



Springfield Planning and Zoning Commission

City Council Chambers (830 Boonville)

Date: January 11th, 2018
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

December 14th, 2017

Documents:

[PZ MINUTES 12-14-2017.PDF](#)

3. COMMUNICATIONS

City Council - December 11th, 2017

Documents:

[NA12-11-2017.PDF](#)

4. CONSENT ITEMS

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

5. Request To Dispose 522 (Fire Station #1)

235 North Kimbrough Avenue, City of Springfield

Documents:

[DISPOSE 522 SR 1.PDF](#)

6. Request To Dispose 523 (Fire Station #6)

1201 South Campbell Avenue, City of Springfield

Documents:

[DISPOSE 523 SR 1.PDF](#)

7. UNFINISHED BUSINESS

8. Stream Buffer Zoning Flexibility Amendments

Citywide, City of Springfield - Public Works & Environmental Services

Documents:

[STREAMBUFFERAMENDMENTS TABLINGMEMO.PDF](#)

9. PUBLIC HEARINGS

10. Z-1-2018 W/COD #144

5389 West Sunshine Street, CMH Homes, Inc.

Documents:

[Z-1-2018 COD 144 1.PDF](#)

11. Z-2-2018 W/COD #142

2100 East Sunshine Street, E Sunshine Land, LLC

Documents:

[Z-2-2018 COD 142 SR.PDF](#)

12. Z-3-2018 W/COD #143

1120-1130 & 1121-1131 East Latoka Street, One Hundred Two Glenstone, Inc.

Documents:

[Z-3-2018 COD 143 1.PDF](#)

13. Planned Development 362

3745 South Cox Avenue, Modern Tractor & Supply Company

Documents:

[PD 362 SR REVISED.PDF](#)

14. Conditional Use Permit 433

1518 East Dale Street, Springfield Public Schools

Documents:

[CUP 433 SR.PDF](#)

15. Preliminary Plat - Battlefield Business Center No. 13

2300-2400 West Sunset Street, Battlefield Business Center II, LLC

Documents:

[BATTLEFIELD BUSINESS CENTER NO 13 STAFF REPORT.PDF](#)

16. Preliminary Plat - Linwood Heights Revenge

2100 East Sunshine Street, E Sunshine Land, LLC

Documents:

[LINWOODHEIGHTSREVENGE SR.PDF](#)

17. Preliminary Plat - ISSO Temple Subdivision

1411 West Kearney Street, Gray & Associates, LLC

Documents:

[ISSO STAFF SR.PDF](#)

18. OTHER BUSINESS

19. Short-Term Stay Rental Amendments

Citywide, City of Springfield

Documents:

[SHORT-TERM STAY RENTAL AMENDMENTS SR REVISED.PDF](#)

20. 2018 Elections For Chair And Vice-Chair (Planning And Zoning Commission)

21. ADJOURN

For items for which the public may speak, the Commission Chairperson will invite anyone who wishes to speak to an item after staff makes its presentation. **Please fill out a Speaker Card. When you address Commission, please step to the microphone at the podium and state your name and address.** All meetings are televised live and tape recorded. Please limit your remarks to five (5) minutes unless Commission allows a longer time. In accordance with ADA guidelines, if you need special accommodations when attending any City meeting, please notify the City Clerk's Office at 417-864-1443 at least three (3) days prior to the scheduled meeting.

December 14 , 2017
MINUTES OF THE PLANNING AND ZONING COMMISSION
Springfield, Missouri

The Planning and Zoning Commission met in regular session December 14, 2017 in the City Council Chambers. Chairman Randall Doennig called the meeting to order.

Roll Call - Present: Randall Doennig (Chairman), David Shuler, Melissa Cox, Joel Thomas, Cameron Rose, Natalie Broekhoven and Dee Ogilvy. Absent: King Coltrin. Staff in attendance: Bob Hosmer, Principal Planner, Tom Rykowski, Asst. City Attorney, Derrick Estell, Public Works Traffic Engineer, Julie Hawkins, Public Works Project Engineer.

MINUTES: The minutes of November 16, 2017 were approved.

COMMUNICATIONS :

Bob Hosmer reported on City Council meeting actions.

CONSENT ITEMS:

Request to Dispose 520
1518 East Dale Street

Applicant: Springfield Public Schools

Request to Dispose 521
1423 West Atlantic Street

Applicant: Springfield Public Schools

COMMISSION ACTION:

Ms. Cox motioned to **approve** Consent Agenda items - Request to Dispose 520 (1518 East Dale Street) and Request to Dispose 521 (1423 West Atlantic Street). Ms. Ogilvy seconded the motion. Ayes: Doennig, Shuler, Thomas, Cox, Rose, Broekhoven, and Ogilvy. Nays: None. Abstain: None. Absent: Coltrin.

PUBLIC HEARINGS:

Z-36-2017

2759 West Republic Street

Applicant: Adolph A. Uckele, Donald G. Bechtel, and James Norman Coats Trusts

Mr. Hosmer stated that this is a request to rezone approximately 1.42 acres of property generally located at 2759 West Republic Street from a County C-2, General Commercial District to a GR, General Retail District. The Growth Management and Land Use Plan element of the Comprehensive Plan identifies this area as appropriate for low-density housing. The GR district is consistent with the Plan which recommends neighborhood-scale businesses near intersections of arterial and collector, or higher classification, streets. The subject property is located along Republic Street which is classified as a primary arterial roadway and Homewood Avenue which is classified as a local. The applicant is proposing to annex and rezone to allow for the development of the property for a new retail use. A traffic study was not required. Buyout in lieu of on-site stormwater detention is not allowed because there is already existing detention on-site. A bufferyard type "E" is required on the northside where adjacent to R-TH and a type "C" bufferyard adjacent to R-MD. All structures must remain below a (30) degree bulk plane measured from the boundary of the R-TH district. Staff recommends approval.

Mr. Doennig opened the public meeting.

Mr. Dane Seiler, 5051 S. National representing the applicant. When are planning on having the property annexed into the City and make the zoning consistent with the City's requirements and are fine with the current buffer-yard and plan on having a fence.

Mr. Doennig closed the public meeting.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Planned Development 360 (1220 East Lark Street). Ms. Ogilvy seconded the motion. Ayes: Doennig, Shuler, Thomas, Cox, Rose, Broekhoven, and Ogilvy. Nays: None. Abstain: None. Absent: Coltrin.

Z-37-2017 w/COD #140

2000 blk West Republic Street

Applicant: Leas Legacy Lands, LLC

Mr. Hosmer stated that this is a request to rezone approximately 3.87 acres of property generally located in the 2000 block of West Republic Street from a R-SF, Single Family Residential District to a GR, General Retail District and establishing Conditional Overlay District No. 140. The Growth Management and Land Use Plan designates this area as appropriate for Medium or High Density Housing uses. The property to the east is classified as High Intensity Retail, Office or Housing but is undeveloped and remains zoned residential. The City Council rezoned the adjacent property to the west to GR in 2014. Republic Street is classified as a primary arterial roadway in the Transportation Plan. The proposed rezoning required a traffic impact study which has been approved by the Public Works Traffic Division. The bufferyard requirement between the GR, General Retail District and the adjacent R-SF Districts, is a Bufferyard Type "F" (min. 20 feet wide). A 30-degree bulk plane will be required between R-SF and GR zoning. The proposed COD will require that the detention basin to be designed to reduce the peak developed 100-year storm to a peak pre-developed 25-year storm. This will provide a larger detention basin to further protect downstream neighbors from major stormwater events. Staff recommends approval.

Mr. Doennig opened the public meeting

Mr. Derek Lee, 1200 E. Woodhurst, representing the owner. At the neighborhood meeting, there were three primary questions of storm-water going through the valley at the discharge site, fencing, and a sink-hole that has opened to the south. The fencing concerns are not on this proposed property, it is on the adjacent property and is not included in the Conditional Overlay District. The concerns were for the construction traffic so we put up a construction fence a few weeks after the neighborhood meeting. The plans have been revised to show fencing on the adjoining property. There has been an agreement to build a larger detention basin that reduces the storm-water to the peak existing flow to the pre-development 25-year storm. The sink-hole started in the detention basin of the property to the south, but has opened-up and taken over the berm. It is not on the site and we are not contributing to the sink-hole and it not an issue that can be fixed.

Ms. Cox asked about the detention pond and if it will be used on the southern end and if this will be used as a buffer.

Mr. Lee noted that it is a city easement and the water will flow through it.

Mr. Doennig closed the public meeting.

COMMISSION ACTION:

Ms. Broekhoven motioned to **approve** Z-37-2017 w/COD #140 (2000 blk West Republic Street). Ms. Ogilvy seconded the motion. Ayes: Doennig, Shuler, Thomas, Cox, Rose, Broekhoven, and Ogilvy. Nays: None. Abstain: None. Absent: Coltrin.

Z-38-2017 w/COD #141

1850 South Blackman Road

Applicant: Christian Church Disciples of Christ

Mr. Hosmer stated that this is a request to rezone approximately 2.87 acres generally located at 1850 South Blackman Road from a County R-1, Suburban Residence to an O-1, Office District and establishing Conditional Overlay District No. 141. The subject property was annexed into the city in 2007. The property to the north, at 3810 E. Sunshine Street, was included in this annexation.

After modifications to the original rezoning proposal of both the properties, this property was excluded from the rezoning and remained zoned County R-1 in the city. The Growth Management and Land Use Plan recommends offices as appropriate uses along major roadways when not located at major intersections. The Plan encourages the use of office developments as transitions and buffers between commercial and residential areas. Sunshine Street is classified as a Primary Arterial and Blackman Road is classified as a Secondary Arterial. A Traffic Study was submitted and approved prior to rezoning of property. Staff is aware of flooding problems in the area. Buyout in lieu of stormwater detention will not be allowed and detention must be provided. A bulk plane of forty-five (45) degree measured from the boundary of the residential districts to the east and south. This is a one to one relationship; building to setback. The measurement is taken from the property line; of which increases in elevations could determine the height of the building or structures.

The proposed Conditional Overlay District will:

- Prohibiting cemeteries, substance abuse treatment facilities, police and fire stations, wireless tower facilities, etc.,
- Placing limits on the hours of operation for uses including athletic clubs, fitness centers, indoor sports facilities, and medical and dental clinics (10pm to 6am),
- Limiting hours for trash pick-up and deliveries (10pm to 7am),
- Requiring a bufferyard that exceeds required standards with a forty (40) foot wide buffer including additional screening along the east and south property line,
- Restricting buildings to a maximum of two (2) stories; and,
- Requiring a higher requirement of open space from 20% to 35% open space.

The COD will require:

- Bufferyards along the east and south property line of the subject property at least forty (40) feet deep.
- The plantings within the bufferyards shall consist of evergreen trees, 6 feet to 12 feet in height, (preferably a white pine species) and shall be planted every 12 feet in a “zig-zag” or staggered pattern to allow for maximum growth and to eventually create a screening effect.
- On the southern bufferyard any existing trees that are over 6” in diameter will count as two newly planted trees.

Staff recommends approval.

Mr. Doennig noted it was still county zoning and at what point is the applicant required to do city zoning.

Mr. Hosmer stated that they would have to get zoned to the City’s districts.

Mr. Doennig open the public hearing.

Mr. Derek Lee, 1200 E. Woodhurst, representing the owner. Has documents showing the original subdivision and the rezoned tract to the north. The north tract was zoned 10 years ago, and came before the Commission at that time. The neighborhood was against the zoning 10 years ago, and still are. The neighborhood will not support any development in this area other than single family and their objections are in the neighborhood meeting notes. We have placed a very restricted Conditional Overlay District to match what could be developed with the zoning.

Mr. Doennig asked about the Conditional Overlay District and what is considered a side-yard in this situation.

Mr. Lee noted that the width in O-1 would 6 feet, but to the neighbors to the south and east, we are proposing 40 feet buffer and a typical office buffer would be 15 feet. Against the street there will be a 10-foot parameter landscape buffer and on the north side, there is a shared access easement with the office park.

Mr. Doennig asked about a 45-foot building, and if that would be more than 2-stories.

Mr. Lee stated that it would be higher than a 2-story building with the north lot being 55 foot and will be three stories tall, however the south lot will only be 2 stories tall.

Mr. Thomas asked about how many acres will be developed due to the restrictions indicated.

Mr. Lee noted that the development restriction will be approximately 1+ acre off the development.

Mr. Doennig noted for the record that Commission is allowing additional time for Mr. Aaron Lyons at the podium due to his representation of the neighborhood members.

Mr. Aaron Lyons, Attorney at Law, 3337 E. Ridgeview, representing the neighborhood who are opposing this development. He noted that he had sent documentation/pictures/signed petition (part of staff report) stating the details of their opposition.

Mr. John Gafner, 1885 S. Camber, has concerns regarding flooding (run-off from Sam's Club, etc.), height of the building overlooking his backyard noting that his yard will be 70 feet below the office complex including a retaining wall the height of 20 feet and noted the previous good faith to a 1-story building.

Mr. Thomas asked about the bulk plane being measured from the elevation of the property line and believes that the drone pictures are not accurate and asked about the previous zoning on the property.

Mr. Gafner said that the drone pictures (located in staff report) were taken 40 feet away from the fence at the height of 35 feet above Blackman Road and stated that there was an agreement that the front portion would be commercial and this area would provide a buffer and that is when the neighbors stopped their opposition when the church agreed to an O-1 designation for just the corner and that is when the lot was split in half and stated that they were going to leave that area alone and not ask for rezoning.

Mr. Hosmer said that the church was looking for General Retail for both tracts and went through City Council and then remanded back to Planning and Zoning when it was zoned Office and took off the southern tract due to considerable opposition.

Ms. Barb Farrar, 3873 E. Eastmoor Street, has concerns of privacy from which the building will be overlooking her backyard/patio and swimming pool and her preference would be a 45-foot home versus an office building that might have 130 car parking lot, as well as dumpsters, delivery trucks, and trash trucks, etc., and she also expressed concerns stormwater run-off and flooding. She noted the 20/20 Vision showing low-density housing for this area.

Mr. Doennig noted everything to the east boundary is County and everything to the west is City. Mr. Hosmer affirmed.

Mr. Darrell Reeds, 3889 E. Eastmoor Street has concerns regarding noise issues and traffic and his view is the back of the Walmart Neighborhood Market and now having stormwater issues after the development, citing his crawl space has been flooded up to 20 inches of water on two occasions and Ms. Farrar of 3873 E. Eastmoor had up to 24 inches of water in her crawl space.

Mr. Bart Newton, 1888 S. Brandon Avenue passed out pictures of flooding/stormwater problems (photos in staff report) showing ducks hanging out in the flooded area and that water does not respect city and county lines. He also has noted that the neighborhood retention pond has been patched/repaired out of his own resources. He states that no one maintains the retention pond except him and the neighbors.

Mr. Thomas noted that problem of stormwater and wondered if it (stormwater from Sam's, Neighborhood Market, etc.) cross Blackman Road.

Ms. Hawkins stated that the when the Neighborhood Market was constructed there was already a detention area that served the Sam's Club and is in the same area as the Neighborhood Market detention now. The

Neighborhood Market detention drains to the north onto Sunshine and the new detention that was built to serve some of the Sam's Club has an existing pipe that goes under Blackman Road to the proposed site.

Ms. Elaine Hamburg, 1926 S. Brittany Place stated that past compromises' have been forgotten and the owner of the property is again asking to rezone this tract of land without consideration for the prior flexibility. This would have involved cutting down the trees, building up the height of the land, putting in a detention pond next to her property and putting up a multi-story office building including a parking lot with night lighting. She stated that she will be looking up at least 55 feet or more to the building and people in the building will be able to look down into my home/yard. She also noted the increase of stormwater problems into the neighborhood.

Ms. Broekhoven asked about the stormwater pipe from the existing Sam's development under Blackman Road and into the detention pond and asked where the easement is located and if Stormwater has been asked to review the requirements that the City would see for detention or conveyance of the water that is naturally passing through the property.

Ms. Hawkins stated that they piped under Blackman Road because there is a natural channel that runs to the southeast corner of the property and is not sure if there is a formal easement and it comes out to a concrete channel that conveys the flow to the spring-fed pond and continues to the detention that serves the neighborhood. She noted that they have e-mailed the consultant regarding the new flooding issues and the consultant to consider the timing of the detention outflow from Sam's Club and the Neighborhood Market on detention design and are required to do on-site detention.

Mr. Bob Warren, 3939 E. Eastmoor, has concerns for traffic flow problems from Sunshine, Blackman, and Cherokee noting the intersection at Sunshine and Blackman which has speed limit of 50mph.

Mr. Thomas if the current property will utilize the existing right-in-right-out off Sunshine as a cross access easement or will they only have access off Blackman.

Mr. Estell noted that they will be able to access Sunshine.

Ms. Debbie Peterson, 1940 S. Brittany Place. Our cul-de-sac abuts against the property has been involved fighting against the development of the Walmart Super Center/Sam's Club/Neighborhood Market. The history of this property has been going on for more than 20 years and we knew that it was residential and accepted that when we bought our home/property and there are severe water problems in this area.

Brian Hamburg, 1921 S. Oakmont, commented on the stormwater issues as well as the retention pond and that it cannot handle the current amount and will be more extreme with more development. The stormwater from the detention exit pipe is astonishing and the water seeps over the top of the detention pond and goes into my yard, which has been damaged in the past.

Ms. Martha Phillips, 1920 S. Brittany Place stated safety issues and the blanket rezoning of the unknown tenants of office buildings and is worried about not enough information that may bring crime. She also stated concerns on the height of the building.

Mr. Brian Phillips, 1920 S. Brittany Place spoke of privacy concerns due to the height of the building and will feel like living in fishbowl.

Mr. Craig Peterson, 1940 S. Brittany Place noted stormwater and traffic concerns, as well as Blackman Road being raised to fix traffic flow problems.

Ms. Jean May, 1927 S. Brittany Place commented on traffic concerns as well as the building height and believes that new development would cause issues with their quality of living as well as privacy.

Mr. Tony Gott, 1958 S. Brittany Place voiced his concerns of the commercial impact on residential areas stating that the value of the homes will be affected and that we live in an automobile culture and that Blackman Road was the buffer between commercial and residential.

Mr. Doennig closed the public hearing.

Ms. Broekhoven asked for the parking requirements for O-1.

Mr. Hosmer stated that it is one space per 350 square feet.

Ms. Broekhoven asked Mr. Lee about the 40-foot buffer along the south and east side (where houses are) and wanted to know what the actual scale of the building would be.

Mr. Lee stated that he has put together several site plans but the general size is 35,000 square feet and the building is in the northwest corner.

Mr. Thomas asked if the City has plans to annex further east.

Mr. Hosmer stated that he is not aware of any plans for annexation.

Ms. Cox questioned about stormwater and the consultant (Mr. Lee) and what is being done for stormwater.

Mr. Lee stated that they are not detaining the water to the north as it is already being detained, but are going to carry the pipe that is going under Blackman and will by-pass the detention basin, but the City will make us look at the entire site, not just the detention basin.

Mr. Doennig stated the purview of the Commission is limited to a certain number of considerations and that City Council has a broader purview. He noted that Commission is strictly looking at land use and the issue is that County uses (R-1 zoning) are more debilitating to the adjacent neighborhood than what is being proposed by this Conditional Overlay District. The issues of privacy are a concern, but under County zoning a building 45 feet tall could be built along the backend of the property line at 15 feet away. Stormwater is another major issue and understands the power of water and what can happen in the Ozarks, however the County uses are worse than the Conditional Overlay District and understand the neighborhood concerns, however will be voting in favor.

Ms. Cox voiced her concerns on the stormwater and how it is being managed, but see that is a lessor of two evils, so I will be voting in favor.

Mr. Thomas asked if the corner lot was part of the County previously when the neighborhood was built and the City annexed the area but left the County zoning at that time.

Mr. Rose noted that stormwater and traffic are a common problem that the Commission hear and there never seems to be a perfect solution. I would have voted against this if a recommendation to lower the bulk plane would have raised because of the topography of the land to help avoid some of the issues, however I will support this.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Z-38-2017 w/COD #141 (1850 South Blackman Road). Mr. Rose seconded the motion. Ayes: Doennig, Cox, Rose, and Broekhoven. Nays: Thomas, Shuler, and Ogilvy. Abstain: None. Absent: Coltrin.

Conditional Use Permit 432
1452 North LaFontaine Avenue

Applicant: Summit Roofing Company, LLC

Mr. Hosmer stated that this is a request to allow a wireless telecommunication tower with Conditional Use Permit No. 432 in a HC, Highway Commercial District generally located at 1452 North Lafontaine Avenue. The Growth Management and Land Use Plan identifies area for Medium-Intensity Retail, Office or Housing. Lafontaine Avenue is classified as a local roadway in the Transportation Plan. The applicant request is to allow a 180-foot unmanned wireless telecommunication tower facility on the eastern side of the property. Wireless communication towers are allowed in HC district with a Conditional Use Permit. The approval of this request will provide for the productive use of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties. The proposed communication tower will be enclosed by a 6 feet wood fence and will require landscaping installed per code. The existing vegetation will remain on the south property line to meet landscaping requirements. Staff is requesting a modification to the site plan to require a row of evergreen scrubs per code to be placed on the north and west side; around the wooden fence. Staff recommends approval with modifications to site plan.

Mr. Doennig opened the public hearing.

Mr. Darryl Cain, 7406 Albervan Street, Shawnee, Kansas representing the owner. Putting a 185-foot cell tower in this location and will serve T-Mobile or any other type of wireless company.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Ms. Cox motioned to **approve** modifications to Conditional Use Permit 432 (1452 North LaFontaine Avenue). Mr. Rose seconded the motion. Ayes: Doennig, Shuler, Thomas, Cox, Rose, Broekhoven, and Ogilvy. Nays: None. Abstain: None. Absent: Coltrin.

COMMISSION ACTION:

Ms. Cox motioned to **approve** Conditional Use Permit 432 (1452 North LaFontaine Avenue) with modifications Ms. Broekhoven seconded the motion. Ayes: Doennig, Shuler, Thomas, Cox, Rose, Broekhoven, and Ogilvy. Nays: None. Abstain: None. Absent: Coltrin.

Preliminary Plat Renewal - Hickory Hills Subdivision Phase II
3800 blk East Farm Road 132

Applicant: Hickory Land Company, LLC

Mr. Hosmer stated that this is a request to renew Hickory Hills Subdivision Phase II located in the 3800 Block of Farm Road 132/ East Chestnut Expressway. The applicant is requesting to approve a preliminary plat to subdivide approximately 76.32 acres into a (106) lot residential and (3) lot commercial subdivision. The Growth Management and Land Use Plan identifies this area as appropriate for Medium Intensity Retail, Office and Housing and Low-Density Housing. The property is zoned GR, General Retail, R-SF and PD 305 (Lots 4 through 105 are zoned R-SF and lot 106 remains PD 305). The original preliminary plat approved in 2015; however, the final plat was not submitted in time to extend it. 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. Staff recommends approval.

Mr. Thomas asked if they connecting to Farm Road 185 or will they extend one of the cul-de-sacs off the subdivision.

Mr. Hosmer noted they will connect off Chestnut Expressway.

Mr. Doennig opened the public hearing.

Mr. Aaron Hargrave, 2045 W. Woodland, representing the applicant and wanting to renew the preliminary plat.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Mr. Rose motioned to **approve** Preliminary Plat Renewal - Hickory Hills Subdivision Phase II (3800 blk East Farm Road 132). Ms. Ogilvy seconded the motion. Ayes: Doennig, Shuler, Thomas, Cox, Rose, Broekhoven, and Ogilvy. Nays: None. Abstain: None. Absent: Coltrin.

OTHER BUSINESS:

2018 Capital Improvements Program

Citywide

Applicant: City of Springfield

Mr. Whitman stated that this is a schedule and strategy for funding and planning the construction, maintenance and replacement of the City's infrastructure and public facilities for the next six-years.

Capital Improvement Defined:

- Cost \$100,000 or more;
- Are significant, permanent, or have a useful life of six years or more;
- Independent projects, such as: construction of new streets, parks, storm water and sanitary sewer facilities, improvements to the landfill, airport and public facilities, grounds and buildings including acquisition;
- Comprehensive programs that consolidate numerous smaller individual improvements that do not individually meet the \$100K threshold, such as: sidewalk, storm water and sewer repair, signal enhancement and neighborhood improvement programs.
 - * Does not include funding for equipment, services, supplies, personnel or dangerous building demolition

Planned Capital Improvements - 2018	Planned Capital Improvements -2019 to 2023	Completed Capital Improvements -2017
117 Projects / Programs are proposed for funding in 2018	150 Projects / Programs are proposed for between 2019 - 2023	22 Projects / Programs
Estimated Cost: \$80,351,926	Estimated Cost: \$395,228,035	Estimated Cost: \$41,635,760

Mr. Doennig opened the public hearing.

No Speakers.

Mr. Doennig closed the public hearing.

COMMISSION ACTION:

Ms. Cox motioned to **approve** 2018 Capital Improvements Program (Citywide). Mr. Rose seconded the motion. Ayes: Doennig, Shuler, Thomas, Cox, Rose, Broekhoven, and Ogilvy. Nays: None. Abstain: None. Absent: Coltrin.



Noted (CORRECTED)

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 December 11, 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. November 27, 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. |
| Sworn In | | Swear in Mindy Spitz to the Tree City USA Citizen Advisory Committee. |
| Sworn In | | Swear in Gene Hartley to the Citizens Sales Tax Oversight Committee. |
| | 5. | CITY MANAGER REPORT AND RESPONSES TO QUESTIONS RAISED AT THE PREVIOUS CITY COUNCIL MEETING. |

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

All meetings are recorded.

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

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

6413

7. Council Bill 2017-277. (Fishel)

A general ordinance amending Chapter 36 of the Springfield, City Code, also known as the 'Land Development Code', Article III, – 'Zoning Regulations,' Division 4, – 'District Regulations,' Sections 36-400, 36-420, 36-421, and 36-422 relating to location of residential uses in the Office, Limited Business, General Retail, and Highway Commercial districts. (Planning and Zoning Commission and staff recommend approval).

6414

8. Council Bill 2017-278. (Prater)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.62 acres of property, generally located at 1255 East Chestnut Expressway from GR, General Retail District, with Conditional Overlay District No. 10 to GR, General Retail District and establishing Conditional Overlay District No. 139; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval).

6412

9. Council Bill 2017-267. (Fisk)

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 twelve job titles primarily within the Department of Environmental Services, as contained in the Professional, Administrative and Technical Salary Schedule and the Crafts, Trade and Labor Salary Schedule, by adding twelve new job titles; and by establishing and approving a Memorandum of Understanding between the City and the City Clerk which approves a new salary and benefit schedule for the City Clerk.

26978

10. Council Bill 2017-279. (Ferguson)

A special ordinance approving the plans and specifications for the Grant Avenue and Route 66 Streetscape project, generally referred to as Plan No. 2015PW0075TE; accepting the bid of Hunter Chase & Associates, Inc., in the amount of \$954,313.00 for said project, and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

26979

11. Council Bill 2017-280. (McClure)

A special ordinance approving the plans and specifications for the 2017 Sidewalk Project, generally referred to as Plan No. 2017PW0047T; accepting the bid of Hunter Chase & Associates, Inc., in the amount of \$137,798.00 for said project; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

6415

12. Council Bill 2017-281. (Fishel)

A general ordinance amending the Springfield City Code, Chapter 96, 'Storm Water,' by adding thereto a new Article for the purpose of adopting the Flood Control and Water Quality Protection Manual.

6416	13. Council Bill 2017-282. (McClure, Ferguson, Schilling, Prater, Fishel, Fisk, Hosmer, and Ollis) A general ordinance amending Springfield City Code, Chapter 106 – ‘Traffic and Vehicles,’ Article VII. – ‘Pedestrians,” by amending Section 106-450. – ‘Right-of-way in crosswalks’ and Section 106-452. – ‘Rights and duties when crossing roadways’ and by adding Section 106-455. – ‘Arterial roadways and intersections’ to better protect pedestrians and occupants of vehicles at intersections and along streets which have high volumes of traffic, high speed limits, or narrow medians.
26980	14. Corrected Council Bill 2017-283. (Fulnecky) A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the Center for Public Safety Excellence and the Commission on Fire Accreditation International for assistance in facilitating the Community Risk – Standards of Cover documents in the amount of \$31,050.00.
6417	15. Corrected Council Bill 2017-284. (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 Mayor’s Commission for Children.
Failed (4-5)	16. Council Bill 2017-286. (Referendum Petition) A general ordinance repealing General Ordinance No. 6397, said ordinance being entitled, “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.”
26981	17. Council Bill 2017-287. (Referendum Petition) A special ordinance calling an election on August 7, 2018, in the City of Springfield, Missouri, to submit to the qualified voters a question as to whether or not to approve General Ordinance No. 6397, passed by City Council on October 2, 2017, said ordinance being entitled, “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”; and declaring an emergency.
	18. RESOLUTIONS.
	19. EMERGENCY BILLS.
	20. PUBLIC IMPROVEMENTS.
	21. GRANTS. Citizens May Speak. May Be Voted On.
26983	22. Council Bill 2017-290. (McClure) A special ordinance authorizing the City Manager, or his designee, to accept a State Homeland Security hybrid radio assembly, valued at \$44,068.00, which is necessary for the sustainment of a robot currently in use by the Springfield Fire Department Bomb Squad; and declaring an emergency.

23. AMENDED BILLS.

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

25. Council Bill 2017-291. (Schilling)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 6.53 acres of property, generally located at 611 West Sunset Street from R-SF, Single-Family Residential District to R-MD, Medium-Density Multi-Family Residential District and establishing Conditional Overlay District No. 138, and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval). (By: Coryell Enterprises, LLC / E&M Edgewood, LLC; 611 West Sunset Street; Z-33-2017 Conditional Overlay District No. 138.)

26. Council Bill 2017-292. (Fishel)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 3.2 acres of property, generally located at 1220 East Lark Street from Planned Development District No. 84 to Planned Development District No. 360; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommended approval). (By: State Bank of Southwest Missouri, Inc., 1220 East Lark Street; Planned Development 360.)

27. Council Bill 2017-293. (Ferguson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 5.1 acres of property, generally located at the 2300 block of North Kansas Expressway and North Bolivar Road and the 1500 block of West Kearney Street and Turner from HC, Highway Commercial District with Conditional Overlay District No. 24 and R-SF, Single-Family Residential District, to HC, Highway Commercial District and establishing Conditional Overlay District No. 137; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommended approval). (By: Kansas & Kearney Intersection CTR; 2300 blocks of North Kansas Expressway and North Bolivar Road and 1500 block of West Kearney Street; Z-32-2017 & Conditional Overlay District No. 137.)

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

29. Council Bill 2017-294. (Fishel, Fisk, and Hosmer)

A general ordinance amending Springfield City Code, Chapter 106 – 'Traffic and Vehicles,' Article V. – 'Operation,' Division 1. – 'Generally,' Section 106-199. – 'Seat belt regulations,' by removing the language prohibiting a violation of this section to be the basis for a vehicle stop by law enforcement officers. (Plans and Policies Committee recommends approval).

30. Council Bill 2017-295. (Fulnecky)

A special ordinance approving the plans and specifications for the James River Interceptor Sewer Gate Replacement Project, generally located at Kissick Avenue and Lake Springfield Park Road; accepting the bid of Oke-Thomas and Associates, Inc., in the amount of \$236,750.00 for the project; and authorizing the City Manager, or his designee, to enter into a contract for said improvement.

31. Council Bill 2017-296. (Prater)

A special ordinance approving the plans and specifications for the National Avenue and Bennett Street Signal Replacement Project, generally referred to as Plan No. 2017PW0020T; accepting the bid of Ewing Signal Construction, LLC, in the amount of \$102,324.70 for said project; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

32. Council Bill 2017-297. (Fisk)

A special ordinance establishing rates for future assessments of special tax bills to pay for the cost of the construction of Joint Sanitary Sewer District No. 171 of Section 11, located in the general vicinity of the 3100 Block of West Sunshine Street in Springfield, Missouri; and declaring that special tax bills will be levied and assessed in the future against all lots, blocks, and parcels of ground which are served by the sanitary sewers constructed in said Joint Sanitary Sewer District No. 171 of Section No. 11 when such properties are included in a sewer district.

33. Council Bill 2017-298. (Hosmer)

A general ordinance amending the Springfield City Code, Chapter 2, 'Administration,' Article IV, 'Boards, Commissions and Committees,' Section 2-271. – 'Powers and duties,' by changing the frequency of reports by the Citizens' Tax Oversight Committee.

34. Council Bill 2017-299. (Ollis)

A special ordinance amending the budget of the City of Springfield for Fiscal Year 2017-2018, in the amount of \$750,000, to appropriate a portion of the funds currently in the Level of Property Tax-Debt Service Fund reserve to the new Level Property Tax-Operating Fund for land purchase expenses for Fire Station Number 13 and the purchase of a new fire apparatus.

35. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.**36. NEW BUSINESS.****Recommended**

The Mayor recommends the following appointment to the Springfield Convention & Visitors Bureau, Inc: Joe Wadkins with a term to expire January 1, 2021.

Recommended

The Mayor recommends the following reappointments to the Springfield Convention & Visitors Bureau, Inc: Daniel Reiter and Paul Sundy with terms to expire January 1, 2021.

Referred

Refer the issue of Animal Licensure to the Plans and Policies Committee

Referred

Refer the Comprehensive Plan Process to the Community Involvement Committee.

Referred

Refer the issue of Police and Fire Income Verification to the Finance and Administration Committee.

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

37. UNFINISHED BUSINESS.

38. MISCELLANEOUS.

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

40. Council Bill 2017-300. (Schilling)

A resolution declaring the intent of the City of Springfield to annex approximately 1.4 acres of private property and approximately 0.4 acres of Greene County right-of-way, which annexation has been petitioned by the property owners, generally located at 2759 West Republic Street and referenced as Annexation A-4-17.

41. Council Bill 2017-301. (Schilling)

A special ordinance authorizing the Director of Planning and Development to accept dedication of the public streets and easements to the City of Springfield as shown on the Preliminary Plat of Coryell At Sunset subdivision, generally located at 611 West Sunset Street, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance. (Planning and Zoning Commission recommends approval and staff recommends that City Council accept the public streets and easements).

42. CONSENT AGENDA – ONE READING BILLS.

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

26982

44. Council Bill 2017-288. (Fisk)

A special ordinance authorizing the City Manager, or his designee, to enter into the ninth amendment to the 800 MHz Trunked Radio System Participation Agreement.

Confirmed

45. Confirm the following appointments to the Board of Public Utilities: Mark Millsap, Nancy Williams, and Donald Woody, with terms to expire December 1, 2020.

Confirmed

Confirm the following reappointment to the Board of Public Utilities: Joseph Reynolds with a term to expire December 1, 2020.

Confirmed

Confirm the following appointment to the Airport Board: Marteze “Tez” Ward to fill the unexpired term of Tom Babik. Mr. Ward’s term will expire June 1, 2018.

46. END OF CONSENT AGENDA.

47. ADJOURN.

Development Review Staff Report



PLANNING AND ZONING COMMISSION PUBLIC HEARING: JANUARY 11, 2018

CITY COUNCIL PUBLIC HEARING:

N/A



CASE NUMBER:

Disposition No. 522

LOCATION: 235 North Kimbrough Avenue

ACRES: 0.56

EXISTING LAND USE: Storage Facility

APPLICANT: City of Springfield

STAFF: Jared Follin, 864-1612

STAFF RECOMMENDATIONS:
Approve

PROPOSED MOTION:
Move to approve Disposition No. 522

SUMMARY OF REQUEST:

The City of Springfield proposes to dispose of 0.56 acres of property. The property is the site of Former Fire Station #1 and it has been determined that the subject property and fire station are no longer necessary in the operations of the Springfield Fire Department. The property is proposed to be offered for sale and reuse to the public.

FINDINGS FOR STAFF RECOMMENDATION:

1. The subject property is within the city limits of the City of Springfield.
2. The proposed disposal will not adversely affect the City of Springfield or Springfield Fire Department operations.
3. The subject property is proposed to be disposed and offered to the public for sale and reuse

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	CC	CC	CC	CC
LAND USE	Eating and Drinking Establishment	Retail/Eating and Drinking Establishment	Community Center	Retail/Vacant Lots

Development Review Staff Report



STAFF COMMENTS:

1. The subject property is within the city limits of the City of Springfield.
2. The proposed disposal will not adversely affect City of Springfield operations.
3. The property was determined to no longer meet the needs of the Springfield Fire Department.
4. The property currently does not have a buyer.

LAND DISPOSAL POLICY:

Planning and Zoning Commission adopted the following policy statement for land disposals by public bodies:

1. Where is the property located?

235 North Kimbrough Avenue

2. Legal description.

See above

3. Why doesn't the City of Springfield need the property anymore?

The Fire Station has been replaced and no longer serves the community.

4. When was the current building erected?

The main building was built in 1956.

5. Why was property acquired? What did the city originally intend to do with the property?

The property was purchased for the purpose of locating a four-bay fire station with living quarters. A two-story 900-square foot office building was later constructed on site. The fire station was active between 1956 and 2001.

6. Who will purchase property?

The property is being offered to the public for sale and reuse.

LEGAL DESCRIPTION:

Commencing at a City of Springfield, aluminum capped monument at the intersection of the North right of way of St. Louis Street and the West right of way of Kimbrough Avenue; Thence along the said West right of way of Kimbrough Avenue, N1°08'01"E a distance of 300.34 feet (300.00 feet previous deed) to a cross, cut in the sidewalk; Thence N5°56'25"W a distance of 92.38 to a City of Springfield, aluminum capped monument; Thence N52°25'25"W a distance of 36.95 feet to a cross, cut in the sidewalk; Thence N84°27'54"W a distance of 134.32 feet to a cross, cut in the sidewalk; Thence N84°58'05"W a distance of 41.78 feet to a bare 1/2" rebar; Thence S1°44'50"W a distance of 123.47 feet to a bare 1/2" rebar; Thence S87°59'48"E a distance of 218.06 feet to the Point of

Development Review Staff Report



Beginning. Tract contains 24,430.5 square feet (0.56 acres, more or less) and is subject to easements of record. Bearings used in this description are based on the Missouri Coordinate System of 1983, Central Zone.

ADDITIONAL PHOTOS



Development Review Staff Report



PLANNING AND ZONING COMMISSION PUBLIC HEARING: JANUARY 11, 2018

CITY COUNCIL PUBLIC HEARING:

N/A



CASE NUMBER:

Disposition No. 523

LOCATION: 1201 South Campbell Avenue

ACRES: 0.89

EXISTING LAND USE: Vacant – Former active fire station and firefighter training

APPLICANT: City of Springfield

STAFF: Jared Follin, 864-1612

STAFF RECOMMENDATIONS:
Approve

PROPOSED MOTION:
Move to approve Disposition No. 523

SUMMARY OF REQUEST:

The City of Springfield proposes to dispose of 0.89 acres of property. The property is the site of Former Fire Station #6 and it has been determined that the subject property and fire station are no longer necessary in the operations of the Springfield Fire Department. The property is proposed to be offered to the public for sale and reuse.

FINDINGS FOR STAFF RECOMMENDATION:

1. The subject property is within the city limits of the City of Springfield.
2. The proposed disposal will not adversely affect the City of Springfield or Springfield Fire Department operations.
3. The subject property is proposed to be disposed and offered to the public for sale and reuse.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF	R-SF	R-SF	R-SF
LAND USE	Single-family homes	Greenway/Park	Cemetery	Single-family homes

Development Review Staff Report

SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):



GOOGLE MAPS STREET VIEW:



Development Review Staff Report



STAFF COMMENTS:

1. The subject property is within the city limits of the City of Springfield.
2. The proposed disposal will not adversely affect City of Springfield operations.
3. The property was determined to no longer meet the needs of the Springfield Fire Department.
4. Easements located on the property will need to be re-drawn.
5. The property currently does not have a buyer.

LAND DISPOSAL POLICY:

Planning and Zoning Commission adopted the following policy statement for land disposals by public bodies:

1. Where is the property located?

1201 South Campbell Avenue

2. Legal description.

See below

3. Why doesn't the City of Springfield need the property anymore?

The Fire Station has been replaced and no longer serves the community.

4. When was the current building erected?

The main building was built in 1964.

5. Why was property acquired? What did the city originally intend to do with the property?

The property was purchased for the purpose of locating a four-bay fire station with living quarters. The fire station was active between 1964 and 2002. Up until 2017, the property utilized the 6-story training tower to train firefighters.

6. Who will purchase property?

The property is being offered to the public for sale and reuse.

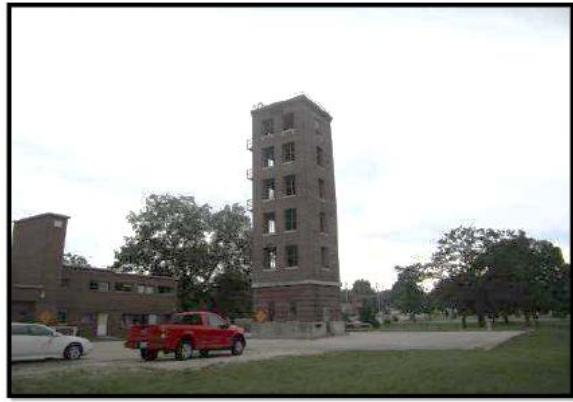
LEGAL DESCRIPTION:

All of Lots Twelve (12), Thirteen (13), Fourteen (14), and Fifteen (15), EXCEPT the East Ten (10) feet of said Lot 15, all in Block C, amended plat of Holman's Maple Park Addition to the City of Springfield, Missouri.

Development Review Staff Report



ADDITIONAL PICTURES:



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

DATE: December 13, 2017

TO: Planning and Zoning Commission

FROM: Daniel Neal
Senior Planner

SUBJECT: Stream Buffer Zoning Flexibility Amendments

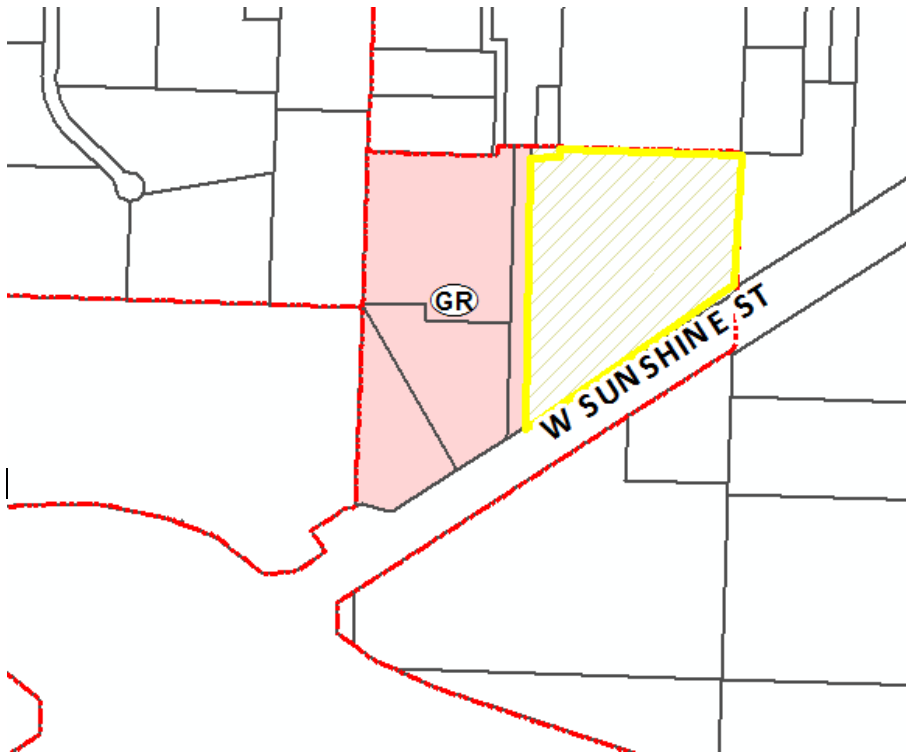
Environmental Services and Public Works staff request that this case be tabled and placed on the Planning and Zoning Commission meeting agenda on February 15th.

Development Review Staff Report



PLANNING AND ZONING COMMISSION PUBLIC HEARING: JANUARY 11, 2018

CITY COUNCIL PUBLIC HEARING: JANUARY 29, 2018



CASE NUMBER:

Z-1-2018 with Conditional Overlay No. 144

PROJECT LOCATION: 5389 West Sunshine Street

ACRES: 12.72 acres

EXISTING LAND USE: Undeveloped Land

APPLICATION: CMH Homes Inc.

STAFF:

Michael Sparlin, Senior Planner
417-864-1091

STAFF RECOMMENDATIONS:

Approve

PROPOSED MOTION:

Move to approve Z-1-2018 w/ COD No. 144 as submitted.

SUMMARY OF REQUEST:

To rezone approximately 12.72 acres of property generally located at 5389 West Sunshine Street from County M-1, Light Manufacturing to HC, Highway Commercial District and establishing Conditional Overlay District No. 144

FINDINGS FOR STAFF RECOMMENDATION:

1. This application is consistent with the *West Sunshine/Highway 60 Corridor Study* which identifies the subject property as in a Community Activity Center. These areas are recommended to contain shopping, recreation, employment, and institutional services supported by the surrounding community.
2. The subject property meets the intent of the HC, Highway Commercial District to be 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. Sunshine Street is classified as an Expressway.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	County M-1	County M-1	County M-1	GR
LAND USE	Industrial/Manufacturing	Commercial Uses	Car Sales	Radio Station & Self-Service Storage

Development Review Staff Report

SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):

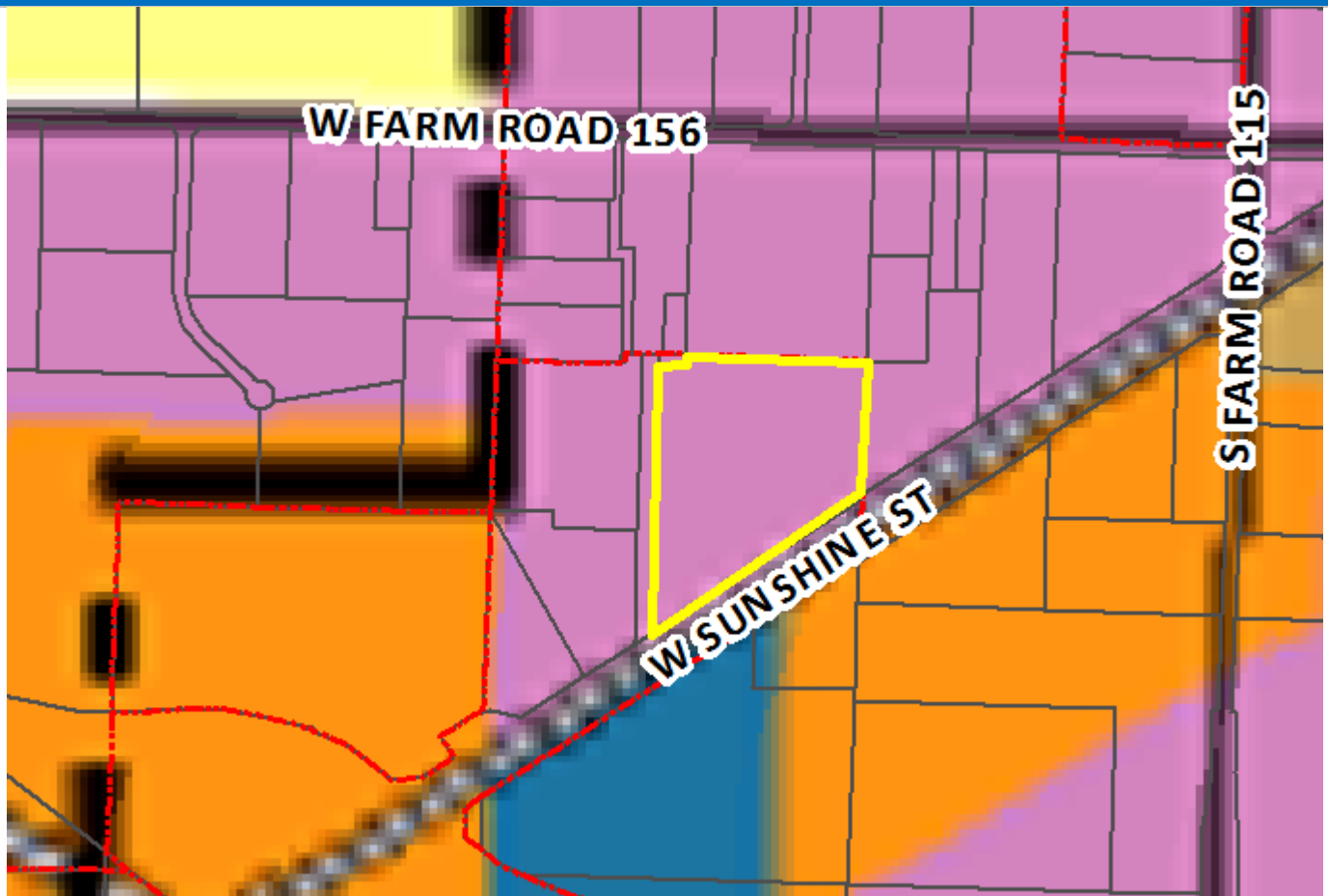


GOOGLE MAPS STREET VIEW:



Development Review Staff Report

GROWTH MANAGEMENT AND LAND USE PLAN:



- Low-Density Housing
- Medium or High Density Housing
- Medium Intensity Retail, Office or Housing
- High Intensity Retail, Office or Housing
- Greater Downtown
- Business Park
- Light Industrial, Office and Office-Warehouse

- General Industry, Transportation and Utilities
- Park
- School
- Golf
- Community-Public
- Urban Reserve Area
- Rural Area

- Greenway
- Parkway
- City Boundary
- Urban Service Area Boundary, Year 2020
- Urban Reserve Boundary, Year 2040

Development Review Staff Report



PROPERTY HISTORY:

The subject property was annexed along with other property in this area by a City-initiated annexation. During the rezoning process of the newly annexed area, the owner of the subject property objected to the proposed GR, General Retail district. The subject property was removed from the rezoning and the property remained zoned County M-1, Light Manufacturing.

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR HC
Maximum Structure Height	None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundaries of R-SF or R-TH districts. There are no adjacent R-SF or R-TH districts
Minimum open space	20 percent
Maximum impervious area	80 percent
Building Setbacks	Front: 25 feet Rear: None, except as required by the bufferyard requirements Side: None, supplemental open space and yard regulations, and the bufferyard requirements
BULK PLANE	BUFFERYARD AND LANDSCAPING
None, except that all structures shall remain below a 30-degree bulk plane as measured from the boundaries of R-SF or R-TH districts. There are no adjacent R-SF or R-TH districts	No bufferyards are required due to the subject property being surrounded by commercial and manufacturing districts. The development will comply with the supplemental open space and yard regulations.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this property as appropriate for light industrial, office and office-warehouse.

The *West Sunshine/Highway 60 Corridor Study*, completed in 2009, identifies the subject property as in a Community Activity Center. Community Activity Centers are recommended to contain shopping, recreation, employment, and institutional services supported by the surrounding community. Examples of uses include a discount department store, supermarket, drug store, home improvement, large specialty shops, service stations, one or more large places of worship, a community park, mid-size offices, low-to-mid rise housing (none within 700 feet of the corridor) and high-to-moderate density housing, and perhaps an elementary or middle school.

STAFF COMMENTS:

1. The applicant is proposing to rezone approximately 12.72 acres of property generally located at 5389 West Sunshine Street from County M-1, Light Manufacturing to HC, Highway Commercial District and establishing Conditional Overlay District No. 144.
2. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this property as appropriate for light industrial, office and office-warehouse. However, the *West Sunshine/Highway 60 Corridor Study*, completed in 2009, identifies the subject property in a Community Activity Center. Community Activity Centers are recommended to contain shopping, recreation, employment, and institutional services supported by the surrounding community. Examples of uses include a discount department store, supermarket, drug store, home improvement, large specialty shops, service stations, one or more large places of worship, a community

Development Review Staff Report



park, mid-size offices, low-to-mid rise housing (none within 700 feet of the corridor) and high-to-moderate density housing, and perhaps an elementary or middle school.

3. 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. This district is also intended for on-site production of handcrafted items in conjunction with retail sales. Sunshine Street is classified as an Expressway. This property meets this criteria.
4. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on December 19, 2017 regarding the rezoning request. A summary of the meeting is attached (Attachment 3).

PUBLIC NOTIFICATION:

The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. The property was posted by the applicant at least 10 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: Mailed: 12 Returned: 0

DEPARTMENT COMMENTS:

ATTACHMENT 1 DEPARTMENT COMMENTS

BUILDING DEVELOPMENT SERVICES COMMENTS:

No objections to rezoning.

MODOT COMMENTS:

Depending on development, a traffic study may be required. Improvements may be required at the existing crossover (turn lanes) and/or drive. All access will need to come from Maple Leaf Ln. Existing drive to the east of Maple Leaf will need to be removed.

CITY UTILITIES COMMENTS:

No objection to rezoning. The closest water main is appx. 1,700 feet to the east. A developer installed extension will be required. A cost recovery agreement is available as the extension will provide service to multiple properties.

The property is currently served by Ozark Electric Coop. By law, they are not allowed to expand service in cities of more than 1,500 population. CU electric is nearby and can be extended.

CLEAN WATER SERVICES COMMENTS:

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

1. Public sewer not currently available for the proposed site. Any use that requires public sewer will require a public sewer extension unless Building Development is willing to issue a septic permit.
2. Public improvements must be approved and completed before any building permits or plats could be issued or filed.
3. Offsite sewer would not be able to be escrowed.

FIRE DEPARTMENT COMMENTS:

Development Review Staff Report



Fire has no objection.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

City's Transportation Plan classifies W. Sunshine Street as an Expressway. The standard right-of-way width for W. Sunshine Street is 65 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. Sunshine Street is a MODOT maintained street and is under MODOT jurisdiction. The most recent traffic count on W. Sunshine Street east of James River Freeway is 17,913 vehicles per day. There is currently one access point onto W. Sunshine Street that may need to be closed, but is under the ruling of MODOT. Access can be taken off of the private S. Maple Leaf Lane. There is not currently sidewalk along the property frontage of W. Sunshine Street. Requirement of sidewalk construction is determined by MODOT. On-street parking is not allowed along W. Sunshine Street. There is a Greenway Trail just east of the property pertaining to this rezoning. There are not bus stops along this portion of W. Sunshine Street. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. Defer to MODOT for any comments regarding future planned improvements to W. Sunshine Street. Improvements to W. Sunshine Street may be required of the developer as a part of a Traffic Study required by the rezoning of this property.

Public Works Traffic Division	Response
Street classification	W. Sunshine Street – Expressway
On-street parking along streets	W. Sunshine Street – No
Trips generated - Peak Hour	127.20 vehicles (County M-1) 852.24 vehicles (HC)
Additional Trips generated with zoning change - Peak Hour	725.04 vehicles
Existing street right of way widths	W. Sunshine Street - 83 ft from the centerline
Standard right of way widths	W. Sunshine Street - 65 ft from the centerline
Traffic study submitted	Required*
Proposed street improvements	To be determined by traffic study

*Based on the change in zoning from County M-1 to HC, the increase in trip ends produced by this property exceeds the 100-additional trip-ends in the PM peak and more than 1,000 daily trips. This triggers the requirement of a Traffic Study – however, W. Sunshine Street is under MODOT jurisdiction, therefore the Traffic Study and any required improvements to W. Sunshine Street are deferred to MODOT.

STORMWATER COMMENTS:

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

This site drains southeast and because there is not a lot of existing infrastructure in the area detention will be required.

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

Development Review Staff Report



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

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

REQUIREMENTS FOR APPROVAL:

ATTACHMENT 2 CONDITIONAL OVERLAY DISTRICT PROVISIONS ZONING CASE Z-1-2018 & CONDITIONAL OVERLAY DISTRICT NO. 144

The requirements of *Section 36-422* of the *Springfield Zoning Ordinance* shall be modified herein for development within this district to include the following.

1. A traffic study shall be required at the time of development.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: County M-1 to Highway Commercial
(existing zoning) *(proposed zoning)*
2. Meeting Date & Time: Tuesday December 19th, 2017 4:00 pm - 6:30 PM
3. Meeting Location: Barnhouse Event Center - 5484 West Sunshine
4. Number of invitations that were sent: 25
5. How the mailing list was generated: City
6. Number of neighbors in attendance (attach a sign-in sheet): six
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.)

WE discussed the rezoning and the history of the annexation and lack of zoning. I explained that Clayton Homes wanted to rezone it in order to make it suitable for sale. It is surplus property. There are no plans to develop it. No one had any objections to the rezoning and wanted something to develop there that would increase the value of their respective properties. I did have a phone call from Shirley Biermann, the neighbor to the north, as she could not come to the meeting. She was not opposed to the rezoning.

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

no written comments were received

I, Geoffrey Butler *(print name)*, attest that the neighborhood meeting was held on 12/19/17 *(month/date/year)*, and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."

Signature of person completing affidavit

Geoffrey Butler

Printed name of person completing affidavit

Neighborhood Meeting Zoning case PLN2017-00484

December 19, 2017 4:00 - 6:30 PM

Barnhouse Meeting Center 5484 West Sunshine St.

Attendees:

✓ *Conrad H. Dotson* 2649 Hunt Maple Leaf Lane.
65802 417 865 4080 *Springfield*

Richard J Viles 5218 W Farm Rd 156
Springfield, MO 65802 417 862-3160

Karen Hoggatt 5194 W Sunshine St
Brookline, MO 65619 417-631-7936

MARY Jenkins 5185 & 5189 W. Sunshine
Brookline, MO 65619

WFL
Ⓢ Kenny Dotson 5410 WFR 156 849.4696

✓ *MARK Netzer* 2745 S. MAPLE Leaf Lane
SPfld MO. 65802
STARS 839.8209.

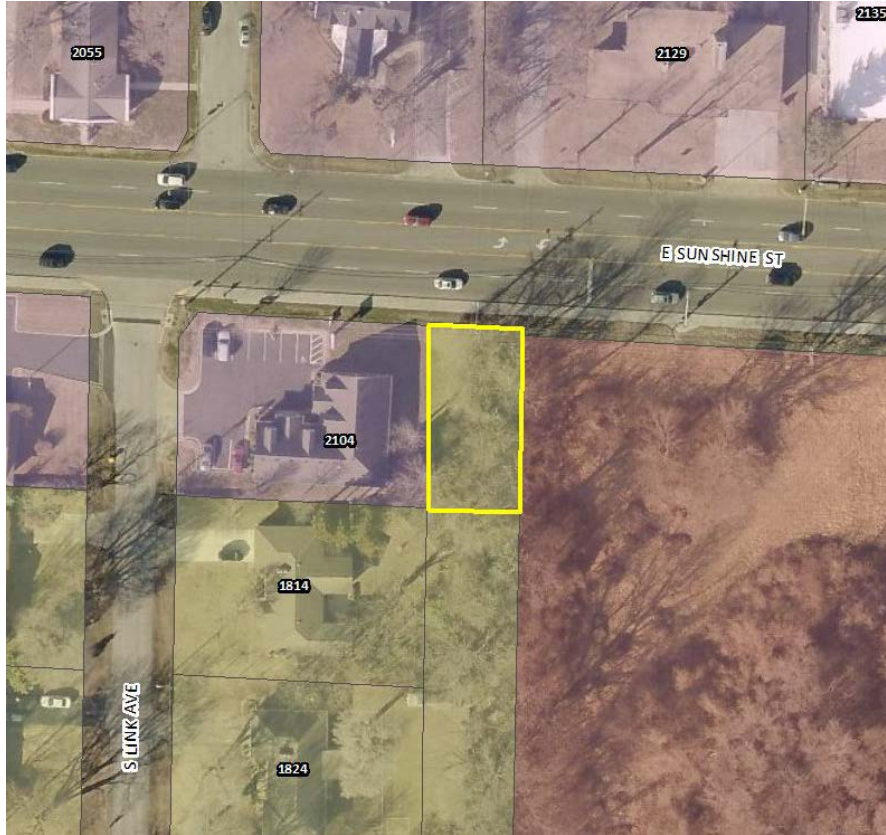
Development Review Staff Report



PLANNING AND ZONING COMMISSION PUBLIC HEARING: JANUARY 11, 2018

CITY COUNCIL PUBLIC HEARING:

JANUARY 29, 2018



CASE NUMBER:

Z-2-2018 w/Conditional Overlay District No. 142

LOCATION:

2100 Block E. Sunshine Street

ACRES:

0.12 acres

EXISTING LAND USE:

Vacant/undeveloped

APPLICANT:

E. Sunshine Land, LLC

STAFF:

Daniel Neal, 864-1036

STAFF RECOMMENDATIONS:

Approve w/Conditions

PROPOSED MOTION:

Move to approve the request to rezone from R-SF, Single-Family Residential District, to O-1, Office District, and establishing Conditional Overlay District No. 142 as submitted in the staff report

SUMMARY OF REQUEST:

Request to rezone approximately 0.12 acre of property from R-SF, Single-Family Residential District, to O-1, Office District, and establishing Conditional Overlay District No. 142

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 Sunshine Street as a primary arterial roadway which supports the proposed land use.
2. This request is consistent with the City's policies to promote infill development and increased intensity where investments have already been made in public services and infrastructure.
3. The proposed Conditional Overlay District will require a lot combination between 2104 E. Sunshine and the subject property.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	O-1	R-SF	GR	O-1
LAND USE	Office Uses	Vacant/undeveloped	Vacant/undeveloped	Office uses

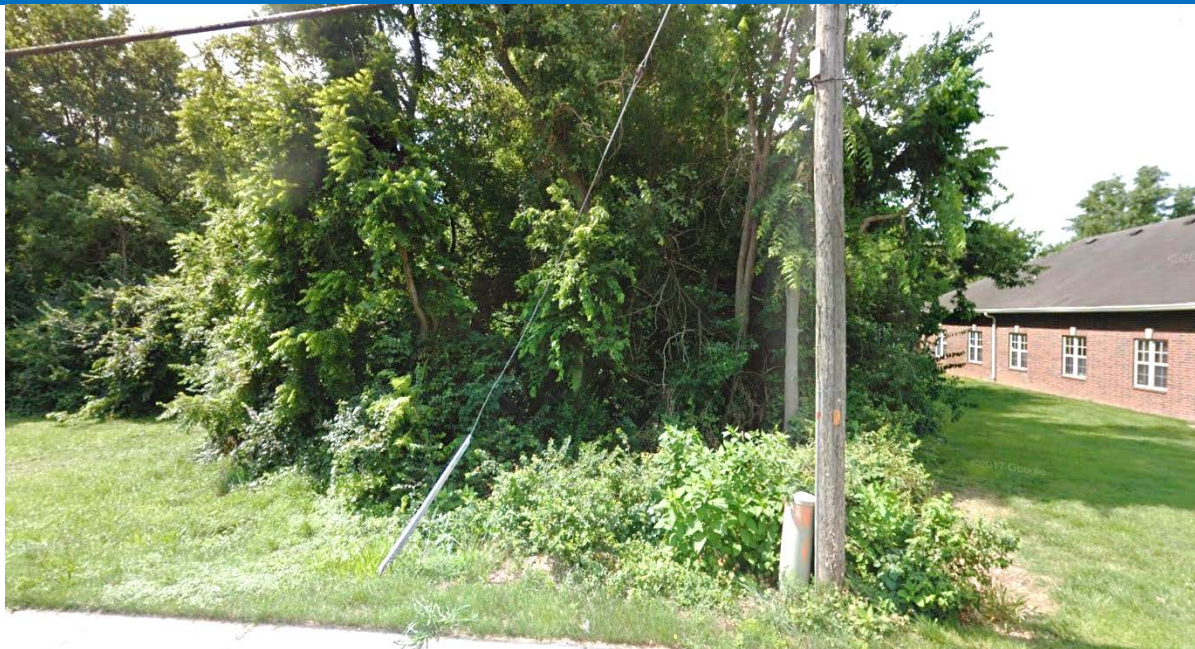
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SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):

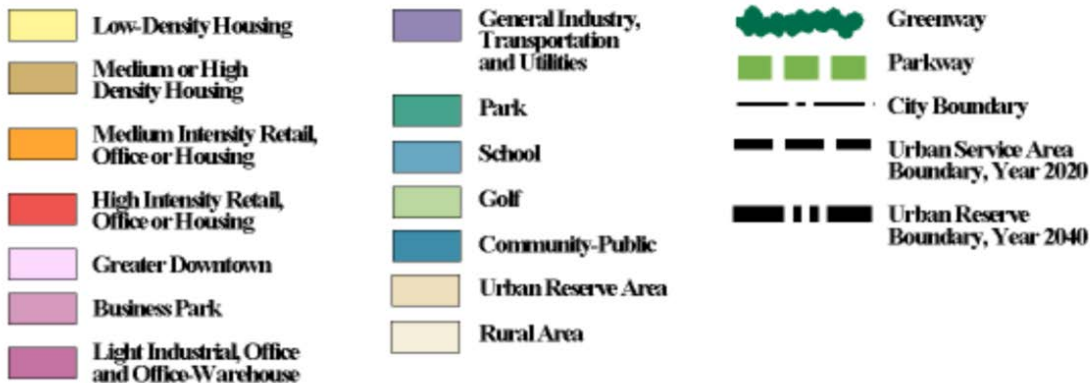
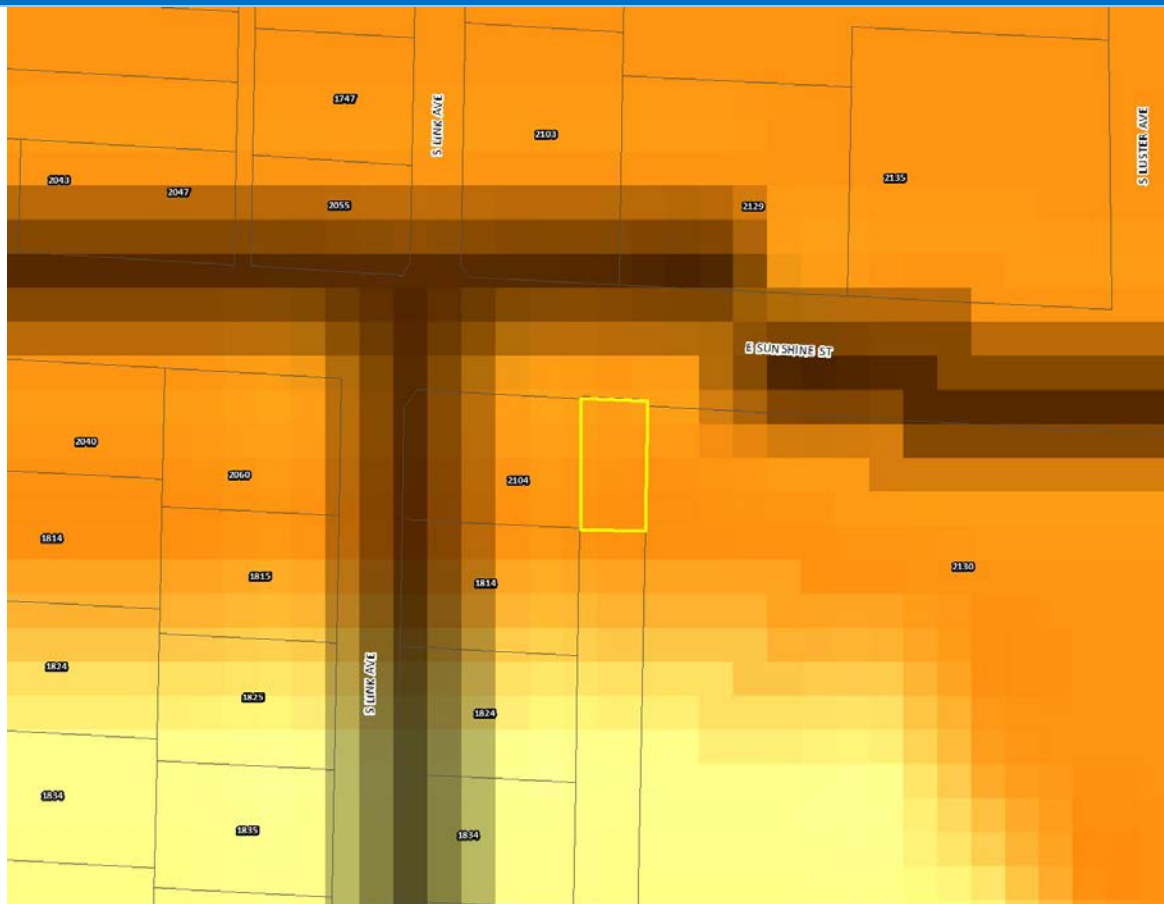


GOOGLE MAPS STREET VIEW:



Development Review Staff Report

GROWTH MANAGEMENT AND LAND USE PLAN:



Development Review Staff Report



PROPERTY HISTORY:

The subject property was originally zoned R-SF, Single-family residential in 1995 during the citywide re-mapping.

COMPATIBILITY WITH THE ZONING ORDINANCE:

CODE ITEM	REQUIREMENTS FOR O-1
Use Limitations	All activities and permitted uses except off-street parking and loading facilities, drive-thru facilities and day care activities shall be conducted entirely within a completely enclosed building.
Maximum Structure Height	35 feet provided that no building shall be higher than a 45-degree bulk plane adjacent to R-SF or R-TH Districts
Front Yard Setback	25 feet along a primary arterial street
Side and Rear Setbacks	10 feet for side and 20% of the depth but not less than 10 feet nor more than 25 feet
Open Space Requirement	20%
Design Requirements	Standard per code

BULK PLANE	LANDSCAPING
	36-482-12- (c) PLANT UNIT MULTIPLIER 100' 0.4 30' 0.6 25' 0.8 20' 1.0 15'

COMPATIBILITY WITH 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 Sunshine Street as a primary arterial roadway which supports the proposed land use.

STAFF COMMENTS:

1. The applicant, E Sunshine Land, LLC, is proposing to rezone the property located at the 2100 block East Sunshine Street from Planned Development District No. 84 to a GR, General Retail District and establishing Conditional Overlay District No. 136. The applicant is proposing to construct additional off-street parking for the adjacent office

Development Review Staff Report



building at 2104 E. Sunshine Street. This rezoning will create a mixed zoned lot and the applicant will be required to place a bufferyard between the two different districts on their own property.

2. The proposed zoning will allow the subject property to be developed similarly to adjacent properties along Sunshine Street and the surrounding area.
3. The proposed Conditional Overlay District will require a lot combination between 2104 E. Sunshine and the subject property. A preliminary plat is being reviewed concurrently with this rezoning request and will allow the lot to be certified and combined with 2104 E. Sunshine Street.
4. Sidewalk must be constructed or fees paid at the time of development prior to a building permit can be issued. Sidewalk will be required to be constructed along the entire length of the property frontage on S. Link Avenue as well – or a fee paid in lieu of sidewalk construction.
5. A traffic study was not required. A change in zoning from R-SF to O-1 for the proposed property does not exceed 100 additional trip ends in the AM or PM Peak Hours or 1,000 additional trip ends in a day – therefore, it does not trigger the requirement of a Traffic Study. An additional 5 feet of right-of-way will be dedicated on the final plat for future street improvements.
6. Upon development of the property a bufferyard is required along the south property line adjacent to the R-SF zoning district. The normal bufferyard required between O-1 and R-SF zoning would be a Bufferyard "Type C" at least fifteen (15) feet wide. For each one-hundred (100) linear feet of bufferyard, there must be one (1) canopy tree, two (2) understory trees, two (2) evergreen trees and ten (10) shrubs. All structures shall remain below a thirty (30) degree bulk plane as measured from the boundaries of any R-SF or R-TH district.
7. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on December 20, 2017 regarding the request for rezoning. A summary of these meetings is attached (Attachment 4).

PUBLIC NOTIFICATION:

The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. The property was posted by the applicant at least 10 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: Mailed: 7 Returned: 0

Development Review Staff Report



DEPARTMENT COMMENTS:

ATTACHMENT 1 DEPARTMENT COMMENTS

BUILDING DEVELOPMENT SERVICES COMMENTS:

No objection to rezoning.

CITY UTILITIES:

No objections. All utilities are available.

CLEAN WATER SERVICES COMMENTS:

No objection to the rezoning.

FIRE DEPARTMENT COMMENTS:

No comments.

MODOT COMMENTS:

Need 5 ft. additional right-of-way.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

City's Transportation Plan classifies E. Sunshine Street as a Primary Arterial roadway and S. Link Avenue as a Local roadway. The standard right-of-way width for E. Sunshine Street is 50 feet from the centerline. E. Sunshine Street is under MODOT jurisdiction – defer to MODOT for comments regarding access and right-of-way acquisition along E. Sunshine Street. The standard right-of-way width for S. Link Avenue 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. E. Sunshine Street is a MODOT maintained street and S. Link Avenue is a city maintained street. The most recent traffic count on E. Sunshine Street east of S. Glenstone Avenue is 34,134 vehicles per day. The most recent traffic count on S. Link Avenue south of E. Sunshine Street is 688 vehicles per day. As a part of the Conditional Overlay District #142, it is required that the area being rezoned is to be combined with the property abutting to the west. Therefore, the only access permitted to the combined properties will be to S. Link Avenue. There is sidewalk along the property frontage of E. Sunshine Street. The existing infrastructure meets current city standards. Sidewalk is required to be constructed along the entire length of the property frontage on S. Link Avenue as well – or a fee paid in lieu of sidewalk construction. Sidewalk must be constructed or fees paid before a building permit can be issued. On-street parking is not allowed along E. Sunshine Street but is allowed along S. Link Avenue. There is a Greenway Trail southeast of the property pertaining to this zoning on Seminole Street. There are bus stops along E. Sunshine Street. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. The City has no planned improvements in the area pertaining to this zoning. There are no right-of-way improvements required as a part of this rezoning.

Public Works Traffic Division	Response
Street classification	E. Sunshine Street – Primary Arterial S. Link Avenue – Local
On-street parking along streets	E. Sunshine Street – No S. Link Avenue – Yes

Development Review Staff Report



Trips generated - Peak Hour	5.15 vehicles (R-SF) 45.32 vehicles (O-1)
Additional Trips generated with zoning change - Peak Hour	40.17 vehicles
Existing street right of way widths	E. Sunshine Street - 45 ft. from the centerline S. Link Avenue – 25 ft. from the centerline
Standard right of way widths	E. Sunshine Street - 50 ft. from the centerline S. Link Avenue – 25 ft. from the centerline
Traffic study submitted	Not required*
Proposed street improvements	None required

*A traffic study was not required. A change in zoning from R-SF to O-1 for the proposed property does not exceed 100 additional trip ends in the AM or PM Peak Hours or 1,000 additional trip ends in a day – therefore, it does not trigger the requirement of a Traffic Study.

STORMWATER COMMENTS:

The property is in the Galloway Creek Branch drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required per Chapter 96. Buyout in lieu of on-site stormwater detention not an option and detention will be required. Since the project will not be disturbing more than one (1) acre a land disturbance permit will not be 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. A stormwater detention permit will be required for the private, onsite detention and/or water quality facility. This permit may be obtained through the Building Development Services (BDS) office, once the stormwater plans and calculations have been approved. The cost of this permit is \$155. These facilities must be constructed, inspected, approved and operational prior to issuance of the building permit.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: R-SF to O-1
(existing zoning) (proposed zoning)
2. Meeting Date & Time: December 20, 2017
3. Meeting Location: Brentwood Library Community Room, 2214 S. Brentwood
4. Number of invitations that were sent: 68
5. How the mailing list was generated: By City Staff
6. Number of neighbors in attendance (attach a sign-in sheet): 7
7. List the verbal comments and how you plan to address any issues:
(City Council does not expect all the issues to be resolved to the neighborhood's satisfaction; however, the developer must explain why the issues cannot be resolved.)

No issues were addressed by the neighbors. Questions asked regarded what was being rezoned and platted. Once the neighbors understood the property is not being split, all were glad to see this strip of land provides an additional buffer between their property and the potential Hy-Vee.

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

No written comments were received.

I, Jared Rasmussen (print name), attest that the neighborhood meeting was held on 12/20/2017 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."


Signature of person completing affidavit

Jared Rasmussen
Printed name of person completing affidavit

Neighborhood Meeting

Rezoning
December 20, 2017
4:00 p.m. – 6:30 p.m.

Name	Address	Phone/Email
JARED Rasmussen	550 Saint Louis Street Springfield, MO 65806	417-890-8802 jrasmusse@olssonassociates.com
Kevin Snyder	1905 S. Luster Ave. Springfield, MO 65804	417-889-2737 tnksnyder@sbcglobal.net
FRANK LOANZ	2103 E Sunshine Springfield, MO 65804	417-848-5242 frankloanz@earthlink.net
Rick Kroutil	1722 S Link Springfield, MO 65804	417-848-6130
Shannon Todd	2103 E. Sunshine Springfield, MO 65804	417-840-8599 stodd@sumrealt.com
Joan Bondra	1824 S Link	417-531-2598
Larry Ellsaesser	1814 S. Link	417-861-7882
Mike Dake	1824 S. Valley Road	417-860-8597

Development Review Staff Report



REQUIREMENTS FOR APPROVAL:

ATTACHMENT 3 CONDITIONAL OVERLAY DISTRICT PROVISIONS

The requirements of Section 36-400., Office district of the Springfield Zoning Ordinance shall be as modified herein for development within this district.

The subject property shall be administratively combined with the adjacent lot at 2104 E. Sunshine Street following the current Subdivision Regulations.

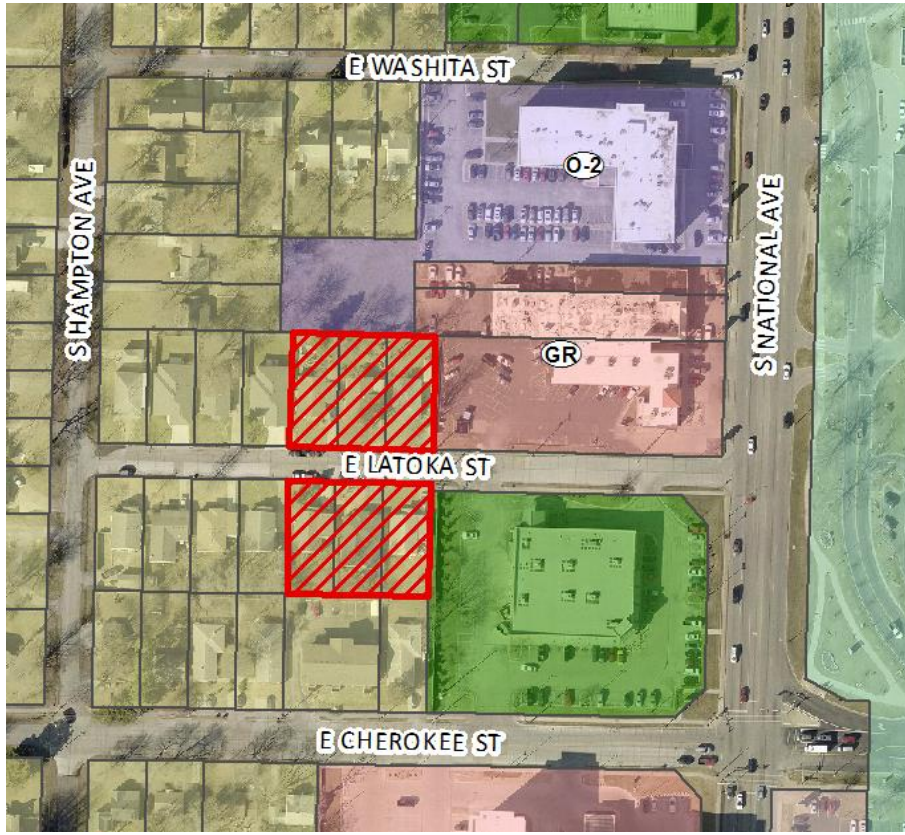
Development Review Staff Report



PLANNING AND ZONING COMMISSION PUBLIC HEARING: JANUARY 11, 2018

CITY COUNCIL PUBLIC HEARING:

JANUARY 29, 2018



CASE NUMBER:

Z-3-2018 with Conditional Overlay No. 143

PROJECT LOCATION: 1120, 1121, 1126, 1127, 1130, 1131 East Latoka Street

ACRES: 0.82 acres

EXISTING LAND USE: Single-family Residence

APPLICATION: One Hundred Two Glenstone LLC

STAFF:
Michael Sparlin, Senior Planner
417-864-1091

STAFF RECOMMENDATIONS:
Approve

PROPOSED MOTION:
Move to approve Z-3-2018 with Conditional Overlay District No. 143 as submitted.

SUMMARY OF REQUEST:

To rezone approximately 0.82 acres of property generally located at 1120, 1121, 1126, 1127, 1130, 1143 East Latoka Street from a R-SF, Residential Single Family to a R-MD, Medium-density Multi-family Residential District and establishing Conditional Overlay District No. 143

FINDINGS FOR STAFF RECOMMENDATION:

1. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies these properties 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 judgement.” The *Plan* recommends that each neighborhood should contain a range of housing types, densities, and building configurations including single-family detached, townhouses, and apartments. Apartment buildings should be located in transitional spaces between commercial and single-family areas at high amenity locations. The *Plan* also encourages residential development provide a variety of housing types that would enable developers to compete more effectively and to provide a greater choice for the City’s residents.
2. This application meets the intent of the R-MD district which is to serve as a transition between major streets or commercial areas and lower density residential areas and for areas that have access for vehicular traffic from collector or higher classification streets without traversing minor streets in adjoining residential neighborhoods. These properties are located within a ¼ mile of a developing commercial corridor and intersection at National Avenue and Sunshine Street. Many services and amenities are located in this area including neighborhood

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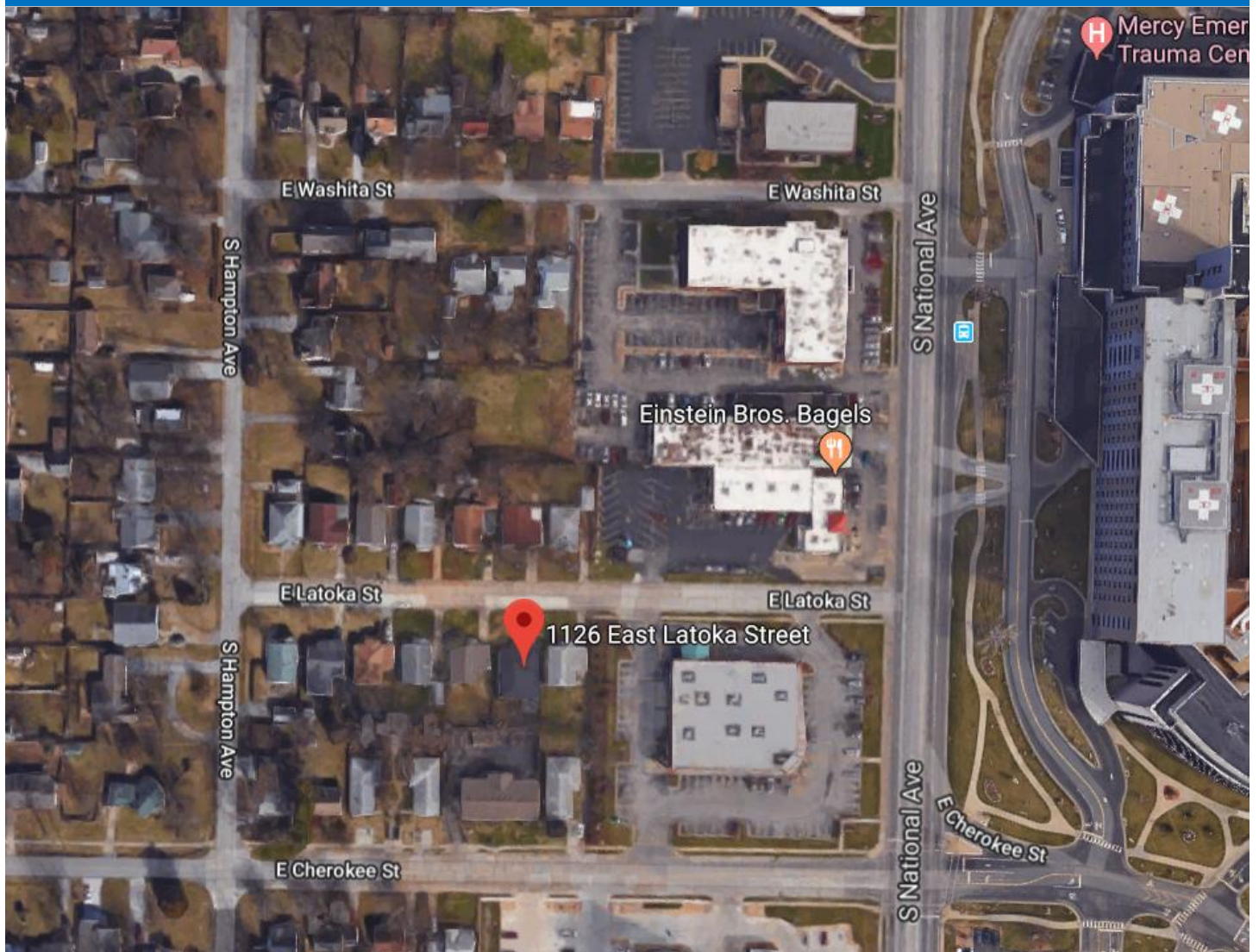
serving retail, restaurants, medical services and a large employment base located within a ½ mile of the subject property.

3. The request is consistent with the recommendations of the *Revised Multi-Family Development Location and Design Guidelines* which will limit the development to 20 dwelling units per acre and requires specific design guidelines.

SURROUNDING ZONING AND LAND USES:				
	NORTH	SOUTH	EAST	WEST
ZONING	O-2	R-SF	PD 260 & GR	R-SF
LAND USE	Parking for Office Use	Multi-family Residential and Duplex	Commercial & Retail Uses	Single-family Residence

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SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):



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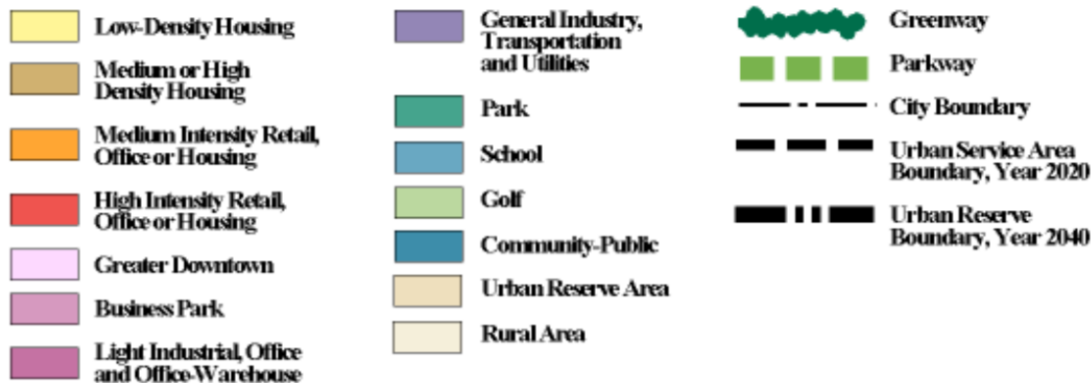
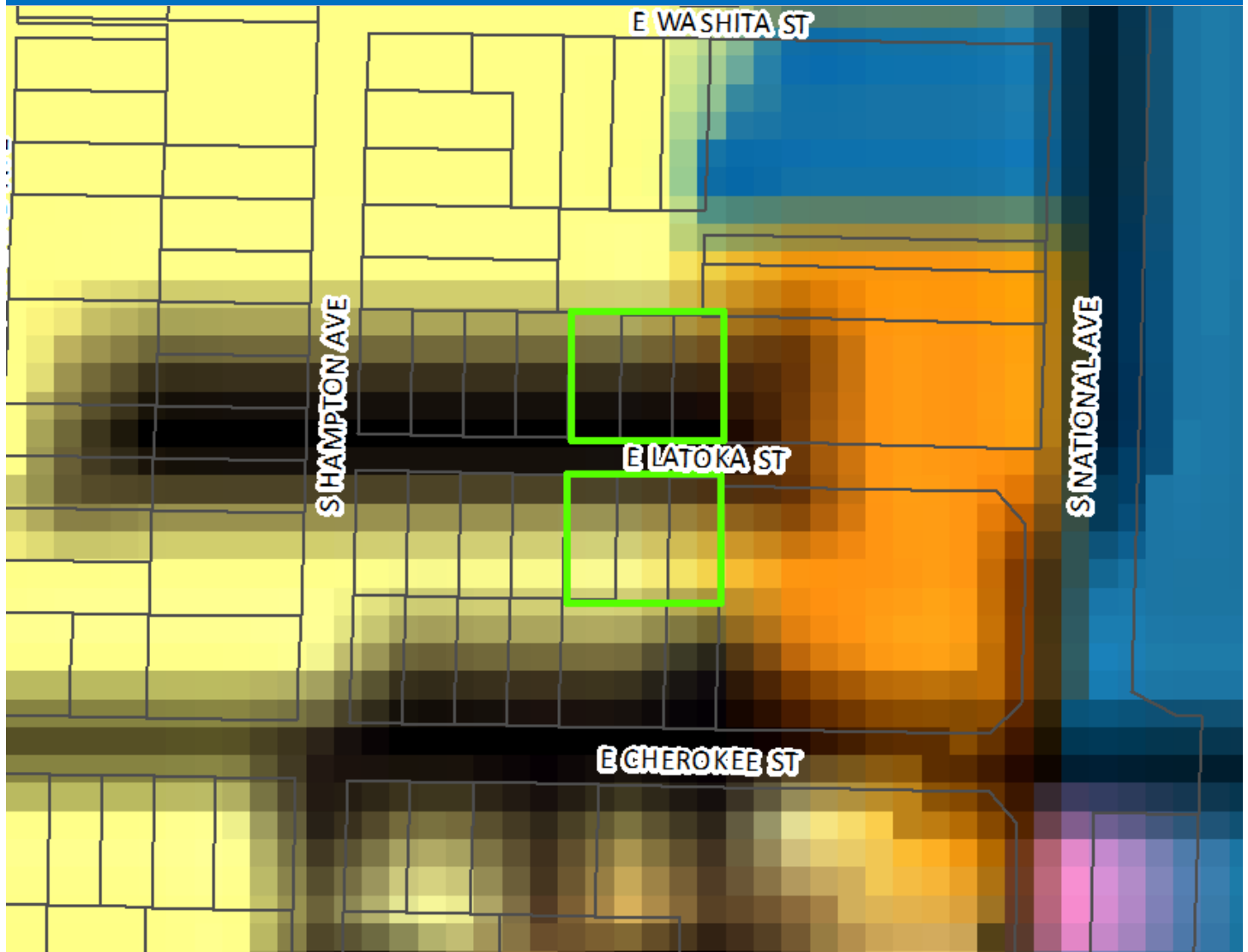


GOOGLE MAPS STREET VIEW:



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GROWTH MANAGEMENT AND LAND USE PLAN:



**CITY OF
Springfield**

1. The applicant is proposing to rezone from a R-SF, Residential Single-family District to an R-MD, Medium-Density Multi-Family Residential District and establishing Conditional Overlay No. 143. The proposed rezoning will facilitate the development of these properties for multi-family apartment complexes. The Conditional Overlay District will limit the density and require the development to conform to the approved site plan (Attachment 5).

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2. The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies these properties 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 judgement.” The *Plan* recommends that each neighborhood should contain a range of housing types, densities, and building configurations including single-family detached, townhouses, and apartments. Apartment buildings should be located in transitional spaces between commercial and single-family areas at high amenity locations. The *Plan* also encourages residential development provide a variety of housing types that would enable developers to compete more effectively and to provide a greater choice for the City’s residents.
3. The R-MD District is intended to accommodate multi-family developments at densities up to approximately twenty-nine (29) dwelling units per acre. The applicant is requesting a maximum of slightly more than twenty (20.5) dwelling units per acre. This density has been determined to be appropriate for this area based on an assessment completed under the *Revised Multi-Family Development Location and Design Guidelines*. That assessment resulted in a density of 20 dwelling units per acre. Further analysis of the proposed development under the *Revised Multi-Family Development Location and Design Guidelines* is attached (Attachment 3). The development must be in substantial conformance to the attached site plan (Attachment 5).
4. The R-MD district is intended to serve as a transition between major streets or commercial areas and lower density residential areas and for areas that have access for vehicular traffic from collector or higher classification streets without traversing minor streets in adjoining residential neighborhoods. The property is located within a ¼ mile of a developing commercial corridor and intersection at National Avenue and Sunshine Street. Many services and amenities are located in this area including neighborhood serving retail, restaurants, medical services and a large employment base located within a ½ mile of the subject property. The proposed R-MD district meets this criteria of being a transition between lower density housing and commercial areas.
5. Approval of this application will allow for development of this property and promote infill development where investments have already been made in public services and infrastructure.
6. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on December 14, 2017 regarding the rezoning request. A summary of the meeting is attached (Attachment 4).

PUBLIC NOTIFICATION:

The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. The property was posted by the applicant at least 10 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: Mailed: 25 Returned: 0

DEPARTMENT COMMENTS:

ATTACHMENT 1 DEPARTMENT COMMENTS

BUILDING DEVELOPMENT SERVICES COMMENTS:

No objection to rezoning.

CITY UTILITIES COMMENTS:

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No objection to rezoning. All utilities are available. Please note that CU has an 8-inch water main running from the east to near the east property line of the subject land. Then it reduces to 2-inch running west across the property. Should the main have to be replaced with 8-inch for fire protection purposes it will be at the developer's expense.

CLEAN WATER SERVICES COMMENTS:

No objections to rezoning. Public sewer is available to both sides of the street. The south building will have to use the existing 4 inch laterals. Bigger laterals or new laterals would require cutting the street to tap the main.

FIRE DEPARTMENT COMMENTS:

Fire has no issues with rezoning.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

City's Transportation Plan classifies E. Latoka Street as a Local roadway. The standard right-of-way width for E. Latoka Street is 25 feet from the centerline. It appears approximately 7.5 feet of right-of-way needs to be acquired on *each* side of E. Latoka Street (north and south), to create a total street right-of-way width of 50 feet. A survey is recommended to determine the exact amount of existing right of way. E. Latoka Street is a city maintained street. There are no traffic counts for this section of E. Latoka Street. There are currently three driveway access points on each side of E. Latoka Street. For the proposed development, only one driveway access point will be permitted on each side of E. Latoka Street. There is not currently sidewalk along the property frontage on either side of E. Latoka Street. Sidewalk is required to be constructed on at least one side of the street as a part of this rezoning. On-street parking is allowed along E. Latoka Street. There is not a Greenway Trail in the area pertaining to this zoning. There are bus stops along S. National Avenue just east of the rezoning property. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. There are currently no future street improvements planned to E. Latoka Street by the City of Springfield. As a part of this rezoning, the only required improvement to public right-of-way is the construction of sidewalk that meets current City Standards on at least one side of E. Latoka Street.

Public Works Traffic Division	Response
Street classification	E. Latoka Street – Local
On-street parking along streets	E. Latoka Street – Yes
Trips generated - Peak Hour	4.20 vehicles (R-SF) 14.28 vehicles (R-MD)
Additional Trips generated with zoning change - Peak Hour	10.08 vehicles
Existing street right of way widths	E. Latoka Street – 17.5 ft from the centerline
Standard right of way widths	E. Latoka Street – 25 ft from the centerline
Traffic study submitted	Not required*
Proposed street improvements	None required

*A traffic study was not required. A change in zoning of the properties pertaining to this zoning from R-SF to R-MD does not exceed 100 additional trip-ends in the AM or PM peak, nor does it exceed 1,000 additional daily trip-ends. Therefore, a Traffic Study is not required.

STORMWATER COMMENTS:

The property is in the South Creek drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required according to Chapter 96. Buyout in lieu of stormwater detention will not be allowed and

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detention must be provided. Since the project will be disturbing less than one (1) acre, a land disturbance permit will not be required.

There is public infrastructure along Cherokee that this site can tie into but this will require an excavation permit.

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

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

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

REQUIREMENTS FOR APPROVAL:

ATTACHMENT 2

MULTI-FAMILY DEVELOPMENT LOCATION AND DESIGN GUIDELINE ASSESSMENT ZONING CASE Z-3-2018 & CONDITIONAL OVERLAY DISTRICT NO. 143

The applicant is requesting approval of two 8-unit multi-family apartments on 0.82 acres of property. According to 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. The applicant has requested a density of 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)

Two points were given for land use accessibility. There is neighborhood retail mix, medical/dental office and employment concentration greater than 2,500 employees within ½ mile of the subject property.

B. Connectivity Analysis (2/5 points)

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

C. Road Network Evaluation (1/2 points)

One point was given for the road network evaluation.

D. Design Guidelines (6/6 points)

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

1. Pedestrian Amenities - Pedestrian amenities shall include benches placed near walkways at appropriate locations throughout the development. Pedestrian-scale lighting shall be provided within the development. Lighting sources or luminaries that do have a cutoff shall not exceed a maximum of 30 feet

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in height. All lighting shall be glare-free and shielded from the sky and adjacent residential properties and structures, either through external shields or through optics within the fixture. A site lighting and photometric plan shall be submitted conforming to these requirements for building permits.

2. Building Scale and Articulation - Street facing walls that are greater than 50 feet in length shall be articulated at least each 25 feet with bays, projections or recesses. Articulation means a difference in the vertical plane of the building at least 18 inches or more. This project shall be in compliance with the attached site plan and elevations.
3. Building Orientation and Interior Landscaping – All building orientations will address Latoka Street to receive design points for this element. Landscaping and open spaces shown shall be provided with approved ground cover and/or plantings per required city ordinances and zoning requirements. A landscaping plan shall be submitted conforming to these requirements for building permits.
4. Avoidance of Blank Walls along pedestrian circulation areas - Facades that face public streets or connecting pedestrian frontage that are greater than 25 feet in length shall be subdivided and proportioned using at least one or more of the following features: windows, entrances, arcades, arbors, awning (over windows or doors), distributed along the façade at least once every 25 feet. This project shall be in conformance with the attached site plan and elevations
5. Internal Connectivity – Internal sidewalks shall connect internally and to the public sidewalk system.
6. Useable Recreational Area/Facility – A minimum of 20% usable open space is required.
7. Amenities – The guidelines do not require amenities for developments under 20 dwelling units.
8. Preservation of Trees –All existing trees of 6” caliper or greater shall be preserved or replaced with 2-inch caliper trees in accordance with the attached site plan and the city ordinance.

DENSITY: The assessment criteria resulted in a total of 11 points for a maximum density of 20 dwelling units per acre. The applicant has requested a total density of 20 dwelling units per acre.

ATTACHMENT 3
CONDITIONAL OVERLAY DISTRICT PROVISIONS
ZONING CASE Z-3-2018 & CONDITIONAL OVERLAY DISTRICT NO. 143

The requirements of *Section 36-383* of the *Springfield Zoning Ordinance* shall be modified herein for development within this district to include the following.

1. The cumulative for both developments are a maximum density of 20 dwelling units per acre for a maximum of 16 dwelling units (8 dwelling units on the south-side of Latoka Street and 8 dwelling units on the north-side of Latoka Street).
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).

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: December 14 from 4:00 to 6:30
3. Meeting Location: Townplace Suites - 2009 S. National
4. Number of invitations that were sent: 128
5. How the mailing list was generated: City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 5
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.)

The neighbors did not have comments. The neighbors were just curious as to what was going to be constructed. We showed them the site plans and answered general comments like how many units or how tall.

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

No comments were provided.

I, Derek Lee (print name), attest that the neighborhood meeting was held on December 14, 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."



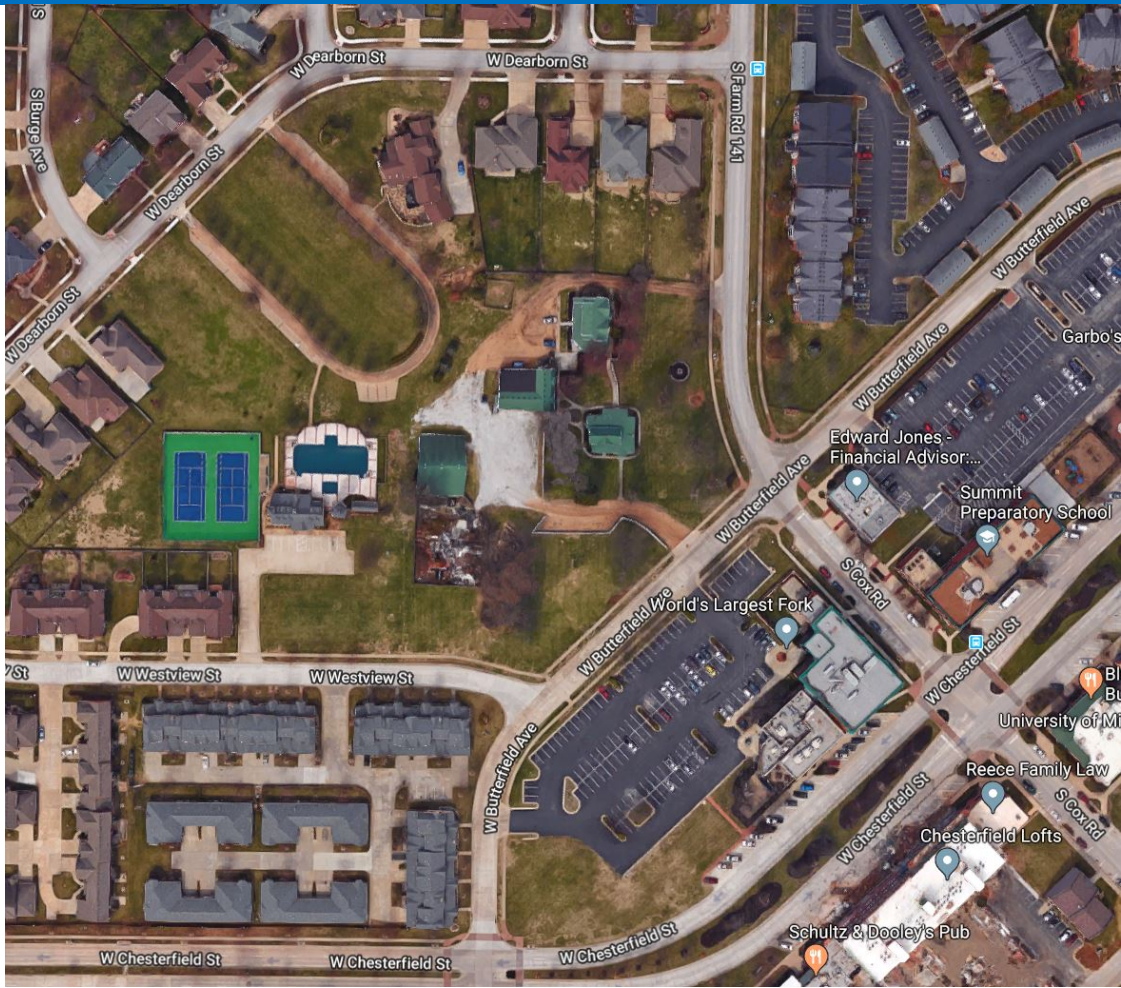
Signature of person completing affidavit

Derek A. Lee

Printed name of person completing affidavit

FILE: 1748 - Latoka Site Plan.dwg

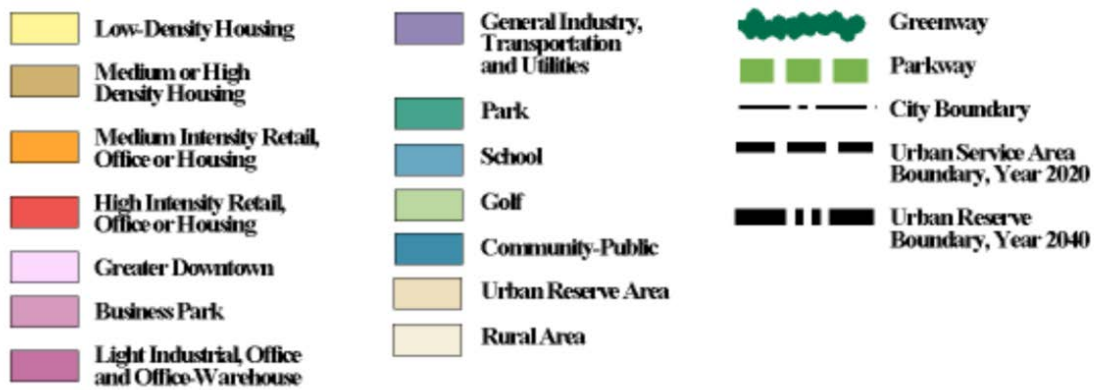
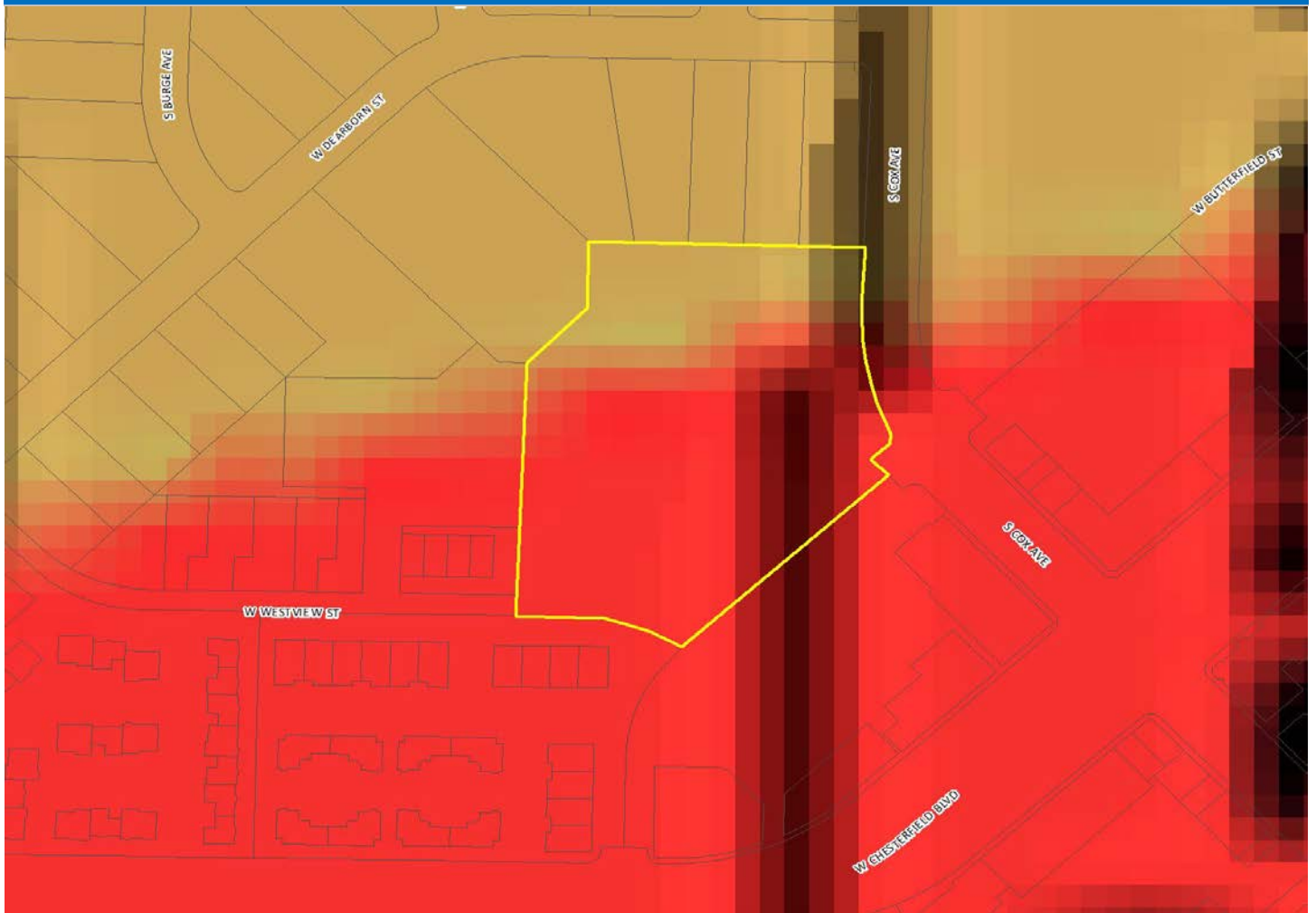
SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):



GOOGLE MAPS STREET VIEW:



GROWTH MANAGEMENT AND LAND USE PLAN:



PROPERTY HISTORY:

This property was originally zoned from R-1 to Planned Development 141 in 1992. Since the citywide rezoning in 1995, this area has been amended twice. It was amended to Planned Development No. 141, 2nd Amendment in 1997 and the latest amendment occurred in 2001 when it was amended to Planned Development No. 141, 6th Amendment.

COMPATIBILITY WITH THE ZONING ORDINANCE:

CODE ITEM	REQUIREMENTS FOR PD 362
Use Limitations	Same as existing.
Maximum Structure Height	Two stories (same as existing)
Front Yard Setback	25 feet along Cox Avenue and 25 feet from centerline of private streets (same as existing)
Side and Rear Setbacks	None, use limitations, design requirements and bufferyards will dictate
Open Space Requirement	20% (same as existing)
Design Requirements	See Exhibit 1 for details
BULK PLANE	LANDSCAPING
N/A	Each bufferyard and landscaping area in this district are different and do not follow standard requirements.

COMPATIBILITY WITH COMPREHENSIVE PLAN:

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

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

STAFF COMMENTS:

1. The applicant is proposing to rezone this property from Planned Development No. 141, 6th Amendment to Planned Development No. 362. The intent is to provide a new office building and a new television commercial studio on Lot 2. The studio building will house office, studio, wood shop and storage uses. The studio building will be a free span warehouse type structure over concrete slab that will resemble the other structures on the farm site. The intent of the current development is to remove the existing 6,000 SF (two story) barn and replace it with a new office building of similar size. The proposed PD has some similarities to the existing PD; however, a television commercial studio is not currently permitted by the existing PD. The owner is proposing to rezone and administratively subdivide the lot into two lots as shown on the site plan.
2. The existing Planned Development permits a mix of community, office and retail uses. The existing zoning allows Eating and Drinking Establishments and antique/gift shops which are typically allowed in the General Retail District, but also allows Community Service Facilities such as day care centers and community centers which are typically allowed in the O-1, Office District.

-
3. The *Growth Management and Land Use Plan* of the *Comprehensive Plan* identifies this as an appropriate area for High Intensity Retail, Office or Housing. The property is surrounded by Planned Development 141 and 349, which allow for a mixture of uses. Staff believes that the proposed PD 362 is appropriate for this area.
 4. A traffic study is not required. The proposed uses in PD-362 do not produce more than 100 additional trip-ends in the AM or PM peak hours, nor do they exceed 1,000 additional trip-ends daily, compared to the existing uses permitted in PD-141, 6th Amendment.
 5. The major difference between the existing Planned Development No. 141, 6th Amendment and the proposed Planned Development No. 362 is that new television commercial studio and office buildings and uses are permitted. The following differences are being proposed:
 - a. The proposed PD will allow similar uses to PD 141, 6th amendment on both lots. The proposed PD will add studios as defined in the PD, catering services and office uses as permitted in the O-1, Office District, except the following uses which will be prohibited:
 - i. Cemeteries
 - ii. Water reservoirs, water standpipes and elevated and ground-level water storage tanks
 - iii. Substance abuse treatment facilities for 50 or fewer residents
 - iv. Telecommunication towers
 - v. Bowling alleys
 - vi. Roller skating and ice skating arenas
 - vii. Miniature golf
 - b. Then intensity of development has been divided into two parts. Each structure on Lot 1 will be limited to the same foot print as the existing structures. Individual buildings can increase in square footage by adding a maximum of 20% additional in roughly the same foot print of the individual building. Lot 2 is limited to two new buildings, a 15,000-square foot maximum building area for studio uses and a 7,000-square foot maximum building area for an office building.
 - c. Maximum structure heights will remain at two (2) stories. The maximum impervious surface ratio will remain at 80 percent and minimum open space ratio at 20 percent for each buildable lot.
 - d. No building setbacks are proposed except as shown along Cox Avenue on the site plan. The proposed bufferyards, intensity of development and design requirements will provide adequate setbacks.
 - e. Design requirements have been added for each lot. Lot 1 uses are permitted provided that the existing farmhouse and farm structures are utilized for these uses. Lot 1 uses are also permitted for new construction to replace existing structures is permitted if the new structures are located in the same location, have roughly the same footprint (can increase foot print by 20%) and the "same appearance" as the existing farm structures. "Same appearance" is defined as sloped roofs with shingles. The shingles and exterior paint shall match the existing farmhouse structures. Building elevations shall be submitted and approved by ARC which shows sloped roofs and exterior paint/shingle colors. The existing gravel drives and parking lots on Lot 1 are allowed to remain as long as the existing farmhouse and farm structures are utilized. As a conforming use, the existing farmhouse and farm structures can be replaced with similar farmhouse or farm structures within 18 months of being destroyed without changes to the gravel drives and parking areas on Lot 1. Otherwise, any new construction to replace the existing structures will require driveways and parking lots to comply with current design requirements.
 - f. New construction on either lot will require street facing walls that are greater than 50 ft. in length shall be articulated at least every 25 ft. with bays, projections, or recesses. Articulation means a difference in the vertical plane of the building of at least 18 inches or more. A covered porch with columns facing the street is an acceptable option for the articulation requirements. Facades that face streets that are greater than 25 ft. in length shall be subdivided and proportioned using at least one of the following features: windows, entrances, arcades, arbors, or awnings, distributed along the façade at least once every 25 ft.

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- g. Bufferyards have been modified from PD 141, 6th amendment which require the landscape and bufferyard provisions of the Zoning Ordinance in effect at the time of development shall apply to specified bufferyards as described in Exhibit 1 (text) and shown on the site plan.
 - h. Lot 1 shall have a 10 foot bufferyard installed if an existing building is removed and replaced. The bufferyard shall be located on the North property line adjacent to 2210-2250 W Dearborn Street. The bufferyard shall contain 1 canopy tree, 2 understory trees, 2 evergreen trees and 10 shrubs per 100 linear feet. The standard bufferyard is 15 feet between O-1 and R-SF; however, the applicant would like to retain the existing driveway which is located approximately 10 ten feet from the northern property line.
 - i. Lot 2 shall have a 10 foot bufferyard installed along the West property line and south of the office building as shown on the site plan. The bufferyard shall contain 1 canopy tree, 2 understory trees, 2 evergreen trees and 10 shrubs per 100 linear feet. If optional parking area is developed, then screening will be required per the Zoning Ordinance between the parking spaces and the property line.
 - j. Lot 2 shall have a 15 foot bufferyard and 6 foot wood privacy fence installed along the west property line between the office building and swimming pool as shown on the site plan.
 - k. Lot 2 shall have at least three canopy trees installed between the proposed office building and the pool as shown on the site plan. Trees sizes at planting shall comply at minimum with the Zoning Ordinance requirements.
 - l. Access will be provided as shown on the site plan. One additional driveway is shown accessing Westview Street (private street).
 - m. The standard off-street parking requirements shall apply with the exception that studio parking is to be based on one space per 350 square foot of office area within the building. Also, woodshop, storage and TV commercial set areas within the building shall not require parking.
 - n. Signage requirements have been modified to allow one detached sign on each lot. Each sign shall have a maximum effective area of fifty (50) square feet. Each sign shall have a maximum height of ten (10) feet
 - o. A final development plan, showing conformance with the requirements of this Exhibit, shall be submitted to the Planning and Development Department and approved in the manner described below prior to the issuance of any building permits or prior to the commencement of any of the permitted uses or improvements permitted or required by this exhibit. The 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.
6. The City recognizes the streets in Chesterfield Village as private streets per Special Ordinance No. 22714 on April 17, 1995. In the ordinance, it states that City Council hereby approves the replatting of certain access easements as private streets. The private ownership, control and maintenance of the private street rights-of-way must be integral to the design and function of subdivision. The restrictive covenants, rules and bylaws creating the common ownership must provide for the continuing and adequate maintenance of the private streets and that the property rights, including the rights of access of purchasing land within and adjacent to the subdivision, are safeguarded to the degree they would be protected if the streets were dedicated to the public. While the City is not supportive of taking over these private streets (Westview and Butterfield), the City has no issues with the proposed development accessing them. The access to the private streets is a civil matter between the property owner and the association that controls and maintains them.
7. The proposed rezoning was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on December 18, 2017. A summary of the meeting and sign-in sheet is attached (Attachment 2).

PUBLIC NOTIFICATION:

The public notice was advertised in the Daily Events at least 15 days prior to the public hearing. The property was posted by the applicant at least 10 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: Mailed: 32 Returned: 0

DEPARTMENT COMMENTS:

ATTACHMENT 1 DEPARTMENT COMMENTS PLANNED DEVELOPMENT 362

BUILDING DEVELOPMENT SERVICES COMMENTS:

No objection to Planned Development.

TRAFFIC DIVISION COMMENTS:

City's Transportation Plan classifies S. Cox Avenue as a Collector roadway, and W. Butterfield Street and W. Westview Street as Private Streets. The standard right-of-way width for S. Cox Avenue 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. S. Cox Avenue is a City maintained street. W. Butterfield Street and W. Westview Street are privately maintained streets. The most recent traffic count on S. Cox Avenue north of W. Winchester Street is 1,956 vehicles per day. There is one driveway access point off S. Cox Avenue to Lot 1 and two private streets (W. Butterfield Street and W. Westview Street) that extend from S. Cox Avenue to access both Lot 1 and Lot 2. There is sidewalk along the property frontage of S. Cox Avenue as well as the two private streets. The existing infrastructure meets current city standards. On-street parking is not permitted along S. Cox Avenue along the property frontage pertaining to this PD, but is permitted on various other sections of S. Cox Avenue. The nearest Greenway Trail is on the south side of James River Freeway at Chesterfield Park. There are bus stops along S. Cox Avenue. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. There are no street improvements required as a part of this rezoning. There are no planned improvements to this section of S. Cox Avenue or nearby streets in the near future.

Public Works Traffic Division	Response
Street classification	S. Cox Avenue – Collector W. Butterfield Street – Private W. Westview Street – Private
On-street parking along streets	S. Cox Avenue – No
Trips generated - Peak Hour	510 vehicles (PD-141 [6 th Amendment]) 523.59 vehicles (PD-362)
Additional Trips generated with zoning change - Peak Hour	13.59 vehicles
Existing street right of way widths	S. Cox Avenue - 30 ft. from the centerline
Standard right of way widths	S. Cox Avenue - 30 ft. from the centerline
Traffic study submitted	Not required*
Proposed street improvements	None required

*A traffic study was not required. The proposed uses in PD-362 do not produce more than 100 additional trip-ends in the AM or PM peak hours, nor do they exceed 1,000 additional trip-ends daily, compared to the existing uses permitted in PD-141, 6th Amendment.

FIRE COMMENTS:

Fire has no objection to rezoning

STORMWATER COMMENTS:

The property is in the Inman Creek drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required according to Chapter 96. Buyout in lieu of stormwater detention is not applicable as detention and water quality is already provided. 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. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or a drainage easement.
- 3. Please keep in mind that more detailed stormwater calculations will have to be submitted before any permits can be approved.

Public Works Stormwater Division	Response
Drainage Basin	Inman Creek
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.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Request change to zoning from: PD 141 Amendment 6 to New PD
(existing zoning) (proposed zoning)
2. Meeting Date & Time: December 18, 2017 From 4:00 to 6:30
3. Meeting Location: 2101 W. Chesterfield Blvd Suite C100
4. Number of invitations that were sent: 126
5. How the mailing list was generated: City of Springfield
6. Number of neighbors in attendance (attach a sign-in sheet): 9
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.)

- 1) Fence to screen the pool - We added a fence and three canopy trees to screen the pool.
- 2) Dumpster Location not shown on plan - We added the dumpster location.
- 3) Sign not shown on the plan - We added sign language to the PD language.

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

- 1) Blank wall facing street - We added language requiring windows and architectural features for street facing walls.
- 2) Too many uses on Farm House Lot - We changed from GR uses to O-1 uses and limited O-1 uses.

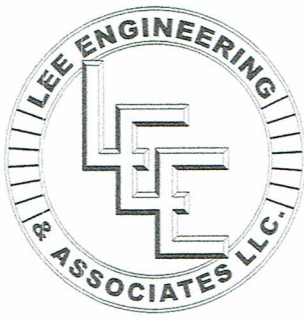
I, Derek Lee (print name), attest that the neighborhood meeting was held on December 18, 2017 (month/date/year), and is at least twenty-one (21) days prior to the Planning and Zoning Commission public hearing and in accordance with the attached "Neighborhood Notification and Meeting Process."



Signature of person completing affidavit

Derek A. Lee

Printed name of person completing affidavit



LEE ENGINEERING AND ASSOCIATES, L.L.C.

CIVIL ENGINEERING & LAND SURVEYING

1200 E. WOODHURST DR., SUITE D200, SPRINGFIELD, MO 65804

TELEPHONE: (417) 886-9100 • FACSIMILE: (417) 886-9336 • dlee@leeengineering.biz

COMMENT SHEET

Neighborhood Meeting

Monday, December 18, 2017

Re: Proposed Rezone from PD 141 2nd Amendment to a new PD
3745 S. Cox Ave.
Springfield, Missouri

NAME	ADDRESS	PHONE
Tom Kuntz	2317 N. Winchester	351-4300

COMMENTS:

- ① Site is not appropriate for many uses in GB CATEGORY EITHER DUE TO ACTIVITY TYPE OR SCALE. NB SHOULD BE CONSIDERED TO BE MORE APPROPRIATE FOR THIS SITE WHICH IS A TRANSITIONAL ARE BETWEEN MORE INTENSIVE COMM. USE AND RESIDENTIAL USES.
- ② BLDG FACADES FACING BUTTERFIELD AND WESTVIEW SHOULD HAVE RESIDENTIAL APPEARANCE ie WINDOWS AWNINGS ARTICULATED WALLS ETC.

January 11, 2018

Planning and Zoning Commission of the City of Springfield
Historic City Hall
830 Boonville Ave.
Springfield, Missouri 65802
zoning@springfieldmo.gov

Re: Planned Development No. 362
3745 S. Cox Avenue

Ladies and Gentlemen:

On behalf of the Village at Chesterfield Owners' Association, I am writing to you concerning Planned Development No. 362 at 3745 S. Cox Avenue, Springfield, Missouri. After consulting with legal counsel regarding the proposed rezoning and associated modifications to the planned development, we have the following concerns and believe, at a minimum, the matter should be continued from the January 11th public hearing for the Commission's consideration of the same.

First, the proposed rezoning raises serious issues regarding trespass upon private property. As acknowledged in the redevelopment proposal at Page 7, "[o]ne additional driveway is shown accessing Westview Street." It is unclear and, in fact, unaddressed, how the landowner, or anyone attempting to travel to the rezoned property, will access the driveway without trespassing upon a private road. There has been no discussion to our knowledge about an easement or other pre-existing right-of-way establishing such access.

The redevelopment proposal forecasts a looming conflict between the landowner and, presumably, the property association that owns Westview Street. According to Page 7, Paragraph 6 of the redevelopment proposal, the restrictive covenants, rules, and bylaws that created the common ownership are required to "safeguard" the rights of adjacent property owners as though the streets "were dedicated to the public." But in the same breath, the redevelopment proposal acknowledges the burden it would unilaterally place on private property and suggests that "access to the private streets is a civil matter between the property owner and the association that controls and maintains them." Surely there is a better way to resolve this issue than passing the rezoning proposal and simply referring the matter to the civil courts system. Both the landowner and the homeowners in the association deserve better.

Second, the proposed rezoning exposes the City of Springfield to a real risk of litigation. The redevelopment proposal itself contains a caveat bracing for litigation between the developer and the owners of the private roadway (Westview Street). However, the City would likely be named as a party in any such litigation in a count for inverse condemnation. This is so because the rezoning proposes a substantial interference with a private property right without just compensation. To be sure, as revealed in the redevelopment proposal, not even a traffic study was conducted to measure the significance of the interference, underlining the prematurity of this action.

In consideration of the above, the homeowners who own the private Westview Street that will be rededicated to public use by virtue of this redevelopment proposal (the Village at Chesterfield Homeowners' Association) respectfully request that Planned Development No. 362 either be rejected or the motion to approve the same be continued so that the Planning and Zoning Commission can have a full and fair opportunity to investigate the issues raised in this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gary McCurter', with a stylized flourish at the end.

Gary McCurter

REQUIREMENTS FOR APPROVAL:

EXHIBIT 1

Requirements and Standards Applicable to Planned Development District No. 362

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 is to provide a new office building and a new studio on Lot 2. The studio building will house office, studio, wood shop and storage uses. The studio building will be a free span warehouse type structure over concrete slab that will resemble the other structures on the farm site. The intent of the current development is to remove the existing 6,000 SF (two story) barn and replace it with a new office building of similar size.

The PD will also cover the remainder of the parent tract which is designated as Lot 1. The PD will update the language for the PD to current standards. The PD will limit new construction to the same footprint and location as existing structures in the same manner as the existing PD141 amendment 6.

C. DEFINITIONS

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

1. Studio: The studio use consists of TV sets and filming equipment to shoot actors in TV commercials. The intent of the studio is to provide advertising thru TV commercials for national and local businesses. The studio will contain storage areas for set backgrounds and equipment. The studio will also contain a wood working shop to construct the TV sets.
2. Set: The background area and props as arranged for shooting a TV commercial.

D. USES PERMITTED

1. The following uses are permitted on Lot 1:
 - i) Eating and Drinking Establishments excluding drive-in, pick-up window or drive-thru facilities
 - ii) Catering Services
 - iii) Studio
 - iv) Antique Shops

- v) Commercial gardens and/or Farmers Market with retail and/or wholesale sales on-site
- vi) Flea markets entirely within enclosed buildings
- vii) Uses allowed in the Office (O-1) District are permitted except for:
 - (1) Cemeteries
 - (2) Water reservoirs, water standpipes and elevated and ground-level water storage tanks
 - (3) Substance abuse treatment facilities for 50 or fewer residents
 - (4) Telecommunication towers
 - (5) Bowling alleys
 - (6) Roller skating and ice skating arenas
 - (7) Miniature golf

2. The following uses are permitted on Lot 2:

- i) Studio
- ii) Commercial gardens and/or Farmers Market with retail and/or wholesale sales on-site
- iii) Flea markets entirely within enclosed buildings
- iv) Uses allowed in the Office (O-1) District are permitted except for:
 - (1) Cemeteries
 - (2) Water reservoirs, water standpipes and elevated and ground-level water storage tanks
 - (3) Substance abuse treatment facilities for 50 or fewer residents
 - (4) Telecommunication towers
 - (5) Bowling alleys
 - (6) Roller skating and ice skating arenas
 - (7) Miniature golf

E. USE LIMITATIONS

- 1. All uses shall operate in accordance with the noise standards contained in *Section 36-485 of the Springfield Zoning Ordinance*.
- 2. No use shall emit an odor that creates a nuisance as determined by *Chapter 2A, Article X, Springfield City Code*.
- 3. No building shall be used for residential purposes except that a watchman or custodian may reside on the premises.

F. INTENSITY OF DEVELOPMENT

Development shall adhere to the following standards.

- 1. Lot 1: Each structure will be limited to the roughly the same foot print as the existing structures. Individual buildings can increase in square footage by adding a maximum of 20% additional in roughly the same foot print of the individual building.
- 2. Lot 2: Limited to two buildings: 15,000 SF maximum building area for studio uses and 7,000 SF maximum building area for office building uses.

G. BULK, AREA AND HEIGHT REQUIREMENTS

Development shall adhere to the following standards.

1. No structure shall exceed a height of two (2) stories.
2. The maximum impervious surface ratio shall on each buildable lot shall not exceed 0.80.
3. The minimum open space ratio on each buildable lot shall be at least 0.20.

H. DESIGN REQUIREMENTS

1. Lot 1 uses are permitted provided that the existing farmhouse and farm structures are utilized for these uses. Lot 1 uses are also permitted for new construction to replace existing structures is permitted if the new structures are located in the same location, have roughly the same footprint (can increase foot print by 20%) and the "same appearance" as the existing farm structures. "Same appearance" is defined as sloped roofs with shingles. The shingles and exterior paint shall match the existing farmhouse structures.
2. Building elevations shall be submitted and approved by ARC which shows sloped roofs and exterior paint/shingle colors.
3. The existing gravel drives and parking lots on Lot 1 are allowed to remain as long as the existing farmhouse and farm structures are utilized. As a conforming use, the existing farmhouse and farm structures can be replaced with similar farmhouse or farm structures within 18 months of being destroyed without changes to the gravel drives and parking areas on Lot 1. Otherwise, any new construction to replace the existing structures will require driveways and parking lots to comply with current design requirements.
4. Street facing walls that are greater than 50' in length shall be articulated at least every 25' with bays, projections, or recesses. Articulation means a difference in the vertical plane of the building of at least 18 inches or more. A covered porch with columns facing the street is an acceptable option for the articulation requirements.
5. Facades that face streets that are greater than 25' in length shall be subdivided and proportioned using at least one of the following features: windows, entrances, arcades, arbors, or awnings, distributed along the façade at least once every 25'.

I. OPEN SPACE, LANDSCAPING & SCREENING

1. Bufferyards.
 - a. Lot 1 shall have a 10' bufferyard installed if an existing building is removed and replaced. The bufferyard shall be located on the North property line adjacent to 2210-2250 W Dearborn Street. The bufferyard shall contain 1 canopy trees, 2 understory trees, 2 evergreen trees and 10 shrubs per 100 linear feet.
 - b. Lot 2 shall have a 10' bufferyard installed along the West property line and south of the office building as shown on the site plan. The bufferyard shall contain 1 canopy trees, 2 understory trees, 2 evergreen trees and 10 shrubs per 100 linear feet. If optional parking area is developed, then screening will be required per the Zoning Ordinance between the parking spaces and the property line.
 - c. Lot 2 shall have a 15' bufferyard and 6' wood privacy fence installed along the west property line between the office building and swimming pool as shown on the site plan.
 - d. Lot 2 shall have at least three canopy trees installed between the proposed office building and the pool as shown on the site plan. Trees sizes at planting shall comply at minimum with the Zoning Ordinance requirements.

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

Access to the public street system shown on Exhibit 2 shall be governed by the existing standards of the City of Springfield for the applicable street classification.

L. OFF-STREET PARKING

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

1. Studio Parking.
- a. Studio parking shall be based on one space per 350 square foot of office area within the building. Woodshop, storage and TV commercial set areas within the building shall not require parking.

M. SIGNS

The requirements and standards of *Section 36-454* of the *Springfield Zoning Ordinance*, in effect at the time of development shall apply with the restrictions provided below:

1. One detached sign is permitted on each lot.
2. Each sign shall have a maximum effective area of fifty (50) square feet.
3. Each sign shall have a maximum height of ten (10) feet.

N. REQUIRED IMPROVEMENTS

No public improvements are required. All utilities and utility connections shall be located underground, including, but not limited to, electrical and telephone cables, security and other telecommunication systems and wires. Transformers, meters of any type (including electric, gas or other meters), or other apparatus shall be adequately screened and landscaped.

O. MAINTENANCE OF COMMON AREAS AND FACILITIES

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

P. PHASING

Development may be phased provided that all public improvements directly related to each phase are completed at the time of its development and that improvements serving the District as a whole and the adjoining area are completed in a sequence assuring full utility of the District as a whole and all areas within the District and so that future public improvements required by this ordinance or other applicable ordinances of the City are not compromised or rendered unduly difficult.

Q. FINAL DEVELOPMENT PLAN

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

The Administrative Review Committee is hereby authorized to, acting jointly, approve the final development plan(s) for all permitted uses. 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 the use permitted within the district.
- c) Any deviation from the height and setback standards prescribed by the ordinance.
- d) Any reduction in the required parking prescribed by the ordinance.

DESCRIPTION -
ALL OF TRACT "F" OF ADMINISTRATIVE SUBDIVISION
AS-5363 AS RECORDED IN BOOK 2991 PAGE 186 OF
THE GREENE COUNTY DEED RECORDS.

OWNER /DEVELOPER:
MODERN TRACTOR & SUPPLY CO
315 S FARM ROAD 193
SPRINGFIELD, MISSOURI

BUILDING SETBACKS:
FRONT 25' (STREET NAME)
REAR 25'
SIDE YARD 25'

NOTES:
ALL UTILITIES TO BE PROVIDED BY:
CITY UTILITIES OF SPRINGFIELD
301 E. CENTRAL
SPRINGFIELD, MO 65802
(417)863-9000
PROPOSED SITE AREA: 3.45 ACRES
MINIMUM OPEN SPACE REQUIRED: 20%
MAXIMUM IMPERVIOUS SURFACE ALLOWED: 80%
MINIMUM INTERIOR OPEN SPACE PER ZONING ORDINANCE
PARKING REQUIREMENTS PER ZONING ORDINANCE
MINUS A 20% REDUCTION ALLOWED BY THE PD.

INTENSITY OF DEVELOPMENT
BUILDING HEIGHT: MAXIMUM - 2 STORY

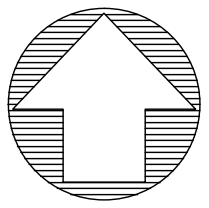
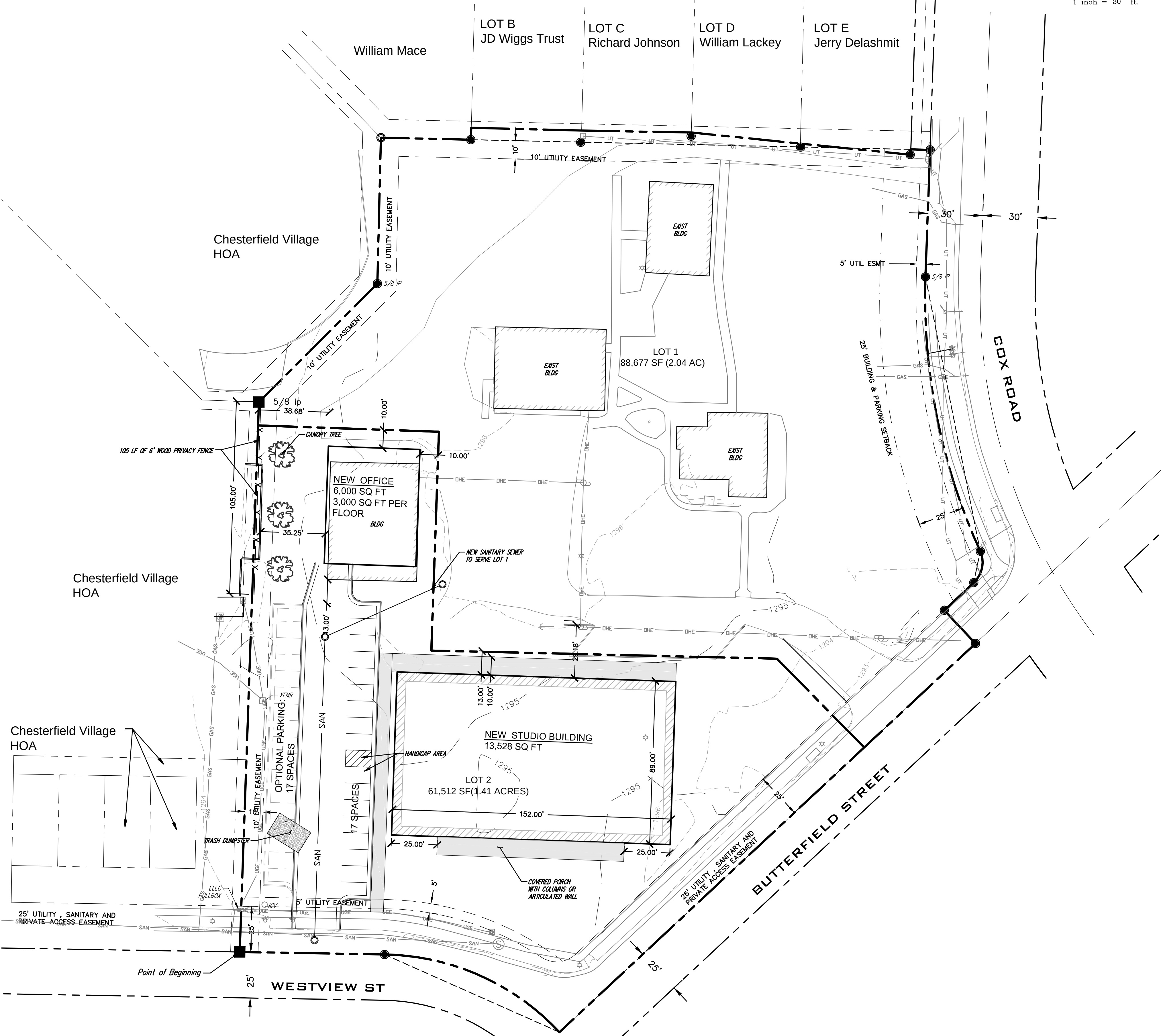
PROPOSED PARKING
*HANDICAP SPACES 1
*STANDARD SPACES 16
TOTAL = 17

PARKING REQUIRED
6,000 S.F. (OFFICE) 1 SP/350 S.F. = 17
9,300 S.F. (STUDIO) = 0
REQUIRED PARKING = 17

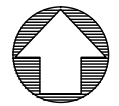
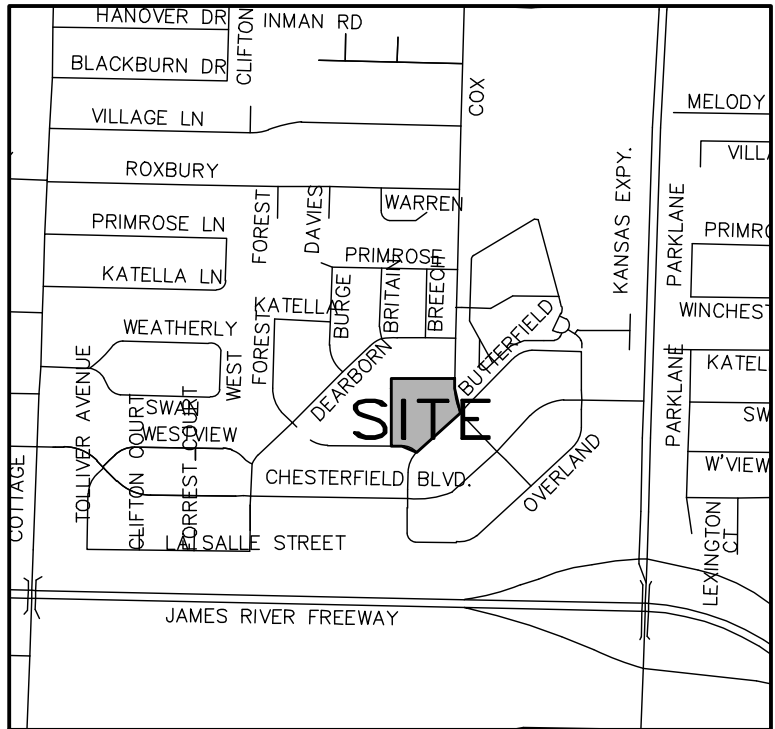
WATER QUALITY NOTE:
WATER QUALITY IS PROVIDED IN THE
REGIONAL DETENTION BASIN.

DETENTION NOTE:
DETENTION IS PROVIDED IN THE REGIONAL
DETENTION BASIN.

PLANNED DEVELOPMENT SKETCH PLAN
PROPOSED STUDIO BUILDING
3745 S. COX AVENUE
SPRINGFIELD, GREENE COUNTY, MISSOURI



(IN FEET)
1 inch = 30 ft.



VICINITY MAP
NOT TO SCALE

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)

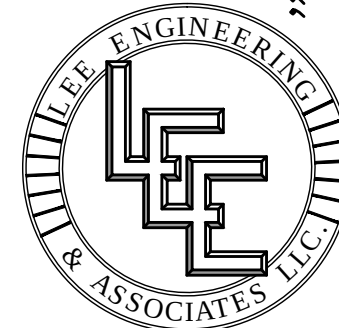
ABBREVIATIONS:

- XFMR TRANSFORMER
- ICV IRRIGATION CONTROL VALVE
- CI STORMWATER CURB INLET

PLANNED DEVELOPMENT SKETCH PLAN

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



DATE: 2017-12-21

SHEET: 1 OF 1

PROJECT:

FILE: 340 - Farm House Zoning
Exhibit12-21-2017.dwg

Development Review Staff Report



PLANNING AND ZONING COMMISSION PUBLIC HEARING: JANUARY 11, 2018

CITY COUNCIL PUBLIC HEARING: JANUARY 29, 2018



CASE NUMBER:

Conditional Use Permit 433

LOCATION: 1518 East Dale Street

ACRES: 2.14 acres

EXISTING LAND USE: vacant school

APPLICANT: Springfield Public Schools

STAFF: Bob Hosmer, AICP 864-1834

STAFF RECOMMENDATIONS:

Approve w/Conditions

PROPOSED MOTION:

Move to approve Conditional Use Permit 433 as submitted.

SUMMARY OF REQUEST:

This is a request to approve an adaptive use of a non-residential structure in a R-TH, Residential Townhouse District to convert a vacant elementary school (Pepperdine Elementary School) into professional and business offices for a non-profit organization.

FINDINGS FOR STAFF RECOMMENDATION:

1. Approval of this request will provide for the productive use of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties.
2. This application meets the approval standards for a Conditional Use Permit and is in conformance with the intent and purpose of the adaptive use of a non-residential structure in a residential district.

SURROUNDING ZONING AND LAND USES:

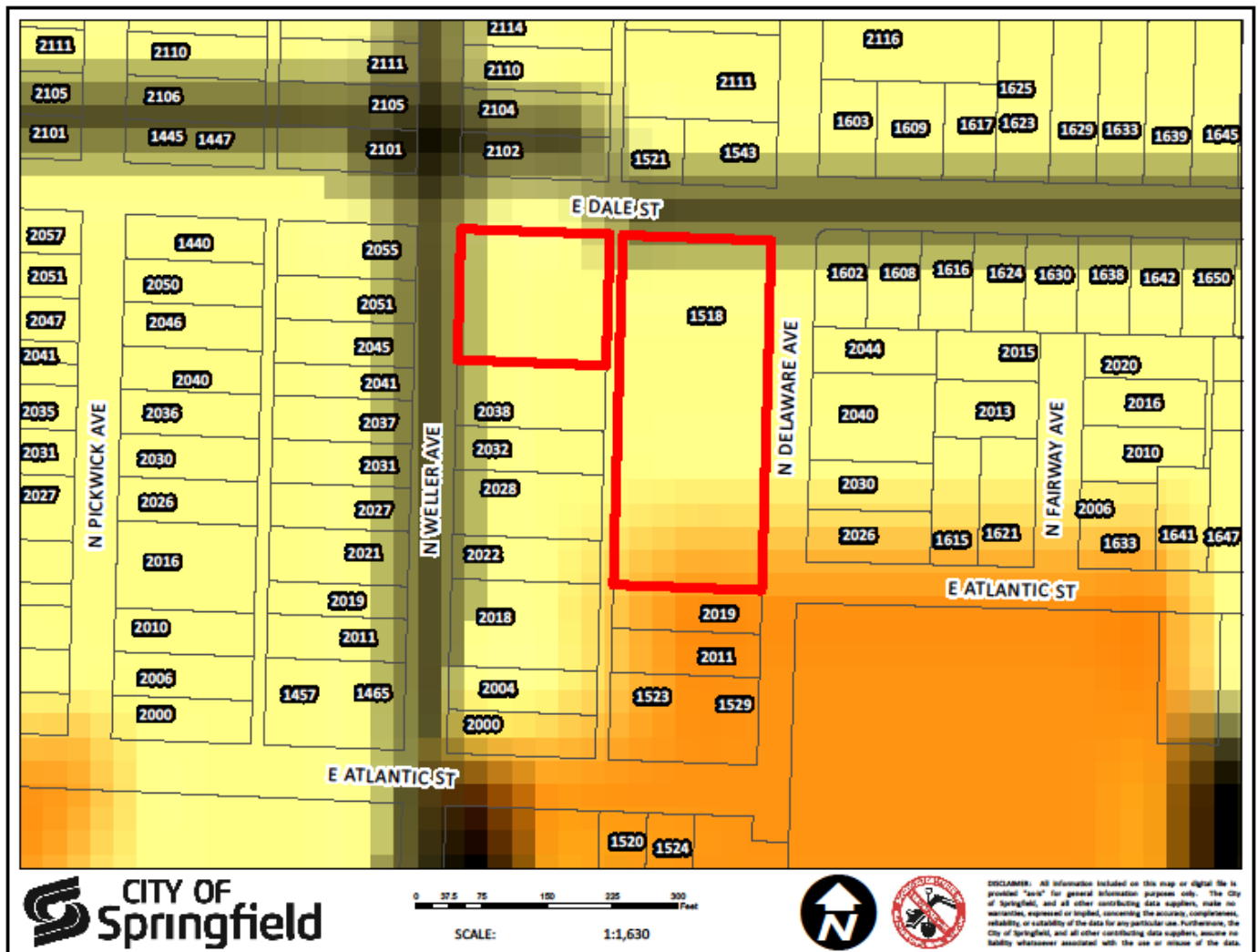
	NORTH	SOUTH	EAST	WEST
ZONING	R-TH	R-TH	R-TH	R-TH
LAND USE	Residences	Residences	Residences	Residences

CITY OF
Springfield

Development Review Staff Report



GROWTH MANAGEMENT AND LAND USE PLAN:



- | | | |
|---|--|--|
| Low-Density Housing | General Industry, Transportation and Utilities | Greenway |
| Medium or High Density Housing | Park | Parkway |
| Medium Intensity Retail, Office or Housing | School | City Boundary |
| High Intensity Retail, Office or Housing | Golf | Urban Service Area Boundary, Year 2020 |
| Greater Downtown | Community-Public | Urban Reserve Boundary, Year 2040 |
| Business Park | Urban Reserve Area | |
| Light Industrial, Office and Office-Warehouse | Rural Area | |

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PROPERTY HISTORY:

The subject property was zoned R-TH, Residential Townhouse District in 1995 during the citywide re-mapping by General Ordinance 4494.

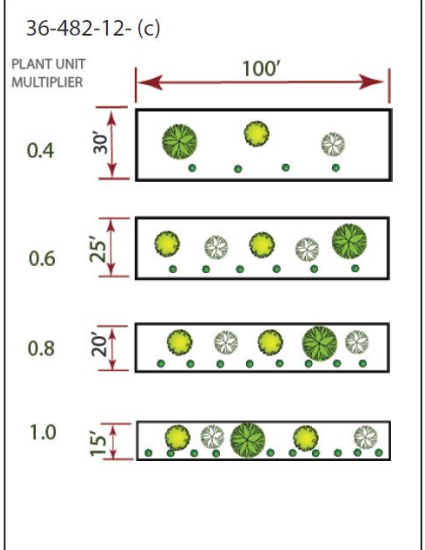
ZONING ORDINANCE REQUIREMENTS:

Sec. 36-363. - Conditional Use Permit

- (1) *Purpose.* The conditional use permit procedure is designed to provide the planning and zoning commission and the city council with an opportunity for discretionary review of requests to establish or construct uses or structures which may be necessary or desirable in a zoning district, but which may also have the potential for a deleterious impact upon the health, safety and welfare of the public. The purpose of the review is to determine whether the proposed location of the use or structure is appropriate and whether it will be designed and located so as to avoid, minimize, or mitigate any potentially adverse effects upon the community or other properties in its vicinity. The discretionary conditional use permit procedure is designed to enable the planning and zoning commission and the city council to impose conditions upon such uses and structures that are designed to avoid, minimize or mitigate potentially adverse effects upon the community or other properties in the vicinity of the proposed use or structure, and to deny requests for a conditional use permit when it is apparent that a proposed use or structure will or may cause harm to the community or injury to the value, lawful use and reasonable enjoyment of other properties in the vicinity of the proposed use or structure.
- (8) *Period of validity.*
- (a) No conditional use permit shall be valid for a period longer than 18 months from the date on which the city council grants the conditional use permit, unless within such 18-month period:
1. A building permit is obtained and the erection or alteration of a structure is started; or
 2. An occupancy permit is obtained and the conditional use commenced.
- The city council may grant one additional extension not exceeding 18 months, upon written application, without notice or hearing provided such grant is approved by city council prior to the expiration of the original 18-month period. No additional extension shall be granted without complying with the notice and hearing requirements for an initial application for a conditional use permit. This additional extension shall be considered to have begun on the date of expiration of the original conditional use permit regardless of when this additional extension is granted by city council.
- (b) When a conditional use is discontinued or abandoned for a period of 12 consecutive months (regardless of any reservation of an intent not to abandon or to resume such use), such use shall not thereafter be reestablished or resumed unless a new conditional use permit is granted by city council consistent with this section. The burden of proof shall be on the property owner to show that the conditional use has not been discontinued or abandoned for a period of 12 consecutive months or longer.
- d. *Damage or destruction.* In the event that the principal building or structure on the property is damaged or destroyed, by any means, to the extent of more than 75 percent of the replacement cost of the building or structure at the time such damage occurred, such building or structure shall not be restored unless it shall thereafter conform to the regulations for the zoning district in which it is located and the property shall not continue to be used for the uses permitted by the provisions of this section.

CODE ITEM	REQUIREMENTS FOR R-TH
Adaptive use of non-residential structure-Professional and Business Office	Permitted with a Conditional Use Permit
Open Space	Not less than 20% of the total lot area shall be open space
Parking	All off-street parking lots for permitted nonresidential uses shall be screened from all residential uses in accordance

Development Review Staff Report

	with the provisions of section 36-480 , screening and fencing.
Refuse Storage	Refuse storage areas for permitted nonresidential uses shall be screened from view in accordance with section 36-480 , screening and fencing.
Bufferyard, Landscaping and Screening requirements	Whenever any development in an R-TH district is located adjacent to a different zoning district or a nonresidential use in the R-TH district is located adjacent to a residential use in the R-TH district, screening, and a bufferyard shall be provided in accordance with sections 36-480, screening and fencing, and 36-482, landscaping and bufferyards.
BULK PLANE	BUFFERYARD AND LANDSCAPING
None required	Type C Bufferyard: 1 Canopy Trees, 2 Understory Trees, 2 Evergreen Trees and 10 Shrubs per 100 linear feet.  36-482-12- (c) PLANT UNIT MULTIPLIER 100' 0.4 30' 0.6 25' 0.8 20' 1.0 15'

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for Low Density Housing. Dale Street is classified as a collector roadway and Delaware Avenue is classified as a local roadway in the Transportation Plan.

STAFF COMMENTS:

1. The applicant is requesting a Conditional Use Permit to allow a professional and business office use within the existing and vacant Pepperdine Elementary School in a R-TH, Residential Townhouse District, generally located at 1518 East Dale Street. The proposed project will utilize the existing vacant Pepperdine Elementary School building and parking lot on the property as an office for the "One Door" non-profit organization under the adaptive use provisions.
2. The purpose of the adaptive use section of the zoning code is to allow for the use of structures, originally constructed for nonresidential uses (school) and currently located in a residential district, (R-TH) provided the review by the planning and zoning commission and city council determines the proposed use would not have significant adverse impacts on the surrounding neighborhood. The regulations provide opportunities to make productive use of non-residential structures that could otherwise be a blight on the neighborhood if left vacant and are not maintained.

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3. The proposed project for a conditional use permit for an adaptive use of a non-residential structure in a residential district provisions must comply with the following requirements;
 - a. Hours of operation shall be limited to 7:00 AM to 6:00 PM unless specifically modified by the conditional use permit. During the Neighborhood Meeting, community members and neighbors expressed the desire to be allowed access and use of public spaces within the existing facility for hours beyond those of normal operation under the CUP guidelines. Due to this request, the applicant would like to modify the hours of operation. The applicant would like to request that operating hours be extended until 9:00 p.m. Monday through Friday and on Saturdays from 8:00 a.m. until 8:00 p.m. Extended hours would be for special events, demonstrations, training sessions and neighborhood or public meetings and events. Regular business hours would still meet the 7:00 a.m. to 6:00 p.m. requirements.
 - b. Signage shall be limited to one free standing sign with a maximum of 20 square feet
 - c. Expansion not to exceed 20 percent of the existing floor area of the structure or 1,000 square feet, whichever is less.
4. There is an existing alley crossing between the building and the parking lot. No building will be allowed to be constructed within the public right-of-way of the alley. The applicant may pursue the vacation of the alley in the future.
5. A type "C" bufferyard is required for all non-residential uses that are adjacent to any residential use. Bufferyard "C" requires a minimum open space of fifteen (15) feet wide with the following plantings per one hundred (100) linear feet: one (1) canopy tree, two (2) understory trees, two (2) evergreen trees and ten (10) shrubs. The bufferyard between the south property line and the existing parking lot does not meet the 15 feet wide width, however, the applicant will be providing for the required plantings with a 6-foot wooden fence per the Zoning Ordinance section 36-482 (15).
6. Where an open off-street parking or vehicular use area for a nonresidential use is in or adjacent to any residential district or residential use, screening of not less than four feet in height and meeting the requirements of subsection 36-453(6) shall be erected separating the use from the adjacent residential district or residential use. Screening is required for open off-street parking or vehicular use areas adjacent to a street or alley if the right-of-way width is 70 feet or less. All streets adjacent to the site are less than 70 feet wide. The proposed parking on the property will be required to provide for parking screening between the residential area and the parking lot.
7. Refuse storage areas visible from the property line shall be visually screened by a solid fence or wall, not less than the height of the refuse storage containers, on all sides except the side used for refuse pick-up service. Such side shall not be required to be screened.
8. Mechanical or electrical equipment for nonresidential uses shall be visually screened from all residential districts, when the equipment is located within 200 feet of a residential district, and public rights-of-way by a wall, fence or landscaping not less than the height of the mechanical or electrical equipment. Screening is required whether the equipment is located on the ground or on the roof of a structure. Mechanical and electrical equipment includes equipment that provides service to building, such as air conditioning units and does not include industrial processing equipment, such as conveyors and dust collectors.
9. Staff has reviewed the applicant's request for a Conditional Use Permit and has determined that it satisfies the standards for Conditional Use Permits outlined in Section 36-363 of the Zoning Ordinance. Any development of this property must also follow the R-TH, Residential Townhouse District requirements and the adaptive use provisions in the Zoning Ordinance. The general standards for conditional use permits are listed in Attachment 3.
10. Approval of this request will provide for the productive use of the subject property which is already served with public infrastructure and services and is not expected to adversely impact the surrounding properties.
11. The proposed Conditional Use Permit was reviewed by City departments and comments are contained in Attachment 1.

NEIGHBORHOOD MEETING:

The applicant held a neighborhood meeting on December 14, 2017 regarding the request for a conditional use permit. A summary of this meeting is included in Attachment 4.

PUBLIC NOTIFICATION:

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

Notices sent to property owners within 185 feet: 27

Returned: 0

Development Review Staff Report



notice was advertised in the Daily Events at least 15 days prior to the public hearing.

DEPARTMENT COMMENTS:

ATTACHMENT 1 DEPARTMENT COMMENTS FOR CONDITIONAL USE PERMIT 433

BUILDING DEVELOPMENT SERVICES COMMENTS:

BDS has no issues with the proposed conditional use permit.

1. One way drives and entrances shall be signed as One-Way
2. Perimeter landscaping required between streets and parking lot.
3. Insufficient clearance shown between parking lot and south boundary to accommodate required bufferyard.
4. Show location of required bicycle parking.
5. Confirm initial number of employees intending to occupy facility. Can existing parking suffice or is the increase necessitated at move-in?
6. A Redevelopment Review Team inspection is recommended for evaluation of existing building compliance with codes.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

The City's Transportation Plan classifies N. Weller Avenue as a Collector roadway, E. Dale Street as a Collector roadway, and N. Delaware Avenue as a Local roadway. The standard right-of-way width for N. Weller Avenue is 30 feet from the centerline. The standard right-of-way width for E. Dale Street is 30 feet from the centerline. The standard right-of-way width for N. Delaware Avenue is 25 feet from the centerline. It appears approximately five feet of additional right-of-way needs to be acquired along N. Weller Avenue. A survey is recommended to determine the exact amount of existing right of way. N. Weller Avenue, E. Dale Street, and N. Delaware Avenue are all city maintained streets. The most recent traffic count on N. Weller Avenue north of E. Dale Street is 377 vehicles per day. The most recent traffic count on E. Dale Street west of E. Delaware Street is 1,834 vehicles per day. The most recent traffic count on N. Delaware Avenue south of E. Dale Street is 607 vehicles per day. There is one access point to the property at the southwest corner of Dale and Delaware, which is taken from the alleyway. There are two access points to the property at the southeast corner of Dale and Weller, which is taken from the alleyway, and from Weller Avenue. Traffic will not permit another access point to the western property, as it will not meet the minimum spacing requirements from the intersection of Dale and Weller. There is sidewalk along the property frontage of E. Dale Street and N. Delaware Avenue. The existing infrastructure meets current city standards. There is not currently sidewalk along the property frontage of N. Weller Avenue. Redevelopment of the existing parking lot will require that sidewalk is constructed along the entire length of the property frontage on N. Weller Avenue. On-street parking is not allowed along E. Dale Street, but is allowed along both Weller Avenue and Delaware Avenue. There is not a Greenway Trail in the area pertaining to this zoning. There are bus stops along E. Dale Street. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. The City has no planned street improvements in the area pertaining to this zoning. No improvements to public right-of-way are required as a part of this Conditional Use Permit, other than sidewalk along the property frontage of N. Weller Avenue, if redevelopment is to occur.

Public Works Traffic Division	Response
Street classification	N. Weller Avenue – Collector E. Dale Street – Collector N. Delaware Avenue – Local
On-street parking along streets	N. Weller Avenue – Yes E. Dale Street – No N. Delaware Avenue – Yes
Trips generated - Peak Hour	12.9 vehicles (R-TH)

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	12.9 vehicles (R-TH)
Additional Trips generated with zoning change - Peak Hour	0 vehicles
Existing street right of way widths	N. Weller Avenue – 25 ft. from the centerline E. Dale Street – 30 ft. from the centerline N. Delaware Avenue – 25 ft. from the centerline
Standard right of way widths	N. Weller Avenue - 30 ft. from the centerline E. Dale Street – 30 ft. from the centerline N. Delaware Avenue – 25 ft. from the centerline
Traffic study submitted	Not required*
Proposed street improvements	None required

*A traffic study was not required. The proposed use of the property in the R-TH zoning with Conditional Use Permit 433 is less than or equal to trip generation intensity of the current use of the property. No additional trips generated are anticipated based on the change in use.

STORMWATER COMMENTS:

The property is in the Jordan Creek North Branch drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required per Chapter 96. Buyout in lieu of stormwater 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. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or a drainage easement.
3. Please keep in mind that more detailed stormwater calculations must be submitted before any permits can be approved.
4. A stormwater buyout, paying a fee in lieu of constructing detention, maybe allowed if precautions are taken to not negatively impact downstream neighbors. This site drains south.

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

CLEAN WATER SERVICES COMMENTS:

No issues with the conditional use permit. Public sewer is currently available.

FIRE DEPARTMENT COMMENTS:

Fire Department has no issues with the conditional use permit.

CITY UTILITIES COMMENTS:

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No objection. If electric service is to be upgraded to 3-phase for elevator, CU will work with the owner to get this accomplished. Gas and water services are existing and should handle the change in use.

REQUIREMENTS FOR APPROVAL:

ATTACHMENT 2 REQUIREMENTS FOR CONDITIONAL USE PERMIT 433

1. A Professional and business office is permitted in the R-TH, Residential Townhouse District in compliance with section 36-363 and under the following conditions;
 - a. Hours during which the establishment is open to the public shall be limited to a daily period extending until 9:00 p.m. Monday through Friday and on Saturdays from 8:00 a.m. until 8:00 p.m. Extended hours would be for special events, demonstrations, training sessions and neighborhood or public meetings and events. Regular business hours would still meet the 7:00 a.m. to 6:00 p.m. requirements.
 - b. Signage shall be limited to one free-standing sign with a maximum sign area of 20 square feet and wall signs with a maximum sign area of ten percent of the facade. Wall signs shall only be located on facades with street frontage. Signs shall not be internally lit or externally illuminated
 - c. Expansions not to exceed 20 percent of the existing floor area of the structure or 1,000 square feet, whichever is less,
 - d. The proposed conditional use shall not be operated so as to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations.
 - e. Parking lot shall be screened and landscaped in accordance to the Zoning Ordinance.
 - f. Refuse storage and mechanical areas shall be screened in accordance to section 36-480.
2. The professional and business office is permitted provided it is in substantial conformance with Attachment 5.
3. The site shall meet all other standards of the Zoning Ordinance and other applicable ordinances.

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ATTACHMENT 3 STANDARDS FOR CONDITIONAL USE PERMIT 433

36-363 (10) Standards. An application for a conditional use permit shall be granted only if evidence is presented at the public hearing which establishes the following:	Developer's Response:
1. The proposed conditional use will be consistent with the adopted policies in the Springfield Comprehensive Plan.	The proposed project is consistent with the adopted policies in the Springfield Comprehensive plan
2. The proposed conditional use will not adversely affect the safety of the motoring public and of pedestrians using the facility and the area immediately surrounding the site.	The proposed project will not adversely affect the safety of the motoring public nor that of pedestrians using the facility and immediately surrounding the site.
3. The proposed conditional use will adequately provide for safety from fire hazards, and have effective measures of fire control.	The proposed project will adequately provide for safety from fire hazards and have effective measures of fire control including fire suppression and alarm systems.
4. The proposed conditional use will not increase the hazard to adjacent property from flood or water damage.	The proposed project will not increase the hazard of flood or water damage to adjacent properties
5. The proposed conditional use will not have noise characteristics that exceed the sound levels that are typical of uses permitted as a matter of right in the district.	The proposed project will not have noise characteristics that exceed the sound levels typical with the uses permitted in the district.
6. The glare of vehicular and stationary lights will not affect the established character of the neighborhood, and to the extend such lights will be visible from any residential district, measures to shield or direct such lights to eliminate or mitigate such glare are proposed.	The glare of vehicular & stationary lights will not affect the established character of the neighborhood. Headlight screening will be provided as required by the Zoning Ordinance.
7. The location, lighting, and type of signs and the relationship of signs to traffic control is appropriate for the site.	The location, lighting and type of signs and the relationship of those signs to traffic control will be appropriate to the site.
8. Such signs will not have an adverse effect on any adjacent properties.	Traffic control signs will not have an adverse effect on adjacent properties
9. The street right-of-way and pavement width in the vicinity is or will be adequate for traffic reasonably expected to be generated by the proposed use.	The street right-of-way and pavement width is adequate for traffic reasonably expected to be generated by the proposed use.
10. The proposed conditional use will not have any substantial or undue adverse effect upon, or will lack amenity or will be incompatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, traffic conditions, parking utility facilities, and other matters affecting the public health, safety and general welfare.	The proposed use will not have any substantial or undue adverse effect upon, or will lack amenity or will be compatible with, the use or enjoyment of adjacent and surrounding property, the character of the neighborhood, traffic conditions, parking utility facilities, and other matters affecting the public health, safety and general welfare.
11. The proposed conditional use will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. In determining whether the proposed conditional use will so dominate the immediate neighborhood, consideration shall be given to: a. The location, nature and height of buildings, structures, walls and fences on the site; and b. The nature and extent of landscaping and screening on the site.	The existing school facility will be reutilized for the proposed project. Any additional structures will be limited in scope to meet the requirements of these standards and the standards set forth for adaptive use. Additional structures will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. The location, nature and height of such buildings, structures, walls and fences on the site; and the nature and extent of landscaping and screening on

Development Review Staff Report



36-363 (10) Standards. An application for a conditional use permit shall be granted only if evidence is presented at the public hearing which establishes the following:	Developer's Response:
	the site will be of appropriate character and scale of neighboring properties and uses. Limited planned improvements include the addition of an elevator tower to allow accessibility within the existing structure.
12. The proposed conditional use, as shown by the application, will not destroy, damage, detrimentally modify or interfere with the enjoyment and function of any significant natural topographic or physical features of the site.	The proposed use will not destroy, damage, detrimentally modify or interfere with the enjoyment and function of any significant natural topographic or physical features of the site; in contrast, the proposed use intends to enhance any significant features of the site.
13. The proposed conditional use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance.	The proposed use will not result in the destruction, loss or damage of any natural, scenic or historic feature of significant importance.
14. The proposed conditional use otherwise complies with all applicable regulations of the Article, including lot size requirements, bulk regulations, use limitations and performance standards.	The proposed use otherwise complies with all the applicable regulations of the Article, including lot size requirements, bulk regulations, use limitations and performance standards.
15. The proposed conditional use at the specified location will contribute to or promote the welfare or convenience of the public.	The proposed use will promote the welfare and convenience of the public.
16. Off-street parking and loading areas will be provided in accordance with the standards set out in 36-455, 36-456 and 36-483 of this Article, and such areas will be screened from any adjoining residential uses and located so as to protect such residential uses from any injurious effect	The existing parking lot accommodates twenty-five vehicles. Based on the proposed use of the building, an additional fourteen parking spaces will be required for a total of thirty-nine parking spaces. The existing parking lot will need to be restriped and expanded to the north in order to meet parking lot layout requirements and accommodate the additional parking required. The existing drive on the west side of the property will also be required to be widened to accommodate two-way traffic. The drive to the north will not be modified and will be used for one-way exit only. Headlight screening will be provided to protect neighboring properties. Landscaping and bufferyards in compliance with the Bufferyard C requirements will be provided in locations where the property abuts residential zoning. The south portion of the existing parking lot does not meet bufferyard C set-back requirements; however, no new paving will be added within the set-back area and all landscaping and screening requirements will be met.
17. Adequate access roads or entrance or exit drives will be provided and will be designed so as to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.	Any access roads, entrances or exit drives will be provided and designed to as to prevent traffic hazards and to minimize traffic congestion in public streets and alleys. The existing drive on the west side of the property will also be required to be widened to accommodate two-way traffic. The drive to the north will not be modified and will be used for one-way exit only.

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36-363 (10) Standards. An application for a conditional use permit shall be granted only if evidence is presented at the public hearing which establishes the following:	Developer's Response:
18. The vehicular circulation elements of the proposed application will not create hazards to the safety of vehicular or pedestrian traffic on or off the site, disjointed vehicular or pedestrian circulation paths on or off the site, or undue interference and inconvenience to vehicular and pedestrian travel.	Vehicular circulation will not create hazards, undue interference or inconvenience to vehicular or pedestrian travel.
19. The proposed use, as shown by the application, will not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way.	The proposed use will not interfere with any easements, roadways, rail lines, utilities and public or private rights-of-way.
20. In the case of existing structures proposed to be converted to uses requiring a conditional use permit, the structures meet all fire, health, building, plumbing and electrical requirements of the City of Springfield.	The proposed converted structure(s) will meet all fire, health, building, plumbing and electrical requirements of the City of Springfield.
21. The proposed conditional use will be served adequately by essential public facilities and services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use will provide adequately for such services.	The proposed conditional use will be served adequately by essential public facilities and services. The persons or agencies responsible for the establishment of the project will provide adequately for such services where those services are not otherwise provided.

SECTION 36-363 ADAPTIVE USE PROVISIONS

Adaptive Use of a non-residential Structure in a residential district:	Developers Response
Hours during which the establishment is open to the public shall be limited to a daily period extending from 7:00 a.m. to 6:00 p.m. unless specifically modified by the conditional use permit. The applicant shall demonstrate that additional hours are necessary and will not have an adverse impact on adjoining properties.	During the Neighborhood Meeting, community members and neighbors expressed the desire to be allowed access & use of public spaces within the existing facility for hours beyond those of normal operation. Due to this request, the applicant would like to modify the hours of operation. The applicant would like to request that operating hours be extended until 9:00 p.m. Monday through Friday and on Saturdays from 8:00 a.m. until 8:00 p.m. Extended hours would be for special events, demonstrations, training sessions and neighborhood or public meetings and events. Regular business hours would still meet the 7:00 a.m. to 6:00 p.m. requirements.
Signage shall be limited to one free-standing sign with a maximum sign area of 20 square feet and wall signs with a maximum sign area of ten percent of the facade. Wall signs shall only be located on facades with street frontage. Signs shall not be internally lit or externally illuminated by any means unless specifically modified by the conditional use permit. The applicant shall demonstrate that lighting of signs is necessary and will not have an adverse impact on adjoining properties or those using the public rights-of-way.	The proposed project will comply with this standard.
Expansions not to exceed 20 percent of the existing floor area of the structure or 1,000 square feet, whichever is less, may be approved at the time the conditional use permit is granted.	The proposed project will comply with this standard.

Development Review Staff Report



The proposed conditional use shall not be operated so as to dominate the immediate vicinity or to interfere with the development and use of neighboring property in accordance with the applicable district regulations. In determining whether the proposed use will dominate the immediate neighborhood, consideration shall be given to:	
A. The functional classification of the street on which the site is located;	Dale Street is classified as a collector roadway and Delaware Avenue is classified as a local roadway.
B. The surrounding residential densities;	R-TH Residential Townhouse District
C. The location, nature, and height of buildings, structures, walls and fences on site;	Will not change, except for chain link fence on the north side to be removed.
D. The amount of parking needed for the proposed use and the amount of parking provided on site; and	There are twenty-five existing parking spaces. The proposed use will require an additional fourteen parking spaces for a total of thirty-nine parking spaces.
E. The nature and extent of landscaping and screening on the site.	Type C bufferyard and landscaping is required.

AFFIDAVIT OF NEIGHBORHOOD NOTIFICATION AND MEETING SUMMARY

1. Conditional Use Permit for: Pepperdine School, 1518 E. Dale Street
2. Meeting Date & Time: Thursday, December 14th, 4:00 to 6:30 pm
3. Meeting Location: Pathways UMC, 1232 E. Dale Street
4. Number of invitations that were sent: 166
5. How was the mailing list generated: City of Springfield Staff
6. Number of neighbors in attendance (attach a sign-in sheet): Twelve
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.)

Please see the attached summary for comments and how these issues were/will be addressed.

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

Please see the attached summary.

I, Lindsay Reichert (*print name*), attest that the neighborhood meeting was held on 12/14/2017 (*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

Lindsay Reichert

Printed name of person completing affidavit

Neighborhood Meeting Notice

ATTACHMENT 4

Date of Letter:

11/30/2017

DEAR PROPERTY OWNER,

You have received a notice of a "Neighborhood Meeting" since all development applications involving an advertised public hearing require that a developer hold a neighborhood meeting and invite the property owners within 500 feet of the property and the officers of any neighborhood associations on file with the City of Springfield.

The applicant or representative below has filed an application with the City of Springfield for a change in land use, zoning or street vacation in your neighborhood.

APPLICANT CONTACT INFORMATION:

Applicant/Representative Name:

Lindsay Reichert, Paragon Architecture

Address:

430 S. Glenstone Ave

City, State and Zip:

Springfield, MO 65802

Phone Number:

417-885-0002

E-mail:

reichert@paragon-architecture.com

PROJECT LOCATION:

1518 E. Dale Street

PROPOSED CHANGES:

Provide details of the existing zoning and proposed zoning (planned development, conditional use permit, conditional overlay district or vacation of roadways).

The property at 1518 E. Dale Street was once operated by Springfield Public Schools as Pepperdine Elementary School. The property is currently zoned as Residential Townhouse District. Under the current zoning, specific special or conditional uses are allowable, pending approval of a Conditional Use Permit. The Community Partnership of the Ozarks is seeking a Conditional Use Permit for Adaptive Use which would allow the building to be utilized as an office space for some of their programs and program partners.

PUBLIC NEIGHBORHOOD MEETING:

Date of Meeting:

Thursday, December 14th, 2017

Location of Meeting:

Pathways UMC, 1232 E. Dale Street.
Parking is located on the east side of the building. Enter through the breezeway doors, turn right. The meeting room is directly next to the church offices.

Time of Meeting:

⦿ 4:00 PM to 6:30 PM

We look forward to seeing you at this meeting! Thank You!

ATTACHMENTS: Notice Letter from City with Comment Card attached to this letter

Application for Conditional Use Permit
PLN2017-00470

Summary of Neighborhood Meeting

- a. Development application.
 - Please see attached copy of the revised Conditional Use Permit Application.
- b. Meeting date, time and location.
 - Thursday, December 14th from 4:00 to 6:30 pm at Pathways UMC, 1232 E. Dale Street.
- c. Number of invitations send and how the mailing list was generated.
 - One-hundred and sixty-six invitations were sent.
 - The mailing list was generated by the City of Springfield staff.
- d. Number of neighbors in attendance with an attached sign-in sheet.
 - Twelve neighbors were in attendance.
 - Please see attached sign-in sheet.
- e. List of issues raised, any verbal comments and how applicant plans to respond.
 1. Concern that premises would be utilized for overnight housing.
 - a. *No accommodations for housing will be provided at the facility.*
 2. Concern about housing being built on the grounds.
 - a. *There are no plans for housing to be built or provided on the grounds.*
 3. Concern about preserving the integrity of the building façade.
 - a. *Limited modifications will be made to the exterior of the building. The future Owner would like to seal the building envelope which may include tuck-pointing of the brick masonry and roofing repair/replacement. The Owner will be required to add an elevator to allow accessibility to all floors of the building. This will require an addition to the building exterior. We are proposing to locate the elevator addition to the central southeast portion of the original school building (northeast of the connector addition). This location is away from the major building façade(s) and the addition would be designed to complement the existing building.*
 4. Concern about providing facility access to the neighborhood for after-hours programs and functions.
 - a. *Many of the neighbors expressed a desire to utilize portions of the facility for neighborhood meetings and miscellaneous community events. The Community Partnership of the Ozarks will strive to further engage the neighborhood, allowing access to public spaces within the facility. As part of the application process, CPO would like to modify the hours of operation of the facility to further facilitate the community's request.*
- f. Additional information such as comment cards, letters from neighbors, etc.
 - None.



PARAGON
ARCHITECTURE

430 S. Glenstone Ave.
Springfield, Missouri 65802
paragonarchitecture.com
p 417.885.0002 f 417.868.0072

Public Neighborhood Meeting
Pepperdine Elementary
December 14, 2017 4:00 to 6:30 pm

ATTACHMENT 4

Name

LEONARD BIERI

Michael Blacksher

Heather Cameron

ROBERT & JEAN KELLINGSWORTH

Ned Wuzles

Janet Dankert

Michelle Garand

Patricia Deek

Lindsay Reichert

Dolly Vrabka

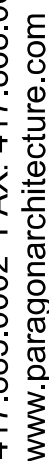
Otis Wood

Ray Staas

Tommy Pike

Phyllis Evans

Betty Sheen



SHEET NUMBER:

USE PERMIT SKETCH PLAN

PROJECT NUMBER:
16-375

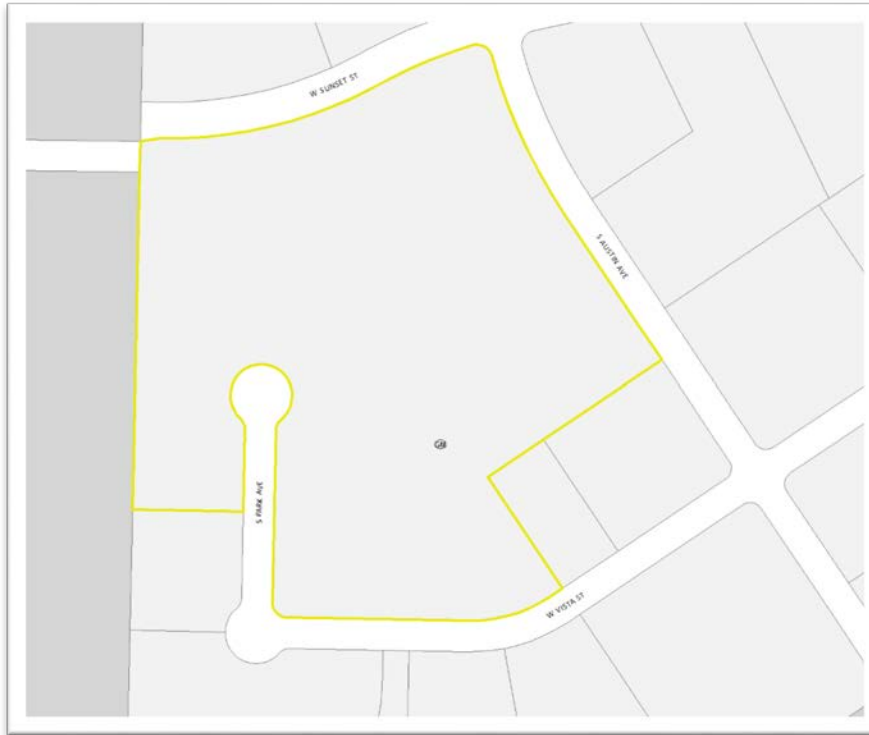
PROJECT ARCHITECT:
DRAWN BY:
CHECKED BY:

Development Review Staff Report



PLANNING AND ZONING COMMISSION PUBLIC HEARING: JANUARY 11, 2018

CITY COUNCIL PUBLIC HEARING: JANUARY 29, 2018



CASE NUMBER:

Preliminary Plat of Battlefield Business Center No. 13 Subdivision

LOCATION: 2300 Block of West Sunset Street

ACRES: 14.42

EXISTING LAND USE: Vacant land

APPLICANT: Battlefield Business Center II, LLC

STAFF RECOMMENDATIONS:
Approve

PROPOSED MOTION:

Move to approve the 10-lot preliminary plat of Battlefield Business Center No. 13 Subdivision.

SUMMARY OF REQUEST:

The applicant is proposing a 10-lot preliminary plat for the Battlefield Business Center No. 13 Subdivision.

FINDINGS FOR STAFF RECOMMENDATION:

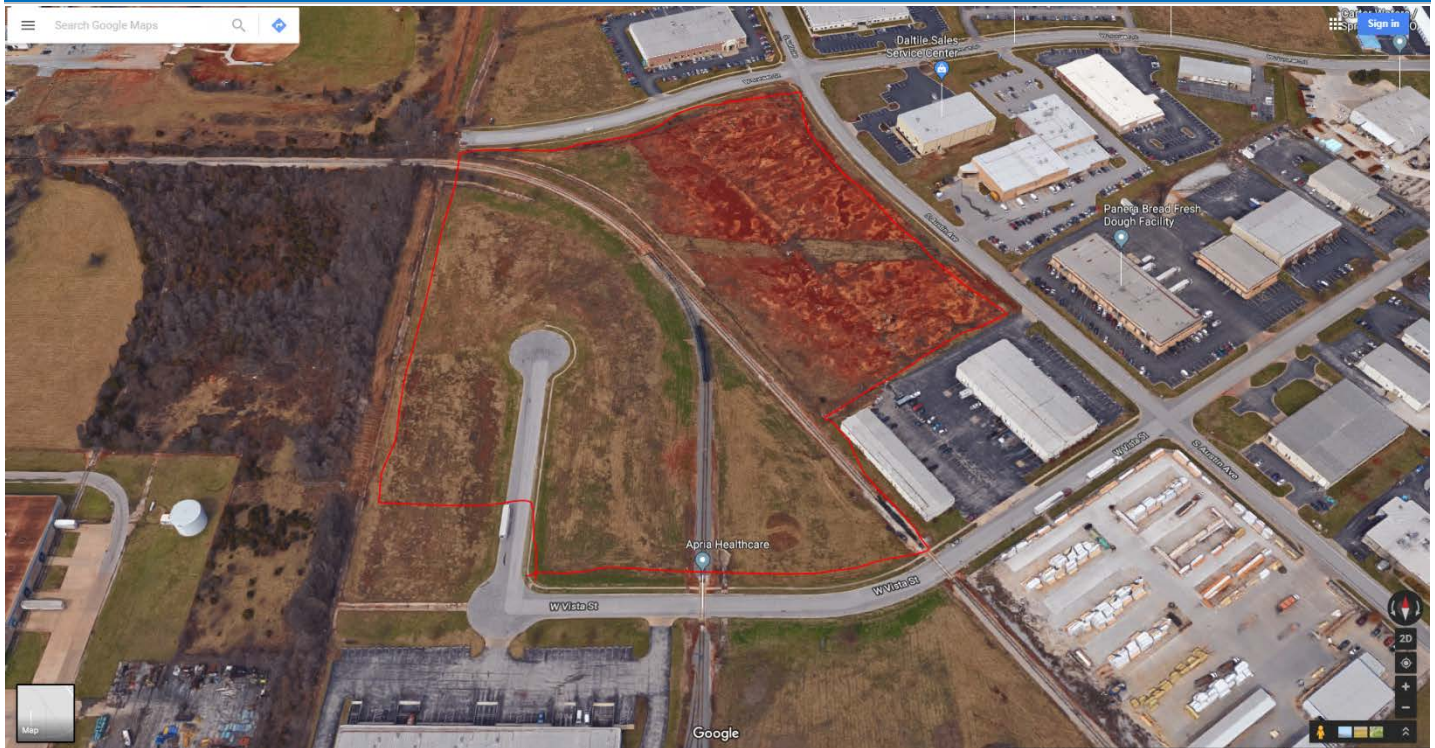
1. The applicant's proposal, with the conditions listed below are consistent with the City's *Subdivision Regulations*.

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	GM	GM	GM	HM
LAND USE	Vacant land/ Manufacturing uses	Vacant land/ Manufacturing uses	Manufacturing uses	Vacant land

Development Review Staff Report

SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):

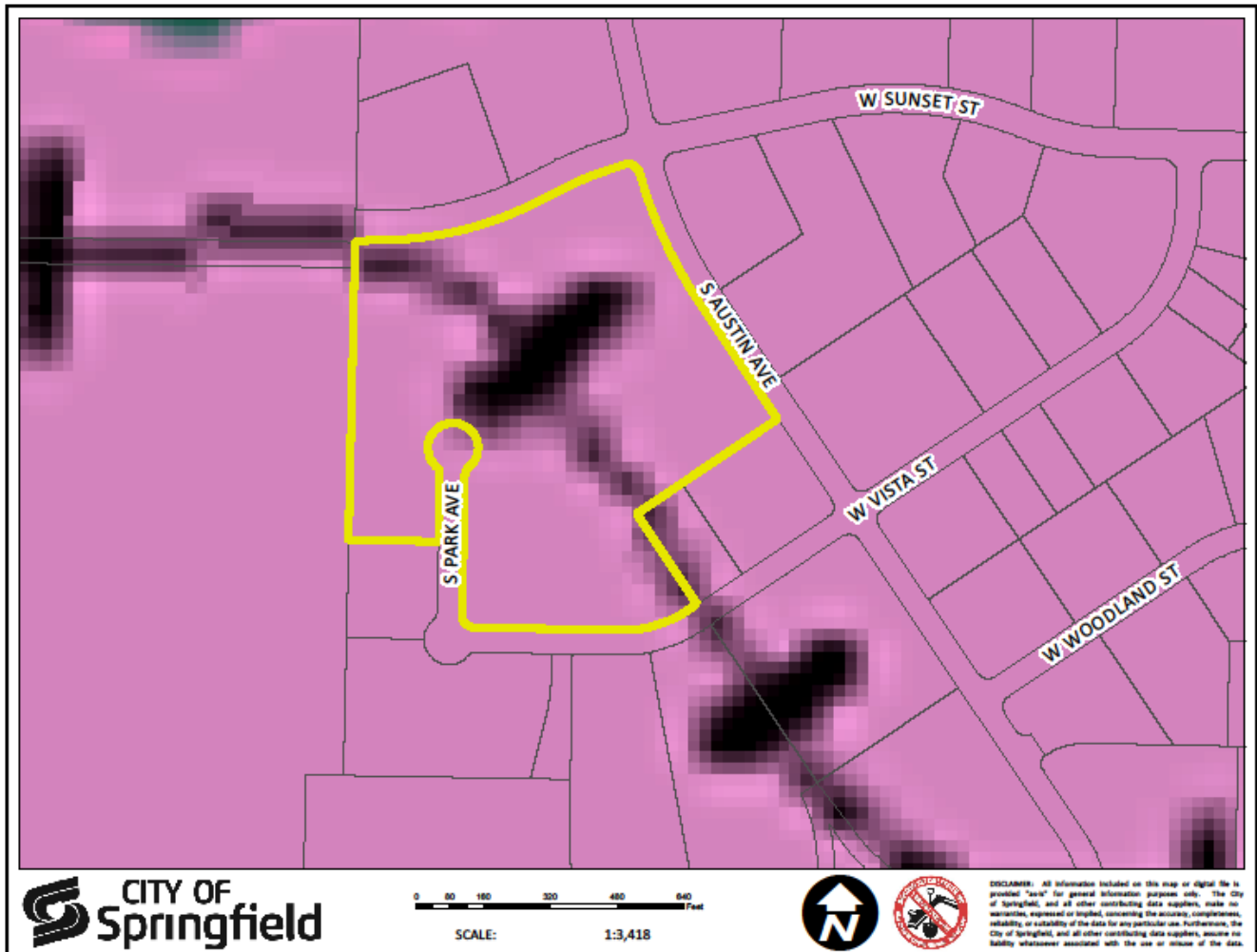


GOOGLE MAPS STREET VIEW:



Development Review Staff Report

GROWTH MANAGEMENT AND LAND USE PLAN:



-  Low-Density Housing
-  Medium or High Density Housing
-  Medium Intensity Retail, Office or Housing
-  High Intensity Retail, Office or Housing
-  Greater Downtown
-  Business Park
-  Light Industrial, Office and Office-Warehouse

-  General Industry, Transportation and Utilities
-  Park
-  School
-  Golf
-  Community-Public
-  Urban Reserve Area
-  Rural Area

-  Greenway
-  Parkway
-  City Boundary
-  Urban Service Area Boundary, Year 2020
-  Urban Reserve Boundary, Year 2040

Development Review Staff Report



PROPERTY HISTORY:

The subject property was originally zoned General Manufacturing District in 1995 during the citywide re-mapping.

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR: GM, General Manufacturing District	
Permitted Uses	Any manufacturing, production, processing, cleaning, servicing, testing, repair or storage of materials, goods or products, and business and sales offices accessory thereto. Warehouses, storage and distribution centers.	
Use Limitations	N/A	
Maximum Structure Height	None	
Front Yard Setback	None, however, in no event may a structure be erected closer than 30 feet from the centerline of the street, except as permitted by subsection 36-303(17)(b).	
Side and Rear Setbacks	None, however, in no event may a structure be erected closer than 30 feet from the centerline of the street, except as permitted by subsection 36-303(17)(b).	
Open Space Requirement	15%	
Design Requirements	Refuse storage areas, mechanical and electrical equipment shall be screened	
BULK PLANE		BUFFERYARDS AND LANDSCAPING
None		None

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies this as an appropriate area for Light Industrial, Office and Office warehouse. Manufacturing, assembly, office and warehousing activities are included in this category.

STAFF COMMENTS:

1. The applicant is proposing to subdivide approximately 14.42 acres of property into a ten-lot subdivision named "Battlefield Business Center No. 13 Subdivision".
2. The property will have access to previously constructed roads along Sunset Street, Austin Avenue, Vista Street and Park Avenue.
3. If Planning and Zoning Commission approves the preliminary plat, then the plat will be forwarded to City Council for acceptance of 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.

PUBLIC COMMENTS:

The property was posted 10 days prior to the Planning and Zoning Commission meeting.

Development Review Staff Report



DEPARTMENT COMMENTS:

ATTACHMENT 1 DEPARTMENT COMMENTS

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues with preliminary plat.

CITY UTILITIES:

All utilities are in place. We may need additional easement for existing utilities at final plat stage.

CLEAN WATER SERVICES COMMENTS:

Each lot has access to public sewer and a service lateral. The service lateral for lot 7 is not clearly located on our plans although it is shown.

FIRE DEPARTMENT COMMENTS:

Fire has no objections to the preliminary plat.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

City's Transportation Plan classifies W. Sunset Street as a Secondary Arterial roadway, S. Austin Avenue as a Collector roadway, and W. Vista Street and S. Park Avenue as Local roadways. The standard right-of-way width for W. Sunset Street is 35 feet from the centerline. The standard right-of-way width for S. Austin Avenue is 30 feet from the centerline. The standard right-of-way widths for both W. Vista Street and S. Park Avenue are 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. W. Sunset Street, S. Austin Avenue, W. Vista Street, and S. Park Avenue are all City maintained streets. The most recent traffic count on W. Sunset Street west of S. Kansas Expressway is 4,342 vehicles per day. There are no recent traffic counts on these sections of S. Austin Avenue, W. Vista Street, or S. Park Avenue. There are currently no driveway access points to the proposed property or to the proposed lots, but access will be granted, given that the proposed driveway approach locations meet the minimum spacing requirements spelled out in the City Code. There is currently sidewalk along the property frontage of W. Sunset Street, S. Austin Avenue, W. Vista Street, and S. Park Avenue. The existing infrastructure meets current city standards. On-street parking is currently permitted along this section of W. Sunset Street since the street dead-ends. When this section of W. Sunset Street extends to connect with Scenic Avenue to the west, on-street parking will no longer be permitted. On-street parking is not permitted along S. Austin Avenue. On-street parking is permitted along both W. Vista Street and S. Park Avenue. There is the South Creek Greenway Trail just to the north of the property pertaining to this plat. There are not bus stops along any of the streets pertaining to the property in this plat – but there are bus stops along Battlefield Road to the south of this property. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. No improvements are required as a part of this plat. The City of Springfield is planning to eventually connect W. Sunset Street over to Scenic Avenue to the west. There is not currently a timeline for when this extension of Sunset Street will occur.

Public Works Traffic Division	Response
Street classification	W. Sunset Street – Secondary Arterial S. Austin Avenue – Collector W. Vista Street – Local S. Park Avenue – Local
On-street parking along streets	W. Sunset Street – Yes, tentatively S. Austin Avenue – No

Development Review Staff Report



	W. Vista Street – Yes S. Park Avenue – Yes
Trips generated - Peak Hour	N/A vehicles (GM) N/A vehicles (GM)
Additional Trips generated with zoning change - Peak Hour	0 vehicles
Existing street right of way widths	W. Sunset Street – 35 ft. from the centerline S. Austin Avenue – 30 ft. from the centerline W. Vista Street – 30 ft. from the centerline S. Park Avenue – 30 ft. from the centerline
Standard right of way widths	W. Sunset Street – 35 ft. from the centerline S. Austin Avenue – 30 ft. from the centerline W. Vista Street – 30 ft. from the centerline S. Park Avenue – 30 ft. from the centerline
Traffic study submitted	Not required*
Proposed street improvements	None required

*A traffic study was not required. The property is not rezoning. Subdividing the lot into 10 lots does not change the uses permitted in the existing GM zoning. No additional trips generated are anticipated based on the subdivision of the lot.

STORMWATER COMMENTS:

The property is in the South Creek drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required per Chapter 96. Buyout in lieu of stormwater detention is not applicable as regional detention is provided. Since the project will be disturbing more than one (1) acre there will be a land disturbance permit required.

If disturbing more than an acre water quality will be required as the regional detention does not have water quality included.

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

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

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

REQUIREMENTS FOR APPROVAL:

Development Review Staff Report



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.
2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
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 shall follow 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.



CAUTION:

INFORMATION ON THIS DRAWING CONCERNING TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATION AS TO THE TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO.

BENCHMARKS

CITY BENCHMARK NO. 055
CITY OF SPRINGFIELD STANDARD MONUMENT
NORTH SIDE OF SUNSET STREET 3.1' NORTH OF
BACK OF CURB, 260' WEST OF INTERSECTION OF
VISTA AND SUNSET

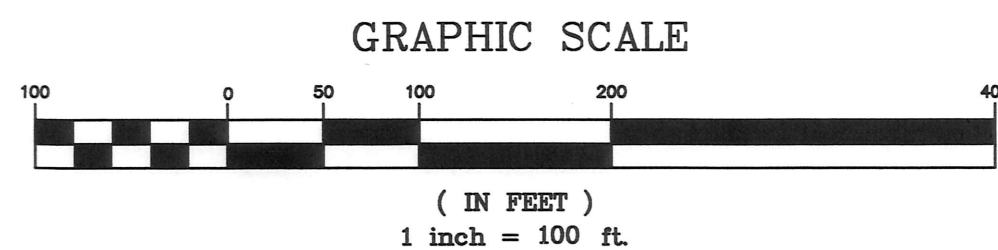
ELEV. 1264.49

TEMPORARY BENCHMARK NO. 1
A SQUARE CUT ON THE SOUTHERN CURB LINE
OF VISTA STREET NEAR THE NORTHWEST CORNER OF
LOT 3, BATTLEFIELD BUSINESS CENTER #8.

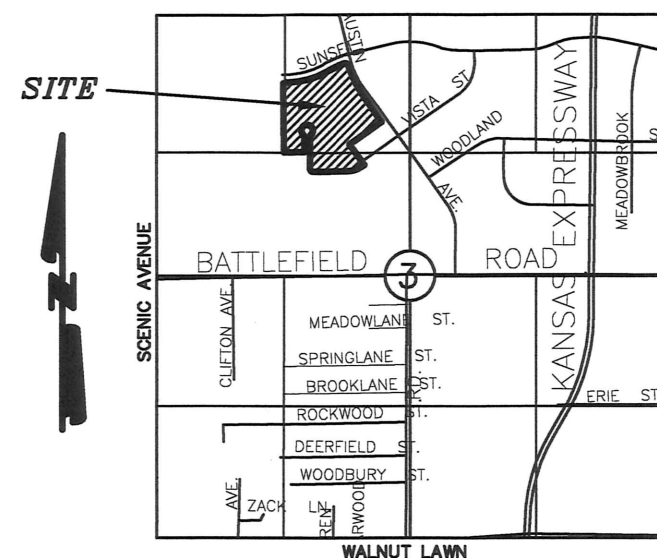
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PRELIMINARY PLAT OF BATTLEFIELD BUSINESS CENTER NO. 13

A SUBDIVISION IN THE CITY OF SPRINGFIELD,
GREENE COUNTY, MISSOURI



GRID NORTH
MISSOURI STATE PLANE
CENTRAL ZONE
NAD83 2011



LOCATION MAP
SECTION 3
TOWNSHIP 28 RANGE 22
APPROX. SCALE: 1"=2000'

OWNER/DEVELOPER

BATTLEFIELD BUSINESS CENTER II LLC
1630-H E BRADFORD PARKWAY
SPRINGFIELD, MO 65804
PHONE: (417) 447-3778
FAX: (417) 831-0908

LEGEND

- = EXISTING IRON PIN
- = CAPPED LS 2260
- = EXCEPT AS NOTED
- = TEMPORARY BENCHMARK
- = CAPPED LS 2260
- = 5/8" IRON PIN SET
- = CAPPED "LS-2670"
- = PERMANENT MONUMENT
- = NO DIRECT ACCESS
- ✕ = FIRE HYDRANT
- ⊙ = SANITARY SEWER MANHOLE
- S— = SANITARY SEWER LINE
- G— = GAS LINE
- W— = WATER LINE
- UE— = UNDERGROUND ELECTRIC
- WG— = WATER/GAS
- SD— = STORM DRAIN PIPE SIZE

UTILITIES

SANITARY SEWER TO BE PROVIDED BY
CITY OF SPRINGFIELD
840 BOONVILLE AVENUE
SPRINGFIELD, MISSOURI 65802
(417) 864-1900

ELECTRIC, NATURAL GAS AND WATER TO BE
SUPPLIED BY

CITY UTILITIES OF SPRINGFIELD, MO
301 E. CENTRAL STREET
SPRINGFIELD, MISSOURI 65802
(417) 863-9000

TELEPHONE SERVICE TO BE PROVIDED BY
SBC
1010 PINE
ST. LOUIS MISSOURI 63101
(800) 464-7928

CABLE TELEVISION TO BE PROVIDED BY
MEDIAQU
1533 S. ENTERPRISE AVENUE
SPRINGFIELD, MISSOURI 65804
(417) 875-5500

DEVELOPMENT NOTES

Total Area	754,322 sq. ft. (17.32 acres)
Total No. of Lots	10
Density	0.58 LOTS/ACRE
Current Zoning	GM (GENERAL MANUFACTURING)
Proposed Land Use	OFFICE/WAREHOUSE
Smallest Lot	Lot 6 43,906 sq.ft. (1.00 acres)
Largest Lot	Lot 4 105,719 sq.ft. (2.42 acres)
Average Lot Size	75,441 sq.ft. (1.73 acres)
Source of Title	Book 2599 Page 1451
MAXIMUM IMPERVIOUS SURFACE 85%	
DRIVEWAYS TO HAVE 150' SEPARATION	
SETBACKS ARE AS REQUIRED BY ZONING	

PROPERTY DESCRIPTION

COMMENCING AT THE NORTHWEST CORNER OF THE EAST HALF (E1/2) OF LOT 2 OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 3, TOWNSHIP 28, RANGE 22, IN GREENE COUNTY, MISSOURI; THENCE S01°12'43"W, A DISTANCE OF 759.71 FEET TO AN EXISTING SURVEY MONUMENT ON THE SOUTHERN RIGHT-OF-WAY LINE OF SUNSET STREET FOR A POINT OF BEGINNING; THENCE N79°34'03"E, ALONG SAID SOUTHERN RIGHT-OF-WAY LINE, A DISTANCE OF 39.66 FEET TO A SURVEY MONUMENT SET; THENCE ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 835.00 FEET, AN ARC LENGTH OF 427.38 FEET, A CENTRAL ANGLE OF 29°19'33", AND A CHORD DISTANCE OF 180.06 FEET WHICH BEARS N67°52'11"E TO A SURVEY MONUMENT SET; THENCE N61°53'43"E, A DISTANCE OF 31.62 FEET TO AN EXISTING SURVEY MONUMENT; THENCE ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 865.00 FEET, AN ARC LENGTH OF 180.39 FEET, A CENTRAL ANGLE OF 11°56'55", AND A CHORD DISTANCE OF 180.06 FEET WHICH BEARS N67°52'11"E TO AN EXISTING SURVEY MONUMENT AT THE INTERSECTION OF SAID SOUTHERN RIGHT-OF-WAY OF SUNSET STREET AND THE WESTERN RIGHT-OF-WAY LINE OF AUSTIN AVENUE; THENCE CONTINUING ALONG THE RIGHT-OF-WAY LINE OF THE SOUTHERN QUADRANT OF SAID INTERSECTION, ON A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 30.00 FEET, AN ARC LENGTH OF 47.40 FEET, A CENTRAL ANGLE OF 90°31'38", AND A CHORD DISTANCE OF 42.62 FEET, WHICH BEARS S60°53'33"E TO AN EXISTING SURVEY MONUMENT; THENCE LEAVING SAID INTERSECTION AND ALONG THE WESTERN RIGHT-OF-WAY LINE OF AUSTIN AVENUE, ON A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1081.10 FEET, AN ARC LENGTH OF 344.22 FEET, A CENTRAL ANGLE OF 18°14'34", AND A CHORD DISTANCE OF 342.77 FEET WHICH BEARS S24°45'01"E TO A SURVEY MONUMENT SET; THENCE CONTINUING ALONG SAID WESTERN RIGHT-OF-WAY LINE OF AUSTIN AVENUE, S33°52'33"E, A DISTANCE OF 336.66 FEET TO AN EXISTING SURVEY MONUMENT MARKING THE NORTHERN CORNER OF LOT 3 OF BATTLEFIELD BUSINESS CENTER NO. 3; THENCE LEAVING SAID WESTERN RIGHT-OF-WAY LINE OF AUSTIN AVENUE, S56°07'27"W, A DISTANCE OF 406.41 FEET TO AN EXISTING SURVEY MONUMENT MARKING THE WESTERN CORNER OF LOT 4 OF BATTLEFIELD BUSINESS CENTER NO. 3; THENCE S33°57'56"E, A DISTANCE OF 260.00 FEET TO AN EXISTING SURVEY MONUMENT ON THE NORTHERN RIGHT-OF-WAY LINE OF VISTA STREET; THENCE ALONG SAID NORTHERN RIGHT-OF-WAY LINE OF VISTA STREET, S56°07'27"W, A DISTANCE OF 26.96 FEET TO AN EXISTING SURVEY MONUMENT; THENCE CONTINUING ALONG SAID NORTHERN RIGHT-OF-WAY LINE OF VISTA STREET, ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 280.00 FEET, AN ARC LENGTH OF 170.43 FEET, A CENTRAL ANGLE OF 34°52'29", AND A CHORD DISTANCE OF 167.81 FEET WHICH BEARS S73°33'40"W TO AN EXISTING SURVEY MONUMENT; THENCE N89°00'06"W, A DISTANCE OF 352.48 FEET TO AN EXISTING SURVEY MONUMENT AT THE INTERSECTION OF THE NORTHERN RIGHT-OF-WAY LINE OF SAID VISTA STREET AND EASTERN RIGHT-OF-WAY LINE OF PARK AVENUE; THENCE CONTINUING ALONG THE RIGHT-OF-WAY LINE OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID INTERSECTION, ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 30.00 FEET, AN ARC LENGTH OF 47.24 FEET, A CENTRAL ANGLE OF 90°31'38", AND A CHORD DISTANCE OF 42.51 FEET, WHICH BEARS N43°53'25"E TO AN EXISTING SURVEY MONUMENT; THENCE ALONG THE EASTERN RIGHT-OF-WAY LINE OF SAID PARK AVENUE, N01°13'14"E, A DISTANCE OF 333.80 FEET TO AN EXISTING SURVEY MONUMENT; THENCE CONTINUING ALONG THE EASTERN RIGHT-OF-WAY LINE OF SAID PARK AVENUE, ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 21.68 FEET, A CENTRAL ANGLE OF 49°40'47", AND A CHORD DISTANCE OF 21.01 FEET, WHICH BEARS N26°03'38"E TO A SURVEY MONUMENT SET; THENCE CONTINUING ALONG THE EASTERN RIGHT-OF-WAY LINE SAID PARK AVENUE, ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 60.00 FEET, AN ARC LENGTH OF 292.54 FEET, A CENTRAL ANGLE OF 279°21'18", AND A CHORD DISTANCE OF 77.65 FEET, WHICH BEARS N88°46'38"W TO AN EXISTING SURVEY MONUMENT ON THE WESTERN RIGHT-OF-WAY LINE OF SAID PARK AVENUE; THENCE CONTINUING ALONG SAID WESTERN RIGHT-OF-WAY LINE OF PARK AVENUE, ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 21.68 FEET, A CENTRAL ANGLE OF 49°40'47", AND A CHORD DISTANCE OF 21.00 FEET, WHICH BEARS S23°37'09"E TO A MONUMENT ON THE WEST RIGHT-OF-WAY LINE OF PARK AVENUE; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE OF PARK AVENUE S01°13'14"W A DISTANCE OF 159.75 FEET TO AN EXISTING SURVEY MONUMENT MARKING THE NORTHEAST CORNER OF LOT 1 IN BATTLEFIELD BUSINESS CENTER NO. 7; THENCE LEAVING SAID WEST RIGHT-OF-WAY LINE OF PARK AVENUE, N88°54'55"W A DISTANCE OF 214.82 FEET TO AN EXISTING MONUMENT ON THE WEST LINE OF THE EAST HALF OF LOT 1 IN THE NORTHWEST FRACTIONAL QUARTER OF SECTION 3, TOWNSHIP 28, RANGE 22, IN GREENE COUNTY, MISSOURI; THENCE ALONG SAID WEST LINE, N01°13'25"E, A DISTANCE OF 712.05 FEET TO THE POINT OF BEGINNING.

CONTAINING 754,322 SQ. FT. (17.32 ACRES), AND ALL BEING IN LOTS 1 AND 2 OF IN THE NORTHWEST FRACTIONAL QUARTER OF SECTION 3, TOWNSHIP 28, RANGE 22, GREENE COUNTY, MISSOURI.

BEARINGS BASED ON MISSOURI STATE PLANE, CENTRAL ZONE, NAD83.

SURVEYORS DECLARATION

KNOW ALL MEN BY THESE PRESENTS: THAT I, RICK WILSON, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED PREPARED BY WILSON SURVEYING CO., INC. DATED FEBRUARY 4, 2016 AND SIGNED BY RICK WILSON L. S. NO. 1970 AND THAT THE CORNER MONUMENTS AND LOT CORNER PINS SHOWN HEREIN WERE PLACED UNDER THE PERSONAL SUPERVISION OF RICK WILSON L. S. NO. 1970 IN ACCORDANCE WITH MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS, AND IN ACCORDANCE WITH SECTION 410.5 OF THE SUBDIVISION REGULATIONS, ARTICLE II, CHAPTER 36, OF THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

SIGNATURE

Rick Wilson
WILSON SURVEYING CO., INC. LC 2670
BY RICK WILSON LS 1970

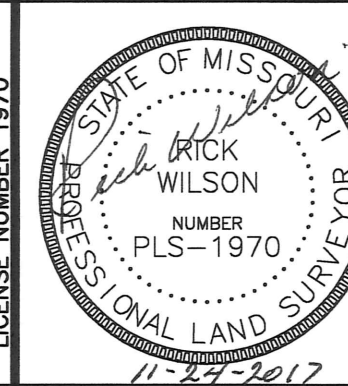
DATE PREPARED: NOVEMBER 24, 2017

PREPARED BY

WILSON SURVEYING CO., INC.

SURVEYING/ENGINEERING/LAND PLANNING
(417)-522-7870
Email: Rick.Wilson@wilsurveyingco.com
1835 S. STEWART AVENUE, SUITE 124
Springfield, Missouri 65804
DRAWING NO.: WD-105-113-PP

JOB NO.: 16074
DRAWN BY: CJY/MSB
DATE: NOVEMBER 24, 2017



RESOURCE MATERIALS USED FOR BOUNDARY DETERMINATION

BATTLEFIELD BUSINESS CENTER PHASE 1
FINAL PLAT

BATTLEFIELD BUSINESS CENTER NO. 3
FINAL PLAT

BATTLEFIELD BUSINESS CENTER NO. 4
FINAL PLAT

BATTLEFIELD BUSINESS CENTER NO. 6
FINAL PLAT

BATTLEFIELD BUSINESS CENTER NO. 7
FINAL PLAT

BATTLEFIELD BUSINESS CENTER NO. 8
FINAL PLAT

BATTLEFIELD BUSINESS CENTER NO. 12
FINAL PLAT

DEEDS AS SHOWN

NOTES

- REGIONAL DETENTION LOCATED ON LOT 2 OF BATTLEFIELD BUSINESS CENTER NO. 6 IS PROVIDED FOR UP TO 85% IMPERVIOUS SURFACE.
- WATER QUALITY WILL BE PROVIDED FOR EACH LOT AT THE TIME OF DEVELOPMENT.
- THE AREA SHOWN HEREON IS NOT LOCATED IN A STORM SEWER DISTRICT AS OF THE DATE OF RECORDING AND MAY BE SUBJECT TO FUTURE ASSESSMENT COST IF INCLUDED IN FUTURE STORM WATER BENEFIT DISTRICT DEEMED NECESSARY RESULTING FROM PROBLEMS CREATED BY SURFACE WATER RUN-OFF. THIS IS DUE TO THE FACT THAT THE SURFACE WATER RUN-OFF IS PRESENTLY BEING ACCOMMODATED BY STREET AND OPEN DRAINAGE FACILITIES.
- MAINTENANCE OF ANY AREA SHOWN AS DRAINAGE OR DETENTION EASEMENT IS THE RESPONSIBILITY OF THE PROPERTY OWNER.
- LOT LINES ALONG STREET RIGHT-OF-WAY ARE PARALLEL WITH CENTERLINE UNLESS OTHERWISE NOTED.

THE PROPERTY SHOWN HEREON LIES IN
A FLOOD ZONE X ACCORDING TO FLOOD
INSURANCE MAP 29077C0337E,
EFFECTIVE DECEMBER 17, 2010.

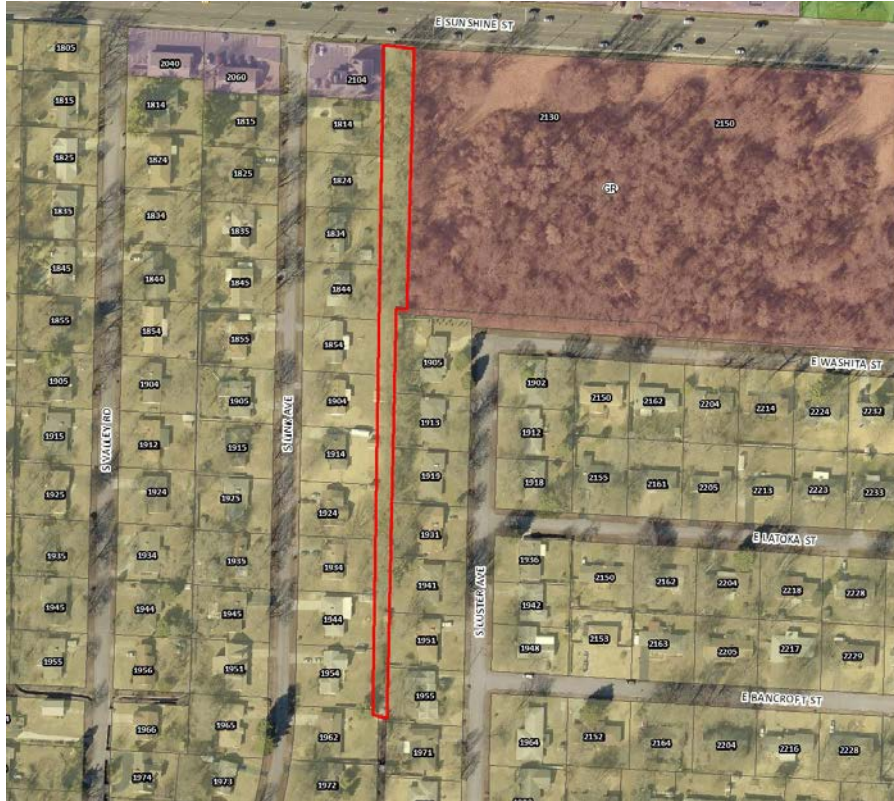
Development Review Staff Report



PLANNING AND ZONING COMMISSION PUBLIC HEARING: JANUARY 11, 2018

CITY COUNCIL PUBLIC HEARING:

JANUARY 29, 2018



CASE NUMBER:

Preliminary Plat of Linwood Heights
Revenge Subdivision

LOCATION:

2100 block E. Sunshine Street

ACRES:

1 acre

EXISTING LAND USE:

Vacant/undeveloped

APPLICANT:

E Sunshine Land, LLC

STAFF:

Daniel Neal, 864-1036

STAFF RECOMMENDATIONS:

Approve w/Conditions

PROPOSED MOTION:

Move to approve a one lot preliminary
plat.

SUMMARY OF REQUEST:

The applicant is proposing a preliminary plat for a one lot subdivision named "Linwood Heights Revenge".

FINDINGS FOR STAFF RECOMMENDATION:

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

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	O-1	R-SF	GR and R-SF	R-SF and O-1
LAND USE	Office uses	Single-family residences	Vacant/undeveloped and single family residences	Single family residences and office uses

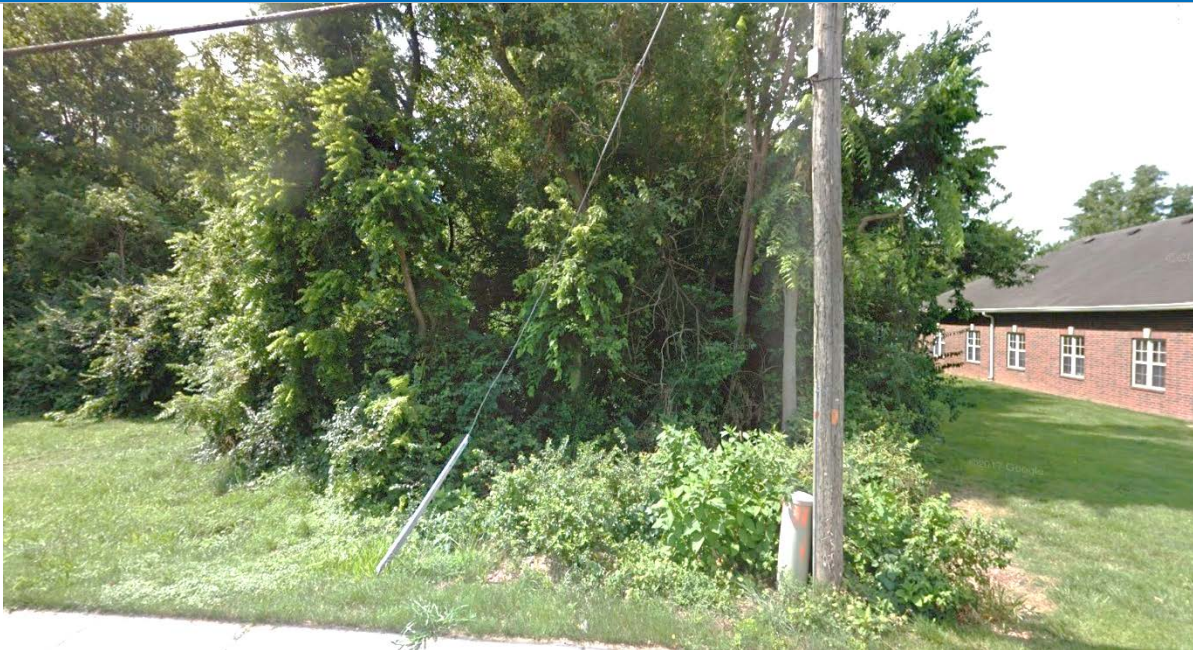
Development Review Staff Report



SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):

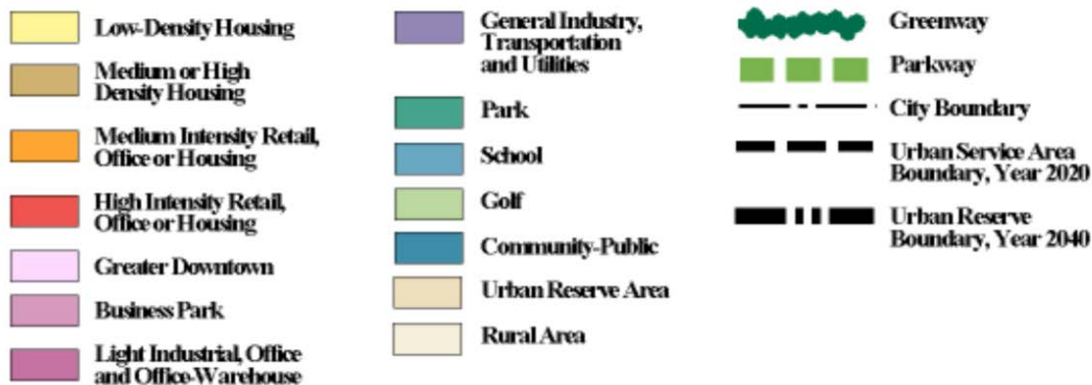
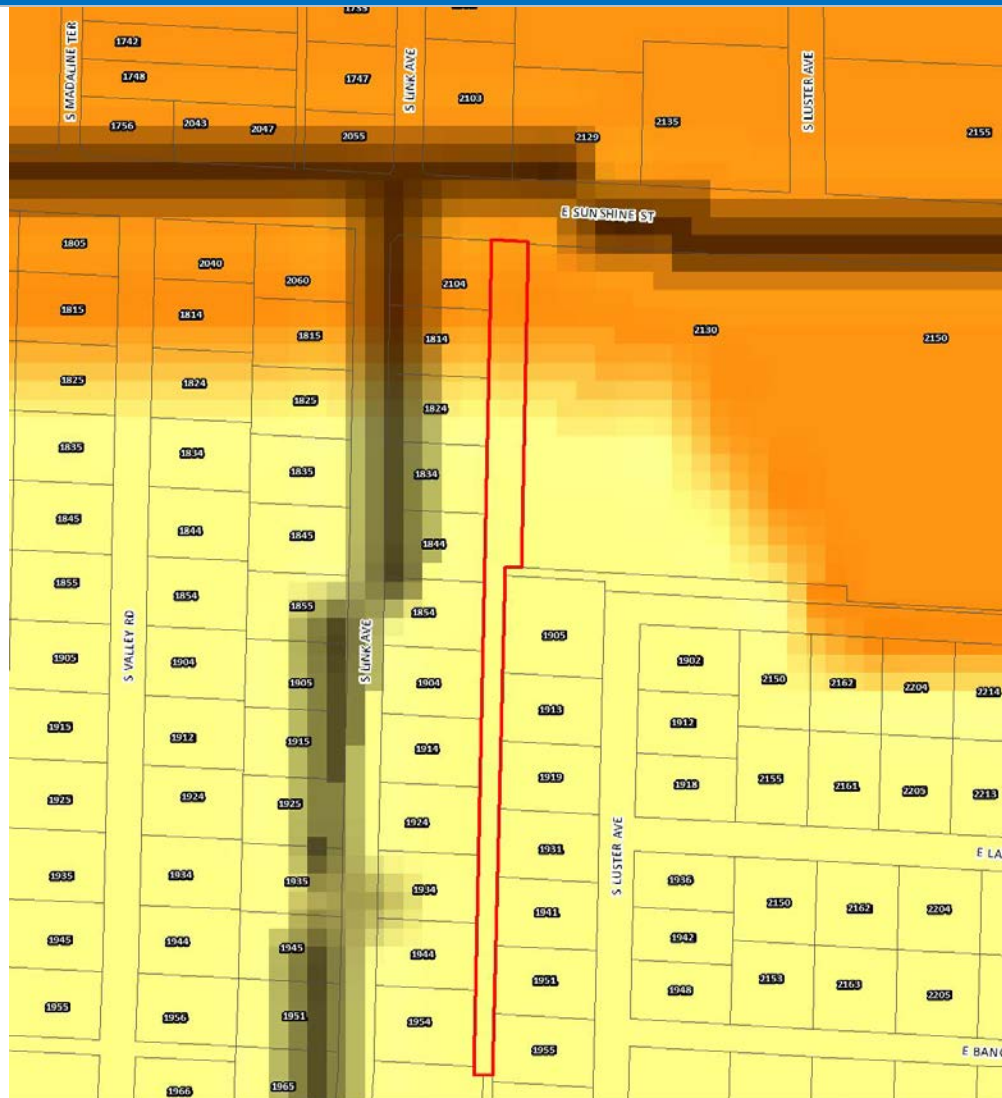


GOOGLE MAPS STREET VIEW:



Development Review Staff Report

GROWTH MANAGEMENT AND LAND USE PLAN:



Development Review Staff Report



PROPERTY HISTORY:

The subject property was originally zoned R-SF, Single-family residential in 1995 during the citywide re-mapping.

COMPATIBILITY WITH THE ZONING ORDINANCE:

CODE ITEM	REQUIREMENTS FOR O-1 & R-SF	
Use Limitations	N/A	
Maximum Structure Height	N/A	
Front Yard Setback	25 feet along a primary arterial street	
Side and Rear Setbacks	10 feet for side and 20% of the depth but not less than 10 feet nor more than 25 feet in O-1	
Open Space Requirement	20%	
Design Requirements	N/A	
BULK PLANE		LANDSCAPING
N/A		N/A

COMPATIBILITY WITH COMPREHENSIVE PLAN:

The *Growth Management and Land Use Plan* element of the *Comprehensive Plan* identifies the northern part of this lot 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 Sunshine Street as a primary arterial roadway which supports the proposed land use. The southern portion of this lot is identified as appropriate for Low-Density Housing; however, the applicant isn't proposing any changes to this area.

STAFF COMMENTS:

1. The applicant is proposing to subdivide approximately one acre into a one lot subdivision named "Linwood Heights Revenge". This preliminary plat is being processed concurrently with rezoning request Z-2-2018 COD #142 which will rezone the north 106 feet to O-1 and leave the remaining property R-SF. The applicant is proposing to construct additional off-street parking for the adjacent office building at 2104 E. Sunshine Street.
2. No access is allowed to Sunshine Street from this lot. The rezoning request will require the proposed lot to be combined with the lot at 2104 E. Sunshine Street so any access to this lot will be taken from Link Avenue.
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 property is required to be approved through the major subdivision process because its current configuration does not match the City's subdivision records and a deed was not presented that created this lot following the Subdivision Regulations.
5. The proposed preliminary plat was reviewed by City departments and comments are contained in Attachment 1.

PUBLIC NOTIFICATION:

The property was posted 10 days prior to the Planning and Zoning Commission meeting.

Development Review Staff Report



DEPARTMENT COMMENTS:

ATTACHMENT 1 DEPARTMENT COMMENTS

BUILDING DEVELOPMENT SERVICES COMMENTS:

No comments.

CITY UTILITIES:

No impact on utilities, no objection to approval.

CLEAN WATER SERVICES COMMENTS:

Address changemarks regarding required sanitary sewer easements.

FIRE DEPARTMENT COMMENTS:

Fire has no objections to the preliminary plat.

MODOT COMMENTS:

Need 5 feet additional right-of-way per item 28 of engineering report.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

City's Transportation Plan classifies E. Sunshine Street as a Primary Arterial roadway and S. Link Avenue as a Local roadway. The standard right-of-way width for E. Sunshine Street is 50 feet from the centerline. E. Sunshine Street is under MODOT jurisdiction – defer to MODOT for comments regarding access and right-of-way acquisition along E. Sunshine Street. The standard right-of-way width for S. Link Avenue 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. E. Sunshine Street is a MODOT maintained street and S. Link Avenue is a city maintained street. The most recent traffic count on E. Sunshine Street east of S. Glenstone Avenue is 34,134 vehicles per day. The most recent traffic count on S. Link Avenue south of E. Sunshine Street is 688 vehicles per day. As a part of the Conditional Overlay District #142, it is required that the area being rezoned is to be combined with the property abutting to the west. Therefore, the only access permitted to the combined properties will be to S. Link Avenue. There is sidewalk along the property frontage of E. Sunshine Street. The existing infrastructure meets current city standards. On-street parking is not allowed along E. Sunshine Street. There is a Greenway Trail southeast of the property pertaining to this zoning on Seminole Street. There are bus stops along E. Sunshine Street. The proposed development is in an area that provides for multiple direct connections and provides for good connectivity in the area. The City has no planned improvements in the area pertaining to this zoning. There are no right-of-way improvements required as a part of this rezoning. Please verify with MODOT that additional right-of-way is not needed to ensure there is 50 total feet of right-of-way from the centerline of the roadway of Sunshine (based on classification as a Primary Arterial).

Development Review Staff Report



Public Works Traffic Division	Response
Street classification	E. Sunshine Street – Primary Arterial
On-street parking along streets	E. Sunshine Street – No
Trips generated - Peak Hour	5.15 vehicles (R-SF) 45.32 vehicles (O-1)
Additional Trips generated with zoning change - Peak Hour	40.17 vehicles
Existing street right of way widths	E. Sunshine Street - 45 ft. from the centerline
Standard right of way widths	E. Sunshine Street - 50 ft. from the centerline
Traffic study submitted	Not required*
Proposed street improvements	None required

*A traffic study was not required. A change in zoning from R-SF to O-1 for the proposed property does not exceed 100 additional trip ends in the AM or PM Peak Hours or 1,000 additional trip ends in a day – therefore, it does not trigger the requirement of a Traffic Study.

STORMWATER COMMENTS:

The property is in the Galloway Creek Branch drainage basin. The property is not located in a FEMA designated floodplain. Staff is not aware of flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required per Chapter 96. Buyout in lieu of on-site stormwater detention not an option and detention will be required. Since the project will not be disturbing more than one (1) acre a land disturbance permit will not be 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. A stormwater detention permit will be required for the private, onsite detention and/or water quality facility. This permit may be obtained through the Building Development Services (BDS) office, once the stormwater plans and calculations have been approved. The cost of this permit is \$155. These facilities must be constructed, inspected, approved and operational prior to issuance of the building permit

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

Development Review Staff Report



REQUIREMENTS FOR APPROVAL:

ATTACHMENT 2 CONDITIONS OF PLAT APPROVAL

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 and service lateral currently available for each proposed lot. Dedicate new easements to cover existing sanitary sewer and show all existing easements of record.
 - b. A stormwater detention permit will be required for the private, onsite detention and/or water quality facility. This permit may be obtained through the Building Development Services (BDS) office, once the stormwater plans and calculations have been approved. The cost of this permit is \$155. These facilities must be constructed, inspected, approved and operational prior to issuance of the building permit.
2. All required street rights-of-way, drainage and utility easements and limitations of access shall be dedicated on the final plat.
 - a. Approximately five (5) feet of additional right-of-way is required for 50 total feet of right-of-way from the centerline of the roadway of Sunshine Street (based on classification as a Primary Arterial).
 - b. No direct access is permitted to Sunshine Street from this lot.
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.

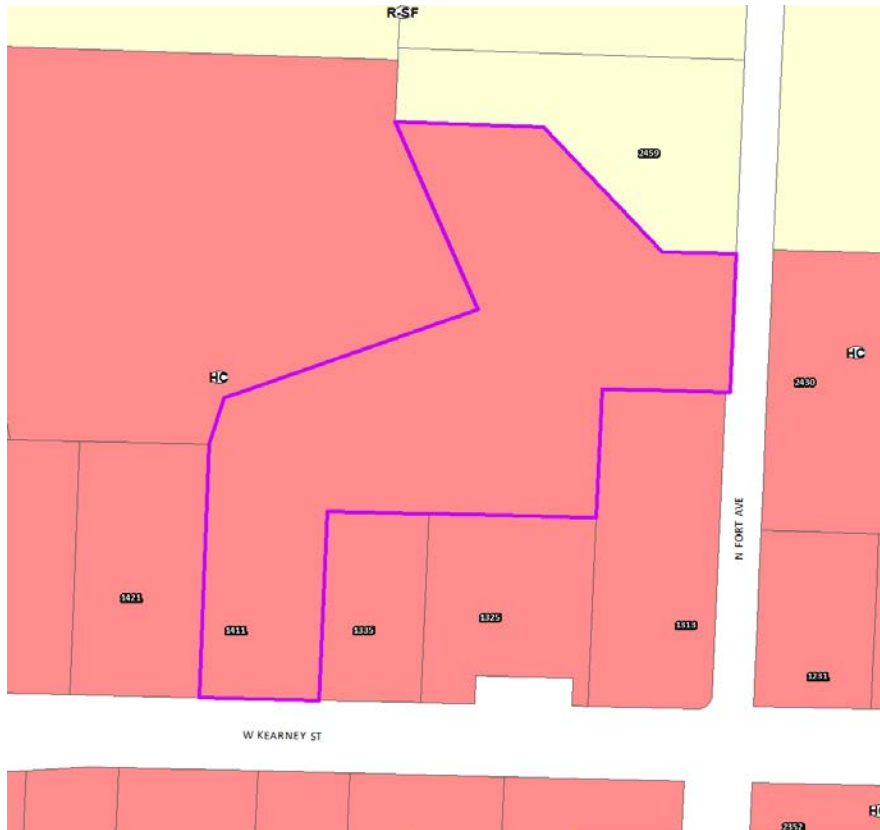
If the request is recommended for denial by the Commission and the applicant requests City Council consideration, all the above conditions, plus any amendments made by the Planning and Zoning Commission, shall be included in the Council Bill.

Development Review Staff Report



PLANNING AND ZONING COMMISSION PUBLIC HEARING: JANUARY 11, 2018

CITY COUNCIL PUBLIC HEARING: JANUARY 29, 2018



CASE NUMBER:

Preliminary Plat of ISSO Temple Subdivision

LOCATION: 1411 West Kearney Street

ACRES: 3.93

EXISTING LAND USE: Restaurant and vacant buildings

APPLICANT: Sathikrupa Inc.

STAFF: Bob Hosmer, AICP 864-1834

STAFF RECOMMENDATIONS:
Approve

PROPOSED MOTION:

Move to approve the two-lot preliminary plat of ISSO Temple Subdivision.

SUMMARY OF REQUEST:

The applicant is proposing a two-lot preliminary plat for the ISSO Temple Subdivision.

FINDINGS FOR STAFF RECOMMENDATION:

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

SURROUNDING ZONING AND LAND USES:

	NORTH	SOUTH	EAST	WEST
ZONING	R-SF/ HC	HC	HC	HC
LAND USE	Single family residence and storage facility	Commercial uses	Commercial uses	Commercial uses

Development Review Staff Report



SURROUNDING LAND USES (GOOGLE MAP AERIAL VIEW):



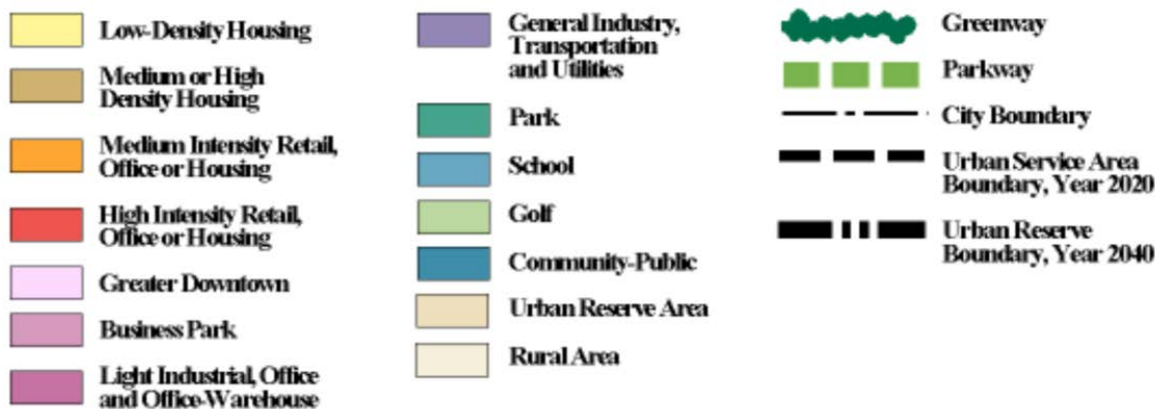
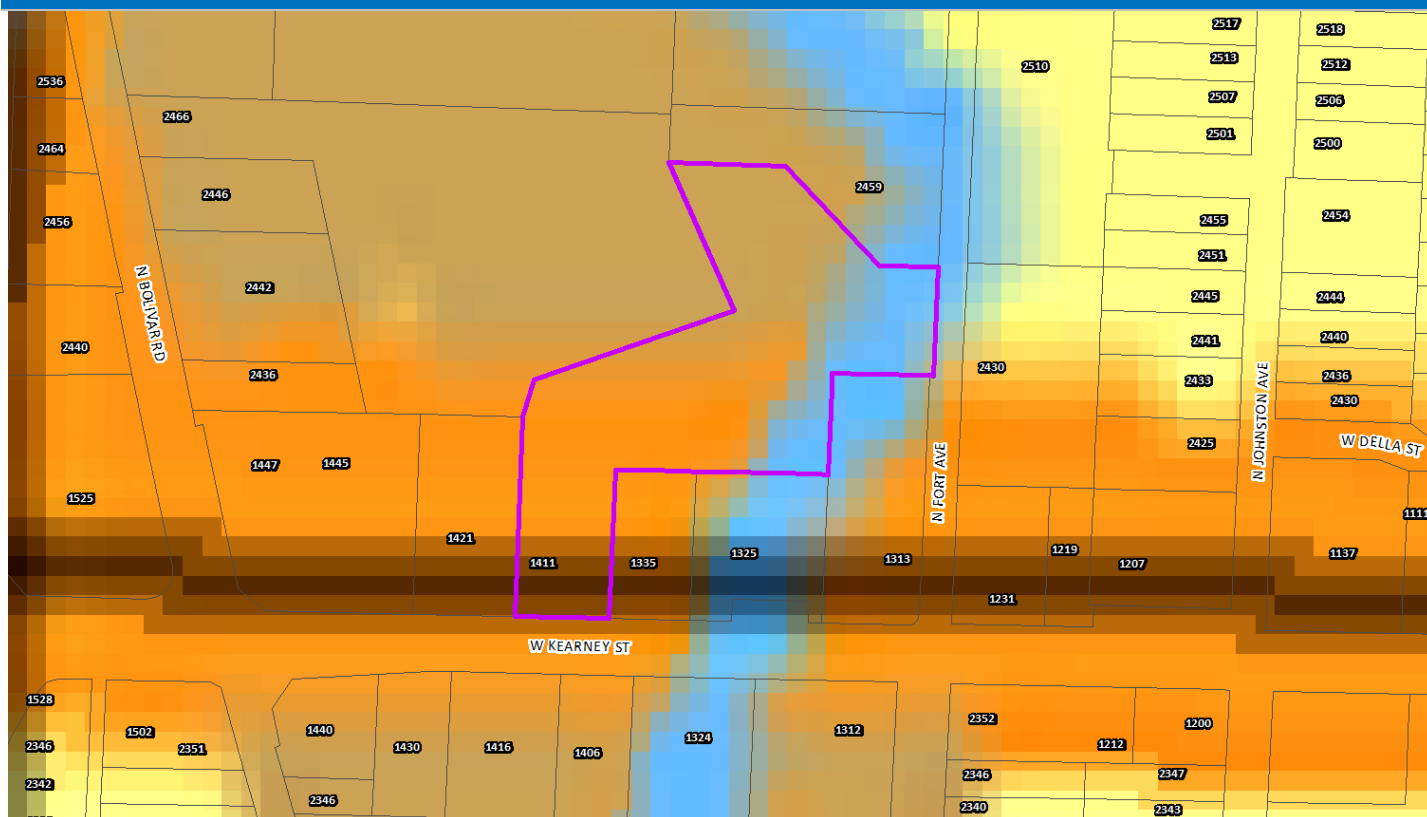
GOOGLE MAPS STREET VIEW:



Development Review Staff Report



GROWTH MANAGEMENT AND LAND USE PLAN:



Development Review Staff Report

PROPERTY HISTORY:

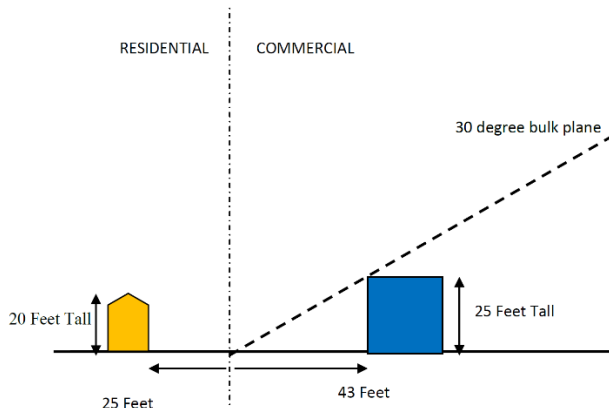
The subject property was originally zoned HC, Highway Commercial in 1995 during the citywide re-mapping.

ZONING ORDINANCE REQUIREMENTS:

CODE ITEM	REQUIREMENTS FOR: HC, Highway Commercial
Permitted Uses	Restaurants and churches or places of worship are a permitted use
Use Limitations	N/A
Maximum Structure Height	None, except 30-degree bulk plane adjacent to R-SF or R-TH
Front Yard Setback	25 feet along a primary arterial street
Side and Rear Setbacks	None, except for bufferyards, open space and bulk plane requirements
Open Space Requirement	20%
Design Requirements	Refuse storage areas and parking adjacent to residential shall be screened

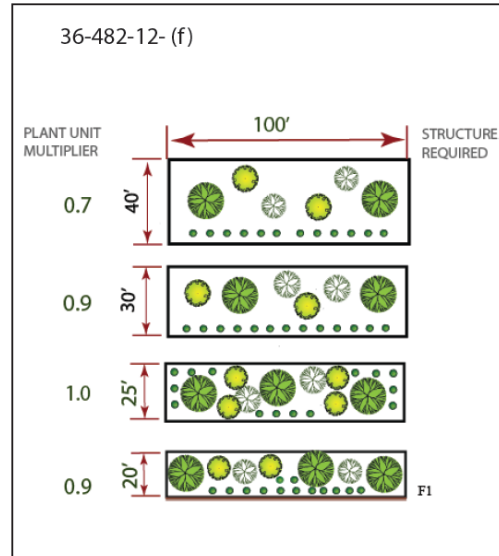
BULK PLANE

30 Degree Bulk Plane from R-SF or R-TH



BUFFERYARDS AND LANDSCAPING

Type F Bufferyard: 3 canopy trees, 3 understory, 4 evergreens and 20 shrubs. If 20-foot buffer is used a six-foot wood fence or solid masonry/brick wall or six-foot solid evergreen hedge is required.



COMPATIBILITY WITH 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 back portion of this tract is identified as Medium or High Density Housing. The Major Thoroughfare Plan classifies Kearney Street as a primary arterial roadway which supports the proposed land uses and Fort Avenue as a local roadway.

STAFF COMMENTS:

Development Review Staff Report



1. The applicant is proposing to subdivide approximately 3.93 acres of property into a two-lot subdivision named "ISSO Temple Subdivision".
2. There is an existing restaurant, Dairy Queen, on lot 1 and vacant buildings on lot 2 which will be remodeled for worship uses for the ISSO Temple.
3. Lot 2 will not have access to Fort Avenue unless the street and sidewalks are constructed per city standards. A cross access easement will be required to allow Lot 2 access to Kearney Street if access is not needed to Fort Avenue.
4. 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.
5. The proposed preliminary plat was reviewed by City departments and comments are contained in Attachment 1.

PUBLIC COMMENTS:

The property was posted 10 days prior to the Planning and Zoning Commission meeting.

Development Review Staff Report



DEPARTMENT COMMENTS:

ATTACHMENT 1 DEPARTMENT COMMENTS

BUILDING DEVELOPMENT SERVICES COMMENTS:

Specific information must be shown on the plat that will identify the source of the flood plain information (map panel etc.) Strongly suggest that an analysis of the proposed FEMA revisions to avoid future issues.

CITY UTILITIES:

No impact on utilities, no objection to approval.

CLEAN WATER SERVICES COMMENTS:

Address changes regarding required sanitary sewer easements at various locations.

FIRE DEPARTMENT COMMENTS:

Fire has no objections to the preliminary plat.

MODOT COMMENTS:

No comments, no objection to approval.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

City's Transportation Plan classifies W. Kearney Street as a Primary Arterial roadway and N. Fort Avenue as a Local roadway. The standard right-of-way width for W. Kearney Street is 50 feet from the centerline. W. Kearney Street is under MODOT jurisdiction. Defer to MODOT for comments regarding right-of-way and access onto W. Kearney Street. The standard right-of-way width for N. Fort Avenue is 25 feet from the centerline. It appears 10 feet of additional right-of-way is needed along N. Fort Avenue. A survey is recommended to determine the exact amount of existing right of way. N. Fort Avenue is a city maintained street. W. Kearney Street is a MODOT maintained street. The most recent traffic count on W. Kearney Street east of N. Kansas Expressway is 23,613 vehicles per day. There are no recent traffic counts for this section of N. Fort Avenue. There is currently one driveway access point to the property from W. Kearney Street. The proposal is to divide the property – there will therefore need to be a cross-access easement with Lot 1 to access Kearney Street. A driveway access point will not be permitted onto N. Fort Avenue *unless* Fort Avenue is improved to meet City Standards north from Kearney Street to the driveway access point. There is sidewalk along the property frontage of W. Kearney Street. Defer to MODOT for comments regarding sidewalk on W. Kearney Street. If N. Fort Avenue is to be improved, sidewalk will be required on at least one side of the street. On-street parking is not allowed along W. Kearney Street. There is not a Greenway Trail in the area pertaining to this plat. There are bus stops along W. Kearney Street. As a part of a separate development, improvements will be made to the intersection of Kearney Street and Kansas Expressway just to the west of this proposed plat. Improvements required by this property will depend on whether access is being taken to N. Fort Avenue. If access will be taken to N. Fort Avenue, the street will need to be improved from W. Kearney Street to the access point.

Public Works Traffic Division	Response
Street classification	W. Kearney Street – Primary Arterial N. Fort Avenue – Local
On-street parking along streets	W. Kearney Street – No N. Fort Avenue – No, unless improvements are made
Trips generated - Peak Hour	N/A vehicles (HC)

Development Review Staff Report



	N/A vehicles (HC)
Additional Trips generated with zoning change - Peak Hour	0 vehicles
Existing street right of way widths	W. Kearney Street – 39 ft. from the centerline N. Fort Avenue – 15 ft. from the centerline
Standard right of way widths	W. Kearney Street – 50 ft. from the centerline N. Fort Avenue – 25 ft. from the centerline
Traffic study submitted	Not required*
Proposed street improvements	None required

*A traffic study is not required as a part of the plat. If there will be a change in uses of the existing structures that will increase the trip generation for the property beyond 100 additional trip-ends in the AM/PM peaks or 1,000 additional trip-ends per day, a Traffic Study may be required. The subdivision itself does not trigger the requirement of a Traffic Study.

STORMWATER COMMENTS:

The property is in the Pea Ridge Creek drainage basin. The property is in a FEMA designated floodplain. Staff is not aware of flooding problems in the area. If the project increases the amount of impervious surfacing; detention and water quality is required per Chapter 96. Buyout, paying a fee in lieu of stormwater detention may be allowed due to this site's proximity to the floodplain. Since the project will be not be disturbing more than one (1) acre a land disturbance permit will not be 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. Concentrated points of discharge from these improvements will be required to drain into a certified natural surface-water channel, public right-of-way, or a drainage easement.
3. Please keep in mind that more detailed stormwater calculations must be submitted before any permits can be approved.
4. When this site is developed and impervious area is being added a buyout, paying a fee in lieu of stormwater detention may be allowed, but if more than an acre of land is disturbed water quality will still be required.

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

REQUIREMENTS FOR APPROVAL:

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

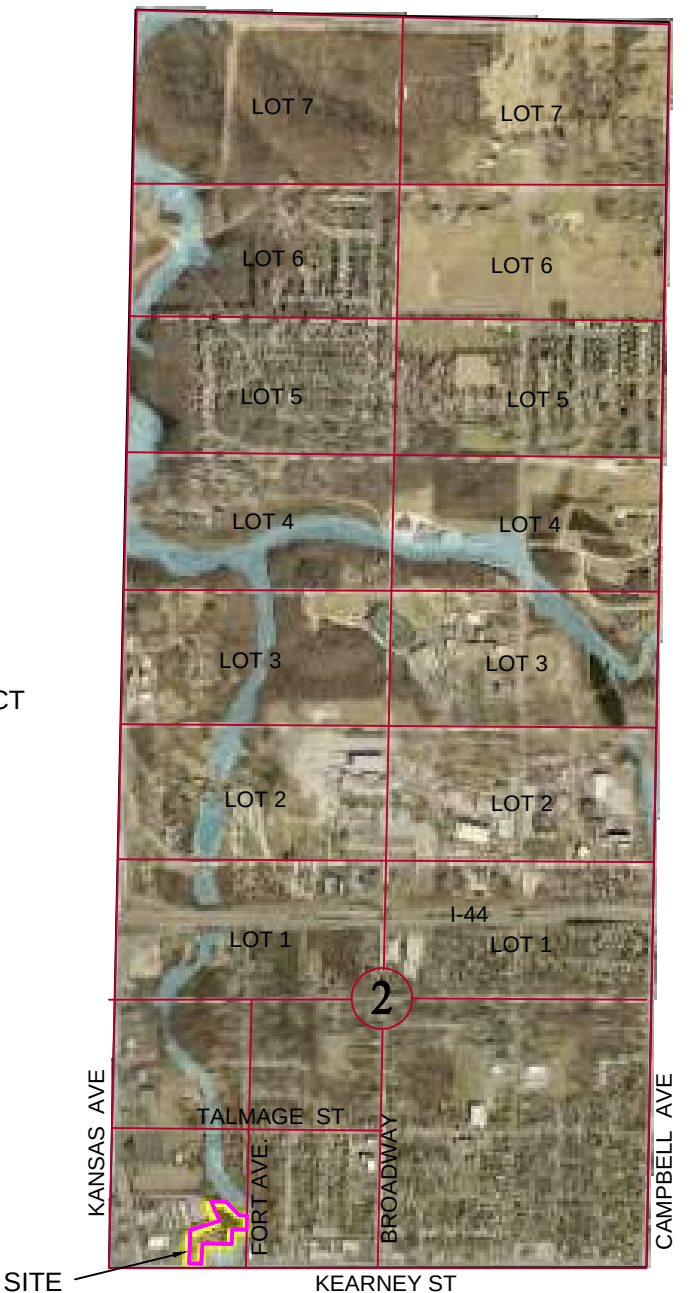
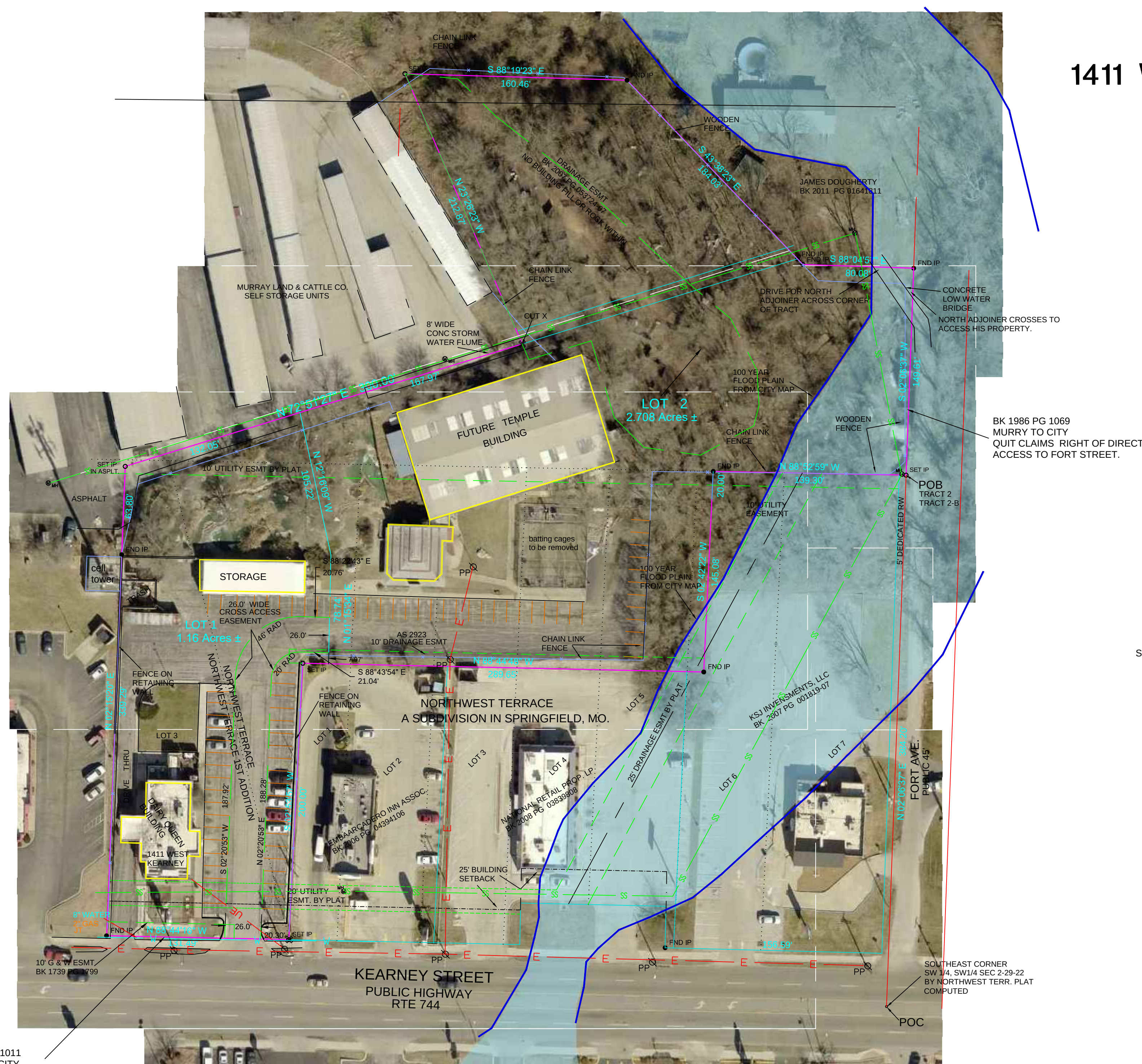
1. All improvements shall be constructed in accordance with the "Design Standards for Public Improvements" of the Public Works Department and the maintenance and operation of such improvements shall be the responsibility of the developers unless approved by the Director of Public Works. All required 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 and service lateral currently available for each proposed lot. Dedicate new easements to cover existing sanitary sewer and show all existing easements of record.
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 North Fort Avenue is 25 feet from the centerline. It appears 10 feet of additional right-of-way is needed along North Fort Avenue. The proposed lot two will therefore need a cross-access easement for access to Kearney Street. A driveway access point will not be permitted onto North Fort Avenue unless Fort Avenue is improved to meet City Standards north from Kearney Street to the proposed driveway access point and a sidewalk will be required on at least one side of the street.
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.

PRELIMINARY PLAT
ISSO TEMPLE SUBDIVISION
1411 WEST KEARNEY SPRINGFIELD, MISSOURI



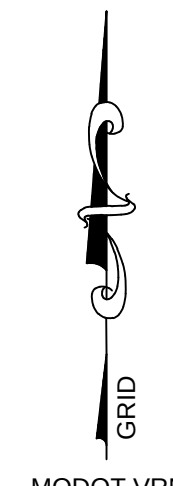
SURVEY DESCRIPTION

SURVEY DESCRIPTION FOR ADMINISTRATIVE SUBDIVISION NUMBER AS-4376 LOCATED AT 1411 WEST KEARNEY, SPRINGFIELD, MO.

THE ADMINISTRATIVE SUBDIVISION NUMBER 4376 DATED MAY 8, 1997, LOCATED AT 1411 WEST KEARNEY, SPRINGFIELD, MO. AS APPROVED, COMBINES TRACT 2 AND TRACT 2-B IN TO ONE TRACT OF RECORD AND RECORDED IN THE GREENE COUNTY, MO. RECORDER'S OFFICE IN BOOK 2508 AT PAGE 2135. THE COMBINED TRACT IS PART OF TRACT 1 AND TRACT 2 SHOWN ON ADMINISTRATIVE SUBDIVISION NO. 2923 AND THE PERIMETER IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 29 NORTH, RANGE 22 WEST THENCE NORTH 02°06'37" EAST, 384.20 FEET ALONG THE QUARTER, QUARTER SECTION LINE, TO A POINT LYING 5 FEET EAST OF THE NORTHEAST CORNER OF LOT 7 OF NORTHWEST TERRACE SUBDIVISION, FOR A POINT OF BEGINNING, THENCE ALONG THE NORTH LINE OF SAID NORTHWEST TERRACE SUBDIVISION, NORTH 88°52'59" WEST, 139.30 FEET, TO A FOUND IRON PIN AT THE NORTHWEST CORNER OF THE EAST 51 OF LOT 6; THENCE SOUTH 02°42'22" WEST 145.08 FEET, TO A FOUND IRON PIN; THENCE NORTH 88°44'48" WEST, 289.65 FEET; THENCE SOUTH 02°53'57" WEST, 200.00 FEET, TO THE NORTH RIGHT-OF-WAY OF KEARNEY STREET, THENCE ALONG SAID RIGHT-OF-WAY, NORTH 88°44'16" WEST, 131.49 FEET, TO A FOUND IRON PIN, THENCE NORTH 02°15'20" EAST, 339.29 FEET, TO A POINT ON THE SOUTH LINE OF A SANITARY SEWER EASEMENT; THENCE ALONG SAID SOUTHERLY LINE, NORTH 72°51'27" EAST, 300.00 FEET; THENCE NORTH 23°26'23" WEST, 212.87 FEET; THENCE SOUTH 88°19'23" EAST, 160.46 FEET, TO A FOUND IRON PIN; THENCE SOUTH 43°38'23" EAST, 184.03 FEET, TO A FOUND IRON PIN; THENCE SOUTH 88°04'57" EAST, 80.08 FEET, TO A FOUND IRON PIN; THENCE SOUTH 02°06'37" WEST, 149.61 FEET, TO THE POINT OF BEGINNING. ALL LYING IN AND A PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 29 NORTH, RANGE 22 WEST AND PART OF LOTS 1 THRU 6 OF NORTHWEST TERRACE AND PART OF LOT 3 OF NORTHWEST TERRACE FIRST ADDITION, SUBDIVISIONS TO THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI AND CONTAINING 3.868 ACRES MORE OR LESS, BEARINGS BASED ON GRID NORTH OF THE MISSOURI STATE PLANE COORDINATE SYSTEM OF 1983 CENTRAL ZONE. SUBJECT TO ALL EASEMENTS, COVENANTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

LOCATION SKETCH
SEC. 2, T29N, R22W
NOT TO SCALE



MODOT VRN



HORIZONTAL SCALE 1" = 50'



12-04-2017

SURVEYOR'S CERTIFICATION

GRAY & ASSOCIATES, LLC, BY
MICHAEL D. GRAY, L.S. 1994

DATE

LEGEND

- | | | | |
|-------|---------------------|------------------------------|----------------|
| ● CP | CONTROL POINT | — | PROPERTY LINE |
| ● IP | FOUND IRON PIN | —SS— | SANITARY SEWER |
| ○ IP | SET IRON PIN | —X—X— | FENCE LINE |
| △ RWM | RIGHT-OF-WAY MARKER | — | RETAINING WALL |
| ⚡ | POWER POLE W/ GUY | — | LINE LABELS |
| ⊙ MH | MANHOLE | MEASURED
100' M
100' D | |

PROPOSED 2 LOTS

LOT INFORMATION
LARGEST LOT LOT 2- 2.722 ACRES
SMALLEST LOT LOT 1- 1.147 ACRES
ZONED COMMERCIAL C1

OWNER
SUDHIRKUPA, INC.
HIMANSHU PATEL (JAN)
661 E. LAFAYETTE ST.
SPRINGFIELD, MO. 65810
608-515-9010
HIMANSHU7185@GMAIL.COM

SURVEYOR
GRAY & ASSOCIATES, LLC
MICHAEL D. GRAY, PLS
P.O. BOX 336
ASH GROVE, MO. 65604
417-323-1021
mikegray@hughes.net

SURVEYOR'S NOTES:

THE NORTH ADJOINER CROSSES THE NORTHEAST CORNER AS SHOWN FOR ACCESS TO THEIR PROPERTY.

NO BUILDING ENCROACHMENTS WERE OBSERVED

SURVEY INFORMATION REFERENCED WAS SURVEYS BY JOHN NELSON AND DAVE AND ASSOCIATES, RECORDED ADMINISTRATIVE SUBDIVISIONS AND RECORD PLATS.

THE EXISTING BUILDING ON LOT 2 TO BE REMODELED FOR NEW USE.

ACCESS TO LOT 2 TO BE THROUGH THE CROSS ACCESS EASEMENT TO BE DEDICATED WITH THE PLAT.

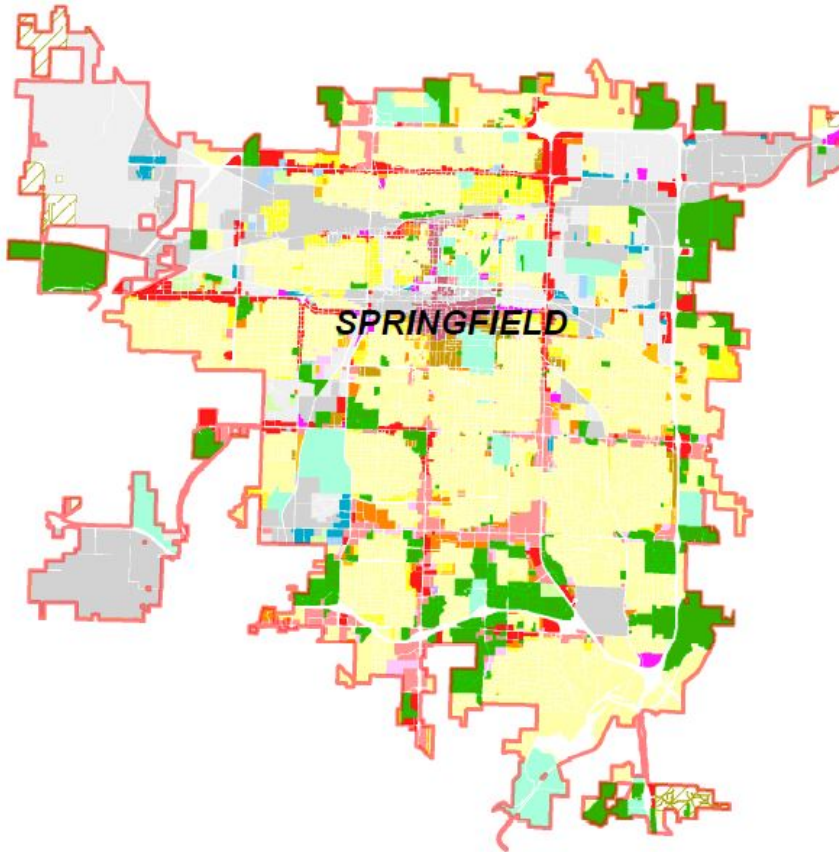


Development Review Staff Report



PLANNING AND ZONING COMMISSION PUBLIC HEARING: JANUARY 11, 2018

CITY COUNCIL PUBLIC HEARING: JANUARY 29, 2018



CASE:

Short-Term Stay Rental Amendments

STAFF:

Daniel Neal, 864-1036

STAFF RECOMMENDATIONS:

Approve

PROPOSED MOTION:

Move to approve the proposed Zoning Ordinance amendments as submitted in the staff report

SUMMARY OF REQUEST:

To amend the permitted uses subsections in all base zoning districts in Division 4 of the Zoning Ordinance, clarify Section 36-451, Home Occupations, add a new Section 36-472, Short-Term Stay Rentals and definition to allow Short-Term Stay Rentals under certain conditions and requirements.

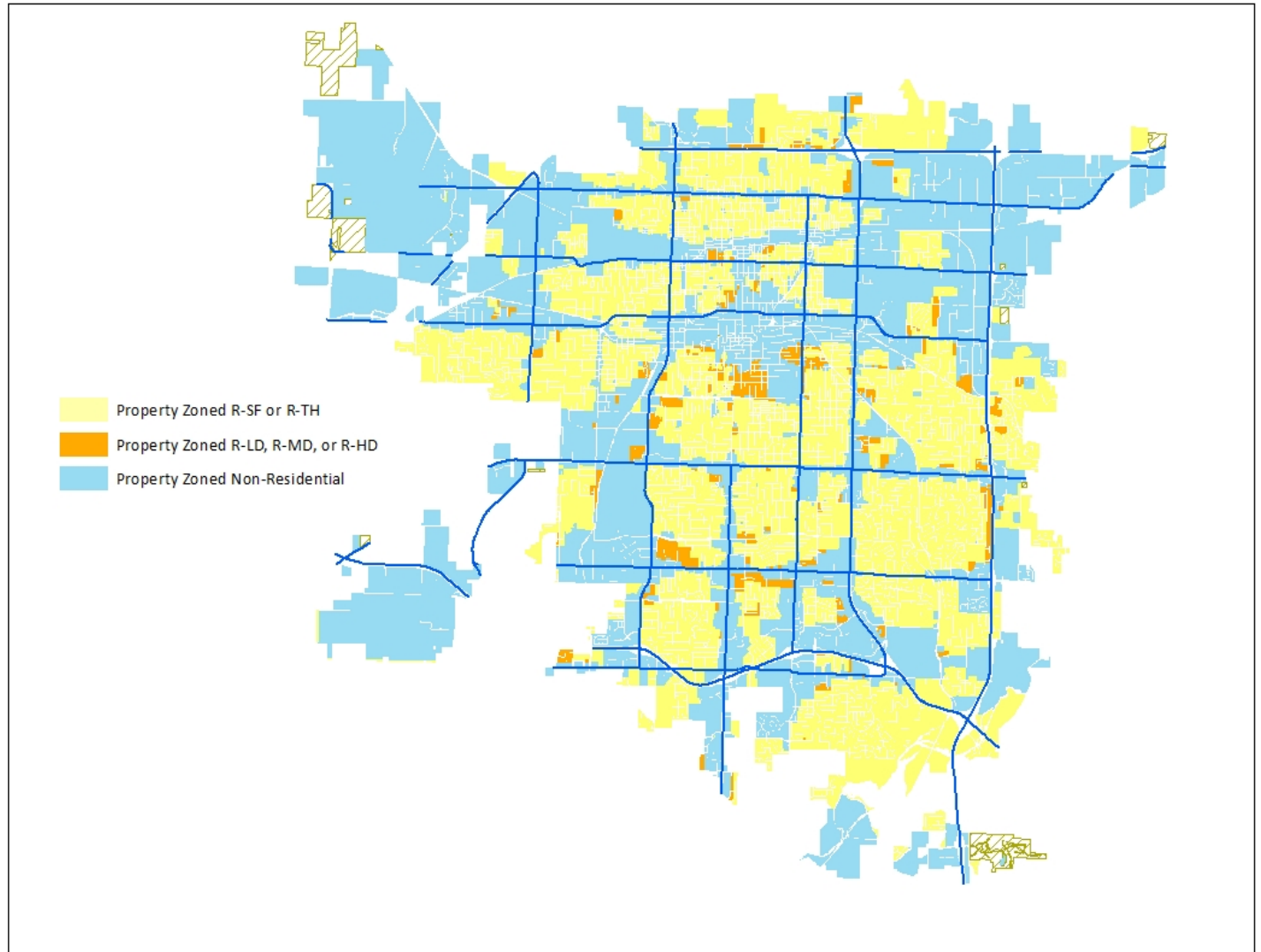
FINDINGS FOR STAFF RECOMMENDATION:

1. Short-Term Stay Rentals are currently not permitted in the Zoning Ordinance. The current ordinance only allows the rental of a residential dwelling for more than 30 days. Short-Term Stay Rentals are a growing land use that needs to be addressed with certain conditions and requirements in the Zoning Ordinance to be compatible with other residential uses. The reason for the short-term rental ordinance is to allow this growing industry while protecting the integrity of single-family neighborhoods within the community.
2. The proposed Zoning Ordinance will allow three Types of Short Term Stay Rentals; owner-occupied in the R-SF and R-TH with limited rental days, non-owner occupied in the R-SF and R-TH which requires a conditional use permit, and the third Short Term Stay Rental type for allowed in all other districts but limited to two per premise.

Development Review Staff Report



CITYWIDE LAND USES:



Development Review Staff Report



COMPATIBILITY WITH COMPREHENSIVE PLAN:

Short-Term Stay Rentals were not addressed in City's *Comprehensive Plan* and *Field Guide 2030 Guidelines*; however, 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 non-residential development patterns.

SUMMARY OF PROPOSED TEXT AMMENDMENT:

Staff has developed three Short-Term Stay Rental categories, Type 1, 2 and 3. Each of these categories allow for a rental of a residential dwelling for less than 30 days (currently not permitted in residential districts).

Short-Term Stay Rental, Type 1

The Short-Term Stay Rental, Type 1 is allowed in the R-SF or R-TH districts. The Type 1 is for owner-occupied primary residences and provides that such properties cannot be rented for more than 95 days in a calendar year. All Type 1's must obtain an annual business license and a certificate of occupancy, in addition to other criteria as listed in the proposed amendments. One of the most significant requirements is that a Short-Term Stay Type 1 shall not be located within five-hundred (500) feet along or across the street from another Short-Term Stay or Bed and Breakfast as measured between the shortest distance between the lot lines of each parcel.

Short-Term Stay Rental, Type 2

The Short-Term Stay Rental, Type 2 is allowed in the R-SF or R-TH districts. The Type 2 is for non-owner-occupied residences with no limitation on the number of days that it can be rented or also owner-occupied primary residences that are rented for more than 95 days in a calendar year; however, all Type 2's will require a conditional use permit. The conditional use permit requires compliance with 21 standards, a neighborhood meeting, public hearings before Planning and Zoning Commission and City Council and approval by City Council. All Type 2's must obtain an annual business license and a certificate of occupancy, in addition to other criteria as listed in the proposed amendments. One of the most significant requirements is that a Short-Term Stay Type 2 shall not be located within five-hundred (500) feet along or across the street from another Short-Term Stay or Bed and Breakfast as measured between the shortest distance between the lot lines of each parcel.

Short-Term Stay Rental, Type 3

The Short-Term Stay Rental, Type 3 is allowed in all other zoning districts. The Type 3 has no residency requirement or limitations on the number of days that it can be rented; however, no more than two dwelling units on a premise can be rented. A premise is any tract of land, consisting of one or more lots, under single or multiple ownership, which operates as a functional unit. A premise possesses one or more of the following: shared parking, common management, commons identification, common access or shared circulation. For example, a multi-family apartment complex that is divided into multiple lots and ownership is only allowed two Short-Term Stay Rental units. There are also no separation requirements as in the Type 1 and 2. All Type 3's must obtain an annual business license and a certificate of occupancy, in addition to other criteria as listed in the proposed amendments.

General Provisions

All Short-Term Stay Rentals shall comply with the residential occupancy requirements in the Zoning Ordinance which requires that a dwelling unit may not be occupied by more than three unrelated persons in a R-SF or R-TH zoning district or four unrelated persons in a R-LD, R-MD or R-HD (multi-family) district. There are no limits on the number of related persons who may occupy a dwelling unit. The proposed amendments do not allow any exceptions to these residential occupancy requirements.

Short-Term Stay Rentals must obtain an annual business license. If an annual business license is not continually obtained, then the owner/business risks losing the ability to operate a Short-Term Stay due to the separation requirements in Type 1 and 2 and the maximum dwellings on the premise in a Type 3. It shall be a violation to advertise or promote a Short-term Stay which is not in compliance with the provisions of the proposed amendments.

Development Review Staff Report



Staff proposes the ordinance require all Short-Term Stay Rentals to come into compliance or the use terminated by a date six (6) months from the adoption of these amendments. Staff will process Short-Term Stay Type 1, 2 or 3's on a first-come, first-serve basis. Staff is not currently aware of any Short-Term Stays that will be prohibited by the proposed 500 separation requirements; however, these rentals change rapidly and therefore new homes and units can be added and removed daily. Since there are approximately 70 Short-Term Stay Rentals in the City, staff may need to stage the number of Short-Term Stay Type 2 Conditional Use Permits processed per month so as to not overwhelm staff, Planning and Zoning Commission and City Council with cases. This is one of the reasons for giving these Short-Term Stay Rentals six months to come into compliance

Short-Term Stay Amendments Table								
Proposed Amendment Requirements								
Short-Term Stay Types	Zoning District(s) Permitted	Conditional Use Permit Required	Distance from other Short-Term Stays or Bed and Breakfast uses	Maximum Rental Period	Owner-Occupied Primary Residence Requirement	Located in a Primary Structure Requirement	Business License and Certificate of Occupancy Requirement	Maximum Residents
Type 1	R-SF, R-TH	No	500 feet	95 days	Yes	Yes	Yes	No more than 3 unrelated persons
Type 2	R-SF, R-TH	Yes	500 feet	Depends on CUP restrictions	No	Yes	Yes	No more than 3 unrelated persons
Type 3	All zoning districts except R-SF, R-TH	No	None	No	No	No	Yes	No more than 4 unrelated persons in R-LD, R-MD and R-HD, based off building code in other districts

STAFF COMMENTS:

City Council initiated amendments to the definition, locations and standards for short-term residential rentals on August 22, 2011 (Res. No. 9899).

Short-term stay rentals are not a new type of use; however, the advances in technology with smartphones and the internet apps and platforms have changed the way that they are advertised and rented (e.g. AirBnb, VRBO, HomeAway, etc.). Short-term stay vacation rentals are flourishing and while typically found in destination communities, they have now been expanding into other communities for business, medical and recreational purposes. The "Short-Term Stay" new regulations would apply to any renting of an apartment, house, condominium or bedroom in a primary structure on a temporary basis for less than 30 days to transient guests as an alternative to a hotel/motel.

The current ordinance only allows the rental of a residential dwelling for more than 30 days. Short-Term Stay Rentals are currently not permitted by the Zoning Ordinance. The exceptions are hotel/motels (allowed in commercial districts), boarding, rooming and lodging houses (allowed in multi-family districts), institutional care facilities (allowed in multi-family, commercial and institutional districts) and bed and breakfast uses (allowed in R-SF and R-TH with a Conditional Use Permit and location restrictions). Staff has determined that the Short-Term Stay Rentals and a traditional Bed and Breakfast use differ in a few ways. A bed and breakfast is allowed up to 5 guest rooms, individual cooking facilities are not permitted, only guests shall be served meals, the operator shall live at the bed and breakfast, and monthly rentals are not permitted. Many of these requirements do not fit the Short-Term Stay business models; however, staff considers these as two separate uses.

Opposition to Short-Term Stay Rentals argue there are limited benefits to this type of use to a community, however, staff believes that short-term stay rentals are part of a burgeoning sharing economy. The sharing economy concept like vacation rentals is not new either. This is a business model where there is peer-to-peer based sharing of access to goods and services. Examples include Uber, Parkatmyhouse, DogVacay, StreetBank, etc.

Development Review Staff Report



The issue of Short-Term Stay Rentals has recently been brought to staff's attention through complaints by neighbors of existing short-term stay rentals. Complaints have varied from issues with on-street parking, noise and an influx of transient guests during all hours of the night. Staff also wanted to address the possibility of being pre-empted by the State of Missouri with new laws regulating Short-Term Stay Rentals. The Missouri State Legislature has discussed multiple bills to restrict local authority on regulating Short-Term Stay Rentals; however, no new legislation has been passed to date. It is also important to note that the City does not enforce private agreements; therefore, existing homeowner's association or deed covenants will remain binding between the parties, and enforceable to the extent allowed by law.

In theory, Short-Term Stay Rentals are self-regulating since renter's rate owners and owners rate renters, thus poor operators will receive negative ratings and consequently fewer rentals. However, the adjacent neighbors are not given any way to rate or post their issues and concerns for these businesses. Typically, the enforcement issue is not the specific use, rather, the potential side effects of overcrowding, parking and noise.

Staff believes that this use is an issue of preserving neighborhood character and preventing negative impacts to surrounding residential neighborhoods. Proposed regulations are intended to ensure that existing life safety and health codes including occupancy requirements are being met. They will create a level playing field between these types of temporary lodging businesses and provide a diversity of lodging options for guests/tourists. They will also help to ensure adequate housing options for residents.

In response to this growing business model, staff conducted an informational meeting with two neighborhoods that could be most impacted by these Short-Term Stay Rental uses. Staff sought feedback about what issues these uses could create in these neighborhoods. Approximately 1,500 notification letters were sent to owners in the Rountree and Phelps Grove neighborhoods. The informational meeting was held on June 14, 2016 to discuss Short-Term Stay Rentals and Accessory Dwelling Units. Approximately 50 property owners and known Short-Term Stay Rental owners attended. Staff took notes and recorded results from a poll of questions and concerns that owners would have with these uses. Staff also created a survey to gain input from those that could not attend the meeting or wanted to make additional comments. The survey was opened the next day and remained open for three weeks. Staff also presented information on Short-Term Stay Rentals and Accessory Dwelling Units on August 10, 2016 to the Neighborhood Advisory Committee and promoted the survey to gain input from all other registered neighborhood associations. The next day staff opened a similar online survey for three weeks. Staff has included the survey information in the packet in Attachment 3.

Staff met with City Council's Plans and Policies Committee three times over this last year and made multiple changes in response to their concerns. Staff has also met with representatives of the Springfield Convention and Visitors Bureau, Missouri Hotel Lodging Association, Springfield Hotel Lodging Association and with the Developer's Issues Input Group (DIIG).

Staff used many different sources for the development of the proposed amendments. The City of Kansas City and Waco, TX have recently been going through a review and approval process for their proposed draft ordinances. The City of Lee's Summit and St. Louis have bed and breakfast homestays (Short-Term Rental) with conditional use permit requirements. The City of Austin, TX implemented one of the first Short-Term Stay Rental ordinances in the Midwest back in 2012 and has amended their ordinances multiple times since. Staff used the citizen feedback that we mentioned earlier and our existing codes and ordinances as well.

Staff has identified the major issues that were presented to these groups:

- Neighborhood character and stability – too many in one area
- Enforcement of new and existing Short-Term Stays
- Enforcement of private covenants
- Discourage tourists/travelers that prefer Short-Term Stays
- Provide more lodging options for tourists/travelers
- Source of income for property owners

Development Review Staff Report



- Health and safety issues
- Aesthetics and maintenance – will a short-term vacation property owner take care of their property better or worse than a long-term renter
- Potential loss of hotel/motel and sales tax revenues (City Code and Hancock issues)

In review of all the public comments, our existing ordinances, and other cities ordinances, staff is proposing amendments to permit Short-Term Stay Rentals under certain conditions and requirements. The current Short-Term Stay providers who rent out their property within Springfield via Airbnb, VRBO or other online marketplaces will need to have a business license and comply with the short-term stay rental regulations to protect the safety, character and quality of life in all of the City of Springfield neighborhoods.

PUBLIC COMMENTS:

The Development Issues Input Group (DIIG), Downtown Springfield Association (DSA), Environmental Advisory Board (EAB), Commercial Club and all registered neighborhood associations were notified of these amendments and public hearing dates.

Development Review Staff Report



DEPARTMENT COMMENTS:

ATTACHMENT 1 DEPARTMENT COMMENTS

BUILDING DEVELOPMENT SERVICES COMMENTS:

No comments.

CITY UTILITIES COMMENTS:

No objection to zoning text amendments. It is assumed that the utility account will stay in the owner's name and they would be responsible for all utility billing.

CLEAN WATER SERVICES COMMENTS:

No objection to zoning text amendment.

PUBLIC WORKS TRAFFIC DIVISION COMMENTS:

Traffic has no issues with the zoning text amendment.

STORMWATER COMMENTS:

Stormwater has no issues with the zoning text amendment.

FIRE DEPARTMENT COMMENTS:

No comments.

REQUIREMENTS FOR APPROVAL:

ATTACHMENT 2 SHORT-TERM STAY RENTAL AMENDMENTS

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

Sec. 36-321. - Definitions.

Short-term stay: A short-term stay is defined as the rental of an entire dwelling, or any portion thereof, for a period of not more than 30 days, where the owner is engaged in a contract for the rental of that specific dwelling, or any portion thereof. Short-term stays are further categorized as Type 1, 2 or 3.

Sec. 36-380. - R-SF - Single-family residential district.

(2) Permitted uses.

(o) Short-term stay type 1 in accordance with section 36-472.

~~(po)~~ Temporary uses, as permitted by section 36-452, temporary uses.

~~(qp)~~ Tier I and II wireless facilities in accordance with section 36-466, telecommunication towers.

~~(rq)~~ Transitional housing for single-family use.

~~(sf)~~ Zero-lot-line construction, in accordance with section 36-362, zero-lot-line construction.

(3) Conditional uses. The following conditional uses may be permitted provided they meet the provisions of, and a conditional use permit is issued pursuant to, section 36-363, conditional use permits, of this article.

(i) Short-term stay type 2 in accordance with section 36-472.

Sec. 36-381. - R-TH - Residential townhouse district.

(2) Permitted uses.

(p) Short-term stay type 1 in accordance with section 36-472.

~~(qp)~~ Temporary uses, as permitted by section 36-452, temporary uses.

~~(rq)~~ Tier I and II wireless facilities in accordance with section 36-466, telecommunication towers.

~~(sf)~~ Townhouses.

~~(ts)~~ Transitional housing for single-family or low to moderate residential density.

(~~ut~~) Zero-lot-line construction, in accordance with section 36-362, zero-lot-line construction.

- (3) *Conditional uses.* The following conditional uses may be permitted provided they meet the provisions of, and a conditional use permit is issued pursuant to, section 36-363, conditional use permits, of this article.

(i) Short-term stay type 2 in accordance with section 36-472.

Sec. 36-382. - R-LD - Low-density multifamily residential district.

- (2) *Permitted uses.*

(r) Short-term stay type 3 in accordance with section 36-472.

(~~sf~~) Temporary uses, as permitted by section 36-452, temporary uses.

(~~ts~~) Tier I and II wireless facilities in accordance with section 36-466, telecommunication towers.

(~~ut~~) Transitional housing for single-family or low to moderate residential density.

(~~vu~~) Zero-lot-line construction, in accordance with section 36-362, zero-lot-line construction.

Sec. 36-383. - R-MD - Medium-density multifamily residential district.

- (2) *Permitted uses.*

(r) Short-term stay type 3 in accordance with section 36-472.

(~~sf~~) Temporary uses, as permitted by section 36-452, temporary uses.

(~~ts~~) Tier I and II wireless facilities in accordance with section 36-466, telecommunication towers.

(~~ut~~) Transitional housing for single-family or low to moderate residential density.

(~~vu~~) Zero-lot-line construction, in accordance with section 36-362, zero-lot-line construction.

Sec. 36-384. - R-HD - High-density multifamily residential district.

- (2) *Permitted uses.*

(u) Short-term stay type 3 in accordance with section 36-472.

(~~vu~~) Temporary uses, as permitted by section 36-452, temporary uses.

(~~wv~~) Tier I and II wireless facilities in accordance with section 36-466, telecommunication towers.

(~~xw~~) Transitional housing for single-family or low to moderate residential density.

(~~yx~~) Zero-lot-line construction, in accordance with section 36-362, zero-lot-line construction.

Development Review Staff Report



Sec. 36-385. - R-MHC - Manufactured home community district.

(2) *Permitted uses.*

(p) Short-term stay type 3 in accordance with section 36-472.

~~(qp)~~ Temporary uses, as permitted by section 36-452, temporary uses.

~~(rq)~~ Tier I and II wireless facilities in accordance with section 36-466, telecommunication towers.

~~(sr)~~ Transitional housing for single-family.

~~(ts)~~ Zero-lot-line construction, in accordance with section 36-362, zero-lot-line construction.

Sec. 36-400. - O - Office districts.

(2) *Permitted uses.*

(v) Short-term stay type 3 in accordance with section 36-472.

~~(ww)~~ Schools or development centers for persons with handicaps or development disabilities.

~~(xw)~~ Substance abuse treatment facilities for 50 or fewer residents, provided the facility:

1. Is located at least 2,000 feet from any other substance abuse treatment facility, emergency shelter, soup kitchen, transitional service shelter, substance abuse treatment facility, or any community corrections facility, jail, prison, or detention facility, as measured from property lines; and
2. A plan of operation, including, but not limited to, administration contact information, patron access requirements, hours of operation and security measures, is on file with the City of Springfield Planning and Development Department.

~~(yx)~~ Temporary uses, as permitted by section 36-452, temporary uses.

~~(zy)~~ Tier I and II wireless facilities in accordance with section 36-466, telecommunication towers.

Sec. 36-401. - GI - Government and institutional use district.

(2) *Permitted uses.*

(cc) Short-term stay type 3 in accordance with section 36-472.

~~(ddee)~~ Substance abuse treatment facilities for 50 or fewer residents, provided the facility:

1. Is located at least 2,000 feet from any other substance abuse treatment facility, emergency shelter, soup kitchen, transitional service shelter, substance abuse treatment facility, or any community corrections facility, jail, prison, or detention facility, as measured from property lines; and
2. A plan of operation, including but not limited to: administration contact information, patron access requirements, hours of operation and security measures, is on file with the City of Springfield Planning and Development Department.

Development Review Staff Report



- (~~eeed~~) Temporary uses, as permitted by section 36-452, temporary uses.
- (~~ffee~~) Tier I wireless facilities in accordance with section 36-466, telecommunication towers.
- (~~ggff~~) 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.
- (~~hhgg~~) 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.
- (~~iihh~~) Other towers, less than 100 feet in height, and related facilities provided telecommunication towers comply with section 36-466, telecommunication towers.

Sec. 36-409. - WC - West College Street district.

(2) WC-1, Mixed-use sub-area.

(a) Permitted uses.

21. Short-term stay type 3 in accordance with section 36-472.

(3) WC - 2, live/work sub-area.

(b) Permitted uses.

10. Renting sleeping rooms and serving meals to not more than two persons (and not exceeding three unrelated) not members of the family occupying the dwelling unit for more than 30 days unit provided one off-street parking space is provided for each person.

22. Short-term stay type 3 in accordance with section 36-472.

(4) WC - 3, residential sub-area.

(a) Permitted uses.

14. Short-term stay type 3 in accordance with section 36-472.

1514. Temporary uses, as permitted by section 36-452, temporary uses.

1615. Townhouses.

1716. Zero-lot-line construction, in accordance with section 36-362, zero-lot-line construction.

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

(2) Permitted uses.

(n) Short-term stay type 3 in accordance with section 36-472.

(on) Temporary uses, as permitted by section 36-452, temporary uses.

- (~~pe~~) Tier I and II wireless facilities in accordance with section 36-466, telecommunication towers.
- (~~gp~~) Water reservoirs, water standpipes, and elevated and ground-level water storage tanks.

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

(2) Permitted uses.

(~~bb~~) Short-term stay type 3 in accordance with section 36-472.

- (~~cbb~~) Taxidermists.
- (~~dee~~) Temporary lodging use group.
- (~~eed~~) Temporary uses, as permitted by section 36-452, temporary uses.
- (~~fee~~) Temporary vendors as permitted under subsection 36-452(3)(b)2.
- (~~gff~~) Towers other than wireless facilities, less than 100 feet in height, and related facilities provided telecommunication towers comply with section 36-466, telecommunication towers.
- (~~hgg~~) Veterinary clinics, animal hospitals, pet daycare services, pet grooming facilities and kennels. No outside activities shall be permitted for kennels. Veterinary clinics, animal hospitals, pet daycare services and pet grooming facilities may have supervised outside activities, which are defined as having a single animal under the physical control of an individual. All outside activity spaces shall be fully enclosed and screened from adjacent residential uses, districts and all public rights-of-way with a six-foot tall barrier that is in conformance with subsection 36-480(3). No outside activity spaces shall be located within 25 feet of any residential use or district, and all animal waste shall be collected and disposed of on a daily basis.

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

(2) Permitted uses.

(~~pp~~) Short-term stay type 3 in accordance with section 36-472.

- (~~qpp~~) Swimming pool sales and displays.
- (~~rqq~~) Taxi dispatch yards and offices.
- (~~ssr~~) Taxidermists.
- (~~tss~~) Temporary lodging use group.
- (~~uut~~) Temporary uses, as permitted by section 36-452, temporary uses.
- (~~vvu~~) Temporary vendors as permitted under subsection 36-452(3)(b)2.
- (~~www~~) Overnight shelters or transitional service shelters for 50 or fewer residents, which are located at least 500 feet from a residential district, as measured from property lines provided that no overnight shelter or transitional service shelter shall locate within a 2,000-foot radius

of another transitional service shelter, soup kitchen, overnight shelter, substance abuse treatment facility or community correctional facility as measured from property lines, in accordance with subsection 36-363(10)(b)5. In no event shall a certificate of occupancy be issued for a transitional service shelter herein if it is less than 1,000 feet from an elementary or secondary school as measured from property lines.

(~~xxwww~~) Upholstery shops.

(~~yyxx~~) Veterinary clinics, animal hospitals, pet daycare services, pet grooming facilities, and kennels. No outside activities shall be permitted for kennels. Veterinary clinics, animal hospitals, pet daycare services, and pet grooming facilities may have supervised outside activities, which are defined as having a single animal under the physical control of an individual. All outside activity spaces shall be fully enclosed and screened from adjacent residential uses, districts and all public rights-of-way with a six-foot tall barrier that is in conformance with subsection 36-480(3). No outside activity spaces shall be located within 25 feet of any residential use or district, and all animal waste shall be collected and disposed of on a daily basis.

(~~zzyy~~) Wholesale sales.

Sec. 36-423. - CS - Commercial service district.

(2) *Permitted uses.*

(xx) Short-term stay type 3 in accordance with section 36-472.

(~~yyxx~~) Substance abuse treatment facilities for 50 or fewer residents, provided the facility:

1. Is located at least 2,000 feet from any other substance abuse treatment facility, or 2,000 feet from any emergency shelter, soup kitchen, transitional service shelter or community corrections facility, as measured from property lines; and
2. A plan of operation, including, but not limited to: administration contact information, patron access requirements, hours of operations and security measures, is on file with the City of Springfield Planning and Development Department.

(~~zzyy~~) Swimming pool sales and display.

(~~aaazz~~) Taxi dispatch yards and offices.

(~~bbbaaa~~) Taxidermists.

(~~cccbbb~~) Temporary uses, as permitted by section 36-452, temporary uses.

(~~dddeee~~) Temporary vendors as permitted under subsection 36-452(3)(b)2.

(~~eeeddd~~) Towers other than wireless facilities, less than 100 feet in height and related facilities.

(~~fffeee~~) Overnight shelters or transitional service shelters for 50 or fewer residents, which are located at least 500 feet from a residential district, as measured from property lines provided that no overnight shelter or transitional service shelter shall locate within a 2,000-foot radius

of another transitional service shelter, soup kitchen, overnight shelter, substance abuse treatment facility or community correctional facility as measured from property lines, in accordance with subsection 36-363(10)(b)5. In no event shall a certificate of occupancy be issued for a transitional service shelter herein if it is less than 1,000 feet from an elementary or secondary school as measured from property lines.

(~~gggfff~~) Truck stops.

(~~hhhegg~~) Upholstery shops.

(~~iiihhh~~) Veterinary clinics, animal hospitals and outdoor kennels provided that at the time the use is established any outdoor activities are clearly accessory to the primary use and provided that no outdoor activities are located closer than a 300-foot radius from a building used for a church, school, hotel, motel, or restaurant, or from a property zoned residential or a building used for residential purposes.

(~~iiijjj~~) Wholesale sales use group.

Sec. 36-424. - CC - Center city district.

(2) *Permitted uses.*

(~~nn~~) Short-term stay type 3 in accordance with section 36-472.

(~~ooaa~~) Substance abuse treatment facilities for 50 or fewer residents, provided the facility:

1. Is located at least 2,000 feet from any other substance abuse treatment facility, or 2,000 feet from any emergency shelter, soup kitchen, transitional service shelter or community corrections facility, as measured from property lines; and
2. A plan of operation, including, but not limited to: Administration contact information, patron access requirements, hours of operations and security measures, is on file with the City of Springfield Planning and Development Department.

(~~ppee~~) Taxi dispatch yards and offices.

(~~qqpp~~) Temporary uses, as permitted by section 36-452, temporary uses.

(~~rrqq~~) Temporary lodging use group.

(~~ssrr~~) Towers other than wireless facilities, less than 100 feet in height, and related facilities.

(~~ttss~~) Veterinary clinics. Facilities may have supervised outside activities, which are defined as having a single animal under the physical control of an individual. All outside activity spaces shall be fully enclosed and screened from adjacent residential uses, districts and all public rights-of-way with a six-foot tall barrier that is in conformance with subsection 36-480(3). No outside activity spaces shall be located within 25 feet of any residential use or district, and all animal waste shall be collected and disposed of on a daily basis.

(~~uu#~~) Wholesale sales.

Development Review Staff Report



Sec. 36-425. - COM - Commercial street district.

(2) *Permitted uses.*

- (a) The following uses are permitted on any floor unless the development project is greater than 10,000 square feet in total floor area, which requires a conditional use permit.

27. Short-term stay type 3 in accordance with section 36-472.

- (b) The following uses are only permitted above the first floor or in the second layer of the first floor unless the development project is greater than 10,000 square feet in total floor area, which requires a conditional use permit for the use set out in this subsection. The first layer of the first floor is the first 50 feet of lot depth measured from the front of the lot. The second layer is located behind the first 50 feet of lot depth measured from the front of the lot. An entrance and hallway through the first layer to provide access to the second layer or upper floors is permitted.

14. Short-term stay type 3 in accordance with section 36-472.

Sec. 36-430. - RI - Restricted industrial district.

(2) *Permitted uses.*

(y) Short-term stay type 3 in accordance with section 36-472.

- (~~zy~~) Swimming pool sales and display.
- (~~aaz~~) Taxidermists.
- (~~bbaa~~) Temporary uses, as permitted by section 36-452, temporary uses.
- (~~ccbb~~) Towers other than wireless facilities, less than 100 feet in height, and related facilities.
- (~~ddee~~) Upholstery shops.
- (~~eede~~) Veterinary clinics, animal hospitals, and kennels, with no outside activities.
- (~~ffee~~) Warehouses, storage and distribution centers.
- (~~ggff~~) Wholesale sales.

Sec. 36-431. - LI - Light industrial district.

(2) *Permitted uses.*

(w) Short-term stay type 3 in accordance with section 36-472.

- (~~xw~~) Substance abuse treatment facilities for 50 or fewer residents, provided the facility:
 1. Is located at least 2,000 feet from any other substance abuse treatment facility, or 2,000 feet from any emergency shelter, soup kitchen, transitional service shelter or community corrections facility, as measured from property lines; and

Development Review Staff Report



2. A plan of operation, including but not limited to: administration contact information, patron access requirements, hours of operations and security measures, is on file with the City of Springfield Planning and Development Department.

(~~y~~x) Swimming pool sales and display.

(~~z~~y) Temporary uses, as permitted by section 36-452, temporary uses.

(~~a~~az) Towers other than wireless facilities, less than 100 feet in height, and related facilities.

(~~b~~baa) Upholstery shops.

(~~c~~cbb) Veterinary clinics, animal hospitals and outdoor kennels provided that at the time the use is established any outdoor activities are clearly accessory to the primary use and provided that no outdoor activities are located closer than a 300-foot radius from a building used for a church, school, hotel, motel, or restaurant, or from a property zoned residential or a building used for residential purposes.

(~~d~~dee) Warehouses, storage and distribution centers.

(~~e~~ede) Wholesale sales and distribution.

(~~f~~fee) Wholesale sales use group.

Sec. 36-432. - GM - General manufacturing district.

(2) Permitted uses.

(cc) Short-term stay type 3 in accordance with section 36-472.

(~~d~~dee) Substance abuse treatment facilities for 50 or fewer residents, provided the facility:

1. Is located at least 2,000 feet from any other substance abuse treatment facility, or 2,000 feet from any emergency shelter, soup kitchen, transitional service shelter or community corrections facility, as measured from property lines; and
2. A plan of operation, including but not limited to: Administration contact information, patron access requirements, hours of operations and security measures, is on file with the City of Springfield Planning and Development Department.

(~~e~~ede) Swimming pool sales and display.

(~~f~~fee) Temporary uses, as permitted by section 36-452, temporary uses.

(~~g~~gff) Towers other than wireless facilities, less than 100 feet in height, and related facilities.

(~~h~~hgg) Upholstery shops.

(~~i~~ihh) Vehicle rental, towing and storage services.

(~~j~~jj) Veterinary clinics, animal hospitals and outdoor kennels provided that at the time the use is established any outdoor activities are clearly accessory to the primary use and provided that no outdoor activities are located closer than a 300-foot radius from a building used for a

Development Review Staff Report



church, school, hotel, motel, or restaurant, or from a property zoned residential or a building used for residential purposes.

(~~kkjj~~) Warehouses, storage and distribution centers.

(~~llkk~~) Wholesale sales use group.

Sec. 36-433. - HM - Heavy manufacturing district.

(2) Permitted uses.

(mm) Short-term stay type 3 in accordance with section 36-472.

(~~nnmm~~) Stockyards or feed lots.

(~~oorn~~) Substance abuse treatment facilities for 50 or fewer residents, provided the facility:

1. Is located at least 2,000 feet from any other substance abuse treatment facility, or 2,000 feet from any emergency shelter, soup kitchen, transitional service shelter or community corrections facility, as measured from property lines; and
2. A plan of operation, including, but not limited to: Administration contact information, patron access requirements, hours of operations and security measures, is on file with the City of Springfield Planning and Development Department.

(~~ppoe~~) Swimming pool sales and display.

(~~qqpp~~) Temporary uses, as permitted by section 36-452, temporary uses.

(~~rrqq~~) Towers other than wireless facilities, less than 100 feet in height, and related facilities.

(~~ssrr~~) Upholstery shops.

(~~ttss~~) Vehicle rental, towing and storage services.

(~~uuut~~) Veterinary clinics, animal hospitals and outdoor kennels provided that at the time the use is established any outdoor activities are clearly accessory to the primary use and provided that no outdoor activities are located closer than a 300-foot radius from a building used for a church, school, hotel, motel, or restaurant, or from a property zoned residential or a building used for residential purposes.

(~~vvuu~~) Warehouses, storage and distribution centers.

(~~wwwv~~) Wholesale sales.

(~~xxww~~) Wood preserving operations using formulations of Chrome-Copper-Arsenate (CCA), pentachlorophenol (PENTA), creosote, and related chemicals.

Sec. 36-434. - IC - Industrial commercial district.

(2) Permitted uses.

Development Review Staff Report



(mm) Short-term stay type 3 in accordance with section 36-472.

~~(nnmm)~~ Swimming pool sales and display.

~~(oonn)~~ Taxi dispatch yards and offices.

~~(ppoe)~~ Taxidermists.

~~(qqpp)~~ Temporary lodging use group.

~~(rrqq)~~ Temporary uses, as permitted by section 36-452, temporary uses.

~~(ssrr)~~ Towers other than wireless facilities, less than 100 feet in height, and related facilities.

~~(ttss)~~ Upholstery shops.

~~(uutt)~~ Veterinary clinics, animal hospitals and outdoor kennels provided that at the time the use is established any outdoor activities are clearly accessory to the primary use and provided that no outdoor activities are located closer than a 300-foot radius from a building used for a church, school, hotel, motel, or restaurant, or from a property zoned residential or a building used for residential purposes.

~~(vvuu)~~ Warehouses, storage and distribution centers.

~~(wwwv)~~ Wholesale sales use group.

Sec. 36-451. - Home occupations.

(3) *Home occupations permitted.* Home occupations include, but are not limited to, the following occupations:

- (i) Renting sleeping rooms and serving meals to not more than two persons (and not exceeding three unrelated) not members of the family occupying the dwelling unit for more than 30 days provided on off-street parking space is provided for each person.

Sec. 36-472. - Short-term stay rentals.

(1) Short-term Stay Type 1

(a) This section shall apply to a Short-term Stay use that:

- 1. is rented for periods of less than 30 consecutive days; and**
- 2. is located within a R-SF or R-TH zoning district; and**
- 3. is an owner-occupied primary residence and is not rented for more than 95 days in a calendar year.**

(b) The following provisions shall apply to a Short-term Stay Type 1:

1. A Short-term Stay Type 1 shall not be located within five-hundred (500) feet along or across the street from another Short-term Stay or Bed and Breakfast as measured between the shortest distance between the lot lines of each parcel.
 2. A Short-term Stay Type 1 shall only be located in the primary structure.
 3. No exterior alterations that would change the single-family character of the Short-term Stay Type 1, other than those necessary to ensure the safety of the structure, shall be made.
 4. No residential structure shall be removed for parking or to expand the Short-term Stay Type 1.
 5. A Short-term Stay Type 1 shall not be rented solely for receptions, parties, weddings or any similar activities.
 6. The owner of a Short-term Stay Type 1 shall provide notification as required by Section 36-475.
 7. It shall be a violation of this section to advertise or promote a Short-term Stay Type 1 which is not in compliance with the provisions of this section.
- (c) A certificate of occupancy shall be obtained in accordance with Section 36-333, Certificate of occupancy.
- (d) Annual business license shall be obtained.
- (2) Short-term Stay Type 2
- (a) This section shall apply to a Short-term Stay use that:
1. is rented for periods of less than 30 consecutive days; and
 2. is located within a R-SF or R-TH zoning District; and
 3. is not an owner-occupied residence or is an owner-occupied primary residence and is rented for more than 95 days in a calendar year.
- (b) A conditional use permit shall be required for Short-term Stay Type 2 uses.
- (c) A conditional use permit shall comply with Section 36-363, Conditional use permits., and the following requirements:
1. A Short-term Stay Type 2 shall not be located within five-hundred (500) feet along or across the street from another Short-term Stay or Bed and Breakfast as measured between the shortest distance between the lot lines of each parcel.

2. A Short-term Stay Type 2 shall only be located in the primary structure.
 3. No exterior alterations that would change the single-family character of the Short-term Stay Type 2, other than those necessary to ensure the safety of the structure, shall be made.
 4. No residential structure shall be removed for parking or to expand the Short-term Stay Type 2.
 5. A Short-term Stay Type 2 shall not be rented solely for receptions, parties, weddings or any similar activities.
 6. The owner of a Short-term Stay Type 2 shall provide notification as required by Section 36-475.
 7. It shall be a violation of this section to advertise or promote a Short-term Stay Type 2 which is not in compliance with the provisions of this section.
- (d) A certificate of occupancy shall be obtained in accordance with Section 36-333, Certificate of occupancy.
- (e) Annual business license shall be obtained.
- (3) Short-term Stay Type 3
- (a) This section shall apply to a Short-term Stay use that:
1. is rented for a period of less than 30 consecutive days; and
 2. is not located in an R-SF or R-TH zoning district.
- (b) The following provisions shall apply to a Short-term Stay Type 3:
1. No more than two Short-term Stay Type 3 units are allowed on a premise.
 2. A Short-term Stay Type 3 shall provide notification as required by Section 36-475.
 3. A Short-term Stay Type 3 unit shall not be rented solely for receptions, parties, weddings or any similar activities.
 4. It shall be a violation of this section to advertise or promote a Short-term Stay Type 3 which is not in compliance with the provisions of this section.
- (c) A certificate of occupancy shall be obtained in accordance with Section 36-333, Certificate of occupancy.

(d) Annual business license shall be obtained.

(4) Short-term Stay Notification Requirements.

(a) The owner of a Short-term Stay shall post, conspicuously in each rental unit the following information:

1. The names and contact information of the person or persons responsible for the day-to-day operations of the Short-term Stay;
2. The certificate of occupancy and business license number;
3. The restrictions on noise applicable under Section 36-485, Noise standards., including limitations on the use of amplified sound;
4. Any applicable parking restrictions;
5. Trash collection schedule;
6. That receptions, parties, weddings or other similar events shall not be permitted in the Short-term Stay unit.

June 3, 2016

«OWN1»
«Own_Addr»
«CITYNAME», «STATE» «ZIP1»

The City of Springfield staff will be hosting an informational meeting on Tuesday, June 14, 2016 at 6:00pm to 8:00pm in the auditorium at the Springfield Art Museum, 1111 East Brookside Drive. Staff will be providing information and collecting public input on two separate topics;

1. Short-Term Vacation Rentals and
2. Accessory Apartments or Accessory Dwelling Units.

Currently Short-Term Vacation Rentals are not a permitted use by our Zoning Ordinance. They are typically located in destination communities, however, they are increasing throughout the nation even into our community. City Council has requested that staff review and make recommendations regarding whether they should be permitted and if so, what restrictions should apply.

Currently, accessory apartments (more commonly called accessory dwelling units) are permitted in single-family residential districts in limited circumstances. Staff is seeking input as to whether those restrictions should be modified.

There will be an online survey that will be used for those that cannot attend or if attendees would like to provide more comments after the meeting. The survey will be active after the informational meeting.

<http://vacationrentals.questionpro.com>

If you are unable to attend, you may contact our office at (417) 864-1611 if you have any questions or would like additional information.

Sincerely,


Daniel Neal
Senior Planner

June 14, 2016 meeting at the Springfield Art Museum

Total Attendees: 48

Letters Mailed: 1500+ (returned/undeliverable: 60+)

Short Term Vacation Rentals:

If the State of Missouri does not mandate that the City of Springfield allow Short Term Vacation Rentals, do we allow them?

Yes: 27

No: 22

Please place your green dots on what is most important to you:

Off-Street Parking: 44

Owner Occupied: 28

Overcrowding: 18

Enforcement: 16

Sewer/Water Infrastructure: 14

Distance Separations: 11

Notes:

What type restrictions allowed in Rountree and Phelps Grove	Parking on the street and overcrowding concerns
What are restrictions on B&Bs	Phelps Grove does NOT want STVRs
Not keeping appearances up (grass, trash, etc.)	STVR - taxes??? Do they pay taxes?
Business License needed?	Enforcement - how?
STVR's are here to stay	STVR and "party house"
Sewer and water concerns	People do look at ratings on STVR

Accessory Dwelling Units:

Would you support changing the current Accessory Dwelling Unit ordinance?

Yes: 27

No:14

Please place your red dots on what is most important to you:

Aesthetics: 36

Remove carriage house requirements: 30

Infrastructure: 30

Owner Occupied: 30

Relative of Family Only Restrictions: 14

Notes:

Tiny houses	May help homeless off street/have homeless work around home/garden for living quarters.
Don't like the current restrictions	What is BDS trying to accomplish?
Absentee landlords	Owner occupied / infrastructure

MEETING SIGN-IN SHEET

Project:	Short-Term Vacation Rentals and Accessory Apartments/Accessory Dwelling Units.	Meeting Date:	June 14, 2016 - 6:00pm to 8:00pm
Facilitator:	Daniel Neal/Chris Straw/Alana Owen	Place/Room:	Springfield Art Museum/Auditorium

Name	Address	Phone	E-Mail
James Cote	1616 E. Elm		
Todd Datzell	1616 E. Elm	417-496-1355	Edatzell@mchsi.com
Johnny Cline	2002 S. Arcadia	417 773 5146	
Jim Dunn	2156 S. Plum LN	417-818-6766	lmakover@gmail.com
Garry + Susan Rice	2248 E Mercer	602-828-3577	
Harvey Cooper	1003 S fremont	417-844-4123	
Willie Pauly	631 E LOREN	417 830 4653	
Eric PAULY	"	"	
Anna Key	757 S. Keller	417-224-7261	annakey417@gmail.com
RHONDA RIDINGER	744 S. PICKWICK	417-830-6468	rhondaridinger@missouri.state.edu
Sarah McCallister	1257 E Cozy	417-224-7250	sarahmccallister@missouri.state.edu
Tracy Kinsler	CVB	417-844-7282	TKimberlin@springfieldmo.org
STEVE KALE	1311 E DELMAR	417.365.4596	SKALE1953@AOL.COM

Name	Address	Phone	E-Mail
Pat Johnson	747 S. Weller	417-869-3743	
Trace Gregory	1315 S Ingram Mill	417-880-8765	
VIRGINIA ALDIS	1146 E. CARDINAL	417-861-0223	
LAC NASTRA	3661 SOUTH	417-849-5240	
Ansel Boyd	1051 S. Pickwick	417-619-4463	
Amy Boyd	1051 S. Pickwick	417-619-5485	
Pat Horner	910 E. Walnut	8383099	
Jim Boyer	1051 S Pickard	417-619-5481	
John Jones	910 E Walnut	8383099	
Nancy Rose	1616 S. Jefferson	417-851-1243	
Laurel Bryant	1028 E 1014 S Weller	417 619 4663	
Loyce Layton	1014 S Weller	417 486 0788	
Angela Norman	740 S. Weller	831-7621	
Jane Sellers	637 E. Loren	268-7700	
Peggy Wise	747 S Fairway	860-8990	
Matt Stevens	901 S Pickard	353-5419	

Name	Address	Phone	E-Mail
LaDonna Steras	901 S Pickwick	353-2998	
Thomas Jones	3653 S. 120 th 65803	328-8470	Thomjones@yahoo.com
Vicky & David Impey	65807 616 E. Jensen	865-6333	
Jenny Harper	1489 E. Grand 65804	631-9849	
Nick HARPER	1684 E. Grand 04	417-860-0862	Sales@the pickwick company. com
Nancy Danielson	807 E Normal St	619-6542	r
Renee Tyson	811 E Normal St		
Jeremiah Smith	719 S. KICKAPOO AVE	522-5432	
Doug Balogh ^{Nancy} Evans	1531 S Rogers		the dougbalogh@hotmail.com
Teresa Emerson	3253 E. Redbud St	863 0050	
Biser Pozina	1523 W. Meyer St	619-3344	
Sara Hollis	1326 E. Delmar	831-7381	
Barb Hollis	1326 E Delmar	831 7381	
Alissa Zhu	1972 S. Oak Grove	417-719-0559	
WM. BULTAS	1028 S. Roano Ave	(417) 865-6496	
Tai Li	727 S. Fairway	417-766-1682	

DENUT MARY PILANT 725 S. ROGERS AVE 417.866-1133

Nicholas Williams 1961 S Virginia Ave

JEFF BARBER 746 S. WELLER AVE.

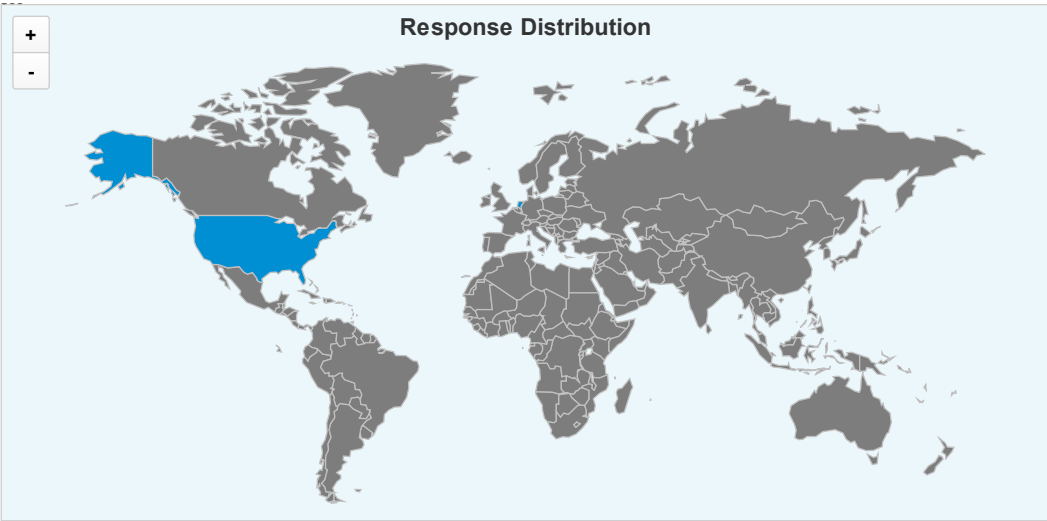
⁴
⁵ Steve Hargis 1160 S. CLAY Ave

Karen Spence 1322 E Harrison St.

¹ Eddie Tims 1174 S. Maryland

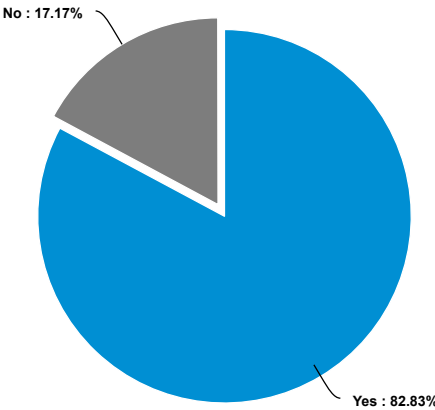
Vacation Rentals - Dashboard

VIEWED 236	STARTED 136	COMPLETED 91	COMPLETION RATE 66.91%	DROP OUTS 45	TIME TO COMPLETE 5 mins
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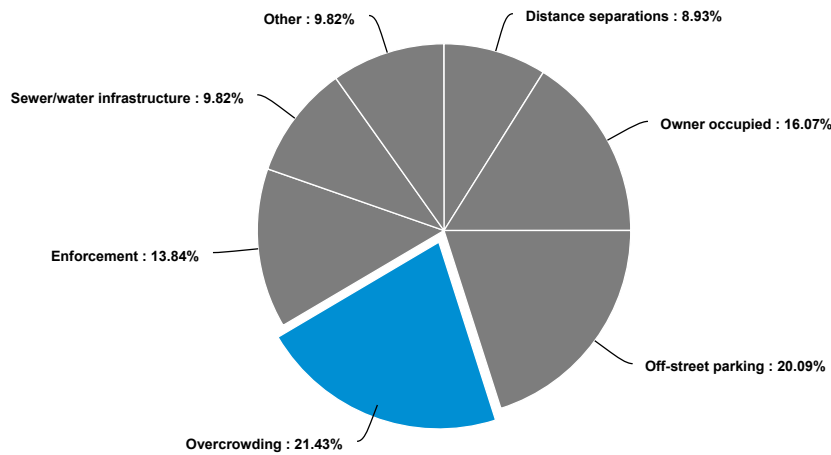
Countries	Responses
US	97.79%
Unknown	1.47%
NL	0.74%
Total	100.00%

If the State of Missouri does NOT mandate that the City of Springfield allow short-term vacation rentals, do we want to allow them?



Answer	Count	Percent	20%	40%	60%	80%	100%
Yes	82	82.83%					
No	17	17.17%					
Total	99	100 %					

If we do allow short term vacation rentals, what type of requirements do we want? Choose up to three of the most important requirements.



Answer	Count	Percent	20%	40%	60%	80%	100%
Distance separations	20	8.93%					
Owner occupied	36	16.07%					
Off-street parking	45	20.09%					
Overcrowding	48	21.43%					
Enforcement	31	13.84%					
Sewer/water infrastructure	22	9.82%					
Other	22	9.82%					
Total	224	100 %					

If we do allow short term vacation rentals, what type of requirements do we want? Choose up to three of the most important requirements.

- Text Data for Other

06/22/2016	54355984	Permits to operate and a limited number of permits per neighborhood. Of course, I think long-term rental properties should work the same way.
06/21/2016	54320776	Please don't allow this to happen
06/21/2016	54319383	I would like to see limitations on purchasing a home in established neighborhoods for the sole purpose of renting it out as a short term vacation rental.
06/21/2016	54305347	Same as for 30+day rentals
06/21/2016	54305132	Same as currently required of property owners of month to month rentals.
06/21/2016	54303270	Ability for neighbors to report misuse of property if tenants are disrespectful to ordinances and neighbors. If multiple complaints are made, the property should be on a non-eligible list.
06/21/2016	54294968	Not exactly sure what the implications of these requirements would be. It would have been helpful to see examples of what other cities have regulated and why it is important.
06/21/2016	54292283	These properties do not cause any more burden than a traditional rental. As long as all tenants obey parking and noise ordinances and owners cover these rules and maintains the properties, there should be no other restrictions.
06/21/2016	54291207	These type of rentals do not create any problem that a traditional rental would. If it would make neighbors happier to limit street parking or limit the number of cars a guest can have at the property, that might be reasonable. The fact is these properties are maintain better than traditional rentals and neighbor around my properties are glad this how I use the properties. I actually help accommodate Their visiting family members and I keep the properties in great condition. I've never had a problem with any guest in nearly two years. The 30 days mentioned in the definition seem arbitrary and does not serve any legitimate purpose that I can think of. What is important is that homeowners and tenants respect the laws of the city.
06/19/2016	54187624	Neighborhoods should be able to decide if they want them not simply citywide.
06/18/2016	54170507	Allow them
06/18/2016	54155395	A number or at least address where the owner can be contacted if problems occur.If the owner is out of state then a manager who can be contacted.
06/16/2016	54063209	1.owner must be held responsible for upkeep of house and grounds. 2. Parking must be off street and not imposing on the residents. 3. Short term Residents must not disturb the neighborhood.
06/16/2016	54041681	Noise control
06/16/2016	54033979	The fact that these have been problem free in this city (maybe one complaint that turned out to be a mistake), suggests they are already self regulated by the social media platform built within it (where reviews are seen by the public). Why regulate something that has not caused a problem. Instead hold them to the standards of existing laws regarding rental property. No additional laws needed for short term rental.
06/15/2016	54012540	No more than 3 unrelated people in any STVR, follow the guide that exists for everyone in the city.
06/15/2016	53999845	Noise control
06/15/2016	54000479	I do not support strv
06/15/2016	53999982	Require registration and collect a tax similar to city hotel/motel tax
06/15/2016	53992591	Safety
06/15/2016	53991500	Normal building codes that apply to all homes already.
06/15/2016	53990723	Property maintenance i.e. Exterior

If you have any comments or suggestions about short-term vacation rentals please share them below.

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06/28/2016	54681699	
06/26/2016	54565174	
06/24/2016	54489420	
06/23/2016	54424674	
06/22/2016	54368097	
06/22/2016	54363898	One of the reasons I consider these as a good option if someone were to do an Air BNB or whatever platform they use is, unlike with pure rental property, if a bad "neighbor" were to move in, with Air BNB I will only have to deal with them for a night or weekend as opposed to a full year.
06/22/2016	54355984	The two that I know of in this neighborhood are great - beautifully maintained, more so than rental property, with host/owners nearby. If all were handled so well, there would be no issues and if long-term rental properties were handled so well, the neighborhood would be a far better place.
06/21/2016	54331510	
06/21/2016	54330722	Residential neighborhoods should be for residents only. How does the property owner know if he/she is renting to a person with a criminal record or warrant? They don't so they should not put my family at risk for their profit.
06/21/2016	54320776	Please don't allow
06/21/2016	54319383	As a traveler that has a family and a budget, I love utilizing services like airbnb to find a comfortable "home away from home" that suits my family and is much more affordable than a hotel. However, as a home owner, I am aware that when people are purchasing homes in established neighborhoods that are ONLY for short term rentals, it diminishes the quality of the neighborhood. For instance, in the small cul-de-sac I live on, right in the heart of Walnut Street Historic District, there is a home that was purchased and is only being used as an AirBnB rental. I know this not only from the multiple people and cars that are in and out but also from finding the listing on AirBnB and seeing that it is advertised as being an upscale, exclusively short term rental. This is frustrating that someone is essentially operating a full time business on our private residential street and I feel that it takes some of the quality away from our neighborhood. I wish that this was regulated so that if a person chose to purchase a residential home for a business venture, they would have to go through steps to make sure they are not infringing on the neighbors/neighborhood. I feel like there is a difference between someone purchasing a residential home to use as a mostly full time business rental and a home owner deciding to rent out a room, "in law units" or their home if they are frequently out of town. When a homeowner still lives in the residence for at least 25-50% of the time, I feel like they stay invested in the well being of their neighbors and neighborhood. I see no need for the homeowner that is occasionally using their residence as a short term vacation rental to be regulated. I see a SIGNIFICANT need for the person purchasing properties to use either exclusively or nearly exclusively as short term vacation rentals to be regulated.
06/21/2016	54314588	
06/21/2016	54310220	
06/21/2016	54306142	
06/21/2016	54305347	
06/21/2016	54305132	
06/21/2016	54303583	
06/21/2016	54303270	
06/21/2016	54302501	
06/21/2016	54300548	
06/21/2016	54299825	They should be taxed like hotels / motels
06/21/2016	54299293	
06/21/2016	54298864	
06/21/2016	54295137	I am a home owner in Rountree and I've lived next to a vacation rental for over two years. The place always looks amazing and, to be honest, looks way better than my house. It definitely keeps the Rountree vibe while offering out of town visitors a great place to stay. Every once in awhile I start a conversation with some of the renters and learn a bit of their story. They are either to support their kids at an MSU event, here for some sort of sports tournament, gathered for a family reunion, or even here as newly weds on their honeymoon. In any form, I can not make one complaint about the vacation rental next to me. It makes the neighborhood look great and honestly is way better than having an unpleasant long-term renter next door.
06/21/2016	54294968	If there is a market for short-term rentals, it seems positive to allow them. I haven't heard a good argument against them as it relates to our city.
06/21/2016	54292283	These properties enhance neighborhoods and help bring revenue to the city. I have operated one for nearly 2 years and have never had a problem with a guest of caused any problems with neighbors. In fact my neighbors have asked me to accommodate visiting family and friends. There should be no restrictions on this use of property. If you want to mandate these owners cover applicable ordinances with guests, that would be fine however, these tenants do not pose any additional burden on the city than a traditional renter. In fact they cause less, they don't typically use our school systems or utilize other public services. Furthermore they bring in out of town money to our local economy!! I've heard several residence say they would rather have a short term renter than a marginal or bad traditional renter. I can see this logic. Compare the maintenance of these properties to traditional rentals, these short term rental are maintained better than most owner occupied homes,, look and see for yourself!!
06/21/2016	54291207	Please compare these short term rental properties to the average traditional rental properties. You will see that these short term rental are maintained better than most traditional rental and they do not burden the city any more than a long term tenant. How about just requiring short term rental owners to go over the critical city rules that are intended to protect the neighbors like noise ordinances and parking ordinances. I've never had these problems with tenants and I do cover these issues anyway but if this would make the handful of people complaining happy, that would be fine with me. Several attendees at the meeting June 14, 2016 states they lived by short term rentals and preferred them over traditional renters because often they have be stuck with marginal or bad renters for a long time. I could certainly understand that logic. My neighbors know what I do with properties and I babe never had any problem with tenants nor have I had any complaints from neighbors. As a matter of fact my neighbors have called on me to accommodate their visiting family and friends. Short term rentals are not going away and in fact the industry is growing rapidly. Travelers demand more than a bed and bathroom. These types of rentals help promote Springfield and keep revenue in the city limits. If the Council did ban them, owners would just offer them outside the city limits. That would hurt the city kissing out on that revenue. Also, the complainers need to acknowledge that short term renting adds value to their properties because this offers addition utility to every house. Furthermore, as mentioned, the up keep of these short term rental house is better than surrounding houses.

06/19/2016	54210654	
06/19/2016	54203792	
06/19/2016	54187624	
06/19/2016	54187330	
06/19/2016	54182000	
06/18/2016	54170507	
06/18/2016	54157763	
06/18/2016	54155395	
06/18/2016	54149257	
06/17/2016	54121938	Short-term vacation rentals would be fine if there is the ability to oversee them and enforce any regulations.
06/17/2016	54120392	I think it is best to regulate very lightly. There will always be those who demand tight control of what their neighbors do, please ignore them.
06/17/2016	54100443	
06/17/2016	54095944	
06/17/2016	54095615	
06/16/2016	54063209	Short term rentals must not be used as party houses.
06/16/2016	54059542	
06/16/2016	54042061	
06/16/2016	54041681	There are several in the neighborhood, including two on my street. So far they all seem to be good neighbors - the houses are kept up, the visitors are not disruptive or loud. As long as people are not loud or disruptive, the house is maintained, and the parking doesn't get out of control, I think short-term rentals should be allowed. I would rather see a house be a short-term rental and be maintained than have someone buy it and rent to drunk college boys who trash the place and throw loud parties all the time.
06/16/2016	54041181	
06/16/2016	54039887	
06/16/2016	54036848	
06/16/2016	54036840	
06/16/2016	54035166	Enforcement of any rules and regulations may work when dealing with the property owner, but how would you suggest enforcement for a renter who was staying one night and created an issue at 2:00AM? This could be an ongoing issue for months with a nightly turnover. What type of assurance would a neighborhood have that an existing property owner would not allow a current property to fall into such disrepair that demolition of said current property is a viable solution, there by allowing a shiny new house to be built and used as a BnB. A house that is completely out of character with the existing neighborhood? As a home owner in Phelps Grove, how will The City respect our current Urban Conservative District ordinance? I would expect that The City would hold it in the same high regard as those who are owner/occupied homes.
06/16/2016	54033979	See above
06/16/2016	54027207	I don't think enforcing distance separation, owner occupancy, or off street parking is an issue. Having a facility that is in the basic form of life / safety / shelter / utilities is a minimum threshold. Renting out your garden shack with no electricity or running water (while some people may rent a place like that) seems like a potential line in the sand for basic safety and human habitation. Registration as a vacation rental seems reasonable with fee of say \$50 for an annual inspection by a building inspector for basic measures of life / safety / utilities. Sub letting of rental versus owner occupied seems like an agreement that should be left to the discretion of the landlord and tenant. However if the property is a rental, a request for vacation rental by the tenant should also require the OWNER approval / signature on the annual inspection, acknowledging that their tenant is sub letting and that the owner is responsible for maintaining the facility.
06/16/2016	54020559	Vacation rentals are a good thing. I rent a VRBO house everywhere I go. It's so much better than a hotel.
06/15/2016	54016203	
06/15/2016	54015622	Please allow short-term rentals. They are a great benefit and feature for the community.
06/15/2016	54012540	They might actually look better than slumlord places
06/15/2016	54010232	
06/15/2016	54008578	
06/15/2016	54004662	Such rentals survive only by being "top quality". People who rent these are paying a premium price for "nightly rental" compared to monthly rentals, so they expect "quality". Self regulating when compared to monthly rental. The city currently does not license single family rentals so if vacation rentals are regulated (licensed) will it license single family rental property? Potential conflict? If not licensed, how tracked and regulated? Complaint? Is there really an issue or just perception that is not supported by the facts? Numbers of police/enforcement complaints and nature of complaint. Is there really a problem? Alternative is to let it go to a monthly rental property which operates on a much lesser standard for quality and historically bring down property values. Do vacation rentals, in fact, bring some stability to neighborhoods that are in decline?
06/15/2016	54004542	
06/15/2016	54003652	
06/15/2016	53999845	I would like to see STVR allowed.
06/15/2016	54001164	
06/15/2016	54000479	
06/15/2016	53999982	
06/15/2016	53999766	These are an attractive alternative for many people, particularly families, guests who want to stay near families in the neighborhood and business people working longer-term assignments. Since we have so few hotel choices, particularly downtown, VRBO is a great alternative.
06/15/2016	53997309	I have used Airbnb extensively and always find that the experience is superior to using a hotel. Staying with a local host ensures that I get the chance to experience a town "like a local" - I'm given great local restaurant and shopping options! Plus, Airbnb allows people to interact with others they might otherwise have no opportunity to meet. I would hate to see Springfield lose the opportunity that these kind of "sharing economy" companies provide. Residents benefit from some extra income, and guests benefit from a more authentic travel experience.

06/15/2016	53996314	
06/15/2016	53995488	
06/15/2016	53995155	
06/15/2016	53994078	
06/15/2016	53993878	Limit the percentage if time a dwelling is used/available as a short term rental. It's not a motel.
06/15/2016	53993181	Why after buying my home in a single home area would I want a motel next door?
06/15/2016	53991679	Personally I would prefer a home in my neighborhood be a vacation rental then a permanent rental property. As a life long resident in one of Springfield's most beautiful neighborhoods, I have lived in close proximity to both types of rentals and have had far less, zero to be exact, issues with any vacation rental, other rental properties however, I cannot say the same for. The few vacation rentals I know of in our neighborhood are beautifully kept, pristine, quiet homes. Other rental properties are often much more unkept, yard and grass overgrowth seems to be a given, and have caused noise complaints on numerous occasions. If it truly is the character of the neighborhood you are striving to preserve then it seems to me you are going after the wrong kind of housing. Not saying we should ban all rentals, of course not, but just can't fathom what truly serious issues these Vrbo's are causing our city. Are they not a great draw for tourists? I know multiple families, including my own and many close relatives that always choose a vacation rental, in Springfield and other destinations, over hotels for all sorts of reasons. Also, if you're truly interested in neighborhood preservation, and dealing with complaints, then let's talk about the state of the unkept dilapidated insane looking homes that the city tends to turn a blind eye to all over our city, and the state of our "historic district" and other neighborhoods that should be deemed as such, yet homes get torn down right and left for hideous apartment complexes, student housing and other multi resident structures, and homes that should be condemned go on falling apart, devaluing neighbors property with zero consequences. Something tells me this whole thing is more about hotel tax, big money, and politics then it is about neighborhood preservation, addressing residents complaints and keeping good and beautiful quiet neighborhoods the way they are.
06/15/2016	53993041	
06/15/2016	53992987	Cars parked out on the street is a major concern. We already have a lot of cars on the streets. A safety hazard for kids walking and on bikes and unsightly. But- I have stayed in VRBOs and owners generally keep them well maintained to attract renters. I live in Rountree.
06/15/2016	53992591	
06/15/2016	53992584	
06/15/2016	53991899	I live next door to an Airbnb home. We have people blocking the sidewalk. I have picked up cigarette butts out of my yard because the owner doesn't allow smoking so the butts (and beer cans) end up over the fence. We have people in the backyard at midnight throwing frisbees and yelling at the top of their lungs. The owner may love the system, the neighbors do not. He has not left any phone numbers for anyone to contact him if there is an issue. My vote is no way.
06/15/2016	53991500	
06/15/2016	53990990	I lived across the street from a STVR in Rountree for a couple of years. While the owner did a fantastic job of upkeep, having "new neighbors" every few days was terrible. Sometimes they were good neighbors, sometimes they were bad. Either way, being directly across the street, we always felt "on display". Even the best-kept well-tended STVRs can take away from the charm and close-knit feeling we share with our neighbors. There are major reasons we live here and not in an apartment building or motel. Stability of community being near the top. KNOWING AND TRUSTING those who live nearby. STVRs make it impossible to achieve this.
06/15/2016	53991211	This has become a valuable resource for business and personal travel and would not want it regulated by the City. There are other "bad neighbor" policies in place to deter "trouble" properties. There are worse rental properties out there with significantly higher levels of detriment to neighborhoods
06/15/2016	53991096	
06/15/2016	53990723	I use them when I travel and think they're great. The owners of these houses generally keep them pristine - it's why anyone would choose to stay there. I think a transparency and ability to contact the owner should there ever be an issue is important. I live near several homes used for this purpose and have had zero issues with travelers.
06/15/2016	53990890	
06/15/2016	53990532	I don't have a problem with them. if anything, short term rentals are competing with each other to have the better properties in order to be successful.. which means they will be maintained and often actually help the neighborhoods in which they reside, unlike a common rental property in which maintenance sometimes becomes an issue and the dwellings become run down.
06/15/2016	53990573	
06/15/2016	53990535	
06/15/2016	53990500	
06/15/2016	53990456	
06/15/2016	53990467	
06/15/2016	53990204	
06/15/2016	53990210	
06/15/2016	53990170	
06/15/2016	53988531	I oppose them completely. Jerome D. Robeen 1455 S. Clay
06/15/2016	53984972	I stayed exclusively at AirBnBs on my recent vacation and they provide an excellent option for those who do not wish to stay at a hotel or motel when they travel. I would like my friends and family traveling to Springfield to have the same options available to them when they come for a visit.
06/15/2016	53980219	
06/15/2016	53973013	Some communities have offered a 'compromise' of a weekly rental (1-7 'overnights' during a 7-day week) Fees needed to balance city's regulatory staffing load.
06/14/2016	53921636	

Vacation Rentals - Dashboard

VIEWED

38

STARTED

25

COMPLETED

14

COMPLETION RATE

56%

DROP OUTS

11

TIME TO COMPLETE

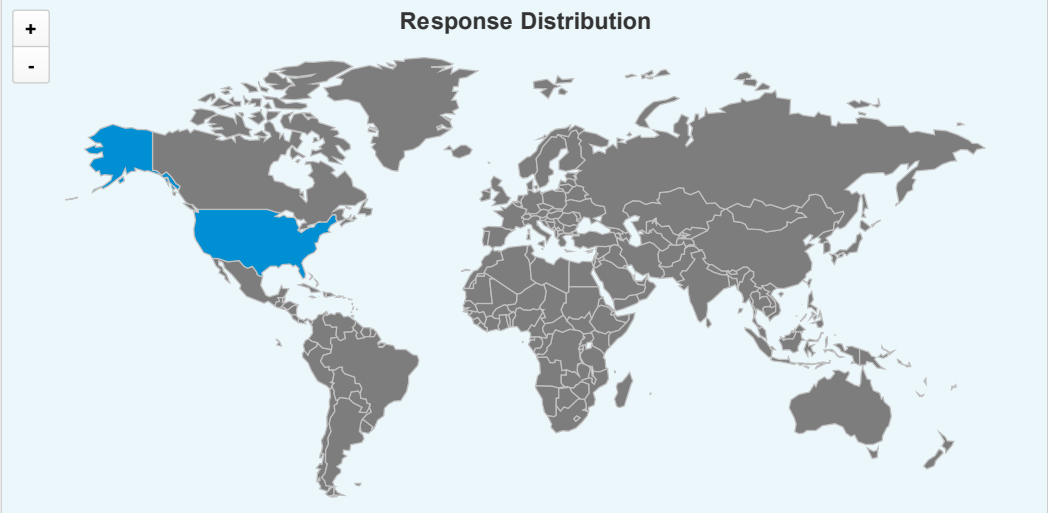
6 mins

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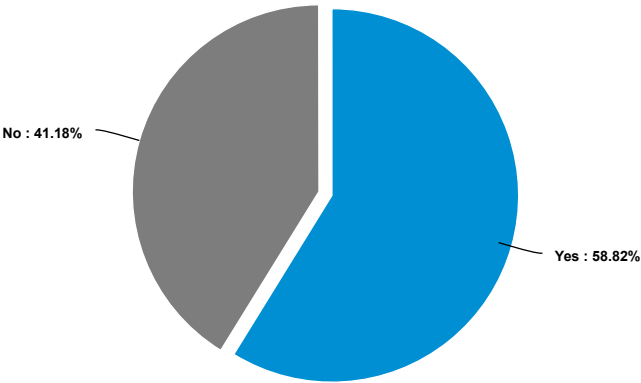
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Response Distribution



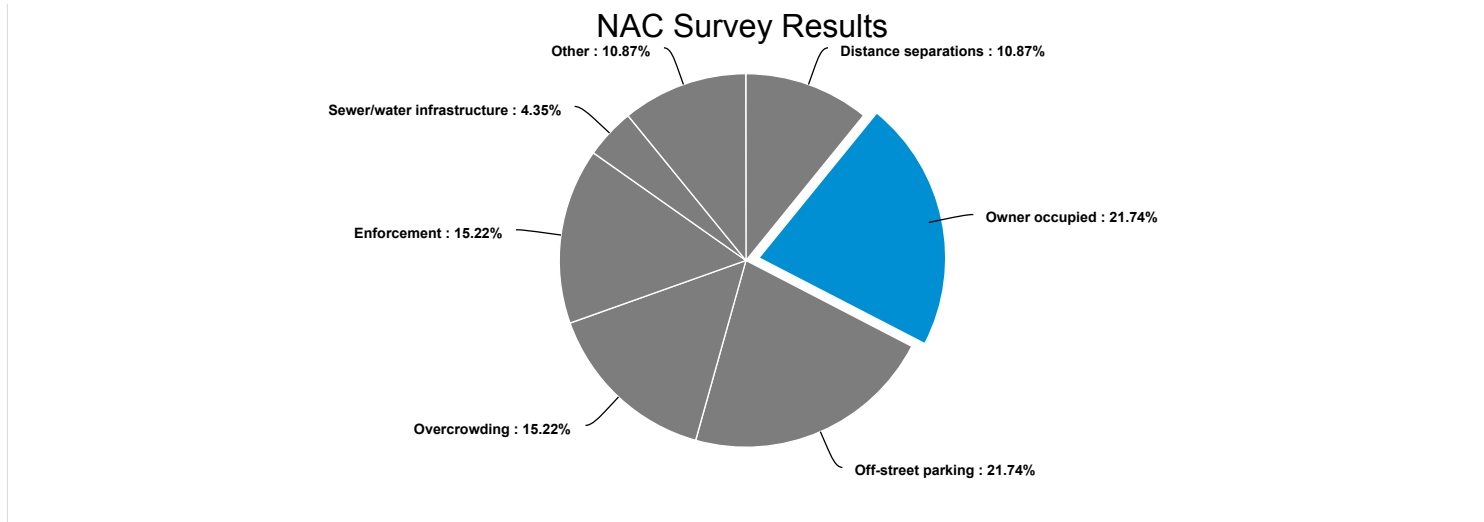
Countries	Responses
US	100.00%
Total	100.00%

If the State of Missouri does NOT mandate that the City of Springfield allow short-term vacation rentals, do we want to allow them?



Answer	Count	Percent	20%	40%	60%	80%	100%
Yes	10	58.82%					
No	7	41.18%					
Total	17	100 %					

If we do allow short term vacation rentals, what type of requirements do we want? Choose up to three of the most important requirements.



Answer	Count	Percent	20%	40%	60%	80%	100%
Distance separations	5	10.87%					
Owner occupied	10	21.74%					
Off-street parking	10	21.74%					
Overcrowding	7	15.22%					
Enforcement	7	15.22%					
Sewer/water infrastructure	2	4.35%					
Other	5	10.87%					
Total	46	100 %					

If we do allow short term vacation rentals, what type of requirements do we want? Choose up to three of the most important requirements.

- Text Data for Other

08/31/2016	57945106	Enforce required registration of STVR property owners.
08/31/2016	57944785	registered with the City
08/26/2016	57718314	Monetary compensation to adjacent property owners for decreased property value.
08/23/2016	57559644	Noise/disturbance regulations strictly enforced.
08/11/2016	56927560	I think it would be a good idea to require vending through a recognized source such as VRBO or AirB&B. Listing independently through Craigslist or similar sites would skirt the review process which is critical in insuring clean, well-maintained properties run by reputable owners.

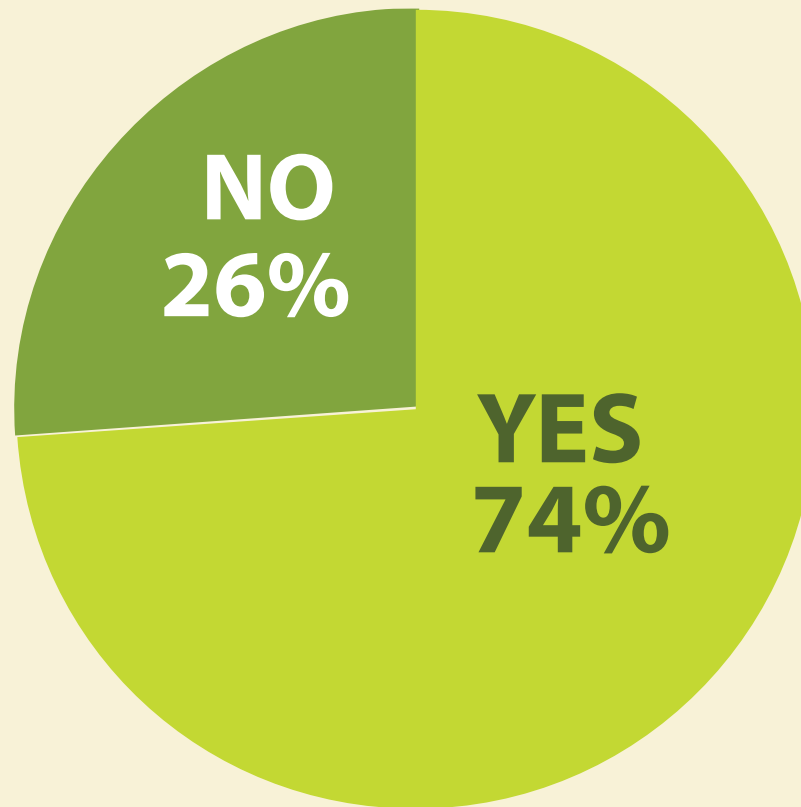
If you have any comments or suggestions about short-term vacation rentals please share them below.

If you have any comments or suggestions about short-term vacation rentals please share them below.

08/31/2016	57945106	Please act soon with regulation to protect neighborhoods/neighbors, to protect STVR investors themselves, and to decrease numbers of STVR lobbying that might impede common sense City/State rulings.
08/31/2016	57944785	There must be regulation in place now before residential neighborhoods are impacted with potential problems (noise, parking, etc.) and before people invest in purchasing STVR properties to rent out. Protects neighborhoods/neighbors, protects STVR investors, and decreases lobbying potential of STVR property owners with the state/City.
08/31/2016	57938771	
08/30/2016	57883142	
08/26/2016	57726409	
08/26/2016	57718314	Why is the City of Springfield allowing businesses to move into in single-family neighborhoods?
08/26/2016	57699661	
08/24/2016	57637097	
08/23/2016	57580350	
08/23/2016	57559644	My chief concern as a homeowner is that when I purchased my house, I purchased it in a single family zone, not a transient zone near a hotel. It's great to think about the revenue generated, and to look at as "stuck in time" by now allowing STVR, but a line has to be drawn between what constitutes a single-family residential zone. I don't believe running a hostel next door is fair to those that have bought in a residential district and comply with current zoning laws. There is already an issue in Springfield with those living in rental homes subletting out extra rooms on Hotpads, and other sites. At what point do we draw a line in the sand and stop sacrificing everything at the altar of "more revenue", and realize that shredding the fabric of communities by allowing eased hostel regulations could potentially cost more in the long run? And what are the potential side-effects of changing the current occupancy laws now? Do I have to now worry about my neighbors throwing up buildings next door, calling it a detached living facility, and turning it into a defacto rental?
08/19/2016	57405156	
08/19/2016	57357961	
08/18/2016	57288054	Safety of neighbors, especially children and elderly. Negative impact home values. Change makeup of neighborhood. TERRIBLE idea. Plenty of hotels/motels.
08/18/2016	57287972	
08/18/2016	57287879	Concerns safety of families, especially children and elderly, in a neighborhood. Impact sense of safety. Negative impact home values. Noise. TERRIBLE IDEA. Would fight on state level.

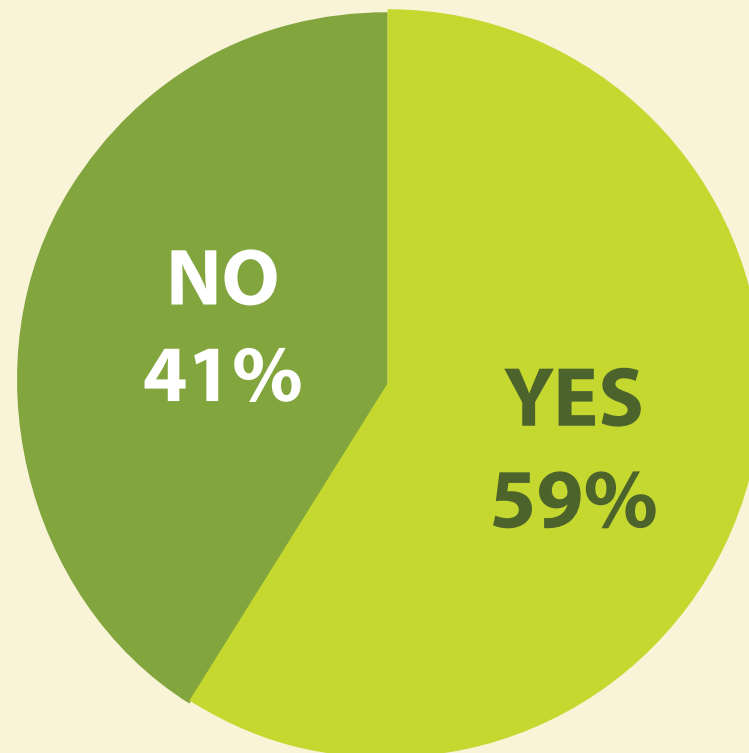
Planning and Zoning Commission Page 34 of 47

Should City of Springfield allow short-term vacation rentals?



Total number of respondents: 148

Should the City of Springfield allow short-term vacation rentals?



Total number of respondents: 17



Phelps
Neighborhood
Association

P.O. Box 1356 Springfield Missouri 65801-1356

RECEIVED

AUG 29 2016

Mayor and City Council Members,

It is our understanding that the Planning & Development Department is working on regulations regarding "Air B&Bs" (Bed & Breakfast) for your consideration. The Phelps Neighborhood Association has serious concerns on this matter. We met and discussed the topic, and our official position is that we oppose this use being legalized in our neighborhood. If the City Code is changed to allow them, at minimum we would ask that it be limited to owner occupied properties and spaced appropriately.

June 14, 2016 Planning and Development and Building Development Services held a meeting for the residents of Phelps Grove and Roundtree neighborhoods to educate and discuss short term vacation rentals, (BnB) and accessory apartments. We attended, hoping to get a better understanding of the City's proposed approach to these issues. We also wanted to hear the concerns and ideas of people from the Roundtree neighborhood. The presentation was disjointed and unclear as to what the potential City regulations might be regarding B&Bs. Several people in attendance asked questions that could only be answered by the City's legal department, which was not present.

Our Urban Conservation District is something the Phelps Grove Association fought long and hard to achieve. The Phelps Grove Neighborhood Plan approved by City Council (relevant pages of the document attached) states that that we should "limit the home occupation of renting sleeping rooms and serving meals to owner occupied residences".

During a recent meeting of the Phelps Grove Neighborhood Association our position regarding BnB's was discussed and voted upon. Our resolution is that we are opposed to the encroachment of BnB's into our neighborhood. There are several reasons for this:

1. It diminishes the character of our neighborhood from a residential area to a business district. Short term rentals are a business similar to hotels, not normal residential rental properties.
2. The northern section of our neighborhood is densely populated with student rental which could be ideal for short term renting for events such as bachelor parties or pff site frat parties.
3. B&Bs should be inspected like hotels/motels by the Health Department. This responsibility would fall to BDS, which is already understaffed.
4. Off street parking is limited and is regulated by our Residential parking districts. Securing parking passes for short term rentals would be very problematic.
5. As the BnB is not allowed by The City, it is disturbing that no current action is being taken to address those who are clearly in violation. A simple Google search of BnB will turn up many in Springfield, along with the address and contact information. If the ordinance is changed to allow B&Bs, we question how the City intends to track and regulate them.

Please respect our Urban Conservation District and help us protect and preserve our residential neighborhood by not legalizing B&Bs in our neighborhood.

Respectfully,

Renee Tyson, Phelps Neighborhood Association Secretary

October 3, 2016

Dear City Council,

It has come to our attention that the City Council will soon be looking at the topic of Short-Term Vacation Rentals (STVR) and appropriate oversight (i.e., ordinances, codes, regulations). We applaud this effort and we would like to share with you our experiences with a STVR and our resulting views.

For the past several years we have lived in close proximity to a STVR. It is located at 2106 South Mayfair Ave. The "J.C.'s Villa," is advertised on two websites (Home Away Rental, Listing # 339903 and VRBO, Listing #324190). The listings indicate the STVR sleeps up to 16 people with a minimum stay of 2-4 nights.

This STVR is located in a residential area (zoned Residential Single Family). To drive by the STVR, it appears to be a home. However, as a STVR it *functions* as a lodging and event venue business.

- The owner does **not** reside onsite.
- The garage has been converted to a game room (to generate additional revenue).
- The parking area is limited to a driveway. As a result, the street functions as a parking lot.
- The patrons who rent the STVR frequently host events (i.e., bridal shower, baby shower, birthdays, family reunions, pre- and post-game team meals). This brings additional traffic to the neighborhood.
- The STVR generates noise at all hours with patrons and their guests arriving and departing.

When we have inquired as to the legality of a STVR in a residential neighborhood, we have encountered a range of responses from the STVR owner and the City. Most recently, we have spoken to Chris Straw, Carson Cash, Daniel Neal, and the Public Information Office.

At this time, we are bringing our concerns to the City Council. We do not believe STVR should be allowed to exist within residential neighborhoods unless they are owner-occupied and have adequate off-street parking. We would welcome the opportunity to discuss this situation with you.

Thank you for your time and consideration.

Name

Address

Phone

WILLIAM & JACQUELINE HAWKS 2107 S. MAYFAIR AVE., SPRINGFIELD, MO 573 668-1665
65804

Judy Richardson 2056 S. Mayfair Ave 496-2335

John and Kay Simmons 2059 S. Mayfair 839-2139



Springfield Hotel Lodging Association (SHLA), is a local association advocating for hotels and lodging facilities in the Springfield area. SHLA and its members welcome competition from the short-term rental sector as long as it is on a level playing field. Competition in the lodging industry thrives when everyone plays by the same set of rules designed to ensure the safety of our guests and our communities. The local hotel community shares the concerns of local residents about the growing number of commercial operators who are using sites like Airbnb and VRBO to run multi-unit, full-time lodging businesses without any oversight.

Unregulated hotels operated in residential properties are disruptive to communities and pose serious safety concerns for guests, for communities, and for neighborhoods.

- **Guests:** particularly those with special needs have no way of verifying whether these properties are compliant with basic health and safety standards, like smoke and carbon monoxide detectors, fire escapes and wheelchair ramps.
- **Neighbors:** Because most short-term rental properties are not required to register with local authorities, residents who live near illegal hotels have no way of knowing who is listing the property, much less renting it, and face chronic problems like excessive noise, unruly behavior, unhealthy living conditions, a revolving door of strangers next door, and possible decrease in home values.
- **Communities:** By flouting zoning laws, these unregulated businesses are disrupting communities and changing the long-standing residential feel of neighborhoods. And by reducing the supply of homes and driving up rents in already tight and expensive real estate markets, these same commercial operators are undermining the social fabric that makes neighborhoods stronger and safer.
- **Safety and Crime:** Unlike hotels and Bed and Breakfasts, where the guest checks in with a person and can verify by I.D., many short-term rentals are being transacted on line with no oversight. Can you imagine a short-term rental next to a school and they allow a sex offender to rent on a nightly basis?

Short-Term rental companies are advocating for state wide ordinances that would preempt the ability of local communities to set and enforce rules about short term rentals. SHLA believes that the counties and cities inside our state should have the power to control when and where a business opens. No other company in America gets to decide what rules and regulations they get to follow or what taxes they must pay. Short-term rental companies could crack down on illegal operators by providing full transparency to state and local authorities about which hosts are operating units and preventing properties that are not licensed to be allowed to be listed on sites.

State and local governments should act to ensure that:

- Hosts who meet a certain threshold register their rental property and obtain a business license and other applicable rental permits.
- Revenue is transparent and all taxes and fees are paid, just like every other company is required to do.
- Zoning laws are followed.
- Basic health, safety and cleanliness standards are met.
- Appropriate levels of insurance are in place to protect homeowners, guests, lending institutions and communities.

Sincerely,

A handwritten signature in blue ink, appearing to read "JP Roberts", with a stylized, cursive script.

JP Roberts
President | SHLA
General Manager | Hotel Vandivort

Missouri Hotel Lodging Association (MHLA), is a state association advocating for hotels and lodging facilities across the state. MHLA and its members welcome competition from the Short Term Rental sector as long as it is on a level playing field. Competition in the lodging industry thrives when everyone plays by the same set of rules designed to ensure the safety of our guests and our communities. The hotel community shares the concerns of local residents about the growing number of commercial operators who are using sites like Airbnb and VRBO to run multi-unit, full-time lodging businesses without any oversight.

In many major urban areas and vacation destinations, investors are buying rental properties with no intention of living there, but solely for the purpose of renting them out to short term visitors, just like a hotel. The industry keeps referring to these companies as “short term rentals”, but how are they any different than a hotel? MHLA does not believe they are any different and should be treated by state and local authorities like a hotel.

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Sincerely,

Greg E. Walker
President MHLA

Dear City and County of Springfield

It has come to our attention there are a number of short-term/transient inns and lodging establishments in our jurisdiction that are not operating according to local and state laws and regulations. These establishments are part of the new “sharing economy” that end-users can participate in on sites like Airbnb and VRBO.

Enclosed is the Bed and Breakfast Inns of Missouri’s policy statement regarding short term/transient lodging. We expect fair and equal treatment of all lodging businesses. We are not interested in new regulations or laws, we just want you to fairly regulate and enforce the current regulations and laws within our jurisdiction. Thank you for your attention and please contact me or BBIM if we can be of any assistance.

Bed and Breakfast Inns of Missouri

PO Box 7, Washington, MO 63090

www.bbim.org info@bbim.org

Policy Statement Short Term/Transient Lodging

Bed and Breakfast Inns of Missouri (BBIM) is the state association for bed & breakfast lodging and was founded in 1990. BBIM is the voice of the B&B industry in the state and provides marketing, education, networking, quality and safety inspections, and other support to its membership. Requirements for association membership include compliance with applicable federal, state, and local laws, ordinances, and regulations through an inspection process.

Over the past 25+ years, BBIM and our individual members have built strong partnerships with wineries, historic sites, museums, art studios, antique shops, restaurants, farm stores, caterers, and equipment rental companies. Together, we create a positive cooperative experience for our visitors. A great experience means a repeat guest for all of us, and increased economic impact in our communities and state.

Recognizing the economic importance of tourism to the state of Missouri, BBIM is proud to play a role in providing unique and high quality lodging options to support our vibrant communities. As an advocate for our members, we believe it is important to express our position about the emergence of alternative, short-term/transient lodging facilities. We clearly state that a ‘level playing field’ for all short-term/transient lodging facilities is essential to the continued success of the tourism industry in our state.

Currently, licensed short-term/transient lodging facilities are being taxed at different levels than “shared economy” platform hosts like Airbnb and VRBO. It is discriminatory and illegal to selectively enforce taxation on only licensed lodging businesses in Missouri. All lodging facilities must comply with applicable state and local licensing and registration requirements, codes, regulations, and the following:

- federal income taxes
- state income taxes
- state sales taxes
- local sales taxes
- local lodging taxes or occupancy taxes.

A lodging facility that employs full- or part-time employees should also be required to collect and submit the following:

- federal income tax withholding
- social security withholding
- Medicare withholding
- federal unemployment taxes
- state income tax withholding
- state unemployment taxes
- applicable workers' compensation insurance

BBIM also recognizes inequality in the enforcement of lodging and food safety regulations. When operating any lodging property, guest safety is a primary concern. All lodging facilities should adhere to current standards, codes, and regulations regarding fire safety, alcohol use and control, guest security, liability insurance coverage, applicable building/structure codes, food safety, and applicable zoning regulations and ordinances.

BBIM expects fair and equal treatment of all lodging businesses operating in the state of Missouri. BBIM is not interested in new regulations heaped on top of regulations already on the books. We encourage and support lawmakers and officials to enforce the current set of laws in an equal and fair manner.

Neal, Daniel

To: Powell McHaney
Subject: RE: COMMENTS REQUESTED - Proposed Short-Term Stay Rental Amendments to P&Z and CC

Oak Grove Neighborhood Association agrees with proposals, which are just and reasonable. Sincerely--Powell McHaney, Vice President, and Treasurer.

From: [Geoffrey Butler](#)
To: [Danny Perches](#)
Cc: [Neal, Daniel](#); [Hosmer, Bob](#); [Smith, Mary Lilly](#); [Straw, Chris](#); [Hill, Harlan](#)
Subject: RE: COMMENTS REQUESTED - Proposed Short-Term Stay Rental Amendments to P&Z and CC
Date: Monday, December 18, 2017 10:58:18 AM

This is going to be a boondoggle. What are the fees besides the nominal business license? Inspection of the properties required by BDS? Monitoring/registration tracking? First come first served? Or should you have an application window where everyone can apply and if there are two or more in an area then draw straws to see who gets the license? Put licenses up for renewal every three years so others might have an opportunity to do it? Guaranteed that any Conditional Use would not ever be granted due to neighborhood opposition. Nice try but this is sort of like Tax reform, never please everyone.

Geoffrey H. Butler AIA

Architect

butler@brpae.com

417 521-6106 office

417 848-6000 mobile

From: Danny Perches [mailto:danny@springfieldchamber.com]
Sent: Monday, December 18, 2017 10:33 AM
Subject: COMMENTS REQUESTED - Proposed Short-Term Stay Rental Amendments to P&Z and CC

DIIG Committee Members,

Please see the information below:

From: rusty@itsalldowntown.com
To: [Neal, Daniel](#)
Subject: COMMENTS REQUESTED - Proposed Short-Term Stay Rental Amendments to P&Z and CC
Date: Friday, December 22, 2017 12:56:32 PM

Dan,

I sat down with the owner of a small AirBnB house just down Walnut Street from Mother's to review the materials that you provided. The change to not require a conditional use permit for Type 1 properties was very helpful. That cost would have been significant for this owner-occupied start-up. The only recommendation that we identified was increasing the number of days from 95 to at least 120 or as many as 180 per year. She was under the 95 for 2017, but as the business grows it needs to be hosting guests at least 120 nights per year to be sustainable.

Everything else looked fine at this point. We appreciate your sending this information for our feedback. Please let me know if you or Danny have any questions.

Merry Christmas and Happy New Year!

RUSTY WORLEY

Executive Director
Downtown Springfield Association
417-831-6200
[Facebook](#) | [Instagram](#) | [Twitter](#)



From: Danny Perches [<mailto:danny@springfieldchamber.com>]
Sent: Monday, December 18, 2017 10:33 AM
Subject: COMMENTS REQUESTED - Proposed Short-Term Stay Rental Amendments to P&Z and CC

DIIG Committee Members,

Please see the information below:

Staff is proposing text amendments (attached) at the Planning and Zoning Commission meeting for public hearing on January 11, 2018, and City Council on January 29, 2018. The staff report for P&Z will be complete and available for review on January 4th.

Short-Term Stay Rentals (e.g. AirBnb, VRBO, Homeaway, etc.) are currently not permitted by the Zoning Ordinance. Staff is proposing amendments to permit them under certain conditions and requirements. Hosts who rent out their property in the city limits of Springfield via AirbnB, VRBO or other online marketplaces will need to