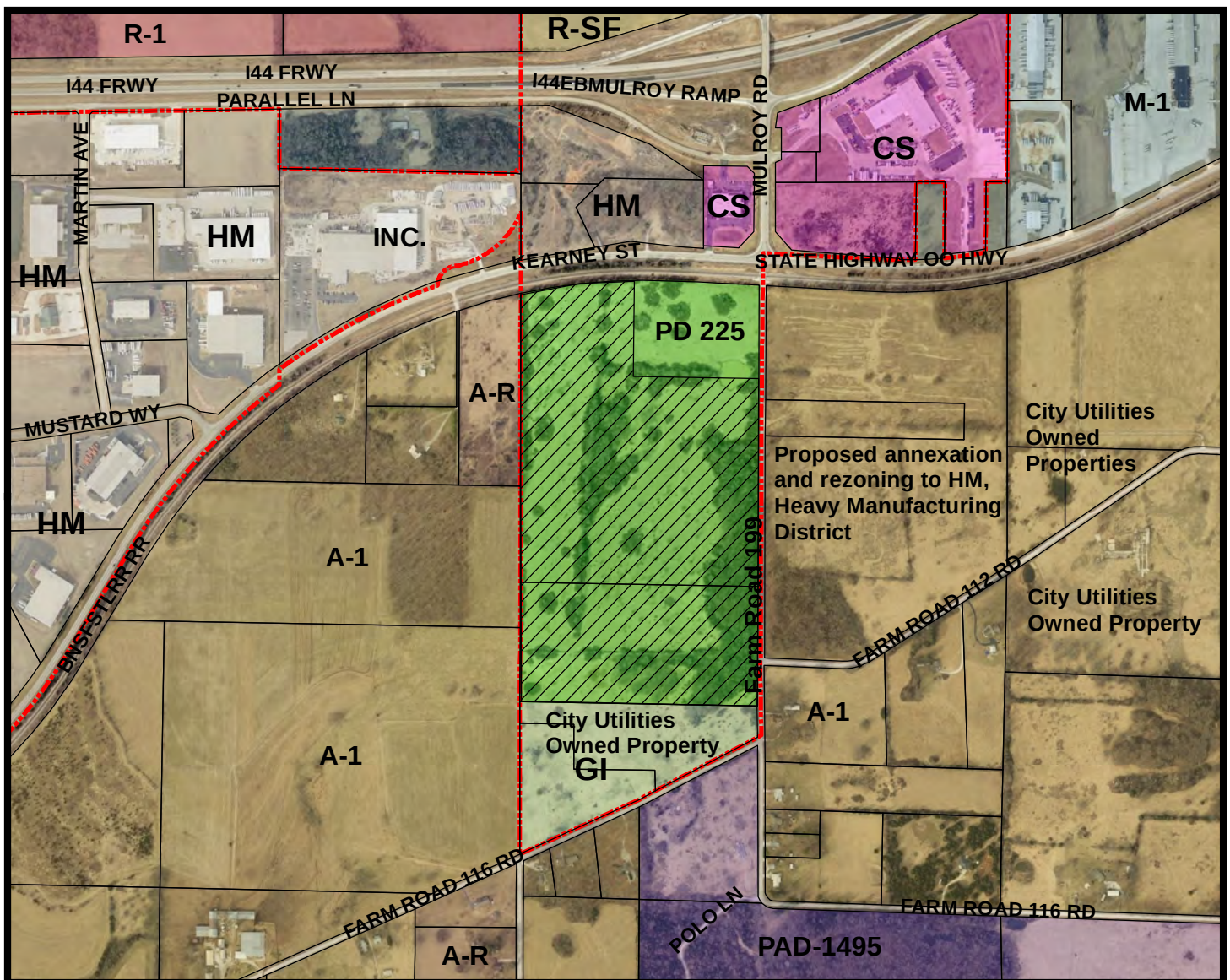
Z-23-2015/Conditional Overlay District No. 94

Location: Westside of the 2700-2800 Block of North Mulroy Road

Current Zoning: Planned Development 225

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

LOCATION SKETCH



- Area of Proposal



1 inch = 900 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-23-2015 & CONDITIONAL OVERLAY DISTRICT NO. 94

DATE: July 29, 2015

LOCATION: Westside of the 2700-2800 block North Mulroy Road (Farm Road 199)

APPLICANT: SRC Holdings Corporation

TRACT SIZE: Approximately 59 acres

EXISTING USE: Vacant/undeveloped land

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

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of this application is consistent with Growth Management and Land Use Plan of the Comprehensive Plan which identifies this as an appropriate area for light industry, office or office-warehouse. This area is also within the emerging Activity Center of I-44 and Mulroy Road as described in the plan. The proposed HM, Heavy Manufacturing zoning district with COD #94 is consistent with the recommendation.
2. Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use Major Goal 4: Develop the community in a sustainable manner. Objective 4a, Increase density in activity centers and transit corridor.
3. The request is consistent with the adjacent zoning along Kearney Street/State Highway OO and the intent of the HM district to be located with good accessibility provided to major rail, air facilities and highways.
4. The proposed conditional overlay district will mitigate the potential impact between the industrial and residential uses by requiring improvements to the surrounding public infrastructure. The proposed conditional overlay district and the development requirements in the HM District are adequate for mitigating any potential impacts of the proposed development on the adjoining properties.

RECOMMENDATION:

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

SURROUNDING LAND USES:

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

HISTORY:

This case was submitted to City Council for final reading on July 13th when the applicant requested the case remanded back to Planning and Zoning Commission for changes to the required improvements along Mulroy Road (Farm Road 199). The applicant submitted a revised traffic study so that staff could evaluate SRC's impact on the adjacent street system.

COMPREHENSIVE PLAN:

The Growth Management and Land Use Plan of the Comprehensive Plan designates this area as appropriate for light industry, office and office-warehouse. This category indicates that manufacturing, assembly, office and warehousing activities are appropriate uses in these designated areas. The Growth Management and Land Use Plan also shows this area as an emerging Activity Center which is immediately adjacent to Partnership Industrial Center. Development in this area could be related to the I-44 - U.S. 65 Activity Center, the Partnership Industrial Center, or could contain characteristics related to both. The I-44 - U.S. 65 Activity Center is a significant regional Activity Center that makes this area a major employment center.

STAFF COMMENTS:

1. The applicant is proposing to rezone the subject property from a Planned Development 225 to an HM, Heavy Manufacturing District with Conditional Overlay District #94.
2. The Growth Management and Land Use Plan of the Comprehensive Plan designates this area as appropriate for light industry, office and office-warehouse. This category indicates that manufacturing, assembly, office and warehousing activities are appropriate uses in these designated areas. Appropriate zoning districts include the HM, Heavy Manufacturing District if uses are restricted appropriately. This location's proximity to the railroad makes this

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

3. The Growth Management and Land Use Plan also shows this area as an emerging Activity Center which is immediately adjacent to Partnership Industrial Center. Development in this area could be related to the I-44 - U.S. 65 Activity Center, the Partnership Industrial Center, or could contain characteristics related to both. The I-44 - U.S. 65 Activity Center is a significant regional Activity Center that makes this area a major employment center. This project is located at the intersection of two primary arterials, Kearney Street/State Highway 00 and Mulroy Road as designated by the Major Thoroughfare Plan. The HM District is intended for heavy industrial uses. The intensity of uses permitted in this district make it necessary to separate it from all residential districts wherever possible with good accessibility provided to major rail, air facilities and highways. Staff believes the subject site meets the recommendations of the City's Comprehensive Plan and intent of the HM District.
4. The major difference between the existing Planned Development 225 and the proposed HM District is that there is not a Preliminary Development Plan that must be followed. The existing PD 225 preliminary development plan shows the specific location of streets and buildings. The applicant's plans have changed and they want more flexibility in the development of the property. The proposed rezoning will not significantly increase the intensity of uses or development on the site. The following differences have been proposed:
 - a. The proposed HM District and COD #94 allow the same manufacturing uses except it also allows motor freight terminals, Retail Sales Use Group provided the sale of products is related to the principal use and provided that the gross amount of floor area devoted to sales and display does not exceed twenty-five (25) percent of the gross floor area of the structure or ten thousand (10,000) square feet, whichever is less, and wholesale sales uses.
 - b. The proposed HM District and COD #94 do not limit all industrial operations inside a building with related storage screened from surrounding properties as required by the existing PD 225.
 - c. The proposed HM District and COD #94 do not limit the floor area ratio for permitted structures to a 1.0 on each buildable lot as required by the existing PD 225.
 - d. The proposed HM District and COD #94 do not have any maximum height, minimum yard requirements or open space requirements. The existing PD 225 has a maximum structure height of 60 feet above the elevation of the lot, a 40 foot front yard and 15 foot side and rear yard

building setbacks, and an open space requirement of 20% for each buildable lot.

- e. The proposed COD#94 does not specify access to Farm Road 199 (Mulroy Rd.) as specific in PD 225. COD #94 states that access points are required to be 200 feet apart per City Code and that they must be located directly across from access points on the property to the west.
 - f. A street or access to the western properties that take access to Kearney Street by crossing the railroad is not required.
 - g. The proposed COD #94 does not specify the number, height or square footage of signage as does PD 225. The current Sign Code will apply.
 - h. The perimeter treatment or bufferyards have changed significantly because there is not a specific internal street system or building layout in COD #93 as shown in PD 225. The applicant will have to put bufferyards and perimeter landscaping as required by the current Zoning Ordinance requirements which appear to be more than what is required in the existing PD.
 - i. The proposed COD#94 does not have a final development plan that must be developed in substantial conformance with the preliminary development plan shown in PD 225.
5. A traffic study was reviewed and approved by Traffic Staff as part of the conditional overlay district requirements.
6. The Conditional Overlay District Provisions will restrict uses, require the dedication of additional right-of-way along Mulroy Road, restrict access to Mulroy Road and require the completion of public improvements to a portion of Mulroy Road. These improvements will include the construction of sidewalks or payment of a fee in lieu of construction and reconstruction of Mulroy Road.
7. The Zoning Ordinance requires a Bufferyard "I" between the HM, Heavy Manufacturing District and adjacent County A-1 and A-R, Agriculture Districts to the west. The Bufferyard "I" requires a minimum open space of forty (40) feet wide with the following plantings per one hundred (100) linear feet: five (5) canopy trees, four (4) understory trees, five (5) evergreen trees and thirty-four (34) shrubs. If the amount of open space is increased, then the density of landscaping can be reduced. A six-foot solid wood fence, masonry wall, solid evergreen hedge or earthen berm is required along the property boundary if a forty (40) or sixty (60) foot bufferyard is provided. A Bufferyard "B" is required adjacent to the GR, General Retail District to the northeast. A Bufferyard "C" is required adjacent to the City Utilities property to the south which is zoned GI, Government Institutional. There is no bufferyard required or proposed at the

southeast corner since the right-of-way for Mulroy Road will be 70 feet or greater in width. A perimeter landscaping area shall be provided where a parking lot or vehicle use area is within 50 feet of a public right of way and there is not an intervening building. All other lighting, noise, landscaping requirements shall be met as required by the Zoning Ordinance.

8. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

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

ADJACENT PROPERTY OWNER COMMENTS:

Thirteen (13) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. E-mails/letters in opposition have been attached (Attachment 3).

CITY COUNCIL PUBLIC HEARING:

August 24, 2015

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-23-2015 & CONDITIONAL OVERLAY DISTRICT NO. 94

BUILDING DEVELOPMENT SERVICES COMMENTS:

No BDS issues with proposed rezoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

See attached memo (Attachment 4)

GREENE COUNTY HIGHWAY DEPARTMENT COMMENTS:

No issues.

MISSOURI DEPARTMENT OF TRANSPORTATION (MODOT):

No issue with rezoning.

STORMWATER COMMENTS:

1. There are no stormwater issues with the zoning map classification change. Please note, however, that development (or re-development) of the property will be subject to the following conditions at the time of development:
 - a. Any increase in impervious area from 1985 aerial photo information will require the development to meet current detention and water quality requirements. Impervious surfaces in place prior to 1985 and currently in good condition can be credited as existing impervious surface. Existing gravel surfaces meeting the above definition are only eligible for 50% credit.
 - b. Payment in lieu of construction of detention facilities is not an option for this site due to existing downstream flooding problems.
 - c. The proposed percent of impervious surfacing must not exceed the maximum impervious surfacing allowed for site by zoning, platting, and/or previous stormwater reports.
2. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or a drainage easement.
3. Drainage easements will be required where concentrated flow drains from one lot to another or from offsite onto the proposed subdivision. Such easement shall be sized for the 100-year peak flow rate.

4. Based upon City contour and sinkhole information, it appears a sinkhole and/or sinkhole watershed may exist on this site. For this reason, a sinkhole evaluation – to include geological and hydrological evaluation – must be completed by a qualified professional engineer or geologist for this site.
5. Based upon City data, no significant offsite concentrated stormwater flow exists upstream of the subject property

CLEAN WATER SERVICES COMMENTS:

No objections to rezoning however public sewer is not directly available for either property (the subject property currently exists as two separate tracts/lots of record).

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

There is also a trunkline connection fee required when the northern property hooks up to sewer of \$0.048 per square foot. The property is 49.27 acres and the trunkline fee would be \$103,018.00. This does not include any impact or special connection fees.

The south property is subject to two different trunkline fees. If the property connects to the sewer to the north, the trunkline fee would be \$0.048 per square foot. That connection fee for 19.65 acres would be \$41,086.00. If it connects to the south, there is a \$0.0147 per square foot connection fee of \$12,583.00.

CITY UTILITIES:

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

EXHIBIT 2: NEIGHBORHOOD MEETING SUMMARY

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

(existing zoning) *(proposed zoning)*
2. Meeting Date & Time: May 13, 2015 - From 4:30 to 6:30
3. Meeting Location: Ramada Oasis Conference Room
4. Number of invitations that were sent: 35
5. How was the mailing list generated: By the City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 10
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

See attached summer of meeting

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

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

May 19, 2015

City of Springfield
Planning & Development

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

To Whom it May Concern:

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

- ***Increased Traffic***

- **Neighborhood Comments**

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

- **Developer's Response**

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

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

- **Neighborhood Comments**

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

- **Developer's Response**

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

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

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

Neighborhood Comments

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

Developer's Response

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

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

Neighborhood Comments

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

Developer's Response

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

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

Neighborhood Comments

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

Developer's Response

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

- ***Access to western properties***

Neighborhood Comments

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

Developer's Response

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

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

Neighborhood Comments

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

Developer's Response

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

Sincerely,



Olsson Associates
Jared Rasmussen, PE

Neighborhood Meeting

SRC Rezoning

May 12, 2015

4:30 p.m. – 6:30 p.m.

Name	Address	Phone
Jared Rasmussen	550 E. St. Louis St. Springfield	417-890-8802
Mark Thomson	4803 E Farm Road 116	417-839-9798
STEVEN CONLEY	5032 E FR RD 116	417-863-0007
Stephanie Montgomery	5051 S. National, Bldg 5-100 6590	417-889-4300
Roger + Janet Dixon	5374 E. FR 112 Strafford MO.	417-831-7472
Jim + Diane Russell	2795 N. Stonercrest Springfield, MO	417 234 0132
Mike + Rebecca Bounous	2470 N. Farm Rd 199, Strafford	417-866-1375
Nancy Mentis / D. Nichols	5368 E Farm Rd 112 Strafford	417 865-2333

2795 N. Stonecress
Springfield, Mo
65803

May 22, 2015

To Whom it ~~May~~ Concern:

I am writing in reference to zoning of the properties east and west of Farm Rd. 199 and Kearney. I feel like there is a serious safety issue at the intersection of 199 & Kearney. The distance between the railroad track and Kearney is approximately ~~59~~ 59 feet. A train is wider than the tracks. The railroad states that a vehicle must be 15 feet from the tracks. That leaves 44 feet between the stop and Kearney St. A semi truck is 73 feet long. If a truck stops for traffic going east and west on OO, 13 feet will be on the track. The OLSEN engineer said that a truck will have 60 seconds to get off the track when the signal is given. The truck cannot pull into traffic. We know there will be a stop light. Some FedEx trucks have 2 trailers. They will have to clear the track in 60 seconds. We live close to a track and cross it every day just west of 199. When you hear the train whistle blow, panic can set in. The train travels at 60 mph. The truck will have 29 feet on OO if end is 15' from track. He may have to stop if light is yellow.

Another scenario would be traveling west on OO, turning south onto 199. The semi truck starts thru the intersection and the light changes. Trucks go through yellow lights and even when it starts to turn red. They pull onto 199 and stop at the 15 foot marker. 29 feet of the semi truck is stopped on Kearney St.

The intersection will be worse because 199 only has a few homes on it. This change will bring a lot of traffic onto 199.

There already is a lot of traffic on Kearney from Roadway, Yellowfreight, I 44, and the industrial park. SRC is going to have 100 doors, which I assume, means 100 trucks.

Fed Ex is going to have many trucks on the east side. There will be people going to and from work, in a hurry. I think there is a possibility of bad judgement when it comes to railroad tracks and the short distance.

Our neighbors can hear the noise from Polar Custom Trailers even with their windows and doors shut. The light shines into their homes from the lights. We are concerned that there will be excessive noise, lights and pollution from SRC cleaning their engines.

I talked to Chad Zickefoose from MODOT. He said this intersection isn't ideal. A bridge would be better. He said you can't really control how fast people drive or where they stop. Trucks can get stuck on Kearney from 199. Increasing the traffic on 199 increases the risk of an accident.

Sincerely,
Diane Russell
Diane Russell
417 2340132

2-23-2015

Truck on left is coming from I44 or Strafford going South on ~~199~~ 199. Truck on right is going north to I44. It is stopped for yellow light or red on traffic on 00.

N

Scale
 $\frac{1}{2}'' = 12'$

↑ TO I44

W

E

KEARNEY (00)

SEMI WITH TRAILER

SEMI WITH TRAILER

50'

15'

RAILROAD TRACK

MULROY (199)

15'

S

May 18, 2015

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

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

Sincerely,

Roger & Janett Dixon

5374 East FR 112

Strafford, Mo. 65757

417-831-7472 Home

417-616-1151 Cel

From: [Beckie](#)
To: [Burnett, Justin](#); [Fishel, Craig](#); [Fisk, Jan](#); [Hosmer, Craig](#); [Robert Stephens](#); [Fulnecky, Kristi](#); [McClure, Ken](#); [Schilling, Mike](#); [Ferguson, Phyllis](#); Zoning@springfieldmo.gov; [Harpine, Joe](#); [Hosmer, Bob](#); [Neal, Daniel](#); [Owen, Alana](#); [Sparlin, Michael](#); mike.meek@meeklumber.com
Subject: RE: Zoning Case Z-22-2015 w/Conditional Overlay District No. 93 and No. 94
Date: Sunday, May 31, 2015 10:06:07 PM

RE: Zoning Case Z-22-2015 w/Conditional Overlay District No. 93
Zoning Case Z-22-2015 w/Conditional Overlay District No. 94

To Whom it May Concern,

We own two properties that will be affected by these Zoning Cases and the introduction of Heavy Manufacturing planned on the East and West sides of Farm Road 199. When creating the Comprehensive Plan was no thought given to how it would affect the residents in this area? Why weren't any of the people who are directly affected notified when this plan was created and then adopted in 2004? Or as part of the 'Growth and Development Focus Group'? Is it not a conflict of interest for Stephanie Montgomery to be on that Focus Group when she will profit monetarily from these changes?

This is a small community of people that have worked their whole lives in order to retire in a nice quite rural area. People that have lived here for over 30 years and have worked hard to make their homes and land the ideal retirement spot. My husband and I own the properties at 2530 and 2470 N. Farm Road 199, we purchased 2470 last year for the purpose of combining the properties, building our dream home as well as returning the old farm house to its original state. Putting in Heavy Manufacturing will markedly reduce the market value of our homes and property. Now where do we build our dream home? Why renovate the farm house? How long before the city of Springfield swallows up our land as well? What happened to the well being of the citizenry? I doubt any of us will be able to recoup the money we have invested in our future and what our children will ultimately inherit.

These issues deal with the 'Vision 20/20' plan, is the next Comprehensive Plan going to put us inside city limits? Will it include more manufacturing? Will there be a new housing development? Stephanie Montgomery repeatedly stated at the meetings with Olsson, that the reason they purchased the property at 5134 E Farm Road 116 was to make it a part of The Wild Horse Development. She was also fond of repeatedly stating that "this has been a part of the plan for over 15 years!", as none of us were a part of that focus group how is it we are supposed to know about it? Again, is there not an ethical issue with her being on that focus group and profiting from it? At least for the moment, we live in the county, not the city of Springfield.

All of the proposed measures to keep light and noise pollution to a minimum are only tokens, as the increased traffic is enough to destroy our peaceful neighborhood. We face the end of our way of life.

Thank you for your attention,

Michael and Rebecca Bounous
2470 and 2530 N. Farm Road 199
Strafford, MO 65757
(417) 866-1375

From: [debra jones](#)
To: [Neal, Daniel](#)
Subject: Rezoning
Date: Tuesday, June 02, 2015 5:38:36 PM

Concerning the Zoning Case Z-23-2015 , along with some of our neighbors my wife and I are opposed to the rezoning . We believe that the plan would cause noise, lights and especially more traffic . We are one of the closest land owners to the rezoning site and oppose the plan.

Thank You
John K. & Debra Jones

From: [richard.trussell](#)
To: [Neal, Daniel](#)
Subject: Development on N FR 199
Date: Thursday, June 04, 2015 8:47:15 AM

Dear Daniel,

We want you to know we are in opposition of the planned rezoning on North Farm Rd 199. We live near the proposed development and it would devalue our property, increase the traffic on very narrow roads and ruin the country atmosphere we now enjoy. There are plenty of other places this project can be located in Springfield. I am sure you would not want this development in your neighborhood unless you were the one selling the land. It will bring a completely different element into our neighborhood. If this is passed regardless of the objections of the neighborhood what do you plan to do to put a barrier between us and industry?

Sincerely,
Richard and MARY Lynn Trussell

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

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

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

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

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

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

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

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

Sincerely,

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

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

Dear Sirs:

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

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

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

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

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

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

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

Sir:

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

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

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

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

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

MEMORANDUM

JULY 29, 2015

MEMO TO PLANNING & ZONING COMMISSION

RE: SRC PROPERTY; MULROY ROAD

The property on the east side of Mulroy Road has recently been rezoned to allow for a FedEx facility to be constructed. As part of that rezoning, a conditional overlay was established with infrastructure improvements being required to widen Mulroy Road to a three-lane section from Kearney Street to their entrance.

SRC has requested to rezone their property on the west side of Mulroy Road from PD225 to HM. SRC submitted a Traffic Study to evaluate the need for a southbound right turn lane from south of the railroad tracks on Mulroy to the entrance into SRC with no further improvements needed south of the proposed entrance to the property to the east of Mulroy Road. The City has reviewed the Traffic Study submitted by Olsson & Associates. The projected volumes and information provided for the SRC site were as follows:

- The site will have approximately 600,000 square feet of development area and will support approximately 400 employees.
- Each employee will have a vehicle
- The employer will utilize shift staggering 30 minutes apart from 6 am to 9 am and a similar pattern in the evenings.
- This is not a distribution center, therefore, the volume of trucks entering and exiting the property will be less and are anticipated to be approximately 60 trucks per day (half deliveries and half outgoing products).
- All truck traffic will come from the north.

The entrance to SRC will be restricted to the north by the Conditional Overlay District. Based on the City's analysis of the Traffic Study submitted we agree with the following:

- Improvements to the south of the entrance on the east side of Mulroy Road are not warranted due to low traffic volumes.
- A right turn lane is warranted and will be constructed by SRC.

The turn lane design will meet the minimum recommended lengths presented in MoDOT's Engineering Policy Guide. MoDOT also provides that a minimum storage length of 50 feet by providing auxiliary turn lanes in addition to the taper and deceleration length. The addition of the right-turn lane will help in reducing delay and the likelihood of rear-end crashes.

Respectfully,



Eric Claussen, P.E.
Traffic Engineer – Public Works
City of Springfield, MO

ATTACHMENT 5
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-23-2015 & CONDITIONAL OVERLAY DISTRICT NO. 94

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

Permitted Uses Allowed under this Overlay District

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

Infrastructure Improvement Requirements

1. The right-of-way for Mulroy Road (previously Farm Road 199) is currently 50 feet from the centerline but an additional ROW shall be dedicated to provide for a future roadway improvement which would avoid conflicts with potential sinkholes identified on Mulroy Road as it exists now (see attached Exhibit C1 and C2).
2. Access to Mulroy Road shall be located no closer than 250 feet from the access drive on the property east of this tract.
3. Access to Mulroy Road shall be provided with a minimum 12 foot wide right turn lane with 50 foot of storage, 170 foot deceleration, 100 foot taper and 4 foot shoulders, consistent with MoDOT's standards and as approved by Director of

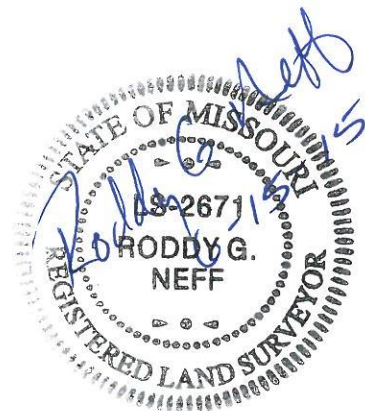
Public Works. (See Exhibit C3 traffic memo dated July 23, 2015 as prepared by Olsson Associates).

4. The intersection of Mulroy Road and Kearney Street is Station point 99.00 (see Exhibit C3). Mulroy Road will be improved from Station point 100.60 south to Station Point 110.00 with a 40 foot wide three lane road section with two, 4 foot shoulders as approved by the Director of Public Works.
5. No public access to Mulroy Road shall be permitted from Station Point 107.50 south by this property owner. A secured Fire Department access drive complying with the requirements of the current International Fire Code may be provided in this limited access section of Mulroy Road.
6. Sidewalks are required along the property frontage on Mulroy Road. The developer has the option to request to pay a fee-in-lieu of constructing sidewalks through the ARC. If a fee-in-lieu of sidewalk construction is approved for the entire property frontage along Mulroy Road, the developer shall only be required to provide grading for future construction of a sidewalk from Kearney Street to Station Point 110.00 (see Exhibit C3) at time of development.
7. In lieu of the final completion of said improvements in requirements 3 and 4 before the issuance of a building permit, the developer may post a surety bond with one or more corporate sureties engaged in the business of signing surety bonds in the State of Missouri, an escrow agreement, letter of credit or other appropriate security agreement, approved by the City Attorney and the City Manager of the City of Springfield, which surety, escrow agreement or other appropriate security agreement will insure to the City that the improvements will be completed by the developer. Such security shall be handled in the same manner as security allowed under Section 303 of the Subdivision Regulations of the City of Springfield.
8. A 20-foot wide utility easement shall be dedicated without compensation to City Utilities along the east property line. The easement shall be dedicated prior to the planned Mulroy Road improvements. Additional easements may be required for the further extension of utilities to serve this property. These will be identified at the development stage.

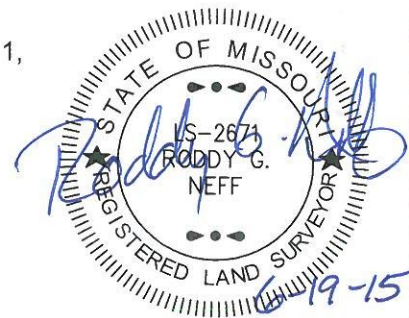
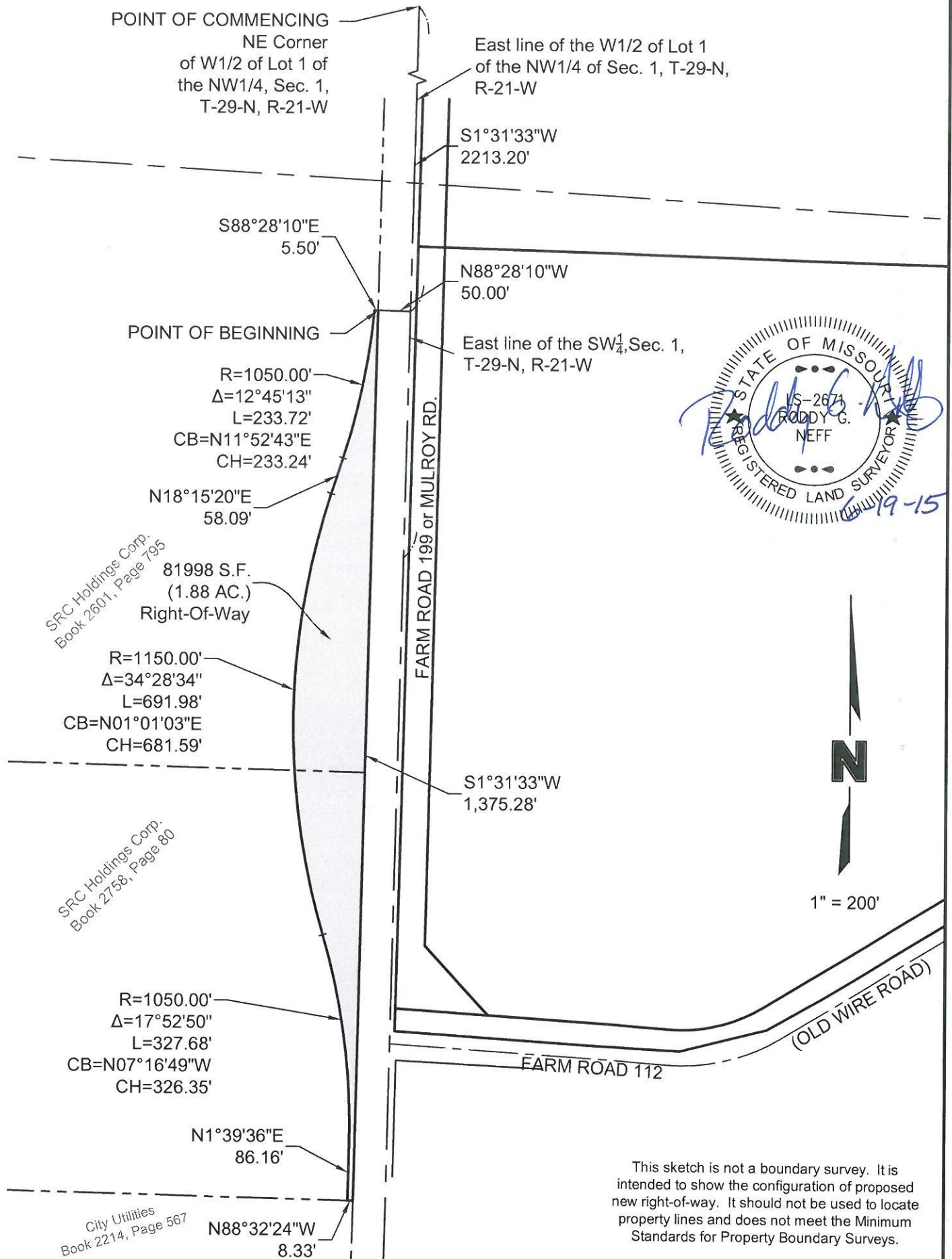
Exhibit C1

PERPETUAL STREET RIGHT OF WAY DESCRIBED AS FOLLOWS:

ALL THAT PART OF THE WEST ONE-HALF (W1/2) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 1, TOWNSHIP 29 NORTH, RANGE 21 WEST, BEING A PART OF A TRACT OF LAND DULY RECORDED IN BOOK 2601, PAGE 795 AND BOOK 2758, PAGE 80, GREENE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF THE WEST ONE-HALF (W1/2) OF LOT 1 OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 1, TOWNSHIP 29 NORTH, RANGE 21 WEST, GREENE COUNTY, MISSOURI; THENCE SOUTH 01 DEGREES 31 MINUTES 33 SECONDS WEST, ALONG THE EAST LINE OF SAID WEST ONE-HALF (W1/2) OF LOT 1 AND BEYOND, ALONG THE EAST LINE OF THE WEST ONE-HALF (W1/2) OF THE SOUTHWEST QUARTER (SW1/4), A DISTANCE OF 2213.20 FEET; THENCE NORTH 88 DEGREES 28 MINUTES 10 SECONDS WEST, LEAVING SAID EAST LINE, A DISTANCE OF 50.00 FEET FOR A POINT OF BEGINNING; THENCE SOUTH 01 DEGREES 31 MINUTES 33 SECONDS WEST, ALONG A LINE 50.00 FEET WEST OF, AND PARALLEL TO SAID EAST LINE OF THE WEST ONE-HALF (W1/2) OF THE SOUTHWEST QUARTER OF SAID SECTION 1, A DISTANCE OF 1375.28 FEET; THENCE NORTH 88 DEGREES 32 MINUTES 24 SECONDS WEST, LEAVING SAID PARALLEL LINE, A DISTANCE OF 8.33 FEET; THENCE NORTH 01 DEGREES 39 MINUTES 36 SECONDS EAST, A DISTANCE OF 86.16 FEET; THENCE NORTHWESTERLY, ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1050.00 FEET, A CHORD THAT BEARS NORTH 07 DEGREES 16 MINUTES 49 SECONDS WEST, AN ARC DISTANCE OF 327.68 FEET; THENCE NORTHEASTERLY, ALONG A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 1150.00 FEET, A CHORD THAT BEARS NORTH 01 DEGREES 01 MINUTES 03 SECONDS EAST, AN ARC DISTANCE OF 691.98 FEET; THENCE NORTH 18 DEGREES 15 MINUTES 20 SECONDS EAST, A DISTANCE OF 58.09 FEET; THENCE NORTHEASTERLY ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1050.00 FEET, A CHORD THAT BEARS NORTH 11 DEGREES 52 MINUTES 43 SECONDS EAST, AN ARC DISTANCE OF 233.72 FEET; THENCE SOUTH 88 DEGREES 28 MINUTES 10 SECONDS EAST, A DISTANCE OF 5.50 FEET, TO THE POINT OF BEGINNING, CONTAINING 81,998 SQUARE FEET, OR 1.88 ACRES MORE OR LESS.



DWG: F:\PROJECTS\014-3043\SRVY\Exhibits\14-3043_RightofWay-FR199-West side.dwg
DATE: Jun 17, 2015 4:15pm
USER: ddrumm
XREFS: 143043_bs-WITH ROW
143043_xbou
143043_PEase



This sketch is not a boundary survey. It is intended to show the configuration of proposed new right-of-way. It should not be used to locate property lines and does not meet the Minimum Standards for Property Boundary Surveys.

PROJECT NO: 014-3043
DRAWN BY: DDD
DATE: 06.10.15

NEW RIGHT-OF-WAY
FR 199 or MULROY RD

MOLSSON
ASSOCIATES

550 St. Louis Street
Springfield, MO 65806
TEL 417.890.8802
FAX 417.890.8805

EXHIBIT
C2



TECHNICAL MEMORANDUM

	Overnight
	Regular Mail
	Hand Delivery
x	Other: <u>E-mail</u>

TO:	SRC Holdings
FROM:	Reid Catt, P.E., PTOE
RE:	SRC Holdings - Mulroy Road Right Turn Lane Traffic Study
DATE:	July 23, 2015
PROJECT #:	013-3034
PHASE:	

INTRODUCTION

The purpose of this traffic study is to evaluate the need for a right turn lane into the proposed SRC Holdings site located on the western side of Mulroy Road (Farm Road 199). This technical memorandum summarizes the findings.

BACKGROUND INFORMATION

As a requirement of the site development, additional right-of-way (ROW) along Mulroy Road is being dedicated and the existing roadway is being widened to a 3-lane section with a two-way left-turn lane (TWLTL). The infrastructure improvement requirements of Conditional Overlay District #94 state that "the access to Farm Road 199 shall be located no closer than 250 feet from the access drive on the property east of this tract." The proposed concept plan attached in the **Appendix**. During the final design phase, any additional spacing between the drives that can be achieved with consideration for the other site constraints is recommended.

The Missouri Department of Transportation (MoDOT) Engineering Policy Guide (EPG) access management guidelines were used as a reference tool for determining auxiliary lane requirements.

TRAFFIC VOLUMES

Existing traffic data was not available on the City of Springfield's website or on MoDOT's website that can be used to estimate the ADT. For the purposes of this study, the existing peak hour volume on Mulroy Road that will coincide with the study peak hour is assumed to be approximately 15 vehicles per hour (vph).

Projected traffic volume data for the SRC Holdings site was provided by Butler, Rosenbury, & Partners. Projected traffic volume data for the FEDEX site, located on the parcel east of Mulroy Road, was provided by FEDEX. Because the purpose of this study is to evaluate a southbound right-turn lane into the SRC Holdings site, southbound traffic volumes will be the critical direction and AM traffic volumes will be the critical period for the analysis.

Projected traffic volumes and information for the SRC Holdings' site is as follows:

- The site will have approximately 600,000 square feet of development area and will support approximately 400 employees.
- Each employee will have a vehicle.
- The employer will utilize shift staggering 30 minutes apart from 6 AM to 9 AM and a similar pattern in the evenings. This means that approximately 134 employees will be entering the site during the peak hour, which translates to 134 vph.
- Since this is not a distribution center, each business unit will have about 10 trucks per day (half deliveries and half out-going products). With six business units, this translates to approximately 60 trucks per day; therefore, there will be approximately 6 trucks per hour. All truck traffic will come from the north.

The AM peak hour arrivals for the FEDEX site is approximately 180 vph. The detailed FEDEX traffic generation data is provided in the **Appendix**.

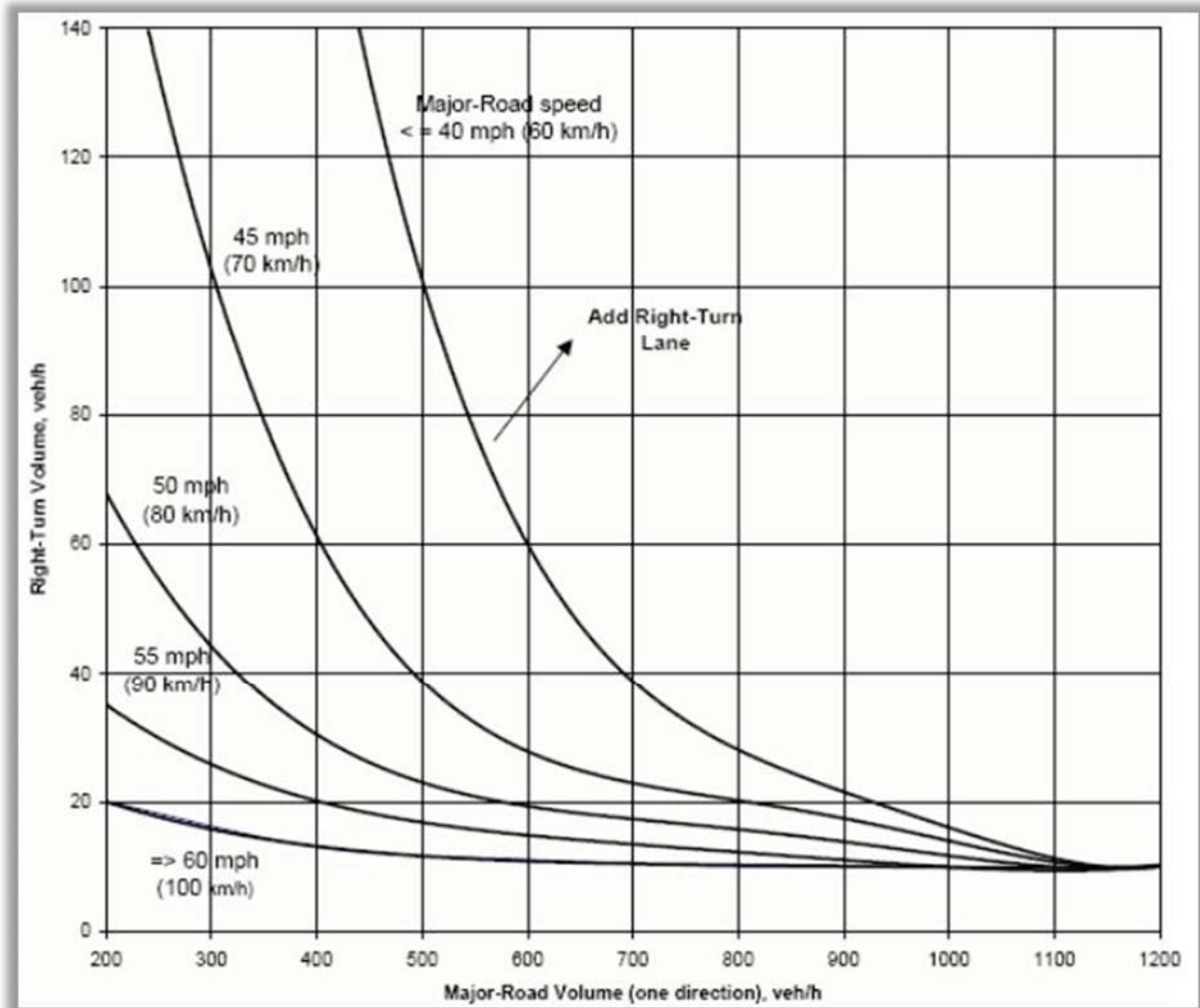
For traffic distribution purposes, 90% of the traffic volumes are assumed to come from the north and 10% are assumed to come from the south for both the SRC Holdings site and the FEDEX site.

Based on the aforementioned existing traffic volume data assumptions, the proposed peak hour traffic volumes, and the estimated traffic distribution patterns, Mulroy Road is expected to have approximately 293 vph traveling in the southbound direction during the AM peak hour ($15 \times 0.5 + 134 \times 0.9 + 6 \times 0.5 + 180 \times 0.9$).

TURN LANES

Turn lane warrants were performed utilizing the aforementioned trip generation. A combination of engineering judgment and guidelines such as the Missouri Department of Transportation (MoDOT) Engineering Policy Guide (EPG) Section 940.9, "Right Turn Lane Guidelines for Two-Lane Roadways," were used to evaluate the need for turn lane recommendations. The warrant's graph may be viewed in **Exhibit 1**.

Exhibit 1: Right Turn Lane Guidelines for Two-Lane Roadways

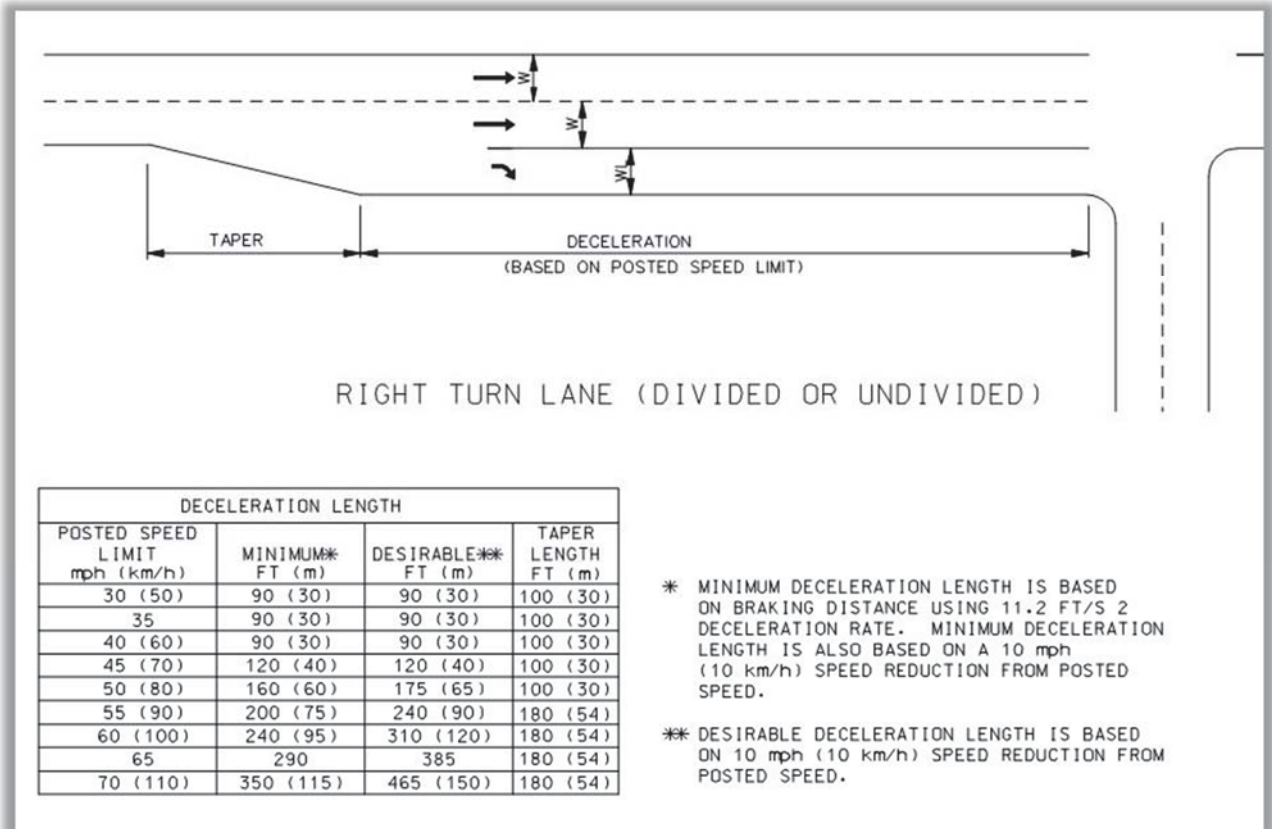


The right-turn volume into the site is estimated to be 134 vph and the major-road volume is estimated to be 293 vph. Based upon the warrant information presented in **Exhibit 1** for a two-lane roadway, a right turn lane is recommended for the site entrance.

Turn Lane Design

Turn lane design should meet the minimum recommended lengths presented in the MoDOT EPG. MoDOT also provides that a minimum storage length of 50 feet be provided in auxiliary turn lanes in addition to the taper and deceleration length. The right-turn lane design length requirements are illustrated in **Exhibit 2**.

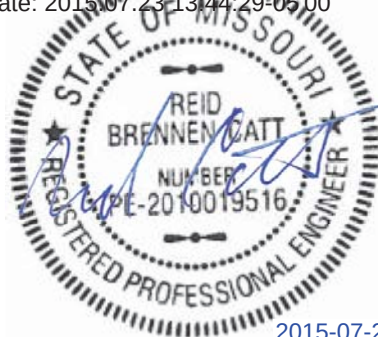
Exhibit 2: Right Turn Lane Design Guidelines



Recommendations and Conclusions

The addition of right-turn lane into the SRC Holding site is recommended. The recommended turn lane shall be as follows: 50 foot storage length, plus 120 foot deceleration length, plus 100 foot taper length for an overall length of 270 feet. The addition of the right-turn lanes will remove turning traffic from the through lane, reducing delay and the likelihood of rear-end crashes.

Digitally signed by Reid Catt
Date: 2015.07.23 13:44:29 -05'00'

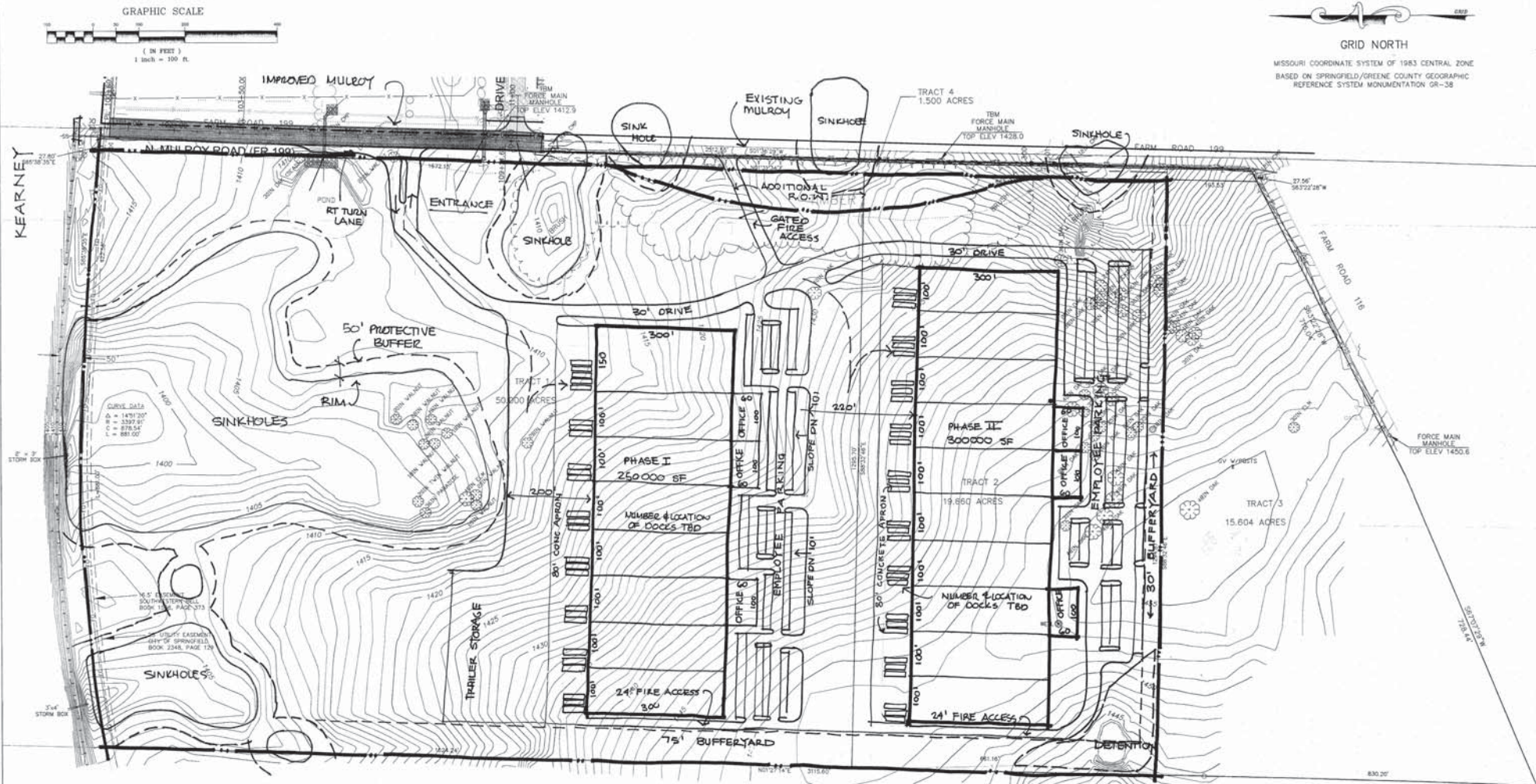


2015-07-23

APPENDIX

FedEx Ground
FEDEX Full Phase Expected Traffic Flows
658

	Automobile Full Phase		P&D Van Full Phase		Spot Trailers Full Phase		Linehaul Full Phase		Total Vehicle Flow Full Phase		
	Arrive	Depart	Arrive	Depart	Arrive	Depart	Arrive	Depart	Arrive	Depart	
00:01 - 01:00	9							1	9	1	00:01 - 01:00
01:01 - 02:00	9	9					1		10	9	01:01 - 02:00
02:01 - 03:00	121						4		125		02:01 - 03:00
03:01 - 04:00		9					6	1	6	9	03:01 - 04:00
04:01 - 05:00							4		4		04:01 - 05:00
05:01 - 06:00	9						7	1	16	1	05:01 - 06:00
06:01 - 07:00	121	17		69			4	1	126	88	06:01 - 07:00
07:01 - 08:00	138	112	39	69			3		180	182	07:01 - 08:00
08:01 - 09:00	43	17	39	39		36	2		84	91	08:01 - 09:00
09:01 - 10:00				39	36	36			36	74	09:01 - 10:00
10:01 - 11:00					36		1		36		10:01 - 11:00
11:01 - 12:00		17				36		1		54	11:01 - 12:00
12:01 - 13:00		26			36	36			36	61	12:01 - 13:00
13:01 - 14:00		26			36				36	26	13:01 - 14:00
14:01 - 15:00		9								9	14:01 - 15:00
15:01 - 16:00	17								17		15:01 - 16:00
16:01 - 17:00	26	112	69						95	112	16:01 - 17:00
17:01 - 18:00	121	164	69					1	191	166	17:01 - 18:00
18:01 - 19:00	26	17					2	1	28	19	18:01 - 19:00
19:01 - 20:00		9						5		14	19:01 - 20:00
20:01 - 21:00								8		8	20:01 - 21:00
21:01 - 22:00	17							6	17	6	21:01 - 22:00
22:01 - 23:00		112						6		118	22:01 - 23:00
23:01 - 24:00	9	9					1	3	10	12	23:01 - 24:00
Total	666	666	216	216	142	142	35	35	1,059	1,059	Total



SRC Holdings East Springfield Industrial Development

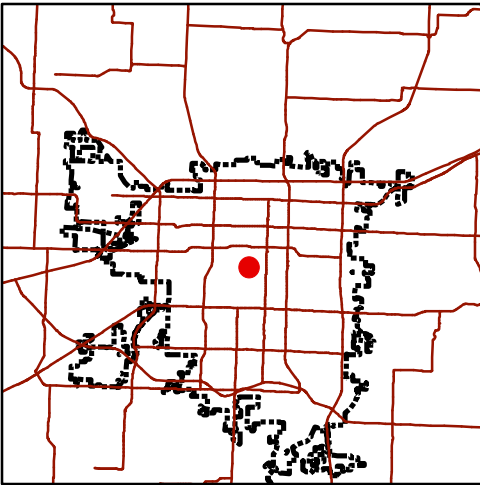
Site Development Concept Plan II

July 14, 2015



YOUR VISION. OUR FOCUS.

Architecture 319 N. Main Ave., Suite 200
Engineering Springfield, Missouri 65806
Planning Phone: 417.865.6100
Project Management www.brpa.com



Development Review Staff Report

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

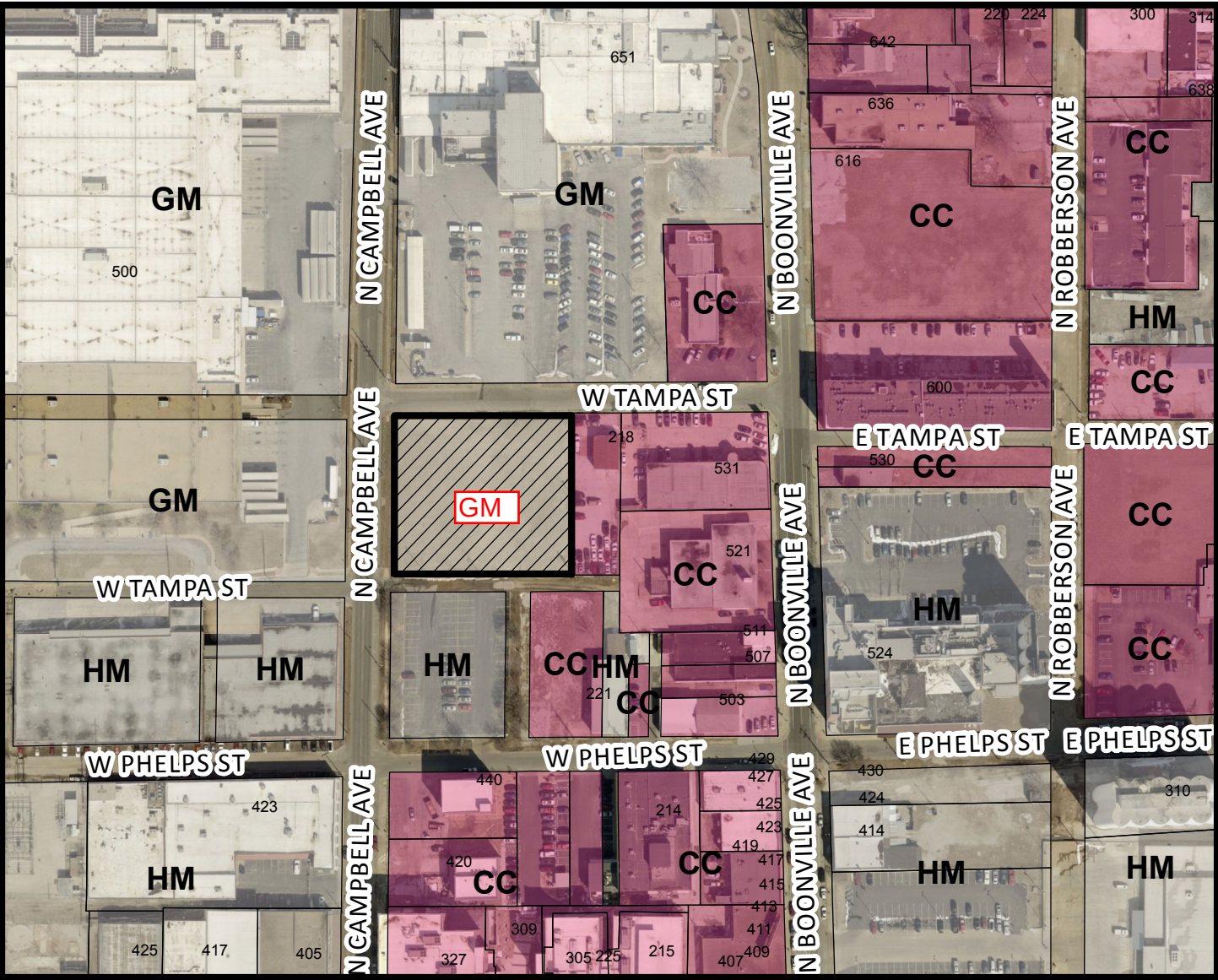
Zoning Case Z-26-2015 COD #96

LOCATION: 300 West Tampa Street

CURRENT ZONING: GM, General Manufacturing District

PROPOSED ZONING: CC, Center City District, COD#96

LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-26-2015 & CONDITIONAL OVERLAY DISTRICT NO. 96

PURPOSE: To rezone approximately 1.68 acres of property generally located at 300 West Tampa Street from an GM, General Manufacturing District to a CC, Center City District; and establishing Conditional Overlay District No. 96.

REPORT DATE: July 21, 2015

LOCATION: 300 West Tampa Street

APPLICANT: Positronic Industries, Inc.

TRACT SIZE: Approximately 1.68 acres

EXISTING USE: vacant lot

PROPOSED USE: Uses as permitted in the CC, Center City District

FINDINGS FOR STAFF RECOMMENDATION:

1. The subject property is located at the intersection of West Tampa Street and Campbell Avenue, a secondary arterial roadway, which is an appropriate location for center city uses.
2. The requested CC zoning is consistent with the existing CC zoning to the east and southeast.
3. The Comprehensive Plan recommends more density and intensity in the greater downtown area similar to the land uses permitted within the Center City District.

RECOMMENDATION:

Staff recommends approval of this request with the requirements of Conditional Overlay District No. 96 (see ATTACHMENT 1).

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	GM	Springfield News Leader
East	CC	Parking/ office use
South	HM/ CC	Parking lot and vacant lot
West	GM	United States Postal Service

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* 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. 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 are 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 the east and southeast 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 if 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 July 13, 2015 regarding the request for CC, Center City zoning with Conditional Overlay District No. 96. A summary of the meeting is attached (Attachment 3).

PUBLIC COMMENTS:

Eleven (11) 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:

August 24, 2015

STAFF CONTACT PERSON:

Bob Hosmer, AICP

Principal Planner

417-864-1834

ATTACHMENT 1
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-26-2015 & CONDITIONAL OVERLAY DISTRICT NO. 96

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

Additional Design Requirements

1. One access is allowed on Campbell Avenue and shall be located 150 feet from Tampa Street intersection. One access is allowed on Tampa Street and shall be 150 feet from Campbell Avenue intersection.
2. Traffic Engineering shall evaluate any proposed development and if the estimated trip generation (using ITE trip generation rates) results in an increase of over 100 trip ends per peak hour or 1,000 trips ends per day, the City Traffic Engineer shall, at his discretion, require a Traffic Impact Study (TIS) be submitted. Any public improvements identified by the study as necessary to provide a satisfactory level of service in the peak hour shall be addressed before approval of the development. Under this Conditional Overlay, a 30,000 square foot medical/dental clinic would be allowable with no TIS requirements.

ATTACHMENT 2
DEPARTMENT COMMENTS
ZONING CASE Z-26-2015 & CONDITIONAL OVERLAY DISTRICT NO. 96

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. Please submit a traffic study or a conditional overlay. Rezoning to CC triggers an automatic traffic study. The developer has two options:
 - a. Submit a Traffic Study based on the highest, most intense use allowed in the CC. The study must be submitted and approved prior to moving forward to Planning & Zoning Commission with zoning change request.
 - b. Submit a conditional overlay stating a Traffic Study is required based on the actual use of the property if it develops into anything but a parking lot.
2. One access is allowed on Campbell 150 feet from Tampa and one access is allowed on Tampa 150 feet from Campbell Avenue.

STORMWATER COMMENTS:

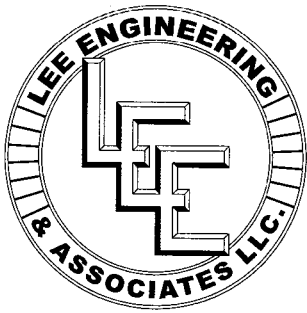
1. There are no stormwater issues with rezoning this property. Please note, however, that development (or re-development) of the property will be subject to the following conditions at the time of development:
 - a. Any increase in impervious area will require the development to meet current detention and water quality requirements.
 - b. Payment in lieu of construction of detention facilities is not an option for this site due to existing downstream flooding problems.

CLEAN WATER SERVICES COMMENTS:

No objections to rezoning however tract does not have direct access to sewer. Public sewer will need to be extended to the property in order for any development to take place that requires sewer.

CITY UTILITIES:

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



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

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

June 24, 2015

Re: Proposed Rezone
300 W. Tampa
Springfield, Missouri

Dear Property Owner:

A neighborhood meeting will be held Monday, July 13, 2015 to discuss a proposed rezone on the property listed above. We would like to rezone this property from HM (Heavy Manufacturing) to CC (Center City). A new parking lot for Jordan Valley Community Health Center will be constructed on the property.

The neighborhood meeting will be held at The Midtown Carnegie Branch Library in the upstairs Community Room at 397 E. Central, Springfield, Mo., between 4:00 and 6:30pm. The owner's representatives will be present to answer any questions you may have concerning this proposed rezone. Please feel free to come and go between 4:00 and 6:30pm. If you have any questions prior to this meeting, please contact our office at 417-886-9100.

Sincerely,

A handwritten signature in black ink, appearing to read "Leslie K. Chrystal".

Leslie K. Chrystal
Office Manager

EXHIBIT 2: NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: Heavy Manufacturing (HM) to Center City (CC)
(existing zoning) (proposed zoning)
2. Meeting Date & Time: July 13, 2015 from 4:00pm-6:30pm
3. Meeting Location: Midtown Carnegie Branch Library
4. Number of invitations that were sent: 57
5. How was the mailing list generated: It was generated by Planning and Zoning at the city
6. Number of neighbors in attendance (attach a sign-in sheet): 0
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

There were no neighbors in attendance.

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

There were no neighbors in attendance.

Additional Information:

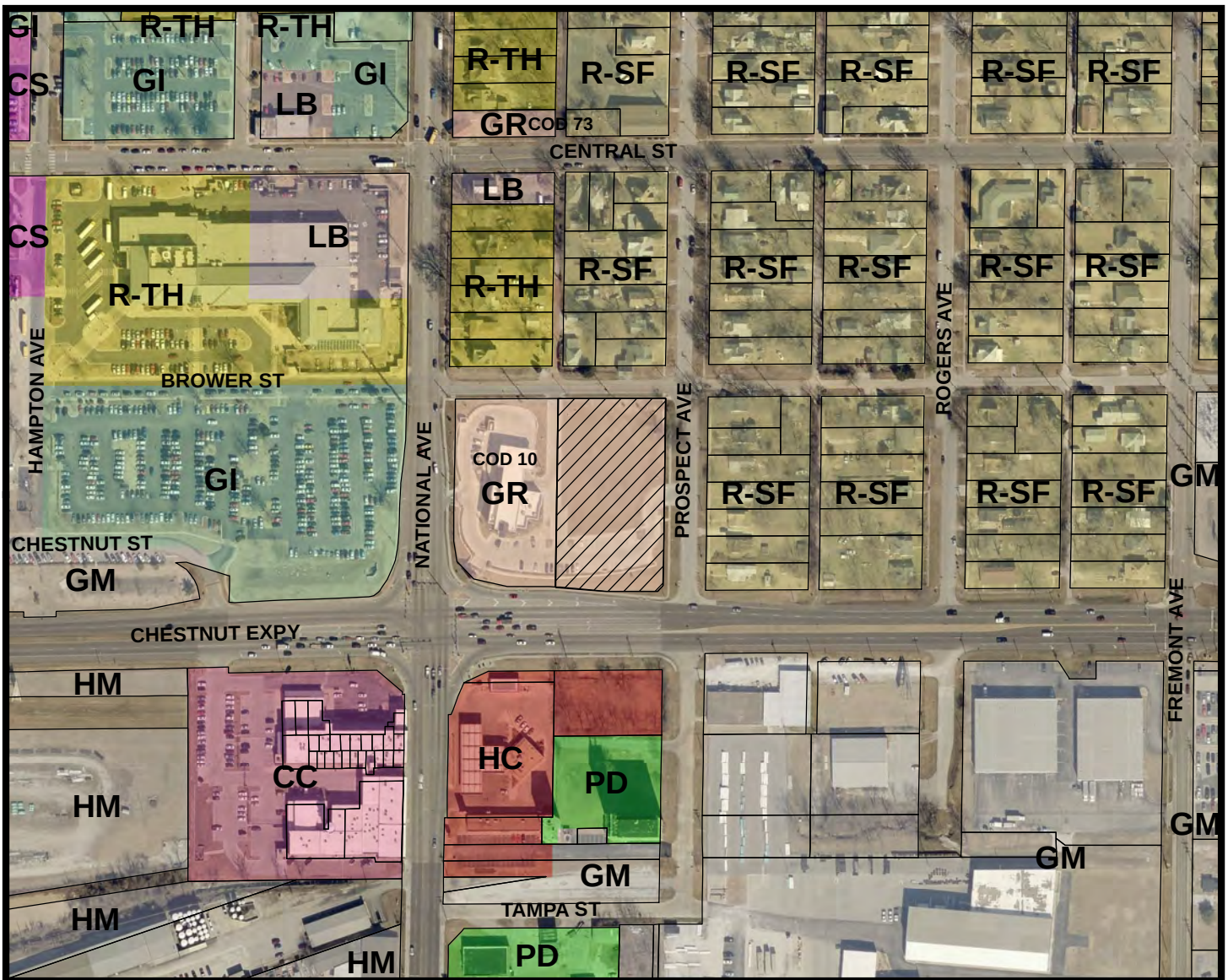
There were three representatives of the developer, Jordan Valley Community Health Center, in attendance: Derek Lee, Ryan Stalzer, and Elizabeth Lee. Exhibits prepared included site plans and zoning information for the property.

Of the 57 letters we sent, 22 were returned due to bad addresses.

Z-27-2015

Current Zoning: GR, General Retail & COD #10

LOCATION SKETCH



- Area of Proposal



1 inch = 300 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-27-2015

PURPOSE: To rezone approximately 1.62 acres of property generally located at 1255 East Chestnut Expressway from a GR, General Retail District with Conditional Overlay District No. 10 to an O-1, Office District.

REPORT DATE: July 27, 2015

LOCATION: 1255 East Chestnut Expressway

APPLICANT: Arvest Bank

TRACT SIZE: Approximately 1.62 acres

EXISTING USE: Off-street parking and 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 Chestnut Expressway, an expressway, 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 low volume office developments as transitions and buffers between higher intensity uses and residential development.
3. The requested O-1 zoning is compatible with the existing zoning and development to the west and other quadrants of the Chestnut Expressway and National Avenue intersection and will provide for a transition between the GR zoning to the west and the residential development to the east.

RECOMMENDATION:

Staff recommends approval of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF, R-TH and LB	Single family homes; community center
East	R-SF	Single family homes
South	HC, PD 292 and GM	Convenience store and other commercial uses
West	GR w/COD #10	Bank

HISTORY:

City Council approved General Ordinance 5384 in June 2004 to rezone the subject property, along with a larger area, from R-TH, Residential Townhouse to R-SF, Single Family Residential as part of the Weller Neighborhood rezoning. The property was subsequently rezoned to a GR, General Retail District with Conditional Overlay District No. 10 in February 2008.

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* encourages carefully designed mixed use projects. The Plan also encourages the use of carefully planned and low volume office districts as transitions and buffers between commercial and residential areas.

STAFF COMMENTS:

1. The subject property is located along Chestnut Expressway which is classified as an expressway. Approval of O-1 zoning at this location is compatible with the existing zoning and development to the west of the subject property and at the other quadrants of the Chestnut Expressway and National Avenue intersection. Office zoning will result in a similar type of development as exists to the west and will provide for a further transition between the major intersection at Chestnut Expressway and National Avenue and the residential development to the east.
2. The existing GR zoning with Conditional Overlay District No. 10 restricts the floor area ratio to 0.25 which would allow a maximum building size of approximately 17,600 square feet on the subject property. The applicant desires to construct an office building with approximately 20,000 square feet and is therefore requesting this rezoning to eliminate the floor area restriction. Development of the subject property will be required to meet all open space, parking and maximum height requirements for office development.

3. If the rezoning is approved, it 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 north property line of the subject property across from the single family residential development to the north because the right-of-way width of Brower Street is less than seventy (70) feet. A bufferyard is not required along the east property line because the right-of-way width of Prospect Avenue is greater 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 July 13, 2015 regarding the request for O-1, Office District zoning. A summary of the meeting is attached (Attachment 2).

PUBLIC COMMENTS:

Twenty-three (23) 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-27-2015

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not have any issues with the requested rezoning to an O-1, Office District.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

Traffic does not have any issues with rezoning this tract from GR to O-1.

STORMWATER COMMENTS:

1. There are no stormwater issues with the proposed Zoning Map Classification Change. Please note, however, that development (or re-development) of the property will be subject to the following conditions at the time of development:
 - a. A Stormwater Detention Buyout was previously approved since the site is adjacent to the floodplain and has been paid. Water quality has been constructed for up to 0.78 percent of impervious surfacing on Lot 2 of Arvest Plaza. Any increase in impervious surfacing on Lot 2 above 0.78 percent will require the development to add additional water quality.
 - b. The maximum amount of impervious surfacing must not exceed what is allowed for site by zoning.

CLEAN WATER SERVICES COMMENTS:

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

CITY UTILITIES:

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

: NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: General Retail (GR) to Office - 1 (O - 1)
(existing zoning) *(proposed zoning)*
2. Meeting Date & Time: July 13, 2015 from 4:00pm to 6:30pm
3. Meeting Location: Midtown Carnegie Branch Library
4. Number of invitations that were sent: 112
5. How was the mailing list generated: It was generated by Planning and Zoning at the city
6. Number of neighbors in attendance (attach a sign-in sheet): 3

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

Several people showed dissatisfaction toward the current zoning. The neighbors do not want a restaurant or retail uses to go into the lot the rezoning limits the property to office uses, so the building will not be retail or a restaurant. Therefore no additional improvements are planned.

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

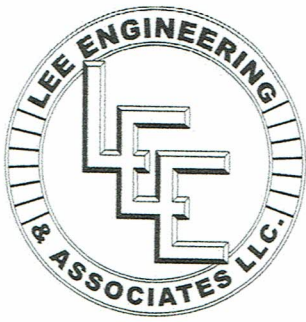
See attached.

Additional Information:

There were three representatives of the developer, Rita Baron, in attendance: Derek Lee, Ryan Stalzer, and Elizabeth Lee. Attendees were provided with GR zoning information and a location map.

Of the 112 letters we sent, 16 were returned due to bad addresses.

[illegible]



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

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

COMMENT SHEET

Neighborhood Meeting

Monday, July 13, 2015

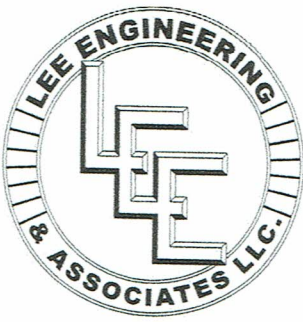
Re: Proposed Rezone
NE Corner of National & Chestnut
Springfield, Missouri

NAME	ADDRESS	PHONE
MARY WRIGHT	700 N. PROSPECT	862-8411

COMMENTS:

The only two question I have is
Will this improve property values and
I just ask that I be kept informed
how & when this will happen

Thank you!



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

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

COMMENT SHEET

Neighborhood Meeting

Monday, July 13, 2015

Re: Proposed Rezone
NE Corner of National & Chestnut
Springfield, Missouri

NAME	ADDRESS	PHONE
Michael Felton	3693 Hwy 66 Hannibal, Mo	754 8328

COMMENTS: *It would Be a good move.*

417 RENTALS LLC
5759 W US HIGHWAY 60
BROOKLINE, MO 65619

ASHFORD LLC
707 N ROGERS
SPRINGFIELD, MO 65802

BISTARKEY(HOLCOMB), CONNIE M
1489 BUTTERFIELD
NILES, OH 44446

BURCHELL, JASON A
820 N PROSPECT
SPRINGFIELD, MO 65802

CLAXTON, VERNELLE ETAL
3693 STATE HWY O
HUMANSVILLE, MO 65674

DAVIS, CARL D
2463 N DELAWARE
SPRINGFIELD, MO 65803

ELLSWORTH, TOM R
217 FILMORE
GALENA, KS 66739

GAYER, H R
PO BOX 146
ASH GROVE, MO 65604

HABITAT FOR HUMANITY SPFD MO INC
2410 S SCENIC
SPRINGFIELD, MO 65807

HOEY, WILLIAM K.
4728 S TWIN LAKES
SPRINGFIELD, MO 65810

ARVEST BANK
PO BOX 14590
SPRINGFIELD, MO 65814

BENTLEY, ROGER
19783 CAMBRIDGE
HUNTINGTON BEACH, CA 92646

BRADEN, LORENE
716 N PROSPECT
SPRINGFIELD, MO 65802

CARTER, JERRY R TR
2808 S INGRAM MILL
SPRINGFIELD, MO 65804

COLEY, WANDA M
801 N PROSPECT
SPRINGFIELD, MO 65802

DESIGN-BUILD-LEASE LLC
789 N MILLER
SPRINGFIELD, MO 65802

EZBZ PROP LLC
3010 E BATTLEFIELD
SPRINGFIELD, MO 65804

GOODFRIEND, ANTON J
823 N PROSPECT
SPRINGFIELD, MO 65802

HEYLE, HUGH W TR
309 S NATIONAL
SPRINGFIELD, MO 65802

HOLTKAMP, HERBERT F ETAL TR
1411 S JAMESTON
SPRINGFIELD, MO 65809

ARVEST BANK
75 N EAST
FAYETTEVILLE, AR 72701

BIG WINDOWS LLC
1010 E ELM
SPRINGFIELD, MO 65806

BRIDGES FOR YOUTH INC
834 N NATIONAL
SPRINGFIELD, MO 65804

CHRISTENSEN, HARRY J TR
1670 E TRAFFICWAY
SPRINGFIELD, MO 65802

CROUCH, EUGENE C
731 N ROGERS
SPRINGFIELD, MO 65802

DRYSDALE, SAM
PO BOX 8222
SPRINGFIELD, MO 65801

GARCIA, ARMANDO
807 N PROSPECT
SPRINGFIELD, MO 65802

GRACE, REALTY
5638 W RUBEN
SPRINGFIELD, MO 65802

HINMAN, GARY
2727 W NORTON
SPRINGFIELD, MO 65803

HYLTON, DUANE
619 N MAPLEWOOD HILLS
NIXA, MO 65714

JAMERSON, LAMARR P
2252 E LOMBARD
SPRINGFIELD, MO 65802

JUNIOR COLLEGE DIST CENTRAL SW MO
1001 E CHESTNUT
SPRINGFIELD, MO 65802

KYNION, KAYE M
737 S OAK GROVE
SPRINGFIELD, MO 65802

MARCH TR (JIMMY/LUCILLE -
TRUSTEES)
3560 E LOMBARD
SPRINGFIELD, MO 65809

MORRIS SPFD LLC
420 W WALNUT LAWN
SPRINGFIELD, MO 65807

RUDNIK FAMILY TRU
57 N GOLDEN EYE
MT HOME, AR 72653

SMITH, NORMAN A
800 N PROSPECT
SPRINGFIELD, MO 65802

STAR WHOLESALE SUPPLY CO
535 N FREMONT
SPRINGFIELD, MO 65802

TORGERSON, JASON A
1131 W BATTLEFIELD
SPRINGFIELD, MO 65807

WALKER, LORI ANN
2071 W HORSE HAVEN
NIXA, MO 65714

JAY & KAYE RENTALS LLC
PO BOX 3411
SPRINGFIELD, MO 65808

KEATHLEY, RONALD L TR
15336 MIDDLE CREEK
DEXTER, MO 63841

L&S RENTALS LLC
992 E NOTTINGHAM
SPRINGFIELD, MO 65810

MILLER, JIM
PO BOX 8442
SPRINGFIELD, MO 65801

NEW HOPE INT MINISTRIES INC
901 N PROSPECT
SPRINGFIELD, MO 65802

SIEGMANN, MATTHEW L
830 N PROSPECT
SPRINGFIELD, MO 65802

SONNY PROP LLC
3811 E SAN POPPI
OZARK, MO 65721

THOMAS, KENNETH G
1317 N FRISCO
SPRINGFIELD, MO 65802

TURNER, STEVEN E
508 WISEMAN
MARSHFIELD, MO 65706

WALTER, CHRISTOPHER
722 N PROSPECT
SPRINGFIELD, MO 65802

JONES, KAREN M
2345 W CYNTHIA
SPRINGFIELD, MO 65810

KISSEE, GARY I
803 N ROGERS
SPRINGFIELD, MO 65802

LOWE, JEREMY
1221 E CENTRAL
SPRINGFIELD, MO 65802

MOROZ, DANIIL
5072 FARM RD 159
SPRINGFIELD, MO 65803

RESIDENTIAL RENTALS LLC
309 S NATIONAL
SPRINGFIELD, MO 65802

SMITH, JAYMES ADRIAN ETAL
806 N PROSPECT
SPRINGFIELD, MO 65802

STAFFORD, BERNICE TRUST
826 N PROSPECT
SPRINGFIELD, MO 65802

TLC PROPERTIES INC
3121 E ELM
SPRINGFIELD, MO 65802

VELEZ, CHRISTOPHER J ETAL
1031 N SHERMAN
SPRINGFIELD, MO 65802

WARLICK, STEVEN W
433 W WALNUT
SPRINGFIELD, MO 65806

WEBB, MARK DAVID
6286 N FARM ROAD 227
STRAFFORD, MO 65757

Current Resident
900 N PROSPECT
SPRINGFIELD, MO 65802

Current Resident
1224 E CENTRAL
SPRINGFIELD, MO 65802

Current Resident
822 N NATIONAL
SPRINGFIELD, MO 65802

Current Resident
804 N NATIONAL
SPRINGFIELD, MO 65802

Current Resident
811 N PROSPECT
SPRINGFIELD, MO 65802

Current Resident
1322 E CENTRAL
SPRINGFIELD, MO 65802

Current Resident
812 N PROSPECT
SPRINGFIELD, MO 65802

Current Resident
817 N ROGERS
SPRINGFIELD, MO 65802

Current Resident
1314 E BROWER
SPRINGFIELD, MO 65802

WHITWORTH, JUDITH A
1705 E STATE HIGHWAY AA
SPRINGFIELD, MO 65803

Current Resident
900 N NATIONAL
SPRINGFIELD, MO 65802

Current Resident
1220 E CENTRAL
SPRINGFIELD, MO 65802

Current Resident
816 N NATIONAL
SPRINGFIELD, MO 65802

Current Resident
800 N NATIONAL
SPRINGFIELD, MO 65802

Current Resident
817 N PROSPECT
SPRINGFIELD, MO 65802

Current Resident
1312 E CENTRAL
SPRINGFIELD, MO 65802

Current Resident
801 N ROGERS
SPRINGFIELD, MO 65802

Current Resident
821 N ROGERS
SPRINGFIELD, MO 65802

Current Resident
734 N PROSPECT
SPRINGFIELD, MO 65802

WRIGHT, MARY L
700 N PROSPECT
SPRINGFIELD, MO 65802

Current Resident
831 N PROSPECT
SPRINGFIELD, MO 65802

Current Resident
826 N NATIONAL
SPRINGFIELD, MO 65802

Current Resident
810 N NATIONAL
SPRINGFIELD, MO 65802

Current Resident
1221 E BROWER
SPRINGFIELD, MO 65802

Current Resident
827 N PROSPECT
SPRINGFIELD, MO 65802

Current Resident
816 N PROSPECT
SPRINGFIELD, MO 65802

Current Resident
811 N ROGERS
SPRINGFIELD, MO 65802

Current Resident
825 N ROGERS
SPRINGFIELD, MO 65802

Current Resident
726 N PROSPECT
SPRINGFIELD, MO 65802

Current Resident
712 N PROSPECT
SPRINGFIELD, MO 65802

Current Resident
715 N ROGERS
SPRINGFIELD, MO 65802

Current Resident
730 N NATIONAL
SPRINGFIELD, MO 65802

Current Resident
620 N NATIONAL
SPRINGFIELD, MO 65802

Current Resident
1300 E CHESTNUT
SPRINGFIELD, MO 65802

Current Resident
601 N NATIONAL
SPRINGFIELD, MO 65802

DC DEAN
1426 E PACIFIC
SPRINGFIELD, MO 65803

BRENDA NUBER
1670 E COMMERCIAL
SPRINGFIELD, MO 65803

Current Resident
706 N PROSPECT
SPRINGFIELD, MO 65802

Current Resident
721 N ROGERS
SPRINGFIELD, MO 65802

Current Resident
0 N PROSPECT
SPRINGFIELD, MO 65802

Current Resident
610 N NATIONAL
SPRINGFIELD, MO 65802

Current Resident
615 N ROGERS
SPRINGFIELD, MO 65802

CASSANDRA SIPERKO
921 N ROGERS
SPRINGFIELD, MO 65802

GINA RENNISON
911 N ROGERS
SPRINGFIELD, MO 65802

Current Resident
711 N ROGERS
SPRINGFIELD, MO 65802

Current Resident
727 N ROGERS
SPRINGFIELD, MO 65802

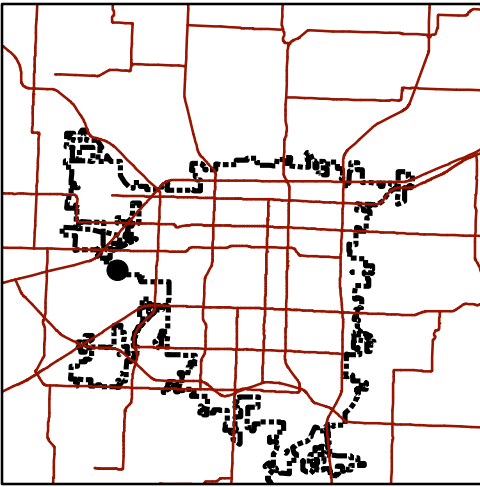
Current Resident
600 N NATIONAL
SPRINGFIELD, MO 65802

Current Resident
610 E TAMPA
SPRINGFIELD, MO 65802

Current Resident
1134 E CENTRAL
SPRINGFIELD, MO 65802

ROSEETA CLARIDA
1627 E DIVISION
SPRINGFIELD, MO 65803

MARK MAYNARD
1504 E PYTHIAN
SPRINGFIELD, MO 65802



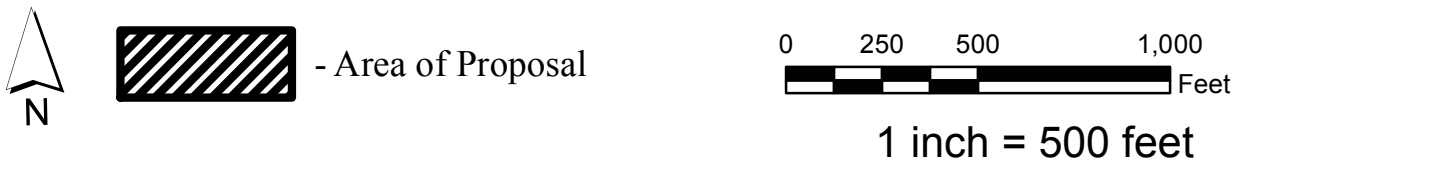
Development Review Staff Report

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

Zoning Case Z-28-2015

LOCATION: east side 800 block South Waco Avenue
CURRENT ZONING: Greene County R-1
PROPOSED ZONING: R-SF

LOCATION SKETCH



DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-28-2015

PURPOSE: To rezone approximately 0.84 acres of property generally located on the east side 800 block of South Waco Avenue from a Greene County R-1, Suburban Residence District to a city R-SF, Single Family Residential District.

REPORT DATE: July 28, 2015

LOCATION: east side 800 block South Waco Avenue

APPLICANT: City of Springfield

TRACT SIZE: Approximately 0.84 acres

EXISTING USE: Undeveloped land

PROPOSED USE: Uses permitted in the R-SF, Single Family Residential District.

FINDINGS FOR STAFF RECOMMENDATION:

1. The subject property is in the process of being annexed into the city of Springfield.
2. Rezoning of the subject property to R-SF was initiated by City Council at the same time as the annexation of the property was initiated.
3. Approval of this request will allow the City to enforce its own zoning regulations on the subject property.

RECOMMENDATION:

Staff recommends approval of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF	Single family homes
East	R-SF	Undeveloped land; Single family homes
South	Greene County R-1	Single family homes; school
West	R-SF	Single family homes

HISTORY:

The property is in the process of being annexed.

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this area as an appropriate area for low density housing. The *Plan* states the appropriate City zoning district for this land use plan category would be Single-Family Residential.

STAFF COMMENTS:

1. City Council initiated the annexation and rezoning of the subject property at their July 13, 2015 meeting. City Council is expected to vote on the annexation at their August 24, 2015 meeting. If the annexation is approved, this request would rezone the subject property from a Greene County R-1, Suburban Residence District to a City R-SF, Single-Family Residential District which is the most similar city zoning district.
2. The subject property is owned by the same owner as the R-SF zoned property to the north. Approval of this rezoning will provide for consistent zoning on the property under the same ownership.
3. If the rezoning is approved, it would have to comply with *Section 4-1000, Single Family Residential 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 1.

NEIGHBORHOOD MEETING:

A neighborhood meeting was not held because this rezoning is the result of an annexation and is a rezoning to translate the existing Greene County zoning to the most similar City zoning district.

PUBLIC COMMENTS:

Fifteen (15) 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-28-2015

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not have any issues with the requested R-SF zoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

Traffic does not have any issues with rezoning this tract to an R-SF, Single Family Residential District.

STORMWATER COMMENTS:

1. There are no stormwater issues with Zoning Map Classification change. Please note, however, that development (or re-development) of the property will be subject to the following conditions at the time of development:
 - a. The proposed percent of impervious surfacing must not exceed the maximum impervious surfacing allowed for site by zoning.
 - b. Any increase in impervious area will require the development to meet current detention and water quality requirements.
 - c. Payment in lieu of construction of detention facilities is not an option for this site due to existing downstream flooding problems.
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. If a subdivision is required by this application, then public improvement plans will be required for any concentrated runoff crossing lot lines, as well as for detention and/or water quality features serving more than one lot. These improvements must be constructed, inspected, approved and operational, or, if approved, escrowed prior to issuance of a building permit or final plat.
4. Drainage easements will be required where concentrated flow drains from one lot to another or from offsite onto the proposed subdivision. Such easement shall be sized for the 100-year peak flow rate.

CLEAN WATER SERVICES COMMENTS:

No objections to rezoning however the tract does not have access to public sewer. No building permit would be able to be issued without public sewer.

CITY UTILITIES:

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

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

DATE: July 24, 2015

TO: Planning and Zoning Commission

FROM: Bob Hosmer, AICP Principal Planner

SUBJECT: Z-29-2015

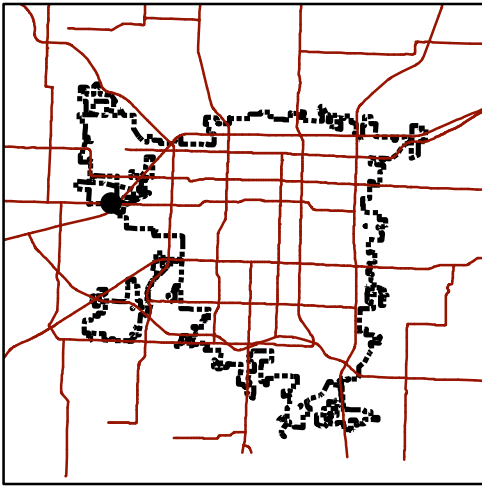
Zoning case Z-29-2015 is a request to rezone approximately 16.33 acres of property generally located at 5904 and the 6000-6100 block of South Southwood Avenue from a Greene County O-2, Office District to a City O-1, Office District and from a Greene County R-1, Suburban Residence District to a City R-SF, Single Family Residential District .

This case was originally scheduled for a public hearing at your August 6, 2015 meeting

The City Council annexed the subject property into the City limits of Springfield on July 13, 2015. The request for annexation recommended that the property at 5904 South Southwood, Mercy's Rehabilitation Hospital, be rezoned from Greene County O-2, Office District to a City, O-1 Office District. The O-1, Office District allows for medical clinics but not for overnight hospital stay. The City's policy is to match Greene County zoning districts as close to as possible to City zoning districts. In this case the more appropriate zoning district would be GI, Governmental and Institutional Use District.

The applicant wishes that the item be withdrawn from the agenda so that the applicant can submit a new zoning application for GI zoning on the subject property.

Staff recommends that this request be withdrawn for consideration by the Planning and Zoning Commission.



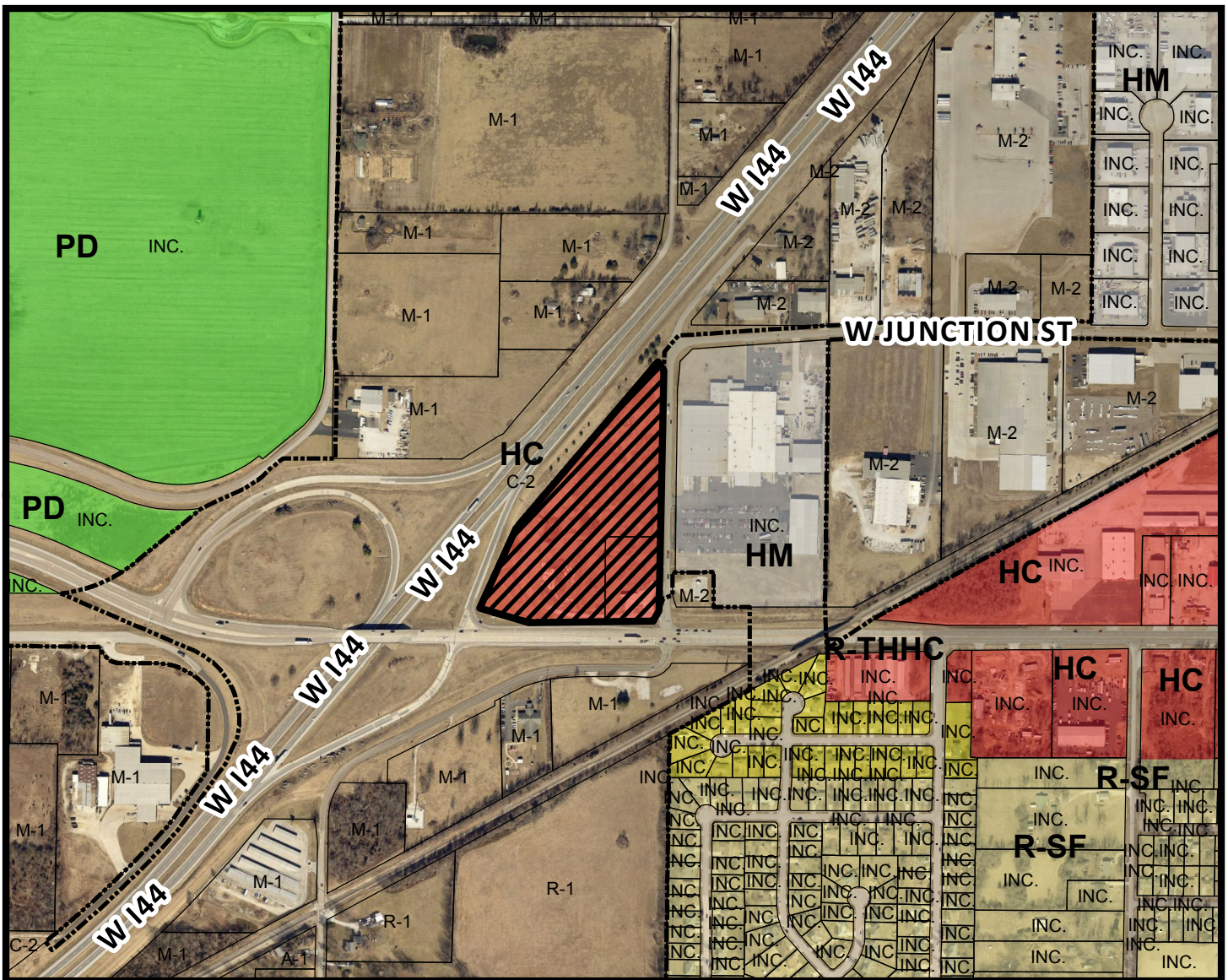
Development Review Staff Report

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

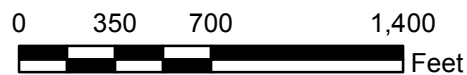
Conditional Use Permit #416

LOCATION: 4901 and 4939 West Chestnut Expressway
CURRENT ZONING: HC, Highway Commercial District

LOCATION SKETCH



- Area of Proposal



1 inch = 700 feet

DEVELOPMENT REVIEW STAFF REPORT
CONDITIONAL USE PERMIT 416

PURPOSE: To allow a truck stop within an HC, Highway Commercial District generally located at 4901 and 4939 West Chestnut Expressway.

REPORT DATE: July 27, 2015

LOCATION: 4901 and 4939 West Chestnut Expressway

APPLICANT: Joe and Patricia Jenkins, James and Doris Jenkins and MD Commercial Properties LLC

TRACT SIZE: Approximately 11.89 acres

EXISTING USE: Undeveloped land

PROPOSED USE: Truck stop

FINDINGS FOR STAFF RECOMMENDATION:

1. The subject property is located along Chestnut Expressway, an expressway, and is immediately adjacent to I-44, a freeway, to the west. The site is an appropriate location for a truck stop use which depends on high visibility and caters to the traveling public.
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 416 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 truck stop shall be located and constructed in substantial conformance to the attached site plan.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	Greene County M-1 and M-2	Commercial, manufacturing and warehousing uses
East	HM	Manufacturing uses
South	Greene County M-1	Commercial, manufacturing and warehousing uses
West	Greene County M-1	Commercial, manufacturing and warehousing uses

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 the I-44 and Chestnut Expressway area as an Activity Center. Land within Activity Centers are to be intensively and efficiently used and important locations of development, investment, jobs and services.

STAFF COMMENTS:

1. The subject property is located along Chestnut Expressway, an expressway, and is immediately adjacent to I-44, a freeway, to the west. The site is an appropriate location for a truck stop use which depends on high visibility and caters to the traveling public. The proposed truck stop use is compatible with the type of development already existing in the area and is not expected to adversely affect surrounding properties or the adjacent street system.
2. As part of the development of this property, the existing driveway/access road off Broadview Place is required to be closed. The development will be permitted to have driveways on Broadview Place as generally shown on the attached site plan (Attachment 6).
3. 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 development of this property must also follow the HC, Highway Commercial District requirements.
4. The proposed Conditional Use Permit was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on July 6, 2015 regarding the request for a conditional use permit. A summary of the meeting is attached (Attachment 4).

PUBLIC COMMENTS:

Four (4) 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: August 24, 2015

STAFF CONTACT PERSON:

Alana D. Owen, AICP
Senior Planner
864-1831

ATTACHMENT 1
DEPARTMENT COMMENTS
CONDITIONAL USE PERMIT 416

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not have any objections to this request for Conditional Use Permit.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

The Traffic Division does not have any issues with the conditional use permit. The Missouri Department of Transportation (MoDOT) requires the existing entrance closest to Chestnut be closed.

STORMWATER COMMENTS:

No stormwater issues with the proposed conditional use permit. Please note, however, that development (or re-development) of the property will be subject to the following conditions at the time of development:

1. The proposed percent of impervious surfacing must not exceed the maximum impervious surfacing allowed for site by the zoning district.
2. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements on site.
3. 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 having the capacity to handle the additional runoff.
4. 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, public improvement plans will be required to convey these flows across the subject property. Drainage easements must be provided for this conveyance.

CLEAN WATER SERVICES COMMENTS:

Clean Water Services does not have any objections to the Conditional Use Permit. The lots are both served by public sewer.

CITY UTILITIES:

City Utilities has no objection to conditional use permit for this use. Utility extensions and services will be per CU's Extension Policy.

MISSOURI DEPARTMENT OF TRANSPORTATION:

The entrance/frontage road closest to Chestnut must be removed with this project.

ATTACHMENT 2
REQUIREMENTS FOR CONDITIONAL USE PERMIT 416

1. A truck stop is permitted in substantial conformance with Attachment 6.
2. The property will have to be brought into conformance with the city's Subdivision Regulations.
3. When the property develops, all requirements of the HC, Highway Commercial District shall be met including off-street parking, open space, interior and perimeter landscaping.
4. At the time of development a plan detailing the dimensions of the vehicular use area elements including truck/trailer turning must be provided.
5. 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 416

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.

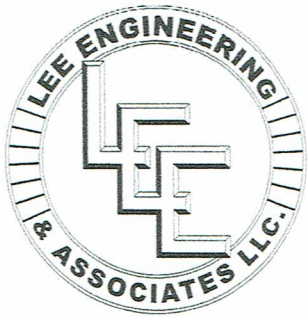
: NEIGHBORHOOD MEETING SUMMARY

1. Conditional Use Permit for: A Truck Stop
2. Meeting Date & Time: July 6, 2015 from 4:00pm-6:30pm
3. Meeting Location: Deer Lake Golf Course
4. Number of invitations that were sent: 25
5. How was the mailing list generated: It was generated by Planning and Zoning at the city
6. Number of neighbors in attendance (attach a sign-in sheet): 4
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

Several people discussed intersection improvement plans at the intersection of Broadview and Chestnut Expressway. The traffic generated by the truck stop is less than what is permitted by the existing zoning. Therefore no additional improvements are planned.

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

See attached.



LEE ENGINEERING AND ASSOCIATES, L.L.C.

CIVIL ENGINEERING & DESIGN

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

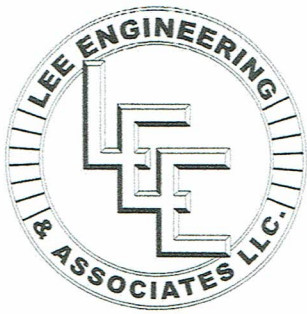
SIGN IN SHEET

Neighborhood Meeting

Monday, July 6, 2015

Re: Proposed Conditional Use Permit
4901 W. Chestnut Expressway
Springfield, Missouri

[illegible]



LEE ENGINEERING AND ASSOCIATES, L.L.C.

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COMMENT SHEET

Neighborhood Meeting

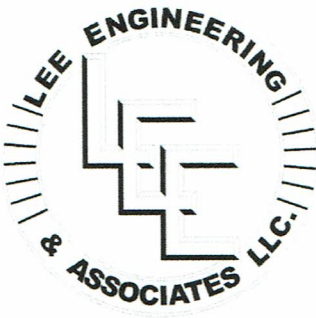
Monday, July 6, 2015

Re: Proposed Conditional Use Permit
4901 W. Chestnut Expressway
Springfield, Missouri

NAME	ADDRESS	PHONE
Carry Hughes	1781 W. Blue Springs Rd, Nixa	417 689-4700

COMMENTS:

Look for OK to me



LEE ENGINEERING AND ASSOCIATES, L.L.C.

CIVIL ENGINEERING & DESIGN

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

July 7, 2015

City of Springfield
840 N Booneville
Springfield, MO 65802

Re: NEIGHBORHOOD MEETING RESPONSE LETTER

To Whom It May Concern,

There were four representatives of the developer, Pilot Flying J, in attendance: Derek Lee, Mike Hamil, Patrick Deptula, and Elizabeth Lee. Attendees were provided with sketches of the development and shown the uses allowed in the Highway Commercial zoning. Several people discussed intersection improvement plans at the intersection of Broadview and Chestnut Expressway. Kim and Nancy Haase were in attendance of the meeting. Mr. and Mrs. Haase own the 2 acre parcel adjacent to the property. They had no comments.

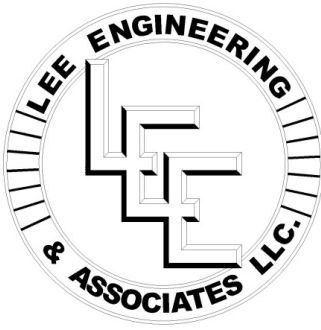
Of the 25 letters we sent, 5 were returned due to bad addresses.

Sincerely,

A handwritten signature in cursive script that reads 'Elizabeth Lee'.

Elizabeth Lee

ANSTINE, DONALD F SR ETAL 3821 W FARM ROAD 92 SPRINGFIELD, MO 65803	BLALARK, KIM A 4851 W BURBANK ST SPRINGFIELD, MO 65802	DUNN, BRIDGETT C 4837 W BURBANK ST SPRINGFIELD, MO 65802
EDUCATIONAL INVESTMENTS LLC PO BOX 8099 SPRINGFIELD, MO 65801	HALE REAL EST LLC 48 BROKENBOW RD BUFFALO, MO 65622	HANCOCK, DONALD K TR 8644 W FARM ROAD 164 REPUBLIC, MO 65738
HEAD START PARTNERSHIP PO BOX 8099 SPRINGFIELD, MO 65801	JENKINS, JAMES C ETAL TR 1845 E BLAINE ST SPRINGFIELD, MO 65803	L&C HUGHES LLC 1781 N BLUE SPRINGS RD NIXA, MO 65714
LEADBETTER, TAMMY 4843 W BURBANK ST SPRINGFIELD, MO 65802	MCGEORGE, BILLY JOE 4857 W BURBANK ST SPRINGFIELD, MO 65802	MD COMMERCIAL PROP LLC 466 NW FARM ROAD 80 SPRINGFIELD, MO 65803
SPFLD REMANUFACTURING CENTER CORP 4860 W FARM ROAD 130 SPRINGFIELD, MO 65802 Current Resident 743 N BROADVIEW PL GREENE COUNTY, MO 65802	YOUNG, EVAN B 306 S FARM ROAD 115 SPRINGFIELD, MO 65802 Current Resident 791 N BROADVIEW PL GREENE COUNTY, MO 65802	Current Resident 710 N FARM ROAD 115 GREENE COUNTY, MO 65802 Current Resident 718 N BROADVIEW PL GREENE COUNTY, MO 65802
Current Resident 786 N BROADVIEW PL GREENE COUNTY, MO 65802	Current Resident 614 N FARM ROAD 115 GREENE COUNTY, MO 65802	Current Resident 4939 W CHESTNUT EXPY SPRINGFIELD, MO 65802
Current Resident 4901 W CHESTNUT EXPY SPRINGFIELD, MO 65802	Current Resident 356 S FARM ROAD 115 GREENE COUNTY, MO 65802	Current Resident 4912 W STATE HWY 266 GREENE COUNTY, MO 65802
Current Resident 246 N FARM ROAD 115 GREENE COUNTY, MO 65802	,	,
,	,	,



LEE ENGINEERING AND ASSOCIATES, L.L.C.

CIVIL ENGINEERING & DESIGN

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

Re: Conditional Use Permit - Truckstop
4939 W Chestnut Expressway

June 22, 2015

The existing site is a vacant lot. The owner would like to construct a truck stop.

With respect to all proposed conditional uses, to the extent applicable:

1. The proposed conditional use will be consistent with the adopted policies in the *Springfield Comprehensive Plan*;

The proposed truck stop is consistent with the Comprehensive Plan. The lot is zoned Highway Commercial (HC). This conditional use permit will allow for a truck stop to be developed on the lot.

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;

The site is located at the intersection of Chestnut Expressway and I-44. Chestnut Expressway has a five lane section with a center turn lane. Chestnut Expressway and Broadway Street do not have sidewalks. The development will require sidewalks which will increase safety for pedestrians.

3. The proposed conditional use will adequately provide for safety from fire hazards, and have effective measures of fire control;

The truck stop will be built per the latest fire code required by the City of Springfield to adequately provide for safety.

4. The proposed conditional use will not increase the hazard to adjacent property from flood or water damage;

The proposed truck stop will be designed to the latest standards to prevent flood damage to the adjacent property owners.

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;

The site is adjacent to Chestnut Expressway and I-44 which are full of semi-trucks. The noise characteristics of a truck stop are typical for a high intensity interchange.

6. The glare of vehicular and stationary lights will not affect the established character of the neighborhood, and to the extent such lights will be visible from any residential district, measures to shield or direct such lights so as to eliminate or mitigate such glare are proposed;

The truck stop lights will be typical for a high intensity interchange. The site lighting will follow City of Springfield lighting standards. The site is not adjacent to any residential districts.

7. The location, lighting, and type of signs and the relationship of signs to traffic control is appropriate for the site;

The proposed truck stop signage will be in accordance with the zoning ordinance.

8. Such signs will not have an adverse effect on any adjacent properties;

The signage will be along the I-44 or Chestnut Expressway right of way. The adjoining property is zoned Heavy Manufacturing (HM) and should not be affected by signage.

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;

The surrounding pavement widths are currently sized for semi-truck traffic.

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;

The property to the East is Springfield Remanufacturing Company which has loading docks and semi-truck traffic. The proposed truck stop will not have adverse effect on the business.

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

The proposed facilities will be smaller than the adjacent building. The building will be one story. No fences will be built. The zoning is HC and is intended to allow for this type of development.

b. The nature and extent of landscaping and screening on the site;

The proposed truck stop will have interior and perimeter landscaping and screening on the site per requirements in the zoning ordinance.

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;

The existing site is a vacant lot that used to be a gas station. The proposed truck stop will not adversely affect 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;

The existing site is a vacant lot that is not of any significant natural, scenic, or historical 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;

The proposed truck stop complies with all the other standards.

15. The proposed conditional use at the specified location will contribute to or promote the welfare or convenience of the public;

The proposed truck stop will allow facilities to be constructed on site that benefit motorists using Chestnut Expressway and I-44. If the Conditional Use Permit is not granted, the development would not occur.

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;

The proposed truck stop will follow the standards set out in 5-1500, 5-1600 and 6-1300. There are no adjoining residential uses.

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;

I-44 is a freeway. Chestnut Expressway is an expressway. Broadview is a collector with a signalized intersection. The existing roads are adequate to minimize traffic congestion.

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;

The proposed truck stop will not affect vehicular circulation elements.

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;

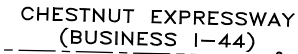
The proposed truck stop will not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way.

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.

There are no existing structures on site.

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.

The proposed truck stop will be adequately served 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.



SCALE: 1" = 60'

ATTACHMENT 6



PILOT TRAVEL CENTER
CHESTNUT EXPWY & BROADVIEW AVE.
SPRINGFIELD, MO.

[illegible]

THIS DRAWING IS CONFIDENTIAL.
NO USE, OR DISCLOSURE OF THIS DRAWING
IS PERMITTED, EXCEPT AS EXPRESSLY

SHEET

DEVELOPMENT REVIEW STAFF REPORT
DEVELOPER/NEIGHBORHOOD MEETING AMENDMENTS

PURPOSE: To add a new Subsection 3-3809, Neighborhood Meetings, that will incorporate the Developer/Neighborhood Meeting Policy into the Zoning Ordinance (Staff recommends approval).

REPORT DATE: July 24, 2015

APPLICANT: City of Springfield

BACKGROUND:

City Council initiated amendments to incorporate the Developer/Neighborhood Meeting Policy into the Zoning Ordinance at their meeting on March 21, 2011.

Staff proposes the Developer/Neighborhood Meeting Policy that was adopted by City Council in 2007 be reviewed and incorporated into the Zoning Ordinance. Staff believes that this policy has been an effective tool in opening a line of communication between the applicant and the surrounding neighborhood prior to the public hearing process.

Staff is proposing some changes from the original policy to increase the effectiveness of the meetings. One of the few differences from the original policy is that a comment card will be required to be sent or given to each property owner within 500 feet of the subject property at the neighborhood meeting. This will allow neighbors the option of summarizing their concerns in their own words. Currently the applicant is required to provide the neighborhood meeting summary. The applicant/developer will also be required to have the neighborhood meeting on-site or in the vicinity of the subject property or the case will automatically be tabled at Planning and Zoning Commission. Staff has added a list of minimum requirements for the neighborhood meeting letter that is sent out. All other changes are clarifications to the existing policy.

The Development Issues Input Group (DIIG), Downtown Springfield Association (DSA), Environmental Advisory Board (EAB) and all registered Neighborhood Associations were notified of these amendments.

FINDINGS FOR STAFF RECOMMENDATION:

1. The proposed amendments will take an effective City Council policy and make it a requirement of the Zoning Ordinance.
2. Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land use, Major Goal 4: Develop the community in a sustainable manner.

RECOMMENDATION:

Staff recommends **approval** of this request.

CITY COUNCIL PUBLIC HEARING:

August 24, 2015

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

EXHIBIT A
DEVELOPER/NEIGHBORHOOD MEETING AMENDMENTS

NOTE: Language to be added is underlined.

3-3809. Neighborhood Meetings.

A. Development Applications. Applicant(s) shall hold a neighborhood meeting prior to the Planning and Zoning Commission applications on zoning map classification changes, planned developments, vacations of public right-of-way (that are not initiated by the City Public Works Director) and conditional use permits.

1. A neighborhood meeting shall be held at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing.
2. Notice of the meeting shall be sent by first-class mail, postage paid, at least ten (10) days prior to the meeting, to at least one (1) record owner of each real property within five-hundred (500) feet of the development proposal, as shown on the records of the County Assessor, and to the president or other association officer(s) of any neighborhood association(s) as on file with the Director of Planning and Development.
3. It is recommended the meeting be held early enough to provide time for the applicant to consider any neighborhood input, allow any changes to be evaluated by staff, and to resolve any issues if possible.
4. The mailing shall be performed by the Planning and Development Department; however, the letters and envelopes themselves must be prepared, and postage placed on same by the applicant. The neighborhood letters shall be submitted to the Planning and Development Department for mailing, one business day prior to the deadline as set forth in paragraph 2. A file copy of the letter shall be provided to the Planning and Development Department. The notice letter shall contain the following at a minimum or any additional information as required by the Director of Planning and Development:
 - a. Description of existing conditions or zoning and proposed changes or proposed zoning.

- b. Meeting date, time and location.
 - c. Applicant or their representative's contact information.
 - d. Development Review Notice and Comment Cards.
5. The meeting shall be held on the property involved in the application or in the immediate vicinity. The meeting shall be scheduled from 4:00 to 6:30 p.m.
6. Following the neighborhood meeting and at least ten (10) days prior to the Planning and Zoning Commission public hearing, the applicant shall submit a summary of the meeting to the Planning and Development Department using the following format as set forth below.
- a. Development application.
 - b. Meeting date, time and location.
 - c. Number of invitations that were sent and how the mailing list was generated.
 - d. Number of neighbors in attendance with an attached sign-in sheet.
 - e. List of issues raised, any verbal comments and how applicant plans to respond. If staff determines the developer did not make a serious attempt to address the issues, staff may recommend denial or tabling of the application.
 - f. Additional information, such as comment cards, letters from neighbors, shall be attached to the summary.

If the applicant does not submit the information listed above at least ten (10) days prior to the Planning and Zoning Commission public hearing, the application shall be considered incomplete and the Commission shall table the case and may continue the public hearing to the next meeting or a later meeting agreed to by the applicant. The applicant shall be responsible for all fees related to notifying the neighbors that the application will automatically be tabled. This notice of tabling will be sent by the Planning and Development Department.

Existing City Council Policy (Res. 9510):

For all development applications involving an advertised public hearing, City Council requires developers to hold a neighborhood meeting and invite the neighborhood surrounding their project along with any recognized neighborhood organizations.

It is recommended the neighborhood meeting be held early enough to provide adequate time for the developer to consider any neighborhood input and provide any changes to staff to evaluate and include in the staff report and shall be held at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing. The developer should also allow adequate time for negotiation with the neighborhood to attempt to resolve any issues. Notice of the meeting shall be sent by first-class mail, postage paid, at least ten (10) days prior to the meeting, to at least one record owner of each property within at least five-hundred (500) feet of the development proposal. Notice shall also be sent by first-class mail, postage paid, at least ten (10) days prior to the meeting to all neighborhood association officers if there is a recognized neighborhood association.

It is strongly recommended the meeting be held on the property or in the vicinity of the property involved in the application. If this is not possible, an explanation shall be provided citing the reasons the meeting was held elsewhere. It is also strongly recommended the meeting should be held during the time frame of 4:00 to 6:30 PM to allow more neighbors to attend before or after work. If the meeting is held during a different time frame than recommended, an explanation shall be provided indicating the reasons a different time was necessary.

The Planning and Development Department can provide a mailing list for a fee covering the cost of preparing the list. The Planning and Development Department also has a list of all recognized neighborhood associations with the mailing addresses of the association officers.

Following the neighborhood meeting and at least ten (10) days prior to the Planning and Zoning Commission public hearing, the developer shall submit a summary of the meeting to the Planning and Development Department using the attached format and including responses to the items listed on the template form. Additional information, such as letters from neighbors, shall be attached to the summary.

1. The names of everyone who attended the neighborhood meeting.
2. A list of the issues that were raised by the neighborhood.
3. The developer's responses to the 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. If staff determines the developer did not make a serious attempt to address the issues, staff may recommend denial or tabling of the application.)

If the developer does not submit the information listed above at least ten (10) days prior to the Planning and Zoning Commission public hearing, the application shall be

considered incomplete and the Commission shall, following the public hearing, table the case and continue the public hearing to the next meeting or a later meeting agreed to by the developer. The developer shall be responsible for the postage fees related to notifying the neighbors that the application will automatically be postponed.

DEVELOPMENT REVIEW STAFF REPORT LIGHTING STANDARDS AMENDMENTS

PURPOSE: To amend Subsection 6-1403, Exterior Lighting Standards, of the Zoning Ordinance to allow lighting spillover at the interior lot lines of multiple lots that function as a premise (Staff recommends approval).

REPORT DATE: July 24, 2015

APPLICANT: City of Springfield.

BACKGROUND:

Planning and Zoning Commission initiated amendments to the Lighting Standards at their meeting on July 9, 2015.

Staff proposes modifying the Lighting Standards in Section 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.

The Development Issues Input Group (DIIG), Downtown Springfield Association (DSA), Environmental Advisory Board (EAB) and all registered Neighborhood Associations were notified of these amendments.

FINDINGS FOR STAFF RECOMMENDATION:

1. The proposed amendments will improve on the existing lighting standards by improving their effectiveness with commercial development.
2. Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land use, Major Goal 4: Develop the community in a sustainable manner.

RECOMMENDATION:

Staff recommends **approval** of this request.

CITY COUNCIL PUBLIC HEARING:

August 24, 2015

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

EXHIBIT A
LIGHTING STANDARDS AMENDMENTS

Note: Language to be added is underlined and language to be removed is ~~struckthrough~~

Section 6-1400. Lighting Standards. (G.O. 5127, 10/29/01)

6-1403. **Exterior Lighting Standards.**

All exterior lighting upon any premises, regardless of zoning classification, shall be subject to the following conditions and limitations.

- A. When a light source or luminary does not have a cutoff the following standards shall be met:
1. Maximum mounting or pole height of the light source or luminary: Fifteen (15) feet.
 2. Maximum permitted lumination: (G.O. 5425, 11/15/04)
 - (a) Three-tenths (0.3) footcandle at any point along the perimeter of the property where it adjoins a residential zoning district or is separated from a residential zoning district by a right-of-way of seventy (70) feet or less.
 - (b) One (1.0) footcandle at any other point along the perimeter of the property.
- B. When a light source or luminary has total cutoff of light at an angle so that the bare bulb, lamp, or light source is completely and opaquely shielded from the direct view of an observer at ground level at the perimeter of the property, the following standards shall be met:
1. Maximum mounting or pole height of the light source or luminary: Sixty (60) feet.
 2. Maximum permitted lumination: (G.O. 5425, 11/15/04)
 - (a) One-half (0.5) footcandle at any point along the perimeter of the property where it adjoins a residential zoning district or is separated from a residential zoning district by a right-of-way of seventy (70) feet or less.
 - (b) One (1.0) footcandle at any other point along the perimeter of the property.
 - (c) There is no maximum lumination limits at the common property line of a premise.

DEVELOPMENT REVIEW STAFF REPORT
SIDEWALK REQUIREMENTS FOR COMMERCIAL REDEVELOPMENT
AMENDMENTS

PURPOSE: To add a new Subsection 5-3103.B.7. for Sidewalk/Pedestrian Walkways along Commercial Development in the Zoning Ordinance (Staff recommends approval).

REPORT DATE: July 24, 2015

APPLICANT: City of Springfield.

BACKGROUND:

Planning and Zoning Commission initiated amendments to the sidewalk requirements for commercial redevelopment at their meeting on July 9, 2015.

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

Staff proposes an amendment to the sidewalk requirements for commercial redevelopment found in Section 5-3103.B. This section was adopted last year with the intent of requiring sidewalks at the time of development, not the time of zoning. This change was supported by the development community, but recent projects have revealed that the new policy had the unintended consequence of requiring extensive sidewalk construction for redevelopment or modification of an existing building or site, particularly when the site is very large. Staff does not want to discourage redevelopment of large sites within the City, so this amendment creates a process for obtaining a waiver of all or part of the required sidewalks when warranted by circumstances associated with redevelopment of or modifications to an existing building or site.

The Development Issues Input Group (DIIG), Downtown Springfield Association (DSA), Environmental Advisory Board (EAB) and all registered Neighborhood Associations were notified of these amendments.

FINDINGS FOR STAFF RECOMMENDATION:

1. The proposed amendment will provide an alternate process for sidewalk requirement consideration in commercial redevelopment areas where unusual circumstances exist.
2. Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land use, Major Goal 4: Develop the community in a sustainable manner.

RECOMMENDATION:

Staff recommends **approval** of this request.

CITY COUNCIL PUBLIC HEARING:

August 24, 2015

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

EXHIBIT A
SIDEWALK REQUIREMENTS FOR COMMERCIAL REDEVELOPMENT
AMENDMENTS

Note: Language to be added is underlined.

Section 5-3100. Sidewalk/Pedestrian Walkways. (G.O. 6094, 1/13/14)

5-3103. **General Requirements.** The following general requirements shall apply for the construction of sidewalks within the City of Springfield;

B. COMMERCIAL DEVELOPMENT

1. Sidewalks shall be constructed along public street frontage of all new construction and any redevelopment of a site with existing uses or structures involving site work including but not limited to parking lot changes or additions or landscaping that require a building permit.
2. Public Improvement Plans are not required for sidewalk construction that does not require other in public infrastructure improvements. Sidewalk plans can be included in building plans submitted to Building Development Services for approval by Public Works.
3. Public Improvement Plans are required for sidewalk construction if it is part of a project that includes other infrastructure improvements and must be submitted to Public Works for approval.
4. Sidewalk required at subdivision may be escrowed to receive plat approval and constructed at development. However, if development does not occur within three (3) years of the final plat, the city will retain the escrowed funds and construct sidewalks as required by this Article when a public infrastructure project is undertaken that may include such work.
5. Sidewalk may be constructed at the time of development or issuance of a building permit for a lot. A Right-of-Way Permit under the City Code will be required and may be applied for prior to construction.
6. An occupancy permit will not be granted until sidewalk as required is constructed and accepted by the City of Springfield unless funds have been escrowed in a form and amount approved by the Director of Public Works and the City Attorney.
7. If a developer feels that unusual circumstances associated with redevelopment of or modifications to an existing building or site warrant a waiver from the requirement of constructing sidewalk or paying the fee in lieu of constructing sidewalks, a letter may be submitted to the Director of Public Works for consideration. If the Director of Public Works determines unusual circumstances exist, application can be made to the ARC for approval of a reduction or waiver of the sidewalk requirement or fee in lieu of constructing sidewalks. If the Director of Public Works or ARC denies the request,

the property owner may then appeal to the Planning and Zoning Commission within ten (10) days of the decision. The Commission shall review the denial only on a claim that the denial was arbitrary and capricious and a submission of sufficient facts and evidence to establish that the Director or the ARC has acted in such fashion. If the Commission finds by an affirmative vote of five that the Director or the ARC did act in an arbitrary and capricious fashion, a reduction or waiver of the sidewalk requirement or fee in lieu of constructing sidewalks may be granted by the Commission.

DEVELOPMENT REVIEW STAFF REPORT
PUBLIC IMPROVEMENT PLAN ESCROW AMENDMENTS

PURPOSE: To modify Section 303 of the Subdivision Regulations to clarify the public improvement escrow process (Staff recommends approval).

REPORT DATE: July 23, 2015

APPLICANT: City of Springfield.

BACKGROUND:

Revision to Section 303 is proposed to clarify which public improvements in subdivisions can be delayed by posting a security with the City and to update Section 303 to comply with state law regarding the amount of security to be posted and when a security must be released. The revision also clarifies the standard the Director of Public Works must apply to refuse to accept security for a public improvement in a subdivision. Additionally, the section has been reorganized to make it easier to read.

The Development Issues Input Group (DIIG), Downtown Springfield Association (DSA), Environmental Advisory Board (EAB) and all registered Neighborhood Associations were notified of these amendments.

FINDINGS FOR STAFF RECOMMENDATION:

1. The proposed amendments to the Subdivision Regulations will clarify the public improvement plan escrow process.
2. Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land use, Major Goal 4: Develop the community in a sustainable manner.

RECOMMENDATION:

Staff recommends **approval** of this request.

CITY COUNCIL PUBLIC HEARING:

August 24, 2015

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

EXHIBIT A
PUBLIC IMPROVEMENT PLAN ESCROW AMENDMENTS

NOTE: Language to be added is underlined. Language to be deleted is ~~stricken~~.
Language to be moved to a different section is ~~double-stricken~~. Language to be
moved from another section is double-underlined.

Section 303. Improvements.

- (1) Before the final plat of any subdivided area shall be recorded, the subdivider shall provide for the public improvements ~~described in this section~~ to be extended to all lots in the area to be included in the final plat at no cost to the City.

- (2) Public improvements stormwater drainage or detention facilities shall be constructed to minimum standards as determined by the Director of Public Works in the City of Springfield Design Standards for Public Improvements.

- (2)(3) If the Director of Public Works so approves, in lieu of the final completion of ~~said public~~ improvements before the plat is recorded, the subdivider, or other person who agrees with the City to make the public improvements on behalf of the subdivider, may post a surety bond with one or more corporate sureties engaged in the business of signing surety bonds in the State of Missouri, an escrow agreement, letter of credit or other appropriate security agreement, approved by the City Attorney and the City Manager of the City of Springfield, which surety, escrow agreement or other appropriate security agreement will insure to the City that the improvements will be completed by the subdivider. ~~Construction of private storm water drainage or detention facilities may be deferred to time of development and prior to issuance of a building permit, provided that:~~
 - ~~(a) a plat note is included on the plat filed in the Recorder's Office requiring the construction of the private stormwater drainage or detention facilities; and~~
 - ~~(b) the Director of Public Works has approved preliminary design plans sufficient to show that the proposed private facilities can be engineered to function as proposed.~~

~~Public stormwater drainage or detention facilities shall be constructed to minimum standards as determined by the Director of Public Works. All improvements, except sidewalks, must be completed within one year~~

~~after the recording of the subdivision plat. Sidewalks must be completed within three years after the recording of the subdivision plat.~~

(a) The Director of Public Works may require that any certain improvements, such as stormwater management improvements, be made before the final plat is recorded and refuse to accept security for such improvements when he determines the improvements are necessary for the immediate protection of the adjacent property or for compliance with any permits, codes, regulations, or laws, or if he determines delay of the improvements does not comport with sound engineering judgment. ~~The Commission may, upon proof of hardship, extend the completion date set forth in said bond or agreements for a maximum period of one additional year; provided a request for said extension is made prior to the end of the one year following recordation and provided the amount of said security is revised pursuant to a revised estimate by the Department of Public Works. The City Attorney and City Manager, acting in conjunction, may at any time during the period of such bond accept a substitution of principal or sureties on the bond or a substitution of a letter of credit, escrow or other approved security agreement.~~

(4) The amount of the corporate surety bond, escrow agreement, or other appropriate security agreement shall not be less than an amount providing for and securing the actual construction and installation ~~the estimated cost of the improvements, said estimate of cost~~ amount to be determined ~~made by the Director~~ department of Public Works. ~~The Commission may defer at the time of final approval, subject to appropriate conditions, the provision of any and all such improvements as, in its judgment, are not appropriate because of incompatible grades, future planning, inadequate or lack of connecting facilities, or other reasons. As a condition of deferral, the subdivider shall pay his share of the costs of the future improvements to the City prior to the signing of the final subdivision plat, or the subdivider may post an appropriate security approved in the same manner as stated above which shall insure completion of said deferred improvements upon demand by the City. If the improvements are not completed within the specified time, the City Council may use the funds from said security, or any necessary portion thereof, to complete the same. (G.O. 5668, 4/9/07)~~

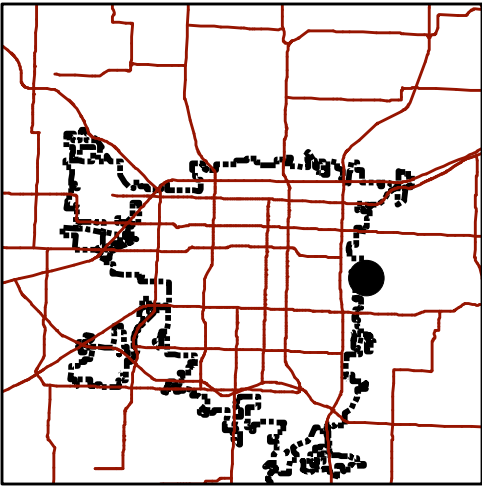
(5) All improvements, except sidewalks, must be completed within one year after the recording of the subdivision plat. Sidewalks must be completed within three years after the recording of the subdivision plat. The Commission may, upon proof of hardship, extend the completion date set

forth in said bond or agreements for a maximum period of one additional year; provided a request for said extension is made prior to the end of the one year following recordation and provided the amount of said security is revised pursuant to a revised estimate by the Director~~department~~ of Public Works. The City Attorney and City Manager, acting in conjunction, may at any time during the period of such bond accept a substitution of principal or sureties on the bond or a substitution of a letter of credit, escrow or other approved security agreement.

- (3)(6) The release or reduction of said corporate surety bond, escrow agreement or other appropriate security agreement shall be in accordance with the following:
- (a) When a petition for improvements by the tax bill method is filed for the improvements of this section and when said petition has passed the required remonstrance petition assuring the City that all improvements will be installed, said bond or agreements posted by the subdivider to insure the City the improvements of this section may be released and returned to the subdivider.
 - (b) ~~The Director of Public Works may release or reduce said bond or agreements posted by the subdivider to insure to the City the improvements of this section w~~Whenever the Director of Public Works has determined that any~~When the Director of Public Works has determined that any~~ required improvements have been satisfactorily completed and the subdivider's engineer or surveyor has certified to said Director, through submission of a detailed "as-built" survey plat of the subdivision indicating location, dimensions, materials and other information required by said Director, that the layout of the line and grade of all public improvements are in accordance with construction plans for the subdivision and that the improvements have been completed, are ready for dedication to the local government, and are free and clear of any and all liens and encumbrances. (G.O. 3906, 3/14/88), the Director shall release said bond or agreements posted by the subdivider to insure to the City that particular improvement. Said bond or agreements shall be released within thirty days of completion of each category of improvement, minus a maximum retention of five percent, which shall be released upon completion of all improvements.
 - (c) ~~The Director of Public Works may reduce upon request, said bond or agreements when he has made the findings and received the information required in the above subsection (b), but such reduction shall not exceed the ratio that the cost of completed improvements~~

bears to the total estimated cost of total public improvements for the plat. (G.O. 3708) (G.O. 3906, 3/14/88)

- (7) The Commission may defer at the time of final approval, subject to appropriate conditions, the provision of any and all such improvements as, in its judgment, are not appropriate because of incompatible grades, future planning, inadequate or lack of connecting facilities, or other reasons. As a condition of deferral, the subdivider shall pay his share of the costs of the future improvements to the City prior to the signing of the final subdivision plat, or the subdivider may post an appropriate security approved in the same manner as stated above which shall insure completion of said deferred improvements upon demand by the City. If the improvements are not completed within the specified time, the City Council may use the funds from said security, or any necessary portion thereof, to complete the same. (G.O. 5668, 4/9/07)
- (8) Construction of private storm water drainage or detention facilities may be deferred to time of development and prior to issuance of a building permit, provided that:
- (f)(a) a plat note is included on the plat filed in the Recorder's Office requiring the construction of the private stormwater drainage or detention facilities; and
- (g)(b) the Director of Public Works has approved preliminary design plans sufficient to show that the proposed private facilities can be engineered to function as proposed.
- (4)(9) {Refer also to Springfield City Code, Chapter 96, Article I, Detention and retention of storm waterArticle IV of Chapter 36, Section 36-417, Detention. G.O. 4462, 10/17/94}.
- (5)(10) Completion of Improvements. Sidewalk improvements shall be in compliance with Subsection 5-3107 of the Springfield Zoning Ordinance.
- (6) ——— (Refer to Article IV of Chapter 36, Section 36-417, Detention. G.O. 4462, 10/17/94)
- (7)(11) Fee in Lieu of Construction. Fee in Lieu of Construction of Sidewalk shall be in compliance with Subsection 5-3108 of the Springfield Zoning Ordinance.



Development Review Staff Report

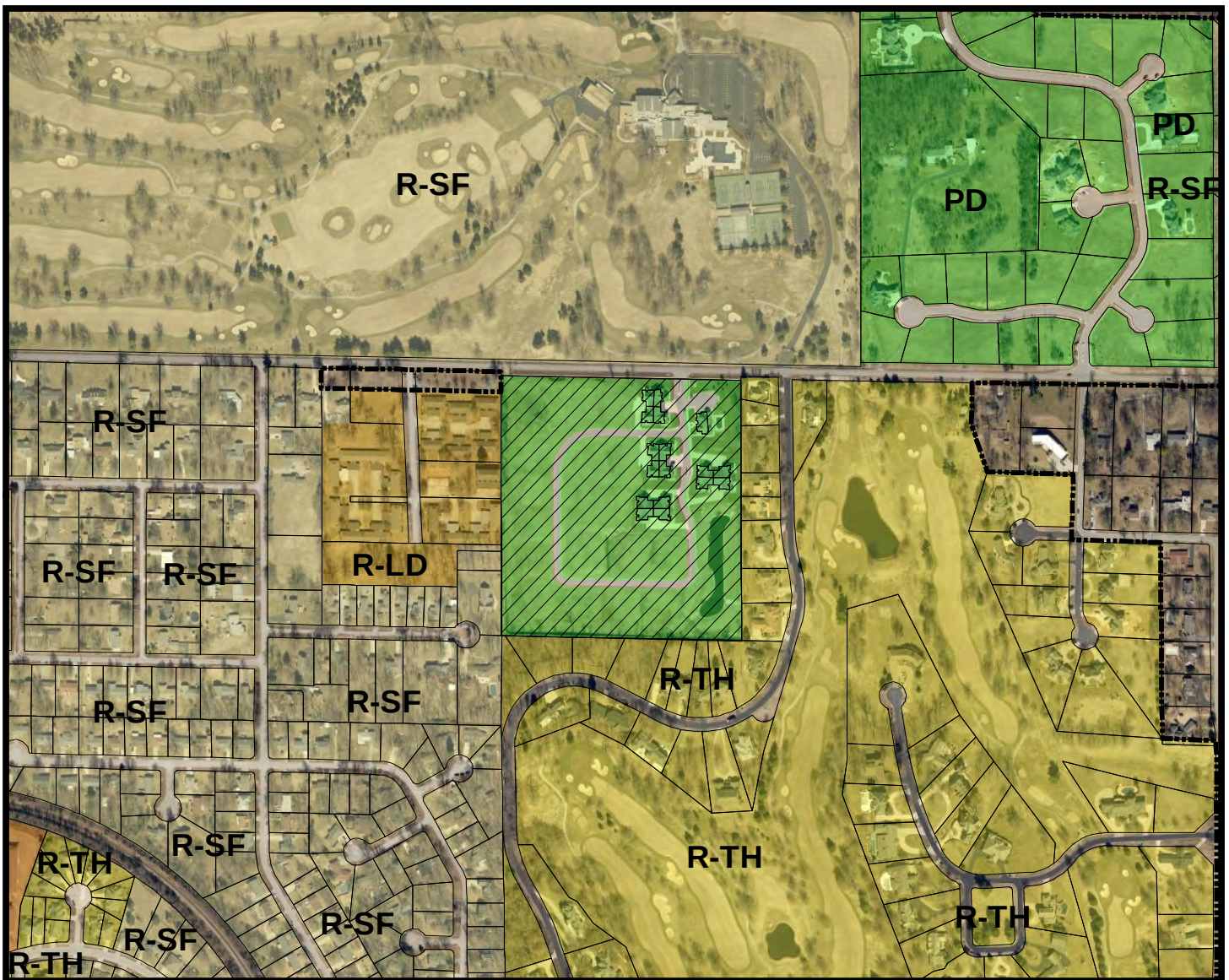
Planning & Development - 417/864-1031
840 Boonville - Springfield, Missouri 65802

Final Plat - Villas at Hickory Hills Condominium

Location: 3810 E. Cherry Street

Current Zoning: PD 308

LOCATION SKETCH



- Area of Proposal

0 300 600 1,200
Feet

1 inch = 600 feet

DEVELOPMENT REVIEW STAFF REPORT
FINAL PLAT – VILLAS AT HICKORY HILLS PHASE 3 CONDOMINIUM

PURPOSE: To approve a final plat to subdivide approximately 19.61 acres into a condominium plat with common area.

REPORT DATE: July 26, 2015

LOCATION: 3810 E. Cherry Street

APPLICANT: Hickory Investors, LLC

TRACT SIZE: Approximately 19.61 acres

EXISTING USE: Multi-family residential uses

PROPOSED USE: Single-family and multi-family residential uses

FINDINGS FOR STAFF RECOMMENDATION:

1. The proposed final plat cannot be approved administratively because it is not in substantial conformance to the approved final plat (2008) or administrative replat, condominium (2013).
2. 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 Final Plat with the following conditions;

1. The final plat shall be submitted for final departmental review prior to recording.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF	Golf course
East	R-TH	Single-family residences
South	R-TH	Single-family residences
West	R-LD	Multi-family residences

HISTORY:

The original Preliminary Plat for Villas at Hickory Hills, a condominium subdivision, was approved by City Council on January 29, 2007 for multi-family condominium units. The final plat was administratively approved and recorded on October 30, 2008. The Villas at Hickory Hills Phase 2, an administrative re-plat, condominium, was approved and recorded on March 12, 2013 for multi-family condominium units. A revised final development plan for PD 308 was approved by Planning and Zoning Commission on June 17, 2014, for a new condominium single-family unit layout.

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for Low-Density Housing.

STAFF COMMENTS:

1. The proposed final plat cannot be approved administratively because it is not in substantial conformance to the approved final plat (2008) or administrative replat, condominium (2013). The original development was based on multi-family condominium units; however, the current developer is proposing single-family condominium units.
2. Staff is following the review and approval process in Section 205 of the Subdivision Regulations that requires Planning and Zoning Commission to hold a public hearing when request for an administrative or minor subdivision is not approved by the Director of Planning and Development.
3. The access to the condominium units shown on the Villas at Hickory Hills Phase 3 Condominium Final Plat are provided by a private drive which is not built to public street standards.
4. The developer is required to apply for an administrative replat, condominium for any future units that are constructed.
5. The proposed final plat was reviewed by City departments and comments are contained in Attachment 1.
6. 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.
7. All required street rights-of-way; drainage, utility, and cross-access easements; and limitations of access shall be dedicated on the Final Plat.

8. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.
9. 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.
10. 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.
11. All other necessary requirements for this subdivision shall be in compliance with the *Subdivision Regulations*
12. 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.

CITY COUNCIL PUBLIC HEARING:

August 24, 2015

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
DEPARTMENT COMMENTS
FINAL PLAT – VILLAS AT HICKORY HILLS PHASE 3 CONDOMINIUM

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 final plat.

PUBLIC WORKS STORMWATER COMMENTS:

1. Current detention and water quality requirements must be met for all lots within the subdivision. It must be shown that any new development proposed is in conformance with the original design criteria of the existing detention basin. If runoff from the proposed development exceeds the original design of the existing detention basin, additional detention must be provided, based on the current requirements.
2. Drainage easements will be required where concentrated flow drains from one lot to another or from offsite onto the proposed subdivision. Such easement shall be sized for the 100-year peak flow rate.
3. Show book and page number for all existing drainage easements.

CLEAN WATER SERVICES COMMENTS:

Need to add plat note for maintenance of sanitary sewer, otherwise, no issues.

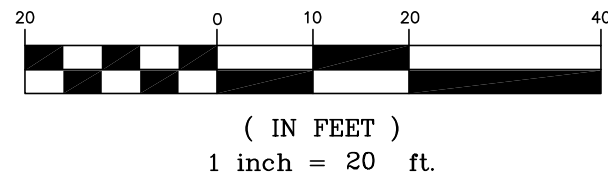
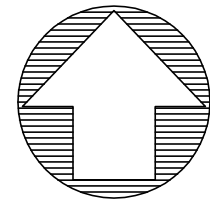
CITY UTILITIES COMMENTS:

No issues. There is a fire hydrant within @ 150 feet of this unit and 2 more hydrants will be installed in the development in a week or so.

FIRE DEPARTMENT COMMENTS:

No issues.

VILLAS AT HICKORY HILLS PHASE III
CONDOMINIUM FINAL PLAT
of VILLAS AT HICKORY HILLS
HICKORY INVESTORS, LLC
SPRINGFIELD, GREENE COUNTY, MISSOURI

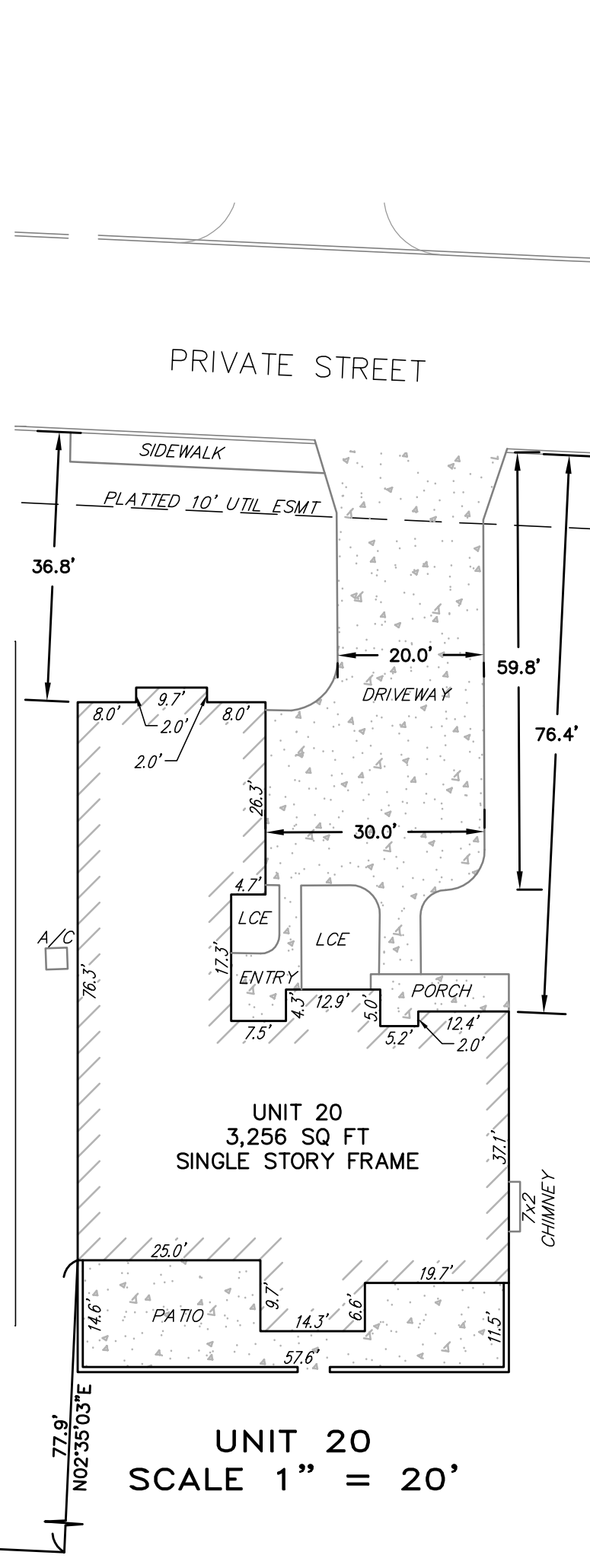
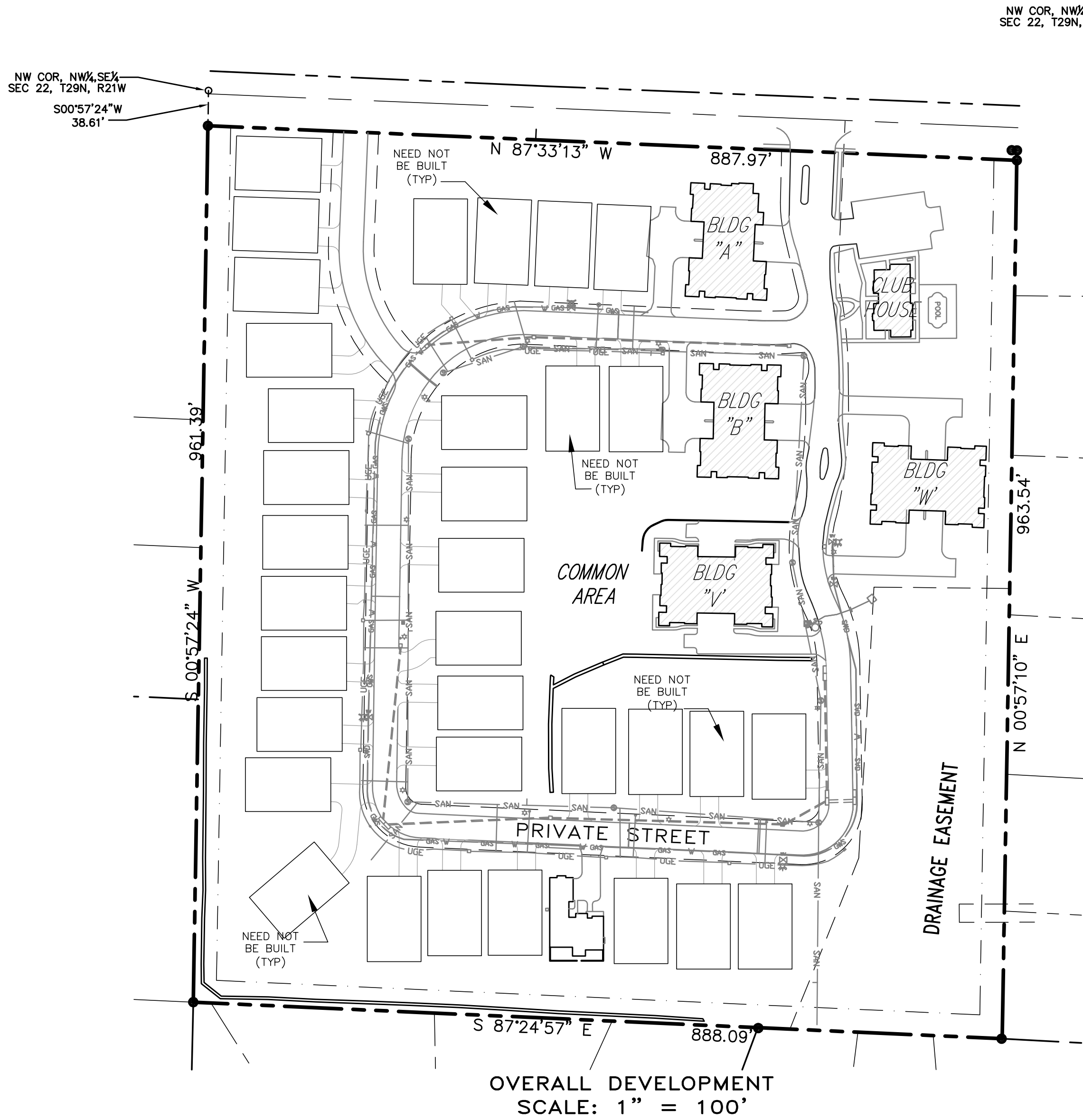


OWNER/DEVELOPER:
HICKORY INVESTORS, L.L.C.
722-B WEST OLIVE
SPRINGFIELD, MO 65804
(417) 864-6661

BASIS OF BEARINGS:

BEARINGS ARE GRID NORTH BASED ON THE MISSOURI STATE PLANE COORDINATE SYSTEM OF 1983, CENTRAL ZONE. GPS TIES TO STATION "GR-16" AND "GR-16A"

STATION GR-16:
N: 152116.839m
E: 436349.706m
ELEV: 415.113m



UNIT 20 NOTES:

SIDEWALK IS A COMMON ELEMENT

DRIVEWAY, ENTRY WALK, PORCH, CHIMNEY, A/C PAD AND ENCLOSED REAR PATIO/DECK ARE LIMITED COMMON ELEMENTS.

ENCLOSED GREENSPACE SHOWN AS "LCE" IS A LIMITED COMMON ELEMENT. ALL OTHER GREENSPACE, UNLESS OTHERWISE NOTED, IS COMMON AREA.

UNIT 20
SCALE 1" = 20'

SURVEY NOTES:

THE INTERNAL STREET SYSTEM IS PRIVATE.

ONSITE SEWER IS PRIVATE.

ABUTTING SUBDIVISION PLATS DO NOT SHOW BUILDING SETBACK LINES.

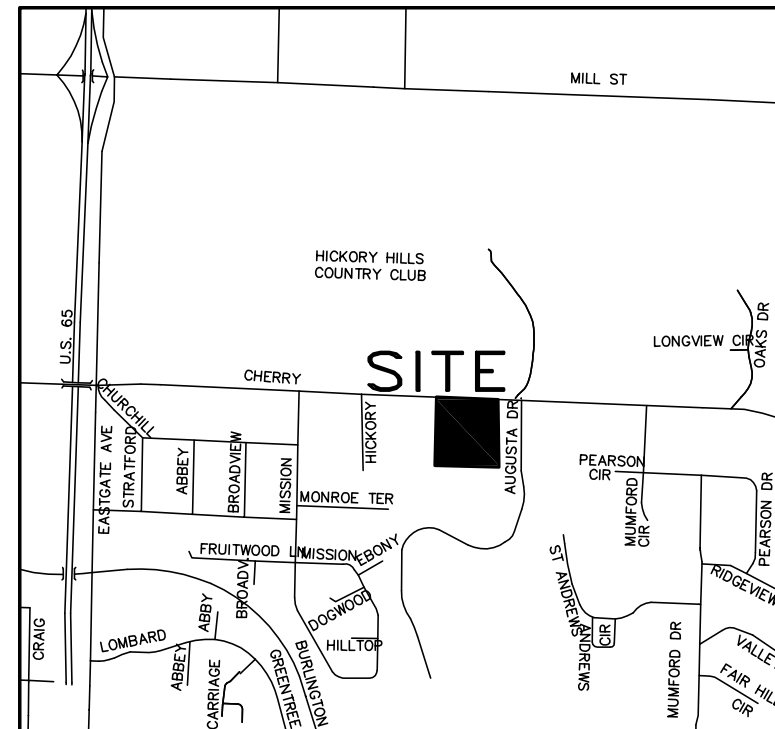
BUILDING LAYOUTS ON OTHER PHASES ARE SUBJECT TO CHANGE.

BUILDING DIMENSIONS ARE TO EXTERIOR FINISH.

ONLY UNIT 20 IS BEING PLATTED AS A FINISHED CONDOMINIUM WITH THIS PLAT.
ALL OTHER UNITS NEED NOT BE BUILT.

SANITARY SEWER MAINTENANCE NOTES

PROPERTY OWNERS WITHIN THE PLAT OF VILLAS AT HICKORY HILLS PHASE III WILL BE RESPONSIBLE FOR THE UPKEEP, MAINTENANCE AND REPAIR OF THE PRIVATE SANITARY SEWER LINES WITHIN THE PLAT OF VILLAS AT HICKORY HILLS PHASE III AND THAT SAID PROPERTY OWNERS ACKNOWLEDGE THAT THE CITY OF SPRINGFIELD, MISSOURI IS NOT RESPONSIBLE FOR UPKEEP, MAINTENANCE AND REPAIR OF THE PRIVATE SANITARY SEWERS LOCATED IN THE PLAT OF VILLAS AT HICKORY HILLS PHASE III.



VICINITY MAP
NOT TO SCALE

BENCHMARK DATA:

STATION GR-16
THE STATION IS A DNR ALUMINUM GRS DISK SET IN 12" DIAMETER CONCRETE POST FLUSH WITH THE GROUND, STAMPED, "GR-16". THE AZIMUTH MARK IS A MO DNR GRS MONUMENT STAMPED, "GR-16A".

ELEVATION= 1361.92'

LEGEND

- FOUND IRON PIN (% IP UNLESS OTHERWISE NOTED)
- SET 5/8" IRON PIN STAMPED "LSC 2009028050"
- △ R/W MARKER
- BOUNDARY LINE
- - - R/W LINE
- - - EASEMENT LINE
- - - SETBACK LINE
- (M) MEASURED
- (P) PLAT
- (D) DEED
- (R) RECORD
- EXISTING BUILDING

DESCRIPTION:

ALL THAT PART OF THE VILLAS AT HICKORY HILLS, A CONDOMINIUM PLAT IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: All that part of the Northwest Quarter of the Southeast Quarter of Section 22, Township 29 North, Range 21 West of the Fifth Principal Meridian, Greene County, Missouri, being more particularly described as follows: Commencing at the Northwest corner of the Northwest Quarter of the Southeast Quarter of said Section 22; thence, South 00°57'24" West, along and with the West line of said Quarter-Quarter section, a distance of 38.61 feet to an iron pin on the South right-of-way line of Cherry Street and lying on the West line of Villas at Hickory Hills and the POINT OF BEGINNING; thence, continue South 00°57'24" West, along and with said West line, a distance of 961.39 feet to an iron pin at the Southwest corner of said Villas; thence, South 87°24'57" East, along and with the South line of said Villas, a distance of 888.09 feet to an iron pin; thence, North 00°57'10" East, along and with the East line of said Villas; a distance of 963.54 feet to the South right-of-way line of Cherry Street; thence, North 87°33'13" West, along and with said South right-of-way line, a distance of 887.97 feet to the POINT OF BEGINNING, containing 19.61 acres and being subject to easements, restrictions, or rights-of-way, if any.

FLOOD NOTE:

THIS PROPERTY LIES IN FLOOD ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) ACCORDING TO FLOOD INSURANCE RATE MAP COMMUNITY PANEL 29077C 0361 E, EFFECTIVE DECEMBER 17, 2010.

DECLARATION BY SURVEYOR:

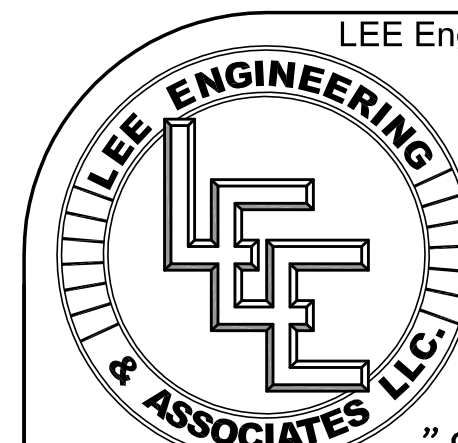
I, DON RAY BERRY, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED IN ACCORDANCE WITH SECTION 410.5 OF THE SUBDIVISION REGULATIONS, ARTICLE II, CHAPTER 36 OF THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI AND THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS PROMULGATED BY THE STATE OF MISSOURI DEPARTMENT OF NATURAL RESOURCES, 40CSR30-16, URBAN CLASS PROPERTIES, AND THAT THIS PLAT CONTAINS ALL INFORMATION REQUIRED BY RSMO SECTION 448.2-109 FOR CONDOMINIUM PLATS.

PHYSICAL EVIDENCE OF IMPROVEMENTS IS SHOWN FROM INFORMATION TAKEN BY VISUAL INSPECTION OF THE PREMISES. EASEMENTS SHOWN ARE THOSE WRITTEN, PROVIDED OR EVIDENT FROM SURFACE FEATURES AND MAY NOT BE ALL INCLUSIVE. APPARENT OWNERSHIPS AS SHOWN ARE BASED ON INFORMATION PROVIDED BY OTHERS AND DO NOT REPRESENT AN OPINION AS TO TITLE.

THIS PLAT OF SURVEY IS AN INSTRUMENT OF SERVICE AND IS PROTECTED UNDER U.S. COPYRIGHT LAW. IT IS NOT TO BE USED BY ANYONE OTHER THAN THE PARTY OR PARTIES NAMED ON THIS PLAT UNLESS IT HAS BEEN UPDATED AND RECERTIFIED BY LEE ENGINEERING & ASSOCIATES, L.L.C.

BY: Don Ray Berry DATE: 07/28/2015

DON RAY BERRY, PROFESSIONAL LAND SURVEYOR
STATE OF MISSOURI LICENSE NO. 2004017829



LEE Engineering & Associates, L.L.C.
2101 W. Chesterfield Blvd,
Suite C202
Springfield, MO 65807
417-886-9100 (phone)
417-886-9336 (fax)
Missouri State Certificate of Authority
Engineering #2009015504
Land Surveying #2009028050
dlee@leeengineering.biz
"Engineering with Integrity"

DWG: Villas New Condo Plat Revised.dwg
DATE: 07/28/2015

PROJECT NO.: 201

VILLAS AT HICKORY HILLS
CONDOMINIUM RE-PLAT

Villas At Hickory Hills
Springfield, Greene County, Missouri

SURVEY BY TSJS	DESIGN DRB	SCALES HOR. AS NOTED VERT. N/A	SHEET OF 2 SHEETS FILE NO. 201
FIELD BK	CHECKED DRB		
LEVEL BK			

Zoning & Subdivision Report

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

Amended Redevelopment Plan for the Madison and Kimbrough Redevelopment Area

DATE: July 27, 2015

PURPOSE: To approve the Amended Redevelopment Plan for the Madison and Kimbrough Redevelopment Area.

LOCATION: Approximately 9.84 acres located on two tracts of the land, the first of which is located at the northwest corner of the intersection of East Madison Street and South Kimbrough Avenue, and the second of which is bounded by East Madison Street to the north, East Grand Street to the south, South Kimbrough Avenue to the east, and South Roanoke Avenue to the west.

APPLICANT: Bryan Properties, LLC

STAFF RECOMMENDATION:

Staff recommends the Amended Redevelopment Plan for the Madison and Kimbrough Redevelopment Area be **approved**.

FINDINGS:

The Amended Redevelopment Plan for the Madison and Kimbrough Redevelopment Area is in conformance with the *Springfield-Greene County Comprehensive Plan*.

STAFF CONTACT:

Matt D. Schaefer
Senior Planner
417-864-1100

ATTACHMENTS:

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

ATTACHMENT A
Background Report
Amended Redevelopment Plan for the Madison and Kimbrough Redevelopment Area

Applicant's Proposal:

Bryan Properties, LLC has filed an Amended Redevelopment Plan for the Madison and Kimbrough Redevelopment Area (Exhibit III) to expand the Area boundaries to accommodate additional redevelopment. The original Redevelopment Plan was adopted by City Council on January 10, 2011 (Special Ordinance Nos. [25853](#) and [28854](#)). The Redevelopment Area consisted of two sub-areas – Area “A” and Area “B”, which are generally located at the northwest corner and the southwest corner of the intersection of East Madison Street and South Kimbrough Avenue, respectively. The Plan proposed redeveloping Area “A” for multi-family residential use and Area “B” for multi-family residential and commercial mixed-use. Since the Redevelopment Plan was approved, Area “A” has been redeveloped into a 12-unit, four-story apartment building known as Beacon Commons, and Area “B” has been redeveloped into a multi-phased, 109-unit (300-bed) apartment development known as Bear Village Apartments. The applicant has recently acquired several properties abutting Area “B” and seeks to incorporate them into the Area in order to facilitate construction of additional phases to the Bear Village Apartments project.

The Amended Redevelopment Plan for the Madison and Kimbrough Redevelopment Area will expand the Area boundaries to include approximately 2.16 acres located at the southeast corner of the intersection East Madison Street and South Roanoke Avenue and along the north side of East Grand Avenue between South Roanoke Avenue and South Kimbrough Avenue (Exhibit II). The Amended Plan proposes additional phases to the Bear Village Apartments, which could more than double the size of the project upon completion. Immediate plans include a 24-unit apartment building at the northeast corner of the intersection of East Madison Street and South Roanoke Avenue that will accommodate approximately 80 residents. Future plans include constructing up to three additional four-story multi-family structures, which may accommodate approximately 330 residents. The Plan also allows the option to incorporate commercial uses into project. Such uses may include, restaurants, a grocery store, or other retail uses.

Comprehensive Plan:

1. The *Growth Management and Land Use Element* of the *Springfield-Greene County Comprehensive Plan* designates the land located in and around the Redevelopment Area for Medium- or High-Density Residential Housing. The *Growth Management and Land Use Element* also mentions urban growth inside Springfield should be compact and contiguous. This serves to promote efficient land use, continued investment in older areas, pedestrian activity and increased use of transit and bicycling, and stronger neighborhood cohesiveness.

2. The *Growth Management and Land Use Element of the Springfield-Greene County Comprehensive Plan* also targets the Missouri State University Campus and surrounding area as a Major Activity Center. One of the Plan's objectives relating to Activity Centers is to promote additional or new employment, intensified retail business, higher density housing and convenient transit service. The Redevelopment Plan supports this objective by providing new multi-family residential housing adjacent to the Missouri State University campus
3. The Redevelopment Area is located within the area included in the *Center City Plan Element of the Springfield –Greene County Comprehensive Plan*. The Plan mentions the Center City area suffers from physical deterioration and economic obsolescence. It also states that although there are several properties within Center City that have been well maintained or recently constructed, the overall tone is one of an area that could use revitalization and new investment. The Redevelopment Plan addresses those issues by proposing to remove existing blight and redevelop the area into a new multi-family residential development that will be marketed to students.

Staff Comments:

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

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

2. The property being added to the Redevelopment Area is located within the South Central "A" Urban Renewal Area, which City Council declared to be a blighted area in 1964 (Resolution No. 4282). The requirements of the Amended Redevelopment Plan for the Madison and Kimbrough Redevelopment Area will replace those of the existing Urban Renewal Area.

3. The Redevelopment Plan is consistent with City policy, which encourages off-campus student housing be constructed near college and university campuses. This may help reduce vehicular traffic by allowing more students to walk and bike to class, as opposed to driving.
4. The City of Springfield and Missouri State University have worked collaboratively on plans to direct university and university-related growth to the northwest towards downtown. The Redevelopment Plan is consistent with those efforts.
5. The location of the proposed multi-family residential development will offer its tenants convenient access to public transit and designated pedestrian and bicycle routes. The Redevelopment Area is located within 250 feet of two Missouri State University Bear Line Shuttle stops located along East Madison Street, as well as within 600 ft of a City Utilities bus stop at the southwest corner of South Jefferson Avenue and East Madison Street. The Redevelopment Area is also served by sidewalks and is located adjacent to a designated bicycle route running along East Madison Street.

EXHIBIT I
Legal Description
Amended Redevelopment Plan for the Madison and Kimbrough Redevelopment Area

TRACT I:

ALL OF THE SOUTH ONE HUNDRED FIFTY (150) FEET OF THE EAST FIFTY (50) FEET OF LOT ONE HUNDRED TWELVE (112) IN SOUTHERN ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

TRACT II:

ALL OF THE SOUTH ONE HUNDRED FIFTY (150) FEET OF THE EAST THIRTY (30) FEET OF LOT ONE HUNDRED ELEVEN (111), AND THE SOUTH ONE HUNDRED FIFTY (150) FEET OF THE WEST THIRTY (30) FEET OF LOT ONE HUNDRED TWELVE (112), IN SOUTHERN ADDITION, TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

TRACT III:

ALL OF THE NORTH FIFTY (50) FEET OF LOT ONE HUNDRED TWELVE (112) AND THE NORTH FIFTY (50) FEET OF THE EAST THIRTY (30) FEET OF LOT ONE HUNDRED ELEVEN (111), IN SOUTHERN ADDITION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

TRACT IV:

ALL OF THE WEST FIFTY (50) FEET OF LOT ONE HUNDRED ELEVEN (111), SOUTHERN ADDITION, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

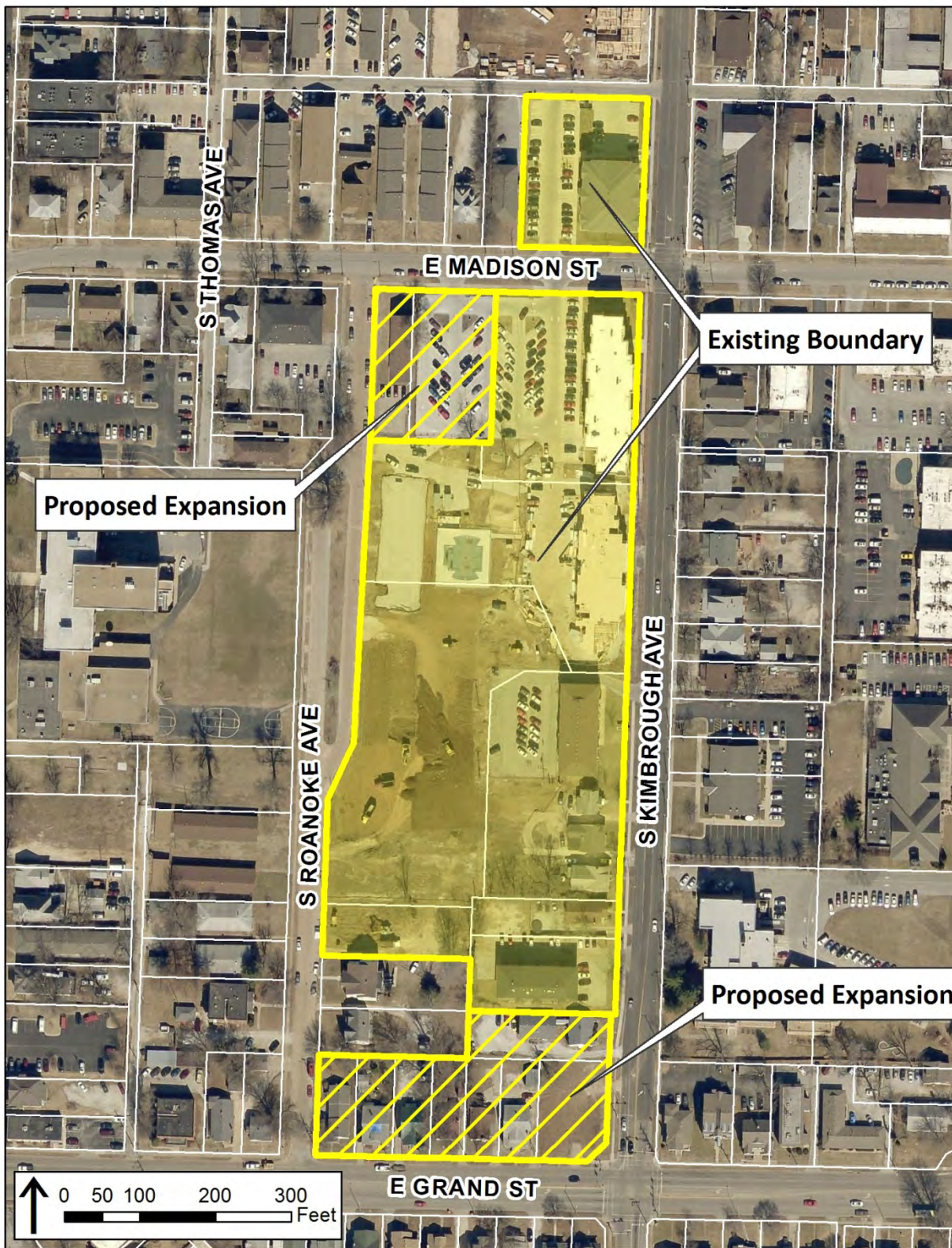
TRACT V:

A TRACT OF LAND AS LYING IN AS-6783 (BOOK 2012, PAGE 007288-12), LOTS 1, 2, 3 OF BEAR VILLAGE III, AN ADMINISTRATIVE REPLAT (PLAT BOOK AAA, PAGE 297, PAGE 000836-14, BOOK 2014), PART OF LOTS 116 AND 117 OF SOUTHERN ADDITION, (PLAT BOOK B, PAGE 85), PART OF LOTS 15 AND 16, AND ALL OF LOTS 19 THRU 30 OF SARAH R OWEN ADDITION AS DESCRIBED IN PLAT BOOK J, PAGE 11 AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 113 OF SOUTHERN ADDITION SAID POINT ALSO LYING AT THE SOUTHWEST CORNER OF MADISON STREET AND KIMBROUGH AVENUE; THENCE ALONG THE WEST RIGHT-OF-WAY OF KIMBROUGH AVENUE THE FOLLOWING COURSES, SOUTH 02°00'23" WEST, 247.48 FEET TO THE NORTHEAST CORNER OF LOT 1, BEAR VILLAGE III, AN ADMINISTRATIVE REPLAT; THENCE SOUTH 01°45'05" WEST, 250.17 FEET, TO THE SOUTHEAST CORNER OF LOT 1; THENCE SOUTH 01°55'29" WEST, 300.06 FEET TO THE SOUTHEAST CORNER OF LOT 3 OF BEAR VILLAGE III, AN ADMINISTRATIVE RE-PLAT; THENCE SOUTH 02°06'54" WEST, 149.94

FEET TO THE SOUTHEAST CORNER OF LOT 28 OF SARAH R OWEN ADDITION; THENCE NORTH 88°51'49" WEST, 6.00 FEET; THENCE SOUTH 02°15'39" WEST, 172.54 FEET; THENCE SOUTH 46°41'34" WEST, 35.69 FEET TO A POINT LYING ON THE NORTHERLY RIGHT-OF-WAY OF GRAND STREET; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY AND ALONG SAID NORTHERLY RIGHT-OF-WAY, NORTH 88°51'49" WEST, 360.87 FEET TO A POINT LYING ON THE EASTERLY RIGHT-OF-WAY OF ROANOKE AVENUE; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY AND ALONG SAID EASTERLY RIGHT-OF-WAY, NORTH 02°22'08" EAST, 135.14 FEET TO A POINT LYING AT THE SOUTHWEST CORNER OF LOT 18 OF SARAH R. OWEN SUBDIVISION; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY AND ALONG THE SOUTH LINE OF LOT 18, SOUTH 88°50'53" EAST, 195.22 FEET TO A POINT LYING AT THE SOUTHEAST CORNER OF LOT 18; THENCE LEAVING SAID SOUTH LINE, NORTH 02°07'13" EAST, 131.29 FEET; THENCE NORTH 88°55'38" WEST, 194.65 FEET TO A POINT LYING ON THE AFOREMENTIONED EASTERLY RIGHT-OF-WAY OF ROANOKE AVENUE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY THE FOLLOWING COURSES, NORTH 02°22'08" EAST, 68.48 FEET; THENCE NORTH 02°18'26" EAST, 137.99 FEET; THENCE NORTH 21°34'29" EAST, 82.46 FEET; THENCE NORTH 03°47'49" EAST, 213.23 FEET TO THE SOUTHWEST CORNER OF LOT 1 OF BEAR VILLAGE PHASE III, AN ADMINISTRATE RE-PLAT; THENCE NORTH 03°50'04" EAST, 186.49 FEET TO THE NORTHEAST CORNER OF LOT 1 OF BEAR VILLAGE, AN ADMINISTRATIVE RE-PLAT; THENCE NORTH 01°35'18" EAST, 199.46 FEET TO A POINT LYING ON THE NORTH RIGHT-OF-WAY OF MADISON STREET; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY AND ALONG SAID NORTH RIGHT-OF-WAY, SOUTH 88°17'38" EAST, 349.82 FEET TO THE POINT OF BEGINNING. CONTAINING 9.13 ACRES, MORE OR LESS. ALL LYING IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE. CONDITIONS AND MONUMENTS ARE AS SHOWN ON ANDERSON ENGINEERING, INC. DRAWING NUMBER WB 110-385.

EXHIBIT II
Location Map
Amended Redevelopment Plan for the Madison and Kimbrough Redevelopment Area



Amended Redevelopment Plan
For
The Madison and Kimbrough Redevelopment
Area
Springfield, Missouri

July 14, 2015

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Map of Redevelopment Area.....	Exhibit A

Legal Description of Redevelopment Area Exhibit B

Expansion to Redevelopment Area Exhibit C

Amended Redevelopment Plan for the Madison and Kimbrough Redevelopment Area

Bryan Properties (the “Developer”) has prepared the following Amended Redevelopment Plan for the Madison and Kimbrough Redevelopment Area (the “Redevelopment Plan”). The Madison and Kimbrough Redevelopment Area was initially blighted as part of the South Central “A” Urban Renewal Area pursuant to Resolution No. 4282 passed by the Springfield City Council (the “City Council”) in 1964. The blight was reaffirmed and the original Redevelopment Plan (the “Original Plan”) was adopted on January 10, 2011 pursuant to Special Ordinances 25853 and 25854. The Developer now seeks to amend the Original Plan to expand the boundaries of the Redevelopment Area and to redefine the future land use of the Redevelopment Area.

I. Description of the Project

A. *Boundaries of the Redevelopment Area*

The boundaries of the redevelopment area are reflected on the map attached hereto and incorporated herein as Exhibit A and legally described on Exhibit B attached hereto (the “Redevelopment Area”). An amendment to the Original Plan is necessary because the Redevelopment Area has been expanded to now include the entire block generally bounded by S. Kimbrough Avenue to the east, Grand Street to the south, Roanoke Avenue to the west, and E. Madison Street to the north. In addition, the Redevelopment Area still includes the area on the north of E. Madison Street and west of S. Kimbrough Avenue, on which the Beacon Commons (as defined herein) is situated. The additions to the original Redevelopment Area are denoted on the map attached hereto and incorporated herein as Exhibit C. The Redevelopment Area, which is located in City Center, is approximately 9.85 acres and consists of approximately sixteen (16) parcels of property located to the northwest and the southwest of the intersection of E. Madison Street and S. Kimbrough Avenue in the City of Springfield, Missouri.

B. *Need for Redevelopment*

Although many of the improvements have already been completed in accordance with the Original Plan, including the construction of Bear Village (as defined herein) and Beacon Commons (as defined herein), the Developer desires to construct additional phases, which require the original Redevelopment Area to be expanded. Although the additions to the Redevelopment Area were not blighted pursuant to the Original Plan, these additional areas have already been blighted as part of the South Central “A” Urban Renewal Area pursuant to Resolution No. 4282 passed by the City Council in 1964.

The first house built in the Redevelopment Area was constructed in 1880. The remainder of the Buildings (i.e. those buildings constructed before improvements were made in accordance with the Original Plan) were constructed in the 1920s, 1930s, 1950s, and 1970s (the “Buildings”). Few improvements or updates have been made to the Buildings since their original construction, and due to age and deferred maintenance, the Buildings have suffered from much physical deterioration. The Buildings contained outdated electrical systems, plumbing,

wiring, and fire prevention systems, and asbestos is present in many of these buildings as well. These conditions pose a serious menace to public health and safety.

Furthermore, since most of the remaining Buildings in the Redevelopment Area only contain a few units, the Redevelopment Area is incapable of supporting its highest and best use. The Redevelopment Area is zoned for High-Density Multi-Family Residential District, which mean the property is intended to accommodate up to forty (40) units per acre. This underutilization prevents the Redevelopment Area from generating taxes to its utmost potential.

Although other portions of City Center have started to revitalize with an increase in loft apartments, restaurants, and entertainment facilities, the continued decline of the Redevelopment Area only serves to detract from this revitalization. Redevelopment of the area is needed to create a safe and desirable living environment, increase the taxable revenues to the City of Springfield, and place a greater portion of the City Center Study Area in congruence with the visions set forth in the Center City Plan Element.

C. *Redevelopment Plan Objective and Strategies*

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

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

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

The Redevelopment Area is located within the vicinity of MSU. The Growth Management and Land Use Plan ("Land Use Plan"), which is another component of the Vision 20/20 Springfield-Greene County Comprehensive Plan, indicates that the Redevelopment Area and surrounding property is an appropriate area for medium or high density housing. The Land Use Plan also identifies MSU and surrounding areas as an Activity Center.⁵ The Land Use Plan states that one of its objectives for areas identified as Activity Centers is that plans should promote additional or new employment, intensified retail business, higher density housing, and

¹See page 1-1 of the CCPE.

²See page 1-2 of the CCPE.

³See page 3-38 of the CCPE.

⁴See page 3-38 of the CCPE.

⁵See page 18-34 of the Land Use Plan.

convenient transit service.⁶ While the Redevelopment Area is located outside the official Activity Center according to the Activity Center Map, MSU has experienced significant growth since the Activity Center Map was adopted. If the Map was updated today, it is likely the Redevelopment Area would be located within the official Activity Center boundaries. In addition, the Redevelopment Area conforms to the guidelines for higher-density residential uses, as described in the Land Use Plan.

The Redevelopment Area meets both the accessibility and connectivity criteria described in the Land Use Plan. Specifically, the Redevelopment Area is located near a bus transit routes in close proximity to MSU, is served by good sidewalks for pedestrian access and is located to several nearby parks and the Center City. Regarding bus transit routes, MSU's Bear Line shuttle service has a route along E. Madison Avenue, which is directly north of the Redevelopment Area. Moreover, E. Madison Avenue is designated as a bicycle route.

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

The primary objective of the Redevelopment Plan is to remove blight and to redevelop the Redevelopment Area for both commercial and multi-family housing uses. In addition to the improvements made in accordance with the Original Plan, the proposed land use for the Redevelopment Area includes the construction of up to four (4) multi-family residential structures (to be constructed over several phases) which will serve as a residence for approximately four hundred (400) residents.

The Project will further the objectives of the Springfield - Greene County Comprehensive Plan in several different ways. It will provide for additional student housing in Center City which will help to further the CCPE's goal that Center City be a focal point for higher education and fulfill the needs of students. It also complies with the City's goals for the University's growth since the Redevelopment Area is located to the northwest of the University's main campus. In addition, the Project will provide for higher density housing within the University Activity Center and will have convenient access to transit services, which advances the Land Use Plan's goals for Activity Centers.

II. Land Use

A. Existing Land Use

There are approximately sixteen (16) residential use structures in the Redevelopment Area. Included in these sixteen (16) structures are three (3) large multi-family residential buildings, containing approximately three hundred (300) beds in total, that have been constructed in the Redevelopment Area according to the Original Plan ("Bear Village"). In addition, in the part of the Redevelopment Area north of E. Madison Street and west of Kimbrough Avenue, a large forty-eight (48) bed multifamily residential building has been constructed in accordance with the Original Plan ("Beacon Commons").

⁶See page 18-28 of the Land Use Plan.

B. *Proposed Land Use*

The proposed land use for the Redevelopment Area is a development, divided into several phases, consisting of residential use geared toward student housing and may contain a mixed-use component for a combination of student housing and commercial retail use. Should a portion of the Redevelopment Area contain a mixed-use component, that portion will be rezoned to allow the possible addition of restaurants, a grocery store, ethnic markets, and/or other retail businesses.

Several phases of the Original Plan have already been completed in conformance with the Original Plan. Specifically, three (3) phases of Bear Village have been completed and total approximately three hundred (300) beds. In addition, the Beacon Commons has been completed and totals approximately forty-eight (48) beds.

The proposed land use under the Redevelopment Plan is the construction of an up to four-story residential structure located at the corner of Roanoke Avenue and Grand Street, containing approximately twenty-four (24) units for approximately eighty (80) residents. This structure will be marketed primarily as student housing and is expected to be completed in August of 2016.

Additional phases of the development may consist of an up to four-story residential structure located at the corner of Kimbrough Avenue and Grand Street, which will serve as a residence for approximately one hundred fifty (150) residents, an up to four-story residential structure located at the corner of Roanoke Avenue and East Madison Street, which will serve as a residence for approximately eighty (80) residents, and a four-story residential structure along Kimbrough Avenue, which will serve as a residence for approximately one hundred (100) residents. All of these structures will be marketed primarily to students and may include a mixed-use component.

C. *Existing and Proposed Zoning*

The existing zoning for the entire Redevelopment Area is High-Density Multi-Family Residential District (R-HD). Should the development contain a mixed-use component, that portion of the Redevelopment Area will require a zoning change.

D. *Regulation and Controls*

Redevelopment of the Redevelopment Area shall be subject to all applicable City Codes and Ordinances.

III. **Execution of the Project**

A. *Execution*

The Developer or its successors in interest shall be responsible for executing the redevelopment of the Redevelopment Area in accordance with the Redevelopment Plan. The original Redevelopment Plan included BSH Springfield 1, LLC as an additional Developer.

BSH Springfield I, LLC, or its successor in interest (“BSH”), has developed, Beacon Commons, a parcel of property within the Redevelopment Area north of E. Madison Street and west of S. Kimbrough Avenue in accordance with the original Redevelopment Plan.

B. *Land Acquisition*

All of the land in the Redevelopment Area is already owned by the Developer or BSH.

C. *Disposition of Property*

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

D. *Taxation.*

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

E. *Covenants*

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

IV. Other Provisions

A. *Compliance with General Plans*

The Redevelopment Plan shall run with the land and require the Developer and its successors in interest to redevelop the property in the Redevelopment Area in accordance with the specified uses in the Redevelopment Plan.

B. *Compliance with State and Local Law*

The Redevelopment Plan conforms to the requirements of State and Local law.

V. Procedure for Changes or Modification of Plan

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

EXHIBIT A
[Map of Redevelopment Area]

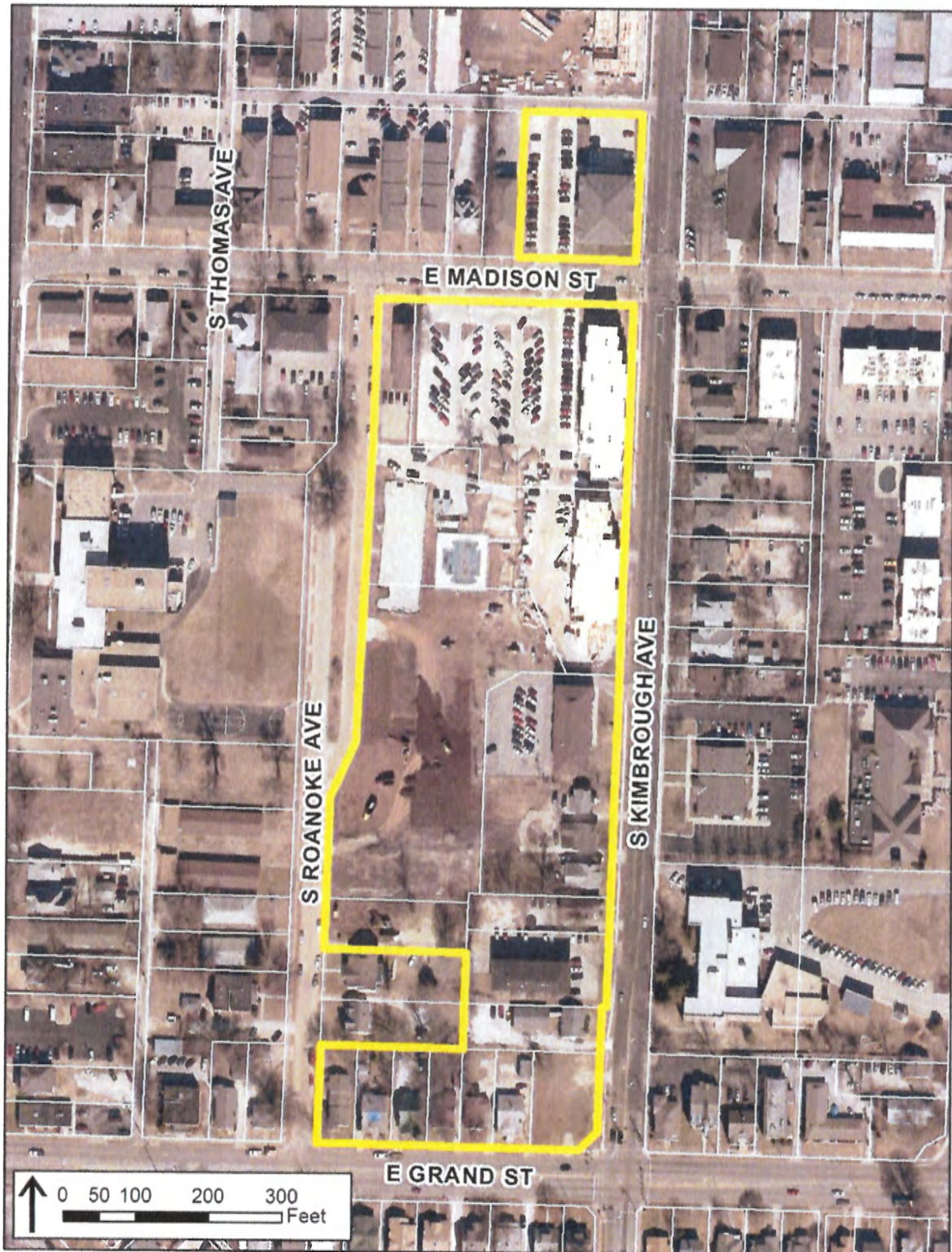


EXHIBIT B

TRACT I:

ALL OF THE SOUTH ONE HUNDRED FIFTY (150) FEET OF THE EAST FIFTY (50) FEET OF LOT ONE HUNDRED TWELVE (112) IN SOUTHERN ADDITION TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

TRACT II:

ALL OF THE SOUTH ONE HUNDRED FIFTY (150) FEET OF THE EAST THIRTY (30) FEET OF LOT ONE HUNDRED ELEVEN (111), AND THE SOUTH ONE HUNDRED FIFTY (150) FEET OF THE WEST THIRTY (30) FEET OF LOT ONE HUNDRED TWELVE (112), IN SOUTHERN ADDITION, TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

TRACT III:

ALL OF THE NORTH FIFTY (50) FEET OF LOT ONE HUNDRED TWELVE (112) AND THE NORTH FIFTY (50) FEET OF THE EAST THIRTY (30) FEET OF LOT ONE HUNDRED ELEVEN (111), IN SOUTHERN ADDITION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

TRACT IV:

ALL OF THE WEST FIFTY (50) FEET OF LOT ONE HUNDRED ELEVEN (111), SOUTHERN ADDITION, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

TRACT V:

A TRACT OF LAND AS LYING IN AS-6783 (BOOK 2012, PAGE 007288-12), LOTS 1, 2, 3 OF BEAR VILLAGE III, AN ADMINISTRATIVE REPLAT (PLAT BOOK AAA, PAGE 297, PAGE 000836-14, BOOK 2014), PART OF LOTS 116 AND 117 OF SOUTHERN ADDITION, (PLAT BOOK B, PAGE 85), PART OF LOTS 15 AND 16, AND ALL OF LOTS 19 THRU 30 OF SARAH R OWEN ADDITION AS DESCRIBED IN PLAT BOOK J, PAGE 11 AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 113 OF SOUTHERN ADDITION SAID POINT ALSO LYING AT THE SOUTHWEST CORNER OF MADISON STREET AND KIMBROUGH AVENUE; THENCE ALONG THE WEST RIGHT-OF-WAY OF KIMBROUGH AVENUE THE FOLLOWING COURSES, SOUTH 02°00'23" WEST, 247.48 FEET TO THE NORTHEAST CORNER OF LOT 1, BEAR VILLAGE III, AN ADMINISTRATIVE REPLAT; THENCE SOUTH 01°45'05" WEST, 250.17 FEET, TO THE SOUTHEAST CORNER OF LOT 1; THENCE SOUTH 01°55'29" WEST, 300.06 FEET TO THE SOUTHEAST CORNER OF LOT 3 OF BEAR VILLAGE III, AN ADMINISTRATIVE RE-PLAT; THENCE SOUTH 02°06'54" WEST, 149.94

FEET TO THE SOUTHEAST CORNER OF LOT 28 OF SARAH R OWEN ADDITION; THENCE NORTH 88°51'49" WEST, 6.00 FEET; THENCE SOUTH 02°15'39" WEST, 172.54 FEET; THENCE SOUTH 46°41'34" WEST, 35.69 FEET TO A POINT LYING ON THE NORTHERLY RIGHT-OF-WAY OF GRAND STREET; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY AND ALONG SAID NORTHERLY RIGHT-OF-WAY, NORTH 88°51'49" WEST, 360.87 FEET TO A POINT LYING ON THE EASTERLY RIGHT-OF-WAY OF ROANOKE AVENUE; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY AND ALONG SAID EASTERLY RIGHT-OF-WAY, NORTH 02°22'08" EAST, 135.14 FEET TO A POINT LYING AT THE SOUTHWEST CORNER OF LOT 18 OF SARAH R. OWEN SUBDIVISION; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY AND ALONG THE SOUTH LINE OF LOT 18, SOUTH 88°50'53" EAST, 195.22 FEET TO A POINT LYING AT THE SOUTHEAST CORNER OF LOT 18; THENCE LEAVING SAID SOUTH LINE, NORTH 02°07'13" EAST, 131.29 FEET; THENCE NORTH 88°55'38" WEST, 194.65 FEET TO A POINT LYING ON THE AFOREMENTIONED EASTERLY RIGHT-OF-WAY OF ROANOKE AVENUE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY THE FOLLOWING COURSES, NORTH 02°22'08" EAST, 68.48 FEET; THENCE NORTH 02°18'26" EAST, 137.99 FEET; THENCE NORTH 21°34'29" EAST, 82.46 FEET; THENCE NORTH 03°47'49" EAST, 213.23 FEET TO THE SOUTHWEST CORNER OF LOT 1 OF BEAR VILLAGE PHASE III, AN ADMINISTRATE RE-PLAT; THENCE NORTH 03°50'04" EAST, 186.49 FEET TO THE NORTHEAST CORNER OF LOT 1 OF BEAR VILLAGE, AN ADMINISTRATIVE RE-PLAT; THENCE NORTH 01°35'18" EAST, 199.46 FEET TO A POINT LYING ON THE NORTH RIGHT-OF-WAY OF MADISON STREET; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY AND ALONG SAID NORTH RIGHT-OF-WAY, SOUTH 88°17'38" EAST, 349.82 FEET TO THE POINT OF BEGINNING. CONTAINING 9.13 ACRES, MORE OR LESS. ALL LYING IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE. CONDITIONS AND MONUMENTS ARE AS SHOWN ON ANDERSON ENGINEERING, INC. DRAWING NUMBER WB 110-385.

EXHIBIT C
[Expansion to Redevelopment Area]



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

DATE: July 24, 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 length of terms of the Commission from 3 years to 4 years. It was brought to our attention that the Missouri State law, Zoning Ordinance and the City Charter are in conflict as to the terms of planning and zoning commissioners. State law requires 4 year terms. The Zoning Ordinance requires 3 year terms. The City Charter states that all our board and commission members shall serve three year terms. Staff will follow up with a zoning text amendment to change the zoning ordinance language. The City Charter changes will have to be grouped into any other proposed changes to the Charter through a vote of the citizens of Springfield.

Staff has prepared a resolution to City Council on July 27, 2015, outlining the changes to the current members terms from 3 years to 4 years. This was approved by City Council (see attached explanation to City Council).

Staff has reviewed the proposed amendments to the Rules of Procedure with the Planning and Zoning Commission at the July 9, 2015 per Planning and Zoning Commission Rule of Procedure.

Staff recommends approval.

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.

EXPLANATION TO COUNCIL BILL NO: 2015-

FILED: 07-21-15

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: To correct the terms of the Planning and Zoning Commissioners to make the terms consistent with Chapter 89 of the Revised Statutes of Missouri.

BACKGROUND INFORMATION: The state-enabling legislation for zoning and planning is contained in Chapter 89 of the Revised Statutes of Missouri. Section 89.320(3) states that the terms of planning and zoning commissioners shall be four (4) years. The City of Springfield has traditionally appointed commissioners for terms of three (3) years. This ordinance adds a year to the terms of the current Planning and Zoning Commissioners. Commissioners and their corrected terms are listed below:

Seat	Name	Zone	Term Expires
1	Thomas Baird, IV	4	01/01/2017*
2	Gabrielle White	4	01/01/2017*
3	Melissa Cox	4	01/01/2018*
4	Matthew Edwards	2	01/01/2018
5	Jason Ray	4	01/01/2018
6	David Shuler	4	01/01/2018*
7	Andrew Cline	3	01/01/2019*
8	Randall Doennig	4	01/01/2019*
9	Cameron Rose	3	01/01/2019*
*Eligible for Reappointment			

REMARKS: Staff recommends approval.

Recommended by:

Approved by:



Mary Lilly Smith, Director
Planning and Development

Greg Burris, City Manager