



Springfield Planning and Zoning Commission

City Council Chambers (830 Boonville)

Date: October 5th, 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

September 7th, 2017

Documents:

[PZ MINUTES 9-7-2017.PDF](#)

3. COMMUNICATIONS

City Council - September 5th, 2017

Documents:

[NA09-05-2017.DOCX](#)

City Council - September 18th, 2017

Documents:

[NA09-18-17.PDF](#)

4. CONSENT ITEMS

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

5. Relinquishment Of Easement 854

1220 East Lark Street, State Bank of Southwest Missouri

Documents:

[RE 854 SR 1.PDF](#)

6. Relinquishment Of Easement 855

3810 East Sunshine Street, Central Bank of the Ozarks

Documents:

[RE 855 SR 1.PDF](#)

7. UNFINISHED BUSINESS

8. Zero-Lot-Line Construction Review Amendments

Citywide, City of Springfield

Documents:

[ZERO-LOT-LINE CONSTRUCTION AMENDMENTS.PDF](#)

9. Stream Buffer Zoning Flexibility Amendments

Citywide, City of Springfield - Public Works & Environmental Services

Documents:

[STREAMBUFFERAMENDMENTS TABLINGMEMO.PDF](#)

10. PUBLIC HEARINGS

11. Vacation 793

Vacate alley adjacent to 1040 & 1110 North Sherman Avenue, Greenway Studios, LLC

Documents:

[VACATION 793 TABLING MEMO.PDF](#)

12. Conditional Use Permit 431

2706 West Chestnut Expressway, MoCal Investments Company, LLC

Documents:

[UP431.PDF](#)

13. Z-28-2017 W/COD #136

1220 East Lark Street, State Bank of Southwest Missouri, Inc.

Documents:

[Z-28-2017 COD 136 SR.PDF](#)

14. Z-30-2017

4064 South Lone Pine Avenue, Lower Deck94, LLC

Documents:

[Z-30-2017.PDF](#)

15. Z-31-2017 W/COD #135

1650 South Ingram Mill Road, ICT, LLC

Documents:

[Z-31-2017 COD 135.PDF](#)

16. OTHER BUSINESS

17. Initiate Residential Uses Above And Behind Non-Residential In Commercial Districts

Citywide, City of Springfield

Documents:

[INITIATE RESIDENTIAL USES ABOVE AND BEHIND NON-RESIDENTIAL IN COMMERCIAL DISTRICTS.PDF](#)

18. 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.

September 7, 2017
MINUTES OF THE PLANNING AND ZONING COMMISSION
Springfield, Missouri

The Planning and Zoning Commission met in regular session September 7, 2017 in the City Council Chambers. Chairman Randall Doennig called the meeting to order.

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

Staff in attendance: Bob Hosmer, Principal Planner, Tom Rykowski, Asst. City Attorney, Dawne Gardner, Public Works Traffic Engineer, Julie Hawkins, Public Works Project Engineer.

MINUTES: The minutes of August 10, 2017 were approved.

COMMUNICATIONS :

Bob Hosmer reported on City Council meeting actions.

CONSENT ITEMS:

Request to Acquire 521
3116 West College Street

Applicant: Springfield Public Schools

COMMISSION ACTION:

Mr. Coltrin motioned to **approve** Consent Agenda item - Request to Acquire 521 (3116 West College Street). Ms. Ogilvy seconded the motion. Ayes: Doennig, Shuler, Coltrin, Broekhoven, and Ogilvy. Nays: None. Abstain: None. Absent: Cline, Rose, Cox, and Thomas.

UNFINISHED BUSINESS:

None

PUBLIC HEARINGS:

Planned Development 359

806, 810 & 816 South Kimbrough Avenue and 614 & 616 East Madison Street

Applicant: Magers Properties III, LLC

Mr. Hosmer stated that this is a request to rezone approximately 0.91 acres of property generally located at 806, 810, 816 South Kimbrough Avenue and 614, 616 East Madison Street from R-HD, High-Density Multi-Family Residential District and UN, University Combining District to a Planned Development District No. 359.

The Plan classifies Kimbrough Avenue as a secondary arterial roadway and Madison as a local roadway. The Planned Development would allow GR, General Retail uses, except for four uses, with a maximum GR use of 8,000 square feet.

The development will allow (20) dwelling units. The development would allow a setback of ten (10) feet from all property lines for the first floor and five (5) feet for the second floor. There will be a 10 foot bufferyard along the south property line, and a fence east of the existing driveway. The Plan provides for 53 parking spaces and access to Madison Street. Staff recommends approval.

Ms. Broekhoven asked why this project is being proposed a planned development versus another zoning designation.

Mr. Hosmer noted that currently there is no mixed-use district unless you go to City Center district and chose planned development where there can be a mixture of uses on the same lot (residential and commercial).

Mr. Doennig opened the public meeting.

Mr. Derek Lee, 1200 E. Woodhurst, representing the owner and noted the best proposal would be a planned development and is a very specific design. It will have five small retail units with 20 micro-efficiency units on the second floor and is approximately one block from Missouri State University.

Mr. Doennig asked about the property to the east and if it will be the new residence hall for MSU.

Mr. Lee noted that it is to be the new residence hall and will be a very tall structure and not currently under construction.

Mr. Doennig closed the public meeting

COMMISSION ACTION:

Ms. Broekhoven motioned to **approve** Planned Development 359 (806, 810 & 816 South Kimbrough Avenue and 614 & 616 East Madison Street). Mr. Coltrin seconded the motion. Ayes: Doennig, Shuler, Coltrin, Broekhoven, and Ogilvy. Nays: None. Abstain: None. Absent: Cline, Rose, Cox, and Thomas.

Final Development Plan PD 271 (should have been PD 357)

565 West Bryant Street

Applicant: Veranda Vistas, LLC

Mr. Hosmer stated that this is a request to approve the Final Development Plan for Planned Development 271 Amended, on approximately 4.12 acres of property generally located at 565 West Bryant Street for a 120 multi-family unit elderly housing facility.

The Growth Management and Land Use Plan of the Comprehensive Plan designates this area as appropriate for Medium or High Density Housing land uses. The Planned Development 271 Amended allows for elderly housing. But requires the final development plan approval by the Planning and Zoning Commission. The applicant is requesting an alternate perimeter landscaping requirement. ARC was supportive of a berm with landscaping rather than the prescribed decorative wall or fence as described in the PD. The Administrative Review Committee has reviewed the proposed Final Development Plan and it meets the requirements. Staff recommends approval.

Mr. Doennig opened the public meeting.

Mr. Bryon Oster, 5512 S. Newton, representing the owner.

Mr. Doennig closed the public meeting.

COMMISSION ACTION:

Mr. Coltrin motioned to **approve** Final Development Plan PD 271 (565 West Bryant Street). Mr. Shuler seconded the motion. Ayes: Doennig, Shuler, Coltrin, Broekhoven, and Ogilvy. Nays: None. Abstain: None. Absent: Cline, Rose, Cox, and Thomas.

OTHER BUSINESS:

Initiate Disability Amendments
Citywide

Applicant: City of Springfield - Public Works

Mr. Hosmer stated that this a request to initiate amendments to add a new subsection; Stream Buffer Zoning Flexibilities.

Staff is requesting amendments to various sections of the Zoning Ordinance that reference the term "handicapped" and replace it with the term "disabilities." The two terms are no longer used interchangeably and have different definitions. The term "disability" is considered the proper term and aligns with the Americans with Disabilities Act of 1990. Staff requests that Commission initiate amendments to the Zoning Ordinance to consider modifications as specified. If approved, staff will prepare and draft changes to the Zoning Ordinance and schedule a public hearing at the next available date for both the Commission and the City Council. Staff recommends approval.

Mr. Doennig opened the public meeting.

No Speakers.

Mr. Doennig closed the public meeting.

COMMISSION ACTION:

Ms. Broekhoven motioned to **approve** Initiate Disability Amendments (Citywide). Mr. Shuler seconded the motion. Ayes: Doennig, Shuler, Coltrin, Broekhoven, and Ogilvy. Nays: None. Abstain: None. Absent: Cline, Rose, Cox, and Thomas.

Zero-Lot-Line Construction Review Amendments
Citywide

Applicant: City of Springfield - Public Works & Environmental Services

Mr. Hosmer requested that this be TABLED and presented at the Planning and Zoning Commission meeting on October 5, 2017.

COMMISSION ACTION:

Mr. King motioned to **TABLE** Zero-Lot-Line Construction Review Amendments (Citywide) to October 5, 2017. Ms. Ogilvy seconded the motion. Ayes: Doennig, Shuler, Coltrin, Broekhoven, and Ogilvy. Nays: None. Abstain: None. Absent: Cline, Rose, Cox, and Thomas.

Stream Buffer Zoning Flexibility Amendments
Citywide

Applicant: City of Springfield - Public Works and Environmental Services

Mr. Hosmer requested that this be TABLED and presented at the Planning and Zoning Commission meeting on October 5, 2017.

COMMISSION ACTION:

Ms. Broekhoven motioned to **TABLE** Stream Buffer Zoning Flexibility Amendments (Citywide) to October 5, 2017. Ms. Ogilvy seconded the motion. Ayes: Doennig, Shuler, Coltrin, Broekhoven, and Ogilvy. Nays: None. Abstain: None. Absent: Cline, Rose, Cox, and Thomas.

2017 Capital Improvements Program Amendments
Citywide

Applicant: City of Springfield

Mr. Whitman stated that this are proposed amendments to the 2017 capital improvements program. In December of last year, the Commission reviewed and recommended approval of the 2017 Capital Improvements Program and City Council went on to adopt the plan in February. The policy, which is in alignment with the City Charter directs the Commission and Council to review and approve all capital improvements planned for construction for the coming year and have a schedule of those planned for the next five years as well.

Six capital projects have been recently identified for funding that require review and approval to be added to the Capital Improvements Program.

Each of these six projects will exceed \$100K and will be permanent in nature or have a life expectancy of six years or more and, will be located on city property or right of way. The six projects proposed for addition to the CIP are:

- Construct streetscape improvements along College Street (from Grant to Market). \$716K
- Daylighting or making storm water improvements to Jordan Creek downtown. \$1.5 million
- Construct new restroom facilities in Tom Watkins Park (expansion of the existing pavilion). \$200K
- Install 3 playground improvement projects (Meador Park-\$130K; Nichols Park-\$295K; Cooper Park-\$100K) for a total of \$535K

The projects will be primarily funded with Community Development Block Grant funds and the City Council will consider a resolution to amend the CIP on September 18, 2017 and the HUD Annual Action Plan has been amended and submitted to the Department of Housing and Urban Development for final approval.

Mr. Doennig opened the public meeting.

No Speakers.

Mr. Doennig closed the public meeting.

COMMISSION ACTION:

Ms. Broekhoven motioned to **approve** 2017 Capital Improvements Program Amendments (Citywide). Ms. Ogilvy seconded the motion. Ayes: Doennig, Shuler, Coltrin, Broekhoven, and Ogilvy. Nays: None. Abstain: None. Absent: Cline, Rose, Cox, and Thomas.

600-610 E. Harrison Redevelopment Plan
600 & 610 East Harrison Street
Applicant: Roza Capital Group, LLC

Mr. Schaefer stated that this is a request for a redevelopment plan for 600-610 E. Harrison Redevelopment area.

It is approximately Approx. 0.54 acres located at the Southeast corner, South Kimbrough Avenue and East Harrison Street and occupied by two vacant and dilapidated residential structures (600 E Harrison: multi-family residential dwelling built in 1922 and 610 E Harrison: single-family residential dwelling built in 1929). It is zoned R-HD, High-Density Multi-Family Residential District with the UN, University Combining Overlay District. The redevelopment proposal: Demolish site, Construct new multi-family residential apartment building (17 units, four stories, and off-street parking and vehicular access via South Kimbrough Avenue and alley). The Redevelopment Area is in a blighted area and conforms with the Springfield-Greene County Comprehensive Plan. The Growth Management and Land Use Element designates the Area for Medium- or High-Density Residential Housing. It is in the Missouri State University Activity Center (major activity center). The Center City Plan Element mentions the Center City area suffers from physical deterioration and economic obsolescence. Overall tone of is one of an area that could use revitalization and new investment.

Ms. Broekhoven asked if there is a reduction in parking requirements.

Mr. Schaefer noted that the parking requirement will be dictated by the R-HD zoning and have a mixture of two bedroom and four bedroom units and the requirements are 2 parking spaces per d/u and will have bike parking.

Mr. Doennig opened the public meeting.

Mr. Geoff Butler, 319 N. Main, representing the applicant. This is an appropriate redevelopment for the property and complies with the Comprehensive Plan and the redevelopment requirements and helps promote the university and its current growth.

Mr. Coltrin asked about the stormwater plans.

Mr. Butler stated that the stormwater will go to the public right-of-way into the storm drains. We believe that this will not cause any problems because of the impervious service that is currently existing and will utilize a buy-out on the added impervious.

Mr. Doennig closed the public meeting.

COMMISSION ACTION:

Mr. Coltrin motioned to **approve** 600-610 E. Harrison Redevelopment Plan (600 & 610 East Harrison Street). Mr. Shuler seconded the motion. Ayes: Doennig, Shuler, Coltrin, Broekhoven, and Ogilvy. Nays: None. Abstain: None. Absent: Cline, Rose, Cox, and Thomas.



Noted Agenda City Council Meeting

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

Ken McClure, 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
Richard Ollis, General D

Upcoming Council Meeting Agenda September 5, 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
Presented

2. APPROVAL OF MINUTES. August 21, 2017 City Council Meeting; August 22 and August 29, 2017 Special City Council Meetings.

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.

Sworn In

Swear in **Jennifer Wilson** to the Board of Public Utilities.

Sworn In

Swear in **Stephanie Appleby** to the Personnel Board.

10332

5. Council Bill 2017-214. (McClure)

A resolution recognizing Mary Lilly Smith for thirty-five years of dedicated service as an employee of the City of Springfield, Missouri.

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.

6392

8. Council Bill 2017-201. (Schilling)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 6.68 acres of property, generally located at 554 West Walnut Lawn Street and 3505 South Campbell Avenue from R-TH, Residential Townhouse District, to R-MD, Medium-Density Multifamily Residential District, and establishing Conditional Overlay District No. 131; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission both recommend approval). (By: Walnut Lawn Church of God & Westport Management, LLC; 554 West Walnut Lawn Street; Z-24-2017 w/COD #131)

26947

9. Council Bill 2017-209. (Fulnecky)

A special ordinance approving the plans and bid specifications; accepting the bid of Crossland Heavy Contractors, Inc., for a Filter Retrofit Project at the Southwest Wastewater Treatment Plant; authorizing the City Manager, or his designee, to enter into a contract for said project with such bidder; and approving a budget adjustment to amend the Fiscal Year 2017-2018 budget of the Department of Environmental Services in the amount of \$2,500,000 by appropriating fund balance reserves from the Clean Water Enterprise Fund for this project.

26948

10. Council Bill 2017-210. (Fisk)

A special ordinance authorizing the City Manager, or his designee, to accept a grant in the amount of \$6,500.00 from the Springfield Police Foundation to fund the purchase of one police service dog.

11. RESOLUTIONS. Citizens may speak. May be voted On.

10333

12. Council Bill 2017-215. (Schilling)

A resolution amending the Transportation Plan element of the Springfield-Greene County Comprehensive Plan of the City of Springfield, Missouri, by reclassifying a portion of Grant Avenue bounded by Grand Street to Norton Road from a Primary Arterial Classification to a Secondary Arterial Classification. (Planning and Zoning Commission and staff recommend approval).

10334

13. Council Bill 2017-216. (Hosmer)

A resolution adopting the revised Investment Policy Statement prepared and approved by the Board of Trustees of the Springfield Police Officers' and Firefighters' Retirement Fund.

14. EMERGENCY BILLS.

15. PUBLIC IMPROVEMENTS.

16. GRANTS. Citizens may speak. May be voted On.

26950

17. Council Bill 2017-217. (Ollis)

A special ordinance authorizing the City Manager, or their designee, to accept a Staffing for Adequate Fire and Emergency Response Program Grant from the United States Department of Homeland Security, for the purpose of adding seven additional entry-level firefighters as full-time employees; to appropriate said grant by amending the budget provided to the Fire Department of the City of Springfield, Missouri, for Fiscal Year 2017-2018, in the amount of \$654,505; and declaring an emergency.

18. AMENDED BILLS.**19. COUNCIL BILLS FOR PUBLIC HEARING. Citizens May Speak. Not Anticipated To Be Voted On.****20. Council Bill 2017-218. (Fishel)**

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 6.2 acres of property, generally located at 202 East Walnut Lawn Street from a HC, Highway Commercial district with Conditional Overlay District No. 102, to an O-1, Office District; and establishing Conditional Overlay District No. 134, said District to apply to the subject property. (Staff and Planning and Zoning Commission recommend approval). (By: Westport Management, LLC; 202 East Walnut Lawn Street: Z-27-2017 w/COD #134)

21. FIRST READING BILLS. Citizens May Speak. Not Anticipated To Be Voted On.**22. Council Bill 2017-219. (McClure)**

A special ordinance authorizing the City Manager, or his designee, to enter into a Contract of Obligation with the Missouri Department of Natural Resources whereby the City agrees to financially secure the future closure and post-closure care of all currently active and previously completed portions of the City's Sanitary Landfill.

23. Council Bill 2017-220. (Hosmer)

A special ordinance authorizing the City Manager, or his designee, to enter into a contract with Gredell Engineering Resources for the engineering design and permitting of a modified waste disposal area and improved environmental management systems at the City of Springfield Sanitary Landfill; and to approve a budget adjustment to amend the Fiscal Year 2017-2018 Budget for the Department of Environmental Services in the amount of \$1,350,000 by appropriating fund balance reserves of the Solid Waste Fund for this project. (Environmental Services staff recommends approval).

24. Council Bill 2017-221. (Fisk)

A special ordinance authorizing the City Manager, or his designee, to apply for and accept infrastructure grant funds, in the amount of approximately \$275,000 over two years, from the Missouri Foundation for Health, to improve the public health workforce, boost data and information systems, and to increase the Health Department's capacity to provide the public high quality health services; to enter into any necessary agreements to carry out the grant; and amending the budget of the Springfield-Greene County Health Department in an amount totaling \$275,000 over the next two years.

25. Council Bill 2017-222. (Fulnecky)

A general ordinance approving the City Utilities Annual Operating Budget for the Fiscal Year ending September 30, 2018.

26. Council Bill 2017-223. (Ferguson)

A special ordinance authorizing the City Manager, or his designee, to accept the donation of a Ford E350 truck from the Springfield Police Foundation, to be used by the Springfield Police Department for Operation Polar Cops.

27. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.

Did Not
Appear

Mr. Bob Mondy wishes to address City Council.

28. NEW BUSINESS.

Referred

Refer to the Finance and Administration Committee the issue of a fair employment application resolution.

29. UNFINISHED BUSINESS.**30. MISCELLANEOUS.****31. CONSENT AGENDA – FIRST READING BILLS. See Item #3****32. Council Bill 2017-224. (Prater)**

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 Coach House subdivision, said subdivision being generally located at 2535 North Glenstone Avenue, upon the applicant filing and recording a final plat that substantially conforms with the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with the terms of this Ordinance. (City staff recommends that City Council accept the public streets and easements).

33. CONSENT AGENDA – ONE READING BILLS.**34. CONSENT AGENDA – SECOND READING BILLS. Citizens Have Spoken. May Be Voted On.**

26949

35. Council Bill 2017-211. (Schilling)

A special ordinance authorizing the City Manager, or his designee, to enter into a developer's agreement with Triple S Properties, LLC, for recovery of proportional square foot costs of the construction of a trunk sewer to serve the Western Meadows subdivision and a sewer basin in the Lower Wilson Creek drainage area, and to establish a per square foot connection fee to reimburse the developer for proportional costs of construction of the trunk sewer. (Environmental Services staff recommends approval.)

Confirmed

Confirm the following appointment to the Mayor's Commission on Human Rights and Community Relations: Bob Roberts, to fill the unexpired term of David Frost. Mr. Robert's term will expire October 1, 2018.

36. END OF CONSENT AGENDA.

Added to
Agenda

37. Possible Addition to City Council Agenda; however, a determination of whether it will be added will be made by City Council at the meeting.

City Council will hold a closed meeting to discuss legal actions, causes of action, litigation, privileged and confidential communications pursuant to Section 610.021 (1), RSMo. 2014; and this meeting, record, and vote shall be closed and the City Council shall stand adjourned at the end of the closed session.



Noted Agenda City Council Meeting

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

Ken McClure, 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
Richard Ollis, General D

**Upcoming Council Meeting Agenda
September 18, 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 Presented | 2. APPROVAL OF MINUTES. September 5, 2017 City Council Meeting and September 12, 2017 Special City Council Meeting. |
| 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. |
| | 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. |
| 6393 | 7. Council Bill 2017-218. (Fishel) |

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 6.2 acres of property, generally located at

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

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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.

202 East Walnut Lawn Street from a HC, Highway Commercial district with Conditional Overlay District No. 102, to an O-1, Office District; and establishing Conditional Overlay District No. 134, said District to apply to the subject property. (Staff and Planning and Zoning Commission recommend approval). (By: Westport Management, LLC; 202 East Walnut Lawn Street: Z-27-2017 w/COD #134)

26952

8. Council Bill 2017-219. (McClure)

A special ordinance authorizing the City Manager, or his designee, to enter into a Contract of Obligation with the Missouri Department of Natural Resources whereby the City agrees to financially secure the future closure and post-closure care of all currently active and previously completed portions of the City's Sanitary Landfill.

26953

9. Council Bill 2017-220. (Hosmer)

A special ordinance authorizing the City Manager, or his designee, to enter into a contract with Gredell Engineering Resources for the engineering design and permitting of a modified waste disposal area and improved environmental management systems at the City of Springfield Sanitary Landfill; and to approve a budget adjustment to amend the Fiscal Year 2017-2018 Budget for the Department of Environmental Services in the amount of \$1,350,000 by appropriating fund balance reserves of the Solid Waste Fund for this project. (Environmental Services staff recommends approval).

26954

10. Council Bill 2017-221. (Fisk)

A special ordinance authorizing the City Manager, or his designee, to apply for and accept infrastructure grant funds, in the amount of approximately \$275,000 over two years, from the Missouri Foundation for Health, to improve the public health workforce, boost data and information systems, and to increase the Health Department's capacity to provide the public high quality health services; to enter into any necessary agreements to carry out the grant; and amending the budget of the Springfield-Greene County Health Department in an amount totaling \$275,000 over the next two years.

6394

11. Council Bill 2017-222. (Fulnecky)

A general ordinance approving the City Utilities Annual Operating Budget for the Fiscal Year ending September 30, 2018.

12. RESOLUTIONS. Citizens may speak. May be voted On.

Tabled

13. Council Bill 2017-225. (Schilling)

A resolution amending the Capital Improvements Program for 2017 through 2022 by adding five new projects to the plan. (City staff recommends approval).

10335

14. Council Bill 2017-226. (McClure, Fisk, Prater, Hosmer, Ferguson, Fishel, Ollis, and Schilling)

A resolution approving a Council commitment to utilize certain proceeds from the reauthorization of the twenty-seven cent Level of Property Tax for law enforcement purposes if such authorization is approved by voters on November 7, 2017.

15. EMERGENCY BILLS.**16. PUBLIC IMPROVEMENTS.****17. GRANTS. Citizens may speak. May be voted On.**

26956

18. Council Bill 2017-227. (Fulnecky)

A special ordinance authorizing the City Manager, or his designee, to accept the Edward Byrne Memorial Justice Assistance Grant from the United States Department of Justice; and to enter into an interlocal agreement with Greene County, outlining the division of the grant funds; and amending the budget for the Springfield Police Department for Fiscal Year 2017-2018 in the amount of \$160,702.00. This Ordinance relates to the acceptance of grant funds from a state or federal agency and may be passed as a one-reading ordinance pursuant to Section 2.16(25) of the City Charter.

19. AMENDED BILLS.**20. PUBLIC HEARING.****21. FIRST READING BILLS. Citizens May Speak. Not Anticipated To Be Voted On.****22. Council Bill 2017-228. (Hosmer)**

A special ordinance authorizing the City Manager, or his designee, on behalf of the City of Springfield, to enter into individual intergovernmental agreements with City Utilities of Springfield, Missouri, Christian and Greene counties in Missouri, the cities of Nixa, Ozark and Republic, Missouri, and the Ozarks Transportation Organization to contract for services with Pictometry International Corporation, for the cooperative purchase of oblique imagery and aerial photography services to be used with each entity's Geographic Information System and amending the budget for the Department of Public Works for Fiscal Year 2017-2018 in the amount of \$268,195.50.

Referred to Plans
and Policies
Committee for
further discussion.

23. Council Bill 2017-229. (Schilling)

A special ordinance authorizing the City of Springfield, Missouri, to join Show Me PACE, created pursuant to Missouri Revised Statutes Sections 67.2800 to 67.2835, and known as the "Property Assessment Clean Energy Act;" stating the City's intent to participate in the "Property Assessed Clean Energy" program as a member of such District; disclaiming any need for appropriation; and directing the City Clerk to send a certified copy of this Ordinance to the Board of Directors of Show Me PACE.

Added and Amended	23.5 Council Bill 2017-235 (Hosmer)	A general ordinance amending the Springfield City Code, Chapter 2, 'Administration,' Article VII, 'Special Events,' Division 1, 'Generally,' Section 2-504, 'Application,' by repealing Section 2-504 and enacting a new section 2-504 in lieu thereof.
Amended	24. Council Bill 2017-230. (Hosmer, Fisk and Fishel)	A general ordinance amending the Springfield City Code, Chapter 18, 'Animals,' Article II, 'Dogs, Cats and Ferrets,' Division 3, 'Prohibition of Pit Bull Dogs,' by amending Section 18-98, 'Additional Regulations,' through the addition of language to said section establishing a future ban upon the possession of new pit bull dogs within the City limits; and by the addition of a new Section 18-99, 'Enforcement,' establishing a minimum fine for violations of the pit bull dog provisions, and designating an effective date for said amendments.
Amended	25. Council Bill 2017-231. (Hosmer, Fisk, Fulnecky, and Fishel)	A resolution approving an additional term for agreements pursuant to which pit bull dogs may be rescued from the City Animal Shelter and put up for adoption. (Plans and Policies Committee recommends approval).
	26. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.	
Did Not Appear		Ms. Avril Drake wishes to address City Council.
Withdrew Request Did Not Appear		Ms. Diane Schulz wishes to address City Council.
	27. NEW BUSINESS.	
Recommended		The Mayor recommends the following reappointments to the Mayor's Commission on Human Rights and Community Relations: Pamela Hernandez and Heather Hardinger, with terms to expire October 1, 2020.
Recommended		The Mayor recommends the following appointment to the Public Housing Authority: Camille Johnson (Reid), with a term to expire April 11, 2020.
Recommended		The Mayor recommends the following appointment to the Traffic Advisory Board: Len Eagleburger, with a term to expire April 1, 2019.
Recommended		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.
	28. UNFINISHED BUSINESS.	
	29. MISCELLANEOUS.	
	30. CONSENT AGENDA – FIRST READING BILLS. See Item #3	

31. Council Bill 2017-232. (Prater)

A special ordinance authorizing the City Manager, or his designee, to enter into a developer's agreement with Hickory Land Company, LLC, for recovery of proportional square foot costs of the construction of a trunk sewer to serve a portion of Hickory Hills Phase 2 subdivision and a sewer basin in the Pierson Creek drainage area; and to establish a per square foot connection fee to reimburse the developer for proportional costs of construction of the trunk sewer.

32. CONSENT AGENDA – ONE READING BILLS.

26957

33. Council Bill 2017-233. (Fishel)

A special ordinance to levy and assess a special tax against the lots, blocks, and parcels of ground hereinafter described to pay for the cost to construct sanitary sewers in the City of Springfield, Missouri, in Sanitary Sewer District No. 200 of Section No. 15, in the general vicinity of Roslyn Avenue and Bagnell Street; providing for inclusion of said district in the City Sewer Financial Assistance Program; authorizing the City Clerk to issue special tax bills and deliver the same to the Director of Finance to be registered in his office in accordance with this Ordinance; and declaring that this bill qualifies for approval in one reading.

26958

34. Council Bill 2017-234. (Ollis)

A special ordinance authorizing the City Manager, or his designee, to enter into an Agreement with the Missouri Highway and Transportation Commission and BNSF Railway Company for the purpose of coordinating the repairs of a railroad crossing at LeCompte Road at a cost to the City of \$10,000; and declaring an emergency pursuant to City Charter Section 2.12.

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

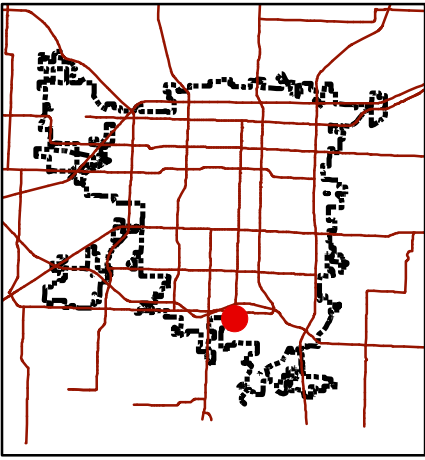
26955

36. Council Bill 2017-224. (Prater)

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 Coach House subdivision, said subdivision being generally located at 2535 North Glenstone Avenue, upon the applicant filing and recording a final plat that substantially conforms with the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with the terms of this Ordinance. (City staff recommends that City Council accept the public streets and easements).

37. END OF CONSENT AGENDA.

38. ADJOURN.



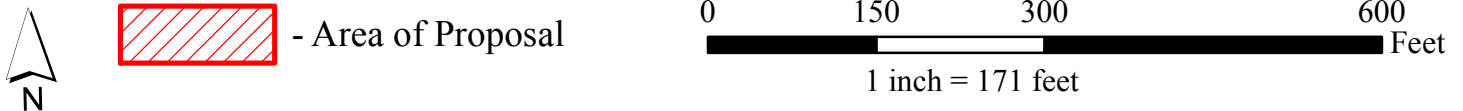
Development Review Staff Report

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

Relinquish Easement 854

LOCATION: 1220 East Lark Street

LOCATION SKETCH



- Area of Proposal

DEVELOPMENT REVIEW STAFF REPORT
REQUEST TO RELINQUISH EASEMENT NUMBER 854

PURPOSE: To relinquish a utility easement

REPORT DATE: September 21st, 2017

LOCATION: 1220 East Lark Street

APPLICANT: State Bank of Southwest Missouri

RECOMMENDATION:

The request be **approved**.

FINDING:

The request meets the approval criteria listed in Attachment B.

STAFF CONTACT PERSON:

Jared Follin
Assistant City Planner

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

ATTACHMENT A
RELINQUISH EASEMENT NO. 854
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish a utility easement in order to facilitate development of two lots. The existing easement is located between two lots and the proposed development will require the lots to be combined. The existing easement will be in conflict of the proposed development.

CLEAN WATER SERVICES COMMENTS:

No objection to relinquishment. No public sewer within utility easement that is not covered by a separate sewer easement.

CITY UTILITIES COMMENTS:

No objection to relinquishment; Revised easement sketch has been received showing the west 15 feet of the easement being retained.

STAFF COMMENTS:

1. The applicant is requesting to relinquish a utility easement in order to facilitate development of two lots. The existing easement is located between these two lots and the proposed development will require the lots to be combined. The existing easement will be in conflict of the proposed development. The easement is not needed to serve utilities.
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. 854
APPROVAL CRITERIA

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

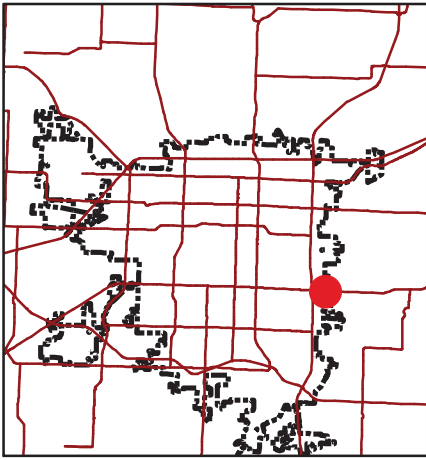
APPROVAL CRITERIA	STAFF RESPONSE:
1. No one has objected to the relinquishment of this easement.	No one has objected to relinquishing the subject easement to date.
2. The appropriate City agency has filed with the Planning and Development Department a statement that the easement is no longer needed to provide service.	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.	The retention of the subject easement no longer serves a public purpose.

RELINQUISH EASEMENT NO. 854
EXHIBIT 1

A 10.00 FOOT WIDE UTILITY EASEMENT BEING A PART OF LOT 1 AND LOT 2, OF THE AMENDED FINAL PLAT FOR ST. JOHN'S LARK-1ST ADDITION AS DESCRIBED IN PLAT BOOK T, PAGE 20 AND SAID UTILITY EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 2 OF THE AMENDED FINAL PLAT FOR ST. JOHN'S LARK-1ST ADDITION; THENCE ALONG THE NORTHERLY LINE OF SAID LOT 2, SOUTH 61°10'45" WEST, 5.03 FEET TO THE POINT OF BEGINNING SAID POINT ALSO LYING ON THE WESTERLY LINE OF A 5.00 FOOT PLATTED UTILITY EASEMENT; THENCE LEAVING SAID NORTHERLY LINE AND ALONG SAID WESTERLY LINE, SOUTH 22°38'14" EAST, 5.03 FEET; THENCE LEAVING SAID WESTERLY LINE, SOUTH 61°10'45" WEST, 255.87 FEET TO A POINT LYING ON THE EASTERLY LINE OF A 15.00 FOOT PLATTED SANITARY SEWER EASEMENT; THENCE ALONG SAID EASTERLY LINE, NORTH 17°25'56" WEST, 10.20 FEET; THENCE LEAVING SAID EASTERLY LINE, NORTH 61°10'45" EAST, 254.96 FEET TO A POINT LYING ON THE AFOREMENTIONED WESTERLY LINE OF A 5.00 FOOT PLATTED UTILITY EASEMENT; THENCE ALONG SAID WESTERLY LINE SOUTH 22°22'42" EAST, 5.03 FEET TO THE POINT OF BEGINNING. ALL LYING IN THE FRACTIONAL NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 28 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 2007.

CONTAINING 2,554 SQUARE FEET OR 0.059 ACRES AND 255 LINEAR FEET, MORE OR LESS



Development Review Staff Report

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

Relinquish Easement No. 855

LOCATION: 3810 East Sunshine Street

LOCATION SKETCH



- Area of Proposal

0 150 300 600 Feet

1 inch = 192 feet

DEVELOPMENT REVIEW STAFF REPORT
REQUEST TO RELINQUISH EASEMENT NUMBER 855

PURPOSE: To relinquish an access easement

REPORT DATE: September 21st, 2017

LOCATION: 3810 East Sunshine

APPLICANT: Central Bank of the Ozarks

RECOMMENDATION:

The request to be **approved**.

FINDING:

The request meets the approval criteria listed in Attachment B.

STAFF CONTACT PERSON:

Jared Follin
Assistant Planner

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

ATTACHMENT A
RELINQUISH EASEMENT NO. 855
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish two adjacent access easements in order to facilitate development of the property. The easements have never been used as access to the property since it was platted as part of the Pearson Creek Office Park. The applicant is providing a replacement easement.

GREENE COUNTY – HIGHWAY DEPARTMENT

No objection to relinquishment; The county has no comment in regards to the vacation of the cross-access easement in question. Jurisdiction of the roadways adjacent to the property in question are with MoDOT and the City of Springfield.

TRAFFIC COMMENTS:

No objection to relinquishment; Traffic has no issues with the proposed relinquishment of the access easement. Defer to MODOT/Greene County for access onto Sunshine Street/State Highway D.

MODOT COMMENTS:

No objection to relinquishment

RIGHT-OF-WAY COMMENTS:

No objection to relinquishment; Replacement cross access has been reviewed and submitted

STAFF COMMENTS:

1. The applicant is requesting to relinquish two adjacent access easements in order to facilitate development of the property. The existing easement would be in conflict with the proposed development. A replacement access easement is being provided by the applicant in the appropriate location for the proposed development.
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. 855
APPROVAL CRITERIA

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

APPROVAL CRITERIA	STAFF RESPONSE:
1. No one has objected to the relinquishment of the easements.	No one has objected to relinquishing the subject easements to date.
2. The appropriate City agency has filed with the Planning and Development Department a statement that the easements are no longer needed to provide service.	All interested City agencies have filed a statement and do not object to the relinquishment of the subject easements. The applicant is providing a replacement easement.
3. That the retention of the easements no longer serves any useful public purpose.	The retention of the subject easements no longer serve a public purpose. The applicant is providing a replacement easement.

RELINQUISH EASEMENT NO. 855
EXHIBIT 1

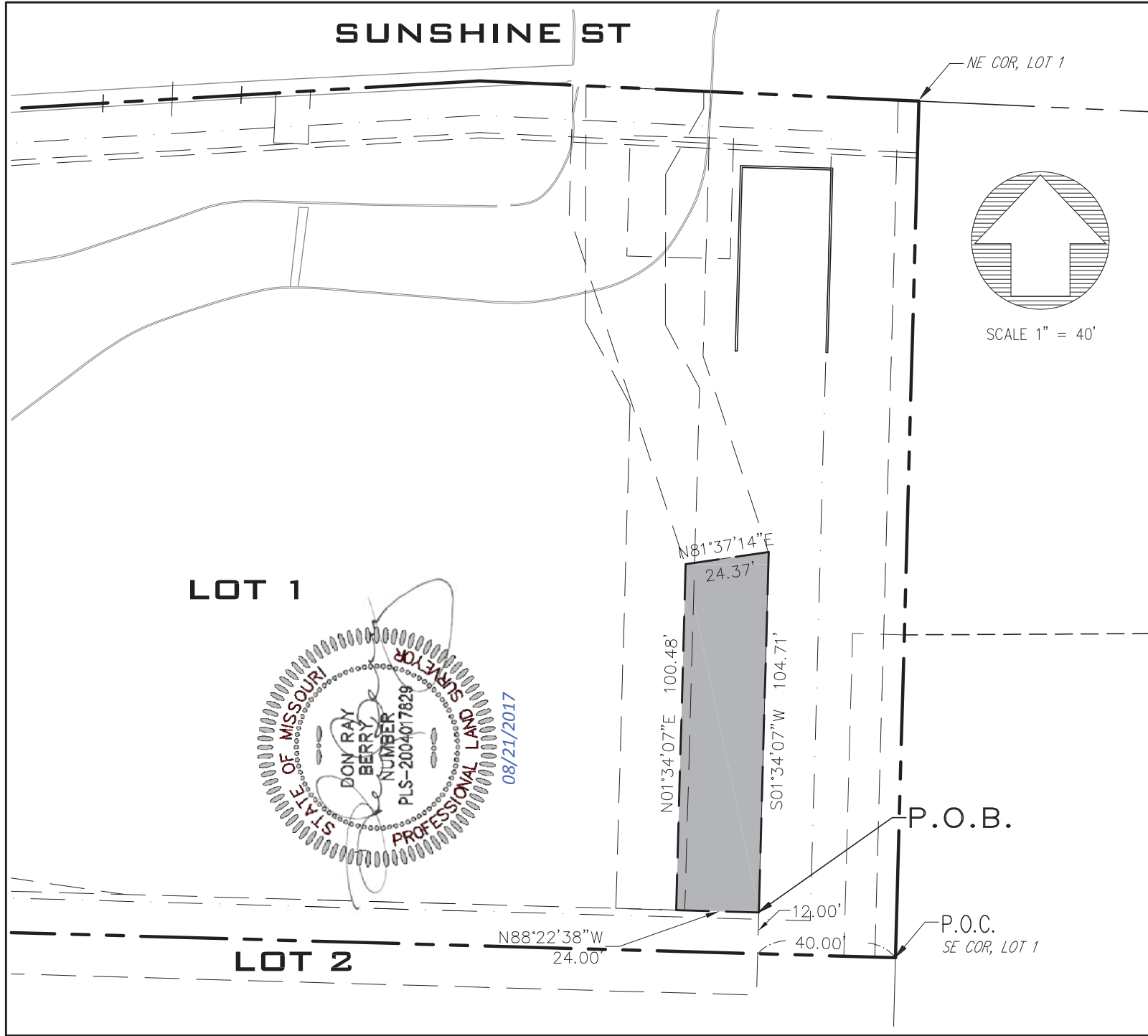
ACCESS EASEMENT TO RELINQUISH

All that part of a platted Access Easement, as shown on the plat of Pearson Creek Office Park, a subdivision in the City of Springfield, Greene County, Missouri, being more particularly described as follows: Commencing at the Southeast corner of Lot 1 of Pearson Creek Office Park, a subdivision in the City of Springfield, Greene County, Missouri; thence, North 88°22'38" West, along and with the South line of said Lot 1, a distance of 40.00 feet; thence, North 01°34'07" East, a distance of 12.00 feet to the POINT OF BEGINNING; thence, continue North 88°22'38" West, along and with said South line, a distance of 24.00 feet; thence, North 01°34'07" East, a distance of 100.48 feet; thence, North 81°37'14" East, a distance of 24.37 feet; thence, South 01°34'07" West, a distance of 104.71 feet to the South line of said Lot 1 and the POINT OF BEGINNING, containing 2,463 square feet, more or less.

ACCESS EASEMENT TO RELINQUISH (OLLSON)
(BK 2011 PG 18026-11)

All that part of Lot 1 of Pearson Creek Office Park, a subdivision in the City of Springfield, Greene County, Missouri, duly recorded in the Greene County Recorder's Office in Plat Book AAA at Page 89, and being more particularly described as follows:

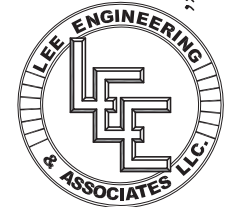
COMMENCING at the Northeast corner of Lot 1 of Pearson Creek Office Park, a subdivision in the City of Springfield, Greene County, Missouri, duly recorded in the Greene County Recorder's Office in Plat Book AAA at Page 89, said point being in the South Right-of-Way line of State Highway D (Sunshine Street), as now established; thence North 88 Degrees 01 Minutes 14 Seconds West, along said South Right-of-Way line, a distance of 60.53 feet to the POINT OF BEGINNING; thence departing said South Right-of-Way line South 00 Degrees 57 Minutes 05 Seconds West, a distance of 76.77 feet to a point; thence South 19 Degrees 02 Minutes 55 Seconds East, a distance of 60.00 feet to a point in the East line of the existing cross access easement as platted in said subdivision; thence South 80 Degrees 57 Minutes 05 Seconds West, a distance of 24.37 feet to a point in the West line of said Existing Easement; thence North 19 Degrees 02 Minutes 55 Seconds West, a distance of 106.78 feet to a point; thence North 00 Degrees 57 Minutes 05 Seconds East, a distance of 37.76 feet to a point in said South Right-of-Way line; thence South 88 Degrees 01 Minutes 14 Seconds East along said South Right-of-Way, a distance of 40.01 feet to the POINT OF BEGINNING, and containing 4,292 square feet or 0.099 acres of land, more or less.



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

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

LEE Engineering & Associates, L.L.C.
1200 E. Woodhurst Dr., Suite D200
Springfield, Missouri 65807
417-886-9100 (phone)
417-886-9336 (fax)
dlee@leeengineering.biz



"Engineering with Integrity"

EASEMENT
RELINQUISHMENT
PEARSON CREEK
OFFICE PARK

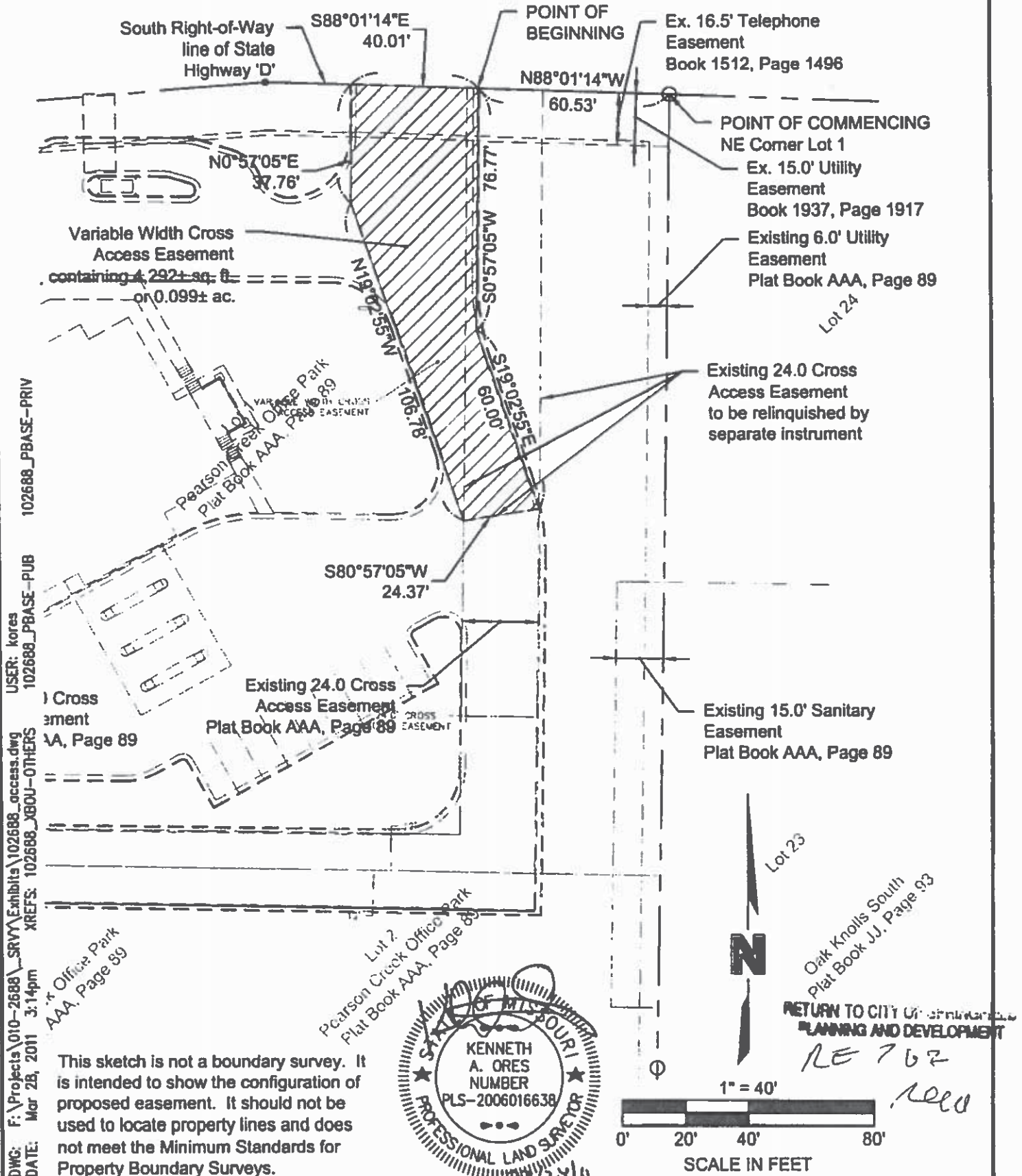
DATE:

08/17/2017

PROJECT NO.:

1645

State Highway 'D' (Sunshine Street)



DATE: 01.17.11

CROSS ACCESS EASEMENT



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

SHEET

4 of 4

DEVELOPMENT REVIEW STAFF REPORT
ZERO-LOT-LINE CONSTRUCTION REVIEW AMENDMENTS

PURPOSE: To amend Section 36-362. – Zero-lot-line construction, in the Zoning Ordinance to eliminate the Administrative Review Committee (ARC) review of zero-lot-line construction structures and clarify how they are to be processed.

REPORT DATE: September 22, 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.
2. Administrative Review Committee (ARC) review of zero-lot-line construction structures does not provide any additional analysis that wouldn't be completed during the standard building permit review process. This will shorten the time that a zero-lot-line construction development can be reviewed and approved for building permits.

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 to the zero-lot-line construction requirements at their meeting on July 13, 2017.
2. Staff is requesting an amendment to the remove the Administrative Review Committee (ARC) review of zero-lot-line construction structures from the Zoning Ordinance. The current standards require the ARC to review a precise site plan of all zero-lot-line construction structures. Staff is proposing to strike language from the Zoning Ordinance and have all zero-lot-line construction structures to be reviewed as part of the standard building permit review process since the ARC review does not provide any additional analysis that wouldn't be completed

during the standard building permit review process. This will shorten the time that a zero-lot-line construction development can be reviewed and approved for building permits.

3. Staff also recommends modifying language to clarify that all zero-lot-line construction developments must be platted using the major subdivision process which requires Planning and Zoning Commission and City Council approval. This will allow for appropriate review of utility, street and lot layout and also public input to discuss any inconsistencies with other platting patterns in the surrounding area.
4. Building Development Services and Public Works support this request.
5. 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:

October 30, 2017

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
ZERO-LOT-LINE CONSTRUCTION REVIEW AMENDMENTS
PROPOSED CHANGES TO ZONING ORDINANCE

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

Sec. 36-362. – Zero-lot-line construction.

- (5) *Recording maintenance and use easements.* Appropriate maintenance and use easements shall be included on the final plat for all affected properties. ~~Where a final plat is not required, the maintenance or use easement shall be included in the deed or deeds for all affected properties.~~
- (7) Application and review. Before construction of a zero-lot-line dwelling commences, a major subdivision shall be submitted and approved per the Subdivision Regulations. ~~an administrative review application, accompanied by a precise plan, shall be submitted to the administrative review committee and approved or conditionally approved by the committee prior to issuance of building permits for the dwelling. Said plan shall delineate all structures proposed for initial construction. The committee, after review, may approve, conditionally approve, or deny the precise plan. In its review, the committee shall consider placement of all structures, building material and finishing of the wall constructed along the side or rear lot line.~~

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

DATE: September 20, 2017

TO: Planning and Zoning Commission

FROM: Daniel Neal
Senior Planner

SUBJECT: Stream Buffer Zoning Flexibility Amendments

Environmental Services and Public Works staff request that this case be tabled and placed on the Planning and Zoning Commission meeting on November 16th.

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

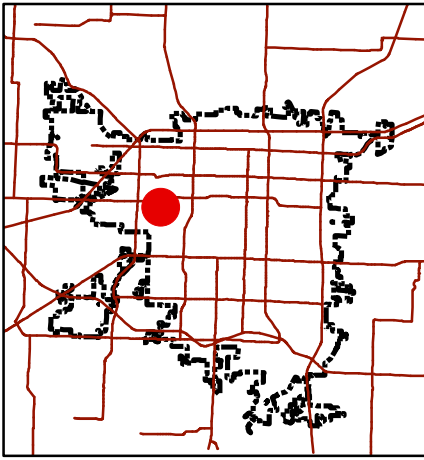
DATE: September 26, 2017

TO: Planning and Zoning Commission

FROM: Bob Hosmer
Principal Planner

SUBJECT: Vacation 793

The applicant is requesting that Vacation 793 (alley located adjacent to 1040 and 1110 North Sherman Avenue) be tabled to the November 16, 2017 Planning and Zoning Commission meeting. The request is to allow time to submit the revised Preliminary Development Plan for Planned Development 353 and to meet with the adjacent property and the neighborhood for comments.



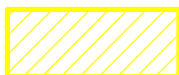
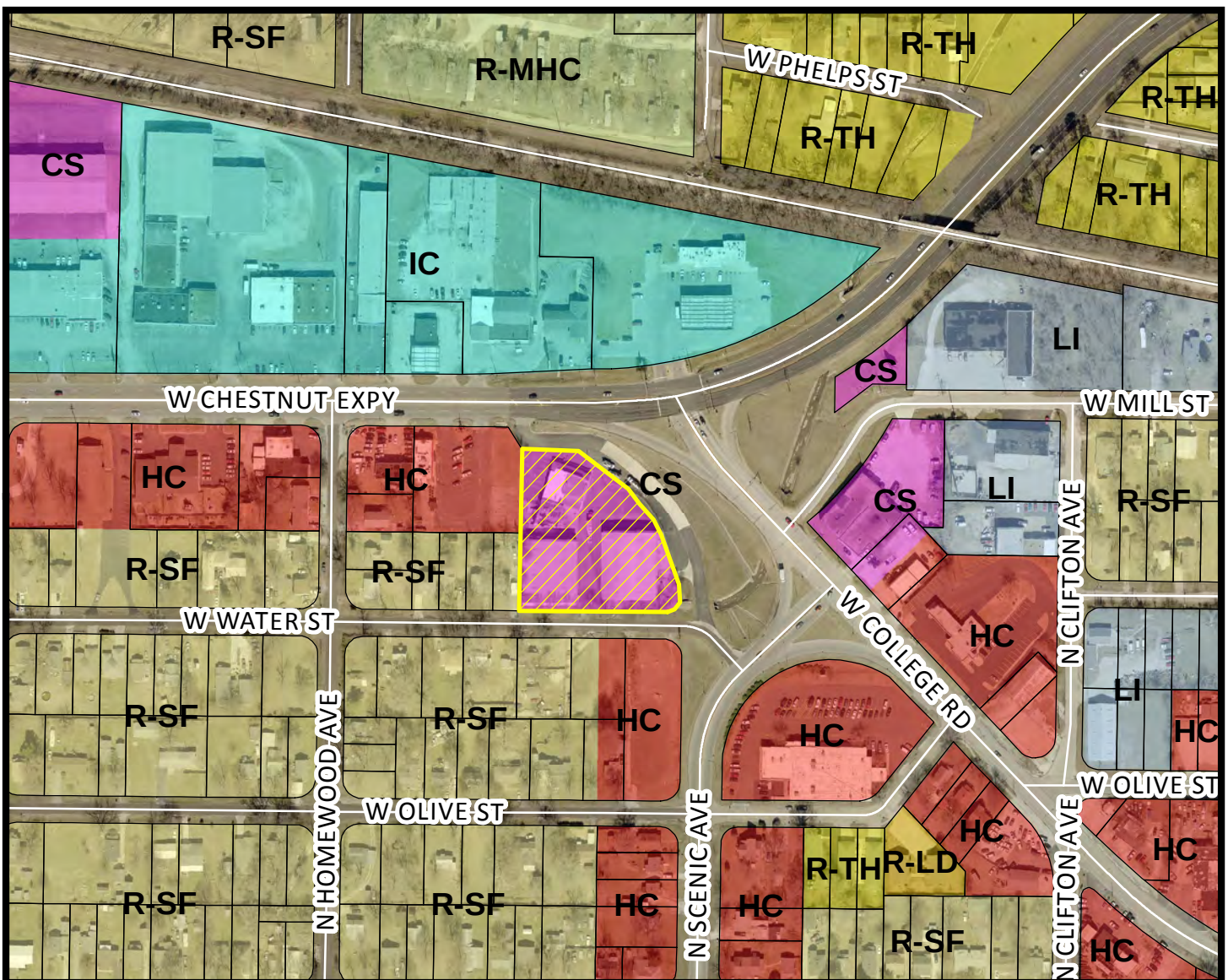
Development Review Staff Report

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

Use Permit 431

LOCATION: 2706 W. Chestnut Expwy
CURRENT ZONE: CS, Commercial Services District
PROPOSED USE PERMIT: Warehousing and storage

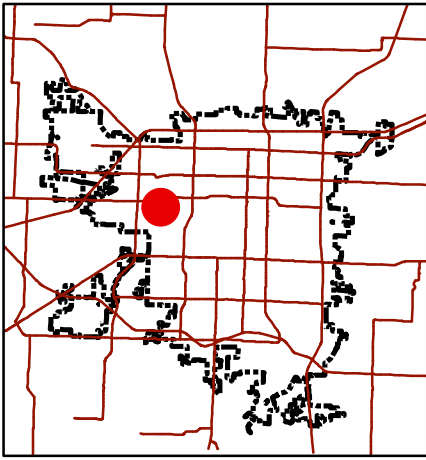
LOCATION SKETCH



- Area of Proposal

0 150 300 600 900 Feet

1 inch = 300 feet



Development Review Staff Report

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

Use Permit 431

LOCATION: 2706 W. Chestnut Expwy
CURRENT ZONE: CS, Commercial Services District
PROPOSED USE PERMIT: Warehousing and storage

LOCATION SKETCH



- Area of Proposal

0 150 300 600 900 Feet

1 inch = 300 feet

DEVELOPMENT REVIEW STAFF REPORT
CONDITIONAL USE PERMIT 431

PURPOSE: To allow a warehousing and storage facility within a CS, Commercial Service District generally located at 2706 West Chestnut Expressway

REPORT DATE: September 22, 2017

LOCATION: 2706 W. Chestnut Exp.

APPLICANT: MOCAL Investments Company, LLC

TRACT SIZE: Approximately 8.89 acres

EXISTING USE: Roofing company

PROPOSED USE: Office and warehouse for a professional moving company

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 431 in a manner consistent with the attached site plan (Attachment 5).
2. The proposed warehousing and storage facility shall be located and constructed in substantial conformance to the attached site plan.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	ROW, IC	Chestnut Expressway right-of-way, Fueling Station
East	ROW, GR	College Street right-of-way, Office/warehousing
South	HC, R-SF	Vacant/undeveloped, Single-family homes
West	HC, R-SF	Restaurant, Single-family homes

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 zoned CS, Commercial Service District in 1995 during the citywide re-mapping.

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. Chestnut Expressway, College and Scenic are three arterials that converge to make this a major intersection and an appropriate location for warehousing and storage uses.

STAFF COMMENTS:

1. This is a request for a Conditional Use Permit to allow the reuse and conversion of the subject property for a warehousing and storage facility within a CS, Commercial Service District generally located at 2706 W. Chestnut Expressway.
2. Approval of this request will provide for the productive reuse of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties.
3. Staff has reviewed the applicant's request for a Conditional Use Permit and has determined that it satisfies the standards for Conditional Use Permits outlined in Section 36-363(10) of the Zoning Ordinance. Any development of this property must also follow the CS District requirements.
4. The proposed Conditional Use Permit was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on September 12, 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. Thirteen (13) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

Notices sent to property owners within 185 feet	13
Notices returned as undeliverable	0

CITY COUNCIL PUBLIC HEARING:

October 30, 2017

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
DEPARTMENT COMMENTS
CONDITIONAL USE PERMIT 431

BUILDING DEVELOPMENT SERVICES COMMENTS:

No apparent issues with the Conditional Use Permit.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

City's Transportation Plan classifies W. Chestnut Expressway as an Expressway. The standard right-of-way width for W. Chestnut Expressway is 65 feet from the centerline. It appears additional right-of-way is not needed. W. Chestnut Expressway is under MODOT jurisdiction. Defer to MODOT for any comments regarding W. Chestnut Expressway. The City's Transportation Plan classifies N. Scenic Avenue as a Secondary Arterial Roadway. The standard right-of-way width for N. Scenic Avenue is 35 feet from the centerline. It appears additional right-of-way is not needed. The City's Transportation Plan classifies W. Water Street as a Local Street. The standard right-of-way width for W. Water Street is 25 feet from the centerline. It appears additional right-of-way is not needed. A survey is recommended to determine the exact amount of existing right of way. N. Scenic Avenue and W. Water Street are city maintained streets. There are no recent traffic counts on either W. Water Street or the leg of N. Scenic Avenue adjacent to the property pertaining to this Conditional Use Permit. There is one driveway access point along W. Water Street which must be improved to meet current City Standard ST-9 upon approval of the Conditional Use Permit. There is also a continuous driveway access along the length of the N. Scenic Avenue leg adjacent to the property pertaining to this Conditional Use Permit. There is not existing sidewalk along any portion of the property frontage. It appears that no changes will be made to the site and existing structures will be utilized, therefore, sidewalk along the property frontage is not required. On-street parking is not allowed along W. Water Street but is permitted in the area between the N. Scenic Avenue leg and the abutting property. There is not a Greenway Trail in the area pertaining to this zoning. There are bus stops along W. Chestnut Expressway, W. College Avenue, and N. Scenic Avenue near the property pertaining to this Conditional Use Permit. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. The City of Springfield and MODOT are currently negotiating right-of-way jurisdictions in the area pertaining to this Conditional Use Permit, but there are no future improvements planned in the area.

Public Works Traffic Division	Response
Street classification	W. Chestnut Expressway – Expressway N. Scenic Avenue (Leg) – Secondary Arterial W. Water Street – Local
On-street parking along streets	W. Chestnut Expressway – No N. Scenic Avenue – Yes

	W. Water Street - No
Trips generated - Peak Hour	67 vehicles (CS) 67 vehicles (CS-CUP)
Additional Trips generated with CUP change - Peak Hour	0 vehicles
Existing street right of way widths	W. Chestnut Expressway - 87 ft. from the centerline N. Scenic Avenue – 47 feet from the centerline W. Water Street – 25 feet from the centerline
Standard right of way widths	W. Chestnut Expressway - 65 ft. from the centerline N. Scenic Avenue – 35 feet from the centerline W. Water Street – 25 feet from the centerline
Traffic study submitted	Not required*
Proposed street improvements	None required

*A traffic study is not required. The proposed use of the property produces similar trip generations to that of the uses permitted in the existing zoning. No additional trips generated are anticipated based on the changes permitted in the Conditional Use Permit.

PUBLIC WORKS STORMWATER DIVISION COMMENTS:

The property is in the Upper Wilsons 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 will not be allowed and detention must be provided. There are no sinkholes on the 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.
2. If impervious area is being added, detention will be required and if you are adding more than one acre of impervious water quality will be required as well.
3. This site drains southeast towards Water St where there is stormwater infrastructure built as part of 2PW2274 that you can connect to. This will require an excavation permit.

Public Works Stormwater Division	Response
Drainage Basin	Upper Wilson's Creek

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 CUP. No impact on public sewer.

CITY UTILITIES:

No objection to Conditional Use Permit. There is a gas main on the property that may have to be relocated if expansion is to be done.

FIRE DEPARTMENT:

Fire Department approved with no additional comments.

ATTACHMENT 2
REQUIREMENTS FOR CONDITIONAL USE PERMIT 431

1. A warehousing and 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 ordinances.
3. All other standards of the Zoning Ordinance and other applicable ordinances shall be adhered to.

ATTACHMENT 3
STANDARDS FOR CONDITIONAL USE PERMITS
CONDITIONAL USE PERMIT 431

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:	Developer's Response:
1. The proposed conditional use will be consistent with the adopted policies in the Springfield Comprehensive Plan.	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.	There are no changes being proposed to the existing vehicular and pedestrian access and use of the property.
3. The proposed conditional use will adequately provide for safety from fire hazards, and have effective measures of fire control.	A fire sprinkler system will be added to one, if not both, warehouse buildings in the future to satisfy the storage of materials where required by International Building Code.
4. The proposed conditional use will not increase the hazard to adjacent property from flood or water damage.	No impervious surfaces will be added for this development.
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.	There will be no noise characteristics associated with this proposed use that exceed the sound levels that are typical.
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.	Vehicular use is not changing and no new stationary lights are proposed.
7. The location, lighting, and type of signs and the relationship of signs to traffic control is appropriate for the site.	No new signs are proposed.
8. Such signs will not have an adverse effect on any adjacent properties.	No new signs are proposed.
9. The street right-of-way and pavement width in the vicinity is or will be adequate for traffic reasonably expected to be generated by the proposed use.	The street right-of-way and pavement width is adequate.
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.	No new development is planned that would change the use of this property or impact adjacent properties.
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	No new development is planned that would change the use of this property or impact adjacent properties.

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:	Developer's Response:
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.	No new development is planned that would change the use of this property or impact the adjacent natural environment.
13. The proposed conditional use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance.	No new development is planned that would change the use of this property or impact historic features.
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.	No new development is planned that would change the use of this property.
15. The proposed conditional use at the specified location will contribute to or promote the welfare or convenience of the public.	No new development is planned that would change the use of this property 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	The building area and occupancy is not changing. No changes to the off-street parking is expected.
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.	The existing access roads and drives are adequate and a drive improvement will be made to the drive on Water Street. This improved drive shall meet city standards ST-9.
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.	No new development is planned that will change the vehicular circulation.
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.	No new development is planned that will impact 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	The existing buildings meet all applicable code required by the City of Springfield. A new fire

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:	Developer's Response:
use permit, the structures meet all fire, health, building, plumbing and electrical requirements of the City of Springfield.	sprinkler system will be added to the warehouse buildings to meet insurance and contract requirements of the user.
21. The proposed conditional use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services.	The existing site is adequately served by essential public facilities and services.

Attachment 4

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Conditional Use Permit for: Office, warehousing and storage for My Movers, LLC
2. Meeting Date & Time: September 12, 2017 4:00pm to 6:30pm
3. Meeting Location: 2706 W. Chestnut Expressway
4. Number of invitations that were sent: 108
5. How was the mailing list generated: City staff
6. Number of neighbors in attendance (attach a sign-in sheet): 2 (see attached)
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.)

Both neighbors were presidents of two neighborhood associations. Both were there to offer support for this application and had no questions or concerns.

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

none

I, Billy Kimmons (print name), attest that the neighborhood meeting was held on 9/12/2017 (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

Billy Kimmons

Printed name of person completing affidavit

NEIGHBORHOOD MEETING

SEPTEMBER 12, 2017

4:00 PM - 6:30 PM

USE PERMIT 431

LOCATION: 2706 W. CHESTNUT EXPWY

<u>NAME</u>	<u>ADDRESS</u>
1. Tammy Haynes	1440 N. Ethy / Spfld, Mo 65802
2. PETE RADECKI	BISSETT NEIGHBORHOOD ASSOC
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	



SITE DATA	
PARCEL AREA:	1.67 ACRES +/- (72,570 S.F. +/-)
ZONING:	COMMERCIAL SERVICE
PRESENT USE:	ROOFING COMPANY
PROPOSED CONDITIONAL USE:	THIS PROPERTY IS BEING PURCHASED BY MY MOVERS, A RESIDENTIAL AND COMMERCIAL MOVING COMPANY. A PORTION OF THEIR BUSINESS IS TO PROVIDE ON SITE STORAGE OF PERSONAL PROPERTY FOR A LIMITED PERIOD OF TIME. AS SUCH, THIS BUSINESS WILL REQUIRE WAREHOUSING AS AN APPROVED USE TO GO ALONG WITH THEIR GENERAL OFFICE USE OF THE PROPERTY.
	THE EXISTING SITE CONTAINS AN OFFICE BUILDING AND TWO WAREHOUSE BUILDINGS. AT THIS TIME, ALL EXISTING BUILDINGS WILL REMAIN AND THERE ARE NO ADDITIONS PLANNED. THE EXISTING OFFICE BUILDING WILL REMAIN IN USE AS GENERAL OFFICE SPACE UNTIL A FUTURE DATE WHEN THEY PLAN TO DEMOLISH THE OFFICE BUILDING AND BUILD NEW AT ANOTHER SITE. THE TWO EXISTING WAREHOUSE BUILDINGS WILL RECEIVE MECHANICAL, ELECTRICAL, AND PLUMBING IMPROVEMENTS SUCH AS NEW LIGHTING, NEW HVAC, AND A NEW SPRINKLER SYSTEM.
	THE EXISTING SITE CONDITIONS WILL REMAIN. THE ONLY PLANNED IMPROVEMENTS INCLUDE MAKING REPAIRS AND ASSOCIATED REGRADING TO THE EXISTING DRIVE ON WATER STREET. THIS DRIVE WILL BE BROUGHT UP TO CITY STANDARDS PER DETAIL ST-9.
TOTAL FLOOR AREA:	30,700 S.F.
APPLICANT	
NAME:	PATRICIA AND BRAD PEARSON, MEMBERS
COMPANY:	MY MOVERS
ADDRESS:	1913 E. FLORIDA STREET SPRINGFIELD, MO 65803
INTEREST:	CONTRACT TO PURCHASE SUBJECT PROPERTY
OWNER	
NAME:	PATRICIA DICKENS, MEMBER
COMPANY:	MOCAL INVESTMENTS COMPANY, LLC
ADDRESS:	2305 S. BLACKMAN ROAD #D SPRINGFIELD, MO 65809

HOOD-RICH ARCHITECTURE
HOODRICH.COM

400 South Avenue, Suite 300
Springfield, MO 65806
P: 417.862.4483

Hood-Rich, Inc. MISSOURI
Certificate of Authority A-622-D

BILLY KIMMONS - Architect
MISSOURI A-2003027165

The Professional Architects seal affixed to this sheet applies only to the material and items shown on this sheet. All drawings, instruments, or other documents not exhibiting this seal shall not be considered prepared by this architect, and this architect expressly disclaims any and all responsibility for such plans, drawings or documents not exhibiting this seal.

CONDITIONAL USE PERMIT
FOR
MY MOVERS

2706 W. CHESTNUT, SPRINGFIELD, GREENE COUNTY, MISSOURI 65802



SITE PLAN
SCALE: 1" = 20'

2

LOCATION SKETCH
NOT TO SCALE

1

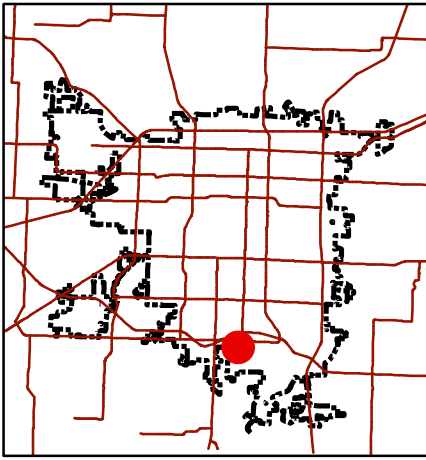
Proj.No. 17-130

Date: 8/28/17

revisions: No. date

sheet

A1.0



Development Review Staff Report

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

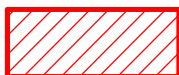
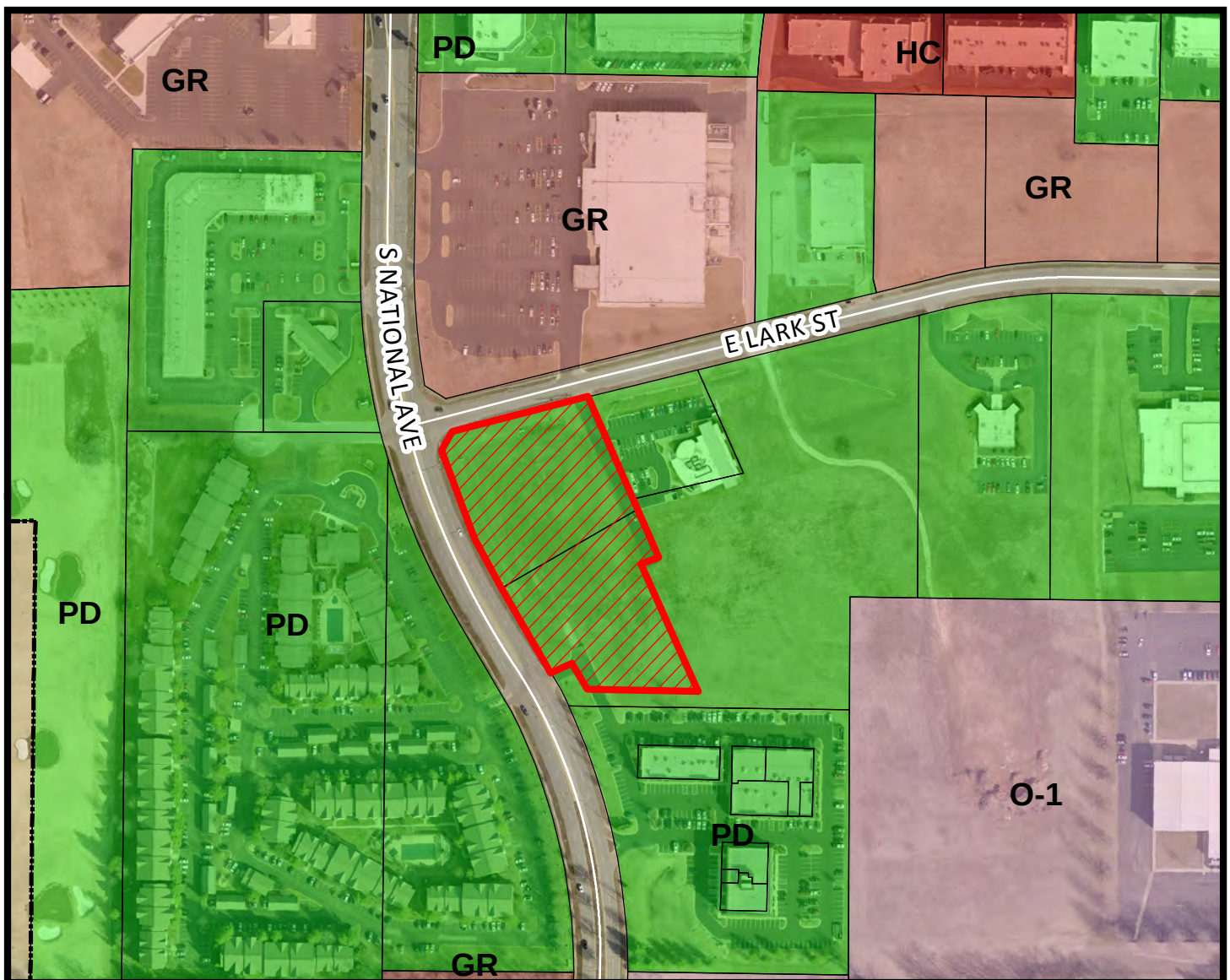
Z-28-2017/ Conditional Overlay District No. 136

LOCATION: 1220 E. Lark Street

CURRENT ZONE: PD 84

PROPOSED ZONE: HC, Highway Commercial District
& COD #136

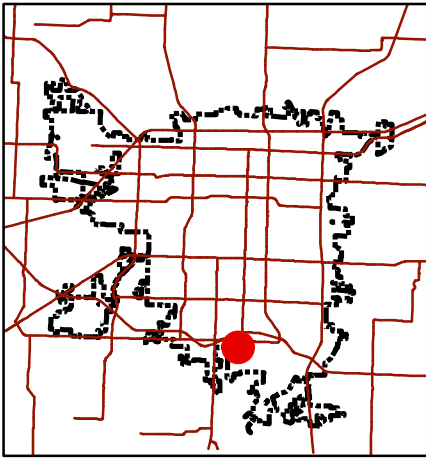
LOCATION SKETCH



- Area of Proposal

0 150 300 600 Feet

1 inch = 300 feet



Development Review Staff Report

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

Z-28-2017/Conditional Overlay District No. 136

LOCATION: 1220 E. Lark Street

CURRENT ZONE: PD 84

PROPOSED ZONE: HC, Highway Commercial District
& COD #136

LOCATION SKETCH



- Area of Proposal

0 150 300 600 Feet

1 inch = 300 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-28-2017 CONDITIONAL OVERLAY DISTRICT NO. 136

PURPOSE: To rezone approximately 3.2 acres of property generally located at 1220 East Lark Street from Planned Development District No. 84 to a GR, General Retail District and establishing Conditional Overlay District No. 136

DATE: September 25, 2017

LOCATION: 1220 E. Lark Street

APPLICANT: State Bank of Southwest Missouri, Inc.

TRACT SIZE: Approximately 3.2 acres

EXISTING USE: Vacant/undeveloped land

PROPOSED USE: Retail and temporary lodging uses

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for Medium-Intensity Retail, Office or Housing. This mixed category indicates that a variety of office, commercial and/or mid-or high-density housing may be appropriate at major intersections or along certain roadway corridors. The Major Thoroughfare Plan classifies National Avenue as a primary arterial roadway which supports the proposed land use.
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 require cross access easements across lots and additional building and signage setbacks as requested by the applicant.

RECOMMENDATION:

Staff recommends **approval** of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	GR	Grocery store
East	PD 84	Vacant/undeveloped land
South	PD 84	Office building
West	PD	Multi-family residential uses

HISTORY:

The subject property was originally zoned Planned Development No. 85 in 1995 during the citywide re-mapping.

COMPREHENSIVE PLAN:

1. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for Medium-Intensity Retail, Office or Housing. This mixed category indicates that a variety of office, commercial and/or mid-or high-density housing may be appropriate at major intersections or along certain roadway corridors. The Major Thoroughfare Plan classifies National Avenue as a primary arterial roadway which supports the proposed land use. Lark Avenue is classified as a commercial local.

STAFF COMMENTS:

1. The applicant, State Bank of Southwest Missouri, Inc., is proposing to rezone the property located at 1220 East Lark Street from Planned Development District No. 84 to a GR, General Retail District and establishing Conditional Overlay District No. 136. The applicant is proposing to construct a new hotel on a portion of the subject property.
2. The proposed zoning will allow the subject property to be developed similarly to adjacent properties along National Avenue and the surrounding area. The grocery store lot to the north was recently rezoned to GR from PD 84 to allow for future redevelopment.
3. The proposed Conditional Overlay District will require cross access easements across lots and additional building and signage setbacks as requested by the applicant. The cross access easements will allow for less driveways accessing National Avenue.
4. A traffic study is not required. Based on the current uses permitted in PD 84, rezoning to GR does not create more than 1,000 additional trip ends per day or

100 trip ends per peak hour. The proposed hotel use creates less trip ends than what is currently permitted in PD 84.

5. Upon development of the property a bufferyard is required along the south and southeast property lines adjacent to the PD 84 zoning which is comparable to the City's R-MD, Medium-Density Multi-Family Residential District. The normal bufferyard required between GR and R-MD zoning would be a Bufferyard "Type C" at least fifteen (15) feet wide. For each one-hundred (100) linear feet of bufferyard, there must be one (1) canopy tree, two (2) understory trees, two (2) evergreen trees and ten (10) shrubs. All structures shall remain below a thirty (30) degree bulk plane as measured from the boundaries of any R-SF or R-TH district.
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 August 16, 2017 with property owners, residents and any registered neighborhood association within 500 feet of the subject properties.

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. Nine (9) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

Notices sent to property owners within 185 feet	9
Notices returned as undeliverable	0

CITY COUNCIL MEETING:

October 30, 2017

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-28-2017 & CONDITIONAL OVERLAY DISTRICT NO. 136

BUILDING DEVELOPMENT SERVICES COMMENTS:

No apparent issues.

CITY UTILITIES:

No objections. All utilities are available.

CLEAN WATER SERVICES COMMENTS:

No objection to the rezoning however we have the following comments:

1. Public sewer and service laterals are available however the laterals are probably 4 inch. If bigger laterals are required, the main could be tapped.
2. When building plans are submitted, provide the peak and average daily sewer flows on the code summary sheet.
3. A sewer impact permit fee will be required before obtaining a building permit. This fee is based on the size of the proposed water meter(s) according to city code no. 120.246.
4. Any Food Service Establishment or development with a commercial kitchen must install an approved grease interceptor and may be subject to City Fats, Oils, & Grease Program annual permitting fees.
5. A City Land Disturbance Permit and fees will be required if land disturbance activities (demolition, grading, construction, etc.) disturb 1 acre or greater during the life of the project.

FIRE DEPARTMENT COMMENTS:

Fire has no objections to rezoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

City's Transportation Plan classifies S. National Avenue as a Primary Arterial roadway and E. Lark Street as a Local Street. The standard right-of-way width for S. National Avenue is 50 feet from the centerline. It appears additional right-of-way is not needed. The standard right-of-way width for E. Lark Street is 25 feet from the centerline. It appears additional right-of-way is not needed. A survey is recommended to determine the exact amount of existing right of way. South

National Avenue and E. Lark Street are city maintained streets. The most recent traffic count on S. National Avenue south of E. Republic Street is 16,072 vehicles per day. The most recent traffic count on E. Lark Street east of S. National Avenue is 2,960 vehicles per day. There is a cross-access easement driveway point on S. National Avenue and E. Lark Street pertaining to the property in this zoning. There is sidewalk along the property frontage of S. National Avenue. The existing infrastructure meets current city standards. Sidewalk does not currently exist along the property frontage on E. Lark Street and is not required as sidewalk is only required on one side of a Local Street, and currently exists on the north side of E. Lark Street. On-street parking is not allowed along S. National Avenue or E. Lark Street. There is a Greenway Trail less than 1 mile to the west of the area pertaining to this zoning. There are bus stops along S. National Avenue but not along E. Lark Street in the area pertaining to this zoning. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area.

Public Works Traffic Division	Response
Street classification	E. Lark Street – Local Street S. National Avenue – Primary Arterial
On-street parking along streets	E. Lark Street – No S. National Avenue – No
Trips generated - Peak Hour	67 vehicles (PD 84) 67 vehicles (GR)
Additional Trips generated with zoning change - Peak Hour	0 vehicles
Existing street right of way widths	E. Lark Street – 30 ft. from the centerline S. National Avenue - 50 ft from the centerline
Standard right of way widths	E. Lark Street – 25 ft. from the centerline S. National Avenue - 50 ft from the centerline
Traffic study submitted	Not required*
Proposed street improvements	None required

* A traffic study was not required. Based on the current uses permitted in PD 84, rezoning to GR does not create more than 1,000 additional trip ends per day or 100 trip ends per peak hour. The proposed hotel use creates less trip ends than what is currently permitted in PD 84.

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 is not applicable as detention is already provided. There are no sinkholes on the 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.
2. Public improvement plans are required because this development will require modification of existing detention built as part of 2PW005089.

Public Works Stormwater Division	Response
Which Drainage Basin is this located?	Ward Branch
Is property located in Floodplain?	No
Is property located on a sinkhole?	No
Is stormwater buyout an option?	N/A

Attachment 2

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: PD 84 to General Retail
(existing zoning) (proposed zoning)
2. Meeting Date & Time: Wednesday August 16th 4:00 pm - 6:00 pm
3. Meeting Location: Kelly Greens Clubhouse - 4355 South National
4. Number of invitations that were sent: 22
5. How the mailing list was generated: City
6. Number of neighbors in attendance (attach a sign-in sheet): 1
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

Pat Kelly the owner of Kelly Greens Apartments came and we visited about the project. He was supportive and only wanted to make sure that the development was a high quality development which would support the other property in the area.

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

No issues to address

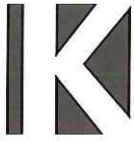
I, Geoffrey Butler (print name), attest that the neighborhood meeting was held on August 16th 2017 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."

Geoffrey H Butler AIA
Digitally signed by Geoffrey H Butler AIA
DN: C=US, E=butler@brpae.com, OU=Architect, CN=Geoffrey H Butler AIA
Date: 2017.08.16 18:59:58-05'00'

Signature of person completing affidavit

Geoffrey Butler

Printed name of person completing affidavit



KINSTLER AND
ASSOCIATES, INC.

PROJECT NAME: _____
DATE: 8.16.17
BID DATE: _____
CUSTOMER: 4 PM - 6:30 PM

8248 Marshall Drive
Lenexa, Kansas 66214
PHONE: 913-599-2231
FAX: 913-599-2232
jeff@kinassoc.com
justin@kinassoc.com
brad@kinassoc.com
todd@kinassoc.com

NEIGHBORHOOD MTG

NAME

ADDRESS

PHONE

Pat Kelly

4355 South Nat. Parks

417-887-1200

KELLY GREENS LLC
13224 CRAIG ST
SHAWNEE MISSION, KS 66213

GUARANTY FEDERAL SAVINGS
1341 W BATTLEFIELD ST
SPRINGFIELD, MO 65807

UHT LLC
205 E WATER ST
SPRINGFIELD, MO 65807

ST JOHNS REGIONAL HEALTH CENTER
1235 E CHEROKEE ST
SPRINGFIELD, MO 65804

SOUTHWEST BAPTIST UNIVERSITY
1600 UNIVERSITY AVE
BOLIVAR, MO 65613

ZIMMERMAN PROPERTIES
DEVELOPMENT LLC
1730 E REPUBLIC RD
SPRINGFIELD, MO 65804

AMERICAN BUSINESS CTR LLC
3921 E KNOLLWOOD DR
OZARK, MO 65721

CORSOLINI, THOMAS ETAL TR
2963 S ROTH OAKS AVE
SPRINGFIELD, MO 65809

MARLIN, PROP LLC
2943 S RIDGEWOOD LN
SPRINGFIELD, MO 65809

SSMB LLC
1131 S KENTWOOD AVE
SPRINGFIELD, MO 65804

RYM LLC
3135 ZUNI ST
DENVER, CO 80211

MRHP LLP
722 W OLIVE ST
SPRINGFIELD, MO 65806

AGI ACQUISITION IV LLC
5000 KANSAS AVE
KANSAS CITY, KS 66106

Current Resident
4343 S NATIONAL AVE
SPRINGFIELD, MO 65810

Current Resident
4301 S NATIONAL AVE
SPRINGFIELD, MO 65810

Current Resident
4355 S NATIONAL AVE
SPRINGFIELD, MO 65810

Current Resident
1312 E LARK ST
SPRINGFIELD, MO 65810

Current Resident
1265 E LARK ST
SPRINGFIELD, MO 65810

Current Resident
1220 E LARK ST
SPRINGFIELD, MO 65810

Current Resident
4350 S NATIONAL AVE
SPRINGFIELD, MO 65810

Current Resident
4431 S FREMONT AVE
SPRINGFIELD, MO 65810

Current Resident
4228 S NATIONAL AVE
SPRINGFIELD, MO 65810

List of Neighbors within 500' invited to
Neighborhood Meeting

ATTACHMENT 3
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-28-2017 & CONDITIONAL OVERLAY DISTRICT NO. 136

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

1. The primary structure on Tract Two shall be setback a minimum of sixty (60) feet from the South National Avenue right-of-way line.
2. Any signs allowed on the subject property by the Zoning Ordinance must be located at least 300 feet from each other.
3. Tract Two shall provide for cross access easements across Tract Two benefiting Tract One along the west portion of the tract to connect to the joint driveway accessing South National Avenue.

Site Development Concept Homewood Suites Hotel

Maruti Hotels - Springfield, Mo.



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Engineering
Planning
Project Management

319 N. Main Ave., Suite 200
Springfield, Missouri 65806
Phone: 417.865.6100
www.brpaec.com



August 21, 2017

LARK ST

BUZZBEE DENTAL

MERCY

New pavement by Buyer on existing cross access easement

Existing pavement on cross access easement shown thus

STATE BANK
62,000 SF +/-

Tract One

Existing detention reworked to include water quality provisions per City Ordinance (by Buyer)

DETENTION

Tract Two

Lot 2 85,500 SF +/-

MTG ROOMS

POOL

HOMESWOOD SUITES

COMM. RM

SPORT COURT

6 STORY
121 +/- ROOMS

DEL TRASH

300'-0"

Sign

15' SEWER ESM

Sign

60' building setback

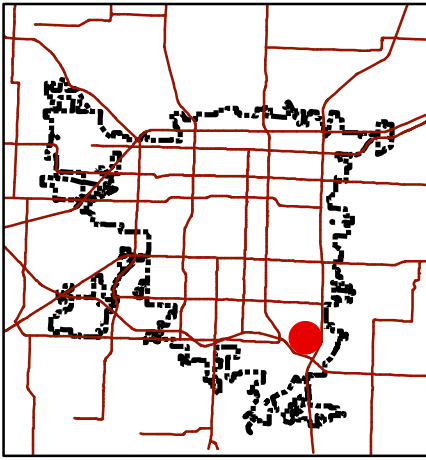
26' CROSS ACCESS EASEMENT

40' JOINT DRIVE

New pavement by Buyer on new cross access easement

Existing pavement on cross access easement shown thus

SOUTH NATIONAL



Development Review Staff Report

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

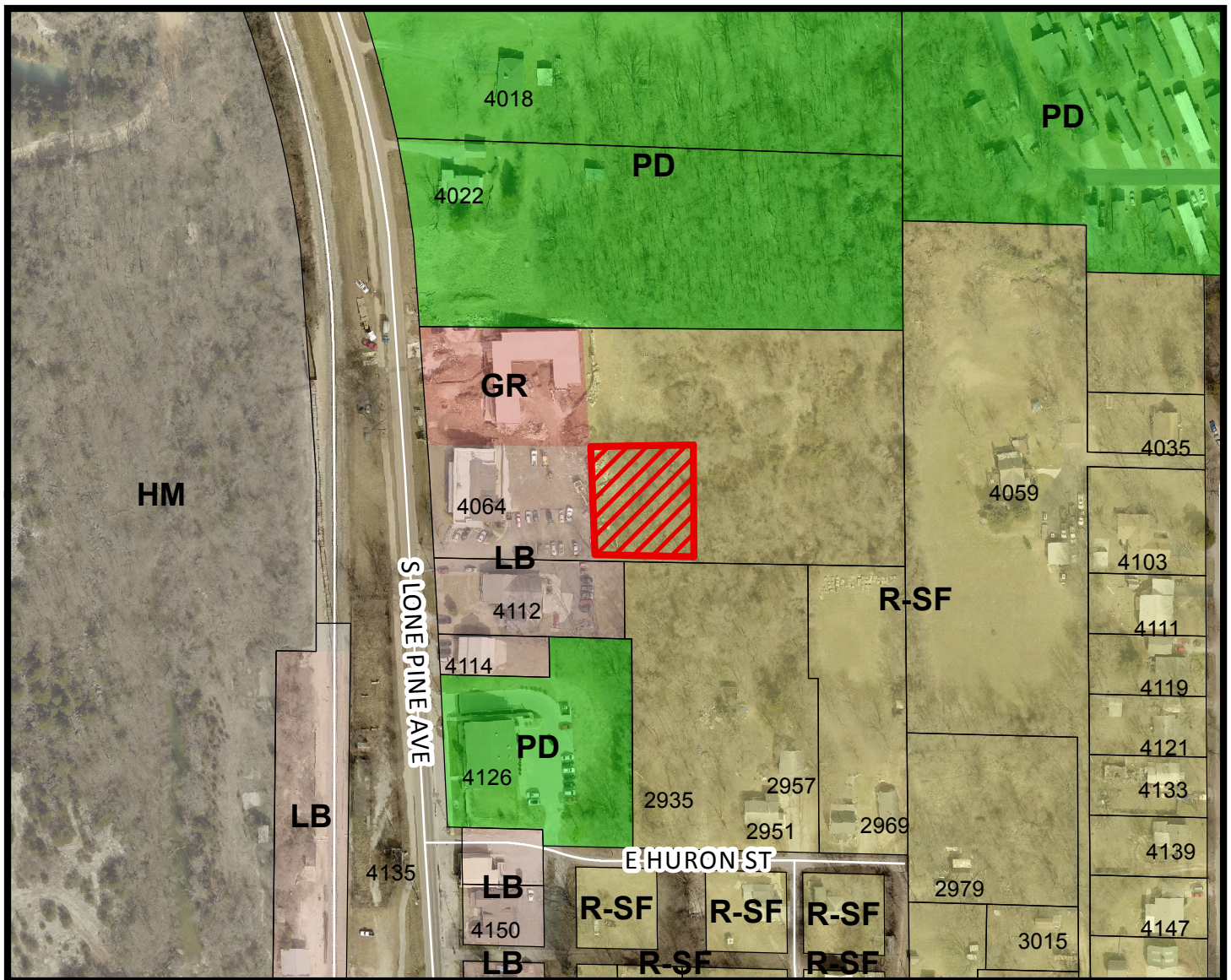
Z-30-2017

LOCATION: 4064 South Lone Pine Avenue

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

PROPOSED ZONE: LB, Limited Business District

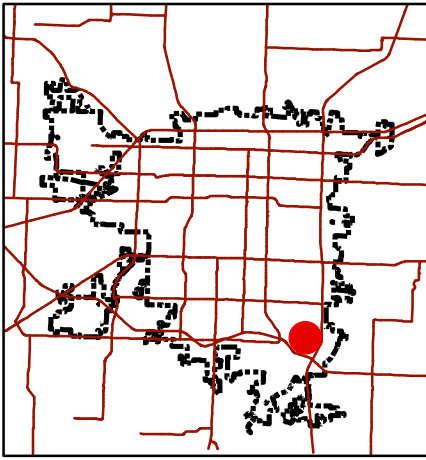
LOCATION SKETCH



- Area of Proposal

0 150 300 600 Feet

1 inch = 200 feet



Development Review Staff Report

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

Z-30-2017

LOCATION: 4064 South Lone Pine Avenue

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

PROPOSED ZONE: LB, Limited Business District

LOCATION SKETCH



- Area of Proposal

800
Feet

1 inch = 37,500 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-30-2017

PURPOSE: To rezone approximately 0.451 acres of a portion of property generally located at 4064 South Lone Pine Avenue from a R-SF, Single-Family Residential District to a LB, Limited Business District.

REPORT DATE: September 22, 2017

LOCATION: 4064 South Lone Pine Avenue

APPLICANT: Lowerdeck 94, LLC

TRACT SIZE: Approximately 0.451 acres

EXISTING USE: Undeveloped land

PROPOSED USE: Uses permitted in the LB, Limited Business District

FINDINGS FOR STAFF RECOMMENDATION:

1. The LB district is consistent with the *Growth Management and Land Use Plan* element of the *Comprehensive Plan* which recommends neighborhood-scale businesses near intersections of arterial and collector, or higher classification, streets and should be sited so as to provide adequate utilities, storm water management, parking, landscaping and buffering and design practices which minimize the effect on the environment and surrounding land uses.
2. This request for LB zoning will provide for further development of this site and is consistent with the City's policies to promote infill development where investments have already been made in public services and infrastructure.
3. The development requirements in the proposed LB district are adequate for mitigating potential impacts of the proposed development on the adjoining properties.

RECOMMENDATION:

Staff recommends approval of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-SF	Undeveloped land

East	R-SF	Commercial and Office uses and Single-family homes
South	LB & R-SF	Commercial uses, undeveloped land and single-family home
West	LB	Commercial uses

HISTORY:

The subject property was zoned to the current zoning district in a community-wide rezoning in March 1995 (G.O. 4494).

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this area as appropriate for low-density housing. The *Plan* recommends neighborhood-scale businesses near intersections of arterial and collector, or higher classification, streets and should be sited so as to provide adequate utilities, storm water management, parking, landscaping and buffering and design practices which minimize the effect on the environment and surrounding land uses. The subject property is located along South Lone Pine Ave which is classified as a secondary arterial roadway and near Republic Street which is classified as a collector.

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 0.451 acres from a R-SF, Single-Family Residential District to a LB, Limited Business District. The applicant intends to expand the parking lot for the business located directly west of the subject property. The R-SF district does not allow commercial off-street parking lots. Approval of this application will allow the planned expansion of the parking lot to serve the existing business.
2. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this area as appropriate for low-density housing. However, the *Plan* recommends neighborhood-scale businesses near intersections of arterial and collector, or higher classification, streets and should be sited so as to provide adequate utilities, storm water management, parking, landscaping and buffering and design practices which minimize the effect on the environment and surrounding land uses. The subject property is located along South Lone Pine Ave which is classified as a secondary arterial roadway and near Republic Street which is classified as a collector.
3. Approval of this request will expand the existing LB zoning an additional approximate one-hundred and sixteen (116) feet to the east. This expansion will allow the existing business to meet customer parking demand. The development requirements in the proposed LB district are adequate for mitigating potential

impacts of the proposed development on the adjoining properties and is not anticipated to have a negative impact. In addition to the required bufferyard type "D", all structures developed on this property must remain below a thirty (30) degree bulk plane measured from the boundary of the R-SF district.

4. This LB district is intended for uses that provide convenience goods or personal services primarily to people residing in adjacent residential areas. It also includes selected retail and service uses that are similar in land use intensity and physical impact to the neighborhood sales and service uses permitted in this district. This district is designed to accommodate compact, freestanding commercial centers or to function as a transition between more intense commercial uses and residential neighborhoods. Because the permitted retail and personal service uses may be an integral part of the neighborhood, more restrictive requirements for light, air, open space, building design and landscaping are made than are provided in other commercial districts.
5. Approval of this application will allow for continued development of this property and promote infill development where investments have already been made in public services and infrastructure.
6. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on September 5, 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.

Notices sent to property owners within 185 feet	10
Notices returned as undeliverable	1

CITY COUNCIL MEETING:

October 30, 2017

STAFF CONTACT PERSON:

Michael Sparlin

Senior Planner
864

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-30-2017

BUILDING DEVELOPMENT SERVICES COMMENTS:

BDS has no issues with the proposed zoning change.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

City's Transportation Plan classifies S. Lone Pine Avenue as a Secondary Arterial roadway. The standard right-of-way width for S. Lone Pine Avenue is 35 feet from the centerline. It appears additional right-of-way is not needed along S. Lone Pine Avenue. A survey is recommended to determine the exact amount of existing right of way. S. Lone Pine Avenue is a city maintained street. The most recent traffic count on S. Lone Pine Avenue south of E. Galloway Street is 3,113 vehicles per day. There is one shared driveway point along S. Lone Pine Avenue pertaining to the property in this zoning. There appears to be sidewalk constructed along the property frontage on S. Lone Pine Avenue. The existing infrastructure meets current city standards. If sidewalk is not currently constructed along the entire length of the property frontage, this must be completed at the time of development, or a fee paid in lieu of sidewalk construction. On-street parking is permitted along portions of S. Lone Pine Avenue, but not immediately adjacent to the property pertaining to this zoning. There is a Greenway Trail along S. Lone Pine Avenue. There are not bus stops along S. Lone Pine Avenue. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. Public Improvements are planned for S. Lone Pine Avenue and Allen Place immediately north of the property pertaining to this zoning. These Public Improvement Plans include widening of S. Lone Pine Avenue to include a median/streetscape, a pedestrian crosswalk, sidewalk along the east side of S. Lone Pine, and an overlay of Allen Place.

A traffic study was not required. Based on the change in zoning from R-SF to LB, 14.525 additional trips generated are anticipated in the PM Peak. This does not exceed the threshold of 100 additional trips generated in the peak hour.

Public Works Traffic Division	Response
Street classification	S. Lone Pine Avenue – Secondary Arterial
On-street parking along streets	S. Lone Pine Avenue – Intermittently
Trips generated - Peak Hour	2.075 vehicles (R-SF) 16.6 vehicles (LB)
Additional Trips generated with zoning change - Peak Hour	14.525 vehicles
Existing street right of way widths	S Lone Pine Avenue - 35 ft from the centerline
Standard right of way widths	S Lone Pine Avenue - 35 ft from the centerline
Traffic study submitted	Not required*
Proposed street improvements	None required

STORMWATER COMMENTS:

The property is in the Galloway Creek drainage basin. The property is in a FEMA designated floodplain. Staff is aware of flooding problems in the area. Buyout in lieu of on-site stormwater detention will be allowed since it is close to the floodplain. 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.

Stormwater buyout will be allowed but water quality will still be required if disturbing more than one acre.

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. Water quality will be required if disturbing more than one acre.
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	Galloway Creek
Is property located in Floodplain?	Yes
Is property located on a sinkhole?	No
Is stormwater buyout an option?	Yes

CLEAN WATER SERVICES COMMENTS:

No objection to rezoning. Public sewer is currently available.

FIRE DEPARTMENT COMMENTS:

Fire Department has no issues with rezoning.

CITY UTILITIES COMMENTS:

No objection to rezoning.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: R-SF to LB
(existing zoning) (proposed zoning)
2. Meeting Date & Time: September 5, 2017 from 4:00 - 6:30
3. Meeting Location: All Saints Anglican Church, 2751 E Galloway Street, Springfield, MO
4. Number of invitations that were sent: 63
5. How the mailing list was generated: City Staff
6. Number of neighbors in attendance (attach a sign-in sheet): 1
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

Mr. Burns was concerned about a different development to the North. Not 4064 S. Lone Pine. No concerns regarding the 4064 S Line Pine rezoning.

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

Mr. Burns owns property to the NE. He was confused on which site was being rezoned. Mr. Burns did not have any issue with the proposed rezoning.

I, Jared Davis, PE (print name), attest that the neighborhood meeting was held on 09/05/2017 (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

Jared Davis, PE

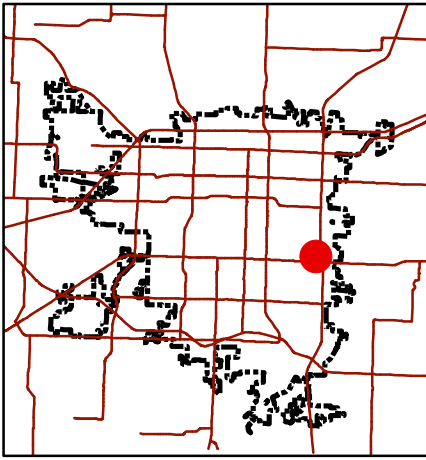
Printed name of person completing affidavit

4064 S Lone Pine
PLN2017-00290 Neighborhood Meeting
4 PM - 6:30 PM; September 5, 2017

2751 E Galloway, Springfield, MO

---Please **Print Your Name---**

1. Brady Burns	22.
2.	23.
3.	24.
4.	25.
5.	26.
6.	27.
7.	28.
8.	29.
9.	30.
10.	31.
11.	32.
12.	33.
13.	34.
14.	35.
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17.	38.
18.	39.
19.	40.
20.	41.
21.	42.



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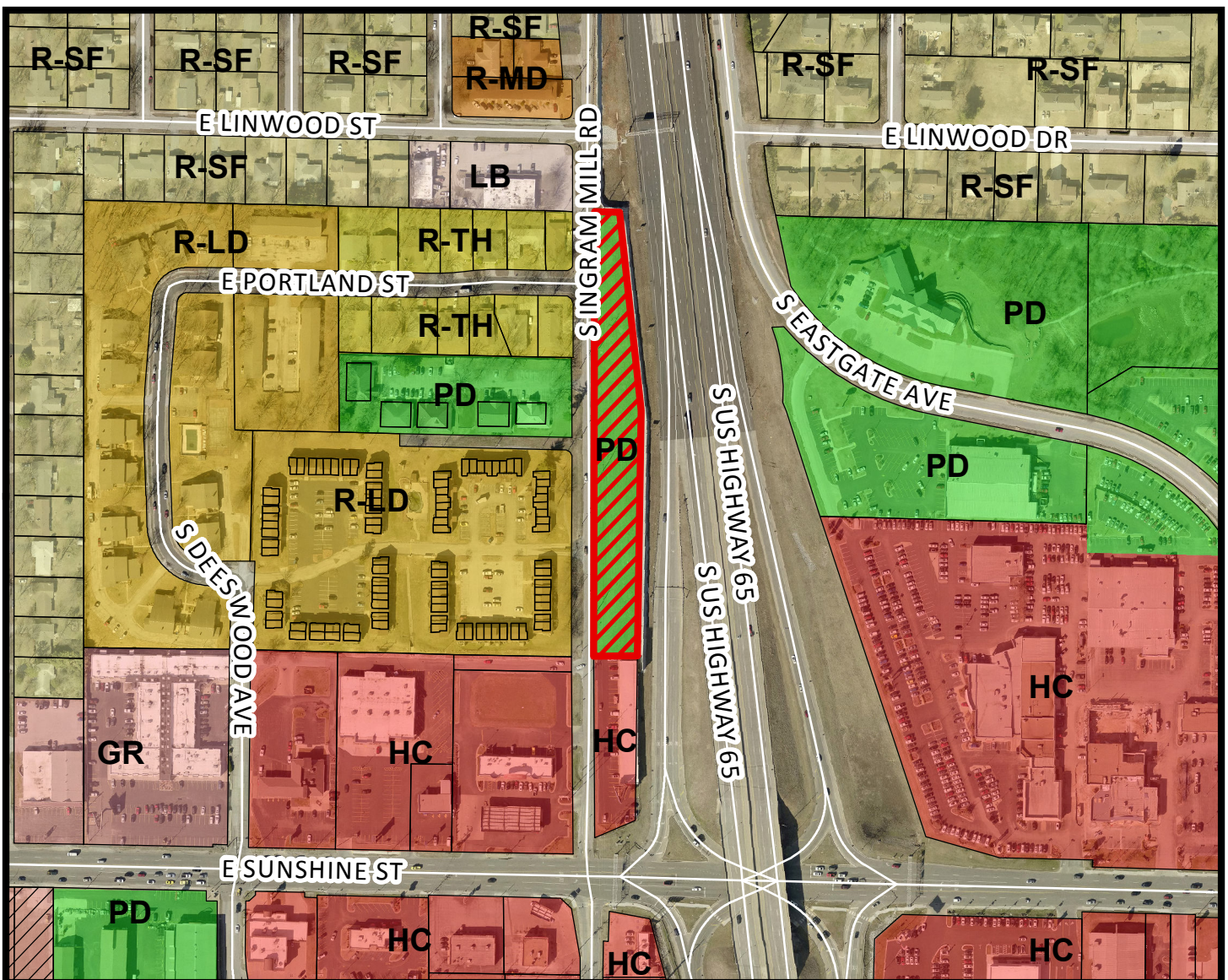
Z-31-2017 w/ Conditional Overlay District #135

LOCATION: 1650 South Ingram Mill Road

CURRENT ZONE: Planned Development 129

PROPOSED ZONE: GR, General Retail District w/ Conditional Overlay District #135

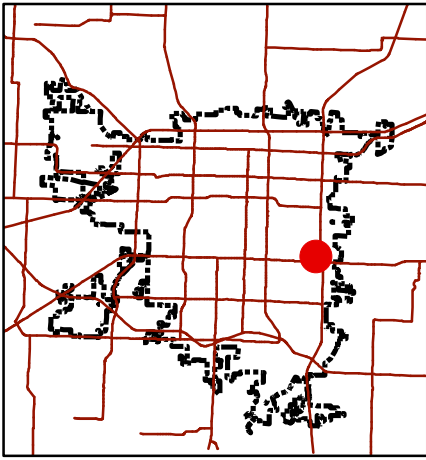
LOCATION SKETCH



- Area of Proposal

0 150 300 600 Feet

1 inch = 325 feet



Development Review Staff Report

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

Z-31-2017 w/ Conditional Overlay District #135

LOCATION: 1650 South Ingram Mill Road

CURRENT ZONE: Planned Development 129

PROPOSED ZONE: GR, General Retail District w/ Conditional Overlay District #135

LOCATION SKETCH



- Area of Proposal

0 150 300 600 Feet

1 inch = 325 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-31-2017 & CONDITIONAL OVERLAY DISTRICT NO. 135

PURPOSE: To rezone approximately 1.71 acres generally located at 1650 South Ingram Mill Road from a Planned Development 129 to a GR, General Retail District and establishing Conditional Overlay District No. 135

REPORT DATE: September 22, 2017

LOCATION: 1650 South Ingram Mill Road

APPLICANT: ICT, LLC

TRACT SIZE: Approximately 1.71 acres

EXISTING USE: Undeveloped land

PROPOSED USE: Uses permitted in GR, General Retail District unless restricted by Conditional Overlay District No. 135, proposed Veterinary Clinic

FINDINGS FOR STAFF RECOMMENDATION:

1. *The Growth Management and Land Use Element* of the *Comprehensive Plan* designates this property as appropriate for medium intensity retail, office or housing. The proposed GR district is identified in the Plan as an appropriate district for this land use category.
2. This request is consistent with the recommendations of the *Growth Management and Land Use Plan* that shows this area as an Activity Center which are intended to be locations of significant business and high-density housing development and that additional development be concentrated in and around the Activity Centers so as to optimize transportation investments, citizen convenience, investor confidence, a compact growth pattern, and a sense of urban excitement. Land in each Activity Center would be intensively and efficiently used.
3. The applicant has requested a conditional overlay district that will prohibit more intense uses allowed in the GR, General Retail District and which may be more intense to adjacent properties. The proposed zoning will allow additional uses compared to the existing zoning in order for the property to develop while still mitigating potential impacts on the adjoining properties.
4. Approval of this application will allow for the development of this undeveloped property and promote infill development where investments have already been made in public services and infrastructure.

RECOMMENDATION:

Staff recommends approval of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	N/A	U.S. Hwy 65
East	HC & PD 210	Car sales, commercial uses and U.S. Hwy 65
South	HC	Commercial uses
West	R-LD, PD 105, R-TH	Multi-family residential, single-family uses and office uses.

HISTORY:

In December 1990, City Council approved General Ordinance No. 4178 rezoning the subject property from R-1, One-Family District to Planned Development No. 129.

The property has remained undeveloped.

COMPREHENSIVE PLAN:

The Growth Management and Land Use Element of the Comprehensive Plan designates this property as appropriate for medium intensity retail, office or housing. The subject property is located in the Sunshine and U.S. Highway 65 Activity Center. Activity Centers are intended to be locations of significant business and high-density housing development and that additional development be concentrated in and around the Activity Centers so as to optimize transportation investments, citizen convenience, investor confidence, a compact growth pattern, and a sense of urban excitement. Land in each Activity Center would be intensively and efficiently used.

STAFF COMMENTS:

1. The applicant is proposing to rezone from Planned Development 129 to GR, General Retail District and establishing Conditional Overlay District No. 135. The subject property was zoned to the current zoning in December 1990 and has remained undeveloped.
2. *The Growth Management and Land Use Element of the Comprehensive Plan* designates this property as appropriate for medium intensity retail, office or housing. The proposed GR district is identified in the Plan as an appropriate district for this land use category.

3. The subject property is located in the Sunshine and U.S. Highway 65 Activity Center. Activity Centers are intended to be locations of significant business and high-density housing development and that additional development be concentrated in and around the Activity Centers so as to optimize transportation investments, citizen convenience, investor confidence, a compact growth pattern, and a sense of urban excitement. Land in each Activity Center would be intensively and efficiently used. The proposed GR district meet these criteria.
4. The current zoning, Planned Development 129 allows administrative and professional offices, finance, insurance and real estate services and medical offices. The proposed GR district with Conditional Overlay District is not expected to increase vehicular traffic beyond what could be developed with the current zoning. The intensity is expected to be comparable to the current zoning. The applicant has requested a conditional overlay district that will prohibit the more intense uses (as shown on Attachment 3) allowed in the GR, General Retail District. Notable prohibited uses include eating and drinking establishments, the entertainment-oriented use group, and household resource recovery collection centers which are considered more intense uses for the subject property. The proposed zoning will allow additional uses compared to the existing zoning in order for the property to develop while still mitigating potential impacts on the adjoining properties.
5. Approval of this application will allow for the development of this undeveloped property and promote infill development where investments have already been made in public services and infrastructure.
6. The subject property is located along Ingram Mill, classified as a Collector roadway, and near the Sunshine Street and U.S. Highway 65 intersection, classified as a Primary Arterial and Freeway, respectively. Properties adjacent to major intersections such as these are appropriate for higher intensity retail, office or housing developments.
7. The proposed zoning includes the Retail Sales Use Group which increases the trips generated in comparison to the existing zoning. A traffic study will be required for any Retail Sales Use Group development. When excluding the Retail Sales Use Group, the trips generated decreases in comparison to the existing zoning. A traffic study is not required for all other uses than the Retail Sales Use Group.
8. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on September 12, 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.

Notices sent to property owners within 185 feet	14
Notices returned as undeliverable	1

CITY COUNCIL MEETING:

October 30, 2017

STAFF CONTACT PERSON:

Michael Sparlin
Senior Planner
864-1091

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-31-2017 & CONDITIONAL OVERLAY DISTRICT NO. 135

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues with the proposed zoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

City's Transportation Plan classifies S. Ingram Mill Road as a Collector roadway. The standard right-of-way width for S. Ingram Mill Road is 30 feet from the centerline. An evaluation conducted by Public Works – Traffic has found that additional right-of-way is not needed along S. Ingram Mill Road. S. Ingram Mill Road is a city maintained street. The most recent traffic count on S. Ingram Mill Road north of E. Sunshine Street is 2,551 vehicles per day. There is currently no driveway access points along S. Ingram Mill Road pertaining to the property in this zoning. It is preferred that the proposed driveway aligns with the property adjacent to the west of Ingram Mill Road. There is currently no sidewalk along the property frontage of S. Ingram Mill Road. Sidewalk is required at the time of development and can either be constructed within right-of-way on the west side of Ingram Mill road or can be constructed on the east side of Ingram Mill Road on the property pertaining to this zoning in a sidewalk easement. On-street parking is not allowed along S. Ingram Mill Road. There is not a Greenway Trail in the area pertaining to this zoning. There are not bus stops along S. Ingram Mill Road, but there are several on Sunshine Street to the south of the property pertaining to this zoning. There are no planned improvements to widen S. Ingram Mill Road or extend to Sunshine Street.

Given the boundaries of the property pertaining to this zoning, requiring 30 feet of right-of-way from the centerline of Ingram Mill Road would make this property virtually undevelopable when considering building set-backs, bufferyards, etc. For this reason, Public Works – Traffic will not require any additional right-of-way. Sidewalk is still required to be constructed, but the sidewalk can either be placed within right-of-way on the west side of Ingram Mill Road, or within a sidewalk easement on the east side of Ingram Mill Road.

The proposed zoning includes the Retail Sales Use Group which increases the trips generated from the existing zoning. A traffic study will be required for any Retail Sales Use Group development. When excluding the Retail Sales Use Group, the trips generated decreases in comparison to the existing zoning. A traffic study is not required for all other uses than the Retail Sales Use Group.

Public Works Traffic Division	Response
Street classification	S. Ingram Mill Road – Collector
On-street parking along streets	S. Ingram Mill Road – No
Trips generated - Peak Hour	<u>Existing Zoning:</u> 106.76 vehicles

	<u>Proposed Zoning:</u> 250.28 vehicles 47.04 vehicles excluding Retail Sales Use Group 18.88 vehicles for Veterinary Clinic use only <i>*Values based on a 4,000 square foot building and most intense use allowed in zoning district.</i>
Additional Trips generated with zoning change - Peak Hour	+143.52 vehicles. *Retail Sales Use Group requires traffic study -59.72 vehicles when excluding Retail Sales Use Group -87.88 vehicles for Veterinary Clinic use only
Existing street right of way widths	S. Ingram Mill Road - 9 ft from the centerline
Standard right of way widths	S. Ingram Mill Road - 30 ft from the centerline
Traffic study submitted	Not required unless Retail Sales Use
Proposed street improvements	None required

STORMWATER COMMENTS:

The property is in the Galloway Creek drainage basin. The property is not in a FEMA designated floodplain. Staff is not aware of flooding problems in the area. Buyout in lieu of on-site stormwater detention will not be allowed and stormwater detention will be required. If 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.

Payment in lieu of construction of detention facilities will not be allowed on this site. Detention must be provided. If disturbing more than one acre then water quality will be required as well. This site drains southeast to inlets maintained by MoDOT.

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. Detention will be required and water quality will be required if disturbing more than one acre.
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	Galloway Creek
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 we have the following comments;

1. Public sewer and service laterals are available.
2. When building plans are submitted, provide the peak and average daily sewer flows on the code summary sheet.
3. A sewer impact permit fee will be required before obtaining a building permit. This fee is based on the size of the proposed water meter(s) according to city code no. 120.246.
4. Any development with a commercial kitchen must install an approved grease interceptor and may be subject to City Fats, Oils, & Grease Program annual permitting fees.

FIRE DEPARTMENT COMMENTS:

No objection to rezoning.

MODOT COMMENTS:

No comment. That section of Ingram Mill Road is a city street.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: Planned Development 129 to General Retail
(existing zoning) (proposed zoning)
2. Meeting Date & Time: Tuesday September 12th 2017 4pm - 6:30 pm
3. Meeting Location: 1615 South Ingram Mill Building D
4. Number of invitations that were sent: 88
5. How the mailing list was generated: By City
6. Number of neighbors in attendance (attach a sign-in sheet): three
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.)

See attached report

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

See attached report

I, Geoffrey Butler (*print name*), attest that the neighborhood meeting was held on September 12, 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."

Geoffrey H. Butler AIA

Digitally signed by Geoffrey H. Butler AIA
Reason: I am approving this document
Date: 2017.09.12 19:28:29-05'00'

Signature of person completing affidavit

Geoffrey H. Butler AIA

Printed name of person completing affidavit

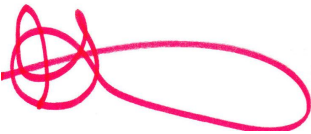


YOUR VISION. OUR FOCUS.

319 N. Main, Suite 200
Springfield, Missouri 65806
Phone (417) 865-6100
Fax (417) 865-6102

MEETING NOTES

Date September 12, 2017

By Geoffrey H. Butler AIA 

Copies Planning and Zoning Commission
Owner

Regarding Neighborhood Meeting

The meeting was held on Tuesday September 12, 2017 from 4PM to 6:30 PM at the Conference Room of the Metropolitan Bar Association at 1615 South Ingram Mill Rd Building D.

Attendees: Brent D. Green, Merrily Parker and Chris Stark.

Representing the Applicant: Geoffrey H. Butler AIA

I opened the meeting with a general discussion of the need for a zoning change and that the current property zoning is a PD that allows office development. We are requesting a zoning change to General Retail to allow a Veterinary Clinic which is not allowed by the PD but is allowed in the GR District.

Comments:

Merrily Parker owns the Center just south of the property. Her concern was primarily stormwater. When it rains her property on the south end floods. She was concerned that any development there would make it worse. She was not concerned about the change in use but was concerned about any development making her property susceptible to flooding.

I pointed out to her that the south part of her parking lot was in fact the stormwater detention basin for her property and was designed to collect stormwater and drain it off slowly.

I also told her that stormwater is not a zoning issue, it is already addressed by City Ordinances which require that all properties manage their stormwater and that no more stormwater flow leaves the developed property any greater than in its current state. We also cannot have our stormwater leave our site onto hers. It has to be directed to the City Right of Way or other available stormwater drainage way.

There was some concern that the storm water which we directed to the street would flow back onto the property. I told her that I looked at her property before the meeting after she had filled out a comment sheet and sent it in. Her parking lot is higher than the street

and the driveways do slope down from the lot to the street and unless the stormwater backed up several feet in elevation from Sunshine it would not flood her property.

I did clarify the initially we had hoped to buy out detention but have since learned that the City was not open to that because of limited stormwater control measures downstream. As such, our concept sketch has been revised to show a detention basin on the south end of the site and the parking and building elements will move north. See attached.

Brent Green and Chris Stark own two buildings in the office development at 1615 S Ingram Mill. Their concerns were solely related to the current traffic situation out there. Brent gave me a copy of a letter he wrote in 1997 when MoDOT changed the traffic configuration in the area. (attached) He objected to the way they have limited access to their properties by restricting access to Sunshine. There is virtually no easy way to come from the west on Sunshine and get to their offices.

They do not have any concerns about the development of a Veterinary Clinic on the property but are concerned about significant traffic being added to the road system which is woefully inefficient and confusing. They will be at the hearing and intend to address their concerns about the current traffic situation out there. Primarily the use of a back alley from Deeswood behind the buildings to get to Ingram Mill Road.

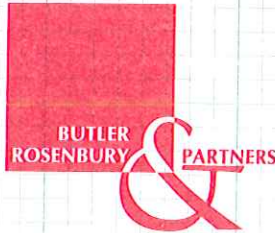
I pointed out that the Veterinary Clinic will not have traffic any different than the current office uses allowed. There will be no change in the potential traffic that is allowed now.

We will include a Conditional Overlay District in this application which limits the GR uses which increase traffic over that currently allowed by the PD.

In the discussion, we agreed that the traffic system out there is poor, inefficient and needs some changes to make it less confusing and the businesses out there more accessible. However, our zoning change will not make that happen or even adversely affect a bad situation.

We would support any improvements to the traffic situation out there.

We had no other neighbors come by.



300 South Jefferson, Suite 400

Springfield, Missouri 65806

Telephone (417)-865-6100

Fax (417)-865-6102

Architecture

Interior Design

Construction Management

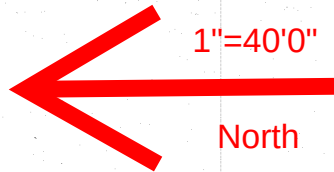
Structural Engineering

NEIGHBORHOOD MTG

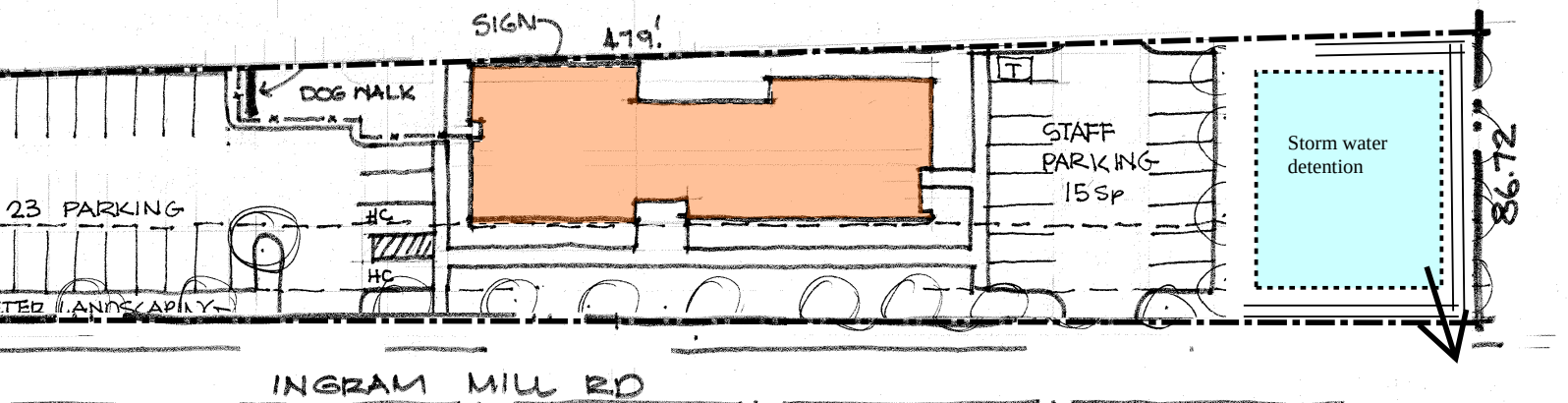
SEPT 12 - 4 - 6:30 PM

1615 S INGRAM MILL
BAR ASSOC. BLDG

NAME	ADDRESS	PHONE #
Brent D. Green	2639 S. Luster Ave. Springfield Mo 65804 office 1615 S. Ingram Mill Building F Springfield Mo 65804 budge.furbergreen@law.com	417-889- 0111
Merrily Parker	1718 S. Ingram Mill Rd 417-890-9000	
CHRIS STARK	1615 S. INGRAM MILL RD BLDG F SPRINGFIELD, MO 65804	



Aerial View



Site Development Concept - Proposed Animal Hospital

Revised Sept 12, 2017



YOUR VISION. OUR FOCUS.

319 N. Main Ave., Suite 200

Springfield, Missouri 65806

Phone: 417.521.6107

EVANS, STARK & GREEN
1615 S. INGRAM MILL ROAD, BUILDING F
SPRINGFIELD, MO 65804

Douglas S. Evans
Christopher J. Stark
Brent D. Green

Telephone: 417-889-0111
Facsimile: 417-889-6161

February 14, 1997

The Missouri Department of Transportation
Springfield Area District
3025 E. Kearney Street
Springfield, MO 65801

RE: Route 65 and Sunshine Interchange Area, Greene County

I am the Managing Partner of Evans, Stark and Green, a law firm located at 1615 S. Ingram Mill Road, Springfield, Missouri, which is north of Sunshine on Ingram Mill approximately 2/10ths of a mile.

I attended the public hearing on February 13, 1997 at Glendale High School on options which are being considered to provide improved traffic flow at the Sunshine Route 65 interchange.

It is very important for our law firm to be able to get onto Highway 65 quickly and efficiently so that we can access the courthouses north and south of Springfield. In examining the various options presented at the meeting on this intersection, it is our opinion that it is imperative that the proposal for Ingram Mill north of Sunshine called the "Green" proposal be adopted. This option takes the Ingram Mill traffic west of the current Movie Madness building as shown on the drawings. If this option is not adopted, it would be very difficult to tell our clients how to get to our office if they had to use the Deeswood entrance and then circle around through Portland Street and then on to Ingram Mill.

There are other options that would be particularly disruptive to our business that we would not support. The "blue option" which would end Ingram Mill north of Sunshine because of the expanded ramp going through the Movie Madness building is unacceptable. This would require us to go through residential sections or to take an extremely long route through Catalpa to get onto U.S. 65 South. It would also be very difficult to tell our clients once again how to get to our building if they cannot turn onto a street from Sunshine to get to our building.

The "purple option" would also be unacceptable in our opinion because Ingram

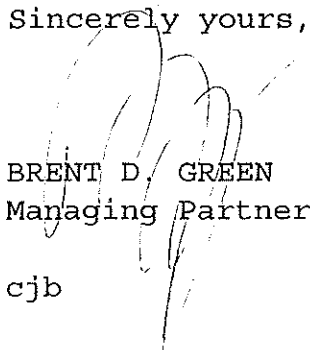
The Missouri Department of Transportation
February 14, 1997
Page Two

Mill immediately east of the Ingram Woods Office Project exit onto Ingram Mill north of Sunshine would be one-way going south, which would not allow us to turn left onto Ingram Mill to go to the Greene County Courthouse, which is to our north and would not allow us to cross over on Ingram Mill or turn left on onto Sunshine to get to U.S. 65 South.

We believe the best alternative is for the "Green route" to be built north of Sunshine to provide the best access for us and our firm to Highway 65.

Thank you for the opportunity to attend a public hearing on this matter and express our opinions.

Sincerely yours,



BRENT D. GREEN
Managing Partner

cjb

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 and 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) **September 12**
3. Planning and Zoning Commission Public Hearing (185 feet notification from subject property) **October 5**
4. 1st City Council Public Hearing (185 feet notification from subject property) **October 30**
5. 2nd City Council Meeting to decide either to approve or to deny the change in land use or zoning **November 13**

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:	9/1/2017	Telephone No.	890-9000
YOUR NAME:	Merrily Parker		
YOUR ADDRESS:	1718 S. Ingram Mill Rd		
PROJECT ADDRESS:	1650 S. Ingram Mill Rd		
COMMENTS:	Several years ago I looked into purchasing this property for added parking space, I was told by the city the water run off would be a problem. Right now my parking lot floods on the south end every time it rains because the drainage is not sufficient. I am worried about what kind of drainage will be required since the property is higher than my lot. I do not want additional run off going down my lot.		

ATTACHMENT 3
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-31-2017 & CONDITIONAL OVERLAY DISTRICT NO. 135

The requirements of *Section 36-421, General Retail District* of the *Springfield Zoning Ordinance* shall be as modified herein for development within this district.

1. The following uses within the GR, General Retail District shall be prohibited in this district:
 - a. Bed and breakfast facilities.
 - b. Commercial gardens and/or farmers markets with retail and/or wholesale sales on-site.
 - c. Commercial off-street parking lots and structures.
 - d. Day care centers in accordance with chapter 36, article XI, Springfield City Code.
 - e. Eating and drinking establishments use group.
 - f. Entertainment-oriented use group.
 - g. Flea markets entirely within enclosed buildings.
 - h. Funeral homes and mortuaries (crematoriums are permitted as accessory uses).
 - i. Household resource recovery collection centers, screened from all residential districts and public rights-of-way in conformance with section 36-480, screening and fencing.
 - j. Private clubs and lodges.
 - k. Public and private parks, playgrounds, and golf courses, including miniature golf courses and driving ranges.
 - l. Public service and public utility uses, as follows:
 - i. Tier I wireless facilities in accordance with section 36-466, telecommunication towers;
 - ii. Tier III wireless facilities in accordance with section 36-466, telecommunication towers, provided wireless towers 60 feet or greater in height allow collocation of at least one additional provider's facilities;
 - iii. Tier IV wireless facilities in accordance with section 36-466, telecommunication towers, provided wireless towers are setback from any residential district at least two feet for every one foot of tower height and allow collocation of at least one additional provider's facilities or at least two additional providers' facilities if the tower height is 120 feet or greater; and
 - m. Water reservoirs, water standpipes, and elevated and ground-level water storage tanks.

- n. Seasonal outdoor sales and related storage as permitted by section 36-452, temporary uses.
 - o. Taxidermists.
 - p. Temporary lodging use group.
 - q. Temporary uses, as permitted by section 36-452, temporary uses.
 - r. Temporary vendors as permitted under subsection 36-452(3)(b)2.
 - s. Towers other than wireless facilities, less than 100 feet in height, and related facilities provided telecommunication towers comply with section 36-466, telecommunication towers.
 - t. All conditional uses allowed in the GR District
2. A traffic study will be required for any Retail Sales use group development.

**PLANNING AND DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW
MEMORANDUM**

DATE: September 20, 2017

TO: Planning and Zoning Commission

FROM: Daniel Neal
Senior Planner

SUBJECT: Initiate amendments for residential uses above and behind non-residential
uses in commercial districts

Staff is requesting amendments to the Zoning Ordinance to only require non-residential uses on the first floor street frontage if adjacent to or across the street from other non-residential districts. This would apply to existing permitted uses in the Office (O), Limited Business (LB), General Retail (GR) and Highway Commercial (HC) Districts.

Staff requests that Commission initiate amendments to the Zoning Ordinance to consider modifications as specified. If approved, staff will prepare and draft changes to the Zoning Ordinance and schedule a public hearing at the next available date for both the Commission and the City Council.