



Springfield Planning and Zoning Commission

City Council Chambers (830 Boonville)

Date: November 16th, 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

October 5th, 2017

Documents:

[PZ MINUTES 10-5-2017.DOCX](#)

3. COMMUNICATIONS

City Council - October 2nd, 2017

Documents:

[NA10-02-17.DOCX](#)

City Council - October 16th, 2017

Documents:

[NA10-16-17.DOCX](#)

City Council - October 30th, 2017

Documents:

[NA10-30-17.DOCX](#)

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 848

3429 East Chestnut Expressway, Menard, Inc.

Documents:

[RE 848.PDF](#)

6. Relinquishment Of Easement 856

1850 West Republic Road, Ozmo VA Company, LLC

Documents:

[RE 856 SR.PDF](#)

7. Relinquishment Of Easement 857

3626 South Avenue, Cornflower Properties, LLC

Documents:

[RE 857 SR.PDF](#)

8. Extend Security Agreement No. 35

1364 East Battlefield Road, SWC E. Battlefield Road & Fremont Avenue

Documents:

[EXTEND SECURITY AGREEMENT NO 35 1.PDF](#)

9. UNFINISHED BUSINESS

10. Vacation 793

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

Documents:

[VAC 793 AND PD 353 WITHDRAW MEMO 1.PDF](#)

11. Stream Buffer Zoning Flexibility Amendments

Citywide, City of Springfield - Public Works & Environmental Services

Documents:

[STREAMBUFFERAMENDMENTS TABLINGMEMO.PDF](#)

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

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

Documents:

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

13. PUBLIC HEARINGS

14. Planned Development 360

1220 East Lark Street, State Bank of Southwest Missouri

Documents:

[PD360 SR.PDF](#)

15. Z-32-2017 W/COD #137

2300 Block North Kansas Expressway & North Bolivar Road & 1500 Block West Kearney Street & West Turner Street, Kansas & Kearney Intersection, LLC

Documents:

[Z-32-2017 COD 137 1.PDF](#)

16. Z-34-2017 W/COD #139

1255 East Chestnut Expressway, Arvest Bank

Documents:

[Z-34-2017 COD 139.PDF](#)

17. Z-33-2017 W/COD #138

611 West Sunset Street, E&M Edgewood, LLC

Documents:

[Z-33-2017 COD 138 SR 1.PDF](#)

18. Preliminary Plat Coryell At Sunset

611 West Sunset Street, E&M Edgewood, LLC

Documents:

[CORYELLATSUNSET.PDF](#)

19. OTHER BUSINESS

20. Residential Uses Above And Behind In Non-Residential

Citywide, City of Springfield

Documents:

[RESIDENTIAL USES ABOVE AND BEHIND NON-RESIDENTIAL AMENDMENTS.PDF](#)

21. Approval Of The 2018 Planning And Zoning Commission

Meeting Calendar, City of Springfield

Documents:

[2018 PZ CALENDAR.PDF](#)

22. ADJOURN

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.

October 5, 2017
MINUTES OF THE PLANNING AND ZONING COMMISSION
Springfield, Missouri

The Planning and Zoning Commission met in regular session October 5, 2017 in the City Council Chambers. Chairman Randall Doennig called the meeting to order.

Roll Call - Present: Randall Doennig (Chairman), King Coltrin, David Shuler, Melissa Cox, Joel Thomas, Melissa Cox, and Dee Ogilvy. Absent: Cameron Rose, Andrew Cline, and Natalie Broekhoven. 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 September 7, 2017 were approved.

COMMUNICATIONS :

Bob Hosmer reported on City Council meeting actions.

CONSENT ITEMS:

Relinquishment of Easement 854
1220 East Lark Street

Applicant: State Bank of Southwest Missouri

Relinquishment of Easement 855
3810 East Sunshine Street

Applicant: Central Bank of the Ozarks

COMMISSION ACTION:

Ms. Cox motioned to **approve** Consent Agenda items - Relinquishment of Easement 854 (1220 East Lark Street) and Relinquishment of Easement 855 (3810 East Sunshine Street). Mr. Coltrin seconded the motion. Ayes: Doennig, Shuler, Coltrin, Thomas, Cox, and Ogilvy. Nays: None. Abstain: None. Absent: Cline, Rose, and Broekhoven.

UNFINISHED BUSINESS:

Zero-Lot-Line Construction Review Amendments
Citywide

Applicant: City of Springfield

Mr. Hosmer stated that this is a request to amend to Section 36-362. - Zero-lot-line construction. 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 site plan of all zero-lot-line construction structures.

Staff is proposing to strike this language from the Zoning Ordinance and have all zero-lot-line structures to be reviewed as part of the regular building permitting review process and require a subdivision. Staff recommends approval.

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.~~

Mr. Thomas asked if the ARC review will be skipped.

Mr. Hosmer stated that there will not be ARC review of zero lot line construction.

Mr. Doennig opened the public hearing

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

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

Stream Buffer Zoning Flexibility Amendments

Citywide

Applicant: City of Springfield

Mr. Hosmer stated that City staff request that this be TABLED and presented at the Planning and Zoning meeting on November 16, 2017.

COMMISSION ACTION:

Ms. Cox motioned to **TABLE** Stream Buffer Zoning Flexibility Amendments (Citywide) to November 16, 2017. Mr. Thomas seconded the motion. Ayes: Doennig, Shuler, Coltrin, Thomas, Cox, and Ogilvy. Nays: None. Abstain: None. Absent: Cline, Rose, and Broekhoven.

PUBLIC HEARINGS:

Vacation 793

Vacate alley adjacent to 1040 & 1110 North Sherman Avenue

Applicant: Greenway Studios, LLC

Mr. Hosmer stated that the applicant request that this be TABLED and presented at the Planning and Zoning meeting on November 16, 2017.

COMMISSION ACTION:

Ms. Cox motioned to **TABLE** Vacation 793 (Vacate alley adjacent to 1040 & 1110 North Sherman Avenue) to November 16, 2017. Mr. Thomas seconded the motion. Ayes: Doennig, Shuler, Coltrin, Thomas, Cox, and Ogilvy. Nays: None. Abstain: None. Absent: Cline, Rose, and Broekhoven.

Conditional Use Permit 431

2706 West Chestnut Expressway

Applicant: MoCal Investments Company, LLC

Mr. Hosmer stated that this is a request to allow a warehousing and storage facility within a CS, Commercial Service District generally located at 2706 West Chestnut Expressway. The applicant is MOCAL Investments Company, LLC. 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.

Commercial Services allows for warehouses and storage only with a CUP. This application meets the approval standards for a Conditional Use Permit and is in conformance with the Comprehensive Plan.

The requirements of the CUP 431 are:

- A warehousing and storage facility is permitted in substantial conformance with the site plan.
- Vehicular gates which restrict access to the site shall comply with Section 36-408 of the Zoning Ordinance and all other applicable City ordinances.
- All other standards of the Zoning Ordinance and other applicable ordinances shall be met.

Staff recommends approval.

Ms. Cox asked why we are rezoning this property since it is already used as storage.

Mr. Hosmer stated that it is the change of use and not the structures being presented.

Mr. Doennig opened the public hearing.

Mr. Billy Kimmons, 400 South Avenue, representing the client and noted the technicality of the existing zoning allows for a construction company and the associated warehousing of construction materials. It does not allow for warehousing or storage of other material and this company is buying this property to connect business as a moving company and will store personal property from the clients in the warehouses.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Conditional Use Permit 431 (2706 West Chestnut Expressway). Mr. Thomas seconded the motion. Ayes: Doennig, Shuler, Coltrin, Thomas, Cox, and Ogilvy. Nays: None. Abstain: None. Absent: Cline, Rose, and Broekhoven.

Z-28-2017 w/COD #136

1220 East Lark Street

Applicant: State Bank of Southwest Missouri, Inc.

Mr. Hosmer stated that the applicant request that this be TABLED and presented at the Planning and Zoning meeting on November 16, 2017.

COMMISSION ACTION:

Ms. Cox motioned to **TABLE** Z-28-2017 w/COD #136 (1220 East Lark Street) to November 16, 2017. Mr. Coltrin seconded the motion. Ayes: Doennig, Shuler, Coltrin, Thomas, Cox, and Ogilvy. Nays: None. Abstain: None. Absent: Cline, Rose, and Broekhoven.

Z-30-2017

4064 South Lone Pine Avenue

Applicant: Lower Deck94, LLC

Mr. Hosmer stated that this is a request 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. The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this area as appropriate for low-density housing.

The subject property is already zoned LB along the front of the property. Approval of this request will expand the existing LB zoning an additional (116) feet to the east. The LB district is consistent with the Plan which recommends neighborhood-scale businesses near intersections of arterial and collector, or higher classification, streets. Lone Pine Avenue is classified as a secondary arterial roadway. Staff recommends

approval.

Mr. Doennig open the public hearing.

Mr. Jared Davis, 2045 W. Woodland representing the owner. No complaints from the neighborhood meeting.

Mr. Doennig closed the public hearing.

Ms. Cox asked staff about the general retail abutting from Lone Pine and why this area is not rezoned as all General Retail or Limited Business noting open spaces.

Mr. Hosmer noted that this area has some commercial activity and Lone Pine is classified as a secondary arterial and mentioned the development north of this project that has mixed use.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Z-30-2017 (4064 South Lone Pine Avenue). Ms. Ogilvy seconded the motion. Ayes: Doennig, Shuler, Coltrin, Thomas, Cox, and Ogilvy. Nays: None. Abstain: None. Absent: Cline, Rose, and Broekhoven.

Z-31-2017 w/COD #135

1650 South Ingram Mill Road

Applicant: ICT, LLC

Mr. Hosmer stated that this is a request 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. The Growth Management and Land Use Element of the Comprehensive Plan designates this property as appropriate for medium intensity retail, office or housing. GR district is an appropriate district for this land use category. Ingram Mill Road is classified as a collector roadway. Access to Sunshine is controlled by a right in and right only. The current zoning, Planned Development 129 allows administrative, professional, finance, insurance, real estate and medical offices. The applicant has requested a conditional overlay district that will prohibit more intense uses allowed in the GR, General Retail District. The proposed GR district with Conditional Overlay District is not expected to increase vehicular traffic beyond what could be developed with the current zoning. A traffic study will be required for any Retail Sales Use Group development. Payment in lieu of construction of detention facilities will not be allowed on this site. Detention must be provided. Staff recommends approval.

Ms. Cox asked about items being removed from the zoning and stating the narrow land abuts up against Hwy 65 and a residential area and very concerned about the proposed development in general.

Mr. Thomas asked about any future/proposes expansion of Hwy 65 to add more lanes.

Dawne Gardner noted that MoDOT reviewed the proposal and assured them they will have enough ROW for any future expansion and well as any setbacks from Hwy 65.

Mr. Doennig open the public hearing

Mr. Geoff Butler, 319 N. Main, representing the owner. Noted a few issues concerning the narrow property including a high voltage power line and 8" water main, as well as traffic congestion and access. The proposed development is a veterinarian clinic and is only allowed in a general retail district and believes that this will not cause much of an increase in traffic. The owner of the property to the south was concerned with stormwater because her parking lot floods, however the stormwater from this development will be channeled out to the ROW and will not affect her property.

Mr. Doennig asked for clarification on the route of the stormwater.

Mr. Butler noted that it will drain along the ROW for Ingram Mill to a catch basin at Sunshine.

Mr. Hayden Harrison, 1949 E. Holiday, commercial appraiser asked by property owners of Ingram Woods, the office development across the street from the proposed property to speak on some of the issues. He gave out a handout (will be placed in staff report) showing his concerns. Key items: Detrimental to adjoining properties; not activity center location; insufficient roadway, and poor public access.

Mr. Chris Stark, 1615 S. Ingram Mill, property owner of Ingram Wood. Expressed concerns at the neighborhood meeting such as pets/animals barking, howling, going to the bathroom on the property, and believes that this cause damage to the established retail area as well as concerns for the proposed 35 space parking lot. Noted a history with prior Planning and Zoning Boards to allow a lot of building, multi-family development, and an increase in traffic in this area.

Mr. Coltrin asked if there was any business that Mr. Stark would approve.

Mr. Stark noted that he would not approve of any development in that area.

Mr. Thomas asked about the parking spaces for the proposed veterinarian clinic and if he believes that it would increase traffic versus a doctor's office and animals going to the bathroom on the proposed development.

Mr. Stark did not know if there is a difference between traffic for a veterinarian clinic or a doctor's office, but allowing a 35-parking lot will add to the increase of traffic and any more cars will be unacceptable and noted that people don't use trees or shrubs to use the bathroom, but animals do and this will cause problems as well as barking.

He also noted that the developer can put in other retail in that space instead of a veterinarian clinic that would cause a larger increase of traffic and what stated that there is a tremendous problem with access to their property.

Mr. Brent Green, 1615 S. Ingram Mill noting building access as well as traffic and ingress/egress problems.

Mr. Douglas Evans, 1615 S. Ingram Mill stating the issues at the Sunshine/Ingram Mill Road intersection and troubles with accessing his building and would not like any further development along Ingram Mill Road.

Ms. Merrily Parker, 1718 S. Ingram Mill, owner of the retail shop south of the proposed development. Issues include access to her shop, traffic, Ingram Mill/Sunshine intersection, and stormwater runoff and noted that the access to her building is a private road/alley and would like the City resolve the issue.

Mr. Coltrin asked about her hours and when she opens and how long she owned her shop and if her business is doing well.

Ms. Parker stated that she opens at 10:00am and closes at 5:00pm and she owned her shop since 2006 and her business is doing good, but she noted that her shop is a destination location and states that any good veterinarian clinic will increase traffic.

Mr. Thomas asked if the proposed development would give access to her property or shared parking agreement if the increase of traffic would hurt her business and that the stormwater should not increase.

Ms. Parker stated that if the traffic is going to be increased she would like the City turn the private alley into a public street and that the stormwater runoff will hurt her business.

Mr. Ron Parker, 4606 E. Farm Road 144 noted that there is a stormwater runoff problem and the parking lot does flood from the detention pond from Ingram Mill and gets runoff.

Mr. Doennig closed the public hearing.

Ms. Cox stated that she has a problem zoning to general retail due to the narrow lot and traffic even with the prohibited uses and would like to be restricted to the office use and not open to general retail.

Mr. Hosmer stated they must do a traffic study if they change to any retail use and the parking requirements for medical offices are one in 350 square feet and vet clinics are one in 300 square feet.

Mr. Thomas asked why a Planned Development was not considered for office use only.

Mr. Hosmer stated that a Planned Development could be used with the option to restrict office uses, but are trying to get away from doing Planned Developments in general.

Mr. Doennig asked about the stormwater detention basin.

Ms. Julie Hawkins noted that there will be no increase in current outflow from the proposed property as of now.

Mr. Doennig asked for current uses listed under the proposed zoning and for what a traffic study would include.

Mr. Hosmer stated the allowed uses for the proposed zoning (long list) and referred to Dawne Gardner for the traffic study information. He also noted that the long-range plan improvement shows an alternate route for access to Ingram Mill Road which is an unfunded project.

Ms. Gardner stated that if any retail sales are proposed they will need to do a traffic study. The traffic study will show how many trips the development will generate, what impacts it will have on Ingram Mill and any improvements that they will have to do to Ingram Mill, which could make the property undevelopable and the trips generated in the staff report are based on a 4000-square foot building.

Mr. Coltrin stated that this is self regulating property and the geometry of the property will control the development and the current uses in the area do not tend to open in peak hours and will support this project.

Mr. Doennig noted that there is a serious traffic situation, but doesn't seem to impede the existing businesses. The prevue of the Commission is to look at the best use of the land and this proposed use seems to be logical and does not believe it will increase traffic and will support this proposal.

Ms. Ogilvy asked if dog walking will be an option or if a dog run will be allowed for dogs to bark all the time.

Mr. Hosmer stated that they can not have outside kennels.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Z-31-2017 w/COD #135 (1650 South Ingram Mill Road). Mr. Coltrin seconded the motion. Ayes: Doennig, Coltrin, Thomas, and Ogilvy. Nays: Cox and Shuler. Abstain: None. Absent: Cline, Rose, and Broekhoven.

OTHER BUSINESS:

Initiate Residential Uses Above and Behind Non-Residential in Commercial Districts
Citywide

Applicant: City of Springfield

Mr. Hosmer stated that this is a request to Initiate amendments to modify the requirements for residential uses above and behind a non-residential use in a commercial district (O, LB, GR and HC). Staff is requesting amendments to the Zoning Ordinance to modify the current requirements for residential uses in a commercial district. Staff is proposing 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. Staff recommends approval.

Mr. Doennig opened the public hearing.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Initiate Residential Uses Above and Behind Non-Residential in Commercial Districts (Citywide). Ms. Ogilvy seconded the motion. Ayes: Doennig, Shuler, Coltrin, Thomas, Cox, and Ogilvy. Nays: None. Abstain: None. Absent: Cline, Rose, and Broekhoven.



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 October 2, 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 18, 2017 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, except Item Number 9 and Item Number 10. See Items for exception. May be voted on.

26959

7. 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,

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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.

6398

8. Amended 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 and
Divided

9. Amended Council Bill 2017-230. (Hosmer, Fisk, and Fishel) Citizens who did not speak on September 18, 2017 may speak to amendment only.

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.

6395

Council Bill 2017-230A. (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 the addition of a new Section 18-99, 'Enforcement,' establishing a minimum fine for violations of the pit bull dog provisions.

6396

Council Bill 2017-230B. (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.'

6397

Council Bill 2017-230C. (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 designating an effective date for said amendments.

10336

10. Amended Council Bill 2017-231. (Hosmer, Fisk, Fulnecky, and Fishel) Citizens may speak to amendment only.

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).

11. RESOLUTIONS.**12. EMERGENCY BILLS.****13. PUBLIC IMPROVEMENTS.****14. GRANTS.****15. AMENDED BILLS.****16. PUBLIC HEARING. Citizens May Speak. Not Anticipated To Be Voted On.****17. Council Bill 2017-236. (Prater)**

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.91 acres of property, generally located at 806, 810, and 816 South Kimbrough Avenue and 614 and 616 East Madison Street from R-HD, High-Density Multi-Family Residential District and UN, University Combining District to Planned Development District No. 359 (Planning and Zoning Commission and Staff recommend approval). (By: Magers Properties III, LLC; 806, 810 & 816 South Kimbrough Avenue and 614 & 616 East Madison Street)

18. FIRST READING BILLS. Citizens May Speak. Not Anticipated To Be Voted On.**19. Council Bill 2017-237. (McClure)**

A general ordinance amending the Springfield City Code, Chapter 2, 'Administration,' Article IV, 'Boards, Commissions and Committees,' by adding thereto a new Division relating to the Citizens' Tax Oversight Committee."

20. Council Bill 2017-238. (Fulnecky)

A general ordinance amending the Springfield City Code, Chapter 98, 'Streets, Sidewalks and Public Places,' Article II, 'Excavations,' by amending language to clarify the permitting process for excavations in the City right-of-way.

21. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.**22. NEW BUSINESS.****Recommended**

The Mayor recommends the following appointments to the Traffic Advisory Board: Matthew Bumgarner and Ronald Romesburg with terms to expire April 1, 2019.

**Records
Destruction**

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.

23. UNFINISHED BUSINESS.**24. MISCELLANEOUS.****25. CONSENT AGENDA – FIRST READING BILLS. See Item #3**

26. CONSENT AGENDA – ONE READING BILLS.

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

26960

28. 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.

Confirmed

Confirm 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.

Confirmed

Confirm the following appointment to the Public Housing Authority: Camille Johnson (Reid), with a term to expire April 11, 2020.

Confirmed

Confirm the following appointment to the Traffic Advisory Board: Len Eagleburger, with a term to expire April 1, 2019.

29. END OF CONSENT AGENDA.

30. ADJOURN.



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 October 16, 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.

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| | 1. ROLL CALL. |
| Approved as Presented | 2. APPROVAL OF MINUTES. October 2, 2017 City Council Meeting and October 10, 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. |
| Sworn in | Swear in Heather Hardinger to the Mayor's Commission on Human Rights and Community Relations. |
| | 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. |

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6399

7. Council Bill 2017-236. (Prater)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.91 acres of property, generally located at 806, 810, and 816 South Kimbrough Avenue and 614 and 616 East Madison Street from R-HD, High-Density Multi-Family Residential District and UN, University Combining District to Planned Development District No. 359 (Planning and Zoning Commission and Staff recommend approval). (By: Magers Properties III, LLC; 806, 810 & 816 South Kimbrough Avenue and 614 & 616 East Madison Street)

6400

8. Council Bill 2017-237. (McClure)

A general ordinance amending the Springfield City Code, Chapter 2, 'Administration,' Article IV, 'Boards, Commissions and Committees,' by adding thereto a new Division relating to the Citizens' Tax Oversight Committee."

Tabled to the
October 30, 2017
City Council
Meeting

9. Council Bill 2017-238. (Fulnecky) It is anticipated this bill will be tabled to the October 30, 2017 City Council meeting; however, tabling will require Council action.

A general ordinance amending the Springfield City Code, Chapter 98, 'Streets, Sidewalks and Public Places,' Article II, 'Excavations,' by amending language to clarify the permitting process for excavations in the City right-of-way.

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

10337

11. Council Bill 2017-239. (Ollis and Schilling)

A resolution initiating an administrative delay on the acceptance, processing, and approval of Redevelopment Plans submitted pursuant to the Land Clearance for Redevelopment Authority Law from the date of passage of this Resolution.

12. EMERGENCY BILLS.**13. PUBLIC IMPROVEMENTS.****14. GRANTS. Citizens May Speak. May Be Voted On.**

26961

15. Council Bill 2017-240. (Fisk)

A special ordinance authorizing the City Manager, or his designee, to accept the National Crime Statistics Exchange Implementation Assistance Program Phase VI: Support for Small and Medium Local Law Enforcement Agencies grant from the United States Department of Justice and enter into a cooperative agreement to accept said grant; amending the budget for the Police Department for Fiscal Year 2017-2018 in the amount of \$411,772.00; and declaring that this Ordinance qualifies as a one reading bill pursuant to City Charter Section 2.16(25).

16. AMENDED BILLS.

17. PUBLIC HEARING. Citizens May Speak. Not Anticipated To Be Voted On.

Not considered
due to the passage
of Council Bill
2017-239

18. Council Bill 2017-241. (Prater)

A special ordinance approving a redevelopment plan for the 600-610 East Harrison Redevelopment Area, generally located at the southeast corner of the intersection of South Kimbrough Avenue and East Harrison Street; and declaring its redevelopment necessary for the preservation of the public peace, prosperity, health, safety, morals, and welfare. (The Land Clearance for Redevelopment Authority, the Planning and Zoning Commission, and Staff recommend approval.)

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

20. Council Bill 2017-242. (Fulnecky)

A special ordinance authorizing the City Manager, or his designee, to accept the donation of a "Phantom 4 Quadcopter" drone from Westside Stone, LLC, to be used by the Springfield Fire Department.

21. Council Bill 2017-243. (Hosmer)

A special ordinance authorizing the City Manager, or his designee, to apply for and accept public education grants from Walmart, FM Global, ADM Cares, and The Home Depot, for the purpose of providing funding to "Project RED Zone;" and to appropriate said grant by amending the budget of the Springfield Fire Department for Fiscal Year 2017-2018, in the amount of \$12,500.00.

22. Council Bill 2017-244. (Ferguson)

A special ordinance declaring the necessity of condemning right(s)-of-way over, under, and through the properties located at 1724 West Mt. Vernon Street and 1610 West Mt. Vernon Street for the purpose of the Mt. Vernon Street Bridge Replacement Improvement Project #2015PW0007T.

23. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.

24. NEW BUSINESS.

Recommended

The Public Involvement Committee recommends the following reappointments to the Landmarks Board: Kent Brown, Nancy Crandall, Paden Chambers, and Justin Stanek, with terms to expire November 1, 2020.

Recommended

The Public Involvement Committee recommends the following appointments to the Police Civilian Review Board: Eric Clay, with a term to expire May 1, 2020, and Chris Nease, with a term to expire May 1, 2019.

25. UNFINISHED BUSINESS.

26. MISCELLANEOUS.

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

28. Council Bill 2017-245. (Fishel)

A special ordinance authorizing the City Manager, or his designee, to enter into an Intergovernmental Cooperative Agreement with Greene County, Missouri, for the purpose of coordinating the purchase of asphalt overlay services.

29. CONSENT AGENDA – ONE READING BILLS.

10338

30. Council Bill 2017-246. (Hosmer)

A resolution confirming the appointment of Thomas Muetzel to serve on the Commercial Street Community Improvement District Board of Directors.

31. CONSENT AGENDA – SECOND READING BILLS. Citizens Have Spoken. May be voted on.

Confirmed

Confirm the following appointments to the Traffic Advisory Board: Matthew Bumgarner and Ronald Romesburg with terms to expire April 1, 2019.

32. END OF CONSENT AGENDA.

33. CLOSED SESSION.

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.; 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 October 30, 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.

Approved as
Presented

Approved as
Presented

1. **ROLL CALL.**
2. **APPROVAL OF MINUTES. October 16, 2017 City Council Meeting and October 24, 2017 Special City Council Meeting.**
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.**

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.

Amended. Public Hearing held over to the November 13, 2017 City Council Meeting.

7. Council Bill 2017-238. (Fulnecky)

A general ordinance amending the Springfield City Code, Chapter 98, 'Streets, Sidewalks and Public Places,' Article II, 'Excavations,' by amending language to clarify the permitting process for excavations in the City right-of-way.

26963

8. Council Bill 2017-242. (Fulnecky)

A special ordinance authorizing the City Manager, or his designee, to accept the donation of a "Phantom 4 Quadcopter" drone from Westside Stone, LLC, to be used by the Springfield Fire Department.

26964

9. Council Bill 2017-243. (Hosmer)

A special ordinance authorizing the City Manager, or his designee, to apply for and accept public education grants from Walmart, FM Global, ADM Cares, and The Home Depot, for the purpose of providing funding to "Project RED Zone;" and to appropriate said grant by amending the budget of the Springfield Fire Department for Fiscal Year 2017-2018, in the amount of \$12,500.00.

26965

10. Council Bill 2017-244. (Ferguson)

A special ordinance declaring the necessity of condemning right(s)-of-way over, under, and through the properties located at 1724 West Mt. Vernon Street and 1610 West Mt. Vernon Street for the purpose of the Mt. Vernon Street Bridge Replacement Improvement Project #2015PW0007T.

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

10339

12. Council Bill 2017-225 Substitute 1. (Fisk)

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

Failed due to the passage of Council Bill 2017-225 Substitute 1

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).

14. EMERGENCY BILLS.

15. PUBLIC IMPROVEMENTS.

16. GRANTS.

17. AMENDED BILLS.

18. PUBLIC HEARING. Citizens May Speak. Not Anticipated To Be Voted On.

19. Council Bill 2017-247. (Ferguson)

A special ordinance authorizing the issuance of Conditional Use Permit No. 431 to allow a warehousing and storage facility within a CS, Commercial Service District, generally located at 2706 West Chestnut Expressway (Staff and Planning and Zoning Commission recommend approval). (By MoCal Investments Company, LLC 2706 West Chestnut Expressway).

20. Council Bill 2017-248. (Fishel)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.451 acres of property, generally located at 4064 South Lone Pine Avenue, from R-SF, Single-Family Residential District, to LB, Limited Business District; and adopting an updated 'Official zoning map.' (Staff and Planning and Zoning Commission recommend approval). (By Lower Deck94, LLC; 4064 South Lone Pine Avenue; Z-30-2017).

21. Council Bill 2017-249. (Prater)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.71 acres of property, generally located at 1650 South Ingram Mill Road from Planned Development 129 to GR, General Retail District, and establishing Conditional Overlay District No. 135, said District to apply to the subject property; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval). (by ICT, LLC, 1650 South Ingram Mill Road, Z-31-2017 w/COD #135).

22. Council Bill 2017-250. (Ollis)

A general ordinance amending Chapter 36 of the Springfield City Code, also known as the 'Land Development Code,' Article III. – 'Zoning Regulations,' Division 3. – 'Administration, Enforcement and Review,' Section 36-362. – 'Zero-lot-line construction' by amending certain provisions contained therein relating to the administrative review of zero-lot-line structures. (Planning and Zoning Commission and staff recommend approval).

23. FIRST READING BILLS. Citizens May Speak. Not Anticipated To Be Voted On.**24. Council Bill 2017-251. (Fulnecky)**

A general ordinance amending Chapter 2, Section 2-92 of the Springfield City Code, known as the 'Salary Ordinance,' relating to the salary rate and pay grade for one job title within the Springfield Police Department, as contained in the Law Enforcement Schedule pay schedule, by adding one new job title, Police Recruit, with a salary rate at Step 1 of the Law Enforcement Schedule - 2 pay schedule, and by amending the salary range for the job title of Police Officer, Law Enforcement Schedule - 2, to include Step 2 through Step 13 on the Law Enforcement Schedule - 2 pay schedule.

25. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.

Appeared Mr. Bob Hill wishes to address City Council.

Appeared Mr. Dewey Bradley wishes to address City Council.

26. NEW BUSINESS.

Recommended The Mayor recommends the following reappointment to the Tree City USA Citizen Advisory Committee: Mindy Spits with a term to expire December 1, 2020.

Recommended The City Manager recommends the following appointment to the Airport Board: Robert Spence to fill the unexpired term of Jerry Harmison. Mr. Spence's term will expire June 1, 2020.

27. UNFINISHED BUSINESS.

28. MISCELLANEOUS.

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

30. Council Bill 2017-252. (Hosmer)

A special ordinance authorizing the City Manager, or his designee, to accept an "On-line Training Grant" from the Missouri Police Chief's Charitable Foundation.

31. Council Bill 2017-253. (McClure)

A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the City of Ash Grove, Missouri, whereby the City of Springfield, Missouri, in association with the Springfield-Greene County Office of Emergency Management, will remotely operate Ash Grove's emergency storm sirens.

32. Council Bill 2017-254. (Fishel)

A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the City of Strafford, Missouri, whereby the City of Springfield, Missouri, in association with the Springfield-Greene County Office of Emergency Management, will remotely operate Strafford's emergency storm sirens.

33. Council Bill 2017-255. (Schilling)

A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the City of Walnut Grove, Missouri, whereby the City of Springfield, Missouri, in association with the Springfield-Greene County Office of Emergency Management, will remotely operate Walnut Grove's emergency storm sirens.

34. CONSENT AGENDA – ONE READING BILLS.

26966

35. Council Bill 2017-256. (Fisk)

A special ordinance authorizing the City Manager or his designee to accept a grant from the Missouri Department of Health and Senior Services, federally funded by the Youth Leadership Project Grant, to support the activities of educating and recruiting youth through their participation in evidence-based work and social action, to contribute to better overall health for the community; amending the budget of the Springfield-Greene County Health Department, for Fiscal Year 2017-2018, in the amount of \$16,500.00 to appropriate the grant funds; and declaring that this Ordinance qualifies for approval on one reading.

36. CONSENT AGENDA – SECOND READING BILLS. Citizens Have Spoken. May be voted on.

Confirmed

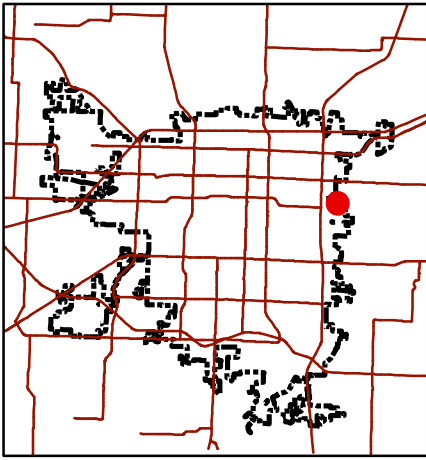
The Public Involvement Committee recommends the following reappointments to the Landmarks Board: Kent Brown, Nancy Crandall, Paden Chambers, and Justin Stanek, with terms to expire November 1, 2020.

Confirmed

The Public Involvement Committee recommends the following appointments to the Police Civilian Review Board: Eric Clay, with a term to expire May 1, 2020, and Chris Nease, with a term to expire May 1, 2019.

37. END OF CONSENT AGENDA.

38. ADJOURN



Development Review Staff Report

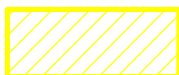
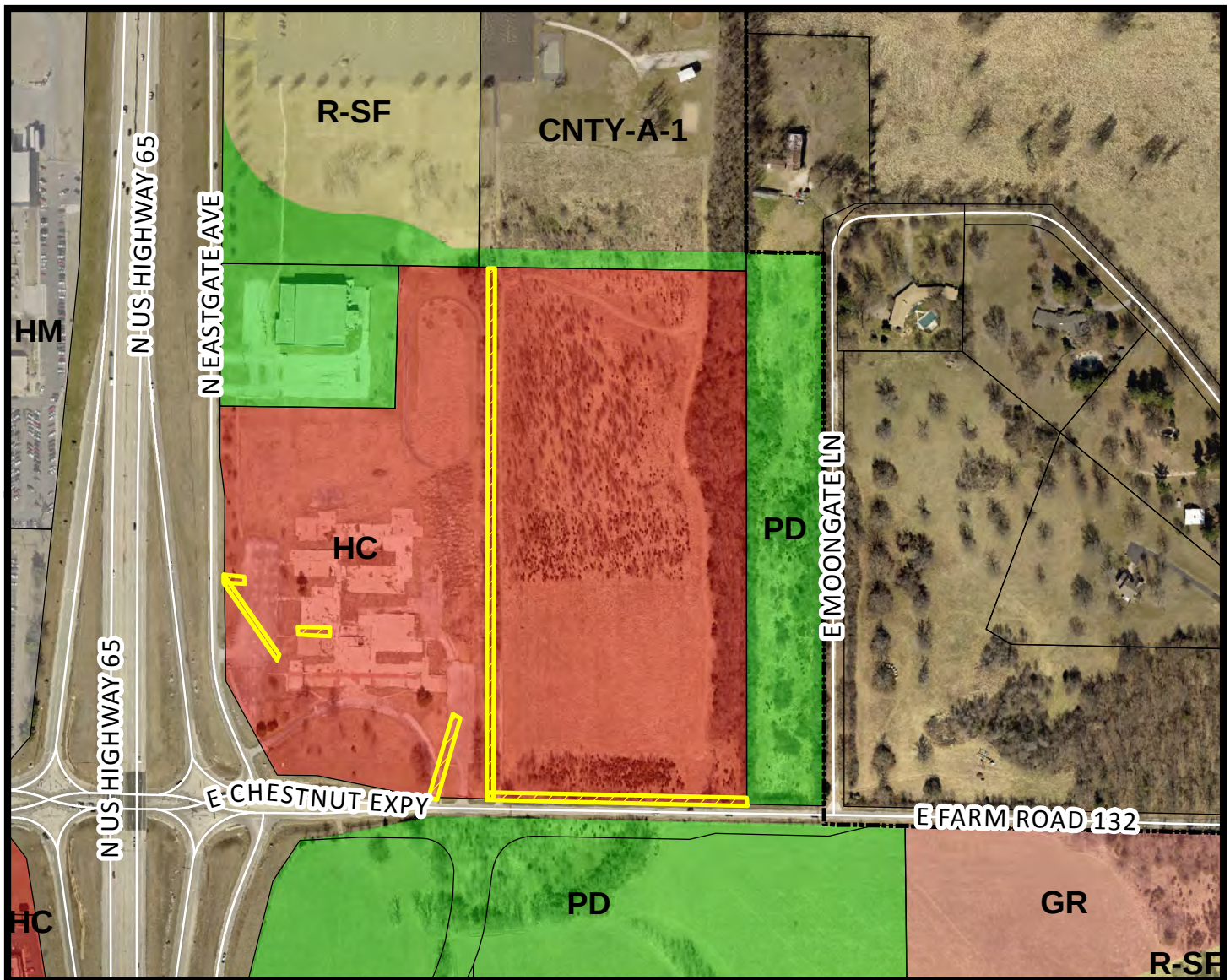
Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802

Relinquish Easement 848

LOCATION: 3429 E. Chestnut Expressway

CURRENT ZONING: HC, Highway Commercial District with a
Conditional Overlay District No. 86

LOCATION SKETCH



- Area of Proposal

0 200 400 800
Feet

1 inch = 400 feet

DEVELOPMENT REVIEW STAFF REPORT
REQUEST TO RELINQUISH EASEMENT NUMBER 848

PURPOSE: To relinquish utility and electric easements

REPORT DATE: October 30, 2017

LOCATION: 3429 E. Chestnut Expressway

APPLICANT: Menard, Inc.

RECOMMENDATION:

The request to be **approved**.

FINDING:

The request meets the approval criteria listed in Attachment B.

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner

Attachment A: Background report
Attachment B: Approval criteria
Exhibit 1: Legal descriptions
Exhibit A-D: Drawings

ATTACHMENT A
RELINQUISH EASEMENT NO. 848
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish multiple utility and electric easements in order to facilitate development of the property. The easements are no longer utilized and have been replaced by separate easements in the final plat of Menards East.

AT&T COMMENTS:

AT&T facilities are not affected.

CITY UTILITIES COMMENTS:

CU has no objection to the relinquishment of easements. CU facilities are either abandoned, retired or to be retired within the easements as part of the future development. New easements will be granted on the proposed final plat.

CLEAN WATER SERVICES COMMENTS:

No sewer easements in folder. If no sewer easements are being vacated this can be approved.

PUBLIC WORKS STORMWATER COMMENTS:

No conflicts with the stormwater improvements and stormwater easements are shown in the correct locations.

STAFF COMMENTS:

1. The applicant is requesting to relinquish multiple utility and electric easements in order to facilitate development of the property. The existing easements would be in conflict with 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. 848
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 easement 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. New easements have been created and recorded on the final plat of Menards East to replace the existing easements.
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. New easements have been created and recorded on the final plat of Menards East to replace the existing easements.

RELINQUISH EASEMENT NO. 848
EXHIBIT 1

UTILITY/ELECTRIC EASEMENTS TO RELINQUISH

A 15.00 FOOT UTILITY EASEMENT AS DESCRIBED IN THE GREENE COUNTY, MISSOURI, RECORDER'S OFFICE IN BOOK 1630, PAGE 1199 AS LYING IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 29 NORTH, RANGE 21 WEST AND SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 29 NORTH, RANGE 21 WEST; THENCE ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 15, SOUTH 87°28'05" EAST, 677.01 FEET; THENCE LEAVING SAID SOUTH LINE, NORTH 02°31'55" EAST, 24.89 FEET TO THE POINT OF BEGINNING SAID POINT ALSO LYING ON THE NORTH RIGHT-OF-WAY OF FARM ROAD 132 (CHESTNUT STREET); THENCE LEAVING SAID NORTH RIGHT-OF-WAY, NORTH 01°21'45" EAST, 1309.27 FEET; THENCE SOUTH 87°29'50" EAST, 15.00 FEET; THENCE SOUTH 01°21'45" WEST, 1309.27 FEET TO A POINT LYING ON AFOREMENTIONED NORTH RIGHT-OF-WAY FARM ROAD 132; THENCE ALONG SAID NORTH RIGHT-OF-WAY, NORTH 87°28'05" WEST, 15.00 FEET TO THE POINT OF BEGINNING. ALL LYING IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 29 NORTH, RANGE 21 WEST, GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.

CONTAINING 19,639 SQUARE FEET OR 0.451 ACRES, MORE OR LESS.

AND

A 10.00 FOOT UTILITY EASEMENT AS DESCRIBED IN THE GREENE COUNTY, MISSOURI, RECORDER'S OFFICE IN BOOK 2467, PAGE 510 AS LYING IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 29 NORTH, RANGE 21 WEST AND SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 29 NORTH, RANGE 21 WEST; THENCE ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 15, SOUTH 87°28'05" EAST, 532.19 FEET; THENCE LEAVING SAID SOUTH LINE, NORTH 02°31'55" EAST, 25.00 FEET TO THE POINT OF BEGINNING SAID POINT ALSO LYING ON THE NORTH RIGHT-OF-WAY OF FARM ROAD 132 (CHESTNUT STREET); THENCE LEAVING SAID NORTH RIGHT-OF-WAY, NORTH 15°39'35" EAST, 82.28 FEET; THENCE NORTH 09°18'53" EAST, 129.86 FEET; THENCE SOUTH 80°41'07" EAST, 10.00 FEET; THENCE SOUTH 09°18'53" WEST,

130.41 FEET; THENCE SOUTH 15°39'35" WEST, 80.50 FEET TO A POINT LYING ON THE AFOREMENTIONED NORTH RIGHT-OF-WAY OF FARM ROAD 132; THENCE ALONG SAID NORTH RIGHT-OF-WAY, NORTH 87°28'05" WEST, 10.27 FEET TO THE POINT OF BEGINNING. ALL LYING IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 29 NORTH, RANGE 21 WEST, GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.

CONTAINING 2,115 SQUARE FEET OR 0.049 ACRES, MORE OR LESS.

AND

A 10.00 FOOT ELECTRIC EASEMENT AS DESCRIBED IN THE GREENE COUNTY, MISSOURI, RECORDER'S OFFICE IN BOOK 1372, PAGE 303 AS LYING IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 29 NORTH, RANGE 21 WEST AND SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 29 NORTH, RANGE 21 WEST; THENCE ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 15, SOUTH 87°28'05" EAST, 196.14 FEET; THENCE LEAVING SAID SOUTH LINE, NORTH 02°31'55" EAST, 415.30 FEET TO THE POINT OF BEGINNING; THENCE NORTH 01°18'13" EAST, 10.00 FEET; THENCE SOUTH 88°41'47" EAST, 72.00 FEET; THENCE SOUTH 01°18'13" WEST, 10.00 FEET; THENCE NORTH 88°41'47" WEST, 72.00 FEET TO THE POINT OF BEGINNING. ALL LYING IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 29 NORTH, RANGE 21 WEST, GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.

CONTAINING 720 SQUARE FEET OR 0.016 ACRES, MORE OR LESS.

AND ALSO

A 10.00 FOOT ELECTRIC EASEMENT AS DESCRIBED IN THE GREENE COUNTY, MISSOURI, RECORDER'S OFFICE IN BOOK 1372, PAGE 303 AS LYING IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 29 NORTH, RANGE 21 WEST AND SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 29 NORTH, RANGE 21 WEST; THENCE ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 15, NORTH 01°18'13" EAST, 502.48 FEET; THENCE LEAVING SAID WEST LINE, SOUTH 88°41'47" EAST, 33.26 FEET TO THE POINT OF BEGINNING, SAID

POINT ALSO LYING ON THE EASTERLY RIGHT-OF-WAY U.S. HIGHWAY 65; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY, NORTH 00°24'15" WEST, 19.75 FEET; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY, SOUTH 30°49'47" EAST, 217.13 FEET; THENCE SOUTH 59°10'13" WEST, 10.00 FEET; THENCE NORTH 30°49'47" WEST, 200.10 FEET TO THE POINT OF BEGINNING. ALL LYING IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 29 NORTH, RANGE 21 WEST, GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.

CONTAINING 2,086 SQUARE FEET OR 0.048 ACRES, MORE OR LESS.

AND ALSO

A 10.00 FOOT ELECTRIC EASEMENT AS DESCRIBED IN THE GREENE COUNTY, MISSOURI, RECORDER'S OFFICE IN BOOK 1372, PAGE 303 AS LYING IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 29 NORTH, RANGE 21 WEST AND SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 29 NORTH, RANGE 21 WEST; THENCE ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 15, NORTH 01°18'13" EAST, 511.00 FEET; THENCE LEAVING SAID WEST LINE, SOUTH 88°41'47" EAST, 33.01 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO LYING ON THE EASTERLY RIGHT-OF-WAY U.S. HIGHWAY 65; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY, NORTH 00°24'15" WEST, 10.00 FEET; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY, SOUTH 88°41'47" EAST, 38.29 FEET; THENCE SOUTH 01°18'13" WEST, 10.00 FEET; THENCE NORTH 88°41'47" WEST, 37.99 FEET TO THE POINT OF BEGINNING. ALL LYING IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 29 NORTH, RANGE 21 WEST, GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE. LESS AND EXCEPT AN ELECTRIC LINE EASEMENT AS DESCRIBED IN BOOK 1494, PAGE 543 AND ALSO A UTILITY EASEMENT AS DESCRIBED IN BOOK 2008, PAGE 1895-08.

CONTAINING 381 SQUARE FEET OR 0.008 ACRES, MORE OR LESS.

AND

A 15.00 FOOT UTILITY EASEMENT (GAS & WATER) AS DESCRIBED IN THE GREENE COUNTY, MISSOURI, RECORDER'S OFFICE IN BOOK 1595, PAGE 1061 AS LYING IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 29 NORTH, RANGE 21 WEST AND SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 29 NORTH, RANGE 21 WEST; THENCE LEAVING THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST OF SECTION 15, NORTH 01°14'23" EAST, 24.98 FEET TO THE POINT OF BEGINNING SAID POINT ALSO LYING ON THE NORTH RIGHT-OF-WAY OF MILL STREET; THENCE ALONG SAID NORTH RIGHT-OF-WAY, NORTH 87°28'05" WEST, 640.50 FEET; THENCE LEAVING SAID NORTH RIGHT-OF-WAY, NORTH 01°21'45" EAST, 15.00 FEET; THENCE SOUTH 87°28'05" EAST, 640.50 FEET; THENCE SOUTH 01°21'23" WEST, 15.00 FEET TO THE POINT OF BEGINNING. ALL LYING IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 29 NORTH, RANGE 21 WEST, GREENE COUNTY, MISSOURI. BEARINGS BASED ON GRID NORTH OF THE MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.

CONTAINING 9,607 SQUARE FEET OR 0.221 ACRES, MORE OR LESS.

EXHIBIT A-1

HIGH ST. FUNDAMENTALIST
BAPTIST CHURCH
BOOK 1697, PAGE 1002

EXCESS SCHOOL PROPERTY EAST
PLAT BOOK AAA, PAGE 188

LOT 2

S87°29'50"E
15.00'



SCALE: 1" = 200'

LOT 1

LOT 1

MENARD INC.
BOOK 2015, PAGE 018459-15

MENARD INC.
BOOK 2015, PAGE 019320-15

15.0' UTILITY EASEMENT
BOOK 1630, PAGE 1199
19,639± SQ. FT.
0.451± ACRES

U.S. HIGHWAY NO. 65

EASTGATE AVENUE

LOT 5

LOT 4

N01°21'45"E 1309.27'
S01°21'45"W 1309.27'

LOT 3

LOT 2

P.O.B.

N87°28'05"W
15.00'

2" ALUM. MONUMENT

S87°28'05"E 677.01'
CHESTNUT STREET

N02°31'55"E
24.89'

P.O.C.

SW. CORNER, SW 1/4,
SEC. 15, T29N, R21W

ANDERSON COA# 000062



ENGINEERS • SURVEYORS • LABORATORIES • DRILLING
2045 W. WOODLAND • SPRINGFIELD, MISSOURI 65807 • PHONE (417) 866-2741

MENARDS
EASEMENT RELINQUISHMENT
SKETCH

CHESTNUT EXPRESSWAY, SPRINGFIELD, MO

110828.DWG

DRAWN BY:

BAC

DATE:

3-02-2017

CLIENT NO:

30018-17

EXHIBIT B-1

MENARD INC.
BOOK 2015, PAGE 018459-15

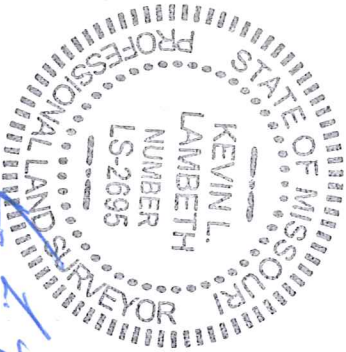
LOT 3

SCALE: 1" = 60'



EASTGATE AVE.

OLD EASTGATE AVE.



2" ALUM. MONUMENT

P.O.C.

SW. CORNER, SW 1/4,
SEC. 15, T29N, R21W

ANDERSON COA# 000062



ENGINEERS - SURVEYORS - LABORATORIES - DRILLING
2045 W. WOODLAND - SPRINGFIELD, MISSOURI 65807 - PHONE (417) 865-2344

MENARDS

EASEMENT RELINQUISHMENT
SKETCH

CHESTNUT EXPRESSWAY, SPRINGFIELD, MO

DRAWN BY:

BAC

DATE:

3-02-2017

CLIENT NO:

30018-17

FIELD BY:

FIELD BK:

DRAWING NO:

110828.DWG

10.0' UTIL. ESMT.
BK. 2467, PG. 510
2.115± SQ. FT.
0.049± ACRES

N15°39'35"E 82.28'
S15°39'35"W 80.50'

N09°18'53"E 129.86'

S09°18'53"W 130.41'

10.00'
S80°41'07"E

N02°31'55"E 25.00'

N87°28'05"W 10.27'

S87°28'05"E 532.19'

CHESTNUT STREET

P.O.B.

P.O.B.

P.O.B.

EXHIBIT C-1

LOT 3

OLD EASTGATE AVE.

P.O.C.

SW. CORNER, SW 1/4,
SEC. 15, T29N, R21W

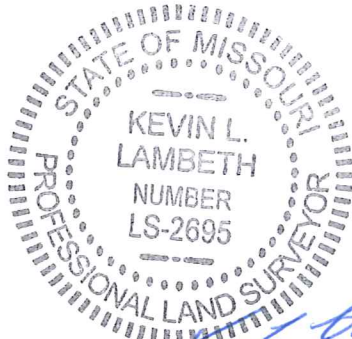
2" ALUM. MONUMENT



ENGINEERS • SURVEYORS • LABORATORIES • DRILLING
2045 W. WOODLAND • SPRINGFIELD, MISSOURI 65807 • PHONE (417) 866-2741

MENARDS
EASEMENT RELINQUISHMENT
SKETCH

CHESTNUT EXPRESSWAY, SPRINGFIELD, MO



10/26/2017

110828.DWG

DRAWN BY:
BAC
DATE:
3-02-2017
CLIENT NO:
30018-17

EXHIBIT D-1

MENARD INC.
BOOK 2015, PAGE 018459-15

EASTGATE AVE

LOT 2

15.0' UTIL. ESMT.
BK. 1595, PG. 1061
9,607± SQ. FT.
0.221± ACRES

N01°21'45"E
15.00'

S87°28'05"E 640.50'

N87°28'05"W 640.50'

CHESTNUT STREET

S01°21'23"W
15.00'

N01°14'23"E
24.98'

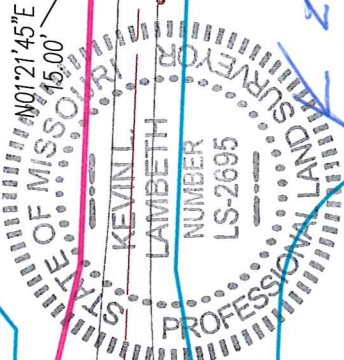
P.O.B.

P.O.C.

SE. CORNER, SW 1/4, SW1/4,
SEC. 15, T29N, R21W



SCALE: 1" = 100'

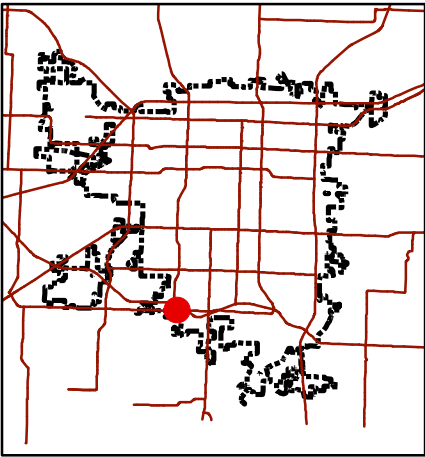


ANDERSON COA# 000062

AE ANDERSON ENGINEERING
EMPLOYEE OWNED
ENGINEERS • SURVEYORS • LABORATORIES • DRILLING
2045 W. WOODLAND • SPRINGFIELD, MISSOURI 65807 • PHONE (417) 866-2741

MENARDS
EASEMENT RELINQUISHMENT SKETCH
CHESTNUT EXPRESSWAY, SPRINGFIELD, MO

DRAWN BY: BAC
DATE: 3-02-2017
CLIENT NO: 30018-17
FIELD BY: FIELD BK: DRAWING NO: 110828.DWG



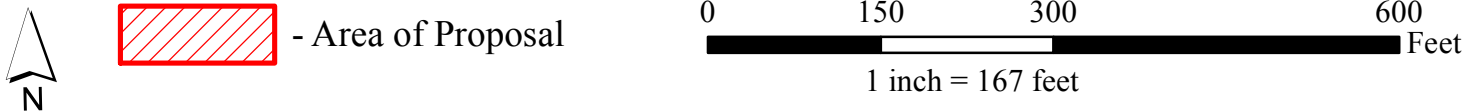
Development Review Staff Report

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

Relinquish Easement 856

LOCATION: 1850 West Republic Road

LOCATION SKETCH



DEVELOPMENT REVIEW STAFF REPORT
REQUEST TO RELINQUISH EASEMENT NUMBER 856

PURPOSE: To relinquish sanitary sewer easement

REPORT DATE: November 03, 2017

LOCATION: 1850 West Republic Road

APPLICANT: City of Springfield

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. 856
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish a sanitary sewer easement in order to facilitate development of the property. The easement is no longer utilized and has been replaced by a separate easement to the east. A sanitary sewer line has been installed in the new permanent sanitary sewer easement.

ENVIRONMENTAL SERVICES – CLEAN WATER SERVICES

No objection to relinquishment

RIGHT-OF-WAY COMMENTS:

No objection to relinquishment.

STAFF COMMENTS:

1. The applicant is requesting to relinquish a sanitary sewer easement in order to facilitate development of the property. The existing easement would be in conflict with the proposed development. A separate permanent sanitary sewer easement to the east is currently utilized to provide service to the property.
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. 856
APPROVAL CRITERIA

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

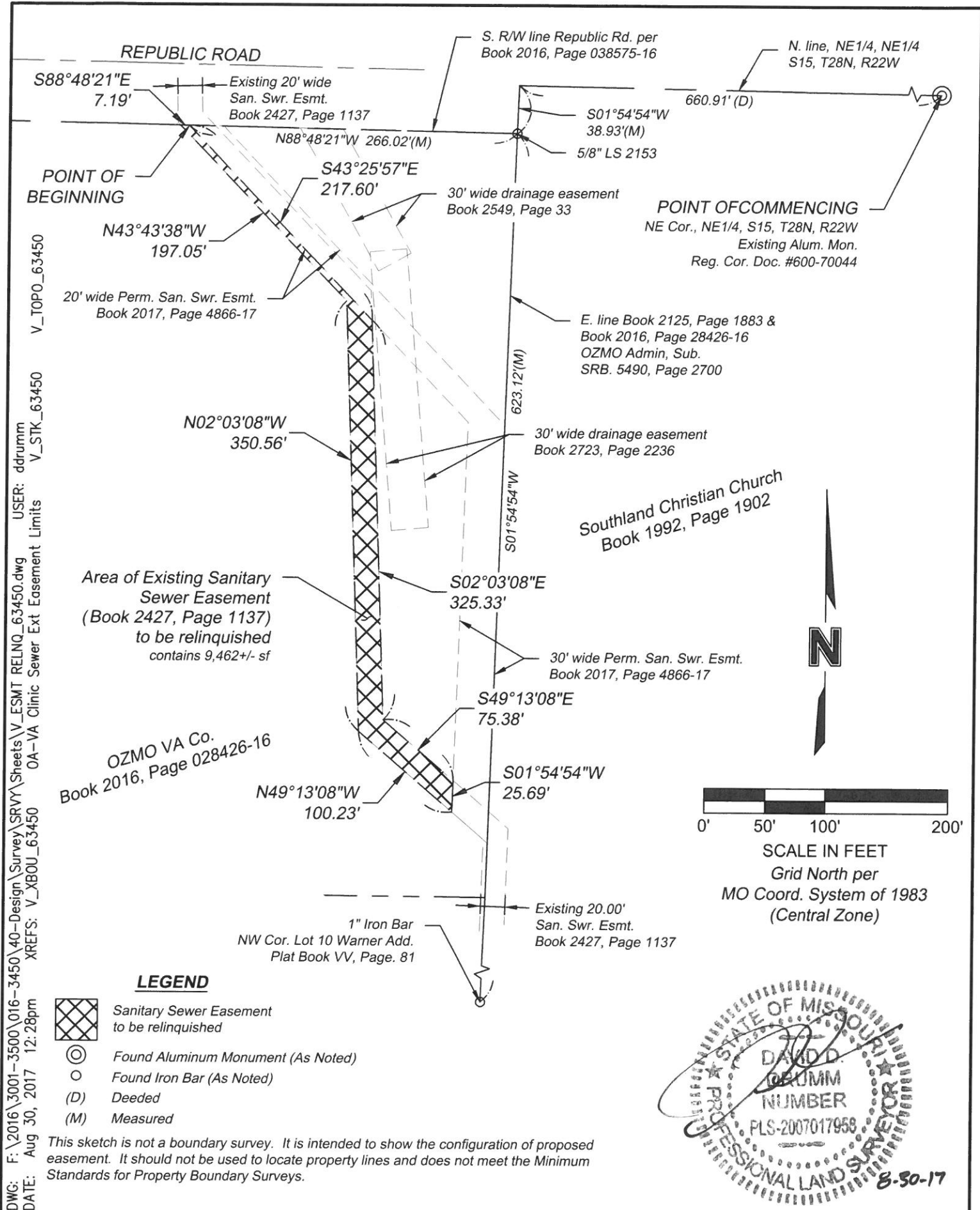
APPROVAL CRITERIA	STAFF RESPONSE:
1. No one has objected to the relinquishment of the easements.	No one has objected to relinquishing the subject easement to date.
2. The appropriate City agency has filed with the Planning and Development Department a statement that the easements are no longer needed to provide service.	All interested City agencies have filed a statement and do not object to the relinquishment of the subject easement. A new easement has been created to replace the current 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. A new easement has been created to replace the current easement.

RELINQUISH EASEMENT NO. 856
EXHIBIT 1

SANITARY SEWER EASEMENT TO RELINQUISH

All that part of an existing sanitary sewer easement, described and duly recorded in Book 2427, at Page 1137 to be relinquished, as it crosses, adjoins or touches that tract of land described and duly recorded in Book 2016, at Page 028426-16, also known as being a part of Lot One (1), of the Administrative Subdivision Lot Combination titled "OZMO VA COMPANY SUBDIVISION", duly recorded in Survey Record Book 5490, at Page 2700, in the Greene County, Missouri Recorder of Deed's Office, being a part of the Northeast Quarter (NE1/4), of the Northeast Quarter (NE1/4), of Section 15, Township 28 North, Range 22 West of the Fifth Principal Meridian, Springfield, Greene County, Missouri, said part of existing sanitary sewer easement being more particularly described as follows:

COMMENCING at an existing aluminum monument, being the Northeast Corner of said Section 15, established by Corner Document Number 600-70044; Thence Westerly, along the North line of said Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of said Section 15, a distance of 660.91 feet (Deed); Thence South 01 Degrees 54 Minutes 54 Seconds West, leaving said North line, a distance of 38.93 feet to an existing 5/8" iron bar, LS 2153, being a point on the South right-of-way line of Republic Road, as described in Book 2016, at Page 038575-16, in said Greene County Missouri Recorder of Deed's Office; Thence North 88 Degrees 48 Minutes 21 Seconds West, along said South right-of-way line, a distance of 266.02 feet, to the intersection of said South right-of-way line and the West line of an existing sanitary sewer easement described in Book 2017, at Page 4866-17, in said Greene County Recorder of Deed's Office, for the POINT OF BEGINNING; Thence South 43 Degrees 25 Minutes 57 Seconds East, leaving said South right-of-way line, and along the West line of said existing sanitary sewer easement recorded in Book 2017, at Page 4866-17, a distance of 217.60 feet, to a point on the East line of said sanitary sewer easement described in Book 2427, at Page 1137; Thence South 02 Degrees 03 Minutes 08 Seconds East, continuing along said East line of said sanitary sewer easement, a distance of 325.33 feet; Thence South 49 Degrees 13 Minutes 08 Seconds East, continuing along said East line of said sanitary sewer easement, a distance of 75.38 feet, to the West line of said existing sanitary sewer easement described in Book 2017, at Page 4866-17; Thence South 01 Degrees 54 Minutes 54 Seconds West, leaving said East line of said sanitary sewer easement described in Book 2427, at Page 1137, and along said West line of said sanitary sewer easement described in Book 2017, at Page 4866-17, a distance of 25.69 feet, to a point on the West line of said sanitary sewer easement described in Book 2427, at Page 1137; Thence North 49 Degrees 13 Minutes 08 Seconds West, along said West line of said sanitary sewer easement described in Book 2427, at Page 1137, a distance of 100.23 feet; Thence North 02 Degrees 03 Minutes 08 Seconds West, continuing along said West line of said sanitary sewer easement described in Book 2427, at Page 1137, a distance of 350.56 feet; Thence North 43 Degrees 43 Minutes 38 Seconds West, continuing along said West line of said sanitary sewer easement described in Book 2427, at Page 1137, a distance of 197.05 feet, to a point on said South right-of-way line of Republic Road; Thence South 88 Degrees 48 Minutes 21 Seconds East, along said South right-of-way line, a distance of 7.19 feet, to the POINT OF BEGINNING, containing 9,462 square feet, more or less, EXCEPT any part of said existing sanitary sewer easement duly recorded in the Greene County Recorder of Deed's Office in Book 2017, at Page 4866-17, any part of said Republic Road taken deeded or used for right-of-way, and subject to any other easements and restrictions of record.



PROJECT NO: 016-3450

DRAWN BY: DDD

DATE: 08/28/17

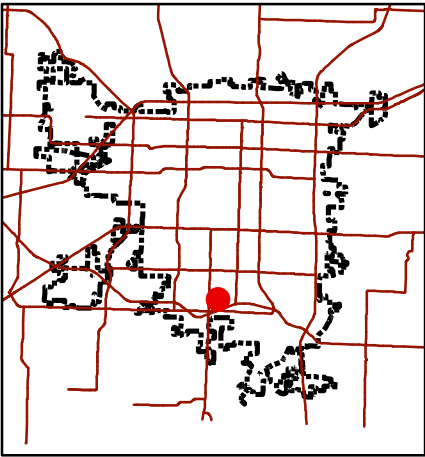
Sanitary Sewer Easement Relinquishment

MOLSSON ASSOCIATES

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

EXHIBIT

B



Development Review Staff Report

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

Relinquish Easement 857

LOCATION: 3600 Block S South Avenue

LOCATION SKETCH



- Area of Proposal

0 125 250 500 Feet

1 inch = 125 feet

DEVELOPMENT REVIEW STAFF REPORT
REQUEST TO RELINQUISH ACCESS EASEMENT NUMBER 857

PURPOSE: To relinquish access easement

REPORT DATE: November 03, 2017

LOCATION: 3600 Block S South Avenue

APPLICANT: Richard Werner

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. 857
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish an access easement in order to facilitate development of the property. There are currently no plans for a future road or alley to be constructed at this location. The drainage easement running concurrent with the access easement will remain in place and will not be part of the relinquishment.

TRAFFIC COMMENTS

Traffic has no issues with the vacation of this portion of the private alleyway easement.

RIGHT-OF-WAY COMMENTS:

No objection to relinquishment.

STAFF COMMENTS:

1. The applicant is requesting to relinquish an access easement in order to facilitate development of the property. The existing easement would conflict with the proposed development. The drainage easement running concurrent with the access easement will remain in place and will not be part of the relinquishment.
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. 857
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 easement 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 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. 857
EXHIBIT 1

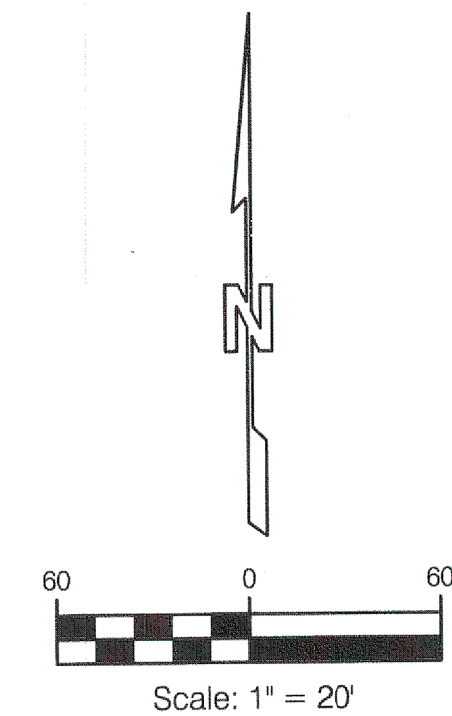
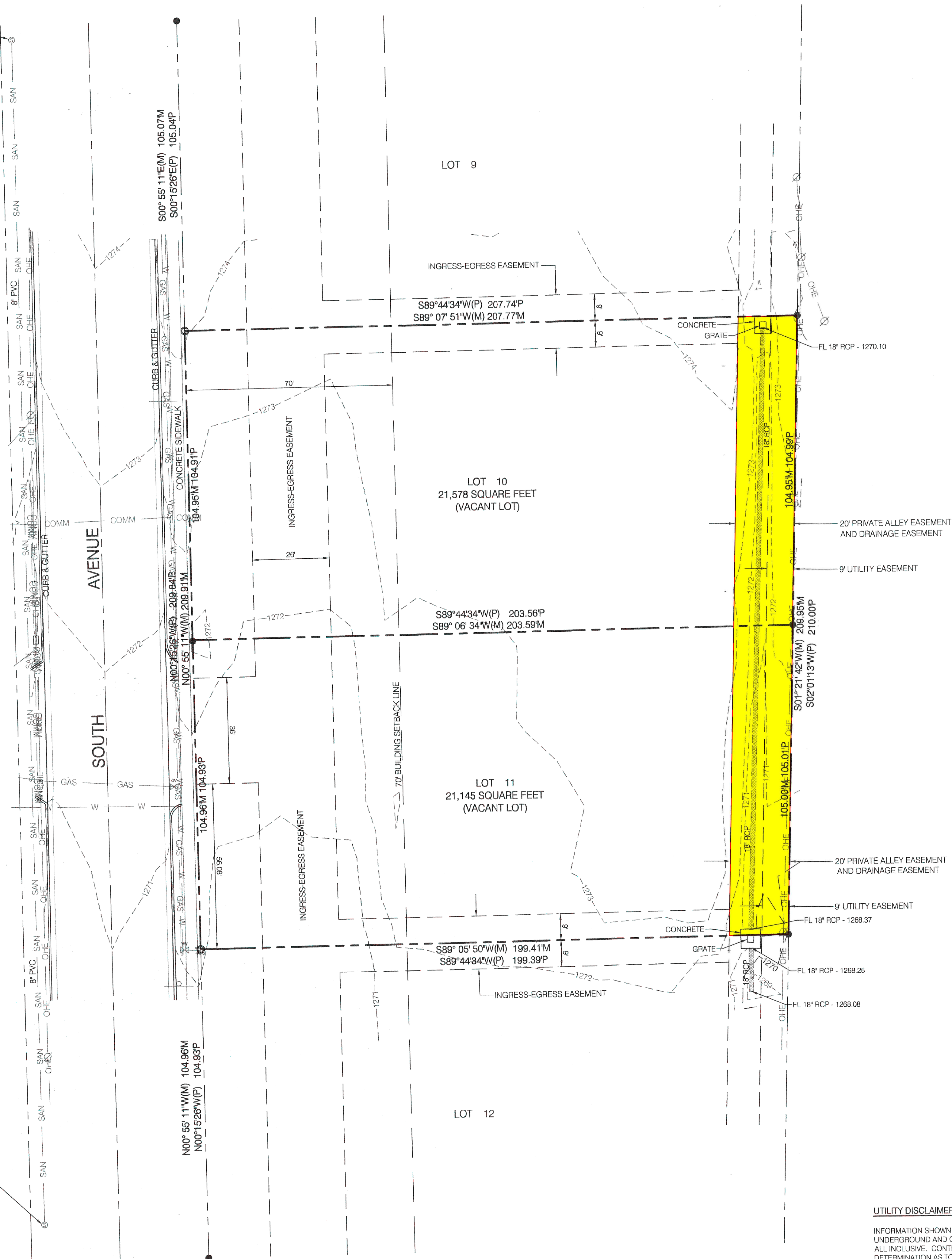
ACCESS EASEMENT TO RELINQUISH

A PRIVATE ALLEY EASEMENT LOCATED IN SECTION 12, TOWNSHIP 28 NORTH, RANGE 22 WEST, AND BEING A PART OF TOWN SQUARE ADDITON SECOND AMENDED FINAL PLAT, RECORDED IN BOOK KK PAGE 71, GREENE COUNTY RECORDERS OFFICE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF THE EAST 20 FEET OF LOT 10 AND THE EAST 20 FEET OF LOT 11 OF SAID TOWN SQUARE SECOND AMENDED FINAL PLAT.

RIM EL. - 1275.05
INV. EL. - 1270.47

RIM EL. - 1270.16
INV. EL. - 1264.90



GRID NORTH MISSOURI STATE PLAN COORDINATE
SYSTEM 1983: CENTRAL ZONE
ELEVATIONS BASED ON
MISSOURI GEOGRAPHIC REFERENCE SYSTEM
STATION: KICKAPOO
ELEVATION: 1280.57
ONE FOOT CONTOUR INTERVAL: 1'
URBAN PROPERTY
TOTAL AREA - 42,723 SQ.FT. (0.98 ACRES)

LEGEND	
	IRON PIN SET CAPPED
	EXISTING IRON PIN
	EXISTING RIGHT-OF-WAY MARKER
	MEASURED PLATTED DEEDED
	SANITARY SEWER
	OVERHEAD ELECTRIC LINE
	UNDERGROUND ELECTRIC LINE
	UNDERGROUND COMMUNICATION LINE
	GAS
	FIBER-OPTIC CABLE
	CHAIN LINK FENCE
	WOOD PRIVACY FENCE
	BARBED WIRE FENCE
	ELECTRIC TRANSFORMER
	SANITARY SEWER MANHOLE
	STORM SEWER MANHOLE
	WATER MANHOLE
	TELEPHONE PEDESTAL
	FIRE HYDRANT
	WATER VALVE
	GAS VALVE
	GAS METER
	POWER POLE
	ELECTRIC METER
	GUY ANCHOR
	PULL BOX
	2 PED
	WATER METER
	GAS METER
	AIR CONDITIONER
	SIGN
	LIGHT POLE POST
	MAIL BOX
	TREE DECIDUOUS
	TREE EVERGREEN

BOUNDARY & TOPOGRAPHICAL SURVEY FOR WILLIAMS CONSTRUCTION ARKANSAS, INC.

PROPERTY DESCRIPTION:
ALL OF LOTS 10 & 11, TOWN SQUARE ADDITION SECOND AMENDED FINAL PLAT, AND AMENDED FINAL PLAT OF LOTS 6 THRU 13 IN THE AMENDED FINAL PLAT OF TOWN SQUARE ADDITION, A SUBDIVISION IN SPRINGFIELD, GREENE COUNTY, MISSOURI.

SURVEYOR'S DECLARATION:
CJW TRANSPORTATION CONSULTANTS, L.L.C., HEREBY DECLARE TO WILLIAMS CONSTRUCTION ARKANSAS, INC., THAT THE INFORMATION CONTAINED HEREON IS BASED UPON AN ACTUAL SURVEY OF THE LAND DESCRIBED, WHICH WAS PERFORMED UNDER MY PERSONAL SUPERVISION, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS SURVEY IS IN ACCORDANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS. PHYSICAL EVIDENCE OF IMPROVEMENTS SHOWN ARE FROM INFORMATION TAKEN BY VISUAL INSPECTION OF THE PREMISES. BOUNDARY MONUMENTATION AND CONDITIONS FOUND ARE AS SHOWN.

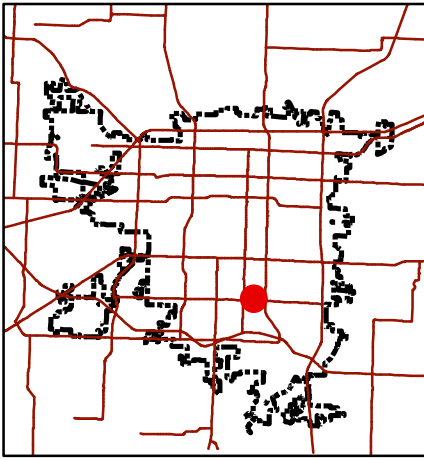
JAMES A. VAUGHAN, PLS 22655
CJW, L.L.C. LC-2007008003
08/16/2017
DATE

UTILITY DISCLAIMER
INFORMATION SHOWN ON THIS DRAWING CONCERNING TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. CONTRACTORS ARE RESPONSIBLE FOR MAKING THEIR OWN DETERMINATION AS TO THE TYPE AND LOCATION OF UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO. INFORMATION SHOWN IS FROM MAPS PROVIDED OR DISCOVERED FROM UTILITY PROVIDERS.

No.:	Revision:	Date:
PLAT OF SURVEY FOR WILLIAMS CONSTRUCTION ARKANSAS, INC.		
LOTS 10 & 11 TOWN SQUARE ADDITION 2ND AMENDED		
SURVEY BY CJW	DESIGN CJW	SCALES HOR. 1"=20' VERT. N/A
DATE 8-15-17 DWG. 17084BNDYTOPO	DRAWN CJW CHECKED CJW	SHEET 1 OF 1 SHEETS FILE NO. 17084

Prepared by:
CJW
CJW Transportation Consultants, L.L.C.
5051 S. National Suite 7A Springfield, MO 65810
Tel: 417.889.3400 Fax: 417.889.3402
www.GoCJW.com

Professional Seal: JAMES A. VAUGHAN, PLS 22655, MISSOURI PROFESSIONAL LAND SURVEYOR, 08-17



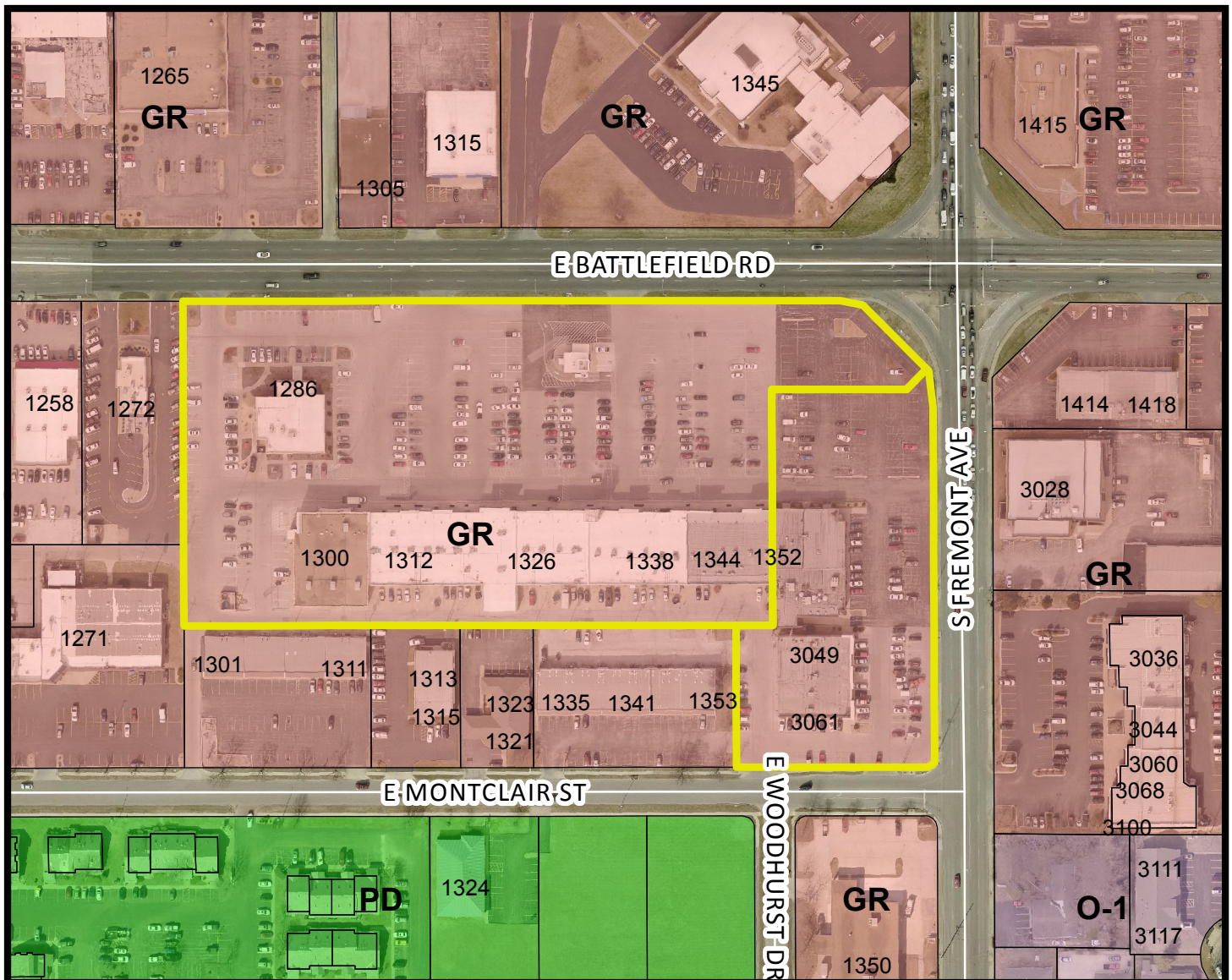
Development Review Staff Report

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

Request to Extend Security Agreement No. 35

LOCATION: 1364 East Battlefield Road
CURRENT ZONE: GR, General Retail
PROPOSED ZONE: NA

LOCATION SKETCH



- Area of Proposal

0 75 150 300 450 600 Feet

1 inch = 200 feet

DEVELOPMENT REVIEW STAFF REPORT
REQUEST TO EXTEND SECURITY AGREEMENT NO. 35

PURPOSE: Request to extend the security agreement for the Final Plat of Fremont Square 2nd Addition an Administrative Replat recorded October 27, 2016 for an additional year

REPORT DATE: November 2, 2017

LOCATION: 1364 East Battlefield Road

APPLICANT: SWC E. BATTLEFIELD RD. & FREMONT AVE, LLC

BACKGROUND:

The Final Plat of Fremont Square 2nd Addition, an Administrative Replat, is a two-lot subdivision which was final platted and recorded on October 27, 2016 with an escrow for public sewer improvements.

Before the final plat of any subdivided area shall be recorded, the subdivider shall provide for the improvements to be extended to all lots in the area to be included in the final plat at no cost to the City.

In lieu of the completion of said improvements before the plat is recorded, the subdivider may post a surety bond, an escrow agreement, letter of credit or other appropriate security agreement, approved by the City of Springfield, which surety, escrow agreement or other appropriate security agreement will insure to the City that the improvements will be completed by the subdivider.

All improvements, except sidewalks, must be completed within one year after the recording of the subdivision plat. Sidewalks must be completed within three years after the recording of the subdivision plat.

The commission may, upon proof of hardship, extend the completion date set forth in said bond or agreements for a maximum period of one additional year; provided a request for said extension is made prior to the end of the one year following recordation and provided the amount of said security is revised pursuant to a revised estimate by the director of public works. The city attorney and city manager, acting in conjunction, may at any time during the period of such bond accept a substitution of principal or sureties on the bond or a substitution of a letter of credit, escrow or other approved security agreement

FINDINGS FOR STAFF RECOMMENDATION:

1. The request complies with criteria #9 of Attachment 2.

RECOMMENDATION:

Staff recommends the extension be approved for another year from November 28, 2017 to November 28, 2018.

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner

ATTACHMENT 1
REQUEST TO EXTEND SECURITY AGREEMENT NO. 35

APPLICANTS PROPOSAL:

The applicant is requesting that the security agreement extension for construction of sanitary sewer facilities within the Fremont Square 2nd Addition an Administrative Replat DL Rogers Subdivision Administrative Replat.

HISTORY:

1. The applicant first obtained approval to subdivide and record the subject property on October 27, 2016.
2. The security agreement for the required public improvements will expire on November 28, 2017.

STAFF COMMENTS:

1. The applicant wants the agreement to be extended (see letter attached dated September 15, 2017).
2. The Subdivision Regulations permit for an extension for a maximum period of one year.
3. The criteria for extending security agreements, as approved by the Planning and Zoning Commission, are listed in Attachment 2.
4. The Commission may decide that the applicant's proposal falls under criterion 9 which refers to other factors the developer believes should be considered in the granting of an extension of time (see developers letter dated September 15, 2017).
5. The Public Works Department has reviewed this application request and agrees to the extension of the Escrow for Fremont Square 2nd Addition, an Administrative Replat for SWC E. Battlefield Rd, and Fremont Ave, for one (1) additional year or until November 28, 2018 (see letter attached dated September 22, 2017).

ATTACHMENT 2

PLANNING AND ZONING COMMISSIONS AUTHORITY REQUEST TO EXTEND SECURITY AGREEMENT NO. 35

SUBDIVISION REGULATIONS:

Section 36-233 of the Subdivision Regulations states that the Commission may, upon proof of hardship, extend the completion date set forth in said bond or agreements for a maximum period of one additional year; provided a request for said extension is made prior to the end of the one year following recordation and provided the amount of said security agreement is revised pursuant to a revised estimate by the Department of Public Works.

CRITERIA FOR EXTENDING SECURITY AGREEMENTS:

The following list of criteria was adopted by the Planning and Zoning Commission in April 1998 and the staff of the Public Works and Planning and Development Departments use this criteria in their review of all requests to extend subdivision security agreements:

1. Project is too large for construction in one year. Facts should be presented as to when the project was started and the actual time spent on the construction.
2. Incomplete due to seeding time frames. Public Works only permits seeding to be done from March 15 to June 1 and from September 1 to November 1. Facts should be presented that project was completed during a time when seeding is not allowed and that only seeding work remains to be done. A time extension should be considered for only the period necessary to complete the seeding.
3. Shortage of key construction material. For instance, in 1987, aggregate backfill was difficult to obtain at times.
4. Labor strike.
5. Weather (as it relates to a large project that requires continuous effort to complete within one year).
6. Problems with the contractor such as leaving the area or going broke. The developer should give facts as to his efforts to replace the contractor.
7. Project is redesigned for one reason or another. The key to this should be if the developer has had to submit the project to the Planning and Zoning Commission for approval.
8. Conflicts with major unknowns, such as sinkholes, utilities or other underground hazards.
9. Other factors not listed above that the developer believes should be considered in the granting of the extension of time.

REQUEST TO EXTEND SECURITY AGREEMENT 35
EXHIBIT 1

Property Description:

Lots 1 and 2 of the Final Plat of Fremont Square 2nd Addition an administrative replat of lots 8 through 13 of Fremont Square and lots 1 through 8 of the amended plat of Fremont Square First Addition a Subdivision in the City of Springfield, Greene County, Missouri.

VIA POSTAL SERVICE AND EMAIL

September 15, 2017

City of Springfield, Missouri
Department of Public Works
1010 W. Chestnut St.
Springfield, MO 65802
Attn: Brett Foster, P.E.

Subject: Request for Bond Escrow Extension
SWC E. Battlefield Rd. & Fremont Ave

Project No. 2016PW0065
City Contract Number: 2016-1893
Bond # 1145211

Dear Mr. Foster:

At this time, we do not foresee completing the above referenced improvements on or before November 28, 2017, and would like to pursue an extension of the Bond Escrow of 1 year.

The circumstances and reasoning for the requested extension includes the following: (1) the construction of the Public Improvements will be scheduled to align with the schedule of private development work proposed on the Outlot that is to be served by the public sewer extension, and (2) the property owners involved with the private development served by the public sewer extension are coordinating to ensure that these schedules align. We will notify the City when an updated construction schedule is finalized between all involved parties.

Please also note in your records that the property owner of record has changed. The new property owner is:

Battlefield and Fremont Development, LLC
2650 Warrenville Road, Suite 700
Downers Grove, IL 60515
Contact: VP of Construction | 331-251-7171

An updated Bond Escrow will be issued by the new property owner upon acceptance of this extension request by the City. Please advise if any additional paperwork is required due to transfer of ownership. Additionally, the new property owner of record is now coordinating with the neighboring property owner.

If you have any questions, please feel free to contact me to discuss.

Sincerely,
Springfield, MO (SWQ E Battlefield and Fremont) LLC

Edwin Gebauer, P.E., LEED AP
1400 16th Street, Suite 300
Oak Brook, IL 60523
630-617-9164
Email: egebauer@insiterealestate.com

Enclosure: 90 Day Expiration Notice, dated August 25, 2017

CC: Battlefield and Fremont Development, LLC (via email)

DATE: 4-20-17

TO: Bob Hosmer, Principal City Planner
FROM: Brett Foster, P.E.
Principal Engineer Construction Inspection – City of Springfield PW

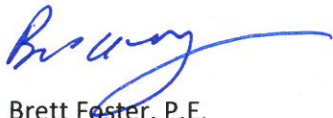
SUBJECT: Extension of City Contract # 2016-0602
Cash Security Contract #2016-0594, \$82,106.50
Cedarbrook Cul-De Sac – New Prime Inc., 2015PW0088T

Mr. Hosmer,

This serves as notice that the Public Works Construction Inspection Department agrees with the request for extension of the above noted Cash Security for the period of one year for all street improvements associated with Public Works Plan 2015PW0088T. This extension will extend the completion date of the improvements until June 6, 2018. We also request that the extension be placed on the Planning and Zoning Commission meeting agenda for May 18th, 2017 for approval as required by City Code.

This Public Improvement Plan is being built in conjunction with the major redevelopment of the Prime Inc. property in North East Springfield. The cul-de-sac referenced in the PW plan is logically one of the last pieces to be constructed of a very large project with several facets as part of the overall development of the properties in the area. It is anticipated the construction of the cul-de-sac will be completed in early fall of 2017. Extension of the Escrow is to the advantage of the City and has no known adverse effects to residents, stakeholders, or the overall community.

Sincerely,



Brett Foster, P.E.
Principal Engineer
City of Springfield
Public Works-Construction Inspection
(417) 864-1937

Attachments

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

DATE: November 3, 2017

TO: Planning and Zoning Commission

FROM: Bob Hosmer, AICP
Principal Planner

SUBJECT: Planned Development 353 and Vacation 793

The applicant's representative has requested that Planned Development 353 (Sherman Avenue) and Vacation 793 (alley adjacent to Sherman Avenue) be withdrawn from consideration.

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

DATE: November 3, 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 agenda on January 11th.

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

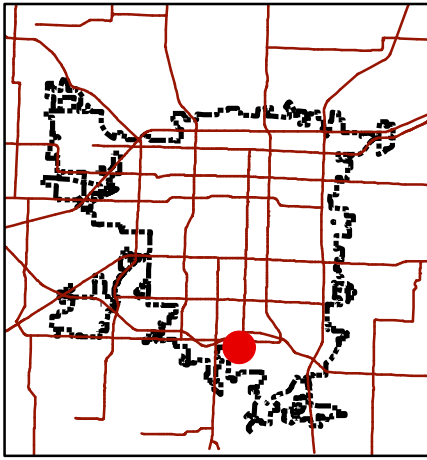
DATE: November 3, 2017

TO: Planning and Zoning Commission

FROM: Daniel Neal
Senior Planner

SUBJECT: Z-28-2017 COD #136

The applicant's representative has requested that Z-28-2017 COD #136 be withdrawn.
The applicant has submitted a new rezoning request for a Planned Development No. 360.



Development Review Staff Report

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

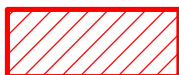
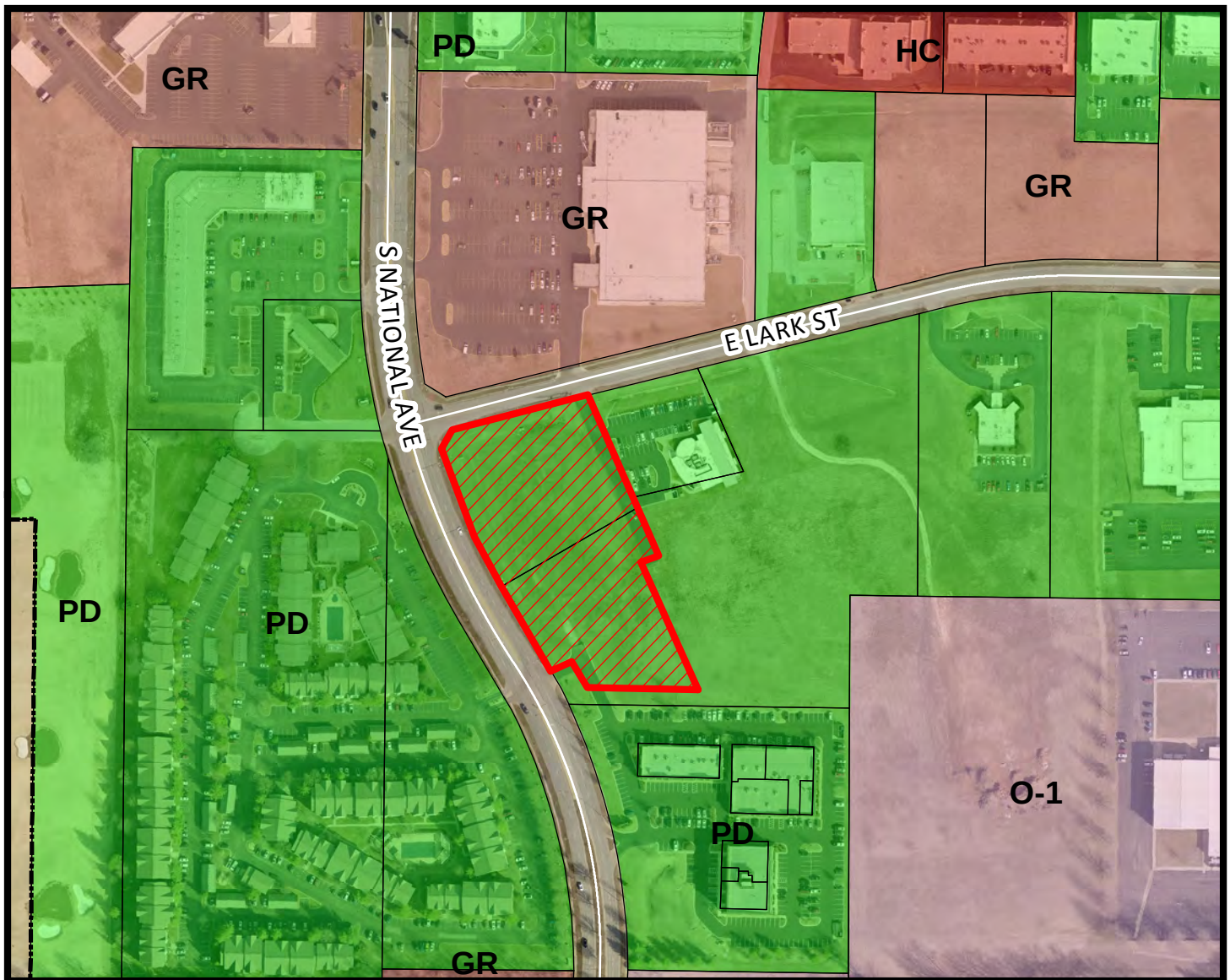
Planned Development 360

LOCATION: 1220 E. Lark Street

CURRENT ZONE: PD 84

PROPOSED ZONE: PD 360

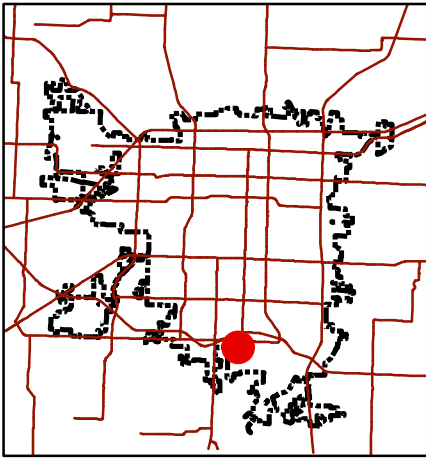
LOCATION SKETCH



- 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

Planned Development 360

LOCATION: 1220 E. Lark Street
CURRENT ZONE: PD 84
PROPOSED ZONE: PD 360

LOCATION SKETCH



- Area of Proposal

0 150 300 600 Feet

1 inch = 300 feet

DEVELOPMENT REVIEW STAFF REPORT
PLANNED DEVELOPMENT 360

PURPOSE: To rezone approximately 3.2 acres of property generally located at 1220 East Lark Street from Planned Development District No. 84 to a Planned Development District No. 360.

DATE: November 2, 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 significant differences between PD 84 and the proposed PD 360 (to allow temporary lodging uses (i.e. hotels), allow reduction in temporary lodging off-street parking requirements and to remove the bufferyard adjacent to the multi-family development to the east) are not expected to have any adverse impact on the surrounding properties or infrastructure.

RECOMMENDATION:

The Planning and Development 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:

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 Planned Development District No. 360. The applicant is proposing to construct a new hotel on the southern lot 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.
3. 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.
4. The major difference between the existing Planned Development No. 84 and the proposed Planned Development No. 360 is that temporary lodging uses (i.e. hotels) are permitted. The following changes are proposed:
 - a. The proposed PD will allow uses as permitted in the GR, General Retail District, except the following uses which will be prohibited:

- i. Bed and breakfast facilities.
 - ii. Commercial gardens and/or farmers markets with retail and/or wholesale sales on-site.
 - iii. Commercial off-street parking lots and structures.
 - iv. Flea markets entirely within enclosed buildings.
 - v. Funeral homes and mortuaries (crematoriums are permitted as accessory uses).
 - vi. Household resource recovery collection centers, screened from all residential districts and public rights-of-way in conformance with [section 36-480](#), screening and fencing.
 - vii. Public and private parks, playgrounds, and golf courses, including miniature golf courses and driving ranges.
 - viii. Public service and public utility uses, as follows:
 - ix. Tier I wireless facilities in accordance with [section 36-466](#), telecommunication towers;
 - x. 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;
 - xi. 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
 - xii. Water reservoirs, water standpipes, and elevated and ground-level water storage tanks.
 - xiii. Seasonal outdoor sales and related storage as permitted by [section 36-452](#), temporary uses.
 - xiv. Taxidermists.
 - xv. Temporary uses, as permitted by [section 36-452](#), temporary uses.
 - xvi. Temporary vendors as permitted under subsection [36-452\(3\)\(b\)2](#).
 - xvii. Towers other than wireless facilities, less than 100 feet in height, and related facilities provided telecommunication towers comply with [section 36-466](#), telecommunication towers.
 - xviii. All conditional uses allowed in the GR District.
- b. The following use limitations shall apply due to the reduction in off-street parking that is allowed for temporary lodging uses: Temporary lodging use areas with accessory food service, meeting rooms and communal areas within the temporary lodging use shall be available for lodging guests only. These areas shall not be solicited, leased or rented for general public use. Also, in the temporary lodging use building, the meeting rooms shall be limited to two separate meeting rooms of approximately 865 sf each. Movable partitions between the room shall not be allowed.

- c. Temporary lodging uses are allowed to have a 1.0 floor area ratio per lot while all other uses shall be limited to 0.35 floor area ratio per lot. PD 84 limited all non-residential uses to a floor area ratio of 0.35.
- d. Building setbacks will increase from 50 feet to 60 feet from National Avenue. Off-street parking setbacks have been reduced from 25 feet to 10 feet along National Avenue and Lark Street.
- e. Due to the cross access easement along the east property line, the applicant is proposing to provide the landscape plantings for the bufferyard that is typically required between a GR and multi-family uses, elsewhere in the open space and interior landscaping of the site. The applicant will be providing at least 4 canopy trees, 8 understory trees, 8 evergreen trees and 40 shrubs on the site. This does not including the perimeter landscaping requirements which will still have to be met along National Avenue.
- f. The applicant will also be using grass pavers for a portion of the off-street parking and this will be allowed to be counted towards a part of their interior landscaping and open space requirements.
- g. Existing shared access to South National at the SW corner of the tract shall remain. No other access to South National is allowed. Existing shared access to Lark Street at the NE corner of the tract shall remain. No other access to Lark is allowed. There shall be a cross access easement provided along the western portion of the tract providing for the northern tract to have access to the South National driveway.
- h. Free standing signs allowed by Ordinance for each tract shall be separated by 300 feet.
- i. The standard off-street parking requirements shall apply with the exception that required off-street parking for the temporary lodging uses shall be: one space per room. Required off-street parking for accessory food service, meeting rooms and communal areas within the temporary lodging use shall have no parking requirements because these areas are for lodging guests only. These areas shall not be solicited, leased or rented for general public use.
- j. The intent of Exhibit 2 (site plan) is to show development of this tract in conformance with the requirements of Exhibit 1 (text). The site layout of buildings and parking may shift while still maintaining conformance with Exhibit 1. A final development plan shall only be approved if it is in substantial conformance with Exhibit 2 as defined by Subsection 36-405 of the Springfield Zoning Ordinance. The Administrative Review Committee is hereby authorized to, acting jointly, approve the final development plan provided such plan substantially conforms to the provisions of this ordinance.

5. The development is required to meet the twenty (20) percent open space requirement that is also required by the surrounding zoning districts.
6. The applicant is proposing to perform an administrative lot line adjustment to move the existing lot line north and west and accommodate the proposed development on Lot 2.
7. Approval of this application will facilitate development of this property and promote infill development where investments have already been made in public services and infrastructure.
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 October 24, 2017. The letters were sent out 8 days before the meeting; however, the applicant had held a neighborhood meeting for rezoning to GR which allowed similar uses on August 16th and only one owner attended. A summary of the meeting is attached (Attachment 2).

PUBLIC COMMENT:

The property was posted by the applicant at least 10 days prior to the public hearing. The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet.

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

CITY COUNCIL MEETING:

December 11, 2017

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
DEPARTMENT COMMENTS
PLANNED DEVELOPMENT 360

BUILDING DEVELOPMENT SERVICES COMMENTS:

No objection to Planned Development.

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. S. 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. Access onto S. National Avenue and E. Lark Street is limited to these two points. Cooperative parking with adjacent properties to meet required number of parking is under BDS discretion. Proper cross-access must remain. 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 (PD 360)
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 PD 360 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.

FIRE COMMENTS:

Fire has no objection to rezoning

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. Detention was built as part of 2PW005089 but it does not include water quality. Private water quality can be provided for this development or the existing detention can be modified to include water quality which must be done on public improvement plans.

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

CLEAN WATER SERVICES COMMENTS:

No objections to Planned Development. Public sewer is currently available and there are no apparent conflicts with public sewer.

CITY UTILITIES COMMENTS:

No objections. All utilities are available.

Attachment 2

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: PD 84 to PD 360
(existing zoning) (proposed zoning)
2. Meeting Date & Time: Tuesday October 24th 4:00 pm - 6:30 pm
3. Meeting Location: At the site 1220 East Lark adjacent to Buzbee Dental
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): None
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.)

There were no attendees. No issues.

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

Nothing to do

I, Geoffrey Butler (*print name*), attest that the neighborhood meeting was held on October 24th 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: 2017.10.24 18:38:20-05'00'

Signature of person completing affidavit

Geoffrey Butler

Printed name of person completing affidavit

EXHIBIT 1

Requirements and Standards Applicable to Planned Development District No. 360

A. APPLICATION

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

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

B. INTENT

The intent of this planned development is to replace PD84 for this tract F and to provide for a temporary lodging/hotel use in addition to the uses already allowed in PD84 Tract F.

C. DEFINITIONS

The definitions contained in the *Zoning Ordinance* shall apply to this ordinance. For the purpose of this ordinance, the following shall also apply.

D. USES PERMITTED

1. Permitted Uses as listed in Section 36-421(2) of the GR, General Retail District. The following uses shall be prohibited:
 - 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. Flea markets entirely within enclosed buildings.
 - e. Funeral homes and mortuaries (crematoriums are permitted as accessory uses).
 - f. Household resource recovery collection centers, screened from all residential districts and public rights-of-way in conformance with [section 36-480](#), screening and fencing.
 - g. Public and private parks, playgrounds, and golf courses, including miniature golf courses and driving ranges.
 - h. 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
- i. Water reservoirs, water standpipes, and elevated and ground-level water storage tanks.
- j. Seasonal outdoor sales and related storage as permitted by [section 36-452](#), temporary uses.
- k. Taxidermists.
- l. Temporary uses, as permitted by [section 36-452](#), temporary uses.
- m. Temporary vendors as permitted under subsection [36-452\(3\)\(b\)2](#).
- n. Towers other than wireless facilities, less than 100 feet in height, and related facilities provided telecommunication towers comply with [section 36-466](#), telecommunication towers.
- o. All conditional uses allowed in the GR District.

E. USE LIMITATIONS

1. Temporary lodging use areas with accessory food service, meeting rooms and communal areas within the temporary lodging use shall be available for lodging guests only. These areas shall not be solicited, leased or rented for general public use.
2. In the temporary lodging use building, the meeting rooms shall be limited to two separate meeting rooms of approximately 865 sf each. Movable partitions between the room shall not be allowed.
3. All uses shall operate in accordance with the noise standards contained in *Section 36-385* of the *Springfield Zoning Ordinance*.
4. No use shall emit an odor that creates a nuisance as determined in the Springfield City Code.

F. INTENSITY OF DEVELOPMENT

1. Temporary lodging uses are allowed to have a 1.0 FAR per lot, all other uses shall be limited to 0.35 FAR per lot.

G. BULK, AREA AND HEIGHT REQUIREMENTS

Development shall adhere to Exhibit 2 and the following standards.

1. Maximum hotel structure height: Five (5) stories, all other uses 45 feet

H. DESIGN REQUIREMENTS

1. The temporary lodging use shall generally comply with the site plan shown on Exhibit 2.
2. Building setbacks from South National Avenue shall be: fifty (50) feet for any building with Lark Street frontage and sixty (60) feet for any building with only South National Avenue Frontage.
3. Building setbacks along Lark Street shall be fifty-five (55) feet.

I. OPEN SPACE, LANDSCAPING & SCREENING

1. Open space requirements - Minimum open space: Not less than twenty (20) percent of the total lot area shall be devoted to open space including required yards and bufferyards.
2. Maximum impervious area: The combined area occupied by all main and accessory buildings or structures, parking areas, driveways and any other surfaces which reduce and prevent absorption of stormwater shall not exceed eighty (80) percent of the total lot area.
3. Bufferyards.
 - a. Required bufferyards.
 1. In lieu of a standard bufferyard between GR and multi-family residential uses to the east because of an access easement, there shall be additional plantings required within the development. The interior landscaping and open space for the site shall contain at least 4 canopy trees, 8 understory trees, 8 evergreen trees and 40 shrubs.
 - b. Perimeter and Interior Landscaping.
 1. Perimeter landscaping shall be provided along South National Avenue per Section 36-482 of the Zoning Ordinance.
 2. Grass paver systems shall be allowed in the calculation of interior landscaping and open space requirements as similarly prescribed in 36-482.(8)(b), Substitutions for required open space.

J. EXTERIOR LIGHTING

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

K. ACCESS TO PUBLIC THOROUGHFARES

1. Existing shared access to South National at the SW corner of the tract shall remain. No other access to South National is allowed.
2. Existing shared access to Lark Street at the NE corner of the tract shall remain. No other access to Lark is allowed.
3. There shall be a cross access easement provided along the western portion of the tract providing for the northern tract to have access to the South National driveway as shown on Exhibit 2.

L. OFF-STREET PARKING

Off-street Parking Sections 36-455, 36-456 and 36-483 of the *Springfield Zoning Ordinance* in effect at the time of development shall apply with the exception that required off-street parking for the temporary lodging uses shall be: one space per room. Required off-street parking for accessory food service, meeting rooms and communal areas within the temporary lodging use shall have no parking requirements because these areas are for lodging guests only. These areas shall not be solicited, leased or rented for general public use.

M. SIGNS

The requirements and standards of *Section 36-454* of the *Springfield Zoning Ordinance*, in effect at the time of development shall apply.

Free standing signs allowed by Ordinance for each tract shall be separated by 300 feet.

N. REQUIRED PUBLIC IMPROVEMENTS

None are required.

O. MAINTENANCE OF COMMON AREAS AND FACILITIES

The maintenance of common areas and facilities within the District shall remain the responsibility of the developer(s) or shall be assumed by the property owner.

P. PHASING

Development may be phased.

Q. FINAL DEVELOPMENT PLAN

A final development plan, showing conformance with the requirements of this Exhibit, shall be submitted to the Planning and Development Department and approved in the manner described below prior to the issuance of any building permits or prior to the commencement of any of the permitted uses or improvements permitted or required by this exhibit.

1. The intent of Exhibit 2 is to show development of this tract in conformance with the requirements of Exhibit 1. The site layout of buildings and parking may shift while still maintaining conformance with Exhibit 1. A final development plan shall only be approved if it is in substantial conformance with Exhibit 2 as defined by Subsection 36-405 of the Springfield Zoning Ordinance.
2. The Administrative Review Committee is hereby authorized to, acting jointly, approve the final development plan provided such plan substantially conforms to the provisions of this ordinance. The Administrative Review Committee is hereby authorized, at its discretion, to approve minor adjustments and modifications to the site plan. Such authority shall not, however, be construed to permit:
 - a. Any uses within the District other than those specifically prescribed by the ordinance.
 - b. Any increase in the intensity of use permitted within the District.

Homewood Suites for
Maruti Hotels

4440 South National
Springfield, Mo.
October 11, 2017

Parking Required: 1/Room = 124 spaces
Parking provided : 125

Room Matrix		King Studio A		Accessible King Studio B		Double Queen Studio		Double Queen Suite	
Floor Level		12	0	0	0	0	0	0	
Ground		20	1	1	2	2	4		
Second		20	1	1	2	2	4		
Third		20	1	1	2	2	4		
Fourth		20	1	1	2	2	4		
Fifth		20	1	1	2	2	4		
		92	4	4	8	8	16		124

REVISION# REVISION NAME DATE

SITE PLAN AND STATISTICS

Homewood Suites By Hilton

NATIONAL ASSOCIATION OF SPONSORED OFFICE COUNTY INSURANCE

BUTLER ROSENBERG & PARTNERS, INC.

300 MARKET STREET, SUITE 200, SPRINGFIELD, MISSOURI 65801-1000

PROJECT# DATE DRAWN BY CHECKED BY PROJECT

PROJECT# DATE DRAWN BY CHECKED BY PROJECT



A1.01



Development Review Staff Report

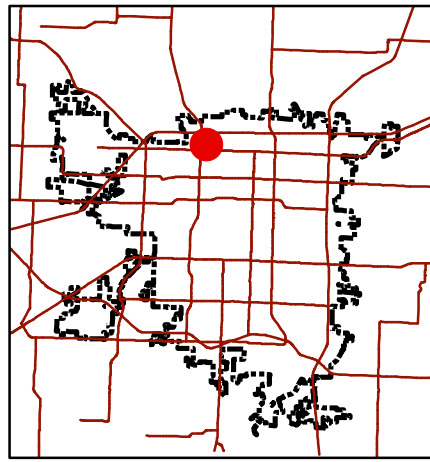
Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802

Z-32-2017 Conditional Overlay District No. 137

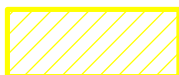
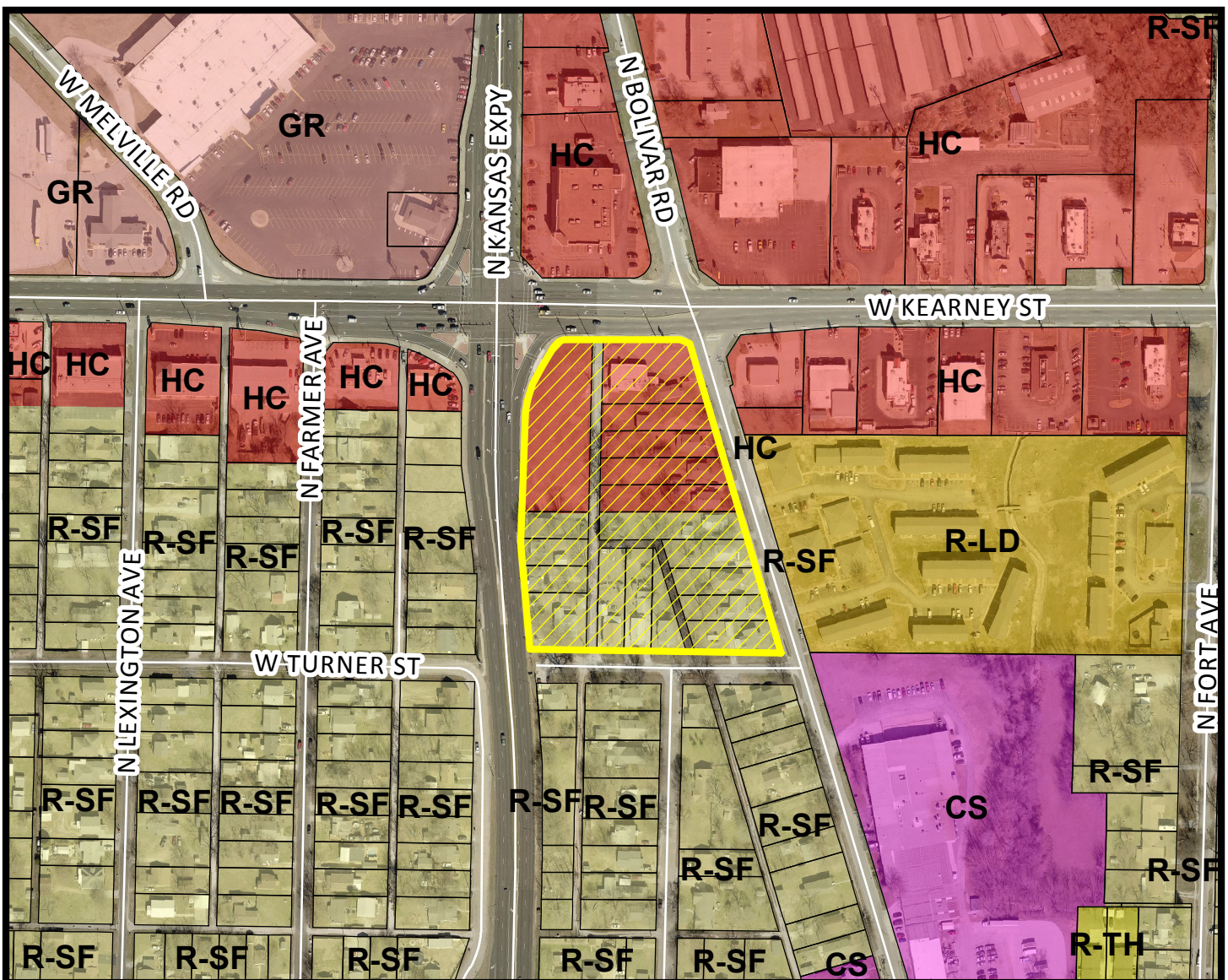
LOCATION: 2300 block N. Kansas Exp. & N. Bolivar Rd. & 1500 block W. Kearney St. & W. Turner St.

CURRENT ZONE: R-SF and HC w/ COD

PROPOSED ZONE: HC, Highway Commercial District with a Conditional Overlay District No. 137



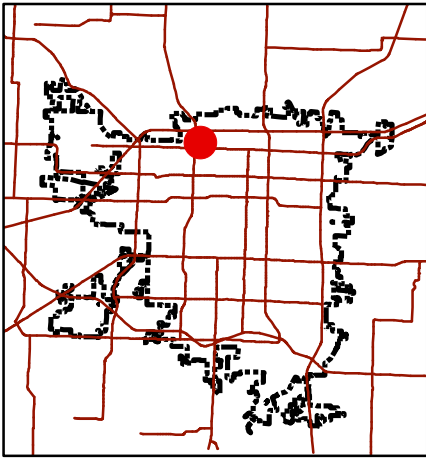
LOCATION SKETCH



- 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

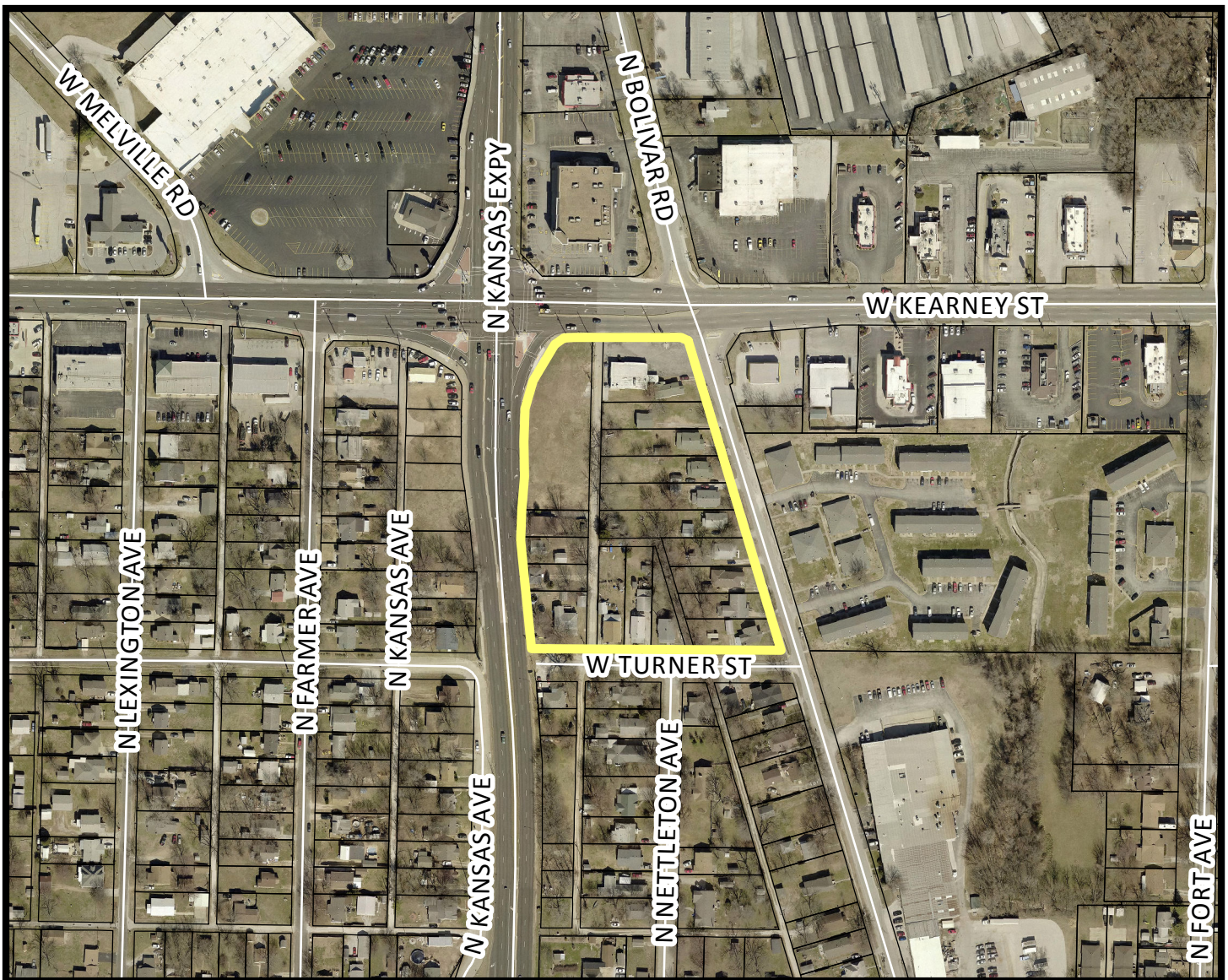
Z-32-2017 Conditional Overlay District No. 137

LOCATION: 2300 block N. Kansas Exp. & N. Bolivar Rd. & 1500 block W. Kearney St. & W. Turner St.

CURRENT ZONE: R-SF and HC w/ COD

PROPOSED ZONE: HC, Highway Commercial District with a Conditional Overlay District No. 137

LOCATION SKETCH



- Area of Proposal

0 150 300 600 Feet

1 inch = 300 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-32-2017 & CONDITIONAL OVERLAY DISTRICT NO. 137

PURPOSE: To rezone approximately 5.1 acres generally located at the 2300 blocks of North Kansas Expressway and North Bolivar Road and 1500 block of West Kearney Street and Turner Street from an HC, Highway Commercial w/ Conditional Overlay District No. 24 and R-SF, Single-family Residential District to an HC, Highway Commercial and establishing Conditional Overlay District NO. 137

REPORT DATE: November 3, 2017

LOCATION: 2300 blocks of North Kansas Expressway and North Bolivar Road and 1500 block of West Kearney Street

APPLICANT: Kansas & Kearney Intersection CTR

TRACT SIZE: Approximately 5.1 acres

EXISTING USE: Commercial uses, undeveloped land and single-family residence

PROPOSED USE: Uses permitted in HC, Highway Commercial District unless restricted by Conditional Overlay District No. 137

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of this application is consistent with the *Comprehensive Plan* which designates the northern portion of this property as appropriate for medium intensity retail, office or housing. The southern portion of the subject property is identified as being appropriate for low-density housing. However, the *Plan* also states that “the land use plan map should not be taken too literally but should be used in conjunction with...policies of this plan and good judgment.” Additionally, the *Plan* encourages Community-Scale Commercial Centers on primary arterial streets near intersections of primary and secondary arterials, expressway or freeways. The subject property meets these criteria as it is located adjacent to the Kansas Expressway and Kearney Street intersection, classified as an Expressway and Primary Arterial roadways, respectively.
2. Approval of this application will expand the commercial zoning further south to Turner Street. Approval of this application is consistent with the *Commercial Land Use Guidelines* of the *Comprehensive Plan* which encourages the use of location, design and landscaping to screen and buffer neighborhoods from lights, traffic noise and pollution and other factors incompatible or conflicting with adjacent land uses. The proposed conditional overlay district addresses these factors by requiring additional bufferyards to the south and east of the subject

property and requiring the subject property is be combined so that the development is oriented toward Kearney Street and Kansas Expressway.

3. Approval of this application will allow for further development of the subject property and promote infill development where investments have already been made in public services and infrastructure. The HC district is intended for commercial uses which depend upon high visibility, generate high traffic volumes, or cater to the traveling public. The subject property's proximity to the Kansas Expressway and Kearney Street intersection meets these criteria.

RECOMMENDATION:

Staff recommends approval of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	HC	Commercial & Retail uses
East	HC & R-LD	Commercial uses & multi-family dwellings
South	R-SF	Single-family residence
West	HC & R-SF	Commercial uses, undeveloped land, single-family residence

HISTORY:

In February 2009, City Council approved General Ordinance No. 5803 rezoning a portion of the subject property from R-SF, Single-family Residential to the current zoning as HC, Highway Commercial w/ COD No. 24. The southern portion of the subject property has been zoned R-SF since the community-wide rezoning in March 1995.

COMPREHENSIVE PLAN:

The Growth Management and Land Use Element of the Comprehensive Plan designates the northern portion of this property as appropriate for medium intensity retail, office or housing. The southern portion of the subject property is identified as being appropriate for low-density housing. However, the *Plan* also states that "the land use plan map should not be taken too literally but should be used in conjunction with...policies of this plan and good judgment."

The *Plan* encourages Community-Scale Commercial Centers on primary arterial streets near intersections of primary and secondary arterials, expressway or freeways. The subject property meets these criteria as it is located adjacent to the Kansas Expressway

and Kearney Street intersection, classified as an Expressway and Primary Arterial roadways, respectively.

STAFF COMMENTS:

1. The applicant is proposing to rezone from a HC, Highway Commercial w/ Conditional Overlay District No. 24 and R-SF, Single-family Residential District to a HC, Highway Commercial and establishing Conditional Overlay No. 137.
2. The *Growth Management and Land Use Element* of the *Comprehensive Plan* designates the northern portion of this property as appropriate for medium intensity retail, office or housing. The southern portion of the subject property is identified as being appropriate for low-density housing. However, the *Plan* also states that “the land use plan map should not be taken too literally but should be used in conjunction with...policies of this plan and good judgement.”
3. The *Plan* encourages Community-Scale Commercial Centers on primary arterial streets near intersections of primary and secondary arterials, expressway or freeways. The subject property meets these criteria as it is located adjacent to the Kansas Expressway and Kearney Street intersection, classified as an Expressway and Primary Arterial roadways, respectively.
4. The HC district is intended for commercial uses which depend upon high visibility, generate high traffic volumes, or cater to the traveling public. These characteristics dictate that this district be located along or at the intersections of arterial classification streets or along frontage roads adjacent to the interstate or other limited-access streets. The subject property meets this intended criteria for the HC district.
5. Approval of this application will expand the commercial zoning further south to Turner Street. Approval of this application is consistent with the *Commercial Land Use Guidelines* of the *Comprehensive Plan* which encourages the use of location, design and landscaping of office uses to screen and buffer neighborhoods from lights, traffic noise and pollution and other factors incompatible or conflicting with adjacent land uses. The proposed conditional overlay district addresses these factors by requiring a bufferyard Type “C” along the south boundary which is fifteen (15) feet width and required plantings. In addition to this bufferyard, will be a six-foot solid wood fence, masonry/brick wall or evergreen hedge located internal to the required plantings which will be planted directly along Turner Street. Also, a bufferyard Type “C” along the eastern boundary adjacent to R-LD zoned will be required.
6. The conditional overlay district requires the property is be combined so that the development is oriented toward Kearney Street and Kansas Expressway. The bufferyard requirements on the south along Turner Street and east along Bolivar Road also ensure this development orientation.

7. MoDOT has granted access with a right-in/right-out access to Turner Street from Kansas Expressway. A traffic study has been submitted and approved by MoDOT which has required intersection improvements. The improvements will include a right-in turn lane from Kansas Expressway unto Turner Street and a right-out acceleration lane from Turner Street onto Kansas Expressway to specification approved by MoDOT.
8. The proposed conditional overlay district will prohibit campgrounds and recreational vehicle parks, outdoor storage and the sale of automobile trailers.
9. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on May 17, 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	23
Notices returned as undeliverable	0

CITY COUNCIL MEETING:

December 11, 2017

STAFF CONTACT PERSON:

Michael Sparlin
Senior Planner
864-1091

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-32-2017 & CONDITIONAL OVERLAY DISTRICT NO. 137

BUILDING DEVELOPMENT SERVICES COMMENTS:

No objection to rezoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

City's Transportation Plan classifies N. Kansas Expressway as an Expressway and W. Kearney Street at a Primary Arterial Roadway. Both Kansas Expressway and Kearney Street are under MODOT jurisdiction. Defer to MODOT for all comments regarding these two streets. The City's Transportation Plan classifies N. Bolivar Road and W. Turner Street as Local streets. There are also two alleyways extending through the properties pertaining to this zoning. The standard right-of-way width for N. Bolivar Road and W. Turner 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. Bolivar Road, W. Turner Street, and the adjacent alleyways are city maintained streets/alleyways. The most recent traffic count on Kansas Expressway south of W. Kearney Street is 30,768 vehicles per day. The most recent traffic count on W. Kearney Street east of Kansas Expressway is 23,613 vehicles per day. The most recent traffic count on N. Bolivar Road south of Kearney Street is 1,008 vehicles per day. There are no traffic counts for the section of Turner Street that pertains to this zoning. There are two driveway access points on W. Kearney Street. There are currently no driveway access points on Kansas Expressway. There are 8 driveway access points on Turner Street and 8 driveway access points on Bolivar Road. There are also 4 driveway access points on the alleyway that runs parallel to Kansas Expressway. One of the driveway approaches on Bolivar Road appears to have a cross-access easement. There is sidewalk along a portion of the proposed property frontage of Kansas Expressway and sidewalk along the entire length of the proposed property frontage on Kearney Street. There is also sidewalk along the proposed property frontage on Bolivar Road, but none on Turner Street. The existing infrastructure of the sidewalk meets current city standards. On-street parking is not allowed along Kansas Expressway or Kearney Street. There is not a Greenway Trail in the area pertaining to this zoning. There are several bus stops along Kansas Expressway, Kearney Street, and Bolivar Avenue. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area.

A traffic study was required. The proposed use of the property in the Highway Commercial w/ COD 137 zoning produces more than 100 additional trip ends in the PM Peak than the current use of the properties in the Highway Commercial and Single Family - Residential zoning. This exceeds the 100 additional trip ends in a peak hour threshold, thus, the requirement of a Traffic Study. The COD must include all the improvements required by the Traffic Study. In addition to these improvements, development should also comply with current City Standards – i.e. driveway approach spacing requirements.

Public Works Traffic Division	Response
Street classification	N. Kansas Expressway – Expressway W. Kearney Street – Primary Arterial N. Bolivar Road – Local W. Turner Street – Local
On-street parking along streets	N. Kansas Expressway – No W. Kearney Street – No N. Bolivar Road – Yes W. Turner Street – Yes
Trips generated - Peak Hour	191.6 vehicles (HC [2.67 acres] + R-SF [2.52 acres]) 347.7 vehicles (HC w/ COD)
Additional Trips generated with zoning change - Peak Hour	156.1 vehicles
Existing street right of way widths	N. Kansas Expwy – 42 ft from the centerline W. Kearney St – 60 ft from the centerline N. Bolivar Rd – 25 ft from the centerline W. Turner St – 30 ft from the centerline
Standard right of way widths	N. Kansas Expwy – 65 ft from the centerline W. Kearney St – 50 ft from the centerline N. Bolivar Rd – 25 ft from the centerline W. Turner St – 25 ft from the centerline
Traffic study submitted	Yes*
Proposed street improvements	Required Improvements – The following improvements shall be required to improve Missouri Route 13 (Kansas Expressway) and Turner Street right-in/right-out intersection: a. Provide northbound right turn lane (90 feet full width with 100 taper) b. Westbound right acceleration lane (350 feet full width lane) i. Acceleration lane will extend north approximately 350 feet and connect into the existing northbound right turn lane at the intersection of Kansas Expressway and Kearney Street c. Turner Street improvements to bring roadway up to City Standard

STORMWATER COMMENTS:

The property is in the Pea Ridge Creek drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of any flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required according to Chapter 96. Buyout in lieu of on-site stormwater detention is not an option and detention will be required. Since the project will be disturbing more than one (1) acre there will be a land disturbance permit required.

A Detention buyout will not be allowed on this site. Detention will need to be provided. This site currently drains east while the northwest properties (1528 through 2326 Kansas Expressway) drain north. There was a previous buyout at 2343 N Kansas so a credit of 473 cu. Ft. will be given.

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. 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	Pea Ridge Creek
Is property located in Floodplain?	No
Is property located on a sinkhole?	No
Is stormwater buyout an option?	No
Is a land Disturbance Permit Required?	Yes

CLEAN WATER SERVICES COMMENTS:

No objection to the rezoning. Public sewer is currently available for the development and appears as though each proposed use area will have access also. Some sewer may have to be abandoned depending upon building layouts.

Any further review regarding capacity or conflicts with sewer will require additional building or site plans.

FIRE DEPARTMENT COMMENTS:

No issues with rezoning.

CITY UTILITIES:

No objection to rezoning. All utilities are available. There is overhead electric along part of the alley to the east-keep this in mind when designing buffer yards.

MODOT COMMENTS:

No objection. The submitted traffic study has been approved with the required improvements to Turner Street and Kansas Expressway intersection.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: Residential-Single Family/Commercial Svs to Highway Commercial

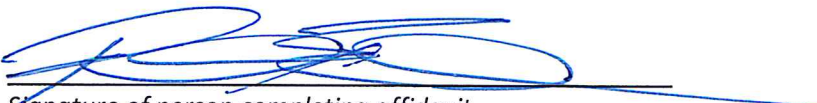
(existing zoning)
(proposed zoning)
2. Meeting Date & Time: October 25, 2017 4:15PM to 6:45PM
3. Meeting Location: The Library Station-The Frisco Room, 2535 N. Kansas Expressway
4. Number of invitations that were sent: Exact number unknown, but over 200
5. How the mailing list was generated: The list was generated by the Development Review Office
6. Number of neighbors in attendance (attach a sign-in sheet): 8
7. List the verbal comments and how you plan to address any issues:
 (City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

See attached

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

None.

I, Patrick R. Baird (print name), attest that the neighborhood meeting was held on 10/25/2017 (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

Patrick R. Baird
 Printed name of person completing affidavit

SUMMARY OF VERBAL COMMENTS AND RESPONSES

1. Will there be a property tax increase?

ANSWER: We don't think so, but is possible if property values increase.

2. What type of buildings?

ANSWER: Concrete or stone, as determined by the building codes.

3. Who would come in?

ANSWER: We don't know at this time.

4. Where is the development?

ANSWER: Kearney Street corridor.

5. Are you going to buy other houses?

ANSWER: No.

6. What type of building materials?

ANSWER: Concrete or stone, as determined by the building codes.

7. Are you part of the Kearney Street Project?

ANSWER: Not at this time, but attempting to join it.

8. Any road improvements on Bolivar?

ANSWER: WE don't know at this time.

9. What are you doing with vacant houses?

ANSWER: The vacant houses have been boarded up and will be bulldozed when construction begins.

10. Can we get a drive-in theater?

ANSWER: No.

11. Will they tear up our yards making the road bigger?

ANSWER: We don't know at this time.

12. Will this change our taxes?

ANSWER: We don't think so.

13. Will this open up Turner to Kansas?

ANSWER: Yes.

14. Will there be a new stoplight?

ANSWER: We don't know. That is out of our control.

15. Will you be able to turn left off Turner onto Kansas?

ANSWER: No.

16. Will there be an increase in traffic on residential roads?

ANSWER: We don't know.

17. Can we get a Red Lobster?

ANSWER? We don't know.

18. What kind of businesses will come in?

ANSWER: Maybe a restaurant, coffee shop, dollar store.

19. Is there any chance of an apartment complex?

ANSWER: Doubtful.

20. Is there going to be a long strip mall?

ANSWER: That is not in the plan.

21. What is the time frame for construction?

ANSWER: Plans are to begin next Spring.

22. Are you going to clear lots earlier than Spring?

ANSWER: No.

Neighbors in attendance were asked if they saw anything negative in the proposed project.

ANSWER: No.

WEDNESDAY, OCTOBER 25, 2017

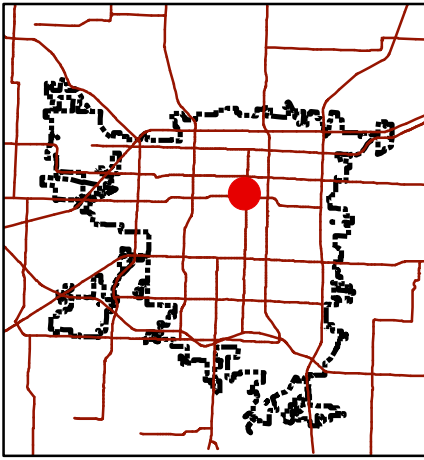
4:00 pm to 6:30 pm

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ATTACHMENT 3
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-32-2017 & CONDITIONAL OVERLAY DISTRICT NO. 137

The requirements of *Section 36-422. Highway Commercial District.* of the *Springfield Zoning Ordinance* shall be as modified herein for development within this district.

1. Uses - The following uses within the HC, Highway Commercial shall be prohibited in this district:
 - a. Campgrounds and recreational vehicle parks
2. Use Limitations
 - a. Outdoor storage is prohibited
 - b. Retail or wholesale sale of vehicular trailers shall be prohibited
3. Bufferyard requirements – the following bufferyard shall be required:
 - a. A bufferyard type C shall be required along the south boundary of the zoning district adjacent to residential zoning. In addition, a six-foot solid wood fence, masonry/brick wall or evergreen hedge will be required internal to the required plantings so that the plantings are planted directly along Turner Street.
 - b. A bufferyard type C shall be required along the east boundary of the zoning district adjacent to residential zoning to the east.
4. Required Improvements – The following improvements shall be required to improve Missouri Route 13 (Kansas Expressway) and Turner Street right-in/right-out intersection:
 - a. Provide northbound right turn lane (90 feet full width with 100 taper)
 - b. Westbound right acceleration lane (350 feet full width lane)
 - i. Acceleration lane will extend north approximately 350 feet and connect into the existing northbound right turn lane at the intersection of Kansas Expressway and Kearney Street
 - c. Turner Street improvements to bring roadway up to City Standard
5. An application to vacate the public alleys between these properties shall be submitted with appropriate replacement easements established.
6. All driveway access points to/from public streets under City of Springfield jurisdiction should comply with City Code Chapter 98, Article III, Division 3.
7. The lots shall be combined with an administrative lot combination or platted following the Major Subdivision process.



Development Review Staff Report

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

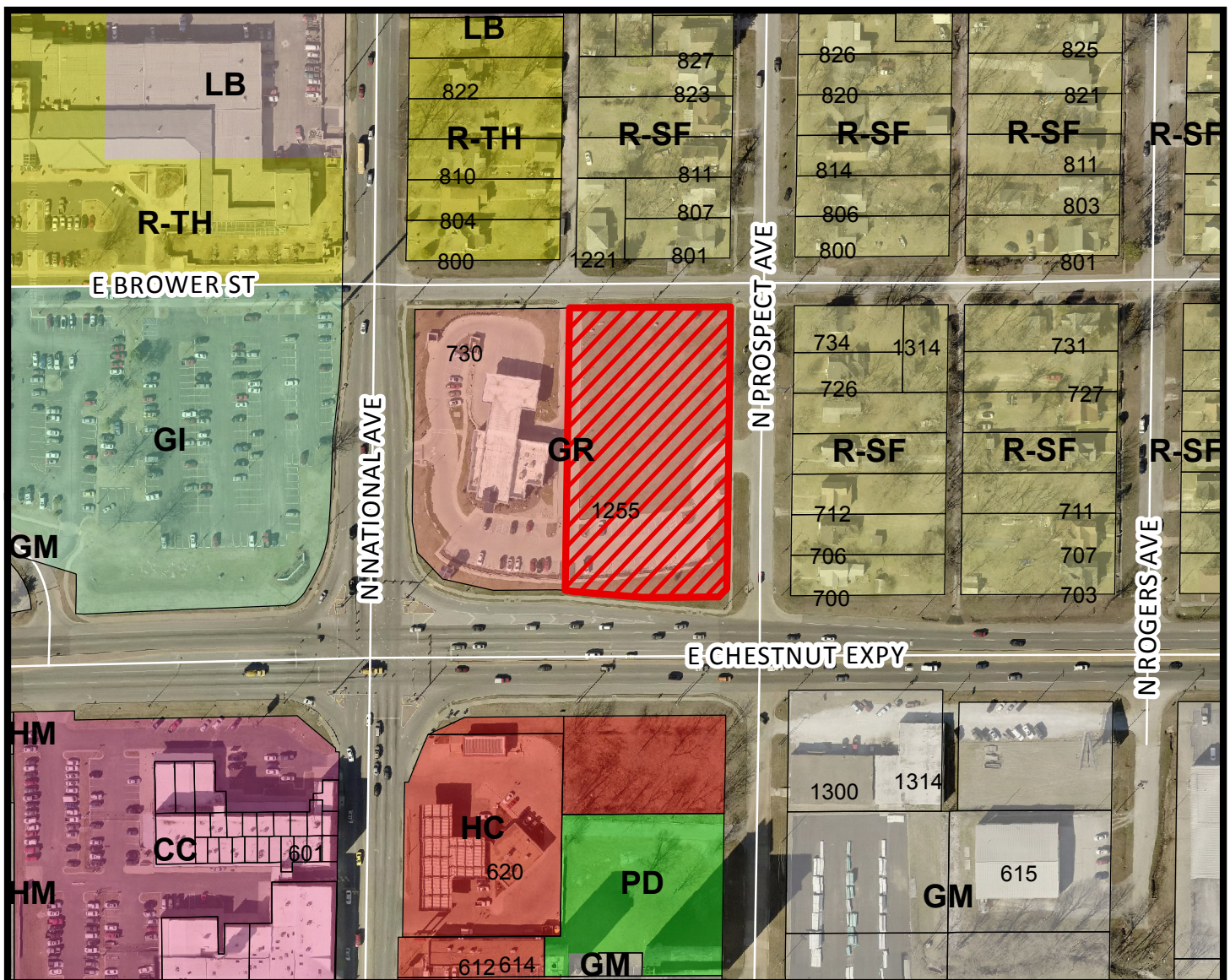
Z-34-2017 w/ Conditional Overlay District #139

LOCATION: 1255 East Chestnut Expressway

CURRENT ZONE: GR, General Retail District w/ Conditional Overlay District #10

PROPOSED ZONE: GR, General Retail District w/ Conditional Overlay District #139

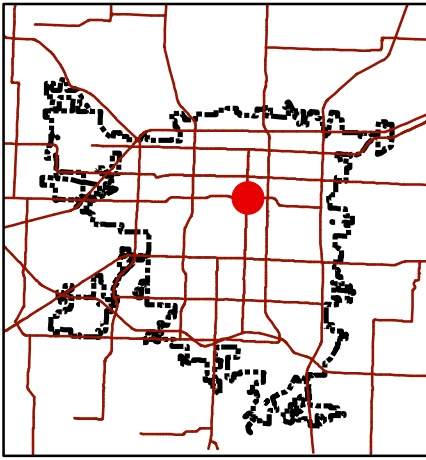
LOCATION SKETCH



- 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-34-2017 w/ Conditional Overlay District #139

LOCATION: 1255 East Chestnut Expressway

CURRENT ZONE: GR, General Retail District w/ Conditional Overlay District #10

PROPOSED ZONE: GR, General Retail District w/ Conditional Overlay District #139

LOCATION SKETCH



- Area of Proposal

0 150 300 600 Feet

1 inch = 200 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-34-2017 & CONDITIONAL OVERLAY DISTRICT NO. 139

PURPOSE: To rezone approximately 1.62 acres generally located at 1255 East Chestnut Expressway from a GR, General Retail District with Conditional Overlay District #10 to a GR, General Retail District and establishing Conditional Overlay District No. 139

REPORT DATE: October 27, 2017

LOCATION: 1255 East Chestnut Expressway

APPLICANT: Arvest Bank

TRACT SIZE: Approximately 1.62 acres

EXISTING USE: Undeveloped land

PROPOSED USE: Uses permitted in GR, General Retail District unless restricted by Conditional Overlay District No. 139

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of this application will maintain the GR, General Retail zoning but remove the Conditional Overlay District requirement of a .25 Floor Area Ratio (FAR). The FAR restricts the building total floor area to twenty-five (25) percent of the property. The applicant's proposal is to remove this requirement from the existing Conditional Overlay District in order to facilitate development of the subject property. All other requirements of the COD are being retained.
2. In January 2014, Council approved General Ordinance No. 6094 which removed FAR requirements from the Zoning Ordinance in all zoning districts. The reason for the removal of FAR requirements was because other requirements such as bulk plane, structure height, bufferyards, open space and off-street parking requirements provide as effective building requirements and the FAR did not provide any additional protections to the public.
3. The removal of the FAR requirement for the subject property is not expected to negatively impact adjacent property. The subject property shall adhere to all other standards of the Zoning Ordinance, proposed Conditional Overlay District No. 136 and other applicable ordinances. The GR district requires a thirty (30) degree bulk plane measured from the adjacent R-SF zoned property to the North and East of the subject property.

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	R-SF	Single-family residential uses
East	R-SF	Single-family residential uses
South	HC	Commercial uses, undeveloped land
West	GR w/ COD #10	Bank

HISTORY:

In February 2008, Council approved General Ordinance 5739 rezoning property in this area from R-SF, R-TH and O-1 to the current zoning as GR, General Retail and establishing Conditional Overlay District No. 10.

The subject property was a portion of the rezoning area. The property has remained undeveloped.

COMPREHENSIVE PLAN:

The Growth Management and Land Use Element of the Comprehensive Plan designates this property as appropriate for low-density housing. However, the *Plan* also states that “the land use plan map should not be taken too literally but should be used in conjunction with...policies of this plan and good judgment.” This land use category does not rule out the presence of what the *Plan* terms a “small neighborhood-oriented retail or service business carefully located and screened at certain intersections.” City Council rezoned the property in 2008 to General Retail with a Conditional Overlay District.

The subject property is located in the Center City 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 Center City Plan Element states that Chestnut Expressway is a critically important entrance to Center City because it serves Center City districts to its north and south. It further states that intersection of National and Chestnut is considered a gateway and should be accentuated through special landscaping, lighting and signage, building orientation, location and massing.

STAFF COMMENTS:

1. The applicant is proposing to rezone from GR, General Retail District with Conditional Overlay District No. 10 to GR, General Retail District and establishing Conditional Overlay District No. 139. The subject property was zoned to the current zoning in February 2008 and has remained undeveloped.
2. Approval of this application will maintain the GR, General Retail zoning but remove the Conditional Overlay District requirement of a .25 Floor Area Ratio (FAR). The FAR restricts the building total floor area to the size of the subject property. The current zoning restricts the building total floor area to twenty-five (25) percent of the property. The applicant's proposal is to remove this requirement from the existing Conditional Overlay District in order to facilitate development of the subject property. All other requirements of the COD are being retained except those that have been already completed.
3. The COD No. 10's Floor Area Ratio requirement was passed when the Zoning Ordinance had FAR requirements. In January 2014, Council approved General Ordinance No. 6094 which removed FAR requirements from the Zoning Ordinance in all zoning districts. The reason for the removal of FAR requirements was because other requirements such as bulk plane, structure height, bufferyards, open space and off-street parking requirements provide as effective building requirements and the FAR did not provide any additional protections to the public.
4. The removal of the FAR requirement for the subject property is not expected to negatively impact adjacent property. The subject property shall adhere to all other standards of the Zoning Ordinance, proposed Conditional Overlay District No. 136 and other applicable ordinances. The GR district requires a thirty (30) degree bulk plane measured from the adjacent R-SF zoned property to the North and East of the subject property. Removing the FAR requirement from this property makes it consistent with the lack of FAR requirements in the Zoning Ordinance.
5. The subject property is located in the Center City 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.

6. The subject property is adjacent to Chestnut Expressway, classified as an Expressway and National Avenue, classified as a Primary Arterial roadway. This would be considered a major intersection in an Activity Center which is considered appropriate for high-intensity retail, office and housing uses.
7. 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.
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 October 23, 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	22
Notices returned as undeliverable	1

CITY COUNCIL MEETING:

November 27, 2017

STAFF CONTACT PERSON:

Michael Sparlin
Senior Planner
864-1091

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-34-2017 & CONDITIONAL OVERLAY DISTRICT NO. 139

BUILDING DEVELOPMENT SERVICES COMMENTS:

No objection to rezoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

City's Transportation Plan classifies E. Chestnut Expressway as an Expressway, N. Prospect Avenue as a Local Street, and E. Brower Street as a Local Street. E. Chestnut Expressway is under MODOT jurisdiction. The standard right-of-way width for E. Chestnut Expressway is 65 feet from the centerline. The standard right-of-way width for N. Prospect Avenue is 30 feet from the centerline. The standard right-of-way width for E. Brower Street is 30 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. Prospect Avenue, E. Brower Street, and the alleyway extending north from Brower Street are City maintained streets. The most recent traffic count on E. Chestnut Expressway east of N. National Avenue is 25,404 vehicles per day. The most recent traffic count on E. Brower Street east of N. National Avenue is 201 vehicles per day. There are no traffic counts for the portion of N. Prospect Avenue pertaining to the property in this zoning. There are two cross-access easement driveway points – one on E. Brower Street, one on N. Prospect Avenue – pertaining to the property in this zoning. There is sidewalk along the property frontage of E. Chestnut Expressway, N. Prospect Avenue, and E. Brower Street. The existing infrastructure meets current city standards. On-street parking is not allowed along E. Chestnut Expressway. There is a Greenway Trail just to the west of OTC's campus. There are bus stops along E. Pythian Street to the north of the property 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.

A traffic study was not required. The current permitted uses of the property in the GR w/ COD 10 zoning is similar to that of the proposed uses permitted in GR w/ COD 139 zoning. No additional trips generated are anticipated based on the change in zoning from GR w/ COD 10 to GR w/ COD 139.

Public Works Traffic Division	Response
Street classification	E. Chestnut Expressway – Expressway N. Prospect Avenue – Local E. Brower Street - Local
On-street parking along streets	E. Chestnut Expressway – No N. Prospect Avenue – Yes E. Brower Street – Yes
Trips generated - Peak Hour	581 vehicles (GR-COD 10) 581 vehicles (GR-COD 139)

Additional Trips generated with zoning change - Peak Hour	0 vehicles
Existing street right of way widths	E. Chestnut Expressway: 73 ft from centerline N. Prospect Avenue: 40 ft from centerline E. Brower Street: 30 ft from centerline
Standard right of way widths	E. Chestnut Expressway: 65 ft from centerline N. Prospect Avenue: 30 ft from centerline E. Brower Street: 30 ft from centerline
Traffic study submitted	Not required
Proposed street improvements	None required

STORMWATER COMMENTS:

The property is in the Jordan Creek South Branch drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of any flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required according to Chapter 96. Buyout in lieu of on-site stormwater detention will be allowed. Since the project will be disturbing more than one (1) acre there will be a land disturbance permit required.

This site has a previous buyout for detention not constructed in 2009. This site used pervious pavement to meet their water quality requirement.

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. 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	Jordan Creek South Branch
Is property located in Floodplain?	No
Is property located on a sinkhole?	No
Is stormwater buyout an option?	Yes
Is a land Disturbance Permit Required?	Yes

CLEAN WATER SERVICES COMMENTS:

No objections to rezoning. Public sewer is currently available.

Any further review regarding capacity or point of connection will require additional plans.

FIRE DEPARTMENT COMMENTS:

No objection to rezoning

CITY UTILITIES COMMENTS:

No issues with the rezoning request. All utilities are available.

MODOT COMMENTS:

No objection to rezoning

EXHIBIT 2: NEIGHBORHOOD MEETING SUMMARY

1. Project Case No.: _____
2. Meeting Date & Time: 10/23/2017 4:00 - 6:30 pm
3. Meeting Location: Midtown Carnegie Library - Lower level meeting room
4. Number of invitations that were sent: 152
5. How was the mailing list generated: City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 3
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all of the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

We explained the proposed rezoning of the lot to remove the FAR requirement. We handed out the attached sheet that explained the FAR (Floor area ratio) requirement and explained what our proposed development will look like through pictures of site plans, floor plans, and elevations. There were questions about parking on the street but we explained that our site will have sufficient parking to serve all of our residents.

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

N/A

NAME	ADDRESS	PHONE NO.
------	---------	-----------

MARY Wright	700 N. Prospect	862-8411
Matthew Siegmann	830 N. Prospect	869-2775
Nanda McLeary	801 N. Prospect	818-8535

ATTACHMENT 3
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-34-2017 & CONDITIONAL OVERLAY DISTRICT NO. 139

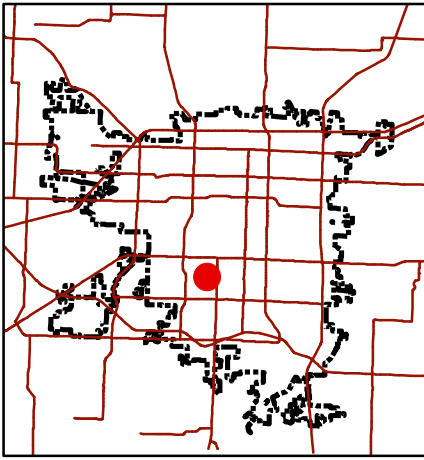
The requirements of *Section 36-421* of the *Springfield Zoning Ordinance* shall be modified herein for development within this district to include the following.

A. Use Limitations:

1. Provide an internal pedestrian system connecting each building with one another and the public sidewalk system.
2. All multi-tenant buildings shall be similar in color and appearance to the Gateway Tower Feature located on the adjacent property to the west.
3. The detention structure shall have decorative walls.
4. Every effort shall be made to preserve as many existing mature trees as possible.

B. Bulk and Intensity of Use:

1. Banks and Financial institutions with drive-thru facilities shall be limited to a maximum total of 6,500 square feet (Gross Floor Area)
2. Restaurants with drive-thru facilities shall be limited to a maximum total of 3,000 square feet (GFA).
3. Restaurants, taverns and cocktail lounges shall be limited to a maximum of 9,800 square feet (GFA). This restriction includes restaurants with drive-thru facilities as stated in item #2 above.



Development Review Staff Report

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

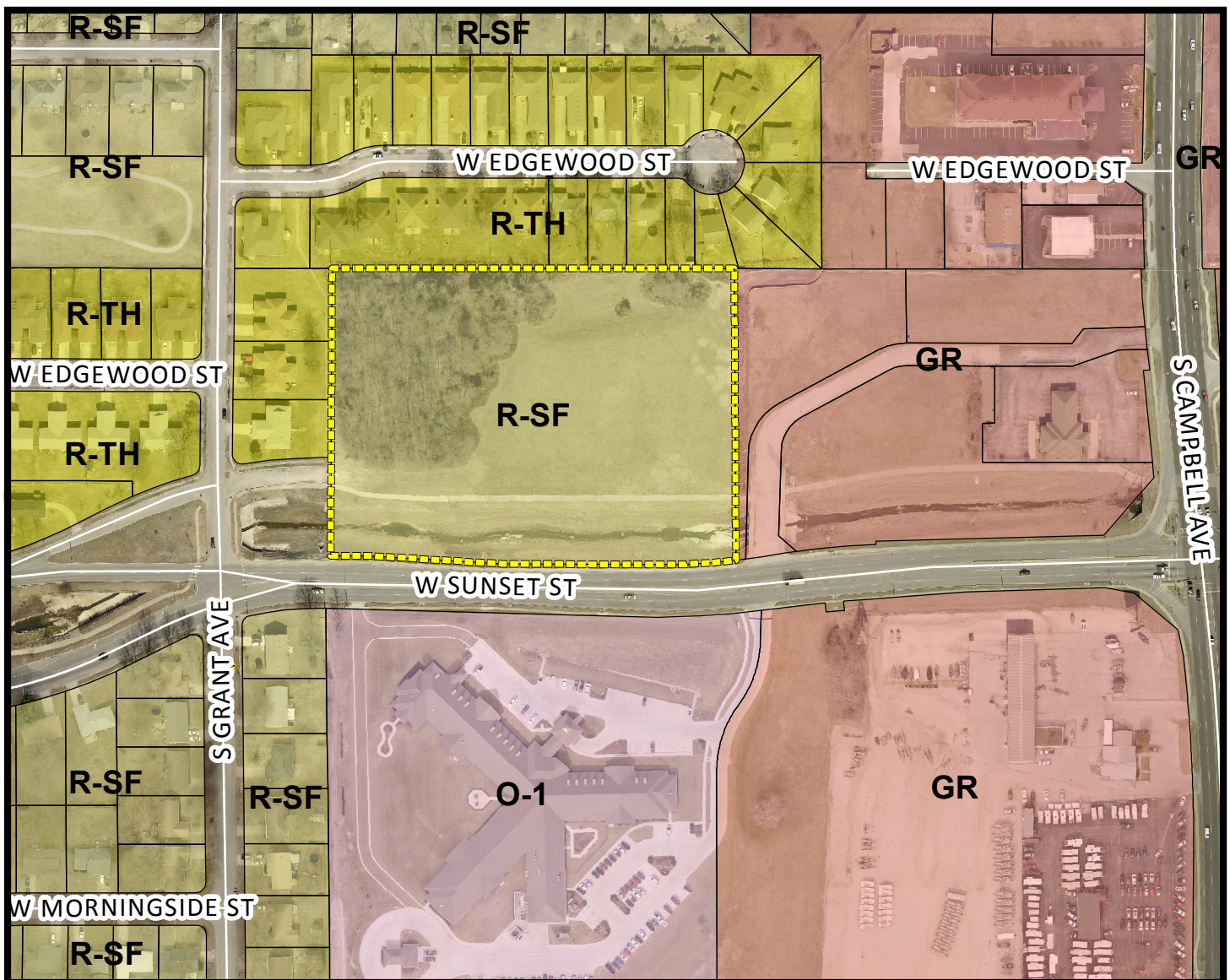
Z-33-2017 and Conditional Overlay District No. 138

LOCATION: 611 East Sunset Ave

CURRENT ZONE: R-SF, Single Family Residential

PROPOSED ZONE: R-MD, Medium Density Multi-family Residential /COD #138

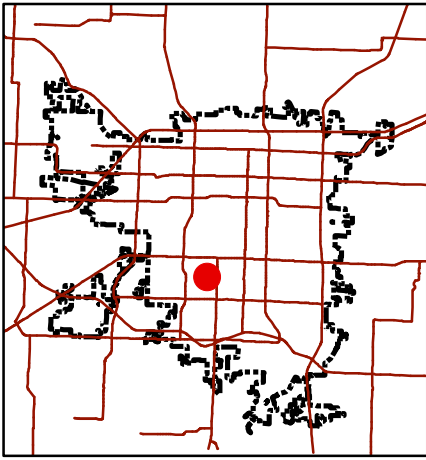
LOCATION SKETCH



- Area of Proposal

0 100 200 400 600 800 Feet

1 inch = 250 feet



Development Review Staff Report

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

Z-33-2017 and Conditional Overlay District No. 138

LOCATION: 611 East Sunset Ave

CURRENT ZONE: R-SF, Single Family Residential

PROPOSED ZONE: R-MD, Medium Density Multi-family Residential /COD #138

LOCATION SKETCH



- Area of Proposal

0 115 230 460 690 920 Feet

1 inch = 298 feet

DEVELOPMENT REVIEW STAFF REPORT
ZONING CASE Z-33-2017 CONDITIONAL OVERLAY DISTRICT NO. 138

PURPOSE: To rezone approximately 6.53 acre of property generally located at 611 West Sunset Street from a R-SF, Single-Family Residential District to a R-MD, Medium-Density Multi-Family Residential District and establishing Conditional Overlay District No. 138.

DATE: November 2, 2017

LOCATION: 611 West Sunset Avenue

APPLICANT: Coryell Enterprises, LLC

TRACT SIZE: Approximately 6.53 acres

EXISTING USE: Undeveloped land

PROPOSED USE: Multi-family development

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* designates this area as appropriate for Medium Intensity Retail, Office or Housing. The R-MD District is one of the appropriate zoning districts recommended for this category. The request is an appropriate district to locate between the adjacent GR, General Retail uses to the east and the R-TH, Residential Townhouses to the west and the intent of the R-MD district. This development will serve as a transition between the adjacent residential townhouses to the west and the higher intensity land uses to the east along Campbell Avenue. The subject property is located along West Sunset Street which is classified as a secondary arterial roadway in the Transportation Plan.
2. The proposed conditional overlay district will mitigate the potential impact between the multi-family and residential townhouse uses by restricting the maximum density to no more than twenty (20) dwelling units per acre which is significantly less than the 29 units per acre that is generally permitted in the R-MD district.
3. The standard development requirements in the R-MD District are otherwise adequate for mitigating potential impacts of the multi-family uses on the adjoining residential townhouse properties. No portion of a multi-family shall be higher than forty-five (45) degree bulk plane where the property adjoins an R-TH District.

RECOMMENDATION:

Staff recommends **approval** of this request.

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-TH	Single-family and duplex residences
East	GR	Vacant bank and undeveloped land
South	O-1/ Greenway trail	Nursing home and Ozark Greenway Trail
West	R-TH	Single-family and duplex residences

HISTORY:

The property has been zoned R-SF since the 1995 citywide re-mapping by General Ordinance 4494.

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* of the *Comprehensive Plan* designates this area as appropriate for Medium Intensity Retail, Office or Housing. The R-MD District is one of the appropriate zoning districts recommended for the area designated category. The request is an appropriate district to locate between the adjacent GR, General Retail uses to the east and the R-TH, Residential Townhouses to the west and the intent of the R-MD district. This development will serve as a transition between the adjacent residential townhouses to the west and the higher intensity land uses to the east along Campbell Avenue. The proposed site plan and conditional overlay district meets the recommendations and intent of the *Comprehensive Plan* and R-MD District.

STAFF COMMENTS:

1. The applicant is proposing to rezone the property at 611 West Sunset Street from a R-SF, Single-Family Residential District to a R-MD, Medium Density Multi-Family Residential District and establishing Conditional Overlay District No. 138. The intent of this application is to facilitate the development of the site for 112-unit multi-family development. The applicant is requesting a conditional overlay district that will restrict the maximum density to twenty (20) dwelling units per acre. This restriction will reduce the projected traffic impact of the site if developed to the full extent of the R-MD densities and will not require a traffic study.
2. The Multi-Family Location and Design Guidelines are required for multi-family developments over 11 dwelling units per acre. The proposed project required a

Multi-Family Location and Design Guidelines assessment. The guidelines require at least three amenities for developments over 100 units. These amenities are listed in Attachment 3 (Design to Respect the Natural Environment #2). The applicant is wanting approval of a dog park as an allowable amenity. Dog parks are not on the list of amenities. The guidelines allow for approval of any proposed amenity found by the City Council to provide recreation or meet the needs of the multi-family development residents to a level similar to those listed. Staff believes that a dog park is a similar amenity and is consistent with the Revised Multi-Family Development Location and Design Guidelines as approved by the Planning and Zoning Commission and City Council (see Attachment 3).

3. The maximum height of any multi-family dwelling is restricted by a forty-five (45) degree bulk plane as measured from the boundaries of any R-TH districts. This is a one to one ratio of setback to height. Therefore, if the structures were 35 feet high the setback would be 35 feet. The standard requirements for bufferyards, noise, lighting, odor and signage will be covered by the Zoning Ordinance.
4. A traffic study was not required by Public Works Traffic Division since the rezoning from R-SF to the R-MD with COD #138 will not generate a significant amount of additional traffic. The current R-SF zoning district allows up to 7 dwelling units per acre while the proposed R-MD zoning district with COD #138 will allow up to 20 dwelling units per acre. There is a stub street on the west side of the subject property named West Sunset Court. This dead-end "stub" street will need to be addressed by either providing a turnaround, or entirely removing the dead-end "stub" back to South Grant Avenue.
5. The bufferyard requirement between the R-MD, Medium-Density Multi-Family Residential District and adjacent R-TH, Residential Townhouse District to the north and west, is a Bufferyard "B". Bufferyard "B" requires a minimum open space of fifteen (15) feet wide with the following plantings per one hundred (100) linear feet: one (1) canopy tree, one (1) understory tree, one (1) evergreen tree and six (6) shrubs. There are no required structures (i.e. solid fence, wall or hedge) in the Bufferyard "B" requirements.
6. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting with property owners, residents and any registered neighborhood association within 500 feet of the subject properties on October 25, 2017. A summary of the meeting is attached (Attachment 2).

PUBILC COMMENTS:

The property was posted by the applicant at least 10 days prior to the public hearing. The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. Public notice letters were sent out at least 10 days prior to the public hearing to all property owners within 185 feet. Eighteen (18) property owners within one hundred eighty-five (185) feet of the subject property were notified by mail of this request.

Notices sent to property owners within 185 feet	17
Notices returned as undeliverable	0

CITY COUNCIL MEETING:

December 11, 2017

STAFF CONTACT PERSON:

Bob Hosmer, AICP
Principal Planner
864-1834

ATTACHMENT 1
DEPARTMENT COMMENTS
ZONING CASE Z-33-2017 & CONDITIONAL OVERLAY DISTRICT NO. 138

BUILDING DEVELOPMENT SERVICES COMMENTS:

No apparent issues. Based on the structure location the finish floor will have to be a minimum of 2 feet above the base flood elevation. Floodplain permits will be required.

CITY UTILITIES:

No objection to rezoning request. Utilities will need to be extended to the site, but are of adequate capacity to handle the density.

CLEAN WATER SERVICES COMMENTS:

No objection to zoning request.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

City's Transportation Plan classifies West Sunset Street as a Secondary Arterial roadway. The standard right-of-way width for West Sunset Street is 35 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. West Sunset Street and West Sunset Court are both city maintained streets. West Sunset Court is a dead-end "stub" street that ends at the west property line of the property pertaining to this zoning. The dead-end "stub" street will need to be addressed by providing a turnaround, parking lot space for a turnaround, or entirely removing the dead-end "stub" back to South Grant Avenue. The most recent traffic count on West Sunset Street west of South Campbell Avenue is 11,339 vehicles per day. There is a stub street (Sunset Court) that ends at the west property line of the property pertaining to this zoning that can be used as an access point and there is a cross-access drive aisle to the east of the property pertaining to this zoning, that can be used to access both West Sunset Street and South Campbell Avenue. There is sidewalk along the property frontage of West Sunset Street. The existing infrastructure meets current city standards. On-street parking is not permitted along West Sunset Street. The South Creek Greenway Trail runs through the property on the northern-most extent of the drainage and recreation easement. There are bus stops along South Campbell Avenue just to the east of the property 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	W. Sunset Street – Secondary Arterial
On-street parking along streets	W. Sunset Street – No
Trips generated - Peak Hour	32.65 vehicles (R-SF) 111.01 vehicles (R-MD)
Additional Trips generated with zoning change - Peak Hour	78.36 vehicles
Existing street right of way widths	W. Sunset Street - 36 ft. from the centerline
Standard right of way widths	W. Sunset Street - 35 ft. from the centerline
Traffic study submitted	Not required*
Proposed street improvements	None required

*A traffic study was not required. 78.36 additional trips generated are anticipated in the PM Peak Hour based on the change in zoning from Residential Single Family to Multifamily Residential – Medium Density, which does not exceed the 100 additional trips generated threshold set by PW Design Standards.

STORMWATER COMMENTS:

The property is in the South Creek drainage basin. The property is in a FEMA designated floodplain. Staff is aware of flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required per Chapter 96. Buyout in lieu of on-site stormwater detention will be allowed. Since the project will be disturbing more than one (1) acre there will be a land disturbance permit required.

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. Please keep in mind that more detailed stormwater calculations must be submitted before any permits can be approved.
3. Make sure the minimum finish floor elevation is no less than 2 ft. above the 100-year water surface elevation.

Public Works Stormwater Division	Response
Drainage Basin	South Creek
Is property located in Floodplain	Yes
Is property located on a sinkhole	No
Is stormwater buyout an option	Yes
Is a land Disturbance Permit Required	Yes

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: R-SF to R-MD
(existing zoning) (proposed zoning)
2. Meeting Date & Time: OCTOBER 25 FROM 4:00 TO 6:30
3. Meeting Location: LA QUINTA INN AND SUITES 2535 S.
4. Number of invitations that were sent: 120
5. How the mailing list was generated: THE CITY OF SPRINGFIELD PREPARED THE LIST
6. Number of neighbors in attendance (attach a sign-in sheet): 6
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

TWO OF THE NEIGHBORS WERE CONCERNED ABOUT THE TRAFFIC. I INDICATED THE DEVELOPMENT WOULD NOT PRODUCE MUCH TRAFFIC AND THAT THE CITY WOULD PREPARE A TRAFFIC REPORT THAT WOULD BE AVAILABLE PUBLICALLY.

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

THERE WERE NO WRITTEN COMMENTS

I, Derek Lee (print name), attest that the neighborhood meeting was held on 10/25/2017 (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."

Derek H. Lee

Signature of person completing affidavit

Derek Lee

Printed name of person completing affidavit

ATTACHMENT 3
MULTI-FAMILY MATRIX ASSESSMENT
ZONING CASE Z-33-2017 & CONDITIONAL OVERLAY DISTRICT NO. 138

The applicant is requesting approval of 112 multi-family apartments on 6.53 acres of property. Per the Multi-Family Location and Design Assessment Matrix, the proposed development has attained 11 points, which would allow up to 20 dwelling units per acre. Below is an analysis of the four categories used to calculate the Matrix score.

A. Land Use Accessibility (2/3 points)

A maximum of two point were given for land use accessibility. There is neighborhood retail mix and greenway trail within $\frac{1}{4}$ and medical/ dental with a $\frac{1}{2}$ mile of the subject property.

B. Connectivity Analysis (4/5 points)

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

C. Road Network Evaluation (2/2 points)

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

D. Design Guidelines (3/6 points)

A maximum of 3 points were given for design guideline criteria. Below are the design considerations that have been incorporated into the proposed development.

Design to Encourage Pedestrian Activity (Items #2 and #4 met; item #5 and #6 did not apply)

1. Provide pedestrian amenities such as pedestrian scale lighting and non-right-of-way street furniture to enhance the pedestrian environment. Lighting sources or luminaries that do not have a cutoff and are used in parking lots and pedestrian ways shall not exceed a maximum of 15 feet in height. Lighting sources or luminaries that do have a cutoff shall not exceed a maximum 30 feet in height. Parking lot lighting and pedestrian lighting should be appropriate to create adequate visibility at night and evenly distributed to increase security. All lighting should be glare-free and shielded from the sky and adjacent residential properties and structures, either through exterior shields or through optics within the fixture. Street furniture may include but is not limited to benches; shelters; and decorative trash bins. There shall be one (1) street/park bench provided within each multi-family development, thereafter, one (1) park/street bench for every 50 dwelling units.
2. Blend the building scale and set back with existing developments that are consistent with these guidelines. Street facing walls that are greater than 50 feet in length must be articulated at least each 25 feet with bays, projections, or

recesses. Articulation means a difference in the vertical plane of the building of at least 18 inches or more.

3. Buildings adjacent to the street should be situated on the site to provide pedestrian access to the street. Additional interior lot buildings may be oriented toward parking lots or public/common open space. Buildings adjacent to the street shall not have parking lots located between the building and the street. Corner lots may have parking on one street face. Interior areas of parking and vehicular use areas shall contain planting islands every 20 contiguous parking spaces whether double staked or linear. The size of the planting island shall be the equivalent area of one parking space. This shall be used toward satisfying the 5% interior landscaping requirements.
4. Avoid blank walls along pedestrian circulation areas. Facades that face streets or connecting pedestrian frontage that are greater than 25 feet in length shall be subdivided and proportioned using at least one or more of the following features; windows, entrances, arcades, arbors, awnings (over windows or doors), distributed along the façade at least once every 25 feet.
5. Avoid tearing down buildings that the Landmarks Board has determined to be historic or architecturally significant.
6. Use on-street parallel parking to encourage pedestrian activity and traffic calming which must have prior approval from the City Public Works Department. (This item only applies for projects with proposed new internal streets).

Design to Provide a Good Circulation System (Items #1-4 met; item #5 and #6 did not apply)

1. Provide connectivity by including direct vehicular or access easements, pedestrian and bicycle connections between abutting or adjacent developments, including retail centers and bus stops, wherever possible.
2. Design streets considering pedestrian safety and comfort (i.e. sidewalks, bump outs, crosswalks, street trees). All multi-family development site plans proposing multiple buildings shall connect building entrances to one another and to sidewalks on adjacent public and/or private streets via a minimum four (4) foot wide sidewalk separated from vehicular traffic by a four-foot wide planting strip (the 4-foot planting strip does not apply to parking lots where the sidewalk is intended to provide access to the parking lot). Public sidewalks may be considered part of the walkway system if they provide convenient movement between structures. Fences, landscaping and other site improvements shall be located so as not to impede safe and convenient pedestrian circulation. On-site sidewalks shall be designed to connect to off-site sidewalks on adjoining properties and public and/or private streets. Sidewalks shall connect parking areas or parking structures that serve the principal multi-family building;

community amenities, such as swimming pools, community centers, other recreational facilities, or common open space; and sub-community facilities intended to serve the multi-family building, such as mail centers or bike racks.

3. Each multi-family development shall provide pedestrian and bicycle connections to adjacent existing or proposed parks, greenways, bikeways, and trails wherever practical.
4. Provide shared driveways, cross access driveways and/or other forms of connectivity. and secondary access to existing or future adjacent developments.
5. Ensure that collector streets align with existing collector streets at thoroughfare intersections to promote safer crossings for pedestrians, cyclists and automobiles (This item only applies for projects with proposed new internal streets).
6. When internal streets are proposed, or required design developments around an internal street system with at least one primary street that functions as the vehicular and pedestrian spine of the development:
 - a. Include parallel parking, street trees and sidewalks on the primary street(s). (Parking should not be located between the curb and buildings along the street.)
 - b. Provide driveways or secondary streets to function as the main connection between parking lots and the primary street(s).
 - c. Provide sidewalks on secondary streets, even if they are private streets.

Design to Respect the Natural Environment (Items #1 met; need council approval for #2 amenity not listed i.e. dog park)

1. Provide a meaningful amount of useable and accessible recreational area/facility. Each multi-family development shall include at least 15% of the total site or premise as a usable recreational area and/or facility. Usable recreational area/facility is defined as an open recreational area or recreational facility which are designed and intended to be used for outdoor living and/or recreation, and/or amenity. Usable open recreational areas shall not include land occupied by buildings, structures, streets, sidewalks, driveways, or parking areas but may include outdoor recreational facilities such as walkways used solely for recreational purposes/connections, swimming pools, sports courts, clubhouse, community center, exercise room or other amenities as defined in these guidelines. The 15% usable recreational area or facility does not reduce the required 20% open space. All common open recreational areas on the site, including recreational facilities, shall be readily accessible to all occupants and should, wherever possible, be physically connected to other common open space areas on and off the site. Generally, usable open recreational areas should have a minimum dimension of thirty (30) feet in any direction and minimum area of nine hundred (900) square feet; however, it is recognized that open recreational areas can be of a smaller minimum dimension or area

provided it meets the definition. The usable open recreational area required shall be generally contiguous and moderately level, with an overall gradient not exceeding ten (10%) percent.

2. Incorporate functional amenities, in the open space and recreational areas. Multifamily development site shall incorporate recreational amenities or facilities from the list below in the following amounts: Multi-family development site with 20 to 50 dwelling units: 1 amenity; Multi-family development sites with 51 to 100 dwelling units: 2 amenities; and Multi-family development sites with more than 100 dwelling units: 3 amenities. There must be at least two (2) different amenities used for Multi-family development sites with more than 100 units.

Allowable recreational amenities:

- a. Swimming pool;
 - b. Golf course;
 - c. Resident clubhouse.
 - d. One tot lot with a minimum size of nine hundred square feet (900') per tot lot area;
 - e. Basketball, volleyball, tennis court, handball court or other sports court.
 - f. One (1) picnic area, with a minimum size of nine-hundred square feet (900') per area, and including a minimum of one (1) picnic table and one (1) barbeque grill/pits per picnic area;
 - g. Community center (meeting room, assembly hall, etc.);
 - h. Exercise room and/or recreation building;
 - i. Par 3 golf course (9-hole minimum);
 - j. Any proposed amenity found by the City Council to provide recreation or meet the needs of the multi-family development residents to a level similar to that provided by the above
3. Address the preservation of steep slopes along perennial streams or adjacent to significant natural landscape features in site plan submittals.
A tree six inches or greater in diameter measured 4 1/2 feet above ground must be preserved or replaced with a tree of at least two inches (2") in diameter—for a maximum total of 7 trees per acre. Trees meeting the landscape requirements in the zoning ordinance may be counted toward this requirement. A tree survey site plan must be submitted with a zoning application in order to assess this requirement. The life of all planted or saved trees shall be guaranteed and maintained for a period of 5 years or shall be replaced with an equal diameter tree. If this is not possible then the total diameter of trees at the time they are lost shall be replaced with an equal diameter amount of trees with no less than 2" in diameter throughout the project area

TOTAL POINTS FOR DENSITY: The initial assessment criteria resulted in a total of 11 points for a maximum density of 20 dwelling units per acre.

ATTACHMENT 4
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-33-2017 & CONDITIONAL OVERLAY DISTRICT NO. 138

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

1. The maximum density for the subject property is twenty (20) dwelling units per acre.
2. The development of the subject property shall be in substantial conformance to the Multi-Family Location and Design Guidelines and the attached site plan (Attachment 5).

 = USEABLE AREA

BUILDING SETBACKS:
FRONT 25' (SUNSET ST)
REAR 20'
SIDE YARD 6'

REQUIRED = 166
167 PARKING SPACES PROVIDED

OPEN SPACE: GREATER THAN 20%
MINIMUM OPEN SPACE REQUIRED: 20%
IMPERVIOUS SURFACE: LESS THAN 80%
MAXIMUM IMPERVIOUS SURFACE ALLOWED: 80%
PERCENTAGE OF PARKING DEVOTED TO LIVING INTERIOR
LANDSCAPING: GREATER THAN 5%
MIN. PERCENTAGE PARKING DEVOTED TO LIVING INTERIOR
LANDSCAPING REQUIRED: 5%

2. Utilities shown are based on direct observations and maps as provided by City Utilities of Springfield, the City of Springfield Public Works and field locates provided by Missouri One-Call and may not be all-inclusive.

3. This property lies in Flood Zone "AE" (areas determined to be within the Flood Hazard Area) according to FIRM Community Panel 29077-C-0341E, effective December 17, 2010.

4. Property Class – Urban

 PROPOSED CANOPY TREE
 PROPOSED UNDERSTORY TREE
 PROPOSED EVERGREEN TREE
 PROPOSED SHRUB

QUALITY: ALL TREES AND SHRUBS SHALL HAVE WELL-DEVELOPED LEADERS AND TOPS, AND ROOT CHARACTERISTIC OF THE SPECIES, CULTIVAR OR VARIETY AND SHALL SHOW EVIDENCE OF PROPER NURSERY PRUNING. ALL PLANT MATERIALS MUST BE FREE OF INSECTS, DISEASE, MECHANICAL INJURIES AND OTHER OBJECTIONABLE FEATURES AT THE TIME OF PLANTING.

COVERAGE: GRASS, GROUND COVER, SHRUBS AND OTHER LIVING LANDSCAPE MATERIALS SHALL BE USED TO COVER ALL OPEN GROUND.

TREES SHALL HAVE THE FOLLOWING CHARACTERISTICS:

CANOPY TREES SHALL BE DECIDUOUS TREES THAT HAVE A MINIMUM HEIGHT OF THIRTY FEET AT MATURITY. ALL CANOPY TREES SHALL HAVE A CALIPER WIDTH OF ONE AND ONE HALF INCH AT THE TIME OF PLANTING.

UNDER-STORY TREES SHALL BE DECIDUOUS TREES THAT HAVE A MAXIMUM HEIGHT OF LESS THAN THIRTY FEET AT MATURITY. ALL UNDER-STORY TREES SHALL HAVE A CALIPER WIDTH OF ONE INCH AT TIME OF PLANTING.

ORNAMENTAL TREES SHALL BE FLOWERING DECIDUOUS TREES. ALL ORNAMENTAL TREES SHALL HAVE A CALIPER WIDTH OF ONE INCH AT TIME OF PLANTING.

EVERGREEN OR CONIFER TREES SHALL HAVE A MINIMUM HEIGHT OF TWENTY FEET AT MATURITY. ALL EVERGREEN OR CONIFER TREES SHALL BE AT LEAST SIX FEET HIGH AT TIME OF PLANTING.

SHRUBS AND HEDGES: SHRUBS SHALL BE A MINIMUM OF 18" IN HEIGHT WHEN MEASURED IMMEDIATELY AFTER PLANTING. HEDGES, WHERE INSTALLED, SHALL BE PLANTED AND MAINTAINED SO AS TO FORM A CONTINUOUS, UNBROKEN, SOLID, VISUAL SCREEN WHICH WILL BE AT LEAST THREE FEET HIGH WITHIN ONE YEAR AFTER TIME OF PLANTING.

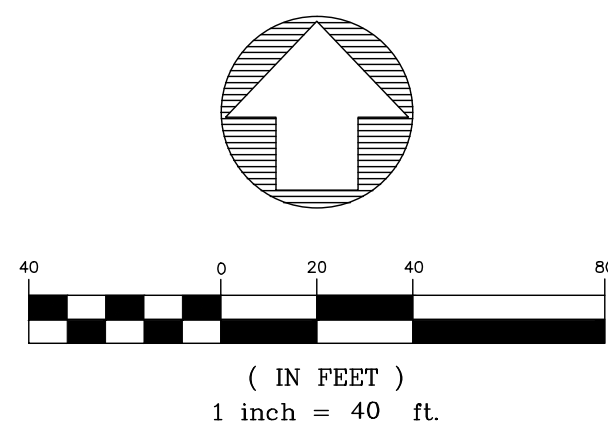
1. STREET FACING WALLS THAT ARE GREATER THAN 50' IN LENGTH SHALL BE ARTICULATED AT LEAST EVERY 25' WITH BAYS, PROJECTIONS, OR RECESSES.
2. BUILDINGS ADJACENT TO THE STREET SHALL BE SITUATED ON THE SITE TO PROVIDE PEDESTRIAN ACCESS TO THE STREET.
3. FACADES THAT FACE STREETS/PEDESTRIAN FRONTAGE THAT ARE GREATER THAN 25' IN LENGTH SHALL BE SUBDIVIDED AND PROPORTIONED USING AT LEAST ONE OF THE FOLLOWING FEATURES: WINDOW, ENTRANCES, ARCADES, ARBORS, OR AWNINGS, DISTRIBUTED ALONG THE FACADE AT LEAST ONCE EVERY 25'.

THE FOLLOWING AMMENITIES ARE SHOWN:

1. DOG PARK
2. SWIMMING POOL
3. EXISTING GREENWAY TRAIL

ZONING EXHIBIT

605 W. SUNSET STREET
SPRINGFIELD, GREENE COUNTY, MISSOURI



VICINITY MAP
NOT TO SCALE

	FOUND IRON PIN
	SET IRON PIN OR MARKER AS NOTED
	R/W MARKER
	BOUNDARY LINE
	R/W LINE
	EASEMENT LINE
	SETBACK LINE
	MEASURED
	PLAT
	DEED
	RECORD
	LIGHT POLE
	SANITARY SEWER MANHOLE
	SANITARY SEWER CLEANOUT
	SANITARY SEWER LINE
	UTILITY POLE
	ELECTRIC METER
	OVERHEAD ELECTRIC
	UNDERGROUND ELECTRIC
	GUY WIRE
	PHONE/COMMUNICATION MANHOLE
	PHONE REDIAL
	CABLE TV RISER
	CABLE TV LINE
	UNDERGROUND PHONE
	OVERHEAD PHONE
	FIBER OPTIC LINE
	WATER VALVE
	WATER METER
	WATER LINE
	FIRE HYDRANT
	GAS VALVE
	GAS METER
	GAS LINE
	FENCE LINE (AS NOTED)

XFMR	TRANSFORMER
ICV	IRRIGATION CONTROL VALVE
CI	STORMWATER CURB INLET

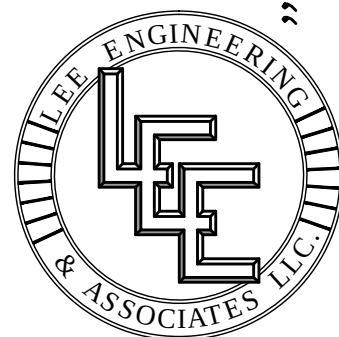
SCALE: 1" = 40'	REVISIONS:	DATE:	BY:
FIELD BY: TS, JS			
DRAWN BY: RRS			
CHECKED BY: LEE			

APARTMENT EXHIBIT

605 W. SUNSET STREET
SPRINGFIELD, GREENE COUNTY, MISSOURI

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

EEE Engineering & Associates, L.L.C.
1200 E. Woodhurst Dr., Suite D200
Springfield, Missouri 65807
417-886-9100 (phone)



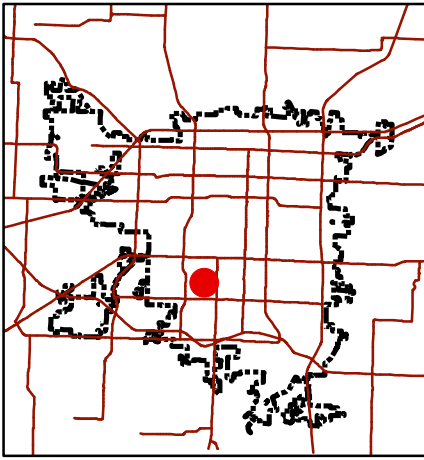
”Engineering with Integrity”
dlee@leeengineering.biz

DATE: 2017-10-18

SHEET: 1 OF 1

PROJECT: 1732

FILE: 1732 - Sunset & Campbell Zoning
Exhibit Gated.dwg



Development Review Staff Report

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

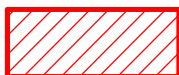
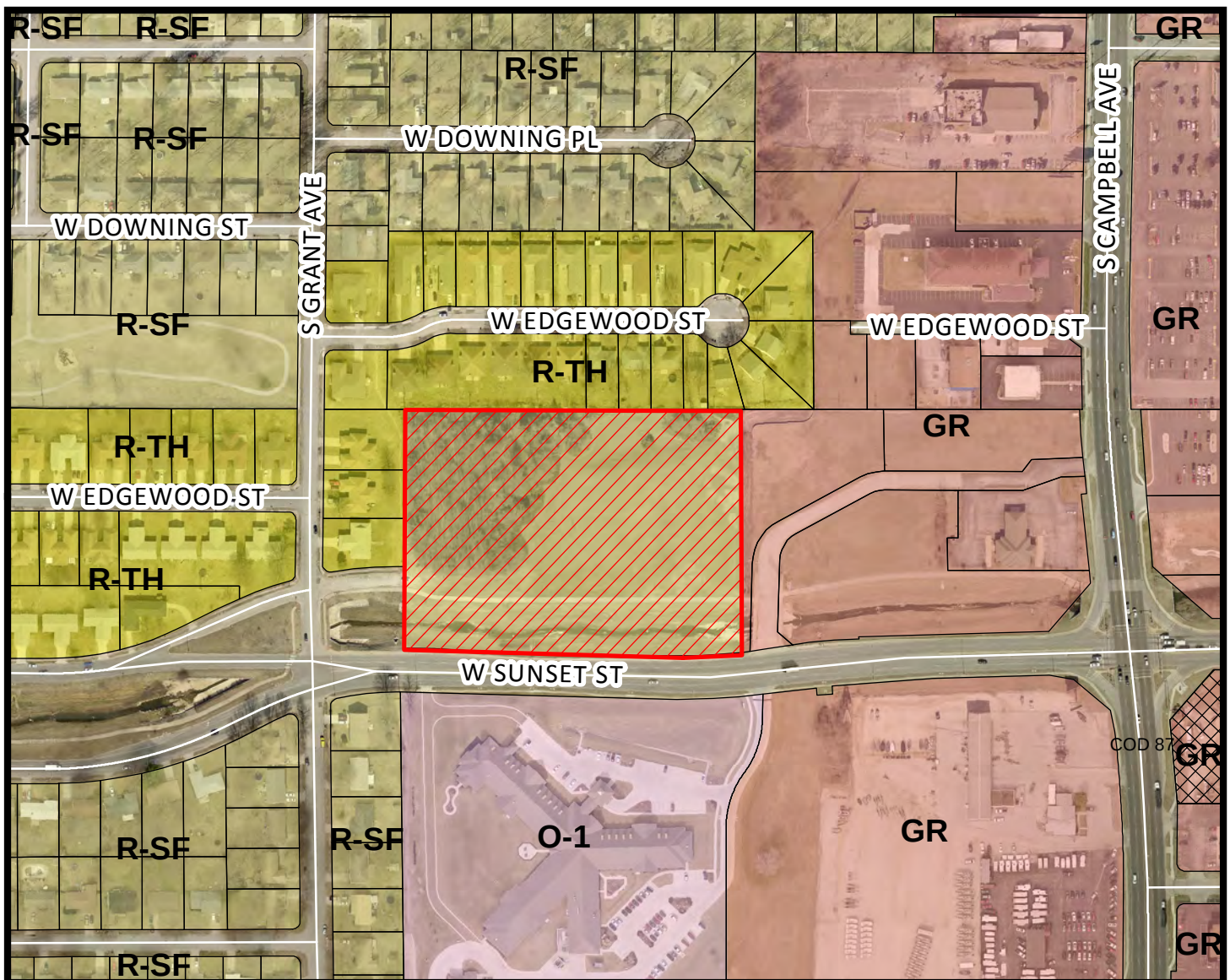
Preliminary Plat - Coryell at Sunset

LOCATION: 661 W. Sunset Street

CURRENT ZONE: R-SF, Single Family Residential District

PROPOSED ZONE: R-MD, Medium Density Multi-Family Residential District

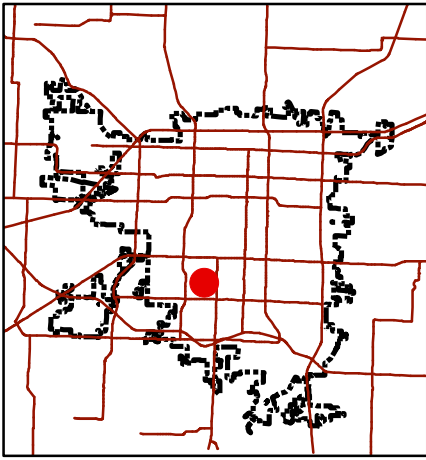
LOCATION SKETCH



- 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

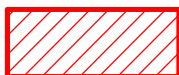
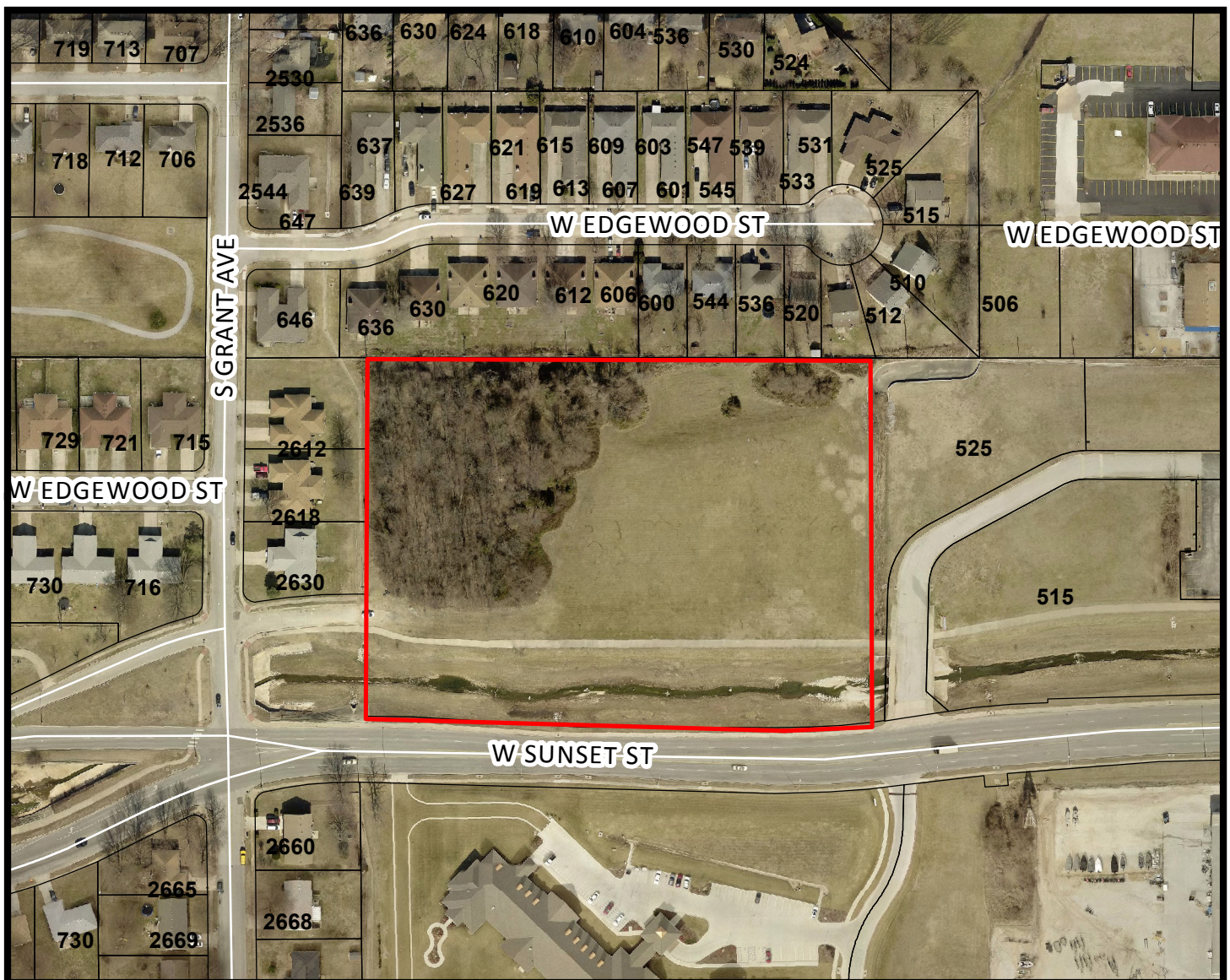
Preliminary Plat - Coryell at Sunset

LOCATION: 661 W. Sunset Street

CURRENT ZONE: R-SF, Single Family Residential District

PROPOSED ZONE: R-MD, Medium Density Multi-Family Residential District

LOCATION SKETCH



- Area of Proposal

0 100 200 400 Feet

1 inch = 200 feet

DEVELOPMENT REVIEW STAFF REPORT
PRELIMINARY PLAT – CORYELL AT SUNSET

PURPOSE: To approve a preliminary plat for a one lot residential subdivision

REPORT DATE: November 2, 2017

LOCATION: 611 West Sunset Street

APPLICANT: E&M Edgewood, LLC

TRACT SIZE: Approximately 6.53 acres

EXISTING USE: Vacant/undeveloped land

PROPOSED USE: Multi-family residential uses

FINDINGS FOR STAFF RECOMMENDATION:

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

RECOMMENDATION:

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

1. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required sanitary sewer, street, sidewalk and drainage plans shall be prepared in accordance with City standards and specifications and approved by the Director of Public Works.
 - a. Public sewer is currently available for the proposed lot. Show existing sewer and sewer easement. If no existing easement is found, a new one will need to be dedicated.
 - b. The dead-end "stub" street will need to be addressed by providing a turnaround, parking lot space for a turnaround, or entirely removing the dead-end "stub" back to S. Grant Avenue.
 - c. Buyout in lieu of on-site stormwater detention will be allowed. Since the project will be disturbing more than one (1) acre, a land disturbance permit is required.

2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. The standard right-of-way width for W. Sunset Street is 35 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.
3. The developer shall meet all city and state erosion control regulations prior to disturbing the soil.
4. It is determined that the public interest requires assurance concerning adequate maintenance of common space areas and improvements. The restrictive covenants, rules and bylaws creating the common ownership must therefore provide that if the owners of the Property Owners Association shall fail to maintain the common areas or improvements in reasonable order and condition in accordance with the approved plans, the City may, after notice and hearing, maintain the same and assess the costs against the units or lots, per the Common Open Space and Common Improvement Regulations section of the Zoning Ordinance.
5. The developer shall be responsible for the relocation costs of any existing utility services and shall be responsible for clearing all utility easements of trees, brush and overhanging tree limbs.
6. All other requirements which are necessary for this subdivision to be in compliance with the Subdivision Regulations.

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

SURROUNDING LAND USES:

AREA	ZONING	LAND USE
North	R-TH	Duplexes
East	GR	Bank
South	O-1	Nursing/Retirement home
West	R-TH	Duplexes

COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this area as appropriate for Medium Intensity Retail, Office or Housing.

STAFF COMMENTS:

1. The applicant is proposing a one lot residential subdivision named "CORYELL AT SUNSET". The property is currently zoned R-SF, and undeveloped; however, a rezoning to R-MD, Medium Density Multi-Family Residential is being processed concurrently with this preliminary plat.
2. The property was originally a part of the preliminary plat of South Creek Center. The eastern portion of that plat was recorded as South Creek Center Phase 1 in 2010. The western portion, where this property exists, expired in 2012. The original preliminary plat showed this area with a cul-de-sac turnaround in the western part of the property. The applicant did not want to construct the turnaround as shown on the previous preliminary plat so the tract was not able to be certified as a tract of record, thus requiring a new preliminary and final plat to be approved.
3. If Planning and Zoning Commission approves the preliminary plat, then the plat will be forwarded to City Council for acceptance of public streets and easements. An approved preliminary plat is active for two (2) years.
4. The proposed preliminary plat was reviewed by City departments and comments are contained in Attachment 1.

CITY COUNCIL MEETING:

December 11, 2017

STAFF CONTACT:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
DEPARTMENT COMMENTS
PRELIMINARY PLAT – CORYELL AT SUNSET

AT&T COMMENTS:

Please add 10" utility easement around perimeter for placement of phone facilities.

BUILDING DEVELOPMENT SERVICES COMMENTS:

No apparent issues.

CITY UTILITIES COMMENTS:

No objection to approving preliminary plat. Utilities will need to be extended to provide service. Electric will most likely be extended from the east from South Creek Center. Due to the floodway care must be taken in determining extension routes for water and electric.

FIRE DEPARTMENT COMMENTS:

No comments.

TRAFFIC DIVISION COMMENTS:

City's Transportation Plan classifies W. Sunset Street as a Secondary Arterial roadway. The standard right-of-way width for W. Sunset Street is 35 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. W. Sunset Street and W. Sunset Court are both city maintained streets. W. Sunset Court is a dead-end "stub" street that ends at the west property line of the property pertaining to this zoning. The dead-end "stub" street will need to be addressed by providing a turnaround, parking lot space for a turnaround, or entirely removing the dead-end "stub" back to S. Grant Avenue. The most recent traffic count on W. Sunset Street west of S. Campbell Avenue is 11,339 vehicles per day. There is a stub street (Sunset Court) that ends at the west property line of the property pertaining to this zoning that can be used as an access point and there is a cross-access drive aisle to the east of the property pertaining to this zoning, that can be used to access both W. Sunset Street and S. Campbell Avenue. There is sidewalk along the property frontage of W. Sunset Street. The existing infrastructure meets current city standards. On-street parking is not permitted along W. Sunset Street. The South Creek Greenway Trail runs through the property on the northern-most extent of the drainage and recreation easement. There are bus stops along S. Campbell Avenue just to the east of the property 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	W. Sunset Street – Secondary Arterial
On-street parking along streets	W. Sunset Street – No

Trips generated - Peak Hour	N/A
Additional Trips generated with zoning change - Peak Hour	N/A
Existing street right of way widths	W. Sunset Street - 36 ft. from the centerline
Standard right of way widths	W. Sunset Street - 35 ft. from the centerline
Traffic study submitted	N/A
Proposed street improvements	N/A

STORMWATER COMMENTS:

The property is in the South Creek drainage basin. The property is 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 according to Chapter 96. Buyout in lieu of on-site stormwater detention will be allowed. Since the project will be disturbing more than one (1) acre there will be a land disturbance permit required.

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. Please keep in mind that more detailed stormwater calculations must be submitted before any permits can be approved.
3. Make sure the minimum finish floor elevation is no less than 2 ft above the 100 year water surface elevation.

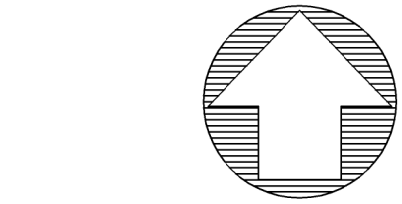
Public Works Stormwater Division	Response
Which Drainage Basin is this located?	South Creek
Is property located in Floodplain?	Yes
Is property located on a sinkhole?	No
Is stormwater buyout an option?	Yes
Is land disturbance permit required?	Yes

CLEAN WATER SERVICES COMMENTS:

Public sewer is currently available for the proposed lot. Show existing sewer and sewer easement. If no existing easement is found, a new one will need to be dedicated. No additional comments.

OWNER:
E&M Edgewood, LLC
2023 S Glenstone
Springfield, MO 65804
(417) 881-0036

DEVELOPER:
TLC Properties
1531 E Bradford Parkway, Suite 305
Springfield, MO 65804
(417) 869-1118



BASIS OF BEARINGS:

BEARINGS ARE GRID NORTH BASED ON THE MISSOURI STATE PLANE COORDINATE SYSTEM OF 1983, CENTRAL ZONE. GPS TIES TO MODOT VRS NETWORK

BUILDING SETBACKS:

Current Zoning R-SF - Single-Family Residential
Proposed Zoning R-MD - Residential Medium Density

Current Zoning Setbacks
Front 25' (Collector or Higher)
15' (Local)
Side 5'
Rear 10% of Lot Depth, $\geq 10'$ and $\leq 20'$

LOT INFORMATION:
Total Acreage - 6.53 Acres

STORMWATER NOTE:
Stormwater development and detention on the property is controlled by an agreement made by the City of Springfield, Missouri in a letter from Mark Giles, dated December 20, 1989.

NOTES:
Accuracy Standard: TYPE Urban Property

Source of Title: Book 2003, Page 085622-03

The utilities shown were compiled from existing mapping from City Services, field locates, and from other mapping/plans such as highway plans. The utilities shown are only to the extent of the available mapping and may not represent all utilities on site. Any particular areas that become of concern during design/planning should be researched further. All buried utilities shown are approximate only.

DECLARATION BY SURVEYOR:

I hereby declare to Coryell Enterprises that the information contained hereon is based upon an actual survey of the land described herein, according to the current Missouri Minimum Standards for Property Boundary Surveys, 4CSR30-16, URBAN class properties, that the results are correctly represented hereon to the best of my knowledge and belief and that monuments and pins set were placed under my personal supervision.

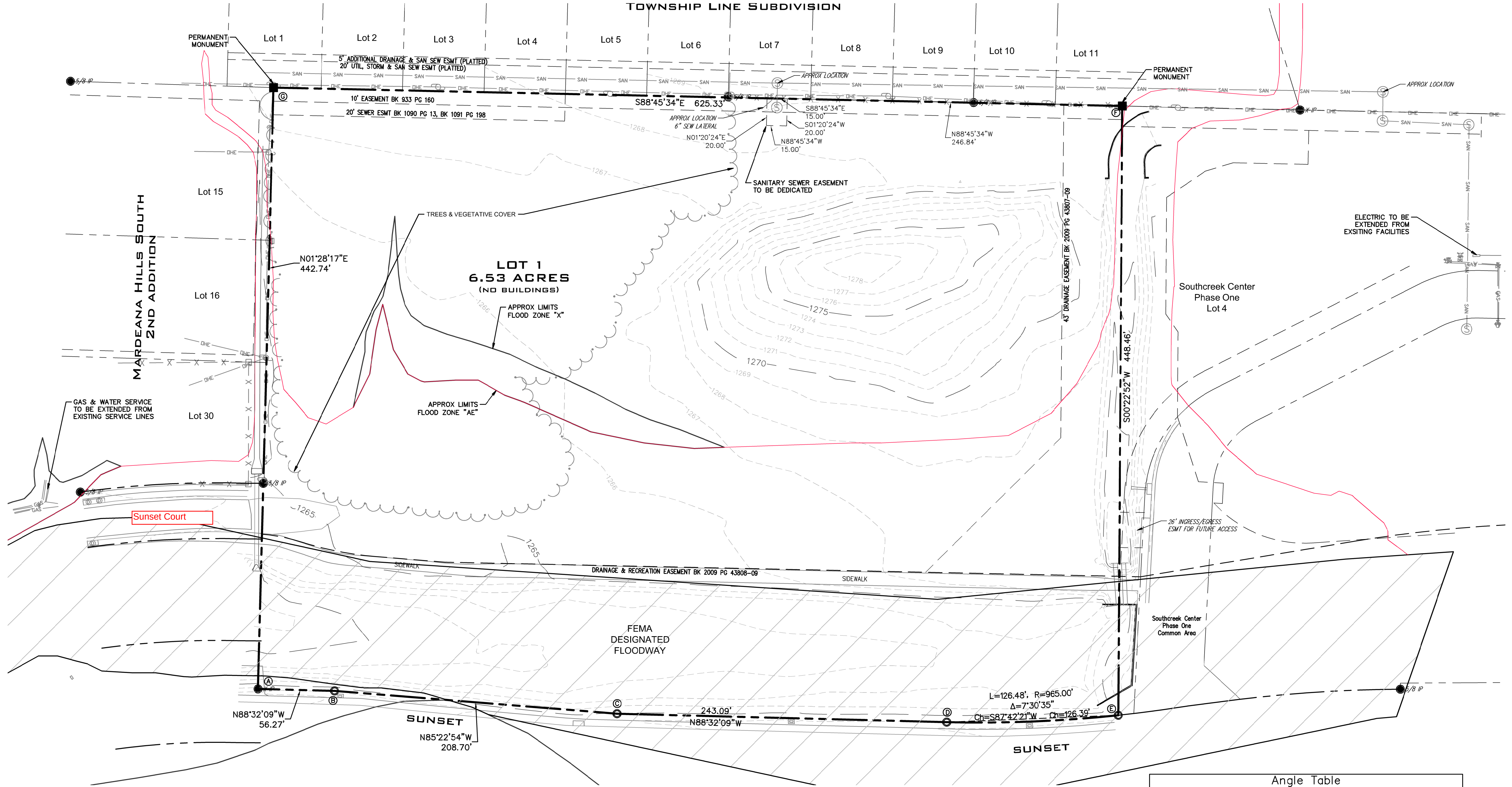
Physical evidence of improvements is shown from information taken by visual inspection of the premises. Easements shown are those shown on the plat for "South Creek Phase One". No titlework or easement searches were performed beyond what is shown on the plat and these easements may not be all inclusive. Apparent ownerships as shown are based on information provided by others and do not represent an opinion as to Title.

This plat of survey is an instrument of service and is protected under U.S. Copyright Law. It is not to be used by anyone other than the party or parties named on this plat unless it has been updated and recertified by Lee Engineering & Associates, L.L.C.

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

DATE: 10/31/2017

PRELIMINARY PLAT
CORYELL AT SUNSET
TOWNSHIP LINE SUBDIVISION



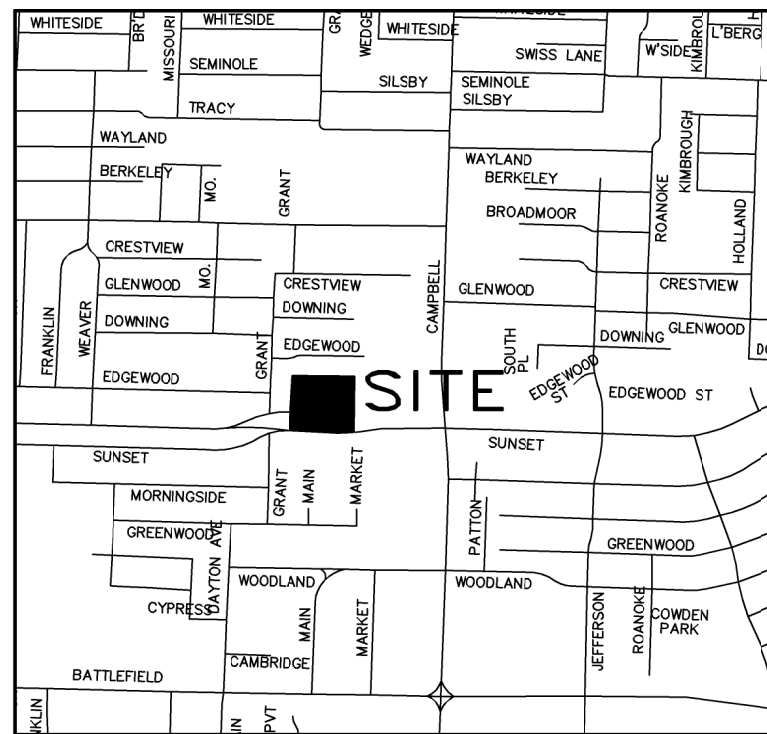
FLOOD NOTE:
A portion of this property lies in Flood Zone "AE" (areas determined to be within the Flood Hazard Area) with a Base Flood Elevation of 1269 according to FIRM Community Panel 29077C 0341 E, effective December 17, 2010.

LEGEND

- FOUND IRON PIN
- SET IRON PIN OR MARKER AS NOTED
- △ R/W MARKER
- BOUNDARY LINE
- - - R/W LINE
- - - EASEMENT LINE
- - - SETBACK LINE
- (M) MEASURED
- (P) PLAT
- (D) DEED
- (R) RECORD
- ☆ LIGHT POLE
- ⊙ SANITARY SEWER MANHOLE
- ⊙ SANITARY SEWER CLEANOUT
- - - SANITARY SEWER LINE
- ⊙ UTILITY POLE
- ⊙ ELECTRIC METER
- - - OVERHEAD ELECTRIC
- - - UNDERGROUND ELECTRIC
- ⊙ GUY WIRE
- ⊙ PHONE/COMMUNICATION MANHOLE
- ⊙ PHONE PEDESTAL
- ⊙ CABLE TV RISER
- ⊙ CABLE TV LINE
- ⊙ UNDERGROUND PHONE
- ⊙ OVERHEAD PHONE
- ⊙ FIBER OPTIC LINE
- ⊙ WATER VALVE
- ⊙ WATER METER
- ⊙ WATER LINE
- ⊙ FIRE HYDRANT
- ⊙ GAS VALVE
- ⊙ GAS METER
- ⊙ GAS LINE
- ⊙ FENCE LINE (AS NOTED)
- ⊙ ROAD SIGN (STOP, SPEED LIMIT, ETC)

ABBREVIATIONS:

XFMR TRANSFORMER
ICV IRRIGATION CONTROL VALVE
CI STORMWATER CURB INLET



VICINITY MAP
NOT TO SCALE

Angle Table			
Corner	Angle	Northing	Easting
A	89° 59' 29"	486292.72	1407318.25
B	183° 09' 20"	486291.28	1407374.50
C	176° 50' 45"	486274.48	1407582.52
D	176° 14' 30"	486268.27	1407825.53
E	92° 40' 31"	486273.33	1407951.82
F	90° 51' 34"	486721.78	1407954.81
G	90° 13' 51"	486735.31	1407329.62
(N-2)180	90° 00' 00"		

PROPERTY DESCRIPTION -

All that part of Section Two, Township 28 North, Range 22 West of the Fifth Principal Meridian, City of Springfield, Greene County, Missouri, being more particularly described as follows: BEGINNING at the Northwest corner of Lot Four of South Creek Center Phase One; thence, South 00°22'52" West, along and with the West line of said Lot Four, a distance of 448.46 feet to the North right-of-way line of Sunset Street; thence, Westerly, along and with said North line, the following four (4) courses: Westerly, along and with a 965-foot curve to the right, having a chord bearing of South 87°42'21" West and chord length of 126.39 feet, an arc distance of 126.48 feet; thence, North 88°32'09" West, a distance of 243.09 feet; thence, North 85°22'54" West, a distance of 208.70 feet; thence, North 88°32'14" West, a distance of 56.27 feet; to the intersection of said North line with the East line of Mardeana Hills South Second Addition; thence, North 01°28'17" East, along and with said East line and the East line of Mardeana Hills South Second Addition, a distance of 442.74 feet to the South line of Township Line Subdivision; thence, South 88°45'34" East, along and with said South line, a distance of 625.33 feet to the POINT OF BEGINNING, containing 6.53 acres, more or less, and being subject to easements, restrictions or rights-of-way, if any.

DATE: 2017-10-30

SHEET: 1 OF 1

PROJECT: 1732

FILE: Sunset & Campbell.dwg

Topographic Survey

CORYELL ENTERPRISES

West Sunset Street
Springfield, Greene County, Missouri

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)
lee@leeengineering.biz

"Engineering with Integrity"

DEVELOPMENT REVIEW STAFF REPORT
RESIDENTIAL USES ABOVE AND BEHIND NON-RESIDENTIAL AMENDMENTS

PURPOSE: To amend the permitted uses subsections in Sections 36-400., 36-420., 36-421. and 36-422., in the Zoning Ordinance to modify the requirement that residential uses may only be above and behind nonresidential uses on street frontages.

REPORT DATE: November 8, 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. This amendment will permit more flexibility in development of commercial areas while still requiring nonresidential uses on the highest classified street.

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. The Zoning Ordinance currently requires that residential uses be located above or behind nonresidential uses on all street frontages in certain commercial zoning districts ("nonresidential use requirement on street frontages") unless a conditional use permit is issued.
2. Planning and Zoning Commission initiated amendments to the nonresidential use requirement on street frontages at their meeting on October 5, 2017. Staff is proposing to modify the street frontage requirements for residential uses above and behind non-residential uses in the Office, Limited Business, General Retail and Highway Commercial Districts.
3. The proposed amendments will modify the current ordinance that requires non-residential uses on all street frontages to require non-residential uses on the first-floor of only the highest classified street. Any other adjacent street frontages

would be allowed to have residential uses without obtaining a conditional use permit. This will allow more flexibility for residential uses in mixed use developments that are adjacent to multiple street frontages.

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

CITY COUNCIL MEETING:

November 27, 2017

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner
864-1036

ATTACHMENT 1
RESIDENTIAL USES ABOVE AND BEHIND NON-RESIDENTIAL AMENDMENTS
PROPOSED CHANGES TO ZONING ORDINANCE

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

Sec. 36-400. – O - Office districts.

(2) *Permitted uses.*

- (r) Residential uses provided such uses are located above the first floor or behind nonresidential uses so as to create a continuous nonresidential facade, on the first-floor level ~~along all street frontages~~. When a lot has multiple street frontages, first-floor non-residential uses will be required on the street with the highest classification. All other street frontages may contain residential uses.

Sec. 36-420. – LB - Limited business district.

(2) *Permitted uses.*

- (l) Residential uses provided such uses are located above the first floor or behind nonresidential uses so as to create a continuous nonresidential facade, on the first-floor level ~~along all street frontages~~. When a lot has multiple street frontages, first-floor non-residential uses will be required on the street with the highest classification. All other street frontages may contain residential uses.

Sec. 36-421. – GR - General retail district.

(2) *Permitted uses.*

- (w) Residential uses provided such uses are located above the first floor or behind nonresidential uses so as to create a continuous nonresidential facade, on the first-floor level ~~along all street frontages~~. When a lot has multiple street frontages, first-floor non-residential uses will be required on the street with the highest classification. All other street frontages may contain residential uses.

Sec. 36-422. – HC - Highway commercial district.

(2) *Permitted uses.*

- (kk) Residential uses provided such uses are located above the first floor or behind nonresidential uses so as to create a continuous nonresidential facade, on the first-floor level ~~along all street frontages~~. When a lot has multiple street frontages, first-floor non-residential uses will be required on the street with the highest classification. All other street frontages may contain residential uses.



**OFFICIAL NOTICE
PLANNING AND ZONING COMMISSION
2018 SCHEDULE**

NOTICE is hereby given to all citizens and interested parties that the Planning and Zoning Commission of the City of Springfield, Missouri, has scheduled the following regular meeting dates for the year 2018. Meetings are scheduled for 6:30pm in the City Council Chambers, third floor of City Hall.

REGULAR MEETINGS

First Meeting	Second Meeting
January 11, 2018	January 25, 2018
February 15, 2018	March 1, 2018
March 15, 2018	March 29, 2018
April 12, 2018	April 26, 2018
May 10, 2018	May 24, 2018
June 7, 2018	June 21, 2018
July 12, 2018	July 26, 2018
August 16, 2018	August 30, 2018
September 13, 2018	September 27, 2018
October 11, 2018	October 25, 2018
November 8, 2018	None
December 6, 2018	December 20, 2018

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