



Springfield Planning and Zoning Commission

City Council Chambers (830 Boonville)

Date: December 10, 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

November 5, 2015

Documents: [PNZ MINUTES 11-05-2015.PDF](#)

3. COMMUNICATIONS

City Council Summary November 9, 2015

Documents: [CITY COUNCIL 11-09-15.PDF](#)

4. CONSENT ITEMS

(All items may be approved with a single motion without a public hearing, unless removed from the consent agenda)

5. Request To Acquire 515

2800 South Farm Road 97, City Utilities

Documents: [ACQUIRE515.PDF](#)

6. Relinquishment Easement 828

506 West Edgewood Street, Mark Hunter, LLC

Documents: [RE828.PDF](#)

7. Subdivision Variance 352

3900 East Chestnut Expressway, Hickory Land Co, LLC

Documents: [SUBDVAR352.PDF](#)

8. UNFINISHED BUSINESS

9. Z-35-2015 COD #101

6000 South Southwood Avenue, City of Springfield

Documents: [Z-35-2015 COD 101 SR.PDF](#)

10. PUBLIC HEARINGS

11. Z-37-2015

2736 West Republic Street, St. Thomas The Apostle Orthodox Church

Documents: [Z-37-2015 TABLE MEMO.PDF](#)

12. Z-38-2015 COD #104

1209 East Holiday Street, BBH South Development Holding, LLC

Documents: [Z-38-2015 COD 104 SR.PDF](#)

13. Z-39-2015 COD #103

604, 608, 614 & 618 West Mt. Vernon Street, Mt. Vernon 608, LLC

Documents: [Z-39-2015 COD103 TABLE MEMO.PDF](#)

14. Z-40-2015 COD #102

202 East Walnut Lawn & 3410 South Campbell Avenue, Westport Management, LLC
and St. John's Regional Health Center

Documents: [Z-40-2015 COD 102 SR.PDF](#)

15. Z-42-2015

216 East Walnut Lawn, St. John's Regional Health Center

Documents: [Z-42-2015 SR.PDF](#)

16. Z-43-2015

1300 & 1332 East Republic Road, John & Rosa Lee Haik

Documents: [Z-43-2015.PDF](#)

17. Z-44-2015

1329 East Lark Street, St. John's Regional Health Center

Documents: [Z-44-2015 SR.PDF](#)

18. Conditional Use Permit 417

506 West Edgewood Street, Mark Hunter, LLC

Documents: [UP 417 TABLE MEMO.PDF](#)

19. OTHER BUSINESS

20. Approving The 2016 Planning And Zoning Calendar

Documents: [2016 PZ CALENDAR.PDF](#)

21. ADJOURN

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.

NOVEMBER 5, 2015
MINUTES OF THE PLANNING AND ZONING COMMISSION
Springfield, Missouri

The Planning and Zoning Commission met in regular session November 5, 2015, in the City Council Chambers. Chairman Tom Baird called the meeting to order.

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

Staff in attendance: Bob Hosmer, Principal Planner, Tom Rykowski, Asst. City Attorney, Nicholas Woodman, Asst. City Attorney, Dawne Gardner, Public Works Traffic Division, and Rodney Colson, Public Works Stormwater.

Minutes: The minutes of October 8, 2015 were approved unanimously.

Communications:

Mr. Hosmer announced new staff, Amy Werland Administrative Assistant, Tom Rykowski and Nicholas Woodman, Asst City Attorney's. Mr. Hosmer state that elections for the Planning and Zoning Commission officers will be held in January 2016. Commissioner White is up for reappointment and Commission Baird is going off the commission in 2016 so we will be looking for a new member to the commission. Staff will be submitting the 2016 PZ meeting schedule for commission approval in December. Staff is requesting that item 11 on the agenda, Z-35-2015 COD No. 101 (6000 Block of South Southwood Avenue) be tabled until December 10, 2015 PZ meeting due to procedural information that we need to put into our report.

Mr. Baird made a recommendation to table item 11, Z-35-2015 COD No. 101 (6000 Block of South Southwood Avenue) at the request of the applicant. Mr. Cline made first motion and Mr. Doennig seconded the motion. The motion carried as follows: Ayes: Unanimously. Absent: Ray, Cox, and Edwards.

Mr. Hosmer stated that the November 19, 2015, second P&Z meeting is cancelled.

Consent Items:

Request to Dispose 514
5400 East Farm Road 112

Applicant: City Utilities

COMMISSION ACTION:

Mr. Baird taking requests to accept the consent agenda. Mr. Rose motioned to approve Request to Dispose 514. Mr. Cline seconded the motion. The motion carried as follows: Ayes: Unanimously. Absent: Ray, Cox, and Edwards.

Unfinished Business

Z-33-2015 COD No. 99

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

Applicant: Sunshine & National Real Estate, LLC

Mr. Hosmer stated that commission tabled this request at the October 8, 2015 P&Z meeting and to continue the public hearing tonight. This is a request 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. The growth management land use plan recommends this area on National and Sunshine as major activity center and this is primarily focus on Mercy Hospital and hospital related business located in this area. Sunshine and National are both classified as a primarily arterial roadway which shows appropriate locations for commercial activity. The existing Conditional Overlay District COD No. 6 restricted uses that are normally permitted within the GR District and limited established hours of operation for retail uses and required construction sidewalks and dedication ROW on Sunshine. Residential property on the corner of this intersection was previously owned by the City of Springfield and has been sold to the applicant and was one of the reasons for consideration of rezoning this property. The applicant initially requested a drive-in and pick-up drive-through restaurant with a tavern and cocktail lounge, but has not requested to remove the package liquor store sells as a permitted use on this property. The applicant has also removed the request to modify the hours of operations and the hours of operation will remain as the original COD from 6:00am to 10:00pm. All the other requirements of the COD and the Conditional Overlay District are the same. A traffic study will be submitted at the time of development, there will be a buffer yard requirement along all the areas adjacent to the single family residents. There are also a 30 degree bulk plain that will be required along every boundary of the RS-F district. There will be a public hearing at the City Council on November 23, 2015. Staff recommends approval of the COD provisions as outlined with the limited uses in the GR with the dedication of the ROW, access limitations along Sunshine with 50' ROWs measured from the centerline of National Avenue and Sunshine Ave, provide cross access between all the lots that would be existing and provide internal egress easement within the area. They would have to construct sidewalks along Sunshine, providing a total pedestrian system and providing existing driveways on National will be closed. There will be maximum floor ratio of 0.38 and a traffic study will be completed and a buffer yard required along with the bulk plane of 30 degrees.

Mr. Doennig summarized the only changes are the hours of operation issued from the first COD to the new COD and the removal of the taverns and cocktail lounge.

Mr. Hosmer confirmed that the applicant requested the time change of drive-in and pick-up window and the removal of the packaged liquor sales. That are the changes.

Mr. Baird opened the public hearing.

Mr. Jared Rasmussen, Olsson & Associates, 550 St. Louis Street, stated that they have pulled two items off of the request. They have heard a lot of concern on the hours of operations and having a package liquor store so close to the residential area. The owners felt it appropriate to remove those both.

Jim Doran, 1234 E. University speaking on behalf of Lois Doran, stated opposition based on the tavern still be proposed and the parking. As discussed before, this property is across from Mercy parking lots and impaired drivers potentially coming from the location with ER vehicles going through the intersection. Concerns also on the drive-through restaurant noise. Would prefer GR for this location and also commented on the property values, this rezoning can only deflate values and living conditions along University and other parts of that area.

Karen Burmood, 1224 E. Stanford Street, stated opposition. Concerned with the possible noise of the large trucks and would like to see a stone fence to help alleviate the noise.

Linda Binder, 1205 E. University, stated opposition. Concerned with the students walking to and from the tavern and the possibility of them getting hit with the traffic. Not opposed to development, but opposed to the tavern and has concerns of the traffic.

Chris Brown, 1314 E. University, stated opposition. Concerns regarding the traffic and the sloping of the property from south to north and states that he has a water problem due to the Mercy Hospital parking lot. The water from the parking lot flows to the north and backs up to his property.

Mr. Tim Havens, 2156 South Prairie Lane, stated opposition. Concerns of the zoning that are not addressed. Zoning is a promise, if something changes, something significant, such as job creation, safety or some important issue, then that promise can be broken, but other than, I believe it is immoral to not honor the promise you already made. These people offer very good points, that it is not an appropriate place for a tavern or a drive-in. There should be some kind of a buffer area, like an office use that goes in between where the residences are. The specifications I don't are complete, I think the stone fence idea is excellent. I was going to suggest about the height on the fence it either needs specify an 8' wood fence, maybe a 6'. They are using buffer yard F, which is a solid hedge, which the City says for their heaviest industrial use. They need to match it or be taller or be a stone fence. Would to have someone define what zoning means to the average citizen and his home and his place in this town.

Mr. Baird closed the public hearing.

Mr. Baird states that the commission's intentions and how to deliberate cases is certainly not meant to be inflammatory to anyone in the community. The commission needs to figure out whether this is an appropriate use for this piece of land and that occasionally off-handed comments are made and it is certainly isn't meant to offend anyone. Specifically to this one, this is one is a tough one because it is a green space within close proximity to the center of the city. When it is possible to use existing city services and there is a green space located on two arterials, it seems to make sense to development it, rather than going out to the outskirts of town and developing there. However these homes have been there for a long time and there is a certain expectation of quality of life. It would be great if it stayed green space forever, but you would have to think it would have been developed at some point. What has been presented tonight is reasonable and therefore I will be supporting it.

Mr. Doennig stated that we have already zoned this property for development and have

given it a zoning classification. We are now being asked to changed the conditions within the classification. What justification has been presented to this commission? I believe we do have an obligation to weigh the viability of the neighborhood and also the positions next to these major thoroughfares. Eight years ago we were offered the ability to development the property within certain guidelines and now are being asked to change those. I believe we are setting a precedence for future cases when we have a situation like this, where we have existing zoning that is reasonable, but we are being asked to expand the allowable uses. I don't think that the developer has presented a compelling reason to make a change to this property. I will be voting against the proposal.

Mr. Rose stated this primary concern and stated that he didn't support it last time because the time change to allow businesses to be open until midnight. He appreciated the developer willing to compromise and work with the neighbors. I will be supporting the proposal.

Ms. White stated that she agrees with Mr. Rose. She was very concerned about the hours of operation. It is difficult when we have to put together residential and development, we always have these struggles. We take this seriously and do understand that. We have to be constrained by this fit within the comprehensive plan for the City of Springfield. Those are our rules. This proposal does fit within the comprehensive plan, so I will be supporting it.

COMMISSION ACTION:

Ms. White motioned to approve Z-33-2015 w/COD No. 99 (1764 and 1770 South National Avenue and 1251, 1309, 1315, and 1319 East Sunshine Street). Mr. Cline seconded the motion. The motion carried as follows: Ayes: Baird, Rose, White, Shuler, Cline. Nays: Doennig. Absent: Ray, Cox, and Edwards.

Public Hearing :

Vacation 782
1983 East Seminole Street

Applicant: BluCurrent Credit Union

Mr. Hosmer stated that City Council approved the rezoning of the subject property (General Ordinance 6237) at their meeting on October 26, 2015 from a Planned Development District No. 11, 1st Amendment to an O-1, Office District. One of the conditions of rezoning was that the applicant 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 property was posted by the applicant on October 21, 2015 at least 10 days prior to the public hearing. The public notice was advertised in the News Leader at least 30 days prior to the public hearing. Public notices were sent out at least 10 days prior to the public hearing to all property owners within 300 feet. Thirty (30) property owners are within three hundred (300) feet of the subject area and have been notified of this action. Staff has received two calls from property owners. Mr. Havens across the street and one person on Wayland who was asking about property.

The process for vacations is that we accept ROWs two ways, either by a dedication through a subdivision or we purchase or fee simple payment for the property. This property was platted, the ROW was dedicated to the City of Springfield in 1923 by National Boulevard Farms and again in 1953 with the Prairie Village Subdivision. At that time, the radius dedicated as shown was not our standard radius of today. We have vacated the ROW on Link Avenue that is located down the street, which had the similar swooping curves and radius and we have put that back to our current standards. Two-thirds of the property owners have given consent and in this case we only have one property owner, which is BluCurrent Credit Union and they have given consent. This area that has been vacated will be retained as an utility easement. AT&T and City Utilities has services in this area. There will also be a 10x10 site triangle at the intersection and this make sure site distances when vehicles come to the intersection. Staff recommends approval.

Mr. Baird asked Mr. Hosmer the other examples vacating the ROW to square up boundaries. Is this simply on Seminole or is this through out the city?.

Mr. Hosmer stated that is this simply cleaning up old right of way radius to get them up to the current standards.

Mr. Baird reaffirmed that the City has received two calls and that the commission also has received a letter from Mr. Havens.

Mr. Baird opened the public hearing.

Mr. Jon Williams of CJW, 5051 S. National representing BluCurrent and the law firm Cameron Jones who are the new owners of the property. We have been coordinating with City Utilities and AT&T about leaving the space as a permanent utility easement.

Mr. Baird requested information about the row of bushes (hedgerow). Do they stay or does that depend on the new owners moving in?.

Mr. Williams states that will depend on the new owners and the coordination on any improvements that would make with the property and/or how the City wants to regulate it. The hedgerow is very close to or if not on the ROW.

Mr. Tim Havens, 2156 S. Prairie Lane, stated opposition.

Mr. Havens, stated that the protocol is for people that speak for this (not opposing) should speak and then I (who opposes) after that. Mr. Havens states that the commission has not always followed this protocol.

Mr. Baird commented that typically they allow people to come up in the order they want.

Mr. Havens states that this is not what the Points of Order states.

Mr. Baird verbally acknowledge his comment.

Mr. Havens opposes this on moral grounds. The City, when they represent something they don't take morality into the equation. They are representing the property owner and they run it through and the morality issue isn't in there. This property has been built on. The

credit union illegally built on this property, in the ROW, they put their entry way and their parking lot in the ROW. They planted the hedgerow in the wrong spot, they planted it in the ROW instead on their property. Mr. Haven's stated that BDS is in the process of possibly giving BluCurrent a citation for building within the ROW.

Mr. Baird requested from Mr. Rykowski on any current litigation at this time on the ROW and entry/exist point.

Mr. Rykowski replied that he was not aware of any issues, other than Mr. Havens complaint to BDS. If there would be a violation issued, it would have to be addressed. At this time Mr. Rykowski does not see any reason for not being able to vote on this issue.

Mr. Baird asked what would happen if they voted no to grant this vacation, what might happen at that point.

Mr. Rykowski stated they would have to look at the conditional overlay district and see what the affect would be if the vacation is rejected.

Mr. Cline asked that when the parking lot was built, did anyone say anything about it? Did it concern anybody? Was it an issue at all?

Mr. Hosmer states that the City, at that point, did not have any problems or didn't recognize it or inspect it properly around 1995 when it was built. If this is denied tonight, the applicant does have the ability to appeal to the City Council and take it forward to have them rule on this. Approval stops at P&Z.

Ms. White stated that this ROW is significantly larger than any other in the City. Is this what you would require from a new developer and is this how it possibly may have happened? Mr. Rose stated as someone who has been involved in building a number of items including parking lots, he recognizes how this may have happened.

COMMISSION ACTION:

Mr. Doennig motioned to approve Vacation 782 1983 East Seminole Street). Mr. Cline seconded the motion. The motion carried as follows: Ayes: Unanimously. Absent: Ray, Cox, and Edwards

Z-29-2015
5904 South Southwood Avenue

Applicant: City of Springfield

Mr. Hosmer stated that this is to rezone approximately 5 acres of property generally located in the 6000 block of South Southwood Avenue from a Greene County R-1, Suburban Residence District to a City R-SF, Single Family Residential District.

The City Council on July 13, 2015 approved the annexation of the subject property into the City limits of Springfield. The City's policy is to match City zoning as closely as possible to the current Greene County zoning district. The rezoning of the subject property is consistent with City policy.

The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this as an appropriate area for High-Intensity Retail, Office or Housing. This mixed category indicates that a variety of office, commercial and/or mid-or high-density housing may be appropriate at major intersections or along certain roadway corridors.

The subject property is located along Southwood Avenue, a collector roadway, and is "sandwiched" between an undeveloped mixed use planned development to the east and County R-1 Suburban Residential zoning to the west. Approval of R-SF zoning at this location is consistent and compatible with the existing zoning and development along Southwood to the north and west and provides a transition between the high traffic roadway, Highway 65 and higher intensity uses on the east side of Southwood and the residential development to the north

Mr. Baird opened the public hearing.

Mr. Baird closed the public hearing.

Mr. Baird stated that it doesn't make sense to rezone this to a City R-SF because of the location of the property and the elevation changes on the property. This property will never be developed as residential.

Mr. Hosmer stated that Mercy does not have any plans to develop because it is in a ravine and possibly a flood plain area. It is undevelopable, so anything happening there is very remote.

Mr. Baird asks if this is basically a bookkeeping clean up? Mr. Hosmer stated that the City wanted to have some kind of zoning to protect the property owners to the west.

COMMISSION ACTION:

Mr. Cline motioned to approve Z-29-2015 (5904 South Southwood Avenue). Mr. Rose seconded the motion. The motion carried as follows: Ayes: Unanimously. Absent: Ray, Cox, and Edwards

Z-35-2015 COD No. 101
6000 Block of South Southwood Avenue

Applicant: City of Springfield

(TABLED UNTIL December 10, 2015)

Z-36-201
2340 North Fort Avenue

Applicant: Barrett Fisk Inv. LLC

Mr. Hosmer stated the request to rezone approximately 0.22 acres of property generally located at 2340

North Fort Avenue from an R-SF, Single Family Residential District to an HC, Highway Commercial District with conditions.

The Growth Management and Land Use Plan of the Comprehensive Plan identifies this as an appropriate area for medium-intensity retail, office or housing. The requested HC, Highway Commercial zoning is consistent with the recommendation. Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use Major Goal 4: Develop the community in a sustainable manner. Objective 4a, Increase density in activity centers and transit corridor.

Approval of this application will facilitate redevelopment of this property and promote infill development and increased intensity where investments have already been made in public services and infrastructure.

When combined with adjacent lots the request will be consistent with the depth of adjacent commercial zoning and uses that front along Kearney Street. Kearney Street is classified as a primary arterial roadway which is appropriate location of HC, Highway Commercial uses.

The standard development requirements in the HC, Highway Commercial District with the condition to combine lots, are adequate to mitigate any potential impacts of development of this property on adjacent residential properties.

Staff recommends approval of this request with the following conditions:

The subject property shall be combined into one tract of land for development with lots to the north (2346 and 2352 N. Fort Ave.) and if the above conditions are not met within one (1) year after City Council's approval, that approval is null and void and the zoning will remain R-SF, Single Family Residential District.

A traffic study was not warranted by Public Works Traffic Division since the rezoning from R-SF to HC on such a small lot will not generate a significant amount of additional traffic.

Mr. Baird opened the public hearing.

Mr. Jared Rasmussen, Olsson & Associates, 550 St. Louis Street, stated that the overall goal of this property is bring in conformity with properties to the east and west. Currently there is one property to the east that is still zoned residential. It fits will within the City's Comprehensive Plan. He doesn't anticipate anymore traffic to the overall area. Most traffic will probably go north towards Kearney Street and should not affect the neighborhood to the south.

Sharline Sutherland, 2326 N. Fort stated opposition due to the traffic. The Wendy's Restaurant on the corner already generates a lot of traffic due to customers coming in the back way from Kansas Expressway through High Street to Fort and also from Grant Street to High back way to Fort to access the Wendy's which is open until 1:00am in the morning and does cause extra noise.

Ms. Sutherland asked if they are planning on building something just along Fort Street or will that property also be combined with the property on East Kearney Street? There was a building, but they torn it down. If they do add more shopping or businesses, there will only be 6 houses left on that street between Turner and Kearney, which may hamper our property values, plus add more traffic, unless they agree not to have an access off of Fort to the new businesses being built.

Mr. Baird requests from Traffic if there is anything that would restrict them from combining these properties and accessing Fort given the width/length of Fort?

Ms. Gardner stated that when they combine the properties, Traffic can take a look at access then. But as far as zoning, since they are only rezoning this lot at this time, we cannot deny them access on just this lot.

Mr. Baird asks if this property cannot be developed separately from the other two properties.

Mr. Hosmer states that it is correct, they would want them all combined.

Mr. Fisk, current owner of the property, 2340 N. Fort, stated in favor of rezoning. He stated that most of the fast food restaurants go about 200' in depth/length. To the west of the property, there is a Wendy's, the east, there is a McDonald's and a lot of them have formats that they follow which require a 200' depth, in order to attract a national retailer to this property and to get someone who will have jobs and to use this property, they will need the 200'. They are going to buy it for the Kearney frontage, no one is going to build a business that faces Fort Street. I don't see an adverse traffic impact to this other than people who may visit the restaurant and then go back throughout the neighborhood.

Mr. Tim Havens, 2156 S. Prairie Lane. Stated again that the Commission does not follow the protocol and it is listed in the rules. It is supposed to be the staff presentation, then that fella should have gone next, then the lady should have been last person to speak. It says in that order, so I'm objecting to the fact that you don't follow the rules.

Mr. Baird stated, "Objection Noted"

Mr. Baird closed the public hearing.

COMMISSION ACTION:

Mr. Doennig motioned to approve Z-26-2015 (2340 North Fort Avenue). Mr. Shuler seconded the motion. The motion carried as follows: Ayes: Unanimously. Absent: Ray, Cox, and Edwards.

There being no further business, the meeting was adjourned at approximately 7:51pm.



Noted Agenda City Council Meeting

City Council Chambers
Historic City Hall, 830 Boonville

Robert Stephens, Mayor

Zone Councilmembers

Phyllis Ferguson, Zone 1
Justin Burnett, Zone 2
Mike Schilling, Zone 3
Craig Fishel, Zone 4

General Councilmembers

Jan Fisk, General A
Craig Hosmer, General B
Kristi Fulnecky, General C
Ken McClure, General D

Upcoming Council Meeting Agenda November 9, 2015 - 6:30 p.m.

Speakers must sign up with the City Clerk to speak to an issue on the agenda.
Speakers are to limit their remarks to three to five minutes.

Note: Sponsorship does not denote Council member approval or support.

ROLL CALL.

Approved as
Presented

APPROVAL OF MINUTES. October 26, 2015 and November 3, 2015

Approved as
Presented

FINALIZATION AND APPROVAL OF CONSENT AGENDAS. CITIZENS WISHING TO SPEAK TO OR REMOVE ITEMS FROM THE CONSENT AGENDAS MUST DO SO AT THIS TIME.

CEREMONIAL MATTERS.

Sworn-In

Swear in **Derek Lee** as an alternate to the Board of Adjustment.

CITY MANAGER REPORT AND RESPONSES TO QUESTIONS RAISED AT THE PREVIOUS CITY COUNCIL MEETING.

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

Persons addressing City Council are asked to step to the microphone and clearly state their name and address before speaking.

All meetings are recorded.

In accordance with ADA guidelines, if you need special accommodations when attending any City meeting, please notify the City Clerk's Office at 864 -1443 at least 3 days prior to the scheduled meeting.

6239

Council Bill 2015-281. (Fishel)

A general ordinance amending the Springfield City Code, Chapter 36, Land Development Code, Article III, Zoning Regulations, Section 36-306, Official Zoning Map and Rules of Interpretation, by rezoning approximately 4.93 acres of property generally located at 624 and 634 East Walnut Lawn Street, from R-TH, Residential Townhouse District, to R-LD, Low-Density Multi-Family Residential District; establishing Conditional Overlay District No. 100; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Luke Warmwater Construction, Inc.; 624 & 634 East Walnut Lawn St.; Z-34-2015 & Conditional Overlay District No. 100.)

6240

Council Bill 2015-282. (Schilling)

A general ordinance amending Section 1-9 of the Springfield City Code, City Limits, by annexing approximately .83 acres of Greene County right-of-way into the City of Springfield generally located in the 1800-1900 blocks of South Zimmer Avenue, generally referenced as Annexation A-7-15; and amending the Springfield City Code, Chapter 46, Section 46-1, Boundaries of wards, precincts and council zones, by adding this property to the ward and precinct assigned them by the County Clerk.

6241

Council Bill 2015-283. (Schilling)

A general ordinance amending Section 1-9 of the Springfield City Code, City Limits, by annexing approximately .5 acres of land to be used as right-of-way and 4.7 acres of land previously dedicated to the Missouri Department of Transportation (MoDot) and Greene County, Missouri as right-of-way located in the 3800-3900 block of West Sunshine Street into the City of Springfield, generally referred to as Annexation A-6-15; and amending Section 46-1 of the Springfield City Code, Boundaries of wards, precincts and council zones, by adding this property to the ward and precinct assigned by the County Clerk.

26656

Council Bill 2015-284. (Schilling)

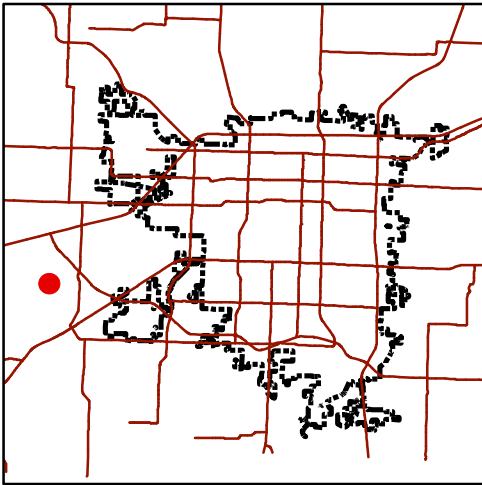
A special ordinance adopting the Redevelopment Plan and Blight Report for the Lantz 1124, LLC Redevelopment Area ("Area") generally located at 1124 and 1130 East Elm Street, and declaring the Area to be a blighted area, and its redevelopment necessary for the preservation of the public peace, prosperity, health, safety, morals, and welfare. (The Planning and Zoning Commission and the Land Clearance for Redevelopment Authority recommend approval. Staff recommends denial.)

26657

Council Bill 2015-285. (McClure)

A special ordinance authorizing the City Manager, or his designee, to apply for and accept a State Revolving Fund (SRF) loan up to \$17,000,000 from the Missouri Department of Natural Resources (MDNR), for the purpose of funding wastewater infrastructure projects required by the Amended Consent Judgment (ACJ) and the approved Overflow Control Plan (OCP). (Staff recommends approval.)

RESOLUTIONS. Citizens May Speak. May Be Voted On.



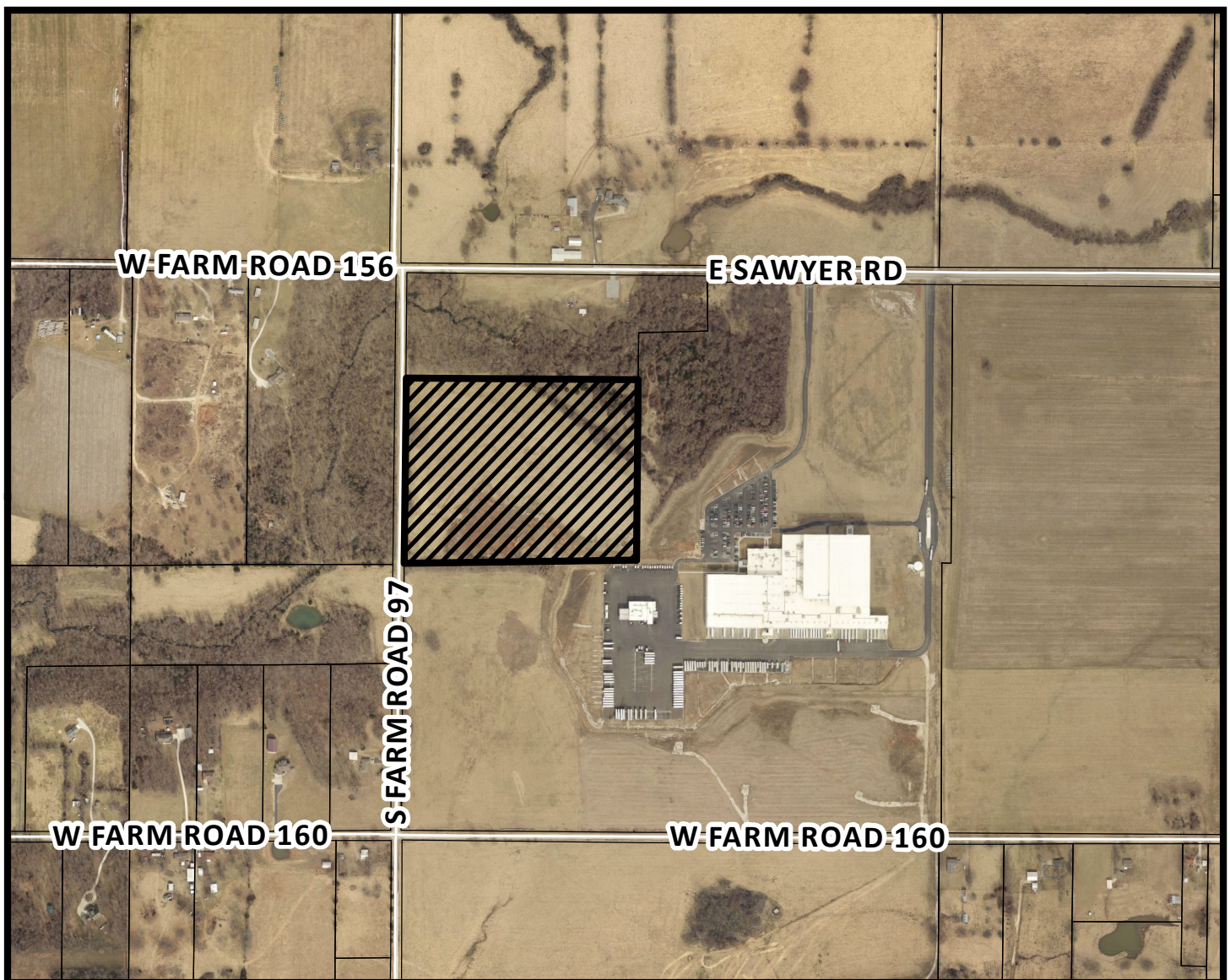
Development Review Staff Report

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

Request to Acquire 515

LOCATION: 2800 block South Farm Road 97, east-side

LOCATION SKETCH



- Area of Proposal

0 250 500 1,000 1,500
Feet

1 inch = 800 feet

DEVELOPMENT REVIEW STAFF REPORT
REQUEST TO ACQUIRE NUMBER 515

PURPOSE: To approve the acquisition of property by City Utilities

REPORT DATE: November 23, 2015

BACKGROUND:

LOCATION: 2800 Block S. Farm Road 97, east-side

APPLICANT: City Utilities of Springfield

TRACT SIZE: Approximately 23.95 acres

EXISTING USES: Undeveloped

RECOMMENDATION:

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

FINDINGS:

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

STAFF CONTACT PERSON:

Michael Sparlin
Senior Planner

ATTACHMENT 1
REQUEST TO ACQUIRE NUMBER 515

APPLICANT'S PROPOSAL:

City Utilities proposes to acquire a property located in the 2800 block of South Farm Road 97. The purpose of the acquisition proposal is for future construction of an electric transmission corridor in the western service area and locating a substation in order to meet infrastructure needs. This will maintain City Utilities reliability and future customer growth and economic development.

PLANNING AND ZONING COMMISSION REVIEW:

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

COMPREHENSIVE PLAN:

The subject property is located in Republic City Limits. The Growth Management and Land Use Comprehensive Plan designates this area directly adjacent to the Urban Reserve Area and recommends to plan for the eventual development of urban public facilities and acquire land needed to accommodate these facilities. The proposed use is generally consistent with the *Comprehensive Plan*.

STAFF COMMENTS:

1. Approval of this request is consistent with the Growth Management and Land Use Plan of the Comprehensive Plan which identifies this as an appropriate area to plan for and acquire land for the eventual development of urban facilities, such as utilities.
2. Approval will allow for the productive use of the property by extending reliable public utilities to this area and plan for future customer growth.
3. The following language from Article XI, Section 11.7.3, of the City Charter sets forth the Planning and Zoning Commission's function regarding the acquisition of property and the process for appeal of such decision:

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

In case of disapproval, the commission shall communicate its reasons to the city council, and the city council, by vote of not less than two-thirds of its entire membership, may overrule the disapproval and, upon the overruling, the city council or the appropriate board or officer may proceed, except that if the proposal is by an agency other than an agency of the city and the authorization or financing does not fall within the province of the city council, then the submission to the planning commission shall be by the agency having jurisdiction, and the planning commission's disapproval may be overruled by that agency by a vote of not less than two-thirds of its entire membership."

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

ATTACHMENT 2
REQUEST TO ACQUIRE NUMBER 515
LAND ACQUISITION POLICY

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

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

RESPONSE:

The proposed use of this property is generally consistent with the "Master Plan of the City", and will provide public utilities to meet customer growth and demand.

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

RESPONSE:

The property is currently undeveloped and provisions for mitigating any adverse will be addressed which will include a solid fence and a standard buffer area around the constructed facilities.

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

RESPONSE:

No structures exist on the property.

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

RESPONSE: *See Response to #3.*

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

RESPONSE:

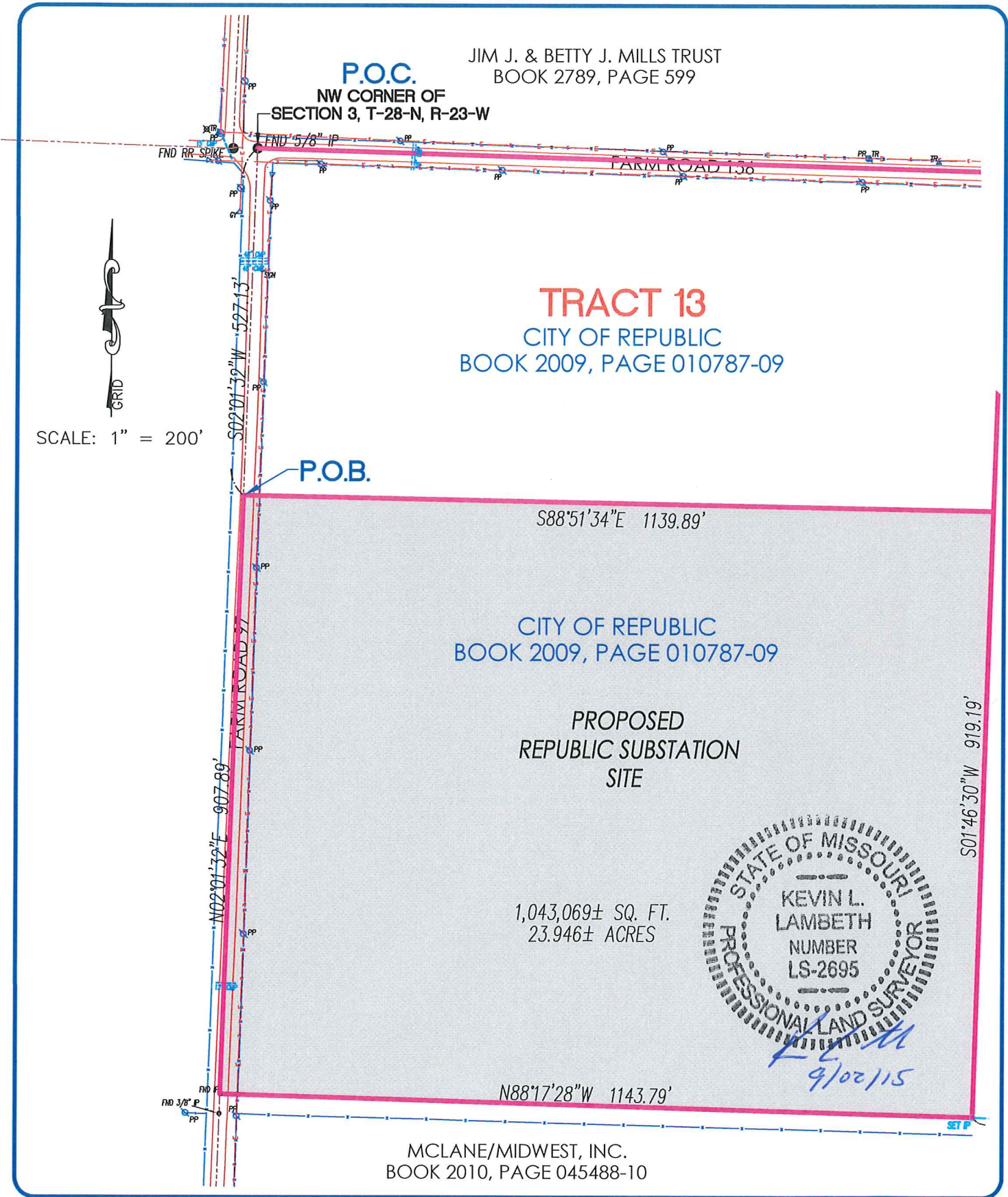
See Response to #3.

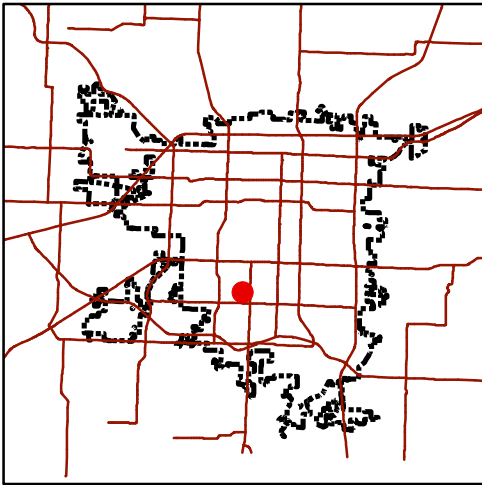
BEING A PART OF A TRACT OF LAND AS LYING IN LOT 2 OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 3, TOWNSHIP 28 NORTH, RANGE 23 WEST OF THE FIFTH PRINCIPAL MERIDIAN AS DESCRIBED IN THE GREENE COUNTY, MISSOURI RECORDER'S OFFICE IN BOOK 2009, PAGE 010787-09 AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 3, TOWNSHIP 28 NORTH, RANGE 23 WEST; THENCE ALONG THE WEST LINE OF SECTION 3, SOUTH 02°01'32" WEST, 527.13 FEET TO THE POINT OF BEGINNING; THENCE LEAVING SAID WEST LINE, SOUTH 88°51'34" EAST, 1139.89 FEET; THENCE SOUTH 01°46'30" WEST, 919.19 FEET; THENCE NORTH 88°17'28" WEST, 1143.79 FEET TO A POINT LYING ON THE AFOREMENTIONED WEST LINE OF LOT 2 OF THE NORTHWEST FRACTIONAL QUARTER OF SAID SECTION 3; THENCE ALONG SAID WEST LINE, NORTH 02°01'32" EAST, 907.89 FEET TO THE POINT OF BEGINNING. CONTAINING 23.946 ACRES, MORE OR LESS. ALL LYING IN THE FRACTIONAL NORTH WEST QUARTER OF SECTION 3, TOWNSHIP 28 NORTH, RANGE 23 WEST IN GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983 CENTRAL ZONE. DATE OF ADJUSTMENT 2000.



FL
9/02/15





Development Review Staff Report

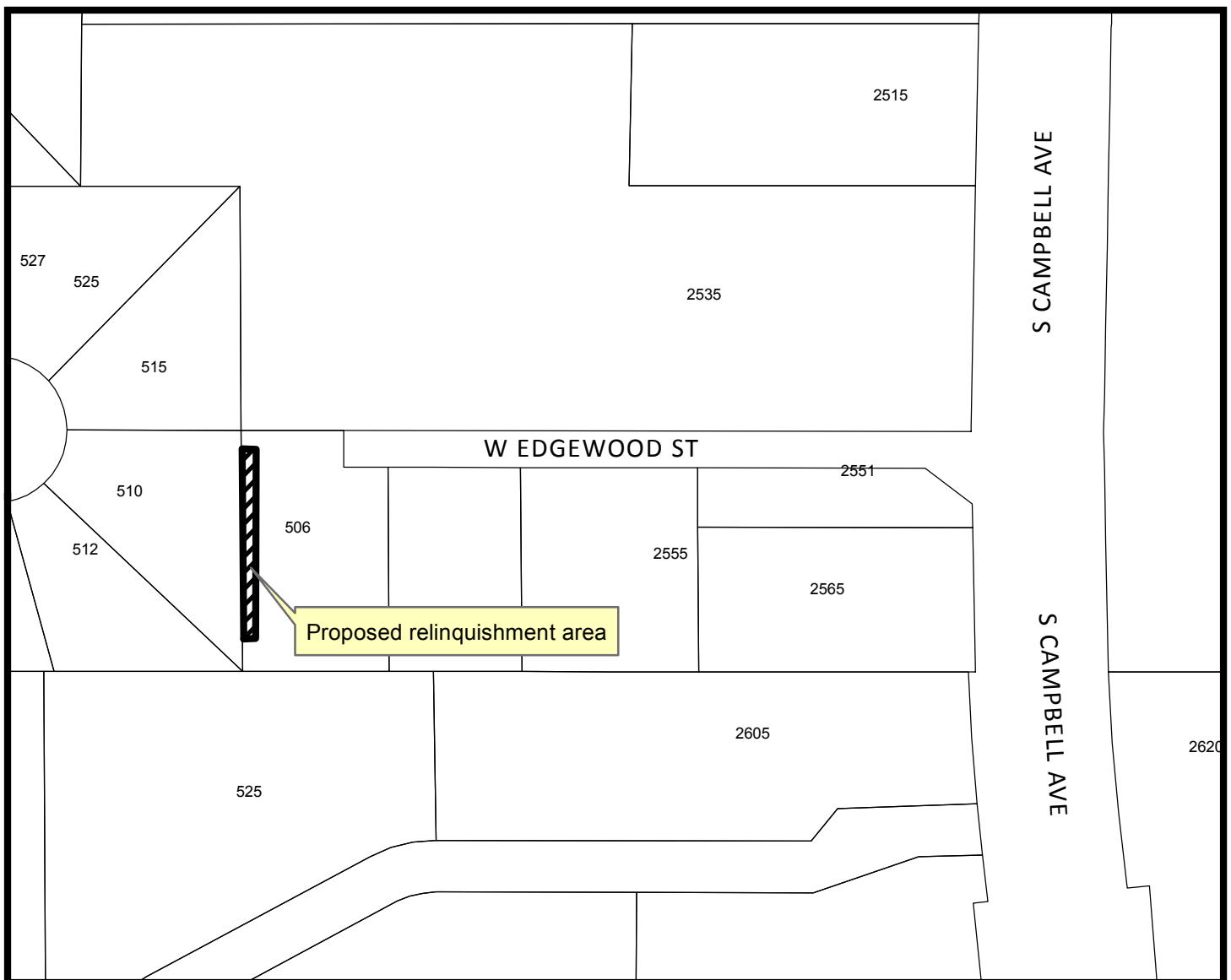
*Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802*

Relinquish Easement 828

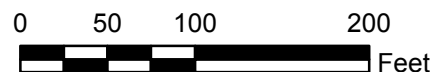
LOCATION: 506 West Edgewood Street

CURRENT ZONING: GR, General Retail

LOCATION SKETCH



- Area of Proposal



1 inch = 110 feet

DEVELOPMENT REVIEW STAFF REPORT
REQUEST TO RELINQUISH EASEMENT NUMBER 828

PURPOSE: To relinquish a utility and sewer easement

REPORT DATE: November 17, 2015

LOCATION: 506 West Edgewood Street

APPLICANT: Mark Hunter, LLC

RECOMMENDATION:

The request be **approved**.

FINDING:

The request meets the approval criteria listed in Attachment B.

STAFF CONTACT PERSON:

Michael G. Sparlin
Senior Planner

Attachment A: Background report
Attachment B: Approval criteria
Exhibit 1: Legal description
Exhibit 2: Drawing

ATTACHMENT A
RELINQUISH EASEMENT NO. 828
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish a utility easement to facilitate the development of the site as a Self-Service Storage facility. The easement will be in conflict with the proposed building.

CITY UTILITIES COMMENTS:

No objection to relinquishment.

AT&T COMMENTS:

No objections to relinquishment.

MEDIACOM COMMENTS:

No objections to relinquishment.

CLEAN WATER SERVICES COMMENTS:

No objections to relinquishment. There is no public sewer in the area indicated.

STORMWATER COMMENTS:

No objections to relinquishment.

STAFF COMMENTS:

1. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect public utilities.
2. The applicant is requesting to relinquish a utility and sewer easement to facilitate the development of the site. This portion of easement is no longer needed to serve utilities to the site. The easement to be relinquished will be in conflict with a building proposed to be constructed.
3. A request for Conditional Use Permit application has been submitted for a Self-Service Storage Facility and is currently pending approval by City Council.
4. No one has objected to this request to date.

ATTACHMENT B
RELINQUISH EASEMENT NO. 828
APPROVAL CRITERIA

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

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

STAFF RESPONSE:

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

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

STAFF RESPONSE:

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

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

STAFF RESPONSE:

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

RELINQUISH EASEMENT NO. 828
EXHIBIT 1

EASEMENT TO BE RELINQUISHED

ALL OF THE WEST 10 FEET, EXCEPT THE NORTH 15 FEET AND THE SOUTH 25 FEET OF SAID WEST 10 FEET, OF LOT 13, TOWNSHIP LINE, A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, THAT IS MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT AN EXISTING SURVEY MONUMENT (5/8" IRON REBAR CAPPED "124D") MARKING THE NORTHWEST CORNER OF LOT 13 OF TOWNSHIP LINE, A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, THENCE S01°05'15"W, ALONG THE WEST LINE OF SAID LOT 13, A DISTANCE OF 15.00 FEET TO A POINT FOR A POINT OF BEGINNING; THENCE LEAVING SAID WEST LINE, S88°46'24"E, ALONG A 15' UTILITY EASEMENT AS SHOWN ON THE FINAL PLAT OF TOWNSHIP LINE, A DISTANCE OF 10.00 FEET TO A POINT; THENCE LEAVING SAID PLATTED EASEMENT LINE AND PARALLEL WITH THE WEST LINE OF SAID LOT 13, S01°05'15"W, A DISTANCE OF 125.38 FEET TO A POINT ON A 25' DRAINAGE & SANITARY SEWER EASEMENT AS SHOWN ON THE FINAL PLAT OF TOWNSHIP LINE; THENCE ALONG LAST SAID PLATTED EASEMENT LINE, N88°40'23"W, A DISTANCE OF 10.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 13; THENCE ALONG THE WEST LINE OF SAID LOT 13, N01°05'15"E, A DISTANCE OF 125.36 FEET TO THE POINT OF BEGINNING.

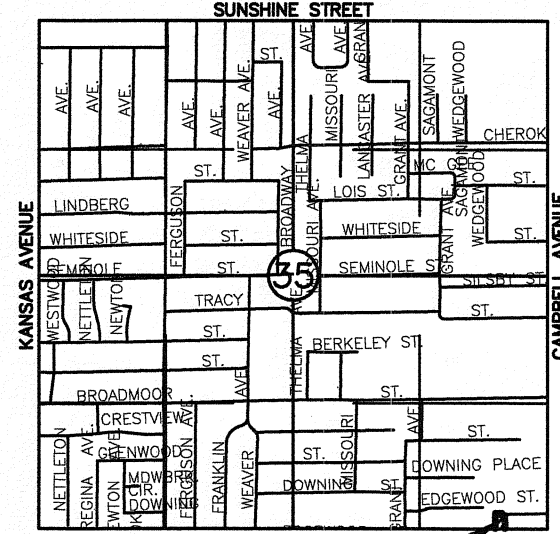
ALL BEING IN LOT 13, TOWNSHIP LINE, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI AND CONTAINING 1,254 SQ. FT. (0.03 ACRES).

THE SURVEY SHOWN HEREON WAS PERFORMED TO MEET OR EXCEED THE REQUIREMENTS OF MISSOURI MINIMUM STANDARDS FOR URBAN CLASS PROPERTY.

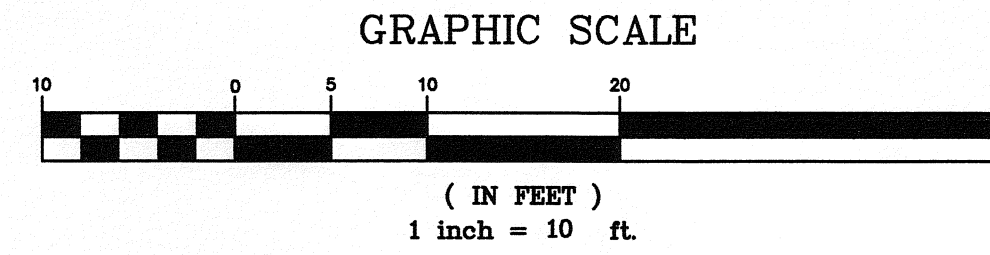
THE PROPERTY SHOWN HEREON LIES IN A FLOOD ZONE X ACCORDING TO FLOOD INSURANCE MAP 29077C0341E, EFFECTIVE DECEMBER 17, 2010.

EXHIBIT FOR EASEMENT RELINQUISHMENT

GRID NORTH
MISSOURI STATE
PLANE,
CENTRAL ZONE
NAD83



LOCATION MAP
SECTION 35
TOWNSHIP 29 RANGE 22
APPROX. SCALE: 1"=2000'



NOTE
LOCATION OF FLOODZONE AE IS APPROXIMATE AS SHOWN ON FEMA FIRM MAP 29077C0341E.

SOURCE OF TITLE
BOOK 2012 PAGE 35801-12

RESOURCE MATERIALS USED FOR BOUNDARY DETERMINATION

TOWNSHIP LINE
FINAL PLAT
SURVEY BY AMSINGER SURVEYING INC.
DATED SEPTEMBER 30, 2012
REVISED ON JANUARY 28, 2013

GRACE ADDITION
FINAL PLAT
DEEDS AS SHOWN

- LEGEND**
- EXISTING IRON PIN EXCEPT AS NOTED
 - CROSSCUT IN CONCRETE
 - TELEPHONE RISER
 - POWER POLE
 - BENCHMARK
 - ANCHOR
 - LIGHT POLE
 - WATER METER
 - SEWER MANHOLE
 - DECIDUOUS TREE
 - SURFACE WATER FLOWLINE
 - ELECTRIC LINE
 - SANITARY SEWER LINE
 - GAS LINE
 - WATER LINE
 - ASPHALT
 - CONCRETE
 - FLOODZONE AE
 - PROPOSED RELINQUISHMENT

THE AREA SHOWN HEREON IS NOT LOCATED IN A STORM SEWER DISTRICT AS OF THE DATE OF RECORDING AND MAY BE SUBJECT TO FUTURE ASSESSMENT COST IF INCLUDED IN FUTURE STORM WATER BENEFIT DISTRICT DEEMED NECESSARY RESULTING FROM PROBLEMS CREATED BY SURFACE WATER RUN-OFF. THIS IS DUE TO THE FACT THAT THE SURFACE WATER RUN-OFF IS PRESENTLY BEING ACCOMMODATED BY STREET AND OPEN DRAINAGE FACILITIES.

MAINTENANCE OF ANY AREA REFERRED TO AS DRAINAGE EASEMENT OR DRAINAGE DETENTION IS THE RESPONSIBILITY OF THE PROPERTY OWNER.

EASEMENT TO BE RELINQUISHED

ALL OF THE WEST 10 FEET, EXCEPT THE NORTH 15 FEET AND THE SOUTH 25 FEET OF SAID WEST 10 FEET, OF LOT 13, TOWNSHIP LINE, A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, THAT IS MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT AN EXISTING SURVEY MONUMENT (5/8" IRON REBAR CAPPED "1240") MARKING THE NORTHWEST CORNER OF LOT 13 OF TOWNSHIP LINE, A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, THENCE S01°05'15"W, ALONG THE WEST LINE OF SAID LOT 13, A DISTANCE OF 15.00 FEET TO A POINT FOR A POINT OF BEGINNING; THENCE LEAVING SAID WEST LINE, S88°46'24"E, ALONG A 15' UTILITY EASEMENT AS SHOWN ON THE FINAL PLAT OF TOWNSHIP LINE, A DISTANCE OF 10.00 FEET TO A POINT; THENCE LEAVING SAID PLATTED EASEMENT LINE AND PARALLEL WITH THE WEST LINE OF SAID LOT 13, S01°05'15"W, A DISTANCE OF 125.36 FEET TO A POINT ON A 25' DRAINAGE & SANITARY SEWER EASEMENT AS SHOWN ON THE FINAL PLAT OF TOWNSHIP LINE; THENCE ALONG LAST SAID PLATTED EASEMENT LINE, N88°40'23"W, A DISTANCE OF 10.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 13; THENCE ALONG THE WEST LINE OF SAID LOT 13, N01°05'15"E, A DISTANCE OF 125.36 FEET TO THE POINT OF BEGINNING. ALL BEING IN LOT 13, TOWNSHIP LINE, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI AND CONTAINING 1,254 SQ. FT. (0.03 ACRES).

PROPERTY DESCRIPTION

LOT THIRTEEN (13) AND THE WEST ONE-HALF (W1/2) OF LOT FOURTEEN (14), TOWNSHIP LINE, A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

SUBJECT TO ANY EASEMENTS OF RECORD, EXCEPT ANY PART THEREOF TAKEN OR USED FOR ROAD OR HIGHWAY PURPOSES.

DECLARATION

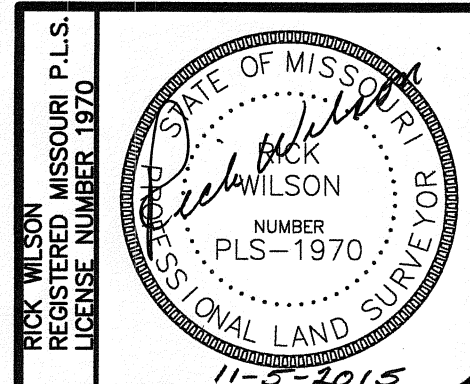
WILSON SURVEYING CO. INC., HEREBY DECLARES TO MARK HUNTER:

THE INFORMATION CONTAINED HEREON IS BASED ON AN ACTUAL SURVEY OF THE LAND DESCRIBED ABOVE, WHICH WAS PERFORMED TO THE BEST OF CORPORATE KNOWLEDGE AND BELIEF IN ACCORDANCE WITH THE MINIMUM STANDARDS FOR PROFESSIONAL SURVEYS AS PROMULGATED FOR THE STATE OF MISSOURI BY THE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS; AND THE MISSOURI DEPARTMENT OF AGRICULTURE; AND BASED ON INFORMATION PROVIDED BY MARK HUNTER.

MONUMENTS AND PINS SHOWN AS SET WERE PLACED UNDER MY PERSONAL SUPERVISION.

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

AREA
0.36 ACRES
15,528 SQ. FT.



WILSON SURVEYING CO., INC. L.C. 2670
BY RICK WILSON, P.L.S. 1970

PRINTS ISSUED	DATE

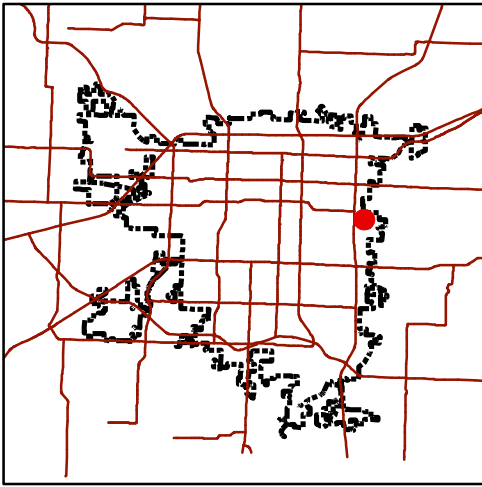
ISSUED FOR CONSTRUCTION
DATE:

REVISION DATE	MR.
ESMT TO BE RING, NOVEMBER 5, 2015	MSB

WILSON SURVEYING CO. INC.
Surveying / Engineering / Land Planning
2012 S STEWART AVENUE 65804
SPRINGFIELD, MO.
TELE: (417)522-7870 FAX: (417)522-7874
EMAIL: RICK.WILSON@WILSONSURVEYING.COM

PREPARED FOR
MARK HUNTER
506 W EDGEWOOD STREET
SPRINGFIELD, MISSOURI

DRAWN BY	MSB
CREW CHIEF	GAD
CHECKED	RW
DATE	SEPTEMBER 15, 2015
SCALE	1"=10'
JOB NO.	14229
DRAWING NO.	WD-104-923
SHEET	1 OF 1 SHEETS

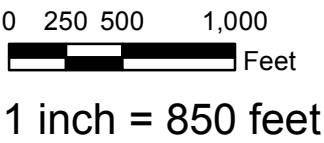
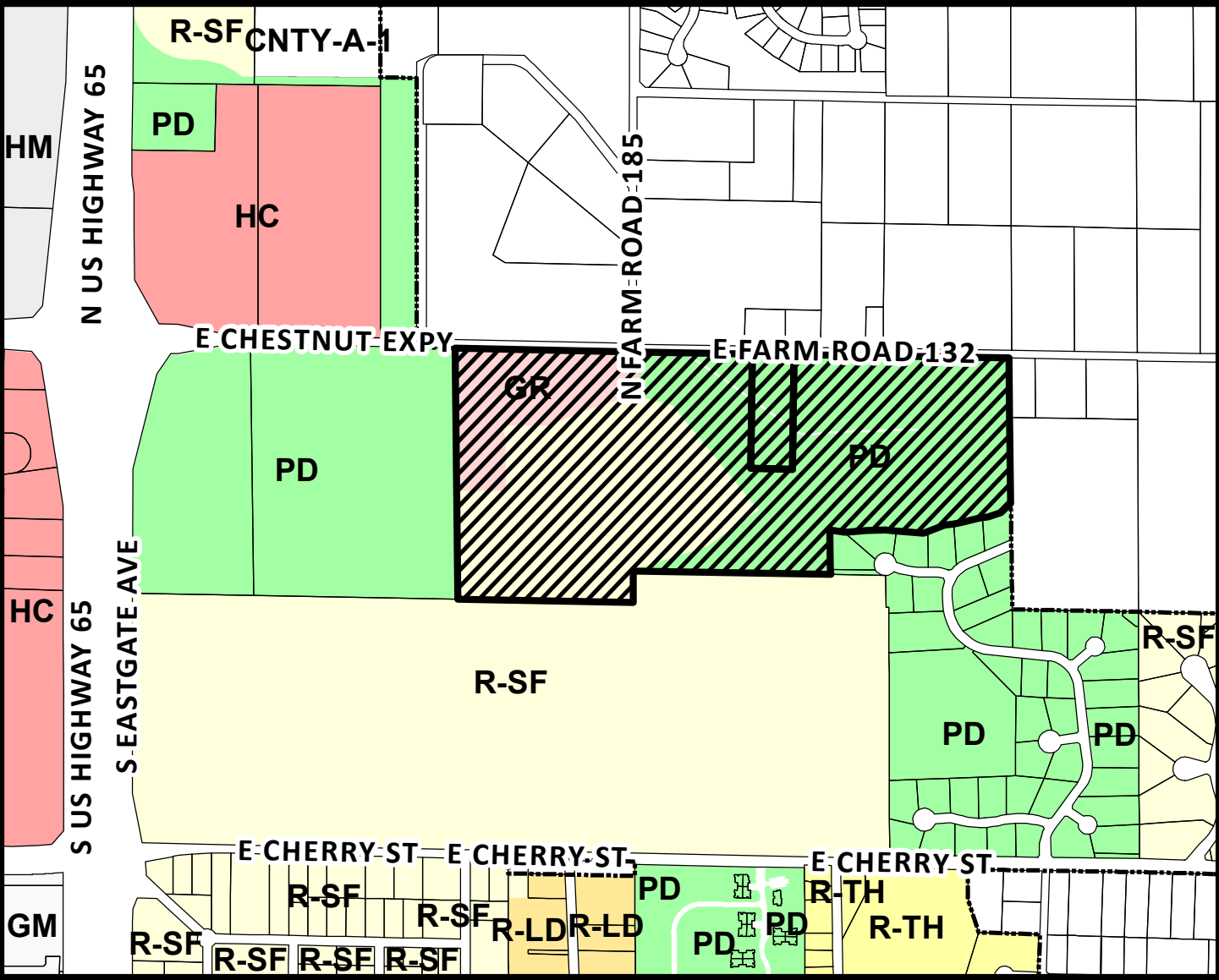


Development Review Staff Report

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

Subdivision Variance 352
LOCATION: 3800 East Farm Road 132

LOCATION SKETCH



DEVELOPMENT REVIEW STAFF REPORT
SUBDIVISION VARIANCE NUMBER 352

PURPOSE: The applicant is requesting a variance from Section 403 (15) of the Subdivision Regulations, which requires street grades to be accordance with the specifications set forth in the City of Springfield Design Standards for Public Improvements.

REPORT DATE: February 24, 2015

LOCATION: 3800 East Farm Road 132

APPLICANT: Hickory Land Co. LLC

TRACT SIZE: Approximately 76.32

EXISTING USE: Undeveloped land and single family home

PROPOSED USE: One-hundred-seven (107) lot residential and commercial subdivision

FINDINGS:

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

RECOMMENDATION:

Staff recommends the Subdivision Variance be **approved** to allow a variance from the City of Springfield Standards for Public Improvements, Street Grades.

STAFF CONTACT PERSON:

Michael Sparlin
Senior Planner
864-1091

Attachment A – Staff Background Report

Attachment B – Approval Criteria

Attachment C - Legal Description

ATTACHMENT A
BACKGROUND REPORT
SUBDIVISION VARIANCE NUMBER 352

APPLICANT'S PROPOSAL:

The applicant is requesting a subdivision variance from Section 403(15) of the Subdivision Regulations which requires street grades to be in accordance with specifications set forth in the City of Springfield Design Standards for Public Improvements (8.1.3.7 Intersections. Intersections shall be approached on all sides by leveling areas. Where the approach grade for either or both streets exceed 3 percent, the leveling area shall be a minimum length of 100 feet measured from the intersection of the edge of gutter flag or edge of road, within which no grade shall exceed a maximum of 3 percent). The variance is requested on the leveling area on all internal street intersections.

TRAFFIC ENGINEERING COMMENTS:

The applicant is proposing a reduction in the 100 foot requirement to 30 feet. This is similar to what was approved in a variance request for Phase 1 of this same subdivision. Staff supports the request due to the limitations of the existing topography and because the proposed variances will not adversely affect safety due to the low volume of traffic and speeds on the private streets in this proposed neighborhood.

STAFF COMMENTS:

1. Staff supports the request due to the limitations of the existing topography and because the proposed variances will not adversely affect safety due to the low volume of traffic and speeds on the private streets in this proposed neighborhood (see applicant's response in Attachment B)
2. The subdivision variance will facilitate the development of Hickory Hills Phase II which was approved in March 2015 (Special Ordinance No. 26530).

ATTACHMENT B
APPROVAL CRITERIA
SUBDIVISION VARIANCE NUMBER 352

Section 106 of the Subdivision Regulations states in part:

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

1. There are special and unusual circumstances affecting said property such that the strict application of the provisions of this Article would deprive the owner of the reasonable use of his land and is not the mere granting of a privilege;

APPLICANT'S RESPONSE:

The natural relief of the property would create large cuts and fills if the leveling area with 3% maximum was provided. Access to the adjoining lots from the streets would be extremely steep, virtually rendering them unusable.

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

APPLICANT'S RESPONSE:

3% maximum grade at the intersections would not allow reasonable access to the adjacent lots and would not allow the property owner full access to the street system.

3. The granting of the variance would not be detrimental to the public safety, convenience or welfare or be injurious to other property in the vicinity.

APPLICANT'S RESPONSE:

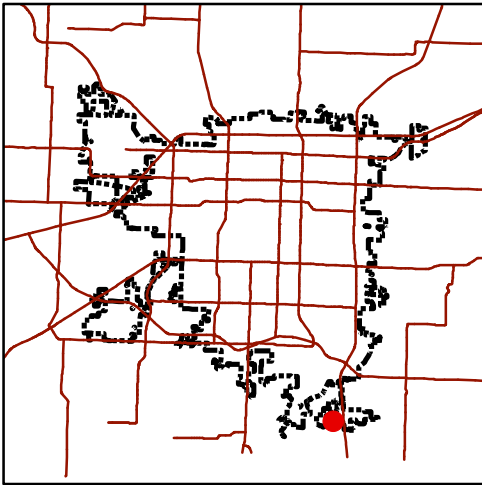
The variance would not be detrimental to the public due to the extremely low volume of internal private street system.

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

ATTACHMENT C
LEGAL DESCRIPTION
SUBDIVISION VARIANCE NUMBER 352

A TRACT OF LAND AS LYING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER AND ALSO LYING IN THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 29 NORTH , RANGE 21 WEST, AS DESCRIBED IN THE GREENE COUNTY, MISSOURI RECORDER'S OFFICE IN BOOK 2010, PAGE 003600-10, AND SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 22, TOWNSHIP 29 NORTH, RANGE 21 WEST; THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 22, SOUTH 87°23'48" EAST, 1695.92 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING, SOUTH 87°23'48" EAST, 939.15 FEET TO A POINT LYING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 29 NORTH, RANGE 21 WEST; THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 22, SOUTH 87°46'50" EAST, 1980.37 FEET; THENCE LEAVING SAID NORTH LINE, SOUTH 01°05'37" WEST, 784.35 FEET TO A POINT LYING ON THE NORTH LINE OF HICKORY HILLS PHASE 1 AS DESCRIBED IN PLAT BOOK AAA AT PAGE 100; THENCE ALONG THE NORTH LINE OF HICKORY HILLS PHASE 1 THE FOLLOWING COURSES, SOUTH 51°14'54" WEST, 73.41 FEET; THENCE SOUTH 70°49'46" WEST, 70.88 FEET; THENCE SOUTH 84°43'03" WEST, 57.71 FEET; THENCE SOUTH 76°18'48" WEST, 79.98 FEET; THENCE SOUTH 81°44'11" WEST, 92.07 FEET; THENCE SOUTH 71°30'16" WEST, 116.43 FEET; THENCE NORTH 84°00'18" WEST, 204.21 FEET; THENCE NORTH 89°53'42" WEST, 93.91 FEET; THENCE SOUTH 85°40'51" WEST, 101.10 FEET; THENCE NORTH 80°08'54" WEST, 94.39 FEET TO A POINT LYING ON THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 29 NORTH, RANGE 21 WEST; THENCE ALONG SAID WEST LINE, SOUTH 00°16'08" WEST, 236.49 FEET; THENCE LEAVING SAID WEST LINE, NORTH 87°36'02" WEST, 1035.74 FEET; THENCE SOUTH 01°09'57" WEST, 164.94 FEET TO A POINT LYING ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 22; THENCE ALONG SAID SOUTH LINE, NORTH 87°36'02" WEST, 941.85 FEET; THENCE LEAVING SAID SOUTH LINE, NORTH 01°17'06" EAST, 1336.08 FEET TO THE POINT OF BEGINNING. ALL LYING IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER AND ALSO LYING IN THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 29 NORTH, RANGE 21 WEST, IN GREENE COUNTY, MISSOURI. CONTAINING 76.32 ACRES, MORE OR LESS. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE. SUBJECT TO ALL EASEMENTS, COVENANTS, RESERVATIONS AND RESTRICTIONS OF RECORD. CONDITIONS AND MONUMENT ARE AS SHOWN ON ANDERSON ENGINEERING, INC. DRAWING NUMBER WB 110-242.



Development Review Staff Report

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

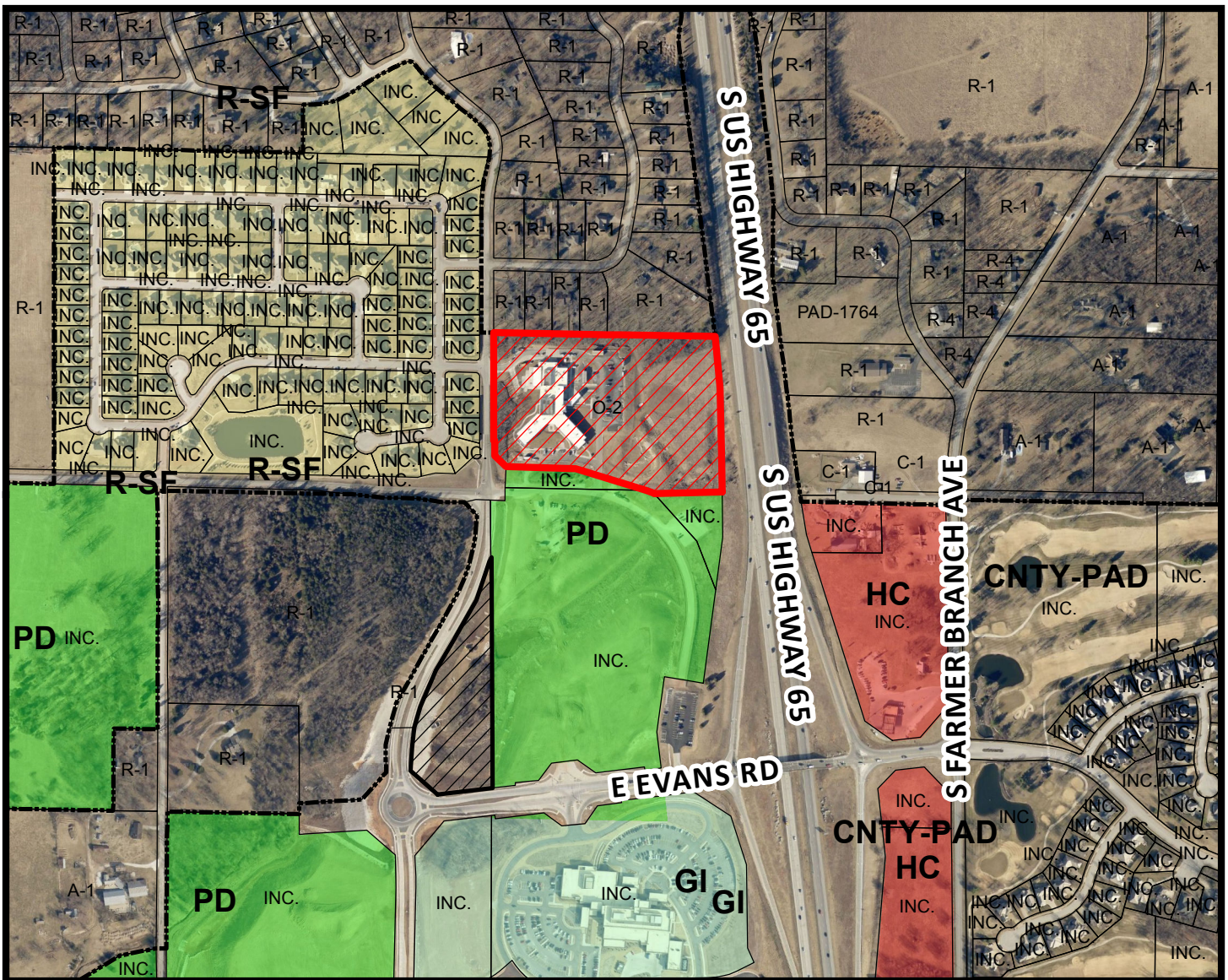
Z-35-2015 Conditional Overlay District No. 101

LOCATION: 5904 South Southwood Ave

CURRENT ZONING: Greene Co O-2, Office District

PROPOSED ZONING: City GI, Governmental and Institutional Use District with COD# 101

LOCATION SKETCH



- Area of Proposal

010200 400

Feet

1 inch = 650.062657 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-35-2015 CONDITIONAL OVERLAY DISTRICT NO. 101

PURPOSE: To rezone approximately 12 acres of property generally located at 5904 South Southwood Avenue from a Greene County O-2, Office District to a City GI, Governmental and Institutional Use District with a Conditional Overlay District No. 101.

REPORT DATE: October 22, 2015

LOCATION: 5904 South Southwood Avenue

APPLICANT: City of Springfield for Mercy's Rehabilitation Hospital

TRACT SIZE: Approximately 12 acres

EXISTING USE: Mercy's Rehabilitation Hospital

PROPOSED USE: Hospital Use

FINDINGS FOR STAFF RECOMMENDATION:

1. The subject property is located at the intersection of Southwood Road which is classified a collector roadway and Evans Road which is classified as a secondary arterial roadway. Hospital uses are an appropriate land use along these types of roadways.
2. The proposed GI, zoning is consistent with the recommendations of the *Comprehensive Plan* to locate low volume office/ institutional developments along collector or higher classified roadways and as transitions and buffers between higher intensity uses and residential developments.
3. The requested GI, zoning is consistent and compatible with the existing Greene County O-2 district.

RECOMMENDATION:

Staff recommends approval of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	County R-1	Single family homes
East	Right-of-way	Highway 65
South	PD mixed use	vacant
West	R-SF	Single family homes

HISTORY:

The City Council on July 13, 2015 to annex the subject property into the City limits of Springfield. The City's policy is to match to Greene County zoning districts as close to as possible to City zoning districts. The rezoning of the subject property from O-2, Office District to a GI, Governmental and Institutional Use District is consistent since the O-2 District allows for hospital uses.

COMPREHENSIVE PLAN:

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

STAFF COMMENTS:

1. The subject property is located along Southwood Road, a collector roadway, and Evans Road which is classified as a secondary arterial roadway. Approval of GI zoning at this location is consistent and compatible with the existing hospital use which was constructed in the County. The zoning and development along the east side of Southwood Road provides for a transition between Highway 65 and the residential uses.
2. The rezoning if approved would have to comply with *Section 36-401, Governmental and Institutional Use District* of the Zoning Ordinance, Conditional Overlay District and any other applicable city codes.
3. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on October 14, 2015 regarding the request for GI District zoning. A summary of the meeting is attached (Attachment 2).

PUBLIC COMMENTS:

The property was posted by the applicant on October 14, 2015 at least 10 days prior to the public hearing. The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet. Thirteen (13) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. Staff has not received any comments.

CITY COUNCIL MEETING:

January 11, 2016

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner
864-1834

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-35-2015 CONDITIONAL OVERLAY DISTRICT NO. 101

BUILDING DEVELOPMENT SERVICES COMMENTS:

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

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

1. Traffic does not have any problems with the direct translation zoning

STORMWATER COMMENTS:

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

1. The proposed percent of impervious surfacing must not exceed the maximum impervious surfacing allowed for site by zoning, platting, and/or previous stormwater reports.
2. Any increase in impervious area will require the development to meet current detention and water quality requirements.
3. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or a drainage easement.
4. Based upon City data, there is a significant amount of offsite concentrated stormwater crossing the subject property. Although stormwater detention and water quality do not have to be provided for these flows, public improvement plans will be required to convey these flows across the subject property. Drainage easements must be provided for this conveyance.
5. Must obtain MoDOT approval to discharge stormwater onto MoDOT right of way.
6. Must obtain Greene County approval to discharge stormwater onto Greene County right of way.

CLEAN WATER SERVICES COMMENTS:

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

CITY UTILITIES:

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

NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: R-1 and O-2 to R-SF and GI, with COD
(existing zoning) (proposed zoning)
2. Meeting Date & Time: October 14, 2014
3. Meeting Location: Mercy Hospital
4. Number of invitations that were sent: 68
5. How was the mailing list generated: Greene County
6. Number of neighbors in attendance (attach a sign-in sheet): 1
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.)

Inquire about property request

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

none

September 23, 2015

RE: Rezoning of property at 5904 South Southwood Avenue (Mercy Rehabilitation Hospital) and vacant property in the 6000-6100 Block of South Southwood Avenue (see attached map)

Dear Property Owner:

The City has recently annexed these properties and intends on rezoning the Mercy Rehabilitation Hospital property from a Greene County O-2, Office District to a GI, Governmental and Institutional Use District with a Conditional Overlay District restricting the property to a hospital use only. The property in the 6000-6100 block of South Southwood Avenue is proposed to be rezoned from a Greene County R-1 District to a City R-SF, Single Family Residential District (see map).

The City of Springfield will be conducting a neighborhood meeting to discuss the proposed zoning changes.

Date: October 14, 2015

Time: 4:00 PM to 6:30 PM

Location: Conference Room "A" (the first door to the right of the Cafe') at the Mercy Orthopedic Hospital located at 3050 East Riverbluff Blvd.

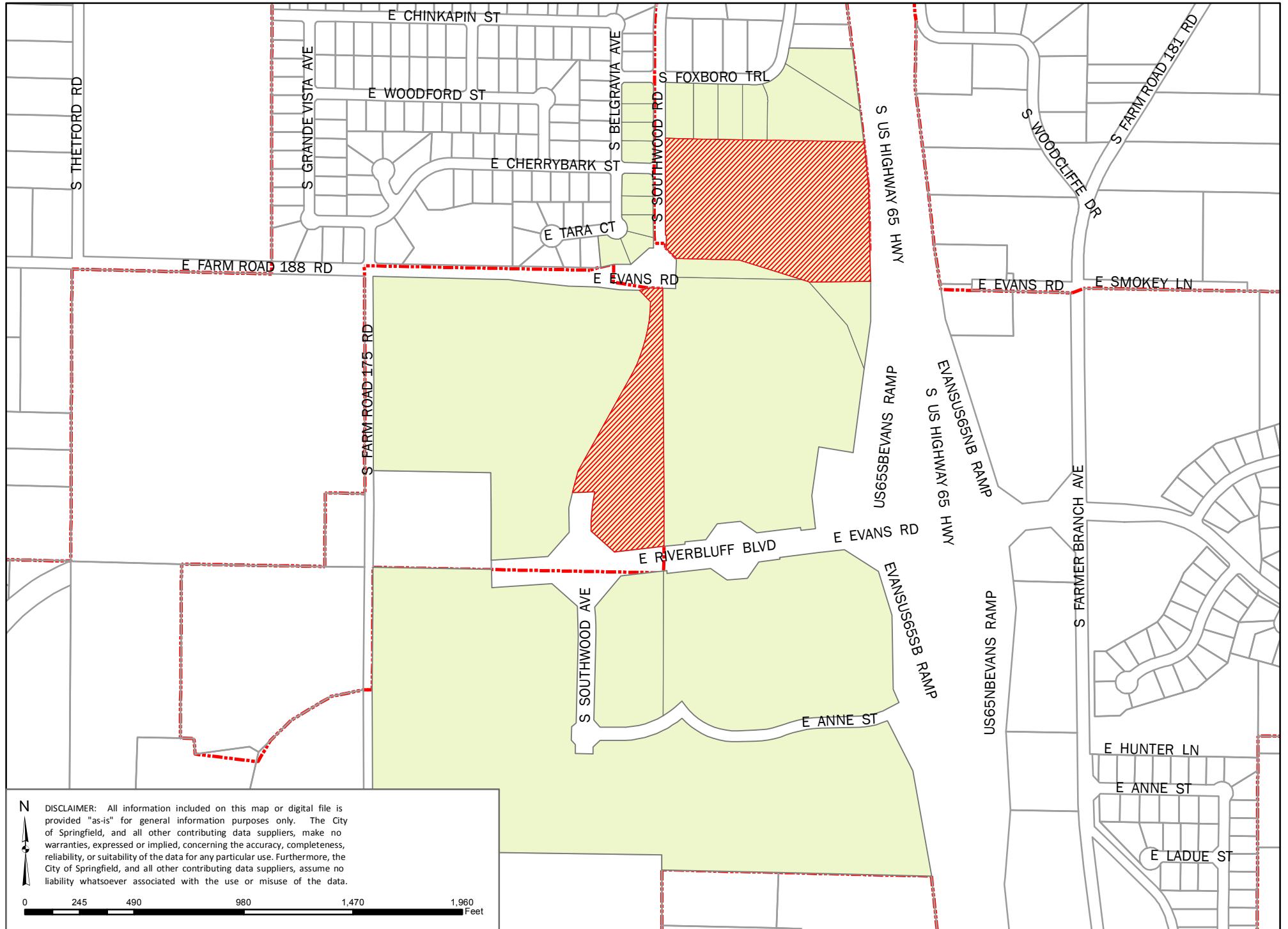
City Staff will be present to answer any questions you may have concerning this proposed rezoning. If you have any questions prior to this meeting, please contact our office at (417) 864-1834.

Cordially,



Bob Hosmer, AICP
Principal Planner

185 foot mailing list



ATTACHMENT 3
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-35-2015 & CONDITIONAL OVERLAY DISTRICT NO. 101

The requirements of Section 36-401 of the Springfield Zoning Ordinance shall be modified herein for development within this district.

Permitted uses

1. Accessory uses, as permitted by section 36-450, accessory structures and uses.
2. Hospitals with ambulance services as accessory uses
3. Medical Office Use Group
4. Churches and other places of worship including parish houses and Sunday schools.

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

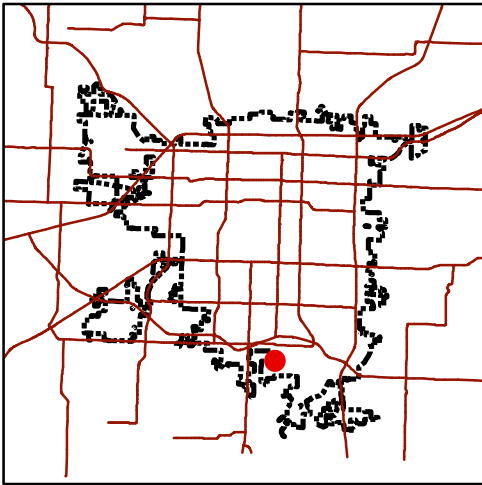
DATE: December 3, 2015

TO: Planning and Zoning Commission

FROM: Daniel Neal
Senior Planner

SUBJECT: Z-37-2015

This application has been tabled for the meeting on December 10th and will be rescheduled to the next Planning and Zoning Commission meeting on January 7th.



Development Review Staff Report

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

Z-38-2015 COD# 104

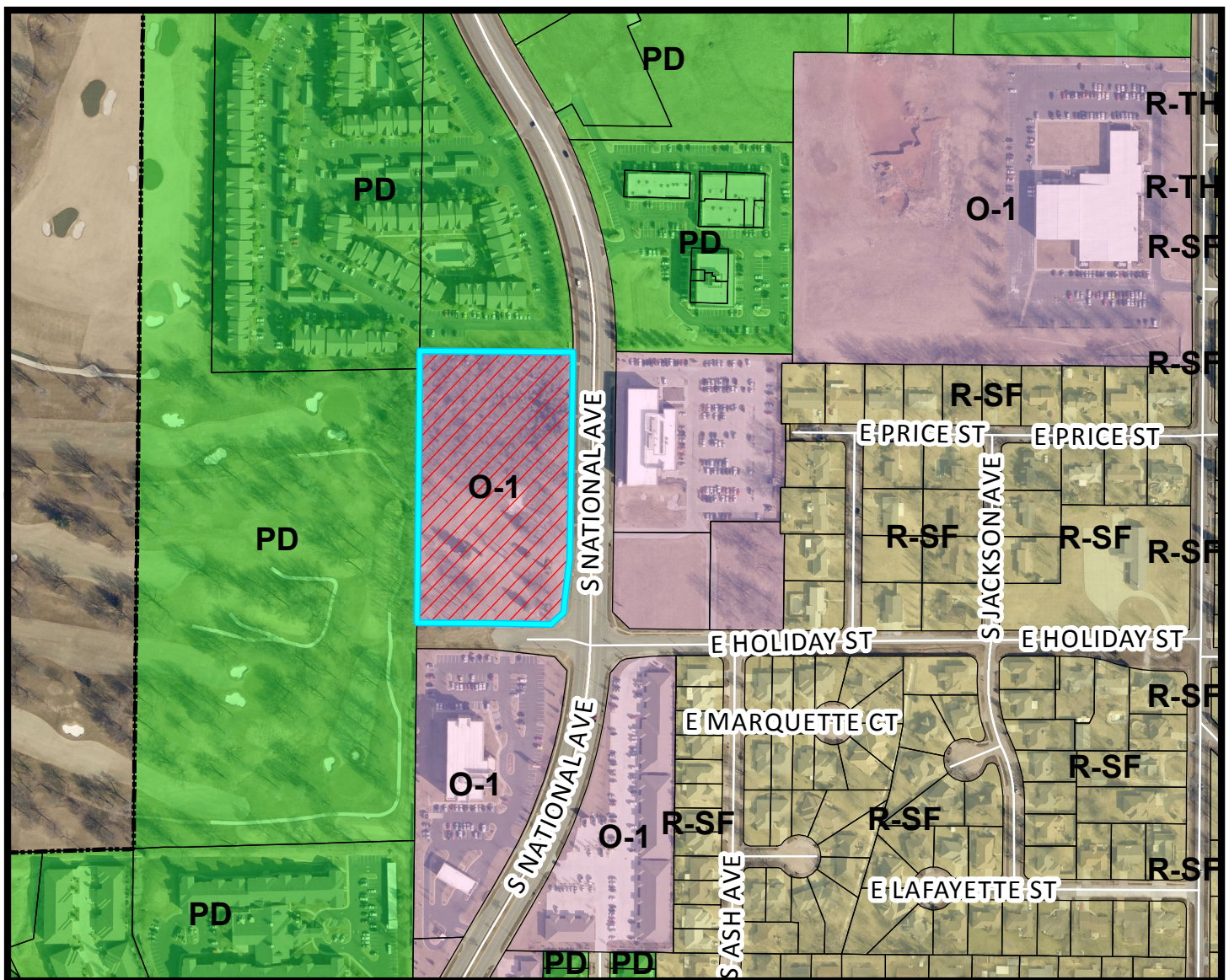
LOCATION: 1209 East Holiday Street

CURRENT ZONING: O-1, Office District

PROPOSED ZONING: GR, General Retail District

COD #104

LOCATION SKETCH



- Area of Proposal

0 100 200 400

Feet

1 inch = 375 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-38-2015 & CONDITIONAL OVERLAY DISTRICT NO. 104

PURPOSE: To rezone approximately 5.52 acres of property generally located at 1209 East Holiday Street from a O-1, Office District to a GR, General Retail District with Conditional Overlay District No. 104.

REPORT DATE: November 18, 2015

LOCATION: 1209 East Holiday Street

APPLICANT: BGH South Development Holding, LLC

TRACT SIZE: Approximately 5.52 acres

EXISTING USE: Vacant undeveloped land

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

FINDINGS FOR STAFF RECOMMENDATION:

1. The subject property is located at the corner of National Avenue, a primary arterial roadway and Holiday Street, a collector roadway, which is an appropriate location for the types of uses permitted in GR. The proposed GR zoning will provide goods and services to serve and complement the existing office uses as well as providing goods and services for the residential development to the north and east.
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. 104 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	PD 84	Multi-family homes
East	O-1	Office and undeveloped land
South	O-1	Bank
West	PD 307	Twin Oaks Country Club golf course

HISTORY:

The subject property was rezoned to an office district by Z-2-2005 on February 22, 2005.

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* Element of the *Comprehensive Plan* identifies the National Avenue and Holiday Street area as appropriate for Medium Intensity Retail, Office or Housing land uses.

STAFF COMMENTS:

1. The applicant is requesting to rezone the subject property from an O-1, Office District to a GR, General Retail District with a Conditional Overlay District requiring a traffic study at the time of development.
2. The property will be limited to a maximum of 11,500 square feet gross floor area for retail uses and restaurant uses and 69,000 square feet gross floor area for office uses. If the maximum intensities listed above are exceeded, a traffic study shall be provided at the time of development which shall be based on the actual use of the property.
3. If the rezoning is approved, it would have to comply with *Section 36-421, General Retail District*, the Zoning Ordinance and any other applicable city codes.
4. Upon development of the property a bufferyard is required along the north property line adjacent to the Planned Development residential property. The normal bufferyard required between GR and Multi-family zoning would be a Bufferyard "Type C" of at least fifteen (15) feet wide. The minimum fifteen (15) foot wide bufferyard with plantings for each one-hundred (100) linear feet of bufferyard would be one (1) canopy tree, two (2) understory tree, two (2) evergreen trees and ten (10) shrubs.

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

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on October 27, 2015 regarding the rezoning request. A summary of the meeting is contained in Attachment 2.

PUBLIC COMMENTS:

The property was posted by the applicant at least 10 days prior to the public hearing. The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet. Eight (8) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

CITY COUNCIL MEETING:

January 11, 2016

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner
864-1834

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-38-2015 & CONDITIONAL OVERLAY DISTRICT NO. 104

BUILDING DEVELOPMENT SERVICES COMMENTS:

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

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

1. A traffic study is required to be submitted prior to the case being approved for the planning and zoning agenda based on the highest most intense use allowed in the GR district or a conditional overlay is required for a traffic study to be provided at the time of development based on the actual use.
2. Future driveway approaches on National must be located 200 feet apart.

STORMWATER COMMENTS:

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

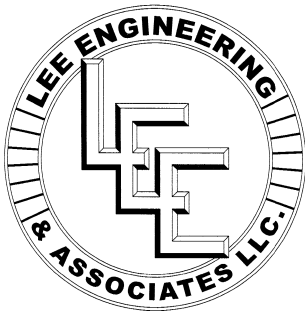
1. Any increase in impervious area will require the development to meet current detention and water quality requirements. Existing impervious surfaces currently in good condition can be credited as existing impervious surface. Existing gravel surfaces meeting the above definition are eligible for 50% credit.
2. Payment in lieu of construction of detention facilities is not an option for this site due to existing downstream flooding problems.
3. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right of way, or drainage easement.
4. Connect private drainage facilities to the public drainage system which will require a public improvement plan or excavation permit.

CLEAN WATER SERVICES COMMENTS:

1. No objection to rezoning.

CITY UTILITIES:

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



Attachment 2

LEE ENGINEERING AND ASSOCIATES, L.L.C.

CIVIL ENGINEERING & LAND SURVEYING

1200 E. WOODHURST DR., SUITE D200, SPRINGFIELD, MO 65804
TELEPHONE: (417) 886-9100 • FACSIMILE: (417) 886-9336 • dlee@leeengineering.biz

October 15, 2015

Re: Proposed Rezone
1209 E. Holiday Street
Springfield, Missouri

Dear Property Owner:

A neighborhood meeting will be held Tuesday, October 27, 2015 to discuss a proposed rezone on the property listed above. We would like to rezone this property from O-1 (Office-1) to GR (General Retail). The intent is to construct a retail strip center.

The neighborhood meeting will be held at Seminole Baptist Temple in Room 105 (Enter through office door located along National) at 4221 S. National, in Springfield, Mo., between 4:00 and 6:30pm. The owner's representatives will be present to answer any questions you may have concerning this proposed rezone. Please feel free to come and go between 4:00 and 6:30pm. If you have any questions prior to this meeting, please contact our office at 417-886-9100.

Sincerely,

A handwritten signature in black ink, reading 'Leslie K. Chrystal'.

Leslie K. Chrystal
Office Manager

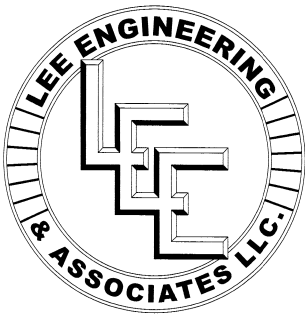
NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: O-1 to GR
(existing zoning) (proposed zoning)
2. Meeting Date & Time: October 27, 2015 4 to 6:30pm
3. Meeting Location: Seminole Baptist Temple , 4221 S. National
4. Number of invitations that were sent: 38 (With 6 being returned undeliverable)
5. How was the mailing list generated: City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 7
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.)

N/A

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

See Attached Letter with Comment Sheets.



LEE ENGINEERING AND ASSOCIATES, L.L.C.
CIVIL ENGINEERING & LAND SURVEYING

1200 E. WOODHURST DR., SUITE D200, SPRINGFIELD, MO 65804
TELEPHONE: (417) 886-9100 • FACSIMILE: (417) 886-9336 • dlee@leeengineering.biz

October 29, 2015

City of Springfield
Mr. Bob Hosmer
840 Boonville
Springfield, Mo. 65801

Re: PLN2015-00405

Dear Bob:

We held a neighborhood meeting for the project listed above. The neighborhood comments were as follows with our comments on how to address them in italics:

1. Preserve the trees.

We will try to save the trees on or close to the west property line. Most of the trees will have to be removed.

2. Increased traffic.

We will have a conditional overlay to limit the development based on a traffic study.

3. Increased flooding in the intersection.

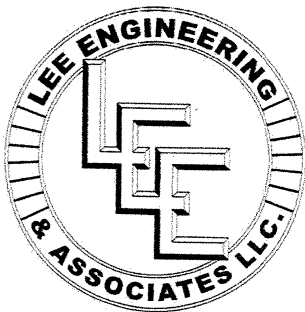
The site flows away from the intersection. Detention will be provided to mitigate increased flooding.

The 4 neighborhood comment sheets are attached, along with the sign in sheet. Derek Lee and Leslie Chrystal attended the meeting to represent the owner and to answer any questions. If you have any questions or concerns, please contact our office. Thank you.

Sincerely,

A handwritten signature in black ink, reading 'Leslie K. Chrystal'.

Leslie K. Chrystal
Office Manager



LEE ENGINEERING AND ASSOCIATES, L.L.C.
CIVIL ENGINEERING & LAND SURVEYING

1200 E. WOODHURST DR., SUITE D200, SPRINGFIELD, MO 65804
TELEPHONE: (417) 886-9100 • FACSIMILE: (417) 886-9336 • dlee@leeengineering.biz

COMMENT SHEET

Neighborhood Meeting

Tuesday, October 27, 2015

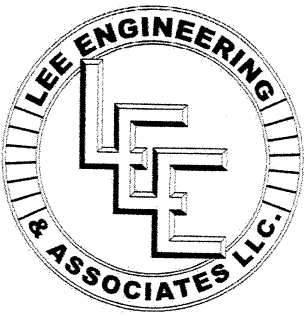
Re: Proposed Rezone
1209 E. Holiday Street
Springfield, Missouri

NAME	ADDRESS	PHONE
L. Garoutte	4535 J. McCullough	882-9364

COMMENTS:

Agree with Zoning Proposal

L. Garoutte



LEE ENGINEERING AND ASSOCIATES, L.L.C.
CIVIL ENGINEERING & LAND SURVEYING

1200 E. WOODHURST DR., SUITE D200, SPRINGFIELD, MO 65804
TELEPHONE: (417) 886-9100 • FACSIMILE: (417) 886-9336 • dlee@leeengineering.biz

COMMENT SHEET

Neighborhood Meeting

Tuesday, October 27, 2015

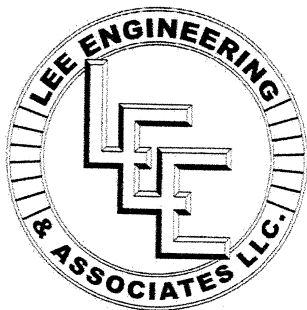
Re: Proposed Rezone
1209 E. Holiday Street
Springfield, Missouri

NAME	ADDRESS	PHONE
JMADKINS	1020 E. REPUBLIC RD	417 881-4744

COMMENTS:

I REPRESENT TWO CARS CC AND WE HAVE A STRONG INTEREST
IN PRESERVING ALL TREES ALONG THE WEST SIDE OF THIS
PROPOSED DEVELOPMENT.

Jim Adams



LEE ENGINEERING AND ASSOCIATES, L.L.C.
CIVIL ENGINEERING & LAND SURVEYING

1200 E. WOODHURST DR., SUITE D200, SPRINGFIELD, MO 65804
TELEPHONE: (417) 886-9100 • FACSIMILE: (417) 886-9336 • dlee@leeengineering.biz

COMMENT SHEET

Neighborhood Meeting

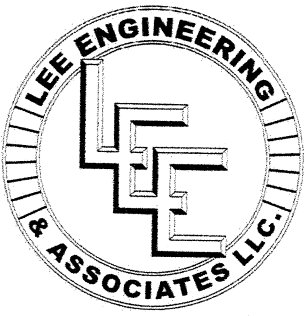
Tuesday, October 27, 2015

Re: Proposed Rezone
1209 E. Holiday Street
Springfield, Missouri

NAME	ADDRESS	PHONE
Mr Schwab	4550 S National	890-3004

COMMENTS:

South National could use more
snows to compliment the office.



LEE ENGINEERING AND ASSOCIATES, L.L.C.
CIVIL ENGINEERING & LAND SURVEYING

1200 E. WOODHURST DR., SUITE D200, SPRINGFIELD, MO 65804
TELEPHONE: (417) 886-9100 • FACSIMILE: (417) 886-9336 • dlee@leeengineering.biz

COMMENT SHEET

Neighborhood Meeting

Tuesday, October 27, 2015

Re: Proposed Rezone
1209 E. Holiday Street
Springfield, Missouri

NAME	ADDRESS	PHONE
Jim Spencer	4607 S. Ash	417-887-4994

COMMENTS:

Traffic flow at that intersection will be increased, possibly requiring a stop light. And the intersection of Holiday & National floods easily during hard rains.

[illegible]

ATTACHMENT 3
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-38-2015 & CONDITIONAL OVERLAY DISTRICT NO. 104

The requirements of Section 36-421 of the Springfield Zoning Ordinance shall be modified herein for development within this district.

Use Limitations – The following maximum on intensity are necessary to accommodate the proposed development of this property:

Retail Uses: Maximum of 11,500 square feet of gross floor area
Restaurant Uses: Maximum of 11,500 square feet of gross floor area
Office Uses: Maximum of 69,000 square feet of gross floor area

If the maximum intensities listed above are exceeded, a traffic study shall be provided at the time of development which shall be based on the actual use of the property.

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

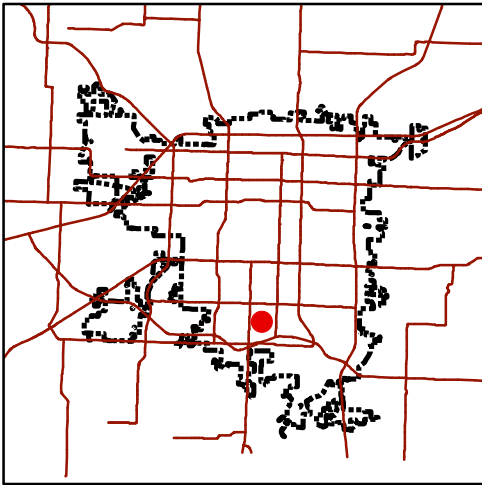
DATE: December 3, 2015

TO: Planning and Zoning Commission

FROM: Daniel Neal
Senior Planner

SUBJECT: Z-39-2015 COD #103

This application has been tabled for the meeting on December 10th and will be rescheduled to the next Planning and Zoning Commission meeting on January 7th.



Development Review Staff Report

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

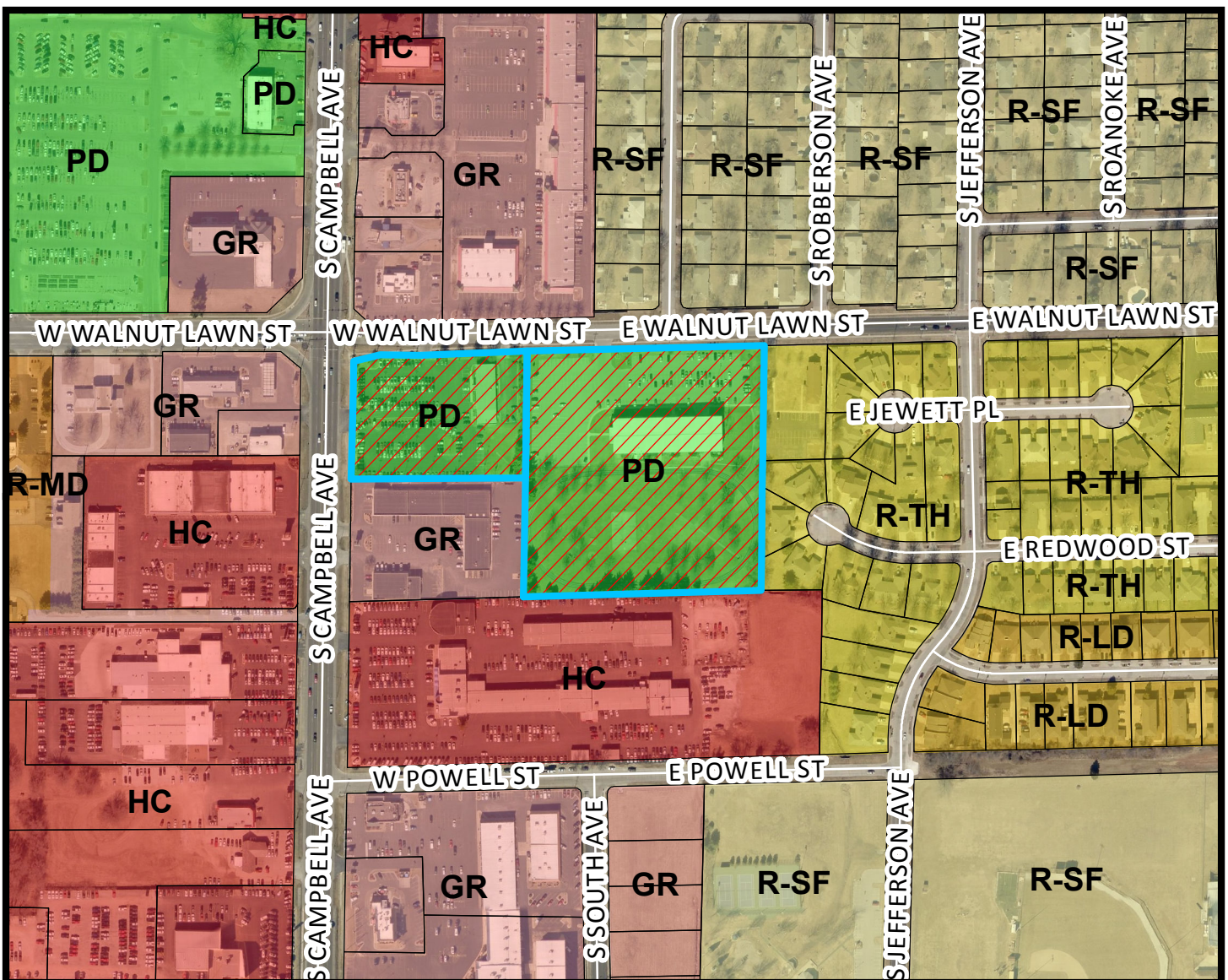
Z-40-2015 COD 102

LOCATION: 3410 S. Campbell Ave. and 202 E. Walnut Lawn St.

CURRENT ZONING: PD 216 1st Amd and PD 30 1st Amd

PROPOSED ZONING: HC, Highway Commercial
District with Conditional Overlay District No. 102

LOCATION SKETCH



- Area of Proposal

0 100 200 400

Feet

1 inch = 375 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-40-2015 & CONDITIONAL OVERLAY DISTRICT NO. 102

PURPOSE: To rezone approximately 10.63 acres of property generally located at 3410 South Campbell Avenue and 202 East Walnut Lawn Street from Planned Development 261, 1st Amendment and Planned Development 30, 1st Amendment to a HC, Highway Commercial District with Conditional Overlay District No. 102.

REPORT DATE: November 18, 2015

LOCATION: 3410 South Campbell Avenue and 202 East Walnut Lawn Street

APPLICANT: Westport Management, LLC and St Johns Regional Health Center

TRACT SIZE: Approximately 10.63 acres

EXISTING USE: Car lot and vacant recreational facility

PROPOSED USE: Uses permitted in the HC, Highway Commercial District except as excluded within Conditional Overlay District No. 102.

FINDINGS FOR STAFF RECOMMENDATION:

1. The subject property is located at the corner of Campbell Avenue, a primary arterial roadway and Walnut Lawn Street, a collector roadway. These roadways are an appropriate location for the types of uses permitted in HC and will provide goods and services to serve and complement the existing commercial and office uses as well as providing services for the adjacent residential development.
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 HC, Highway Commercial District, along with those required as part of proposed Conditional Overlay District No. 102 are adequate for mitigating any potential impacts of development of this property on the nearby residential properties.

RECOMMENDATION:

Staff recommends approval of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	GR and R-SF	Office, commercial and single family homes
East	R-TH	Townhouse homes
South	HC and GR	Office and commercial uses
West	GR	Office and commercial uses

HISTORY:

The property located at 3410 South Campbell Avenue was zoned to Planned Development 216, 1st Amendment on June 21, 1999. The Planned Development allowed for a mixture of GR and HC uses. The property at 202 East Walnut Lawn Street was zoned Planned Development 30, 1st Amendment on January 10, 2000. The Planned Development allowed only for a participatory recreational facility and associated outdoor accessory uses such as tennis courts, swimming pools, golf courses and other similar uses.

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* Element of the *Comprehensive Plan* identifies the Campbell Avenue and Walnut Lawn Street area as appropriate for Medium Intensity Retail, Office or Housing land uses.

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 Planned Development 216, 1st Amendment and Planned Development 30, 1st Amendment to a HC, Highway Commercial District with Conditional Overlay District No. 102 to limit uses and intensity of development.
2. If approved, this request will prohibit a number of uses that would normally have been permitted in the HC district. However, these uses would only be limited to the eastern portion of the property located approximately 392 feet from the R-TH zoned property on the east. This line is similar to the GR, General Retail zoning district line to the north of the subject property. The property at 3410 South Campbell Avenue and approximately 160 feet of the

property at 202 East Walnut Lawn Street would allow all the permitted uses in the HC district.

3. The applicant is proposing to restrict vehicle garage door openings within 200 of any residential district and restrict motor vehicle repair or maintenance work outdoors within 150 feet of any residential district.
4. The applicant is also proposing to limit the total square footage of retail sales space to 14,000 square feet of which 7,000 square feet can be utilized for eating and drinking establishments in the eastern portion of the subject property.
5. A traffic study will be required for the property at 202 East Walnut Lawn Street since the property was initially approved only for a fitness center. A traffic study will be completed at the time of development based on the actual use of the property. If the results of the traffic study determine that traffic generations exceed that of a fitness center use, then improvements must be constructed prior to building permits being issued for the property.
6. If the rezoning is approved, it would have to comply with *Section 36-421, HC, Highway Commercial General Retail District*, the Zoning Ordinance and any other applicable city codes.
7. The applicant is proposing a 25 feet Type E bufferyard with four (4) high earthen berm along the north property line adjacent to Walnut Lawn Street. Normally, there would not be a bufferyard or even a Type S1 bufferyard requirement for a parking lot adjacent to a street across from any residential zoned property since the Walnut Lawn Street is wider than 70 feet.
8. The normal "Type E" bufferyard will required between the HC and the R-TH zoning to the east. This bufferyard would be at least twenty (20) feet wide with a six foot solid wood fence, masonry/brick wall or evergreen hedge. The plantings required would be 3 canopy trees, 2 understory trees and 2 evergreen trees and 16 shrubs planted every 100 linear feet.
9. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on October 26, 2015 and a second neighborhood meeting was held on November 10, 2015 regarding the request for HC, Highway Commercial zoning with Conditional Overlay District No. 102. Summaries of the meetings and comment sheets are attached (Attachment 2).

PUBLIC COMMENTS:

The property was posted by the applicant at least 10 days prior to the public hearing. The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet. Twenty-eight (28) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

CITY COUNCIL MEETING:

January 11, 2016

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner
864-1834

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-40-2015 & CONDITIONAL OVERLAY DISTRICT NO. 102

BUILDING DEVELOPMENT SERVICES COMMENTS:

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

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

1. No objection to the rezoning of this property. A traffic study will be required for the property at 202 E Walnut Lawn at the time of development.

STORMWATER COMMENTS:

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

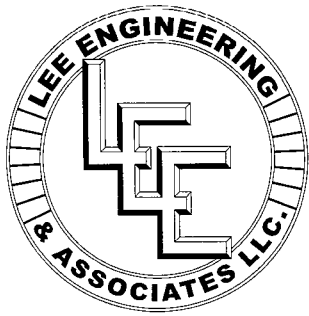
1. Any increase in impervious area will require the development to meet current detention and water quality requirements.
2. Payment in lieu of construction of detention facilities is not an option for this site due to existing downstream flooding problems. If detention/water quality basin was previously constructed to serve the development, it must be shown that any new development proposed is in conformance with the original design of the basin. If runoff from the proposed development exceeds the original design criteria, additional detention and water quality must be provided based on current requirements.
3. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or a drainage easement.

CLEAN WATER SERVICES COMMENTS:

1. No objection to rezoning, public sewer is available

CITY UTILITIES:

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



LEE ENGINEERING AND ASSOCIATES, L.L.C.
CIVIL ENGINEERING & LAND SURVEYING

1200 E. WOODHURST DR., SUITE D200, SPRINGFIELD, MO 65804
TELEPHONE: (417) 886-9100 • FACSIMILE: (417) 886-9336 • dlee@leeengineering.biz

City of Springfield
Mr. Bob Hosmer
840 Boonville
Springfield, Mo. 65801

November 18, 2015

Re: PLN2015-00422: 3410 S. Campbell (Youngblood KIA)
PLN2015-00423: 202 E. Walnut Lawn (St. John's Fitness Center)

Dear Bob:

We are requesting Planning and Zoning to support a rezoning from PD 30 & PD 216 to HC with a conditional overlay district. In regards to PLN2015-00424, that project number will not have a conditional overlay.

PLN2015-00423: 202 E. Walnut Lawn (St. John's Fitness Center):

A traffic study is required at the time of development based on the actual use of the property with the guideline listed below:

The current zoning allows 121,000 SF of fitness center use on 202 West Walnut Lawn. Traffic studies or public improvements are not required by the developer if the traffic increase from the proposed development does not exceed the traffic which would be generated by 121,000 SF of fitness center use.

The following conditional overlay language applies to all HC zoning on PLN2015-00422 & PLN2015-00423:

- 1) No vehicular garage door openings on any building shall be located within 200 feet of any residential district.
- 2) No motor vehicle repair or maintenance work shall take place outdoors within one-hundred fifty (150) feet of the boundary of any residential district.

The following conditional overlay language applies to the HC zoning on PLN2015-00422 & PLN2015-00423 located East of the West line of Maryvale Estate as extended south across this property, also approximately 392 feet West of the Northwest corner of Lot 14, Arrowhead Estates:

- 1) Limit retail sales group to 14,000 SF of which 7,000 SF can be eating and drinking establishment use group. All office uses which are also found in retail sales group or eating and drinking establishment use group are permitted without restriction.
- 2) Remove the following permitted uses:

A. Ambulance Services

NEIGHBORHOOD MEETING SUMMARY

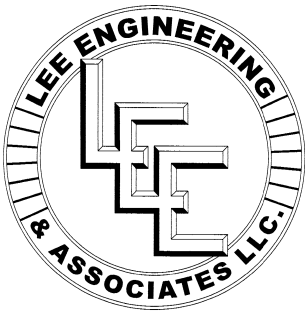
1st Meeting

1. Request change to zoning from: PD 30 & PD 216 and R-TH to HC and O-1
(existing zoning) (proposed zoning)
2. Meeting Date & Time: October 26, 2015 4 to 6:30pm
3. Meeting Location: 216 E. Walnut Lawn (Former Church of Christ Walnut Lawn)
4. Number of invitations that were sent: 117 (With 7 being returned undeliverable)
5. How was the mailing list generated: City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 11 (2 neighbors did not sign in)
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 letter

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

See Attached Letter with Comment Sheets attached.



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Re: Proposed Rezone
202 & 216 East Walnut Lawn and 3410 S. Campbell
Springfield, Missouri

October 28, 2015

A 2nd neighborhood meeting will be held Tuesday, November 10, 2015 from 4:00 to 5:30 at 216 E. Walnut Lawn (former Church of Christ Walnut Lawn). The purpose of the meeting is to provide changes to the proposed zoning. The changes are presented by the owner to specifically address the neighborhood's concerns. The following comments were provided by the neighborhood in the first meeting. Changes to the zoning request are provided below the comments in italics.

1. **The proposed zoning will generate too much traffic.**

Existing Intensity of Development allowed on all three properties:

- Church Property: R-TH – Allows 11 townhouse units per acre or 10 units
- Fitness Center Property: Allows 121,000 SF of fitness center and associated uses
- Kia Dealership Property: Allows the maximum floor area provisions of the GR District. GR District allows unlimited floor area. The intensity is limited by bulk planes and setbacks.

The proposed Intensity of Development is provided below for all three properties:

- Church Property: O-1 – *The intensity is limited by bulk planes and setbacks*
- Fitness Center Property: *Limits retail sales use group to 40,000 SF. Limits eating and drinking establishments use group to 7,000 SF.*
- Kia Dealership Property: *Allows the same restrictions as the existing zoning.*

The proposed zoning on the Fitness Center Property will limit the high volume traffic uses to the existing building. Therefore, the traffic will not increase over what is currently allowed.

2. **HC zoning allows uses which are not compatible with the neighborhood.**

The following use groups will be removed from the zoning request:

- A. Ambulance Services
- B. Any residential dwellings existing at the time the district is mapped. As conforming uses, such a dwelling can be expanded or, if destroyed, replaced with another dwelling of the same type within eighteen (18) months of being destroyed. (G.O. 5127, 10/29/01)

- C. *Automobile washing businesses, including automatic, coin-operated, and moving-line facilities.*
- D. *Awning and canvas sales and rental.*
- E. *Bed and Breakfast. (G.O. 5127, 10/29/01)*
- F. *Boarding, rooming and lodging houses.*
- G. *Bus Stations.*
- H. *Campgrounds and recreational vehicle parts.*
- I. *Cemeteries.*
- J. *Household resource recovery collection centers, screened from all residential districts and public right-of-way in conformance with Section 6-1000, Screening and Fencing.*
- K. *Manufactured housing (mobile home) and trailer sales, leasing and service with no storage.*
- L. *Other towers other than wireless facilities, less than one-hundred (100) feet in height, and related facilities. (G.O. 5094, 07/09/01)*
- M. *Public service and public utility uses, as follow: (G.O. 5094, 07/09/01)*
 - 1. *Tier I wireless facilities in accordance with Section 5-2600, Telecommunication Towers.*
 - 2. *Tier III wireless facilities in accordance with Section 5-2600, Telecommunication Towers, provided wireless towers sixty (60) feet or greater in height allow collocation of at least one (1) additional provider's facilities.*
 - 3. *Tier IV wireless facilities in accordance with Section 5-2600, Telecommunications Towers, provided wireless towers are setback from any residential district at least two (2) feet for every one (1) foot of tower height and allow collocation of at least one (1) additional provider's facilities or at least two (2) additional provider's facilities if the tower height is one hundred twenty (120) feet or greater.*
 - 4. *Water reservoirs, water standpipes, and elevated and ground-level water storage tanks.*
- N. *Taxi dispatch yards and offices.*
- O. *Temporary Lodging Use Group.*
- P. *Overnight shelters or transitional service shelters for fifty (50) or fewer residents, which are located at least five hundred (500) feet from a residential district, as measured from property lines provided that no overnight shelter or transitional service shelter shall locate within a two thousand (2000) foot radius of another transitional service shelter, soup kitchen, overnight shelter, substance abuse treatment facility or community correctional facility as measured from property lines, in accordance with Subsection 3-3310.B.5. In no event shall a Certificate of Occupancy be issued for a transitional service shelter herein if it is less than one thousand (1,000) feet from an elementary or secondary school as measured from property lines. (G.O. 4763, 12/15/97) (G.O. 5343, 01/12/04) (G.O. 6058, 06/17/13)*

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3. **The new service center will increase the noise at my house:**

The City of Springfield has existing noise ordinances which are enforced by the City of Springfield.

The owner will move the location of the proposed service center south. A new design drawing will be available to view at the meeting. The following language will be added to the conditional overlay zoning request.

- A. *No service door openings on any building shall be located within 200 feet of any residential district.*
- B. *No motor vehicle repair or maintenance work shall take place outdoors within one-hundred fifty (150) feet of the boundary of any residential district.*
- C. *Bufferyard E (Exhibit C) is required adjacent to the northern property line. The bufferyard shall be at least twenty five (25) feet deep and shall contain a four (4) foot high earthen berm between the driveway to Walnut Lawn Street and the eastern property line.*

4. **The new service center will shine bright lights at my house:**

The City of Springfield has existing light ordinances which limit the intensity and the direction of lights. The light ordinances are enforced by the City of Springfield.

Moving the service center and providing a wider buffer yard is intended to reduce the light issues indicated by the adjoining property owners.

5. **Fence Repair at 216 E. Walnut Lawn**

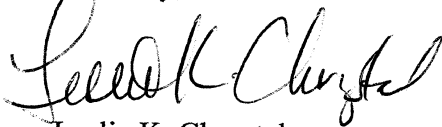
The fence will be repaired.

6. **New Entrance Locations**

The owner will keep the existing entrance locations. No new entrances will be permitted.

The owner's representatives will be present to answer any questions you may have concerning this proposed rezone. Please feel free to come and go between 4:00 and 5:30pm. If you have any questions prior to this meeting, please contact our office at 417-886-9100.

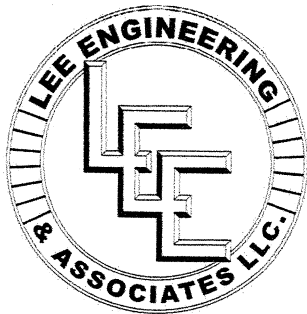
Sincerely,



Leslie K. Chrystal
Office Manager

LEE ENGINEERING AND ASSOCIATES, L.L.C.

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1st Meeting

COMMENT SHEET

Neighborhood Meeting

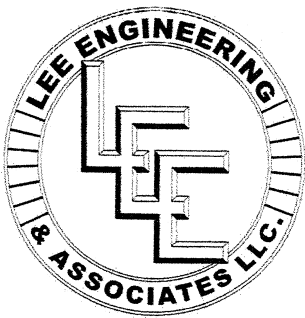
Monday, October 26, 2015

Re: Proposed Rezone
202 & 216 East Walnut Lawn
3410 S. Campbell
Springfield, Missouri

NAME	ADDRESS	PHONE
Vicki Cobb		

COMMENTS:

Parking Lot Lights — all night long
LED'S ~~and~~ not really looking forward to
- Chose neighborhood to live in because
it had the least # of lights on all night
in area I wanted to live.
Thanks for considering



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1st Meeting

COMMENT SHEET

Neighborhood Meeting

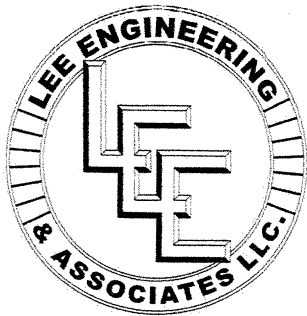
Monday, October 26, 2015

Re: Proposed Rezone
202 & 216 East Walnut Lawn
3410 S. Campbell
Springfield, Missouri

NAME	ADDRESS	PHONE
RAY & JUDY ZEWE	3364 S. ROBERSON AVE	417 225-2621

COMMENTS:

We are opposed to these plans; We think it would devalue our homes in this ~~area~~ area. The cars & commercial traffic would be so much more than it already is. ~~A~~ Noise from service centers - We already can hear voices from Honda & other lots.



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1st Meeting

COMMENT SHEET

Neighborhood Meeting

Monday, October 26, 2015

Re: Proposed Rezone
202 & 216 East Walnut Lawn
3410 S. Campbell
Springfield, Missouri

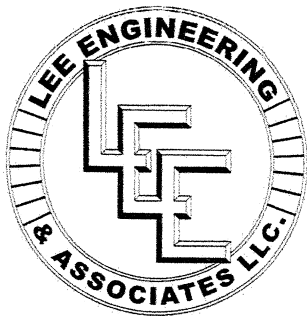
NAME	ADDRESS	PHONE
<i>Pat Holt</i>	<i>3252 S Ridgewood Ct Springfield 65804</i>	<i>417 849 6337</i>

COMMENTS:

I own property in the area and I am very much opposed to the commercial zoning of the former Mercy Hospital property on Walnut Lawn.

My concern is how the south end of the proposed commercial business & former Health Center would be used.

I will lead & be part of any organized effort to prevent the rezoning.



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1st Meeting

COMMENT SHEET

Neighborhood Meeting

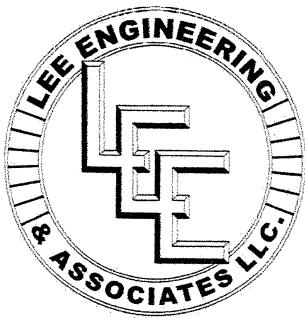
Monday, October 26, 2015

Re: Proposed Rezone
202 & 216 East Walnut Lawn
3410 S. Campbell
Springfield, Missouri

NAME	ADDRESS	PHONE
<i>Vicki Vissels</i>	<i>399 Jewell</i>	

COMMENTS:

*would like to see the fence
replaced.*



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1st Meeting

COMMENT SHEET

Neighborhood Meeting

Monday, October 26, 2015

Re: Proposed Rezone
202 & 216 East Walnut Lawn
3410 S. Campbell
Springfield, Missouri

NAME	ADDRESS	PHONE
Michael Crabbe	2850 S. Chantilly Springfield 65804	417-839-4024

COMMENTS:

As an adjoining property owner to 216 E. Walnut Lawn, I am opposed to rezoning the property to office and rezoning of the former Mercy Fitness to Highway Commercial.

Michael Crabbe
10-26-2015

1st Meeting

Derek Lee

From: Derek Lee <dlee@leeengineering.biz>
Sent: Wednesday, October 28, 2015 1:10 PM
To: 'Ken Roetto'
Subject: RE: Youngblood Documents

<http://www.springfieldmo.gov/DocumentCenter/View/5145>

That came from the zoning ordinance which is linked above. HC zoning is found on page 253.

From: Ken Roetto [mailto:kroetto@swbell.net]
Sent: Wednesday, October 28, 2015 1:02 PM
To: Derek Lee
Subject: Re: Youngblood Documents

Thank you for the previous information. The other document I was requesting is the one you had only one of at the meeting. It showed what type of commercial business would be permitted at the fitness center should it be rezoned. It was a large list of with approximately 100 types of eligible businesses. i.e. (homeless shelter, soup kitchen, rehabilitation center etc.) I would like a copy of that document.

Thank You,

Kenneth D. Roetto

On Wednesday, October 28, 2015 12:46 PM, Derek Lee <dlee@leeengineering.biz> wrote:

Attached is the zoning for the fitness center. I assume this is what you mean by "commercial classifications".

Attached is the Walnut Lawn and South Campbell intersection drawing from the City. It is conceptual.

I don't know him or work for him. His name is Jim Hopkins. He works for St. Johns with their facilities. St. Johns owns the fitness center and the church property.

From: Ken Roetto [mailto:kroetto@swbell.net]
Sent: Wednesday, October 28, 2015 11:17 AM
To: dlee@leeengineering.biz
Subject: Youngblood Documents

Mr. Lee I have a request of you if I may ask? If you would send me a copy of the commercial classifications for the fitness center and any information you have in regard to the intersection at Walnut Lawn and South Campbell I would appreciate it. Also several of the neighbors were wondering who the other gentleman was at the meeting besides Mr. Youngblood. We are curious about his name and what role he is playing through this process. Seems none of us were ever introduced to him. I look forward to your response.

Sincerely,

Kenneth D. Roetto

- B. Any residential dwellings existing at the time the district is mapped. As conforming uses, such a dwelling can be expanded or, if destroyed, replaced with another dwelling of the same type within eighteen (18) months of being destroyed.
- C. Automobile service garages.
- D. Automobile service stations.
- E. Automobile washing businesses, including automatic, coin-operated, and moving line facilities.
- F. Awning and canvas sales and rental.
- G. Bed and Breakfast.
- H. Boarding, rooming and lodging houses.
- I. Bus Stations.
- J. Campgrounds and recreational vehicle parts.
- K. Cemeteries.
- L. Household resource recovery collection centers, screened from all residential districts and public right-of-way in conformance with Section 6-1000, Screening and Fencing.
- M. Manufactured housing (mobile home) and trailer sales, leasing and service with no storage.
- N. Other towers other than wireless facilities, less than one-hundred (100) feet in height, and related facilities.
- O. Public service and public utility uses, as follow:
 - 1. Tier I wireless facilities in accordance with Section 5-2600, Telecommunication Towers.
 - 2. Tier III wireless facilities in accordance with Section 5-2600, Telecommunication Towers, provided wireless towers sixty (60) feet or greater in height allow collocation of at least one (1) additional provider's facilities.
 - 3. Tier IV wireless facilities in accordance with Section 5-2600, Telecommunications Towers, provided wireless towers are setback from any residential district at least two (2) feet for every one (1) foot of tower height and allow collocation of at least one (1) additional provider's facilities or at least two (2) additional provider's facilities if the tower height is one hundred twenty (120) feet or greater.
 - 4. Water reservoirs, water standpipes, and elevated and ground-level water storage tanks.
- P. Taxi dispatch yards and offices.
- Q. Temporary Lodging Use Group.
- R. Overnight shelters or transitional service shelters for fifty (50) or fewer residents, which are located at least five hundred (500) feet from a residential district, as measured from property lines provided that no overnight shelter or transitional service shelter shall locate within a two thousand (2000) foot radius of another transitional service shelter, soup kitchen, overnight shelter, substance abuse treatment facility or community correctional facility as measured from property lines, in accordance with Subsection 3-3310.B.5. In no event shall a Certificate of Occupancy be issued for a transitional service shelter herein if it is less than one thousand (1,000) feet from an elementary or secondary school as measured from property lines.

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- 3) Bufferyard E is required adjacent to the northern property line. The bufferyard shall be at least twenty five (25) feet wide and a four (4) foot high earthen berm shall be provided between the eastern most driveway to Walnut Lawn Street and the eastern property line.
- 4) The owner will keep the existing driveway locations. No new driveway locations will be permitted.

If you have any questions or need additional information, please contact our office. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Leslie K. Chrystal". The signature is fluid and cursive, with the first name "Leslie" and last name "Chrystal" clearly distinguishable.

Leslie K. Chrystal
Office Manager

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NEIGHBORHOOD MEETING SUMMARY

2nd Meeting

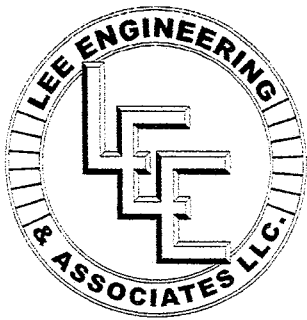
1. Request change to zoning from: PD 30 & PD 216 and R-TH to HC and O-1
(existing zoning) (proposed zoning)
2. Meeting Date & Time: November 10, 2015 4 to 5:30pm (2nd Meeting)
3. Meeting Location: 216 E. Walnut Lawn (Former Church of Christ Walnut Lawn)
4. Number of invitations that were sent: 111 (with 4 being returned undeliverable)
5. How was the mailing list generated: City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 6
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

See attached letter

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

See attached letter along with comment sheets.

[illegible]



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2nd Meeting

COMMENT SHEET

2nd Neighborhood Meeting

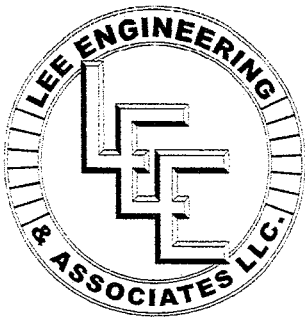
Tuesday, November 10, 2015

Re: Proposed Rezone
202 & 216 East Walnut Lawn
3410 S. Campbell
Springfield, Missouri

NAME	ADDRESS	PHONE

COMMENTS:

*Still disagree with ~~stated~~ current
decision.*



LEE ENGINEERING AND ASSOCIATES, L.L.C.
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2nd Meeting

COMMENT SHEET

2nd Neighborhood Meeting

Tuesday, November 10, 2015

Re: Proposed Rezone
202 & 216 East Walnut Lawn
3410 S. Campbell
Springfield, Missouri

NAME	ADDRESS	PHONE
Pat Scott	3252 S Ridgeway Ct 3409 S Jefferson	8496337

COMMENTS:

- only one driveway allowed off Walnut Lawn - as it is now
- the 4 ft berm must be maintained under new zoning a 4 ft Berm - if Walnut Lawn is widened.
- eliminate the following from commercial zoning
 - Truck stops
 - Lowes
 - Soup Kitchen
 - Go Carts

ATTACHMENT 3
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-40-2015 & CONDITIONAL OVERLAY DISTRICT NO. 102

The requirements of Section 36-421 of the Springfield Zoning Ordinance shall be modified herein for development within this district.

Use Limitations: The following use limitations apply to property at 3410 South Campbell Avenue (Youngblood Kia Tract) and property at 202 East Walnut Lawn Street (Mercy Health Tract):

1. No vehicular garage door openings on any building shall be located within 200 feet of any residential district.
2. No motor vehicle repair or maintenance work shall take place outdoors within one-hundred fifty (150) feet of the boundary of any residential district.

Traffic Study: The following modifications apply to property located at 202 East Walnut Lawn Street (Mercy Health Tract).

A traffic study is required at the time of development based on the actual use of the property with the guideline listed below;

The current zoning allows 121,000 square feet of fitness center use on 202 East Walnut Lawn Street. Traffic studies or public improvements are not required by the developer if the traffic increase from the proposed development does not exceed the traffic which would be generated by 121,000 square feet of fitness center use.

Permitted Uses:

The following uses are prohibited within property located east of the west line of Maryvale Estates as extended south across this property, also defined as approximately 392 feet west of the northwest corner of lot 14 of Arrowhead Estates:

- A. Ambulance Services
- B. Any residential dwellings existing at the time the district is mapped. As conforming uses, such a dwelling can be expanded or, if destroyed, replaced with another dwelling of the same type within eighteen (18) months of being destroyed.
- C. Automobile service garages.
- D. Automobile service stations.
- E. Automobile washing businesses, including automatic, coin-operated, and moving line facilities.
- F. Awning and canvas sales and rental.
- G. Bed and Breakfast.
- H. Boarding, rooming and lodging houses.

- I. Bus Stations.
- J. Campgrounds and recreational vehicle parts.
- K. Cemeteries.
- L. Household resource recovery collection centers, screened from all residential districts and public right-of-way in conformance with section 36-480, Screening and Fencing.
- M. Manufactured housing (mobile home) and trailer sales, leasing and service with no storage.
- N. Other towers other than wireless facilities, less than one-hundred (100) feet in height, and related facilities.
- O. Public service and public utility uses, as follow:
 - 1. Tier 1 wireless facilities in accordance with Section 36-466, Telecommunication Towers.
 - 2. Tier III wireless facilities in accordance with Section 36-466, Telecommunication Towers, provided wireless towers sixty (60) feet or greater in height allow collocation of at least one (1) additional provider's facilities.
 - 3. Tier IV wireless facilities in accordance with Section 36-466, Telecommunications Towers, provided wireless towers are setback from any residential district at least two (2) feet for every one (1) foot of tower height and allow collocation of at least one (1) additional provider's facilities or at least two (2) additional provider's facilities if the tower height is one hundred twenty (120) feet or greater.
 - 4. Water reservoirs, water standpipes, and elevated and ground-level water storage tanks.
- P. Taxi dispatch yards and offices.
- Q. Temporary Lodging Use Group.
- R. Overnight shelters or transitional service shelters for fifty (50) or fewer residents, which are located at least five hundred (500) feet from a residential district, as measured from property lines provided that no overnight shelter or transitional service shelter shall locate within a two thousand (2,000) foot radius of another transitional service shelter, soup kitchen, overnight shelter, substance abuse treatment facility or community correctional facility as measured from property lines, in accordance with Section 36-363 (10). In no event shall a Certificate of Occupancy be issued for a transitional service shelter herein if it is less than one thousand (1,000) feet from an elementary or secondary school as measured from property lines.

Use Limitations: The following improvements/conditions are necessary to accommodate the proposed development of this property located east of the west line of Maryvale Estates as extended south across this property, also defined as approximately 392 feet west of the northwest corner of lot 14 of Arrowhead Estates:

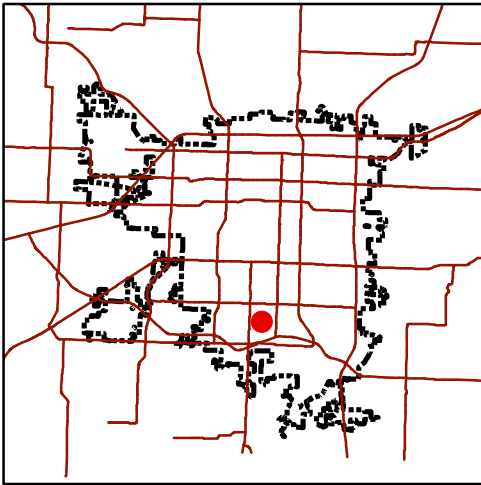
- 1. The owner will keep all existing driveway locations. No new driveway locations will be permitted

Bulk and Intensity of Use Restrictions: Development located east of the west line of Maryvale Estates as extended south across this property, also defined as approximately 392 feet west of the northwest corner of lot 14 of Arrowhead Estates shall adhere to the following requirements:

1. Retail sales use group shall be limited to 14,000 square feet of which 7,000 square feet can be used for eating and drinking establishment use group. All office uses which are also found in the retail sales use group or eating and drinking establishment use group are permitted without these restrictions.

Bufferyards: The following additional bufferyards are required on property located east of the west line of Maryvale Estates as extended south across this property, also defined as approximately 392 feet west of the northwest corner of lot 14 of Arrowhead Estates:

A type "E" bufferyard is required adjacent to the northern property line. The bufferyard shall be at least twenty five (25) feet wide and a four (4) foot high earthen berm shall be provided between the eastern most driveway to Walnut Lawn Street and the eastern property line.



Development Review Staff Report

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

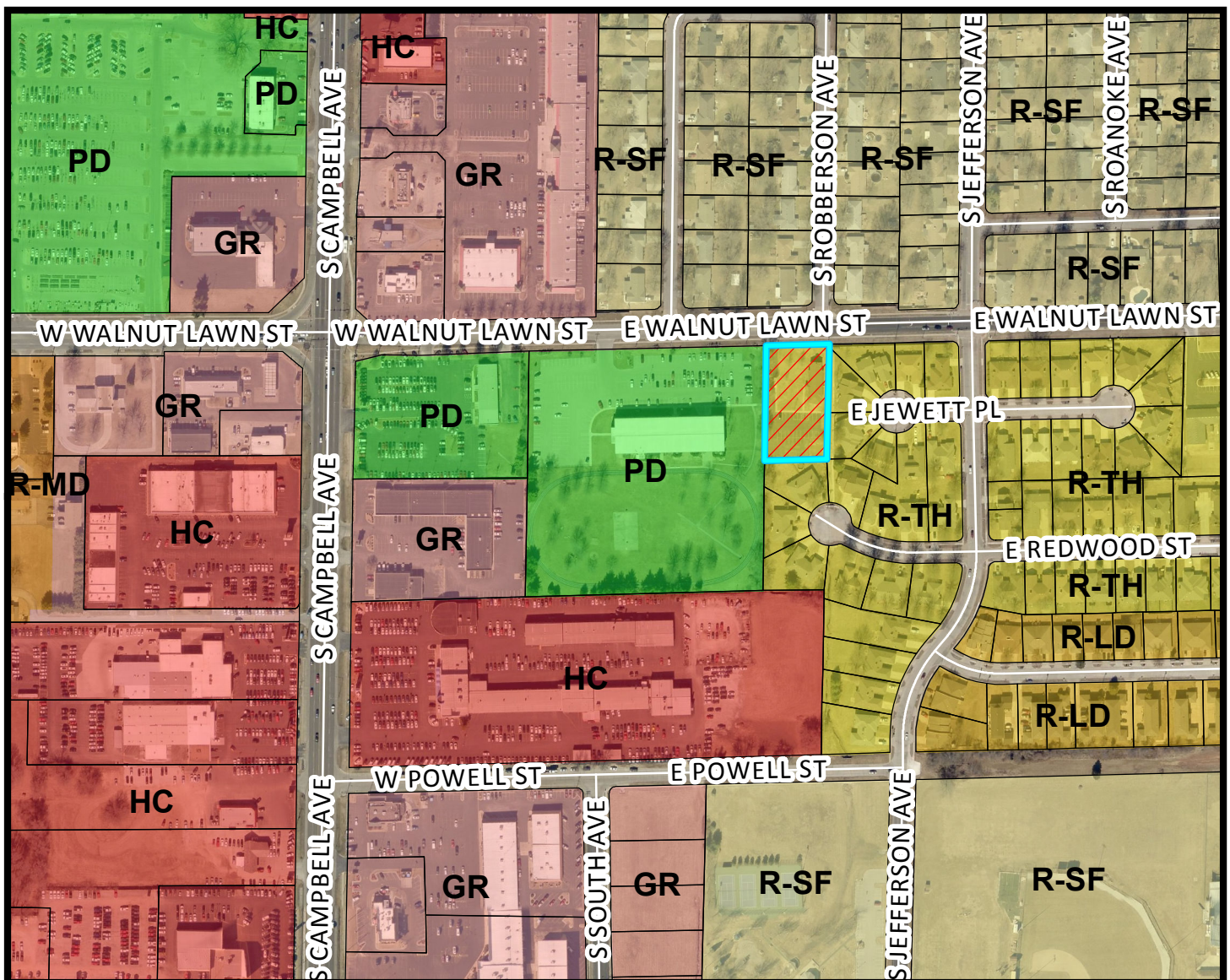
Z-42-2015

LOCATION: 216 E. Walnut Lawn

CURRENT ZONING: R-TH, Residential Townhouse District

PROPOSED ZONING: O-1, Office District

LOCATION SKETCH



- Area of Proposal

0 100 200 400

Feet

1 inch = 375 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-42-2015

PURPOSE: To rezone approximately 0.88 acres of property generally located at 216 East Walnut Lawn Street from R-TH, Residential Townhouse District to a O-1, Office District.

DATE: November 17, 2015

LOCATION: 216 East Walnut Lawn Street

APPLICANT: Mercy Health Springfield Communities

TRACT SIZE: Approximately 0.88 acres

EXISTING USE: Church

PROPOSED USE: Office uses

FINDINGS FOR STAFF RECOMMENDATION:

1. The requested O-1, Office District zoning is consistent with the recommendations of the comprehensive plan which recommends office uses as transitions between low density residential and commercial uses.

RECOMMENDATION:

Staff recommends **approval** of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF	Single-family residential housing
East	R-TH	Townhouses
South	R-TH	Townhouses
West	PD	Recreational uses

HISTORY:

City Council on March 7, 1995 approved the remapping and zoning of the subject property. The subject property has been used for a church which is allowed in the R-TH zoning district.

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for low density housing uses. The plan states that the City should protect the best aspects of established areas from negative effects such as excessive auto traffic or incompatible, un-buffered land uses.

STAFF COMMENTS:

1. The applicant is requesting to rezone the subject property from a R-TH, Residential Townhouse District, to an O-1, Office District.
2. The property is located on Walnut Lawn Street which is classified as a collector roadway. Direct driveway accesses are discouraged on collector roadways. Office uses are an appropriate use along collectors and create a buffer between R-TH uses and more intense non-residential uses.
3. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for low density housing uses. However, this property is surrounded by Medium or High Density Housing and Medium Intensity Retail, Office or Housing. This area is also adjacent to the James River Freeway and Campbell Activity Center as described in the plan. The requested office zoning can be used as a transition and buffer between higher intensity uses such as commercial and residential developments.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on October 26, 2015 and a second neighborhood meeting was held on November 10, 2015. A summary of the meeting is attached (Attachment 2).

PUBLIC COMMENT:

The property was posted by the applicant at least 10 days prior to the public hearing. The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet. Seventeen (17) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request. Staff has received no objections to date.

CITY COUNCIL MEETING: January 11, 2016

STAFF CONTACT PERSON:

Bob Hosmer, AICP Principal Planner
864-1834

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-42-2015

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues with rezoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

No traffic issues with the proposed rezoning.

STORMWATER COMMENTS:

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

1. Any increase in impervious area will require the development to meet current detention and water quality requirements.
2. Payment in lieu of construction of detention facilities is not an option for this site due to existing downstream flooding problems. If detention/water quality basin was previously constructed to serve the development, it must be shown that any new development proposed is in conformance with the original design of the basin. If runoff from the proposed development exceeds the original design criteria, additional detention and water quality must be provided based on current requirements.
3. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or a drainage easement.

CLEAN WATER SERVICES COMMENTS:

1. No objections to rezoning. Tract is currently served by public sewer.

CITY UTILITIES:

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

NEIGHBORHOOD MEETING SUMMARY

2nd Meeting

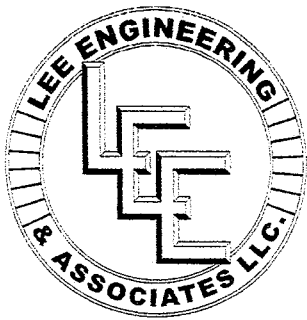
1. Request change to zoning from: PD 30 & PD 216 and R-TH to HC and O-1
(existing zoning) (proposed zoning)
2. Meeting Date & Time: November 10, 2015 4 to 5:30pm (2nd Meeting)
3. Meeting Location: 216 E. Walnut Lawn (Former Church of Christ Walnut Lawn)
4. Number of invitations that were sent: 111 (with 4 being returned undeliverable)
5. How was the mailing list generated: City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 6
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

See attached letter

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

See attached letter along with comment sheets.

[illegible]



LEE ENGINEERING AND ASSOCIATES, L.L.C.
CIVIL ENGINEERING & LAND SURVEYING

1200 E. WOODHURST DR., SUITE D200, SPRINGFIELD, MO 65804
TELEPHONE: (417) 886-9100 • FACSIMILE: (417) 886-9336 • dlee@leeengineering.biz

2nd Meeting

COMMENT SHEET

2nd Neighborhood Meeting

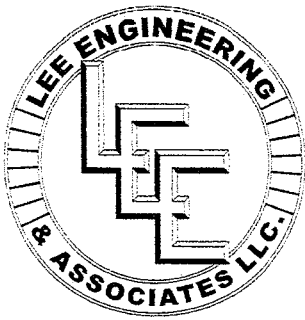
Tuesday, November 10, 2015

Re: Proposed Rezone
202 & 216 East Walnut Lawn
3410 S. Campbell
Springfield, Missouri

NAME	ADDRESS	PHONE

COMMENTS:

*Still disagree with ~~stated~~ current
decision.*



LEE ENGINEERING AND ASSOCIATES, L.L.C.
CIVIL ENGINEERING & LAND SURVEYING

1200 E. WOODHURST DR., SUITE D200, SPRINGFIELD, MO 65804
TELEPHONE: (417) 886-9100 • FACSIMILE: (417) 886-9336 • dlee@leeengineering.biz

2nd Meeting

COMMENT SHEET

2nd Neighborhood Meeting

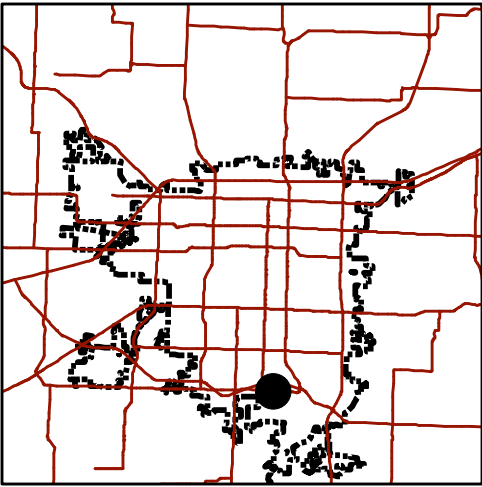
Tuesday, November 10, 2015

Re: Proposed Rezone
202 & 216 East Walnut Lawn
3410 S. Campbell
Springfield, Missouri

NAME	ADDRESS	PHONE
Pat Scott	3252 S Ridgeway Ct 3409 S Jefferson	8496337

COMMENTS:

- only one driveway allowed off Walnut Lawn - as it is now
- the 4 ft berm must be maintained under new zoning a 4 ft Berm - if Walnut Lawn is widened.
- eliminate the following from commercial zoning
 - Truck stops
 - Lowes
 - Soup Kitchen
 - Go Carts



Development Review Staff Report

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

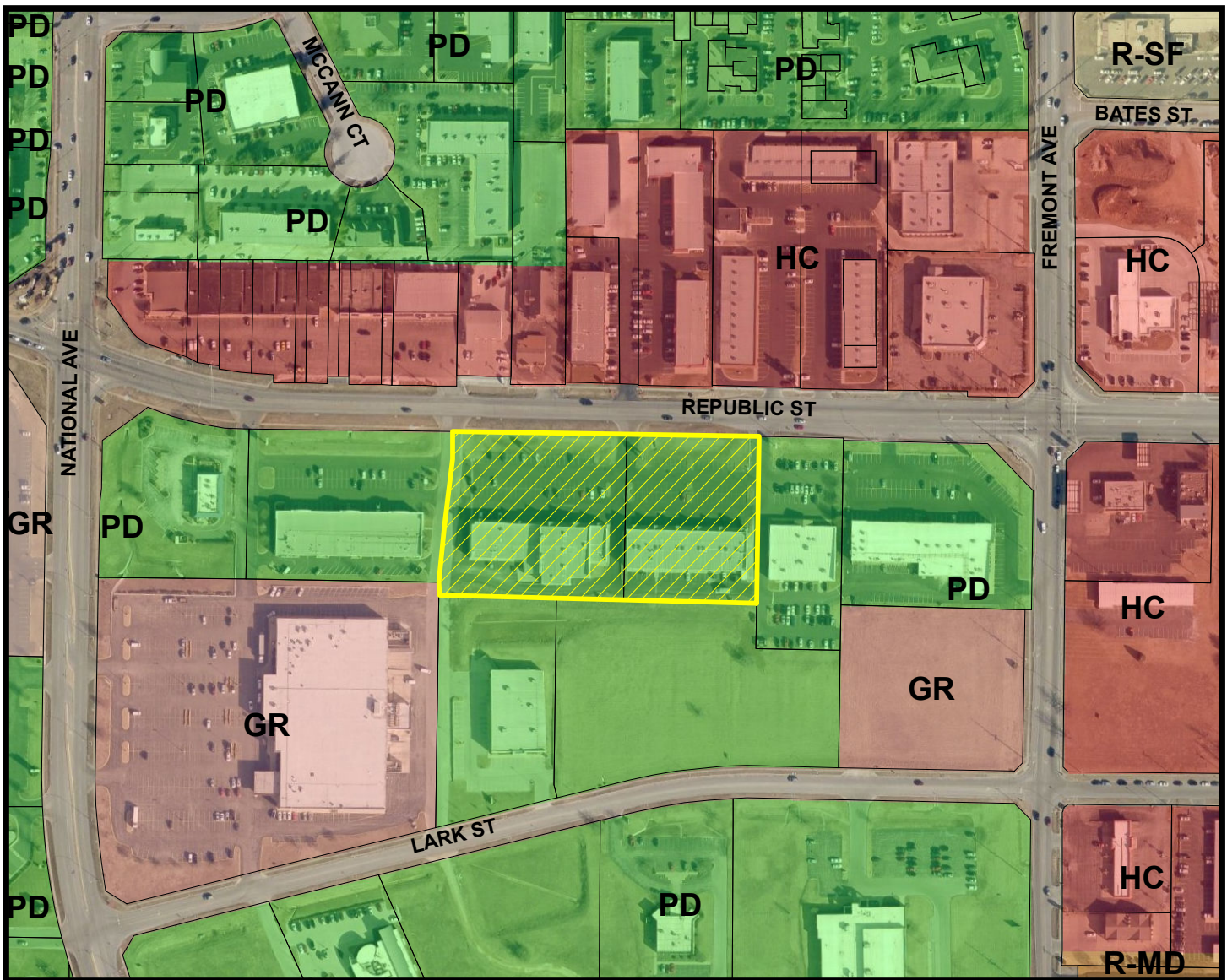
Z-43-2015

Location: 1300-1332 E. Republic St.

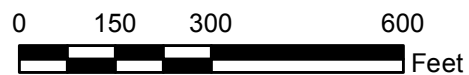
Current Zoning: Planned Development 84

Proposed Zoning: HC, Highway Commercial District

LOCATION SKETCH



- Area of Proposal



1 inch = 300 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-43-2015

PURPOSE: To rezone approximately 4.05 acres of property generally located at 1300-1332 East Republic Street from a Planned Development No. 84 to an HC, Highway Commercial District.

REPORT DATE: November 17, 2015

LOCATION: 1300-1332 E. Republic St.

APPLICANTS: John R. Haik Trust & Rosa Lee Haik Trust

TRACT SIZE: Approximately 4.05 acres

EXISTING USE: Commercial uses permitted in PD 84

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

FINDINGS FOR STAFF RECOMMENDATION:

1. The Growth Management and Land Use Plan of the Comprehensive Plan identifies this as an appropriate area for medium-intensity retail, office or housing. The requested HC, Highway Commercial zoning is consistent with the recommendation.
2. Approval of this application will facilitate redevelopment of this property and promote infill development and increased intensity where investments have already been made in public services and infrastructure. These properties are located near the James River Freeway and National Avenue area which is identified as a Community Activity Center. The *Plan* recommends these areas be developed with greater intensity.
3. Approval of this request will result in a similar type of development as what could be achieved under the existing zoning however, it will provide for a more streamlined process for development of the property.
4. Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use Major Goal 4: Develop the community in a sustainable manner. Objective 4a, Increase density in activity centers and transit corridor.

RECOMMENDATION:

Staff recommends **approval** of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	HC	Highway Commercial uses
East	PD 84	Real Estate Office uses
South	PD 84	Vacant building/undeveloped land
West	PD 84	General Retail uses

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for Medium-Intensity Retail, Office or Housing. This mixed category indicates that a variety of office, commercial and/or mid-or high-density housing may be appropriate at major intersections or along certain roadway corridors.

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 *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 proposing to rezone the subject properties from a Planned Development No. 84 to an HC, Highway Commercial District. The intent of this application is to allow for additional uses within the existing development. Staff supports this request because this property is located at a major intersection near an Activity Center where all HC uses are appropriate.
2. A traffic study was not warranted by Public Works Traffic Division since the rezoning from PD 84 to the HC District will not generate a significant amount of additional traffic between uses permitted in the PD to the uses permitted in the HC district. Republic Street is classified as a primary arterial roadway, which is a major traffic corridor through the City. There are existing cross access easements shown on the Amended Final Plat of Huntsman's Tract C between driveways and properties to the east and west.
3. The property is surrounded by Planned Development 84, with retail and office uses existing to the east and west and offices and vacant land to the south. The property to the north, which is across Republic St., is zoned HC and has a mixture of retail and office uses.

4. The existing Planned Development No. 84 permits a mix of office, retail and residential uses. The primary differences between the existing Planned Development and the proposed HC zoning district are the uses permitted, maximum gross floor area limitation and the requirements for Planning and Zoning Commission review of any new or revised final development plans. The existing zoning is very similar to the HC District with respect to the uses permitted and the requirements for development, however the Planned Development does not allow outdoor display, rental and sales of vehicles and major event entertainment uses such as amphitheaters, amusement parks, drive-in movie theaters, etc. The Planned Development also delineates a total amount of development permitted on each "Tract" of the Planned Development rather than simply per individual lot. The cumulative requirement for each "Tract" requires the tracking of information and can become cumbersome as more area within each Tract is developed. Approval of this request for HC zoning will result in generally the same type of development as could be achieved under the existing zoning, however development of the property will be more streamlined.
5. If redeveloped, the property will need to comply with all HC District requirements such as off-street parking, open space, landscaping, bufferyard and public access.
6. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting with property owners, residents and any registered neighborhood association within 500 feet of the subject properties on November 19, 2015. A summary of the meeting is attached (Attachment 2).

PUBLIC COMMENTS:

The property was posted by the applicant or their representative on November 30, 2015 at least 10 days prior to the public hearing. The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet. Fifteen (15) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

CITY COUNCIL MEETING:

January 11, 2016

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-43-2015

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not have any issues with rezoning to HC.

CITY UTILITIES:

City Utilities has no objection to the requested rezoning. All utilities are available and serving existing buildings.

CLEAN WATER SERVICES COMMENTS:

No objections to rezoning or proposed use.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

No issues with traffic. Cross access exists on the plat. A traffic study is not required.

STORMWATER COMMENTS:

No objection to rezoning. Site is developed and stormwater detention is existing.

ATTACHMENT 2: NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: PD # 84 to HC

(existing zoning) *(proposed zoning)*
2. Meeting Date & Time: November 19, 2015 - From 4:30 to 6:30 P.M.
3. Meeting Location: Holiday Inn Express - 310 E. Monastery St.; Spf. MO
4. Number of invitations that were sent: 60
5. How was the mailing list generated: By the City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 0
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

None received

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

None received

Neighborhood Meeting

Republic Road Rezoning

November 19, 2015

4:30 p.m. – 6:30 p.m.

Name	Address	Phone
Jared Rasmussen	550 St. Louis, SGF, MO 65806	417-890-8802



November 2, 2015

Dear Property Owner:

We have submitted a rezoning application to the City of Springfield for two properties located at 1300 & 1332 E. Republic Rd and totaling 4.05 acres. The owners of the properties to be rezoned – as illustrated in the enclosed map – are requesting to rezone from Planned Development # 84 to Highway Commercial (HC).

Representatives from Olsson Associates will be available to speak with neighbors and answer any questions you might have about the rezoning application on **Thursday, November 19, 2015 from 4:30 – 6:30 p.m. at the Holiday Inn Express. Located at 310 E. Monastery Street, Springfield, MO.** 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 December 10, 2015 @ 6:30. Please plan to attend. If you should have any questions please feel free to contact our office at (417) 890-8802.

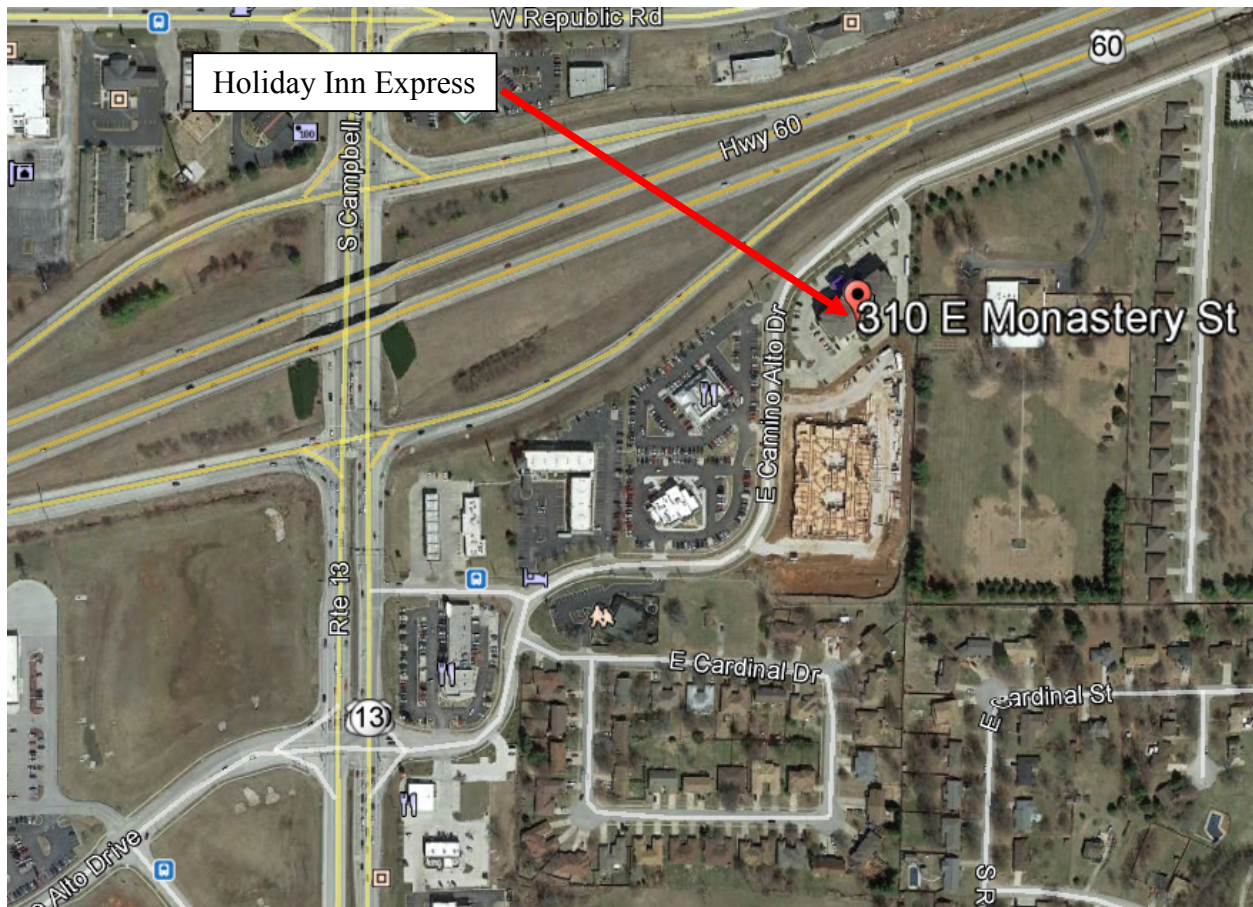
Sincerely,

A handwritten signature in blue ink, appearing to read 'Jared Rasmussen', is written over a thin blue horizontal line.

Jared Rasmussen, PE
Olsson Associates

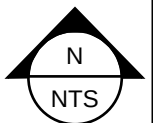
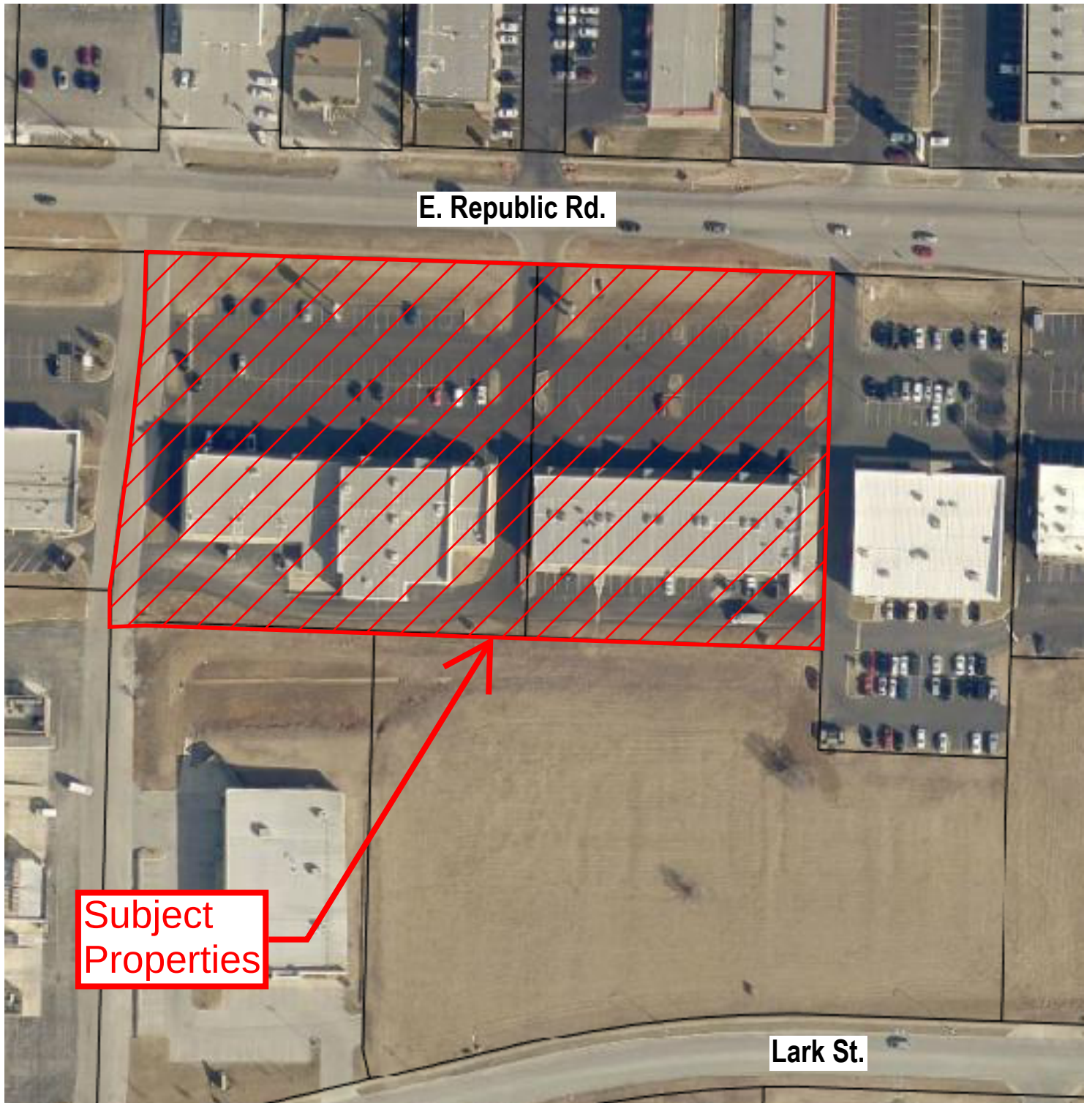
Attachments:

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



LEGEND

310 E. Monastery Street – Location of Meeting



PROJECT NO:
DRAWN BY:
DATE:

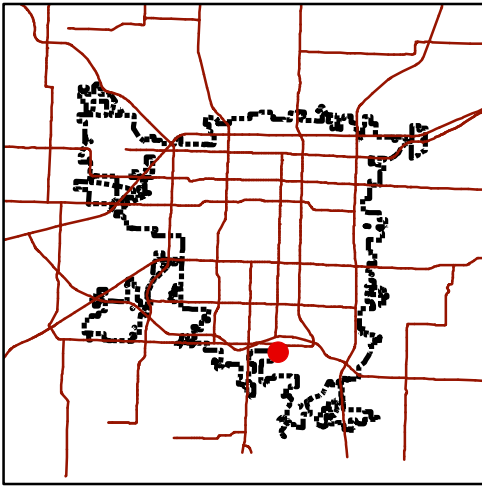
1300 - 1332 E. Republic Rd.
SPRINGFIELD, MO



550 St. Louis Street
Springfield, MO 65806
TEL 417.890.8802
FAX 401.890.8805

EXHIBIT

B



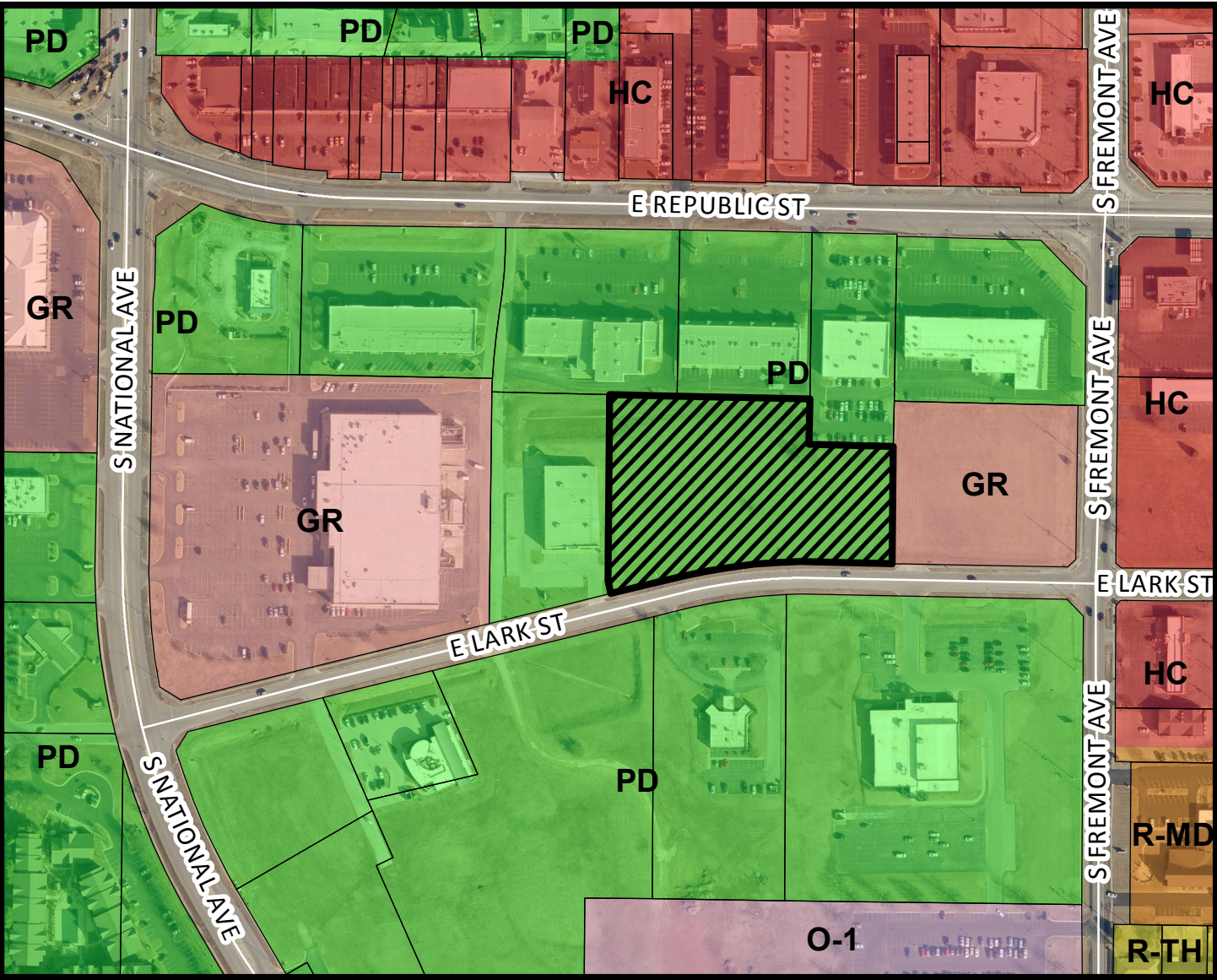
Development Review Staff Report

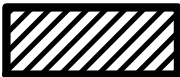
Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802

Z-44-2015

LOCATION: 1329 East Lark Street
CURRENT ZONING: Planned Development 84
PROPOSED ZONING: GR, General Retail

LOCATION SKETCH



 - Area of Proposal

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-44-2015

PURPOSE: To rezone approximately 3.28 acres of property generally located at 1329 East Lark Street from a Planned Development No. 84 to a GR, General Retail District.

REPORT DATE: November 17, 2015

LOCATION: 1329 E. Lark Street

APPLICANT: St. Johns Regional Health Center

TRACT SIZE: Approximately 3.28 acres

EXISTING USE: Undeveloped

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

FINDINGS FOR STAFF RECOMMENDATION:

1. The Growth Management and Land Use Plan of the Comprehensive Plan identifies this as an appropriate area for medium-intensity retail, office or housing. The requested GR, General Retail zoning is consistent with the recommendation. Approval of this request will result in a similar type of development as what could be achieved under the existing zoning, however, it will provide for a more streamlined process for development of the property.
2. Approval of this application will facilitate development of this property and promote infill development where investments have already been made in public services and infrastructure.
3. Supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use Major Goal 4: Develop the community in a sustainable manner. Objective 4a, Increase density in activity centers and transit corridor

RECOMMENDATION:

Staff recommends **approval** of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	PD 84	Retail Shopping Center
East	PD 84	Retail and Office uses
South	PD 84	Medical Clinics and Office uses
West	GR	Retail and Office uses

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for Medium-Intensity Retail, Office or Housing. This mixed category indicates that a variety of office, commercial and/or mid-or high-density housing may be appropriate at major intersections or along certain roadway corridors.

The property is 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 *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 proposing to rezone the subject property from a Planned Development No. 84 to a GR, General Retail District. The intent of this application is to match the existing zoning with a similar standard zoning district in order to allow for a more streamlined process for development of the property.
2. The existing Planned Development permits a mix of office, retail and residential uses. The existing zoning is very similar to the GR, General Retail District with respect to the uses permitted. However, the existing Planned Development requires Planning and Zoning Commission review of any new or revised final development plans and has a limitation of maximum gross floor area within each "Tract" of the Planned Development. The Planned Development delineates a total amount of development permitted within each "Tract" of the Planned Development rather than simply per individual lot. The cumulative requirement for each "Tract" requires the tracking of gross floor area for each development and can become cumbersome as more area within each Tract is developed. Approval of this request for GR zoning will result in significantly the same type of development as could be achieved under the existing zoning, however development of the property will be more streamlined without having to track the

previous development within the "Tract" and go through the Final Development Plan process that is required as part of the existing Planned Development.

3. The requested GR zoning is appropriate on this tract. The property is surrounded by Planned Development 84, with retail uses to the north and office uses to the south, and west. The property to the east is zoned GR, General Retail.
4. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on November 18, 2015 regarding the request for GR, General Retail. A summary of the meeting is attached (Attachment 2).

PUBLIC COMMENTS:

The property was posted by the applicant or their representative on November 5, 2015 at least 10 days prior to the public hearing. The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet. Six (6) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

CITY COUNCIL MEETING:

January 11, 2016

STAFF CONTACT PERSON:

Michael Sparlin
Senior Planner
864-1091

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-43-2015

BUILDING DEVELOPMENT SERVICES COMMENTS:

No objections to the requested zoning to GR, General Retail

CITY UTILITIES:

No objection to rezoning. All utilities are available.

CLEAN WATER SERVICES COMMENTS:

No objections to rezoning. Tract is currently served by public sewer.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

Traffic has no issues with this rezoning request.

STORMWATER COMMENTS:

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

1. The proposed percent of impervious surfacing must not exceed the maximum impervious surfacing allowed for site by zoning, platting, and/or previous stormwater reports.
2. Regional detention is provided on adjacent property to west. However, any land disturbance of 1 acre or more will require the development to meet current water quality requirements.
3. If a subdivision is required by this application, then public improvement plans will be required for any concentrated runoff crossing lot lines as well as for water quality features serving more than one lot. These improvements must be constructed, inspected, approved and operational, or, if approved, escrowed prior to issuance of a building permit or final plat.

NEIGHBORHOOD MEETING SUMMARY

1. Request change to zoning from: PD - Planned Development District to GR - General Retail District
(existing zoning) (proposed zoning)
2. Meeting Date & Time: November 18th, 2015
3. Meeting Location: Wilhoit Properties, Inc. 1730 E. Republic Rd. Suite F, Springfield, MO
4. Number of invitations that were sent: 47
5. How was the mailing list generated: City of Springfield Planning Department
6. Number of neighbors in attendance (attach a sign-in sheet): 2

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

Two neighboring property owners attended. Both just wanted further information on the proposed building. Neither one of the property owners had an issues with the proposed change/use.

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

No issues with the proposed use.

MEETING SIGN-IN SHEET

Project:	Neighborhood Meeting regarding the rezone of Planned Development District to General Retail District
-----------------	--

Meeting Date: 11/18/2015, 4:00 - 6:30 PM

Facilitator: Justin Zimmerman

Place:	Wilhoit Properties, Inc. 1730 E. Republic Rd. Suite, F Springfield, MO 65803
---------------	--

[illegible]

PLANNING AND ZONING DEPARTMENT
INTEROFFICE MEMORANDUM

DATE: December 1, 2015

TO: Planning and Zoning Commission Members

FROM: Alana D. Owen, AICP, Senior Planner
Planning and Development

SUBJECT: Conditional Use Permit #417

This is a request for approval of a Conditional Use Permit for a self-service storage facility within a GR, General Retail District at 506 West Edgewood Street. The applicant has requested to table this case to the February 4, 2016 meeting.

Please contact me at (417)864-1831 if you have any questions or need any additional information.



**OFFICIAL NOTICE
PLANNING AND ZONING COMMISSION
2016 SCHEDULE**

NOTICE is hereby given to all citizens and interested parties that the Planning and Zoning Commission of the City of Springfield, Missouri, has scheduled the following regular meeting dates for the year 2016. Meetings are scheduled for 6:30pm in the City Council Chambers, third floor of City Hall.

REGULAR MEETINGS

First Meeting	Second Meeting
January 7, 2016	January 21, 2016
February 4, 2016	February 18, 2016
March 3, 2016	March 17, 2016
March 31, 2016	April 14, 2016
May 12, 2016	May 26, 2016
June 9, 2015	June 23, 2015
July 7, 2015	July 21, 2015
August 4, 2016	August 18, 2016
September 1, 2016	September 15, 2016
October 13, 2016	October 27, 2016
November 10, 2016	November 24, 2016
December 8, 2016	December 22, 2016

Mary Lilly Smith, Executive Secretary
Planning and Zoning Commission
City of Springfield