



Springfield Planning and Zoning Commission

City Council Chambers (830 Boonville)

Date: April 6th, 2017
Time: 6:30 p.m.

Members: Randall Doennig (Chair), King Coltrin (Vice-Chairman), Melissa Cox, David Shuler, Andrew Cline, Dee Ogilvy, Cameron Rose, Joel Thomas, and Natalie Broekhoven.

1. ROLL CALL

2. APPROVAL OF MINUTES

March 9, 2017

Documents:

[PZ MINUTES 3-9-2017.PDF](#)

3. COMMUNICATIONS

City Council - March 3, 2017

Documents:

[NA03-06-17.PDF](#)

City Council - March 20, 2017

Documents:

[NA03-20-17.PDF](#)

4. UNFINISHED BUSINESS

5. CONSENT ITEMS

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

6. Relinquish Easement 840

455 South Patterson Avenue, O'Reilly Automotive Stores, Inc.

Documents:

[RE 840.PDF](#)

7. PUBLIC HEARINGS

8. Vacation 787

1801 East Seminole Street, Tower Grove Center, LLC

Documents:

[VAC787.PDF](#)

9. Vacation 790

3300 East Galloway Street, Hawkins Spousal Trust and Childress Family Partnership, Eric O. Muzart and Quincy P. Ashlock

Documents:

[VAC790.PDF](#)

10. Vacation 792

900-1200 blks East Central Street, also parts of Florence, Hampton, Bob Barker, Clay, and Chestnut Street, Ozarks Technical Community College

Documents:

[VAC792 TABLINGMEMO.PDF](#)

11. Z-12-2017 W/COD #126

2885 West Battlefield Road, Burrell, Inc.

Documents:

[Z-12-2017 COD 126 SR.PDF](#)

12. Z-13-2017

4406 South Reed Avenue and 4219 South Nature Center Way, Luxury Rental Homes, Inc. & Timbercreek RV Park, LLC

Documents:

[Z-13-2017.PDF](#)

13. Z-14-2017

1743 South Oak Grove Avenue, Barrett Fisk Investments, LLC

Documents:

[Z-14-2016 SR.PDF](#)

14. Z-10-2017 W/COD 125

4349-4413 South Kansas Avenue, Jeffrey Young and Glossip Family Trust

Documents:

[Z-10-2017 COD 125 SR.PDF](#)

15. Conditional Use Permit 428

4349-4413 South Kansas Avenue, Jeffrey Young and Glossip Family Trust

Documents:

[UP428 SR.PDF](#)

16. Conditional Use Permit 430

3048 South Kauffman Road, Battlefield Mini Storage, LLC

Documents:

[UP430 SR.PDF](#)

17. Planned Development 357

5251 South Main Avenue, Gardner Properties of Springfield, LLC

Documents:

[PD 357.PDF](#)

18. Preliminary Plat Berkeley Place Subdivision

815 West Broadmoor Street, Clint Sartin

Documents:

[BERKELEYPLACESUB.PDF](#)

19. OTHER BUSINESS

20. Zoning Text Amendment Screening And Fencing Amendments

Citywide, City of Springfield

Documents:

[SCREENINGANDFENCINGAMENDMENTS.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.

March 9, 2017
MINUTES OF THE PLANNING AND ZONING COMMISSION
Springfield, Missouri

The Planning and Zoning Commission met in regular session March 9, 2017 in the City Council Chambers. Vice-Chairman King Coltrin called the meeting to order.

Roll Call - Present: King Coltrin (Vice-Chair), Natalie Broekhoven, Joel Thomas, Andrew Cline, Melissa Cox, and Cameron Rose. Absent: David Shuler, Randall Doennig, and Dee Ogilvy

Staff in attendance: Bob Hosmer, Principal Planner, Mary Lilly Smith, Director Planning and Development, Nicholas Woodman, Asst. City Attorney, Tom Rykowski, Asst. City Attorney, Dawne Gardner, Public Works Traffic Engineer, Julie Hawkins, Public Works Project Engineer.

Minutes: The minutes of February 23, 2017 were approved as amended.

COMMUNICATIONS :

Bob Hosmer reported on February City Council meeting actions.

UNFINISHED BUSINESS:

NEW BUSINESS:

CONSENT ITEMS :

Relinquishment Easement 847
1855 East Chestnut Expressway
Applicant: The Kitchen, Inc.

Relinquishment East 847 was approved as part of the consent agenda.

COMMISSION ACTION:

Mr. Cline motioned to **approve** Consent Agenda item - Relinquishment Easement 847 (1855 East Chestnut Expressway). Mr. Rose seconded the motion. Ayes: Coltrin, Cline, Rose, Broekhoven, Cox, and Thomas. Nays: None. Abstain: None. Absent: Doennig, Ogilvy, and Shuler.

PUBLIC HEARINGS:

Vacation 786
200 South Nettleton Avenue
Applicant: City of Springfield

Mr. Hosmer stated that this is a request to vacate right of way at 200 South Nettleton Avenue. This is a request to vacate a portion of the public right-of-way of Nettleton Avenue, south of College Street. The Public Works Department has initiated the vacation because they no longer have a purpose for the Nettleton right-of-way and it is not feasible to construct a bridge over the Jordan Creek channel that runs between College and Walnut Streets. The southern portion is being retained for stormwater improvements. Fourteen property owners are within 300 feet. All necessary easements to accommodate existing facilities within the subject rights-of-way will be retained as part of this vacation either by easement or license agreement. Staff recommends approval.

Mr. King opened the public meeting.

No speakers.

Mr. King closed the public meeting.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Vacation 786 (200 South Nettleton Avenue). Mr. Cline seconded the motion. Ayes: Coltrin, Cline, Rose, Broekhoven, Cox, and Thomas. Nays: None. Abstain: None. Absent: Doennig, Ogilvy, and Shuler.

Vacation 788

1800 blk South Stewart Avenue

Applicant: City of Springfield

Mr. Hosmer requests that this be tabled and presented at the Planning and Zoning meeting on May 4, 2017.

COMMISSION ACTION:

Mr. Cline motioned to **TABLE** Vacation 788 (1800 blk South Stewart Avenue) to May 4, 2017. Mr. Rose seconded the motion. Ayes: Coltrin, Cline, Rose, Broekhoven, Cox, and Thomas. Nays: None. Abstain: None. Absent: Doennig, Ogilvy, and Shuler.

Vacation 789

4500 blk West Madison Street

Applicant: Willard School District

Mr. Hosmer stated that this is a request to vacate right of way located in the 4500 Block of West Madison Street and the 800 block of South Fisk Avenue. West Madison Street and South Fisk Avenue are both unimproved streets. The applicant, Willard R-II School District, intends to develop a new school site on the north-side of Madison Street. The applicant held a neighborhood meeting on January 24, 2017. There are twenty-six (26) property owners within three hundred (300) feet. A protest petition has been received, but the property owner is not adjacent to the ROW. Staff recommends approval.

Mr. King opened the public meeting.

Mr. Jared Rasmusson, 550 St. Louis Street representing the applicant. The intent is to build a school and by vacating the ROW they can connect their two campus'.

Mr. King closed the public meeting.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Vacation 789 (4500 blk West Madison Street). Mr. Thomas seconded the motion. Ayes: Coltrin, Cline, Rose, Broekhoven, Cox, and Thomas. Nays: None. Abstain: None. Absent: Doennig, Ogilvy, and Shuler.

Z-11-2017 w/COD #123

1310 East St. Louis Street

Applicant: Miller Commerce, LLC

Mr. Hosmer stated that this is a request to rezone approximately 1.04 acres of property generally located at 1310 East St. Louis Street from a GR, General Retail to a R-HD, High-Density Multi-Family Residential District and establishing Conditional Overlay District No. 123.

The Growth Management and Land Use 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. St.

Louis Street is classified as a Secondary Arterial roadway and Kickapoo Avenue is classified as a local roadway. The request is consistent with the recommendations of the Revised Multi-Family Development Location and Design Guidelines which will limit the development to thirty-two (32) dwelling units per acre. The Kickapoo Avenue access is currently allowed. St. Louis Street access will require an administrative replat of the property because the current plat restricts access to St. Louis Street. Stormwater buyout is not an option. Staff recommends approval.

Mr. King opened the public meeting.

Mr. Tyler Hellweg, 221 South Avenue representing the owner. I'm here to answer any questions.

Mr. King closed the public meeting.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Z-11-2017 w/COD #123 (1310 East St. Louis Street). Mr. Cline seconded the motion. Ayes: Coltrin, Cline, Rose, Broekhoven, Cox, and Thomas. Nays: None. Abstain: None. Absent: Doennig, Ogilvy, and Shuler.

Planned Development 356

800-836 South National Avenue

Applicant: Missouri Valley Operating Partners, LP

Mr. Hosmer stated that this is a request to rezone approximately 1.4 acres of property generally located between 800-836 South National Avenue from Planned Development No. 281, R-HD, High-Density Multi-Family Residential District and Rountree Urban Conservation District No. 2 Area D to a Planned Development District No. 356 and Rountree Urban Conservation District No. 2 Area D.

The Growth Management and Land Use Plan, Rountree Neighborhood Plan, and Rountree Urban Conservation District support the rezoning of the subject property. This area is located within the Missouri State University (Major) Activity Center. The MSU campus is a significant location of employment, housing, business and entertainment. The proposed rezoning will facilitate the development of the property for a mixed-use development with a restaurant, retail space and a 70-unit micro-efficiency studio apartment complex with a density of 53 dwelling units per acre. A micro-efficiency dwelling unit is a unit with a total floor area of 400 square feet or less.

If the R-HD was developed with 4 bedroom units there could be approximately 160 occupants on the proposed site. The applicant is proposing 70 micro-efficiency units which is far less than what the maximum density could be. A Traffic Study was prepared and submitted for the development. The development will not generate a significant amount of traffic that requires improvements to the existing system. The applicant is required to dedicate five (5) feet of right-of-way and five (5) feet of sidewalk easement along National Avenue for future street and sidewalk improvements. Due to its proximity to MSU, the PD permits reducing the number of parking spaces by 20% by providing bicycle parking spaces at a rate of two (2) bicycle spaces for each required off-street automobile parking space. Residents will not be allowed to participate in the Rountree Parking Permit program.

A bufferyard is required along the east property line adjacent to the R-SF, Single Family Residential zoned property. The bufferyard required is a Bufferyard "Type D" at least fifteen (15) feet wide. No portion of a multi-family dwelling shall be higher than allowed by a 45-degree bulk plane where the property adjoins an R-SF district. This proposal did require a Multi-Family Location and Design Guidelines assessment. General Retail uses are permitted as part of a mixed-use development; however, uses are limited to a maximum 1,950 square feet for retail sales uses and 2,950 square feet for eating and drinking establishment uses. The site plan has been submitted as well as some renderings. Staff recommends approval.

Mr. King asked if each bedroom is a separate unit or complete separate units.

Mr. Hosmer stated that they are separate units with 400' square feet of space.

Mr. Cline asked about the current and future parking and does this representing an increase in the amount of car that parking as the same or decrease/increase.

Mr. Hosmer stated that he believes that there will be more parking available then currently on the site.

Ms. Cox asked if there will be egress onto National and the side streets as well.

Mr. Hosmer stated that yes, there will be access from Madison and Page from National to the north.
Mr. King opened the public meeting.

Mr. Derek Lee, 1200 E. Woodhurst, representing the owner. The neighborhood did not want a swimming pool because of the noise and it has been removed and originally, we were going for GI zoning, but the neighborhood was against it and that been taken out. The neighborhood is concerned about parking and we are providing the required amount of parking, there is a 20% reduction and there is a mixed use. The neighborhood was very concerned with the traffic, some even requested that we close the access to National, however the City of Springfield would not allow that. A lot of the neighborhood concerns were also traffic going south on Kickapoo and concerns with access to Page and Madison, he then went through the traffic study.

Mr. Brian Kubik, 1435 E. Bradford, representing the owner. We took a lot of the neighborhood concerns into our approach to help facilitate the development. It is smaller than what the developer wanted to have, however it is appropriate for the area. We will be replacing two fraternity buildings and there are approximately 70 people living on the site and will have 94 parking spaces. The building will be 4-stories with mixed-use to be able to have a restaurant or retail. They are micro-studios and expect one person per unit.

Ms. Cox asked about the restaurant possibility and about the trash location.

Mr. Kubik stated that the neighbors did not bring up the trash location, however staff has recommended a trash location other than proposed.

Mr. King asked about any restrictions of having more than one person living in a micro-efficiency.

Mr. Kubik stated that he is not aware of any, however the space is very small.

Ms. Broekhoven asked if the tenants will have a dedicated a parking space.

Mr. Kubik stated that they could have dedicated parking, but not yet discussed.

Mr. King closed the public meeting.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Planned Development 356 (800-836 South National Avenue). Mr. Cline seconded the motion. Ayes: Coltrin, Cline, Rose, Broekhoven, Cox, and Thomas. Nays: None. Abstain: None. Absent: Doennig, Ogilvy, and Shuler.

Final Development Plan PD 84
1266 East Lark

Applicant: Zimmerman Properties Development

Mr. Hosmer stated that this is a request to approve a Final Development Plan of Planned Development No. 84, on approximately 6.26 acres of property generally located at 1266 East Lark Street for a sixty (60) unit age-restricted (55+) multi-family residential development.

A Final Development Plan, per Planned Development No. 84, requires review by Planning and Zoning Commission with a recommendation to City Council for final action. The applicant intends to remove the 15-foot platted bufferyard along the west property line that conflicts with the proposed development plan. Staff supports removing this bufferyard and notes that the removal of this bufferyard is required for the proposed Final Development Plan to be in substantial conformance. The Administrative Review Committee has reviewed the proposed Final Development Plan and found that it met the requirements of Planned Development 84. Staff recommends approval.

Mr. King asked about the driveway on the west side and wanted to know if it gets reconstructed.

Mr. Hosmer states that he believes it will be reconstructed up to certain point.

Mr. King opened the public meeting.

Mr. Michael Osbourn, 14700 W. 114th Terrace; Lenexa, KS representing the developer. Project will fit in with the area and get finished up.

Mr. King asked about the detention area and sidewalks.

Mr. Osbourn stated that they will improve the detention area with proper Best Management Practices (BMPs) that will meet current guidelines and there will not be any sidewalk along Lark Street, but will connect at National.

Mr. Thomas asked about the cross-access easement.

Mr. Osbourn stated that is where the current access point off from Lark Street is to line up with the access across the street.

Mr. King closed the public meeting.

COMMISSION ACTION:

Mr. Thomas motioned to **approve** Final Development Plan PD 84 (1266 East Lark). Ms. Cox seconded the motion. Ayes: Coltrin, Cline, Rose, Broekhoven, Cox, and Thomas. Nays: None. Abstain: None. Absent: Doennig, Ogilvy, and Shuler.

Text Amendment to the UCD Number 2 Area F
1451 & 1459 East Cherry Street
Applicant: Frankie Properties, LLC

Mr. Cameron Rose stepped down and took no part in the discussion and did not vote on item.

Mr. Hosmer stated that this is a request to amend the Rountree Urban Conservation District (UCD) No. 2, Area F Section 9 (C) generally located at the intersection of Cherry Street and Pickwick Avenue to allow micro-brewery and accessory tasting room uses with a conditional use permit.

The Growth Management and Land Use Plan designates this area as appropriate for Medium Intensity Retail, Office or Housing.

Cherry Street is classified as a secondary roadway in the Transportation which supports the proposed uses. The subject property was zoned LB, Limited Business District, Urban Conservation District Number 2, Area F by General Ordinance No. 3645 on July 22, 1985. The Rountree UCD No. 2 Area F District is also known as the Cherry/Pickwick Commercial Area. Area F is a compact, pedestrian-friendly

neighborhood commercial node that provides services to the surrounding residential area. The regulations in this UCD are intended to focus dense mixed-use redevelopment within a neighborhood activity center while preventing the encroachment of higher intensity uses into the surrounding single-family residential areas.

This request is to amend the UCD Area F District to allow a micro-brewery and tasting room, with an approved conditional use permit. The proposed conditional use permits will require a site plan review and meet the typical 21 standardized questions within the conditional use permit process as well as meeting the additional UCD conditional use permit use limitations to minimize the impact to the adjacent neighborhood.

- The proposed conditional use permit amendment will require micro-brewery and tasting rooms to have to have a valid alcohol production and alcohol beverage licenses from the State of Missouri which regulates micro-breweries and liquor sales. A micro-brewery use must include a tasting room.
- All production activities shall be located completely within the micro-brewery facility. All on-site storage shall be located within the micro-brewery facility.
- The hours of operation for outdoor activity between the hours of 7:00 AM to 12:00 AM.
- All outdoor activity shall cease at 12:00 AM.
- The micro-brewery and tasting room use shall not be open to the public, except for the following hours: 7:00 AM to 12:00 AM.
- Service trucks used for the purposes of loading and unloading materials, ingredients, products, and equipment shall be restricted to the hours of 8:00 AM - 6:00 PM; the use of service trucks for the purposes of loading and unloading materials, ingredients, equipment and finished product shall be prohibited on Sunday.
- A MB use may not exceed production of ten thousand (10,000) barrels per year.
- The purchase, consumption, tasting and sales of alcoholic beverages shall be permitted on site so long as production is occurring under any and all State and Federal licensing requirements.
- Ancillary retail sales shall be limited to only those retail items directly associated with the on-site MB facility and tasting room.
- The MB use or tasting room shall not charge an admission fee, cover charge or require a minimum purchase.
- No more than ten percent (10%) of the square footage of the inside face of exterior windows and transparent doors of the premises shall be allowed to bear advertising, signs or any other obstructions.

Staff recommends approval.

Mr. Cline asked how the proposed development will be different from the pizza and coffee/beer establishments.

Mr. Hosmer noted that they are restaurants and have alcohol sales as an accessory use and the proposed will only have alcohol sales with a micro-brewery and tasting room.

Mr. King opened the public meeting.

Mr. Curtis Marshall, 4003 W Eldorado Pl, Denver, CO. We are proposing to lease out the older building on 1459 E. Cherry to a business that will enhance and contribute to the current business district. The other building will be the micro-brewery and tasting room as well as a patio with seating on the southeast of the building. The neighborhood (242) responded to our survey that we had placed on our web page and the support was good, however some had a few concerns. 125 responded that they are in walking distance with various support of the brewery, only 2 did not support the brewery. Concerns were about it being a "bar" and the "noise," but probably be open from 9:00am to 10:00pm on weekdays and 11:00am to 12:00pm on the weekends.

Mr. John Melton, 707 S. Weller, fully supports this development.

Ms. Cox asked about Area F and could any of the buildings potentially be a micro-brewery?

Mr. Hosmer stated that anyone in Area F that came forward with an approved Conditional Use Permit could have a micro-brewery.

Mr. King closed the public meeting.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Text Amendment to the UCD Number 2 Area F (1451 & 1459 East Cherry Street). Ms. Broekhoven seconded the motion. Ayes: Coltrin, Cline, Broekhoven, Cox, and Thomas. Nays: None. Abstain: None. Absent: Rose, Doennig, Ogilvy, and Shuler.

Conditional Use Permit 429
1451 & 1459 East Cherry Street
Applicant: Frankie Properties, LLC

Mr. Cameron Rose stepped down and took no part in the discussion and did not vote on item.

Mr. Hosmer stated that this is a request to allow a micro-brewery and tasting room with an approved Conditional Use Permit in a LB, Limited Business District and Rountree Urban Conservation District Number 2, Area F generally located at 1451 and 1459 East Cherry Street.

The Growth Management and Land Use Plan of the Comprehensive Plan identifies this area as appropriate for Medium Intensity Retail, Office or Housing uses. This mixed-use category indicates that a variety of commercial and/or mid-or-high density housing may be appropriate at major intersections along certain road corridors. Cherry Street is classified as a secondary arterial roadway.

The applicant intends on using the existing structure at 1451 East Cherry Street for the micro-brewery and tasting room uses and the existing structure at 1459 East Cherry Street as possible future retail space.

The micro-brewery and tasting room will have a valid alcohol production and alcohol beverage licenses from the State of Missouri which regulates micro-breweries and liquor sales. A micro-brewery use must include a tasting room. All production activities shall be located completely within the micro-brewery facility. All on-site storage shall be located within the micro-brewery facility. There are 29 off-street parking spaces being provided (6 parking spaces are on the BNSF Railroad by a long-term easement arrangement). The UCD Area F allows the ARC to exempt off-street parking requirements to promote continued redevelopment of a traditional commercial node serving the neighborhood in a compact and pedestrian-friendly manner. Staff recommends approval.

Mr. King opened the public meeting.

Mr. Curtis Marshall, 4003 W Eldorado Pl, Denver, CO; here to answer any questions.

Mr. King closed the public meeting.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Conditional Use Permit 429 (1451 & 1459 East Cherry Street). Mr. Cline seconded the motion. Ayes: Coltrin, Cline, Broekhoven, Cox, and Thomas. Nays: None. Abstain: None. Absent: Rose, Doennig, Ogilvy, and Shuler.

OTHER BUSINESS:

None



Noted Agenda City Council Meeting

City Council Chambers
Historic City Hall, 830 Boonville

Robert Stephens, Mayor

Zone Councilmembers

Phyllis Ferguson, Zone 1
Tom Prater, 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
March 6, 2017 - 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.

1. ROLL CALL.

Approved
as
Corrected

2. APPROVAL OF MINUTES. February 21, 2017

Approved
as
Presented

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

4. CEREMONIAL MATTERS.

10311

5. Council Bill 2017-058. (Council)

A resolution recognizing Shirley Johnson for forty years of dedicated service as an employee of the City of Springfield.

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

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.

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

6347

8. Council Bill 2017-034. (Ferguson) Tabled at the February 21, 2017 Council Meeting

A general ordinance amending Springfield City Code Chapter 74, 'Nuisance and Housing Code,' to clarify definitions, enforcement language, and nuisance language; delete unnecessary language and definitions; repeal certain minimum standard requirements; and delete certain apartment-specific standards.

6348

9. Council Bill 2017-035. (Ferguson) Tabled at the February 21, 2017 Council Meeting

A general ordinance amending Chapter 36 of the Springfield City Code, known as the 'Land Development Code' and enacting a new Article VII, 'International Property Maintenance Code'.

Amended
Public
Hearing
held over
to
3/20/2017

10. Council Bill 2017-036. (Ferguson) Tabled at the February 21, 2017 Council Meeting

A general ordinance amending Springfield City Code Chapter 36, 'Land Development Code,' Article I, 'Administration and Enforcement of Codes,' to provide for administration and enforcement of the International Property Maintenance Code and to clarify certain provisions.

26853

11. Council Bill 2017-046. (Hosmer)

A special ordinance authorizing the City Manager, or his designee, to enter into an addendum to the annual agreement with the Springfield Convention & Visitors Bureau, Inc., to increase the total contract budget by \$70,295 to \$3,527,670 to reflect current and projected operational changes; and amending the budget of the City's tourism and convention fund for Fiscal Year 2016-2017 in the amount of \$70,295.

26854

12. Council Bill 2017-047. (Fisk)

A special ordinance authorizing the City Manager, or his designee, to enter into a Cost Apportionment Agreement with the Missouri Highway and Transportation Commission and Greene County, to share costs associated with the Route 65 Outer Road relocation; and amending the 2016-2017 Fiscal Year budget for the Department of Public Works in the amount of \$606,330 to appropriate Federal Surface Transportation Program funds for this project.

26855

13. Council Bill 2017-048. (Prater)

A special ordinance authorizing the City Manager, or his designee, to enter into a cost share agreement with Menard, Inc., for the purpose of cost coordinating the Chestnut Expressway and Eastgate Avenue improvement project. The City's estimated cost for the project is \$466,087, which will be funded by the 1/8-Cent Transportation Sales Tax Shared Cost Program.

26856

14. Council Bill 2017-049. (Schilling)

A special ordinance authorizing the plans and specifications for the Republic Road Widening Phase 3 project, Plan No. 2014PW0045T; accepting the bid of Hartman and Company, Inc., in the amount of \$2,165,600, which will be funded by the ¼-Cent Capital Improvements Sales Tax and is already budgeted; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

6349

15. Council Bill 2017-050. (Stephens)

A general ordinance amending the Springfield City Code, Chapter 10, 'Alcoholic Beverages,' Section 10-62, 'Exception for general merchandise stores, restaurants, and exempt organizations'; Chapter 78, 'Offenses and Miscellaneous Provisions,' Section 78-4, 'Possession, sale or consumption of alcoholic beverages in public place,' to amend the title of Subsection (c); and Chapter 106, 'Traffic and Vehicles,' Section 106-50, 'Use of City right-of-way during Artsfest,' and including a provision to sunset this Ordinance on December 31, 2017.

6350

16. Council Bill 2017-051. (Fisk)

A general ordinance amending Chapter 2, Section 2-92 of the Springfield City Code, known as 'Salary Ordinances,' relating to the salary rates and pay grades by creating one new job title of "Department Safety Coordinator," to be included in the Professional, Administrative and Technical (PAT) salary schedules as a PAT 7.

17. RESOLUTIONS.

18. EMERGENCY BILLS

19. PUBLIC IMPROVEMENTS.

20. GRANTS. Citizens May Speak. May Be Voted On.

26862

21. Council Bill 2017-059. (Hosmer)

A special ordinance authorizing the City Manager, or his designee, to accept grant funds in the amount of \$6,200 from the Missouri Department of Conservation, to support native plant establishment and enhancement on traffic islands at Sunset Street and Grant Avenue; and to amend the budget of the Department of Public Works for Fiscal Year 2016-2017 in the amount of \$6,200 to appropriate the grant funds.

22. AMENDED BILLS.

23. COUNCIL BILLS FOR PUBLIC HEARING. Citizens May Speak. Not Anticipated To Be Voted On.

24. Council Bill 2017-060. (Prater)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.82 acres of property, generally located at 1720, 1722, 1724, 1726, 1728, 1730, 1732 and 1734 South Plaza Avenue from a R-SF, Single-Family Residential District to a GR, General Retail District and establishing Conditional Overlay District No. 120; and adopting an updated Official Zoning Map. (Staff and Planning

and Zoning Commission recommend approval). (By: E and E Financial Inc.; 1712 through 1734 South Plaza Avenue (eastside); Z-8-2017 Conditional Overlay District No. 120.)

25. Council Bill 2017-061. (Prater)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.26 acres of property, generally located at 1712, 1714, 1716 and 1718 South Plaza Avenue from a R-SF, Single-Family Residential District to a R-LD, Low-Density Multi-Family Residential District and establishing Conditional Overlay District No. 120; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval). (By: E and E Financial Inc.; 1712 through 1734 South Plaza Avenue (eastside); Z-8-2017 Conditional Overlay District No. 120.)

26. Council Bill 2017-062. (Fishel)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2 acres of property, generally located at 3810 East Sunshine Street from an O-1, Office District with Conditional Overlay No. 8 to an O-2, Office District and establishing Conditional Overlay District No. 121; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval). (By: Central Bank of the Ozarks; 3810 East Sunshine Street; Z-9-2017 & Conditional Overlay District No. 121.)

27. Council Bill 2017-063. (McClure)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.27 acres of property, generally located at 3411 South Kansas Avenue from R-SF, Single-Family Residential district to R-MD, Medium-Density Multifamily Residential District and establishing Conditional Overlay District No. 118; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval). (By: R&S Associates LLC; 3411 South Kansas Avenue; Z-6-2017 & Conditional Overlay District No. 118.)

Tabled
Until March
20, 2017
City
Council
Meeting

28. Council Bill 2017-064. (Ferguson)

A special ordinance approving a redevelopment plan submitted by the Bailey School Redevelopment Corporation for the redevelopment of an area generally located at 501 West Central Street; declaring the Area in such plan to be a blighted area and its redevelopment necessary for the preservation of the public peace, prosperity, health, safety, morals, and welfare; authorizing certain tax abatement within the plan area; and authorizing the City Manager to execute an agreement with the Redevelopment Corporation relating to the implementation of the Redevelopment Plan. (Staff recommends approval).

Tabled
Until March
20, 2017
City
Council
Meeting

29. Council Bill 2017-065. (Schilling)

A special ordinance approving a redevelopment plan submitted by the Beverly Lofts Redevelopment Corporation for the redevelopment of an area generally located along the north side of east Cherry Street near the intersection of Cherry Street and Kimbrough Avenue; declaring the area in such plan to be a blighted

area and its redevelopment necessary for the preservation of the public peace, prosperity, health, safety, morals, and welfare; authorizing certain tax abatement within the plan area; and authorizing the City Manager to execute an agreement with the Redevelopment Corporation relating to the implementation of the Redevelopment Plan. (Staff recommends approval).

30. FIRST READING BILLS. Citizens May Speak. Not Anticipated To Be Voted On.

Tabled

31. Council Bill 2017-066. (Fisk)

A special ordinance authorizing the City Manager, or their designee, on behalf of the City of Springfield, to enter into an agreement with the Springfield Business Development Corporation for the purpose of engaging the Springfield Business Development Corporation for economic development assistance in the amount of \$65,000 per year. (Planning and Development Staff recommend approval).

32. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.

Appeared

Mr. Allen Kemper wishes to address City Council.

Appeared

Ms. Vicke Kepling wishes to address City Council.

Did Not
Appear

Ms. Barbara Craker wishes to address City Council.

Appeared

Ms. Farrah Greene wishes to address City Council

33. NEW BUSINESS.

As per RSMo. 109.230 (4), City records that are on file in the City Clerk's office and have met the retention schedule will be destroyed in compliance with the guidelines established by the Secretary of State's office.

34. UNFINISHED BUSINESS.

35. MISCELLANEOUS.

36. CONSENT AGENDA – FIRST READING BILLS. See Item #3.

37. Council Bill 2017-067. (Fishel)

A special ordinance authorizing the Director of Planning and Development to accept the dedication of the public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of Hickman Woods Subdivision, generally located at the 3400 block of East Salem Street, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with the terms of this Ordinance. (Staff recommends that City Council accept the public streets and easements).

38. CONSENT AGENDA – ONE READING BILLS.

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

26857	40. Council Bill 2017-052. (Ferguson) A special ordinance authorizing the City Manager, or his designee, to enter into a Supplemental Agreement with the Missouri Highway and Transportation Commission for the purpose of funding the Mt. Vernon Street Bridge over Jordan Creek project; and amending the 2016-2017 Fiscal Year budget of the Department of Public Works in the amount of \$18,164 to appropriate federal funds.
26858	41. Council Bill 2017-053. (Prater) A special ordinance authorizing the City Manager, or his designee, to amend contract number 2010-0866 with Environmental Works, Inc., to install and maintain one additional monitoring well on public right-of-way at 645 South Glenstone Avenue to monitor groundwater conditions at no cost to the City.
26859	42. Council Bill 2017-054. (McClure) A special ordinance authorizing the City Manager, or his designee, to accept a grant from the Springfield Police Foundation, and amending the budget for the Police Department for Fiscal Year 2016-2017, in the amount of \$1,000.
26860	43. Council Bill 2017-055. (Fulnecky) A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the Columbia, Missouri, Police Department for a Domestic Violence Enforcement Training course to be offered to the Springfield Police Department, tuition free, with certain travel reimbursement obligations to be paid by the City.
6351	44. Council Bill 2017-056. (Fulnecky) A general ordinance amending the Springfield City Code, Chapter 118 – ‘Vehicle for Hire,’ Article III – ‘Towing Services,’ Division 2 – ‘Rotation System,’ Section 118-177 – ‘Release of impounded vehicle,’ by removing references to certain court fees.
26861	45. Council Bill 2017-057. (Fishel) A special ordinance authorizing the City Manager, or his designee, on behalf of the City of Springfield, to enter into an agreement with the Missouri Development Finance Board and Ozarks Food Harvest to obtain tax credits for contributions to benefit Ozarks Food Harvest for the purpose of expanding the capacity of the existing Ozarks Food Harvest facility and to waive the City’s economic development fee in the amount of \$1,000.
Confirmed	46. Confirm the following reappointments to the Land Clearance for Redevelopment Agency: Ryan Crosby and Benjamin Hall with terms to expire March 1, 2020.
Confirmed	Confirm the following reappointment to the Springfield-Greene County Library Board: Andrea McKinney with a term to expire July 1, 2019.
Confirmed	Confirm the following reappointment to the Mayor’s Commission on Human Rights and Community Relations: Todd Thomas with a term to expire October 1, 2019.

Confirmed

Confirm the following reappointments to the Tree City USA Citizens Advisory Committee: Zach Clapper, Nick Baker and Matthew Suarez with terms to expire December 1, 2019.

Confirmed

Confirm the following reappointments to the Traffic Advisory Board: J.D. Stone, Scott Pearson and Angelo "Nick" Forte with terms to expire April 1, 2020.

47. END OF CONSENT AGENDA.

48. ADJOURN.



Noted Agenda City Council Meeting

**City Council Chambers
Historic City Hall, 830 Boonville**

Robert Stephens, Mayor

Zone Councilmembers

Phyllis Ferguson, Zone 1
Tom Prater, 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
March 20, 2017 - 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.

- 1. ROLL CALL.**
- 2. APPROVAL OF MINUTES. March 6, 2017**
- 3. FINALIZATION AND APPROVAL OF CONSENT AGENDAS. CITIZENS WISHING TO SPEAK TO OR REMOVE ITEMS FROM THE CONSENT AGENDAS MUST DO SO AT THIS TIME.**
- 4. CEREMONIAL MATTERS.**
- 5. CITY MANAGER REPORT AND RESPONSES TO QUESTIONS RAISED AT THE PREVIOUS CITY COUNCIL MEETING.**
- 6. SECOND READING AND FINAL PASSAGE. Citizens Have Spoken. May Be Voted On. Except Item No. 7. Citizens May Speak to Amendment Only. May Be Voted On.**

Approved as
Presented

Approved as
Presented

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.

6352

7. Amended Council Bill 2017-036. (Ferguson) Public Hearing held over from March 6, 2017 Council Meeting. Citizens May Speak to Amendment Only. May Be Voted On.

A general ordinance amending Springfield City Code Chapter 36, 'Land Development Code,' Article I, 'Administration and Enforcement of Codes,' to provide for administration and enforcement of the International Property Maintenance Code and to clarify certain provisions.

6353

8. Council Bill 2017-060. (Prater)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.82 acres of property, generally located at 1720, 1722, 1724, 1726, 1728, 1730, 1732 and 1734 South Plaza Avenue from a R-SF, Single-Family Residential District to a GR, General Retail District and establishing Conditional Overlay District No. 120; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval). (By: E and E Financial Inc.; 1712 through 1734 South Plaza Avenue (eastside); Z-8-2017 Conditional Overlay District No. 120.)

6354

9. Council Bill 2017-061. (Prater)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.26 acres of property, generally located at 1712, 1714, 1716 and 1718 South Plaza Avenue from a R-SF, Single-Family Residential District to a R-LD, Low-Density Multi-Family Residential District and establishing Conditional Overlay District No. 120; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval). (By: E and E Financial Inc.; 1712 through 1734 South Plaza Avenue (eastside); Z-8-2017 Conditional Overlay District No. 120.)

6355

10. Council Bill 2017-062. (Fishel)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2 acres of property, generally located at 3810 East Sunshine Street from an O-1, Office District with Conditional Overlay No. 8 to an O-2, Office District and establishing Conditional Overlay District No. 121; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval). (By: Central Bank of the Ozarks; 3810 East Sunshine Street; Z-9-2017 & Conditional Overlay District No. 121.)

Tabled
Until the April
11, 2017 Special
City Council
Meeting

11. Council Bill 2017-063. (McClure) It is anticipated this bill will be tabled; however, tabling will require Council action.

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.27 acres of property, generally located at 3411 South Kansas Avenue from R-SF, Single-Family Residential district to R-MD, Medium-Density Multifamily Residential District and establishing Conditional Overlay District No. 118; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval). (By: R&S Associates LLC; 3411 South Kansas Avenue; Z-6-2017 & Conditional Overlay District No. 118.)

12. RESOLUTIONS. Citizens May Speak. May Be Voted On.

10312

13. Council Bill 2017-068. (Fulnecky)

A resolution authorizing the City Manager, or his designee, to apply for funding through the Missouri Foundation for Health's Strengthening the Field initiative: Behavioral Health Systems grant.

10313

14. Council Bill 2017-069. (Stephens)

A resolution authorizing the Mayor, on behalf of City Council, to sign a letter of support for a grant application by the St. Louis County Health Department to the United States Department of Justice for consortium funding for a prescription drug monitoring program.

15. EMERGENCY BILLS.

16. PUBLIC IMPROVEMENTS.

17. GRANTS. Citizens May Speak. May Be Voted On.

26864

18. Council Bill 2017-070. (Fisk)

A special ordinance authorizing the City Manager, or his designee, to accept supplemental Workforce Innovation and Opportunity Act 15% grant funds in the amount of \$71,716 from the Missouri Division of Workforce Development to assist with the costs of enhancements to Ozark Region facilities and training and planning activities associated with the Ozark Region Workforce Development Board and to enter into necessary agreements to carry out the grant; amending the budget of the Department of Workforce Development for Fiscal Year 2016-2017 in the amount of \$71,716; and declaring that this bill qualifies for approval on one reading.

19. AMENDED BILLS.

20. COUNCIL BILLS FOR PUBLIC HEARING. Citizens May Speak. Not Anticipated To Be Voted On.

Tabled
Indefinitely

21. Council Bill 2017-064. (Ferguson) It is anticipated this bill will be tabled; however, tabling will require Council action.

A special ordinance approving a redevelopment plan submitted by the Bailey School Redevelopment Corporation for the redevelopment of an area generally located at 501 West Central Street; declaring the Area in such plan to be a blighted area and its redevelopment necessary for the preservation of the public peace, prosperity, health, safety, morals, and welfare; authorizing certain tax abatement within the plan area; and authorizing the City Manager to execute an agreement with the Redevelopment Corporation relating to the implementation of the Redevelopment Plan. (Staff recommends approval).

22. Council Bill 2017-064. Substitute 1. (Ferguson)

A special ordinance approving a redevelopment plan submitted by the Bailey School Redevelopment Corporation for the redevelopment of an area generally located at 501 West Central Street; declaring the Area in such plan to be a blighted area and its redevelopment necessary for the preservation of the public peace, prosperity, health, safety, morals, and welfare; authorizing certain tax abatement within the plan area; and authorizing the City Manager

Tabled
Indefinitely

to execute an agreement with the Redevelopment Corporation relating to the implementation of the Redevelopment Plan. (Staff recommends approval).

23. Council Bill 2017-065. (Schilling) It is anticipated this bill will be tabled; however, tabling will require Council action.

A special ordinance approving a redevelopment plan submitted by the Beverly Lofts Redevelopment Corporation for the redevelopment of an area generally located along the north side of east Cherry Street near the intersection of Cherry Street and Kimbrough Avenue; declaring the area in such plan to be a blighted area and its redevelopment necessary for the preservation of the public peace, prosperity, health, safety, morals, and welfare; authorizing certain tax abatement within the plan area; and authorizing the City Manager to execute an agreement with the Redevelopment Corporation relating to the implementation of the Redevelopment Plan. (Staff recommends approval).

24. Council Bill 2017-065. Substitute 1. (Schilling)

A special ordinance approving a redevelopment plan submitted by the Beverly Lofts Redevelopment Corporation for the redevelopment of an area generally located along the north side of east Cherry Street near the intersection of Cherry Street and Kimbrough Avenue; declaring the area in such plan to be a blighted area and its redevelopment necessary for the preservation of the public peace, prosperity, health, safety, morals, and welfare; authorizing certain tax abatement within the plan area; and authorizing the City Manager to execute an agreement with the Redevelopment Corporation relating to the implementation of the Redevelopment Plan. (Staff recommends approval).

25. Council Bill 2017-071. (Ferguson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately four acres of property, generally located at 2419 West High Street from a R-TH, Residential Townhouse District, to a R-LD, Low-Density Multifamily Residential District, and establishing Conditional Overlay District No. 119; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval)

26. Council Bill 2017-072. (Fishel)

A general ordinance authorizing the City Manager, or his designee, to make application to the U.S. Department of Housing and Urban Development for the Federal Fiscal Year 2017 Community Development Block Grant and HOME Investment Partnership Program funds under the Consolidated Plan, to accept Community Development Block Grant and HOME Investment Partnership Program funds; to enter into any necessary agreements to carry out the grants; to exercise any and all powers necessary to implement selected projects; to select projects for funding for the City of Springfield Fiscal Year 2017-2018; and to reaffirm the Community Development Objectives and Priorities. (Staff and Citizen Advisory Committee for Community Development recommend approval).

27. FIRST READING BILLS. Citizens May Speak. Not Anticipated To Be Voted On.

28. Council Bill 2017-073. (Hosmer)

A special ordinance authorizing the City Manager, or his designee, to enter into a Surface Transportation Program - Urban Program Agreement with the Missouri Highways and Transportation Commission to partially reimburse the base salaries of up to six City employees who work at the Transportation Management Center; and amending the budget of the Department of Public Works for Fiscal Year 2016-2017, in the amount of \$315,000.

29. Council Bill 2017-074. (Prater)

A special ordinance authorizing the City Manager, or his designee, to enter into a Job, Education & Training agreement with Herschend Family Entertainment Corporation to provide employee work skill enhancement and training activities for 47 incumbent workers to fulfill the Ozark Region Workforce Development Board's Incumbent Worker Training program under the Workforce Innovation and Opportunity Act. This is a cost reimbursement contract in the amount of \$58,005.

30. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.

Appeared

Mr. Justin Myhre wishes to address City Council.

Did Not Appear

Dr. James Carmichael wishes to address City Council.

Appeared

Mr. Robert Mondy wishes to address City Council.

Appeared

Mr. Allen Kemper wishes to address City Council.

31. NEW BUSINESS.

Recommended

The City manager recommends the following appointment to the Building Trades Examination and Certification Board: Terry Speake with a term to expire October 1, 2019.

Recommended

The Mayor recommends the following appointments to the Mayor's Commission on Human Rights and Community Relations: Pamela Hernandez and Heather Hardinger with terms to expire October 1, 2017; and Brittany O'Brien with a term to expire October 1, 2018.

As per RSMo. 109.230 (4), City records that are on file in the City Clerk's office and have met the retention schedule will be destroyed in compliance with the guidelines established by the Secretary of State's office.

32. UNFINISHED BUSINESS.

Tabled
Until the April
11, 2017 Special
City Council
Meeting

33. Council Bill 2017-066. (Fisk) It is anticipated this bill will be tabled; however, tabling will require Council action.

A special ordinance authorizing the City Manager, or their designee, on behalf of the City of Springfield, to enter into an agreement with the Springfield Business Development Corporation for the purpose of engaging the Springfield Business Development Corporation for economic development assistance in the amount of \$65,000 per year. (Planning and Development Staff recommend approval).

34. MISCELLANEOUS.

35. CONSENT AGENDA – FIRST READING BILLS. See Item #3.

36. Council Bill 2017-075. (McClure)

A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the International Association of Chiefs of Police to provide a training program for the Springfield Police Department at a cost of \$29,784 to be paid for by federal forfeited funds.

37. CONSENT AGENDA – ONE READING BILLS.

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

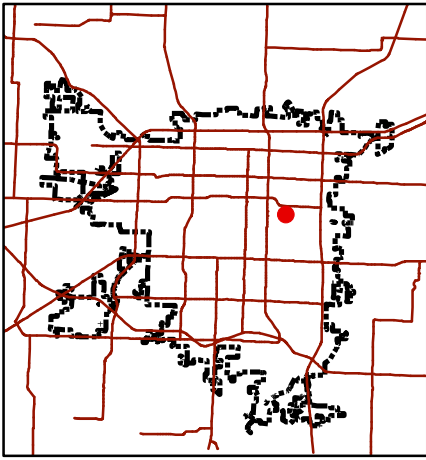
26863

39. Council Bill 2017-067. (Fishel)

A special ordinance authorizing the Director of Planning and Development to accept the dedication of the public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of Hickman Woods Subdivision, generally located at the 3400 block of East Salem Street, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with the terms of this Ordinance. (Staff recommends that City Council accept the public streets and easements).

40. END OF CONSENT AGENDA.

41. ADJOURN.



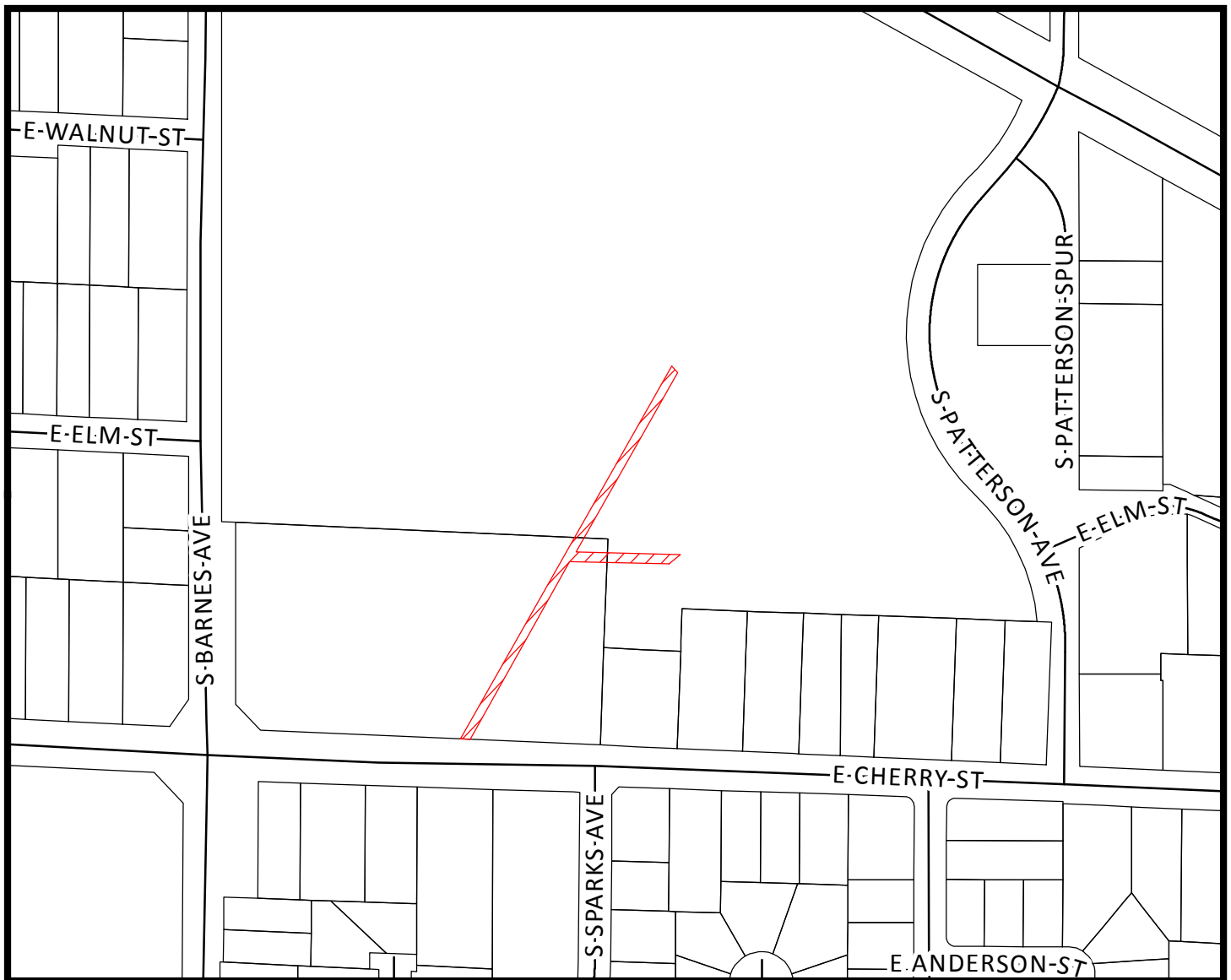
Development Review Staff Report

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

Relinquish Easement 840

LOCATION: 455 S. Patterson Avenue

LOCATION SKETCH



- Area of Proposal



1 inch = 250 feet

DEVELOPMENT REVIEW STAFF REPORT
REQUEST TO RELINQUISH EASEMENT NUMBER 840

PURPOSE: To relinquish a sanitary sewer easement

REPORT DATE: March 22nd, 2017

LOCATION: 455 S. Patterson Avenue

APPLICANT: O'REILLY AUTOMOTIVE STORES, INC

RECOMMENDATION:

The request be **approved**.

FINDING:

The request meets the approval criteria listed in Attachment B.

STAFF CONTACT PERSON:

Alyssa S. Ahner
Assistant City Planner

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

ATTACHMENT A
RELINQUISH EASEMENT NO. 840
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish a sanitary sewer easement in order to facilitate the development of the property.

RIGHT OF WAY:

Approved; Replacement easement has been recorded.

SANITARY SEWER:

Approved; Comments have been addressed.

STAFF COMMENTS:

1. The applicant is requesting to relinquish a sewer easement in order to facilitate development of the property. The existing easement will be in conflict with the proposed development. The subject easement is located within city limits.
2. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect public utilities.
3. No one has objected to this request to date.

ATTACHMENT B
RELINQUISH EASEMENT NO. 840
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. 840
EXHIBIT 1

AN EXISTING 10.00 FOOT WIDE SANITARY SEWER EASEMENT AS DESCRIBED IN BOOK 1395, PAGE 221 AND ALSO A PART OF A 15.00 FOOT SANITARY SEWER EASEMENT AS DESCRIBED IN BOOK 2009, PAGE, 25422-09 AND SAID EASEMENTS LYING IN THE GRANTOR'S TRACT AS DESCRIBED IN THE GREENE COUNTY MISSOURI RECORDER'S OFFICE IN BOOK 2016, PAGE 007612- AND SAID EASEMENT RELINQUISHMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SECTION 20, TOWNSHIP 29 NORTH, RANGE 21 WEST; THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 20, SOUTH 86°30'20" EAST, 395.28 FEET; THENCE LEAVING SAID SOUTH LINE, NORTH 29°06'27" EAST, 33.07 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO LYING ON THE NORTH RIGHT-OF-WAY OF CHERRY STREET; THENCE CONTINUING NORTH 29°06'27" EAST, 660.49 FEET; THENCE SOUTH 88°16'44" EAST, 11.26 FEET; THENCE SOUTH 29°06'27" WEST, 320.69 FEET; THENCE SOUTH 86°07'09" EAST, 164.50 FEET; THENCE SOUTH 63°05'17" WEST, 29.30 FEET; THENCE NORTH 86°07'09" WEST, 146.39 FEET; THENCE SOUTH 29°06'27" WEST, 323.59 FEET TO A POINT LYING ON THE AFOREMENTIONED NORTH RIGHT-OF-WAY OF CHERRY STREET; THENCE ALONG SAID NORTH RIGHT-OF-WAY, NORTH 86°33'18" WEST, 11.09 FEET TO THE POINT OF BEGINNING. ALL LYING IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 29 NORTH, RANGE 21 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE. DATE OF ADJUSTMENT 2000. EXCEPT ANY PART OF THE SANITARY SEWER EASEMENT RECORDED IN BOOK 2017, PAGE 504-17.

CONTAINING 8,938 SQUARE FEET OR 0.205 ACRES AND 816 LINEAR FEET MORE OR LESS.

GRID

3/09/17

KEVIN L. LAMBETH
LS-2695
PROFESSIONAL LAND SURVEYOR

O'REILLY AUTOMOTIVE STORES, INC.
BOOK 2016, PAGE 007612-16
AS-7160

EASEMENT RELINQUISHMENT
8,938± SQ. FT.
0.205± ACRES
816± LN. FT.
TO BE RELINQUISHED

CHERRY STREET

LOT 25
O'REILLY AUTOMOTIVE STORES, INC.
BOOK 2016, PAGE 038935-16

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P.O.C.

CENTER OF SECTION
20, T-29-N, R-21-W

EASEMENT RELINQUISHMENT SKETCH

BARNES AVENUE, SPRINGFIELD, MO

ANDERSON
ENGINEERING, INC.

ENGINEERS • SURVEYORS • LABORATORIES • DRILLING
2945 W. WOODLAND • SPRINGFIELD, MISSOURI 65807 • PHONE (417) 866-2741

DRAWN BY:
BAC
DATE:
8-24-2016
CLIENT NO:
30053-16

CLIENT NO.
30053-16

DRAWN BY:	FIELD BY:
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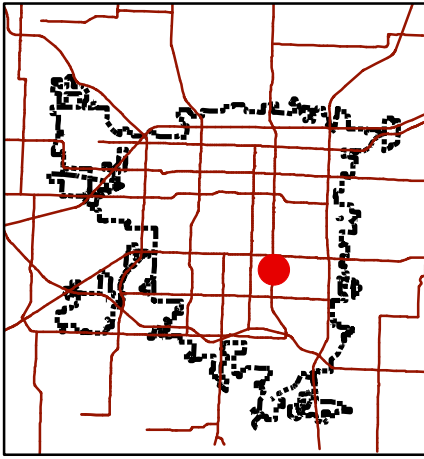
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FIELD BK:

8-24-2016

CLIENT NO: DRAWING NO:

30053-16 110650.DWG



Development Review Staff Report

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

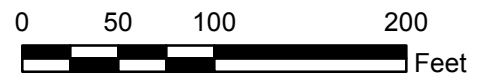
Vacation 787

LOCATION: 1801 East Seminole Street

LOCATION SKETCH



- Area of Proposal



1 inch = 100 feet

DEVELOPMENT REVIEW STAFF REPORT
VACATION 787

REPORT DATE: March 24, 2017

LOCATION: Northeast corner of East Seminole Street and South Brentwood Boulevard (1801 East Seminole Street)

APPLICANT: Tower Grove Center LLC

VACATION AREA: Approximately 648 square feet

FINDINGS FOR STAFF RECOMMENDATION:

1. The requested vacation meets the approval criteria listed in Attachment 2.

RECOMMENDATION:

Staff recommends **approval** of this request.

ADJACENT PROPERTY OWNER COMMENTS:

Eight (8) property owners are within three hundred (300) feet of the subject area and have been notified of this action. Staff has not received any comments.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on January 10, 2017 regarding the vacation request. A summary of the meeting is attached (Attachment 4).

STAFF COMMENTS:

1. This is a request to vacate a portion to right-of-way at the northwest corner of East Seminole Street and South Brentwood Boulevard. The applicant, Tower Grove Center LLC, owns the adjacent property. A portion of the existing monument sign has been determined to be in public right-of-way. Approval of this request will allow for the sign to remain but on private property rather than in public right-of-way.
2. All necessary easements to accommodate existing facilities within the subject right-of-way vacation have been obtained.
3. The proposed vacation was reviewed by City departments and comments are contained in Attachment 1.

STAFF CONTACT PERSON:

Michael Sparlin
Senior Planner
864-1091

ATTACHMENTS:

Attachment 1, Department Comments
Attachment 2, Approval Criteria for Vacations
Attachment 3, Legal Description and Survey
Attachment 4, Neighborhood Meeting Summary

ATTACHMENT 1
DEPARTMENT COMMENTS
VACATION 787

BUILDING DEVELOPMENT SERVICES COMMENTS:

No BDS issues with vacation proposal.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

No objection to vacation of right-of-way.

STORMWATER COMMENTS:

No issues with vacation. Drainage easement exists within right-of-way.

CLEAN WATER SERVICES COMMENTS:

No objection to vacation. Easements have been obtained.

CITY UTILITIES:

No objection to relinquishment of ROW. No impact on CU facilities.

ATTACHMENT 2
APPROVAL CRITERIA
VACATION 787

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

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

STAFF RESPONSE:

This proposed vacation does not impact any access to the street.

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

STAFF RESPONSE:

The applicant is the only owner adjacent to the street that will be affected.

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

STAFF RESPONSE:

The right-of-way is not needed and does not serve a useful purpose. All necessary easements to accommodate existing facilities within the subject right-of-way vacation have been obtained.

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

STAFF RESPONSE:

The vacation of right-of-way will not affect utilities. An easement has been granted for the utilities that will remain in the area to be vacated.

ATTACHMENT 3
LEGAL DESCRIPTION
VACATION 787

DESCRIPTION FOR STREET VACATION:

COMMENCING AT A SURVEY MONUMENT SET (5/8" IRON REBAR CAPPED "LS-267D") AT THE SOUTHWEST CORNER OF LOT 1 IN TOWER GROVE, A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, SAID MONUMENT ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF SEMINOLE STREET;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, S86°47'15"E, A DISTANCE OF 60.99 FEET TO A SURVEY MONUMENT SET (5/8" IRON REBAR CAPPED "LS-267D") MARKING THE SOUTHEAST CORNER OF SAID LOT 1 FOR A POINT OF BEGINNING;

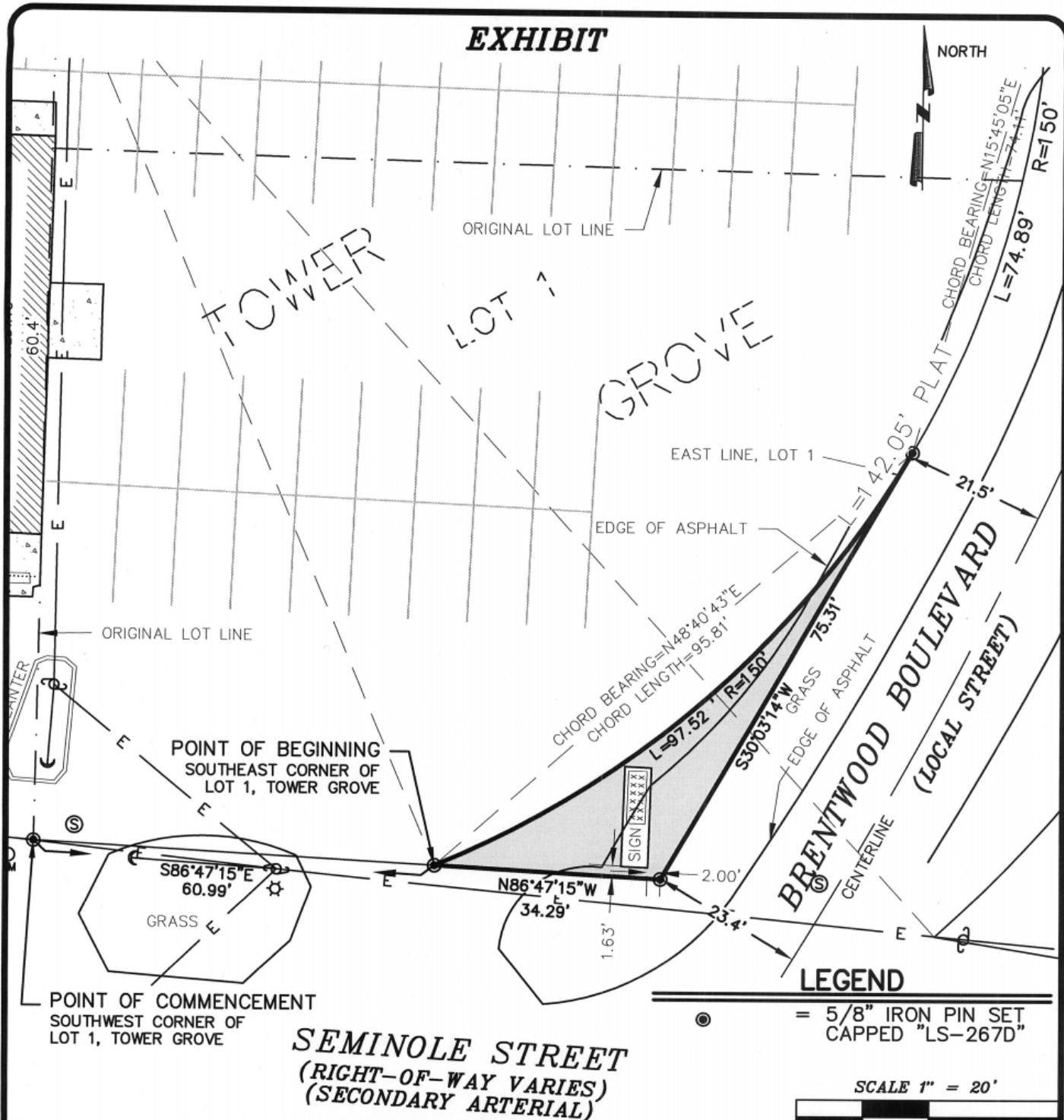
THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE ON A CURVE TO THE LEFT AND ALONG THE EAST LINE OF SAID LOT 1, SAID CURVE HAVING AN ARC LENGTH OF 97.52 FEET, A RADIUS OF 150', WITH A CHORD BEARING N48°40'43"E AND A LONG CHORD LENGTH OF 95.81 FEET TO A SURVEY MONUMENT SET (5/8" IRON REBAR CAPPED "LS-267D");

THENCE LEAVING SAID EAST LOT LINE, S30°03'14"W, A DISTANCE OF 75.31 FEET TO A SURVEY MONUMENT SET (5/8" IRON REBAR CAPPED "LS-267D") ON THE NORTH RIGHT-OF-WAY LINE OF SAID SEMINOLE STREET IF EXTENDED;

THENCE ALONG SAID EXTENDED RIGHT-OF-WAY LINE, N86°47'15"W, A DISTANCE OF 34.29 FEET TO THE POINT OF BEGINNING.

ALL BEING IN TOWER GROVE SUBDIVISION, AND CONTAINING 648 SQ. FT.

EXHIBIT



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

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

DATE: MARCH 10, 2017

WILSON SURVEYING CO., INC.

Surveying / Engineering / Land Planning

2012 S. Stewart Springfield, Missouri 65804

TELE.: (417)522-7870 FAX: (417)522-7874

EMAIL: RICK.WILSON@WILSONSURVEYING.COM

PREPARED FOR:

PINNACLE SIGN

DRAWN BY: MSB
CREW CHIEF: JE/GA

PROJECT NO.: 16123
DRAWING NO.: WA-105-94-EX

SHEET NO.
1 OF 1



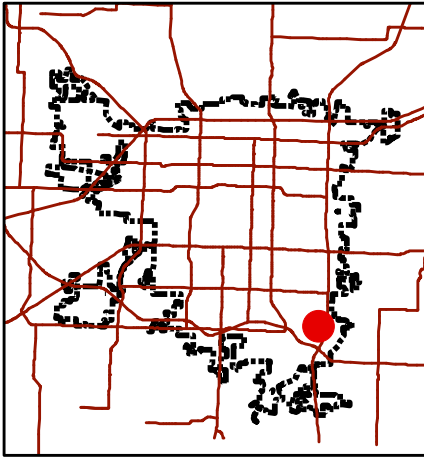
NEIGHBORHOOD MEETING SUMMARY

1. Request to vacate: 1801 E. Seminole Street, Springfield, MO
(subject address)
2. Meeting Date & Time: January 10, 2017 4:00 p.m. - 6:30 p.m.
3. Meeting Location: Kings Way United Methodist Church - 2401 S. Lone Pine Avenue
4. Number of invitations that were sent: 52 mailings - Five returned unable to deliver
5. How was the mailing list generated: City provided list
6. Number of neighbors in attendance (attach a sign-in sheet): Zero
7. List the verbal comments and how you plan to address any issues:

No comments made

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

N/A



Development Review Staff Report

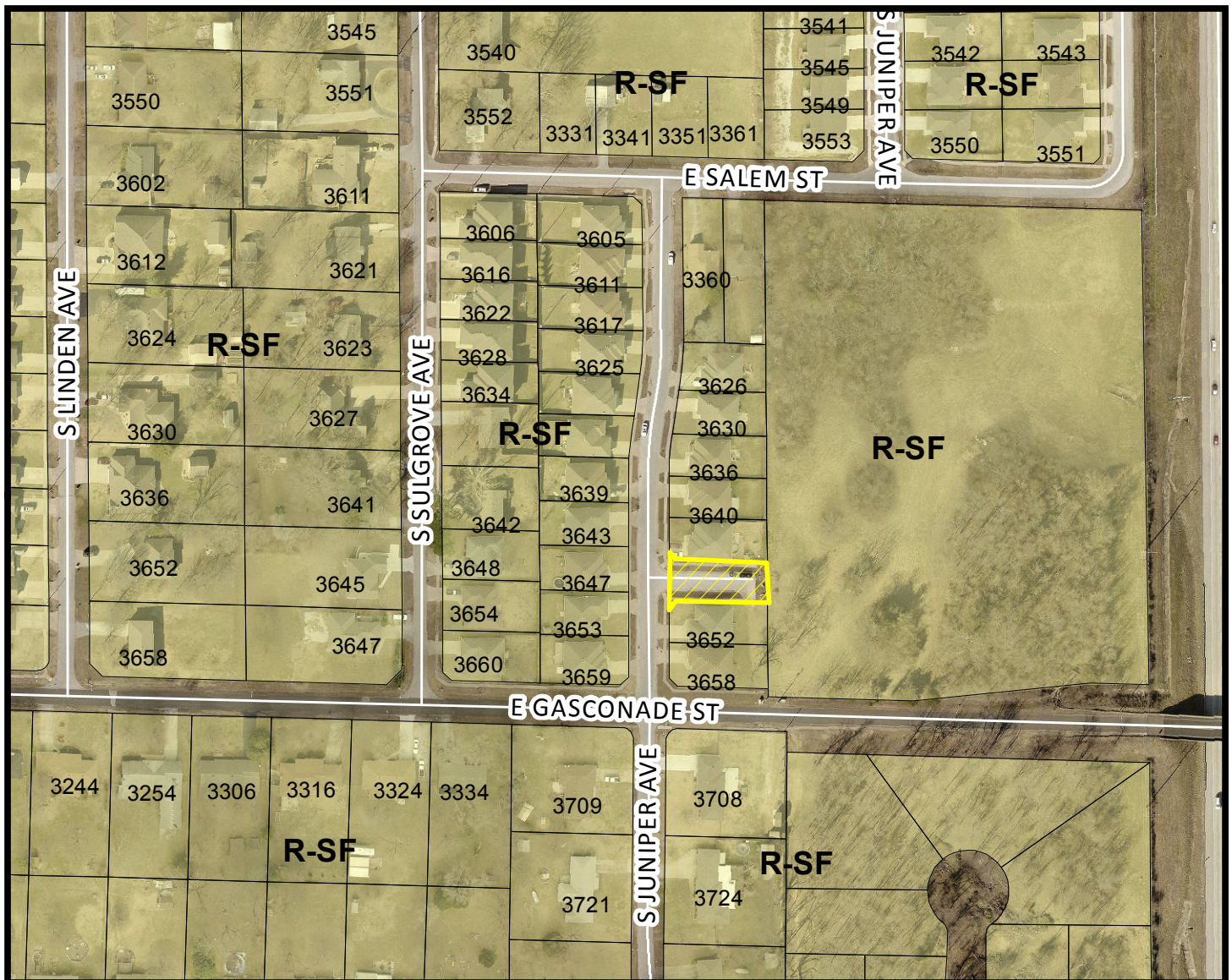
Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802

Vacation 790

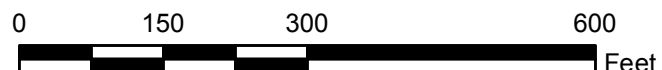
LOCATION: 3300 block E. Galloway Street

CURRENT ZONING: N/A

LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

DEVELOPMENT REVIEW STAFF REPORT
VACATION 790

REPORT DATE: March 24, 2017

LOCATION: 3300 block E. Galloway Street

APPLICANTS: Hawkins Spousal Trust and Childress Family Partnership, Eric O. Muzart and Quincy P. Ashlock

VACATION AREA: Approximately 0.14 acres

FINDINGS FOR STAFF RECOMMENDATION:

1. The requested vacation meets the approval criteria listed in Attachment 2.

RECOMMENDATION:

Staff recommends **approval** of this request.

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 March 15, 2017. A summary of the meeting is attached (Attachment 4).

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 News-Leader at least 30 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 three hundred (300) feet of the subject area. Twenty-nine (29) property owners within three hundred (300) feet of the subject property were notified by mail of this request.

ZONING ORDINANCE REQUIREMENTS:

1. The petition and consent to vacate form must be signed by the owners of at least 2/3 of the footage bordering the street or alley to be vacated (all the property owners within a subdivision to be vacated must sign this page if this request is to vacate a subdivision).
2. The Planning and Zoning Commission can table items for 30 days. The applicant may request that the vacation be tabled for up to 180 days. At the end of that time, if the required easements have not been granted to the city, the vacation will be automatically denied.

3. If the Planning and Zoning Commission finds that all conditions set forth above have been met, then the Planning and Zoning Commission may adopt a resolution vacating the area.
4. If the Planning and Zoning Commission does not adopt a resolution vacating the area, the applicant may request that the City Council hear the request for vacation, provided a request for review is filed within 15 days with the City Clerk from the date the planning and zoning commission denies the request.
5. If the Planning and Zoning Commission approves the request to vacate, any person objecting thereto may petition the City Council to review the request to vacate by filing an appeal within 15 days with the City Clerk from the date the resolution was passed by the Planning and Zoning Commission. If the objector shall not have consented, the council may approve the vacation as provided in this section, only upon a finding that the public interest requires such vacation despite the objections thereto. Any person aggrieved by a decision of the council shall appeal to the County Circuit Court within 30 days after a decision is rendered by the council in accordance with the procedures set forth in RSMo Chapter 536.

STAFF COMMENTS:

1. This is a request to vacate the public street and right-of-way of Galloway Street lying east of Juniper Avenue in Sequiota Place Subdivision (more specifically described in Attachment 3).
2. The City has requested that this street be vacated as part of the preliminary plat of Hickman Woods Subdivision. Otherwise, Galloway Street will need to be connected to Glen View Avenue in the preliminary plat of Hickman Woods Subdivision. Staff does not believe the street connection is necessary.
3. Public Works Traffic supports the vacation request.
4. All necessary easements to accommodate existing facilities within the subject rights-of-way will be retained as part of this vacation.
5. The proposed vacation was reviewed by City departments and comments are contained in Attachment 1.

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
DEPARTMENT COMMENTS
VACATION 790

AT&T COMMENTS:

No objection from AT&T. AT&T facilities are in the rear ten feet easement that shows to be staying in place.

BUILDING DEVELOPMENT SERVICES COMMENTS:

No BDS issues with vacation of ROW.

CLEAN WATER SERVICES COMMENTS:

No impact on public sewer. No sewer within ROW.

CITY UTILITIES:

Easement description/sketch is acceptable. Will recommend approval when signed easements are turned in. Have surveyor request current CU easement form if they do not have the current version.

FIRE DEPARTMENT COMMENTS:

Fire has no objections to the vacation.

POLICE DEPARTMENT COMMENTS:

No comments.

PUBLIC WORKS RIGHT-OF-WAY COMMENTS:

No comments.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

Traffic supports this vacation request.

STORMWATER COMMENTS:

Stormwater has no issue with vacation.

ATTACHMENT 2
APPROVAL CRITERIA
VACATION 790

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

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

STAFF RESPONSE:

All adjacent properties have access to other public streets.

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

STAFF RESPONSE:

Hawkins & Sons Construction, LLC and the other two adjoining property owners along Juniper Avenue signed petitions to vacate.

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

STAFF RESPONSE:

If Galloway Street isn't connected, as shown by the recent approved preliminary plat of Hickman Woods, then there is no useful purpose for the street or right-of-way.

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

STAFF RESPONSE:

Replacement easements for AT&T and CU were requested and will be provided. All necessary utilities will be retained.

ATTACHMENT 3
LEGAL DESCRIPTION
VACATION 790

DESCRIPTION FOR STREET VACATION:

COMMENCING FROM THE SOUTHWEST CORNER OF LOT 2, SEQUIOTA PLACE, A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, AND AS SHOWN ON THE RECORDED PLAT THEREOF IN PLAT BOOK ZZ AT PAGE 114 IN THE RECORDER'S OFFICE IN GREENE COUNTY, MISSOURI, THENCE N01°41'41"E, ALONG THE WEST LINE OF LOT 2, 42.50 FEET TO THE POINT OF BEGINNING; THENCE N01°41'41"E, 70.02 FEET; THENCE S42°48'11"E, 14.28 FEET; THENCE S87°18'04"E, 109.64 FEET; THENCE S01°03'17"W, 50.02 FEET; THENCE N87°18'04"W, 110.20 FEET; THENCE S47°11'49"W, 14.02 FEET TO THE POINT OF BEGINNING.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING

I, Robert Hawkins (print name), attest that the invitation letter to the neighborhood meeting (attached) was mailed ten (10) days prior to the neighborhood meeting on 3/3/2017 (month/date/year), the neighborhood meeting is scheduled to be held on 3/15/2017 (month/date/year), which is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Exhibit 1: Neighborhood Notification and Meeting Process."



Signature of person completing mailings

Robert D. Hawkins.

Printed name of person completing mailings

**NOTE: this affidavit must be submitted by the Friday following the application deadline.*

NEIGHBORHOOD MEETING SUMMARY

1. Request to vacate: Galloway St. east of Juniper St.
(subject address)
2. Meeting Date & Time: _____
3. Meeting Location: March 15, 4:00 to 6:30. Pasta Express E.
4. Number of invitations that were sent: 76 Battlefield.
5. How was the mailing list generated: P & Z
6. Number of neighbors in attendance (attach a sign-in sheet): _____
7. List the verbal comments and how you plan to address any issues:

Mostly ~~con~~ curious with questions about possibly a fence in back of property line. Four people came to meeting. "Good response" to

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

AFFIDAVIT OF SIGN

Attach photo here

(See Attachment -)

(sign lettering must be legible in photo)

I, Robert Hawkins (print name of owner, agent, attorney), attest that the above sign was posted 10 days before the public hearing on 3/17/2017 (month/day/year) and in accordance with the given posting requirements.

Robert Hawkins

Signature of person completing sign posting

Robert D. Hawkins

Printed name of person completing sign posting



Public Meeting for Galloway Street Vacate

March 15, 2017

Attended

Address

Shana Stillings	3630 S. Juniper Ave	65804
Charlotte Wilson (Thomas)	3018 E. Beaumont St	65804
Beverly Vermont	3336 Independence St	65804
Ryanne Beaman	3708 S Juniper	65804
Mal C.	3400 S.	

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

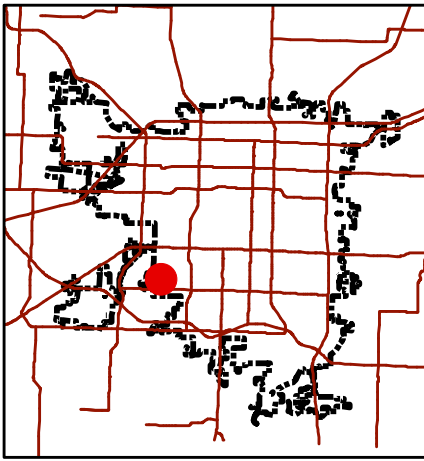
DATE: March 28, 2017

TO: Planning and Zoning Commission

FROM: Daniel Neal
Senior Planner

SUBJECT: Vacation 792, 900-1200 blks East Central Street, 900 blk N. Florence Avenue, 900 blk N. Hampton Avenue, 800 blk Bob Barker Blvd, 700 blk N. Clay Avenue, 700-800 blk E. Chestnut Street

The applicant's representative requests that this case be tabled and placed on the Planning and Zoning Commission meeting on May 4th.



Development Review Staff Report

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

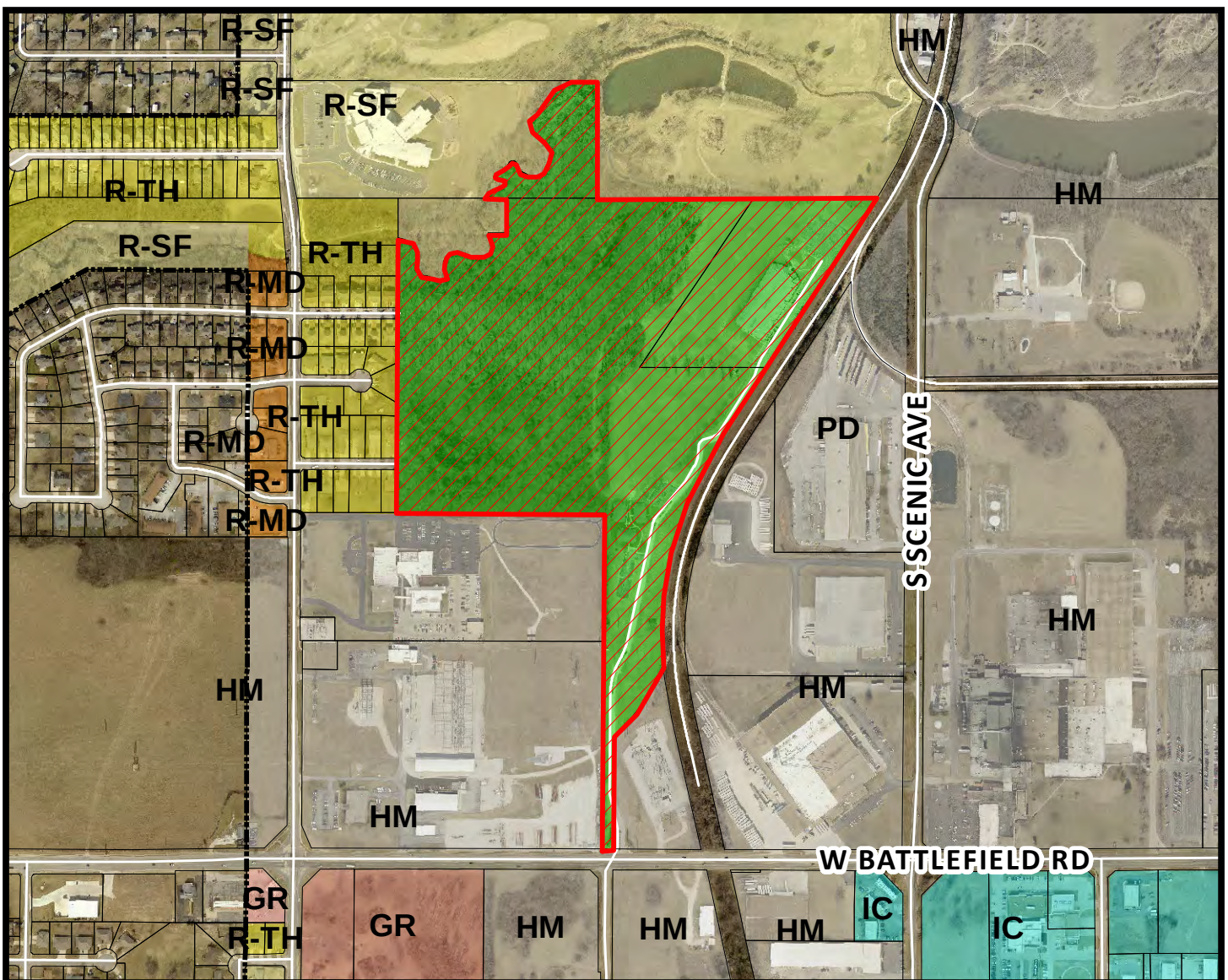
Z-12-2017 and Conditional Overlay District No. 126

LOCATION: 2885 W. Battlefield Rd.

CURRENT ZONING: Planned Development 189, 2nd Am.

PROPOSED ZONING: GI w/ COD #126

LOCATION SKETCH



- Area of Proposal

0 350 700 1,400
Feet

1 inch = 700 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-12-2017 CONDITIONAL OVERLAY DISTRICT NO. 126

PURPOSE: To rezone approximately 53 acres of property generally located at 2885 West Battlefield Road from a Planned Development No. 189, 2nd Amendment to a GI, Government and Institutional Use District and establishing Conditional Overlay District No. 126

DATE: March 24, 2017

LOCATION: 2885 W. Battlefield Rd.

APPLICANT: Burrell, Inc.

TRACT SIZE: Approximately 53 acres

EXISTING USE: School/office building and multi-family residential uses

PROPOSED USE: Burrell Behavioral Health operations and programs

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* designates this area as appropriate for business park and greenways uses. The proposed GI, Government and Institutional Use District, allows both office and other higher intensity uses similar to the Restricted Industrial District as suggested in the *Plan*.
2. This request is consistent with the City's policies to promote infill development and increased intensity where investments have already been made in public services and infrastructure.
3. The proposed conditional overlay district will mitigate the potential impact between the Government and Institutional uses and duplex uses to the west by requiring a 100 foot wide buffer with a Bufferyard Type D landscaping plantings and restricting the maximum residential density to no more than sixteen (16) dwelling units per acre and non-residential intensity to a floor area ratio of 0.25 which is similar to the requirements in the existing PD. It will also require a public turnaround at Greenwood Street and private driveway connection between Greenwood and Forest Village Drive when any new development that requires a building occupancy permit occurs.
4. The standard development requirements in the GI District are otherwise adequate for mitigating potential impacts of the multi-family uses on the adjoining single-family residential properties. No portion of a multi-family shall be higher than a thirty (30) degree bulk plane where the property adjoins a R-SF District.

RECOMMENDATION:

Staff recommends **approval** of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF	School and Park uses
East	HM	Manufacturing and office uses
South	HM	Manufacturing, storage and office uses
West	R-TH and HM	Duplexes and manufacturing uses

HISTORY:

The subject property was originally zoned Planned Development 189 in 1995 during the citywide re-mapping. It allowed education institutions, nursing homes and multi-family elderly housing facilities. It was amended in 2001 and 2002. The amendment in 2001 was requested by the Forest Institute of Professional Psychology which proposed educational or religious institutional uses such as schools, colleges, universities, nursing schools, vocational training schools, churches and restricted the multi-family uses to those associated with the educational and religious use. The 2002 amendment was to accommodate a sign along Battlefield Road.

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* of the *Comprehensive Plan* designates this area as appropriate for business park and greenways uses. The *Plan* recommends a new zoning district, titled Business Park, should be created which combines elements from the Office and Restricted Industrial District with additional requirements for landscaping and coordinated master planning. A portion of the property is adjacent to an existing greenway. Greenways are intended to be linear public open spaces often containing pedestrian and/or bicyclist paths. These uses are to be located along the major creeks or rivers and connected to parks. The proposed GI, Government and Institutional Use District, allows both office and other higher intensity uses similar to the Restricted Industrial District that was suggested in the *Plan*.

STAFF COMMENTS:

1. The applicant is proposing to rezone the property located at 2885 West Battlefield Road from a Planned Development No. 189, 2nd Amendment to a GI,

Government and Institutional Use District and establishing Conditional Overlay District No. 126. The intent of this application is to facilitate the redevelopment of the site for Burrell Behavioral Health operations and programs.

2. The applicant's representative has provided a site plan; however, it is just an example of what how the property could be developed. Future development does not have to be in substantial conformance to this site plan. The GI District and conditional overlay district requirements will dictate future development of the site.
3. The major difference between the existing Planned Development 189, 2nd Amendment and the proposed GI and COD #126 is that educational and religious institutional uses and related multi-family residential uses will not be the only permitted uses on this property. The following differences are being proposed:
 - a. Since 2001, PD 189 1st and 2nd Amendments allowed only educational and religious institutional uses. The proposed COD #126 will allow all GI, Government and Institutional Uses will be permitted (i.e. entertainment-oriented use group, general office, hospitals with ambulance services, major event entertainment, medical office use group, multi-family dwellings, nursing and retirement homes).
 - b. PD 189, 2nd Amendment allowed multi-family residential uses; however, limited the uses to the elderly, students, and faculty and staff of the permitted educational facility. The proposed GI with COD #126 will allow multi-family uses independent of the educational or religious institutions.
 - c. PD 189, 2nd Amendment restricted the floor area ratio of non-residential structures to 0.25 on each buildable lot. The proposed COD #126 will duplicate this restriction.
 - d. PD 189, 2nd Amendment set the maximum residential density to no more than sixteen (16) du/ac on Tract A which is approximately the eastern 40 acres of the site. The current PD also set the maximum residential density to no more than six (6) du/ac on Tract B which is approximately the western 10 acres. The proposed COD #126 will set the maximum residential density to sixteen (16) du/ac for the entire site.
 - e. The current PD has a minimum structure and vehicle use area setback that varies, but are typically 25 feet from the district boundaries. The GI district has no setbacks but has bufferyard and bulk plane requirements.
 - f. The current PD for Tract A has a maximum height restriction of six stories with no structure shall exceed a height greater than its horizontal distance from all residentially zoned property adjacent to the planned development.

The current PD for Tract B has a maximum height restriction of three stories and no structure shall exceed a height equal to the distance from the existing residentially zoned property adjacent to the planned development. The proposed GI with COD #126 has no maximum structure height; however, all structures shall remain below a 30-degree bulk plane as measured from the boundary of any R-SF or R-TH District.

- g. There is similar language regarding the connection of Greenwood Street being extended with a public turnaround/cul-de-sac and then a private drive/access that would be restricted to emergency vehicles only. The proposed COD #126 also requires the turnaround and allows future access to the site, but does not restrict access to emergency vehicles. Any new development that requires a building occupancy permit will trigger the 20-foot wide private drive/access between Greenwood and Forest Village Drive.
 - h. Since GI District does not have any off-street parking requirements, the applicant has proposed any new use(s) that require building occupancy permits to meet the current off-street parking requirements.
 - i. The access to Battlefield Road is mentioned in the current PD; however, this is not addressed in the COD #126 and any access changes on Battlefield Road would be required to meet current design standards and permitting requirements. The prohibited access to Edgewood Street will remain the same in the COD.
 - j. The Current PD would require a final development plan reviewed and approved by ARC (Administrative Review Committee), the proposed COD # 126 would not require this process; however, any new development will be required to comply with the current Zoning Ordinance requirements.
- 4. The proposed conditional overlay district will mitigate the potential impact between the government and institutional uses and duplex uses to the west by requiring a 100-foot wide open space buffer with a bufferyard type D landscaping and plantings and restrict the maximum residential density to no more than sixteen (16) dwelling units per acre and non-residential intensity to a floor area ratio of 0.25 which is similar to the requirements in the existing PD.
 - 5. The South Creek and South Creek Greenway Trail are located along the northern boundary of the subject property between the new Sherwood Elementary School and Horton Smith Golf Course which is owned by the Parks Department.
 - 6. A traffic study was not warranted by Public Works Traffic Division since the rezoning from PD 189, 2nd Amendment to GI with COD #126 will not generate a significant amount of additional traffic. The COD limits the amount of uses and

density that will not generate a significant amount of traffic based on what can develop within the existing zoning

7. The bufferyard requirement between the GI, Government and Institutional Use District and adjacent R-SF and R-TH, Residential Townhouse District to the north and west, is a Bufferyard "D". Bufferyard "D" requires a minimum open space of fifteen (15) feet wide (applicant is proposing 100 feet) with the following plantings per one hundred (100) linear feet: two (2) canopy tree, two (2) understory tree, two (2) evergreen tree and fourteen (14) shrubs. The narrowest bufferyard required between GI and R-SF or R-TH zoning would be a Bufferyard "D" at least fifteen (15) feet wide with a six-foot solid wood fence, masonry/brick wall or evergreen hedge. The proposed COD #126 restricts any development from at least 100 feet of the R-TH zoned property to the west. A Bufferyard "D" over thirty feet in width (the applicant is proposing a 100 foot bufferyard in the COD) does not require a screening structure and has a reduced schedule of plantings with a 0.7 multiplier.
8. The standard requirements for noise, lighting, odor and signage will be covered by the Zoning Ordinance.
9. 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 March 14, 2017. While letters were sent out in the required time, the applicant inadvertently left out the specific time of the meeting (4-6:30) and sent out a correction postcard in the mail. The correction postcard was sent out on March 7th which was 7 days before the neighborhood meeting. A summary of the meeting is 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-seven (27) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

CITY COUNCIL MEETING:

May 1, 2017

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-12-2017 & CONDITIONAL OVERLAY DISTRICT NO. 126

BUILDING DEVELOPMENT SERVICES COMMENTS:

No BDS issues with rezoning request.

CITY UTILITIES:

No objection to rezoning request. CU has adequate facilities in place to provide service.

CLEAN WATER SERVICES COMMENTS:

No objections to the rezoning. Public sewer is on the tract.

FIRE DEPARTMENT COMMENTS:

Fire has no objections to rezoning.

PARKS DEPARTMENT COMMENTS:

No comments.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

The City's Transportation Plan classifies Battlefield Road as a Primary Arterial roadway. The standard right of way width for Battlefield Avenue is 50 feet from the centerline. Additional right of way is not needed. A survey is recommended to determine the exact amount of existing right of way. This portion of Battlefield Road is a city maintained street. The most recent traffic count on Battlefield Road is 16,780 vehicles per day. There is currently one driveway access point along Battlefield pertaining to the property in this zoning. There is sidewalk along the property frontage. The existing infrastructure meets current city standards. On-street parking is not allowed along Battlefield Road. The South Creek Greenway Trail is in the area. There is one eastbound bus stop along this area of Battlefield Road. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. There are no proposed improvements along Battlefield Road, however, the developer is required to construct a City standard turn around at the end of Greenwood Street.

Public Works Traffic Division	Response
Street classification	Battlefield Road – Primary Arterial
On-street parking along streets	Battlefield Road - No
Trips generated - Peak Hour	17 vehicles (R-MD) 17 vehicles (R-MD)
Additional Trips generated with zoning change - Peak Hour	0 vehicles
Existing street right of way widths	Battlefield Road - 45 ft from the centerline
Standard right of way widths	Battlefield Road - 50 ft from the centerline
Traffic study submitted	Not required*
Proposed street improvements	None required

*A traffic study was not required. The COD limits the amount of uses and density that will not generate a significant amount of traffic based on what can develop within the existing zoning.

STORMWATER COMMENTS:

The property is in the South Creek drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required per Chapter 96. Buyout in lieu of on-site stormwater detention is an option or cannot be determined. There is an existing detention basin available for this development to discharge into. There are sinkholes on the proposed property.

Please note that development (or re-development) of the property will be subject to the following conditions at the time of development:

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100-year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
2. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or a drainage easement.
3. Please keep in mind that more detailed stormwater calculations must be submitted before any permits can be approved.
4. Three sinkholes appear on the west side of the property. If further developed or redeveloped, a sinkhole evaluation could be necessary. A buyout will be allowed. One option would be to convert the existing detention used for the site to a water quality basin then buyout the additional detention not provided. Another option would be to not buyout and to expand the existing detention basin and include water quality.

Public Works Stormwater Division	Response
----------------------------------	----------

Which Drainage Basin?	South Creek
Is property located in Floodplain?	No
Is property located on a sinkhole?	Yes
Is stormwater buyout an option?	Yes

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

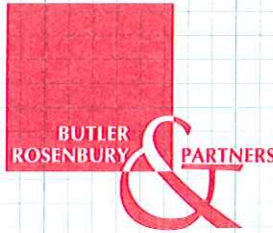
8. List or attach the written comments and how you plan to address any issues:

Geoffrey Butler
I, _____ (*print name*), attest that the neighborhood meeting was held on
3/14/17 (*month/date/year*), and is at least twenty-one (21) days prior to the Planning and Zoning
Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."

Printed name of person completing affidavit

MTG - 3.14.17

SIGN IN SHEET



300 South Jefferson, Suite 400

Springfield, Missouri 65806

Telephone (417)-865-6100

Fax (417)-865-6102

Architecture

Interior Design

Construction Management

Structural Engineering

NAME

ADDRESS & EMAIL

PHONE #

Brenda Lepp

AECI

Brad Aush
Randy Mordaugh
✓ Jeff King

AECI

AECI

417-885-9257

417-849-5233

MILES PARK

PARK BOARD

Chris Heinzel

kralc0512@gmail.com

459-9990

Minutes Neighborhood Meeting

Zoning Case Z-12-2017 COD #126 2885 West Battlefield

Meeting Date: Tuesday March 14, 2017 at 4:00 – 6:30 PM

Location: Admin Building Library - 2885 W Battlefield

Owner's Representatives:

Burrell Center, Inc.

Trent Gowty – Director of Facilities

Jennifer Gagnon – VP Finance

Mathew Gass – Director of Transitions

Geoffrey H. Butler – Butler, Rosenbury & Partners, Inc. - Consultant

Presentation of Proposed Zoning

All neighborhood attendees came separately and we generally presented the following overview of the proposed zoning to all as they arrived:

The current zoning is a Planned Development which was drafted to suite the forest Institute. The Forest Institute was an educational facility which taught psychological counseling to students. The Admin building housed their offices, classrooms and support facilities. The Apartments were rented to their students. The PD was written to allow:

The following uses are permitted in Tract A which consists of 48.5 acres:

1. Educational and religious institutions and facilities offering academic or vocational training or providing facilities for religious activity. Typical uses include schools, colleges, universities, nursing schools, vocational training schools and churches, and uses normally considered accessory to and clearly incidental to these typical uses.

Additionally, all RSF uses were allowed plus the following uses:

16. Duplexes.
17. Townhouses.
18. Zero-lot-line construction, in accordance with Section 3-3200.
19. Multi-family dwellings.
20. Clubhouses associated with any permitted use.
21. Group homes, custodial.

There was a limiting factor for all housing:

USE LIMITATIONS:

1. All housing shall be utilized for the elderly, students, faculty and staff of the permitted educational facility.

So, in as much as Burrell does not meet any of the above definitions, the zoning has to be changed to allow Burrell Center to utilize the property that they now own as a result of Forest Institute's bankruptcy.

We are proposing a change to Governmental Institutional district which Burrell does meet the definition of a community healthcare facility.

The Admin Building will be used for Burrell's varied administrative operations which are currently scattered around the community. The Apartments will be used in their Transition's program where they treat individuals with mental health issues and help them learn how to become more independent and how to deal with their issues. The Apartments will be a supervised facility with on site staff full time to assist those occupants which also provides an enhanced level of security for those occupants.

Future development of the undeveloped property is unknown at this time. Burrell lost Todd Schiabe, its longtime CEO last fall and a nationwide search is underway to replace him. The new CEO will need to develop a long range strategic plan for Burrell and how this property fits into that is unknown at this time. The COD does limit the development as follows:

The property shall be subject to the following additional restrictions:

1. Provide a 100' Bufferyard D along the western property line;
2. Provide an 80' Public Cul-de-sac at the east end of Greenwood Street and a 20' private roadway from the cul-de-sac to the existing private Forest Village Drive as part of any new development on the tract (see attached exhibit);
3. The non commercial FAR shall not exceed .25;
4. The maximum density for any multifamily development shall not exceed sixteen units per acre;

Attendees:

Associated Electric Cooperative, Inc.

Brenda Leap

Bradley Austin

Randall Murtaugh

Interest:

As a direct neighbor to the west, they were concerned about the occupants of the existing apartment buildings. It was clear in our letter that we were not going to just rent the units to the general public. They have employees that access the Greenway Trail by crossing our property and wanted to know if that would change. They were concerned if the occupants of the apartments were going to be “problem” tenants and create a risk for their employees or their property. They would appreciate it Matt could come over and make a presentation to their senior staff about the Burrell’s programs.

Response:

We had Mathew Gass Burrell’s Director of Transitions with us and he explained the housing program. Basically, it is a part of a program where they take individuals with various mental issues and help them learn how to deal with life and be productive. The facility will have 24/7 staff on site to support those people and assist them. This also provides a high level of oversight and security. We also told them that Burrell will not hinder their employee’s access to the Trail. Matt is going to set up a time to meet with AECl.

Jeffrey King – 3452 W Sagament St

Interest:

Jeff has property west of the tract. He was concerned about the same things that AECl had asked about. He noted the access drive to Greenwood and was concerned about increased traffic to the residential area.

Response:

We went over the same program information relating to the housing we discussed with AECl. We also noted that the secondary drive was a requirement of the current PD but that for some reason it was never built. We will not be obligated to add that drive until or unless we add more development to the tract. Additionally, the secondary drive will be gated and locked to allow only life safety access by the Fire Department or Police and preventing other traffic.

Miles Park - Springfield-Greene County Parks

Interest:

Miles is interested in possible collaboration with Burrell on some realignment of the Greenway Trail allowing them to rework the driving range at the gold course so that they are not driving golf balls onto the trail. He also mentioned a possible access to the tract across their property to Scenic.

Response:

Burrell is interested in working with the Parks Department to help both entities improve their respective properties. As soon as Burrell has their new CEO hired and in place these discussions can begin.

Chris Heinzl – 942 N Elm Ave Marshfield, Mo.

Interest:

Chris had three duplexes in the subdivision west of the tract. He was interested in the nature of the housing provided to tenants in the apartments and any future housing development. He was worried that any problems with the apartments could adversely affect the rental of his duplexes. He would like to have a tour of similar Burrell facilities so he could get a level of comfort as to the potential for the apartments on the tract.

Response:

We reviewed the nature of the housing program with him and that it is a part of a program where they take individuals with various mental issues and help them learn how to deal with life and be productive. The facility will have 24/7 staff on site to support those people and assist them. This also provides a high level of oversight and security. Matt is going to set up a time to take him on a tour of similar facilities.

At 6:30, we closed the meeting.

Prepared and Submitted by:

Geoffrey H. Butler AIA



Architecture
Engineering
Planning
Project Management

YOUR VISION. OUR FOCUS.

February 28, 2017

Invitation to Neighborhood Meeting

We will be holding a Neighborhood Meeting relating to the proposed rezoning of the 55 acre tract formerly the home of the Forest Institute at 2855 West Battlefield.

The meeting will be held on Tuesday March 14th at the Administrative Building at 2855 West Battlefield in the Library. (The Administrative Building if you have not been there is about a half mile down the entry drive.) To get to the Library go to the north door on the east side of the building and it is just inside.

At that meeting I will be there to talk with you about the plans that Burrell Behavioral Health has for the property. Currently the property is zoned in a Planned Development and the uses allowed only suited the Forest Institute which no longer exists. We are proposing to change it to Governmental Institutional zoning which allow Burrell to use the Administrative Building for their business uses and the 24 unit apartments for their transitional living support activities. This is the same zoning that hospitals, governmental offices and related not for profit organizations use.

There will be no formal program so you can come anytime during that time frames and visit with us about this zoning change.

Sincerely,

BUTLER, ROSENBURY & PARTNERS, INC.

A handwritten signature in red ink, appearing to read "Geoffrey H. Butler", written over a faint, larger red signature.

Geoffrey H. Butler, AIA
Architect & Partner

GHB

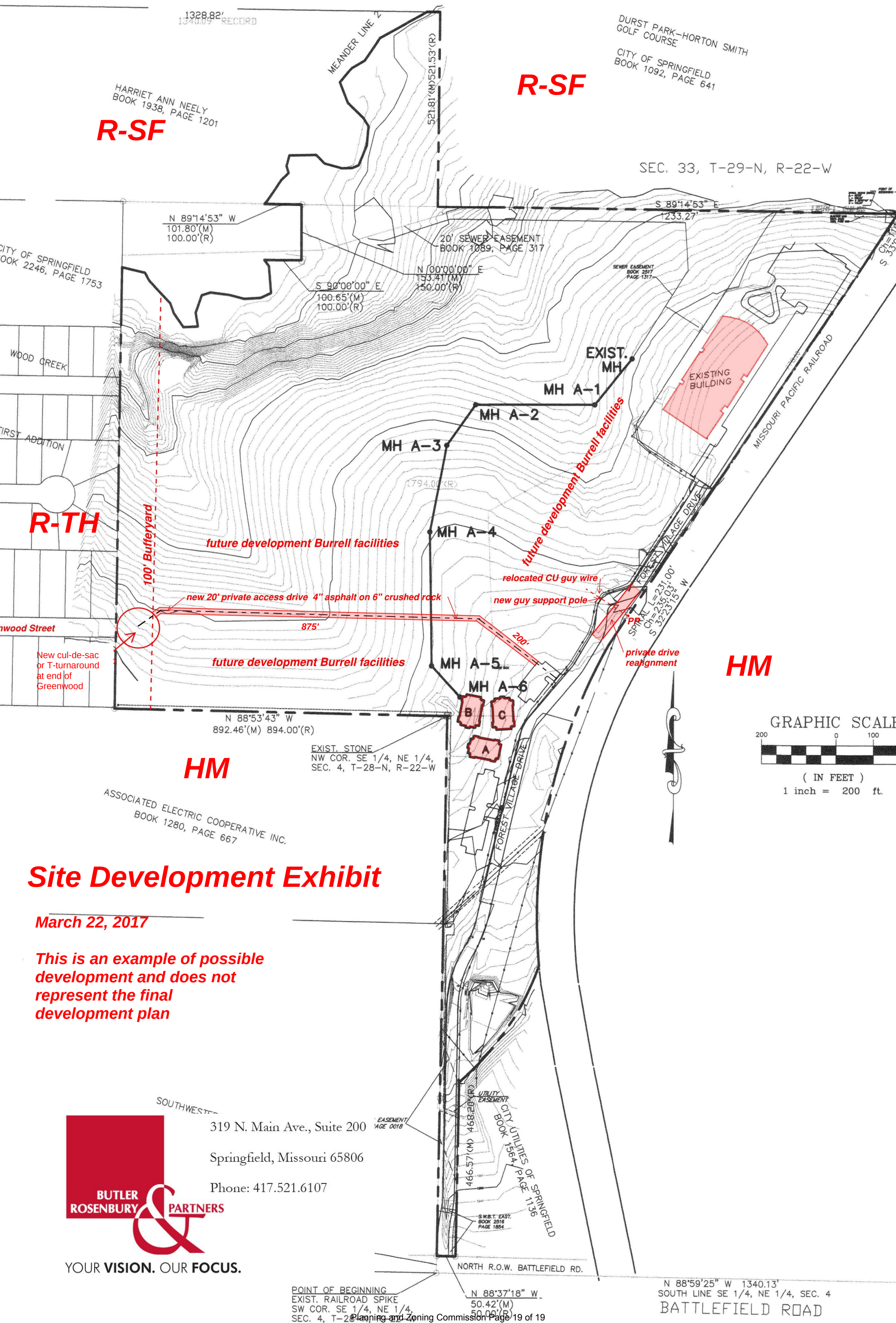
Geoffrey H. Butler, AIA
Architect & Partner
Direct Line: 417.521.6106
Mobile: 417.848.6000
Email: butler@brpae.com

319 North Main, Suite 200
Springfield, MO 65806
Phone: 417.865.6100
Fax: 417.865.6102
www.brpae.com

ATTACHMENT 3
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-12-2017 & CONDITIONAL OVERLAY DISTRICT NO. 126

The requirements of *Section 36-401 Government and institutional use district* of the *Springfield Zoning Ordinance* shall be as modified herein for development within this district.

1. A one hundred (100) foot wide open space buffer from adjacent property owners on the western side of the subject property with a Bufferyard Type D plantings shall be provided;
2. A publicly dedicated cul-de-sac or T-turnaround shall be provided at the east end of Greenwood Street in compliance with Public Works design standards. A twenty (20) foot wide private driveway shall be extended from the required public cul-de-sac/turnaround to the existing private drive (Forest Village Drive). This will be required as part of any new development on the tract that would require a building occupancy permit (see attached exhibit).
3. Off-street parking requirements would be required for any new use requiring a building occupancy permit;
4. The Floor Area Ratio (FAR) for non-residential uses shall not exceed 0.25;
5. The maximum density for any multi-family development shall not exceed sixteen (16) dwelling units per acre.
6. No access is allowed to Edgewood Street and the internal street system will be private.



Site Development Exhibit

March 22, 2017

This is an example of possible development and does not represent the final development plan



YOUR VISION. OUR FOCUS.

319 N. Main Ave., Suite 200
Springfield, Missouri 65806
Phone: 417.521.6107

Development Review Staff Report

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

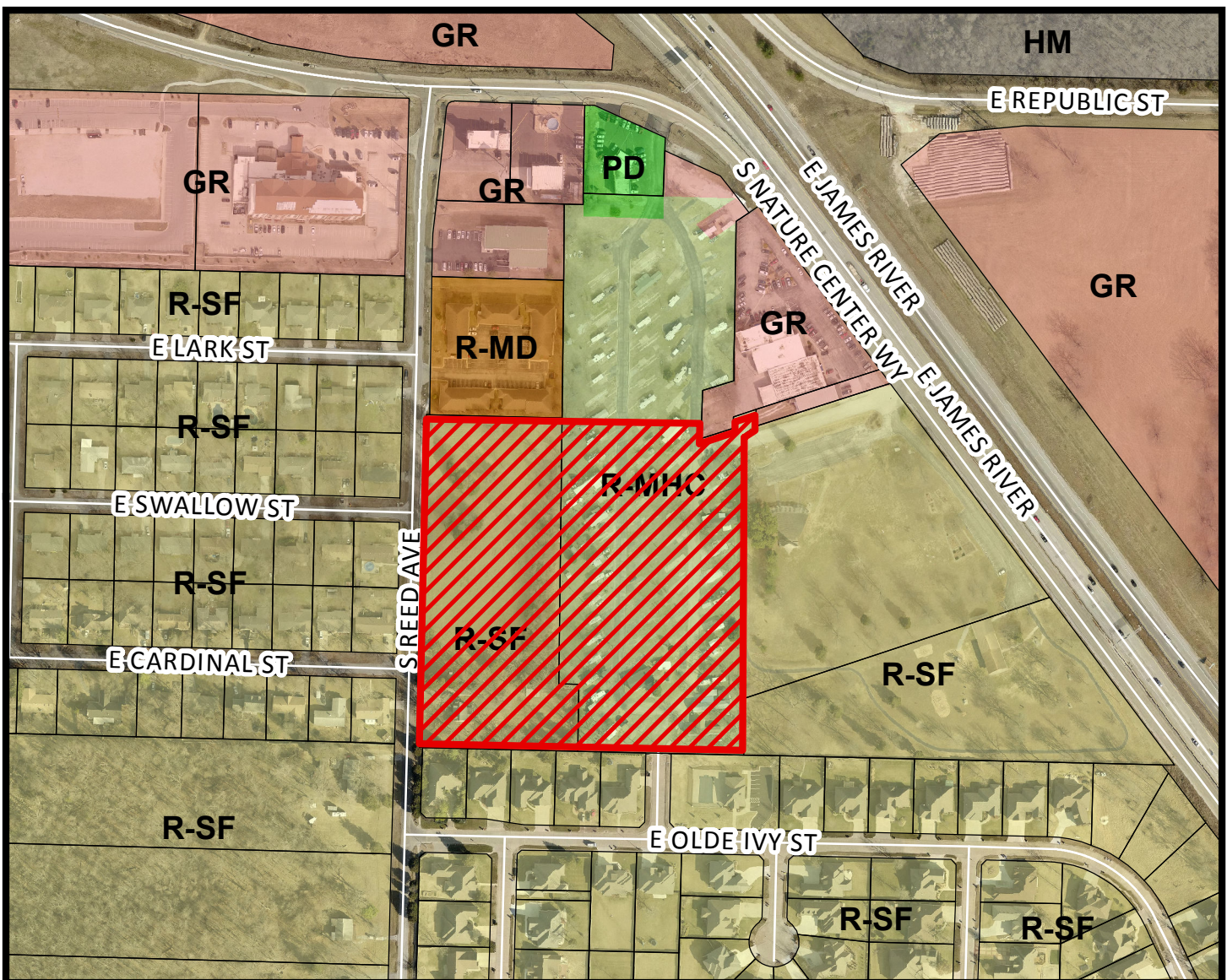
Z-13-2017

LOCATION: 4406 South Reed Avenue & 4219 South Nature Center Way

CURRENT ZONING: R-SF, Residential Single-family & R-MHC, Manufactured Home Community District

PROPOSED ZONING: R-TH, Residential Townhouse

LOCATION SKETCH



- Area of Proposal

0 150 300 600
Feet

1 inch = 325 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-13-2017

PURPOSE: To rezone approximately 9.8 acres of a portion of property generally located at 4406 South Reed Avenue and 4219 South Nature Center Way from a R-SF, Residential Single-Family District and R-MHC, Manufactured Home Community District to a R-TH, Residential Townhouse District.

REPORT DATE: March 22, 2017

LOCATION: 4406 South Reed Avenue & 4219 South Nature Center Way

APPLICANT: Luxury Rental Homes, Inc. & Timbercreek RV Park, LLC

TRACT SIZE: Approximately 9.8 acres

EXISTING USE: Single-family residence and vacant manufactured home community

PROPOSED USE: Use permitted in the R-TH district

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of this application is consistent with The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* which identifies this area as appropriate for Medium or High Density Housing. This land use category recommends townhouses and all various forms of apartment buildings to be located where there is good traffic access, between low-density housing and non-residential land uses. This application is consistent with this recommendation. The *Plan* also encourages residential development provide a variety of housing types that would enable developers to compete more effectively and to provide a greater choice for the City's residents.
2. Approval of this request will facilitate the development of a residential subdivision. The R-TH district is intended to accommodate a variety of housing types, including single-family detached, single-family semi-detached, duplex, and townhouse dwellings, at low to moderate residential densities. This district is also intended to function as a transition between the less intense single-family district and more intense multifamily districts. The proposed application is consistent with these criteria.

RECOMMENDATION:

Staff recommends approval of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-MD, GR, R-MHC	Multi-family Residential, Commercial Uses, Manufactured housing
East	R-SF	Living Memorial Park
South	R-SF	Single-family homes
West	R-SF	Single-family homes

HISTORY:

The subject properties were zoned to there current zoning districts in a community-wide rezoning in March 1995 (G.O. 4494).

In 2005, the same request (Council Bill 2005-005) was in the public hearing process when the applicant withdrew their application.

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this area as appropriate for Medium or High Density Housing. This land use category recommends townhouses and all various forms of apartment buildings to be located where there is good traffic access, between low-density housing and non-residential land uses.

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 9.8 acres from an R-SF, Residential Single-family District and R-MHC, Manufactured Home Community District to a R-TH, Residential Townhouse District. If this application is approved, the applicant intends to submit a preliminary plat to develop a residential subdivision in compliance with the R-TH District regulations.
2. Approval of this application is consistent with The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* which identifies this area as appropriate for Medium or High Density Housing. This land use category recommends townhouses and all various forms of apartment buildings to be located where there is good traffic access, between low-density housing and non-residential land uses. This application is consistent with this recommendation. The *Plan* encourages medium density housing along collector streets. Reed Avenue is classified as a collector roadway. The subject property is located between single-family homes to the south and commercial land uses to the North. The *Plan* also encourages residential development provide a variety

of housing types that would enable developers to compete more effectively and to provide a greater choice for the City's residents.

3. Approval of this request will facilitate the development of a residential subdivision in compliance with the R-TH District regulations. The R-TH District is intended to accommodate a variety of housing types, including single-family detached, single-family semi-detached, duplex, and townhouse dwellings, at low to moderate residential densities. This district is also intended to function as a transition between the less intense single-family district and more intense multifamily districts. The proposed application is consistent with these criteria. The subject property is located between single-family homes to the south and multi-family dwellings to the North.
4. This request was reviewed by Public Works staff based on national trip generation rates developed by the Institute of Transportation Engineers (ITE). The development will not generate a significant number of additional trips to warrant a traffic study.
5. The subject rezoning includes only the rear portion of property located at 4219 South Nature Center Way and all the property located at 4406 South Reed Avenue.
6. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on March 13, 2017 regarding the rezoning request. A summary of the meeting is 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-five (25) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

CITY COUNCIL MEETING:

May 1, 2017

STAFF CONTACT PERSON:

Michael Sparlin

Senior Planner
864-1091

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-13-2017

BUILDING DEVELOPMENT SERVICES COMMENTS:

No objection to rezoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

City's Transportation Plan classifies Reed Avenue as a Collector roadway. The standard right of way width for Reed Avenue is 30 feet from the centerline. It appears approximately 6 feet right of way is needed. Reed Avenue is a city maintained street. There is not a recent traffic count on Reed Avenue. There are currently no driveway access points along Reed Avenue pertaining to the properties in this zoning. There is sidewalk along the property frontage. The existing infrastructure meets current city standards. On-street parking is not allowed along Reed Avenue. The Galloway Greenway Trail is in the area. There are no bus stops along Reed Avenue. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. A traffic study was not required. The development of allowed uses in the R-TH district as stated in the rezoning request was reviewed by staff based on national trip generation rates developed by the Institute of Transportation Engineers (ITE). The development will not generate a significant number of additional trips to warrant a traffic study. There are no proposed improvements along Reed Avenue.

Public Works Traffic Division	Response
Street classification	Reed Avenue - Collector
On-street parking along streets	Reed Avenue - No
Trip generation rate - existing zoning	48 vehicles per day (R-SF) 34 vehicles per day (R-MHC)
Trip generation rate - proposed zoning	60 vehicles per day (R-TH)
Existing street right of way widths	Reed Avenue - 24 ft. from the centerline
Standard right of way widths	Reed Avenue - 30 ft. from the centerline
Traffic study submitted	Not required*
Proposed street improvements	None required

STORMWATER COMMENTS:

The property is in the Thompson Branch drainage basin. The property is not located in a FEMA designated floodplain. Staff is aware of flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required per Chapter 96. Buyout in lieu of on-site stormwater detention is not applicable as detention is already provided on site. Since the project will be disturbing

more than one (1) acre there will be a land disturbance permit required. There are no sinkholes on the proposed property.

Detention built as part of 1PW5015 could be utilized for detention and water quality without needing further modifications. Calculations will be provided showing detention size and tie in to existing pipe along the south edge of the property. Current lot to the west will need to be graded southeast towards detention and tie in to existing piping.

Please note that development of the property will be subject to the following conditions at the time of development:

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100-year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
2. Concentrated points of discharge from these improvements will be required to existing drainage basin on site.
3. Drainage easements will be required where concentrated flow drains from one lot to another or from offsite onto the proposed subdivision. Such easement shall be sized for the 100-year peak flow rate.
4. Please keep in mind that more detailed stormwater calculations must be submitted before any permits can be approved.

Public Works Stormwater Division	Response
Drainage Basin	Thompson Branch
Is property located in Floodplain?	No
Is property located on a sinkhole?	No
Is stormwater buyout an option?	No

CLEAN WATER SERVICES COMMENTS:

No objection to the rezoning however public sewer will not be available for the R-MHC tract with the new lot configuration without public improvements. There is existing dead end sewer on the R-MHC tract which will need to be made live and connected to the proposed subdivision to the south. Any defects in the dead-end sewer will need to be corrected as part of the public improvements.

The following comments refer to the proposed subdivision currently under review;

1. Public sewer will need to be extended to connect to the existing dead end sewer north of lot 10.
2. Submit public improvement plans for the sewer as shown on the plat and the connection stated above.
3. Sewer must be completed or escrowed before the final plat can be filed.
4. No objection to escrow of the sanitary sewer.

5. There is a well on-site that will need to be capped and abandoned per DNR regulations.

FIRE DEPARTMENT COMMENTS:

No objection to rezoning.

CITY UTILITIES COMMENTS:

No objection to rezoning. City Utilities has adequate facilities in place to provide service. Electric facilities will need to be retired to develop the property.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

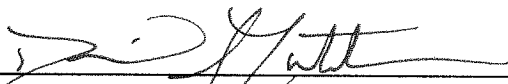
1. Request change to zoning from: R-SF 6 R-MHC to R-TH
(existing zoning) (proposed zoning)
2. Meeting Date & Time: MARCH 13, 2017
3. Meeting Location: CAMPBELL UNITED METHODIST CHURCH, 1747 E. REPUBLIC RD.
4. Number of invitations that were sent: 132
5. How the mailing list was generated: CITY OF SPRINGFIELD
6. Number of neighbors in attendance (attach a sign-in sheet): 8
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

ALL ATTENDEES ARE IN FAVOR OF THE DEVELOPMENT.
ONE COMMENT MADE ABOUT ACCESS TO THE PARK. HE WAS INFORMED
AN EASEMENT AND SIDEWALK WILL BE PROVIDED BETWEEN THE
LOTS TO PROVIDE ACCESS TO THE PARK.

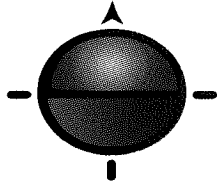
8. List or attach the written comments and how you plan to address any issues:

WRITTEN COMMENTS ATTACHED.
NO OPPOSITION

I, DAVID A. LUNDSTROM (print name), attest that the neighborhood meeting was held on
03/13/17 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning
Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."


Signature of person completing affidavit

DAVID A. LUNDSTROM, P.E.
Printed name of person completing affidavit



GRE
GREAT RIVER
ENGINEERING

NEIGHBORHOOD MEETING VININGS OF OLDE IVY

Date: MARCH 13, 2017

GRE Project: 3805 Vinings of Olde Ivy

4:00 - 6:30 PM

Name	Address	Phone/Fax	E-mail
David Lundstrom	2826 S. Ingram Mill Rd. Springfield, MO 65804	(417) 886-7171	dlundstrom@greatriv.com
BILL & DEBBIE CARTER	2331 E. SWALLOW		
BOB & CAROL GREEN	4625 S. BILOXI		
Phil Rinkoski	2459 E. Olde Ivy St.	417-881-4342	pr.oihoa@gmail.com
MARY + CRAIG Bills	4629 S Reed Ave	417-860-3900	cbills@aol.com
Russ Dirksen	4445 S. English Ivy	(417) 766-4135	dr.d_ford doctors@ sbglobal.net

NOTICE

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

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

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

The Land Use or Zoning Change Process:

1. Application
2. Neighborhood Meeting (500 feet notification from subject property)
3. Planning and Zoning Commission Public Hearing (185 feet notification from subject property)
4. 1st City Council Public Hearing (185 feet notification from subject property)
5. 2nd City Council Meeting to decide either to approve or to deny the change in land use or zoning

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

Staff submits a report with a recommendation one week prior to the date of the public hearing at the Planning and Zoning Commission. You can provide comments on the attached "Comment Card" by mail or by email at zoning@springfieldmo.gov. Please include your name, address and telephone number as well as the address of the project in your correspondence.

Bob Hosmer, AICP Principal Planner
City of Springfield Development Review Office
840 Boonville Ave, Springfield Missouri 65801

Comment Card: mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	3/13/17	Telephone No.	417-881-4342
YOUR NAME:	Philip Rinkaski		
YOUR ADDRESS:	2459 E. Olde Ivy St.		
PROJECT ADDRESS:	4406 S. Reed Ave.		
COMMENTS:	This new project will be a great enhancement to all property owners that are located near it. The construction of new residential townhomes will help to increase the property value of the properties in the area. I am so excited to see that there will be new housing in this area. GREAT!!!		

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Bob Hosmer, AICP Principal Planner
City of Springfield Development Review Office
840 Boonville Ave, Springfield Missouri 65801

Comment Card: mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	3/13/17	Telephone No.	417-890-9838
YOUR NAME:	The Pinkoski Family Trust		
YOUR ADDRESS:	2505 E. Olde Ivy St.		
PROJECT ADDRESS:	4406 S. Reed Ave.		
COMMENTS:	This will be great for our neighborhood. The trailer park looked awful and now there will be new residential townhomes built. All of our property values will increase and this area will become a draw to those looking for a new home. This is Exciting!		

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Bob Hosmer, AICP Principal Planner
City of Springfield Development Review Office
840 Boonville Ave, Springfield Missouri 65801

Comment Card: mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	3/3/17	Telephone No.	816-914-4452
YOUR NAME:	Olde Ivy HOA Board Members		
YOUR ADDRESS:	2445 E. Olde Ivy St.		
PROJECT ADDRESS:	4406 S. Reed Ave.		
COMMENTS:	We the board of the Olde Ivy HOA have received glowing endorsements from our members regarding this project. Why wouldn't we be excited to see new residential townhomes replacing mobile homes. Also, we are pleased that this new development will help to increase the property values of those that reside near it.		

Olde Ivy HOA Members: Phil Rutaskij, Ken Werner, Don MacS, June Hammons, Keith Spiva
City of Springfield, Missouri - Development Review Office - 840 Boonville, Springfield, MO 65802 - 417.864.1611 Phone / 417.864.1882 Fax

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Bob Hosmer, AICP Principal Planner
City of Springfield Development Review Office
840 Boonville Ave, Springfield Missouri 65801

Comment Card: mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	3-13-17	Telephone No.	
YOUR NAME:	Bob & Carol Green		
YOUR ADDRESS:	4625 So. Biloxi, Spfld.		
PROJECT ADDRESS:			
COMMENTS:			
We like the development			

NOTICE

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

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

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

The Land Use or Zoning Change Process:

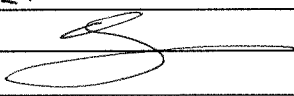
1. Application
2. Neighborhood Meeting (500 feet notification from subject property)
3. Planning and Zoning Commission Public Hearing (185 feet notification from subject property)
4. 1st City Council Public Hearing (185 feet notification from subject property)
5. 2nd City Council Meeting to decide either to approve or to deny the change in land use or zoning

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

Staff submits a report with a recommendation one week prior to the date of the public hearing at the Planning and Zoning Commission. You can provide comments on the attached "Comment Card" by mail or by email at zoning@springfieldmo.gov. Please include your name, address and telephone number as well as the address of the project in your correspondence.

Bob Hosmer, AICP Principal Planner
City of Springfield Development Review Office
840 Boonville Ave, Springfield Missouri 65801

Comment Card: mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	03-13-2017	Telephone No.	417-889-6559
YOUR NAME:	CRAIG BILLS		
YOUR ADDRESS:	4629 S. REED AVE		
PROJECT ADDRESS:			
COMMENTS:			
GREAT IDEA, Will CLEAN up neighborhood,			
Good Quality Developer.			
			

NOTICE

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The Land Use or Zoning Change Process:

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Bob Hosmer, AICP Principal Planner
City of Springfield Development Review Office
840 Boonville Ave, Springfield Missouri 65801

Comment Card: mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	3-13-17	Telephone No.	(417) 766-4135
YOUR NAME:	Russ Dirksen		
YOUR ADDRESS:	4445 S. English Ivy Ave. Springfield, MO 65804		
PROJECT ADDRESS:	4406 S. Reed Rd. Springfield, MO		
COMMENTS:	Have the appearance of improving the neighborhood as a whole. I appreciate this sidewalk easement into the living memorial park.		

Comment Card: mail comments to the above address or email to zoning@springfieldmo.gov

DATE: 03/16/2017

Telephone No. (417)849-5119

YOUR NAME: Albert G Colbert, Sr

YOUR ADDRESS: 2244 E Swallow Street, Springfield, MO 65804-6722

PROJECT ADDRESS: 4406 S Reed Avenue

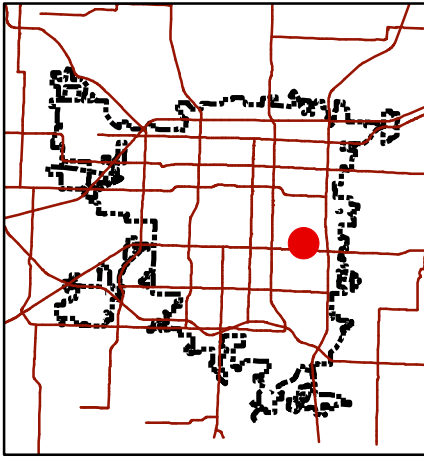
COMMENTS:

My name is Albert G. Colbert, Sr.. I worked for City Utilities of Springfield for more than 31 years before retiring April 1, 2005. My last 16 years at City Utilities were as an inspector, where I inspected the installation of the underground utilities in new developments in and around Springfield. One of my jobs was the inspection of the underground utilities in the Olde Ivy Subdivision, which was developed by Michael Pulscher. During the job I got to know Michael and the type of person he is. He is a person of integrity, who will always do the right thing. I never had to worry about him trying to cut corners or do underhanded things behind my back because he even held his contractors to a higher standard. With that in mind, I am confident that this project will be constructed with that same integrity. I feel that the townhouses will be good for the area, making it more attractive and appealing to families wanting to move into this area. Therefore I support the rezoning of 4406 S Reed Avenue to Residential-Townhouses (R-TH). And I hope that after careful consideration you will grant Mr. Michael Pulscher the rezoning of 4406 S Reed Avenue.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Albert G. Colbert, Sr.".

Albert G Colbert, Sr.



Development Review Staff Report

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

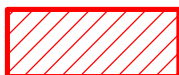
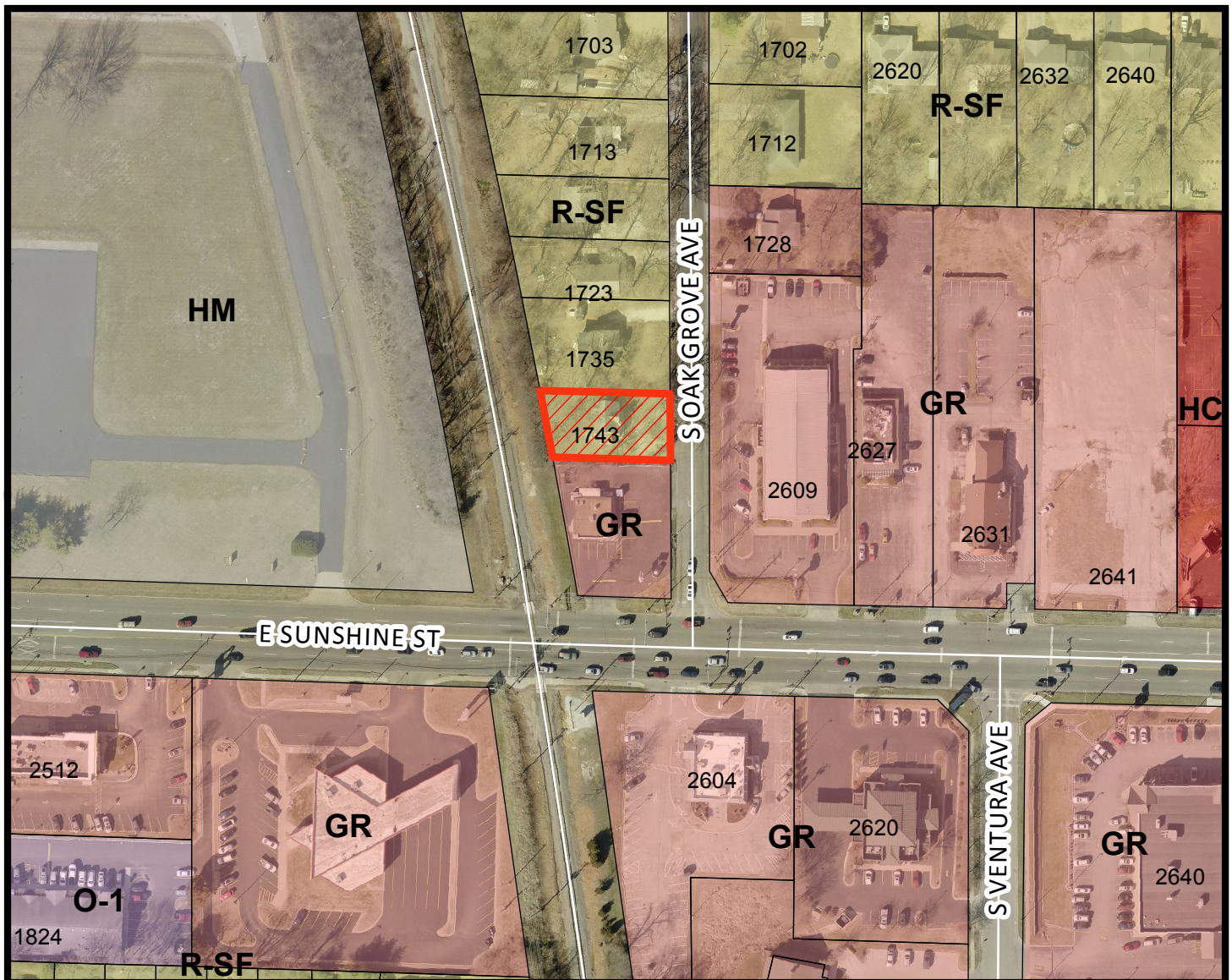
Z-14-2017

LOCATION: 1743 South Oak Grove Ave.

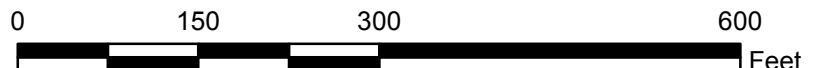
CURRENT ZONING: R-SF, Residential Single-Family District

PROPOSED ZONING: GR, General Retail District

LOCATION SKETCH



- Area of Proposal



1 inch = 160 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-14-2017

PURPOSE: To rezone approximately 0.18 acres of property generally located at 1743 South Oak Grove Avenue from a R-SF, Residential Single-Family District to a GR, General Retail District.

REPORT DATE: March 13, 2017

LOCATION: 1743 South Oak Grove Avenue

APPLICANT: Barrett Fisk Investment, LLC

TRACT SIZE: Approximately 0.18 acres

EXISTING USE: Restaurant

PROPOSED USE: Restaurant expansion

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* designates this area as appropriate for Low Density Housing, however the property is required to be combined with the property fronting along Sunshine Street. The property along Sunshine Street is designated as appropriate for medium-intensity retail, office and residential uses. General Retail is one of the zoning districts recommended in this area.
2. The proposed GR, General Retail zoning is consistent with adjacent commercial zoning and uses and the depth of proposed zoning is much less than adjacent GR zoned property.
3. Approval of this application will facilitate redevelopment of these properties and promote infill development and increased intensity where investments have already been made in public services and infrastructure.
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 with conditions.

This rezoning shall not become effective until the following condition is met:

1. An administrative lot combination of the subject property and the property located at 2565 East Sunshine is completed.

If this condition is not met within two (2) years of City Council's approval, then the rezoning approval is null and void and the subject property will remain zoned R-SF, Single Family Residential.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF, Single Family Residential	House
East	GR, General Retail	Bank
South	GR, General Retail	Restaurant and bank
West	HM, Heavy Manufacturing	Manufacturing and industrial uses

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* of the *Comprehensive Plan* designates this area as appropriate for Low Density Housing, however the property is required to be combined with the property fronting along Sunshine Street. This area is designated as appropriate for medium-intensity retail, office and residential uses. General Retail is one of the zoning districts recommended in these areas. The General Retail District is intended for uses that provide community-wide personal and business services, shopping centers and specialty shops. Staff believes the subject site meets the recommendation of the *Comprehensive Plan* and intent of the General Retail District.

STAFF COMMENTS:

1. The applicant is proposing to rezone the subject property from a R-SF, Single Family Residential District to a GR, General Retail District. The intent of this application is to rezone the subject property and combine the subject property with the property that fronts Sunshine Street to facilitate the redevelopment of the site for the expansion of the existing restaurant.
2. A traffic study was not warranted by Public Works Traffic Division since the rezoning from R-SF to GR will not generate a significant amount of additional traffic.
3. The bufferyard requirement between the GR, General Retail District and adjacent R-SF, Single-Family Residential District to the north, is a Bufferyard Type "F". Bufferyard "F" requires a minimum open space of twenty (20) feet wide with the following plantings per one hundred (100)

linear feet: three (3) canopy tree, three (3) understory tree, four (4) evergreen tree and twenty (20) shrubs. There is a required structure (i.e. solid fence, wall or hedge) in the Bufferyard Type "F".

4. There is a maximum structure height adjacent to any property zoned R-SF or R-TH which requires all structures to remain below a 30-degree bulk plane as measured from the property line.
5. Commercial uses permitted in this district are generally required to conduct business activities indoors. No outdoor storage is allowed.
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 March 15, 2017. A summary of the meeting is attached (Attachment 2).

PUBLIC COMMENTS:

The property was posted by the applicant or their representative 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 are within one hundred eighty-five (185) feet of the subject property and were notified by mail of this request.

CITY COUNCIL MEETING:

May 1, 2017

STAFF CONTACT PERSON:

Bob Hosmer, ACIP
Principal Planner
864-1834

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-14-2017

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services does not have any issues with the proposed rezoning to General Retail.

CITY UTILITIES:

No objection to rezoning. All utility services are available.

CLEAN WATER SERVICES COMMENTS:

No objections to rezoning. Public sewer and service lateral available.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

City's Transportation Plan classifies Oak Gove Avenue as a Secondary Arterial roadway. The standard right of way width for Oak Grove Avenue is 35 feet from the centerline. No additional right of way is needed. Oak Grove Avenue is a city maintained street. The most recent traffic count on Oak Grove Avenue is 7,296 vehicles per day. There are currently two driveway access points along Oak Grove Avenue pertaining to the property in this zoning. There is not sidewalk along the property frontage. The existing infrastructure meets current city standards. On-street parking is not allowed along Oak Grove Avenue. There is not a greenway trail located in the area. There are no bus stops along Oak Grove Avenue, however there is one on eastbound Sunshine Street just east of the Oak Grove/Sunshine intersection. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. There are no proposed improvements along Oak Grove.

Public Works Traffic Division	Response
Street classification	Oak Grove Avenue - Collector
On-street parking along streets	Oak Grove Avenue - No
Trips generated - Peak Hour	1 vehicles (R-SF) 13.4 vehicles (GR)
Additional Trips generated with zoning change - Peak Hour	12.4 vehicles
Existing street right of way widths	Oak Grove Avenue - 21 ft. from the centerline
Standard right of way widths	Oak Grove Avenue - 35 ft. from the centerline
Traffic study submitted	Not required
Proposed street improvements	None required

A traffic study was not required. Development allowed in the GR district was reviewed by staff based on the lot size and national trip generation rates developed by the Institute of Transportation Engineers (ITE). The development that could be allowed on the site will not generate a significant number of additional trips to warrant a traffic study.

STORMWATER COMMENTS:

The property is in the Galloway Creek drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required per Chapter 96. Buyout in lieu of on-site stormwater detention is an option. There is an existing inlet at intersection of Sunshine and Oak Grove available for this development to discharge into. There are no sinkholes on the proposed property.

Please note that development (or re-development) of the property will be subject to the following conditions at the time of development:

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100-year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
2. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or a drainage easement.
3. Must obtain MoDOT approval to discharge stormwater onto MoDOT right of way.
4. Please keep in mind that more detailed stormwater calculations will need to be submitted before any permits can be approved.

Public Works Stormwater Division	Response
Drainage Basin	Galloway Creek
Is property located in Floodplain	No
Is property located on a sinkhole	No
Is stormwater buyout an option	Yes

Conditions: *There is an existing inlet at intersection of sunshine and oak grove for this development to drain into. Stormwater buyout in lieu of constructing detention is an option.*



February 27, 2017

VIA REGULAR US MAIL

Re: Proposed Zoning Classification Change
1743 S Oak Grove Ave

Dear Property Owner/Resident:

This letter is to invite you to attend a neighborhood meeting regarding the proposed rezoning of property located at 1743 S Oak Grove Avenue. This property is located directly north of the Dominos Pizza at the corner of Sunshine and Oak Grove.

Dominos Pizza and the current owner are proposing a change in the existing zoning from Single-Family Residential to General Retail. If approved, the deteriorating house will be removed and the Dominos will undergo an expansion and remodel of the existing store.

The meeting will take place between 4:00 p.m. and 6:30 p.m. on Wednesday March 15 at the Oak Grove Community Center located at 1538 S Oak Grove Ave. At that time you will be able to meet with a representative of the developer and ask any questions you may have.

If you have questions in advance of the meeting, feel free to contact Greg Whitlock at greg@whitlockeng.com.

Sincerely,
Whitlock Engineering, LLC

A handwritten signature in black ink, appearing to read 'Greg Whitlock'.

Greg Whitlock, P.E.

Enclosure

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: R-SF to GR
(existing zoning) (proposed zoning)
2. Meeting Date & Time: March 15, 2017 4:00-6:30 PM
3. Meeting Location: Oak Grove Community Center
4. Number of invitations that were sent: 61
5. How was the mailing list generated: City Staff
6. Number of neighbors in attendance (attach a sign-in sheet): _____
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

One person attended and he was in favor of the project because it would remove the rental house on the lot that has had problematic tenants.

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

N/A

I, Greg Whitlock (print name), attest that the neighborhood meeting was held on 3/15/17 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."


Signature of person completing affidavit

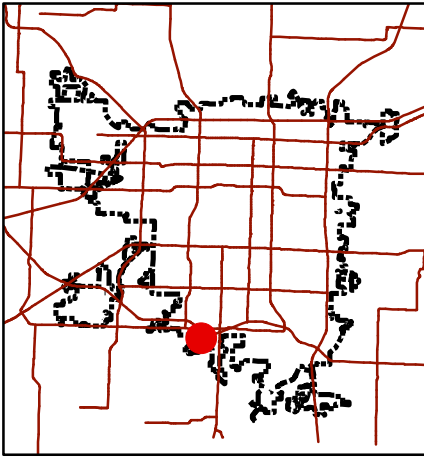
Greg Whitlock
Printed name of person completing affidavit

NEIGHBORHOOD MEETING
SIGN-IN SHEET

Proposed Zoning Classification Change
1743 S Oak Grove Ave

March 15, 2017
Oak Grove Community Center

NAME (PLEASE PRINT)	ADDRESS	CITY
DAN LOTAMIR	1728 South Oak Grove	Springfield



Development Review Staff Report

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

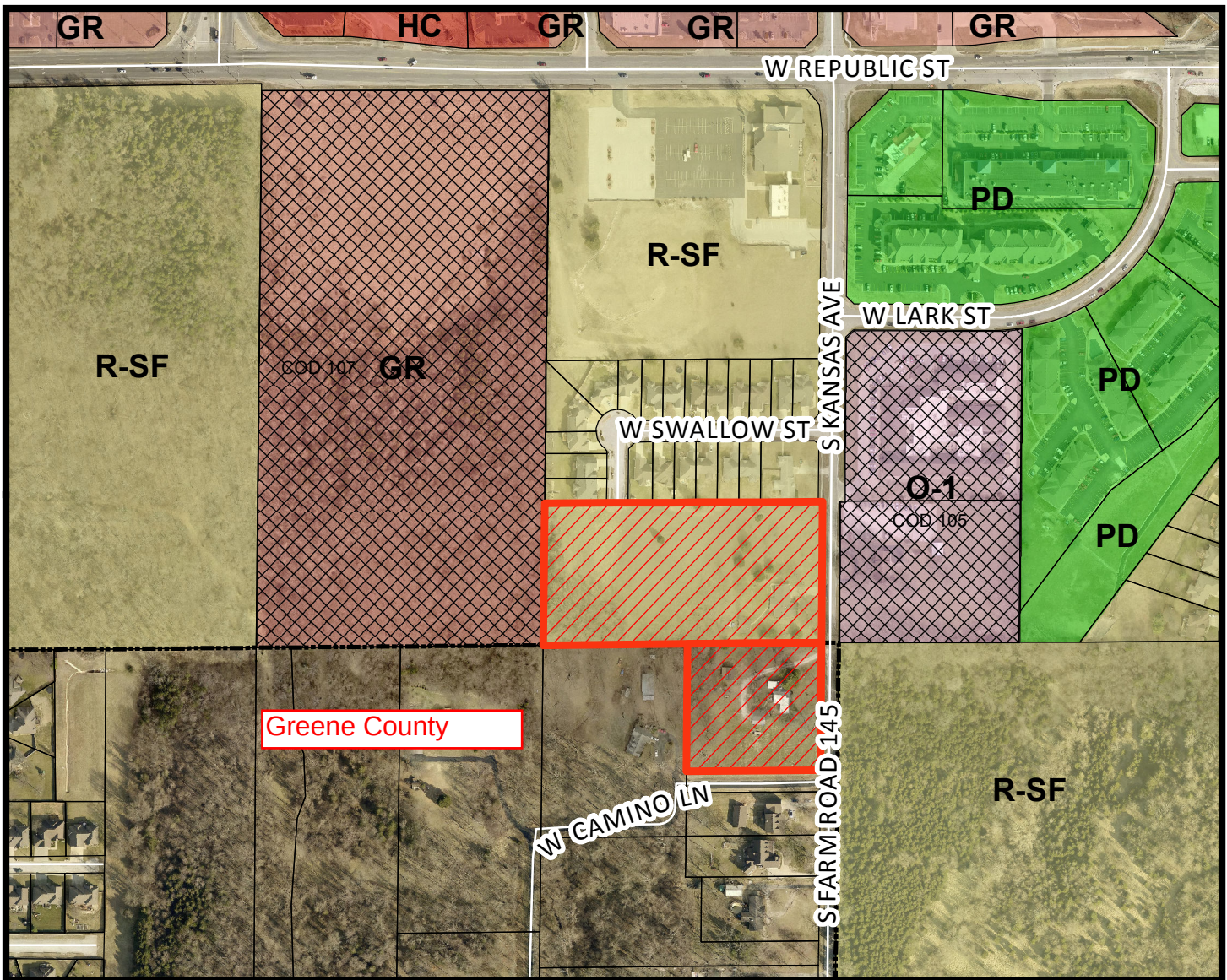
Z-10-2017 Conditional Overlay District No 125

LOCATION: 4349-4413 South Kansas Ave

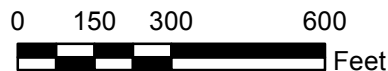
CURRENT ZONING: R-SF, Residential Single-Family District
and Greene County R-1

PROPOSED ZONING: R-MD, Medium Density Multi-Family
Residential District COD 125

LOCATION SKETCH



- Area of Proposal



1 inch = 375 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-10-2017 CONDITIONAL OVERLAY DISTRICT NO. 125

PURPOSE: To rezone approximately 7.23 acre of property generally located at 4349 and 4413 South Kansas Avenue from a R-SF, Single-Family Residential District and a Greene County R-1, Suburban Residence District to a R-MD, Medium-Density Multi-Family Residential District and establishing Conditional Overlay District No. 125.

DATE: March 7, 2017

LOCATION: 4349 and 4413 South Kanas Avenue

APPLICANT: Jeffrey Young and Glossip Family Trust

TRACT SIZE: Approximately 7.23 acres

EXISTING USE: Residential and undeveloped land

PROPOSED USE: Multi-family development and retirement/ nursing home

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* designates this area this area as appropriate for Medium or High Density Housing for the northern tract and Low Density Housing for the southern tract. The R-MD District is one of the appropriate zoning districts recommended for the northern tract including all property north to Republic Street. The request is consistent with the adjacent future land uses to the north and the intent of the R-MD district to serve as a transition between lower density and higher density residential districts. This development will serve as a transition between the adjoining single-family residential neighborhood to the south and the proposed higher intensity to the north.
2. The subject property is located along Kansas Avenue which is classified as a collector roadway in the Transportation Plan.
3. The proposed conditional overlay district will mitigate the potential impact between the multi-family and single-family uses by restricting the maximum density to no more than eleven (11) dwelling units per acre which is significantly less intense than what is permitted in the R-MD district. The proposed conditional overlay district will restrict and lower the residential density to the R-TH, Residential Townhouse District.
4. The standard development requirements in the R-MD District are otherwise adequate for mitigating potential impacts of the multi-family uses on the adjoining

single-family residential properties. No portion of a multi-family shall be higher than forty-five (45) degree bulk plane where the property adjoins an R-SF District.

RECOMMENDATION:

Staff recommends **approval** of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF	Single-family residences
East	O-1 COD 105 and R-SF	Quail Creek retirement home
South	Greene Co R-1	Single-family residences
West	GR COD 107	VA Clinic

HISTORY:

The northern tract of property has been zoned R-SF since the 1995 citywide re-mapping. The southern tract is in Greene County and is zoned R-1, Suburban Residence District. This property will be annexed into the City of Springfield prior to rezoning.

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* of the *Comprehensive Plan* designates this area as appropriate for Medium or High Density Housing on the northern tract and Low Density Housing on the southern tract. The R-MD District is one of the appropriate zoning districts recommended for the area designated as Medium or High Density Housing. The Future Land Use Plan for the City designates Medium or High Density Housing north of the subject property north to Republic Street. The proposed multi-family residential uses and densities are an appropriate transition between the higher intensity retail, residential and office uses. The subject site with the conditional overlay district meets the recommendations and intent of the *Comprehensive Plan* and R-MD District.

STAFF COMMENTS:

1. The applicant is proposing to rezone the property at 4349 and 4413 South Kansas Avenue from a R-SF, Single-Family Residential District and a Greene County R-1, Suburban Residence District to a R-MD, Medium Density Multi-Family Residential District and establishing Conditional Overlay District No. 125.

The intent of this application is to facilitate the development of the site for a multi-family development and assisted living retirement home for seniors.

2. An R-MD district allows for retirement and nursing home by a conditional use permit. There is a separate application being submitted for the conditional use permit for the retirement and nursing home use and the southern tract is being annexed into the City of Springfield.
3. The applicant is requesting a conditional overlay district that will restrict the maximum density to eleven (11) dwelling units per acre. This restriction will reduce the projected traffic impact of the site if developed to the full extent of the R-MD densities and will not require a traffic study. The proposed density is comparable to the R-TH District, a less intense residential district. The Multi-Family Location and Design Guidelines are not required for multi-family developments at 11 dwelling units per acre or less. The conditional overlay district will also require the dedication of 10 feet of right of way along Kansas Avenue if there is not 30 feet of right of way from the centerline of the street and require a sidewalk to be constructed along Kansas Avenue.
4. The maximum height of any multi-family dwelling is restricted by a forty-five (45) degree bulk plane as measured from the boundaries of any R-SF districts. This is a one to one ratio of setback to height. Therefore, if the structures were 35 feet high the setback would be 35 feet. The standard requirements for bufferyards, noise, lighting, odor and signage will be covered by the Zoning Ordinance.
5. A traffic study was not warranted by Public Works Traffic Division since the rezoning from R-SF to the R-MD with COD #125 will not generate a significant amount of additional traffic. The current R-SF zoning district allows up to 7 dwelling units per acre while the proposed R-MD zoning district with COD #125 will allow up to 11 dwelling units per acre. This is a total increase of only 4 dwelling units per acre.
6. The bufferyard requirement between the R-MD, Medium-Density Multi-Family Residential District and adjacent R-SF, Single-Family Residential District to the north, is a Bufferyard "C". Bufferyard "C" requires a minimum open space of fifteen (15) feet wide with the following plantings per one hundred (100) linear feet: one (1) canopy tree, two (2) understory tree, two (2) evergreen tree and ten (10) shrubs. There are no required structures (i.e. solid fence, wall or hedge) in the Bufferyard "C". There is also a Bufferyard C required along the property boundary and Greene County R-1 zoning.
7. 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 February 16, 2017. A summary of the meeting is 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. Eighteen (18) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

CITY COUNCIL MEETING:

May 1, 2017

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner
864-1834

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-10-2017 & CONDITIONAL OVERLAY DISTRICT NO. 125

BUILDING DEVELOPMENT SERVICES COMMENTS:

No BDS issues with rezoning proposal.

CITY UTILITIES:

No objection to rezoning request. A water main will need to be extended to provide service.

CLEAN WATER SERVICES COMMENTS:

No objection to zoning request.

The development will be subject to a \$0.0469 per square foot trunkline connection fee. This is based on the square footage of the property which will include both parcels if combined. This fee will be in addition to the sewer impact permit fee which is based on the size of the proposed water meter. These fees must be paid before obtaining a building permit.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

City's Transportation Plan classifies Kansas Avenue as a Collector roadway. The standard right of way width for Kansas Avenue is 30 feet from the centerline. It appears approximately 10 feet right of way is needed. A survey is recommended to determine the exact amount of existing right of way. Kansas Avenue is a city maintained street. There is not a recent traffic count on Kansas Avenue south of Republic Road. There are currently two driveway access points along Kansas Avenue pertaining to the properties in this zoning. There are no sidewalks along the property frontage, however, sidewalks will be required to be constructed at the time of development or as part of a plat. The existing infrastructure meets current city standards. On-street parking is not allowed along Kansas Avenue. There is not a greenway trail in the area. There are no bus stops along Kansas Avenue. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. There are no proposed improvements along Kansas Avenue.

Public Works Traffic Division	Response
Street classification	Kansas Avenue - Collector
On-street parking along streets	Kansas Avenue - No
Trips generated - Peak Hour	35 vehicles (R-SF) 119 vehicles (R-MD)

Additional Trips generated with zoning change - Peak Hour	84 vehicles
Existing street right of way widths	Kansas Avenue - 20 ft. from the centerline
Standard right of way widths	Kansas Avenue - 30 ft. from the centerline
Traffic study submitted	Not required*
Proposed street improvements	None required

*A traffic study was not required. The development of a senior living facility stated in the conditional overlay district was reviewed by staff based on national trip generation rates developed by the Institute of Transportation Engineers (ITE). The development will not generate a significant number of additional trips to warrant a traffic study.

STORMWATER COMMENTS:

The property is in the Ward Branch drainage basin. The property is not located in a FEMA designated floodplain. Staff is aware of flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required per Chapter 96. Buyout in lieu of on-site stormwater detention will not be allowed and will be required. Since the project will be disturbing more than one (1) acre there will be a land disturbance permit required. There are no sinkholes on the proposed property.

Please note that development of the property will be subject to the following conditions at the time of development:

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100-year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
2. Concentrated points of discharge from these improvements will be required to existing drainage basin on site.
3. If disturbing more than one acre water quality will also have to be provided.
4. Drainage easements must be provided for this conveyance.
5. Please keep in mind that more detailed stormwater calculations must be submitted before any permits can be approved.
6. This site drains to the southwest.

Public Works Stormwater Division	Response
Drainage Basin	Ward Branch
Is property located in Floodplain	No
Is property located on a sinkhole	No
Is stormwater buyout an option	No



Architecture
Engineering
Planning
Project Management

YOUR **VISION.** OUR **FOCUS.**

February 6, 2017

To Neighbors of
 4409 and 4413 South Kansas Avenue/Farm Road 145

Dear Neighbor:

My firm is assisting in the rezoning effort of the above-mentioned properties. The 4.77-acre parcel at 4409 South Kansas is zoned R-SF in the City, and the 2.17-acre parcel at 4413 South Farm Road 145 is zoned R-1 in the County. My client desires to construct a small residential community for seniors, particularly veterans, consisting of a three-story building of approximately 40 apartments, and a two-story building of 60 beds of assisted living.

To do this, my client has made application to the City of Springfield to annex the south property and to rezone the two properties to R-MD, a medium-density multi-family residential district. In addition, the property would be developed under the requirements of a conditional use permit which places further controls on the property, including a limit on the number of units that is lower than allowed by the zoning, and increased building setbacks from adjacent residential properties.

This zoning request will be considered at the Planning and Zoning Commission Meeting on Thursday, March 9, 2017. We are holding a Neighborhood Meeting on Thursday, February 16 between the 4:30 and 6:30 pm at Southland Christian Church at the southwest corner of Republic Road and Kansas Avenue. We will be there to discuss the issue and answer your questions. It will be an informal, drop-by informational meeting, so you can come and go during that period as is convenient for you. If you cannot come at that time please feel free to call me at my office at (417) 521-6121 to discuss the matter.

Sincerely,

BUTLER, ROSENBURY & PARTNERS, INC.

Tim Rosenbury, AIA
 Architect & Partner

cc: Planning and Zoning Commission

319 North Main, Suite 200
 Springfield, MO 65806
 Phone: 417.865.6100
 Fax: 417.865.6102
www.brpaec.com

Attendance Record

ATTACHMENT 2

4349 S. Kansas Avenue and 4409-4413 S. FR 145 Neighborhood Meeting
Southland Christian Church, February 17, 2017

Name	Address	Telephone
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P. Owens	1619 W. Swallow Springfield Mo 1618, 1628, 1632, 1642	
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Lu Alexander	W. Swallow	
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Jane Gato	1609 W. Swallow Springfield, MO. 65810 1618 W. SWALLOW ST.	
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Roseanne Posson	SPRINGFIELD, MO 65810	
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Don & Shurly Stewart	1839 W. Camacho Ln Springfield Mo 65810	
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BRYAN TOUCHSTONE	4473 SOUTH FARM RD 145	65810
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ER & Judi FRIDGE	4545 SFR 145	65810
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Jeremy + Kim Brown	4501 S. Farm rd 145	
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Diane Wabman	1625 W. Swallow	
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Jeannie Hudstep	1661 W. Swallow	
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J.F.	4413 S. FR 145	
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Jane Brown	1669 W. Camacho Springfield 65810	
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ATTACHMENT 2

4349 S. Kansas Avenue and 4409-4413 S. FR 145 Neighborhood Meeting
Southland Christian Church, February 17, 2017

Name	Address	Telephone
RYAN KELL	108 EASTWOOD DR. NIXA MO. 65714	417-224-7069
JOHN F. BROWN	1609 W GAMING LANE SPRINGFIELD MO 65810	887-1666
Robert G. Baker	1638 W. Swallow St Springfield, MO 65810	417-890-7479 417-838-0855

Summary of Neighborhood Meeting

The meeting was held from 4:30 pm to 6:30 pm at Southland Christian Church. Developer's representatives were present to present to neighbors, one-on-one or in small groups, the proposal for rezoning and the ensuing site redevelopment.

The meeting was well attended, as evidenced by the attendance list submitted separately to the City.

Attendees shared a variety of concerns, including the impact of the development on:

- Stormwater flooding. The developer's response was that the site would be developed in accordance with the City of Springfield's requirements for stormwater management.
- Traffic. The developer's response was the site would be developed in accordance with the City of Springfield's requirements for traffic impacts, and an observation can be made that traffic generated by the development on would be relatively low.
- Adjacent property values. The developer could not speculate on the development's impact on property values.
- Wildlife. The developer could not speculate on the development's impact on wildlife, but observed that the low-lying land on the west end of the site would be an improved "natural area" with walking trails and amenities for residents. It was also noted that the buildings are set back well beyond bufferyards limits.
- Crime. The developer could not speculate on the development's impact on crime, but observed that the targeted population for this development (senior veterans 55 and older) may alter one's expectations of crime occurring on site.

Numerous attendees stated that this facility is not needed in this residential location. It was observed by the developer that this is a residential project, except at a greater density than the immediately adjacent residential uses. Its proximity to the VA clinic under construction makes this site an attractive to market-rate senior veteran housing. The developer also reported that the State Health Facilities Review Commission is responsible for issuing certificates of need (CON) for the assisted living center, and a CON has been applied for. [The Commission has since issued the CON for this site.]

ATTACHMENT 3
NOTICE

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

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

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

The Land Use or Zoning Change Process:

1. Application
2. Neighborhood Meeting (500 feet notification from subject property)
3. Planning and Zoning Commission Public Hearing (185 feet notification from subject property)
4. 1st City Council Public Hearing (185 feet notification from subject property)
5. 2nd City Council Meeting to decide either to approve or to deny the change in land use or zoning

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

Staff submits a report with a recommendation one week prior to the date of the public hearing at the Planning and Zoning Commission. You can provide comments on the attached "Comment Card" by mail or by email at zoning@springfieldmo.gov. Please include your name, address and telephone number as well as the address of the project in your correspondence.

Bob Hosmer, AICP Principal Planner
City of Springfield Development Review Office
840 Boonville Ave, Springfield Missouri 65801

Comment Card: mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	2/16/17	Telephone No.	887-1666
YOUR NAME:	Jane Brown		
YOUR ADDRESS:	1669 W Camino Lane		
PROJECT ADDRESS:	4349 - 4413 FR 145		

COMMENTS:

Water will be a problem for us, Too many parking spaces & roofs. We have a problem already because of run off up stream. Traffic will be a serious problem, it is hard to get out on Republic Road now. There are other properties all zoned for this sort of development, why not use one of them? I am very much opposed to this. Ours is a residential area please go somewhere else.

From: [Sparlin, Michael](#)
To: [Hosmer, Bob](#)
Subject: FW: Zoning change, 4409 S. Kansas Avenue
Date: Wednesday, March 22, 2017 9:10:22 AM

I talked to this lady about the proposal this morning. She would like to be sent a link to the staff report when it is published online.

Michael Sparlin, Senior City Planner
City of Springfield, Missouri
Planning & Development Department
[Development Review Office](#)
[417.864.1091](#)

From: luandjimmyo@gmail.com [mailto:luandjimmyo@gmail.com]
Sent: Tuesday, March 07, 2017 11:42 AM
To: Zoning@springfieldmo.gov
Subject: Zoning change, 4409 S. Kansas Avenue

There are 21 homeowners in Warner Addition, which adjoins this proposed project on its north boundary. Not only are our property values impacted by this project, but the safety of the residents and their property are endangered by this project. I own 1618, 1628, 1632 and 1642 W. Swallow in Warner Addition. Only a 6' privacy fence, built on the property line, will separate our homes from this project. We were told there would be a 75' buffer zone between the project and our homes; however, the sketch plan shows part of their facility (the Memory Care Garden) extends to the privacy fence.

Kansas Ave. is a narrow street, known as Farm Rd 145 outside the city limits. It runs into Republic which is slated to be widened, thus increasing traffic on Republic. The proposed project is for a 40 apartment, 3 story building, and a 60 bed, 2 story, assisted living facility, which will greatly increase traffic on S. Kansas. This project will be a major traffic hazard. In addition the sketch plans call for a cut-through driveway into the project just 6' off the property line, which will have a 6' privacy fence, creating a dangerous traffic hazard.

The nearest fire stations are at Battlefield or Walnut, thus limiting response time, and the SFD says it will stretch them to their limits to give fire protection to this proposed facility. Sketch plans for this project show there is little or no access for SFD fire trucks to fight a fire at this facility. The architects say they "may" put in sprinklers, and will put in fire hydrants, neither of which will fix the access problem or the fire danger to the residents and the surrounding homes and businesses.

There is a creek that runs through the project property and flood hazard maps show a flood zone is nearby. This 6.94 acres of undeveloped land has provided absorption of storm waters and creek overflows, protecting the adjoining subdivisions from flooding. This protective barrier will be gone when this project is built. This land has been habitat for deer and turkey, which will also be lost.

Their detention basin is too small to protect adjoining homeowners and the project itself from flooding. The Permit Sketch Plan and the Use Sketch Plan show different sizes and configurations; however, the architect said they may have to use all the lower west side of the property as a catch basin. The city storm water engineer said the developer might have to move the project east; she said she understood the drainage way would be west but the use permit sketch plans shows the

approximate drainage way will be northwest. Water will flow out of the creek into the storm water detention pond and then back into the creek. Flooding will be a real danger to Warner Addition homeowners. The developer has only an option to purchase this property and does not have an engineer yet. An engineer is vital to this project, since grading will determine the flood danger to surrounding properties.

There is a nursing home on the east side of S. Kansas, across from this proposed project; so, there is no "need" for this project. I understand the State Health Commission will have to rule on this. We were told at the Neighborhood Meeting that this requested rezoning, conditional use permit and annexation would be heard at the 4/6/17 Zoning Commission meeting and that we could attend; however, last night's news said protests against this project were brought to the attention of the City Council last night, 3/6/17. No notice of this meeting was given to Warner Addition homeowners, such as myself.

The 4409 S. Kansas Ave. property is the wrong location for this project, due to the land volume impacted, traffic and fire protection hazards, and flooding dangers. I urge you to deny the rezoning, conditional use permit and annexation request of Miller Commerce for 4409 S. Kansas Ave.

Lula Alexander, 1746 W. Riverfork Dr., Nixa, MO 65714 (owner of 1618, 1828, 1632, 1642 W. Swallow, Springfield, MO) 417-374-7279 (cell: 479-234-5116)

Sent from [Mail](#) for Windows 10

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

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

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

The Land Use or Zoning Change Process:

1. Application
2. Neighborhood Meeting (500 feet notification from subject property)
3. Planning and Zoning Commission Public Hearing (185 feet notification from subject property)
4. 1st City Council Public Hearing (185 feet notification from subject property)
5. 2nd City Council Meeting to decide either to approve or to deny the change in land use or zoning

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

Staff submits a report with a recommendation one week prior to the date of the public hearing at the Planning and Zoning Commission. You can provide comments on the attached "Comment Card" by mail or by email at zoning@springfieldmo.gov. Please include your name, address and telephone number as well as the address of the project in your correspondence.

Bob Hosmer, AICP Principal Planner
City of Springfield Development Review Office
840 Boonville Ave, Springfield Missouri 65801

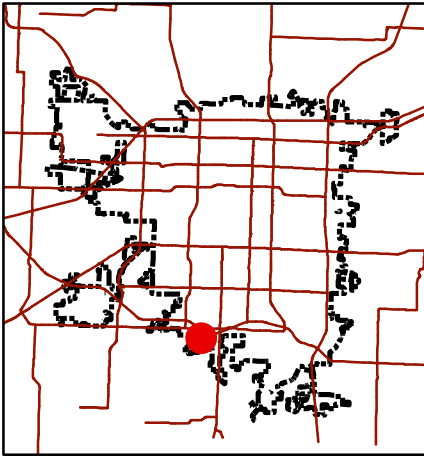
Comment Card: mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	February 17, 2017	Telephone No.	417-890-7479
YOUR NAME:	Robert G. Baker		
YOUR ADDRESS:	1638 W. Swallow St. - Springfield, Mo		
PROJECT ADDRESS:	4409 and 4413 South Kansas Ave, Jim Rl 145 65810		
COMMENTS:	I do NOT want the rezoning! It would de-value my Residential Property		

ATTACHMENT 4
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-10-2017 & CONDITIONAL OVERLAY DISTRICT NO. 125

The requirements of *Section 36-383. Medium-density multifamily residential district* of the *Springfield Zoning Ordinance* shall be as modified herein for development within this district.

1. The maximum density for the subject property is eleven (11) dwelling units per acre.
2. Kansas Avenue is classified as a collector which requires 30 feet of right of way from the centerline of the street. It appears approximately 10 feet is needed. A survey is recommended to determine the exact amount of existing right of way. Anything less than 30 feet from the centerline is required to be dedicated as right of way.
3. A sidewalk is required to be constructed along Kansas Avenue at the time of development.
4. The two tracts shall be combined into one tract of property.



Development Review Staff Report

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

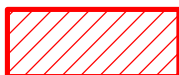
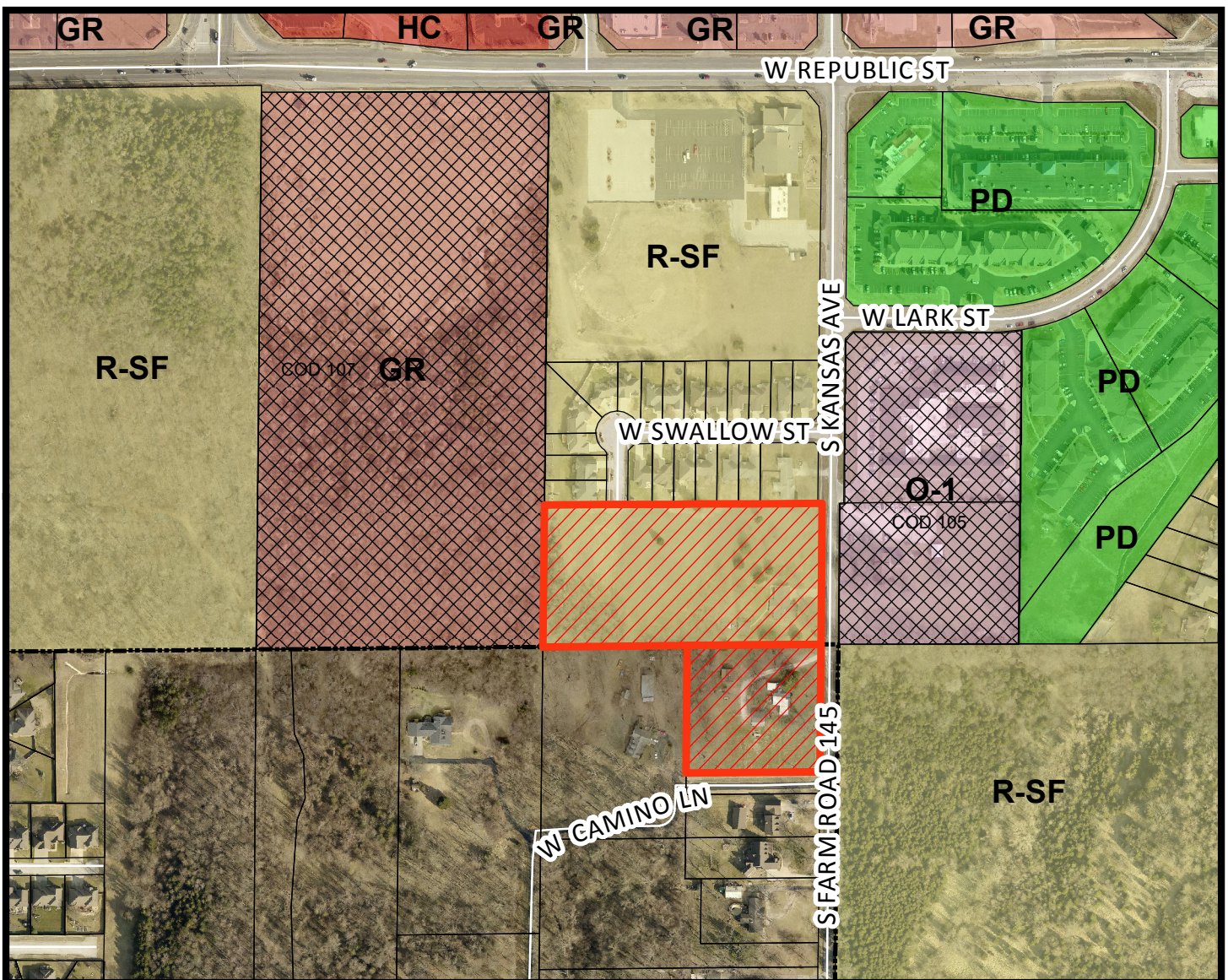
Conditional Use Permit 428

LOCATION: 4349-4413 South Kansas Ave

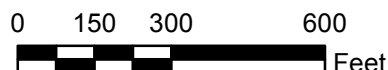
CURRENT ZONING: R-MD, Medium Density Multi-Family
Residential District COD 125

PROPOSED ZONING: CUP 428 to allow Retirement/Nursing home

LOCATION SKETCH



- Area of Proposal



1 inch = 375 feet

DEVELOPMENT REVIEW STAFF REPORT
CONDITIONAL USE PERMIT 428

PURPOSE: To allow a nursing and retirement home within a R-MD, Medium-density Multi-Family Residential District generally located at 4349 and 4413 South Kansas Avenue.

REPORT DATE: March 22, 2017

LOCATION: 4349 and 4413 South Kansas Avenue

APPLICANT: Jeffrey Young and Glossip Family Trust

TRACT SIZE: Approximately 7.23 acres

EXISTING USE: Residential and undeveloped land

PROPOSED USE: Multi-Family development and retirement/ nursing home

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* identifies this area as appropriate for Medium or High Density Housing for the northern tract and Low Density Housing for the southern tract. The R-MD District is one of the appropriate zoning districts recommended for the northern tract including all property north to Republic Street. The request is consistent with the adjacent future land uses to the north and the intent of the R-MD district to serve as a transition between lower density and higher density residential districts. This development will serve as a transition between the adjoining single-family residential neighborhood to the south and the proposed higher intensity to the north.
2. Approval of this request will provide for redevelopment of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties.
3. This application meets the approval standards for a Conditional Use Permit.

RECOMMENDATION:

Staff recommends approval of this request with the following conditions:

1. The regulations and standards listed on Attachment 3 and shall govern and control the use and development of the land in Use Permit Number 428 in a manner consistent with the attached site plan (Attachment 5).

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF	Single-Family residences
East	O-1 COD 105 and R-SF	Quail Creek Retirement Home
South	Greene Co R-1	Single-Family residences
West	GR COD 107	VA Clinic

ZONING ORDINANCE REQUIREMENTS:

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

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* of the *Comprehensive Plan* identifies this area as appropriate for Medium or High Density Housing and Low Density Housing.

STAFF COMMENTS:

1. The applicant is requesting approval of a Conditional Use Permit for a Nursing and retirement home on the subject property within a R-MD, Medium-Density Multi-Family Residential District. The Zoning Ordinance requires a use permit in

the R-MD, Medium-density Multi-Family Residential District for a nursing and retirement home.

2. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* designates this area as appropriate for Medium or High Density Housing on the northern tract and Low Density Housing on the southern tract. The R-MD District is one of the appropriate zoning districts recommended for the area designated as Medium or High Density Housing. The Future Land Use Plan for the City designates Medium or High Density Housing north of the subject property to Republic Street. The proposed multi-family residential uses and densities are an appropriate transition between the higher intensity retail, residential and office uses. Kanas Avenue is classified as a collector which is appropriate for multi-family and retirement home uses. The project will not be connecting to Meadowbrook Avenue stubbed street located at the end of the West Swallow Street cul-de-sac.
3. The bufferyard requirement between R-MD and R-SF zoning is a bufferyard "Type (C)" at least fifteen (15) feet wide with required plantings. This bufferyard will be required on all sides of the subject property where adjacent to R-SF, Single-Family Residential zoned property. The property zoned GR to the west does not require a bufferyard but the applicant will be providing a bufferyard. Bufferyard "C" requires a minimum open space of fifteen (15) feet wide with the following plantings per one hundred (100) linear feet: one (1) canopy tree, two (2) understory tree, two (2) evergreen tree and ten (10) shrubs. There are no required structures (i.e. solid fence, wall or hedge) in the Bufferyard "C", however, a privacy fence will be provided around the entire perimeter of the property. There will also be a Bufferyard C provided along the property in Greene County.
4. There are 169 parking spaces provided on the site plan and will be buffered from adjacent residential properties across from Kansas Avenue by a S1 bufferyard. A S1 bufferyard requires a minimum open space of fifteen (15) feet wide with the following plantings per one hundred (100) linear feet: one (1) canopy tree, one (1) understory tree and three (3) shrubs. There is also a required off-street parking screening which requires a fence of not less than 4 feet high between the off-street parking areas and R-SF zoning; if the right of way is less than 70 feet. Kanas Avenue has less than 70 feet of right of way.
5. The maximum structure height for nursing and retirement home is thirty-five feet plus one additional foot for each additional two feet of setback provided on each side of the structure up to 75 feet. Above 75 feet, no additional setback is required. The proposed nursing and retirement home (assisted living center) is setback 78 feet from the side. No portion of a multi-family structure shall be higher than a forty-five (45) degree bulk plane where the property adjoins a R-SF District.

6. Staff has reviewed the applicant's request for a Conditional Use Permit and has determined that it satisfies the standards for Conditional Use Permits outlined in Section 36-363 (10) (Attachment 3) of the Zoning Ordinance. Any development of this property must also follow the R-MD, Medium-density Multi-Family Residential District requirements.
7. Approval of this request will provide for redevelopment of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties
8. The proposed Conditional Use Permit was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on February 16, 2017 regarding the request for a conditional use permit. A summary of the meeting is attached (Attachment 4).

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. Eighteen (18) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

CITY COUNCIL PUBLIC HEARING: May 1, 2017

STAFF CONTACT PERSON:

Bob Hosmer, AICP Principal Planner
864-1834

ATTACHMENT 1
DEPARTMENT COMMENTS
CONDITIONAL USE PERMIT 428

BUILDING DEVELOPMENT SERVICES COMMENTS:

Building Development Services has no issues with conditional use permit.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

City's Transportation Plan classifies Kansas Avenue as a Collector roadway. The standard right of way width for Kansas Avenue is 30 feet from the centerline. It appears approximately 10 feet right of way is needed. A survey is recommended to determine the exact amount of existing right of way. Kansas Avenue is a city maintained street. There is not a recent traffic count on Kansas Avenue south of Republic Road. There are currently two driveway access points along Kansas Avenue pertaining to the properties in this zoning. There are no sidewalks along the property frontage, however, sidewalks will be required to be constructed at the time of development or as part of a plat. The existing infrastructure meets current city standards. On-street parking is not allowed along Kansas Avenue. There is not a greenway trail in the area. There are no bus stops along Kansas Avenue. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. There are no proposed improvements along Kansas Avenue.

Public Works Traffic Division	Response
Street classification	Kansas Avenue - Collector
On-street parking along streets	Kansas Avenue - No
Trips generated - Peak Hour	35 vehicles (R-SF) 119 vehicles (R-MD)
Additional Trips generated with zoning change - Peak Hour	84 vehicles
Existing street right of way widths	Kansas Avenue - 20 ft. from the centerline
Standard right of way widths	Kansas Avenue - 30 ft. from the centerline
Traffic study submitted	Not required*
Proposed street improvements	None required

STORMWATER COMMENTS:

The property is in the Ward Branch drainage basin. The property is not located in a FEMA designated floodplain. Staff is aware of flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required per Chapter 96. Buyout in lieu of on-site stormwater detention will not be allowed and will be required. Since the project will be disturbing more than one (1) acre there will be a land disturbance permit required. There are no sinkholes on the proposed property.

Please note that development of the property will be subject to the following conditions at the time of development:

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100-year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
2. Concentrated points of discharge from these improvements will be required to existing drainage basin on site.
3. If disturbing more than one acre water quality will also have to be provided.
4. Drainage easements must be provided for this conveyance.
5. Please keep in mind that more detailed stormwater calculations must be submitted before any permits can be approved.

Public Works Stormwater Division	Response
Drainage Basin	Ward Branch
Is property located in Floodplain	No
Is property located on a sinkhole	No
Is stormwater buyout an option	No

CLEAN WATER SERVICES COMMENTS:

No objection to use permit.

The development will be subject to a \$0.0469 per square foot trunkline connection fee. This is based on the square footage of the property which will include both parcels if combined. This fee will be in addition to the sewer impact permit fee which is based on the size of the proposed water meter. These fees must be paid before obtaining a building permit.

CITY UTILITIES:

No objection to use permit. Water and 3-phase electric will need to be extended to provide service.

FIRE DEPARTMENT:

Fire has no objection to the use permit. The development will be required to provide for an adequate water supply and a required fire lane and aerial apparatus fire lane access at the time of development.

ATTACHMENT 2
REQUIREMENTS FOR CONDITIONAL USE PERMIT 428

1. A nursing and retirement home is permitted in conformance with Attachment 5.
2. The nursing and retirement home shall comply with all the standards listed in Attachment 3.
3. All other standards of the Zoning Ordinance and other applicable ordinances shall be adhered to.

ATTACHMENT 3
CONDITIONAL USE PERMIT STANDARDS
DEVELOPER'S RESPONSE FOR CONDITIONAL USE PERMIT 428

36-363 (10) Standards. An application for a conditional use permit shall be granted only if evidence is presented at the public hearing which establishes the following:

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

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

Developer's Response: The proposed conditional use, which is a senior living community consisting of up to 44 independent living units and sixty assisted living beds, is consistent with the adopted policies in the Springfield Comprehensive Plan.

2. The proposed conditional use will not adversely affect the safety of the motoring public and of pedestrians using the facility and the area immediately surrounding the site.

Developer's Response: The proposed conditional use will not adversely affect the safety of the motoring public and of pedestrians using the facility and the area immediately surrounding the site.

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

Developer's Response: The proposed conditional use will adequately provide for safety from fire hazards, and have effective measures of fire control.

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

Developer's Response: The proposed conditional use will not increase the hazard to adjacent property from flood or water damage. The development will conform to City of Springfield development standards for stormwater management.

5. The proposed conditional use will not have noise characteristics that exceed the sound levels that are typical of uses permitted as a matter of right in the district.

Developer's Response: The proposed conditional use will not have noise characteristics that exceed the sound levels that are typical of uses permitted as a matter of right in the district.

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

Developer's Response: Bufferyards adjacent to single-family residential zoning will shield vehicular and stationary lights from residential uses.

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

Developer's Response: Signage will be limited to one low (no higher than 6' from ground) identification sign and directional signage within the site.

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

Developer's Response: The proposed conditional use, a senior living community, is residential in use and character. The senior living community sign will be lit from the ground or with backlit lettering. No internally-illuminated signage is contemplated.

9. The street right-of-way and pavement width in the vicinity is or will be adequate for traffic reasonably expected to be generated by the proposed use.

Developer's Response: The developer will contribute additional street right-of-way so that the street width in the vicinity can be adequate for traffic reasonably expected to be generated by the proposed use, and the traffic contributed is relatively low.

10. The proposed conditional use will not have any substantial or undue adverse effect upon, or will lack amenity or will be incompatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, traffic conditions, parking utility facilities, and other matters affecting the public health, safety and general welfare.

Developer's Response: The proposed conditional use, which is wholly residential, will not have any substantial or undue adverse effect upon, or will lack amenity or will be incompatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, traffic conditions, parking utility facilities, and other matters affecting the public health, safety and general welfare.

11. The proposed conditional use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. In determining whether the proposed conditional use will so dominate the immediate neighborhood, consideration shall be given to:

- a. The location, nature and height of buildings, structures, walls and fences on the site; and
- b. The nature and extent of landscaping and screening on the site.

Developer's Response: Both buildings are contemplated to be wood-framed, with gable roof and of exterior materials generally associated with residential construction. Viewed from the street, one building is two residential stories, the other is three residential stories. The site will be enclosed with a solid privacy fence except on the street frontage. 30' landscaped bufferyards will be provided, and the two buildings will be located well beyond the interior boundary of the bufferyards.

12. The proposed conditional use, as shown by the application, will not destroy, damage, detrimentally modify or interfere with the enjoyment and function of any significant natural topographic or physical features of the site.

Developer's Response: The significant natural topographic or physical features of the site, which is a vegetated downward slope of the west half of the north portion of the site, is viewed as an amenity for the proposed conditional use. In addition to a wet stormwater detention facility, the area is intended to be used as a trail and outdoor exercise amenity for residents.

13. The proposed conditional use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance.

Developer's Response: There is no known natural, scenic or historic feature of significant importance on the site. The west end of the site is an overland drainage way from the north and the development will maintain that drainage way.

14. The proposed conditional use otherwise complies with all applicable regulations of the Article, including lot size requirements, bulk regulations, use limitations and performance standards.

Developer's Response: The proposed conditional use otherwise complies with all applicable regulations of the Article, including lot size requirements, bulk regulations, use limitations and performance standards.

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

Developer's Response: The proposed conditional use, a senior living community, targeted to veterans, is a community need. The assisted living component will be vetted by the Missouri State Health Facilities Review Commission, which issues certificates of need.

16. Off-street parking and loading areas will be provided in accordance with the standards set out in 36-455, 36-456 and 36-483 of this Article, and such areas will be screened from any adjoining residential uses and located so as to protect such residential uses from any injurious effect.

Developer's Response: Proposed off-street parking and loading areas exceed the standards set out in 36-455, 36-456 and 36-483 of this Article, and such areas will be screened from any adjoining residential uses and located to protect such residential uses from any injurious effect.

17. Adequate access roads or entrance or exit drives will be provided and will be designed so as to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.

Developer's Response: Adequate entrance or exit drives will be provided and will be designed to prevent traffic hazards and to minimize traffic congestion in public streets.

18. The vehicular circulation elements of the proposed application will not create hazards to the safety of vehicular or pedestrian traffic on or off the site, disjointed vehicular or pedestrian circulation paths on or off the site, or undue interference and inconvenience to vehicular and pedestrian travel.

Developer's Response: The vehicular circulation elements of the proposed application will not create hazards to the safety of vehicular or pedestrian traffic on or off the site, disjointed vehicular or pedestrian circulation paths on or off the site, or undue interference and inconvenience to vehicular and pedestrian travel. A new public sidewalk will be constructed along the road frontage, and can connect to pedestrian ways within the proposed development.

19. The proposed use, as shown by the application, will not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way.

Developer's Response: The proposed use, as shown by the application, will not interfere with any known easements, roadways, rail lines, utilities and public or private rights-of-way.

20. In the case of existing structures proposed to be converted to uses requiring a conditional use permit, the structures meet all fire, health, building, plumbing and electrical requirements of the City of Springfield.

Developer's Response: No existing structures are contemplated to be re-used as part of the proposed conditional use.

21. The proposed conditional use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services.

Developer's Response: It is believed that the proposed conditional use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; if not, the developer will provide for such services.

ATTACHMENT 4
Summary of Neighborhood Meeting

The meeting was held from 4:30 pm to 6:30 pm at Southland Christian Church. Developer's representatives were present to present to neighbors, one-on-one or in small groups, the proposal for rezoning and the ensuing site redevelopment.

The meeting was well attended, as evidenced by the attendance list submitted separately to the City.

Attendees shared a variety of concerns, including the impact of the development on:

- Stormwater flooding. The developer's response was that the site would be developed in accordance with the City of Springfield's requirements for stormwater management.
- Traffic. The developer's response was the site would be developed in accordance with the City of Springfield's requirements for traffic impacts, and an observation can be made that traffic generated by the development on would be relatively low.
- Adjacent property values. The developer could not speculate on the development's impact on property values.
- Wildlife. The developer could not speculate on the development's impact on wildlife, but observed that the low-lying land on the west end of the site would be an improved "natural area" with walking trails and amenities for residents. It was also noted that the buildings are set back well beyond bufferyards limits.
- Crime. The developer could not speculate on the development's impact on crime, but observed that the targeted population for this development (senior veterans 55 and older) may alter one's expectations of crime occurring on site.

Numerous attendees stated that this facility is not needed in this residential location. It was observed by the developer that this is a residential project, except at a greater density than the immediately adjacent residential uses. Its proximity to the VA clinic under construction makes this site an attractive to market-rate senior veteran housing. The developer also reported that the State Health Facilities Review Commission is responsible for issuing certificates of need (CON) for the assisted living center, and a CON has been applied for. [The Commission has since issued the CON for this site.]



Architecture
Engineering
Planning
Project Management

YOUR **VISION.** OUR **FOCUS.**

February 6, 2017

To Neighbors of
 4409 and 4413 South Kansas Avenue/Farm Road 145

Dear Neighbor:

My firm is assisting in the rezoning effort of the above-mentioned properties. The 4.77-acre parcel at 4409 South Kansas is zoned R-SF in the City, and the 2.17-acre parcel at 4413 South Farm Road 145 is zoned R-1 in the County. My client desires to construct a small residential community for seniors, particularly veterans, consisting of a three-story building of approximately 40 apartments, and a two-story building of 60 beds of assisted living.

To do this, my client has made application to the City of Springfield to annex the south property and to rezone the two properties to R-MD, a medium-density multi-family residential district. In addition, the property would be developed under the requirements of a conditional use permit which places further controls on the property, including a limit on the number of units that is lower than allowed by the zoning, and increased building setbacks from adjacent residential properties.

This zoning request will be considered at the Planning and Zoning Commission Meeting on Thursday, March 9, 2017. We are holding a Neighborhood Meeting on Thursday, February 16 between the 4:30 and 6:30 pm at Southland Christian Church at the southwest corner of Republic Road and Kansas Avenue. We will be there to discuss the issue and answer your questions. It will be an informal, drop-by informational meeting, so you can come and go during that period as is convenient for you. If you cannot come at that time please feel free to call me at my office at (417) 521-6121 to discuss the matter.

Sincerely,

BUTLER, ROSENBURY & PARTNERS, INC.

Tim Rosenbury, AIA
 Architect & Partner

cc: Planning and Zoning Commission

319 North Main, Suite 200
 Springfield, MO 65806
 Phone: 417.865.6100
 Fax: 417.865.6102
www.brpaec.com

Attendance Record

ATTACHMENT 2

4349 S. Kansas Avenue and 4409-4413 S. FR 145 Neighborhood Meeting
Southland Christian Church, February 17, 2017

Name	Address	Telephone
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P. Owens	1619 W. Swallow Springfield Mo 1618, 1628, 1632, 1642	
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Lu Alexander	W. Swallow	
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Jane Gato	1609 W. Swallow Springfield, MO. 65810 1618 W. SWALLOW ST.	
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Roseanne Posson	SPRINGFIELD, MO 65810	
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Don & Shurly Stewart	1839 W. Camrose Ln Springfield Mo 65810	
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BRYAN TOUCHSTONE	4473 SOUTH FARM RD 145	65810
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ER & Judi FRIDGE	4545 SFR 145	65810
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Jeremy + Kim Brown	4501 S. Farm rd 145	
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Diane Wabman	1625 W. Swallow	
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Jeannie Hudstep	1661 W. Swallow	
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J.F.	4413 S. FR 145	
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Jane Brown	1669 W. Camrose Ln Springfield 65810	
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ATTACHMENT 2

4349 S. Kansas Avenue and 4409-4413 S. FR 145 Neighborhood Meeting
Southland Christian Church, February 17, 2017

Name	Address	Telephone
RYAN KELL	108 EASTWOOD DR. NIXA MO. 65714	417-224-7069
JOHN F. BROWN	1609 W GAMING LANE SPRINGFIELD MO 65810	887-1666
Robert G. Baker	1638 W. Swallow St Springfield, MO 65810	417-890-7479 417-838-0855

Summary of Neighborhood Meeting

The meeting was held from 4:30 pm to 6:30 pm at Southland Christian Church. Developer's representatives were present to present to neighbors, one-on-one or in small groups, the proposal for rezoning and the ensuing site redevelopment.

The meeting was well attended, as evidenced by the attendance list submitted separately to the City.

Attendees shared a variety of concerns, including the impact of the development on:

- Stormwater flooding. The developer's response was that the site would be developed in accordance with the City of Springfield's requirements for stormwater management.
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- Wildlife. The developer could not speculate on the development's impact on wildlife, but observed that the low-lying land on the west end of the site would be an improved "natural area" with walking trails and amenities for residents. It was also noted that the buildings are set back well beyond bufferyards limits.
- Crime. The developer could not speculate on the development's impact on crime, but observed that the targeted population for this development (senior veterans 55 and older) may alter one's expectations of crime occurring on site.

Numerous attendees stated that this facility is not needed in this residential location. It was observed by the developer that this is a residential project, except at a greater density than the immediately adjacent residential uses. Its proximity to the VA clinic under construction makes this site an attractive to market-rate senior veteran housing. The developer also reported that the State Health Facilities Review Commission is responsible for issuing certificates of need (CON) for the assisted living center, and a CON has been applied for. [The Commission has since issued the CON for this site.]

ATTACHMENT 3
NOTICE

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

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

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

The Land Use or Zoning Change Process:

1. Application
2. Neighborhood Meeting (500 feet notification from subject property)
3. Planning and Zoning Commission Public Hearing (185 feet notification from subject property)
4. 1st City Council Public Hearing (185 feet notification from subject property)
5. 2nd City Council Meeting to decide either to approve or to deny the change in land use or zoning

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

Staff submits a report with a recommendation one week prior to the date of the public hearing at the Planning and Zoning Commission. You can provide comments on the attached "Comment Card" by mail or by email at zoning@springfieldmo.gov. Please include your name, address and telephone number as well as the address of the project in your correspondence.

Bob Hosmer, AICP Principal Planner
City of Springfield Development Review Office
840 Boonville Ave, Springfield Missouri 65801

Comment Card: mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	2/16/17	Telephone No.	887-1666
YOUR NAME:	Jane Brown		
YOUR ADDRESS:	1669 W Camino Lane		
PROJECT ADDRESS:	4349 - 4413 FR 145		

COMMENTS:

Water will be a problem for us, Too many parking spaces & roofs. We have a problem already because of run off up stream. Traffic will be a serious problem, it is hard to get out on Republic Road now. There are other properties all around for this sort of development, why not use one of them? I am very much opposed to this. This is a residential area please go somewhere else.

From: [Sparlin, Michael](#)
To: [Hosmer, Bob](#)
Subject: FW: Zoning change, 4409 S. Kansas Avenue
Date: Wednesday, March 22, 2017 9:10:22 AM

I talked to this lady about the proposal this morning. She would like to be sent a link to the staff report when it is published online.

Michael Sparlin, Senior City Planner
City of Springfield, Missouri
Planning & Development Department
[Development Review Office](#)
 417.864.1091

From: luandjimmyo@gmail.com [mailto:luandjimmyo@gmail.com]
Sent: Tuesday, March 07, 2017 11:42 AM
To: Zoning@springfieldmo.gov
Subject: Zoning change, 4409 S. Kansas Avenue

There are 21 homeowners in Warner Addition, which adjoins this proposed project on its north boundary. Not only are our property values impacted by this project, but the safety of the residents and their property are endangered by this project. I own 1618, 1628, 1632 and 1642 W. Swallow in Warner Addition. Only a 6' privacy fence, built on the property line, will separate our homes from this project. We were told there would be a 75' buffer zone between the project and our homes; however, the sketch plan shows part of their facility (the Memory Care Garden) extends to the privacy fence.

Kansas Ave. is a narrow street, known as Farm Rd 145 outside the city limits. It runs into Republic which is slated to be widened, thus increasing traffic on Republic. The proposed project is for a 40 apartment, 3 story building, and a 60 bed, 2 story, assisted living facility, which will greatly increase traffic on S. Kansas. This project will be a major traffic hazard. In addition the sketch plans call for a cut-through driveway into the project just 6' off the property line, which will have a 6' privacy fence, creating a dangerous traffic hazard.

The nearest fire stations are at Battlefield or Walnut, thus limiting response time, and the SFD says it will stretch them to their limits to give fire protection to this proposed facility. Sketch plans for this project show there is little or no access for SFD fire trucks to fight a fire at this facility. The architects say they "may" put in sprinklers, and will put in fire hydrants, neither of which will fix the access problem or the fire danger to the residents and the surrounding homes and businesses.

There is a creek that runs through the project property and flood hazard maps show a flood zone is nearby. This 6.94 acres of undeveloped land has provided absorption of storm waters and creek overflows, protecting the adjoining subdivisions from flooding. This protective barrier will be gone when this project is built. This land has been habitat for deer and turkey, which will also be lost.

Their detention basin is too small to protect adjoining homeowners and the project itself from flooding. The Permit Sketch Plan and the Use Sketch Plan show different sizes and configurations; however, the architect said they may have to use all the lower west side of the property as a catch basin. The city storm water engineer said the developer might have to move the project east; she said she understood the drainage way would be west but the use permit sketch plans shows the

approximate drainage way will be northwest. Water will flow out of the creek into the storm water detention pond and then back into the creek. Flooding will be a real danger to Warner Addition homeowners. The developer has only an option to purchase this property and does not have an engineer yet. An engineer is vital to this project, since grading will determine the flood danger to surrounding properties.

There is a nursing home on the east side of S. Kansas, across from this proposed project; so, there is no "need" for this project. I understand the State Health Commission will have to rule on this. We were told at the Neighborhood Meeting that this requested rezoning, conditional use permit and annexation would be heard at the 4/6/17 Zoning Commission meeting and that we could attend; however, last night's news said protests against this project were brought to the attention of the City Council last night, 3/6/17. No notice of this meeting was given to Warner Addition homeowners, such as myself.

The 4409 S. Kansas Ave. property is the wrong location for this project, due to the land volume impacted, traffic and fire protection hazards, and flooding dangers. I urge you to deny the rezoning, conditional use permit and annexation request of Miller Commerce for 4409 S. Kansas Ave.

Lula Alexander, 1746 W. Riverfork Dr., Nixa, MO 65714 (owner of 1618, 1828, 1632, 1642 W. Swallow, Springfield, MO) 417-374-7279 (cell: 479-234-5116)

Sent from [Mail](#) for Windows 10

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

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

The Land Use or Zoning Change Process:

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

Staff submits a report with a recommendation one week prior to the date of the public hearing at the Planning and Zoning Commission. You can provide comments on the attached "Comment Card" by mail or by email at zoning@springfieldmo.gov. Please include your name, address and telephone number as well as the address of the project in your correspondence.

Bob Hosmer, AICP Principal Planner
City of Springfield Development Review Office
840 Boonville Ave, Springfield Missouri 65801

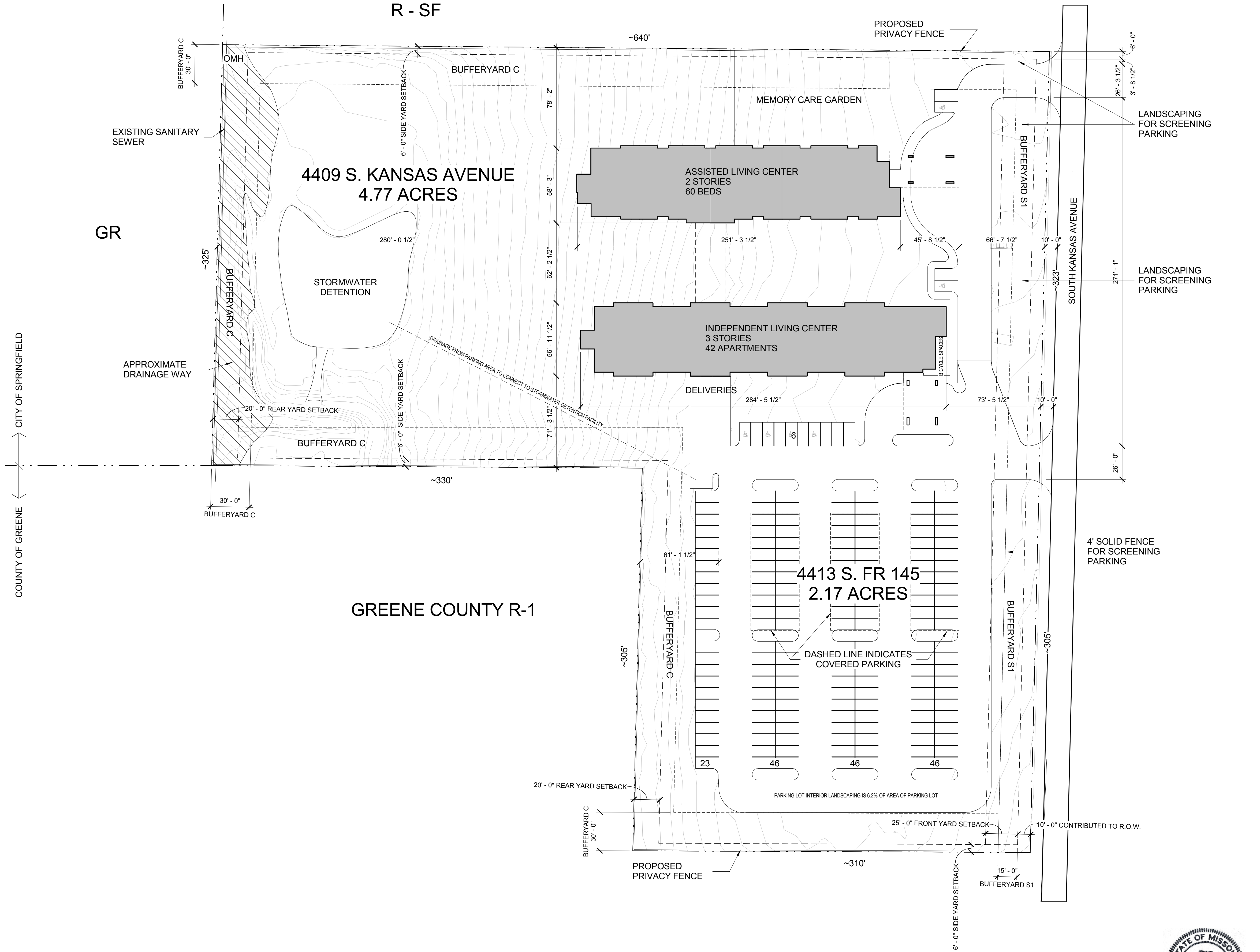
Comment Card: mail comments to the address above or email comments to zoning@springfieldmo.gov

DATE:	February 17, 2017	Telephone No.	417-890-7479
YOUR NAME:	Robert G. Baker		
YOUR ADDRESS:	1638 W. Swallow St. - Springfield, Mo		
PROJECT ADDRESS:	4409 and 4413 South Kansas Ave, Jim Rd 145 65810		
COMMENTS:	I do NOT want the rezoning! It would de-value my Residential Property		

USE PERMIT SKETCH PLAN

VETERANS FOR SENIOR LIVING

4409 SOUTH KANSAS AVENUE, SPRINGFIELD, MO 02/7/17



SITE INFORMATION	
TOTAL SITE AREA:	302,336 SQ. FT. (6.94 ACRES)
TOTAL IMPERVIOUS AREA:	115,220 SQ. FT. (38%)
TOTAL PERVIOUS AREA:	187,116 SQ. FT. (62%)
TOTAL UNITS / ACRE:	42/6.94 = 6 UNITS

ROOM INFORMATION	
INDEPENDENT LIVING CENTER	
2 BEDROOM APARTMENTS:	22 UNITS
1 BEDROOM APARTMENTS:	20 UNITS
TOTAL:	42 UNITS
THIRD FLOOR:	15,287 SF
SECOND FLOOR:	15,287 SF
FIRST FLOOR:	16,020 SF
LOWER LEVEL (WALK OUT):	6,244 SF
TOTAL AREA:	52,838 SF
ASSISTED LIVING CENTER	
MEMORY CARE:	20 BEDS
ASSISTED LIVING:	40 BEDS
TOTAL:	60 BEDS
SECOND FLOOR:	14,151 SF
FIRST FLOOR:	14,855 SF
LOWER LEVEL (WALK OUT):	7,485 SF
TOTAL BUILDING AREA:	36,491 SF
TOTAL FACILITY SF:	89,329 SF

PARKING	
REQUIRED PARKING	
22 2 BR APTS @ 2 SP:	44 SPACES
20 1 BR APTS @ 1.5 SP:	30 SPACES
60 BEDS / 1 SP PER 3 BEDS:	20 SPACES
1 SP PER 2 EMPLOYEES:	30 SPACES
TOTAL REQUIRED:	124 SPACES
FIVE BICYCLE SPACES	
PROVIDED PARKING	
ACCESSIBLE PARKING:	9 SPACES
COVERED PARKING:	60 SPACES
STANDARD PARKING:	100 SPACES
	169 TOTAL
	(124 REQUIRED FOR RESIDENTS AND STAFF)



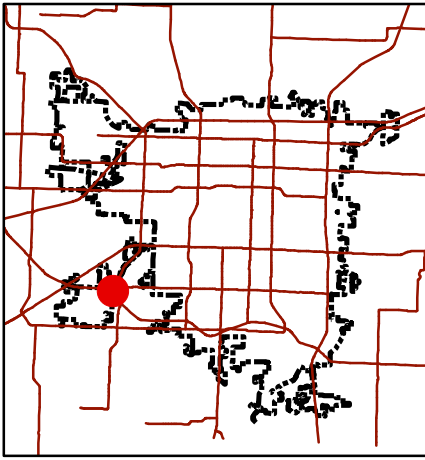
SITE LOCATION MAP

NOT TO SCALE



319 N. Main Ave., Suite 200
Springfield, Missouri 65806
Phone: 417.521.6107

YOUR VISION. OUR FOCUS.



Development Review Staff Report

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

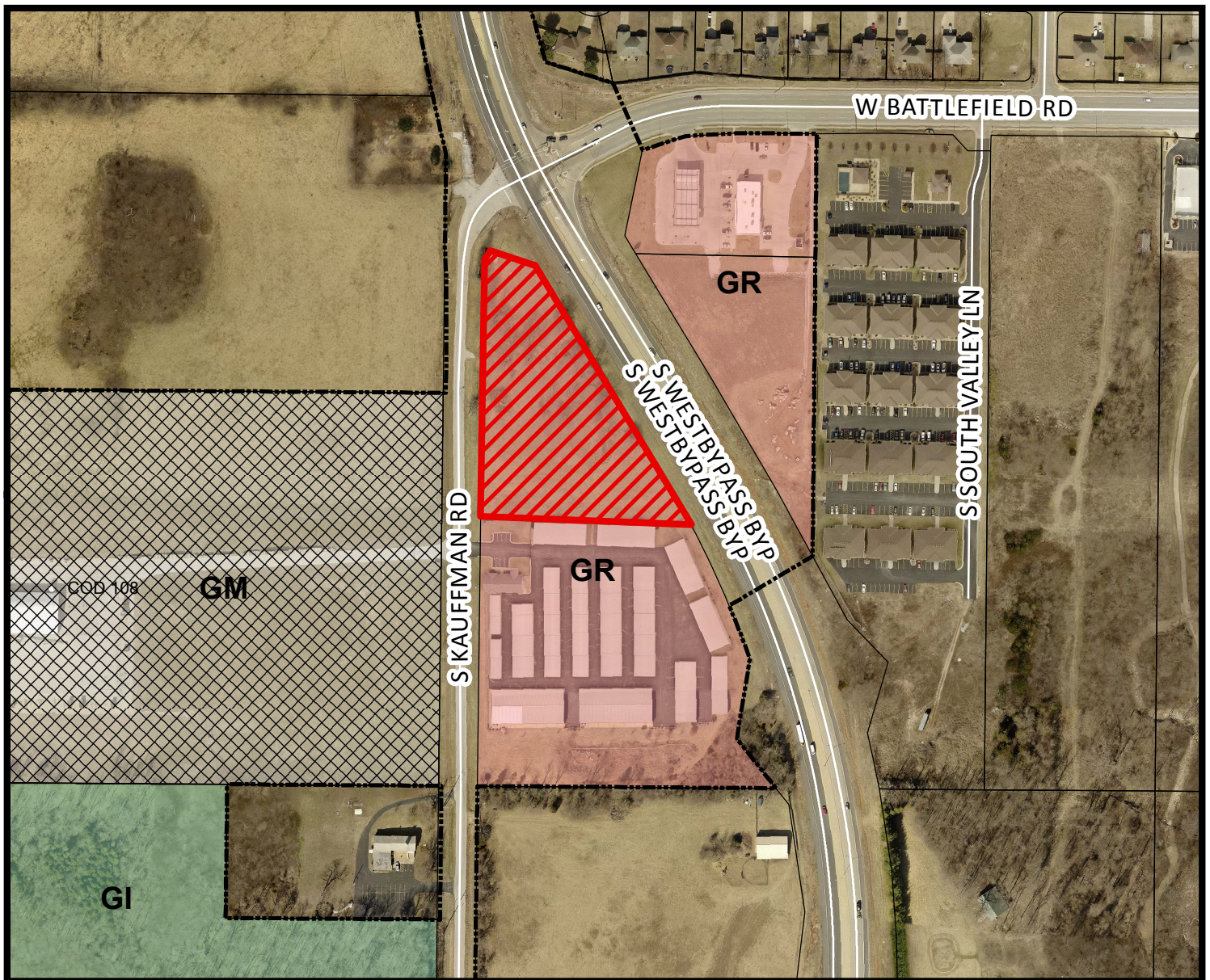
Conditional Use Permit 430

LOCATION: 3048 South Kauffman Road

CURRENT ZONING: GR, General Retail

PROPOSED ZONING: GR, General Retail with a Conditional Use Permit to allow a self-service storage facility

LOCATION SKETCH



- Area of Proposal

0 100 200 400
Feet
1 inch = 300 feet

DEVELOPMENT REVIEW STAFF REPORT
CONDITIONAL USE PERMIT 430

PURPOSE: To allow a self-service storage facility within a GR, General Retail District generally located at 3048 South Kauffman Road

REPORT DATE: March 24, 2017

LOCATION: 3048 South Kauffman Road

APPLICANT: Battlefield Mini Storage LLC

TRACT SIZE: Approximately 8.89 acres

EXISTING USE: Self-service storage facility

PROPOSED USE: expansion of existing self-service storage facility

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of this request will provide for the expansion of a productive use of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties.
2. This application meets the approval standards for a Conditional Use Permit and is in conformance with the *Comprehensive Plan*, which identifies this area as appropriate for a variety of commercial uses.

RECOMMENDATION:

Staff recommends approval of this request with the following conditions:

1. The regulations and standards listed on Attachment 3 shall govern and control the use and development of the land in Use Permit Number 430 in a manner consistent with the attached site plan (Attachment 5).
2. The proposed self-service storage facility shall be located and constructed in substantial conformance to the attached site plan.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	ROW, GR, County R-1	West Bypass right-of-way, Gas Station, Single-family homes
East	ROW, GR	West Bypass right-of-way, Gas Station
South	County R-1	Single-family home
West	GM	Public Works Salt Storage Facility

ZONING ORDINANCE REQUIREMENTS:

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

HISTORY:

The subject property was annexed in May 2004 and rezoned to R-SF, Residential Single-family in June 2004.

In August 2004, City Council approved both a rezoning from R-SF, Residential Single-family to a GR, General Retail District and a conditional use permit to allow the existing self-service storage facility on the south half of the subject property.

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.

This area is also within the James River Freeway and State Highway FF Activity Center. The Plan states that this interchange is well-located to serve as an Activity Center for nearby residential neighborhoods and for residential development southwest of Springfield, but the topography may make it difficult to develop at much density or intensity.

STAFF COMMENTS:

1. The applicant is proposing to expand the existing self-service storage facility within a GR, General Retail District generally located at 3048 South Kauffman Road. The applicant is proposing to expand the existing self-service storage use into the northern portion of the subject property. The existing self-service storage facility was previously approved by Conditional Use Permit No. 361 (General Ordinance No. 24627).
2. The existing self-service storage facility built on the south half of the subject property was approved with conditions. This application will have the same conditions, and are as follows:
 - a. Vehicular gates which restrict access to the site shall comply with Section 36-468 of the *Zoning Ordinance* and all other applicable City ordinance.
 - b. The eastern elevation of the easternmost buildings and enclosed RV parking shall be broken into lengths of about 100 feet to avoid the appearance of a monolithic blank wall along the highway and to keep from overpowering the site.
 - c. A bufferyard, in accordance with the *Springfield Zoning Ordinance* is required along the southern property line.
3. Approval of this request will provide for the expansion of a productive use of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties.
4. Staff has reviewed the applicant's request for a Conditional Use Permit and has determined that it satisfies the standards for Conditional Use Permits outlined in Section 36-363(10) of the *Zoning Ordinance*. Any development of this property must also follow the GR District requirements.
5. The proposed Conditional Use Permit was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on March 10, 2017, regarding the request for a conditional use permit. A summary of the meeting is attached (Attachment 4).

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. Four (4) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

CITY COUNCIL PUBLIC HEARING:

May 1, 2017

STAFF CONTACT PERSON:

Michael Sparlin
Senior Planner
864-1091

ATTACHMENT 1
DEPARTMENT COMMENTS
CONDITIONAL USE PERMIT 430

BUILDING DEVELOPMENT SERVICES COMMENTS:

No objection to Conditional Use Permit

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

City's Transportation Plan classifies Kauffman Road as a Local Commercial roadway and West Bypass as an Expressway roadway. The standard right of way width for Kauffman Road is 30 feet from the centerline and West Bypass is 65 feet from the centerline. Additional right of way is not needed. Kauffman Road is a city maintained street and West Bypass is a state maintained street. There most recent traffic count on Kauffman Road is 145 vehicles per day and for West Bypass is 19,689 vehicles per day. There are currently two driveway access points along the property frontage on Kauffman Road. There is no access allowed to West Bypass from the property. There is not sidewalk along the property frontage on Kauffman Road or West Bypass. The existing infrastructure meets current city standards. On-street parking is allowed along Kauffman Street but is not allowed along West Bypass. The South Creek Greenway Trail is located in the area and Kauffman Road serves as the link between an existing gap in the trail. There are no bus stops along Kauffman Road or West Bypass. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. There are no improvements planned for Kauffman Road or West Bypass.

Public Works Traffic Division	Response
Street classification	Kauffman Road – Local Commercial West Bypass – Expressway
On-street parking along streets	Kauffman Road – Yes West Bypass - No
Trips generated - Peak Hour	67 vehicles (GR)
Additional Trips generated with zoning change - Peak Hour	0 vehicles
Existing street right of way widths	Kauffman Road - 35 ft from the centerline West Bypass – 65 ft from the centerline
Standard right of way widths	Kauffman Road - 35 ft from the centerline West Bypass – 65 ft from the centerline
Traffic study submitted	Not required*
Proposed street improvements	No

STORMWATER COMMENTS:

The property is in the South Creek drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of any flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required according to Chapter 96. Buyout in lieu of on-site stormwater detention is not applicable since an existing detention basin and water quality has been built on the south side of the site. Since the project will be disturbing more than one (1) acre there will be a land disturbance permit required. There are no sinkholes on the proposed property.

Please note that development of the property will be subject to the following conditions at the time of development:

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100 year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
2. Concentrated points of discharge from these improvements will be required to existing drainage basin on site.
3. Please keep in mind that more detailed stormwater calculations will have to be submitted before any permits can be approved.

Public Works Stormwater Division	Response
Drainage Basin	South Creek
Is property located in Floodplain?	No
Is property located on a sinkhole?	No
Is stormwater buyout an option?	NA

CLEAN WATER SERVICES COMMENTS:

No objection to use permit. No conflict with public sewer.

CITY UTILITIES:

No objection to Conditional Use Permit

FIRE DEPARTMENT:

Fire has no objections to the use permit.

Development will be required to provide adequate water supply and fire lane.

ATTACHMENT 2
REQUIREMENTS FOR CONDITIONAL USE PERMIT 430

1. A self-service storage facility is permitted in substantial conformance with Attachment 5.
2. Vehicular gates which restrict access to the site shall comply with Section 36-408 of the Zoning Ordinance and all other applicable City ordinance.
3. The eastern elevation of the easternmost buildings and enclosed RV parking shall be broken into lengths of about 100 feet to avoid the appearance of a monolithic blank wall along the highway and to keep from overpowering the site.
4. All other standards of the Zoning Ordinance and other applicable ordinances shall be adhered to.

ATTACHMENT 3
STANDARDS AND RESPONSES FOR CONDITIONAL USE PERMITS
CONDITIONAL USE PERMIT 430

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

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

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

11. The proposed conditional use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. In determining whether the proposed conditional use will so dominate the immediate neighborhood, consideration shall be given to:
 - a. The location, nature and height of buildings, structures, walls and fences on the site; and
 - b. The nature and extent of landscaping and screening on the site;
12. The proposed conditional use, as shown by the application, will not destroy, damage, detrimentally modify or interfere with the enjoyment and function of any significant natural topographic or physical features of the site;
13. The proposed conditional use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance;
14. The proposed conditional use otherwise complies with all applicable regulations of the Article, including lot size requirements, bulk regulations, use limitations and performance standards;
15. The proposed conditional use at the specified location will contribute to or promote the welfare or convenience of the public;
16. Off-street parking and loading areas will be provided in accordance with the standards set out in 36-455, 36-456 and 36-483 of this Article, and such areas will be screened from any adjoining residential uses and located so as to protect such residential uses from any injurious effect.
17. Adequate access roads or entrance or exit drives will be provided and will be designed so as to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.
18. The vehicular circulation elements of the proposed application will not create hazards to the safety of vehicular or pedestrian traffic on or off the site, disjointed

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

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

- A. The following addresses the requirement of Section 36-363(10) as it pertains to standards for a conditional use permit being granted.
1. The proposed expansion of this property is consistent with the Springfield Comprehensive Plan and is consistent with the existing uses on the property, commercial uses generally located along SH 160 and West Battlefield Road. Storage facilities provide service to existing and proposed residential areas along with other users in the neighborhood.
 2. The proposed expansion of the storage facility will not create any safety hazards to public or adjacent traffic ways. The facility has a low impact traffic use on existing streets as evidenced by the existing storage facility use to the south. The proposed expansion will not obstruct any pedestrian use outside or inside the facility.
 3. The proposed structures will be built with fire resistant materials per building code requirements. Buildings will meet all city set back requirements from property lines. Proposed buildings will meet international building code requirements for building separation. In addition, climate control facilities will have fire sprinkler protection.
 4. The property owner plans to control all site drainage into a detention basin, which has already been constructed on the site and meets all city of Springfield design requirements. There are no water control features on the existing site and therefore the proposed use will not increase hazard to adjacent properties from flood or water damages.
 5. The proposed expansion will not create any obtrusive noise to adjacent property owners.
 6. Light pole fixtures and site lighting on the expansion will be designed to prevent light from trespassing onto adjacent properties. All internal vehicular traffic lights will be screened by buildings.
 7. Sign location and lighting will meet all City of Springfield sign requirements.
 8. Any new signs for the expansion will be located on buildings facing the front of the site at Kauffman Road and will not affect the adjacent property owners.
 9. Kaufmann Road can adequately handle proposed traffic to the proposed facility expansion based on its current design.
 10. Existing adjacent properties are currently the south portion of the property that is improved as the James River Self Storage, to the west is a city road maintenance facility, and undeveloped land is to the north and north west. East across SH 160 is a convenience store and excess land. These uses and any uses developed to contain commercial businesses would not be adversely affected by this expansion of the existing use.

11. The proposed facility will not dominate the adjacent property as buildings will conform to the existing topographical features and step down the site. The average building height will be 12 feet high with low sloped roofs.
12. The proposed facility will be designed utilizing as many existing site features as possible.
13. There is no historic, scenic, or natural feature on this site that will be destroyed.
14. The proposed project complies with all applicable regulations of the zoning ordinance, except for the request to modify some set backs, if applicable.
15. The proposed facility expansion will be a convenience to the nearby residential uses and nearby business uses for the availability to rent storage units for typical stored items.
16. All street parking will meet all zoning ordinance requirements.
17. Entry drive will be designed to allow vehicles to leave street traffic and enter facility without creating any traffic congestions.
18. Vehicle circulation will not create any hazards to other vehicles or pedestrians on the site or adjacent to the site. The proposed use will not interfere with adjacent traffic of pedestrians.
19. The proposed use will not interfere with any existing easements, right-of-ways, or utilities.
20. Not applicable.
21. The traffic to existing facility and future expansion is currently served adequately by Kaufmann Road. Kaufmann Road is accessible by means of stop light at the intersection of Highway 160 and Battlefield Road. Public services are in place to protect proposed site. Proposed expansion will connect to existing utility services.

B.

The design of the conditional use expansion will be similar to the design of the existing James River Self Storage Facility. Operations will be conducted in the same manner as the existing facility. Since this use has been in operation, the neighboring properties have expanded and have not been adversely impacted or impaired. Therefore expansion of this existing use is not considered to prevent future development of the surrounding area, nor impair or adversely affect the use.

C.

The proposed conditional use is an expansion of an existing use to the south and no adverse effects can be identified from the existing conditional use, and thus none are expected from the expansion.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Conditional Use Permit for: PLN 2017-00071
2. Meeting Date & Time: MARCH 10, 2017
3. Meeting Location: JAMES RIVER SELF STORAGE OFFICE, 3048 SOUTH KAUFFMAN RD.
4. Number of invitations that were sent: 12
5. How was the mailing list generated: Greene County Assessor ~~and~~ GIS - Rick J. Muenks, Attorney at Law.
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

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

None.

I, Rick J. Muenks (print name), attest that the neighborhood meeting was held on 3/10/17 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."



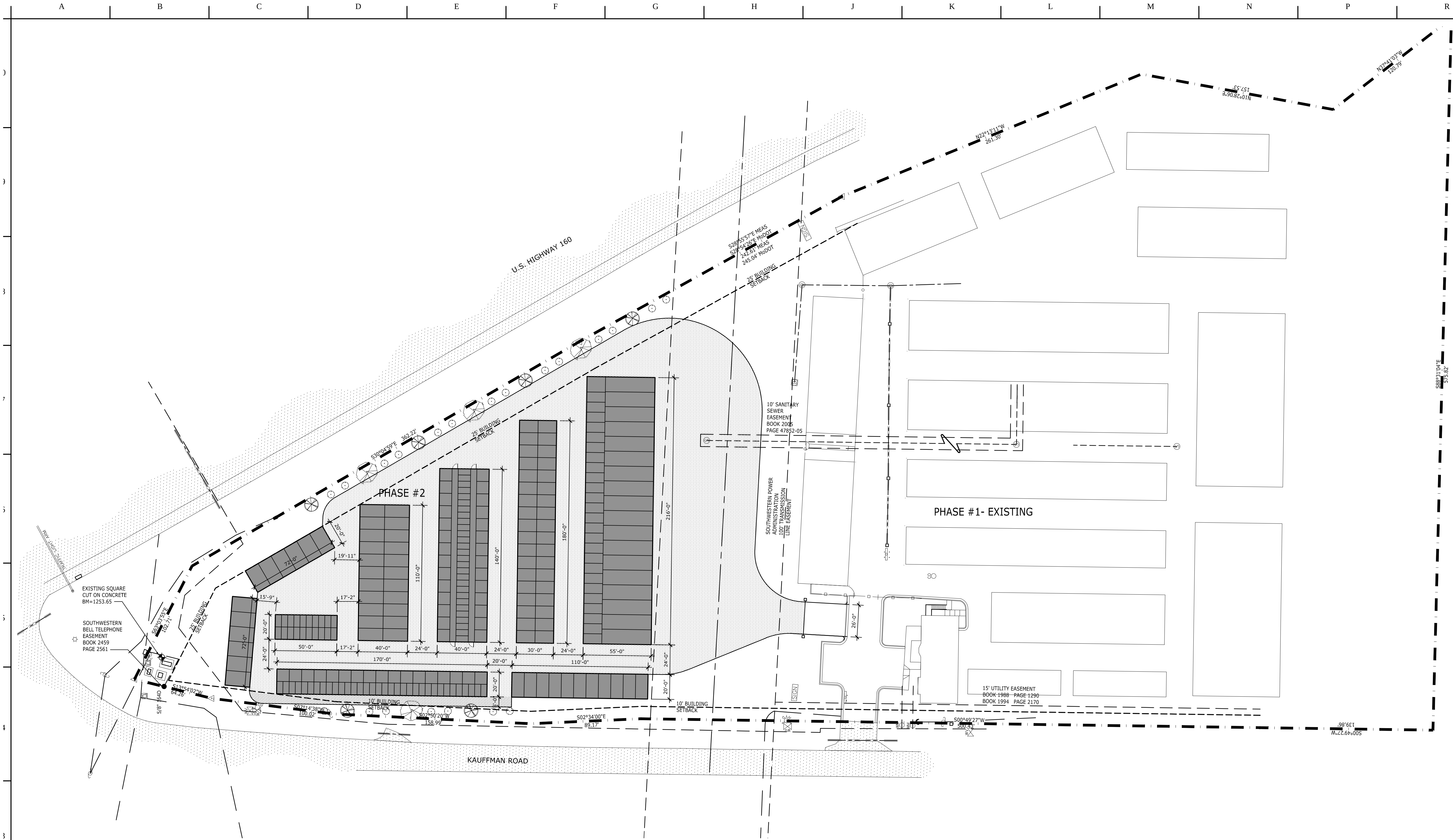
Signature of person completing affidavit

Rick J. Muenks

Printed name of person completing affidavit

James River Self Storage Meeting

March 10, 2017[illegible]



1A ARCHITECTURAL SITE PLAN
AS1.1 scale: 1" = 40'-0"

CONDITIONAL USE PERMIT REQUIREMENTS

BUILDING CODE 2012 IBC
ZONING OF PROPERTY GR, GENERAL RETAIL DISTRICT
BUILDING USE GROUP S-1
USE CATEGORY SELF STORAGE
MINIMUM OPEN SPACE 20%

PARKING REQUIREMENTS

ONE SPACE FOR EACH 25 UNITS WITHOUT VEHICULAR ACCESS PLUS ONE FOR EACH EMPLOYEE AND TWO IF A RESIDENT MANAGER IS PRESENT PLUS TWO ADDITIONAL AT THE OFFICE.
COMPLIANT- PROVIDED IN PHASE #1

INTERIOR LANDSCAPING REQUIREMENTS

PERIMETER LANDSCAPING WHERE SHOWN SHALL BE REQUIRED BETWEEN ROW AND VEHICULAR USE AREAS. LANDSCAPING SHALL CONSIST OF ONE CANOPY TREE, ONE UNDERSTORY TREE, AND FOUR SHRUBS PER 100 LINEAR FEET OF STREET FRONTAGE.

INTERIOR LANDSCAPING WHERE SHOWN SHALL CONSIST OF A MINIMUM OF 5% OF THE PARKING OR VEHICULAR USE AREA DEVOTED TO LIVING GRASS, GROUND COVER, PLANTS, SHRUBS AND TREES. THERE SHALL BE A MINIMUM OF TWO UNDERSTORY TREES OR ONE CANOPY TREE PLANTED FOR EACH 30 PARKING SPACES OR 12,000 SQUARE FEET OF PARKING OR VEHICULAR USE AREA.

SITE LEGEND

- DECIDUOUS CANOPY TREE: 3" MIN. CALIPER, MIN. MATURE HEIGHT OF 50'. SPECIES SHALL BE RED MAPLE OR APPROVED EQUAL.
- DECIDUOUS UNDERSTORY TREE: 2" MIN. CALIPER, MATURE HEIGHT LESS THAN 50'. SPECIES SHALL BE EASTERN REDBUD OR APPROVED EQUAL.
- EVERGREEN TREE: MIN. 5' HIGH WITH MIN. MATURE HEIGHT OF 20'. SPECIES SHALL BE BLUE SPRUCE OR APPROVED EQUAL.
- DECIDUOUS SHRUB: 24" HIGH, MATURE HEIGHT > 20'. SPECIES SHALL BE BURNING BUSH OR APPROVED EQUAL.
- ASPHALT PAVING OVER GRAVEL BASE OVER PREPARED COMPACTED FILL PER CIVIL DRAWINGS.
- ALL UNHATCHED AREAS INDICATES LIVING GROUND COVER (GRASS SEED & STRAW)



hdesigngroup
5039 S National Avenue
Springfield, MO 65810
417.887.6595 p
hdesigngroup.com

Client

James River Self Storage Phase 2
3048 S. Kauffman Road
Springfield, MO 65807

Consultants

Civil Engineer:

Structural Engineer:

MEP Engineer:

Professional Seal

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



Revisions	

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New Facility for:
James River Self Storage Phase 2
3048 S. Kauffman Road
Springfield, MO 65807

ARCHITECTURAL SITE PLAN

Project No: 17-007
Drawn By: JDL
Reviewed By: BMS
Date: 03-21-2017

Sheet

AS1.1

Development Review Staff Report

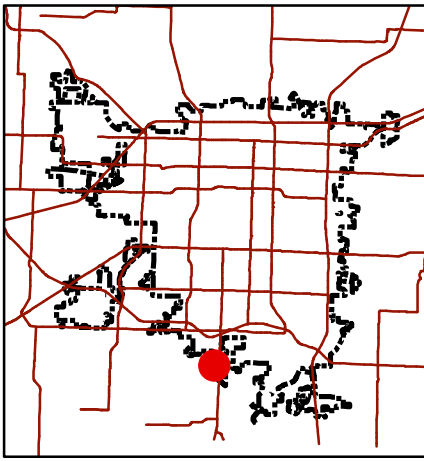
Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802

Planned Development 357

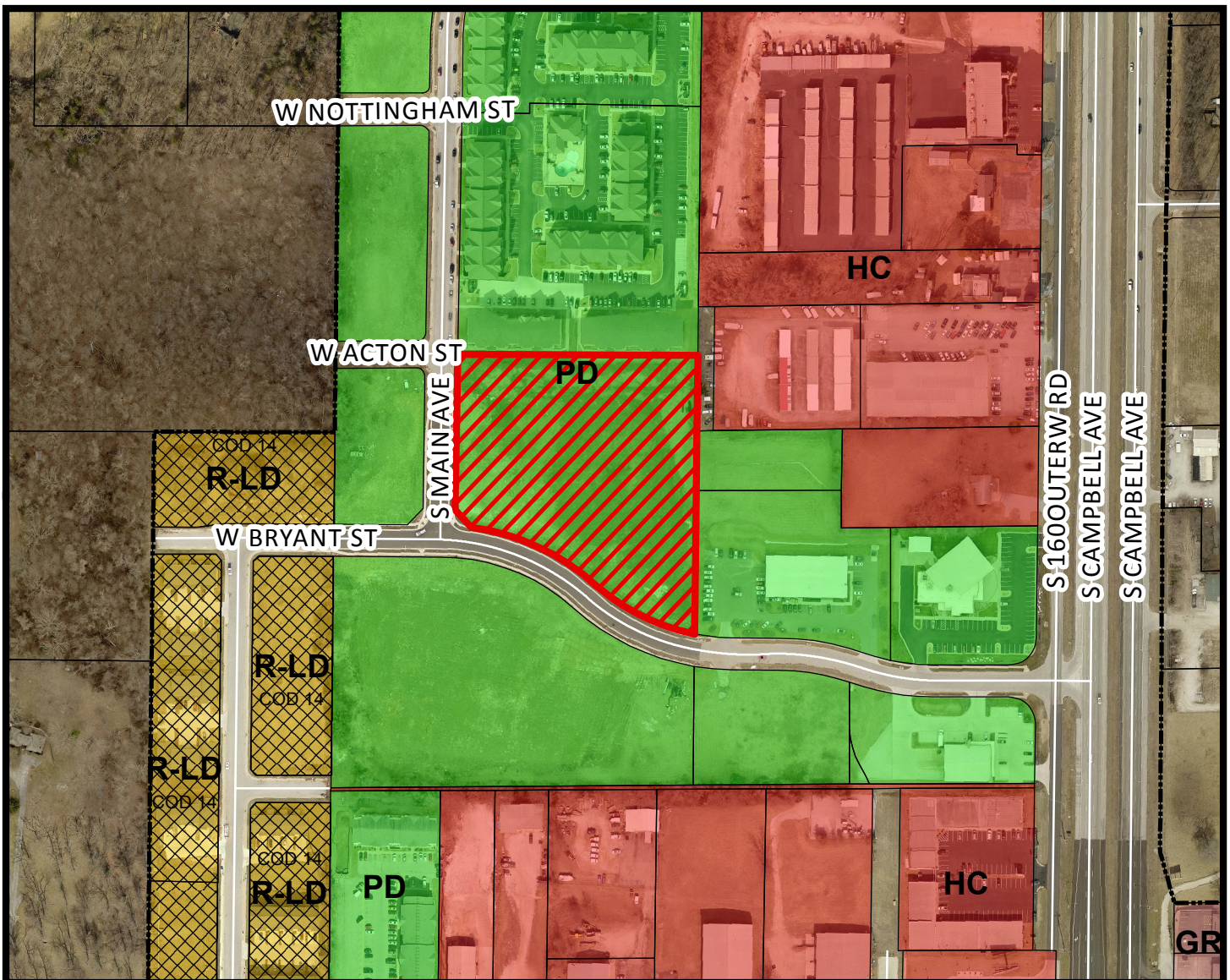
LOCATION: 5251 South Main Avenue

CURRENT ZONING: Planned Development 271 Amendment 1

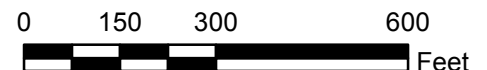
PROPOSED ZONING: Planned Development 357



LOCATION SKETCH



- Area of Proposal



1 inch = 300 feet

DEVELOPMENT REVIEW STAFF REPORT
PLANNED DEVELOPMENT 357

PURPOSE: To rezone approximately 4.12 acres of property generally located at 5251 South Main Avenue from Planned Development No. 357, R-Planned Development 271 Amended to a Planned Development District No. 357

DATE: March 23, 2017

LOCATION: 5251 South Main Avenue

APPLICANT: Gardner Properties Springfield, LLC

TRACT SIZE: Approximately 4.12 acres

EXISTING USE: Undeveloped Land

PROPOSED USE: Multi-Family dwellings

FINDINGS FOR STAFF RECOMMENDATION:

1. This application meets the intent of the existing Planned Development ordinance by retaining the requirements subject to the property while allowing additional structure height of four (4) stories instead of three (3) stories.
2. Approval of this application is consistent with the *Growth Management and Land Use Plan* element of the *Comprehensive Plan* which identifies this area as appropriate for Medium or High Density Housing. This land use category recommends townhouses and all various forms of apartment buildings to be located where there is good traffic access, between low-density housing and non-residential land uses.
3. The requested change in maximum height of structures from three (3) stories to four (4) stories above grade is not expected to have any adverse impact on the surrounding properties or infrastructure.
4. Approval of this application will facilitate development of this undeveloped property and promote infill development where investments have already been made in public services and infrastructure.

RECOMMENDATION:

The Planning and Development staff recommends **approval** of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	PD 271 Amended	Multi-family residential uses
East	PD 271 Amended	Commercial uses
South	PD 271 Amended	Commercial uses
West	PD 271 Amended	Undeveloped land

HISTORY:

In July 2004, City Council approved General Ordinance No. 5390 which rezoned 38.9 acres from Greene County R-1, Suburban Residence District and an HC, Highway Commercial District to Planned Development 271.

In October 2009, City Council approved General Ordinance No. 5839 which rezoned 38.9 acres from Planned Development 271 to Planned Development 271 Amended.

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this area as appropriate for Medium or High Density Housing. This land use category recommends townhouses and all various forms of apartment buildings to be located where there is good traffic access, between low-density housing and non-residential land uses. This application meets these criteria.

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 4.12 acres from Planned Development 271 Amended to Planned Development 357. The applicant is requesting to change the maximum height of structures from three (3) stories to four (4) stories above grade. All other requirements from existing Planned Development 271 Amended will remain the same. The applicant intends to developed a four-story multi-family dwelling on the subject property. The subject property is a single lot surrounded by the existing Planned Development 271 Amended.
2. By retaining all other requirements except for the requested change of building height, this application meets the intent of the existing Planned Development by retaining the step-down concept of land uses from commercial uses fronting on Campbell Avenue to multi-family and then to residential townhouses. The requested change in maximum height of structures from three (3) stories to four (4) stories above grade is not expected to have any adverse impact on the surrounding properties or infrastructure.

3. All other existing PD requirements will remain the same that pertain to the subject property. Only requirements that have been completed or do not pertain to the subject property have been removed from this request.
4. Approval of this application will facilitate development of this undeveloped property and promote infill development where investments have already been made in public services and infrastructure.
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 March 13, 2017. 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. Nine (9) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

CITY COUNCIL MEETING:

May 1, 2017

STAFF CONTACT PERSON:

Michael Sparlin
Senior Planner
864-1091

ATTACHMENT 1
DEPARTMENT COMMENTS
PLANNED DEVELOPMENT 357

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues with Planned Development

TRAFFIC DIVISION COMMENTS:

City's Transportation Plan classifies Main Avenue as a Local Commercial roadway and Bryant Street as a Local Commercial roadway. The standard right of way width for both Main Avenue and Bryant Street is 30 feet from the centerline. Additional right of way is not needed. Both Main Avenue and Bryant Street are city maintained streets. There are no recent traffic counts on Main Avenue or Bryant Street. There are currently no driveway access points along Avenue or Bryant Street. There is sidewalk along the property frontage. The existing infrastructure meets current city standards. On-street parking is allowed along Main Avenue and along Bryant Street. The Ward Branch Greenway Trail is in the area. There are no bus stops along this area of Main or Bryant. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. There are no proposed improvements along Main Avenue or Bryant Street. A traffic study was not required. The allowed uses remain the same between this PD and the previous PD.

Public Works Traffic Division	Response
Street classification	Main Avenue – Local Commercial Bryant Street – Local Commercial
On-street parking along streets	Main Avenue – Yes Bryant Street - Yes
Trips generated - Peak Hour	17 vehicles (R-MD) 17 vehicles (R-MD)
Additional Trips generated with zoning change - Peak Hour	0 vehicles
Existing street right of way widths	Main Avenue - 30 ft from the centerline Bryant Street – 30 ft from the centerline
Standard right of way widths	Main Avenue - 30 ft from the centerline Bryant Street – 30 ft from the centerline
Traffic study submitted	Not required*
Proposed street improvements	None required

FIRE COMMENTS:

Fire has no issues.

STORMWATER COMMENTS:

The property is in the Ward Branch drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of any flooding problems in the area. Buyout in lieu of on-site stormwater detention is not applicable since an existing detention basin and water quality is provided for the Walnut Creek Phase 3 per 6PW5777. Since the project will be disturbing more than one (1) acre there will be a land disturbance permit required. There are no sinkholes on the proposed property.

Please note that development of the property will be subject to the following conditions at the time of development:

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100 year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
2. Concentrated points of discharge from these improvements will be required to existing drainage basin on site.
3. Please keep in mind that more detailed stormwater calculations must be submitted before any permits can be approved.

Public Works Stormwater Division	Response
Drainage Basin	Ward Branch
Is property located in Floodplain?	No
Is property located on a sinkhole?	No
Is stormwater buyout an option?	NA

CLEAN WATER SERVICES COMMENTS:

No objections to Planned Development

CITY UTILITIES COMMENTS:

No objection to change in Planned Development. All facilities are available.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: Pd 271 Amended to PD#
(existing zoning) (proposed zoning)
2. Meeting Date & Time: March 13, 2017 4:00 - 6:30 PM
3. Meeting Location: 248 E. Monastery
4. Number of invitations that were sent: 50
5. How the mailing list was generated: City of Springfield Zoning
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 the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

None - only Architect and Owners

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

None

I, Brent Stevens (print name), attest that the neighborhood meeting was held on 03.13.2017 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."


Signature of person completing affidavit

Brent Stevens
Printed name of person completing affidavit



sign in sheet

Date: March 13, 2017 from 4:00 p.m. to 6:30 p.m.

[illegible]

EXHIBIT 1
Requirements and Standards Applicable to
Planned Development District No. 357

A. APPLICATION

Building or other permits may not be issued for development permitted by this planned development nor can any changes be made to this property until the final development plan has been approved in the manner described at the end of this exhibit.

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

B. INTENT

This planned development will allow for a multi-family residential development, providing a unified architectural theme throughout, and providing for appropriate bufferyards to adjoining neighbors to enhance property values.

C. DEFINITIONS

The definitions contained in the *Zoning Ordinance* shall apply to this ordinance.

D. USES PERMITTED

The following uses shall be permitted:

- A. Multifamily dwellings
- B. Multifamily elderly housing facilities: Living facilities for the elderly designed as a multifamily dwelling in which the living units may or may not contain kitchen facilities. Other uses which may be permitted if they are clearly incidental to such facilities may include central dining rooms, activities centers, commissary, nursing care, beauty and barber shops, and other similar uses. Typical uses include retirement homes.
- C. Accessory uses incidental to residential development designed for and available to residents but not open to the public on a common basis. Typical uses include administrative offices for project management not exceeding one thousand (1000) square feet, model units, carports, garages, maintenance buildings, and gate houses.
- D. Community and recreational facilities incidental to residential development designed for and available to residents but not open to the public on a

commercial basis. Typical uses include community centers, swimming pools, tennis and basketball courts, health clubs, etc.

E. USE LIMITATIONS

1. No dust, particulate matter or noxious or toxic matter of any sort shall be emitted or discharged at any time.
2. All uses shall operate in accordance with the noise standards contained in *Section 36-485 of the Springfield Zoning Ordinance*.
3. All activities and permitted uses, except off-street parking/ loading facilities, swimming pools, and volleyball courts, shall be conducted wholly inside a building, or buildings.
4. Screening and fencing shall be provided in accordance with Section 36-480 of the *Springfield Zoning Ordinance*.
5. No soil disturbance shall occur as a part of this development within one hundred (100) feet of the Ward Branch Creek as measured from the centerline without written permission from the Director of Public Works.

F. INTENSITY OF DEVELOPMENT

1. The maximum gross residential density for development is twenty-nine (29) dwelling units an acre.

G. BULK, AREA AND HEIGHT REQUIREMENTS

1. All buildings shall have a minimum setback of ten (10) feet from abutting streets' rights-of-way. Garage doors for residential development shall be at least twenty (20) feet from these rights-of-way.
2. No structure shall exceed a height of four (4) stories above grade.
3. The maximum impervious surface ratio shall not exceed 0.80 for each buildable lot.
4. The minimum open space ratio shall be at least 0.20.

H. DESIGN REQUIREMENTS

1. Structures within this planned development for non-residential uses shall display a similar level of quality on all building facades. Entry doors shall be provided

from both the street and the parking lots to the businesses and multifamily dwellings. These entryways shall be differentiated from the rest of the building to define the entry and avoid a hole in the flat face of the building.

2. Building elevations, showing compliance with these requirements and detailing the architectural elements, shall be submitted with the final development plan.

I. OPEN SPACE, LANDSCAPING & SCREENING

1. The landscape and bufferyard provisions of Section 36-482 of the *Springfield Zoning Ordinance* in effect at the time of development shall apply for different types and intensities of development within the planned development as well as adjacent to surrounding properties outside of the planned development.
2. An area of no soil disturbance shall be provided one hundred (100) feet from the centerline of Ward Branch Creek in conformance with Section 36-482 of the *Springfield Zoning Ordinance* unless written permission from the Director of Public Works is provided otherwise.
3. Screening and fencing, and landscaping requirements for off-street parking and vehicular use areas is required in accordance with Sections 36-480 and 36-482 of the *Springfield Zoning Ordinance* in effect at the time of development. Where perimeter landscaping is required, the following is required in addition to the required plantings to create an edge along street rights-of-way:

A decorative wall, fence or berm at least thirty (30) inches high. Solid decorative walls shall not exceed a height of forty-two (42) inches, although railings and decorative elements are permitted above the solid wall or fence provided they contain at least fifty (50) percent open voids and the overall height does not exceed seven (7) feet. Walls and fences shall also be designed and constructed to ensure adequate visibility of pedestrian and vehicular traffic at all driveways.

4. No structures, signs, mechanical equipment, vehicular use areas (except those drives required to provide access to adjoining public thoroughfares and the pedestrian connection to the greenway trail) are permitted within these bufferyards. The surface of these bufferyards, or other required landscaped areas, shall be maintained with a living ground cover.
5. All other areas not shown as buildings or other form of impervious surface and which are not designated as a bufferyard shall be required to be maintained with a living ground cover.

6. Waste cans, dumpster units, or other forms of litter control and refuse disposal devices shall be placed within the district where they are least visible from a public street or adjoining properties. Screening of these devices, in the form of a sight-proof fence or wall, shall be provided. These devices may not occupy parking spaces required by this exhibit.
7. A landscape plan, showing conformance with these requirements, shall be submitted with the final development plan.

J. EXTERIOR LIGHTING

The requirements and standards of *Section 36-484 of the Springfield Zoning Ordinance*, in effect at the time of development shall apply.

K. ACCESS TO PUBLIC THOROUGHFARES

1. Access to Weaver Road shall be in conformance with the requirements in the *Springfield Subdivision Regulations* for secondary arterials.
2. Access to the Campbell Avenue outer road shall conform to the requirements in the *Springfield Subdivision Regulations* for collector streets.
3. All access to the internal collector streets shall be in conformance with the requirements in the *Springfield Subdivision Regulations* for a collector street classification.

L. OFF-STREET PARKING

Sections 36-455, 36-456 and 36-483 of the Springfield Zoning Ordinance in effect at the time of development shall apply.

M. SIGNS

1. All signage within the Planned Development shall be monument type signs.
2. Off-premise signs, as defined by the City sign code, are prohibited.
3. All other requirements and standards of *Section 36-454 of the Springfield Zoning Ordinance*, in effect at the time of development shall apply.

N. REQUIRED IMPROVEMENTS

1. Public improvements to be completed. Public and private improvements necessary to adequately accommodate the intensity of development proposed in this District shall be constructed prior to or concurrently with the development of

the property. If the development of the property is phased, the construction of the improvements may also be phased provided there is a logical relationship between each phase of the development and the construction of the required improvements. Prior to building permits being issued to the applicant, or subsequent owners shall:

- a. construct the required improvements; or
 - b. provide assurances satisfactory to the Director of Public Works guaranteeing that all required improvements will be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department shall be provided to the City.
2. Certificate of occupancy. No certificate of occupancy shall be issued for any structure within this District, or phase of the development, unless:
- a. the required improvements are completed prior to occupancy of the structures; or
 - b. the Director of Public Works has determined that:
 - (1) any incomplete required improvements have little or no effect on the occupancy of the facility; or
 - (2) conditions beyond the control of the contractor, *i.e.*, strikes, weather, etc., have delayed the completion of the improvements.

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

3. Required improvements. Improvements necessary to adequately accommodate the intensity of development in this District include the following.
1. Other public streets or vehicular access easements will be required to adjoining properties to provide cross access between this property and the others.

O. MAINTENANCE OF COMMON AREAS AND FACILITIES

The maintenance of common areas and facilities within the District shall remain the responsibility of the developer(s) or shall be assumed by a duly constituted property owners association meeting all legal requirements prescribed by the City Attorney.

P. PHASING

Development may be phased provided that all public improvements directly related to each phase are completed at the time of its development and that improvements

serving the District as a whole and the adjoining area are completed in a sequence assuring full utility of the District as a whole and all areas within the District and so that future public improvements required by this ordinance or other applicable ordinances of the City are not compromised or rendered unduly difficult.

Q. FINAL DEVELOPMENT PLAN

A final development plan, showing conformance with the requirements of this Exhibit, shall be submitted to the Planning and Development Department and approved in the manner described below prior to the issuance of any building permits or prior to the commencement of any of the permitted uses or improvements permitted or required by this exhibit. The final development plan may be submitted in the form of a preliminary plat, provided the plat is prepared in accordance with the requirements, standards, and intent of this Exhibit. Development of this District shall be in accordance with the approved final development plan.

1. The final development plan shall be submitted to the Planning and Zoning Commission for review and final action, either as a whole or in phases. The Planning and Zoning Commission is hereby authorized, at its discretion, to approve minor adjustments and modifications to the site plan. Such authority shall not, however, be construed to permit:
 - A. Any uses within the District other than those specifically prescribed by the ordinance.
 - B. Any increase in the intensity of use permitted within the District.



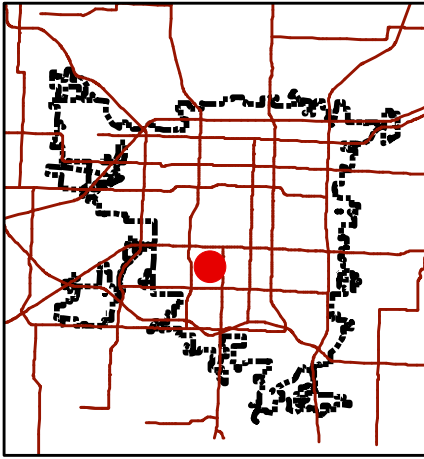
Planned Development 357

W ACTON ST

S MAIN AVE

W BRYANT ST

SITE



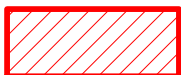
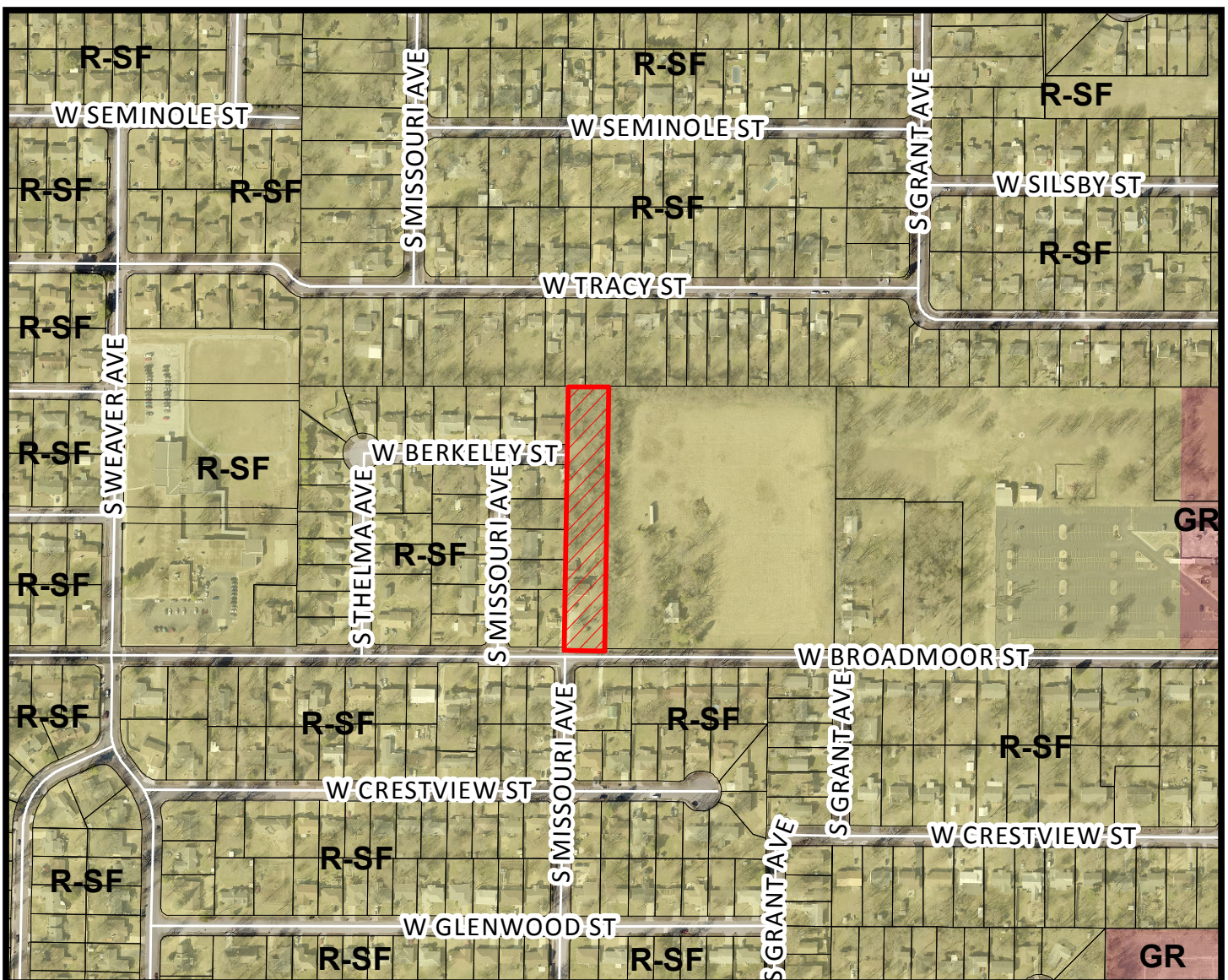
Development Review Staff Report

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

Preliminary Plat - Berkeley Place Subdivision

LOCATION: 815 W. Broadmoor Street
CURRENT ZONING: R-SF, Single-Family Residential
PROPOSED ZONING: N/A

LOCATION SKETCH



- Area of Proposal



1 inch = 400 feet

DEVELOPMENT REVIEW STAFF REPORT
PRELIMINARY PLAT – BERKELEY PLACE SUBDIVISION

PURPOSE: To approve a preliminary plat to subdivide approximately 1.44 acres into a 5 lot single-family residential subdivision

REPORT DATE: March 22, 2017

LOCATION: 815 W. Broadmoor Street

APPLICANT: Clint Sartin

TRACT SIZE: Approximately 1.44 acres

EXISTING USE: Single-family residence and vacant/undeveloped land

PROPOSED USE: Multiple single-family residences

FINDINGS FOR STAFF RECOMMENDATION:

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

RECOMMENDATION:

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

1. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.
 - a. Public improvement plans for the proposed public sewer will be required to be reviewed and approved through ProjectDox. Gravity sewer shall be provided for each lot and designed according to city design standards. Public sewer will need to be constructed and accepted or escrowed before filing the final plat. Lot 1 could be served by a lateral connection to the public sewer in Broadmoor. This would require a pavement cut, tracer wire and a cleanout. The lateral must be included on the public improvement plan. Show a profile of the existing main for the new lateral.
 - b. Public improvement plans will be required for any concentrated runoff

crossing lot lines, as well as for detention and/or water quality features serving more than one lot. These improvements must be constructed, inspected, approved and operational, or, if approved, shall be escrowed prior to issuance of a building permit or final plat. Drainage easements will be required where concentrated flow drains from one lot to another or from offsite onto the proposed subdivision. Such easement shall be sized for the 100-year peak flow rate. A payment in lieu of construction of detention facilities is not an option for this site due to existing downstream flooding problems. 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. This site drains south towards area inlets along Broadmoor Street.

- c. Public Improvement Plans for the extension of Berkeley Street must be submitted, approved and improvements constructed or funds escrowed prior to the approval of the final plat.
 - d. Per zoning code 36-471, sidewalk is required to be constructed along the south side of the property frontage on Berkeley Street. Public improvement plans must be approved and sidewalk improvements constructed or escrowed prior to approval of the final plat.
2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. No additional access is allowed to Broadmoor Street.
 - b. The dedication of right-of-way for Broadmoor and Berkeley Streets are required as follows. Broadmoor is classified as a collector, which requires 30 feet of right-of-way from the centerline. Berkeley Street is classified as a local residential, which requires 25 feet of right-of-way from the centerline.
3. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.
4. It is determined that the public interest requires assurance concerning adequate maintenance of common space areas and improvements. The restrictive covenants, rules and bylaws creating the common ownership must therefore provide that if the owners of the Property Owners Association shall fail to maintain the common areas or improvements in reasonable order and condition in accordance with the approved plans, the City may, after notice and hearing, maintain the same and assess the costs against the units or lots, per the Common Open Space and Common Improvement Regulations section of the Zoning Ordinance.
5. The developer shall be responsible for the relocation costs of any existing utility

services and shall be responsible for clearing all utility easements of trees, brush and overhanging tree limbs.

6. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations.

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

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF	Single-family residences
East	R-SF	Single-family residence
South	R-SF	Single-family residences
West	R-SF	Single-family residences

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. This category includes single-family housing. The recommended zoning includes the R-SF, Single-Family Residential District.

STAFF COMMENTS:

1. The applicant is proposing to subdivide approximately 1.44 acres into a five-lot single-family residential subdivision named "BERKELEY PLACE SUBDIVISION". The property is currently zoned R-SF, Single-Family Residential District and currently has one single-family residence on it.
2. If Planning and Zoning Commission approves the preliminary plat, then the plat will be forwarded to City Council for acceptance of public streets and easements. An approved preliminary plat is active for two (2) years.
3. The proposed preliminary plat was reviewed by City departments and comments are contained in Attachment 1.

CITY COUNCIL MEETING:

May 1, 2017

STAFF CONTACT:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
DEPARTMENT COMMENTS
PRELIMINARY PLAT – BERKELEY PLACE SUBDIVISION

AT&T COMMENTS:

Please add a 10' utility easement for phone cable along the north property line of lots 3 & 4 and along the south property line of lots 2 & 5.

BUILDING DEVELOPMENT SERVICES COMMENTS:

No additional comments.

CITY UTILITIES COMMENTS:

CU has existing gas, water and electric facilities on Berkeley Street to the west. Extensions will be required to serve lots 2 thru 5 per CU's Extension Policy. There is an existing fire hydrant at the SE corner of Berkeley and Missouri. It is approximately 235 feet west of the east property line of the proposed subdivision.

FIRE DEPARTMENT COMMENTS:

With the proposed location of the structures, a turnaround is not required.

TRAFFIC DIVISION COMMENTS:

The City's Transportation Plan classifies Broadmoor Street as a Collector roadway and Berkeley Street as a Local Residential roadway. The standard right of way width for Broadmoor Street is 30 feet from the centerline and Berkeley Street is 25 feet from the centerline. Additional right of way is not needed. Both Broadmoor and Berkeley are city maintained streets. There most recent traffic count on Broadmoor Street is 2,625 vehicles per day. There is no recent traffic count on Berkeley Street. There is currently one driveway access point along the property frontage on Broadmoor Street. This portion of Berkeley Street has not been constructed, but will be as part of this development. There is sidewalk along the property frontage on Broadmoor and sidewalk will be required to be constructed along the south side of Berkeley Street. The existing infrastructure meets current city standards. On-street parking is allowed along Berkeley Street but is not allowed along Broadmoor Street. There is not a Greenway Trail in the area. There are no bus stops along this portion of Broadmoor or Berkeley. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. The developer is required to construct the extension of Berkeley Street. There are no other improvements planned for Berkeley or Broadmoor.

Public Works Traffic Division	Response
Street classification	Broadmoor Street – Collector Berkeley Street – Local Residential
On-street parking along streets	Broadmoor Street – No

	Berkeley Street - Yes
Trips generated - Peak Hour	5 vehicles (R-SF) 5 vehicles (R-SF)
Additional Trips generated with zoning change - Peak Hour	0 vehicles
Existing street right of way widths	Broadmoor Street - 17 ft. from the centerline Berkeley Street – Not constructed
Standard right of way widths	Broadmoor Street - 30 ft. from the centerline Bryant Street – 25 ft. from the centerline
Traffic study submitted	Not required*
Proposed street improvements	Yes – Extension of Berkeley Street

*A traffic study was not required as the zoning remains the same

STORMWATER COMMENTS:

The property is in the South Creek drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required per Chapter 96. Buyout in lieu of on-site stormwater detention is not an option due to existing downstream flooding issues. There are existing inlets along Broadmoor Street available for this development to discharge into. There are no sinkholes on the proposed property.

Please note that development (or re-development) of the property will be subject to the following conditions at the time of development:

1. Post development peak run-off rates shall not exceed pre-development peak run-off rates for the 1, 10 and 100-year rain events. Any increase in impervious surfacing will require the development to meet current detention and water quality requirements.
2. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or a drainage easement.
3. Based upon City data, there is no significant offsite concentrated stormwater crossing the subject property.
4. Please keep in mind that more detailed stormwater calculations must be submitted before any permits can be approved.

Public Works Stormwater Division	Response
Which Drainage Basin is this located?	South Creek
Is property located in Floodplain?	No
Is property located on a sinkhole?	No
Is stormwater buyout an option?	No

CLEAN WATER SERVICES COMMENTS:

1. Public sewer will need to be extended to lots 2-5. Lot 1 should be able to access the public sewer in Broadmoor by a service lateral.
2. Public improvement plans will be required designed and constructed per city design standards. The public sewer must be approved, constructed and accepted or escrowed before the plat can be approved.
3. Lot 1 could be served by a lateral connection to the public sewer in Broadmoor. This would require a pavement cut, tracer wire and a cleanout. The lateral must be included on the public improvement plan. Show a profile of the existing main for the new lateral.

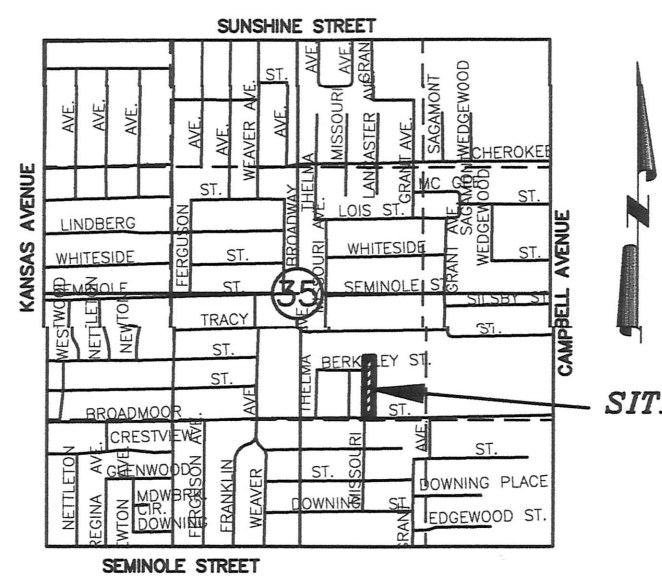
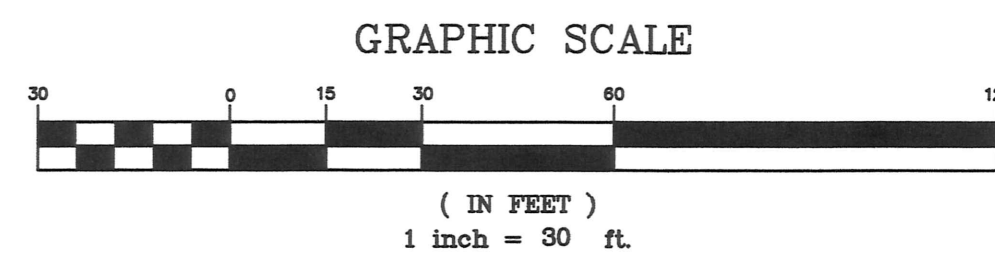
THE SURVEY SHOWN HEREON WAS PERFORMED TO MEET OR EXCEED THE REQUIREMENTS OF MISSOURI MINIMUM STANDARDS FOR URBAN CLASS PROPERTY.

THE PROPERTY SHOWN HEREON LIES IN A FLOOD ZONE X ACCORDING TO FLOOD INSURANCE MAP 29077C03419 EFFECTIVE DECEMBER 17, 2010.

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.

PRELIMINARY PLAT OF BERKELEY PLACE A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI



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

LEGEND

- = EXISTING IRON PIN EXCEPT AS NOTED
- ⊙ = 5/8" IRON PIN SET CAPPED "LS-267D"
- = 5/8" IRON PIN SET ALUMINUM CAPPED "LS-264D"
- ⊗ = SET CROSS IN CONCRETE
- ⊕ = TELEPHONE RISER
- ⊖ = POWER POLE
- ⊙ = GAS METER
- E — = ELECTRIC LINE
- E — = PROPOSED ELECTRIC LINE
- G — = GAS LINE
- G — = PROPOSED GAS LINE
- W — = WATER LINE
- W — = WATER LINE
- S — = SANITARY SEWER LINE
- S — = PROPOSED SANITARY SEWER LINE
- C — = CHAIN-LINK FENCE
- W — = WIRE FENCE
- W — = WOOD FENCE
- ▨ = ASPHALT
- ▩ = CONCRETE
- ▩ = GRAVEL
- ▩ = POSSIBLE GAP IN PLATS
- SBL = BUILDING SETBACK LINE

RESOURCE MATERIALS USED FOR BOUNDARY DETERMINATION

- PUCKETT PLACE ADDITION FINAL PLAT
- CHAPPELL TERRACE FINAL PLAT
- BROADMOOR TERRACE FINAL PLAT
- SOUTH HAVEN FINAL PLAT
- HAWKINS SUBDIVISION FINAL PLAT
- DEEDS AS SHOWN

DEVELOPMENT NOTES

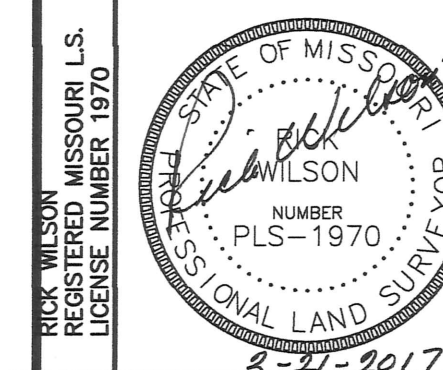
Total Area (Gross)	64,299 sq. ft. (1.48 acres)
Total Area (Net)	57,870 sq. ft. (1.33 acres)
Total No. of Lots	5
Current Zoning	R-SF (RESIDENTIAL SINGLE-FAMILY)
Proposed Land Use	SINGLE FAMILY HOME SITES
Smallest Lot(s)	Lot 3 7,034 sq. ft. (0.16 acres)
Largest Lot	Lot 1 28,269 sq. ft. (0.65 acres)
Average Lot Size	11,558.6 sq. ft. (0.27 acres)
Source of Title	Book 2016 Page 7183-16
Date Submitted	MARCH 21, 2017
Required Setbacks	
Front Yard	25 ft.
Side Yard	5 ft.
Rear Yard	Lot 1: 20 ft. Lots 2-5: 16 ft.

SURVEYORS DECLARATION

KNOW ALL MEN BY THESE PRESENTS: THAT I, RICK WILSON, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED PREPARED BY WILSON SURVEYING CO., INC. DATED DECEMBER 8, 2016 AND SIGNED BY RICK WILSON L.S. NO. 1970 AND THAT THE CORNER MONUMENTS AND LOT CORNER PINS SHOWN HEREIN WERE PLACED UNDER THE PERSONAL SUPERVISION OF RICK WILSON L.S. NO. 1970 IN ACCORDANCE WITH MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS, AND IN ACCORDANCE WITH SECTION 410.5 OF THE SUBDIVISION REGULATIONS, ARTICLE II, CHAPTER 36, OF THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

OWNER/DEVELOPER

CLINT SARTIN
815 W BROADMOOR ST
SPRINGFIELD MO 65807
PHONE: (417) 839-6662



PREPARED BY
WILSON SURVEYING CO., INC.

SURVEYING/ENGINEERING/LAND PLANNING
1835 S. STEWART AVENUE, SUITE 124
Springfield, Missouri 65804
TELE: (417) 522-7870 FAX: (417) 522-7874
EMAIL: RICK.WILSON@WILSONSURVEYINGCO.COM
DRAWING NO.: WD-105-79
JOB NO.: 16055-1
DRAWN BY: MSB
DATE: MARCH 21, 2017

SIGNATURE *Rick Wilson*
WILSON SURVEYING CO., INC. LC 267D
BY RICK WILSON LS 1970

DATE PREPARED: MARCH 21, 2017

PROPERTY DESCRIPTION

THE WEST NINETY-NINE (99) FEET OF THE SOUTHEAST QUARTER (SE1/4) OF THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION THIRTY-FIVE (35), TOWNSHIP TWENTY-NINE (29), RANGE TWENTY-TWO (22), IN GREENE COUNTY, MISSOURI, EXCEPT THE SOUTH FIFTEEN (15) FEET THEREOF, AND EXCEPT ANY PART TAKEN AND USED FOR STREETS AND ROADS, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

MORE PARTICULARLY DESCRIBED AS: COMMENCING AT A SURVEY MONUMENT SET (5/8" IRON REBAR, CAPPED "LS-267D") MARKING THE SOUTHEAST CORNER OF LOT 1 OF PUCKETT PLACE ADDITION, A SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI; THENCE S88°31'12"E ALONG THE NORTH RIGHT-OF-WAY LINE OF BROADMOOR STREET AS IT NOW EXISTS, A DISTANCE OF 99.00 TO A SURVEY MONUMENT SET (5/8" IRON REBAR, ALUMINUM CAP STAMPED "LS-267D"); THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE, N02°03'27"E, A DISTANCE OF 634.70 FEET TO A SURVEY MONUMENT SET (5/8" IRON REBAR, ALUMINUM CAP STAMPED "LS-267D"); THENCE N88°46'24"W, A DISTANCE OF 99.00 FEET TO AN EXISTING SURVEY MONUMENT (5/8" IRON REBAR, CAPPED "LS-267D") MARKING THE NORTHEAST CORNER OF LOT 7 OF SAID PUCKETT PLACE ADDITION; THENCE S02°03'27"W, ALONG THE EAST LINE OF SAID PUCKETT PLACE ADDITION, A DISTANCE OF 634.27 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.44 ACRES AND ALL BEING IN THE NW1/4 OF THE SE1/4 SECTION 35, TOWNSHIP 29, RANGE 22, 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.

DEVELOPMENT REVIEW STAFF REPORT
SCREENING AND FENCING AMENDMENTS

PURPOSE: To amend Subsection 36-480.(2), Location and height of required screening, in the Zoning Ordinance to eliminate the requirement for two screening structures adjacent to residential districts.

REPORT DATE: March 24, 2017

APPLICANT: City of Springfield

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Element* of the *Comprehensive Plan* encourages innovative development and redevelopment through the use of incentives and appropriate regulations, to achieve desired residential and nonresidential development patterns.

RECOMMENDATION:

Staff recommends **approval** of this request.

COMPREHENSIVE PLAN:

1. The *Growth Management and Land Use Element* of the *Comprehensive Plan* encourages innovative development and redevelopment through the use of incentives and appropriate regulations, to achieve desired residential and nonresidential development patterns.

STAFF COMMENTS:

1. Planning and Zoning Commission initiated amendments regarding screening and fencing at their meeting on February 23, 2017. Staff is proposing to modify the location of required screening as required in the Zoning Ordinance.
2. Staff has recently discovered development issues with the current screening and fencing requirements. The current standards require a four-foot solid headlight screen between off-street parking and vehicular use areas that are adjacent to residential districts or uses. There is also a fence requirement between residential and non-residential uses if a bufferyard that requires a solid screening structure (i.e. fence, wall, hedge or berm).
3. Staff is proposing to modify the location and height of required screening standards Subsection 36-480.(2) of the Zoning Ordinance to add a provision that if a solid screen (i.e. fence, wall, hedge or berm) is required as part of the bufferyard design that another screening structure is not required for headlight screening. This will prevent two screening structures (i.e. fence, wall, hedge or berm) from being constructed to address the same issue.

4. The Development Issues Input Group (DIIG), Downtown Springfield Association (DSA), Environmental Advisory Board (EAB) and all registered neighborhood associations were notified of these amendments and have made no objections to date.

CITY COUNCIL MEETING:

May 1, 2017

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
PROPOSED CHANGES TO ZONING ORDINANCE
SCREENING AND FENCING AMENDMENTS

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

Sec. 36-480. - Screening and fencing.

- (1) *Purpose.* To encourage the most appropriate use of land and conserve and protect the privacy and value of adjacent permitted uses, regulations are prescribed herein for the location and type of various screening devices to be used when required by this article.
- (2) *Location and height of required screening.* The following shall be required in addition to any bufferyard required by section 36-482, landscaping and bufferyards, unless a screening structure is provided as a part of the bufferyard design.
 - (a) *Off-street parking and vehicular use areas.*
 1. Where an open off-street parking or vehicular use area for a residential use contains four or more off-street parking spaces and is in or adjacent to an R-SF, R-TH, or R-MHC district, screening of not less than four feet in height and meeting the requirements of subsection 36-453(6), shall be erected separating the use from the adjacent residential district or residential use. Screening is also required for open off-street parking or vehicular use areas adjacent to a street or alley if the right-of-way width is 70 feet or less.
 2. Where an open off-street parking or vehicular use area for a nonresidential use is in or adjacent to any residential district or residential use, screening of not less than four feet in height and meeting the requirements of subsection 36-453(6) shall be erected separating the use from the adjacent residential district or residential use. Screening is required for open off-street parking or vehicular use areas adjacent to a street or alley if the right-of-way width is 70 feet or less.

ATTACHMENT 2
FINAL LANGUAGE AFTER PROPOSED CHANGES
SCREENING AND FENCING AMENDMENTS

Sec. 36-480. - Screening and fencing.

- (1) *Purpose.* To encourage the most appropriate use of land and conserve and protect the privacy and value of adjacent permitted uses, regulations are prescribed herein for the location and type of various screening devices to be used when required by this article.
- (2) *Location and height of required screening.* The following shall be required in addition to any bufferyard required by section 36-482, landscaping and bufferyards, unless a screening structure is provided as a part of the bufferyard design.
 - (a) *Off-street parking and vehicular use areas.*
 1. Where an open off-street parking or vehicular use area for a residential use contains four or more off-street parking spaces and is in or adjacent to an R-SF, R-TH, or R-MHC district, screening of not less than four feet in height and meeting the requirements of subsection 36-453(6), shall be erected separating the use from the adjacent residential district or residential use. Screening is also required for open off-street parking or vehicular use areas adjacent to a street or alley if the right-of-way width is 70 feet or less.
 2. Where an open off-street parking or vehicular use area for a nonresidential use is in or adjacent to any residential district or residential use, screening of not less than four feet in height and meeting the requirements of subsection 36-453(6) shall be erected separating the use from the adjacent residential district or residential use. Screening is required for open off-street parking or vehicular use areas adjacent to a street or alley if the right-of-way width is 70 feet or less.

ATTACHMENT 3
EXISTING LANGUAGE IN ZONING ORDINANCE
SCREENING AND FENCING AMENDMENTS

Sec. 36-480. - Screening and fencing.

- (1) *Purpose.* To encourage the most appropriate use of land and conserve and protect the privacy and value of adjacent permitted uses, regulations are prescribed herein for the location and type of various screening devices to be used when required by this article.
- (2) *Location and height of required screening.* The following shall be required in addition to any bufferyard required by section 36-482, landscaping and bufferyards.
 - (a) *Off-street parking and vehicular use areas.*
 1. Where an open off-street parking or vehicular use area for a residential use contains four or more off-street parking spaces and is in or adjacent to an R-SF, R-TH, or R-MHC district, screening of not less than four feet in height and meeting the requirements of subsection 36-453(6), shall be erected separating the use from the adjacent residential district or residential use. Screening is also required for open off-street parking or vehicular use areas adjacent to a street or alley if the right-of-way width is 70 feet or less.
 2. Where an open off-street parking or vehicular use area for a nonresidential use is in or adjacent to any residential district or residential use, screening of not less than four feet in height and meeting the requirements of subsection 36-453(6) shall be erected separating the use from the adjacent residential district or residential use. Screening is required for open off-street parking or vehicular use areas adjacent to a street or alley if the right-of-way width is 70 feet or less.