



Springfield Planning and Zoning Commission

City Council Chambers (830 Boonville)

Date: October 8, 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

September 10, 2015

Documents: [MINUTES 09-10-2015.PDF](#)

3. COMMUNICATIONS

4. FINALIZATION AND APPROVAL OF CONSENT ITEMS

(None)

5. UNFINISHED BUSINESS

6. Vacation 781 (Remove From Table)

200 block East Swan Place, Primrose Senior Living, LLC

Documents: [VAC781.PDF](#)

7. PUBLIC HEARINGS

8. Z-33-2015 W/Conditional Overlay District No. 99

1251, 1309, 1315, and 1319 East Sunshine Street and 1764 and 1770 South National Avenue, Sunshine & National Real Estate, LLC

Documents: [Z-33-2015 COD99.PDF](#)

9. Z-34-2015 W/Conditional Overlay District No. 100

624 & 634 East Walnut Lawn Street, Luke Warmwater Construction, Inc.

Documents: [Z-34-2015 COD100 SR.PDF](#)

10. Master Sign Plan BMW

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3500 East Sunshine Street, Vincel Capital Management, LLC

Documents: [MASTER SIGN BMW.PDF](#)

11. Lantz 1124, LLC Redevelopment Plan

1124 & 1130 East Elm Street, Lantz 1124, LLC

Documents: [LANTZ 1124, LLC REDEVELOPMENT PLAN.PDF](#)

12. ANY OTHER MATTERS UNDER COMMISSION JURISDICTION

13. 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 September 10, 2015, in the City Council Chambers. Chairman Tom Baird called the meeting to order.

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

Staff in attendance: Mary Lilly Smith, Director of Planning, Bob Hosmer, Principal Planner, Dan Wichmer, City Attorney, Matt Schaefer, Senior Planner, Dawne Gardner, Public Works Traffic Division, and Rodney Colson, Public Works Stormwater.

Mayor Robert Stephens addressed Commission.

Minutes: The minutes of August 6, 2015 were approved unanimously.

Communications:

Mr. Hosmer reviewed City Council action from August 10, 2015 and August 24, 2015. Mr. Hosmer stated the applicant for agenda item number seven (7), Vacation 781, has requested the case be tabled to the October 8, 2015 meeting.

Mr. Ray motioned to **table** Vacation 781. Mr. Doennig **seconded** the motion. The motion **carried** as follows: Ayes: Baird, Ray, Cox, Shuler, Cline, Doennig, and Rose. Nays: None. Abstain: None. Absent: Edwards and White.

Public Hearings:

Z-30-2015
(840 East Primrose Street)

Fortmeyer Real Estate Company

Mr. Hosmer noted this is a request to rezone approximately 0.77 acres of property generally located at 840 East Primrose Street. The applicant is requesting to rezone the subject property from a Planned Development District No. 21, 3rd Amendment to an O-1, Office District with the intent to expand the off-street parking for the existing law office on the property. The existing Planned Development requires a minimum thirty (30) foot parking lot setback adjacent to all rights-of-way. The applicant intends to expand the existing off-street parking lot to the north toward Primrose Street, which necessitates this request to eliminate the parking lot setback. Approval of O-1 zoning on the subject property will allow for further development or redevelopment of the subject property similar to what could be achieved under the existing Planned Development, while allowing for the existing business to expand at its present location. 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. Upon development of the additional parking area, a

minimum ten (10) foot wide perimeter landscaped area will be required along Primrose Street because the parking lot is located within fifty (50) feet of the public right-of-way.

Mr. Baird opened the public hearing.

Mr. Derek Lee, 1200 E. Woodhurst, commented they want to put the same stacked parking up against the building and push it out closer to the road. They want to go straight zoning to get more parking in the front.

Mr. Baird closed the public hearing.

Mr. Ray motioned to **approve** Z-30-2015. Ms. Cox **seconded** the motion. The motion **carried** as follows: Ayes: Baird, Ray, Cox, Shuler, Cline, Doennig, and Rose. Nays: None. Abstain: None. Absent: Edwards and White.

Z-31-2015 w/Conditional Overlay District No. 97

Curbow Inc.

(1255 East Chestnut Expressway)

Mr. Hosmer stated the applicant is proposing to rezone the subject property from an O-1, Office District to a GR, General Retail District with Conditional Overlay District No. 97. The Conditional Overlay District provisions will require a traffic study at the time of development, a cross access easement when the property develops and limit access onto Battlefield Road. The property to the north of the subject property is zoned R-SF, Single Family Residential. The minimum bufferyard required between GR zoning and the adjacent R-SF zoned property is a 20 foot wide landscaped bufferyard with a fence, wall, hedge, or earthen berm. The property to the east and west of the subject property is zoned R-HD, High-Density Multi-Family Residential District and O-1, Office District. The minimum bufferyard required between the GR zoning and R-HD and O-1 zoned properties is a 15 foot wide landscaped bufferyard required adjacent to the property to the east and west, however, this can be waived if there is an cross access easement that is granted and that's part of the provisions for this request. Staff recommends approval with the following requirements:

A traffic study shall be submitted at the time of development/redevelopment based on the actual use of the property. If the results of the traffic study determine that improvements are required, then they must be constructed prior to building permits being issued. Two driveways on to Battlefield Road will be allowed. The two driveways shall be located a minimum of 200 feet apart and shall not be located within five feet of the east or west property lines. A 26 foot cross access easement (to be located at the time of development/redevelopment) shall extend east/west across the property connecting the two allowable driveways to both the east and west property lines.

Mr. Baird opened the public hearing.

Mr. Ron Mersch, Olsson & Associates, 550 St. Louis Street, stated there was no opposition raised to the proposal.

Mr. Baird closed the public hearing.

Mr. Ray motioned to **approve** Z-31-2015 w/Conditional Overlay District No. 97. Mr. Doennig **seconded** the motion. The motion **carried** as follows: Ayes: Baird, Ray, Cox, Shuler, Cline, Doennig, and Rose. Nays: None. Abstain: None. Absent: Edwards and White.

Z-32-2015 w/Conditional Overlay District No. 98
Union
(1983 East Seminole Street)

BluCurrent Credit

Mr. Hosmer explained this is a request to rezone approximately 1.63 acres of property generally located at 1983 East Seminole Street from Planned Development No. 11 Amended to O-1, Office District and establishing Conditional Overlay District No. 98. The subject property is located along Seminole Street, a secondary arterial roadway, which is an appropriate location for office development. The proposed O-1 zoning is consistent with the recommendations of the Comprehensive Plan to locate low volume office developments along arterial roadways and as transitions and buffers between higher intensity uses and residential developments. The requested O-1 zoning is consistent and compatible with the existing O-1 and GR, General Retail zoning to the west and is consistent with the previous approval from City Council for the subject property as a Planned Development with office uses. The proposed conditional overlay district will mitigate the potential impact between the office and residential uses by limiting uses, limiting access and requiring bufferyards. The proposed conditional overlay district and conditions as well as the development requirements in the Office District are adequate for mitigating any potential impacts of the proposed development on the adjoining properties. City Council approved General Ordinance 3247 on September 21, 1981 to rezone the southern 186 feet of the subject property to Planned Development 11. On July 8, 1996, City Council approved General Ordinance 4615 to rezone the subject property and an additional 85 feet behind the adjacent residential property from Planned Development 11 to Planned Development 11 Amended. The improvements proposed in Planned Development 11 Amended have not been built. In 1955, the subject property was annexed into the City with R-1 (R-SF) zoning as a nonconforming use. At that time, the property was being used as a motel and was allowed to continue as a nonconforming use. The motel was discontinued and converted to a child daycare facility, which continued the nonconforming use.

The permitted uses that were allowed are similar to what is currently there with the PD 11 Amended allowing financial, insurance, and real estate uses. During this time there was a landscape hedge planted along Prairie Lane that was in the public right of way. The hedge will remain and there are no intentions of removing it. The property owner will be required to maintain and keep it in good condition so there are no problems with visibility, however, this will not be part of the conditional overlay district nor will be a condition since this is in public right of way. The PD limited the total building area to 12,

713 feet and did not allow any kind of development to occur in the 85 feet of the property behind the residential house. It did allow for a four-lane drive aisle for future expansion of the bank. It restricted access to Prairie Lane and required a bufferyard C, adjacent to the residential property and along Prairie Lane. The proposed improvements of this site plan of PD 11 Amended have not been built; a permit has not been issued for the expansion of the building and structure as laid out with the approved site plan. The proposed Conditional Overlay District would expand the permitted uses to General Office Use Group but would not allow medical, dental labs or blood collection facilities or any of the other permitted uses in the O-1, Office District. The O-1, Office District does not allow outside storage of merchandise, retail sales, warehousing of stock or storage of equipment outside. Staff has received some calls on this proposed rezoning and talked with some of the residents in the area. Some of the concerns they have are the hedge being part of the rezoning case and want to restrict any kind of construction in the 85 feet area behind the house and some of the permitted uses that they think are more than should be required.

The property will not be rezoned until the following conditions are completed. If these are not completed within one (1) year after City Council approval, the rezoning will revert back to Planned Development 11 Amended. The conditions require a Type C Bufferyard is required along Prairie Lane and adjacent to the property zoned R-SF, Single Family Residential District on the north side of the property. The existing refuse storage area located on the east side of the property shall be relocated to the west side of the property. The applicant shall apply for a vacation of the right-of-way at Prairie Lane and Seminole Street in order for the existing parking spaces to be located outside of the public right-of-way. The rezoning, if approved, will have to comply with Section 4-2000, Office Districts, the Zoning Ordinance, and any other applicable city codes. Staff recommends approval.

Mr. Baird opened the public hearing.

Mr. Neil Guion, Attorney, stated he is representing the applicant, who wishes to sell the property. What they are looking for is a modest expansion of the permitted uses. The existing PD zoning limits the use to essentially financial institutions and that sort of thing. Mr. Guion stated they are asking to expand to other uses that are permitted under the general office use category of the zoning ordinance and mainstream this property which has been a Planned Development District to change it to the O-1 category which will be severely limited in terms of the overlay.

Mr. Tim Havens, 2156 S. Prairie Lane provided pictures and handouts to Commission members. Mr. Havens expressed concern about changing the PD to O-1. The PD was granted to protect the neighborhood and he would like it to remain the same. Mr. Havens also expressed concern about the hedge and the potential expansion into the back yard for uses as well as the size of a future structure.

Mr. Baird clarified that Mr. Havens is concerned about the size of the building if they were to expand and how it fits into the neighborhood.

Mr. Havens responded it is an intrusion into the neighborhood. City Council previously planned that the owner could not expand the property line with a structure; only the driving lanes and they did that because of the intrusion into the neighborhood.

Mr. Baird asked Mr. Havens if the owner were to chop up the building now and rent it out as is...

Mr. Havens stated he would have no problem with that because it is all one building. The way this is stated he can add footage and have one or two separate buildings. Mr. Havens stated the hedge was part of the original agreement and have been there for 34 years.

Mr. Steve Baron, 2147 S. Prairie Lane spoke in favor of the proposed rezoning stating it will be more beneficial than the current Planned Development.

Ms. Julie Vanvig Burnell, 2126 S. Prairie Lane commented the neighborhood is all owner occupied in the area. Ms. Burnell commented they welcome Mr. Jones and Mr. Parks to the neighborhood. The primary concern is should their immediate plans not work, how does this change things for the neighborhood down the road. The potential that a future structure could be a two-story building would be a big incursion. There are water retention issues in the area. The idea of potentially expanding into the green space is a concern because currently there is a good buffer between the site and the houses. Vacating the hedge to the property owners will allow them to maintain the hedge better than the City has been able to. The neighborhood would like to see the commercial area stay clearly defined, not increase the height of the building, or vastly increase the size so the neighborhood can be maintained.

Mr. Baird asked staff if a two-story building is being proposed on the addition.

Mr. Hosmer stated there is no proposal; the original PD had the expansion abilities and that would only be a one-story expansion from the original PD 11.

Mr. Baird asked staff if they could speak to the history of the property as it relates to any previous agreements or rulings as far as this building not going beyond the property line.

Mr. Hosmer stated this is a Planned Development with an approved site plan. When they apply for a building permit, they would have to submit a site plan that was consistent and stay out of the eighty-five (85) feet area behind the house. There would be no structures. The eighty-five (85) feet is the original lot that was part of the second PD so they took the single-family lot, carved it off into a smaller tract, and sold it but left a remnant piece in the rear where the drive isles will be located.

Mr. James Frater, 2123 S. Prairie Lane, added his voice to Ms. Burnell's points that were made. Mr. Frater stated he would like to see the hedges maintained as a barrier to the neighborhood and maintained all the way to the edge of the street.

Mr. Rose asked about the hedge location; the part that will be vacated does not include the hedge that is just the parking lot.

Mr. Hosmer stated it could and that is in the process of being worked out with the surveyor. The right of way will probably be vacated back to the property owner, pointing out the area on the display. The hedges will still be in the right of way. The City will make certain the site triangle for visibility will be safe for the public. The property owner will have to maintain the area and keep it in good shape.

Mr. Havens stated the hedge is in the verbiage of the Planned Development; it was damaged and replanted in the right of way, not on the owners land. It was a requirement as a bufferyard.

Mr. Hosmer said there was a landscape bufferyard requirement along Prairie Lane; this Conditional Overlay District will now have a bufferyard "C" planted in this location on the private property so the property owner will maintain that and keep that. This will act as a secondary barrier when you have the hedge in the public right of way as well as new plantings of landscaping on the private property.

Mr. Baird clarified that the hedge stays and another buffer will be added.

Mr. Baird closed the public hearing.

Mr. Wichmer noted that Commission needs to be aware and understand the concern about the hedge, but since it is on City right of way, the City is responsible for site triangles. If the hedge is in the way, it will be dealt with.

Mr. Ray noted to validate the man's comments, in Planned Development 11 back in 1981, it does specify a six-foot high edge so yes it was included in the original so yes, it was included in the original Planned Development and does not anticipate that the existing vegetation will be removed as suggested but will be a double buffer. If there are safety issues, then that will be dealt with, but to address the other concerns that were voiced, the building height and the forty-five degree bulk plane will limit the height of the building substantially enough that it will not be imposing on the neighborhood. Mr. Ray stated that he does not believe it is reasonable to ask that a property owner not develop past a certain line if they own the whole property and they are within that setback in the bulk plane requirements. Mr. Ray stated he plans to vote in favor of the proposed rezoning.

Ms. Cox motioned to **accept** Z-32-2015 w/Conditional Overlay District No. 98 per staff recommendations. Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: Baird, Ray, Cox, Shuler, Cline, Doennig, and Rose. Nays: None. Abstain: None. Absent: White and Edwards.

Escrow of Public Improvements in a Subdivision Text Amendment
Springfield
(City-wide)

City of

Mr. Hosmer stated this is a request to modify Section 303 of the Subdivision Regulations to clarify the public improvement plan escrow process. Mr. Hosmer noted Ms. Dawn Gardner from the Public Works Traffic Division has a PowerPoint presentation of the amendments to the Subdivision Regulations.

Ms. Gardner stated this is to update Section 303 of the Subdivision Regulation to comply with state law regarding the amount of security to be posted and when a security must be released. The revisions also clarify the standard the Director of Public Works must apply to refuse to accept security for a public improvement in a subdivision.

Mr. Ray asked for clarification on the five (5) percent retainer.

Ms. Gardner noted it is five (5) percent of what they have completed. If they complete the stormwater improvements, the City has to release what they escrowed for the stormwater, what that cost was minus five (5) percent. The City keeps five (5) percent until they are completely done.

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

Mr. Cline expressed that having the full new version of the amendment to read along side of the changes was helpful and easy.

Mr. Ray agreed with Mr. Cline that this presentation was an improvement from the previous presentation.

Mr. Ray motioned to **approve** Escrow of Public Improvements in a Subdivision Text Amendment. Mr. Doennig **seconded** the motion. The motion **carried** as follows: Ayes: Baird, Ray, Cox, Shuler, Cline, Doennig, and Rose. Nays: None. Abstain: None. Absent: White and Edwards.

Planning & Zoning Commissioner Term Limits Amendments
(City-wide)

City of Springfield

Mr. Hosmer explained this request is to amend Subsection 3-2001, Composition of the Commission, of the Zoning Ordinance to extend the Planning and Zoning Commissioners term limit to four to be consistent with state law. Planning and Zoning Commission initiated amendments to the Planning and Zoning Commission term limits at their meeting on August 6, 2015. 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 recommends approval.

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

Ms. Cox motioned to **approve** Planning & Zoning Commissioner Term Limits Amendments. Mr. Ray **seconded** the motion. The motion **carried** as follows: Ayes: Baird, Ray, Cox, Shuler, Cline, Doennig, and Rose. Nays: None. Abstain: None. Absent: White and Edwards.

*Cooperative Parking Amendments
(City-wide)*

City of Springfield

Mr. Hosmer remarked this is to amend Subsection 5-1504, Cooperative Parking Facilities, of the Off-Street Parking Requirements in the Zoning Ordinance to allow for more shared parking arrangements. City Council initiated amendments to Cooperative Parking at their meeting on August 24, 2015. Staff has received multiple inquiries from businesses over the past few years wanting to share parking on adjacent lots. Shared parking may be appropriate when land uses have different parking demand patterns and are able to use the same parking spaces throughout the day. Shared parking is most effective when these land uses have significantly different peak parking demands that vary by time of day, day of week, and/or season of the year. In these situations, shared parking strategies will result in fewer total parking spaces needed when compared to the total number of spaces needed for each land use or business separately. One example of this is an office building sharing parking with a restaurant or movie theater, since most of the office workers (and their cars) will be gone in the evenings when there is the most demand for parking from the restaurant or theater. Currently, the Zoning Ordinance only permits a shared parking arrangement (also known as cooperative) when not more than 50% of the off-street parking spaces required for the use or structure are located on another site. Staff believes that this threshold is too restrictive and recommends the following alternatives: The property must have at least the minimum off-street parking for a retail use (one parking space for each 250 square feet of total building floor area or one space per 200 square feet which ever is less). Shared parking spaces must be within 500 feet of a main entrance to the business. The cooperative parking agreement must be signed by the property owner and not just a tenant. Staff also proposes changing the review process for these agreements. Staff recommends review and approval be part of the building permit process rather than Administrative Review Committee (ARC) approval since cooperative parking arrangements are an objective decision process. The cooperative parking plan will either meet the standards or not. Staff also recommends removing the Board of Adjustment appeal prohibition. All applications should be allowed a proper appeal process through the BOA.

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

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

Madison & Holland Redevelopment Plan

Bryan Properties, LLC

(500 block East Madison Street and 800 block South Holland Avenue)

Mr. Schaefer explained this is a request to approve the Redevelopment Plan for the Madison and Holland

Redevelopment Area generally located along the north and south sides of the 600 block of East Madison Street and along the west side of the 800 block of South Holland Avenue. The proposed Redevelopment Plan is one component of the applicant's request to obtain partial real property tax abatement pursuant to the Land Clearance for Redevelopment Law. Chapter 99 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. The Redevelopment Area is located in both the South Central "A" Urban Renewal Area and the former Southwest Missouri State College Urban Renewal Area. City Council declared the South Central "A" Urban Renewal Area a blighted Area in 1964. This designation remains in effect. The former Southwest Missouri State College Urban Renewal Area was subsequently declared a blighted area in 1965. In 2015, City Council, declared a portion of the former Urban Renewal Area located east\ of South Holland Avenue to be free of blight. However, the portion located west of South Holland Avenue, which includes the Madison and Holland Redevelopment Area, remains blighted. 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. 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. The location of the proposed multi-family residential development will offer its tenants convenient access to transit and designated pedestrian and bicycle routes.

Mr. Baird opened the public hearing.

Mr. Kevin Hoffmeyer, 2144 E. Republic Road, Ste. B300 remarked he is available for questions.

Mr. Baird closed the public hearing.

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

Request to Extend Security Agreement
(248 East Monastery Street)

Coryell Commons

Mr. Baird recused himself.

Mr. Hosmer said this is a request to extend the security agreement for C&R Phase II Subdivision recorded February 7, 2005 for an additional year located at 248 East Monastery Street. Before the final plat of any subdivided area shall be recorded, the sub divider shall provide for the improvements to be extended to all lots in the area to be included in the final plat at no cost to the City. In lieu of the final completion of said improvements, before the plat is recorded, the sub divider may post a surety bond, an escrow agreement, letter of credit or other appropriate security agreement, approved by the City of Springfield, which surety, escrow agreement or other appropriate security agreement will insure to the City that the improvements will be completed by the sub divider. 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. Staff recommends the extension be approved for another year (to October 3, 2016), in the same amount as the original letter of credit.

Ms. Cox clarified that if Commission extends this security agreement, that in the event that another security would need to be extended; is that allowable if done within the next year.

Mr. Hosmer noted that there is one extension and this is it.

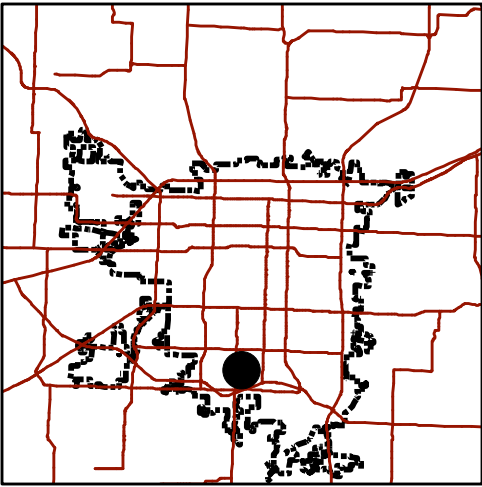
Mr. Ray opened the public hearing. As there were no speakers to the issue, the public hearing was closed.

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

There being no further business, the meeting was adjourned at approximately 8:10 p.m.



Bob Hosmer, AICP
Principal Planner



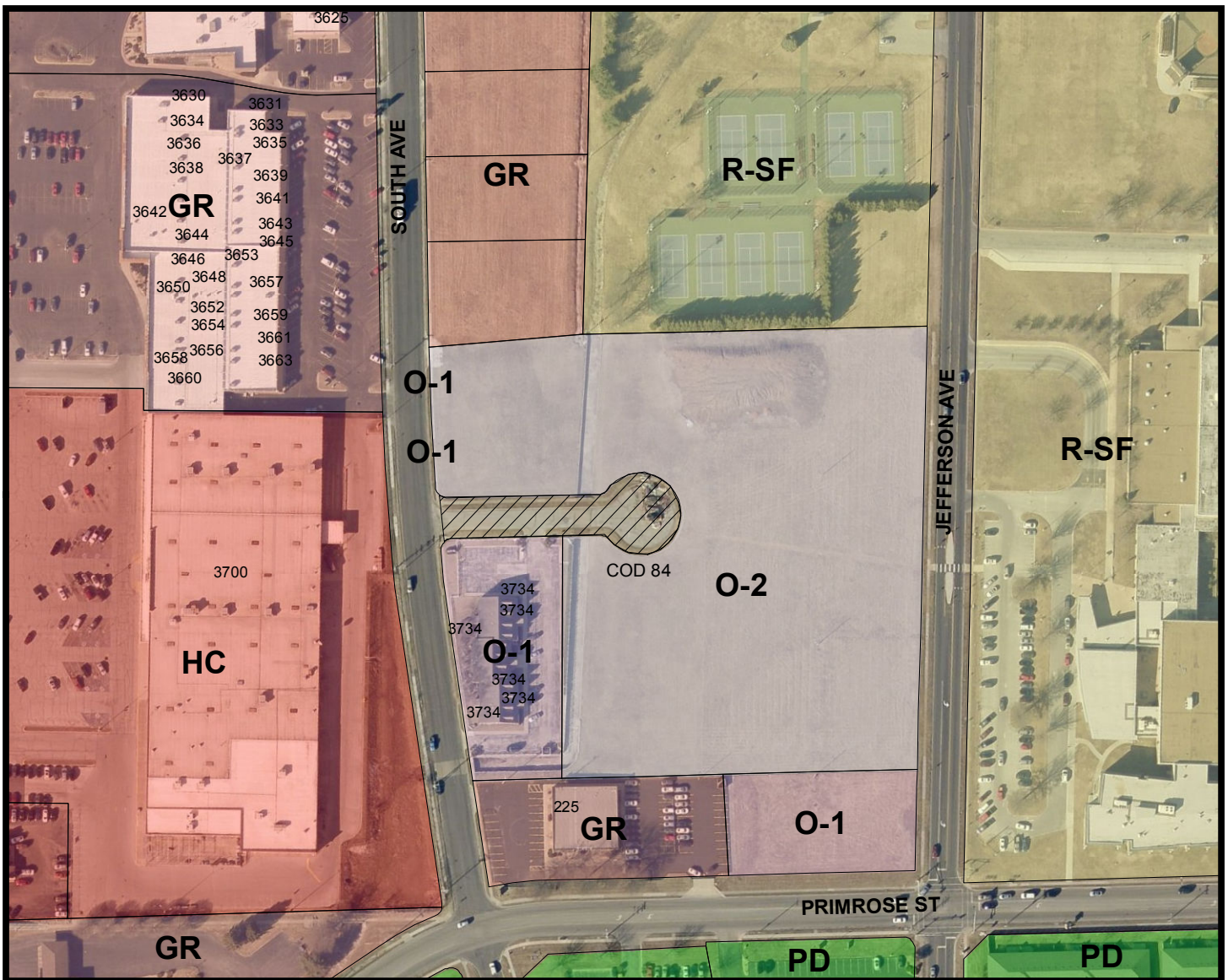
Development Review Staff Report

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

Vacation 781

Location: 200 block E. Swan Place

LOCATION SKETCH



- Area of Proposal

0 50 100 200
Feet

1 inch = 200 feet

DEVELOPMENT REVIEW STAFF REPORT
VACATION 781

REPORT DATE: September 30, 2015

LOCATION: 200 block East Swan Place

APPLICANT: Primrose Senior Living, LLC

VACATION AREA: Approximately 0.52 acres

FINDINGS FOR STAFF RECOMMENDATION:

1. The requested Vacation No. 781 meets the approval criteria listed in the attached Exhibit 2.

RECOMMENDATION:

Staff recommends **approval** of this request.

HISTORY:

City Council approved Zoning Case Z-03-2015 on February 9, 2015, which rezoned the surrounding property to an O-2, Office District with COD #84.

ADJACENT PROPERTY OWNER COMMENTS:

Five (5) property owners are within three hundred (300) feet of the subject area and have been notified of this action. Staff has not received comments.

STAFF COMMENTS:

1. This is a request to vacate all of the public right-of-way of Swan Place, east of South Avenue. The applicant, Primrose Senior Living, LLC, has acquired and combined all but one of the lots adjacent to the public street and cul-de-sac. The approval of this request will facilitate the development of the surrounding property into a senior living development.
2. All necessary easements to accommodate existing facilities within the subject rights-of-way will be retained as part of this vacation.
3. The proposed vacation was reviewed by City departments and comments are contained in Attachment 1.

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

EXHIBIT 1
DEPARTMENT COMMENTS
VACATION 781

BUILDING DEVELOPMENT SERVICES COMMENTS:

1. Building Development Services does not have any objections to the proposed vacation. However, this will change the lot orientation for Lot 20. The building does not appear to meet the front yard setback along South Avenue. When this was built, the front yard setback would have been from Swan Place.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

1. Traffic has no issues with the proposed vacation.

STORMWATER COMMENTS:

1. There are no objections to the vacation. Drainage easement provided for the existing public drainage channel.

CLEAN WATER SERVICES COMMENTS:

1. Requested replacement easements have been reviewed and approved.

CITY UTILITIES:

1. Agree with this in concept and will approve after replacement easements are received. These easements are for existing gas/water mains along the south side of street up through the cul-de-sac.

FIRE DEPARTMENT COMMENTS:

1. North driveway of Lot 20 will need to remain open for fire department access to the building or a new driveway on Lot 20 will need to be built that accesses South St. north of the building.

AT&T COMMENTS:

1. No objections to the request.

EXHIBIT 2
APPROVAL CRITERIA
VACATION 781

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

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

STAFF RESPONSE:

Primrose Senior Living, LLC, has acquired and combined all but one of the lots adjacent to the right-of-way. All other owners adjacent to the street and cul-de-sac have access to South Avenue.

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

STAFF RESPONSE:

Primrose Senior Living, LLC was the applicant and owns more than two-thirds of the area adjacent to the proposed vacation.

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

STAFF RESPONSE:

The street and cul-de-sac was platted to serve multiple lots. The development requires all lots to be combined which makes the cul-de-sac unnecessary.

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

STAFF RESPONSE:

The applicant has submitted replacements easements which have been reviewed and approved by City staff prior to the meeting. All necessary utilities will be retained.

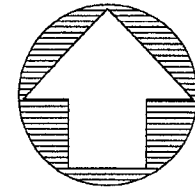
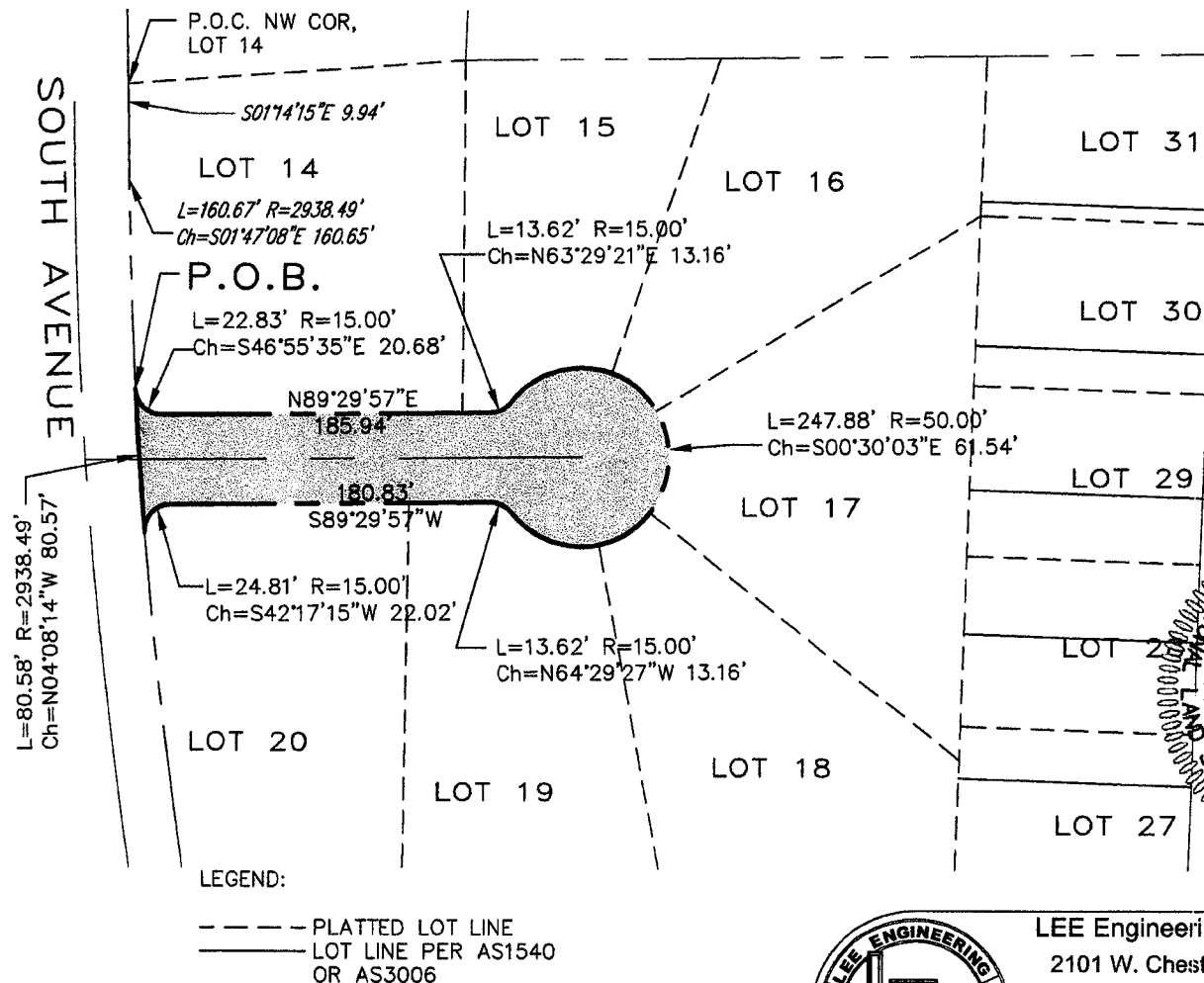
EXHIBIT 3
LEGAL DESCRIPTION
VACATION 781

DESCRIPTION FOR STREET VACATION:

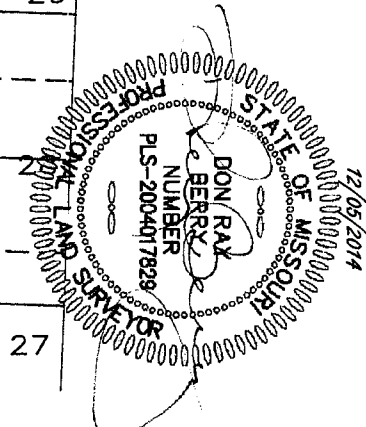
All of Swan Place, a platted street as shown in Town Square Addition Amended Plat in the City of Springfield, Greene County, Missouri, as shown in Plat Book "GG" at Page 93 in the Greene County Recorder's Office, and being more particularly described as follows: Commencing at the Northwest corner of Lot 14 of Town Square Addition Amended Plat; thence, South 01°14'15" East, along and with the East right-of-way line of South Avenue, a distance of 9.94 feet; thence, Southeasterly, continuing along and with said East line, along a 2938.49-foot radius curve to the left, said curve having a chord bearing of South 01°47'08" East and chord length of 160.65 feet, an arc distance of 160.67 feet to the intersection of said East line with the North right-of-way line of Swan Place and the POINT OF BEGINNING; thence, along and with said right-of-way line of Swan Place, the following seven (7) courses:

Southeasterly along a 15-foot radius curve to the left, having a chord bearing of South 46°55'35" East and chord length of 20.68 feet, an arc distance of 22.83 feet; thence, North 89°29'57" East, a distance of 185.94 feet; thence, Northeasterly along and with a 15-foot radius curve to the left, having a chord bearing of North 63°29'21" East and chord length of 13.16 feet, an arc distance of 13.62 feet; thence, Southerly along and with a 50-foot radius curve to the right, having a chord bearing of South 00°30'03" East and chord length of 61.54 feet, an arc distance of 247.88 feet; thence, Northwesterly along a 15-foot radius curve to the left, having a chord bearing of North 64°29'27" West and chord length of 13.16 feet, an arc distance of 13.62 feet; thence, South 89°29'57" West, a distance of 180.83 feet; thence, Southwesterly along a 15-foot radius curve to the left, having a chord bearing of South 42°17'15" West and chord length of 22.02 feet, an arc distance of 24.81 feet to the East right-of-way line of South Avenue; thence, Northwesterly, along and with said East right-of-way line on a 2938.49-foot radius curve to the right, having a chord bearing of North 04°08'14" West and chord length of 80.57 feet, an arc distance of 80.58 feet to the POINT OF BEGINNING, containing 18,069 square feet, more or less.

SWAN PLACE TOWN SQUARE ADDITION AMENDED PLAT



SCALE 1" = 100'

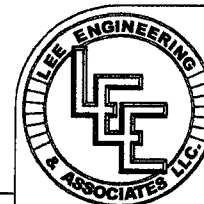
**NOTE:**

THIS DRAWING HAS BEEN PREPARED ONLY AS AN EXHIBIT TO ILLUSTRATE NEW EASEMENTS TO BE DEDICATED BY RECORDED INSTRUMENTS AND IS NOT TO BE CONSTRUED TO REPRESENT A PROPERTY BOUNDARY SURVEY.

DATE: 12/05/2014

**SWAN PLACE
STREET VACATION EXHIBIT**

PROJECT NO.:
449



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

LEE Engineering & Associates, L.L.C.

2101 W. Chesterfield Blvd, Suite C202

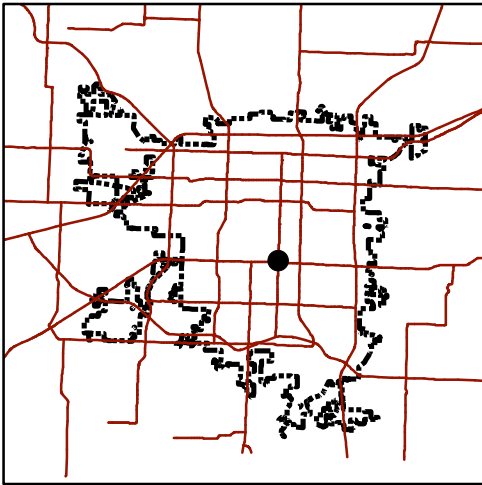
Springfield, Missouri 65807

417-886-9100 (phone)

417-886-9336 (fax)

dlee@leeengineering.biz

"Engineering with Integrity"



Development Review Staff Report

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

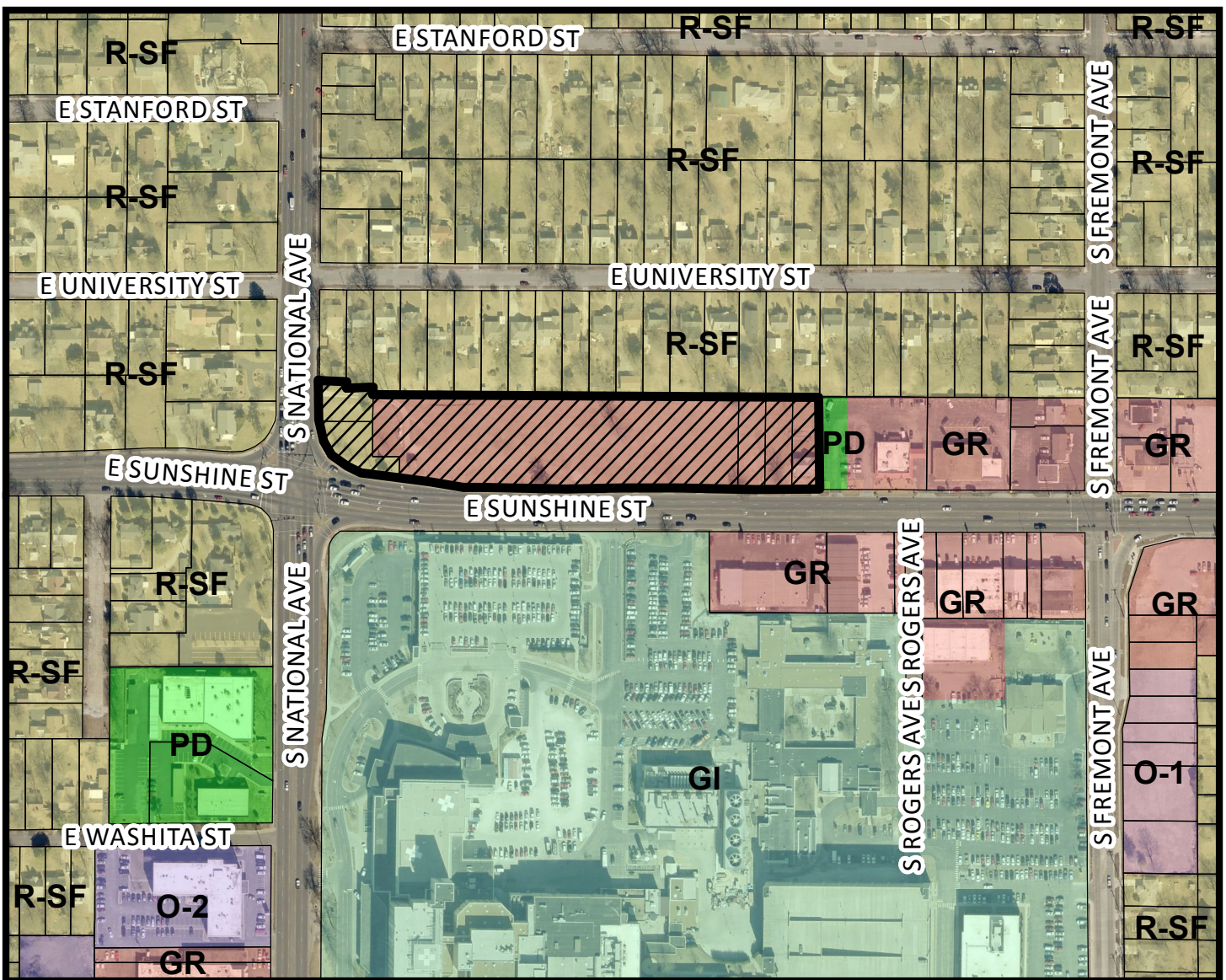
Zoning Case Z-33-2015 with Conditional Overlay District No. 99

LOCATION: 1764 and 1770 S. National and 1251, 1309, 1315
and 1319 E. Sunshine

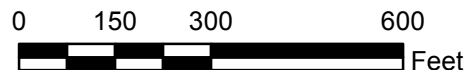
CURRENT ZONING: R-SF and GR with COD No. 6

PROPOSED ZONING: GR with COD No. 99

LOCATION SKETCH



- Area of Proposal



1 inch = 300 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-33-2015 & CONDITIONAL OVERLAY DISTRICT NO. 99

PURPOSE: To rezone approximately 3.65 acres of property generally located at 1764 and 1770 South National Avenue and 1251, 1309, 1315 and 1319 East Sunshine Street from an R-SF, Single Family Residential District and GR, General Retail District with Conditional Overlay District No. 6 to a GR, General Retail District with Conditional Overlay District No. 99.

REPORT DATE: September 24, 2015

LOCATION: 1764 and 1770 South National Avenue and 1251, 1309, 1315 and 1319 East Sunshine Street

APPLICANT: Sunshine and National Real Estate LLC

TRACT SIZE: Approximately 3.65 acres

EXISTING USE: Vacant house and undeveloped land

PROPOSED USE: Uses permitted in the GR, General Retail District except as excluded within Conditional Overlay District No. 99.

FINDINGS FOR STAFF RECOMMENDATION:

1. The subject property, at the corner of Sunshine Street and National Avenue, two primary arterial roadways, is an appropriate location for the types of uses permitted in GR and will provide goods and services to serve and complement the existing medical and office uses to the south as well as provide services for the residential development to the north and west.
2. Approval of this application will facilitate development of this property and promote infill development and increased intensity where investments have already been made in public services and infrastructure.
3. The standard development requirements in the GR, General Retail District along with those required as part of proposed Conditional Overlay District No. 99 are adequate for mitigating any potential impacts of development of this property on the adjacent residential properties.

RECOMMENDATION:

Staff recommends approval of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF	Single family homes
East	PD 135 & GR	Restaurant and commercial uses
South	GI & GR	Hospital, office and commercial uses
West	R-SF	Single family homes

HISTORY:

The subject property, except for 1764 and 1770 South National, was rezoned to GR, General Retail with Conditional Overlay District No. 6 in January 2008. The existing Conditional Overlay District restricts several uses that are normally permitted within the GR District, established hours of operation for retail uses, required construction of a sidewalk on Sunshine and the dedication of right-of-way.

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* Element of the *Comprehensive Plan* identifies the National Avenue and Sunshine Street area as an Activity Center, primarily focused around the Mercy Hospital campus and the potential for long-term growth and change in the immediate vicinity.

The *Plan* further recommends commercial areas of different intensities throughout the community. Commercial areas should be sited in areas that are well served by transportation facilities and sited and designed to have a minimal effect on the adjacent lower-intensity development.

STAFF COMMENTS:

1. The applicant is requesting to rezone the subject property from an R-SF, Single Family Residential District and a GR, General Retail District with Conditional Overlay District No. 6 to a GR District with Conditional Overlay District No. 99. The intent of this request is to add the property at 1764 and 1770 South National and to revise the existing Conditional Overlay District to facilitate development of the property.
2. If approved, this request will modify the requirements of the existing Conditional Overlay District by allowing some uses that are normally permitted within the GR District but were prohibited with Conditional Overlay District No. 6 and change the hours of operation that were established in Conditional Overlay District No. 6. The applicant is requesting to allow drive-in, pick-up and drive-through restaurants, package liquor sales and taverns and cocktail lounges. In addition to the uses being requested, the applicant is requesting to modify the hours of operation that were established with Conditional Overlay District No. 6. Currently, the hours of operation for retail uses is limited to 6:00 a.m. to

10:00 p.m. As part of this application, the hours of operation for retail uses would be modified to the hours of 6:00 a.m. to 12:00 a.m. The uses requested are normally permitted in the GR district and are appropriate given the requirements established in the Zoning Ordinance for GR zoning. The subject property is located at the corner of National Avenue and Sunshine Streets, both primary arterial roadways. This is an appropriate location for the types of uses permitted in GR and will provide goods and services to serve and complement the existing medical and office uses to the south as well as provide services for the residential development to the north and west.

3. All additional requirements of the existing Conditional Overlay District No. 6 are included in proposed Conditional Overlay District No. 99 including the dedication of right-of-way and construction of sidewalk on Sunshine Street and maximum floor area limitation for development. This proposed Conditional Overlay District contains some additional requirements including the dedication of right-of-way for National Avenue, the closure of the existing driveway approach on National and the completion of a traffic study at the time of development based on the actual use of the property. If the results of the traffic study determine that improvements are required, then they must be constructed prior to building permits being issued for the property.
4. If the rezoning is approved, it would have to comply with *Section 4-3100, General Retail District*, the Zoning Ordinance and any other applicable city codes.
5. Upon development of the property a bufferyard is required along the north property line adjacent to the R-SF, Single Family Residential zoned property. The normal bufferyard required between GR and R-SF zoning would be a Bufferyard "Type F" at least twenty (20) feet wide with a six foot solid wood fence, masonry/brick wall or evergreen hedge. The subject property qualifies for a shallow lot exemption because it is less than 200 feet deep. Therefore, the bufferyard can be reduced to a minimum fifteen (15) foot wide bufferyard with plantings. For each one-hundred (100) linear feet of bufferyard, there must be one (1) canopy tree, one (1) understory tree, two (2) evergreen trees and ten (10) shrubs. The applicant has included a requirement in the proposed Conditional Overlay District that shrubs planted as part of the bufferyard requirement shall have a minimum mature height of six (6) feet within 4 years of planting.
6. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on September 17, 2015 regarding the request for GR, General Retail zoning with Conditional Overlay District No. 99. A summary of the meeting is attached (Attachment 2).

PUBLIC COMMENTS:

Thirty (30) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. Staff has received several phone calls from adjacent property owners regarding this request. The main concerns expressed have been regarding storm water and possible impact of the additional uses on the adjacent residential properties. Staff also received a letter from an adjacent property owner (Attachment 4).

CITY COUNCIL MEETING:

October 26, 2015

STAFF CONTACT PERSON:

Alana D. Owen, AICP
Senior Planner
864-1831

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-33-2015 & CONDITIONAL OVERLAY DISTRICT NO. 99

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not have any objections to this request.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

Public Works Traffic Engineering does not have any objections to this request.

STORMWATER COMMENTS:

1. There are no stormwater issues with re-zoning 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. The proposed percent of impervious surfacing must not exceed the maximum impervious surfacing allowed for site by zoning, platting, and/or previous stormwater reports.
 - b. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements. Existing impervious surfaces currently in good condition can be credited as existing impervious surface. Existing gravel surfaces meeting the above definition are eligible for 50% credit.
 - c. If a detention basin was previously constructed to serve the development, it must be shown that any new development proposed is in conformance with the design criteria of the existing basin. If runoff from the proposed development exceeds the original design criteria, then, additional detention must be provided based on current requirements. Water quality will need to be provided.
2. Concentrated points of discharge from these improvements will be required to drain to the regional detention basin.

CLEAN WATER SERVICES COMMENTS:

1. No objection to rezoning.
2. Public sewer is available in Sunshine but it may take further public improvements to get it onsite. It may not be feasible to make multiple lateral connections into the main in Sunshine.

CITY UTILITIES:

City Utilities has no objection to the requested rezoning. There is no impact on City Utilities.

NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: GR - COD #06 to GR - COD

(existing zoning)(proposed zoning)
2. Meeting Date & Time: September 17, 2015 from 4:30 - 6:30
3. Meeting Location: Towne Place Suites (Marriott Hotel) 2009 S. National Ave.
4. Number of invitations that were sent: 175
5. How was the mailing list generated: By the City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 13
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

See Attached

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

See Attached

Neighborhood Meeting

Proposed Rezoning
September 17, 2015
4:30 p.m. – 6:30 p.m.

Name	Address	Phone
Kay E. Sumner	1224 E. Stanford	811-1988
Tim Hancock	1200 E. University	861-7723
Rebecca Gilmore	1130 East University	569-9750
Alice Pulliam	1266 E. University	887-2854
Matt Burch	1246 E. University	861-9031
Darla Harmon	1218 E. University	812-9710
Quinn Budge	1204 E. University	417-882-6819
Karen Chandler	1300 E. University	417-881-2972
Doane Smith	1249 E. University	417-840-7608
Michael Crabb	2850 S. Chantilly	417 839-4024

Neighborhood Meeting

Proposed Rezoning
September 17, 2015
4:30 p.m. – 6:30 p.m.

Name	Address	Phone
Tom, Lori Muetzel	1745 S. National Ave	417-872-8687
Jim Debra	for 1234 E. University	417 894 6533



September 23, 2015

City of Springfield
Planning & Development

RE: Zoning Case Z-33-2015 COD #99 – Neighborhood Meeting Summary

To Whom it May Concern:

The neighborhood meeting for the above referenced zoning case was held Thursday, September 17, 2015, at the Towne Place Suites (Marriott Hotel) located at 2009 S. National Ave., Springfield, MO from 4:30 – 6:30 p.m. At the meeting, the following items were discussed.

- **Allowed Uses**

Neighborhood Comments

Some, but not all of the neighbors, were concerned and not pleased with the proposed change in allowable uses. I.e. Drive-in, pick up, and drive-thru restaurants. They felt these uses should be kept out of the allowed uses.

Developer's Response

This property has remained undeveloped since the most recent rezoning that took place in 2007. It was stressed that for this property to be attractive for business, added allowances are needed. It was also discussed that businesses are generally looking for locations within the urban core of Springfield and that this location fits that criteria. Very few undeveloped areas remain in Springfield's urban core, and without increasing the allowable uses for this site, along with others site similar to this, viable businesses will likely look to move to the fringes of the community. This move would then create an additional burden on City services and in-turn, Springfield residents and tax payers. I.e. increasing urban sprawl.

- **Noise & Bufferyards**

Neighborhood Comments

Due to the additional allowed proposed uses, as described above, and the modification to the allowable hours of operation, from 10pm to 12am, the adjoining neighbors were concerned by the perceived added noise of the development.

Developer's Response

By the addition of buildings to the property, these will in effect act themselves as a sound barrier between the busy street of Sunshine and the ambulatory noise created by Mercy Hospital. Even still, the developer recognizes the development may create noise. To counter act this noise, the developer is proposing to modify the required bufferyard, by intensifying the shrub requirement of the bufferyard. Not by increasing the number of shrubs, but rather by increasing the size of the shrubs. In lieu of the standard shrub requirement (deciduous or evergreen with a height of 3' within one year of planting), the developer is proposing to only use larger evergreen shrubs (min. mature height of

6'). To secure this type of shrub is used, the conditional overlay district has been modified to make this a requirement of the development.

- **Screening**

Neighborhood Comments

Some of the neighbors were concerned with the visibility of the development trash areas.

Developer's Response

It was discussed that City ordinances require that all trash areas be screened from the public, and that this is usually done with a physical wall or opaque fence.

- **Building Height & Size**

Neighborhood Comments

Some of the neighbors were concerned with the allowed height of the structures/buildings.

Developer's Response

It was discussed that City ordinances require that all buildings be required to stay below a 30 deg bulk plane measured from the property line of the adjoining residential property line.

- **Drainage**

Neighborhood Comments

Some of the neighbors were concerned with the increase of storm water runoff create by the development.

Developer's Response

It was discussed that City ordinances require that storm water management be approved by the City and be designed in such a way that storm water flows on to the neighboring properties not exceed existing conditions. It was also discussed that the existing detention basin located on the west end of the property would likely need to increase in size to meet current city requirements.

- **Light Spillage**

Neighborhood Comments

Some of the neighbors were concerned with lights from the development shining onto their properties.

Developer's Response

It was discussed that City ordinances require cut off fixtures be required to prevent light spillage beyond the developments property.

- **Property Value**

Neighborhood Comments

Some of the neighbor were concerned the impact this development would have on their property values.

Developer's Response

It was discussed that this development is intended to be an upscale development and that no reduction of property values were anticipated.

- **Traffic & Access**

Neighborhood Comments

Several neighbors were concerned with the development's negative impact to the current traffic flow of National and Sunshine.

Developer's Response

It was discussed that no access was allowed to National, and that access to Sunshine was not allowed west of Mercy's current access to Sunshine. Furthermore, it was discussed that it is the developer's responsibility to provide a traffic study to identify any transportation/traffic improvements required, and that these improvements would be the responsibility of the developer to complete.

Sincerely,



Olsson Associates
Jared Rasmussen, PE



August 31, 2015

Dear Property Owner:

We have submitted a rezoning application to the City of Springfield for the 3.65-acre property located at the NE Corner of Sunshine Street and National Ave. The owner of the property to be rezoned – as illustrated in the enclosed map – is requesting to rezone from General Retail (GR) with Conditional Overlay District (COD) # 06 to GR with a COD to modify the current restrictions contained with COD # 06.

Representatives from Olsson Associates will be available to speak with neighbors and answer any questions you might have about the rezoning application on **Thursday, September 17th, 2015 from 4:30 – 6:30 p.m. at the Towne Place Suites (Marriott Hotel). Located at 2009 S. National Ave., Springfield, MO 65804.** Signage for directions to the meeting room will be placed at the front desk of the Hotel. Maps indicating the affected property as well as the meeting location are attached to this letter.

This case is scheduled to be heard before the City of Springfield Planning and Zoning Commission on October 8, 2015 @ 6:30. Please plan to attend. If you should have any questions please feel free to contact our office at (417) 890-8802.

Sincerely,

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

Jared Rasmussen, PE
Olsson Associates

Attachments:

Meeting Location Map
Exhibit B - Rezoning Map
City of Springfield Notice

ATTACHMENT 3
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-33-2015 & CONDITIONAL OVERLAY DISTRICT NO. 99

The requirements of Section 4-3100 of the Springfield Zoning Ordinance shall be modified herein for development within this district.

A. USES The following uses are prohibited within this district:

1. Automobile part and accessory stores, entirely within enclosed building and with service and repair as an accessory use, when located as part of a shopping center complex.
2. Commercial amusement, including bowling alleys, dance halls, video game arcades, billiard parlors, roller skating and ice skating arenas, motion picture theaters, and drive-in theaters.
3. Commercial off-street parking lots and structures.
4. Convenience stores with or without gas pumps.
5. Funeral homes, mortuaries and crematoriums.
6. Hotels, motels and inns.
7. Household resources recovery collection centers, screen from all residential districts and public rights-of-way in conformance with Section 6-1000.
8. Pawn shops, second-hand stores and flea markets entirely within enclosed buildings.
9. Self-service laundromats.
10. Photo processing with drive-thru facilities.
11. Police and Fire stations
12. Private clubs and lodges
13. Public and private parks, playgrounds and golf courses, included miniature golf courses and driving ranges.
14. Recording studios
15. Seasonal outdoor sales and related storage
16. Taxidermists
17. Tower other than wireless facilities, less than one hundred (100) feet in height and related facilities.
18. Television and radio studios.
19. Water reservoirs, water standpipes, and elevated and ground level water storage tanks.
20. Tier I, Tier III, Tier IV, and Tier V wireless facilities
21. Satellite rental car offices limited to administrative functions related to the rental car business, drop off and pick up of rental cars, and on-site parking for not more than fifteen (15) rental cars and vans.
22. Automobile service garages
23. Automobile service stations
24. Automobile washing businesses, including automatic, coin operated, and moving line facilities
25. Self-service storage facilities
26. Residential uses on the first floor frontage of a building

- B. Use Limitations – The following improvements/conditions are necessary to accommodate the proposed development of this property:
1. Dedicate additional right-of-way for Sunshine Street and National Avenue as required by the Administrative Review Committee (ARC), but no greater than the following:
 - a. Sunshine Street – 50 feet north of the established section line or street centerline used for previous right-of-way requirements.
 - b. National Street - 50 feet east of the street centerline used for previous right-of-way requirements.
 2. No access is permitted within five-hundred-fifty (550) feet measured from the centerline of National Avenue.
 3. Assure that all lots have access either by combining lots or by providing a cross access easement across all lots and including all driveways between the cross access easement and the right-of-way for Sunshine Street from the west lot to the east property line.
 4. Provide an internal ingress-egress easement from and including the eastern driveway to the east property line for a future cross access with the property to the east.
 5. Construct sidewalk along Sunshine Street.
 6. Provide an internal pedestrian system that connects the front doors of each building with one another and the public sidewalk.
 7. The existing driveway approach on National Avenue shall be closed.
 8. Hours of operation for retail uses shall be limited to 6:00 am to 12:00 am.
- C. Bulk and Intensity of Use Restrictions: Development within this district shall adhere to the following requirement:
1. Maximum floor area ratio: 0.38
 2. A traffic study shall be submitted at the time of development/redevelopment based on the actual use of the property. The traffic study shall be based on an internal private layout of the development. If the results of the traffic study determine that improvements are required, then they must be constructed prior to building permits being issued. ARC approval shall be required if modification of the layout is proposed after approval of the traffic study.
- D. Bufferyard:
1. Shrubs planted as a part of the bufferyard requirement shall have a minimum mature height of six (6) feet within four (4) years of planting.

ATTACHMENT 4

From: [Jim Doran](#)
To: Zoning@springfieldmo.gov
Subject: Fw: Property at Sunshine and National Re-Zoning Request
Date: Wednesday, September 23, 2015 4:26:48 PM

zoning@springfieldmo.gov

On Wednesday, September 23, 2015 3:19 PM, Jim Doran <jrd4@att.net> wrote:

Mr. Bob Hosmer, AICP
Principal Planner
City of Springfield

Re: Proposed Rezoning of 3.65 - acre property at the NE Corner of Sunshine Street and National Avenue (Hearing Before Commission October 8, 2015 @ 6:30)

Dear Mr. Hosmer:

Lois Marriott Doran owns the property located at 1234 E. University, Springfield, MO 65804. She and I resided at this residence for several years and moved to a new location and it became a rental. We received notice of the proposed rezoning from Olson Associates and I attended the Neighborhood Meeting scheduled at 4:30 - 6:30 P.M on September 17, 2015.. Because of the broad scheduling time, I only made contact with one neighbor couple. It did appear many persons had signed in before I got there and I suspect many signed in after I left.

A few years ago, rezoning of the property was requested by the owner. I believe there were three appearances before the Commission and two Neighborhood Meetings. Basically, the neighborhood favored only office usage and the owner proposed an extensive retail usage. With the help of the Commission and City Staff, adjustments were made to the rezoning which I thought basically provided for light retail. In meeting with the representative from Olson Associates, the present owner basically wants to change the closing time required from 10 PM to 12 Midnight; permit drive through facilities such as restaurants; permit bars and allow liquor stores. I believe these changes were all eliminated in the earlier proceeding.

We are now back basically having to go through the same process. Each one of these activities will reduce the value of abutting properties and I am sure increase traffic at the already busy intersection with frequent gridlock at Sunshine and National. The Mercy Hospital Emergency Room is located at his intersection.

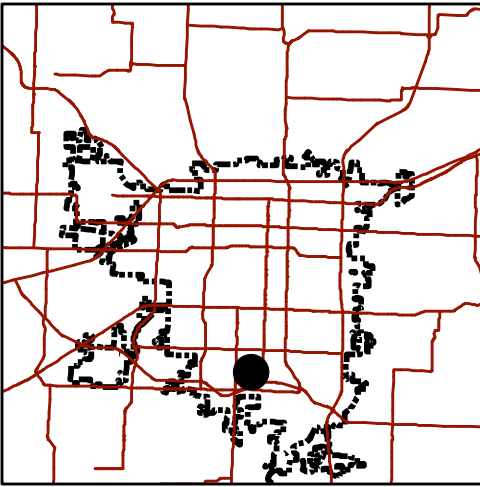
The later hours will expand noise levels and their times significantly . While in School, I worked on occasion at a bar and I know even after it closed filling dumpsters, employees taking smoke breaks outside, etc. continued on for another couple of hours Persons living at the opposite end of the street at that time confirmed this time period for close down of the restaurant behind them. It closes well before Mid-Night.

This is an improving neighborhood. Many properties have been up-graded in the time I have been familiar with it. We have been able to get decent rents and persons such as MSU professors, Business Managers, etc. as tenants. Much hard work by many people will be lost if the rezoning is allowed. After the last recent rezoning situation, it was to go before City Council, The neighbors concluded that after the adjustments they were not satisfied but could put up with it. As far as i know, no one appeared to oppose the rezoning. I even received calls from City

Council members asking why after they had reviewed the case.

I believe there is a new property owner of the tract. However, they bought it "as is" and should not be allowed to make additional zoning changes and potential profits at the expense of the property owners. The Olson Associates representative told me the present owner was not interested in amending their request. For all of the above reasons, Lois Doran and myself strongly oppose any changes to the present zoning.

Jim Doran
jrd4@att.net
417-894-6523



Development Review Staff Report

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

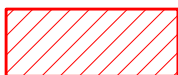
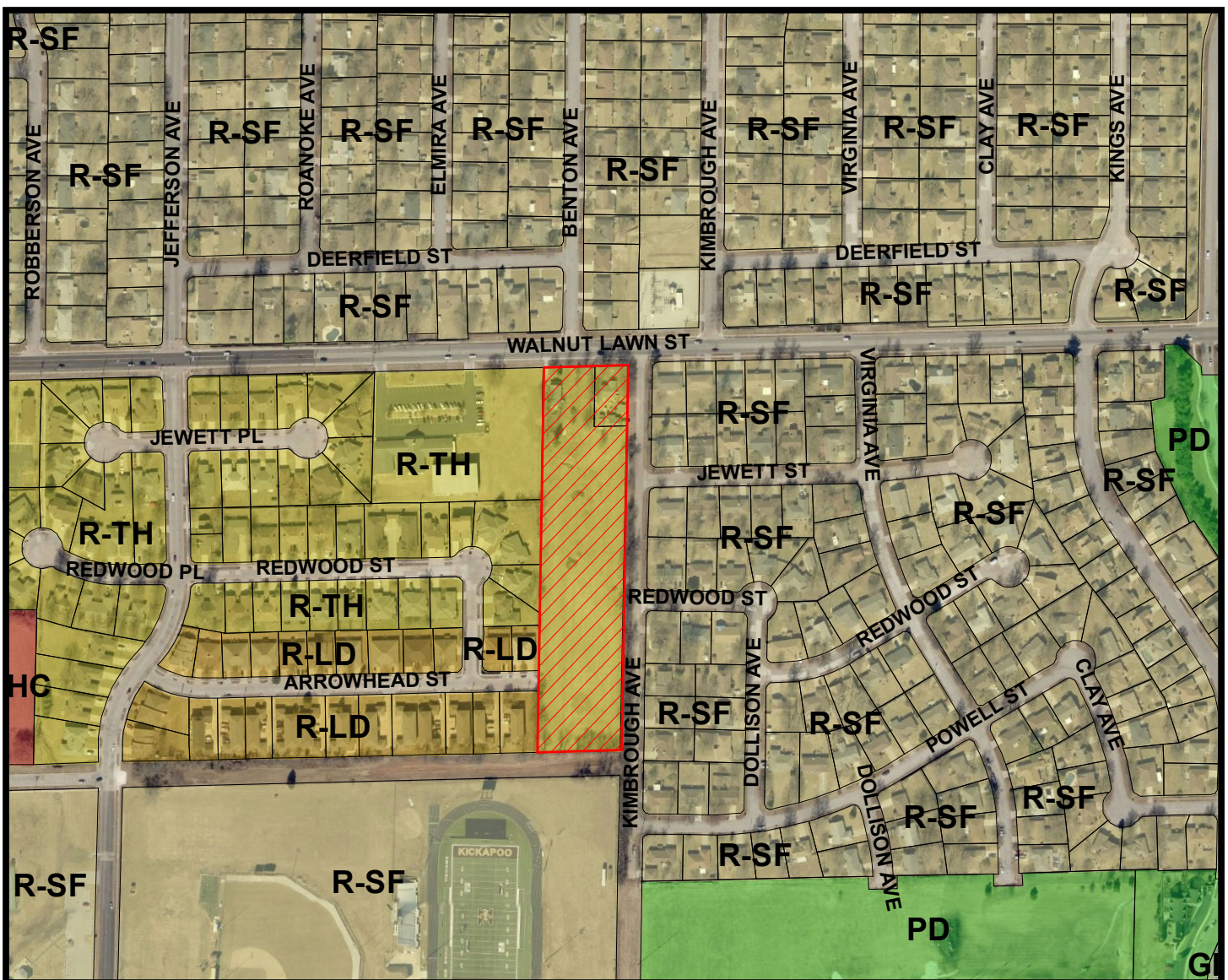
Z-34-2015 w/ Conditional Overlay District No. 100

Location: 624 & 634 E. Walnut Lawn Street

Current Zoning: R-TH, Residential Townhouse District

Proposed Zoning: R-LD, Low-Density Multi-Family
Residential District w/ COD #100

LOCATION SKETCH



- Area of Proposal



1 inch = 400 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-34-2015 & CONDITIONAL OVERLAY DISTRICT NO. 100

REPORT DATE: September 30, 2015

LOCATION: 624 & 634 East Walnut Lawn St.

APPLICANT: Luke Warmwater Construction, Inc.

TRACT SIZE: Approximately 4.93 acres

EXISTING USE: Single-family residential uses

PROPOSED USE: Multi-family residential uses

FINDINGS FOR STAFF RECOMMENDATION:

1. The Growth Management and Land Use Plan of the Comprehensive Plan identifies this as an appropriate area for low-density housing. The R-LD District is intended to serve as a transition between lower density and higher density residential districts.
2. Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use Major Goal 4: Develop the community in a sustainable manner. Objective 4a, Increase density in activity centers and transit corridors.
3. The request is consistent with the adjacent duplex and multi-family densities and zoning to the west along Walnut Lawn and Arrowhead Street. The Transportation Plan classifies Walnut Lawn and Kimbrough as collector roadways which supports the proposed land use.
4. The proposed conditional overlay district will mitigate the potential impact of the multi-family development by requiring street improvements along Kimbrough Avenue including sidewalks, a lot combination, and will require the development to conform to the proposed site plan and elevations. The development requirements in the R-LD District are adequate for mitigating any other potential impacts of the proposed development on the adjoining properties.

RECOMMENDATION:

Staff recommends **approval** of this request

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF	Single-family residences
East	R-SF	Single-family residences
South	R-SF	Kickapoo High School
West	R-TH & R-LD	Church, two-family and multi-family residential uses

COMPREHENSIVE PLAN:

1. The Growth Management and Land Use Comprehensive Plan designates this area as appropriate for low-density housing uses. The plan encourages a variety of housing types that would enable developers to compete more effectively and provide greater choices for residents. Appropriate design standards as required by the Multi-Family Location and Design Guidelines can assure compatibility of different housing types and densities with existing neighborhoods. These properties are located near the James River Freeway and National Avenue area which is identified as a Community Activity Center. This area recommends greater intensity of land development. The Transportation Plan classifies Walnut Lawn and Kimbrough as collector roadways which supports the proposed land use.

STAFF COMMENTS:

1. The applicant is proposing to rezone the subject property from an R-TH, Residential Townhouse District to an R-LD, Low-Density Multi-Family Residential District with Conditional Overlay District No. 100. The proposed rezoning will facilitate the development of this property for a gated multi-family apartment complex. The Conditional Overlay District Provisions (Attachment 3) will require street improvements along Kimbrough Avenue including sidewalks, a lot combination, and the development must conform to the site plan and elevations (Attachment 5).
2. The R-LD District is intended to accommodate multi-family developments at densities up to approximately eighteen (18) units per acre and is intended to serve as a transition between lower density and higher density residential districts. The applicant is requesting a maximum of 17 units per acre. The request is consistent with the adjacent duplex and multi-family densities and zoning to the west along Walnut Lawn and Arrowhead Street. The Transportation Plan classifies Walnut Lawn and Kimbrough as collector roadways which supports the proposed land use. The R-LD district is intended to have all vehicular access from a

collector or higher classified street without traversing minor streets in adjoining residential neighborhoods. With improvements to Kimbrough Avenue, staff believes that this location is appropriate for a multi-family development since Walnut Lawn and Kimbrough are classified as collector roadways and access will only be allowed from Arrowhead and Kimbrough.

3. A traffic study was not required by Public Works Traffic Division since the rezoning from R-TH to R-LD will not generate a significant amount of additional traffic. Based on National ITE Trip Distribution guidelines, rezoning 4.9 acres from R-TH to R-LD will add an additional 270 daily trips, an additional 18 trips in the AM peak and an additional 22 trips in the PM peak. Kimbrough Avenue is a substandard street and is required to be widened to City standards. This will require 37 feet of pavement for a collector street classification. Street improvements will include curb and guttering which will improve traffic circulation along Kimbrough and sidewalks.
4. Arrowhead Street is not required to be constructed through the development. It would be too close to the future extension of Powell Street which provides more functionality as a through street as it connects to Campbell Avenue. Based on feedback from the neighborhood meeting, the developer requested gated access to Arrowhead Street instead of two access points to Kimbrough. Traffic is in support of this request as long as a turnaround is provided at the gated access on Arrowhead. The portion of Powell Street that fronts this property is not required to be constructed. The property is not accessing Powell Street, it is a very small portion of Powell Street, the likelihood that the remainder of Powell Street will be constructed with future redevelopment of surrounding property is not very high as Springfield Public Schools fronts the southern portion and existing residential fronts the northern portion.
5. The property to the north, east and south of the subject property is zoned R-SF, Single Family Residential. There are no bufferyard requirements when public streets or right-of-way separate residential districts; however, all structures shall remain below a forty-five (45) degree bulk plane as measured from the boundaries of any R-SF district. The property to the west is zoned R-TH, Residential Townhouse and R-LD. The minimum bufferyard required between the R-LD zoning and the adjacent R-TH zoned property is a 15 foot wide landscaped bufferyard (Bufferyard B) as shown on the attached site plan. All other applicable zoning requirements such as lighting, noise, landscaping shall be met.
6. This proposal required a Multi-Family Location and Design Guidelines assessment. The request is consistent with the Revised Multi-Family Development Location and Design Guidelines as approved by the Planning and Zoning Commission and City Council (see Attachment 3). As part of the multi-family development, the developer is proposing 8 studio units, 4 one-bedroom

units, 68 two-bedroom units and 3 three-bedroom units for a total of 83 apartments. The proposed development will also include a clubhouse with exercise room, an internal walkway system with connections to the public sidewalk, park benches, and covered parking. As shown on the site plan, the developer is proposing to provide more off-street parking spaces than required by the Zoning Ordinance and two gated driveway accesses onto Kimbrough and Arrowhead. The development must substantially comply with the site plan (Attachment 5).

7. The subject property is within walking and bicycling distance of Kickapoo High School, several medical clinics including Cox Hospital and bus stops. In addition there is a sidewalk system along Walnut Lawn, greenways and marked bike routes in the area.
8. The proposed rezoning was reviewed by City departments and comments are attached (Attachment 1).

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on September 15, 2015. A summary of the meeting is attached (Attachment 2). In response to the neighborhood concerns, the developer has moved the development's second access onto Arrowhead Street, rather than having two accesses onto Kimbrough Avenue.

PUBLIC COMMENTS:

Thirty-five (35) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. Correspondences submitted to staff are attached (Attachment 6).

CITY COUNCIL MEETING:

October 26, 2015

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-34-2015 & CONDITIONAL OVERLAY DISTRICT NO. 100

BUILDING DEVELOPMENT SERVICES COMMENTS:

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

TRAFFIC DIVISION COMMENTS:

1. Arrowhead Street is not required to be constructed through the development. It would be too close to the future extension of Powell Street which provides more functionality as a through street as it connects to Campbell Avenue.
2. The portion of Powell Street that fronts this property is not required to be constructed. The property is not accessing Powell Street, it is a very small portion of Powell Street, the likelihood that the remainder of Powell Street will be constructed with future redevelopment of surrounding property is not very high as Springfield Public Schools fronts the southern portion and existing residential fronts the northern portion.
3. Kimbrough Avenue is a substandard street. It is required to be widened to city standard which is 37 feet of pavement with curb & gutter for a street classified as a Collector. This will require Public Improvement Plans.
4. Sidewalks are required along the property frontage of Kimbrough Avenue.
5. Kimbrough is classified as a collector which requires 30 feet of right of way from the centerline. It appears adequate right of way exists.
6. Rezoning from R-TH to R-LD will not generate a significant amount of additional traffic to warrant a traffic study. Based on national ITE Trip Distribution guidelines, rezoning 4.9 acres from R-TH to R-LD will add an additional 270 daily trips, an additional 18 trips in the AM peak and an additional 22 trips in the PM peak.
7. Based on feedback from the neighborhood meeting, the developer requested gated access to Arrowhead Street instead of two access points to Kimbrough. Traffic is in support of this request as long as a turnaround is provided at the gated access on Arrowhead.

STORMWATER COMMENTS:

1. Need to show the existing and proposed amount of impervious surfacing.

2. For any increase in impervious surfacing, current detention and water quality requirements must be met.
3. A payment in lieu of construction of detention facilities is not an option for this site due to existing downstream flooding problems.
4. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or drainage easement.
5. Based upon City contour and sinkhole information, it appears the site is within a sinkhole watershed, therefore a hydrologic sinkhole evaluation must be completed by a qualified professional engineer or geologist for this site.
6. Provide the location of all existing stormwater collection facilities immediately adjacent to the site including any existing public stormwater system within adjacent right-of-ways or easements.
7. Drainage improvements serving only the subject property must be constructed, inspected, approved and operational prior to issuance of building permit.
8. Connect private drainage facilities to public drainage system whenever possible, which will require a public improvement plan or excavation permit.

CLEAN WATER SERVICES COMMENTS:

1. No objections to rezoning. Tract is currently served by public sewer.
2. Public sewer and service lateral currently available however the sewer crosses the north third of the property. Given the length of the property, additional sewer connections may be required for some of the buildings. Multiple connections may require public improvement plans to extend sewer onsite from different locations. If public improvements are desired, submit plans for review via ProjectDox.

CITY UTILITIES:

1. No objection. There are no utility capacity issues with the rezoning.



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5051 S National Ave Ste 7a
Springfield, Missouri 65810

September 17, 2015

Daniel Neal
City of Springfield Zoning Department
840 Boonville Avenue Springfield, MO 65802

Re: Neighborhood Meeting Summary for Rezoning Request at Walnut Lawn & Kimbrough
Zoning Case #Z-34-2015

Mr. Daniel Neal,

Please find below a summarization of the neighborhood meeting on the above referenced zoning case:

1. Request to change zoning from:
R-TH Residential Townhome to R-LD-CO Low-Density Multi-Family Residential with a Conditional Overlay
2. Meeting Date & Time:
Tuesday, September 15th 2015 from 5:00 p.m. to 6:30 p.m.
3. Meeting Location:
*The Library Center- Community Room A
4653 S. Campbell Avenue
Springfield, MO 65810*
4. Number of Invitations that were sent: *162*
5. How was the mailing list generated: *City of Springfield Zoning Department*
6. Number of neighbors in attendance: *Approximately 25-30 (See attached sign-in sheet)*
7. List the verbal comments and how you plan to address any issues:
The two main concerns verbalized during the meeting had to do with Stormwater and Traffic concerns.

Stormwater: Many comments were questioning how the existing flooding in the area would be handled. It sounds like Kimbrough collects a lot of storm water run-off and floods currently at the end of Jewett. We explained how our project will require public improvements along the entire west side of Kimbrough Avenue which will include new curbing, storm sewer boxes, and sidewalks. On site, all new impervious surface will have to be collected on site and directed to the onsite detention basins as shown on the site plan exhibit before leaving the site.

Traffic: The biggest unified concern from the neighbors seemed to filter back to traffic concerns. It was reported to us that the current traffic on Walnut Lawn backs up in both directions and there's a fear that new traffic generated from this development would try to consistently cut through their neighborhoods seeking quicker routes. They asked why Arrowhead could not be utilized as the secondary access point to our project in lieu of the one we showed on Kimbrough. We explained to them that we had an earlier version with Arrowhead extended all the way through our site to Kimbrough which would have filtered even more traffic through there. The question was asked several times: "Why can't we put our secondary gated entrance at Arrowhead in lieu of Kimbrough" which would give our tenants an alternate relief route without allowing



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additional traffic from the west to drive through our site?" We told them that we had approached traffic with that question earlier and believed it was discouraged due to the principal that traffic does not like to dead end public streets into private developments. Since Arrowhead will dead end regardless, it does seem to make some sense to utilize that as a secondary access. We told them we have no objection to making the change but it would be up to the Traffic Department and we would see what they would say.

8. List or attach the written comments and how you plan to address any issues: *No written comments received.*

The meeting ended at 6:30 p.m. and we have received one additional phone call from a gentleman that requested a copy of the site plan in which we sent via e-mail. Please let me know if you receive any inquiries so that we may address prior to the deadline for Planning & Zoning Commission Hearing.

Brent M. Stevens AIA
Principal / Architect

Attachments: Attachment A: Neighborhood Meeting Sign-In Sheet - 1 page



hdesigngroup
5051 S National Ave Ste 7a
Springfield, Missouri 65810

Sign In Sheet

Project:
Southwest Corner of Walnut Lawn and Kimbrough

September 15, 2015
5:30 p.m. to 6:30 p.m.
Library Center, Meeting Room A
4653 South Campbell, Springfield MO

Please print below; information will be submitted to the City of Springfield.

name	address	phone
Leon Hendrix	340 E Walnut Lawn Spfd	620-330-5252
Roy Strickland	725 E Redwood Spfld	417-887-7680
Harry Youngblood	708 E Redwood	417-860-3148
Leah Lee	810 E. Deerfield Spfd	417-890-6721
Katherine Fisher	814 E Deerfield Spfd	417-886-5330
Beverly Lindsey	830 E Deerfield "	417-890-2693
Bob & Linda Coulter	608 E Deerfield Spfld	886-8352
Doug & Suzanne Stone	3317 S. Benton Ave Spfd	887-0540
Eric Groves	724 E Jewett Spfd	417-343-7127
Mary Groves	"	3539721
Ralph Baumgartner	744 E. Powell Spfld	890-1125
David D. Ward	710 E. Powell Spfld	886-1833
Nathan Lotz	719 E Powell Spfd	631-9443
Judy Bogdanoff	3567 S. DALLISON AVE Spfd	823-9270
Ellen Baumgartner	744 E Powell Bt. Spfd	890-1125
Gail Farrell	705 E. Jewett Spd	417-350-7576
MICHAEL DOLKERT	3441 S VIRGINIA AVE SPFLD	417-268-5913
Kathryn Halder	418 E Deerfield	417-881-4821
Eugene Myers	642 W Sylvester	417-881-1745
Fred Pattenheimer	Camelot Rentals	417-209-6631
D.L. "dub" Lane	1605 E. Redrex Spfld, Mo 65804	417-840-1026

ATTACHMENT 3
MULTI-FAMILY MATRIX ASSESSMENT
ZONING CASE Z-34-2015 & CONDITIONAL OVERLAY DISTRICT NO. 100

According to the Multi-Family Location and Design Assessment Matrix, the proposed development has attained 10 points, thus permitting a multi-family housing density of 17 dwelling units/acre. The applicant is requesting 8 studio units, 4 one-bedroom units, 68 two-bedroom units and 3 three-bedroom units for a total of 83 apartments which equates to approximately 17 dwelling units per acre. Below is an analysis of the five categories used to calculate the Matrix score.

A. Land Use Accessibility (2/3 points)

Two points were given for land use accessibility. There is a recreational-park/greenway (Gillenwaters Tennis Complex), medical/dental (CoxHealth), employment concentration (CoxHealth) as well as a neighborhood retail mixture within ½ mile of the subject property.

B. Connectivity Analysis (3/5 points)

Three out of a maximum of five points were given for connectivity. The proposed development received scores for its proximity to transit, sidewalks, roadways, greenways and bicycle paths.

C. Road Network Evaluation (2/2 points)

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

D. Design Guidelines (3/6 points)

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

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

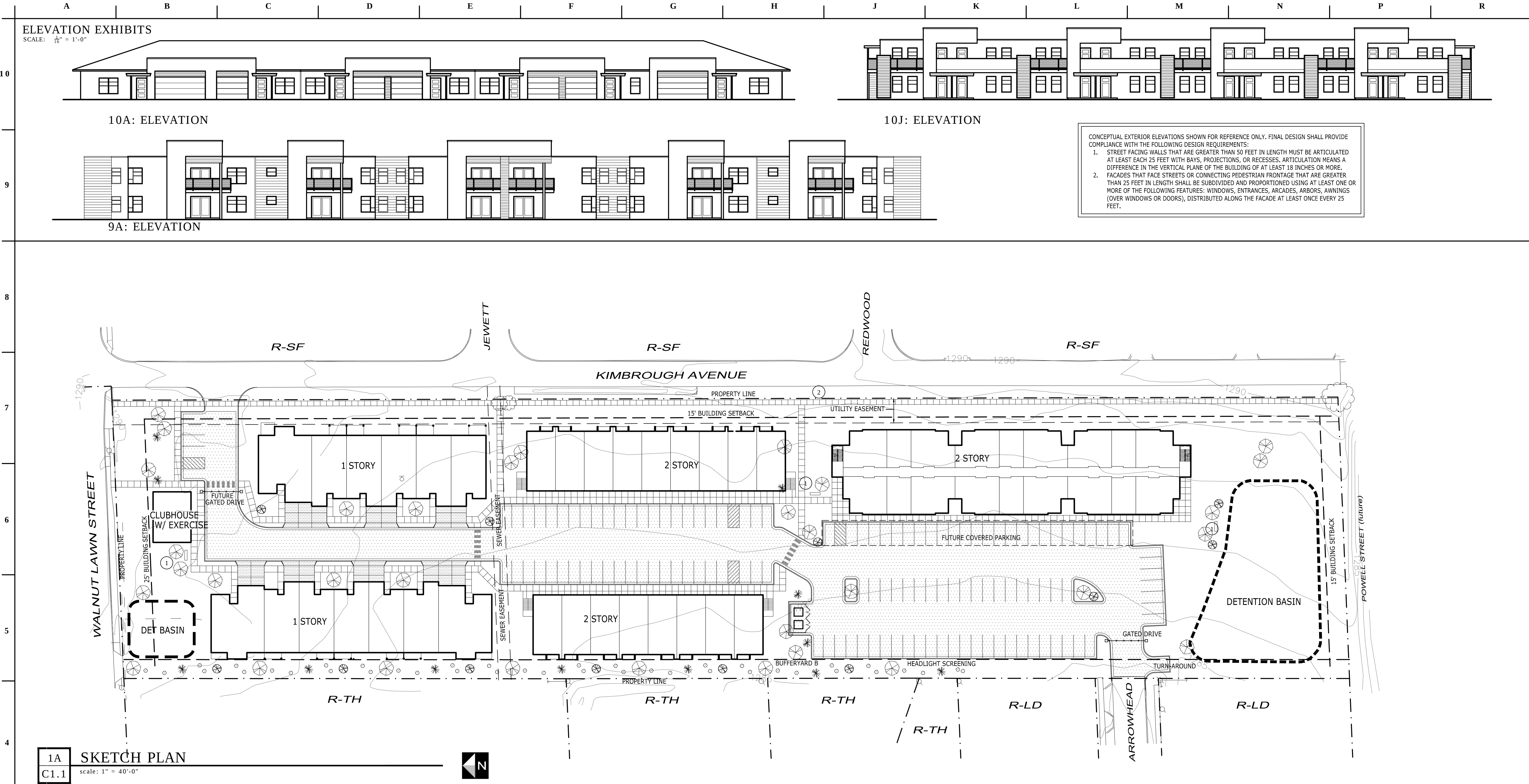
3. Building Orientation and Interior Landscaping – Because the buildings do not address Walnut Lawn Street or Kimbrough Avenue, the applicant does not receive a design point for this element. Landscaping and open spaces shown shall be provided with approved ground cover and/or plantings per required city ordinances and zoning requirements. Landscaping islands with plantings shall be located throughout the parking lot. There shall be a 15 feet wide Type B bufferyard located along the western property and 10 feet of perimeter landscaping when off-street parking is located within 50 feet of the right-of-way per the site plan. A landscaping plan shall be submitted conforming to these requirements for building permits.
4. Avoidance of Blank Walls along pedestrian circulation areas - Facades that face public streets or connecting pedestrian frontage that are greater than 25 feet in length shall be subdivided and proportioned using at least one or more of the following features distributed along the façade at least once every 25 feet: windows; entrances; arcades; arbors; awnings (over windows or doors). This project shall be in conformance with the attached site plan and elevations.
5. Internal Connectivity – Internal sidewalks shall connect internally and to the public sidewalk system in accordance with the attached site plan.
6. Shared Driveways – Shared driveways were not utilized between the applicant and adjacent properties along Walnut Lawn Street or Kimbrough Avenue so the applicant did not receive a design point for this element.
7. Useable Recreational Area/Facility – Benches will be located throughout the common areas providing for useable tenant amenities in accordance with the attached site plan; however a minimum of 20% useable open space is not provided so the applicant does not receive a design point for this element.
8. Amenity Calculation – The following amenities shall be provided: A resident clubhouse with an exercise room per the site plan.
9. Preservation of Trees –All existing trees of 6” caliper or greater shall be preserved or replaced with 2-inch caliper trees in accordance with the attached site plan and the city ordinance.
10. Water Quality and Detention – As noted on the attached site plan, storm water detention areas that meet city requirements are located in the northwest and southern portions of the proposed site plan.
11. Maximum density (du/acre) shall not exceed maximum 17 units per acre per R-LD zoning with Multi-Family Matrix Location and Design Standard scores as indicated on the attached site plan.

Multi-Family Location and Design Assessment Matrix					
Property Location: 624 & 634 E Walnut Lawn					
Assessment Criteria					Score
Land Use Accessibility		2 in 1/4 and 3 in 1/2=3pts; 3 in 1/2=2pts; 1 in 1/2=1pts			
ITEM	Total	1/4 mile	1/2 mile	Comments	
Public Schools-including colleges	0			Must be different complementary use in order to be counted	
Recreational-Parks/Greenways	1		X		
Neighborhood Retail Mixture	1		X		
Supermarket	0				
Employment=1000 1/4 + 2500 1/2	1		X		
Hospital/Medical/ Dental	1		X		
Public Library	0				
TOTAL	4	0	4		2
Connectivity Analysis		600=5pts; 500-599=4pts; 400-499=3pts; 300-399=2pts; <300=1pt			
ITEM	1/4 mile	1/2 mile	Comments		
Bicycle	200		40		
Roadway	200		92		
Sidewalks	200		48.75		
Transit	200		0		
Greenways	0		75		
Potential Connectivity (including site)	200		0		
TOTAL	200		255.75	455.75	3
Road Network Evaluation		High 25 or more segments=2pts, Medium 24-13 segments=1pt and below 12=0pts			
TOTAL	16		14		2
Design Guidelines		All items=6pts; 1/2 items=3pts, no items=0pts			
Pedestrian Activity	Met more than half of the design requirements for this category.				
Circulation System	Met more than half of the design requirements for this category.				
Natural Environment	Met half of the design requirements for this category.				
TOTAL					3
Total Assessment Criteria Score					10
Density Category					
12-14 dwelling units per acre	Points Needed: 9				
15-17 dwelling units per acre	Points Needed: 10				
18-20 dwelling units per acre	Points Needed: 11				
21-24 dwelling units per acre	Points Needed: 12				
25-28 dwelling units per acre	Points Needed: 13				
29-32 dwelling units per acre	Points Needed: 14				
33-40 dwelling units per acre	Points Needed: 16				
Other Opportunities or Constraints (Comments no points)					
1. How much higher density exists or is planned/approved for area?					
2. Does proposal support redevelopment/revitalization goals?					
3. Is the proposal internal to an established neighborhood developed at a lower density than the proposal?					
4. Is the proposal a small site "sandwiched" between higher intensity uses?					
5. If private recreational facilities within the proposed project are made available and accessible to the public, non-commercially, then they may be counted as a complementary land use in the Land Use Accessibility Criteria. (This may include a recreational facility provided as part of the development if it meets the definition of meaningful and usable open space and includes more than one of the required amenities listed in accordance with the design guidelines).					
6. Is the site near a university/college or other use that could generate the need for additional higher density residential development that may augment the land use accessibility analysis?					
7. Is the proposal for age-restricted senior living?					
8. Is the site located within a ¼ mile of a transit route with more than two stops served by three or more buses per hour?					
9. Are there physical or other natural barriers within ½ mile of the site?					
Bonus Density (Dwelling Units/Acre Increases) (no points)					

ATTACHMENT 4
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-34-2015 & CONDITIONAL OVERLAY DISTRICT NO. 100

The requirements of *Section 4-1200* of the *Springfield Zoning Ordinance* shall be modified herein for development within this district.

1. The subject properties at 624 & 634 E. Walnut Lawn Street must be administratively combined prior to building permits being issued.
2. Public improvements are required along the entire length of subject properties adjacent to Kimbrough Avenue to widen and improve to City standards for a collector street classification consisting of curbing, sidewalks and 4 foot planting strip between the sidewalk and curb.
3. Kimbrough Avenue is classified as a collector which requires 30 feet of right-of-way from the centerline. If adequate right-of-way does not exist, then additional right-of-way shall be dedicated during the public improvement plan process.
4. The development of the subject properties shall be in substantial conformance to the site plan (Attachment 5). All other requirements are noted or shown on the multi-family development site plan.



1A SKETCH PLAN

scale: 1" = 40'-0"

hdesigngroup

5051 S National Ave Ste 7a

Springfield, Missouri 65810

417 887 6595 p

hdesigngroup.com

Client

Name
Address
City, State 00000
(000) 000-0000 ph
(000) 000-0000 fx

Consultants

Civil Engineer:

Structural Engineer:

MEP Engineer:

Professional Seal

Brent M. Stevens AIA - Architect
MO# A-2000151419



Revisions	

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Sketch Plan Study for:
Residential Development
Walnut Lawn and Kimbrough Avenue
Springfield, MO

SKETCH PLAN

Project No: 15-025
Drawn By: hdg
Reviewed By: BMS
Date: 08-31-2015

Sheet
C1.1

UNIT / PARKING TABULATION

UNIT MIX	PARKING REQUIREMENTS
STUDIO UNITS 08	08 x 1.5 12 SPACES
1 BEDROOM UNITS 04	04 x 1.5 06 SPACES
2 BEDROOM UNITS 68	68 x 2 136 SPACES
3 BEDROOM UNITS 03	03 x 2 6 SPACES
TOTAL 83 UNITS	SUB-TOTAL 160 SPACES

SUB-TOTAL PARKING SPACES	160 SPACES
2% REDUCTION ALLOWED	-3 SPACES
TOTAL PARKING SPACES REQUIRED	157 SPACES
TOTAL PARKING SPACES PROVIDED	163 SPACES

NOTE: "PARKING SPACES PROVIDED" INCLUDE INSIDE GARAGE PARKING SPACES AND ONE SPACE ON THE DRIVEWAY IN FRONT OF THE GARAGES.

MULTI-FAMILY DEV. MATRIX

THE FOLLOWING POINTS HAVE BEEN DETERMINED BY STAFF THROUGH THE ADMINISTRATIVE PROCESS.

5.3: LAND USE ACCESSIBILITY	2 POINTS
5.4: CONNECTIVITY ANALYSIS	3 POINTS
5.5: ROAD NETWORK EVALUATION	2 POINTS
5.7: DESIGN GUIDELINES	3 POINTS (SEE CALCULATIONS)

TOTAL POINTS AWARDED 10 POINTS
ALLOWS 17 UNITS PER ACRE

BUILDING USE GROUP	R2- MULTI FAMILY DWELLINGS
LAND AREA	4.93 ACRES
TOTAL UNITS ALLOWED	17 x 4.93 ACRES = 84 ALLOWED

TOTAL UNITS PROPOSED 83 UNITS PROPOSED

DESIGN GUIDELINES

IN ORDER TO OBTAIN 3 POINTS IN THE DESIGN GUIDELINE CATEGORY, AT LEAST 50% OF THE APPLICABLE ITEMS IN EACH CATEGORY SHALL BE OBTAINED. BELOW IS THE SUMMATION:

DESIGN TO ENCOURAGE PEDESTRIAN ACTIVITY: 75%

1. PEDESTRIAN AMENITIES	COMPLIANT
2. BUILDING SCALE & ARTICULATION	COMPLIANT- REFER TO EXTERIOR ELEVATIONS
3. BUILDING ORIENTATION & INT. LANDSCAPING	NON COMPLIANT
4. AVOIDANCE OF BLANK WALLS	COMPLIANT- REFER TO EXTERIOR ELEVATIONS
5. HISTORIC DECONSTRUCTION	NOT APPLICABLE
6. ON-STREET PARALLEL PARKING	NOT APPLICABLE

PROVIDE A GOOD CIRCULATION SYSTEM: 66%

1. EXTERNAL CONNECTIVITY	COMPLIANT
2. INTERNAL CONNECTIVITY	COMPLIANT
3. TRAIL CONNECTIONS	NOT APPLICABLE
4. SHARED DRIVEWAYS	NON COMPLIANT
5. STREET ALIGNMENT	NOT APPLICABLE
6. INTERNAL STREETS	NOT APPLICABLE

RESPECT THE NATURAL ENVIRONMENT: 50%

1. USEABLE RECREATIONAL AREA/FACILITY	NON COMPLIANT
2. AMENITY CALCULATION	COMPLIANT- 2 AMENITIES REQUIRED (RESIDENT CLUBHOUSE & EXERCISE ROOM)
3. PRESERVATION OF STEEP SLOPES & TREES	COMPLIANT- SEE BELOW:

TREE PRESERVATION REQUIREMENTS: A TREE SIX INCHES OR GREATER IN DIAMETER MEASURED 4-1/2 FEET ABOVE GROUND MUST BE PRESERVED OR REPLACED WITH A TREE OF AT LEAST TWO INCHES (2") IN DIAMETER FOR A MAXIMUM TOTAL OF 7 TREES PER ACRE. TREES MEETING THE LANDSCAPE REQUIREMENTS IN THE ZONING ORDINANCE MAY BE COUNTED TOWARD THIS REQUIREMENT. A TREE SURVEY SITE PLAN MUST BE SUBMITTED WITH A ZONING APPLICATION IN ORDER TO ASSESS THIS REQUIREMENT. THE LIFE OF ALL PLANTED OR SAVED TREES SHALL BE GUARANTEED AND MAINTAINED FOR A PERIOD OF 5 YEARS OR SHALL BE REPLACED WITH AN EQUAL DIAMETER TREE. IF THIS IS NOT POSSIBLE, THEN THE TOTAL DIAMETER OF TREES AT THE TIME THEY ARE LOST SHALL BE REPLACED WITH AN EQUAL DIAMETER TREE AMOUNT OF TREES WITH NO LESS THAN 2" IN DIAMETER THROUGHOUT THE PROJECT AREA.

SITE LEGEND

	3" ASPHALT OVER 5" GRAVEL BASE OVER PREPARED COMPACTED FILL.
	CONCRETE SIDEWALK OR PAVEMENT AS DETAILED ON SHEET C1.2. SIDEWALKS TO HAVE CONTROL JOINTS @ 5'-0" O.C. MAX. AND EXPANSION JOINTS @ 25'-0" O.C. MAX.
	ALL UNHATCHED AREAS INDICATES LIVING GROUND COVER (GRASS SEED & STRAW)
	DECIDUOUS CANOPY TREE: 1.5" MIN. CALIPER, MIN. MATURE HEIGHT OF 30'. SPECIES SHALL BE RED MAPLE OR APPROVED EQUAL.
	DECIDUOUS UNDERSTORY TREE: 1" MIN. CALIPER, MATURE HEIGHT LESS THAN 30'. SPECIES SHALL BE EASTERN REDBUD OR APPROVED EQUAL.
	EVERGREEN TREE: MIN. 6' HIGH WITH MIN. MATURE HEIGHT OF 20'. SPECIES SHALL BE BLUE SPRUCE OR APPROVED EQUAL.
	DECIDUOUS SHRUB: 18" HIGH, MATURE HEIGHT > 3'. SPECIES SHALL BE BURNING BUSH OR APPROVED EQUAL.

KEYNOTES

- PERMANENT PARK BENCH & TRASH CAN LOCATION.
- PUBLIC IMPROVEMENTS PLANS REQUIRED ALONG ENTIRE LENGTH OF PROPERTY ADJACENT TO KIMBROUGH TO WHIDEN TO CITY STANDARD FOR A COLLECTOR STREET CLASSIFICATION CONSISTING OF CURBING, SIDEWALKS, AND 4' PLANTING STRIP BETWEEN SIDEWALK & CURB.

GENERAL NOTES

- ON SITE LIGHTING: LIGHTING SOURCES OR LUMINARIES THAT DO NOT HAVE A CUTOFF AND ARE USED IN PARKING LOTS AND PEDESTRIAN WAYS SHALL NOT EXCEED A MAXIMUM OF 15 FEET IN HEIGHT. LIGHTING SOURCES OR LUMINAIRES THAT DO HAVE A CUTOFF SHALL NOT EXCEED A MAXIMUM OF 30 FEET IN HEIGHT. ALL LIGHTING SHALL BE GLARE-FREE AND SHIELDED FROM THE SKY AND ADJACENT RESIDENTIAL PROPERTIES AND STRUCTURES, EITHER THROUGH EXTERIOR SHIELDS OR THROUGH OPTICS WITHIN THE FIXTURE.

LANDSCAPING/SCREENING SCHEDULE:

INTERIOR LANDSCAPING: PROVIDE MINIMUM OF 5 PERCENT OF AREA DEVOTED TO PARKING TO BE COVERED BY LIVING LANDSCAPING COMPRISED OF GRASS, GROUND COVER, PLANS, SHRUBS AND/OR TREES.

BUFFERYARD: ALONG A PORTION OF THE WEST SIDE OF THE PROPERTY LINE ADJACENT TO R-TH ZONING, A 15 FEET WIDE BUFFERYARD TYPE B IS REQUIRED CONSISTING OF THE FOLLOWING PLANTINGS PER 100 LINEAR FEET.

- CANOPY TREES
- UNDERSTORY TREE
- EVERGREEN TREE
- SHRUBS

SCREENING: TRASH ENCLOSURE TO BE CONSTRUCTED WITH SOLID 6'-0" HIGH WOOD FENCE.

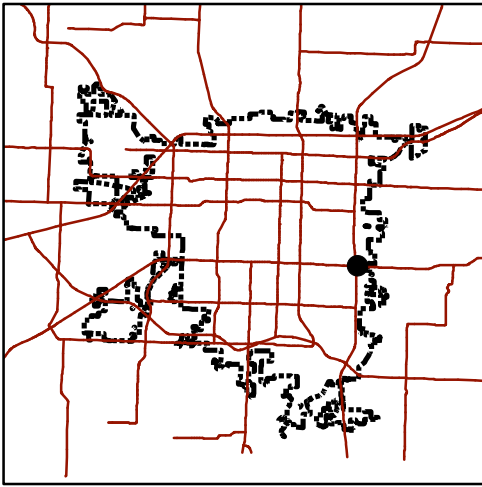
Attachment 6

From: [Nathan Thomas](#)
To: Zoning@springfieldmo.gov
Subject: Recommendation for Planning and Zoning Commission
Date: Tuesday, September 22, 2015 10:35:59 AM

I am writing this email in regards to the development that is going in at Walnut Lawn and Kimbrough. I am a homeowner on Jewett near the corner of where they are planning to put this entrance on Kimbrough to this development. I have several concerns with this. First, I feel the main entrance to the apartment complex needs to be on Walnut Lawn. The amount of traffic this is going to bring to our neighborhood I can't even imagine. Kimbrough is a buffer and preserves our neighborhood. Second, We have several kids that ride bikes and play in our streets. We do not have sidewalks. We have runners that are constantly using this area in their route and I have a great concern of safety for them. I am asking that consideration please be made to move the entrance to walnut lawn and allow our neighborhood to remain as quiet and safe as possible. Third, I am concerned that as traffics gets backs up, my street will them become a quick route to use as a different alternate. This is a lot of residents and cars for this area. I ask that you please take in consideration for our concerns. This is our neighborhood. My husband and I work hard for our home, to keep it nice. This neighborhood is quiet. No one comes in our neighborhood unless needed. This is what protects our neighborhood. Please consider moving the entrance to the main street of Walnut Lawn. It belongs there.

Thank you,
Pam Thomas
716 E Jewett St
Springfield, MO 65807
417-844-7803

Address of Correspondence : The 5 acre property at the corner of Walnut Lawn and Kimbrough



Development Review Staff Report

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

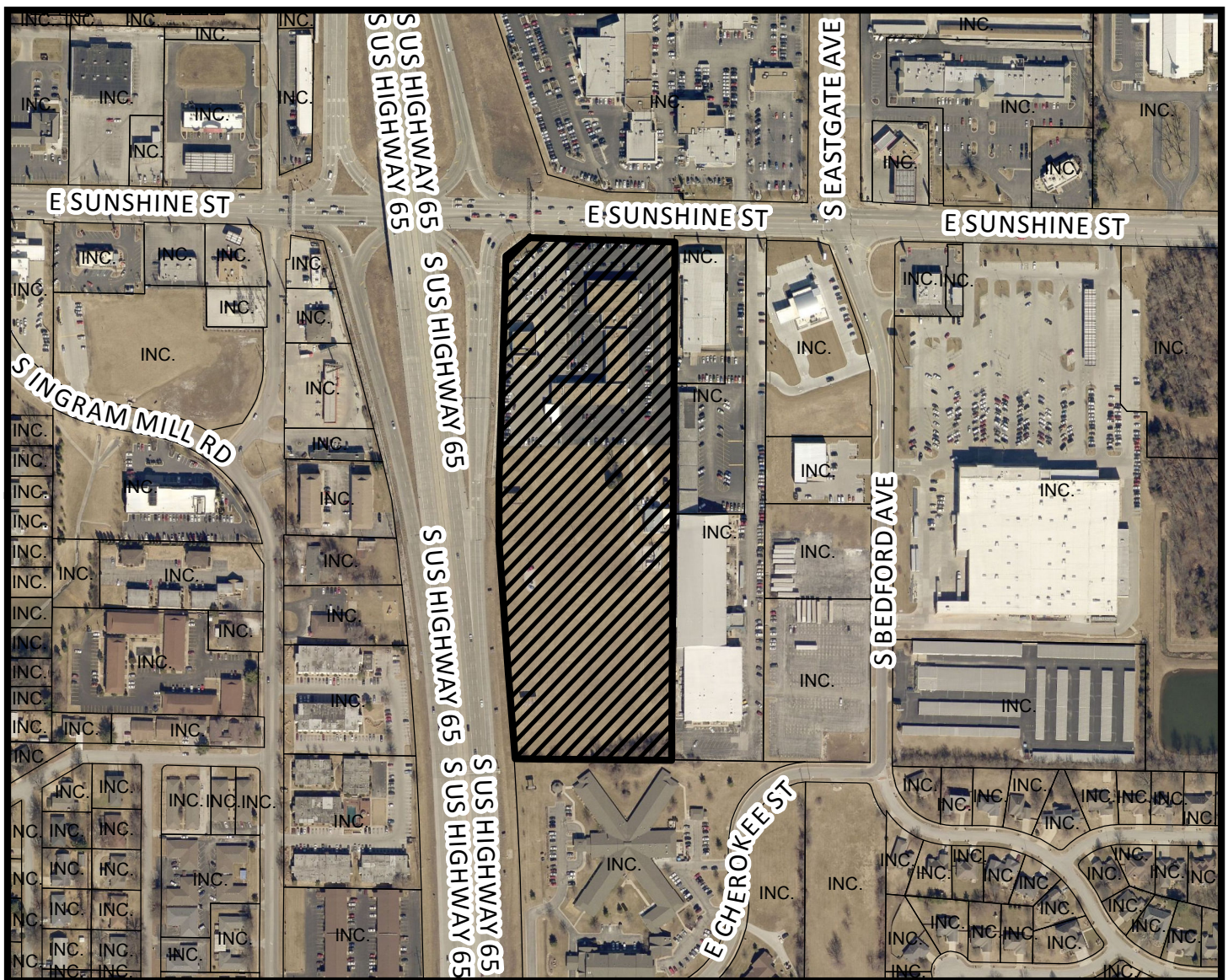
Master Sign Plan - BMW

LOCATION: 3500 East Sunshine Street

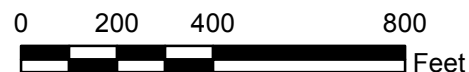
CURRENT ZONING: HC, Highway Commercial

PROPOSED ZONING: N/A

LOCATION SKETCH



- Area of Proposal



1 inch = 400 feet

Development Review Report

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

MASTER SIGN PLAN – BMW

DATE: September 28, 2015

PURPOSE: To approve a Master Sign Plan for BMW.

BACKGROUND:

LOCATION: 3500 East Sunshine Street
APPLICANT: Vincel Capital Management LLC
TRACT SIZE: Approximately 12.08 acres
EXISTING USE: Audi and BMW car dealerships
PROPOSED USE: Same

RECOMMENDATION:

The request be **approved**.

FINDINGS FOR STAFF RECOMMENDATION:

1. This application meets the requirements for establishment of a Master Sign Plan.
2. Approval of this application will allow each business on this parcel to have a sign to help identify the “campus” of the two car dealerships.

CONDITIONS:

1. The approval of a Master Sign Plan application shall not authorize the erection, placement, reconstruction, structural alteration or moving of any sign, but shall merely authorize the preparation, filing and processing of applications for any permits or approvals, which may be required by the codes and ordinances of the City, including, but not limited to, a building or sign permit. The signs shall be required to have a separate permit.
2. All provisions of *Section 5-1411* of the Springfield Zoning Ordinance shall be met.

STAFF CONTACT PERSON:

Alana D. Owen, AICP
Senior Planner

MASTER SIGN PLAN – BMW

APPLICANT’S PROPOSAL:

The applicant seeks to establish a Master Sign Plan for the Audi and BMW dealerships. The intent is to allow each business to have a free standing sign.

ZONING ORDINANCE REQUIREMENTS:

A Master Sign Plan application may be approved for the purpose of establishing consistent, logical and equitable signage for: Multiple uses on a single lot; a building group of a single use or multiple uses that may involve multiple properties; or a large tract that contains a single use with multiple services.

The main intent of a Master Sign Plan is to provide clarity of communications regarding tenants and services to users of the premise or building group. A Master Sign Plan is not intended to provide special or additional signage allowance in terms of total effective area than would otherwise be permitted by Section 5-1400 of the Zoning Ordinance.

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not object to the proposed Master Sign Plan.

STAFF ANALYSIS:

1. The applicant is seeking to create a Master Sign Plan for the Audi and BMW dealerships on the subject property. There is currently one sign on Sunshine Street advertising the Audi dealership and the applicant is proposing a second sign on Sunshine to advertise the BMW dealership. There are two other existing signs along U.S. Highway 65 on the subject property.

Each premise with frontage on any street is permitted to have one (1) permanent detached sign. Premises which have more than 425 feet of frontage along a primary arterial, expressway or freeway street, where the first sign is located, may have one (1) additional detached sign for each additional 425 feet of frontage provided a minimum of 300 feet of separation is maintained between all signs on a given premise. The subject property has 425 feet of frontage on Sunshine Street and is therefore only allowed one detached sign under the normal requirements of the Zoning Ordinance. The applicant is requesting an additional free-standing sign to advertise the BMW dealership. The BMW sign will be as shown on Exhibit B with a maximum height of 25 feet and 1 1/8 inches and a maximum effective area of one-hundred-fifty (150) square feet. The existing Audi sign is twenty (20) feet in height and has approximately one-hundred-thirty (130) square feet of effective area. There will be three-hundred (300) feet between the existing Audi sign and the proposed BMW sign. Both the existing sign and proposed sign are significantly under the maximum size and height allowed for one sign on the site. The subject property is located within an Interstate Highway Commercial Sign District which would permit a sign on the property to have up to six-hundred (600) square feet of effective area and be up to seventy (70) feet in height.

2. Approval of this Master Sign Plan does not constitute approval of a sign permit. Prior to the placement and/or modification of the signs, a sign permit must be obtained and all other applicable codes and ordinances met.

EXHIBIT 1
REQUIREMENTS FOR MASTER SIGN PLAN – BMW

Signage is permitted in conformance with Exhibits A and B:

- A. Site plan of premise and location of existing and planned signage and distance between signs.
- B. Proposed detached sign for BMW. Sign shall have a maximum height and effective area as shown on Exhibit B.

EXHIBIT 2
STANDARDS FOR MASTER SIGN PLAN
BMW

NOTE: See Exhibit 3 for the Applicant's response to the following.

An application for a master sign plan shall be granted only if evidence is presented which establishes the following:

1. The proposed Master Sign Plan will be consistent with the adopted policies in the Springfield Comprehensive Plan;
2. The proposed Master Sign Plan has the potential to improve the safety and convenience of the motoring public and of pedestrians using the property and the area immediately surrounding the property;
3. The location, lighting and type of signs proposed and the relationship of signs to traffic control is appropriate for the property;
4. The proposed signs 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;
5. The proposed signs, as shown by the application, will not destroy, damage, detrimentally modify or interfere with the enjoyment and function of any significant natural topography or physical features of the site;
6. The proposed signs will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance;
7. The proposed signs, as shown by the applicant , will not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way; and
8. The proposed signs 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 or surrounding property, the character of the neighborhood, traffic conditions, parking, utility facilities, and other matters affecting the public, safety and general welfare.

EXHIBIT 3



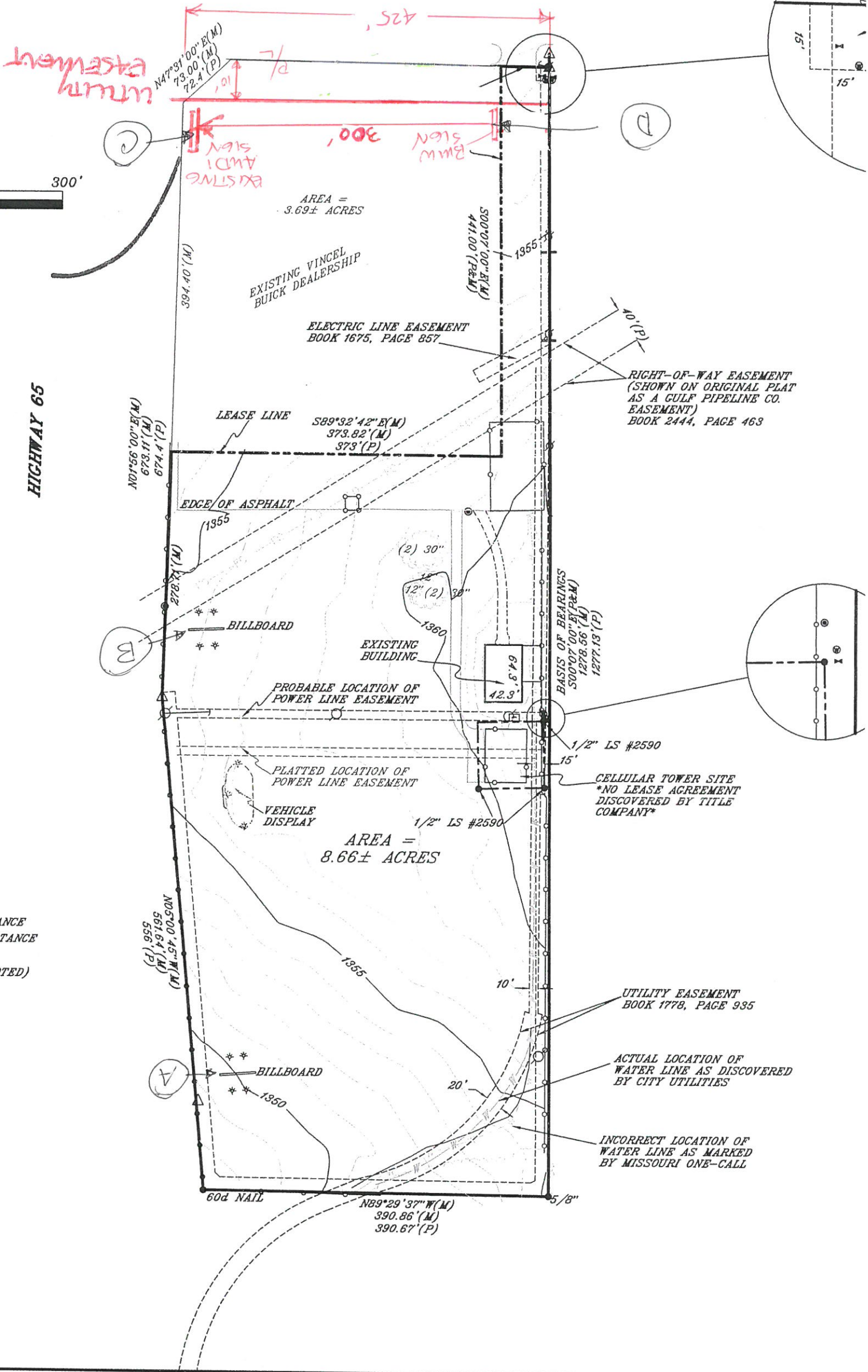
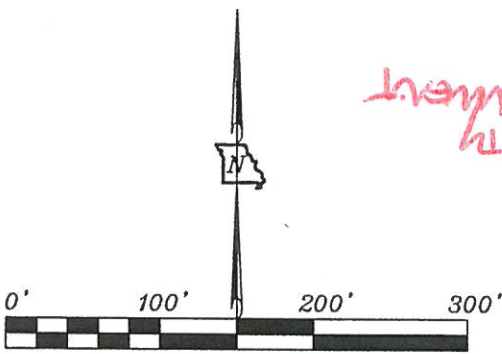
3160 W. Kearney • Springfield, MO 65803
(417) 862-1778 / (800) 788-1778 • FAX: (417) 865-9237

Exhibit B

1. The master sign plan will allow the public to locate and navigate the enter / exit driveway and facility of BMW.
2. The sign is internally illuminated with LEDs and is located at the East end of property 425 feet away from the traffic signal at Sunshine and Hwy 65.
4. This location originally Vincel Buick has operated as a car dealership for the past 38 years and there is no grade changes proposed the existing parking lot or grounds.
5. There are no historical, natural or scenic venues at this property.
6. The sign is set back an additional 10' to accommodate the utility easement set back and affects no other easements, railways or property access.
7. The sign does not affect any access or parking to neighboring business and is commercial zoned like the neighboring businesses. It poses no issues with traffic or pedestrians.

The proposed Master Sign Plan will allow each business on this parcel the right for a free standing sign which is a requirement for BMW and Audi car dealerships programs and opportunity to advertise their products, and are conforming to the sign ordinances of size, height and spacing.

SUNSHINE STREET



SYMBOL INDEX

- (P) PLATTED BEARING or DISTANCE
- (M) MEASURED BEARING or DISTANCE
- ELECTRIC BOX
- EXISTING IRON PIN (AS NOTED)
- GUY ANCHOR
- ◇ PHONE PEDESTAL
- ⊙ POLE or POST
- UTILITY POLE
- △ RIGHT-OF-WAY MARKER
- ☆ SPOT LIGHT
- ⊥ SIGN
- ⊙ WATER METER
- ⊙ WATER VALVE
- ☁ TREE (APROX SIZE NOTED)
- BURIED FIBER OPTIC LINE
- BURIED WATER LINE
- CHAIN-LINK FENCE
- GRAVEL
- ASPHALT

EXHIBIT B

Designed per IBC - 2012 including all modifications made by the State of Missouri

Wind Loads:
Risk Category.....II
Basic Wind Speed.....115 mph
Normal Wind Speed.....90 mph
Wind Importance Factor.....1.15
Wind Exposure.....C
ASCE Force Coef.....1.8
Gust Factor.....0.85

Snow Loads:
Ground Snow Load.....Pg-20 psf
Snow Exposure Factor.....Co=1.0
Snow Load Importance.....Is=1.1
Thermal Factor.....Ct=1.0

Exterior Components designed in accordance with applicable provisions of the ASCE 7-10

NOTE:
ALWAYS INSTALL WITH
FLAG SIDE TOWARD THE STREET

Plan View

Scale: 1/4"=1'-0" @ 11"x17"



Square Feet: 6'-0" x 8'-4" x 2 = 100.00

Electrical Specifications

Power Supplies

QTY	DESCRIPTION
2	24v96w @ 1.1 Amps each
2	HID lights @ 2.0 Amps each
	Max Amps = 6.2

LEDs

21	White - double sided
----	----------------------

Voltage 120-277V

Specifications:

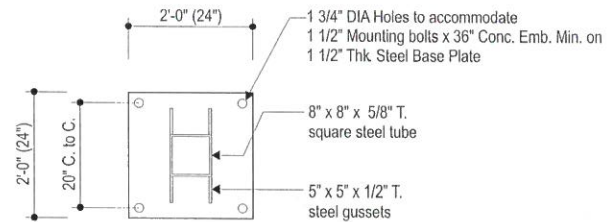
Internal framing support using extruded aluminum as required.
Background Panel is .090" Bright White aluminum with illuminated BMW logo.

BMW center name:

20 gauge Polished Stainless steel lettering.

Illumination:

White LEDs

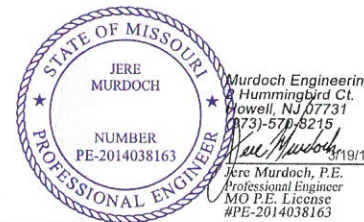


Base Plate Detail

Scale: 1/2"=1'-0" @ 11"x17"

General Notes:

- 1.) Minimum concrete strength shall be 3,000 psi
- 2.) All plate, angle, channel, tee and wide flange shall be ASTM A36 grade unless otherwise specified.
- 3.) Square and rectangular tube shall be ASTM A500 Grade B
- 4.) Round pipe shall be ASTM A53 Grade B or equivalent
- 5.) Design and fabrication according to AISC Steel Construction Manual 14th edition
- 6.) Bolts to be A325 or A320 B8 Class 2 or equivalent.
- Foundation Anchor Bolts to be A36 Minimum.
- 7.) Concrete design & construction to be in accordance w/ ACI 318-08
- 8.) Concrete poured into constrained earth excavations must cure under proper conditions for 4 days prior to sign box installation. (Exception: if the overall height of the sign is less than 20 feet and the sign pole is adequately braced against wind loads for a minimum of 4 days, the box may be installed the same day as the footing is poured.
- 9.) For pier and caisson footings, concrete must be poured against undisturbed earth (Backfill is unacceptable).
- 10.) Maintain a minimum 3" cover over all embedded steel (Not applicable to direct burial footings) Rebar is not required for direct burial footings or anchor bolts/rods that extend 75% or greater into full footing depth.
- Anchor Bolts without rebar shown and are not 75% into footing depth, shall provide vertical #4 rebar @ 12" O.C., 4" offset from perimeter of footing, 4" offset from top and bottom of footing. Provide #3 horizontal ties @ 12" O.C., anchor bolts shall be tied to rebar cage. For round footings, provide a minimum of six (6) vertical #4 rebars, 4" offset from perimeter.
- 11.) Provide a minimum of 6" cover between bottom of support pole and bottom of concrete footing on all direct burial footings, unless otherwise noted.
- 12.) If clay, silt or organic soil properties are present upon excavation, it is the contractor's responsibility to contact Murdoch Engineering for design modification.
- 13.) Galvanic protection is required where dissimilar metals contact.
- 14.) Galvanic protection is also required where Aluminum Contacts Concrete Coat with Bituminous material where Alum. Contacts Concrete.



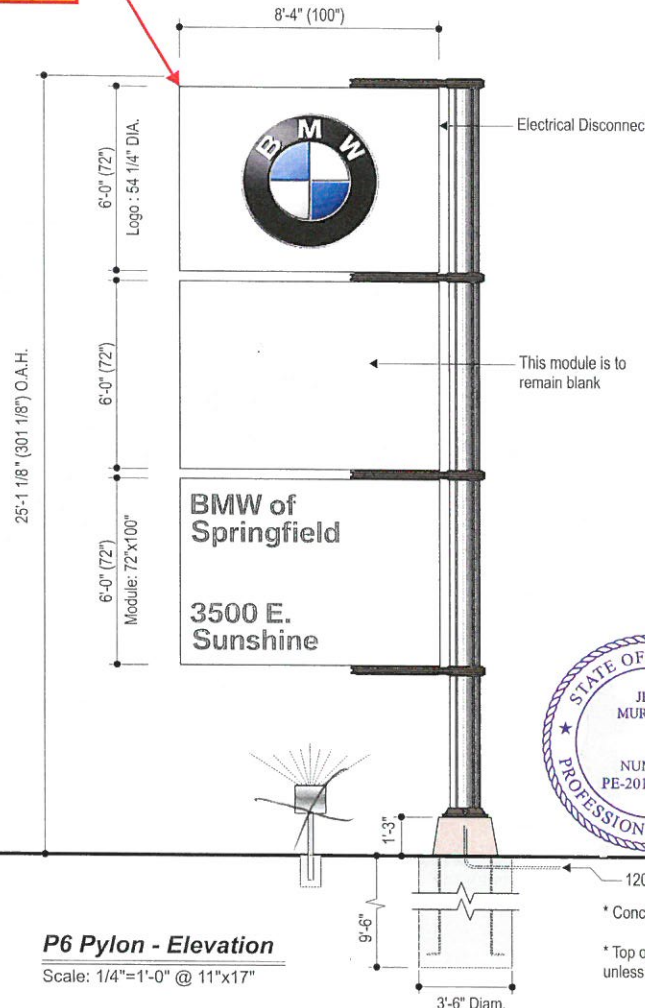
Murdoch Engineering
Hummingbird Ct.
Howell, NJ 07731
(732) 570-8215
Jere Murdoch, P.E.
Professional Engineer
MO P.E. License
#PE-2014038163

BMW of
Springfield

3500 E.
Sunshine

P6 Pylon - Elevation

Scale: 1/4"=1'-0" @ 11"x17"



P6 - End View

Scale: 1/4"=1'-0" @ 11"x17"



CLIENT:	BMW of Springfield
LOCATION:	Springfield, MO
DATE:	02-25-15
DRAWING #	BMW-Springfield-303
DRAWN BY:	DEA

THIS DESIGN IS SUBMITTED AS PART OF OUR PROPOSAL AND IS TO REMAIN OUR PROPERTY EXCLUSIVELY UNTIL ACCEPTED AND APPROVED BY PURCHASE.

REV #	DESCRIPTION	DATE	BY
#1	Added street address	03.18.15	CT

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND / OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

CUSTOMER APPROVAL:
DATE: _____
SIGNATURE: _____
APPROVAL RECEIVED BY UNITED: _____
DATE: _____

IMPORTANT:
UNITED SIGN SYSTEMS IS NOT RESPONSIBLE FOR REMOVING EXISTING CONCRETE FOUNDATIONS OR UNKNOWN UNDERGROUND OBSTRUCTIONS, INCLUDING BUT NOT LIMITED TO ABANDONED UTILITIES, STONE, SEPTIC SYSTEMS, ETC.

united sign systems
A Division of United Advantage Sign Companies, Inc.

206 Tower Drive
Oldsmar, Florida 34677
unitedsignsystems.com
888-704-1516
A Division of United Advantage Sign Companies, Inc.

C1.00

DEVELOPMENT REVIEW STAFF REPORT
Redevelopment Plan for the Lantz 1124, LLC Redevelopment Area

DATE: September 29, 2015

PURPOSE: To approve the Redevelopment Plan for the Lantz 1124, LLC Redevelopment Area.

LOCATION: The southwest corner of the intersection of East Elm Street and South Florence Avenue (1124 and 1130 East Elm Street).

APPLICANT: Lantz 1124, LLC

STAFF RECOMMENDATION:

Staff recommends the Redevelopment Plan for the Lantz 1124, LLC Redevelopment Area be approved.

FINDINGS:

The Redevelopment Plan for the Lantz 1124, LLC Redevelopment Area is in conformance with the *Springfield-Greene County Comprehensive Plan*, which identifies this area as an appropriate location for medium- or high-density housing.

STAFF CONTACT:

Matt D. Schaefer
Senior Planner
417-864-1100

ATTACHMENTS:

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

ATTACHMENT A
Background Report
Redevelopment Plan for the Lantz 1124, LLC Redevelopment Area

Applicant's Proposal:

Lantz 1124, LLC has filed an application requesting approval of a redevelopment plan pursuant to Sections 99.300-99.660, RSMo, the Land Clearance for Redevelopment Authority Law, for a redevelopment project located at the southwest corner of the intersection East Elm Street and South Florence Avenue (Exhibits I&II). The Planning and Zoning Commission is required by Statute to review the proposed Redevelopment Plan (Exhibit III) for conformance with the City's general plan for the development of the City as a whole.

The purpose of the Redevelopment Plan for the Lantz 1124, LLC Redevelopment Area is to clear blight and redevelop the area to accommodate a new house for a Missouri State University fraternity. The Redevelopment Area consists of two parcels of land (0.38 acres) that are currently occupied by two vacant residential structures. The Redevelopment Plan proposes to demolish the existing structures and construct a new three-story fraternity house that will serve as the residence for approximately 30 students, as well a location for chapter meetings and activities.

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 student housing adjacent to the Missouri State University campus.
3. The *Center City Plan Element* of the *Springfield-Greene County Comprehensive Plan* envisions the Greater Downtown District, which includes Park Central Square, University, Plaza, and parts of Walnut Street and Missouri State University, as an area that will be alive with business, shopping, and visitors. It

will be the place to be for people of all ages – a well maintained, attractive, and inviting environment. The Redevelopment Plan supports this vision by providing additional housing within the Greater Downtown District.

Staff Comments:

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

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

2. The Redevelopment 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.
3. The majority of Missouri State University fraternities and sororities are located immediately north of the main campus along East Cherry Street and East Elm Street. The proposed fraternity house, which is also located in this area, will complement the existing fraternities and sororities and contribute to a more cohesive Greek community.
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 fraternity house development will offer its tenants convenient access to public transit and designated pedestrian and bicycle routes. The Redevelopment Area is located within 300 feet of two Missouri State University Bear Line Shuttle stops and two City Utilities bus stops. The Redevelopment Area is also served by sidewalks and located adjacent to a City-designated bicycle route along East Elm Street that connects with the Missouri State University Bikeway.

EXHIBIT I
Legal Description
Redevelopment Plan for the Lantz 1124, LLC Redevelopment Area

Tract I (1124 E. Elm)

Lot Thirteen (13) in Hutler's Subdivision with the exception of the West ten (10) feet of Lot Thirteen (13), according to the recorded plat thereof AND all of Lot Twelve (12) in Hutler's Subdivision and the East Seven (7) feet of the West Thirty (30) feet of the North One Hundred Ten (1100 feet of Lot Six (6) in S.H. Horine's Addition, all in the City of Springfield, Greene County, Missouri, according to the recorded plat thereof.

Tract II (1130 E. Elm)

All of Lot Eleven (11) in Hutler's Subdivision all in the City of Springfield, Greene County, Missouri, according to the recorded plat thereof.

EXHIBIT II
Location Map
Redevelopment Plan for the Lantz 1124, LLC Redevelopment Area

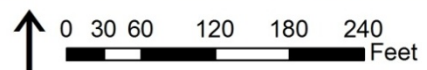


EXHIBIT III

Redevelopment Plan

I. Introduction

Lantz 1124, LLC, a Missouri limited liability company (the “*Developer*”), has prepared the following plan (The “*Redevelopment Plan*”) for the development of housing in Springfield, Missouri for a fraternity, which will likely be Sigma Phi Epsilon. The Redevelopment Plan proposed to completely redevelop the Redevelopment Area (as defined below) by constructing a three-story residence with a basement (the “*Project*”).

II. Background:

In June 2015, the Developer acquired the property located at 1124 E. Elm. In August 2015, the Developer acquired the property at 1130 E. Elm and the improvements to each property consisting of the Redevelopment Area. There are two (2) vacant residential structures in the Redevelopment Area which were built on an irregular shaped parcel and a smaller corner parcel of land. The houses front Elm Street and are commonly identified as 1124 E. Elm Street (the “*1124 House*”) and 1130 E. Elm Street (the “*1130 House*”). Both the 1124 House and the 1130 House were constructed in 1921¹. The 1124 house has five (5) bedrooms and the 1130 House has three (3) bedrooms.

III. Description of the Project

A. Boundaries of the Redevelopment Area

The area being redeveloped contains approximately .32 acres and is situated south of Elm St. between S. National Ave. and S. John Q. Hammons Parkway in the City of Springfield, Missouri (the “*Redevelopment Area*”) A map identifying the Redevelopment Area is attached hereto and incorporated herein as Exhibit “A”, and the Redevelopment Area is legally described on Exhibit “B”, which is attached hereto and incorporated herein.

B. Need for Redevelopment

1. Goals of the City of Springfield’s Center City Plan Element of the Springfield-Greene County Comprehensive Plan.

The Redevelopment Area is zoned High-Density Multi-Family Residential and is located in 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

¹ Based on the Greene County Assessor’s website.

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.² Center City includes some of the oldest parts of the Springfield community and it suffers from problems commonly resulting from physical deterioration and economic obsolescence.³ The CCPE describes the overall tone of the area as one that need revitalization of new investment.³

Center City consists of several distinct districts, one of which is the Greater Downtown District. The district includes the historic Park Central Square area, University Plaza, parts of Walnut Street and the northern part of the Missouri State University (“*MSU*”) campus.² One of the CCPE’s overall goals for the Greater Downtown District is that it will be a well-maintained, attractive, and inviting environment which is alive with business, shopping, and visitors.² Center City is a focal point for higher education and technology development and is meant to fulfill the needs of students and future businesses.⁴ The CCPE also recognizes that security and the perception of security will be enhanced by making Greater Downtown more active and vibrant at all hours of the day.⁵

One of the actions of the CCPE recommends to achieve these goals and to create a vibrant, mixed-use urban center is to promote the emergence of a residential base in Greater Downtown.⁶ The CCPE suggests that Greater Downtown housing can utilize vacant building space and help create round-the-clock activity, so it is to be a top priority.⁶ The CCPE further explains that although there are a number of small loft projects the potential depth of the Greater Downtown housing market remains untapped.⁶ Thus, the City should promote private reinvestment and redevelopment of existing neighborhoods on the fringes of Greater Downtown.⁶

The CCPE also encourages increasing the compactness of land uses in Greater Downtown since compact, dense, pedestrian-oriented places help to retain urban vitality and interest.⁷ The Community should work to fill the empty spaces between buildings, bring housing into every district, aim for mid-rise density across districts, and create areas that combine housing, jobs, and entertainment uses.⁸ The City should encourage infill development on vacant and underutilized sites to reinforce and re-knit the pattern of buildings, to fill the voids, and to expand the volume of the Greater Downtown.⁸

² See page 1-1 of the CCPE.

³ See page 2-10 of the CCPE.

⁴ See page 1-2 of the CCPE.

⁵ See page 1-4 of the CCPE.

⁶ See page 3-36 of the CCPE.

⁷ See page 3-37 of the CCPE.

⁸ See page 3-38 of the CCPE

2. Current Condition of Redevelopment Area

The Redevelopment Area, which is located within the Greater Downtown District, exhibits the deterioration and economic obsolescence that is evident in many areas throughout Center City. As discussed in the preceding Blight Report, the Redevelopment Area suffers from much physical deterioration, unsanitary and unsafe conditions, improper subdivision and obsolete platting, and is afflicted by conditions which many endanger life or property. Substantial capital investment will be needed to fully rehabilitate and revitalize the Redevelopment Area, which further compounds the economic obsolescence of the Redevelopment Area.

The Redevelopment Area is not capable of providing housing accommodations to its utmost potential. The buildings in the Redevelopment Area are residential structures that contain only a total of seven (7) bedrooms. This severely limits the number of individuals who can live in the Redevelopment Area. The configuration of the Redevelopment Area does not allow it to support its highest and best use, which due to its proximity to MSU, is medium to high density student housing. This underutilization prevents the Redevelopment Area from generating taxes to its utmost potential and from fully contributing to the potential vitality of Center City.

3. Conformance of Redevelopment Plan with the Center City Plan Element and the Growth Management and Land Use Plan

The Redevelopment Plan provides for the construction of student housing for a fraternity, which will be located in the vicinity of MSU's campus and within the Greater Downtown District. The new construction will remedy blight by creating a desirable living environment for students, increasing the taxes generated by the Redevelopment Area, and encouraging further investment in the area. As reflected on the preliminary site plan in Exhibit "E" attached hereto and incorporated herein, the site will be redeveloped to utilize the Redevelopment Area to its full potential. This will increase density by providing housing for approximately thirty (30) students as well as a location for meetings and serving meals, which will in turn increase the area's pedestrian traffic and level of activity.

Portions of City Center have begun to revitalize through the addition of loft apartments, restaurants and entertainment, but the continued decline of the Redevelopment Area negatively impacts this revitalization by discouraging reinvestment in the surrounding area. Without the comprehensive renovation and rehabilitation of the Redevelopment Area, its physical condition will continue to deteriorate and detract from the area. Thus, implementation of the Redevelopment Plan is needed to remediate blight in the Redevelopment Area, to create a safe and

desirable living environment that more fully utilizes the property, increase the taxable revenues to the City, and place a greater portion of the City in conformance with the visions set forth in the Center City Plan Element.

According to the Growth Management and Land Use Plan⁹, projected population growth for the year 2020 is an additional 75,000 to 90,000 persons.¹⁰ This is approximately 1.2-1.4 percent increase.¹⁰ With an increased housing demand, alternate development patterns were studied. One of these patterns is a compact pattern.¹¹ This decreases the urban sprawl and focuses on infill and higher densities within the urban area. This will increase property values. Some existing properties could be rehabilitated while others, beyond feasible repair, could be removed leading to development of more efficient, higher density housing. This promotes efficient use of currently serviced land, promotes continued investment in older areas and limits public and private expenses.¹² With designated Activity Centers, the plan encourages higher density development as a means to encourage infill growth.¹³ The Redevelopment area lies within the Center City (Major) center and meets objectives with compact, high-density housing.¹⁴

C. Redevelopment Plan Objective and Strategies

The primary objective of the Redevelopment Plan is to remove blight and to redevelop the area for use by a fraternity, which will likely be Sigma Phi Epsilon. This Project involves the construction of a three-story house with a basement that will serve as a residence for approximately thirty (30) students as well as a location for meetings and other activities. The Project will include bedrooms and bathrooms on the second and third floors, handicap accessible rooms, bathroom, a dining room, a kitchen, and a meeting space on the first floor, and an unfinished basement. The Project will also provide on-site parking and will utilized outdoor lighting as needed with the intent to create a safe living environment for the students. The Project is anticipated to be built using certain energy efficient building standards to maximize energy savings. This list includes the following: high- efficiency LED light fixtures rated at a 60% energy savings over traditional fixtures, high-efficiency heat pumps for conditioning the common areas, P-Tech energy efficient heat/air conditioning units with individual thermostats in all 20 bedrooms, on demand hot water heaters with storage tank

⁹ See Vision 20/20: Growth Management and Land Use Plan Section 18.

¹⁰ See Growth Management and Land Use Plan page 18-1.

¹¹ See Growth Management and Land Use Plan page 18-2.

¹² See Growth Management and Land Use Plan page 18-7

¹³ See Growth Management and Land Use Plan page 18-12

¹⁴ See Growth Management and Land Use Plan pages 18-30 and 18-31

and recirculating pumps on each floor to avoid water waste, insulation in every interior wall and between every interior floor, exterior brick walls will first be wrapped with a vapor lock product, high-efficiency insulated windows, low-temperature, and high-efficiency commercial dish washing system. This list is not a complete list as other energy efficient products are still being investigated during the design process.

IV. Land Use Plan

A. Former and Existing Land Use

The Redevelopment Area currently consists of two (2) single-story houses. According to the Greene County Assessor's website, the 1124 House and the 1130 House were built more than ninety (90) years ago. The property in the Redevelopment Area was previously used as rental property but is now vacant.

B. Proposed Land Use

The proposed land use for the Redevelopment Area is a three-story house that will serve as a residence and meeting location for a fraternity, which will likely be Sigma Phi Epsilon. A preliminary site plan herein reflecting the proposed land use in the Redevelopment Area is attached as Exhibit "E" and incorporated herein.

C. Existing and Proposed Zoning

The existing zoning for the Redevelopment Area is High-Density Multi-Family Residential District (R-HD). There is no new zoning proposed for the Redevelopment Area.

D. Regulations and Controls

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

V. 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.

B. Land Acquisition

There will be no land acquisition require to implement the Redevelopment Plan, as the Developer owns the land within the Redevelopment Area.

C. Financing

The Developer is utilizing conventional financing to finance the Project.

D. Disposition of Property

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

E. Plan for Relocation Assistance

There are currently no residents living within the Redevelopment Area, so the Project will not require anyone to be relocated.

F. Redevelopment Schedule and Estimated Dates o Completion

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

- Pre-Construction (Inspection/Permits): Completed by October 2015
- Site Work (Demolition): Completed by November 2015
- Construction of Building: Completed by July 2016

G. Taxation

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

H. Covenants

The Redevelopment Plan shall run with the land for a period of twenty 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 and use the real property within the Redevelopment Area in accordance with 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.

VI. Other Provisions

A. Compliance with General Plans.

As discussed in Article III, Section B above, the Redevelopment Plan for the Redevelopment Area conforms to the Springfield-Greene County Comprehensive Plan.

B. Compliance with State and Local Law

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

C. Population Density

The Project will provide housing for an estimated thirty (30) students.

D. Public Facilities

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

VII. Procedure for Changes or Modifications 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 approve the amendment or modification.

EXHIBIT "A"

Map identifying Redevelopment Area

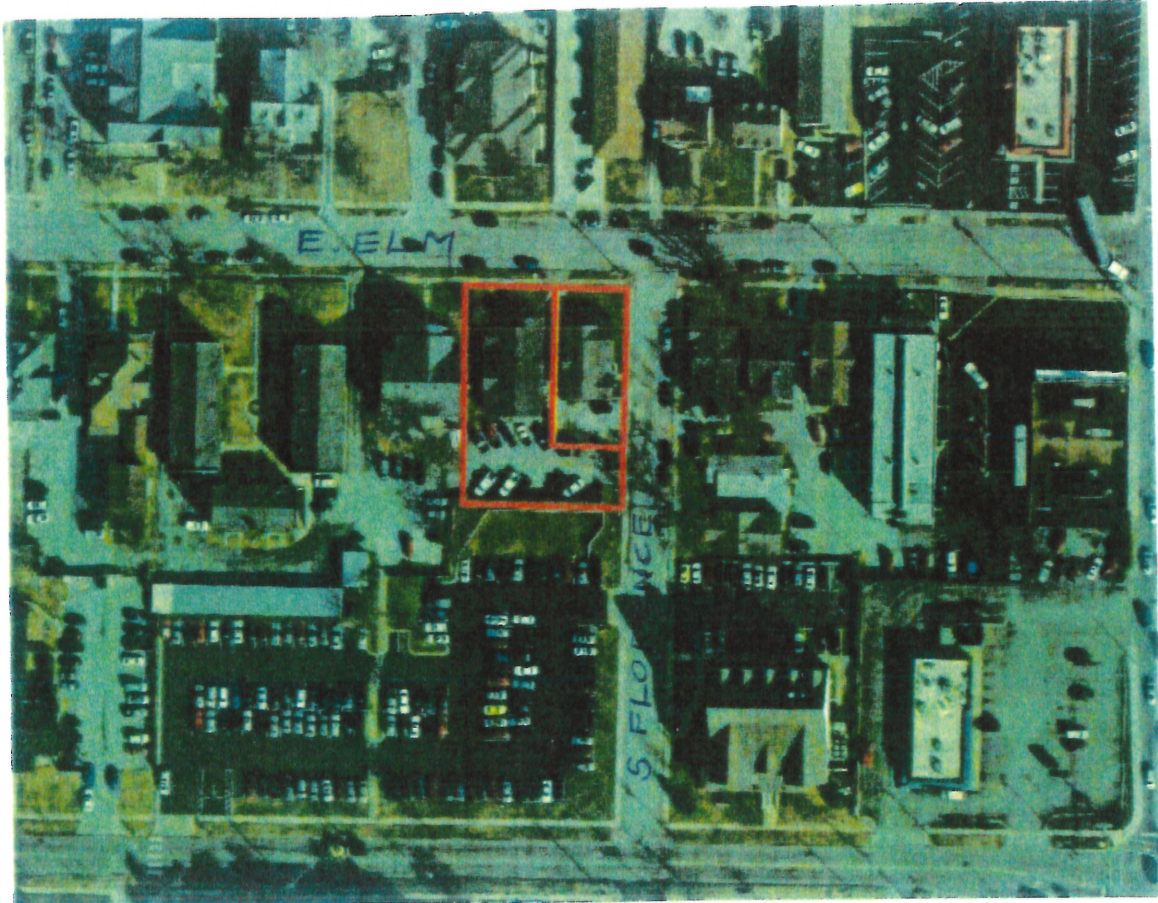


EXHIBIT "B"

Legal Description of Redevelopment Area

Tract I (1124 E. Elm)

Lot Thirteen (13) in Hutler's Subdivision with the exception of the West ten (10) feet of Lot Thirteen (13), according to the recorded plat thereof AND all of Lot Twelve (12) in Hutler's Subdivision and the East Seven (7) feet of the West Thirty (30) feet of the North One Hundred Ten (1100 feet of Lot Six (6) in S.H. Horine's Addition, all in the City of Springfield, Greene County, Missouri, according to the recorded plat thereof.

Tract II (1130 E. Elm)

All of Lot Eleven (11) in Hutler's Subdivision all in the City of Springfield, Greene County, Missouri, according to the recorded plat thereof.

EXHIBIT “E”

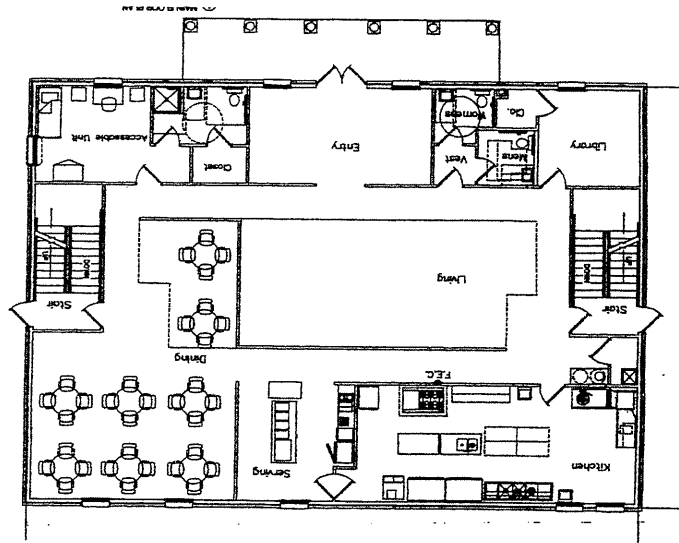
Proposed Land Use Site Plan

[attached]

ELM STREET

103'

110'



150'

FLORENCE AVE

27'

11 SPACES

13 SPACES

40'

130'

SITE CODE ANALYSIS:

ZONING: R-HD, GI

LOT SIZE: 16,970 S.F.

SETBACKS:

FRONT YARD - 25'

SIDE YARD - 6'

REAR YARD (10% OF DEPTH) - 20'